

# MAINE STATE LEGISLATURE

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*"He wants to see me dead"*

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The 8<sup>th</sup> Report of the Maine Domestic  
Abuse Homicide Review Panel—  
January 2010

*This report is dedicated to those  
who have ever feared for their lives  
in a dangerous relationship.*

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The Panel offers special thanks to Holly Dee, who gave permission to place her daughter Nicole Oliver's words on the cover of this report.

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# Foreword by Attorney General Janet Mills

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“Happy families are all alike; every unhappy family is unhappy in its own way.”

-- Leo Tolstoy, Anna Karenina

As the first decade of the 21<sup>st</sup> century comes to an end and law enforcement closes its books on dozens of domestic violence homicides, we turn to the past in order that we may protect the future.

Thirty years ago Maine was one of the first states in the country to enact a “Protection From Abuse” law, a strong self-help measure for victims of violence. Fast-forward to today, after years of prosecutions, police work, shelters and services, and still Maine’s rate of domestic violence remains high.

Maine boasts the lowest homicide rate in the nation, often rivaling Vermont’s. We are proud of that statistic. But statistics do not diminish the trauma and tragedy that each violent death in our state brings to so many people.

Deaths by domestic violence are not measured or understood by statistics, though data is useful. Each death is different, each family, each child is affected differently, dramatically. When the newsprint fades and the headlines are forgotten, the hurt yet endures, and a community begs for understanding. These are not the quick and dirty, unfeeling deaths we see dozens of times each night on network television. These are real human lives cut short. These are families torn asunder. These are towns and neighborhoods ripped apart. Each of these deaths is real. Each is different. Each brings permanent consequences.

Tolstoy’s observation about unhappy families is an accurate one. But common threads can be discerned. Studying the dynamics of these tragedies can lead us to the root causes of domestic violence and can prevent further tragedies.

Among other things, this report calls attention to the connection between suicide and homicide; to the phenomena of cyber stalking, Instant Messaging and social networking which enable closer tracking and manipulating of victims by abusers; to deep community frustrations with the cycle of domestic abuse expressed in “compassion fatigue.” These observations can lead to creative solutions so that this report may be used to save lives.

We thank the families and friends of victims whose lives and deaths are dissected by the Domestic Abuse Homicide Review Panel. We thank them, and we pledge to work to complete the dream enacted thirty years ago—a vision of zero tolerance for abuse, a single year without a domestic violence homicide—fulfillment of a dream which would be the highest tribute we could offer to those who have lost their lives to violence in our state.

# Introduction by Panel Chair

## Lisa Marchese, Assistant Attorney General

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“He wants to see me dead”. This prophetic quote by Nicole Oliver is the title of the 8<sup>th</sup> Report of the Domestic Abuse Homicide Review Panel because the panel wishes to recognize the fear and helplessness experienced by so many victims of domestic violence. Nicole Oliver knew that her abusive husband would one day kill her and he did. Why couldn't the life of Nicole Oliver and the 15 other victims of domestic violence homicide reflected in this report be saved? This inquiry, of course, is the reason the Domestic Abuse Homicide Review Panel exists. Ten times a year, the dedicated members of the panel convene to review domestic violence homicides in hopes of better understanding why the victim(s) were murdered and what, if anything, could have been done to save a life.

The 8<sup>th</sup> Report of the Maine Domestic Abuse Homicide Review panel reflects the study of seventeen cases of domestic violence homicide. The panel is charged with ‘reviewing the deaths of persons who are killed by family or household members.’ The statistics in this report reflect not only intimate partner homicides but intrafamilial homicide as well. The panel saw an increase in the number of homicides committed by mentally ill family members against other family members. Of the intimate partner homicides reviewed, almost all of the victims were in the process of leaving the relationship.

Maine saw a higher than usual homicide rate in 2008. Of the 31 homicides that occurred in 2008, 20 were domestic violence related or 65%. Of the 25 homicides that occurred in Maine in 2009, 10 were domestic violence related or 35%. As a homicide prosecutor and chair of the Panel, I have seen disturbing yet familiar trends in our domestic violence homicide cases. As the panel has repeatedly observed, the end of a relationship is the most dangerous time for a victim of domestic violence. The majority of domestic violence homicides occur when the batterer recognizes loss of control over their partner. Victims and bystanders frequently minimize threats by abusers which have lethal consequences. Referring a victim who is contemplating leaving a relationship to one of the several domestic violence projects around the state for assistance in safety planning could save a life. The name and telephone numbers of the projects are contained at the end of this report.

I would like to thank Kate Faragher Houghton, Danyel Albert, Holly Stover and Polly Campbell for their hard work on this report. Finally, on behalf of the entire Panel, I would like to thank Margo Batsie, Panel Coordinator for her dedication and hard work to the Panel. Margo has worked tirelessly to produce a report that accurately reflects the many thoughts and opinions of the panel membership.

# Maine Domestic Abuse Homicide Review Panel Membership 2009

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## *Panel Chair:*

**Lisa Marchese, Esq.\***  
Assistant Attorney General-Homicide  
Office of the Attorney General

**Danyel Albert\***  
Outreach Advocate  
Family Crisis Services

**Debra Baeder, PhD\***  
Chief Forensic Psychologist  
State Forensic Service

**Polly Campbell, RN**  
Director, SAFE Program  
Office of the Attorney General

**Kate Faragher Houghton, JD**  
consulting in violence prevention

**Nancy Fishwick, PhD, RN\***  
Director & Associate Professor  
UMaine-School of Nursing

**Denise Giles\***  
Victim Services Coordinator  
Department of Corrections

**Margaret Groban, Esq.**  
Assistant US Attorney  
US Attorney's Office

**Kathryn Maietta, LCSW\***  
Director, Batterers' Intervention Program  
Acadia Hospital

## *Panel Coordinator:*

**Margo Batsie**  
Research Assistant  
Office of the Attorney General

**Julie Atkins**  
Research Analyst  
Muskie School of Public Policy

**Eric Brown, MD\***  
Eastern Maine Medical Center  
Family Medicine Residency

**Alice Clifford, Esq.\***  
Assistant District Attorney  
Penobscot County Office of DA

**Mary Farrar\***  
Victim-Witness Advocate  
Office of the Attorney General

**Ron Gastia\***  
Chief of Police  
Bangor Police Department

**Margaret Greenwald, MD\***  
Chief Medical Examiner  
Office of the Medical Examiner

**Ellie Hutchinson\***  
Community Educator  
New Hope for Women

**Brian McDonough\***  
Lieutenant  
Maine State Police

**Renee Ordway**  
Journalist  
Bangor Daily News

**Hon. Valerie Stanfill\***  
Judge, Maine District Court  
Judicial Branch

**Holly Stover\***  
Office of the Commissioner  
Department of Health and Human Services

**Karen Woodcock\***  
Outreach Advocate  
Family Violence Project

**Mary Zmigrodski, Esq.\***  
Assistant Attorney General-Child Protective  
Office of the Attorney General

**\*required by enabling legislation**

### **Ad Hoc Members**

**Karen Elliott**  
Adult Protective Services  
Department of Health and Human Services

**Elizabeth Ward Saxl**  
Executive Director  
Maine Coalition Against Sexual  
Assault

### **Acknowledgements**

The Panel would like to thank the following former members for their contributions.

**Hon. E. Paul Eggert**, Maine District Court  
**Chief Ed Googins**, South Portland Police Department  
**Mike Halmo**, Brunswick High School  
**Major Dale Lancaster**, Maine State Police  
**Susie Maynard**, Office of the Attorney General  
**Robin Whitney**, Department of Health and Human Services  
**Gretchen Ziemer**, Maine Coalition to End Domestic Violence



# Mission Statement

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The mission of the Maine Domestic Abuse Homicide Review Panel is to engage in collaborative, multidisciplinary case review of domestic abuse related homicides for the purpose of developing recommendations for state and local government and other public and private entities to improve the coordinated community response that will protect people from domestic abuse.

# Panel Description

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By law effective October 1, 1997, the Maine Legislature charged the Maine Commission on Domestic and Sexual Abuse with the task of establishing a Domestic Abuse Homicide Review Panel to “review the deaths of persons who are killed by family or household members.” The legislation mandated that the Panel “recommend to state and local agencies methods of improving the systems for protecting persons from domestic and sexual abuse including modifications of laws, rules, policies, and procedures following completion of adjudication.” The Panel was further mandated “to collect and compile data related to domestic and sexual abuse.” 19-A M.R.S.A § 4013(4). See Appendix A for the complete language of the Panel’s enabling legislation.

The Maine Domestic Abuse Homicide Review Panel meets on a monthly basis to review and discuss cases. The Panel Coordinator works with the prosecutor and/or the lead detective to present the multi-disciplinary Panel with an overview of the homicide and information about the relationship of the parties leading up to the homicide. A case is presented to the Panel post sentencing, or in the case of homicide-suicide, once the investigation is completed.

The Panel reviews these tragedies in order to recommend systems changes that could prevent future deaths. The Panel has a significant role in the prevention and intervention work that goes on in Maine by gathering opinions and expertise from a variety of professional disciplines across the state. This piece of work allows the Panel to identify potential trends about domestic abuse that occur in Maine.

# Case Summary Information

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## Number and Nature of Cases Reviewed

In the last two years the Panel reviewed seventeen domestic violence cases, involving sixteen victims and sixteen perpetrators. The statistics contained within this report reflect cases reviewed by the Panel, which were committed during the years 2006-2008. Of the seventeen cases reviewed, four occurred in 2006, seven in 2007 and six in 2008. Two cases were police-involved shootings in which domestic violence perpetrators were shot and killed by law enforcement. One case involved a self-defense homicide committed by a victim of domestic violence, which was not prosecuted.<sup>1</sup> Two cases involved perpetrators who committed double homicide. Three cases involved suicide by the perpetrator of the homicide.

The cases reviewed by the Panel include victims of intimate partner violence as well as intrafamilial violence. The Panel makes every effort to review all intimate partner homicides and as many intrafamilial homicides as time permits. With the exception of the homicide-suicide cases that are reviewed at the end of the investigation, the Panel reviews cases after they have been disposed of either through acquittal or sentencing.

## Age of the Parties

As depicted in Table 1, the age of the victims at the time of the homicide ranged from 13 to 65 years old. The age of perpetrators at the time of the homicide ranged from 19 to 50 years old.

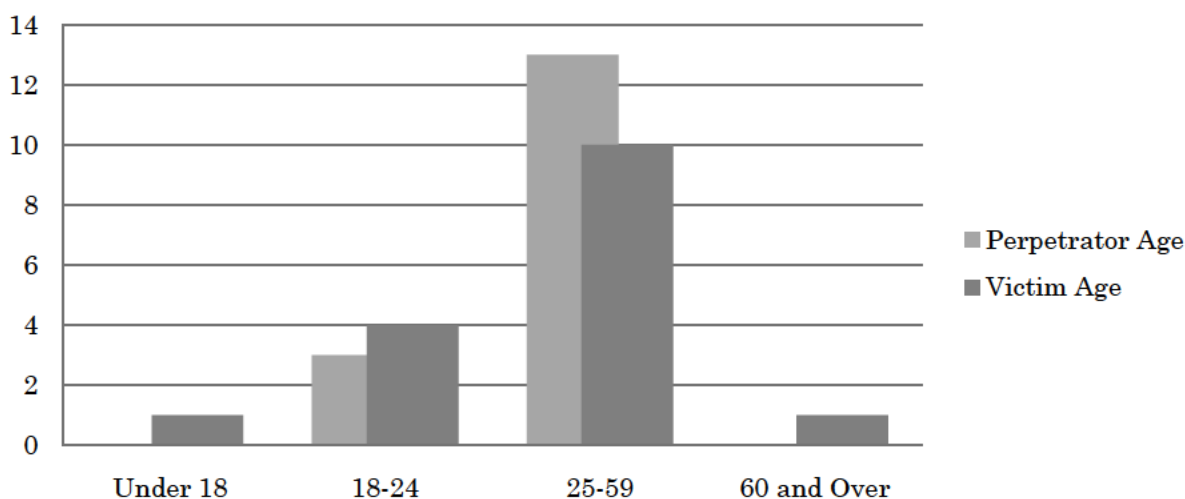


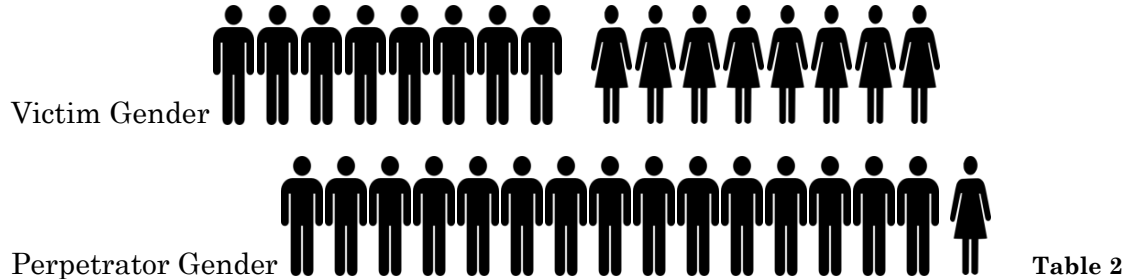
Table 1

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<sup>1</sup> For the purposes of this report, the domestic violence perpetrators who were shot by law enforcement are counted in the perpetrator category. The self-defense case is not included in any of the statistics.

## Gender of the Parties

Of the 16 victims, 8 were male and 8 were female. Of the 16 perpetrators, 15 were male and one was female. Table 2 depicts the gender make-up of victims and perpetrators.



## Relationship of Parties

Ten of the homicides reviewed involved relationships between heterosexual couples. Four of these perpetrators were married to the victims at the time of the homicide; one was a live-in boyfriend. Three were ex-dating partners and two were by-standers. The remaining cases reviewed involved intrafamilial relationships. Four perpetrators were the victims' sons, one was a brother and one was the victim's mother's boyfriend, listed as step-father for purposes of the table below.

Table 3 summarizes the relationships of perpetrators to the victims.

	Husband	Wife	Live-in Boyfriend	Son	Brother	Ex-Boyfriend	By-Stander	Step-Father	Police Involved
Homicides	2	1	1	4	1	2	1	1	2
Homicides-Suicides	1					1	1		

Table 3

Ten of the cases reviewed involved intimate partner relationships. Of these, seven of the victims were in the process of leaving the relationship prior to the homicide. Table 4 illustrates some of the actions the victims took in order to escape their abusive relationships.<sup>2</sup>

	Spoke to friends/family about leaving	Stopped living together	Filed legal action, i.e. PFA, divorce, custody	Stopped all contact
Victim actions				

Table 4

<sup>2</sup> Individual victims may appear in more than one column.

## The Impact on Children

The impact of domestic violence on children is undeniable. Of the cases reviewed for this report, fourteen minor children lost one or both parents to domestic violence homicide. Seven of these children were present at the scenes of the homicides.

## Weapons Used

As depicted in Table 5, the most common weapon perpetrators used to kill victims of domestic violence continued to be firearms. Of the sixteen victims killed in the cases reviewed by the Panel, nine were killed with firearms, four with knives, two were killed with blunt force trauma and one was strangled.

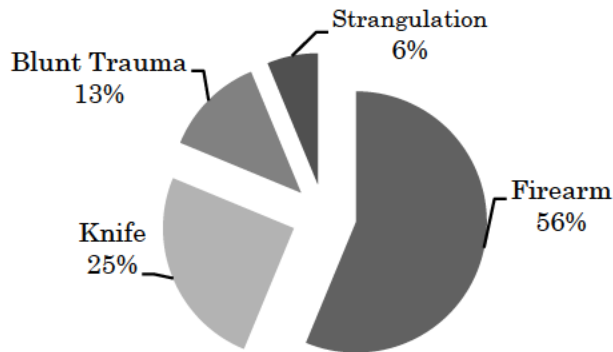


Table 5

## Existence of Protection from Abuse Orders

In the cases reviewed by the Panel, one of the sixteen victims had a Temporary Protection from Abuse Order in effect against the perpetrator at the time of the homicide.

## Status of the Perpetrators

Two of the sixteen perpetrators were found guilty of murder. One was found guilty of manslaughter. Three were found to be not criminally responsible by reason of mental disease or defect. Two pled guilty to murder. Two pled guilty to manslaughter. One was acquitted of murder. Three committed suicide at the time of the homicide. Two were shot and killed after a stand-off with law enforcement.

# Panel Observations and Recommendations

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The Panel continues its tradition of making observations and recommendations to various systems and organizations as an outcome of the case reviews. In this report, the Panel reiterated some previously promulgated recommendations, and developed and implemented many new ones.

## **Healthcare System**

**The Panel makes the following observations regarding the healthcare system:**

- The Panel observes that a family with children could have multiple interactions with the healthcare system each year, providing ample opportunities for domestic, sexual and/or child abuse screening and intervention. Currently, these opportunities are often missed by the healthcare system, as screening is not regularly conducted.
- The Panel has reviewed many cases in which alcohol use has been a factor in the homicide/death. While alcohol use does not *cause* domestic abuse, the Panel recognizes that alcohol use is a risk factor for the escalation of violence and abuse.
- The Panel observes that primary care and mental health providers play an important role in assisting families/friends in identifying the signs of increased dangers to self or others due to mental illness.
- The Panel observes that domestic abuse victims may be at a higher risk of traumatic brain injury as a result of repeated head trauma.

**The Panel makes the following recommendations regarding the healthcare system:**

- The Panel recommends screening for child abuse from 0-18 years of age. Early and immediate detection/disclosure is imperative to a child abuse survivor's recovery.
- The Panel recommends that screening for domestic and sexual abuse should be routinely done. If screening indicates the presence of domestic and/or sexual violence, the healthcare provider should facilitate an appropriate intervention which may include referrals, resources and information.

- In domestic violence cases where there is a high index of suspicion that a traumatic brain injury occurred, the Panel recommends appropriate testing to determine the functional effects, if any, of that injury.

## **Mental Health System**

### **The Panel makes the following observations regarding the mental health system:**

- The Panel observes no causal link between domestic violence and mental illness.
- The Panel observes that the presence of severe early childhood trauma can result in long-term mental health issues.
- The Panel observes that suicidal thoughts and/or attempts may be an indicator of future violence towards self and others. The link between suicidality and increased risk of homicide continues to be unrecognized by many clinicians and the public.
- The Panel has reviewed several cases in which there was a combination of risk factors: the victim decided to leave the relationship, the perpetrator was abusing alcohol, and the perpetrator had certain mental health issues such as depression and suicidality. In these cases the Panel observes that the general public should be more aware of the heightened danger a victim may face when these risk factors are present.
- More than ever before the Panel has reviewed cases involving intrafamilial homicide; a significant number of these cases involved perpetrators who have mental illness and are not medication compliant. The Panel observes that persons with severe and persistent mental illness who are not taking prescribed medications pose an increased danger to others.

*“Daddy shot Mommy, and I know because I peeked and saw the gun in Daddy’s hands.”  
– A child who witnessed his mother’s murder.*

### **The Panel makes the following recommendations regarding the mental health system:**

- The Panel recommends that for children who have experienced trauma, treatment services be sensitive and responsive to their traumatic experience based on best practices clinical standards.

- The Panel recommends that Maine’s Department of Health and Human Services/ Office of Adult Mental Health reexamine the helpfulness and implications of utilizing a community commitment law and involuntary medication enforcement, e.g. the Progressive Treatment Program.

## **Maine Department of Health and Human Services (DHHS)**

### **The Panel makes the following observations regarding DHHS:**

- The Panel observes the failure of families to respond to outreach efforts may be indicative of isolation in conjunction with domestic violence.

### **The Panel makes the following recommendations regarding DHHS:**

- The Panel recommends that Maine DHHS/Office of Child and Family Services (OCFS) and all contracted agencies ensure linguistic and cultural competency when working with families for whom English is a second language.
- The Panel recommends that the Maine Department of Labor and Maine Department of Health and Human Services’ Office of Multicultural Affairs work with Maine employers who hire refugee and immigrant workers to ensure that domestic violence prevention education and information is made available to this underserved population.
- The Panel recommends that if attempts made by Office of Child and Family Services/Child Protective Services (OCFS/CPS) investigators, by mail or phone, to contact a family fail, OCFS/CPS should assign a caseworker to physically go to the home address and attempt contact in person.
- The Panel recommends that Public Health Nurses exhaust all forms of contact (mail, phone and in-person) with a referred patient/family prior to closing a case.
- The Panel recommends that OCFS/CPS as a matter of course verify with the Maine Department of Education that the family is in compliance with home schooling regulations in cases where there is a self-identified case of home-schooling. In these instances, OCFS/CPS should ask the family to provide them with a copy of the letter of intent and/or follow-up with the Department of Education to see if said documentation is on file.



- The Panel recommends the OCFS/CPS ensure that all personnel are aware of legal protections for victims of domestic violence with regard to disclosure of information.

## **Maine Department of Education**

**The Panel makes the following recommendations regarding the Maine Department of Education:**

- The Panel recommends that schools offer education about healthy relationships, bystander interventions, domestic violence and dating violence. This should be a coordinated effort between the Maine Department of Education, school districts, domestic violence projects and sexual assault centers.

## **Housing and Homelessness Issues**

**The Panel makes the following recommendations regarding housing and homelessness issues:**

- Victims of domestic abuse should be recognized as a priority population in need of housing voucher funds, through Section 8 vouchers and by municipal housing authorities, without having to be declared homeless.

*He was supposed to be giving her money for an apartment. He had been saying he would kill her for months.  
—Friend of a homicide victim to Maine State Police*

- The Panel recommends that MaineHousing (Maine State Housing Authority) set aside specific housing funds for victims of domestic violence, sexual assault and stalking to be administered collaboratively with the Maine Coalition to End Domestic Violence and the Maine Coalition Against Sexual Assault.

## **The Legal System**

**The Panel makes the following observations regarding the legal system:**

- The Panel observes that defendants who are on bail after being charged with serious criminal conduct may continue to pose a threat to their victim(s).

- The Panel observes that when a victim is arrested for a domestic violence related crime which does not reflect an ongoing pattern of power and control; it results in a lack of trust in the legal system on the part of the victim. While not condoning the use of illegal force by anyone, the Panel observes that there is a distinction between domestic violence as an ongoing pattern of power and control behaviors and situational use of force that has yet to be clearly addressed by the legal system.
- The Panel observes that timely and effective law enforcement may be compromised when all employees of law enforcement agencies are not made aware of new laws or statutory changes.
- The Panel observes that judicial demeanor has a large impact on victims (and concerned others), especially at sentencing when others are invited to speak about the impacts of the defendant's actions.
- The Panel observes that probation status and conditions are not currently available when officers do a record check on Maine Telecommunications and Radio Operations (METRO).
- The Panel observes that it is dangerous for victims to return to retrieve their property when there has been a pattern of power and control during the course of the relationship.

**The Panel makes the following recommendations regarding the legal system:**

- The Panel recommends that the Administrative Office of the Courts add a cover sheet to all family matter paperwork, including divorce, parental rights and responsibilities, and protection from abuse/harassment, that includes information about domestic violence projects, legal assistance and local law enforcement agencies.
- The Panel has reviewed cases in which defendants have been previously charged with crimes that, if convicted of these crimes, would have rendered the defendants unable to possess firearms. The Panel recommends that prosecutors and judges remain mindful of this when negotiating with defendants to plead to lesser crimes than were originally charged.

- The Panel recommends again that all Maine law enforcement agencies follow the Maine Chiefs of Police recommendation to routinely refer victims to the local domestic violence projects and document these referrals in their incident reports, when responding to domestic violence calls.
- Law enforcement officers and other professionals who have repeated contact with a single victim may experience compassion fatigue. Professionals and agencies must recognize the impact this can have on their judgment and the resulting impact this may have on victims. The Panel recommends a coordinated community response to lessen the potential for negative impact on the professionals and the families/victims with whom they are working.
- The Panel recommends that when a records check is done by law enforcement, probation status and conditions should be available to the requesting officer on METRO.
- If law enforcement is called and the parties involved in a domestic violence situation have limited English proficiency, interpreting services are required. The Panel further recommends that cultural competency should be kept in the forefront of officers minds, when responding to parties who are new Mainers.
- The Panel recommends that the Protection from Abuse docket be organized ahead of time in order to have domestic violence/sexual assault advocates available to speak with plaintiffs/defendants requesting dismissal of their orders. This would allow plaintiffs/defendants to have their questions and concerns addressed, as well as allowing advocates the opportunity to present information and referrals to the plaintiff/defendants.
- The Panel recommends that law enforcement officers use the term “strangulation” as opposed to “choking” in their reports. Excellent research was completed by the San Diego City Attorney’s Office, which highlighted how often strangulation occurs within intimate partner violence, and how the need for a higher level of accountability for this lethal act is overlooked when it is termed “choking” and considered a form of minor assault. Strangulation can be life-threatening and those who use this tactic know the power it holds to silence and kill. One outcome of the research above was to focus on full accountability for offenders in strangulation cases and to increase the focus on getting medical attention for victims.

*“There’s no turning back...we will leave here in body bags.”  
-an abuser to his victim*

- The Panel recommends that if court security is aware of criminal conduct in a State of Maine courthouse, they should act on this by reporting it to local law enforcement or by detaining/arresting the suspect, depending on the authority of the court security officer. This is especially relevant to accountability for domestic violence offenders when these defendants commit new criminal conduct while at the courthouse for previous domestic violence related conduct.
- The Panel continues to encourage law enforcement agencies to share all domestic violence related police reports with local domestic violence projects.
- The Panel recommends that teen dating violence curriculum should be offered and supported at the various juvenile detention facilities. The Panel further recommends that juvenile community corrections officers require community based treatment for juvenile offenders who are found guilty of domestic violence charges.
- The Panel recommends that law enforcement departments reexamine when to accompany people who are concerned about safely retrieving their property in the absence of legal proceedings. Before any such calls are refused, the Panel recommends that all calls for service regarding property retrieval be forwarded to supervisors to ensure that all aspects of each situation are being taken into account.
- The Panel recommends in cases of homicide, whenever possible the sibling relationship should be maintained when custody decisions are being made.
- The Panel recommends that all Maine guardians ad litem should receive mandatory comprehensive annual training about domestic violence and its effects on children.
- The Panel recommends bail commissioners and judges consider all risk factors in criminal cases, including a history of domestic violence, when considering bail.

*She told her boss that she needed to go back and get her children's furniture, so she would need to leave work early.  
--This victim was killed by her ex-partner while retrieving her belongings.*

## **Maine Coalition to End Domestic Violence (MCEDV)**

### **The Panel makes the following recommendations regarding MCEDV:**

- The Panel recommends that the MCEDV partner with the National Alliance on Mental Illness-Maine in order to support and educate Maine families living with mental illness and domestic violence.
- The Panel recognizes the importance of the larger community knowing what services MCEDV member projects offer (i.e. 24-hour hotlines, support groups, emergency shelter/safe homes, professional training and youth focused education). The Panel recommends that the MCEDV continue to include outreach to friends, family members and concerned others, in their publicity efforts.

## **Maine Coalition Against Sexual Assault (MECASA)**

### **The Panel makes the following recommendations regarding MECASA:**

- The Panel recommends that MECASA develop a public awareness campaign which would encourage people, who have a friend or family member who has been sexually abused as a child, to make a referral to their local sexual assault crisis and support center.

## **Firearms**

### **The Panel makes the following observations regarding firearms and domestic violence:**

- The Panel observes that the presence of a firearm in a home with domestic violence poses increased risk of a fatal injury to all household members, including victims and perpetrators.
- The Panel observes that purchasing firearms from a licensed firearms dealer involves greater safeguards than purchasing through a private seller. Private sales can allow a person to purchase a gun despite the fact that they are legally prohibited from owning firearms.

### **The Panel makes the following recommendations regarding firearms and domestic violence:**

- The Panel recommends that a central depository be created in Maine for purposes of storing weapons seized pursuant to Protection from Abuse orders.

- If firearms and alcohol are present or accessible, and a suicidal threat has been made, the Panel recommends that every attempt be made to remove a suicidal person's access to firearms.

## **Media**

### **The Panel makes the following recommendations regarding the media:**

- It is not uncommon for children, especially those present during a homicide, to feel at least partially responsible. The Panel recommends that the media to be sensitive to that in its coverage and prevent the perpetuation of such.
- The Panel recommends that when the media is reporting on incidents of domestic violence, they clearly name it as such and whenever appropriate provide information about services available in the community.

## **Public Awareness**

### **The Panel makes the following observations regarding the general public's awareness of domestic violence:**

- The Panel observes that like bystanders, the person experiencing the abuse may not be able to predict the dangerousness of the abuser for a variety of reasons, not limited to, the person affected by abuse may have become convinced that the abuser will not carry out a threat, or may feel that underneath the abusive behavior the abuser is a coward and would not dare to kill them.
- The Panel observes that community response that blames the victim, fails to hold the abuser accountable, or displays a general lack of understanding about the dynamics of domestic abuse puts the victim at greater risk for prolonged abuse. Bystanders have a profound effect on the actions taken by abusers. Bystanders to an abuser's behaviors and attitudes act on a continuum that ranges from actively colluding, including participating in the abusive behaviors, to ignoring or walking away from the behavior, to actively holding the offender accountable and showing absolute intolerance of abuse. It is important for bystanders to realize that when they do nothing, do not express intolerance or accountability for abuse, or just walk away, they are demonstrating something to abusers that is closer to active support for the abuse than they may think.

- The Panel observes that it matters less which adult relatives live with a child, and more that the relationships between those adults are healthy. The effects on a child who observes physical and/or emotional abuse among adults in their home, regardless of the relationship between the adults, is similar to the effects of being exposed to abuse between a child's parents.

*“I don’t want to be hurt and I feel with all his anger against me for not coming back to him, he will eventually hurt me.”  
 –A victim in her Protection from Abuse Complaint days before her murder.*

- The Panel observes how important it is to intervene if a friend or family member is suicidal, and recognizes that many homicides could be prevented if the public took threats of suicide more seriously.

- The Panel observes that the way in which bystanders offer intervention and/or referrals is crucial. Using nonjudgmental language about a victim's situation, and positive language about the services available, is important when delivering referral information.

- The Panel observes that isolation is a powerful tactic used by batterers in order to maintain control over their partners.
- The Panel observes that an absence of physical abuse or violence does not mean there is an absence of lethality in a relationship, when other power and control tactics are being used.
- The Panel observes that lethality in a dating relationship increases when there is disrespect of women, a sense of entitlement, and anger when someone does not get their own way, mixed with drug and alcohol use and with certain mental health issues.
- The Panel observes that even in the absence of physical abuse, stalking is dangerous and a warning sign of possible future physical danger.
- The Panel observes that an abuser does not need to continually use the tactic of physical violence in order to maintain power and control.
- The Panel observes the need to educate people in the general community about the dynamics of domestic abuse and specifically, about debunking the myth that physical violence always escalates over time. It is difficult to predict when patterns of power and control within a relationship will include physical violence along with other tactics of control.

- The Panel again observes that the end of a relationship is the most dangerous time for the victim.

**The Panel recommends following additional public awareness campaigns:**

- The Panel recommends a public service campaign on the connections between suicidality and homicidality.
- The Panel recommends that Maine undertake a community awareness campaign regarding the potential for abuse with emerging technology, including but not limited to, cyberstalking, instant messenger, Facebook/My Space, texting and global positioning systems (GPS).
- The Panel recommends a comprehensive public awareness campaign recognizing the increased level of danger for anyone returning alone to meet with an ex-partner who has been controlling and/or violent during their relationship.

**Applause**

- The Panel recognizes the Safe Campus Project at University of Maine at Orono (UMaine) for their excellent work on campus preventing and responding to sexual assault, domestic and dating violence and stalking. This project's services are available to all students and members of the UMaine community.
- The Panel recognizes the great work of the following organizations that work to educate children about self-esteem and healthy relationships, including, but not limited to: Fight Crime Invest in Kids; Hardy Girls, Healthy Women; Boys to Men; Head Start; Maine Coalition to End Domestic Violence and Maine Coalition Against Sexual Assault member school-based education programs.
- The Panel applauds the state-wide advocacy community for continuing to talk with victims and survivors about the safety risks associated with returning to their former homes or meeting with their ex-partners especially at or after the end of the relationships.



- The Panel recognizes the legislative efforts of the Maine Legislature during this report period, including Title 22 changes prohibiting the disclosure of certain identifying information in child protective proceedings, and the notable Title 17-A criminal code changes which make domestic violence assault, criminal threatening, terrorizing, stalking and reckless conduct specific criminal acts under Maine law. These legislative changes are good first steps in recognizing the crime of domestic violence specifically in the State of Maine.

# Appendix A: Enabling Legislation

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## Title 22 M.R.S.A. §4013. Maine Commission on Domestic and Sexual Abuse

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4. Domestic Abuse Homicide Review Panel. The commission shall establish the Domestic Abuse Homicide Review Panel, referred to in this subsection as the "Panel," to review the deaths of persons who are killed by family or household members as defined by section 4002.

A. The chair of the commission shall appoint members of the Panel who have experience in providing services to victims of domestic and sexual abuse and shall include at least the following: the Chief Medical Examiner, a physician, a nurse, a law enforcement officer, the Commissioner of Human Services, the Commissioner of Corrections, the Commissioner of Public Safety, a judge as assigned by the Chief Justice of the Supreme Judicial Court, a representative of the Maine Prosecutors Association, an assistant attorney general responsible for the prosecution of homicide cases designated by the Attorney General, an assistant attorney general handling child protection cases designated by the Attorney General, a victim-witness advocate, a mental health service provider, a facilitator of a certified batterers' intervention program under section 4014 and 3 persons designated by a statewide coalition for family crisis services. Members who are not state officials serve a 2-year term without compensation, except that of those initially appointed by the chair, 1/2 must be appointed for a one-year term. [2001, c. 240, §2 (amd).]

B. The Panel shall recommend to state and local agencies methods of improving the system for protecting persons from domestic and sexual abuse, including modifications of laws, rules, policies and procedures following completion of adjudication. [2001, c. 240, §2 (amd).]

C. The Panel shall collect and compile data related to domestic and sexual abuse. [2001, c. 240, §2 (amd).]

D. In any case subject to review by the Panel, upon oral or written request of the Panel, any person that possesses information or records that are necessary and relevant to a homicide review shall as soon as practicable provide the Panel with the information and records. Persons disclosing or providing information or records upon the request of the Panel are not criminally or civilly liable for disclosing or providing information or records in compliance with this paragraph. [1997, c. 507, §3 (new); §4 (aff).]

E. The proceedings and records of the Panel are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. The commission shall disclose conclusions of the review Panel upon request, but may not disclose information, records or data that are otherwise classified as confidential. [1997, c. 507, §3 (new); §4 (aff).]

The commission shall submit a report on the Panel's activities, conclusions and recommendations to the joint standing committee of the Legislature having jurisdiction over judiciary matters by January 30, 2002 and biennially thereafter.

# Appendix B: Maine Coalition to End Domestic Violence Member Projects

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*Aroostook*

**Battered Women's Project**

[www.batteredwomensproject.org](http://www.batteredwomensproject.org)

Admin: 207.764.2977

Hotline: 1.800.439.2323

*Oxford, Franklin & Androscoggin*

**Abused Women's Advocacy Project**

[www.awap.com](http://www.awap.com)

Admin: 207.795.6744

Hotline: 1.800.559.2927

*Piscataquis*

**Womancare**

[www.wmncare.org](http://www.wmncare.org)

Admin: 207.564.8165

Hotline: 1.888.564.8165

*Knox, Lincoln, Waldo*

**New Hope for Women**

[www.newhopeforwomen.org](http://www.newhopeforwomen.org)

Admin: 207.594.2128

Hotline: 1.800.522.3304

*Penobscot*

**Spruce Run**

[www.sprucerun.net](http://www.sprucerun.net)

Admin: 207.945.5102

Hotline: 1.800.863.9909

*York*

**Caring Unlimited**

[www.caring-unlimited.org](http://www.caring-unlimited.org)

Admin: 207.490.3227

Hotline: 1.800.239.7298

*Kennebec & Somerset*

**Family Violence Project**

[www.familyviolenceproject.org](http://www.familyviolenceproject.org)

Admin: 207.623.8637

Hotline: 1.877.890.7788

*Cumberland & Sagadahoc*

**Family Crisis Services**

[www.familycrisis.org](http://www.familycrisis.org)

Admin: 207.767.4952

Hotline: 1.800.537.6066

*Hancock & Washington*

**The Next Step**

[www.nextstepdvproject.org](http://www.nextstepdvproject.org)

Admin: 207.667.0176

Hotline: 1.800.315.5579

# Appendix C: Maine Coalition Against Sexual Assault Member Centers

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## **Sexual Assault Crisis & Support Center**

Hotline: 1.800.871.7741/ 207.626.0660

Area served: Kennebec, Knox, Somerset & Waldo Counties

## **Rape Response Services**

Hotline: 1.800.871.7741/ 207.989.5678

Area served: Penobscot & Piscataquis Counties

## **Sexual Assault Services of Midcoast Maine**

Hotline: 1.800.871.7741/ 1.800.822.5999

Area served: Eastern Cumberland, Sagadahoc & Lincoln Counties

## **AMHC Sexual Assault Services**

Hotline: 1.800.871.7741/ 1.800.550.3304

Area served: Aroostook County

## **Downeast Sexual Assault Services**

Hotline: 1.800.871.7741/ 1.800.228.2470

Area served: Hancock & Washington Counties

## **Sexual Assault Victims Emergency Services**

Hotline: 1.800.871.7741/ 207.778.0110

Area served: Franklin County

## **Sexual Assault Crisis Center**

Hotline: 1.800.871.7741/ 207.795.2211

Area served: Androscoggin County

## **Sexual Assault Response Services of Southern Maine**

Hotline: 1.800.871.7741/ 1.800.313.9900

Area served: Cumberland & York Counties

## **Rape Education and Crisis Hotline**

Hotline: 1.800.871.7741

Area served: Oxford County