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**DOMESTIC VIOLENCE
PROSECUTIONS IN MAINE**

**ANNUAL REPORT
DECEMBER, 2005**

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2005

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December 1, 2006

Senator Margaret Rotundo, Senate Chair
Representative Joseph C. Brannigan, House Chair
Members, Joint Standing Committee on Appropriations
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Senator William Diamond, Senate Chair
Representative Patricia A. Blanchette, House Chair
Members, Joint Standing Committee on Criminal Justice
& Public Safety
State House, Room 211
Augusta ME 04333

Senator Barry J. Hobbins, Senate Chair
Representative Deborah Pelletier-Simpson, House Chair
Members, Joint Standing Committee on Judiciary
State House, Room 438
Augusta ME 04333

Re: 2005 Annual Report on Domestic Violence Prosecutions in Maine

Dear Senators and Representatives:

In accordance with 5 M.R.S.A. § 204-A, I am pleased to submit the 2005 Annual Report compiling information and data from the domestic violence prosecutors throughout the State of Maine. As required by statute, the information assembled in this report has been produced in cooperation with the eight district attorneys. The Passamaquoddy Tribe at Pleasant Point has also submitted information for inclusion in this report.

During 2005, Maine had a total of 19 homicides. Ten (or 52.6%) of those deaths involved domestic violence. These figures are identical to those from 2004. Over the

Senator Margaret Rotundo, Senate Chair
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December 5, 2006
Page 2

past 20 years, approximately 53% of all homicides in the State of Maine have involved domestic violence.

According to the Uniform Crime Reporting Division of the Maine Department of Public Safety ("Crime in Maine – 2005"), domestic violence assaults increased 5.2% in 2005. Of a total of 11,843 reported assaults, 5,459 or 46.1% were identified as occurring between household or family members. This represents a domestic assault taking place roughly every hour and a half in Maine.

Once again, the information compiled in this report demonstrates that domestic violence prosecutions continue to be a significant part of the caseload of the district attorneys throughout the State of Maine as well as the Criminal Division within my Office. We hope this information is helpful to you.

Please feel free to contact me or any of the district attorneys if you have any questions regarding this report.

Sincerely,



G. Steven Rowe
Attorney General

WRS/nh
Encs.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
Office of the Attorney General Domestic Violence Homicides 2005-----	1
York County Prosecutorial District I-----	2
Cumberland County Prosecutorial District II-----	4
Androscoggin, Franklin and Oxford Counties Prosecutorial District III-----	6
Kennebec and Somerset Counties Prosecutorial District IV-----	13
Penobscot and Piscataquis Counties Prosecutorial District V -----	21
Sagadahoc, Lincoln, Knox and Waldo Counties Prosecutorial District VI-----	25
Hancock and Washington Counties Prosecutorial District VII-----	35
Aroostook County Prosecutorial District VIII-----	29
Passamaquoddy Tribe at Pleasant Point-----	30

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STATE OF MAINE
ATTORNEY GENERAL'S OFFICE

OFFICE OF THE ATTORNEY GENERAL
DOMESTIC VIOLENCE HOMICIDE REPORT
DECEMBER, 2005

Homicides in 2005	19
Domestic Violence Homicides in 2005	10
Grand Jury Indictments	8
Relationship with victim	
Married	3
Live-in partner	3
Parent	1
Daughter	1
Son	1
Weapon/Manner of death	
Firearm	6
Knives	1
Strangulation	1
Blunt Force Trauma	2
Protection from Abuse Orders	
Protection from Abuse Orders in effect	0
Ages and Genders of victims/perpetrators	
Age range for victims	20 years old to 98 years old
Age range for perpetrators	19 years old to 86 years old
Victims	
Males	3
Females	7
Perpetrators	
Males	10
Females	0
Case Status	
Pending trial	2
Found guilty of murder	1
Found guilty of manslaughter	0
Found not guilty	1
Murder/Suicides	6

YORK COUNTY PROSECUTORIAL DISTRICT I

Prosecutorial District One 2005 Domestic Violence Report

This report presents an overview of the approach employed in District One to prosecution of domestic violence (DV) cases and provides some raw statistics on DV cases.

District One is the second largest district in the state serving York County, an area with a year round population of over 200,000 and a summer population of approximately 350,000. District One is also the fastest growing district in the state averaging a 15% population growth in each of the past five decades.

In 2005, over 12,000 criminal matters were referred to the District Attorney's office: a 20% increase in three years. DV cases account for just under 10% of these matters: 1,103 in 2005. In 2003, the legislature eliminated funding for one of the district's two DV prosecutors. After a two-year vacancy, a federal grant allowed for the temporary hiring of a replacement DV prosecutor part way through 2005.

Statistics in this report are summarized by cases prosecuted not by defendant. This fashion of reporting will result in a lower "guilty" percentage since one defendant may have multiple matters pending against him or her. Often global plea agreements are reached to eliminate the risk of not guilty verdicts at trial. These plea agreements will often include a stiffer sentence in one matter and the dismissal of another.

The type of cases labeled as DV varies. In District One, crimes of violence between parents and children; siblings and other family members; as well as violence between current or former intimate partners are all labeled as DV. In addition, DV crimes vary from a first time shoving incident between a married couple going through a divorce to an incident of violence in a relationship where one partner has a demonstrated pattern and history of abuse, sometimes both violent and non-violent.

DV resources are targeted more heavily to these latter cases. Since 2002, District One has participated in a DV court project that allows for case dispositions that require the defendant's participation in periodic judicial review before a judge for a period of up to two years after sentencing as well as participation in a certified Batters' Intervention Program (BIP).

The approach of District One is for prosecutors to be active in all aspects of DV criminal matters. Prosecutors assist Police Departments (PDs) in developing investigative tools, training and provide on call, 24 hour, 7 day a week support to individual officers. PDs are encouraged to refer all DV matters to the DA's office even if the officer is in doubt about a charging decision. Prosecutors can then request additional information and make a charging decision.

DV cases will often present significant obstacles that may ultimately prevent a judge or jury from concluding beyond a reasonable doubt that a crime has occurred. These obstacles often include: 1) a lack of physical evidence; 2) a lack of witnesses other than the alleged perpetrator and victim; and 3) changing feelings and most often a decreasing willingness of victims/witness to actively participate in the prosecution as time away from violent incident increases and the day for trial approaches.

District One does not “screen out” from prosecution these difficult cases simply because they may present significant obstacles to eventual prosecution. However, this practice does ultimately reduce the “guilty” percentage as a great number of difficult cases charged will ultimately be dismissed as the ability to try the case diminishes as the trial date approaches.

The reason District One has adopted a practice of always charging in these difficult cases is two-fold: 1) pretrial bail conditions such as no contact, participation in a BIP and requirement of financial support can be set after charges are filed that allow the alleged victim a period of safety and stability where they can begin to get more control over their lives and families; and 2) in a small minority of cases the willingness of the victim/witness to actively participate at trial will increase especially in a safer environment.

Lastly, District One uses a variety of tools to achieve dispositions that aid the alleged victim and implement the intent of the legislature enacting the DV statutes. In strong cases, jail time, probation, administrative release and deferred disposition are used to require the defendant to accept responsibility for their actions and to participate in a BIP program and the judicial review process. In more difficult cases, prosecutors will often defer prosecution while the defendant is placed on restrictions and required to participate in a BIP program and judicial review thus providing up to a year of safety and stability for the alleged victim. This procedure, called “filing”, ultimately results in dismissal of the case upon successful completion of the conditions.

The result of this approach is that 90% of all matters referred to District One are prosecuted. Only 10% are “no-billed” by a grand jury or declined for prosecution by a prosecutor. Of those prosecuted in 2005, guilty verdicts were obtained in 47% of the cases, filings were pursued in 12% of the cases and 41% of the cases were ultimately dismissed either after successful completion of filing conditions or unconditionally due to insufficient evidence at time of trial. In only one matter was the defendant found not guilty.

District One’s goals for 2006 are: 1) to support and encourage the expansion of the DV court project to all district courts and the superior court in York County; 2) to add an additional DV prosecutor to address the 20% increase in DV cases in York County in the past 3 years; and 3) to create a DV unit comprised of three prosecutors in district and superior courts to prevent defendants from court and prosecutor “shopping”.

2005 Statistics:		2005 Prosecution results:		
In review process:	117	Guilty:	418	42%
Not prosecuted:	99	Not guilty:	1	-%
<u>Prosecuted:</u>	<u>887</u>	Filing w/conditions:	108	11%
Total handled	1,103	<u>Ultimate dismissals:</u>	<u>360</u>	<u>36%</u>
		Total prosecutions:	887	100%

CUMBERLAND COUNTY PROSECUTORIAL DISTRICT II

**DOMESTIC VIOLENCE REPORT FOR 2005
PROSECUTORIAL DISTRICT 2
CUMBERLAND COUNTY**

Cases received in 2005	1320
Cases Approved in 2005	903*
Requested Information	91
Prosecution Declined	364*
Stalking (misd.)	5
 Cases resolved in 2005	 619 cases involving 510 defendants
Found Guilty	345 defendants
Acquitted	4 defendants
Filed	99 defendants
Dismissed	79 defendants
Felonies	69 cases involving 60 defendants
Gross Sexual Assault	3 cases
 Probation	 163 defendants

* Some of these cases may have been received in 2004 but not acted on until 2005. It would therefore be inaccurate to compare these figures with the total cases received in 2005 to determine charging and no-complaint rates.

The role of the domestic violence prosecutors in Cumberland County

From July 1999 through December, 2003, CCDA had 2 domestic violence prosecutors, one of whom resigned in December, 2003. We were been unable to fill the vacancy during 2004, leading to a significant change in the role and activities of the remaining prosecutor. We were unable to provide law enforcement training on domestic violence issues or to accept speaking engagements and involvement in task forces. We were unable to provide vertical prosecution (which was an important function of the DV Unit) in all cases. However, the vacancy was filled in June 20, 2005, and these activities and functions have resumed. Two attorneys now vertically prosecute all misdemeanor domestic violence cases that originate in Portland District Court (other prosecutors handle misdemeanors that originate in Bath/Brunswick and Bridgton District Courts), and all felony offenses. Each domestic violence prosecutor has a Victim Assistant assigned to assist victims of her cases.

Resources available to DV prosecutors

CCDA has an investigator assigned to its DV Unit through the Cumberland County Sheriff's Office. There is one probation officer assigned to handle DV cases only, with a reduced maximum caseload that enables him to more closely monitor his probationers.

CCDA utilizes the services of a Maine Pretrial Services caseworker who is funded, in part, by a VAWA grant. That caseworker supervises defendants on bail, as well as defendants who are on deferred dispositions.

The greatest impediment to convictions

The greatest impediment to convictions is victims who are unwilling to testify, can not be located, do not show up in court under subpoena, and/or who recant. Although we aggressively prosecute without victims when possible, often there is insufficient evidence to proceed without the victim's participation.

**ANDROSCOGGIN, FRANKLIN AND OXFORD COUNTIES
PROSECUTORIAL DISTRICT III**



PROSECUTORIAL DISTRICT III

DOMESTIC VIOLENCE REPORT

2005

**Norman Croteau
District Attorney**

**Nicholas S. Worden
Assistant District Attorney**

Report for Domestic Violence Cases in Androscoggin County - 2005

I. The Role of the Domestic Violence Prosecutor

The number of domestic violence cases in Androscoggin County continues to rise. In the Lewiston District Court alone, slightly less than one thousand domestic violence cases were adjudicated. Superior Court caseloads also continue to rise as more defendants are charged with felonies due to prior domestic violence convictions.

A. What resources are available?

District Three does not have a dedicated Probation Officer for domestic violence (hereinafter DV) cases. Franklin County has a DV investigator through the Sheriff's Department and the Lewiston Police Department has a DV coordinator to assist in preparing cases for prosecution and promotion of victim safety.

Beginning in 2006, the Lewiston District Court joins five other sites across Maine offering the Domestic Violence Review Project. This special docket is devoted to defendants who are required to attend the Certified Batterer's Intervention Program. The Court monitors the defendant's and ensures they are compliant with the program and other terms of their probation.

B. What are the greatest impediments to conviction?

Sex based offenses and domestic violence crimes are often discussed as the type of offenses that the State should aggressively prosecute. Yet they are treated disparately in at least one fundamental way. Sex crimes, even at the misdemeanor level, are usually assigned a detective, who works on a particular case. Domestic violence crimes in most police departments are handled by the patrol officer. This is true even with felony level assaults. Without the resources dedicated to investigate these crimes, it is difficult to obtain the level of justice these cases deserve.

II. Statistics

Using the attached data to determine conviction rates does not necessarily reflect the number of defendants convicted. For example, a defendant may be charged by complaint with one (1) count of assault and one (1) count of criminal threatening. Because both charges arise out of the same incident, a plea or conviction of both charges would likely result in a concurrent sentence. Pursuant to a plea agreement, a defendant might plead guilty to an assault charge in return for the State's dismissal of an accompanying criminal threatening charge. The result would be a conviction rate of 50%. If our data was collected and analyzed based on defendants instead of charges, our conviction rate for this case would then be 100%. In short, the manner in which data is collected and analyzed must be considered in evaluating the quality and success of domestic violence prosecutions.

We wish to stress that these numbers, while an impressive and dramatic improvement over prior years, do not adequately describe the efforts of those involved in the prosecution of domestic violence in this prosecutorial district. Successful prosecution of a domestic violence case does not always or necessarily involve a conviction for a criminal charge. If we pay attention only to conviction rates, we ignore the defendant whose case was filed with the condition that he complete the Certified Batterer's Intervention Program or the victim who, after meeting with the Domestic Violence Victim's Advocate, leaves the marital home to avoid further abuse. The measures for successful prosecution are too numerous to list. It is important therefore to realize that numbers are only one measure.

DOMESTIC VIOLENCE CASES DISTRICT COURT

	Cases	Def	Trials	Not Guilty	Guilty	Pleas/Agreements	Dismissed	Continued	Conv-Def	Conv-Cases
2005										
January	85	47	0	0	0	48	17	20	96%	74%
February	70	46	0	0	0	25	11	33	54%	68%
March	92	60	0	0	0	40	17	34	67%	70%
April	64	36	0	0	0	29	15	20	81%	66%
May	67	43	0	0	0	32	8	27	74%	80%
June	70	46	0	0	0	33	11	27	72%	77%
July	78	48	0	0	0	34	10	34	71%	77%
August	69	49	1	1	0	33	7	28	67%	81%
September	93	56	2	0	2	30	13	48	54%	67%
October	88	49	0	0	0	44	28	16	90%	61%
November	78	48	2	0	3	31	5	39	79%	88%
December	82	52	0	0	0	43	8	31	83%	84%
Totals	936	580	5	1	5	422	150	357	74%	74%

Bail Motions District Court

<u>MONTH</u>	<u>MOTIONS</u>	<u>GRANTED</u>	<u>DENIED</u>	<u>PARTIAL</u>	<u>PLEAS</u>
2005					
January	13	7	4	1	1
February	11	4	5	2	0
March	17	4	9	4	0
April	21	5	12	4	0
May	18	5	6	6	1
June	20	4	8	8	0
July	19	10	5	2	2
August	17	4	11	2	0
September	15	4	7	4	0
October	25	7	14	4	0
November	6	2	2	2	0
December	17	6	6	5	0
Totals	199	62	89	44	4

**DOMESTIC VIOLENCE CASES
DISTRICT COURT**

	Cases	Def	Trials	Not Guilty	Gully	Pleas/Agreements	Dismissed	Continued	Conv-Def	Conv-Cases
January										
1/10/2006	12	10	0	0	0	9	0	3		
1/12/2006	7	5	0	0	0	6	0	1		
1/17/2006	13	8	0	0	0	9	2	2		
1/19/2006	20	14	0	0	0	12	4	4		
Totals	52	37	0	0	0	36	6	10	97%	86%

	Cases	Def	Trials	Not Guilty	Gully	Pleas/Agreements	Dismissed	Continued	Conv-Def	Conv-Cases
February										
2/2/2006	14	10	0	0	0	3	6	5		
2/7/2006	10	8	0	0	0	3	1	6		
2/9/2006	11	9	0	0	0	6	4	1		
2/14/2006	18	9	0	0	0	9	5	4		
2/28/2006	15	7	0	0	0	5	3	7		
Totals	68	43	0	0	0	26	19	23	60%	57%

	Cases	Def	Trials	Not Guilty	Gully	Pleas/Agreements	Dismissed	Continued	Conv-Def	Conv-Cases
March										
3/2/2006	23	15	0	0	0	14	5	4		
3/7/2006	18	11	0	0	0	7	4	6		
3/9/2006	14	9	0	0	0	6	5	3		
3/14/2006	8	8	0	0	0	5	1	2		
3/16/2006	21	10	0	0	0	4	5	13		
3/21/2006	8	5	0	0	0	3	2	3		
3/23/2006	17	7	0	0	0	10	7	3		
Totals	109	65	0	0	0	49	29	34	75%	65%

Quarterly Totals	218	145	0	0	0	111	54	67	77%	74%
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**DOMESTIC VIOLENCE CASES
DISTRICT COURT**

	Cases	Def	Trials	Not Guilty	Gully	Pleas/Agreements	Dismissed	Continued	Conv-Def	Conv-Cases
April										
4/24/2006	15	8	0	0	0	5	7	3		
4/25/2006	17	11	0	0	0	11	2	4		
4/26/2006	21	18	0	0	0	11	4	6		
Totals	53	37	0	0	0	27	13	13	73%	68%

	Cases	Def	Trials	Not Guilty	Gully	Pleas/Agreements	Dismissed	Continued	Conv-Def	Conv-Cases
May										
5/22/2006	4	4	0	0	0	3	0	1		
5/23/2006	22	11	0	0	0	10	3	9		
5/24/2006	21	19	0	0	0	12	7	7		
Totals	47	34	0	0	0	25	10	17	74%	83%

	Cases	Def	Trials	Not Guilty	Gully	Pleas/Agreements	Dismissed	Continued	Conv-Def	Conv-Cases
June										
6/26/2006	10	6	0	0	0	3	4	3		
6/27/2006	17	13	0	0	0	11	3	3		
6/28/2006	21	14	0	0	0	11	6	4		
Totals	48	33	0	0	0	25	13	10	76%	66%

Quarterly										
Totals	148	104	0	0	0	77	36	40	74%	71%

**KENNEBEC AND SOMERSET COUNTIES PROSECUTORIAL
DISTRICT IV**

Cases Initiated for District 4

Between	1/1/2005 and	12/31/2005 for	Kennebec	Counties
WOA	Warrant of Arrest			10
SUM	Summons Requested			1
PVP	PV - Probation Violation Pendin			19
PCR	PCR - Post-Conviction Review			1
LOG	Logged In			7
DEC	Prosecution Declined			132
CLO	Closed			502
ASEN	Awaiting Sentence			31
APP	Appeal			2
ACT	Active			21
			Total Cases	726

Cases Resolved for District 4

Between 1/1/2005 and 12/31/2005 for	Kennebec	Counties
Not Prosecuted	9	
Filed	14	
Dismissed	63	
Conviction	461	
Acquittal	9	
Total Cases Resolved:	556	

Sentencing for Cases Closed for District 4

Between	1/1/2005 and	12/31/2005 for	Kennebec	Counties
		SPLIT	93	
		PS	99	
		INC	192	
		FINE	71	
		FIL	1	
		Total all Sentences:	456	

Cases in which CBI was a condition of Probation for District 4

	Between 1/1/2005 and 12/31/2005 for Kennebec Counties
ADC	55
KSC	9
WDC	76

Cases Initiated for District 4

Between	1/1/2005 and	12/31/2005 for	Somerset	Counties
WOA	Warrant of Arrest			3
REQ	Requested Information			7
PVP	PV - Probation Violation Penden			8
LOG	Logged In			1
DEC	Prosecution Declined			34
CLO	Closed			188
ASEN	Awaiting Sentence			9
ACT	Active			2
			Total Cases	252

Cases Resolved for District 4

Between	1/1/2005 and	12/31/2005 for	Somerset	Counties
NotProsecuted			16	
Dismissed			11	
Conviction			162	
Acquittal			1	
Total Cases Resolved:			190	

Sentencing for Cases Closed for District 4

Between	1/1/2005 and	12/31/2005 for	Somerset	Counties
		SPLIT	43	
		PS	49	
		INC	42	
		FINE	29	
		Total all Sentences:	163	

Cases in which CBI was a condition of Probation for District 4

	Between	1/1/2005 and	12/31/2005 for	Somerset	Counties
SDC					51
SSC					14

**PENOBSCOT AND PISCATAQUIS COUNTIES PROSECUTORIAL
DISTRICT V**

Disposition of Offenses

Office of the Prosecutorial Attorney - District 5 - Bangor

Domestic Violence Cases Closed from 1/1/05 and 12/31/05

Case dismissed after complaint being issued

Continued 6 months	38
Defendant pled guilty to other charges	256
Does Not Warrant Prosecution	8
Insufficient Evidence	35
Victim/Witness Unavailable/Uncooperative	107

Complaint denied before issuance

Defendant pled guilty to other charges	1
Does Not Warrant Prosecution	3
Insufficient Evidence	52
Mutual Incident	6
Victim/Witness Unavailable/Uncooperative	3

Pled guilty or nolo

At arraignment in District Court	171
At trial in District Court	407
In Superior Court	161

Trial

Found guilty	17
Found not guilty	16

Total Offenses this period	1281
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Cases Initiated for District 5

Between	1/1/2005 and	12/31/2005 for	Piscataquis	Counties
WRR	WRR - Warrant Issued			2
REQW	REQW - Request for Warrant			3
PR	PR - Probation Revocation			2
DEC	DEC - Prosecution Declined			14
CLO	CLO - Closed Out			74
ACT	ACT - Active			3
	Total Cases			98

Cases Resolved for District 5

Between 1/1/2005 and 12/31/2005 for Piscataquis Counties

NotProsecuted	3
Dismissed	4
Conviction	69
Acquittal	1
Total Cases Resolved:	77

Sentencing for Cases Closed for District 5

Between 1/1/2005 and 12/31/2005 for Piscataquis Counties

INC 51

FINE 21

Total all Sentences: 72

**SAGADAHOC, LINCOLN, KNOX AND WALDO COUNTIES
PROSECUTORIAL DISTRICT VI**

**DOMESTIC VIOLENCE REPORT FOR 2005
DISTRICT VI**

STATISTICS

Cases initiated in 2005		
Total submitted		362
Prosecution declined		23
Active or pending action		73
Closed 2004 cases		264
Cases resolved in 2005		
Convicted		239
Acquitted		8
Not prosecuted		14
Filed		1
Dismissed		42
Total resolved		304
Sentencing in cases closed in 2005		
Incarceration		153
Fine		45
Batterer's Intervention Program	not reported	
Unconditional discharge		1
Community service work		2

NARRATIVE

Basis of the Statistics

The above statistics come from a Domestic Violence report generated by the Just Ware database program used in all counties except Cumberland.

Notes on Statistics

Cases initiated and case dispositions will not match. The time between case initiation and disposition can be considerable, sometimes six months to a year. Some of the cases initiated in 2004 are included in the 2005 disposition statistics.

Cases resolved with incarceration include sentences of straight jail time, straight probation and split sentences of jail plus probation.

There is an unexplainable discrepancy between the number of convictions and number of sentences or dispositions.

Between 2004 and 2005, there was an increase by 19 of cases initiated, a decrease by 7 of cases closed, a decrease by 4 of dismissals, a decrease by 37 of convictions, and a decrease by 40 of cases resolved. These decreases may be based in part on greater use of deferred disposition as a sentencing option. Sentencing for those cases will often be delayed into a subsequent year.

Characteristics of District VI

Four counties make up District VI. There are seven assistant district attorneys and a grant-funded juvenile prosecutor. There were no vacant positions in 2005. The seven assistant district attorneys continue to cover eight courts in the district.

There is no one attorney designated to prosecute all domestic violence cases in the district. The size of the district and multiplicity of courts makes that impractical. Instead, each county's attorneys prosecute the cases in their respective county. One attorney in the district has the responsibility of preparing this report.

Sagadahoc County continues to have a domestic violence investigator (d.v.i.) who works out of the District Attorney's Office. Knox County has a domestic violence investigator who works out of the Knox County Sheriff's Department. The Waldo County investigator previously was housed in the courthouse at the District Attorney's Office but will now be working from the Sheriff's Department. Lincoln County's d.v.i. is based in the courthouse but is separate from the District Attorney's Office.

The Knox County Domestic Violence Task Force continued to meet in 2005. Members still include law enforcement officers, the domestic violence investigator, victim witness advocates, probation officers, assistant district attorneys, defense attorneys, staff from New Hope for Women, and the director of Time For Change, which is the batterers' intervention program. Sagadahoc County also has an active working group on family violence which addresses similar issues.

Impediments to Prosecution in District VI

Prosecution has been most effective when the d.v.i. is part of the District Attorney's Office and/or is based in the courthouse. There is only one county (Sagadahoc) where the d.v.i. is based in the District Attorney's Office. In other counties, the d.v.i. is not always assigned to follow up and complete all investigations. In some areas there is regular turn-over in personnel. New officers do not always do a complete investigation. In the absence of regular and prompt follow-up by the d.v.i. the cases can have significant deficiencies.

The impediments to prosecution reported in 2004 have persisted. While deferred disposition can be useful, it can also delay resolution of cases for an additional six months or longer. Domestic Violence Court has been evaluated, particularly for Knox County, but not yet implemented. It is not clear there are sufficient judicial resources (judicial time, clerk time and a specialized probation officer) to operate an effective Domestic Violence Court in this region.

**HANCOCK AND WASHINGTON COUNTIES PROSECUTORIAL
DISTRICT VII**

DOMESTIC VIOLENCE REPORT FOR 2005

PROSECUTORIAL DISTRICT VII

Cases initiated in 2005	293
Approved	242
Requested Information	3
Prosecution Declined	48
Cases resolved in 2005	233
Found Guilty	186
Acquitted	3
Filed*	0
Dismissed	38
Prosecution Declined	6
Resolution of cases in 2005	142
Jail	115
Probation	23
Fine	3
Batterer's Intervention Program**	

Incidents involving a firearm***

* District VII has a policy of no filings.

** The report is currently unable to tabulate the number of defendants sentenced to attend the Batterer's Intervention Program as part of their probation.

*** The report is currently not tabulating the number of domestic violence cases in which a firearm is used.

Narrative:

Prosecutorial District VII includes Hancock and Washington Counties. There are District Courts in Ellsworth, Machias and Calais and Superior Courts in Ellsworth and Machias. Because of the distances involved, two prosecutors are assigned to domestic violence cases, one in each county. Each prosecutor has a non-domestic violence caseload as well. District VII has two victim/witness advocates designated to domestic violence, one in each county. These positions are grant-funded.

District VII lost its domestic violence investigator in Washington County this year. Hancock County still has a detective/liaison officer who works out of the District Attorney's office on domestic violence and sexual assault cases. However, this position was not fully funded by this year's grant and grant funding will be reduced over the next few years to zero. The District Attorney's Office is lobbying the County Commissioners heavily for financial support of these important positions.

AROOSTOOK COUNTY PROSECUTORIAL DISTRICT VIII

DOMESTIC VIOLENCE REPORT FOR 2005
Prosecutorial District VIII
District Attorney, Neale T. Adams

Cases initiated in 2005 **245**

Warrant Outstanding	2
Probation Revocation	7
Grand Jury Eligible	3
Prosecution Declined	23
Closed	180
Active	30

Cases Resolved in 2005 **201**

Not Prosecuted	3
Filed	24
Dismissed	22
Conviction	152

Resolution of cases in 2005 **68**

Split	8
Probation	4
Inc	32
Fine	23
CSW	1

Cases in which CBI was a condition of P/P

The report has not tabulated the number of defendants sentenced to attend the Batterer's Intervention Program as part of their probation, principally because CBI was decertified in Aroostook last year.

The report is currently not tabulating the number of domestic violence cases in which a firearm is used.

Narrative: Prosecutorial District VIII is the entire Aroostook County. There are District Courts in Houlton, Presque Isle, Madawaska, Fort Kent and Caribou. There are four prosecutors who follow all cases from cradle to grave arising in their assigned courts. There are Superior courts in Houlton and Caribou. There are no special domestic violence prosecutors, detectives or victim advocates. All prosecutors handle all types of cases.

PASSAMAQUODDY TRIBE AT PLEASANT POINT

Passamaquoddy Tribal Court at Pleasant Point

Number of Adult Domestic Violence Cases for 2005 - 3

<u>ARRAIGNMENTS</u>	<u>PENDING</u>	<u>FILED</u>	<u>GUILTY</u>	<u>NOT GUILTY</u>	<u>DISMISSED</u>	<u>NOLO</u>
2	0	0	2	0	1	0

Number of Juvenile Domestic Violence Cases for 2005 - 1

<u>ARRAIGNMENTS</u>	<u>PENDING</u>	<u>FILED</u>	<u>GUILTY</u>	<u>NOT GUILTY</u>	<u>DISMISSED</u>	<u>NOLO</u>
0	0	0	0	0	1	0