

Virginia Department of Health: Office of the Chief Medical Examiner

Virginia Domestic Violence Fatality Review Newsletter

Virginia Office of the Attorney General Expands Community Outreach Program

Attorney General Mark Herring announced the hiring of additional Community Outreach Coordinators to expand coverage of the Office of the Attorney General (OAG) outreach program to each of five state regions: Northern Virginia, Roanoke, Tidewater, Southwest Virginia, and Central Virginia. The outreach coordinators serve as a liaison to the OAG to help spread information on public safety and relay local and regional concerns to senior state leadership. Coordinators are available to work with communities on various topics, including domestic violence crime prevention and educational programs, and services available to domestic violence survivors.

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2015 General Assembly: Legislative Update

The following bills related to domestic violence were brought before the Virginia General Assembly in 2015. Bills signed into law become effective July 1, 2015.

Passed and signed into law:

- HB2092/SB1094 - Establishes the Virginia Sexual and Domestic Violence Program Professional Standards Committee and an Advisory Committee on Sexual and Domestic Violence.
- SB941/HB2329 - Provides for the compensation of counsel or a guardian ad litem for representation of a respondent in a proceeding for the issuance of a protective order.
- HB2120 - Adds strangulation to the list of crimes charged for which there is a presumption against bail.
- SB1187/HB1928 - Adds violation of a protective order and stalking (among others) to the list of offenses for which a convicted adult must have a sample taken for DNA analysis.
- SB990/HB1945 - Requires employers to allow an employee to take domestic violence leave, with or without pay, if the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking.
- HB1430 - When an employee leaves work as a result of domestic violence or sexual assault, this law would exclude unemployment benefits paid to the employee from the charges used in calculating the employer's state unemployment tax rate.
- HB2150 - Prohibits an employer from discharging, demoting, or disciplining an employee for taking reasonable time off to obtain relief from an act of domestic violence or sexual assault.
- SB943/HB2085 - Prohibits a person who has been convicted of stalking, assault and battery of a family or household member, or sexual battery from possessing a firearm.
- SB909/HB2045 - Prohibits a person who is subject to a protective order from possessing a firearm.
- HB2328 - Provides that a person who is subject to a protective order must surrender any firearms possessed by him to the court within 24 hours of being served with the protective order.
- SB1297/HB1453 - Expands the definition of stalking to include conduct with the intent to coerce, intimidate, or harass.
- HB1902 - Provides that a tenant who is a victim of stalking may terminate their rental agreement if the tenant has obtained a protective order or the perpetrator of the crime has been convicted.

**Webinar Recordings
Now Available!**

Webinars offered by the National Domestic Violence Fatality Review Initiative (NDVRFRI) are now archived and available as recordings at their [website](#). Topics of past webinars include confidentiality and engaging family members in the review process.

Legal Intervention and Domestic Violence Related Deaths in Virginia

From 2003-2012, the Virginia Violent Death Reporting System recorded 4,080 homicides occurring in the Commonwealth. A portion of these homicides (3.6%) involved lethal actions taken by law enforcement officers in the line of duty. These are called legal intervention (LI) deaths. While the overall number of homicides in Virginia each year has been declining over the last decade, deaths resulting from a LI appear to have increased during that same time period (Figure 1). Law enforcement officers use lethal force while responding to a variety of situations, but nearly one in four (23.4%) involve domestic violence. The Family and Intimate Partner Homicide Surveillance Project includes such cases in its data collection on domestic violence related deaths. The following description of family and intimate partner (FIP) violence related LI deaths in Virginia from 2003-2012 highlights the characteristics of the alleged perpetrators who died in these incidents and the circumstances surrounding their deaths. In order to highlight the unique risks associated when law enforcement responds to a domestic violence call, where the situation has already escalated to threats or violence, FIP status and LI status are cross walked to give a portrait of what happens when legal intervention and fatal domestic violence collide.

FIP homicides that involve legal intervention by a law enforcement officer center primarily around an alleged perpetrator who has threatened, injured, killed, or barricaded/taken hostage one or more family members or intimate partners. During the ten year period examined here, 34 people were killed by law enforcement responding to a domestic violence situation, accounting for 2.5% of all FIP homicides. In addition to the 34 alleged perpetrator deaths, these encounters resulted in the deaths of six other family members, intimate partners, bystanders, and law enforcement officers who were killed by the perpetrator. The highest percentage of FIP LI deaths occurred in Chesterfield County (11.8%).

Alleged perpetrators killed by law enforcement in FIP events were overwhelmingly male (94.1%) with a mean age of 39 years. Overall, people killed during LI were 55.2% white. Domestic violence related LI cases more often involved a white perpetrator (70.6%). When compared to LI incidents involving other types of alleged offenses, the odds of being killed in a domestic violence related LI event were twice as high for whites as for blacks (OR=2.3). Despite the majority of LI decedents being white, black Virginians were killed by law enforcement at a higher rate. Overall, blacks died in LI events at four times the rate of whites (Figure 2).¹

FIP homicides center around a number of different family and intimate partner relationships. While the majority of all FIP homicides involve an intimate partner relationship (67.8%), FIP LI deaths more often involved a family member relationship than non-LI FIP cases (29.4% compared to 18.3%; Figure 3).

Figure 1. Three Year Average Annual Number of Homicides, Legal Intervention (LI) Homicides, and Family and Intimate Partner (FIP) LI Homicides in Virginia: 2004-2011 (N=4,080)

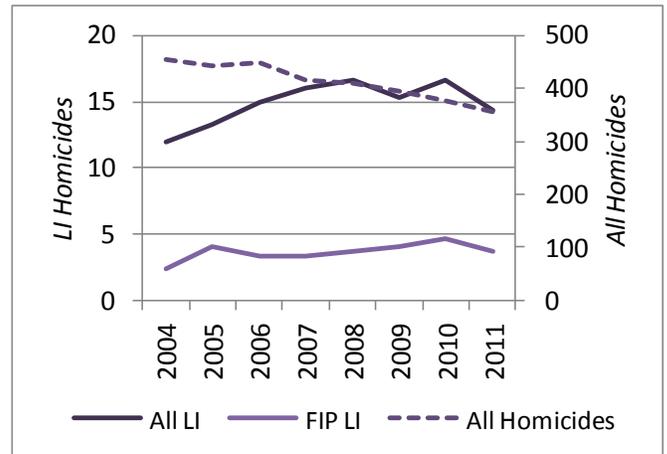


Figure 2. Average Rate of Death from Legal Intervention (LI) by Race of Alleged Perpetrator and Family and Intimate Partner (FIP) Status in Virginia, 2003-2012 (N=145)

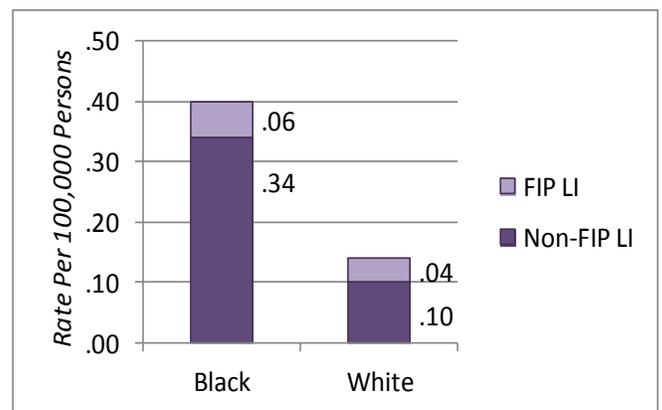
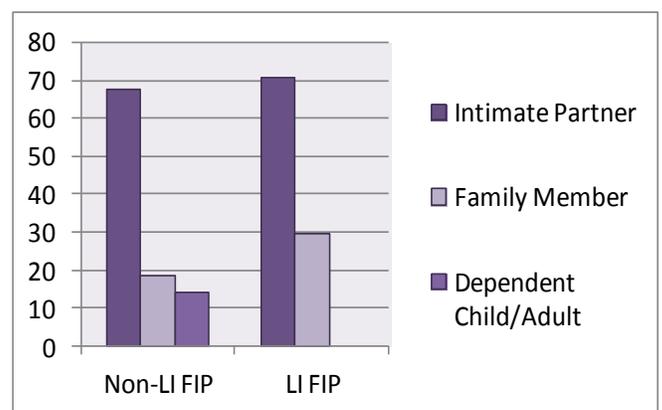


Figure 3. Percentage of Family and Intimate Partner (FIP) Homicides by Relationship Case Type and Legal Intervention (LI) Status in Virginia, 2003-2012 (N=1,372)



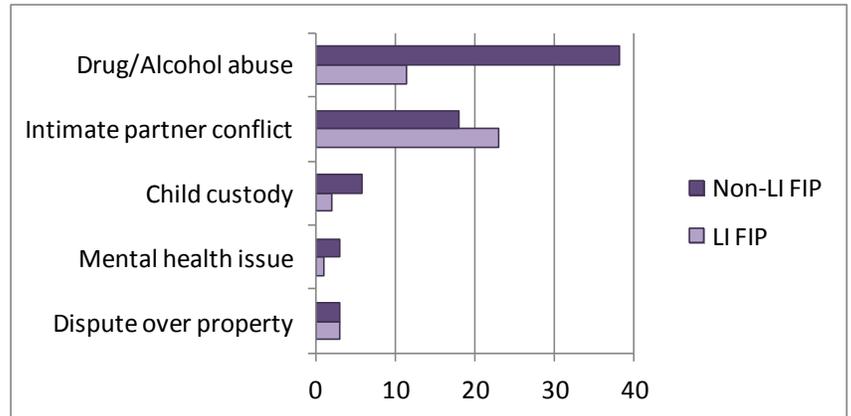
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Legal Intervention and Domestic Violence Related Deaths (Continued)

Across all FIP homicides, the three most common identified precipitating factors leading up to the incident include the ending of a relationship (13.3%), substance abuse (13.0%), and financial issues (11.7%). The most common factor involved in FIP legal intervention homicides was drug or alcohol abuse (38.2%), with LI deaths involving substance abuse twice as often as non-LI deaths (12.2%). In addition, these cases more often involved child custody (5.9%) and mental health issues (2.9%) as precipitators of the fatal incident (Figure 4).

Legal intervention deaths represent a unique subset of violent death and are worth special examination by Domestic Violence Fatality Review Teams. Law enforcement officer-involved deaths receive considerable review and scrutiny by criminal justice authorities to determine if lethal force was justified. Teams may be able to provide additional insight on the events and circumstances that preceded the deadly incident, and make recommendations to improve community response and ultimately prevent future lethal conflicts. In addition to ensuring all investigation and court proceedings related to the case are complete before review, Teams may further facilitate full Team participation in the review by crafting a Memorandum of Agreement pertaining to the special concerns around these cases.

Figure 4. Percentage of Family and Intimate Partner (FIP) Homicides by Selected Precipitating Factors and Legal Intervention (LI) Status in Virginia, 2003-2012 (N=145)



New DVFR Guidance Document Available

The Office of the Chief Medical Examiner (OCME) has created a new guidance document for Virginia DVFRs regarding case identification and selection. **Virginia Domestic Violence Fatality Review Guidance Document: Case Selection** is available now at the link above, and addresses three main questions:

What kinds of cases can be reviewed by Domestic Violence Fatality Review Teams?

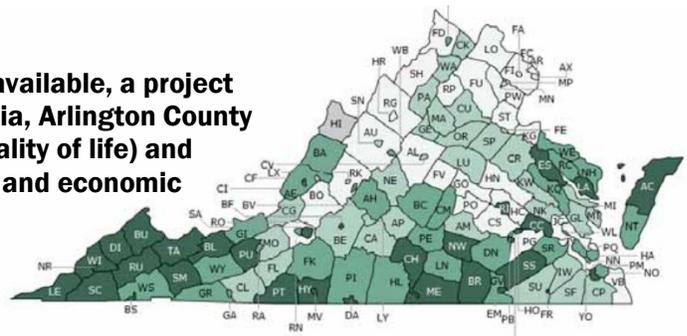
Which types of cases should our Domestic Violence Fatality Review Team review?

How do Domestic Violence Fatality Review Teams identify cases for review?

* Rates per 100,000 are race specific and based on population data from the U.S. Census Bureau Annual Estimates. Rates based on fewer than 20 cases are statistically unreliable and should be interpreted with caution.

Where does your county rank?

The **2015 County Health Rankings** by state are now available, a project from the Robert Wood Johnson Foundation. In Virginia, Arlington County ranked first for both health outcomes (length and quality of life) and health factors (health behaviors, clinical care, social and economic factors, and physical environment).



In the News

Reports

- The [World Health Organization](#) published the first global systematic review and synthesis of scientific data on the prevalence of intimate partner and sexual violence, finding that 35% of women worldwide have experienced either form of violence.

Resources

- The Substance Abuse and Mental Health Services Administration's Trauma and Justice Strategic Initiative Workgroup has made available [SAMHSA's Concept of Trauma and Guidance for Trauma-Informed Approach](#).

Research

- Drug use increases the likelihood of intimate partner violence, according to a paper in the [Journal of Women's Health](#); substance use disorders can also complicate intimate partner violence with additional physical and mental health comorbidities.

- Physical violence by an intimate partner was linked to higher levels of the stress hormone cortisol, according to recent study findings published in [Psychoneuroendocrinology](#).
- Researchers at the [Institute for Reproductive Health and the World Health Organization](#) conducted a review of the effectiveness of available approaches for preventing intimate partner and sexual violence among adolescents.
- A study from [Saint Louis University department of psychology](#) recommended a systems approach for improved screening and interventions for intimate partner violence victims in health care settings.
- Research published in the journal [Science](#) found that abused children were not more likely to be physically abusive as parents, although children of parents who had been abused were at higher risk of sexual abuse and neglect.

For more information on Virginia DVFR:

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In 1999, the Virginia General Assembly enacted legislation authorizing family and intimate partner fatality review. The [Code of Virginia §32.1-283.3](#) allows for the establishment of local and regional DVFRs. The statute includes important confidentiality protection, and directs the Office of the Chief Medical Examiner to provide technical assistance and training.

Upcoming Events

May

- May 10-16: [National Women's Health Week](#)
- May 17-19: St. Petersburg, FL; [2015 NDVFRI Conference, "Communities and Social Change"](#)
- May 20: St. Petersburg, FL; [Family Violence Institute "Learning From Each Other" Summit](#)
- May 26-28: Washington, DC; [National Training Institute on Protection Order Practice for Attorneys and Advocates](#)

June

- June 16-18: Roanoke, VA; [2015 Action Alliance Biennial Retreat](#)
- June 16-17: New Orleans, LA; [Domestic Violence Danger Assessment and Risk Management](#)

July

- July 9 (webinar); [Joint Strategies: How does Sexual and Domestic Violence better leverage local health, justice, education and community sectors?](#)
- July 9 (webinar); [Working with Immigrant Survivors](#)
- July 28 (webinar); [Responding to the Misuse and Abuse of Social Media in Criminal Cases](#)