

# 2013 REPORT OF THE NORTH DAKOTA DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION

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*Domestic violence deaths include “those involving a spouse, former spouse, parent, child, persons related by blood or marriage, persons in a present or former dating relationship, persons who are presently residing together or have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, other persons on premises when a domestic incident occurs, and romantic triangle situations.”*

**Between 1992 and 2012, 51% of homicide deaths involved domestic violence.**

*(Office of Attorney General)*

The **Domestic Violence Fatality Review (DVFR)** Commission was created by the 62<sup>nd</sup> Legislative Assembly and established within the Office of Attorney General. N.D.C.C. § 14-07.1-20. The Commission is charged with reviewing domestic violence deaths that have occurred in the state, recommending policies and protocols to prevent the incidence of domestic violence and resulting fatalities, and providing consultation and coordination for agencies involved in the prevention and investigation of domestic violence.

## DOMESTIC VIOLENCE STATISTICS

The ND Council on Abused Women’s Services ([www.ndcaws.org](http://www.ndcaws.org)) reports that in 2012:

- **4,624 new victims** of domestic violence received services from crisis intervention centers in North Dakota.
- **29%** of victims were abused by a *former* spouse or partner.
- Alcohol use by abuser only was indicated in **38%** of the new cases. Alcohol use by both victim and offender was indicated in 11% of the cases.
- The abuser had a history of abusive behavior with other adults, including prior partners, in at least **48%** of the cases.

## DOMESTIC VIOLENCE FATALITIES

During the last 20 years, there have been 114 homicide deaths related to domestic violence.

- **54%** of female deaths in domestic violence incidents involved firearms, while 33% of female deaths in non-domestic violence incidents involved firearms.
- **76%** of female homicide victims were killed in domestic violence incidents, compared to 35% of males.



## COMMISSION ACTIVITIES

Building on the information collected and reported in 2012<sup>1</sup>, the Commission held two case additional case reviews in 2013.

For all cases, the commission reviewed available personal background information for the victim and the offender, as well as criminal and court records relating to prior domestic abuse incidents involving either the victim or the offender, other criminal records, and the case file relating to the investigation of the domestic violence homicide.

## FINDINGS

The commission identified several factors common to all the cases reviewed to date, including:

- There was a history of prior domestic violence incidents in the relationship, the majority of which generated a response from law enforcement;
- Alcohol use by the offender only, or by both offender and victim, was a contributing factor in the previous domestic violence incidents and also in the events on the night of the murder.
- In all of the cases reviewed, the offender, the victim, or both, had a history of treatment for a mental illness.
- In the majority of cases reviewed:
  - The offender had a prior history of alcohol and/or substance abuse (e.g. DUI convictions), and
  - On the night of the murder, the offender had a current prescription for at least one controlled substance (i.e. pain control, anti-anxiety).
- When offenders were criminally charged in the prior domestic violence incidents, the Commission felt that additional efforts need to be made by the criminal justice system
  - To ensure proper compliance with state and/or federal laws relating to the requirements for an offender to surrender any firearms; and
  - To provide follow up and consequences for an offender's failure to fully complete required batterer's treatment/substance abuse/mental health assessments.

## NEXT STEPS

The commission will review one additional case in 2014, but thereafter will meet to review the issues common to all of the reviewed cases and to develop recommendations for proposed legislation, policies, and procedures with a view to preventing the incidence of domestic violence fatalities.

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<sup>1</sup> See 2012 Report, at <http://www.ag.nd.gov/Reports/Reports.htm>