

# **The Kootenai County Domestic Violence Initiative**

## **A Process Evaluation**

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Statistical Analysis Center

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## **Purpose**

This report evaluates the process of the Kootenai County Domestic Violence Initiative. The intention of this report is to determine whether this program is meeting its process objectives. In addition, the data provided by the Kootenai County Prosecutors Office is examined for indications that the program is on the right track to meeting its goals.

## **Background**

Prior to the Kootenai County Domestic Violence Initiative, cases of domestic violence did not reach a critical court stage for a minimum of five months after the incident occurred. The prosecutor's office believed the criminal justice process was not effectively or adequately addressing the needs of the county. Victims were not solicited to participate in the system, and were often forgotten, isolated and alienated. Unfortunately, due to limited resources, batterers were often given inadequate or no supervision. Therefore, the Kootenai County Prosecutor's Office proposed a comprehensive treatment and probation/supervision project to hold batterers accountable.

## **The Project**

The Kootenai County Domestic Violence Initiative is designed to obtain two primary goals:

- 1) *Increase Victim Safety* by establishing meaningful and lasting safety for the victims of domestic violence.
- 2) *Increase Offender Accountability* by providing measured and vigorous sanctions for batterers.

To obtain these goals, the following process objectives were identified:

- 1) The creation of an intensive victim services team to vigorously and quickly establish real victim safety and to foster a productive relationship between the victims and the criminal justice system.
- 2) The creation of a pre-trial intervention program for batterers, and an intensive adult criminal supervision team tailored to supervising high-risk misdemeanor cases.
- 3) The construction of a prosecutor's protocol.
- 4) The establishment of a multi-disciplinary screening team.

In addition, three outcome objectives were identified:

- 1) Measurably increase the number of victims that support the intervention of the criminal justice system by 10%.
- 2) Measurably increase the number of domestic battery cases that result in convictions by 10%.
- 3) Measurably increase the number of batterers completing approved treatment by 10%.

The following section describes each of the process objectives and the activities designed to achieve them.

#### Process Objective #1: Victim Advocate Services

With the STOP Grant monies received, a Victims Services Advocate (VSA) was hired in February of 2000 to coordinate the project within the county prosecutors office and the Women's Center. The duties of the Victim Services Advocate include: 1) immediately contact the victim after the incident; 2) complete a risk assessment for the victim; 3) help the victim establish safety requirements; 4) continue regular contact and support to assure the victim's needs are considered, and; 5) collaborate with prosecutors, probation officers, and the court system to relate the victim's views and to directly assist the victim in obtaining civil protection orders and other support services.

In January of 2001, the Victims Advocate for the Kootenai County Prosecutor's office developed a half-hour training program for local law enforcement on how to respond efficiently and effectively to domestic violence calls. Additionally, the prosecutor's protocol was updated to assist officers in determining whether to charge a misdemeanor domestic battery or a felony domestic battery.

#### Process Objective # 2: Supervision and the Pre-trial Intervention Program

The misdemeanor probation department is responsible for supervising domestic violence probationers and maintaining a pre-trial intervention program, known as diversion. A specific adult misdemeanor probation officer was hired in January of 2000 to supervise domestic violence offenders.

In February 2000, the pre-trial intervention program, or diversion, became fully operational. The diversion program is designed for first time offenders who cause less significant levels of harm and are considered amenable to treatment. When an offender is offered diversion and willing to participate in the program, he/she must enter a guilty plea and a

one-year contract with the court. Once the contract is complete and the batterer has satisfied the terms, the case is dismissed.

Diversion track II, a more intensive diversion program, was developed for offenders who may have had prior domestic violence charges or been in the diversion program previously. The screening team identifies potential participants for diversion track II. Diversion track II is basically the same as track I, but the defendant's charge may be reduced, rather than dismissed. Both diversion tracks are intended to provide early intervention, hold offenders accountable, rehabilitate offenders through treatment, and ensure victim safety.

#### Process Objective # 3: The Prosecutor's Protocol.

The prosecutor's protocol was finished in January of 2001. This protocol sets up the guidelines for the Pre-trial intervention program.

#### Process Objective # 4: The Multi-Disciplinary Team: Screening Team

The screening team became fully operational in February of 2000, and consists of Prosecuting Attorneys, the Domestic Violence Probation Officer, Law Enforcement, and the Victim Services Advocate. The team evaluates all identified domestic violence related cases. Their objective is to determine which cases should be prosecuted formally, dismissed, referred to diversion, referred back to law enforcement for further investigation, or other appropriate disposition. The victim's safety and situation is to be regularly stressed and considered in the decision-making process and the offender's supervision.

### **Evaluation Of The Kootenai County Domestic Violence Initiative**

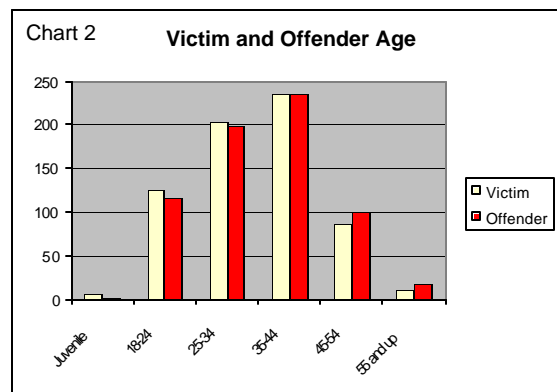
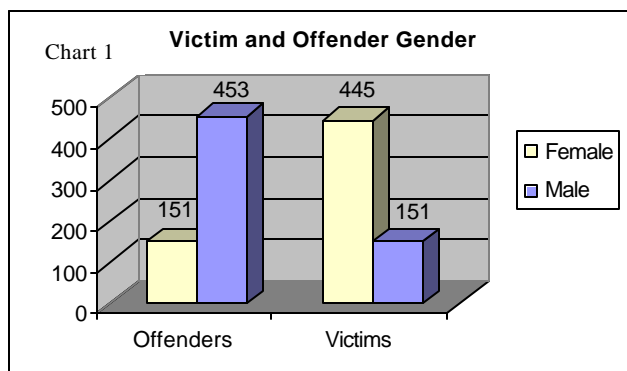
The following findings and analysis are based on the information reported to the Statistical Analysis Center of the Idaho State Police by the Kootenai County Prosecuting Attorneys Office. The information contained in this report comes from a case management database designed to track domestic violence cases in Kootenai County. The following percentages reported are those of the total cases in which the information was tracked. For example, if only 100 cases contain information concerning the victim's gender and 50 victims are female, then the reported percentage would be 50% female. Following is an evaluation of the program's progress from January 2001 to December 24, 2002.

#### **FINDINGS AND ANALYSIS**

A total of 625 incidences of domestic violence were reported between January 2001 and December 24, 2002. Six hundred eighty individual cases resulted from these incidences. There

are more cases than incidences because two arrests were made in 55 incidences, resulting in 110 cases. Specifically, both parties in 54 incidents were cited, arrested or summoned and one domestic violence incident involved two offenders victimizing the same victim.

Of the 680 cases, 604 offenders and 595 victims were identified. As shown in Chart 1, 25% of offenders are female and 75% are male. Of the 595 victims, 75% are female and 25% are male. The average offender age is 35.5 years. The age of the offender ranges from 17 to 76 years old. The average age of the victim at the time of the crime is 34.7 years. The victim's age ranges from 11 to 61 years old. Refer to Chart 2 for a further break down of the victim and offender ages.



### A Description of Domestic Violence Incidences

In 2001, the Kootenai County Prosecutor's Office recorded 264 incidences of domestic violence in the database and 361 incidences in 2002. Over this two-year period, 54 incidences or 108 cases of domestic violence involved the victim also being the offender. This means that both parties in 54 incidents were cited, arrested or summoned. In addition, one domestic violence incident involved two offenders. Thus, 290 cases resulted from the 264 incidences of domestic violence in 2001. Three hundred ninety cases resulted from the 361 incidences in 2002.

The majority of cases, 364, were originated through a 911 call. This amounts to 73% of the cases in which this information was tracked. It is unknown whether 911 was called in 184 cases. Most offenders, 63%, were brought into the criminal justice system through an arrest. In the remaining cases, 12% were initiated through a citation, and 8% through a summons. In 13% of the cases, both parties were arrested. The law enforcement agencies handling most of the cases were the Kootenai County Sheriff's Office (49%) and the Coeur d'Alene Police

Department (48%). The Idaho State Police and the police departments of Post Falls, Rathdrum, and Spirit Lake handled the remaining 3% of the cases.

Victims received observable injuries in 309 (64%) of the reported cases. In 241 (35%) of the cases, photos of these injuries were taken. Seventy-five victims, or 16%, received medical attention. Some type of protection order was in place in 40 (8%) of the cases at the time of the incident. A child was present at the time of the incident in 231 (50%) of the incidences.

Most of the domestic violence incidences, 38%, occurred between married couples living together. The second most common relationship between the offender and victim at the time of the crime was unmarried couples living together (37%). In 13% of the cases, the couples were not married but had a child in common. It is unknown whether these couples were living together. Less common relationships were separated married couples (7%), divorced couples (5%), and in four cases (1%) the couples were not married or living together. In the majority of cases (53%), the length of the relationship between the offender and victim was less than three years. A more detailed description of the length of the relationship at the time of the incident is shown in Table 1.

Length of Relationship	N	%
Less than 3 months	4	1
Less than 6 months	16	4
Less than 1 year	73	18
Less than 3 years	123	30
Less than 5 years	67	16
Less than 10 years	67	16

The majority of charges against the offender are domestic violence with traumatic injury battery (50%) and domestic battery charges (34%). Ten percent of the charges were violations of a protection order or a no contact order. Assault accounted for 3% of the charges. The remaining 5% of the charges were: injury to a child, disturbing the peace, false imprisonment, kidnapping-custodial interference, resisting or obstructing officers, malicious injury to property, stalking, intimidating a witness, and use of a telephone to harass. For the 291 cases in which there is information, 85% were misdemeanor charges and 16% were felony charges.

Table 2 describes domestic violence cases reported to the National Incident-Based Reporting System (NIBRS) by police agencies in Kootenai County. There are many plausible reasons why this data is different from that reported by the Kootenai County Prosecutors Office. First, the charges of burglary, robbery and sexual offenses were not included in the Kootenai County Database like NIBRS. Second, it appears that some information was indeed lost during the switchover from the old database. Third, it appears that Kootenai County only kept track of

cases in which there was either an arrest, citation, or summons and not every case reported to the police. Fourth, Post Falls' domestic violence misdemeanor cases are not handled through the Kootenai County Domestic Violence Initiative. Instead, Post Falls handles these cases through their own program, although these cases are reported to NIBRS. Finally, NIBRS has many more juveniles as both offenders and victims than the Kootenai County database. This is likely why the average NIBRS reported age of offenders and victims is younger than those reported by the Kootenai County Prosecutor's Office. Therefore, the information from NIBRS is only presented to give an overall picture of domestic violence in Kootenai County.

Table 2: NIBRS Domestic Violence Information

	1998		1999		2000		2001		2002	
	N	%	N	%	N	%	N	%	N	%
Number of Incidences Reported to Police	651		602		608		584		596	
Offender was Arrested	466	66	467	70	440	66	398	63	405	62
<u>Victim's Gender</u>										
Male	176	25	176	27	197	30	147	23	172	27
Female	532	75	488	74	475	70	483	77	477	74
<u>Offender's Gender</u>										
Male	343	74	340	73	308	70	310	78	298	74
Female	123	26	127	27	132	30	88	22	107	26
Victim's Average Age	32		33		32.6		33.3		32.4	
Arrestee's Average Age	33		34		33.1		34.5		33.5	
<u>Original Offense</u>										
Simple Assault	550	86	519	78	537	80	523	83	551	85
Aggravated Assault	84	12	89	13	75	11	62	10	53	8
Burglary/Robbery	1	.1	1	.2	3	.4	2	.4	0	0
Property Damage/Vandalism	8	1	5	1	11	2	6	1	7	1
Sexual Offenses	3	1	10	3	9	1	10	2	8	1
Intimidation	57	8	40	6	34	5	17	4.3	29	4.5
Kidnapping/abduction	4	1	0	0	2	.1	0	0	1	.1
Non-negligent Manslaughter	0	0	0	0	1	.1	0	0	0	0
<u>Relationship Between Offender and Victim</u>										
Boyfriend/Girlfriend	210	26	191	24	201	25	235	27	232	30
Common-Law Spouse	135	17	128	16	119	15	82	10	109	15
Homosexual Relationship	1	.1	2	.1	3	.1	3	.1	5	.1
Spouse	299	36	291	36	317	39	370	42	273	36
Ex-Spouse	63	8	41	5	32	4	82	10	30	4
Other	2	.1	10	2	3	.1	5	.1	11	2
Victim was Offender	123	17	148	22	145	22	110	18	112	17
Multiple Offenders	4	.6	13	2	3	.4	7	1	14	2.2



What is readily apparent from Table 2 is that the number of domestic violence incidences reported to the police steadily decreased from years 1998 to 2001 and then slightly increased by 12 incidences in 2002. There are two similarities between the Kootenai County data and NIBRS. First, the majority of criminal charges reported by Kootenai County and NIBRS are assault/battery charges. Second, the gender of both victims and offenders is similar.

### **Analysis Of Case Progression**

As indicated earlier, after a domestic violence incident is reported to authorities, the Victim Advocate Services (VSA) is supposed to contact the victim within 24 hours of the victim being identified. After the VSA has contacted the victim, or attempted to contact the victim, a screening team meeting is held to decide the course the case should take. For example, should the case be prosecuted formally, dismissed, or should the offender be offered diversion? This decision is made through a consensus between the prosecuting attorneys, VSA, law enforcement and the probation officer. In addition, the victim's safety and situation are stressed and considered in this decision-making process. The following analysis examines the efficiency of the VSA and the screening team.

#### *Contacting the Victim*

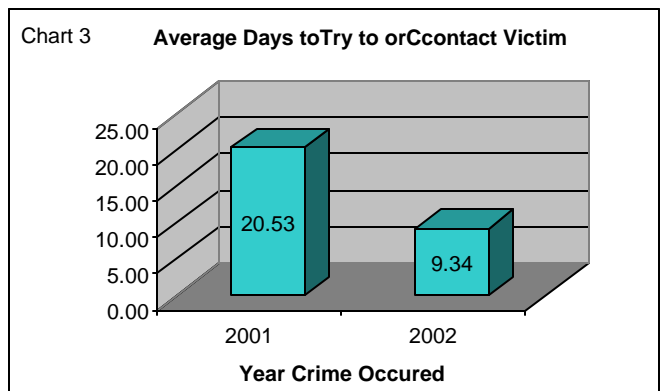
According to the quarterly reports filed by the program administrators, from February 2, 2000 to December 31, 2000, 178 victims (49%) were contacted and another 179 were not. The Victims Advocate provided an explanation of the no contacts. Specifically, until May 24, 2000, the VSA was not given official permission to contact male victims. Thus, there were 37 male victims that were not contacted. Forty-seven victims were from Post Falls, Rathdrum and Hayden Lake. In these areas, another domestic violence advocate operates to respond to misdemeanor domestic violence calls. In 37 cases involving a dual arrest, it was undetermined who the primary victim was. There was an attempted contact with 48 other victims, without success. In these cases, the victim had either moved, had no telephone, or other unknown reason. The remaining ten reports were unaccounted for. There was significant improvement the next two years.

The VSA was successful in meeting their goal of contacting victims between 2001 and 2003. From January 2001 to December 24, 2002 there were 682 cases, in which 83% of the victims were contacted. In 113 (16.6%) of the cases, the victim was not contacted. However, in 56% of those cases in which the victim was not contacted, the case involved a dual arrest. It is

not the VSA's policy to contact people involved in cases of dual arrest if there is not a clear, singular victim in the incident. In addition, in 33% of the cases in which the victim was not contacted, the VSA at least tried to contact the victim. Often the victim was not successfully contacted because the victim moved, quit their job, or not didn't return the VSA's phone calls. In the remaining 13 cases in which there wasn't a dual arrest or an attempt to contact the victim, it is possible the victim either had no telephone, or they were from Post Falls, Rathdrum or Hayden Lake. The VSA not only improved the percentage of victims contacted, they also improved the time it took to attempt contacting victims.

The timeliness of contacting the victim is another measurement of process effectiveness. One of the VSA duties is to contact victims immediately after the incident, within 24 hours. Between 2001 and 2003, the average time it took for VSA to attempt contacting the victim from the time of the crime was 15.78 days, ranging from 0 to 370 days. However, in most cases it only took VSA one day after the crime to contact the victim. Looking at Chart 3, one can see that it took considerably longer to attempt

to contact the victim in 2001 than it did in 2002. For crimes that occurred at the end of 2000, the average number of days it took for VSA to attempt to contact the victim was 250 days, ranging from 177 days to 324 days. For crimes that were committed in 2001 it took the VSA less

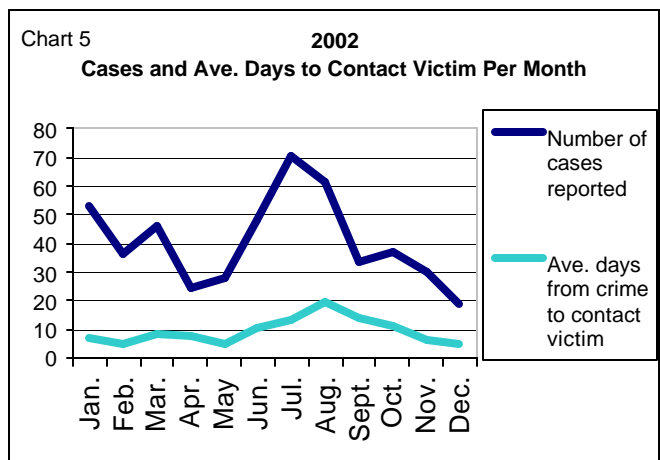
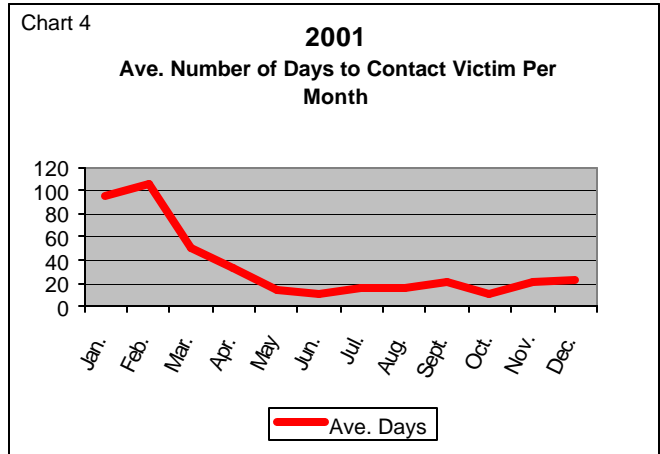


time to attempt to contact the victim. The average number of days it took VSA to attempt to contact these victims was 20.5 days, ranging from 0 to 370 days. This high average is strongly influenced by two cases in which it took the VSA 370 days and 218 days to attempt to contact the victims. By not considering these two unusual cases, the average reduces to 17.7 days, ranging from 0 to 188 days. This length of time in attempting to contact victims may be explained partly by the fact that a new record keeping system was implemented in April of 2001. Looking at Chart 4, one can see that the months where VSA took the longest in attempting to contact a victim were from January to April of 2001. Thus, it is possible that the VSA contacted or attempted to contact these victims prior than noted in the new database system.

In 2002, the VSA did a much better job at contacting victims in a timely manner. The VSA attempted to contact or successfully contacted most victims within 24 hours of the incident in 2002. The average time it took VSA during this time to attempt contacting victims was nine days, ranging from 0 to 128 days.

Referring to Chart 5, notice that it took the VSA the longest to contact victims in August. A plausible explanation for this is that July had the highest number of cases reported, possibly creating a backlog for the VSA. In addition to the introduction of a new database system and case load, other factors affected the amount of time VSA took in attempting to contact victims.

The timeliness of contacting the victim was affected by two other factors. The time it took for VSA to contact or attempt to contact the victim is strongly associated with how long it took the prosecuting attorney to file charges and the time it took for VSA to get the case file ( $r = .729$  and  $r = .812$ , respectively, sig. level .001). This means that the longer it took for the prosecuting attorney to file charges, the longer it took for VSA to attempt contacting the victim. Also, the longer it took for VSA to get the case file, the longer it took them to contact the victim. In spite of this, in some cases, the VSA attempted to contact the victim before either charges were filed, or they received the case file. Therefore, although the VSA did not consistently meet their goal of contacting victims within 24 hours of the incident, they improved the time it did take. In addition, the caseload, the introduction of a new database system, the length of time it took the prosecutor to file charges and the time it took for VSA to receive the case file likely explain why the VSA did not attempt contacting all victims within 24 hours of the incident.



### *The Screening Team's Decisions*

In 122 cases, it is unknown what the Pre-Trial Multi-Disciplinary Team decided in their staff meeting. It is known that in at least 347 (62%) of the cases, they decided to prosecute the offender formally. In 32% of the cases, the screening team decided to offer the offender diversion and in 2% of the cases, offer them diversion track II. The team decided to dismiss 5% of the cases and return one case to law enforcement for further investigation.

One measure of the screening team's effectiveness is whether they consider the victims wishes in making their decisions. For those cases where information is available, the screening team considers multiple factors in determining which course of action to take. Specifically, whether the victim wants to lift the protection order or no contact order, how strong the case against the offender is, the victim and offender's gender, and the victim's outcome preference in the case are all associated with the screening team's decision.

Considering the victim's wishes, the screening team is most likely to hold the offender accountable, either through diversion or formal prosecution, when the victim wants the offender prosecuted. In fact, the screening team decided to hold offenders accountable in every case in which the victim wanted prosecution. On the other hand, the screening team is less likely to vote for prosecution if the victim wants the protection order or no contact order lifted ( $r = -.213$ , sig. level .001). Seventy-three victims have wanted the protection order lifted. For more information on the victim's wishes, refer to Table 3.

<b>What the Victim Wants to Happen to the Offender</b>	N	%
Nothing	123	49.00
Given Diversion/Treatment, no Prosecution.	15	5.98
Offender to be Prosecuted	111	44.22
Offender to Serve Time	2	0.08

The strength of the case against the offender and the offender's and victim's gender also relates to the screening team's decision, although the association is weak. For example, the screening team is more likely to vote for formal prosecution if the victim is female and the offender is male ( $r=.156$  and  $r=.160$  respectively, sig. level .001). The stronger the case against the offender is, the more likely the team is to vote for formal prosecution ( $r = .392$ , sig. level

.001). However, knowing the status of a protection order at the time of the crime and the victim's wishes in the way of accountability are the only statistically significant predictors for the screening team's decision. These two variables only account for, or explain, 26% of the variance in the team's decisions. Thus, it appears there is some ambiguity or inconsistency in the screening team's decisions, given the current information available.

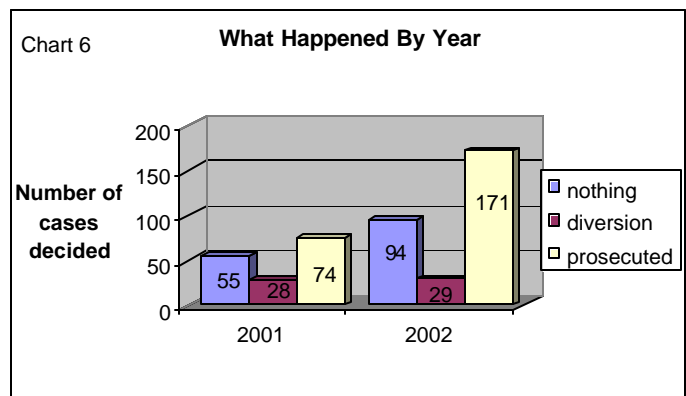
A second measure of the screening team's process effectiveness is the end result of their decisions. Meaning, how well did the screening team's decisions reflect what actually happened in the case. Table 4 describes those cases in which both the screening team's decision and what actually happened in the case are known.

Considering the 147 cases in which the screening team decided to offer diversion, it is important to remember that the diversion program is voluntary and one of the conditions requires the offender to enter a guilty plea. Subsequently, 17 offenders formally rejected the offer, 57 accepted, and 46 did not respond to the offer. The screening team's decisions and what actually happened in the case are weakly associated and only explain nine percent of the variance in the case outcome ( $r = .285$ , sig. level .001). If we remove those cases involving the screening team's decision to offer diversion, then the strength of the relationship improves slightly. Therefore, in those cases in which the screening team decided to dismiss the case or prosecute, the screening team's decision explained 11% of the variance in case outcome ( $\phi = .328$ ). Unfortunately, the screening team's decision is not a predictor for case outcome. Other variables that do help predict the outcome of the case are the victim's gender, the strength of the case, and whether photos were taken of the injuries. These three variables account for, or explain 42% of the variance in case outcome.

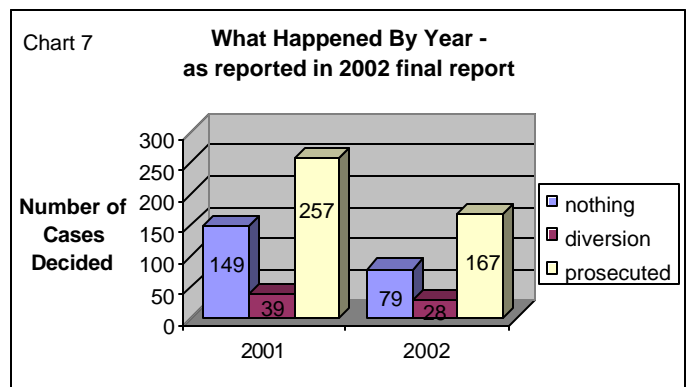
Table 4				
<b>The Screening Team's Decision and What Happened: 2001-2002</b>				
<b>Screening Team's Decision</b>	<b>Dismiss Case</b>	<b>Offer Diversion</b>	<b>Prosecute Offender</b>	<b>Total</b>
<b>What Happened</b>				
Nothing	18	30	71	119
Given Diversion	0	57	0	57
Prosecuted	1	58	195	254
Acquitted	0	2	3	5
Total	19	147	269	435

## Offender Accountability

As stated earlier, one of the primary goals of the program is to hold offenders accountable. Chart 6 shows the number of offenders held accountable and in what way. More offenders were held accountable in 2002, either through diversion, probation, or a jail or prison sentence, than in 2001. Specifically, 102 offenders, 65 percent of those whose cases were resolved in 2001, were held accountable through these measures. Two hundred offenders, 68%, of those whose cases were resolved in 2002, were held accountable. This indicates an increase in offenders being held accountable by 3% 2002, compared to 2001.



Information provided in the 2002 final report provided by the Kootenai County Prosecutors' Office supports the finding that more offenders were held accountable in 2002, compared to 2001. This information is displayed in Chart 7. Although fewer offenders were held accountable in 2002, there were also fewer dismissals and fewer cases. Thus,



According to the 2002 final report, 60% of offenders whose cases were decided in 2001 were held accountable, compared to 63% of offenders in 2002. If either of these reports is correct, then outcome objective two has not been achieved. This objective states, "Measurably increase the number of domestic battery cases that result in convictions by 10%." However, it does appear that the goal of offender accountability is on its way to being realized.

Sentences vary for those offenders formally prosecuted, as indicated in the database. Five offenders were acquitted, 16 were fined and eight offenders were sentenced to jail for various lengths of time. Of the offenders sentenced to prison, two were sentenced to less than one year. The other four offenders sentenced to prison were sentenced to one year, two years, three years, and five years. Of the offenders sentenced to unsupervised probation, 59 had a term

of probation for one year, 104 had unsupervised probation for two years, and the length of probation is unknown for five offenders. The other offenders were sentenced to supervised probation for one year (6), two years (53), and three years (4).

### **Victim Safety**

The second primary goal of the program is victim safety. Although victim safety is hard to measure and quantify, one way to get an idea of how well the system has protected the victims is by looking at repeat offenders. There are a total of 604 offenders and 680 cases identified in the database. Repeat offenders account for 10% of the total offenders and 20% of the total cases. Of the 61 repeat offenders, 48 had two (2) cases against them, and 13 had three (3) cases against them. The 61 repeat offenders victimized 62 victims, with one repeat offender victimizing a new victim.

The prosecutor's database statistics in Table 5 shows that repeat offenders on their first offense were held accountable similarly to other first time offenders. However, these first time repeat offenders were given/accepted diversion less often. In only one case, due to a lack of evidence, did the screening team recommend dismissing the case against a first time repeat offender. In addition, the screening team was more likely to vote for formal prosecution for first time repeat offenders. The victims of first time repeat offenders wanted more accountability than victims of non-repeaters. Eight had a protection order or no contact order against them at the time, compared to 17 non-repeat offenders. This suggests that 17 of the non-repeat offenders and eight of the first time offenders, who offended again, had offended before. For those eight repeat offenders, their adjudication resulted in: three no charges; one fined; one unsupervised probation; one diversion; three supervised probation; and one prison.

Second time offenders in the database average an age of 36 years and their victims average an age of 35 years. For the second offense, as identified in the database, 36% of the offenders had a protection order against them. The victim was more likely to want prosecution (70%) and the screening team was more likely to vote for formal prosecution (92%). In zero cases did the screening team vote to dismiss the case. These second time offenders were more likely to receive prison time than all first time offenders, and more likely to have the case dismissed against them (36% compared to 29%). They were also more likely to receive supervised probation (27% compared to 18%). The 13 offenders who repeated three times during the data collection period averaged an age of 37 years with their victims averaging an age

of 35 years. Two of these offenders were female, and 11 were male. The screening team’s decision in these cases was to dismiss one due to a weak case. The victims of these offenders want prosecution less often than those of non-repeat offenders, first time repeaters, and second time repeat offenders. Seventy-five percent of these victims wanted nothing to happen. The screening team’s decision was to dismiss one case and prosecute the other seven formally. However, two cases were dismissed or charges not filed, three offenders were sentenced to unsupervised probation and one was sentenced to supervised probation.

Table 5

**Repeat Offenders vs. Non-Repeat Offenders**

	<b>Non-Repeat Offenders</b>		<b>Repeat Offenders</b>					
	N	%	1 <sup>st</sup> Offense		2 <sup>nd</sup> Offense		3 <sup>rd</sup> Offense	
	N	%	N	%	N	%	N	%
Protection Order In Place	17	4%	8	18%	13	36%	2	29%
What Victim Wants								
Case Dismissed	107	52%	9	36%	4	24%	3	75%
Offender get treatment, No prosecution	14	7%	1	4%	0		0	
Offender Prosecuted	83	40%	15	60%	12	70%	1	25%
Offender to Serve Time	1	1%	0		1	6%	0	
Screening Team’s Decision								
Dismiss case	21	5%	1	2%	0		1	12.5%
Offer diversion	176	38%	9	20%	3	8%	0	
Prosecute formally	268	58%	36	78%	36	92%	7	87.5%
Case Outcome								
Nothing Happened	101	28 %	13	29%	12	36%	2	33%
Acquitted	5	1%	0		0		0	
Fined	14	4%	2	4%	0		0	
Diversion Track I	50	14%	3	7%	0		0	
Diversion Track II	3	1%	1	2%	0		0	
Unsupervised Probation	143	39%	13	29%	9	27%	3	50%
Supervised Probation	42	11%	11	25%	9	27%	1	17%
Jail Time	6	2%	1	2%	1	3%	0	
Prison Time	3	1%	1	2%	2	6%	0	



## **CONCLUSIONS AND RECOMMENDATIONS**

The Kootenai County Domestic Violence Initiative is a program with growing potential. All those involved in the program implementation and process, the prosecutor's office, the Screening Team, and the VSA, have done a tremendous job of working toward their goals.

### **Finding 1:**

The VSA did a considerable job of improving the time it took to contact, or attempt to contact, the victim. In most cases the VSA attempted to contact the victim within 24 hours of the incident. However, on average the VSA did not meet their goal of contacting victims within 24 hours of the incident. Instead it took the VSA an average of nine days in 2002 to attempt to contact victims.

Recommend: This time can be further reduced if the VSA received the case file sooner. In addition, it is possible that the process needs to be modified to ensure the VSA is notified of the incident and the victims contact information within 24 hours of the incident.

### **Finding 2:**

The screening team is clearly concerned with offender accountability and victim safety. In all cases in which the victim wanted the offender prosecuted, the screening team voted to hold the offender accountable. However, for whatever reason the offender was not always held accountable in these cases. Perhaps the screening team hoped that the offender in a weaker case would accept the offer of diversion, and thus be held accountable.

Recommend: If possible, the case outcome should more closely match the screening team's decision.

### **Finding 3:**

The prosecution did an excellent job of reducing the time to process cases. Before this project, cases of domestic violence did not reach a critical court stage for at least five (5) months after the incident occurred, or about 150 days. In 2002, there was a considerable improvement in this area. The prosecutor's office was able to close domestic violence cases in an average of 91 days.

### **Finding 4:**

The Prosecutor's Office met their goal of increasing offender accountability. However, between January 2001 and December 24, 2002, they did not achieve their outcome objective of measurably increasing the number of domestic battery cases that result in convictions by 10%.

The Prosecutor's Office increased the percentage of offenders held accountable by three percent during this time.

Recommend: Review whether this outcome objective is realistic. Perhaps an outcome objective to measurably increase the number of domestic battery offenders held accountable by four or five percent is more realistic.

**Finding 5:**

The first outcome objective, "measurably increase the number of victims that support the intervention of the criminal justice system by 10%," could not be accurately examined.

Although this information is in the database, measured by victim's desire for prosecution, it is unknown what victims want in 432 (64%) of the cases. Based on the information that is available, victim's support for prosecution increased by three percent from 2001 to 2002. However, victim support could actually have increased considerably more, or decreased.

Recommend: Consistently ask victims if they support the intervention of the criminal justice system in their case and enter this information into the database.

**Finding 6:**

The third outcome objective, "measurably increase the number of batterers completing approved treatment by 10%," could not be accurately examined because the data provided in the database is incomplete. Either cases were not tracked or they were deleted at some point. It could only be determine that 14 of the 57 offenders on diversion, tracked in the database, had failed diversion and 13 had successfully completed it. Information in the 2002 reports indicates that more offenders have failed diversion in 2002 than in 2001. However, it cannot be ascertained whether this is true or why this may be the case.

Recommend: Consistently track whether offenders have failed or completed diversion. In addition, it may be worthwhile to keep track of how many domestic violence offenders have completed or failed probation, for comparison purposes.

Other Recommendation:

The diversion program is a way to hold offenders accountable who may otherwise not be through formal prosecution. Thus, it is important that the probation department be able to accept an increasing number of offenders on diversion while still providing adequate supervision.

In sum, the data indicates that this project has made great strides in improving its processes. The VSA has reduced the amount of time it takes to contact victims. Prosecutors

have reduced the amount of time to process cases. The screening team is clearly concerned with victim safety and offender accountability. In addition, based on the limited information, it appears that victim support for the intervention of the criminal justice system and offender accountability has increased. By achieving these process objectives and the continued dedication shown by project supporters, it is hopeful that the Kootenai County Domestic Violence Initiative will have many more successes.