

West Virginia  
**STOP Violence Against Women**  
Project Evaluation  
FY01



Final Report

March 2004

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# West Virginia STOP Violence Against Women Project Evaluation FY01

Submitted to the

**Office on Violence Against Women**  
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## STOP Programs Administration

As the State's criminal justice planning agency, DCJS was designated by the Governor as the state agency responsible for the administration of the STOP Programs in West Virginia. A total of **\$1,126,999.39** in STOP funds were made available in July of 2002 to fund projects to better respond to violence against women. Funds were awarded to eligible STOP Teams based on submission of a grant proposal and review process conducted by the West Virginians Against Violence Committee (WVAVC). Members of the WVAVC are appointed by the Secretary of the Department of Military Affairs and Public Safety. Data were provided by John Brown, Database Administrator for the WVCADV, county STOP Team members, and the Uniform Crime Reporting Section of the West Virginia State Police.



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### **West Virginians Against Violence Committee (Current Members)**

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*WV Prosecuting Attorneys Institute*

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*WV Coalition Against Domestic Violence*

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## Grants Awarded and Funds Expended

Twenty-eight STOP Teams, four statewide initiatives, and this evaluation were awarded funds for the Project Year 2001 (July 1, 2002 - June 30, 2003). The funds awarded and expended are listed for each grant. The grants are listed by the primary county in which the Team was formed.

### Grants Awarded and Funds Expended

Grant Number	STOP Team	Awarded	Expended
01-VAW-001	McDowell County	\$ 37,140.00	\$ 37,140.00
01-VAW-002	Mercer County	\$ 20,611.97	\$ 20,611.97
01-VAW-003	Randolph County	\$ 19,241.00	\$ 19,241.00
01-VAW-005	Mingo County	\$ 59,281.06	\$ 59,281.06
01-VAW-006	Logan County	\$ 40,904.00	\$ 40,904.00
01-VAW-007	Monongalia County	\$ 71,105.81	\$ 71,105.81
01-VAW-008	Taylor County	\$ 223.76	\$ 223.76
01-VAW-009	Preston County	\$ 41,519.29	\$ 41,519.29
01-VAW-010	Wood County	\$ 35,320.11	\$ 35,320.11
01-VAW-012	Upshur County	\$ 32,772.68	\$ 32,772.68
01-VAW-013	Jefferson and Berkeley County	\$ 22,500.00	\$ 22,500.00
01-VAW-015	Calhoun County	\$ 24,369.00	\$ 24,369.00
01-VAW-016	Roane County	\$ 14,040.80	\$ 14,040.80
01-VAW-017	Pleasants County	\$ 14,456.00	\$ 14,456.00
01-VAW-018	Marshall County	\$ 7,688.00	\$ 7,688.00
01-VAW-019	Monroe County	\$ 24,814.85	\$ 24,814.85
01-VAW-020	Greenbrier County	\$ 43,375.00	\$ 43,375.00
01-VAW-021	Summers County	\$ 16,355.99	\$ 16,355.99
01-VAW-022	Raleigh County	\$ 66,013.67	\$ 66,013.67
01-VAW-023	Grant County	\$ 18,900.00	\$ 18,900.00
01-VAW-024	Mineral County	\$ 20,031.20	\$ 20,031.20
01-VAW-026	Ohio County	\$ 81,537.11	\$ 81,537.11
01-VAW-027	Fayette County	\$ 21,397.00	\$ 21,397.00
01-VAW-029	Cabell County	\$ 52,350.00	\$ 52,350.00
01-VAW-030	Putnam County	\$ 25,302.00	\$ 25,302.00
01-VAW-031	Kanawha County	\$ 68,161.30	\$ 68,161.30
01-VAW-032	Nicholas County	\$ 21,108.88	\$ 21,108.88
01-VAW-033	Gilmer County	\$ 36,170.91	\$ 36,170.91
Grant Number	State-Wide Initiative	Awarded	Expended
01-VAW-004	Division of Criminal Justice Services-CJSAC	\$ 18,294.00	\$ 15,641.08
01-VAW-011	Coalition Against Domestic Violence	\$ 46,911.00	\$ 18,176.00
01-VAW-014	Foundation for Rape Information & Services	\$ 9,700.00	\$ 9,700.00
01-VAW-025	Prosecuting Attorneys Institute	\$ 5,520.00	\$ 5,520.00
01-VAW-028	Supreme Court of Appeals	\$ 53,533.00	\$ 53,533.00
<b>Totals</b>		<b>Awarded</b>	<b>Expended</b>
		<b>\$ 1,126,999.39</b>	<b>\$ 1,095,611.47</b>



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## Executive Summary

The Violence Against Women Act, Title IV of the Violent Crime Control and Law Enforcement Act of 1994, appropriated funding to encourage law enforcement, prosecution, and victim services providers to coordinate efforts and develop strategies in response to crimes against women. West Virginia has chosen to foster coordination at the local level by funding proposals submitted by interagency teams (called STOP Teams) composed of, at a minimum, the local domestic violence services provider, the county prosecuting attorney's office, and a local or county law enforcement agency. The proposals outline what each team intends to achieve with the Violence Against Women Act funding to improve the community's ability to protect victims and hold perpetrators accountable. This report provides a statistical summary of those victims served by the STOP Teams, includes an analysis of all victims reported to law enforcement through incident based reporting data maintained by the West Virginia State Police, and provides an analysis of cases reported by funded prosecution team members.

In the first section of this report, the number and characteristics of victims served by the STOP Teams were assessed through two data sources: the West Virginia Coalition Against Domestic Violence (WVCADV) database and demographic forms. This year the main data source was the WVCADV database since it is available to all STOP Team members who are victim advocates working in one of the thirteen licensed domestic violence programs. Law enforcement team members and those advocates working elsewhere submitted a demographic form for each victim they served each month. A total of 6,003 of the contacts in the WVCADV database were made by STOP Team advocates. The remaining advocates and law enforcement team members submitted 2,836 demographic forms.

Based on the victim contacts reported in the WVCADV database and the demographic forms, the majority of the victims served were female, white, and were an average of 30 years old. Just over half reported a history of abuse as an adult. Most sought the services of the programs based on a self-referral or the referral of a friend. Nearly three-fourths suffered emotional abuse, while 61.5% reported being abused physically. Abusers on the other hand were mostly male, white, and were an average of 36 years old. The majority of abusers were the spouse or other intimate partner of their victim. The abuser's fists were most often the weapon used against their victim. Two-thirds of the abusers indicated a history of abuse themselves as a contributing factor to the violence. In addition, the WVCADV database indicated that all 13 domestic violence programs served a total of 18,791 unique victims during the grant year. VAWA funded STOP Team advocates served 3,321 of these unique victims.

In the second section of this report, the West Virginia State Police Incident Based Reporting System (IBRS) was used to examine domestic violence incidents reported to law enforcement. The incidents were categorized as domestic violence based on the relationship between the victim and the offender. The number of victims involved in these incidents and the offenses they suffered are first illustrated for calendar years 2000 through 2002. The number of domestic violence victims decreased from 13,162 in 2000 to 11,169 in 2002. The total number of victims known to law enforcement also decreased during this time period. Domestic violence victims represented on average 13.7% of all victims known to law enforcement between 2000 and 2002. Other assaults, including simple assault, intimidation, and kidnapping/abduction, were the most frequent offenses suffered by domestic violence victims. Personal weapons, such as the offender's hands, feet, or teeth, were also the most common weapon reported to law enforcement.

Similar to the STOP Team data, victims reported in the IBRS for 2002 were most often female, white, and were an average of 31 years old. The majority of those arrested were male, white, and were an average of 33 years old. The nature of the victim-offender relationship reported in the IBRS data was considerably different than that shown

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in the STOP Team data. The IBRS data indicated that intimate partners, other than the spouse, and family members were reported more frequently, while the STOP Team data showed that the spouse was most often the victim's abuser. These results suggest that STOP Team members may be serving a different group of victims than those known to law enforcement. Only 6.1% of victims reported having a protective order on file at the time of the incident; however, 13.2% reported filing one following the incident.

The prosecution tracking forms completed by VAWA funded STOP Team prosecutors between July 2002 and June 2003 are the final data source presented in this report. The 11 funded county prosecutors reported 1,831 cases involving 1,950 individual victims. Over 80.0% of the tracking forms were submitted by 5 of the 11 counties. In terms of victim characteristics, fewer than one-fifth of the victims were male and 50.0% were either the spouse or a boyfriend/girlfriend of their abuser. Most cases (91.5%) contained a single charge and a majority of these cases were not disposed as they were originally charged. Instead, over half of these charges were dismissed, withdrawn, or resulted in not guilty verdicts. This pattern was consistent across all of the most frequently charged offense categories. When a disposition was rendered it was most often the result of a guilty plea (37.0%).

A total of 1,070 sentences were reported for the 1,831 cases. Nearly one-third of all cases received a sentence of probation. Over 85.0% of disposed cases received a sentence that included time on probation, the payment of fines or court costs, jail time, or some combination of the three. Only 10.7% of cases received batterer's intervention programs or other types of treatment. Less than 3.0% received an alternative sentence such as home confinement. Abusers were most likely to receive a jail sentence for 2nd and 3rd offense domestic violence cases and protective order violations. Lastly, this study found that participation by victims and law enforcement officers is essential for obtaining favorable outcomes for victims (e.g. no contests, plea of guilty, and findings of guilt). Over 80.0% of the cases resulted in a favorable outcome when victims and law enforcement officers participated in the prosecution. A favorable outcome was received in 69.5% of the cases when victims, law enforcement officers, and advocates all three participated in the prosecution.

Despite the data source examined in this study, it appears that the characteristics of victims remains consistent. The majority of victims seeking the services of domestic violence programs, law enforcement, and prosecutors are adult white females. These victims are seeking services for both emotional and physical abuse. A variety of services are provided by STOP Team members, including case management, legal advocacy, crisis counseling, and information and referrals between agencies. However, most cases are reported to be dismissed by STOP Team prosecutors. When a conviction is obtained, it is most often through a plea of guilty and probation is the most common penalty imposed on abusers. This study found that batterer's intervention programs and other types of treatment are imposed by the court in only 10.0% of cases. Finally, the results of this study underscore the importance of participation from domestic violence victims and law enforcement officers in increasing the likelihood of a successful prosecution.

## Statistical Summary of Persons Served

This section provides a detailed statistical summary of victims served from July 1, 2002 to June 30, 2003. The FY01 STOP Teams completed and submitted 2,836 demographic forms to the CJSAC for each victim served in each month by law enforcement or victim services. All STOP Team members who are advocates with one of the 13 licensed domestic violence programs provided

their data on victims served through the database maintained by West Virginia Coalition Against Domestic Violence (WVCADV). A total of 6,003 monthly unique victim contacts (victims counted only once for each month they were served) were reported by these team members in the database. Prosecutors were not required to submit demographic forms during FY01. No batterers intervention programs were VAWA funded during FY01.

Table 1  
FY 01 Contacts Served by STOP Team and Agency Type

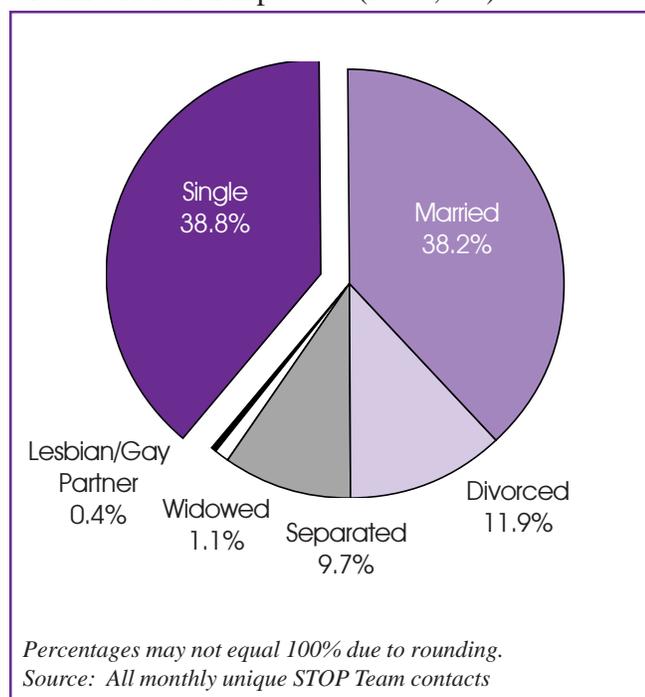
STOP Team	Demographic Forms by Agency Type		Total Forms	WVCADV Database	Total Contacts
	Victim Services	Law Enforcement			
Berkeley & Jefferson	0	0	0	93	<b>93</b>
Cabell County	0	0	0	281	<b>281</b>
Calhoun County	0	0	0	305	<b>305</b>
Fayette County	0	0	0	261	<b>261</b>
Gilmer County	0	37	37	83	<b>120</b>
Grant County	0	0	0	171	<b>171</b>
Greenbrier County	0	0	0	949	<b>949</b>
Kanawha County	245	2	247	0	<b>247</b>
Logan County	0	113	113	0	<b>113</b>
Marshall County	0	0	0	0	<b>0</b>
McDowell County	47	213	260	0	<b>260</b>
Mercer County	152	1	153	330	<b>483</b>
Mineral County	0	0	0	171	<b>171</b>
Mingo County	0	43	43	319	<b>362</b>
Monongalia County	0	764	764	543	<b>1,307</b>
Monroe County	0	91	91	299	<b>390</b>
Nicholas County	0	0	0	203	<b>203</b>
Ohio County	0	51	51	385	<b>436</b>
Pleasants County	0	0	0	125	<b>125</b>
Preston County	0	143	143	214	<b>357</b>
Putnam County	0	146	146	0	<b>146</b>
Raleigh County	0	139	139	302	<b>441</b>
Randolph County	0	371	371	274	<b>645</b>
Roane County	0	0	0	481	<b>481</b>
Summers County	0	51	51	214	<b>265</b>
Taylor County	0	12	12	0	<b>12</b>
Upshur County	0	29	29	0	<b>29</b>
Wood County	0	186	186	0	<b>186</b>
<b>Total</b>	<b>444</b>	<b>2,392</b>	<b>2,836</b>	<b>6,003</b>	<b>8,839</b>

## Contacts by STOP Team

Demographic forms were submitted mainly by law enforcement STOP Team members. However, three teams have victim service providers/advocates who submitted forms since they do not work for one of the licensed domestic violence programs. Demographic forms received from advocates who work for one of the licensed domestic violence programs and use the WVCADV database were discarded. Prosecutors submitted the prosecution tracking forms (discussed later in this report) in place of the demographic forms during FY01.

Because each team member submits a demographic form for each victim contact each month and unique identifiers are not collected, Table 1 will contain duplicate victims. Grant numbers reported in the WVCADV database were used to determine the number of contacts by VAWA funded advocates and to which STOP Team they were credited. To remain consistent with the demographic forms, each victim served was counted only once for each month they received services. It can be assumed that all contacts in the database were made by victim services.

Graph 1  
Victim's Relationship Status (N = 7,976)



The Monongalia County STOP Team reported the greatest number of contacts during FY01 (1,307). Over half of their contacts were made by law enforcement team members. Victim service providers on the Greenbrier County Team reported a total of 949 contacts. No contacts were reported by Marshall County team members in either the database or through the demographic forms.

## Victims

The following victim demographics were determined from the 2,699 demographic forms identifying the contact as a victim (the remaining 137 contacts were with batterers) combined with the 6,003 database records, unless otherwise noted. Thus, the information is representative of all monthly unique contacts reported by STOP Team members from July 1, 2002 through June 30, 2003. Some duplication may occur if a victim received services in more than one month during the year or if the same victim received services from multiple team members or multiple teams.

Most victims were females, white, and adults. Of the 8,681 victims whose gender was reported, 84.1% were females and 15.9% were males.

Race was known for 8,303 of the victims. The majority of the victims were white (94.6%) while 3.7% were black. The remaining 1.8% included Native American, Hispanic, multi-racial, Asian, Middle Eastern, and Pacific Islander victims.

The majority (85.5%) of the victims were adults. However, 14.5% of the victims were juveniles. The average age of the 7,623 victims was 30 years old.

Relationship status was reported for 7,976 of the victims. Slightly more victims were single (38.8%) than were married (38.2%). Graph 1 shows the complete distribution for marital status.

Many victims had only a high school education and had a history of abuse. Of the victims whose education level was reported, 45.6% indicated that the highest level they had completed was high school. Only 5.7% had a college or professional degree.

Over half of the victims (50.6%) reported a history of abuse as an adult. Being victimized as children was reported by 6.4%, while 3.5% reported witnessing abuse/assault as a child.

Many victims reported that they were not employed full-time. A little more than 40.0% were either unemployed (21.2%) or were homemakers (20.8%). Others reported that they were students (11.1%), employed part-time (8.9%), or were retired (1.7%). Full-time employment was reported for 22.0% of the victims.

A total of 4,531 (52.1%) victims indicated that they had reported the violence to the police. However, it should be noted that the majority of these reports were made through the demographic forms which could have been completed by law enforcement team members. Only 35.2% of the victims in the Coalition’s database indicated that the incident was reported to the police.

The source of the referral to the domestic violence program was reported in the database for each victim contact. Most victims (29.7%) sought services from the programs as a result of a self-referral or a referral from a friend (Table 2). Magistrates referred 25.7% of victims while law enforcement referred 14.5%.

Table 2  
Source of Referral to Domestic Violence Program  
(N = 4,973)

<u>Referred By</u>	<u>% Victims</u>
Self/Friend	29.7%
Magistrate	25.7%
Law Enforcement	14.5%
Legal Services	9.4%
Former Client	6.5%
Social Services	4.4%
DHHR	3.2%
Medical	2.6%
Shelter	1.9%
School	1.0%
Therapist	0.8%
Church/Minister	0.2%

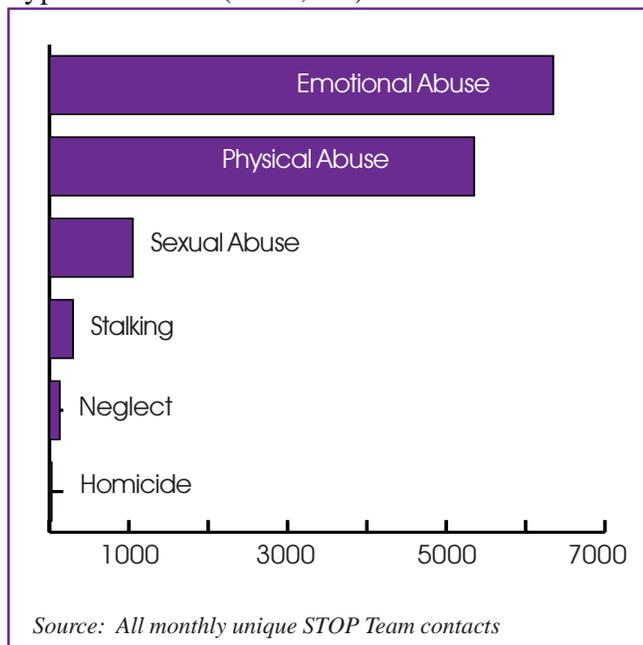
*Percentages may not equal 100% due to rounding.  
Source: WVCADV Database monthly unique STOP Team contacts*

### Services

The type of service provided was only collected in the Coalition’s database. The services are therefore those provided by domestic violence programs. Case management (69.4%) was the most frequently provided service. Legal advocacy services were received by 46.5% of victims at least once during the year. Crisis counseling was received by 42.1%, while 34.1% were provided information and/or referrals. Other services included criminal justice support (18.8%), hotline counseling (14.1%), personal advocacy (13.5%), follow-up (13.4%), visitation/exchange assistance (2.4%), therapy (2.2%), financial assistance (1.5%), and compensation claims (0.3%).

The victim’s reason for seeking services was reported both in the Coalition’s database and on the demographic forms. Emotional abuse (73.0%) was reported most frequently as the victim’s reason for seeking services (Graph 2). Physical abuse was reported in 61.5% of the victim contacts. Sexual abuse (12.1%), stalking (3.4%), neglect (1.5%), and homicide (0.5%) were also reasons for victims seeking services. Victims may report more than one reason for service for a given contact. Therefore, percentages will not total to 100%.

Graph 2  
Type of Services (N = 8,702)



## Abusers

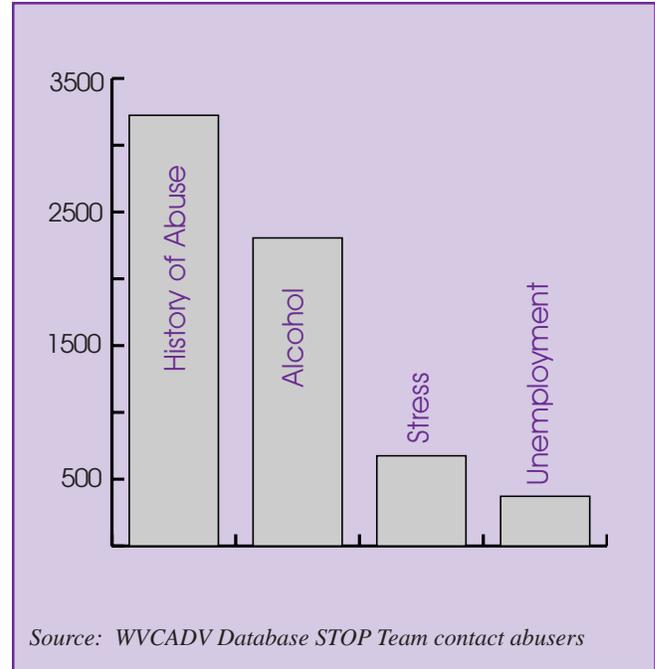
Information about the abuser was collected in the Coalition’s database each time a contact for service was made by a victim. There were a total of 23,463 abuser records in the database for contacts made from July 1, 2002 to June 30, 2003. The following information was limited to include only the 5,264 abusers whose victim was served by a STOP Team advocate. Some duplication of abuser data may occur since abusers are not uniquely identified in the database.

Most abusers were male, white, and adults. Of the 5,163 abusers whose gender was reported, 90.3% were males. Only 9.7% of abusers were females. The majority of abusers were white (93.1%). Just over 5.0% were black, while other races constituted the remaining 1.4%.

Age was reported for 4,408 of the abusers. The average age of the abuser was 36 years old. The most frequently reported age was 40 years old. Less than 2.0% of the abusers were juveniles. Table 3 shows the abuser’s age group compared to that of his or her victim. The majority (44.4%) of the victims and abusers fell within the same age group. However, 39.2% of victims were younger than their abuser. Only 16.4% of abusers victimized someone older than themselves.

Of all the abusers, 84.0% were males abusing females. Only 6.3% of male abusers had male victims. When the abuser was female, there was an equal number of male and female victims. Female abusers had a greater

Graph 3  
Contributing Factors (N = 5,264)



percentage of juvenile victims (18.6%) than male abusers (15.0%).

A history of abuse was reported as a contributing factor to the violence for 61.2% of the abusers. This includes situations where the abuser may have been a child witness or victim of violence or may have previously abused someone. Alcohol (43.8%), stress (12.8%), and unemployment (7.1%) were also reported as contributing factors to the abusers’ violence.

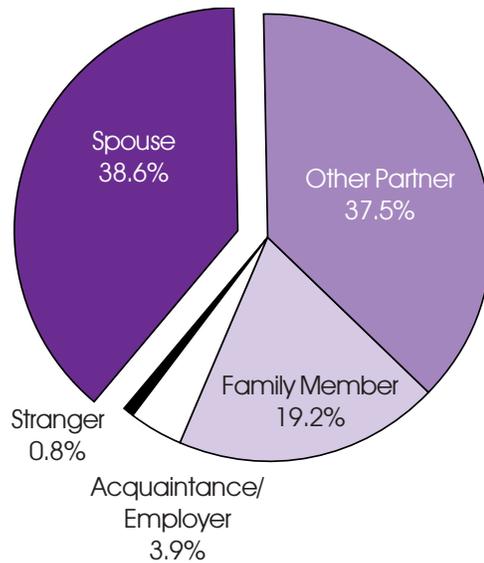
Table 3  
Abuser’s Age Group Compared to Victim’s Age Group

Abuser’s age group	Victim’s age group							Total
	Under 18	18 to 25	26 to 35	36 to 45	46 to 55	56 to 65	Over 65	
Under 18	50	13	5	5	2	2	0	77
18 to 25	107	401	147	36	29	6	2	728
26 to 35	252	249	720	198	45	12	6	1,482
36 to 45	197	90	276	456	96	36	13	1,164
46 to 55	41	33	79	183	217	34	7	594
56 to 65	2	6	16	15	55	35	3	132
Over 65	2	18	4	24	10	3	6	67
<b>Total</b>	<b>651</b>	<b>810</b>	<b>1,247</b>	<b>917</b>	<b>454</b>	<b>128</b>	<b>37</b>	<b>4,244</b>

Source: WVCADV Database STOP Team contact abusers

Table 4  
Abuser's Relationship to the Victim

<u>Relationship</u>	<u>#</u>	<u>%</u>
Spouse	2,968	38.6%
Significant Other	1,533	19.9%
Former Significant Other	774	10.1%
Parent	626	8.1%
Former Spouse	541	7.0%
In-law	334	4.3%
Acquaintance	300	3.9%
Son/Daughter	209	2.7%
Step Parent	147	1.9%
Brother/Sister	79	1.0%
Parent's Significant Other	78	1.0%
Stranger	64	0.8%
Lesbian/Gay Partner	32	0.4%
Employer	3	0.0%
<b>Total</b>	<b>7,688</b>	<b>100.0%</b>



Percentages may not equal 100% due to rounding.  
Source: WVCADV Database STOP Team contact abusers and Demographic Form contact abusers

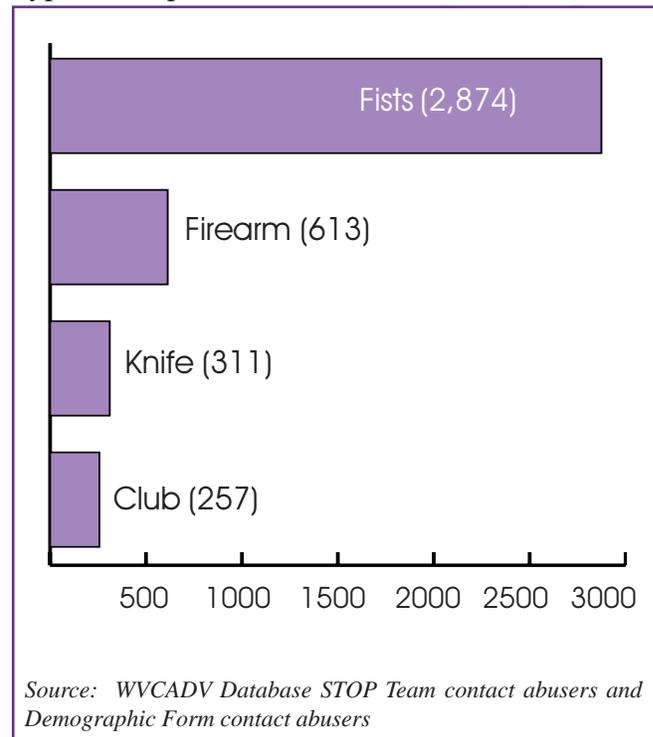
The abuser's relationship to the victim was reported for 7,688 of the contacts. These data were collected both in the database and on the demographic forms. Nearly all victims knew their abuser in some way. The abuser was most frequently reported to be the spouse of the victim (38.6%). Over three-fourths of the victims and offenders were involved in intimate partner relationships. Only 0.8% of the abusers were strangers to their victims. Table 4 shows the complete distribution of the abuser's relationship to the victim.

### Weapons

The type of weapon(s) threatened and/or used was reported for each of the 2,699 contacts reported on demographic forms and the 5,264 STOP Team contact abusers in the database. The abuser's fists (36.1%) were most often reported as the weapon used against the victim. In 7.7% of the contacts abusers threatened and/or used firearms. Knives (3.9%) and clubs (3.2%) were also reported.

It was reported that 18.1% of abusers had firearms present on the property during the violence. Firearms were talked about by 6.7% of the abusers and 4.4% threatened to use a firearm to commit suicide. It was reported that 3.2% of abusers held a firearm during the violence. Only 0.9% actually discharged the firearm.

Graph 4  
Type of Weapon Threatened/Used (N = 7,963)



Source: WVCADV Database STOP Team contact abusers and Demographic Form contact abusers

Table 5  
Unique Victims Served by Domestic Violence Program

Domestic Violence Program	STOP Team(s)	Victims
Branches Domestic Violence Shelter, Inc.	Cabell and Putnam	1,870
Family Crisis Center, Inc.	Grant and Mineral	506
Family Crisis Intervention Center of Region V, Inc.	Calhoun, Pleasants, Roane, and Wood	1,688
Family Refuge Center	Greenbrier and Monroe	1,269
Family Violence Prevention Program	Marshall and Ohio	1,080
HOPE, Inc.	Gilmer	1,390
Rape & Domestic Violence Information Center	Monongalia, Preston, and Taylor	1,788
Resolve Family Abuse Program	Kanawha	2,298
SAFE	Mercer and McDowell	1,395
Shenandoah Women's Center	Berkeley/Jefferson	939
Tug Valley Recovery Shelter Association, Inc.	Logan and Mingo	1,056
Women's Aid in Crisis	Randolph and Upshur	1,419
Women's Resource Center	Fayette, Nicholas, Raleigh, and Summers	2,093
Total		18,791

*Source: WVCADV Database*

### Unique Victims by DV Program

Of all the contacts reported in the WVCADV database, 18,791 were unique victims during the year (Table 5). This represents a decrease of 1.4% from the 19,062 unique victims served during FY00. STOP Team advocates served 3,321 (17.7%) of the FY01 unique victims (Table 6). Since duplicate data is not included for the 18,791 unique victims, these data were also analyzed for comparison to the STOP Team contact data presented earlier in this section.

In terms of demographics, unique victims were similar to the STOP Team contacts. Most (84.7%) were females. The majority (93.9%) of the victims were white. The average age was 30 years old, while the most frequently reported age was 32 years old. More of the unique victims were juveniles (18.7%), compared to the 14.5% shown in the STOP Team contact data. Slightly more of the unique victims reported that they were married (39.4%), while 38.7% were single.

Fewer of the unique victims indicated a history of abuse as an adult, 35.7% compared to 50.6% reported in the STOP Team contact data.

High school was the highest education level completed for 40.5% of the unique victims. Only 20.2% of the unique victims indicated that they were employed full-time.

As with the STOP Team contacts reported in the Coalition's database, the percentage of unique victims

that reported the violence to the police was much lower than the total reported for all STOP Team contacts (52.1%). Less than one-third (30.6%) had reported the incident to the police.

Table 6  
Unique Victims Served by STOP Team Advocates

STOP Team	Unique Victims Served
Berkeley/Jefferson County	51
Cabell County	212
Calhoun County	179
Fayette County	152
Gilmer County	45
Grant County	96
Greenbrier County	449
McDowell County	0
Mercer County	238
Mineral County	108
Mingo County	197
Monongalia County	364
Monroe County	118
Nicholas County	127
Ohio County	199
Pleasants County	51
Preston County	134
Raleigh County	106
Randolph County	73
Roane County	301
Summers County	121
Total	3,321

*Source: WVCADV Database*

## Domestic Violence Incidents Reported to Law Enforcement

Data were obtained from the West Virginia State Police Incident Based Reporting System (IBRS) for calendar years 2000-2002. This section describes those incidents reported to law enforcement in which the victim had a domestic relationship with least one of the offenders. Domestic relationships include all intimate partners and family members. On average, 70.0% of the victims had intimate partner relationships with their offender, while 30.0% were victimized by other family members.

Table 7 shows the distribution of the victims by the county of the law enforcement agency reporting the incident. Statewide, the number of domestic violence victims reported to law enforcement decreased from 13,162 in 2000 to 11,169 in 2002. This represents a 15.1% decrease. Kanawha, Raleigh, Berkeley, Wood, Mercer, and Cabell counties consistently reported the greatest number of domestic violence victims between 2000 and 2002. Nearly half of the victims were reported by these five counties.

**Table 7**  
Domestic Violence Victims Reported to Law Enforcement

	2000	2001	2002		2000	2001	2002
<b>West Virginia</b>	<b>13,162</b>	<b>12,347</b>	<b>11,169</b>	Mercer	675	643	681
Barbour	61	49	49	Mineral	121	129	150
Berkeley	1,153	742	464	Mingo	140	129	128
Boone	174	192	121	Monongalia	422	417	398
Braxton	54	61	59	Monroe	31	68	69
Brooke	31	41	65	Morgan	81	72	77
Cabell	724	606	514	Nicholas	216	133	187
Calhoun	18	21	21	Ohio	467	163	96
Clay	48	28	25	Pendleton	30	31	29
Doddridge	19	18	21	Pleasants	15	9	17
Fayette	205	292	211	Pocahontas	77	88	71
Gilmer	29	17	29	Preston	93	81	131
Grant	50	34	26	Putnam	181	330	253
Greenbrier	78	73	71	Raleigh	1,034	1,036	752
Hampshire	95	133	174	Randolph	170	178	167
Hancock	117	142	162	Ritchie	43	29	50
Hardy	74	57	65	Roane	84	95	78
Harrison	399	442	493	Summers	68	34	67
Jackson	139	148	150	Taylor	37	43	40
Jefferson	198	179	106	Tucker	16	37	39
Kanawha	2,576	2,262	1,971	Tyler	47	33	58
Lewis	101	109	96	Upshur	138	115	87
Lincoln	213	198	165	Wayne	301	404	393
Logan	226	304	363	Webster	65	43	29
Marion	285	266	242	Wetzel	48	45	57
Marshall	209	167	230	Wirt	31	40	18
Mason	154	215	133	Wood	776	836	707
McDowell	219	201	216	Wyoming	106	89	98

Note: Ohio County appears to show an 80.0% decrease in domestic violence victims during this period; however, no IBRS data was submitted by the Wheeling Police Department in 2002 and only limited data was submitted in 2001 due to technical problems. Domestic violence victims reported by Berkeley and Raleigh County agencies also appear to have decreased dramatically during this period. Based on the reported victim offender relationships, none of the incidents reported in 2002 by the Berkeley County Sheriff's Department could be categorized as domestic. The Beckley Police Department reported an average of 242 domestic violence victims during 2000-2001; however, only 7 were reported in 2002.

Source: WVSP IBRS Data

Table 8  
Most Serious Violent Offenses for Domestic Violence Victims

Offense	2000		2001		2002	
	# DV Victims	% All Victims (n=94,363)	# DV Victims	% All Victims (n=89,153)	# DV Victims	% All Victims (n=84,935)
Murder/Manslaughter	16	30.2%	19	41.3%	26	31.3%
Rape	67	19.8%	68	22.3%	44	13.2%
Robbery	11	1.4%	10	1.4%	4	0.6%
Aggravated Assault	1,963	44.8%	1,470	39.5%	1,027	34.1%
Other Assaults/Kidnapping	10,765	51.9%	10,453	53.1%	9,790	53.0%
Other Sex Offenses	257	36.8%	248	38.3%	224	37.6%
Other Nonviolent Offenses	83	0.1%	79	0.1%	54	0.1%
<b>Total</b>	<b>13,162</b>	<b>13.9%</b>	<b>12,347</b>	<b>13.8%</b>	<b>11,169</b>	<b>13.2%</b>

Source: WVSP IBRS Data

Table 8 shows the types of offenses that the domestic violence victims suffered. Up to ten offenses can be reported for each victim, only the most serious was selected. Violent person offenses were considered more serious than nonviolent property offenses for this analysis.

Domestic violence victims of all offense types decreased over the three year period, with the exception of murder/manslaughter. Consideration should be given to the low sample size in some categories when drawing conclusions based on these numbers. It is also important to note that the total number of victims, both domestic and non-domestic, decreased over this time period from 94,363 victims in 2000 to 84,935 victims in 2002.

In addition, the percentage columns in Table 8 show the proportion of all victims for each offense type that

were domestic violence victims. Domestic violence victims represented on average 13.7% of all victims known to law enforcement between 2000 and 2002. Just over half of all victims of other assaults/kidnapping were domestic violence victims. This category includes the offenses simple assault, intimidation, and kidnapping/abduction. About 40.0% of all victims of aggravated assault were domestic violence victims.

The types of weapons used against victims of domestic violence are shown in Table 9. Personal weapons, such as the offender's hands, feet, or teeth, were by far the most common weapon reported. On average, 2.3% of the victimizations for which weapon information was reported involved a firearm.

Table 9  
Weapons Reported in Domestic Victimization

<u>Weapon</u>	<u>2000</u>		<u>2001</u>		<u>2002</u>	
Firearm	259	2.5%	205	2.1%	197	2.3%
Knife	234	2.2%	181	1.9%	152	1.7%
Personal Weapon	7,651	73.2%	7,501	77.6%	6,944	79.6%
Other Weapon	560	5.4%	569	5.9%	427	4.9%
No Weapon	1,745	16.7%	1,210	12.5%	1,004	11.5%
<b>Total</b>	<b>10,449</b>	<b>100.0%</b>	<b>9,666</b>	<b>100.0%</b>	<b>8,724</b>	<b>100.0%</b>

Note: Other weapons include blunt objects, motor vehicles, poison, explosives, drugs, fire/incendiary devices, asphyxiation, or any other weapon or force not fitting those specifically listed.  
Source: WVSP IBRS Data

## 2002 Domestic Incidents

In 2002, there were 10,597 reported incidents where the victim and offender relationships were domestic. In these incidents there were 11,169 victims and 11,080 offenders. Arrests were reported in 4,920 of these incidents.

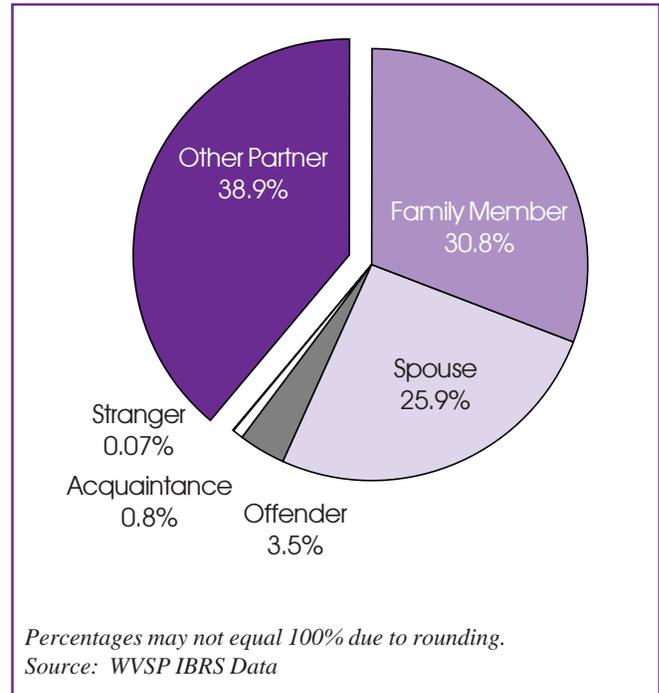
### Victims

The 11,169 domestic violence victims reported in 2002 represented 13.2% of all victims known by law enforcement. Again, a majority of the victims were female, white, and adults. Over three-fourths of the victims were females (77.2%). The majority of the victims were white (93.6%). The most frequently reported age for these victims was 24 years old. The average age was slightly higher at 31 years old. There were 1,249 (11.2%) juvenile victims reported.

Graph 5 shows the relationships of the domestic violence victims to each of their offenders. Victims that were related to more than one offender in the incident are counted in each appropriate category. The most frequently reported victim offender relationship was an intimate partner (38.9%), other than a spouse. Family members consisted of 30.8% of the relationships. In 25.9% of the relationships, the victim was the spouse of the offender. This is considerably different than what

Graph 5

Relationship of Domestic Violence Victims to their Offenders (N = 11,911)



was seen in the STOP Team data where the spousal relationship was the most frequently reported (38.6%). The victim was the offender relationship (3.5%) is used in cases where a participant in the incident is both a victim and an offender, such as in domestic disputes where both parties are charged.

Table 10 shows the distribution of the reported incident locations. Most of the victimizations took place in a residence or home (83.8%). There were 587 victimizations reported on a highway/road/alley. Another 236 occurred in parking lots or garages. Over 90.0% of the reported victimizations took place at one of these three locations.

### Offenders

The majority of offenders reported to law enforcement were male, white, and adults. Nearly 80.0% of the offenders were males. Just over 90.0% of the offenders were white. The most frequently reported offender age was 24 years old, while the average age was 34 years old. Juveniles made up 4.9% of the offenders.

An offender was suspected of using alcohol during or before the incident in 16.6% of the domestic victimizations. Drugs/narcotics were suspected in 2.0% of the domestic victimizations.

Table 10  
Location of Domestic Victimization

Location	#
Residence/Home	9,364
Highway/Road/Alley	587
Parking Lot/Garage	236
Medical/Commercial/Government Office	86
Bar/Night Club	77
Shopping Area	77
Convenience Store	56
Hotel/Motel	54
Restaurant	54
School/College	47
Other Outdoors	41
<b>Total</b>	<b>10,679</b>

Note: The remaining 490 locations were reported as "other/unknown."  
Source: WVSP IBRS Data

Table 11  
Arrest Offenses

Offense	#
Simple Assault	3,824
Aggravated Assault	562
Intimidation	378
Group B Offense	30
Forcible Fondling	27
Kidnapping/Abduction	19
Property Offense	19
Forcible Rape	15
Murder/nonnegligent manslaughter	13
Statutory Rape	13
Other Sex Offense	13
Drug or Weapon Law Violation	7
<b>Total</b>	<b>4,920</b>

Note: Group B offenses include disorderly conduct, drunkenness, curfew/loitering/vagrancy violations, trespassing, and all other offenses not defined in IBRS as Group A offenses.  
Source: WVSP IBRS Data

### Arrestees

Arrestees were also mainly male, white, and adults. Of those arrested, 81.5% were males. The majority (91.1%) were white. The most frequently reported arrestee age was 24 years old. The average age was 33 years old. Juveniles made up 3.0% of those arrested. Most (71.3%) of the juveniles were referred to other authorities. The remaining 28.7% were handled within the law enforcement agency.

Most of those arrested were unarmed at the time of the arrest. However, 102 did have some type of firearm in their possession when they were arrested.

Simple assault (77.7%) was the most frequently reported offense for these arrestees. A smaller percentage (11.4%) were arrested for aggravated assault. Intimidation was the offense charged in 7.7% of the arrests. Table 11 shows a complete breakdown of the offenses for which individuals involved in domestic violence incidents were arrested. Please note that these are the offenses for which the person was arrested. While all of these arrests cleared an offense in an incident that was considered domestic violence, that offense may not have been the one that was charged at the time of

arrest. This explains why some Group B offenses, property offenses, and drug/weapon offenses are included in Table 11.

### Domestic Incidents

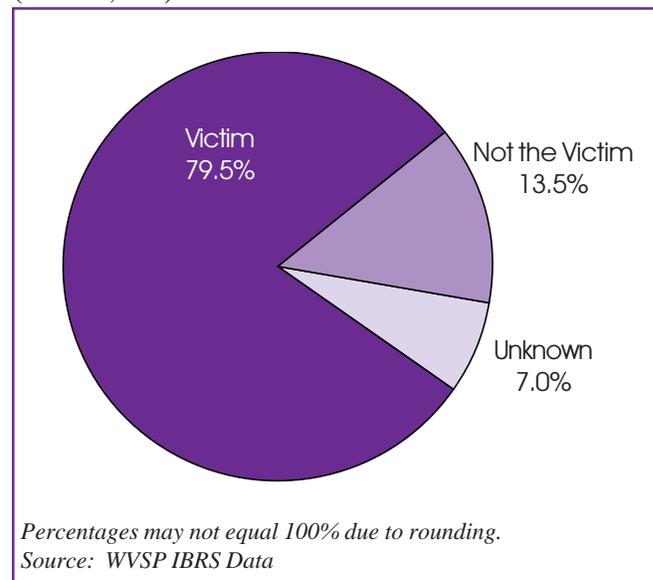
The West Virginia State Police IBRS collects some additional information specifically about incidents involving a domestic victim/offender relationship. This includes the action taken by law enforcement, who the complainant was, and information about protective orders.

The action taken by the law enforcement agency was reported for 11,159 of the victimizations. A referral (35.5%) was the most frequently reported action. An arrest was made in 33.1% of these victimizations. Just over one-fourth indicated some other unspecified action was taken. The magistrate was contacted in 4.0% of the victimizations, 0.7% indicated that transportation to a shelter or the court was provided, and 1.0% indicated all of the above actions were taken.

Graph 6 illustrates that the complainant in domestic violence incidents was most often the same person as the victim (79.5%). It was reported that only 25.2% of the complainants had previously contacted the law enforcement agency.

Only 6.1% of the victims had protective orders on file at the time of the incident. However, 4.2% reported that the incident was a violation of a current protective order. A protective order was filed following the incident by 13.2% of the victims.

Graph 6  
Complainant in 2002 Domestic Violence Incidents  
(N = 11,159)



## Domestic Violence Cases Reported by Prosecution Team Members

A prosecution tracking form was developed by the Division of Criminal Justice Services to gather information on domestic violence cases reported by VAWA funded STOP Team prosecutors. The tracking form captures victim information including the victim's age, gender, and participation in the prosecution as well as case specific information such as the offense charge, the offense disposition, and the actual sentence imposed by the court. Each VAWA funded STOP Team prosecutor completed a tracking form for each case disposed over a one-year period between July 2002 and June 2003.

STOP Team prosecutors in 11 WV counties submitted a total of 1,831 tracking forms (Table 12). Over 80.0% of the tracking forms were submitted from 5 of the 11 counties. The counties of Raleigh (22.4%), Wood (21.7%), Cabell (14.0%), Logan (11.9%), and Ohio (10.5%) had the greatest percentage of cases reported by STOP Team prosecutors. Meanwhile, 4 of the 11 counties accounted for less than 4.0% of the total number of cases reported during the year. Greenbrier (3.6%), Upshur (2.8%), Monroe (1.4%), and Preston (1.2%) counties each reported less than 4.0% of the total number of cases handled by STOP Team prosecutors.

### Victims

The 1,831 cases reported by the STOP Team prosecutors resulted in a total of 1,950 individual victims. Of the 1,950 victims, most of the victims were female and above the age of 18 years old. In fact, fewer than one in five victims were male (18.7%). Although male victims represent a small percentage of all victims reported by STOP Teams, this represents a 5.0% increase in the proportion of victims being male when compared to the FY00 evaluation results. No female victims were reported in 17.2% of the cases and no male victims were reported in 81.1% of the cases. It is important to note that no gender information was reported for victims in 28 of the 1,831 cases.

A vast majority of cases involved victims above 18 years of age. Of the 1,831 cases, only 93 (5.1%) contained at least one victim under the age of 18 years

Table 12  
Cases Referred to STOP Team Prosecutors

<u>County</u>	<u>#</u>	<u>%</u>
Cabell	257	14.0%
Greenbrier	65	3.6%
Logan	218	11.9%
Mingo	102	5.6%
Monongalia	91	5.0%
Monroe	26	1.4%
Ohio	192	10.5%
Preston	21	1.2%
Raleigh	410	22.4%
Upshur	52	2.8%
Wood	397	21.7%
<b>Total</b>	<b>1,831</b>	<b>100.0%</b>

*Percentages may not equal 100% due to rounding.  
Source: Prosecution Tracking Form Data*

old. However, these 93 cases produced a total of 138 victims and a majority of these victims were female. Nearly 66.0% of the victims under the age of 18 years old consisted of female victims.

Most cases involved only a single victim of either gender. A total of 1,696 cases (92.6%) involved a single victim, 160 (4.4%) two victims, 54 (1.0%) three victims, and 9 (0.5%) contained four or more victims. A total of 59 cases involved both male and female victims. These 59 cases yielded a total of 144 victims that were equally distributed across gender groups.

An analysis of victim and offender relationships suggests that most victimizations occur among spouses and other intimate partnerships (Table 13). Nearly 30.0% of all cases indicated that the victim was a spouse of the abuser while just over 20.0% of the cases reported that the victim was a boyfriend/girlfriend. Other prevalent relationships included victims who were intimate partners (11.5%) and cohabitating partners (10.4%). Similar to the FY00 evaluation, very few victims were estranged spouses (5.3%) and parents (4.6%).

Table 13  
Victims Relationship to the Offender

Relationship	#	%
Spouse	525	28.1%
Boyfriend/Girlfriend	409	21.9%
Intimate Partner	215	11.5%
Cohabiting Partner	195	10.4%
Estranged Spouse	99	5.3%
Parent	85	4.6%
Sibling	78	4.2%
Child	78	4.2%
Other Family Member	47	2.5%
Ex-spouse	33	1.8%
Other Household Member	24	1.3%
In-law	22	1.2%
Step-child	20	1.1%
Step-parent	10	0.5%
Child of Intimate Partner	8	0.4%
Grandparent	8	0.4%
Lesbian/Gay Partner	6	0.3%
Step-sibling	4	0.2%
Grandchild	1	0.1%
<b>Total</b>	<b>1,867</b>	<b>100.0%</b>

Percentages may not equal 100% due to rounding.  
Source: Prosecution Tracking Form Data

### Offenses Charged and Case Dispositions

Charge information was recorded for 1,785 cases. Of the 1,785 cases, over 90.0% consisted of a single charge while only 8.5% contained multiple charges. This resulted in a total of 1,633 cases in which a single offense was charged and 152 cases where multiple charges were filed. Charge offense information was missing in 2.5% of the cases. The 152 cases that involved multiple charges resulted in 170 charges. Most of the charges were for domestic battery (59), followed by protective order violations (33), other non-domestic violence (27), other domestic violence (26), and sexual assault charges (25).

To examine offenses charged and case dispositions, analyses were conducted on two groups of cases: 1) the total number of cases reported by STOP Team prosecutors, including cases with both single and multiple charges and 2) only those cases with a single charge. By limiting the analyses to cases that involved a single charge, the degree of congruence between the original charge and the final disposition of those cases could be examined.

Table 14  
Offenses Charged by Offense Disposed for Single Charge Cases

Offense Charged	Cases Charged	DV Battery	DV Assault	DV 2nd	DV 3rd	Other DV	SA 1st	SA 3rd	Stalking	Violation of PO	Other non-DV	Disposed
DV Battery	771	308	6	0	0	0	0	0	0	0	85	399
DV Assault	118	0	37	0	0	0	0	0	0	0	20	57
DV 2nd Offense	25	2	0	19	0	0	0	0	0	0	0	21
DV 3rd Offense	13	2	2	5	1	0	0	0	0	0	2	12
DV Other	533	1	0	0	0	204	0	0	0	0	34	239
1st Degree Sex Assault	1	0	0	0	0	0	0	0	0	0	0	0
2nd Degree Sex Assault	1	0	0	0	0	0	0	0	0	0	0	0
Stalking	9	0	0	0	0	0	0	0	1	0	1	2
Protective Order Violation	162	0	1	0	0	0	0	0	0	61	12	74
<b>Total</b>	<b>1,633</b>	<b>313</b>	<b>46</b>	<b>24</b>	<b>1</b>	<b>204</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>61</b>	<b>154</b>	<b>804</b>

Note: No charge or disposition was reported for 2nd degree sexual assault and homicide.  
Source: Prosecution Tracking Form Data

The results reported in Tables 14 and 15 indicate that a) a large proportion of all cases were dismissed and b) many cases were not disposed as they were originally charged. Based on an examination of the 1,633 cases that contained a single charge, only about half (49.2%) received a successful disposition (e.g. no contest, found guilty, or guilty plea). Instead, over 50.0% of cases charged with a single offense were dismissed, withdrawn, or resulted in not guilty verdicts.

This pattern was consistent across all of the most frequently charged offense categories. For instance, a total of 771 cases received a charge for domestic battery while only 399 (51.8%) resulted in a successful disposition. Of the 399 dispositions for the charge of domestic battery, only 308 (39.9%) of these cases were disposed as they were originally charged. The offenses of domestic assault, protective order violations, and other domestic violence charges show similar patterns. For the 162 cases originally charged with a protective order violation, only 74 (45.7%) received any disposition and 61 (37.7%) cases were disposed as protective order violations.

**Table 15**  
Cases Dismissed by Offense Category

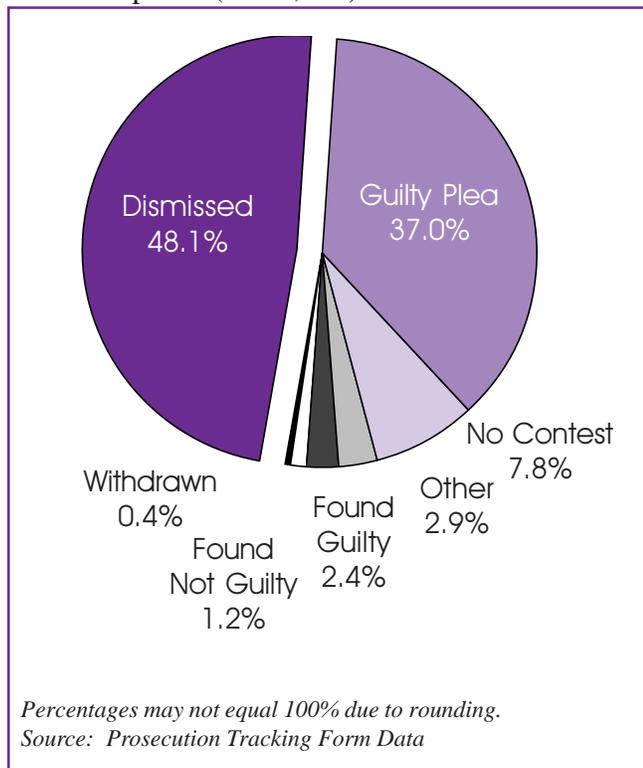
Offense	Cases Charged	Cases Dismissed	% Dismissed
DV Battery	770	380	49.4%
DV Assault	117	61	52.1%
DV 2nd Offense	25	4	16.0%
DV 3rd Offense	13	0	0.0%
DV Other	530	282	53.2%
Protective Order Violation	162	88	54.3%
<b>Total</b>	<b>1,617</b>	<b>815</b>	<b>50.4%</b>

Notes: Cases charged includes only cases where a single charge was reported for each offense. Cases that did not have a disposition recorded were excluded from this analysis.  
Source: Prosecution Tracking Form Data

Table 15 further underscores the notion that many cases are simply dismissed. The percentage of cases dismissed for domestic battery, domestic assault, protective order violations, and other domestic violence charges ranges from 49.4% to 54.3%. For the 1,617 cases charged with the offenses listed in Table 15, a total of 815 (50.4%) were dismissed.

In general, most cases are resolved through dismissals and pleas of guilty (Graph 7). Again, for all of the cases charged by STOP Team prosecutors, the most frequent type of disposition was for the case to be dismissed. A total of 881 (48.1%) of all the cases reported by the STOP Team prosecutors (including cases with single and multiple charges) resulted in a dismissal. Less than 1% of all cases were withdrawn prior to disposition and slightly over 1% received not guilty verdicts. Of the cases that resulted in a successful conviction, nearly 40.0% were obtained through guilty pleas, less than 8.0% no contest, and less than 3.0% resulted in a determination of guilt.

**Graph 7**  
Cases Disposed (N = 1,831)

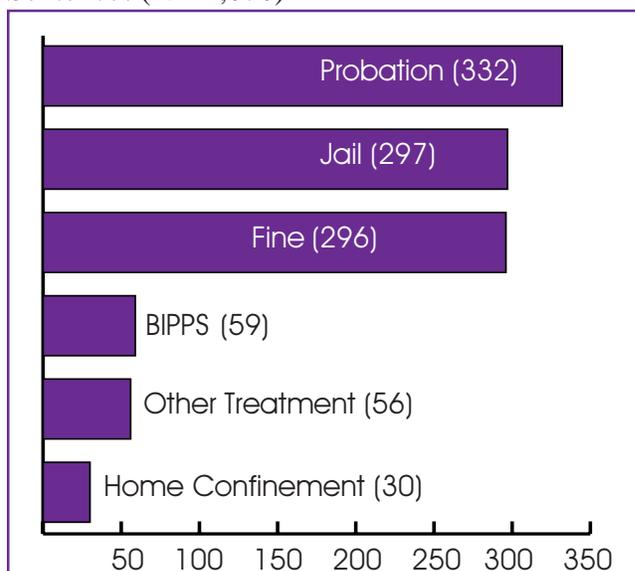


## Sentencing

Graph 8 illustrates the distribution of sentences for all cases (including cases with single and multiple charges). A total of 1,070 sentences were reported for all 1,831 cases. It is important to note that a single case may have multiple sentences.

A vast majority of cases were given a sentence that included one or a combination of three types of sentences. Over 85.0% of disposed cases received a sentence that included time on probation, the payment of fines or court costs, jail time, or some combination of the three. Nearly one-third (31.0%) of all cases received a sentence of probation. Probation was followed closely by the percentage of cases receiving a jail sentence (27.8%) or where an offender was ordered to pay fines or court costs (27.7%). Other forms of sentencing were used in less than 15.0% of the cases. Only 10.7% of cases received batterer's intervention programs and other types of treatment as part of the sentence. Less than 3.0% of all cases were sentenced to a period in a home confinement program.

Graph 8  
Sentences (N = 1,070)



Notes: The jail category only includes cases in which an offender actually served time in jail as part of his or her sentence. This category excludes cases in which a jail sentence was suspended or the offender was given credit for time served without additional jail time as part of their sentence.

The other treatment category includes counseling, substance abuse treatments, anger management sessions, and other forms of treatment that does not specifically target batterers.

Each case may involve more than one sentence.

Source: Prosecution Tracking Form Data

Table 16  
Distribution of Sentences by Offense Charged for Single Charge Cases

Offense	Cases Charged	Jail	Probation	HC	Fine	BIPPS	OtherTx	Other
DV Battery	771	112	145	9	130	40	18	16
DV Assault	118	16	7	1	23	3	2	4
DV 2nd Offense	25	12	13	0	1	0	3	0
DV 3rd Offense	13	4	4	2	1	0	2	2
DV Other	533	57	99	3	73	6	26	15
1st Degree Sex Assault	1	0	0	0	0	0	0	1
2nd Degree Sex Assault	1	0	0	0	0	0	0	0
Stalking	9	0	1	0	1	0	0	1
Protective Order Violation	162	41	16	2	31	1	0	4
<b>Total</b>	<b>1,633</b>	<b>242</b>	<b>285</b>	<b>17</b>	<b>260</b>	<b>50</b>	<b>51</b>	<b>43</b>

Notes: The jail category includes only cases where actual jail time was served as part of the sentence. Cases with a jail sentence that was suspended or given credit for time served are excluded.

Only 1 case contained a prison term as part of the sentence. The charges in this case were for 3 counts of DV 3rd Offense and 3 counts of Violation of Protective Order. This case was disposed as DV 3rd Offense.

This analysis excludes cases withdrawn, dismissed, or found not guilty.

Each case may have multiple sanctions for each charge. For example, a single case charge may include a term of probation, a fine, and mandatory treatment.

Source: Prosecution Tracking Form Data

Table 16 depicts the distribution of sentences for all cases that received a single charge. A total of 1,633 cases contained a single charge. Again, the results show that probation, jail, and fines are the most frequently used sanctions. Of the 1,633 cases, nearly eighteen percent (17.5%) of these charges received a sentence of probation while 15.9% received a jail sentence that included fines and/or court costs and 14.8% required time to be spent in jail.

In terms of sanctions for specific charges, the results indicate that those offenses most likely to receive time in jail as part of the sentence include second and third offense domestic violence cases and protective order violations. Although the number of cases reported by STOP Team prosecutors was small, nearly fifty percent (48.0%) of second offense domestic violence cases and thirty percent (30.8%) of third offense domestic violence cases received a term in jail. These same offenses were also just as likely to have a term of probation included as part of the sentence. One quarter of all cases (25.3%) that contained a single charge for a protective order violation received a jail sentence.

## Participation and Sentencing Outcomes

At least one victim participated in 826 (45.1%) of the 1,831 cases reported by STOP Team prosecutors. The 826 cases yielded a total of 919 victims that assisted in the prosecution of the case. Similarly, advocates tend to provide assistance to victims during the prosecution phase in a majority of the cases. In two-thirds (64.0%) of the cases, a victim advocate provided assistance to the victim. According to the prosecutor, law enforcement officers were also available when needed in a majority (82.2%) of the cases.

Table 17 displays the results of a chi-square analysis of the relationship between participation from victims, advocates, and law enforcement officers and disposition outcomes. To conduct this analysis, disposition outcomes were categorized into two groups: favorable and unfavorable. Favorable outcomes included dispositions that were viewed as positive for the victim, such as no contests, plea of guilty, and findings of guilt. Unfavorable outcomes included cases that were dismissed, withdrawn, or the defendant was found to be not guilty.

Table 17  
Chi-square Results for the Relationship between Disposition Outcomes and Type of Participation in the Prosecution of all STOP Team Cases

Type of Participation	Disposition Outcome				df	X <sup>2</sup>
	Favorable		Unfavorable			
	%	N	%	N		
Victim-Officer-Advocate	69.5%	439	30.5%	193	7	276.72***
Victim-Advocate Only	60.0%	15	40.0%	10		
Victim Only	53.2%	41	46.8%	36		
Officer Only	45.0%	139	55.0%	170		
Officer-Advocate Only	31.2%	144	68.8%	318		
Victim-Officer Only	82.5%	47	17.5%	10		
Advocate Only	16.7%	3	83.3%	15		
No Participation	17.7%	34	82.3%	158		

\*\*\*p < .001  
 Note: Cases disposed as "other" (n=59) or missing (n=7) were excluded from this analysis. Dispositions favorable to the victim include no contest, plea of guilty, and findings of guilt. Dispositions of unfavorable to the victim include found not guilty, dismissed, and cases withdrawn.  
 Source: Prosecution Tracking Form Data

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These findings illustrate that victim, advocate, and law enforcement participation in the prosecution of cases does have an impact on the nature of disposition outcomes. Although all three groups tend to participate in a vast majority of the cases, it appears that victim and officer participation is essential for achieving favorable outcomes in the prosecution of cases. Favorable disposition outcomes resulted in 70.0% to 80.0% of the cases when both the victim and law enforcement officer assisted the prosecution. In cases that included participation from the victim and a law enforcement officer only, 82.5% resulted in a favorable outcome. When all three groups – victims, advocates, and law enforcement officers – participate in the prosecution of cases, victims received a favorable outcome in 69.5% of the cases. Those cases that receive advocate only participation or no participation from any group are much less likely to result in a favorable outcome for the victim. Only 16.7% of cases receive a favorable outcome with advocate only participation in the prosecution.



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# Appendix

STOP Program Purpose Areas

## Data Collection Forms

Victim Demographic Form

Prosecution Tracking Form

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## STOP Program Purpose Areas

1. Training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women.
2. Developing, training, or expanding units of law enforcement officers and prosecutors specifically targeting violent crimes against women.
3. Developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women.
4. Developing, installing, or expanding data collection and communication systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions.
5. Developing, enlarging, or strengthening victim services programs, developing or improving delivery of victims services to minorities, providing specialized domestic violence court, and increasing reporting and reducing attrition rates for cases involving violent crimes against women.
6. Developing, enlarging, or strengthening programs addressing stalking.
7. Developing or strengthening programs addressing the needs and circumstances of Indian tribes in addressing violent crimes against women.

# WV Violence Against Women Act Programs

## Monthly Demographic Form

STOP Team Name: \_\_\_\_\_ Reporting Team Member: \_\_\_\_\_

Please write in the number(s) of the appropriate response(s) to each question in the space provided. **If the question does not apply or the information is not available, leave the space blank.** Provide only one response unless otherwise specified. Please complete one form for each person served. Additional instructions and definitions are on the Instructions sheet.

1. 01-VAW-\_\_\_\_\_ **Grant Number**

2. \_\_\_\_\_ **Month**

3. \_\_\_\_\_ **Your Role** on the STOP Team

1. Victim Services    3. Law Enforcement  
2. Prosecution    4. Other \_\_\_\_\_

4. \_\_\_\_\_ **Age** of Client

5. \_\_\_\_\_ **Age Status**

1. Child    2. Adult    3. Emancipated Child

6. \_\_\_\_\_ **New or Continuing Client?**

1. New    2. Continuing

7. \_\_\_\_\_ **Type of Victimization** (list ALL that apply)

1. Direct Victim    3. Child Witness to Domestic Violence  
2. Indirect Victim    4. Batterer or Perpetrator

8. \_\_\_\_\_ **Gender**

1. Female    2. Male

9. \_\_\_\_\_ **Race**

1. White    4. American Indian/Native Alaskan  
2. Black/African American    5. Multi-Racial  
3. Asian    6. Native Hawaiian/Pacific Islander

10. \_\_\_\_\_ **Ethnicity**

1. Hispanic/Latino    2. Not Hispanic/Latino

11. \_\_\_\_\_ **Physical Characteristics** (list ALL that apply)

1. Pregnant    3. Mental/Emotional Disability  
2. Physical/Medical Disability    4. Other \_\_\_\_\_

12. \_\_\_\_\_ **City**    **Client's Home**

\_\_\_\_\_ **County**

\_\_\_\_\_ **State**

\_\_\_\_\_ **Zip Code**

13. \_\_\_\_\_ **Economic Status** (list ALL that apply)

1. Homemaker    3. Part Time    5. Retired  
2. Full Time    4. Unemployed    6. Student

14. \_\_\_\_\_ **Number of Children** in the Home

15. \_\_\_\_\_ **Education** (indicate highest level attained)

1. GED    4. Some college    7. Doctorate  
2. HS Diploma    5. Bachelor's    8. Other \_\_\_\_\_  
3. Technical or Trade School    6. Master's

16. \_\_\_\_\_ **Client's Military Status**

1. Veteran    3. Never Served  
2. Active Duty or Reserves    4. Other \_\_\_\_\_

17. \_\_\_\_\_ **Gov't Benefits?** (list ALL that apply)

1. Food Stamps    3. Housing    5. Soc. Sec. Benefits  
2. Medical Card    4. TANF/WV Works    6. Other \_\_\_\_\_

18. \_\_\_\_\_ **Client's Relationship Status**

1. Single    3. Separated    5. Widow(er)  
2. Married    4. Divorced    6. Lesbian/Gay Partner

19. \_\_\_\_\_ **History of Abuse?** (list ALL that apply)

1. Previous Domestic Violence    3. Child Witness  
2. Child Victim    4. None

20. \_\_\_\_\_ **Relationship** of offender to victim

1. Spouse    8. Relative/In-law  
2. Former Spouse    9. Son/Daughter  
3. Significant Other    10. Acquaintance  
4. Former Significant Other    11. Stranger/other  
5. Parent    12. Employer  
6. Step-Parent    13. Lesbian/Gay Partner  
7. Parent's Significant Other    14. Other \_\_\_\_\_

21. \_\_\_\_\_ **Reason for Service** (list ALL that apply)

1. Physical Assault/Abuse    4. Neglect  
2. Sexual Assault/Abuse    5. Stalking  
3. Emotional Assault/Abuse    6. Other \_\_\_\_\_

22. \_\_\_\_\_ **Weapons** (list ALL that were threatened or used)

1. Firearm    3. Knife    5. Bat, Club, or Stick  
2. Fist    4. Other \_\_\_\_\_

23. \_\_\_\_\_ **Was this incident reported to the Police?**

1. Yes    2. No

24. \_\_\_\_\_ **Was a Domestic Violence Petition Filed?**

1. No, not Filed    3. Yes, Filed but Denied  
2. Yes, Filed & Issued    4. Yes, Filed but Dropped

25. \_\_\_\_\_ **Did victim require Medical Attention?**

1. Yes    2. No

26. \_\_\_\_\_ **Did victim receive Medical Services?**

1. No    3. Hospital Stay    5. Other \_\_\_\_\_  
2. ER    4. Doctor's Office/Clinic Visit

27. \_\_\_\_\_ **Use of Firearms** (list ALL that apply)

1. Firearm(s) present on property  
2. Firearm(s) talked about  
3. Abuser threatened suicide  
4. Firearm held by abuser  
5. Firearm discharged by abuser

28. \_\_\_\_\_ **Underserved Geographic Area**

1. Rural Area    3. Underserved Urban Area  
2. Tribal Area    4. Other Underserved Area \_\_\_\_\_

29. \_\_\_\_\_ **Language Spoken** if client does not speak English.

1. Spanish-Speaking    3. Other \_\_\_\_\_  
2. Asian Language

30. \_\_\_\_\_ **Underserved Populations** (list ALL that apply)

1. Migrant Farm Worker  
2. Immigrant  
3. At-Risk Group (incarcerated, prostitute, and/or substance abuser, etc.)  
4. Other Underserved Population \_\_\_\_\_

# WV Violence Against Women Act Programs

## Instructions

Please write in the number(s) of the appropriate response(s) to each question in the space provided. If the question does not apply or the information is not available, leave the space blank. Provide only one response unless otherwise specified. Please complete one form for each person served.

Please write the name of the STOP Team and your name in the upper portion of the demographic form.

1. Write in the **Grant Number** for the current grant year.
2. Write in **Month** during which services were provided.
3. Write in the number that indicates **Your Role** on the STOP team. If the first three do not apply, please write in your role under #4.
4. Write in the client's **Age**. If not available, leave the space blank.
5. Write in the number corresponding to the client's **Age Status**.
  1. Child: Client is under 18 years old and not emancipated.
  2. Adult: Client is 18 or older.
  3. Emancipated: Client is under 18 years old, but emancipated.
6. Write in a number to indicate if the client is **New or Continuing**. Continuing clients are those that have previously received services since July 1, 2002.
7. Write in as many numbers needed to indicate the **Type of Victimization** the client experienced.
  1. Direct Victim: The client personally experience assault/abuse.
  2. Indirect Victim: The client was impacted by another person's victimization.
  3. Child Witness to DV: The client witnessed assault/abuse as a child.
  4. Batterer or Perpetrator: The client is being served as a batterer.
8. Write in a number to indicate the client's **Gender**.
9. Write in a number that best indicates the client's **Race**.
10. Write in a number to indicate the client's **Ethnicity**.
11. Write in as many numbers needed to describe the client.
  1. Pregnant
  2. Physical/Medical: Impairments substantially limit one or more major life activities.
  3. Mental/Emotional: Impairments substantially limit one or more major life activities.
12. Write in the **Client's Home** city, county, state, and zip code.
13. Write in the numbers that apply to the client's **Economic Status**.
  1. Homemaker: Client does not regularly work for pay.
  2. Full Time Employment: Client is employed 35 hrs or more per wk or regularly provides contracted services.
  3. Part Time Employment: Client is employed less than 35 hrs per wk or periodically provides contracted services.
  4. Unemployed: Client was previously employed, but currently is not.
  5. Retired: Client has voluntarily ended employment and is voluntarily unemployed.
  6. Student: Client is a full or part time student in academic or professional school.
14. Write in the number of **Children** under the age of 18 who live 50% or more of the time in the client's home.
15. Write in a number to indicate the highest level of **Education** obtained by the client.
16. Write in a number to indicate the client's current **Military Status**.
17. Write in the numbers that indicate all the **Gov't Benefits** received.

### 18. Write in a number to indicate the client's current **Relationship Status**.

1. Single: Client has never been legally married.
2. Married: Client is currently in a legal marriage.
3. Separated: Client is legally separated.
4. Divorced: Client is legally divorced and has not remarried.
5. Widowed: Client is widowed and has not remarried.
6. Lesbian/Gay Partner: Client is in a long-term intimate same-sex relationship.

### 19. Write in as many numbers as needed to indicate the client's **History of Abuse**.

1. Previous Domestic Violence: Client has been abused/assaulted as an adult prior to this incident.
2. Child Victim: Client has been abused/assaulted as a child prior to this incident.
3. Child Witness: Client witnessed abuse/assault as a child prior to this incident.

### 20. Write in a number to indicate the offender's **Relationship** to the client.

### 21. Write in the numbers to indicate the **Reason for Service**.

1. Physical Assault/Abuse: Non-sexual bodily harm or injury caused or threatened directly or indirectly.
2. Sexual Assault/Abuse: Unwanted sexual contact, e.g. rape, molestation, incest.
3. Emotional Abuse: Exploitation of client's vulnerability, insecurity, or character in order to demean or control. Includes verbal assault.
4. Neglect: Refusal or failure to provide basic needs to a child or incapacitated adult.
5. Stalking: Following, harassing, or threatening with intent to harm the client or the client's family.

### 22. Write in the numbers to indicate all the types of **Weapons** threatened or used against the victim in the latest incident.

### 23. Indicate if any person called or notified any **Police** agency during or after the incident.

### 24. Indicate if the client requested and received a **Domestic Violence Petition**.

### 25. Indicate if the client required **Medical Attention** for latest incident.

### 26. Indicate the **Medical Services** received, if any.

### 27. Write in the numbers that apply to **Firearms** during the latest incident. It is important to list all options that apply, not just the most serious.

1. Firearm(s) present on property: Either client's or abuser's property, including garages, barns, or land.
2. Firearm(s) talked about: Abuser mentioned any firearm.
3. Abuser threatened suicide: Abuser threatened to hurt himself or herself with any firearm.
4. Firearm held by abuser: Abuser touched, lifted, held, or waved any firearm.
5. Firearm discharged by abuser: Regardless of what the bullet hit.

### 28. Indicate the client's **Geographic Area** if considered an underserved area.

1. Rural Area: Outside of any city limits.
2. Tribal Area: Recognized tribal area.
3. Underserved Urban Area: Within city limits, but with limited services.
4. Other Underserved Area: Describe location of the underserved area.

### 29. Indicate the primary **Language Spoken** if the client does not speak English.

### 30. List all of the following **Underserved Populations** the client represents.

1. Migrant Farm Worker
2. Immigrant
3. At-Risk Group: Includes incarcerated, prostitute, substance abuser.
4. Other Underserved Population: Please write in the specific, underserved population the client represents other than non-Caucasian, elderly, and disabled clients.

# STOP VIOLENCE AGAINST WOMEN

## Prosecution Tracking Form

Please complete the following form on all domestic violence, sexual assault, stalking or other violence against women cases disposed from July 1, 2002 through June 30, 2003, and return the forms by the 20<sup>th</sup> of the month following the disposition month to the Division of Criminal Justice Services - 1204 Kanawha Blvd. E. - Charleston, WV 25301. Please direct questions concerning this form to: Erica Turley - Phone: (304) 558-8814 ext. 207 or Email: eturley@wvdcjs.org.

**STOP Team County:** \_\_\_\_\_

1. What was the **Case Number** assigned? (Complete one form per case.) \_\_\_\_\_
2. How many **Victims** of each **Gender** (if any) were involved? \_\_\_\_\_ Female \_\_\_\_\_ Male
3. Did any **Victim** participate in the prosecution?  Yes  No
4. Was any **Victim under age 18**?  Yes  No
5. What was the **Relationship(s)** of the offender and the victim(s)? (If more than one victim, please indicate the number(s) on the appropriate line(s).)

- |   |   |
|---|---|
| _____ 1. Victim was Spouse                    | _____ 11. Victim was Grandparent            |
| _____ 2. Victim was Estranged Spouse          | _____ 12. Victim was Grandchild             |
| _____ 3. Victim was Cohabiting Partner        | _____ 13. Victim was In-Law                 |
| _____ 4. Victim was Parent                    | _____ 14. Victim was Step Parent            |
| _____ 5. Victim was Homosexual Relationship   | _____ 15. Victim was Step Child             |
| _____ 6. Victim was Intimate Partner          | _____ 16. Victim was Step Sibling           |
| _____ 7. Victim was Boyfriend/Girlfriend      | _____ 17. Victim was Ex Spouse              |
| _____ 8. Victim was Child of Intimate Partner | _____ 18. Victim was Other Family Member    |
| _____ 9. Victim was Sibling                   | _____ 19. Victim was Other Household Member |
| _____ 10. Victim was Child                    |   |

(For Questions 6 and 7, please indicate how many counts of each offense were charged and disposed.)

- |   |  |
|---|--|
| 6. What was the <b>Offense(s) Charged</b> ? | 7. What was the <b>Offense(s) Disposed</b> ? |
| _____ DV-Domestic Battery                   | _____ DV-Domestic Battery                    |
| _____ DV-Domestic Assault                   | _____ DV-Domestic Assault                    |
| _____ DV-Second Offense                     | _____ DV-Second Offense                      |
| _____ DV-Third Offense                      | _____ DV-Third Offense                       |
| _____ 1 <sup>st</sup> Degree Sexual Assault | _____ 1 <sup>st</sup> Degree Sexual Assault  |
| _____ 2 <sup>nd</sup> Degree Sexual Assault | _____ 2 <sup>nd</sup> Degree Sexual Assault  |
| _____ 3 <sup>rd</sup> Degree Sexual Assault | _____ 3 <sup>rd</sup> Degree Sexual Assault  |
| _____ Stalking                              | _____ Stalking                               |
| _____ Homicide (DV related)                 | _____ Homicide (DV related)                  |
| _____ Violation of Protective Order         | _____ Violation of Protective Order          |
| _____ Other (Specify): _____                | _____ Other (Specify): _____                 |

8. How was the case **Disposed**?
1. Plea
2. Bench Trial
3. Jury Trial
4. Other (Specify): \_\_\_\_\_

9. What **Date** was the case disposed?
- \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

10. What was the case **Disposition**? (Check all that apply.)
- |  |  |
|--|--|
| <input type="checkbox"/> 1. No Contest       | <input type="checkbox"/> 5. Dismissed              |
| <input type="checkbox"/> 2. Plea of Guilty   | <input type="checkbox"/> 6. Withdrawn              |
| <input type="checkbox"/> 3. Found Guilty     | <input type="checkbox"/> 7. Other (Specify): _____ |
| <input type="checkbox"/> 4. Found Not Guilty |  |

11. What was the **Sentence**? \_\_\_\_\_
12. Was the offender **court ordered** to a **Batterers Intervention Program**? Yes  No
13. Was a law enforcement officer available when needed for this case? Yes  No
14. Did an advocate assist the victim(s) during this case? Yes  No

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# STOP VIOLENCE AGAINST WOMEN

## Prosecution Tracking Form

### Instructions

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If you have additional questions or need clarification please contact: Erica Turley – Phone: (304) 558-8814 ext. 207 or Email: [eturley@wvdcjs.org](mailto:eturley@wvdcjs.org).

- Complete the prosecution tracking form on all domestic violence, sexual assault, stalking or other violence against women **cases disposed** from July 1, 2002 through June 30, 2003. Submit only cases with a final disposition. Cases that are transferred to a grand jury are not considered disposed until the final disposition from the grand jury hearing.
- Forms should be submitted to the Division of Criminal Justice Services by the **20<sup>th</sup> of the month** following the disposition month.
- For purposes of this data collection form, a **case** is defined for question 1 as one incident or series of incidents that occurs during one day that may result in multiple charges. If your county uses an individual case number for each charge, list multiple case numbers for this question.
- For purposes of this data collection form, **participation** is defined for question 3 as being involved in helping to prosecute the offender. (For example: the victim testifies against the offender and does not recant.)
- The offenses charged or disposed include the following **offenses**:
  - **Domestic Violence**: §61-2-28(a) Domestic battery
  - **Domestic Violence**: §61-2-28(b) Domestic assault
  - **Domestic Violence**: §61-2-28(c) Second offense
  - **Domestic Violence**: §61-2-28(d) Third offense
  - **1<sup>st</sup> Degree Sexual Assault**: §61-8B-3 Sexual assault in the first degree.
  - **2<sup>nd</sup> Degree Sexual Assault**: §61-8B-4 Sexual assault in the second degree.
  - **3<sup>rd</sup> Degree Sexual Assault**: §61-8B-5 Sexual assault in the third degree.
  - **Stalking**: §61-2-9a Stalking.
  - **Homicide**: §61-2-1 First and second degree murder, §61-2-4 Voluntary manslaughter, §61-2-5 Involuntary manslaughter, and §61-2-7 Attempt to kill or injure by poison.
  - **Violation of Protective Order**: §48-27-902 Violations of protective orders
  - **Other**: Please list all other offenses that are charged or disposed in the case. If possible, provide WV Code Citations instead of the offense name.
- For the purposes of this data collection form, **Batterers Intervention Programs** in question 12 includes the 9 programs currently licensed by the Family Protection Services Board. Referrals to any other program should be listed in question 11 – Sentence. The 9 programs include:

#### **Common Purpose of the Panhandle**

630 Winchester Ave.  
Martinsburg, WV 25402  
262-4424  
Contact: Teresa Green-Longley

#### **Family Refuge Center**

PO Box 249  
Lewisburg, WV 24901  
645-6334  
Contact: Jim Bragg

#### **PSI-MED/Mt. Olive Correctional Center**

One Mountainside Way  
Mt. Olive, WV 25185  
442-7213 x283  
Contact: Sandi Jaynes

#### **Task Force on Domestic Violence**

**Hope, Inc.**  
PO Box 626  
Farimont, WV 26555  
367-1100  
Contact: Linda Pethtel

#### **Tug Valley Recovery Shelter**

PO Box 677  
Williamson, WV 25661  
Contact: Joe Chapman  
PO Box 431  
Matewan, WV 25678  
235-2954

#### **United Summit Center**

6 Hospital Plaza  
Clarksburg, WV 26301  
623-5661 x345  
Contact: Jeff Pritchard

#### **Women's Resource Center**

PO Box 1476  
Beckley, WV 25802  
255-1853  
Contact: Andrew Caldwell

#### **YWCA-FVPP**

1100 Chapline Street  
Wheeling, WV 26003  
232-2350

#### **YWCA Resolve Family Abuse**

1114 Quarrier Street  
Charleston, WV 25301  
340-3554  
Contact: John and Kim Johnson

