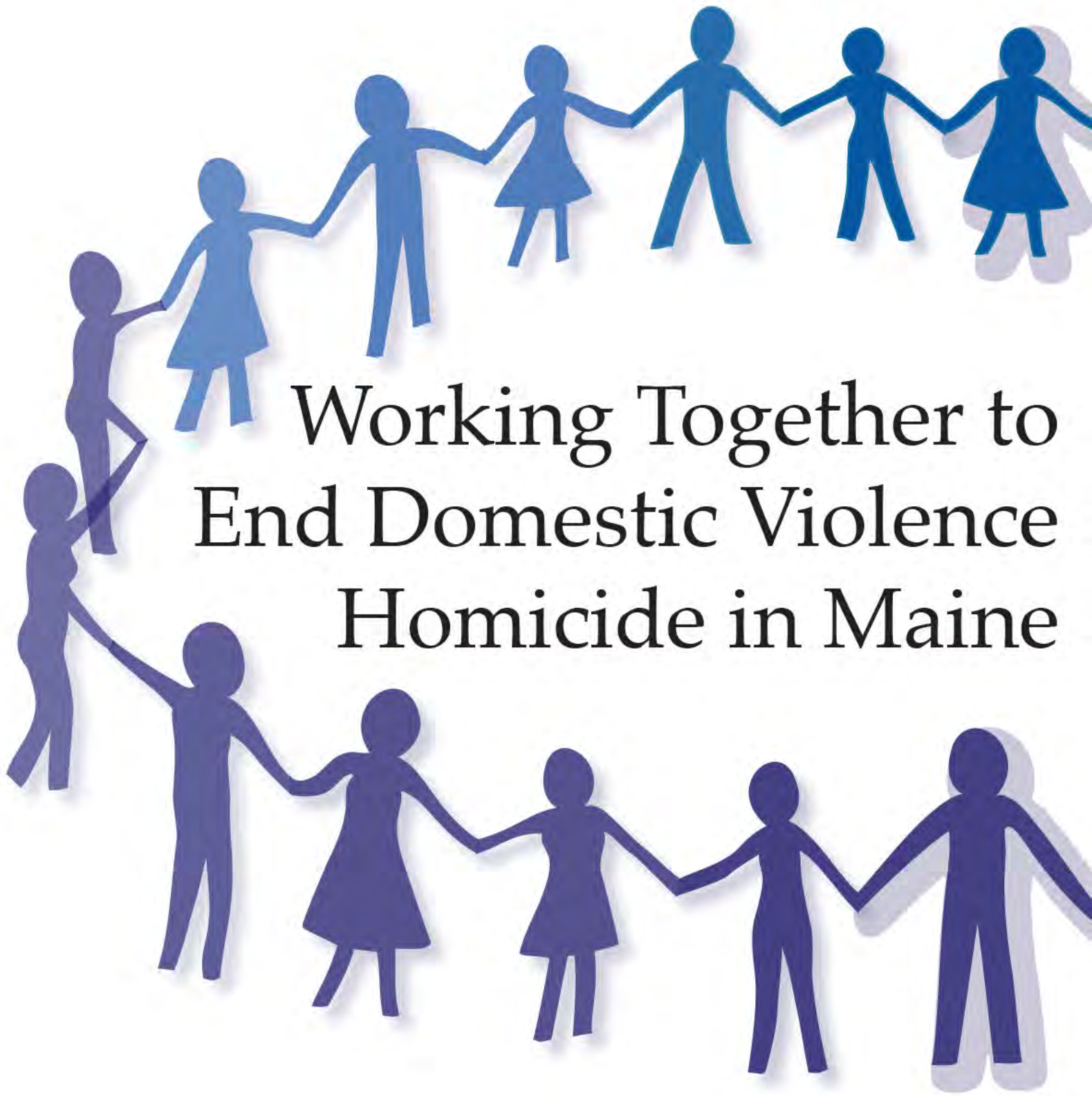


MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



Working Together to
End Domestic Violence
Homicide in Maine

The 9th Report of the Maine
Domestic Abuse Homicide Review Panel
April 2012



Dedicated to all those left behind - loved ones, family, friends, co-workers, and community members, many of whom offered their valuable support to the victims of domestic violence. Your support has helped to guide this Panel's work to prevent future homicides from occurring.

Table of Contents

Foreword by the Attorney General	4
Introduction by the Panel Chair	5
Domestic Abuse Homicide Review Panel Membership 2012	6
Mission Statement	8
Panel Description	9
Case Summary Information	10
Panel Observations and Recommendations	14
Appendix A: Enabling Legislation	30
Appendix B: Maine Coalition to End Domestic Violence Member Resource Centers	31
Appendix C: Maine Coalition Against Sexual Assault Member Centers	32
Appendix D: Additional Domestic Violence & Sexual Assault Services in Maine	34
Appendix E: Definition of Domestic Abuse	35
Appendix F: Governor’s Executive Order	36

Foreword by Attorney General William J. Schneider

Why? This is one of the first questions asked after a domestic homicide. Why did this happen? Why didn't law enforcement do something? Why didn't the victim speak up? Why didn't we see the signs of abuse that led to this tragedy? Why didn't we prevent it?

Varying levels of domestic violence occur throughout Maine. Homicides are often the most widely publicized, due to their tragic nature. The Maine Domestic Abuse Homicide Review Panel aims to understand domestic homicides and puts forth ideas to prevent them. While it may not be possible to prevent all future tragedies, it is possible that together we can decrease domestic abuse on all levels by paying attention and not tolerating it.

While it may be easier to ignore or walk away from a situation you believe may be domestic violence, we cannot do that. Instead, society must show outrage at any form of domestic violence. We must stand up to domestic violence by educating each other about healthy relationships, bystander interventions, domestic violence and dating violence. We must hold abusers accountable rather than blaming the victims for not being strong enough to take action on their own.

If you believe someone you know is in an abusive relationship, provide support to them and encourage them to seek professional help. If you do not feel comfortable providing this advice or are not sure whether what you see is domestic violence, consult a professional who can be found at the back of this report, or talk to someone at your local police department who may be able to help you assess the situation.

Acknowledging the warning signs of domestic violence is the first step to ending it. If you are in an abusive relationship, know that there is help available and that you should never fear the person you love. Everyone must do their part to stop domestic violence.

Introduction by Panel Chair

Lisa J. Marchese, Assistant Attorney General

Since the Homicide Review Panel's last report, published in January of 2010, the State of Maine has seen 21 people murdered by a family or household member. In one six week period, six children lost their mothers to domestic violence homicide and two children and their mother were killed in domestic violence homicides. These six weeks of violence have generated unprecedented, yet much needed, focus on the issue of ending domestic violence. At no time in recent history have so many individuals at all levels of government devoted themselves to creating change in order to save lives. It is in this spirit of collaboration and commitment that the 9th Report of the Maine Domestic Abuse Homicide Review Panel obtained its' title – *Working Together to End Domestic Violence Homicide in Maine*.

A review of the domestic violence homicides in this biennial reveals a record number of perpetrators committing suicide following the homicides. A staggering statistic that emerged through the review process is that 70% of the perpetrators showed suicidal ideation prior to the murder-suicide. Murder-suicide typically involves a man murdering his wife or girlfriend, then committing suicide – usually using a firearm. As a matter of public safety, it is critical that any threat to commit suicide be taken seriously and recognized as a potential precursor to homicide. On behalf of the Panel, I would like to thank the Maine State Police for their thorough investigations of the murder-suicide cases during this biennial. This allocation of resources has significantly enhanced the review process for Panel members leading to better informed observations and recommendations.

The Domestic Abuse Homicide Review Panel has been in existence since 1997 with many of the original members still actively participating in the review process. This all-volunteer, dedicated group of people attends monthly meetings to review completed homicide cases for the purpose of making system-based observations and recommendations for this biennial report. I thank each of them for their continued commitment to this very important vehicle for change. This report would not have been possible without the dedication and hard work of the outgoing Panel Coordinator, Margo Batsie. After resigning from the Coordinator position, Margo remained with the Panel to keep the work on track. Additionally, Margo has worked tirelessly to ensure that the observations and recommendations in this report reflect the wisdom and consensus of the Panel. Thank you, Margo, for everything.

I would also like to thank Kate Faragher Houghton who has volunteered scores of hours to better this report. Thank you also to Danyel Albert, Polly Campbell, Julia Colpitts and Holly Stover for their work on the report and Sophia Corinne Sarno for her artwork. Finally, I welcome Susan Fuller as the new Panel Coordinator and thank her for her tireless dedication to the many details of this report.

Maine Domestic Abuse Homicide Review Panel Membership 2012

Panel Chair:

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

Danyel Albert*
Outreach Advocate
Family Crisis Services

Margo Batsie
Member Services Coordinator
Maine Coalition to End Domestic Violence

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

Julia Colpitts*
Executive Director
Maine Coalition to End Domestic Violence

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

Kate Faragher Houghton, JD
Violence Prevention
Consultant

Brian McDonough*
Lieutenant
Maine State Police

Panel Coordinator:

Susan Fuller
Research Assistant
Office of the Attorney General

Debra Baeder, PhD*
Chief Forensic Psychologist
State Forensic Service

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

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

Michelle Cram*
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

Barbara Hart, JD
Director of Strategic Justice
Initiatives
Muskie School of Public Service

Ellie Hutchinson*
Community Educator
New Hope for Women

Kathryn Maietta, LCSW*
Director, Batterers
Intervention Program

Susie Miller*
Victim-Witness Advocate
Office of Attorney General

Renee Ordway
Journalist
Bangor Daily News

David St. Laurent
Detective
Franklin County Sheriff's Office

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

Holly Stover*
Director for the Prevention of
Domestic Violence and Sexual Assault
Department of Health and Human Services

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

***required by enabling legislation**

Ad Hoc Members

Karen Elliott
Director,
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:

Karen Woodcock, Outreach Advocate, Family Violence Project
Julie Atkins, Research Analyst, Muskie School of Public Policy
Mary Farrar, Victim-Witness Advocate, Office of the Attorney General

*This project was supported by Grant No. **2011-WF-AX-0033** awarded by the Maine Department of Public Safety. Points of view in this document are those of the authors and do not necessarily represent the official position or policies of the Maine Department of Public Safety.*

Mission Statement

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

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. §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 domestic abuse homicide cases. The Panel Coordinator works with the prosecutor and/or the lead detective to present to the multi-disciplinary Panel an overview of the homicide, information about the relationship of the parties, and any relevant events leading up to the homicide. Homicide cases are presented to the Panel post sentencing. Homicide-suicide cases are presented once the investigation is completed.

The Panel reviews these tragedies in order to identify potential trends about domestic abuse and recommend systems changes that could prevent future deaths from occurring in Maine. The Panel plays 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.

Case Summary Information

Introduction

In 2010 and 2011 there were forty-eight homicides in Maine; twenty-one were domestic violence homicides. Within the twenty-one domestic violence homicides, eighteen perpetrators killed twenty-one victims. Sixteen of the perpetrators were male and two of the perpetrators were female. Seven of the homicide victims were male and fourteen of the homicide victims were female. Four of those homicide victims were children.

The Panel reviews domestic violence homicide cases after they have been disposed of either through sentencing or acquittal, with the exception of homicide-suicide cases, which are reviewed after investigations are complete.

Number and Nature of Cases Reviewed

During 2010 and 2011, the Panel reviewed thirteen domestic violence homicide cases that occurred between March 2008 and July 2011. Four of those homicides occurred in 2008, six in 2009, one in 2010 and two in 2011. Of the thirteen homicide cases reviewed, eight were intimate partner homicides and five were intrafamilial homicides. The homicide cases reviewed involved thirteen perpetrators and fifteen victims.

The homicide cases reviewed by the Panel and deemed a result of domestic violence included intimate partner homicides as well as intrafamilial homicides. For the purposes of this report, "intimate partner homicide" involves the killing of a current or former partner or spouse. "Intrafamilial homicide" refers to the killing of a parent, child or sibling by another family member. The Panel makes every effort to review all intimate partner homicides and as many intrafamilial homicides as time allows.

The Impact on the Children

The impact of domestic violence homicide on children is profound and immeasurable. Several cases reviewed involved a parent who killed his/her child or children. In the cases reviewed, five of the fifteen homicide victims were under the age of 15. One homicide victim was an adult with a disability who lived at his parents' home.

In addition, several cases reviewed involved children who witnessed one parent killing the other. Two children witnessed their mother being killed by their father. Two children found their parents dead. One child was in the home at the time of the homicide. Consequently, because of homicide, suicide and/or incarceration, five children from the cases reviewed were left without either parent.

Gender of the Parties

As depicted in Table 1, of the fifteen victims, eight were female and seven were male. Of the thirteen perpetrators, five were female and eight were male.

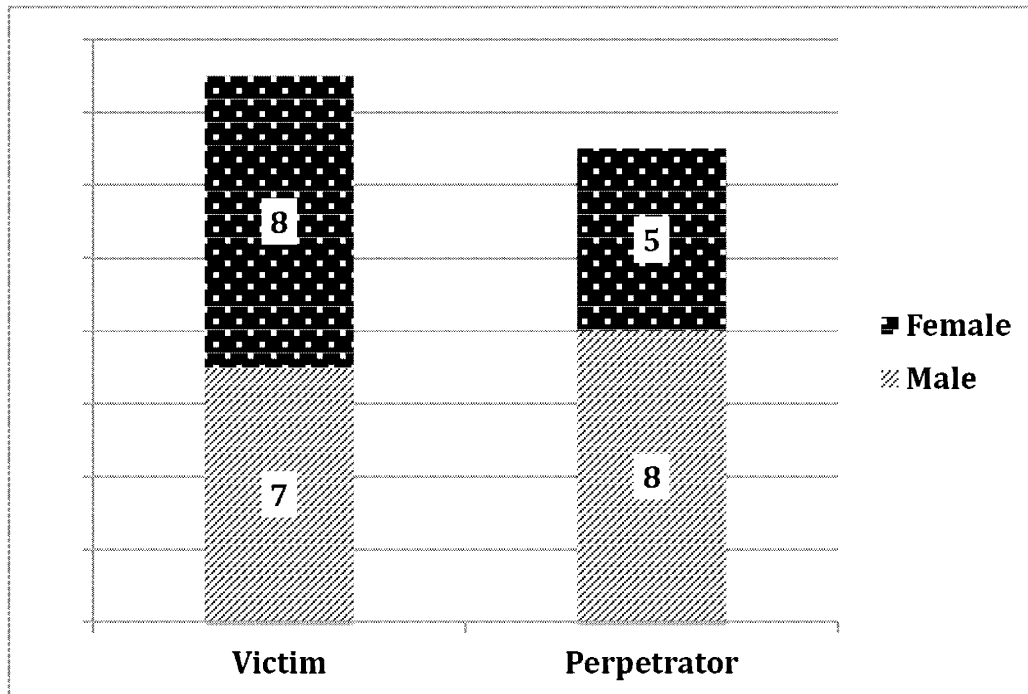


Table 1

Relationship of the Parties

Eight of the thirteen homicide cases reviewed were intimate partner homicides. Seven of the victims were married to the perpetrator and one victim was killed by a live-in partner. The five remaining cases were intrafamilial homicides consisting of two mothers who killed their children, one father who killed his child, and two adult sons who killed their mothers.

The relationship between the parties at the time of the homicides were as follows:

- One boyfriend killed his girlfriend.
- Three husbands killed their wives and then killed themselves.
- One husband/father killed his wife, his two children and then killed himself.
- Three wives killed their husbands.
- One father killed his child then killed himself.
- One mother killed her infant.
- One mother killed her child then killed herself.
- Two adult sons killed their mothers.

Age of the Parties

The age of the fifteen victims at the time of the homicide ranged from four months to 89 years old. The age of the thirteen perpetrators at the time of the homicide ranged from 23 to 55 years old.

Actions Taken by Victims

Table 2 indicates actions taken by seven of the eight intimate partner victims to seek help or leave their relationships. Individual victims may appear in more than one column.

	Spoke with family, friends, or co-workers about abuse	Spoke with family and/or friends about leaving	Told spouse they wanted a divorce	Stopped living together	Took legal action, i.e. PFA, divorce, custody, involved law enforcement	Stopped all contact
Victim's Actions	6	5	6	2	4	1

Table 2

Existence of Protection From Abuse Orders

In the thirteen cases reviewed by the Panel, one Protection From Abuse order was in effect against the perpetrator at the time of the homicides.

Status of the Perpetrators

In the thirteen cases reviewed by the Panel, thirteen perpetrators killed fifteen victims. The status of the perpetrators is as follows:

- Two were tried and found guilty of murder and sentenced to 40 years
- Two pled guilty to murder and were sentenced to between 40 years and life
- Three pled guilty to manslaughter and their sentences ranged from a wholly suspended sentence to 30 years incarceration
- Six committed suicide just after committing homicide

Suicide

Nine of the thirteen perpetrators exhibited suicidal behavior prior to committing homicide. Those behaviors included suicidal threats, making suicidal plans and/or previous attempts to commit suicide. Six of the nine perpetrators exhibiting suicidal behavior killed themselves after committing homicide. One of those six perpetrators killed three people before committing suicide.

Weapons Used

As depicted in Table 3, firearms are the most common weapons perpetrators of domestic violence homicide used to kill. Of the fifteen victims, perpetrators killed seven with firearms, one with blunt force trauma, one with poison, two with fire, two by strangulation, and two with knives.

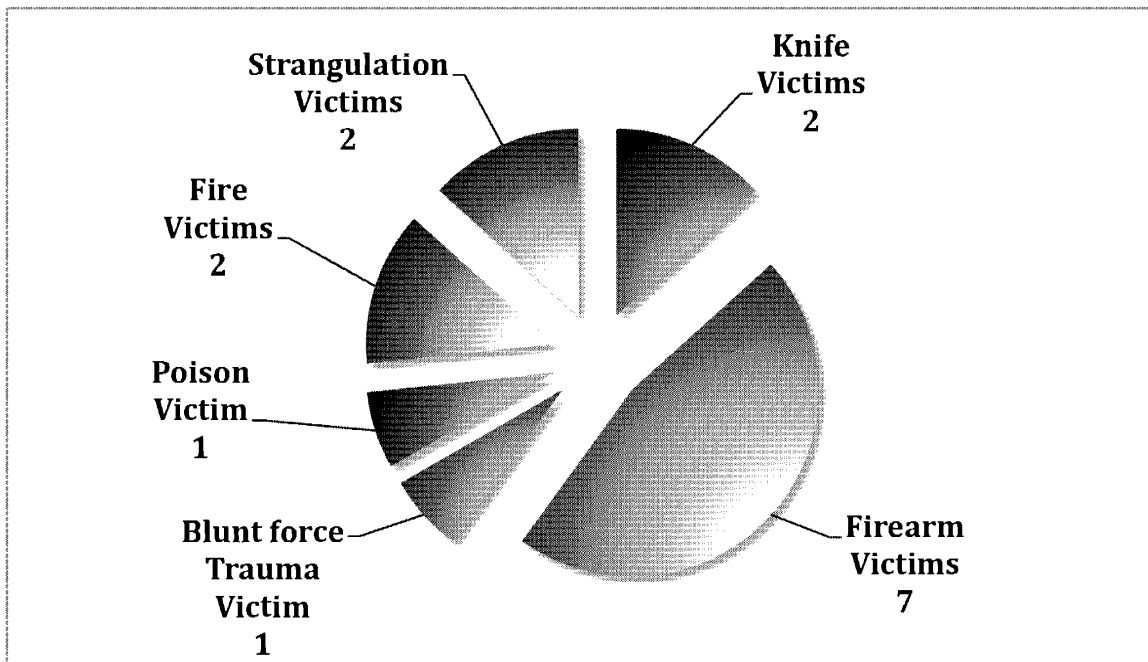


Table 3

Panel Observations and Recommendations

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. Recommendations that have been recognized and acted upon are indicated with checkmarks and details of the progress to date are noted in italics.

Introduction

Several themes have emerged from the homicide cases reviewed in preparation of this report. These themes implicate many systems in the coordinated community response to domestic violence, and thus appear in multiple system categories:

- Validated, evidence-based domestic violence risk assessment tools are currently available and would increase various systems' capacity to respond to perpetrators and victims of domestic abuse. These tools would also provide information helpful to victims when safety planning. Currently, risk assessment in Maine in domestic violence cases is neither routine nor consistent. In 2011 a task group of the Maine Commission on Domestic and Sexual Abuse made an extensive inquiry into current risk assessment practices and have promulgated recommendations: <https://sites.google.com/a/mcedv.org/risk-assessment-study/>
- An abuser's suicidality as a precursor to homicide was present in many of the cases reviewed, and yet often went unrecognized as a risk factor by law enforcement, mental health professionals, friends, family members and co-workers. Bystanders, including the general public and professionals alike, must recognize an abuser's suicidality as also potentially posing danger to the abuser's partner, parents and children.
- Firearms continue to be the most often used deadly weapons for individuals who commit domestic violence homicide. Possession of, and access to, firearms in dangerous situations should be examined by criminal justice stakeholders. Additionally, the current system for relinquishment of firearms, and policies and practices to seize and secure firearms pursuant to state and federal law, requires vigilant examination.

The Legal System

The Panel makes the following observations regarding the legal system:

- The Panel observes that notification to the victim of a defendant's release from incarceration is not always made in a timely manner, and there is inconsistency

about who is responsible to make notification. This may place a victim at increased risk.

- The Panel observes that there is a lack of consistency statewide regarding the prosecutorial use of deferred disposition. This inconsistency results in a lack of standardization of conditions, and varying accountability for defendants who are on deferred disposition.
- The Panel observes that abusers released from incarceration may benefit from access to Batterers Intervention Programs, robust mental health services, and community supports, prior to release.

The Panel makes the following recommendations regarding the legal system:

1. The Panel recommends that the legal system examine current practices in regard to victim notification when a defendant is released from jail, and determine options to increase the consistency and timeliness of notification.

LD 1760: An Act to Ensure Notification of Victims of Domestic Violence, Sexual Assault and Stalking When Defendants Are Released on Bail is currently before the Legislature.

2. The Panel recommends that Maine prosecutors address the topic of deferred disposition at the annual Maine Prosecutors Association conference, to discuss and determine whether consistent guidelines for the use of deferred disposition may be agreed upon.

3. The Panel recommends that stakeholders in the legal system consider the feasibility of pre-trial and post-conviction electronic monitoring of domestic violence offenders in cases involving high risk as determined by a validated, evidence-based risk assessment tool. *On February 22, 2012, Governor Paul LePage signed an Executive Order establishing the Task Force to Reduce Domestic Violence through Technology. (See Appendix F) Members of the Department of Public Safety, Office of Information Technology, Maine Coalition to End Domestic Violence, Maine Chiefs of Police, Maine Prosecutors Association, Department of Corrections and the Office of Attorney General have been asked to participate.*

4. The Panel recommends that because defendants present ongoing risks to victims, a validated, evidence-based, domestic violence risk assessment completed by law enforcement or other criminal justice system professionals at the time of the original offense, or thereafter, be considered in setting bail, sentencing, and determining conditions of probation.

5. The Panel recommends that 911 call center dispatchers ensure they have the correct address for law enforcement response. For example, the dispatcher may repeat back the address, clarifying "Street, Road, Lane, Way, etc.," and/or ask the caller to spell out the street name. Maine Department of Public Safety policy currently requires the spelling out of street names by dispatchers.

Firearms

The Panel makes the following observations regarding firearms:

- The Panel observes that an abuser who keeps unsecured firearms in the home is intimidating. Unsecured firearms communicate a direct threat of lethal violence and increase the risk of injury or death to everyone in a household.
- The Panel observes that law enforcement cannot readily identify possession of, or access to, firearms by a person who may be prohibited from possession of firearms pursuant to a protection order or bail conditions.
- The Panel observes that seizure and storage of firearms pursuant to Protection From Abuse orders and bail conditions presents several unique challenges for law enforcement. Most importantly, it is impossible to ensure that all firearms belonging to, or in possession of, the defendant are accounted for and relinquished. Once firearms are relinquished, law enforcement faces additional challenges in storing the seized firearms. In addition, no one can ensure that domestic violence offenders will not procure additional firearms.
- The Panel observes that offenders subject to the current firearms relinquishment process pursuant to Protection From Abuse orders and/or pre-conviction bail orders may still pose a risk to victims for homicide by firearm.

Perpetrator told his son that he'd "get a 29¢ divorce... the cost of a bullet."

The Panel makes the following recommendation regarding firearms:

1. The Panel recommends that a task force be appointed consisting of law enforcement, prosecutors, judiciary and other stakeholders to examine the process of firearms relinquishment in Protection From Abuse cases. Considerations by the task force should include, but are not limited to, whether Title 19-A M.R.S. §4007(1-A) provides sufficient mechanisms to ensure that all firearms owned or in control of the defendant are found and seized by law enforcement; whether the existing inventory filing requirements set forth in the statute are sufficient and are being complied with; whether holding or transfer of firearms by third parties on behalf of defendants should continue to be permitted; whether it is feasible for law enforcement or any government agency to store all firearms relinquished by a defendant; whether a statewide system and procedure for safe and appropriate storage of seized firearms can be instituted; and examine current and possible additional sanctions for individuals who sell, provide, or give back relinquished firearms to defendants while there is a current Protection From Abuse order.

Law Enforcement

The Panel makes the following observations regarding law enforcement:

- The Panel observes that defendants who make deadly threats to victims may also pose a higher risk to law enforcement. When deadly threats are documented in a Protection From Abuse affidavit or order, law enforcement officers would benefit from access to that information.
- The Panel recognizes the best practice of follow up checks with victims of domestic violence by law enforcement officers after a criminal incident. The Panel applauds the Maine Criminal Justice Academy's and Maine Chief's model policy of following up with victims within 48 hours. Repeat follow ups with victims by law enforcement officers afford opportunities for victim engagement in the legal process, safety planning and referrals, as well as, more information gathering, evidence collection, and abuser accountability.
- The Panel observes that Title 25 M.R.S. §2803-B, requiring law enforcement to create policies to address the retrieval of belongings, may not effectively address a victim retrieving belongings from an abuser's residence. The Panel recognizes that the practice is to support the victim or offender who had been sharing a residence to retrieve belongings, but observes that this may not encompass situations in which a victim had been staying at a perpetrator's residence.
- The Panel observes that law enforcement officers are professionally trained to use tactics of control as part of the job. When officers perpetrate domestic violence in their intimate partnerships, they may primarily use tactics of abuse that are not against the law because of the officer's professional skill in controlling others, unique understanding of the laws, and knowledge that if anyone becomes aware of the abuse, the officer's job may be in jeopardy. Reporting abuse, whether it involves criminal conduct or not, and accessing assistance from law enforcement agencies and others, is uniquely difficult for a victim in a relationship with an abusive law enforcement officer. A victim may face additional danger due to the tactical training of a law enforcement officer, and the disbelief of others - professionals and peers - that an officer would violate the public trust by committing domestic violence. Diane Wetendorf's national work offers a compelling look at what life is like for a survivor with an abuser who works in law enforcement. (For more information see www.abuseofpower.info/index.html.)
- The Panel observes that domestic violence offenders increasingly misuse technology to enhance tactics of power and control. Technologies used by abusers to monitor victims are evolving rapidly, and in many instances are easily accessible. They may be marketed specifically for such misuse. Victims are often unaware of these technologies, and, therefore, cannot account for them in safety planning or when seeking relief from the legal system.

- The Panel observes that evolving technology provides new ways for law enforcement officers to investigate crimes.

The Panel makes the following recommendations regarding law enforcement:

1. The Panel recommends that law enforcement officers use a validated, evidence-based, domestic violence risk assessment tool, such as the Ontario Domestic Abuse Risk Assessment (ODARA). Such tools may assist in risk management in cases of domestic violence and highlight which of those have an increased likelihood of future violence and require more careful monitoring or intervention by the justice system, as well as lead to more effective resource allocation. The information gathered from the use of a risk assessment tool would follow the incident report/case to bail commissioners, District Attorneys’ Offices, Judges and domestic violence resource centers that receive incident reports according to statute. In all settings, this information would provide additional important information integral to safety planning and victim safety.

LD 1711: An Act to Mandate the Use of Standardized Risk Assessment in the Management of Domestic Violence Crimes is currently before the Legislature.

2. The Panel recommends that criminal justice stakeholders consider targeting cases in which a defendant scores high on ODARA or another similarly validated, evidence-based domestic violence risk assessment tool, by conducting frequent and ongoing bail checks including residence checks. This type of “case targeting” could focus system resources on those cases in which a defendant is most likely to reoffend and who ultimately poses an ongoing risk to the victim.

“He had no intention of letting her go.”

~ Friend of a homicide victim

3. The Panel recommends that all investigators receive up-to-date training on the misuse of technology by abusers and stalkers and effective strategies for investigating cases involving misuse of technology. The Maine Coalition to End Domestic Violence has worked extensively in recent years to develop and offer such trainings.

4. The Panel recommends that all investigators should receive up-to-date training on effective employment of various technologies to enhance data collection to support prosecution, to track and locate defendants, and to identify crimes committed beyond the initial incident.

Judiciary

The Panel makes the following observations regarding the Judiciary:

- The Panel observes that bail decisions are not always made with complete information about a defendant’s criminal history and first hand information from the arresting law enforcement officer. The Panel recognizes that bail commissioners are authorized under Maine law to receive Maine criminal

history record information (SBI) for the purposes of setting bail and bail conditions.

- The Panel observes that infrequent court dates and continuances may place a victim at increased risk for abuse by the defendant. A lack of regular court dates for criminal cases delays accountability for the defendant.

The Panel makes the following recommendations regarding the Judiciary:

1. The Panel recommends that bail commissioners routinely consider information gathered by law enforcement officers when setting bail, including SBI and any validated, evidence-based, domestic violence risk assessment tool results. *In a Memo dated February 12, 2012, the Attorney General and the Colonel of the Maine State Police reminded all Maine Law Enforcement Agencies that Bail Commissioners, as judicial officers engaged in the administration of criminal justice, are authorized under Maine law to receive Maine criminal history record information for the purposes of setting bail and bail conditions.*

2. The Panel recommends that the Bail Code be amended to require a judge to set bail when the cases involve domestic violence and a class A, B, or C crime. *LD 1867: An Act to Protect Victims of Domestic Violence is currently before the Legislature.*

3. The Panel recommends that the Judiciary develop options to allow for more timely response by the court to domestic violence criminal cases.

Batterers Intervention Programs

The Panel makes the following observations regarding Batterers Intervention Programs:

- The Panel observes that anger management counseling and programs are inappropriate interventions for domestic violence offenders unless clearly presenting with impulse control issues. When anger management is provided as an option to an offender, it encourages the offender, the victim and others to believe that the offender's abuse is caused by anger. Batterers Intervention Programs remain the best practice for the management of, or response to, batterers. Pre-trial access to Batterers Intervention Programs throughout Maine would facilitate best practice in intervention and accountability for offenders.
- The Panel further observes that mental health treatment is inappropriate for domestic violence since it is not a mental health issue. The batterer receiving mental health treatment may conclude that the "illness caused the violence." Domestic violence is a choice and offenders who choose to abuse their intimate partners and family members often choose not to abuse others in their lives,

such as co-workers, friends, etc. Mental health counseling is appropriate when an abuser presents with a mental health issue, yet, even in this case such counseling cannot be considered a substitute for a Batterers Intervention Program to address issues relating to the individual's use of power and control tactics in intimate partnerships.

The Panel makes the following recommendations regarding Batterers Intervention Programs:

1. The Panel recommends that the legal system recognize Batterers Intervention Programs as the appropriate response to domestic violence offenders as opposed to anger management or mental health counseling or programs.
2. The Panel recommends that the term "Domestic Abuse Counseling" be removed from probation forms, and that this term not be accepted by the court as a bail or Protection From Abuse order condition. Instead, the Panel recommends that the court require the defendant to attend a Batterers Intervention Program.

*"He seemed like such a nice guy."
~Neighbor of perpetrator*

Healthcare

The Panel makes the following observations about the healthcare system:

- The Panel observes that healthcare providers are in a unique position to provide information and appropriate service referrals to patients who are experiencing domestic violence. In addition, the healthcare setting is one in which employees facing abuse themselves might expect to receive similar support and referrals. However, the Panel observes that even healthcare facilities that provide employees and patients some general information about domestic abuse and contact information for their local domestic violence resource centers may not be sufficiently equipping staff to provide support and referrals to co-workers and patients.

The Panel makes the following recommendation about the healthcare system:

1. The Panel recommends that healthcare facilities partner with Maine Coalition to End Domestic Violence resource centers to develop and implement domestic violence policies requiring in-depth and ongoing training for staff, including screening, appropriate response to patients, documentation, and referral information. In addition, healthcare facilities would benefit from creating domestic violence workplace policies to thoroughly prepare staff to offer a similar supportive response to co-workers who experience abuse.

Behavioral Health

The Panel makes the following observations regarding the behavioral health system:

- The Panel observes that it may be particularly challenging to treat people with co-occurring disorders including substance abuse and mental health when domestic violence is also present. Mental health interventions must be appropriate to specific, diagnosed disorders and not be confused with “treating” domestic violence.
- The Panel observes that mental health providers run the risk of increasing danger to victims by involving them in the support, treatment and/or discharge planning of abusers. Examples of inappropriate treatment when abuse is present include, but are not limited to, couples counseling, family counseling, and anger management.
- Possession of, or access to, firearms increases the risk of danger and fatality to all parties involved when mental health issues combine with domestic violence. The Panel observes that mental health providers have an opportunity to assess risk to, or from, their clients by inquiring about the presence of firearms in the home and thoroughly addressing the risks posed both to victims and perpetrators by firearms possession.
- The Panel observes that abusers who are returning veterans or military personnel may demonstrate a range of concerns including post-trauma effects, depression, brain injury and domestic abuse. More research and response is necessary to determine possible support and intervention strategies.

The Panel makes the following recommendation regarding the behavioral health system:

1. The Panel recommends that mental health practitioners including crisis workers, psychiatrists, psychologists, and in-patient psychiatric staff, routinely partner with community-based domestic violence resource centers in order to assist in their patients’ safety planning.

2. The Panel recommends that mental health providers adopt appropriate policies regarding domestic violence screening and referrals when making decisions to involve family members in support, treatment and/or discharge planning of batterers or victims.

3. The Panel recommends that all licensed, registered and certified mental health practitioners including inpatient psychiatric hospital staff receive training in the dynamics and best practice management of domestic violence, how to make a referral, and resources

“Please don’t do this in front of the kids.”

~ Victim to perpetrator just before he killed her

in the community. Mental health workers would benefit from consultations with domestic violence and sexual assault advocates in developing treatment plans and threat management strategies for offenders.

4. The Panel recommends that mental health practitioners only operate within their scope of professional practice and within their individual set of competencies and/or seek training and supervision prior to expanding into other competency areas. For example, this is recommended when working with individuals experiencing domestic violence as victims or individuals charged with domestic violence crimes.

5. The Panel recommends that mental health practitioners be aware of the difference between validated, evidence-based domestic violence risk assessment tools and standard psychological assessments including, but not limited to, mental health status examinations. The Panel recommends that mental health practitioners do not make statements about an individual's risk unless providing documentation and explanation of the use of appropriate risk assessment protocols that justify their opinions about said individual's risk.

6. The Panel recommends that mental health practitioners include a request for release of information when treating clients who have been charged with a domestic abuse related crime(s). This release would allow practitioners' access to criminal and civil records potentially helpful in addressing present and new allegations while treating the individual.

7. The Panel recommends that mental health licensing boards require continuing education regarding domestic and sexual violence for currently licensed individuals and, going forward, require evidence of education and training around domestic and sexual violence prior to initial licensing so that mental health clinicians and supervisors of workers providing care to victims or perpetrators will be able to demonstrate competence within those fields.

"People don't understand that verbal abuse can be twice as devastating as physical abuse. The bruising goes away, but the putdowns, being told you're worthless...those things stay with you."

~ Victim-Witness Advocate who worked with victim prior to the homicide

8. The Panel recommends that therapists be trained in the appropriate use of social media as it interfaces with the practice of psychotherapy particularly in relationship to domestic or sexual violence.

9. The Panel recommends the use of trauma-informed, evidence-based, high-quality mental health interventions for victims of sexual violence. The Panel further recommends that providers, who have not received such training and learn a client has experienced sexual violence, should make a "warm" referral to a qualified mental health provider and/or the local sexual assault service provider. A warm referral involves the provider assisting the client in making a direct connection with another provider.

10. The Panel recommends that all mental health providers discuss possession of, and access to, firearms with their patients whenever mental health issues are present in a domestic violence situation. If appropriate, removal of firearms from the home should be encouraged.

Suicide

The Panel makes the following observations about domestic violence and suicide:

- The Panel observes that in the thirteen cases reviewed for this report, 70% of offenders showed past or current suicidal ideation, attempts, or threats. In two-thirds of those cases, perpetrators killed one or more of their family members before committing suicide.
- The Panel observes that suicidal thoughts or attempts may be an indicator of the risk of future violence towards victims, perpetrator, and others. The link between suicidality by batterers and increased risk of homicide continues to be minimized or unrecognized by many clinicians and the general public.
- The Panel observes that an abuser's possession of, or access to, firearms can be a deadly combination for victims of domestic violence when an abuser is suicidal.

Friends and co-workers observed that prior to the homicide/ suicide, the perpetrator appeared to be "an emotional wreck," "extremely distraught," and "possibly suicidal."

The Panel makes the following recommendations regarding domestic violence and suicide:

1. The Panel recommends that when an individual makes suicidal statements to another person, the other person should take the statements seriously and either encourage the individual to seek assessment and treatment, or seek a professional's help in communicating that message to the individual. The Panel further recommends that a discussion occur with the person threatening suicide by an appropriate party (such as law enforcement or a mental health provider) as to possession of, or access to, firearms for the safety of that person, the person's family members and the community. Preventing access to, and removal or relinquishment of, firearms should also be discussed with appropriate parties by persons aware of the suicide threat.

Friends and family said that prior to the homicide/suicide the perpetrator was "very depressed and overwhelmed," "extremely troubled," and "talked about suicide and the religious implications of such an act."

2. In mental health evaluations conducted as a response to an individual's suicidality, screening for intimate partner violence and firearms possession, or access, is crucial. In addition to provision of mental health treatment, appropriate referrals should be made to domestic violence resource centers and Batterers Intervention

Programs.

3. The Panel recommends that in a workplace setting, a co-worker who becomes aware of escalating depression or suicidality in another employee should respond by immediately speaking with a supervisor or human resources personnel. The Panel recognizes the difficult and potential consequences to the employee in certain workplaces such as military and law enforcement, if an employee was to report a co-worker's expression of suicidality. However, it is crucial to the safety of that individual, the individual's family and the workplace that all suicidal statements are taken seriously and all appropriate protocols followed.

4. The Panel recommends that the Maine Criminal Justice Academy examine existing best practice to determine whether a minimum standard and model policy regarding response to law enforcement officer suicidality is warranted.

5. The Panel recommends that in a military setting, it is imperative that a supervisor takes an employee's threat or comment about suicide seriously and takes appropriate actions including referral and investigation.

A friend was not surprised that the perpetrator committed suicide, but was surprised that the perpetrator took the child's life as well.

Maine Department of Health and Human Services (DHHS)

The Panel makes the following recommendations regarding the Maine Department of Health and Human Services:

1. The Panel recommends that the primary caregivers be identified when parties enter into a family driven plan providing care for an infant. If both parents live in the home, they may be designated as co-primary caregivers. If a primary caregiver living in the home is not a parent, that person's role in the plan, the development of the plan, and the possible consequences of not following the plan, must be well defined. Individuals entering into a family driven plan must be clearly aware of the expectations of the plan, as well as the possible consequences to the child if the plan is not followed.

2. The Panel recommends that DHHS examine the role of the non-custodial parent and the possibility of DHHS making family driven plans that formally consider risks potentially posed to the child(ren) and custodial parent by non-custodial parents, step-parents or caregivers.

Maine Department of Education

The Panel makes the following observation regarding the Maine Department of Education:

- The Panel observes that abusers may use homeschooling to promote isolation in a home. Homeschooled children and families sometimes do not benefit from the support, resources and interventions available in Maine’s public education system.

The Panel makes the following recommendation regarding the Maine Department of Education:

1. The Panel recommends that the Maine Department of Health and Human Services (DHHS) partner with the Maine Department of Education (DOE) to verify that in all open DHHS cases when the family is home-schooling, there is compliance with home-schooling regulations. In these instances, DHHS should require the family to provide a copy of their home schooling letter of intent and/or follow up with the DOE to see if this documentation is on file. In addition, periodic check-ins with the home-schooled child and family are in the child’s best interest.

Children

The Panel makes the following observation regarding the impact of domestic abuse on children:

“Who will we live with if you die?”

~ Child victim to mother months before they are both killed

- The Panel observes that young survivors of domestic violence related homicides are at increased risk for additional adverse experiences including suicide, depression, truancy, drug and alcohol abuse, and violence. The negative impact of adverse childhood experiences may manifest later in childhood development or adulthood. Early identification and response continues to be the best hope for heading off these impacts.

The Panel makes the following recommendations regarding the impact of domestic abuse on children:

1. The Panel recommends the creation of statewide community programs to focus on identifying children who have faced adverse childhood experiences and providing them services across a substantial span of time. Trauma Intervention Program (TIP) is one model that could ensure young survivors are provided with appropriate services following a domestic violence related homicide.

“My Mom played dead so she [wouldn't] get shot anymore.”

~ Child tells Maine State Police after witnessing mother shot and killed

Workplace/Employers

The Panel makes the following observations regarding domestic violence in the workplace:

- The Panel observes that an offender may overtly or covertly sabotage a victim's employment. Offenders may also directly threaten the workplace. Employers benefit from having a workplace domestic violence policy that ensures that employees who are victims are not blamed, fired or otherwise held responsible for the abuser's actions.
- The Panel continues to see cases in which co-workers are aware of abuse and even the potential for lethality. Employers are in a unique position to identify and respond to abuse. Workplace policies and training can provide employers and co-workers the tools to effectively intervene.

Maine Coalition to End Domestic Violence (MCEDV)

The Panel makes the following recommendations regarding the Maine Coalition to End Domestic Violence:

1. The Panel recommends additional training for the Maine Coalition to End Domestic Violence resource center's advocates about validated, evidence-based, risk assessment tools, including techniques on how to incorporate information gained from the use of risk assessment into safety planning with victims of domestic abuse.
2. The Panel recommends that advocates continue to include information about the benefits and risks of online social networking when safety planning with victims.

Maine Coalition Against Sexual Assault (MECASA)

The Panel makes the following observations regarding the Maine Coalition Against Sexual Assault:

- The Panel observes that domestic abusers display sexual ownership as a common tactic of power and control. Abusers intimidate victims into acquiescing to sexual activity, so are able to commit intimate partner sexual assault without accountability.
- The Panel observes that sexual violence within the context of domestic abuse is often not identified and hidden under the guise of marriage or partnership. In homicide cases, this may manifest as an offender acting upon an ownership belief about the victim such as "If I can't have you, then no one will."

The Panel makes the following recommendations regarding the Maine Coalition Against Sexual Assault:

1. The Panel recommends that MECASA and allied sexual violence service providers continue to engage in programming to increase public awareness of the prevalence of child sexual abuse (including incest), its life-long consequences, and the available community-based resources.
2. The Panel recommends that MECASA and allied sexual violence service providers continue to work to increase the awareness of the effectiveness of quality early interventions for victims/survivors of child sexual abuse; to increase the utilization of such interventions through training for multi-disciplinary stakeholders on appropriate screening methods; and to work with multi-disciplinary partners to establish protocols for consistent and confidential "warm" referrals to sexual violence service providers.

Public Awareness

The Panel makes the following observations regarding public awareness and domestic violence:

- The Panel observes that in most cases of domestic violence, "bystanders"- such as co-workers, friends, family members, acquaintances, and others - are present in the lives of either or both the victim and abuser. Bystanders are often aware of the abuse, and can be a resource for information and referrals to the victim and/or abuser. It is also an important role of bystanders to call law enforcement when concerned about abuse.
- Victim says she feels less crazy for having fears when she hears others concerns about her safety.*
- The Panel observes that bystanders may learn of abusers pressuring or forcing victims to engage in sexual activity, or subjecting victims to public and sexually offensive verbal assaults. Any bystander attitudes similar to perpetrators about sexual ownership of victims by offenders will further the risk of victims quietly suffering ongoing intimate partner sexual assault. Bystanders play a powerful role in either changing or maintaining a culture that promotes sexual assault in intimate partnerships. When bystanders do nothing when witnessing an abuser's display of sexual ownership of a victim, offenders are emboldened to continue to commit intimate partner sexual assault.
 - The Panel observes that offenders will manipulate victims into believing that law enforcement officers do not support the victim's version of the events. If the offender has personal knowledge or friendship with a law enforcement officer then the victim may be at even greater risk of manipulation.
 - The Panel observes that as cell phone technology advances, E911 cell phone calls will come into dispatch with more accurate information about the caller's location, and will therefore allow for a quicker and more accurate dispatch of

law enforcement officers to the scene.

- The Panel observes that members of the general public may assume that call locations appear on dispatchers' screens when an E911 cell phone call is made, when this is not always the case.

The Panel makes the following recommendations regarding public awareness and domestic violence:

1. The Panel recommends a public awareness campaign to educate members of the public about the limitations of E911 in determining caller or incident location when using a cell phone, and the importance of providing specific and accurate information regarding the location and other details about the reason for the call.

2. The Panel recommends the creation of a public awareness campaign aimed at workplaces to inform employees that Employee Assistance Programs for mental health referrals may be available and can be offered to co-workers when there is cause for concern. The Panel recommends that existing workplace training include information for employees with regard to better understanding the increased risk when suicidality and violence are present in a relationship. Co-workers are encouraged to speak with a supervisor or human resources when they are aware of a person or experiencing relationship violence, suicidality, or escalating depression.

3. The Panel recommends that all faith-based organizations engage in learning best practices for responding to domestic violence in a faith setting. Specifically, engaging in or recommending couples counseling is a common and inappropriate response to an intimate partner relationship when power and control dynamics are present.

4. The Panel recommends the creation and distribution of a "bystander brochure" in which the following bystander opportunities and best practices are addressed:

- A common tactic of offenders is to make disparaging and degrading comments about the victim to family and friends in order to manipulate their perceptions of the victim and undermine the victim's credibility. Bystanders can carefully, tactfully interrupt these remarks and point out their support for the victim.
- If a bystander is aware that someone illegally possesses a firearm, call law enforcement.
- If a bystander is aware that an individual is contacting a person in violation of a bail condition, probation condition, or protective order, calling law enforcement is appropriate. A report to the law enforcement by a bystander observing violations of one of these court conditions should be investigated.
- If a bystander is a delivery personnel (i.e., UPS or FedEx) or a service worker (i.e. carpenter, salon professionals, etc.), she or he may be one of the only people to come in contact with isolated families. Occasional visitors have an opportunity to observe dangerous family dynamics and offer a referral or call law enforcement with concerns.

- If a bystander overhears or is otherwise aware that a threat to kill any person has been made, he/she might contact law enforcement and refer the victim to the local domestic violence resource center.
- If a bystander holds firearms for someone who has relinquished them subject to a Protection From Abuse order, or if holding them under some other circumstance for someone else, the bystander should involve law enforcement if he/she has any safety concerns regarding those firearms, or the person to whom they belong.
- Education concerning the appropriate response to an individual believed to be at risk of hurting themselves or others, including messages of accountability and referral information
- Education concerning the appropriate response to an individual who you believed to be experiencing domestic violence as a victim, including identifying changes in battering behavior that may signal an increasing risk of danger or lethality.

Applause

The Panel applauds the Maine State Police and the Maine Department of Public Safety for consistently increasing investigation resources in domestic violence homicide cases in which the offenders commit suicide.

The Panel applauds the work of law enforcement officers, agencies, and the Maine Criminal Justice Academy as they continue to frame and respond to domestic violence as homicide prevention.

The Panel applauds the work of the Trauma Intervention Program (TIP). Trauma Intervention Program (TIP) is composed of specially trained citizen volunteers who provide emotional and practical support to victims of traumatic events and their families in the few first hours following a tragedy. The Trauma Intervention Program (TIP) of Portland, Maine trains citizen volunteers to provide emotional and practical support to victims of traumatic events and their families in the first few hours following a tragedy. TIP of Portland, Maine, was established in 2004, in partnership with TIP National, Community Counseling Center and the Junior League of Portland, Maine, and works in cooperation with the Portland, South Portland, Cape Elizabeth, Scarborough, Westbrook, Gorham, Falmouth, and Windham police and fire departments, as well as Maine Medical Center and the Maine State Police.

Appendix A: Enabling Legislation

Title 19-A M.R.S. §4013 (4)

4. Domestic Abuse Homicide Review Panel. The commission [Maine Commission on Domestic and Sexual Abuse] 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 member 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 Health and Human Services, the Commissioner of Corrections, the Commissioner of Public Safety, a judge as assigned by the Chief Justice of the Supreme 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, ½ must be appointed for a one-year term.
- B. The Panel shall recommend to state and local agencies methods of improving the system for protecting persons from domestic and sexual abuse, including modification of laws, rules, policies and procedures following completion of adjudication.
- C. The Panel shall collect and compile data related to domestic and sexual abuse, including data relating to deaths resulting from domestic abuse when the victim was pregnant at the time of the death.
- 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.
- 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.

The commission shall submit a report on the panel's activities, conclusions and recommendation 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 Resource Centers

Maine Coalition to End Domestic Violence

104 Sewall Street, Augusta, ME 04330 mcedv.org 207-430-8334

Aroostook County

Hope and Justice Project

(Formerly Battered Women's Project)

www.hopeandjusticeproject.org

754 Maine St., Presque Isle, ME 04769

Office: 207-764-2977

Hotline: 1-800-439-2323

Piscataquis County

Womancare

www.wmncare.org

P.O. Box 192, Dover-Foxcroft, ME

04426

Office & Hotline: 207-564-8165

Hotline: 1-888-564-8165

Penobscot County

Spruce Run

www.sprucerun.net

P.O. Box 653, Bangor, ME 04402

Office: 207-945-5102

Hotline: 1-800-863-9909

Kennebec & Somerset Counties

Family Violence Project

www.familyviolenceproject.org

P.O. Box 304, Augusta, ME 04332

Office: 207-623-8637

Hotline: 1-877-890-7788

Cumberland & Sagadahoc Counties

Family Crisis Services

www.familycrisis.org

P.O. Box 704, Portland, ME 04104

Office: 207-767-4952

Hotline: 1-800-537-6066

Hancock County

The Next Step

www.nextstepdvproject.org

P.O. Box 1466, Ellsworth, ME 04605

Office: 207-667-0176

Hotline: 1-800-315-5579

Washington County

The Next Step

Office: 207-255-4243

Hotline: 1888-604-8692

Androscoggin, Oxford & Franklin Counties

SafeVoices

(Formerly Abused Women's Advocacy Project)

www.safevoices.org

P.O. Box 713, Auburn, ME 04212

Office: 207-795-6744

Hotline: 1-800-559-2927

Knox, Lincoln & Waldo Counties

New Hope for Women

www.newhopeforwomen.org

P.O. Box A, Rockland, ME 04841-0733

Office: 207-594-2128

Hotline: 1-800-522-3304

York County

Caring Unlimited

www.caring-unlimited.org

P.O. Box 590, Sanford, ME 04037

Office: 207-490-3227

Hotline: 1-800-239-7298

Appendix C: Maine Coalition Against Sexual Assault Member Centers

Maine Coalition Against Sexual Assault

83 Western Ave, Suite 2, Augusta, ME 04330 www.mecasa.org

Phone: 207-626-0034

Statewide Sexual Assault Crisis & Support Line:

1-800-871-7741 (TTY: 1-888-458-5599)

Aroostook County

AMHC Sexual Assault Services (AMHC SAS)

Office only: 207-493-3361

www.amhc.org

Hancock & Washington Counties

Downeast Sexual Assault Services (DSAS)

Office only: 1-800-492-5550

www.downeasthealth.org

Penobscot & Piscataquis Counties

Rape Response Services (RRS)

Office only: 207-973-3651

www.rrsonline.org

University of Maine Community

Safe Campus Project (SCP) University of Maine, Orono

Office only: 207-581-2515

www.umaine.edu/safecampusproject

Androscoggin, Oxford & Franklin Counties

Sexual Assault Prevention & Response Services (SAPRS)

SACC, Androscoggin County www.sexualassaultcrisiscenter.org

Office only: 207-784-5272

REACH, Oxford County www.reachmaine.org

Office only: 207-743-9777

SAVES, Franklin County www.savesrapecrisis.org

Office only: 207-778-9522

Kennebec & Somerset Counties

Sexual Assault Crisis & Support Center (SAC & SC)

Office only: 207-377-1010

www.silentnomore.org

Cumberland & York Counties

Sexual Assault Response Services of Southern Maine (SARSSM)

Office only: 207-828-1035

www.sarsonline.org

Eastern Cumberland, Sagadahoc, Knox, Waldo & Lincoln Counties

Sexual Assault Support Services of Midcoast Maine (SASSMM)

Office only: 207-725-2181

www.sassmm.org

Androscoggin & Cumberland Counties

United Somali Women of Maine (USWOM)

Office only: 207-753-0061

Appendix D: Additional Domestic Violence & Sexual Assault Services in Maine

Aroostook Band of Micmac

www.micmac-nsn.gov

7 Northern Rd., Presque Isle, ME 04769

Office: 207-764-1972 or 1-800-355-1435

Maliseet Domestic Violence & Sexual Assault Program

www.maliseets.com

690 Foxcroft Rd., Houlton, ME 04730

Office: 207-532-3000 **Hotline: 207-532-6401**

Passamaquoddy Peaceful Relations

www.wabanaki.com

P.O. Box 343, Perry, ME 04667

Office: 207-853-2600 **Hotline: 1-877-853-2613**

Indian Township Office of Child and Family Services

Office: 207-796-2301

P.O. Box 301, Princeton, ME 04668

Penobscot Indian Nation Domestic Violence & Sexual Assault Services Program

www.penobscotnation.org

12 Wabanaki Way, Indian Island, ME 04468

Office: 207-817-7498 **Hotline: 207-631-4886**

United Somali Women of Maine

www.uswofmaine.org

Office: 207-753-0061

Sudanese Family of Maine

dazanga@hotmail.com

Office: 207-450-2377

Tengo Voz / I Have a Voice Initiative

tngovoz@gmail.com

NAACP, P.O. Box 5384, Portland, ME 04101

Office: 207-772-3928

24 hr answering service: 207-253-5074 (interpreters available)

Appendix E: Definition of Domestic Abuse

Maine statute Title 19-A M.R.S. §4002(1) defines domestic abuse as:

1. Abuse. "Abuse" means the occurrence of the following acts between family or household members or dating partners or by a family or household member or dating partner upon a minor child of a family or household member or dating partner:

A. Attempting to cause or causing bodily injury or offensive physical contact, including sexual assaults under Title 17-A, chapter 11, except that contact as described in Title 17-A, section 106, subsection 1 is excluded from this definition;

B. Attempting to place or placing another in fear of bodily injury through any course of conduct, including, but not limited to, threatening, harassing or tormenting behavior;

C. Compelling a person by force, threat of force or intimidation to engage in conduct from which the person has a right or privilege to abstain or to abstain from conduct in which the person has a right to engage;

D. Knowingly restricting substantially the movements of another person without that person's consent or other lawful authority by:

- 1) Removing that person from that person's residence, place of business or school;
- 2) Moving that person a substantial distance from the vicinity where that person was found; or
- 3) Confining that person for a substantial period either in the place where the restriction commences or in a place to which that person has been moved;

E. Communicating to a person a threat to commit, or to cause to be committed, a crime of violence dangerous to human life against the person to whom the communication is made or another, and the natural and probable consequence of the threat, whether or not that consequence in fact occurs, is to place the person to whom the threat is communicated, or the person against whom the threat is made, in reasonable fear that the crime will be committed; or

F. Repeatedly and without reasonable cause:

- 1) Following the plaintiff; or
- 2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment.

Appendix F: Governor's Executive Order



OFFICE OF
THE GOVERNOR

NO. 2012-003
DATE February 22, 2012

AN ORDER ESTABLISHING THE TASK FORCE TO REDUCE DOMESTIC VIOLENCE THROUGH TECHNOLOGY

WHEREAS, domestic violence is a scourge which harms the fabric of our State;

WHEREAS, many men and women have dedicated themselves to ending domestic violence and have offered their time and expertise;

WHEREAS, my Administration is dedicated to creatively using technology to protect victims; and

WHEREAS, a comprehensive examination will help create a system that works for all Maine people;

NOW, THEREFORE, I, Paul R. LePage, Governor of the State of Maine, hereby order as follows:

1. The Task Force to Reduce Domestic Violence through Technology ("Task Force") is hereby established.
2. The membership of the Task Force shall consist of seven (7) persons appointed by the Governor, including representatives of the following:
 - a. The Department of Public Safety;
 - b. The Department of Corrections;
 - c. The Office of the Attorney General;
 - d. The Office of Information Technology;
 - e. A statewide organization dedicated to ending domestic violence;
 - f. A statewide organization representing prosecutors; and
 - g. A statewide organization representing chiefs of police.

The Governor shall appoint one member of the Task Force to serve as Chair, to serve at the pleasure of the Governor. Members shall serve without compensation.

3. The Task Force shall:

- a. Explore methods to utilize available technologies to track domestic violence offenders;
- b. Explore electronic assistance services for victims, to allow them to contact support personnel in an emergency;
- c. Develop models to implement the technologies explored in subsections (a) and (b), incorporating different approaches related to rural and urban areas as appropriate; and
- d. Apply for any grants on behalf of the State as the Task Force may deem necessary, including those offered by the United States Department of Justice, Office on Violence Against Women.

The Task Force shall undertake such other duties and responsibilities from time to time as may be required.

4. The Task Force shall submit a report to the Governor detailing their findings, along with any draft Legislation, on or before December 15, 2012, at which time the Task Force shall dissolve.

The effective date of this Executive Order is February 22, 2012.


Paul R. LePage, Governor