



**MURIEL BOWSER**  
**MAYOR**

June 22, 2022

The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

I am pleased to transmit to the Council of the District of Columbia the 2022 Annual Report of the Domestic Violence Fatality Review Board (“Board”), provided pursuant to D.C. Official Code § 16-1052(d).

The report summarizes the work undertaken by the Domestic Violence Fatality Review Board (“Board”) from January 2021 through December 2021 and describes how the Board has adapted to the COVID-19 public health crisis. In addition, the report describes as changes in legislation and protections for survivors of domestic violence in the District and provides an update on District agency improvements undertaken in response to previous Board recommendations.

I am available to discuss any questions you may have regarding this report. In order to facilitate a response to your questions, please contact Michelle Garcia, Director, Office of Victim Services and Justice Grants, at 202-724-7216.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser".

Muriel Bowser

Enclosure



District of Columbia  
Domestic Violence Fatality  
Review Board

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# 2022 Annual Report

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## Introduction & Overview

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The District of Columbia’s Domestic Violence Fatality Review Board (DVFRB) is honored to present its **2022 Annual Report** highlighting work undertaken from January through December 2021. The DVFRB represents one part of the District’s efforts to address domestic violence and improve the safety and lives of residents.

Domestic violence and related homicides are serious public health concerns. Prior to the COVID-19 pandemic, more than **10 million** women and men in the United States experienced physical violence by a current or former partner each year; approximately 1 in 4 women and nearly 1 in 7 men experienced severe physical violence by a partner at some point in their lifetime.<sup>1</sup> Locally, an estimated **39 percent** of women in DC had been physically or sexually assaulted by an intimate partner in their lifetime.<sup>2</sup>

Since the pandemic, related lockdowns and other stressors have affected victims and survivors of domestic violence—particularly intimate partner violence—in ways we’re only starting to understand. Combined, isolation from community, constant close quarters, economic instability, and medical anxiety proved combustible: domestic violence reports around the world increased at alarming rates.<sup>3</sup> One U.S. study found that, while arrests for domestic violence were down 20 percent, police reports at residential locations were up 22 percent—and rose 64 percent during the height of shelter-in-place restrictions.<sup>4</sup>

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- 1 Truman, J.L., & Morgan, R.E. (2014). *Nonfatal Domestic Violence, 2003-2012 (Rep.)*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics. doi:<https://www.bjs.gov/content/pub/pdf/ndvO312.pdf>
  - 2 Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 State Report*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. <https://doi.org/10.3886/ICPSR34305.v1>
  - 3 UN Women, “Issue Brief: COVID-19 and Ending Violence Against Women and Girls,” *Gender-Based Violence 1* (2020). <https://www.unwomen.org/en/digital-library/publications/2020/04/issue-brief-covid-19-and-ending-violence-against-women-and-girls>
  - 4 McLay, Molly M. (2021). “When ‘Shelter-in-Place’ Isn’t Shelter That’s Safe: A Rapid Analysis of Domestic Violence Case Differences during the COVID-19 Pandemic and Stay-at-Home Orders.” *J Fam Viol.* <https://doi.org/101007/s10896-020-00225-6>

The personal and societal costs, both emotional and financial, are hard to overstate. And in too many cases, this violence is a precursor to homicide: mirroring national rates, the rate of domestic violence homicides in the District has been steadily rising.<sup>5</sup>

## ABOUT THE DVFRB

The Domestic Violence Fatality Review Board works to prevent intimate partner and other domestic violence homicides in the District by improving the response of individuals, the community, and government agencies to domestic violence.<sup>6</sup> The Board is the formally established entity for:

- tracking domestic violence-related deaths,
- assessing the circumstances surrounding those deaths and any associated risk indicators, and
- making recommendations to improve the systemic response to victims of domestic violence.

This city-wide, collaborative effort was originally established by the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act of 2002 ([DC Code § 16-1051](#) et seq., effective April 11, 2003). The Board comprises a cadre of experts from the areas of law enforcement, victim advocacy, social services, health care, child welfare, corrections, the judicial system, and invested community members with relevant subject matter expertise. A major strength of the DVFRB is the purposeful inclusion of a diverse set of system and agency representatives, as well as community stakeholders.

Annual DVFRB findings and recommendations are based on the Board's expert analysis of police, court, medical, and other public records.<sup>7</sup>

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5 Fridel, E.E., & Fox, J.A. (2019). "Gender Differences in Patterns and Trends in U.S. Homicide, 1976-2017." *Violence and Gender*, 6(1), 27-36. doi:10.1089/vio.2019.0005

6 D.C. Code §16-1052

7 Media records include data from [DC Witness](#), which tracks all homicides in the District of Columbia. Only those homicides of victims 15 years and older that were attributed to domestic violence are included in this report.

DVFRB Makeup	DVFRB 2021 Board Members	
<p>DVFRB legislation provides for <b>25</b> appointed members, including:</p> <ul style="list-style-type: none"> <li>• <b>10</b> governmental entities appointed by the Mayor;</li> <li>• <b>7</b> federal, judicial, and private agencies or entities with domestic violence expertise, either appointed by the Mayor or at the Mayor's request;</li> <li>• <b>8</b> community representatives (non-DC government employees) appointed by the Mayor, with the advice and consent of the Council, who serve up to a three-year term.</li> </ul>	<b>GOVERNMENTAL ENTITIES</b>	
	Queen Anunay	Fire and Emergency Medical Services Department
	Shermain Bowden	Department of Behavioral Health
	Cheryl Bozarth	Office of Victim Services and Justice Grants
	Sasha Breland	Office of the Chief Medical Examiner
	Sarah Brooks	Department of Corrections
	Kafui Doe	Department of Health
	Sarita Freeman	Child and Family Services Agency
	Cindy Kim	Office of the Attorney General
	Jennifer Porter	Mayor's Office of Women's Policy Initiatives
	Subrena Rivers	Metropolitan Police Department
	<b>ENTITIES WITH DOMESTIC VIOLENCE EXPERTISE</b>	
	Rachel Camp	University Legal Clinics
	Dawn Dalton	Coalition Against Domestic Violence
	Lenore Jarvis	District of Columbia Hospitals
	Toshira Monroe	Domestic Violence Housing Organizations
	Nelly Montenegro (Co-Chair)	Superior Court of the District of Columbia
	Marcia Rinker/ Dana Joseph <sup>8</sup>	Office of the U.S. Attorney—District of Columbia
	Jennifer Wesberry	Domestic Violence Advocacy Organizations
	<b>COMMUNITY REPRESENTATIVES</b>	
Karen Barker Marcou	Laila Leigh	
Amelia French	Shannon Sigamoni <sup>9</sup>	
Beverly Jackson	Varina Winder	
Ashley Joyner Chavous (Co-Chair)	Vacant	

<sup>8</sup> Dana Joseph replaced Marcia Rinker's tenure partway through 2021.

<sup>9</sup> Shannon Sigamoni departed the Board in early 2021, and the seat is currently vacant.

## ABOUT THE 2022 REPORT

In a departure from previous years, which were based on an October through September fiscal-year cycle, this year's report encompasses DVFRB efforts for the 2021 calendar year. Consequently, its contents overlap significantly with the DVFRB's most recent report, released in fall 2021. This shift in the reporting time frame was made to better align with DVFRB data collection efforts and statutory reporting requirements.

This report includes: a recap of the DVFRB's work during the 2021 calendar year, how the Board adapted to the COVID-19 public health crisis, and agency recommendations based on the Board's review of recently closed domestic violence-related homicides. The report also includes initial agency responses to the previous year's recommendations. Due to the condensed reporting timeline, no agency has provided updates on improvements undertaken in response to those recommendations.

Statistical trends and related findings are covered in our annual companion report, "[Domestic Violence Homicide: 5-Year Trends](#)." These longer-term data sets provide necessary additional context for analyzing the scope of the problem and the impact of systems change. However, demographic information for the prior year's domestic violence-related homicides are included here in "[2021 by the Numbers](#)."

## STANDARD CASE-SELECTION AND REVIEW PROCESS

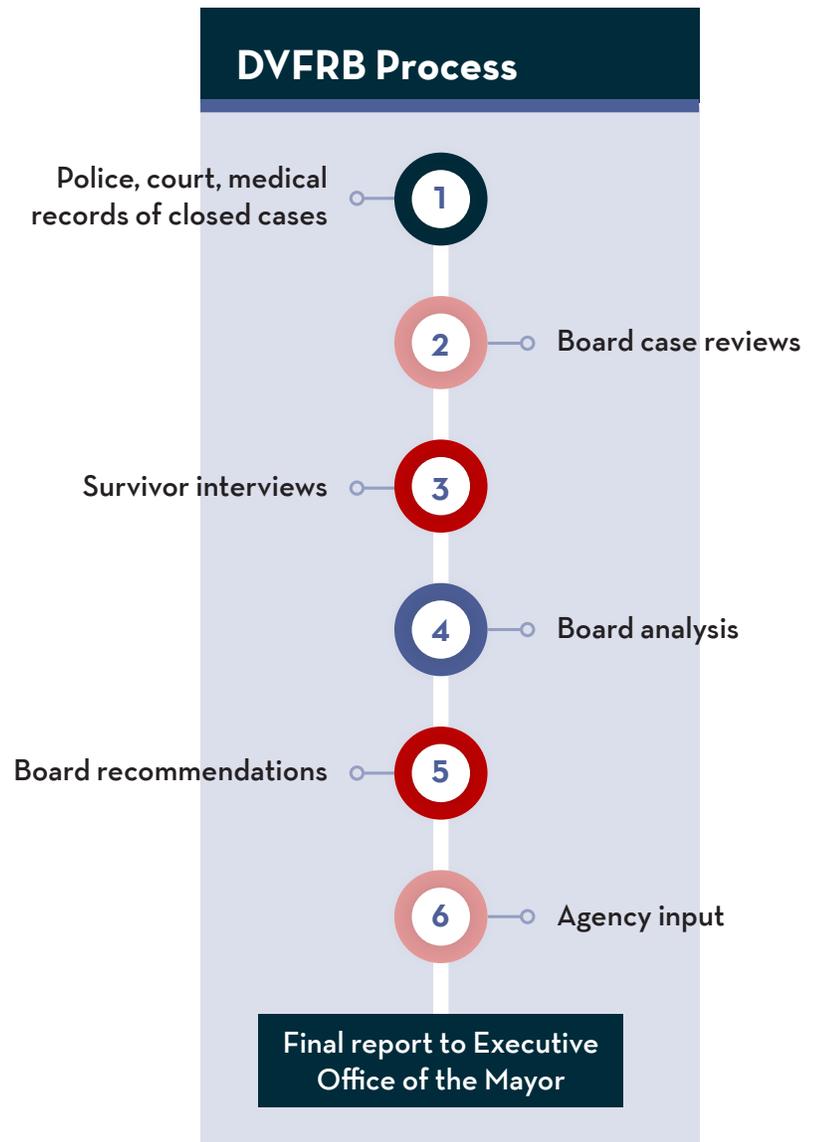
The DVFRB achieves its work through a multidisciplinary analysis of the victims' experiences, perpetrator behaviors, and the general circumstances surrounding the fatalities. Through the case-review process, the Board identifies lethality factors and trends related to the decedents, perpetrators, and systems responsible for supporting, assisting, and protecting victims from family or intimate partner violence. The cooperative efforts of the review process provide an opportunity to enhance and increase services and improve the District's response to address the needs of residents.

Ordinarily, the DVFRB meets in-person every other month and maintains contact throughout the year. Domestic violence homicide cases are selected for review based on agreed-upon criteria established by the Board, and cases are only reviewed after closure of the criminal case.

The DVFRB focuses its in-depth reviews and recommendation process only on intimate partner homicides, which tend to follow similar patterns and could, therefore, benefit from systemic prevention efforts. A well-developed body of scientific research surrounding intimate partner fatality risk factors and prevention strategies guides the Board’s review of these cases. While the Board monitors and provides statistics of homicides committed by family members, relatives, roommates, and “common partners,”<sup>10</sup> our annual recommendations stem from intimate partner homicide (IPH) cases. The Board seeks to honor these victims by attempting to understand their experience and using that knowledge to shape recommendations related to policy, practice, training, and public awareness.

DVFRB meetings are confidential and, therefore, are not subject to open meeting rules; participants must sign confidentiality statements. The

Board obtains records from a variety of public and private agencies and programs that had contact with or provided services to the victim or the perpetrator. The Board coordinator prepares an initial summary of case material and provides the relevant records through a confidential file-sharing system. During review meetings, Board members discuss the facts and



<sup>10</sup> “Common partners” are defined by statute as people whose only connection to each other is a current or former intimate partner in common.

## Domestic Violence Fatalities Defined

According to [DC Code § 16-1051](#), a “domestic violence fatality” is a homicide that occurs under any of the following circumstances:

- The alleged perpetrator and victim resided together at any time;
- The alleged perpetrator and victim have a child in common;
- The alleged perpetrator and victim were married, divorced, separated, or had a romantic relationship, not necessarily including a sexual relationship;
- The alleged perpetrator is or was married to, divorced, or separated from, or in a romantic relationship, not necessarily including a sexual relationship, with a person who is or was married to, divorced, or separated from, or in a romantic relationship, not necessarily including a sexual relationship, with the victim;
- The alleged perpetrator had been stalking the victim;
- The victim filed a petition for a protective order against the alleged perpetrator at any time;
- The victim resided in the same household, was present at the workplace of, was in proximity of, or was related by blood or affinity to a person who experienced or was threatened with domestic violence by the alleged perpetrator; or
- The victim or the perpetrator was or is a child, parent, sibling, grandparent, aunt, uncle, or cousin of a person in a relationship that is described within this subsection.

## Types of Domestic Violence Homicide

Intimate Partner Homicide	Non-Intimate Partner Homicide
Current spouse	Parent, child, sibling, other family
Former spouse	3rd-party to current/former intimate partner
Current intimate partner (unmarried)	Roommate
Former intimate partner (unmarried)	Landlord/renter

circumstances leading up to the homicide and identify potential gaps in service delivery and systemic breakdowns. The Board then proposes recommendations and suggests system improvements to prevent future homicides. The fatality review process is not investigative, and Board decisions are made collectively.

A retrospective analysis of fully adjudicated fatalities allows the Board to objectively observe gaps in the service system without assigning fault. With its “no blame” philosophy, the DVFRB hopes to inspire improved agency and system collaboration and a sense of urgency to work together to create a safer community for victims of domestic violence.

## 2021: Challenges and Opportunities

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Across the country the COVID-19 public health crisis slowed, altered, or halted the work of countless agencies, commissions, and boards, including the DVFRB. Constrained by bylaws and confidentiality agreements that mandated in-person working sessions,

### Common Lethality Risk Factors

- Abuser has access to victim
- Abuser has a history of acute mental health problems (including depression)
- Abuser has a history of physical assault
- Police have received prior calls about abuser
- Abuser threatens homicide or suicide
- Abuser expresses extreme jealousy and possessiveness
- Abuser controls victim’s daily activities/contact with others
- Abuser is unemployed
- Abuser consumes drugs/alcohol
- Abuser demonstrates lack of respect for the law
- Abuser destroys property
- Abuser obsesses over partner
- Abuser feels sense of ownership over victim
- Abuser threatens/intimidates victim’s family
- Abuser has a history of sexual violence
- Abuser has strangled victim during previous assaults
- Abuser has access to firearms
- Abuser is publicly violent toward victim
- Abuser and victim are separated/estranged
- Abuser has a history of stalking
- Victim has children who are not the abuser’s
- Abuser witnessed intimate partner violence as a child
- Abuser has abused pets
- Abuser and victim had a short courtship

the Board temporarily suspended activities in March 2020 before determining a path forward.<sup>11</sup> The Board quickly created a secure virtual structure that incorporated robust confidentiality measures and began meeting remotely in June 2020. While these modifications were less than ideal, they allowed the DVFRB to continue the important work of fatality case reviews and remained in place throughout 2021.

## WORK TO DATE

The DVFRB is a volunteer body composed of public service professionals across a range of disciplines—all of which were strained past capacity by the lengthy and critical demands of the pandemic. As such, the Board took care during this reporting period to fulfill its core mission of case review and system improvement without placing additional burdens on members.

From January through December 2021, the Board engaged in the following critical work:

- **Met via Webex:** The Board officially convened five times during this calendar year (January, March, April, May, and December) and conducted one optional meeting in November.
- **Evaluated Board capacity:** The DVFRB coordinator conducted one-on-one discussions with each Board member to evaluate capacity, identify priorities, and solicit candid

## Operational Modifications

To accommodate limitations imposed by the pandemic, the DVFRB exercised the following operational modifications throughout 2021:

- use of a HIPAA-compliant, cloud-based file-share service that allowed members to securely access, read, and upload records and files;
- use of Webex to schedule and hold secure and confidential online meetings (with assistance from MOTA along with the Office of the Chief Technology Officer); and
- an agreement by members to uphold confidentiality policies while working from their home offices.

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<sup>11</sup> In March, as part of the District's pandemic response, the DC Council and Mayor enacted the COVID-19 Response Emergency Amendment Act of 2020, which largely waived meeting requirements for DC agency boards and commissions. For more information regarding how the DVFRB modified operating procedures in response to the pandemic, please see the 2021 Annual Report.

recommendations for how to best proceed with the Board's scope of work under current pandemic-related conditions.

- **Conducted candidate search:** The Board evaluated the strengths of its current slate of members and identified potential candidates for vacancies. One new community member is currently awaiting confirmation to the Board.
- **Swearing in new members of the Board:** During 2021, new board representatives were appointed for the Metropolitan Police Department, the Fire and Emergency Medical Services Department, the Office of the United States Attorney—District of Columbia, and the Domestic Violence Housing Organizations. They were all sworn in and immediately began attending board meetings.
- **Conducted in-depth case review, including survivor interviews:** The Board examined one complex intimate partner-related homicide/suicide case. The DVFRB largely drew its 2021 recommendations from this case examination and many hours of accompanying survivor interviews (e.g., with family members, friends, and colleagues).
- **Continually assessed status of the field:** The Board stayed abreast of ever-changing procedures, policies, and ways of providing services across the city during COVID, and regularly incorporated those changes into a flexible workflow.
- **Responded to inquiries:** The Board responded to public and agency inquiries related to its work.
- **Published “Domestic Violence Homicide: 5-Year Trends, 2016-2020”:** This annual snapshot of domestic violence-related homicides in the District discusses key findings and trends over a five-year span. The DVFRB coordinator worked with system representatives across agencies to compile and reconcile domestic violence-related homicides in the District. The compiled data presented in these trends reports help shed light on who is most at risk of violence, from whom they are most at risk, and how best to intervene to prevent future domestic violence homicides.
- **Published “DVFRB 2021 Annual Report”:** This annual report included a recap of the DVFRB's work over the 2021 fiscal year, how the Board adapted to the COVID-19 public health crisis, and new recommendations based on a review of recently closed domestic violence-related homicides.

# Protections in the District

The District has a robust set of protections and responses designed to reduce the harm of domestic violence. Highlighted below are those programs particularly tailored to decreasing fatalities.

## Extreme Risk Protection Order

Relatively new to the District is the extreme risk protection order (ERPO), sometimes referred to as the red flag law. ERPOs are civil court orders designed to quickly remove a firearm from someone who poses a danger to themselves or others. Family members, partners, roommates, police officers, mental health professionals, and select others can petition DC Superior Court to issue an ERPO, allowing law enforcement officers to retrieve any firearms or ammunition from the subject of the order (the respondent). A temporary order can be granted in as little as one business day, while a final order can be granted within two weeks and lasts for up to one year at a time. Learn more from the [Office of the Attorney General](#). According to DC Superior Court, 13 ERPO cases (tracked as EPO) were disposed in 2021.

## Lethality Assessment Program

Lethality assessments (also called danger assessments) are used to determine if a victim is at high risk for re-assault, major injury, or homicide. Lethality assessment programs (LAPs) are used in jurisdictions throughout the country, and—as in the District—are often a partnership among victim services, police departments, the courts, and other relevant agencies. The District’s LAP is led by DC Safe and operates under a protocol implemented by the City Administrator.

Since its inception in 2009 through December 2021 the District’s LAP has screened 65,812 survivors and identified 32,758 as being at high risk for serious repeat assault or homicide. Those survivors can then receive expedited, coordinated, low-barrier access to services. Over the life of the program, six of those identified as at high risk have been killed. LAP is part of the District’s broader High Risk Domestic Violence Initiative (HRDVI), and is connected to the work of the Domestic Violence Systems Review (DVSR) team, a multi-agency accountability task force for complex, high-risk cases.

## Address Confidentiality Program

The District’s Address Confidentiality Program (ACP), administered by the Office of Victim Services and Justice Grants (OVSJG), provides a legal substitute address for eligible DC residents to maintain the confidentiality of their actual address. This program helps victims of domestic violence, sexual offenses, stalking, or human trafficking who fear for their safety by shielding their street address from public records, providing one tool in an individual’s broader safety plan. The Address Confidentiality Act was passed in 2018 ([DC Code § 4-555.01 et seq.](#), effective July 3, 2018), and the program launched in 2020.

## DVSR Partner Agencies

- DC SAFE (program lead)
- Child and Family Services Agency
- Court Services and Offender Supervision Agency (CSOSA)
- DC Forensic Nurse Examiners
- DC Public Schools
- Department of Behavioral Health
- Department of Human Services
- District of Columbia Housing Authority
- District of Columbia Superior Court
- Metropolitan Police Department
- Network for Victim Recovery of DC
- Office of the Attorney General for the District of Columbia
- Office of Victim Services and Justice Grants
- Pretrial Services
- Project CHANGE Hospital Violence Intervention Project (HVIP)
- U.S. Attorney’s Office for the District of Columbia

## Civil Protective and Anti-Stalking Orders

On April 27, 2021, the Intrafamily Offenses and Anti-Stalking Orders Amendment Act of 2020 went into effect. This act in part amended previous civil protection order (CPO) provisions as well as created DC's first anti-stalking order (ASO). Notable changes include the following:

- CPOs are court orders that require the respondent to stay away from and have no contact with the petitioner. CPOs are available for sexual assault and sex or labor trafficking survivors, as well as intimate partners, family members, and household members. CPOs are now valid for up to 2 years, and a judge may extend the order for good cause. Additionally, minors ages 13-16 may file on their own behalf: against a respondent for an intrafamily offense; against a person who sexually assaults them; and under sex trafficking of children if they are the victim. Any minor can have a petition filed on their behalf by a parent, legal guardian, legal custodian, family member who is 18 years old or older, or sexual assault youth victim advocate. The court can also extend a temporary protection order (TPO) for up to 28 days at a time or for a longer time period with the consent of both parties ([DC Code § 16-1004](#)). In 2021, there were 4,094 new filings under intrafamily cases.
- ASOs are similar to CPOs but apply to petitioners who allege the respondent stalked them within the previous 90 days, regardless of their relationship to one another. Stalking behaviors are defined in [DC Code § 22-31A](#). These orders direct the respondent to have no contact with and stay away from both the petitioner and specified locations, among other requirements. Minors 16 and older may file on their own behalf; minors under 16 must have a parent or legal guardian/custodian file on their behalf (although adult family members can file for minors 13 years or older). ASOs can remain in effect for up to two years. The court can also grant a temporary order (TASO) without notice to the respondent—either in 14-day increments or up to 28 days with good cause ([DC Code § 16-10A](#)). According to the District of Columbia court's statistical summary, there were 591 new filings under the ASO in 2021.
- The Amendment also includes offenses against animals as intrafamily offenses, if the animal belongs to the petitioner, a family member, or household member.

After a CPO or ASO is put into effect, respondents are prohibited from purchasing firearms for the duration of the order and must relinquish possession of any existing firearms and ammunition. The bill also established a unit within the DC Metropolitan Police Department dedicated to serving CPOs and requires them to do so at the petitioner's request.

## Employment Protections

Under the Employment Protections for Victims of Domestic Violence, Sexual Offenses, and Stalking Amendment Act of 2018 ([DC Code § 2-1401.01](#) et seq., effective April 11, 2019), employers, employment agencies, and labor organizations ("employers") in the District of Columbia may not discriminate against an employee or an applicant ("employee") based on their status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking ("DVSOS"). The law amended the DC Human Rights Act of 1977.

Specifically, employers may not take an adverse employment action against an employee for the following actions if they pertain to DVSOS: participating in a legal proceeding, seeking physical or mental health care, or a third-party's disruption of the workplace or threat to their employment. The law also defines family members who are included, reasonable accommodations required of employers, and circumstances under which employers may or may not disclose the employee's status related to DVSOS.

# 2021 by the Numbers

According to available Metropolitan Police Department records, 20 people age 15 and older were killed in domestic violence fatalities in the District of Columbia in 2021.<sup>12</sup> The breakdown between intimate partner homicide (IPH) and non-IPH is as follows:

## IPH Victims

- **Gender:** 8 women and 1 man.
- **Race:** All were Black.
- **Age range:** 18 to 71; average age was 35.
- **Wards:** Ward 8 had 5 homicides; Wards 1, 4, 6, and 7 each had 1.
- **Manner of homicide:** 5 victims were shot, 3 were stabbed, and 1 died of blunt force trauma.

## IPH Perpetrators

- **Gender:** 9 men.
- **Race:** All were Black.
- **Age range:** 21 to 66; average age was 38.
- **Relationship to victim:** 6 were current intimate partners, and 3 were former intimate partners.

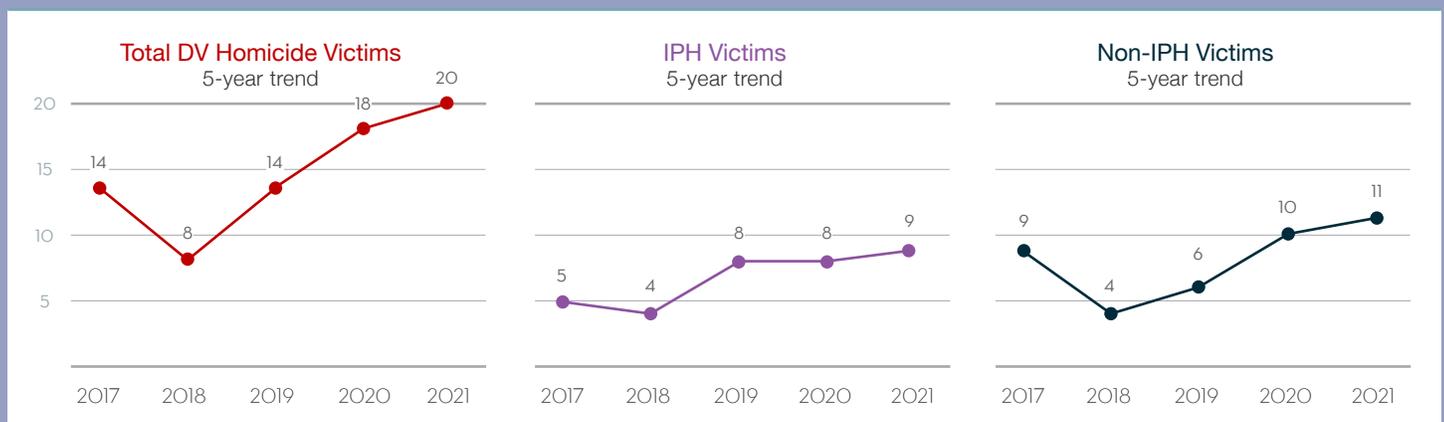
## Non-IPH Victims

- **Gender:** 2 women and 9 men.
- **Race:** 9 were Black and 2 were white.
- **Age range:** 16 to 60; average age was 39.
- **Wards:** Ward 7 had 6 homicides; Ward 8 had 3; Wards 3 and 4 had 1 each.
- **Manner of homicide:** 5 victims were shot, 4 were stabbed, and 2 died of blunt force trauma.

## Non-IPH Perpetrators<sup>13</sup>

- **Gender:** 9 men.
- **Race:** 8 were Black and 1 was white.
- **Age range:** 15 to 54; average age was 30.
- **Relationship to victim:** 2 perpetrators were children of the victims, 2 were other family, and 7 were related in another way.

## Number of Domestic Violence Homicides by Year



<sup>12</sup> Regarding domestic violence child fatalities, one infant was also killed by the mother.

<sup>13</sup> The identities of two non-IPH perpetrators were unconfirmed at the time of publication.

## 2021 DVFRB Recommendations and Responses

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The ultimate purpose for reviewing domestic violence fatalities is to reduce the incidence of such homicides. To that end, the Board uses its findings to craft recommendations for system improvements to strengthen the community response to domestic violence. In 2021, the DVFRB issued seven new recommendations (originally included in the 2021 Annual Report and outlined again here): five to District agencies, one to the Executive Office of the Mayor, and one to a U.S. federal executive department. The agencies involved have since reviewed the Board's recommendations, and available responses are included below.

### Recommendation

#### Improve Domestic Violence Screening and Referrals for At-Risk Families

Through a review of intimate partner homicide cases, the DVFRB determined that there may be individuals who are engaged in domestic relation court matters and also have overlapping domestic-violence lethality risks. Individuals at risk may not recognize that there are resources available to help them. (For instance, family conflicts may not have previously escalated to physical abuse, or victims with financial means may feel that they do not qualify for support.) Further, family court staff are not well-equipped to identify potential victims or lethality risk factors, or provide necessary social service interventions.

#### Therefore, the DVFRB recommends that:

- The **Superior Court of the District of Columbia** create a domestic violence questionnaire and accompanying service referral resource, with funding from the Office of Victim Services and Justice Grants, and then coordinate with DC Family Court to make them available at all Family Court proceedings.
  - The questionnaire should describe specific behaviors of concern instead of using the term *domestic violence*. (For instance, "If you are experiencing XYZ, there are free resources available to support you.") Removing the term *domestic violence* will encourage respondents to engage directly with the prompts and reduce self-selection bias.

- The service referral resource should provide a range of local resources that serve the public—e.g., mental health services, social services, domestic violence services, financial relief, and affordable housing or childcare—as well as touch on legal protections, such as civil protective orders and red flag laws.
  - The service referral resource should also have inclusive messaging regarding people with financial means and across all socioeconomic levels, emphasizing that help is available for everyone.
  - Both the questionnaire and referral resource—which can be separate outreach pieces or combined into one document—should be available online via QR code or other discrete access for respondents who do not feel safe taking a physical copy with them.
  - Both the questionnaire and referral resource should be available at multiple points throughout court procedures and related appearances (e.g., parenting classes or mediation).
- The **Superior Court of the District of Columbia**, through its Center for Education and Training, provide basic training and information for all court clerks and public-facing staff on domestic violence incidence, intervention, and service referral.
    - The Clerk of the Superior Court, in partnership with DC Family Court, should oversee the development and implementation of a protocol for Family Court staff who receive a verbal or written disclosure of domestic violence. The protocol should include service referral and next steps, as appropriate.

### Agency Response

The Family Court will make the service referral resource (created by the Access to Justice Commission, in collaboration with the Domestic Violence Division) available at the Central Intake Center, the Self-Help Center, JM-300 (the main clerk’s office), and the Superior Court’s Information Booth (on the first floor of the Superior Court). A QR code linked to the service referral resource will be placed on the Court’s website. The Family Court will work with the Domestic Violence Division to create and implement protocols for instances when clerks receive a disclosure of domestic

violence. A court-wide Superior Court confidential information form has been developed for use by all Superior Court Divisions and has a specific section for Family Court that contains questions about specific behaviors of concern related to domestic violence. The clerk will provide the filer with the service referral resources when the questions on the confidential information form are answered affirmatively. The confidential information form will be located on the Court's website and Forms Help Online portal in the near future. Training will be provided to Family Court and Domestic Violence staff on Domestic Violence incidence, intervention, and service referral.

## Recommendation

### Increase Public Awareness of Red Flag Law

The District's Red Flag law, designed to quickly remove a firearm from someone who poses a danger to themselves or others, could be of particular use to victims of domestic violence. Yet it is not widely known or understood by the general public or service providers and allied professionals.

#### Therefore, the DVFRB recommends that:

- The **Office of the Attorney General**, in conjunction with the Office of Victim Services and Justice Grants, develop a robust outreach campaign to inform city residents and relevant professionals about the Red Flag law and the availability of Extreme Risk Protection Orders (ERPOs). The awareness campaign should include one comprehensive resource sheet written for the general layperson or pro-se litigant; targeted materials for a variety of professionals; and a public poster, flier, or similar notice that could be posted in court buildings or other public spaces. Targeted outreach could include: court clerks, law enforcement officers, mental health professionals, attorneys and mediators, teachers, parenting advisors, and Child and Family Services.

## Agency Response

After the red flag law was passed in the District in December 2018, the Office of the Attorney General (OAG) created outreach materials about ERPOs, including a Frequently Asked Questions document and an one-page educational handout, and has continued to conduct targeted outreach to raise awareness. Outreach trainings were conducted throughout 2019-2021 to domestic violence advocates at DC SAFE, the Criminal Justice Coordinating Council, Victim Assistance Network members, teens at the Teen Dating Violence Summit, and mental health professionals at numerous service providers including the Wendt Center, Comprehensive Psychiatric Emergency Program, the Washington Hospital Center, Psychiatric Institute of Washington, Community Connections, and many more.

In response to DVFRB's recommendations, OAG can review, update, and/or supplement the previously created one-page educational handout<sup>14</sup> to ensure that it is understandable for the general lay-person or *pro se* litigant and can investigate whether the one-pager can be posted in the court building or other public spaces such as the Family Court Self-Help Center. OAG's Domestic Violence and Special Victims and Mental Health Sections can coordinate to conduct additional trainings to other groups such as court staff, DC Bar's Family Law Community, and Child and Family Services, to continue to raise awareness about ERPOs.

## Recommendation

### Improve Judicial Training on Domestic Violence, Separation Violence, and the District's Red Flag Law

Often subtle and sometimes fatal, domestic violence factors into a variety of court proceedings, including divorce and separation, child custody and visitation, elder care, pet custody, and civil protection order petitions (including Extreme Risk Protection Orders). All judges who interact with family court matters need to understand the basic dynamics of domestic violence to rule in the best interest and safety of all involved parties.

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<sup>14</sup> To view OAG's current one-page handout on DC's Red Flag Law, see the [Appendix](#) or visit their [website](#).

**Therefore, the DVFRB recommends that:**

- The Chief Judge over the **Superior Court of the District of Columbia** should audit judicial training materials for new judges to ensure that they correctly and sufficiently cover current best practices on domestic violence, separation violence, and the District’s Red Flag law. The Chief Judge should oversee distribution of the training material to all judges who preside over any family court matters, protection order hearings, divorce proceedings, or similar cases.

**Agency Response:**

The DC Superior Court will address this recommendation in three ways:

1. At the beginning of a new judge’s term, DC Superior Court judges receive both court-wide and division-specific judicial training. As part of that onboarding process, the Superior Court’s Judicial Education Committee will include Domestic Violence training in the curriculum and distribute training materials specific to Domestic Violence Law and Red Flag Law to all new judges.
2. The DC Superior Court’s Judicial Education Committee will include Domestic Violence training for all Superior Court Judges and Administrators during the Annual Spring Conference Training in May 2022. The panel will include discussions on Separation Violence and the District’s Red Flag Law.
3. The DC Superior Court will continue to provide comprehensive Domestic Violence training for all newly assigned Judges to the Domestic Violence Division.

**Recommendation**

**Increase Awareness of Vicarious Trauma and Burnout among Attorneys**

When couples separate, they are at increased risk of violence—even in cases where no known physical abuse has previously occurred. That risk elevates according to the number of lethality risk factors present. The attorneys who help these parties are also at increased risk for vicarious trauma and burnout, yet may not have access to the training, mental health care, and other supports needed to mitigate exposure to trauma.

**Therefore, the DVFRB recommends that:**

- The **DC Bar** develop and offer information, training, and support for attorneys practicing family law on (1) how to best support clients in light of the potential for separation violence—including outreach regarding DC’s Red Flag law—as well as (2) the dangers of attorney burnout and vicarious trauma and where to turn for help.

**Agency Response**

To address the recommendations above, the DC Bar plans to take the following steps:

*DC Bar Lawyer Assistance Program:* The Lawyer Assistance Program (LAP) offers free and confidential clinical services on any issues that cause distress to DC Bar members, judges, and current DC law students, including burnout or vicarious trauma. In addition to providing clinical assessment, short-term counseling, and referral resources, LAP staff offers free educational presentations to various legal employers and firms, voluntary bar associations, judicial organizations, law schools, and agencies in our area. LAP will increase outreach to members of the DC Bar Family Law Community and other attorneys or firms practicing family law or domestic violence law.

*DC Bar Pro Bono Center:* The DC Bar Pro Bono Center recruits, trains, and mobilizes attorneys to serve the community. During the Spring 2022 training season, the Pro Bono Center will offer a virtual training covering the various types of protective orders available in DC, including DC’s Red Flag law and stalking protective orders. In its role directing the Family Law Assistance Network, the Pro Bono Center will ensure Family Law Assistance Network staff receive continuing education about separation violence and vicarious traumatization. Pro Bono Center staff will also ensure self-help resources related to separation violence and the Red Flag law are available to the public via LawHelp.org/DC. Finally, as convenors of DC’s Family Law Casehandlers group, Pro Bono Center staff will ensure vicarious traumatization resources are periodically presented to the public interest family lawyers who attend those meetings.

*DC Bar Communities/Continuing Legal Education:* DC Bar’s Family Law Community and its Continuing Legal Education program both hold family law trainings and events throughout the year and will offer resources related to vicarious traumatization, burnout, and LAP services at family law events and through other distribution vehicles (e.g., Community ListServ, digests, newsletters.)

## Recommendation

### Increase Availability of Non-Court-Mandated Batterer Intervention Programs

The District experiences a lack of alternative, non-court-mandated, domestic violence intervention and treatment programs and services. Sometimes referred to as Batterer Intervention Programs (or BIPs), these counseling programs are designed for people arrested for domestic violence (or for those who would be arrested if their actions were publicly known). The goal of BIPs is to prevent future violence. Though the research on the effectiveness is mixed, several studies have shown significant reductions of violence for certain participants.<sup>15</sup> Similar, successful programs have been piloted in DC (My Sister's Place), Atlanta (Men Stopping Violence), and Prince George's County (which uses a "family violence interruption" model that provides both individual and group supports).

#### Therefore, the DVFRB recommends that:

- The District fund and pilot through the **Office of Victim Services and Justice Grants** a voluntary, peer-led batterer intervention program that is not court-mandated. The program should be grounded in a community wellness and public health perspective. Non-compliance with the program should not be tied to any kind of criminal penalty. The program should be offered on a rolling, ongoing basis for potential offenders to use as necessary (similar to Alcoholics Anonymous/Narcotics Anonymous). The time and flexibility necessary to develop a robust set of best practices around this nascent model should be built into the program funding, timeline, and evaluation.

#### Agency Response

OVSJG concurs with the Board's finding that the District currently lacks a non-court-mandated domestic violence batter intervention program (BIP) and that the research on the efficacy of such programs is mixed, with many studies concluding that there is no evidence that BIPs work and others reflecting the benefit of programs to participants, victims, and their families. The research should be considered within the broader context of community-informed responses to intimate

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<sup>15</sup> Eckhardt, C.I., Murphy, C.M., Whitaker, D.J., Sprunger, J., Dykstra, R., & Woodard, K. (2013). The Effectiveness of Intervention Programs for Perpetrators and Victims of Intimate Partner Violence. *Partner Abuse*, 4(2), 1-26. doi:10.1891/1946-6560.4.2.e17; Miller, M., Drake, E., & Nafziger, M. (2013). What Works to Reduce Recidivism by Domestic Violence Offenders? (Document No. 13-01-1201). Olympia: Washington State Institute for Public Policy. <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=264947>

partner violence, particularly the criminal justice system response. Research shows that the link to the criminal justice system is an important element of effective BIPs. Oversight of BIP participants through monitoring and community supervision along with “quick and certain” sanctions for non-compliance have been shown to enhance positive outcomes relative to recidivism and program completion.

If there is an interest in establishing a non-court-mandated BIP, a pilot program is not necessary, as a mechanism to secure funding already exists. If a service provider is interested in establishing a BIP, they can apply for grant funding through the established annual OVSJG funding process.

## Recommendation

### Improve Response to Domestic Violence at the State Department

Domestic and intimate partner violence flourishes in isolation. By nature of their profession, State Department employees and their families—with frequent moves, inconsistent access to social support networks, and immersion in new cultures and environments—are at particular risk. The DVFRB review of domestic violence-related homicide case materials of individual(s) employed by the State Department led to the following recommendation.

#### Therefore, the DVFRB recommends that:

- The **U.S. Department of State** improve its prevention and response efforts for domestic violence among its employees, including its contractors, domestic civil servants, and foreign service officers. Ideas for improvement include:
  - Make available trained counselors who can provide resources, options, and other services to individuals at risk of domestic violence. Counselors could be referred through the Bureau of Medical Services or the Community Liaison Office, as well as accessed on a self-referral basis by establishing a partnership with an external organization. These counselors should have resources and referrals for individuals

in their local area, whether domestic or international. (Note: RAINN provides these services for other Federal agencies with overseas staff.)<sup>16</sup>

- Make available trained counselors during the bidding process for employees with families. Counselors should be able to provide referrals to available mental health and support services specific to domestic and intimate partner violence in addition to other services. They should also be able to advise on job-related logistics regarding divorce and separation. It is particularly important that these resources are made clearly available to employee spouses, who are often less connected to the Embassy or Department communities and may therefore have less knowledge of available supports.
- Ensure the counselors referenced above are external to the Department. Given the deeply interconnected and closely overlapping nature of the Department and its communities both at home and abroad, it is critical that vulnerable families have access to external support to help ensure confidentiality, accessibility, and appropriate survivor response.
- Create a “stressor” checklist for employees to consider during the bidding process or final medical evaluation to determine how potential stressors related to Foreign Service Officer life may contribute to negative family health outcomes (e.g., domestic and intimate partner violence or divorce), particularly post-COVID. Provide appropriate resources, including but not limited to counselors, referral networks, and family support.
- Improve mental health and well-being assessments to aid in suicide prevention.

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<sup>16</sup> The Department of Defense, Peace Corps, and USAID have all contracted with RAINN (the Rape, Abuse, and Incest National Network) to provide such services, demonstrating the feasibility of setting up a referral network even with a transient, global staff.

## Agency Response

The Department of State maintains a network of medical providers and psychiatrists domestically and overseas who are often the first point of contact in domestic violence and sexual assault situations. Domestic violence, child abuse, and child neglect cases in the United States are reported to local officials.

- Assistance is available to employees during the bidding process through the Department. Issues related to divorce and separation can be discussed with the Global Community Liaison Office and support groups are available for staff.
- Employees' requests for services are privacy protected. Employees and family members may obtain clinical services inside or outside of the Department.
- Resources are available as described above.
- The Department places a high priority on mental health and continues to reach out to employees through various communication channels to apprise them of the services available to them.

## Recommendation

### Evaluate the District's Response to Domestic Violence during the COVID-19 Public Health Crisis

The current COVID-19 public health crisis has illuminated widespread gaps in traditional city emergency planning. In hindsight, it is unsurprising that a public health crisis causing prolonged isolation, economic instability, medical uncertainty, and other hardships has resulted in elevated rates of domestic violence. Moving forward, the District needs a public safety crisis plan that accounts for these domestic violence factors and appropriate interventions.

#### Therefore, the DVFRB recommends that:

- The **Mayor's Office**, with support from the Office of Victim Services and Justice Grants and the DC Homeland Security and Emergency Management Agency, convene a roundtable of local domestic violence prevention organizations and related District agencies. The roundtable would examine the city-wide response to the pandemic as it relates to domestic

violence victims and would focus on lessons learned: what existing or emergency protocols worked well, where did efforts fall short, and how could the city better prepare for similar emergencies in the future. This network could then be activated to craft public messaging about resources and safety information during future events. Points of discussion for the roundtable should include:

- The development of a comprehensive crisis protocol as part of the Domestic Violence System Review that includes all organizations and agencies that domestic violence survivors access as avenues to immediate safety (including DC SAFE, DC Superior Court, the Metropolitan Police Department, the Department of Human Services, and the Crime Victims Compensation Program) to allow those entities to coordinate any necessary changes in access to services, resources, or legal relief and to communicate those changes effectively to the general public.
- The creation of a specific, non-lapsing emergency fund to sustain community-based organizations that provide immediate crisis intervention services for survivors of domestic violence to ensure ongoing access for survivors to lifesaving resources and services during a city- or nation-wide emergency.
- Whether or how previously created District emergency plans were triggered.<sup>17</sup>

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<sup>17</sup> This recommendation was included in the DVFRB's 2021 Annual Report but was not sent separately to the Executive Office of the Mayor (EOM) at the time. EOM has recently been provided with both the recommendation and response form, and the Board appreciates its consideration.

## COVID-19 and Domestic Violence

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As domestic violence organizations across the globe have reported substantial increases in call volume and severity of injury since the eruption of COVID-19, it's clear how necessary those services are—as well as systemic domestic violence prevention and intervention efforts. Victims have been isolated from their support system, trapped with abusers in close confines, and experiencing unprecedented levels of financial, medical, and child-related stress. Prevention and response efforts that combine a more resilient response network with earlier, more robust interventions for survivors and offenders alike can quite literally help save lives.

The work of the DVFRB to note, track, and analyze these trends—and then to collaborate across the community on effective homicide prevention efforts—is more important than ever. The DVFRB will continue to honor its obligations to serve the District and its residents in this capacity.

# DC'S RED FLAG LAW: REMOVING GUNS FROM POTENTIALLY DANGEROUS PERSONS



*Are you concerned about a friend or family member who owns a gun and could be a danger to themselves or others? Learn how the District's "Red Flag Law" can be used to remove a firearm from a potentially dangerous individual.*

## How the Red Flag Law Works

In December 2018, a new law was passed in the District of Columbia to help keep the District and its residents safe by quickly removing guns from people who are considered a danger to themselves or others. This "Red Flag" law allows certain District residents to petition the D.C. Superior Court to issue Extreme Risk Protection Orders (ERPOs), which requires the temporary removal of firearms and ammunition from potentially dangerous persons.



### Who can seek an ERPO:

- Family Members
- Guardians
- Domestic Partners
- Romantic Partners or Dates
- Parent of a Child in Common
- Roommates
- Police Officers
- Mental Health Professionals



### How to seek an ERPO:

Fill out a FREE form called a "petition" at [www.dccourts.gov/ERPO](http://www.dccourts.gov/ERPO) and file it with the D.C. Superior Court. The petition must include facts supporting the claim that the person in possession of firearms or ammunition is a danger to themselves or others.

The requester can seek a **temporary order** and see a judge within one business day even before the person at risk knows about the case. The emergency order may last up to 14 days until a final order is issued.

The requester can seek a **final order** and see a judge within 14 business days where both the requestor and person at risk are given the chance to present their evidence to the court. The final order can be in effect up to one year and can be renewed.



### What happens if an ERPO is granted:

Police will contact the person who is the subject of the ERPO to retrieve any firearms and ammunition.

A search warrant can be issued, if necessary.

Anyone who peaceably surrenders any firearms or ammunition in response to an ERPO cannot be arrested or prosecuted for unlawfully possessing or carrying the firearms or ammunition.

## How to petition for an ERPO:

- 1) Fill out a petition form found here: [www.dccourts.gov/ERPO](http://www.dccourts.gov/ERPO)
- 2) File the petition form in person with the D.C. Superior Court at:

D.C. Superior Court  
500 Indiana Ave. NW, Room 4510  
Washington, DC 20001

United Medical Center  
1328 Southern Ave. SE, Room 311  
Washington, DC 20032



Karl A. Racine  
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**OV SJG**  
Office of Victim Services  
and Justice Grants

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DISTRICT OF COLUMBIA  
**DC MURIEL BOWSER, MAYOR**