



DOMESTIC VIOLENCE



In Pinellas County



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5TH

Pinellas County Ranked 5th Out Of Florida's 67 Counties For The Most Domestic Violence (DV) Offenses in 2017

(6228 Offenses, FDLE: UCR)



Pinellas County had **52** DV related murders in the last 6 years (2012-2017)

*Includes manslaughter



Pinellas County law enforcement received **21,161** domestic related calls for service in 2017

Pinellas County has **ZERO** detectives that exclusively investigate domestic violence cases

*As Of Sept. 2018



Pinellas County Child Protection Investigators received



2,062



reports related to DV in 2017

In Pinellas County, Domestic Violence offenses happen more than: **AGGRAVATED ASSAULT, MOTOR VEHICLE THEFT, ROBBERY, RAPE AND MURDER COMBINED!**

(2017 UCR)

31%

Pinellas County **domestic violence felony filing rates from Jan-June 2017 were 31%**. Filing rates represent the number of cases the State Attorney's Office goes forward on. This means they did not proceed with charges on 69% of Felony Domestic Battery cases.

39%

Pinellas County **domestic violence misdemeanor filing rates from Jan-June 2017 were 39%**. This means they did not proceed with charges on 61% of Misdemeanor Domestic Battery cases.

(Data About Cases Not Filed Were Collected From PinellasClerk.org)

64%

The National Institute of Justice (NIJ) did a study and reports that the average intimate partner violence prosecution rate nationwide is **63.8%**

2009 US Department of Justice, NIJ: "Practical Implications of Current DV Research for Law Enforcement, Prosecutors, and Judges"

It is our **responsibility** as a community to work together to **improve** our system. We need to dedicate further time, money, resources, and efforts into this deadly, ongoing **epidemic** called domestic violence.

It's Time To Make Positive Changes

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Acronyms

| |
|--|
| Agg- Aggravated |
| ASA- Assistant State Attorney |
| BIP- Batterer Intervention Program |
| DCF- Department of Children and Families |
| Def- Defendant (Arrested Abuser) |
| DV- Domestic Violence |
| ER- Emergency Room |
| IFP- Injunction for Protection |
| IPV- Intimate Partner Violence |
| LE- Law Enforcement |
| PCSO- Pinellas County Sheriff's Office |
| PPPD- Pinellas Park Police Department |
| ROR- Released on own Recognizance |
| SAO- State Attorney's Office |
| SPPD- St. Petersburg Police Department |
| VOCA- Victims of Crime Act |
| UCR- Uniform Crime Report |

This report was written by professional and community based advocates who are dedicated to create positive changes and ending domestic violence in our community.

Methodolgy- Research and data collected within this report was done through public records requests and online research. Criminal prosecution data was collected from PCSOweb.com and PinellasClerk.org.

DOMESTIC VIOLENCE (DV)

DV is a pattern of controlling behaviors that one intimate partner or family member uses to gain **power and control** over the other including: physical abuse, emotional abuse, threats, intimidation, stalking, isolation, economic abuse, and sexual abuse. It includes crimes of assault, battery, stalking, strangulation, kidnapping, sexual battery, and homicide. DV occurs in all economic and social backgrounds. DV is a crime in which we have the opportunity to intervene before it escalates to murder.

Society asks why victims stay in abusive relationships.
The judicial system asks why victims do not cooperate.

Many times the abuser persuades, manipulates, intimidates, and/or threatens the victim....
SOMETIMES EVEN FROM JAIL.

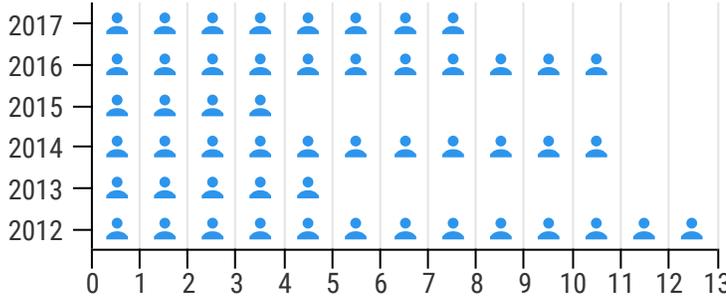
The real question we should be asking:
Why do abusers batter?

52

DV Homicides in Pinellas County in 6 Years

*Includes manslaughter

DV HOMICIDES PER YEAR



Two boys, age 15 & 17 are now growing up without a mother due to a 2017 DV murder



A family dog was shot and killed in 2018 during a DV incident by a man that also threatened to kill his wife and son



A 3 year-old child is growing up without a mother due to a DV homicide in 2018



A 6 year old child is growing up with NO parents due to a 2016 DV murder/suicide



An 83 year old woman was killed by her son after he beat her to death in July 2016.



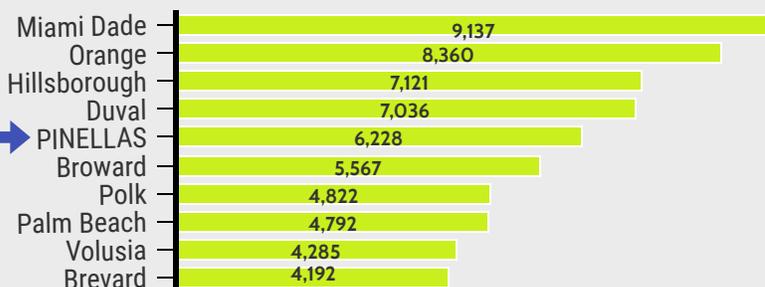
Pinellas Domestic Violence Fatality Review Report

The Pinellas County Fatality Review Team reviewed **147** intimate partner homicides and near fatalities.

Out of 147 cases reviewed:

- 132 perpetrators were never ordered to attend a **batterer intervention program (BIP)**
- 129 victims did not have an **injunction** for protection
- 127 had no contact with a **domestic violence center**
- 120 victims were married or **living** with the abuser
- 104 perpetrators used **drugs or alcohol** at the time of the incident
- 103 cases where others **were aware** of violence in the home
- 100 perpetrators had a **criminal history**
- 67 victims were **killed by a gun**

2017 DV Offenses by County (UCR)



 DV Offenses

PINELLAS COUNTY RANKS **5th**

OUT OF FLORIDA'S 67 COUNTIES FOR THE MOST DV OFFENSES

Palm Beach County has 1,436 less DV offenses than Pinellas, even though their population is much larger than ours

Broward County has almost twice the population as Pinellas, but has less DV offenses



Law Enforcement

2017 Domestic Violence in Pinellas County

| Police Agency | DV Calls for service * | DV Offenses** (UCR) | DV Arrests (UCR) |
|------------------------|------------------------|---------------------|------------------|
| Belleair | 2 | 3 | 1 |
| Clearwater | 1,241 | 764 | 401 |
| Gulfport | 265 | 53 | 48 |
| Indian Shores | 68 | 29 | 26 |
| Kenneth City | 175 | 22 | 2 |
| Largo | 2,091 | 404 | 401 |
| Pinellas Park | 1,697 | 608 | 358 |
| Sheriffs Office | 6,530 | 1,921 | 1,620 |
| St. Petersburg | 8,575 | 2,233 | 985 |
| Tarpon Springs | 348 | 125 | 89 |
| Treasure Island | 169 | 51 | 34 |
| Florida Highway Patrol | unknown | 8 | 5 |

PINELLAS TOTAL: 21,161 DV Calls for service, 6,228 DV Offenses, 3,971 DV Arrests



Pinellas County had 21,161 DV calls for service in 2017. In the same year, Santa Clara County, CA had more than 20,000 calls for service for DV. This prompted their county to set aside **\$5 million** towards ending DV



Pinellas County needs more FUNDING, positions, resources, time, and commitment to DV



In 2017, more officers were shot responding to DV than any other type of firearm related fatality in the United States

(National Law Enforcement Memorial Fund Website)

*Calls for Service: Each agency may have different criteria for reporting these numbers.
**DV OFFENSES: A reported offense that is determined through investigation by the agency to be false or baseless is considered unfounded at the agency level and not reported to the UCR (Uniform Crime Report) program.

Counties With DV Exclusive Detectives

*As Of Sept. 2018



As of September 2018, Pinellas County has zero detectives that EXCLUSIVELY investigate domestic violence cases.

*Detectives who work DV cases are also assigned sexual battery, child abuse, missing persons, elder abuse cases, etc.



Pinellas County Sheriff's Office had 2 DV Deputies prior to 2008



St. Petersburg Police Department had a DV Unit prior to 2008

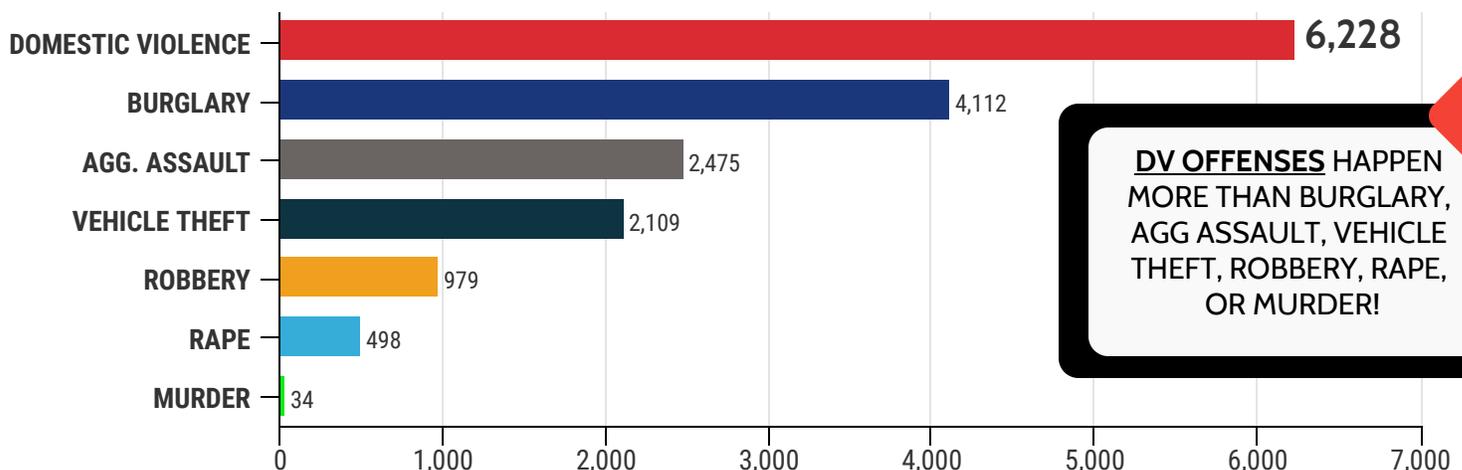
These Positions Were Eliminated



There is a grant available that Law Enforcement can apply for to fund DV Detectives

Florida Coalition Against Domestic Violence (FCADV) STOP Grant

2017 Pinellas County Crime Offenses (UCR)



DV OFFENSES HAPPEN MORE THAN BURGLARY, AGG ASSAULT, VEHICLE THEFT, ROBBERY, RAPE, OR MURDER!

Law Enforcement



Pinellas County needs domestic violence detectives in order to follow up on offenders to make sure they are not harassing, intimidating, manipulating, violating court orders, or hurting the victim, whether in jail or after bonding out.

This will help keep victims safe.

A REAL CASE IN PINELLAS COUNTY:

Domestic Batterer Evades Arrest- Even Though He was In the Courtroom on a Domestic Battery Charge

A defendant was arrested for battering his girlfriend and charged with a felony. While his case was still pending, he battered her again- but this time, when the police arrived, he fled the scene. A probable cause affidavit was issued to arrest him for the second charge when found.

Three weeks later, he arrived to his scheduled court date on the first charge, but no one from law enforcement arrested him.

Where was the coordination and follow-up to arrest this offender?

We Can do Better!

Hollywood, FL has a fraction of the number of DV offenses as Pinellas County, yet the Hollywood Police Department has developed an effective means to hold offenders accountable called:



| 2017 DV OFFENSES | |
|-------------------------|-------|
| Hollywood Police | 521 |
| St. Petersburg Police | 2,233 |
| Pinellas County Sheriff | 1,921 |

Offender Focused DV Initiative

From their website: "The Hollywood Police Department (HPD) has recognized a large amount of calls for police service have involved domestic related incidents. The HPD's **Offender Focused Domestic Violence Initiative (OFDVI)** program, the first of its kind in the State of Florida, works to focus on repeat offenders of domestic violence by identifying the most repetitive and violent offenders and hold them accountable. **The HPD has experienced a reduction of 22 percent (on average) for domestic related incidents since the implementation of the HPD's Offender Focused Domestic Violence Initiative Program in May 2015.** The reduction in domestic related incidents is due in part to our police officers' motivation in following up with offenders not initially arrested at the domestic incident – preventing further victimization of individuals, stripping the offenders of their anonymity, and by making offenders accountable."

JAIL CALLS !

This is your fault I'm in here. If you didn't provoke me, I would not hit you. I'm looking at 15 years prison if you don't drop charges. I can't pay the bills unless you get me out. You have to go the courthouse and fill out the "request not to prosecute form"!



Officer Green with the Largo Police Department has done an **outstanding job** monitoring jail calls, arresting offenders for violation of a "no contact" order, and keeping victims safe.

» The lead prosecutor of the DV Unit in Queens, NY estimated that **75% of DV offenders violate an order of protection within 72 hours.** They started an initiative to regularly listen to jail calls. They were dismissing about 70% of DV cases. Now, due to regularly listening to jail calls, their **dismissal rate is down to 15%.**

All police agencies and prosecutors need to listen to jail calls on DV cases regularly

- > Not all patrol officers in Pinellas County have access to the jail call software on their computers.
- > Interns, volunteers, or civilian investigators can listen to jail calls to free up time for officers or detectives.

How do you think victims find out about the "request not to prosecute form" at the courthouse so quickly?.....

FROM THE OFFENDER CALLING THE VICTIM FROM JAIL

I will tell the attorney it was all a misunderstanding and I will fill out the form at the courthouse today.



Domestic Violence Statutes

Are They Enforced in Pinellas?



741.283 Minimum Term of Imprisonment for DV

If a person is adjudicated guilty of a crime of domestic violence...and the person has intentionally caused bodily harm to another person, the court **SHALL** order the person to serve a **minimum of 10 days in the county jail for a first offense, 15 days for a second offense, and 20 days for a third or subsequent offense**.....This section does not preclude the court from sentencing the person to probation, community control, or an additional period of incarceration.

STATUTE NOT ENFORCED

The following are real case examples that resulted in a domestic violence adjudication of guilt and a

2 day jail sentence:

- ▶ A victim was battered and strangled leaving bruising on her body and redness on her chest.
- ▶ A victim was pushed then kicked on her chest causing her to fall down in front of several witnesses.
- ▶ A victim was punched in the face multiple times causing her face to bleed and a 2 inch cut on the bridge of her nose.



741.325 Requirement for Batterers Intervention Programs (BIP)

The program **SHALL** be **29** weeks in length and include 24 weekly sessions, plus appropriate intake, assessment, and orientation programming.

STATUTE NOT ENFORCED

ZERO DV abusers in Pinellas criminal court were court ordered to **29 weeks** BIP from Jan 2017-Jun 2017

- ▶ Historically in Pinellas County, the court usually orders abusers to 26 weeks or 12 weeks BIP. Out of the 412 filed misdemeanor DV cases, 126 were court ordered to BIP:
 - ▶ 118 were ordered to **26 weeks** BIP
 - ▶ 8 were ordered to **12 weeks** BIP



741.281 Court to Order BIP Attendance

If a person is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence...that person **SHALL be ordered by the court to a minimum term of 1-year probation and the court SHALL order that the defendant attend and complete a Batterers' Intervention Program as a condition of probation**. The court must impose the condition of the batterers' intervention program for a defendant under this section, but the court, in its discretion, may determine not to impose the condition if it states on the record why a batterers' intervention program might be inappropriate. The court must impose the condition of the batterers' intervention program for a defendant placed on probation unless the court determines that the person does not qualify for the batterers' intervention program pursuant to s. 741.325. **The imposition of probation under this section does not preclude the court from imposing any sentence of**

STATUTE NOT ENFORCED

Of **65** Filed Misdemeanor DV cases in June 2017, **23** abusers pled nolo contendere to DV charges and were **NOT** court ordered to the minimum term of 1 year probation + BIP.

- ▶ These 23 cases were instead ordered to jail sentences ranging from 2 days in jail - 120 days in jail.
 - ▶ The average jail sentence was 52 days.
 - ▶ 83% of the jail sentences were "Time Served".



741.2901(2) DV Cases Pro-Prosecution Policy

The State Attorney in each circuit **SHALL** adopt a pro-prosecution policy for DV....The filing, non-filing, or diversion of criminal charges, and the prosecution of violations of injunctions for protection against DV by the State Attorney **SHALL** be determined by these specialized prosecutors over the objection of the victim, if necessary.

STATUTE NOT ENFORCED

A Felony Assistant State Attorney was assigned 21 DV cases for the entire month of June 2016.

20 out of the 21 cases were NOT FILED.

The 1 remaining case was filed as a misdemeanor.

- ▶ If the case is not suitable as a felony, could a misdemeanor have been filed?

*See page 7 for real case examples

STATUTES TO PROTECT VICTIMS MUST BE IMPLEMENTED

State Attorney's Office DV Pro-Prosecution Policy

It is not possible to go forward on every case, but in reviewing various cases, below are some concerning examples where the pro-prosecution policy could have been implemented better.

REAL CASES Warning, may be disturbing

(Below information taken from police affidavits that are found on the Pinellas Clerk's website)

NOT FILED

12/22/14: Def* became upset and **punched victim twice in the head**. Def then placed victim in a head lock and **bit the victim on her forehead**. **Def's bite took a large chunk of skin out of the victim's forehead causing a large injury and permanent disfigurement**. The victim was transported to the hospital. The Def fled the incident location. All of the incident was in the presence of the victim's 4 children and the Def's daughter. The two are married and reside with one another. He was arrested for aggravated DV. The charge was **not filed**. He was later arrested on a DV charge on the same victim in 2017 and the case was **not filed**. On 3/5/18 This same def: pushed the victim to the ground and struck her with a closed fist repeatedly, causing visible cuts and scrapes. There is a witness to this offense. This case was **not filed**. On 5/3/18 and 5/28/18 he committed felony DV on the same victim **causing the victim to be hospitalized and she required stitches**.



NOT FILED

2/12/17: By use of a deadly weapon: two large kitchen knives did cause bodily harm to the victim by **stabbing her multiple times in her hands and forearms**. The def did corner the victim into a small bathroom where the def began to stab the victim multiple times causing serious bodily injury to her hands. The victim was transported to a trauma center due to the severity of her injuries. Arrested for domestic aggravated battery with a deadly weapon. The charge was **not filed**.



NOT FILED

6/19/17: Def **punched the victim in the face one time. This was witnessed by two independent witnesses. The victim was bleeding from the mouth and had one of her bottom teeth knocked out**. The def had a small bloody abrasion on his right fist that appeared to be in the shape of a tooth. Arrested for felony aggravated DV. The case was **not filed**.



NOT FILED

2/27/17: Def and victim are married. This was witnessed by both of the def's children who were in the car, who both advised **he pulled her hair, and held her down while punching her**. Both children stated the def threw their mother to the ground. Victim had injuries consistent with the statements made by both children with scratches on her arm, dirt down her back and **hair was found in the passenger side of the car**. Def admitted to pushing the victim. Arrested for felony DV. Case **not filed**.



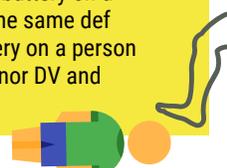
NOT FILED

NOT FILED

6/15/16: The def did then strike the victim over the head with the (flower) pot which caused the victim to fall the ground. **The def continuously struck the victim with the pot until the pot broke over her head. At this point the victim lost consciousness from her injuries. The def then began to kick and punch the unconscious victim. He then drug the victim, by her hair, several feet and struck her with a beer bottle. This was witnessed by several witnesses.** The victim was hospitalized for her injuries. The victim suffered from lacerations to her head, face, arms, and legs. She also had a swollen left eye. Arrested for felony domestic aggravated battery with a deadly weapon. The case was **not filed**.



6/15/17: The def in a fit of rage and being unprovoked, began physically attacked his younger brother. During the battery the defendant **pushed the victim into a glass window causing it to break and cut a deep laceration into the victim's hand. The def continued battering the victim by stomping on his head multiple times while the victim was on the ground...** The def then committed a battery to his grandmother...The def admitted to guilt post miranda. Arrested for felony aggravated DV and felony battery on a person 65+. These cases were **not filed**. 3/22/17: The same def battered his 75-year-old grandmother. He was arrested for felony battery on a person 65+. The case was **not filed**. 8/19/17: The same def battered his grandmother. Arrested for felony battery on a person 65+. The case was **not filed**. 5/13/18: The same def battered his mother by striking her multiple times with a closed fist causing visible injuries to her mouth and forearm. Arrested for felony battery. The case was **not filed**. 7/10/16: The same def battered his grandmother. Post miranda the suspect admitted to pushing his grandmother out of his way. He then left the home and punched the neighbor in the face. Arrested for felony battery on a person 65+ and felony battery, Both cases were **not filed**. 11/20/14: The same def battered his grandmother in front of a witness. Arrested for felony battery on a person 65+. The State Attorney filed the case. The def pled guilty to misdemeanor DV and received a sentence of 1 day in jail.



NOT FILED

6/24/18: Def produced a black and stainless steel folding husky box cutter by waving it back and forth in front of the victim's face while telling her he will kill her. He then **produced a silver handgun and pointed it from the threshold of the residence at the victim who was standing on the front lawn while making statements he would kill her. Present inside the residence and witness to this was the victim's and the defendant's minor children between the ages of 4 and 13 years of age**. The def also made statements he would kill the victim and have a shoot out with the police. Arrested for 3 charges of domestic aggravated assault with a deadly weapon. All charges were **not filed**.



According to the National Domestic Violence Prosecution Best Practices Guide:

"Multidisciplinary teams should look inward at how domestic violence has historically been prosecuted and use this information to improve future prosecutions. Through a consensus, the team should develop and implement creative initiatives."

National District Attorney's Association (NDAA) 2017

DV Prosecution: Research and Findings

A 6-month study was completed on outcomes of Pinellas County DV cases where an arrest was made between January to June of 2017 in the criminal justice system. Information was obtained through public records and is limited to what is available. DV murder arrests were not tracked.

2017 **Felony** DV Arrested Cases Jan - June

» 595 «
DV ARRESTS

Male= 475
Female = 120

410
NOT FILED
BY THE STATE
ATTORNEY'S OFFICE
69%

✓ 185
FILED
31%
42 out of the 185 were
filed as a lesser charge

51%
JAIL
SENTENCE
95
27 out of the 95
received time
served

35%
PROBATION
SENTENCE
64

8%
DIVERSION
PROGRAM
15
Does not result in a
battery conviction or
restrict possession
of guns

4%
NOLLE
PROSSED
8
Originally filed,
later not
prosecuted

0.5%
TRIAL
1
NOT GUILTY
VERDICT

○ There are cases that are still open, a warrant is active, defendant incompetent, or defendant died.

22%
OFFENDERS ORDERED TO
A BATTERERS
INTERVENTION PROGRAM
40
39 Ordered to 26 Weeks BIP
1 Ordered to 12 Weeks BIP

319 DAYS
AVERAGE
JAIL SENTENCE
FOR JANUARY 2017
FELONY DV CASES
Range: 60 - 1,825

30%
OFFENDERS VIOLATED
PROBATION OR
DIVERSION
24

For the entire month of June 2017, a felony attorney received a total of **8 NEW DV CASES**. All 8 cases were not filed.

FELONY DV CASES are the most egregious which include strangulation, aggravated battery, battery on a pregnant female, attempted murder, and DV charges where an offender has a prior domestic violence conviction.

▶ **A SPECIALIZED FELONY DV DIVISION IS NEEDED**

2017 **Felony** DV Strangulation (January-June)

123 Total Cases

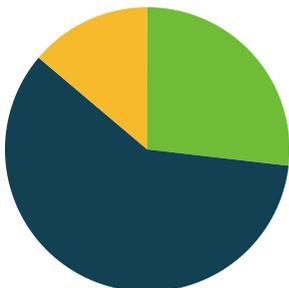
Strangulation filing rates

2017- 41% of cases filed
2016- 29% of cases filed

✓ Felony Attorneys did a **good job** increasing filing rates of strangulation cases by 12% in 2017.

PERPETRATORS

118 Males
5 Females



33

73

17

● Filed as Strangulation

● Not Filed

● Filed a lesser charge

2017 **Misdemeanor** DV Arrested Cases Jan - June

» 1,053 «
DV ARRESTS

Male= 672
Female = 381

641
NOT FILED
BY THE STATE
ATTORNEY'S OFFICE
61%

✓ 412
FILED
39%
56 out of the 412 pled to a
disorderly conduct charge

39%
JAIL
SENTENCE
162
112 out of the 162
received time
served

12%
PROBATION
SENTENCE
48

26%
DIVERSION
PROGRAM
106
Does not result in a
battery conviction or
restrict possession of
guns

11%
NOLLE
PROSSED
45
Originally filed,
later not
prosecuted

0.5%
TRIALS
2
BOTH
NOT GUILTY
VERDICTS

○ There are cases that are still open, a warrant is active, defendant incompetent, or defendant died.

31%
OFFENDERS ORDERED TO
A BATTERERS
INTERVENTION PROGRAM
126
118 Ordered to 26 Weeks BIP
8 Ordered to 12 Weeks BIP

41 DAYS
AVERAGE
JAIL SENTENCE
FOR JANUARY 2017
MISDEMEANOR DV CASES
Range: 2 - 90

44%
OFFENDERS VIOLATED
PROBATION OR
DIVERSION
68

8% Only had to pay **court fines** as their sentence (31)

In June 2017, a misdemeanor DV attorney received **16 NEW DV CASES** within 3 days. For the entire month of June, this same attorney received **46 NEW CASES**.

MISDEMEANOR DV CASES are considered a lower level offense in which prosecution offers the earliest and best opportunity to hold offenders accountable before their violence escalates.

▶ **ADDITIONAL EXPERIENCED DV ATTORNEYS ARE NEEDED**

Rate of Misdemeanor DV Offenders Ordered to Probation

Jan-June 2017- 12%

Jan-June 2016- 20%

! Probation is a better option to hold a DV batterer accountable than diversion. The diversion program, (if completed successfully) allows the offender to still have access to guns due to no conviction and they can also have the DV charge removed from their record.

The National Institute of Justice (NIJ) did a national study and reports that the average prosecution rate for intimate partner cases is 63.8%

64%

Pinellas DV prosecution rates:

39% Misdemeanor
31% Felony

"Prosecutors who fail to prosecute the majority of domestic violence arrests should examine their practices, policies and priorities to determine why they are prosecuting fewer domestic violence arrests than their peers around the county" NIJ Study 2009

Batterers Intervention Program (BIP)

Is it being ordered according to statute?



BIP is a STATUTORILY MANDATED 29 week program specifically designed for batterers to address domestic violence and power and control issues. The goal is to teach batterers how to treat their partners as equals and without violence.

Criminal Court

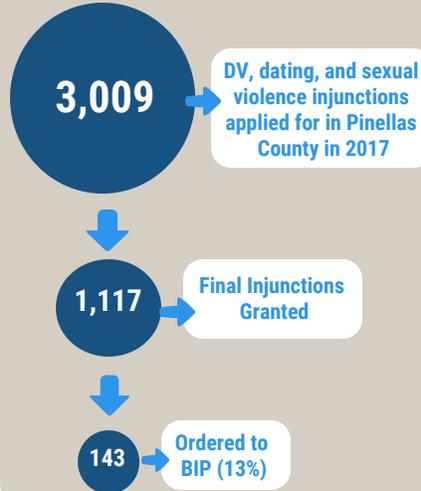
Florida statute 741.281 requires that if a person is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence...that person **SHALL** be ordered by the court to a minimum term of 1-year probation and the court **SHALL** order that the defendant attend and complete a Batterers' Intervention Program as a condition of probation....

From January 2017- June 2017:

- ▶ 22% of filed **FELONY** DV cases resulted in BIP being court ordered
- ▶ 31% of filed **MISDEMEANOR** DV cases resulted in BIP being court ordered

Civil Court

Florida statute 741.30(6)(e) requires the court **SHALL** order the respondent to attend a BIP program if any of the following circumstances exist:



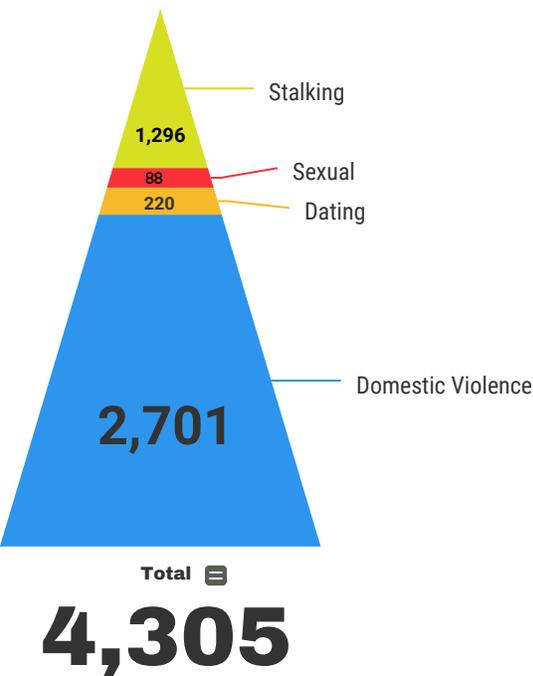
- (i) the court finds that the respondent willfully violated the ex parte
- (ii) the respondent, in this state or any other state, has been convicted of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or threat of violence; OR
- (iii) at any time in the past in this state or any other state, an injunction has been entered against the respondent after a hearing with notice, UNLESS the court makes written factual findings in its judgement or order which are based on substantial evidence, stating why BIP would be inappropriate

BIP court ordered on final injunctions

- 2017- 13%
- 2016- 11%
- 2015- 14%

Injunctions for Protection

2017 Injunctions Applied for by Type



*Repeat violence injunction total not included as these injunctions are usually not domestic related

Allegations on Temporary Injunctions for Protection that were **DENIED** in Pinellas County

*All of the below injunction examples were denied by criminal court judges at the criminal courthouse.
**All below listed allegations happened close to the date the victim applied for the injunction.

“Head butted me, hitting me in the forehead.....said to me you are about to be **murdered**. Prior to this he hit me while my eyes were closed, felt like a fist and blackened my eye.”
(The abuser was arrested for DV, then the victim applied for an injunction which **got denied**)



“He grabbed me by the neck pushed me against the wall and choked me.....said he was going to slit my throat....grabbed me by the throat forced me against the wall as he squeezed my neck hard enough to leave marks.”
(The abuser was arrested for DV, then the victim applied for an injunction which **got denied**)



“He assaulted me by strangulation and punched me in the jaw to be swollen and bleed and I was taken to the hospital where the police came.”
(The abuser was arrested for DV, then the victim applied for an injunction which **got denied**)



Victim describes receiving the following texts: “If I ever catch you out and about or even walking with someone I’m beating the f**k out of you I swear. I’m beating you til you on your last breath of air.....I hope to god you die at the scene.” Victim also describes being choked and thrown across the room. (Shortly after this was denied, suspect was arrested for DV strangulation on a new girlfriend.)



(Elderly Victim) “I was called B***h and F**k you numerous times.....she turned and used force pushing me on the neck and causing me to fall back into a chair..... I was terrified for my life.”
(The abuser was arrested for DV, then the victim applied for an injunction which **got denied**)



“He choked me....hit me in the face twice busting a blood vessel in my eye and busted my lip and knocked out my tooth.”



“...grabbed by hair and slammed my face to the floor.....my middle son was present and recorded the whole altercation....he has choked, slapped, and bruised me. He has threatened me with his swords.”



DV Resources, Programs, and Initiatives

Pinellas County does not have the below listed resources that some other counties have. Pinellas County needs more resources to help victims of DV.

*As of Sept. 2018

Circuit 4 (Duval County)

1. **Mayor's Victim Assistance Advisory Council (VAAC):** 26 chair members appointed by the Mayor to be a forum for discussing victim needs, making recommendations for improvements, coordinate cooperative efforts with community partners to work together to help victims, and to plan trainings related to victim's rights, and crime prevention.
2. **Center for the Prevention of DV (CPDV):** one stop shop for DV victims to get services and file for an injunction.
3. **Intimate Violence Enhanced Services Team:** One detective and one advocate work together to assist DV victims with obtaining injunctions and work closely with the State Attorney's Office to build stronger cases.



Circuit 9 (Orange County)

1. On the State Attorney's Website they **highlighted a case** where the prosecutors went forward on a serious DV charge without victim cooperation and got a guilty verdict.
2. **Free licensed child care** at the courthouse for families who have business at the courthouse.
3. First Appearance/Advisory Hearings are streamed live on  YouTube
4. **Domestic Violence Response Team (DVRT):** Officers specially trained on DV who assist other officers on scene of DV calls and identify safety issues for the victim. Team members have MANDATORY quarterly training and participate in DV awareness events. This team has resulted in numerous re-arrests for violations of injunctions or no-contact orders.



Circuit 11 (Miami Dade)

1. **Mobile Operations Victim Emergency Services (MOVES Program):** On-call paralegals who assist victims of domestic violence on scene. The paralegals are on call 7 days a week and respond to DV scenes.
2. **Domestic Assistance Response Team (DART Team):** The Miami-Dade State Attorney's Office DART team consists of 5 victim advocates who help victims through the criminal justice process from the beginning to the end of the case to increase cooperation and prosecution.
3. **Miami-Dade Police have a Domestic Crimes Investigations Unit:** specially trained DV detectives that are staffed 24 hours a day, 7 days a week.
4. **Free child care** at the courthouse for families who have business at the courthouse.
5. **Domestic Violence University:** One of the local judges created this in-house DV training program.



Circuit 15 (Palm Beach County)

1. **Domestic Abuse Response Team (DART Team):** Palm Beach County Sheriff's Office has a Domestic Violence Unit with 2 domestic violence detectives and 6 victim advocates and also deputies who receive advanced training in identifying and investigating domestic violence. DART members are also issued additional equipment (tape recorders, special cameras etc), to assist with collection of crucial evidence.
2. **Domestic Violence Unit (DOVE):** Palm Beach County State Attorney's Office has 5 prosecutors and 12 victim advocates who handle serious felony DV cases, and all misdemeanors. Each victim is assigned a victim advocate to assist.



Circuit 13 (Hillsborough County)

1. Judges now **review injunction applications electronically** to speed up the process. Everyone who fills out an injunction application is given the chance to register to view their case online, to avoid a trip back to the courthouse and to keep up with the progress of their application.
2. The courthouse has created a **special waiting room for children** who will have to testify or be present at a dependency hearing.
3. **Hillsborough County government has a Domestic Violence Subcommittee** of the Hillsborough County Public Safety Council that meets once a month to talk about domestic violence, resources, and how to break the cycle of violence.



Circuit 17 (Broward County)

1. **Self Help @ the Seventeenth:** The following resources are now available at their courthouse free of charge: Legal Provider, DV Center Representative, 2-1-1 Resource Center, Mental Health Assistance, Wellness Coach.



Circuit 12 (Manatee County)

1. **Domestic Violence Unit (DVU):** Manatee County Sheriff's Office has detectives who specialize in the investigation of domestic violence cases, and advocates who assist the victims.



Circuit 18 (Brevard County)

1. Brevard County Sheriff's Office has at least **1 full time domestic violence detective**.
2. Brevard County State Attorney's Office has a **domestic violence unit** that reviews and files both misdemeanor and felony DV cases.
3. Brevard County Sheriff's Office partnered with outside agencies to allow strangulation victims a **free medical exam** to collect evidence, and get checked out and treated.



Child Protection | DCF

How is Domestic Violence Affecting Our Children ?

In 2017, Pinellas Child Protection Investigators received **9,704** child abuse reports.

- **2,062** were related to domestic violence (21.2%)



DCF Website: "Child abuse is also prevalent and often occurs in the same families as DV. Research indicates, as well, that **merely witnessing DV can have profound effects on children**. Childhood exposure to DV is associated with increased aggression, depression and anxiety, lower levels of social competence, and poorer academic functioning. **Next to substance misuse, "Family violence threatens child" is the alleged maltreatment most reported to the Florida Abuse Hotline every year.** Childhood exposure to family violence also significantly increases the likelihood of either perpetrating or being the victim of violence as an adult."

The FL Office of Court Improvement recently released a training video: "The Effects of Exposure to Domestic Violence on Babies and Children." It explains that **even if children never directly witness the actual DV, children and babies are affected and hurt if they live in a home in which a parent is being abused.** This can be found at: <http://guardianadlitem.org/video-effects-exposure-domestic-violence-babies-children/>

Chapter 39 injunctions allow **DCF/Child Protection**, LE, State Attorney, or responsible adult to file an injunction for protection on behalf of a child in child abuse or domestic violence situations in order to keep the child safe. This is helpful since many times the non-offending parent does not want to get an injunction against their abuser. A report* released by the Florida Coalition Against Domestic Violence advises that, **"child welfare agencies should begin or continue filing Chapter 39 Injunctions for Protection."**

You can find the Chapter 39 Injunction educational video here:

<http://www.flcourts.org/resources-and-services/education-outreach/court-system-videos/myth-breakers-chapter-39.shtml>

* Report: "Comprehensive Assessment and Recommendations for the Integration of DV Services with Child Welfare Services"

NOT FILED

The defendant pushed the victim to the ground and continuously struck the victim in the head with an open beer can. When the victim was allowed to get off the floor, she went to a mirror in the hallway, in front of their children's rooms, when she found her head was bleeding and hair was soaked with beer. After telling him she was calling police, he tackled her in the hallway. When he tackled her, she fell to the ground and this caused her arm to break. As she screamed for help, **the victim's son called 911.** The victim was transported to the hospital for treatment. **This case was not filed.**

What does a child learn when there are no consequences for abusive behavior?

Criminal Court Judges

Are Judges Exercising Caution?

741.2902 Domestic violence; legislative intent with respect to judiciary's role.

(1)It is the intent of the Legislature, with respect to DV cases, **that at the first appearance the court shall consider the safety of the victim, the victim's children, and any other person who may be in danger if the defendant is released, and exercise caution in releasing defendants.**



The following Pinellas DV cases resulted in the defendant receiving supervised *Release on Own Recognizance* (ROR) at the advisory hearing:

(ROR= Released on your own recognizance/ did not have to pay any bond money to get out of jail)



Not Safe

June 2018, a defendant arrested for felony domestic violence who has **16 prior battery/assault arrests** received supervised ROR



Not Safe

August 2018, defendant hit victim in the face with a baseball bat in front of her children causing her nose to bleed. The offender received supervised ROR



Not Safe

January 2017, defendant struck the victim in the face with a closed fist breaking the victim's nose. This defendant got supervised ROR

Did you know:

Restitution is rarely court ordered for DV victims. **ZERO victims were court ordered restitution** out of 184 arrested misdemeanor DV cases in Jan. 2016

\$662.40- Starting cost of an ambulance bill in Pinellas

\$5,518 Average Florida ER bill

Domestic Violence Centers



There are two domestic violence centers in Pinellas County. Some of the resources provided are: shelter, advocacy, outreach, 24 hr hotline, and support groups, etc.

CASA

** CASA has a pet kennel to shelter pets

- # of beds : **100-133** (depending on family size)
- # of hotline calls per year: **4,689***
- # of people turned away from shelter due to lack of space: **2,038***

The Haven of RCS

- # of beds : **36**
- # of hotline calls per year: **4,277**
- # of people turned away from shelter due to lack of space: **607**

*Jul 2017- Jun 2018 Fiscal Year

Victim Advocates

Pinellas County Needs More Victim Advocates

HELP!

What do law enforcement (LE) victim advocates do?

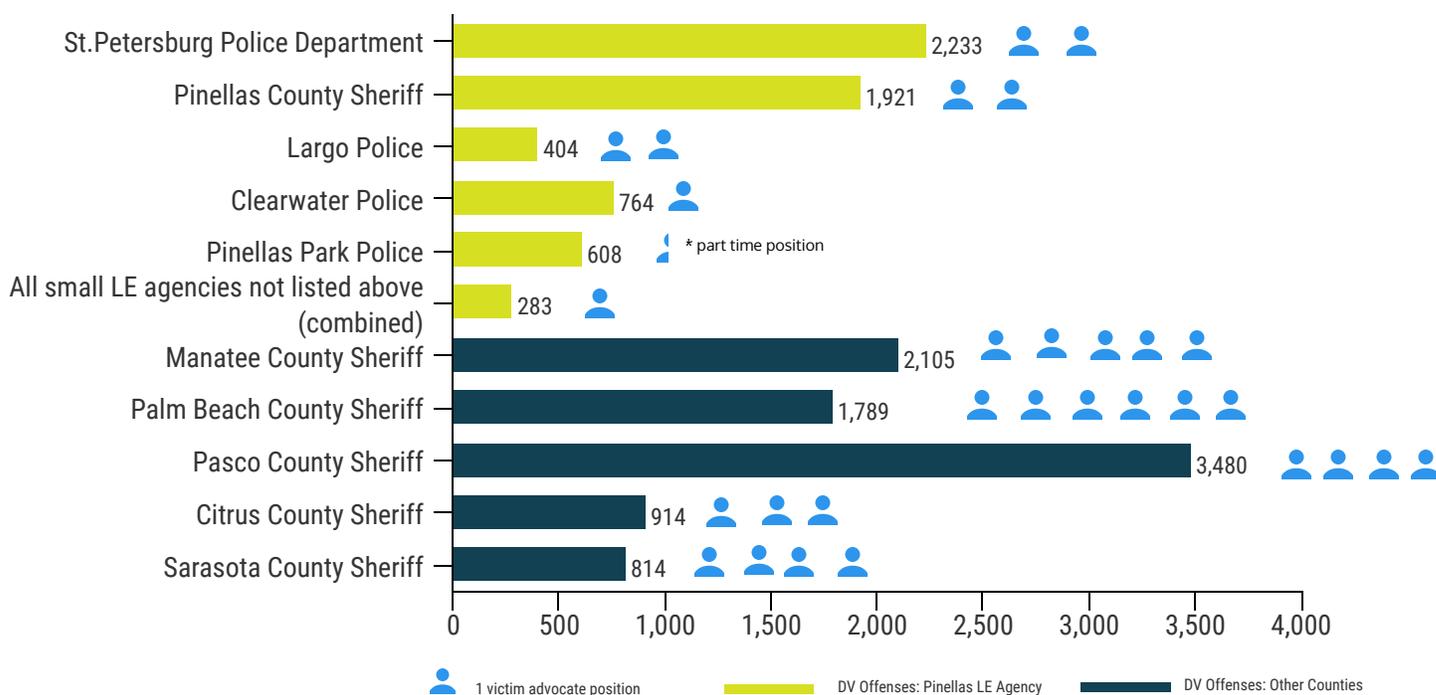
- Have the ability to stay in touch with a victim from the beginning of a case until the end
- Explain the criminal justice process to victims
- Connect victim with resources
- Safety plan with victims
- Go to court with or on behalf of victims
- Attend the investigative meeting/ hearing, deposition, and trial with victims
- Inform victims of victim's rights (fs 960.001)
- Assist victim with applying for victim compensation
- Transport victims when necessary
- Reach out to the officer or attorney on behalf of the victim
- Work the following cases: DV, sexual battery, homicide, aggravated assault, robbery, child abuse, etc.

Prior to 2008:

PCSO had 7 Victim Advocates
SPPD had 4 Victim Advocates
PPPD had a FULL Time Victim Advocate

Over 1/2 the positions were cut during the recession & have **NOT** yet been replaced

LE Agency DV Offenses vs Number of Victim Advocate Positions



VOCA (Victims of Crime Act) Grants 2016-2017:

This grant is to help fund victim advocate positions throughout Florida

Law Enforcement VOCA Funding:

76 Law Enforcement Agencies in Florida received VOCA funding

ZERO police departments in Pinellas County applied for/received VOCA funding

In comparison, Manatee County Sheriff's Office received \$203,014 in VOCA funding, and has 5 victim advocates, 1 supervisor, and 7 trained volunteer advocates

State Attorney's Office VOCA Funding:



Out of the 20 Judicial Circuits that apply/receive VOCA funding, our **6th judicial circuit received the lowest amount of VOCA money: \$53,863** to fund 1 Victim Advocate Position (There are only 2 judicial circuits that do not apply for VOCA funding for their State Attorney's Office)



The average amount of VOCA funding that each State Attorney's Office receives is **\$283,452**. The funding range is: **\$53,863 - \$532,501**



In comparison, Palm Beach County State Attorney's Office has 12 victim advocates and the Miami Dade State Attorney's Office has 5 victim advocates with the help of VOCA funding



Conclusion

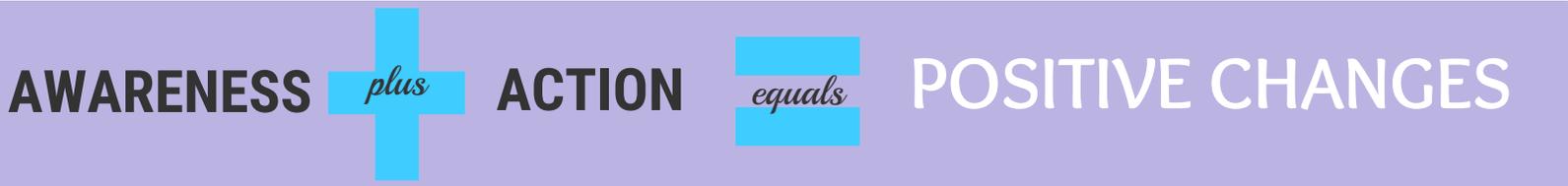
When it comes to DV, we all want the same thing:

- The victim and the children safe
- Offender accountability
- Stop generational cycle of violence

Positive Things Happening in Pinellas:

- Judge Pat Siracusa regularly orders high bond amounts for serious domestic violence defendants
- The State Attorney's Office has a specialized misdemeanor DV division
- Several Police Departments including Largo, St. Petersburg, and Gulfport have re-implemented ongoing in-person DV training
- The Civil Court Improvement Grant has created better accountability for respondents at injunction hearings by holding compliance hearings
- Heels to Heal (a local non-profit) provides 12 FREE counseling sessions to victims of domestic (or sexual) violence.
- CASA now has a pet kennel at their shelter so victims do not have to leave their pets behind
- Judge Jack Hellinger regularly asks petitioners at injunction hearings if they would like to speak with a victim advocate
- Officer Green with Largo Police Department has taken initiative to hold batterers accountable by regularly listening to jail calls on DV cases and charging MANY defendants with violation of a "no-contact" order
- Judge Holly Grissinger regularly orders very appropriate and detailed bond release conditions on DV cases. These conditions include no contact with victim, no firearms, GPS monitor, etc.

| | Pinellas Currently | Ideal Positive Changes |
|------------|---|---|
| LE | Zero DV Exclusive Detectives Shortage of LE Victim Advocates Lack of Offender Focused DV Initiative (OFDVI) | Have DV Detectives/ DV Officers Have More Advocates Implement an OFDVI |
| SAO | DV Prosecution Rates Below National Average No Felony DV Unit Misdemeanor DV Attorneys Have Heavy Caseloads Shortage of Victim Advocates Need for More Consistent, Advanced DV Trainings Some Egregious Felony Cases Not Filed | Follow the Pro-Prosecution Policy Have a Felony DV Unit Have More DV Attorneys Have More Advocates Seek Out DV Experts for Training Follow the Pro-Prosecution Policy |
| JUDGES | BIP Not Consistently Court Ordered 12 or 26 Weeks BIP Court Ordered DV Minimum Jail Sentence Not Always Enforced Injunctions Being Denied with Concerning Allegations ROR is Sometimes Given to Dangerous Offenders | Enforce Statute 741.281 Consistently Order 29 Weeks BIP Enforce Statute 741.283 <small>(Statute 741.325)</small> Only Family Judges Review Injunctions Enforce Statute 741.2902 |



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