

**The Bill Blackwood  
Law Enforcement Management Institute of Texas**

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**Domestic Violence:  
Firearm Seizures & Lethality Assessments: Enhancing the Police  
Response**

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**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**

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## **ABSTRACT**

Over the years, thousands of women have been murdered by their intimate partners. In response, an innumerable amount of preventative programs and evaluative studies have been conducted to combat and mitigate the occurrences of this heinous crime. Nonetheless, a review of the literature reveals that relatively few programs and studies focused on the role of police in conducting structured assessments pertaining to the potential lethality for the individual circumstances of repeat victims of domestic abuse. In addition, firearm removal programs also appear to be underutilized by police agencies.

This paper offers recommendations for enhancing police procedures related to protecting women from the most severe forms of domestic violence (DV), especially those involving firearms because they tend to be the most fatal. It is the position of this paper that law enforcement agencies should encourage officers to seize prohibited DV offender firearms as well as conduct some degree of risk assessment to help identify those women most at risk of serious bodily injury or death as a result of a DV attack. This paper also asserts that police officers should conduct some form of victim lethality assessment when responding to repeat domestic violence calls because these assessments are designed to detect certain conditions in a DV victim's environment that are indicative of a potential fatal outcome.

In support of these positions, this paper reviews academic literature, scholarly studies, federal programs, and at least one municipal law enforcement effort that employed firearm removal and lethality assessment. This paper concludes that such program can be effective in reducing domestic violence homicides. Research has

demonstrated that there are significant lethality indicators that may predict when certain women are more at risk of being killed by their abuser. In addition, danger assessments can enhance officers handling DV situations if they are given the additional tool of conducting these on-scene lethality assessments. With relatively little training, officers can be apprised of lethality indicators and be provided a list of questions that can direct their attention to the more lethal DV cases while simultaneously educating victims regarding their risk of a fatal outcome. If one life is saved, it would certainly be worth implementing such programs.

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## INTRODUCTION

Domestic Violence (DV) is a widespread problem. According to the Department of Justice (DOJ), for the year of 2010, there were over half a million intimate partner domestic violence assaults against women reported (as cited in U.S. Department of Justice, 2011). The DOJ further reported that in 2010, 24.8% of victims of known assailants were slain by family members (as cited in U.S. Department of Justice, 2011). This paper addresses DV perpetrated against women because it is the more prevalent and most fatal form of domestic violence occurrence (DeJong, Pizarro & McGarrell, 2011). One study reported that abusers kill women at four to five times the rate as they kill men (Campbell, Webster & Glass, 2009). The fact that abusers kill more women also appears to hold true outside of the United States. For example, Liem, Barber, Markwalder, Killias, and Nieuwbeerta (2011) reported that domestic violence homicides across the nations they studied showed that homicide–suicides are more likely to be directed against women and involve a gun.

This paper offers recommendations for enhancing police procedures related to protecting women from the most severe forms of domestic violence, especially those involving firearms because they tend to be the most fatal. Gwinn (2006) contended that the risk of a fatality occurring in a domestic violence situation is greatest when there is a history of DV and a firearm is present in the household. Gwinn (2006) further asserted that, “an abuser’s access to a firearm is one of the most potent predictors of lethality” (p. 240). Other researchers have concluded that conducting lethality or risk assessments can help identify women most at risk before they become another homicide statistic. Lethality assessments consist of interviews of victims covering a number of key

questions related to lethality factors, such as the aforementioned repeat abuse or the presence of a firearm in the household (Campbell, Webster, & Glass, 2009).

Consequently, there are measures the police can take to help reduce fatal attacks against women by their abusers. More specifically, it is the position of this paper that law enforcement agencies should encourage officers to seize prohibited DV offender firearms as well as conduct some degree of risk assessment to help identify those women most at risk of serious bodily injury or death as a result of a DV attack. Finally, there are a couple things the reader should keep in mind regarding this paper. First, the terms “lethality assessments,” “risk assessment,” and “danger assessment” all refer to similar devices. There are a number of variations employed in the field and all have common elements of predicting future DV up to and including fatal outcomes (Echeburúa, Fernández-Montalvo, De Corral, & López-Goñi, 2009). Therefore, this paper will use these terms interchangeably throughout this discourse.

Second, this paper is not asserting the approaches suggested herein should be employed in every case. This is often not practical and may not be fruitful. For example, in 2009, the State of Texas reported almost 200,000 incidents of domestic violence (Texas Council, n.d.). Clearly, it would have been impractical to conduct a lethality assessment for every single case brought to the attention of law enforcement without some sort of prioritization scheme. What the author is suggesting is that the methods discussed by this paper be considered in those cases where there have been prior incidents of domestic violence.

## POSITION

One of the primary contentions of this paper is that police officers should conduct some form of victim lethality assessment when responding to repeat domestic violence calls because these assessments are designed to detect certain conditions in a DV victim's environment that are indicative of a potential fatal outcome (Eke, Hilton, Harris, Rice, & Houghton, 2011). Research has demonstrated that there are significant lethality indicators that may predict when certain women are more at risk of being killed by their abuser. For example, women whose abusers used a gun to assault or threaten them are 20 times more likely to be killed by their abuser (Campbell et al., 2003).

Some law enforcement executives may believe danger assessments are the purview of mental health professionals, medical providers of women advocacy sector. However, there is evidence that a multi-discipline approach, including the police, can be more effective:

We conclude that co-operation among sectors responding to domestic violence and the shared use of validated risk assessment will increase the prediction and potential prevention of IPH (Intimate Partner Homicide). These results suggest that IPH offenders could potentially be identified as high risk offenders prior to the homicide or attempted homicide, but that fewer than half would come to the attention of the police, social services, or mental health system for domestic assault beforehand, where opportunities for risk assessment might exist (emphasis added) (Eke et al., 2011, p. 211).

In a similar vein, Johnson (2010) found jurisdictions that actually encourage the law enforcement community to employ danger assessments to rate a woman's exposure to risk of a fatal DV attack. Moreover, there is scientific support for this position. For example, Campbell et al. (2009) determined through evidence-based evaluation that cases wherein women were murdered by their abusers, the danger

assessment scores were “more than twice as high as that of the abused control group” (p. 665). The researchers also found that danger assessments “are likely to capture more than 90% of potentially lethal IPV cases by using the increased level of danger” as a predictor of the future attack (Campbell et al., 2009, p. 667).

Based on this, it is clear that risk assessments can be a useful law enforcement tool. The recommendation of this paper is that law enforcement agencies obtain training in the risk assessment tool for key personnel. Then those persons can conduct roll call trainings throughout the department to encourage patrol officers to complete an abbreviated version of the assessment when called to the scene of domestic violence. In this training, officers should be encouraged to ask the listed questions of the victim once they have separated the parties involved in the altercation at the household. The officers are also educated in the varying levels of predictability of a future lethal outcome for the victim depending on her responses during the on-scene interview.

The Houston Police Department has also trained a team comprised of investigative personnel in the risk assessment. That team went on to conduct over 500 victim assessments and soon realized that the mere act of participating in the interview seemed to help educate the victims on how truly at risk they were of a potential fatal attack. Appendix A contains a report from that program indicating this outcome. In addition, this internal report notes that victims who participated in the program on average rated it as a useful exercise for them, if nothing else. This result seems to comport with the observation of Dr. Jacquelyn Campbell, an avid researcher in this field, who asserted in an interview in 2011 that women tend to underestimate the severity of their risk of a lethal attack in domestic violence situations. In fact, Dr. Campbell went on



to describe an essential purpose of the risk assessments in this way: "Particularly what this is about is how to help women who are abused come to an accurate appraisal of the (own) risk" (as cited in Tucker, 2011). The Houston Police Department consulted with Dr. Campbell prior to implementing their danger assessment initiative and the eventual roll call training of its street officers. Moreover, the department retained Dr. Campbell's training services in regard to the danger assessment instrument she had developed and studied as referenced at various points in this paper.

The Houston Police Department contacted Dr. Campbell and obtained training for 25 personnel. Dr. Campbell's danger assessment tool was the first of its sort according to one researcher, and it was developed and refined in accordance with the results of four separate research studies (Johnson, 2010). The instrument reportedly enables its users to assess the risk of homicide for battered women (Campbell, 1995). Furthermore, Campbell et al. (2009) contended that this danger assessment instrument has a proven validity in predicting increased level of risk of a lethal domestic violence outcome. Several studies have corroborated these claims, and at least one other determined that its scoring system is the most reliable among other available instruments of its type (Johnson, 2010). Due to this evidence, Dr. Campbell's danger assessment instrument can be used as a basis for lethality training for street officers and investigators who come into contact with repeat victims of domestic violence.

In addition to conducting danger assessments, this paper also encourages law enforcement executives to implement a policy that *requires* officers to actively seek to remove firearms in domestic violence household where the law permits such seizures. Doing so may save lives. For example, in Texas alone, it was reported that 63% of the

women killed by intimate partners were killed with a gun (Houston Area Women's Center, 2010). Indeed, just having a gun in the home makes it six times more likely an abuser will kill a family member (Puzone, Saltzman, Kresnow, Thompson, & Mercy, 2000; Klein & Malefyt-Seighman, 2006; Zeoli & Webster, 2010). It is also worth noting that according to the Department of Justice, "disarming abusers saves lives" (Klein & Malefyt-Seighman, 2006, p. 95).

This paper further asserts that law enforcement agencies should mandate officers to be more proactive in arresting DV offenders in possession of firearms they are prohibited from possessing and to seize those guns. One study specifically linked proactive domestic violence police policies to positive outcomes (Dugan, 2002). In her research, Dugan found that officers in states with laws mandating arrest were more likely to make an arrest. Moreover, the rate of domestic violence is lower in those states. In addition, mandatory firearms confiscation for convicted domestic violence offenders had a similar result (Dugan, 2002).

Law enforcement executives should not remain passive in their approach to the danger of abusers illegally possessing firearms. Unfortunately, it appears that some may be doing just that. For example, one study found that even where possession of a firearm was banned by a protective order, law enforcement officials failed to take effective steps to enforce those orders by seizing or otherwise removing those firearms from the abusive household (Webster et al., 2010). In a similar vein, Casey Gwinn, former chair of the California's Attorney General's task force on domestic violence, was in a position to criticize California law enforcement officials for not doing a better job confiscating firearms from convicted abusers. In her view, the police should be doing

more to help protect DV victims from potentially fatal assaults. Gwinn opined that law enforcement officials did not truly appreciate the danger the presence of firearms presents to DV victims. She advocated that the police implement proactive policies designed to remove prohibited firearms from DV offenders (Gwinn, 2006).

Indeed, studies have shown gun prohibitions may in fact save lives. For example, Vigdor and Mercy (2006) found lower intimate partner murder rates in those jurisdictions that banned firearms possession by abusers with protective orders against them. On a related note, another expert in the field discovered shortcomings associated with enforcing such laws due to lack of enforcement follow through by law enforcement agencies (Gwinn, 2006). In addition, Webster et al. (2010) surveyed a large number of women under protective orders who reported that their abusers routinely possessed firearms in contravention of protective orders issued by the courts. Based on this, it seems it would be worthwhile to require that officers seize firearms possessed by DV offenders in violation of federal or state law. While most knew that felons could not possess guns, they did not know that convicted domestic violence offenders, or those under a protective order, were also banned from firearms.

Admittedly, the laws are somewhat complicated. For example, the federal law bans the firearms from convicted DV offenders for life. The Texas ban is only for five years. The federal ban is effective even if the offender was convicted for a misdemeanor DV offense. Under Texas law, the conviction must be for a Class B Family Violence offense or higher. However, the Texas law definition of household member is much broader than the federal law's definition. In addition, the DV offender under federal must have had legal representation for any plea bargained convictions, or

have been convicted by a jury. That is not so with the Texas law (Texas Penal Code, 2007; Texas Code of Criminal Procedure, 2007; Gun Control Act of 1968). Finally, under both laws, a DV offender who receives deferred adjudication is not banned from firearms once the case has concluded. This loophole has proven fatal in at least one recent high profile case Harris County, where a father killed his three children with a firearm even though he had a prior DV arrest because he did receive deferred adjudication from the court and his firearm was eventually returned to him (Hewitt, 2010).

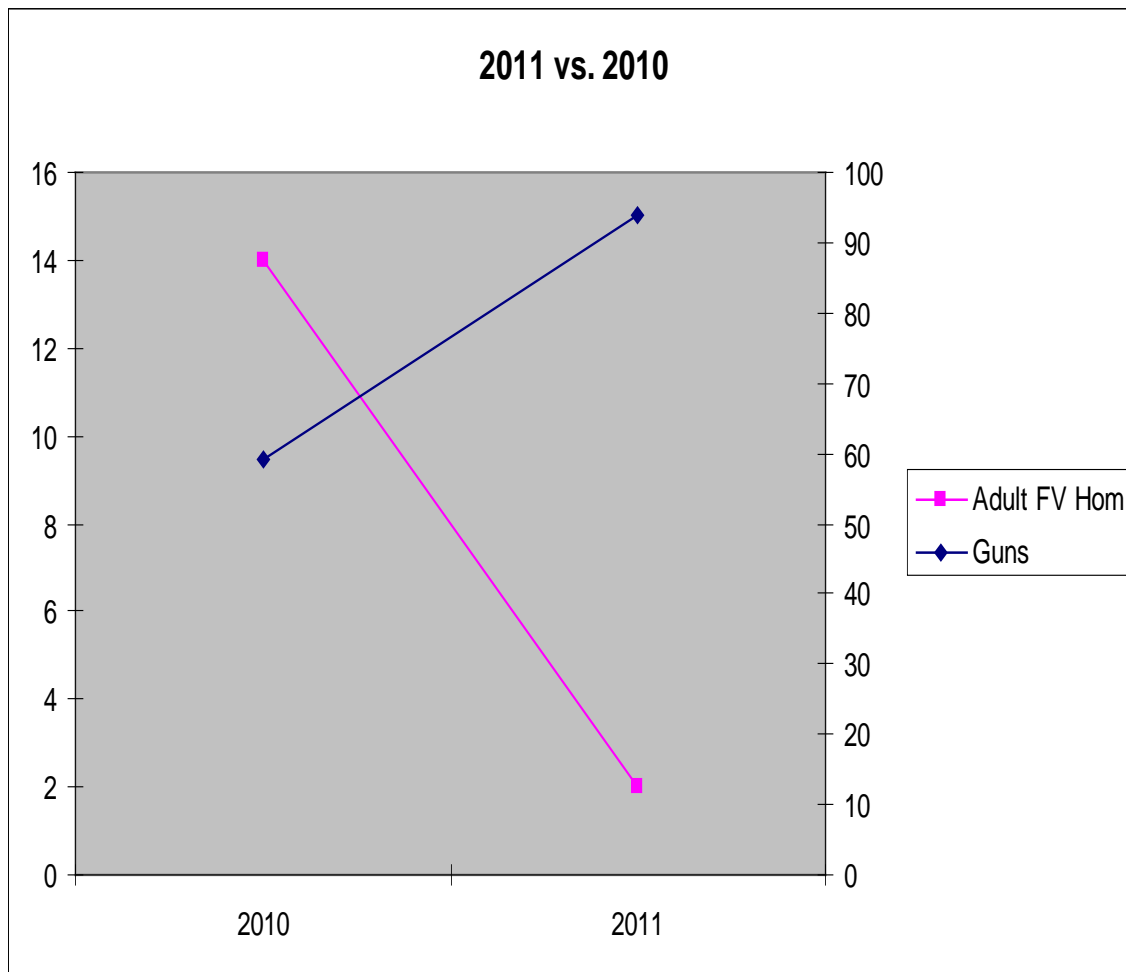
Given the complexity of the firearms bans, it is advisable for law enforcement executives to partner with the local prosecutor's office and perhaps the court administrative personnel as well. Such partnerships have proven successful in other programs throughout the country, and partnering with the prosecutors also helps with developing a training program for officers who will be enforcing the laws (Klein & Malefyt-Seighman, 2006). Moreover, Frattoroli and Vernick (2006) researched DV gun ban laws in the 50 states, and they concluded that officers need training "so they know when it is proper to remove a gun...training programs that develop officers' ability to appropriately interpret and execute these policies are important and should be funded" (p. 309).

In 2010, a similar approach was initiated in the Houston Police Department. The department convened a group of law enforcement partners that included district attorneys, parole and probations officers, the local sheriff's office, local constables and representatives from DV survivors' advocacy groups. This program was helpful in bolstering existing partnerships, raising awareness on the dangers of mixing firearms

and DV, and perhaps even in reducing domestic violence homicides (See Appendix A for report details).

This group also made recommendations to the chief executive of the agency regarding policy and procedure changes. The result was that at the end of 2010, the chief approved and promulgated new DV policies. The enhanced policies mandated that officers responding to DV incidents inquire as to the location of firearms. It further mandated that officers attempt to ascertain whether such firearms are prohibited under the DV offender bans and to seize those firearms if such a determination is made. Finally, the policy stated that officers should ask for the voluntary surrender of firearms in a DV household in cases where the guns are not banned by law (see Appendix B).

The early results of this initiative were encouraging. The chart presented below was presented to a group of high-level command officers at the agency. It depicts documented increases in the number of firearms seized by agency police officers after the program began. As reported by the police property room, for the first 90 days of the program, the number of firearms seized by officers in DV incidents increased by 67%. The author was also able to juxtapose on the chart DV homicide data provided by the case management system from the agencies' homicide division. According to this preliminary data, DV homicides decreased by 83% during the same period wherein DV firearms removals increased by 67% in the agency's respective jurisdiction.



**Figure 1.** DV Gun Seizures compared to Adult Family Violence Homicides

The reader should be cautioned, however, that the above chart is based on preliminary “unscrubbed” internal data. Nonetheless, it is the apparent inverse direction of the gun seizures on adult DV homicide rate that is of interest here as opposed to any purported precision of the numbers.

### **COUNTER POSITION**

At this point, it is worth considering a relatively persistent objection to firearm removal initiatives or programs such as the one suggested in this paper. There are those who object on the grounds that laws allowing such seizures violate the 2<sup>nd</sup>

Amendments right to bear firearms. More importantly, DV offender firearms prohibition laws have been challenged in the courts as well on the very grounds that they ran afoul of the 2<sup>nd</sup> Amendment. However, the U.S. Supreme Court has upheld laws that restrict a felon's right to possess a firearm. Since then, other similar constitutional challenges have failed many state law gun bans have also been challenged in the courts. And like the federal firearm ban, they also survived the attacks (Harvard Law Review, 2011).

Furthermore, in a study conducted by the Department of Justice, Klein and Malefyt-Seighman (2006) offered suggestions for law enforcement officials faced with such criticisms. They suggested law enforcement officials reply firmly to their critics by asserting, "Firearm prohibition enforcement programs should not allow themselves to be perceived as antigun, and should communicate that they are pro-victim safety. It should be made clear that such efforts are not aimed at law-abiding, non-abusive citizens" (Klein & Malefyt-Seighman, 2006, p. 95). Additionally, the National Rifle Association (NRA) is reported as being in support of a program designed to remove guns from the possession of spouse abusers: "the NRA is one of the strongest proponents of the (DV gun removal) project" (Gold, 2002/2003, p. 948). Finally, Sorenson (2006) found substantial public support for banning firearms possession by abusers, noting that 77% of those surveyed said the abusers' guns should be confiscated (Sorenson, 2006, p.367).

Even though this paper strongly advocates the use of lethality assessment interviews of victims as a way to better protect those most at risk of fatal outcomes, there is a strong counterpoint to their use. It has been argued that the dignity of the victims may be diminished by the assessment process due to the nature of the intrusive

personal questions and their implications. Johnson (2010) made an argument as follows:

I argue in this Article that women subjected to abuse should have the right to dignity and autonomy by having freedom with respect to development and expression of their individuality, their intimate associations and the control of their body, movement, and care for themselves (p. 544).

To answer this objection, law enforcement officials should take steps to maintain the dignity of DV victims. In fact, Johnson (2010) offered two excellent recommendations for conducting danger assessments while maintaining the dignity of the women who are the subjects of such assessments. In order to overcome the “dignity” objection raised above, law enforcement officials should employ each of these recommendations: to include being transparent in regard to the true nature of the danger assessment and to obtain fully informed consent from the woman prior to engaging in the assessment.

In regard to transparency, officers conducting the assessment should inform the woman the assessment does not assess all types of DV, just risk of homicide. The officers should also let the DV victim know the assessment is not infallible because not all studies were able to substantiate its predictability (Johnson, 2010). As to informed consent, officers should let the DV victim know the information she provides is not confidential, and legal consequences may ensue depending on her responses. Thus, if both transparency and informed consent are achieved, then the dignity of the DV victim undergoing a danger assessment can be properly protected by law enforcement officials conducting such assessments.



## CONCLUSION

Law enforcement agencies should do more to protect domestic violence victims by being more proactive in removing prohibited firearms from repeat DV offenders as well as conducting some degree of danger assessment to help identify those women most at risk of serious bodily injury or death as a result of a DV attack. Research has demonstrated there are significant lethality indicators that may predict when certain women are more at risk of being killed by their abuser (Eke et al., 2011). One potent example of such an indicator discussed was that women whose abusers used a gun to assault or threaten them are 20 times more likely to be killed by their abuser (Campbell et al., 2003). This makes it very important for officers to remove illegally possessed handguns from DV offenders.

Law enforcement executives should begin such a program by partnering with other local law enforcement agencies, the local district attorney's office, women's shelters, women's advocacy groups, and organizations such as the Texas Council of Family Violence (TCFV). The TCFV can provide additional support and networking opportunities for any law enforcement executive who intends to implement a proactive DV program such as those proposed by this paper. As discussed, Appendix B provides a PowerPoint presentation used at the initial organizational meeting of the involved partners.

The law enforcement executive attempting to implement the recommendations in this paper can expect to encounter critics who may say the lethality assessments infringe upon a women's dignity. However, there are excellent ways to ensure this does not occur. As discussed, law enforcement officials should educate victims on the nature

of the lethality questionnaire and its predictive limitations. Law enforcement officials should also fully inform the DV victim of the fact that information provided is not confidential and may be used to take legal action or follow up. If the victim consents after such education and disclosures occur, their dignity can be protected.

Another possible objection to the proactive DV approach recommended by this paper is that seizing firearms is “anti-gun rights” or may run afoul of the second amendment right to bear arms. However, as discussed in this paper, the courts have uniformly upheld the constitutionality of laws that prohibit DV offenders from possessing firearms under certain conditions. In addition, even the NRA has been reported as being a strong proponent of a gun removal initiative aimed at DV offenders. Finally, it has also been reported that there is wide public support for such initiatives as well. In addition to this, if law enforcement executives provide the proper policy guidance and training, officers should be grateful for the additional tools that the training provided them for handling DV incidents. When training was initiated in Houston, patrol officers provided positive feedback. The officers indicated that in the past, they were uncomfortable leaving many women behind in cases where no charges were possible. The officers conveyed what may be a common feeling among the law enforcement community that there were many cases where they would turn to the partner and say, “he’s going to kill her one of these days and there is not a thing we can do about it.” As noted throughout this paper, there is ample data and research to back up this “gut feeling” many law enforcement officers have felt at some point during their careers. Moreover, the danger assessment program is actually designed to confirm each officer’s own judgment in such cases (Johnson, 2010, p.533).

In addition, danger assessments should enhance officers handling DV situations if they are given the additional tool of conducting these on-scene lethality assessments. With relatively little training, officers can be apprized of lethality indicators and be provided a list of questions that can direct their attention to the more lethal DV cases while simultaneously educating victims regarding their risk of a fatal outcome. Indeed, this is one of the intended purposes of the danger assessment interview (Johnson, 2010). Officers may also derive further reassurance from clear policy enhancements that direct officers to seize firearms or seek their surrender in order to reduce the likelihood of potentially fatal future attacks against the DV victims.

The importance of DV initiatives to law enforcement officials and the population of DV victims cannot be understated. The Texas Council on Family Violence reported on their website that there were 196,713 cases of family violence in 2009 in Texas and that 111 woman were killed in those incidents. Studies previously referenced in this paper indicate the presence of firearms in a DV household is one of the foremost indicators of a potential DV fatality (Texas Council, n.d.). Couple this with the number one indicator of a future DV homicide (i.e., previous abuse), and law enforcement officers can hone in on those situations where DV victims are most vulnerable and need the most protection. If anecdotal experience in Houston is any indicator, then it is likely that such a proactive DV program will save women from potentially fatal attacks. Certainly that alone would make it worth the effort.

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**APPENDIX A**

11-503

**CITY OF HOUSTON**

INTER OFFICE CORRESPONDENCE

TO: G. T. Buenik, Assistant Chief  
Criminal Investigations Command

FROM: C. S. Goralski, Captain  
Special Crimes Division

DATE: April 19, 2011

SUBJECT: **After Action Report-  
Danger Assessment Grant**

In January of 2010, the Family Violence Unit of the Houston Police Department's Special Crimes Division (SCD) applied for this grant in an attempt to identify and assist victims of domestic violence by assessing the lethality of their respective situation. This was accomplished by the utilization of an evaluation tool known as a Danger Assessment or Lethality Assessment Questionnaire (LAQ). The LAQ provided an additional tool for law enforcement to better assess the lethality of a domestic violence victim's situation. The assessments offered guidance for the level of service each victim received, with higher indicators of further abuse being given priority investigative status.

As stated in our original presentation to the HGAC, our ultimate goal was to save lives. Another goal was to provide longer term follow-up with survivors above and beyond that which the police traditionally provide. HPD conducted follow-up contacts with victims after our traditional type of investigation had been completed. These follow-up contacts included the completion of a LAQ. The LAQ helped determine whether survivors were being further victimized by the same or different offenders, whether further police activity was warranted, and/or whether the survivors would benefit from additional social services. This process enabled SCD personnel to enhance its ability to identify those victims who are at most risk for repeat abuse, and those who have a higher potential of homicide in order for HPD to customize a response to the circumstances of each victim's unique set of circumstances.

Attached is the After Action Report for this program. In sum, we believe the results of the initiative were outstanding. As can be seen in the report, we met most of the objectives set in conjunction with the grant authority. Moreover, there has also been the positive spin-off of increased gun removals from domestic violence environment for the first quarter of 2011. At the same time, there has been an inverse drop in domestic violence homicides.

If you require further information, please let me know at your convenience.

C. S. Goralski, Captain  
Special Crimes Division

C. S. Goralski, Captain  
Special Crimes Division

GTD 4-19-2011



**Goal Statement:**

Our goal to address a shortcoming in the investigative process of domestic violence, involved a longer term follow-up with survivors above and beyond that which the police traditionally provide. HPD conducted follow-up contacts with victims after our traditional type of investigation had been completed. These follow-up contacts included the completion of a LAQ. The LAQ helped determine whether survivors were being further victimized by the same or different offenders, whether further police activity was warranted, and/or whether the survivors would benefit from additional social services. This process enabled SCD personnel to enhance its ability to identify those victims who are at most risk for repeat abuse, and those who have a higher potential of homicide and customize a response to the circumstances of each victim's unique set of circumstances.

Below is a table of the activities that were to be performed and the target levels (goals) we had hoped to achieve:

<b>ACTIVITY TO BE PERFORMED</b>	<b>TARGET LEVEL</b>
Number of arrests made.	50
Number of cases investigated.	500
Number of cases referred for prosecution.	50
Number of incident reports.	75
Number of civil orders of protection violated.	50
Number of felony charges filed.	25
Number of felony convictions.	20

**Results:**

Although, the results of the initiative were outstanding, it was difficult to achieve all of the established goals due to the fact that the grant period began April 1, 2010, and we did not receive funds until the end of August. This equates to loss of 40% of the time allotted to implement this initiative. Also, the original grant solicitation instructed applicants to address and measure systemic gaps that are not traditionally tracked such as the number of interviews conducted, the number of referrals to social services, the number victims contacted, and so on. Then we were notified that Criminal Justice Division (CJD) of Office of the Governor (OOG) actually wanted the more traditional law enforcement activities that are listed in the chart to be measured. The results are listed below:

ACTIVITY TO BE PERFORMED	TARGET LEVEL	ACHIEVED LEVEL
Number of arrests made.	50	15
Number of cases investigated.	500	541
Number of cases referred for prosecution.	50	99
Number of incident reports.	75	265
Number of civil orders of protection violated.	50	5
Number of felony charges filed.	25	40
Number of felony convictions.	20	N/A

In addition, some other interesting data was captured during the interview process via some supplemental questions. The questions and the averaged corresponding answer are listed below. Keep in mind that questions 2 and 3 are based on a five point rating scale with 1 being the worst and 5 being the best:

***Supplemental Questions:***

Given the information we have provided to you, how do you feel after completing the danger assessment? Please rate using a scale of 1 to 5, 1 being “not helpful at all” and 5 being “very helpful”.

Average rating: 3.97

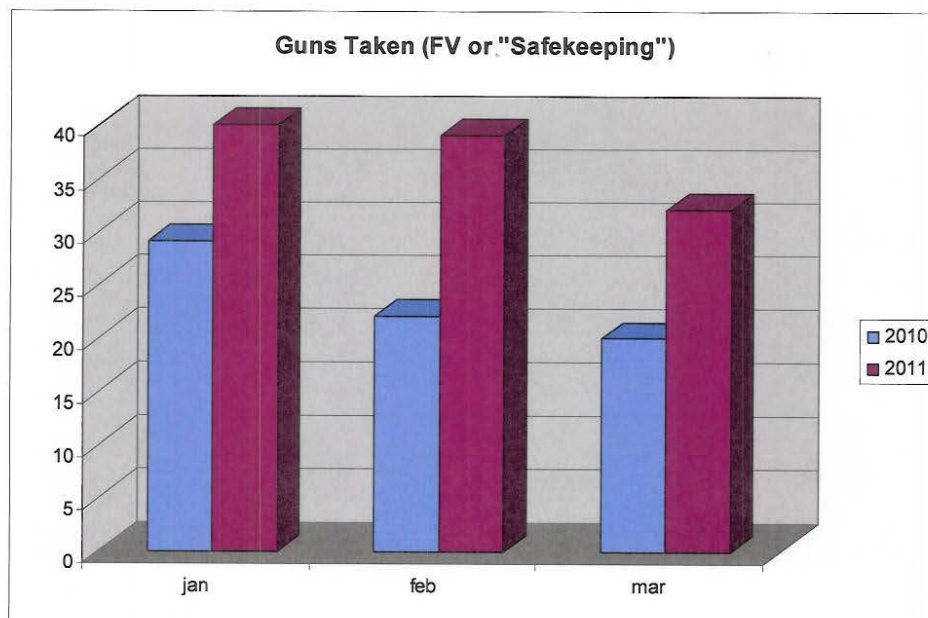
On a scale of 1 to 5, 1 being the worst and 5 being the best, how would you rate HPD’s service in the original case?

Average rating: 4.23

***Domestic Violence Murder rate***

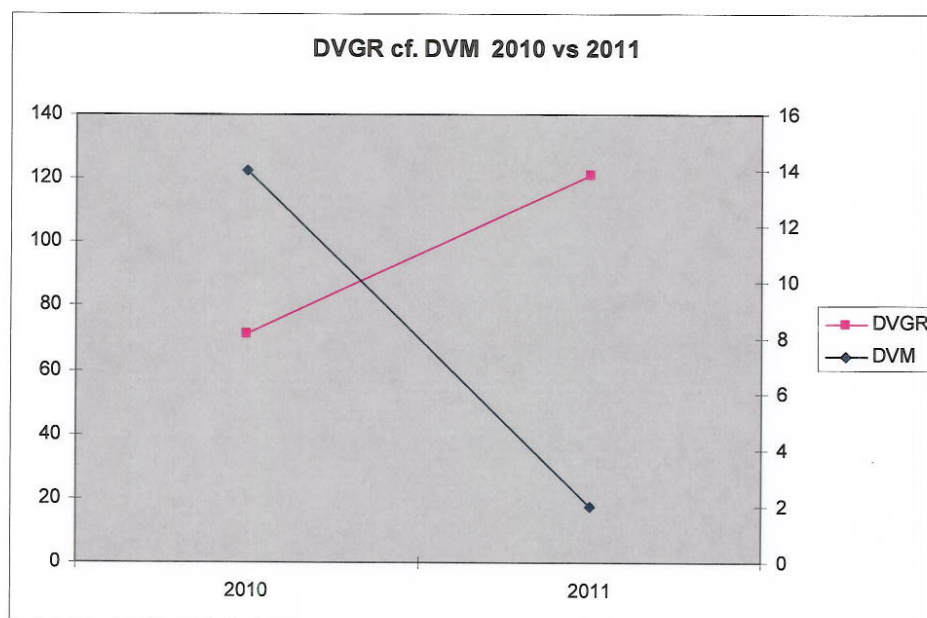
One spin-off of this initiative resulted from the training that our officers and commanders received. In that training, we learned one of the foremost indicators of future lethality is the presence of firearms in households where domestic violence occurs. Consequently, we developed and disseminated a roll-call training video, and upgraded department policy to encourage street officers to remove firearms from domestic violence scenes either based on probable cause, evidentiary need or by voluntary surrender by the gun owner or co-owner. Please see the chart below that shows the increase in number of guns taken in by the department for domestic violence incidence or safekeeping for the first quarter of 2011 compared to the first

quarter last year (March lacks final week of 2011 data, so we anticipate even greater numbers when final data is collected).



The above trend indicates a “gun removal” projected increase of 40 to 50 % for 2011, perhaps as a direct result of our new policy encouraging such street-level practices.

We are hopeful that these gun removal efforts coupled with the LAQ initiative may have reduced domestic violence homicides in Houston so far in the current calendar year. It appears that for 2011 the Adult Domestic Violence murder rate has dropped 85% for the first 3 months compared to the same period last year, from 14 homicides in 2010 to 2 homicides for 2011. Equally noteworthy is the fact that we have had no intimate partner homicides in the first quarter of 2011; whereas for the same period in 2010 we had 10 intimate partner homicides. We are hopeful that this decrease is due in part because of LAQ initiative, among others we initiated. See Chart below that compares gun removal increase with decrease in adult domestic violence homicides.



When we presented the grant request to the HGAC committee last year, our prime motivation was to the 52 domestic violence murders in the prior year. We said if we could save one life, the money would be more than justified. Maybe we saved a few lives.

**Other Benefits of the Danger Assessment Initiative:**

Another benefit realized by conducting the LAQ interviews is that the complainants felt more confident and no longer spoke in a timid or reluctant demeanor after completing the assessments. The following are some sentiments expressed by the complainants at the conclusion of the LAQ interviews:

- They felt they truly had options in how to handle their situation.
- They knew where to go to get the help they need, and were better informed about what some signs of trouble are.
- They liked knowing that someone is checking on them and they had not been forgotten.

Due to the benefits of conducting the Danger Assessments, SCD intake personnel received LAQ training in order to these assessments into the intake process. This enabled SCD to better evaluate and customize service for the respective situations of the victims coming into to our offices seeking assistance. Further, these victims were educated on the cycle of violence, safety

plans, and factors to look for that may indicate the potential for their situations increasing in severity.

### **Sustaining Elements**

As a result of the foregoing, SCD has adopted the below four key “life-saving” objectives in order to maintain the momentum created by this program:

1. Removing prohibited firearms (or requesting voluntary surrender of firearms) from domestic violence offenders
2. Providing Safety Plans to victims at scenes of domestic violence
3. Conducting on-scene abbreviated Lethality Assessments,
4. Increasing number of applications for Protective Orders by encouraging
  - a. On-scene MOEPS applications with the assistance of patrol officers, and
  - b. Adding three AVDA assisted Protective Order intake locations at each of our three satellite squads

To further these four objectives, SCD personnel will develop and conduct a four hour block of mandatory in-service training to arm the line officers with the information needed to truly assist survivors of family violence at the point of contact. All line officers will receive training on how to conduct abbreviated lethality assessments to better evaluate the unique set of circumstances of each complainant. The officers will also learn how review and explain Safety Plans with the complainants so they are better informed on how to take care of themselves and the rest of the family should they need to leave suddenly.

Lastly, the officers will be instructed about the difference in the types of Protective Orders. They will also learn how to apply for a Magistrate’s Order of Emergency Protection, commonly referred to as a MOEP. Also, SCD will seek to have the AVDA volunteers that assist victims with protective order, increased from one to four. This will increase the amount of assistance provided throughout the city. Again, these tools will lessen the lethality of the situation each survivor faces.

This multi-faceted approach will better serve and educate victims of family violence. Simultaneously, it will educate and equip the 3,000+ line officers that will run these calls for service. Together these tools will, educate victims, and address a serious problem that transcends all socioeconomic demographics.


# APPENDIX B

Circular No. 11-0131-017, Revision of General Order 600-06, Family Violence.PDF - Adobe Reader  
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## Circular

### Houston Police Department


 January 31, 2011 NO. 11-0131-017

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**SUBJECT: REVISION OF GENERAL ORDER 600-06, FAMILY VIOLENCE**

Attached General Order 600-06, **Family Violence**, has been extensively revised to meet current policies and procedures. The General Order reflects the creation of the Special Crimes Division, which among other things investigates family violence cases. The *Officer Responsibility* section includes significant updates, especially the directive that officers arrest persons found to be in violation of state or federal firearms prohibitions. Additionally, the officer shall seize firearms possessed in violation of state or federal law and encourage the voluntary surrender of all other firearms at the scene.

Employees shall know the laws and ordinances they are charged with enforcing as well as all department orders, rules, duties, and procedures governing their specific assignments. As such, all employees shall read in its entirety the attached revised General Order or its equivalent on the department's Intranet Portal. Command Staff members shall make this notice of General Order revision available to all employees under their command.

  
Charles A. McClelland, Jr.  
Chief of Police

csg:drg

Originating Party:  
C. S. Goralski, Captain  
Special Crimes Division

GD 11-0131-017

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