

CRIMINAL DOMESTIC VIOLENCE INCIDENTS IN CHARLESTON COUNTY

**A One-Year Study of Criminal Domestic Violence Incident Reports
from Charleston County Law Enforcement Agencies:
Data Collection and Analytical Review**

Coordinated Community Response to Domestic Violence

Ninth Circuit Solicitor's Office

101 Meeting Street, Suite 338

Charleston, SC 29401

nyquistk@scsolicitor9.org

2011

This project was supported by Grant 2009-WE-AX-0021 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the author(s) and do not necessarily reflect views of the Department of Justice, Office on Violence Against Women.

TABLE OF CONTENTS

A. Introduction.....	4
B. Acknowledgements.....	4
C. Methodology.....	4
D. Data Input.....	6
E. Limitations.....	9
F. Findings	
1. Demographic Information.....	10
i. Age	
ii. Gender	
iii. Race	
iv. Ethnicity	
v. Victim-Offender Relationship	
2. Incident Details.....	13
i. Day of the Week	
ii. Time of Day	
iii. Incident Location	
iv. Incident Offense	
v. Other Charges	
vi. Suspect Prior CDV Offenses Indicated in Report	
vii. Action Taken by Officer	
viii. Suspect Gone-On-Arrival (GOA)	
ix. Officer Action When GOA	
x. Breakdown of Incident Classification by Action Taken by Officer	
3. Victim Injury.....	21
i. Severity of Reported Injury	
ii. Incidents Involving Strangulation	
iii. Offense Classification of Incidents Involving Strangulation	
iv. Action Taken by Officer in Incidents Involving Strangulation	
v. Documented Terminology in Incident Reports Involving Strangulation	
vi. EMS Assistance	
vii. Breakdown of Incident Classification by Injury Severity	
viii. Breakdown of Officer Action Taken by Injury Severity	

4. Children.....	26
i. Children Present at the Scene	
ii. Children Listed in Incident Report	
iii. Breakdown of Incident Classification in Cases Where Children Were Listed as Victims	
5. Weapons.....	30
i. Presence of Weapons	
ii. Weapon Type and Second Weapon	
iii. Degree of Weapon Lethality	
iv. Breakdown of Incident Classification by Weapon Lethality	
6. Other Variables.....	34
i. Complainant	
ii. Evidence Collection – Photos and Other Evidence	
iii. Substance Use by Suspect	
iv. Substance Use by Victim	
v. Language Barriers	
vi. Notification of Protective Measures Provided to Victim	
7. Demographic Information by Agency.....	39
i. Suspect Age	
ii. Victim Age	
iii. Victim and Suspect Ethnicity	
iv. Victim and Suspect Race	
G. Next Steps.....	44

INTRODUCTION

Law enforcement officers are the first responders to criminal incidents, and therefore come the closest to seeing and hearing what actually happens behind closed doors of violent homes¹. Because domestic violence situations are so complex, and because the details of the incident often change as the case makes its way through the criminal justice system, the written incident report and the evidence collected by the responding officer are critical elements to the successful prosecution of domestic violence cases. For these reasons, the Task Force of the Coordinated Community Response to Domestic Violence decided to investigate what is really happening in domestic violence homes using incident reports as a measure of actual trends.

ACKNOWLEDGEMENTS

The Coordinated Community Response to Domestic Violence (CCRDV) project staff within the Ninth Circuit Solicitor's Office of South Carolina acknowledges those individuals who worked diligently to access, input, and analyze the incident report data and those who otherwise contributed to the 2009-2010 Charleston County Criminal Domestic Violence Incident Report Data Analysis Project. Primary contributors include the seven law enforcement agencies in Charleston County, the student interns that assisted in the data input and reporting, and MUSC's National Crime Victim Research and Treatment Center (NCVC) for their partnership in data analysis.

METHODOLOGY

The purpose of this project is to more fully comprehend law enforcement's current response to domestic violence incidents and to pinpoint variations, trends, and training needs. We examined seven separate law enforcement agencies currently operating within Charleston County.² This vast number of agencies makes the county very unique and also allows for a high number of potential variations in procedures and policies.

The CCRDV collected all criminal domestic violence (CDV) incident reports from each of the individual law enforcement agencies for incidents occurring from July 1, 2009 to June 30, 2010 (see Appendix A for statutory definitions of criminal domestic violence and other relevant crimes in South Carolina). The collection process varied depending on the agency. While some agencies were able to easily print out their small number of reports and hand them over, other agencies provided a computer and printer for the CCRDV staff to physically report to the agency, search through their incident report database³ and

¹ The Saint Paul Domestic Abuse Intervention Project. "The Blueprint for Safety: An Interagency Response to Domestic Violence Crimes." St. Paul, 2010, 31.

² The seven law enforcement agencies in Charleston County include: Charleston County Sheriff's Office, City of Charleston Police Department, Folly Beach Department of Public Safety, Isle of Palms Police Department, Mount Pleasant Police Department, North Charleston Police Department, and Sullivan's Island Police Department.

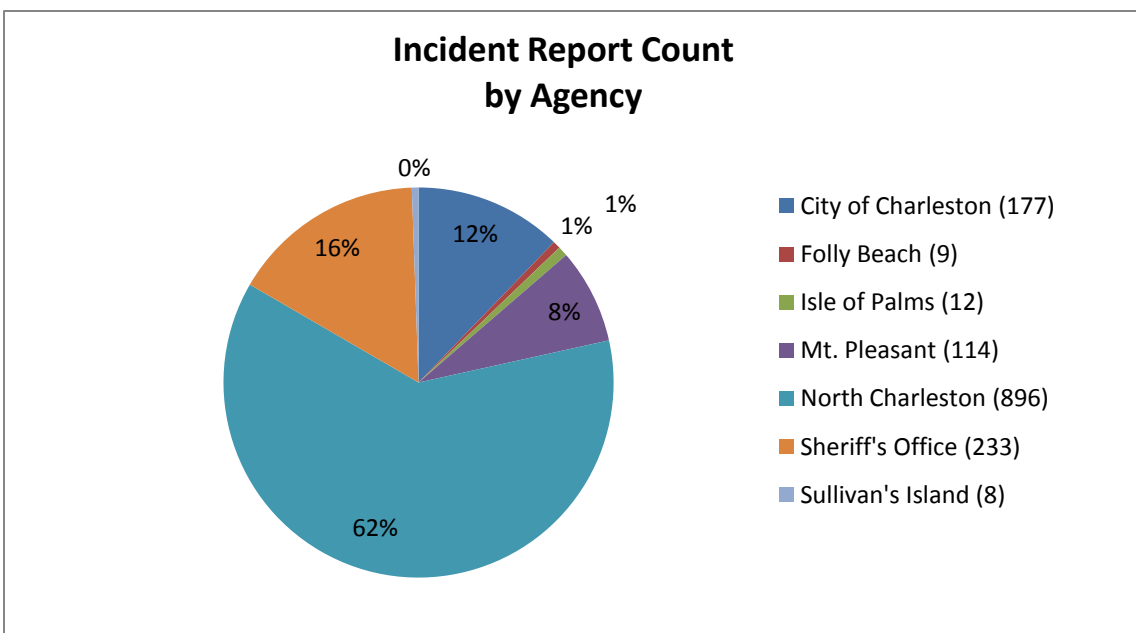
The City of Charleston Police Department occasionally responds to incidents in Berkeley County, and the North Charleston Police Department occasionally responds to incidents in Dorchester County. These reports were not eliminated from the data collection and were included in this report. The total number of incident reports from Dorchester County is 66, and there are a minimal number of cases from Berkeley County that spilled over into this collection.

³ Incident Databases: North Charleston Police Department uses the program VisionRMS, developed by the company VisionAIR. VisionRMS is a records management system for law enforcement that provides users the ability to quickly locate information related to subjects or criminal activity through an intuitive and user-friendly interface. The City of Charleston Police Department

manually print out each report. For one agency alone, it took three days and two staff members to print out all of their CDV incident reports.

After collecting the reports, CCRDV staff filtered the reports to omit any incidents that did not meet the definition of household members and thus, non-CDV incidents. Because of variations in UCR Codes⁴ and report classifications, this was an extensive process. When this process was complete, a total of **1,449 CDV incident reports** had been obtained.

The chart below represents the number of reports analyzed from each of the seven law enforcement agencies in Charleston County.



uses a similar tool called RMS, but their version is developed by SunGard. It allows agencies to collect, store, and access critical information.

⁴ See page 9 for more information on UCR Codes.

DATA INPUT

Incident report data from each agency was inputted into separate databases. Within the seven databases, the below information was collected from each individual incident report (if it qualified as a criminal domestic violence incident⁵):

1. **Bate Stamp ID:** internal tracking number
2. **Suspect Name** (last, first, middle)
3. **Case Number:** agency tracking number
4. **Suspect Information**
 - a. Age
 - b. Sex
 - c. Race
 - d. Ethnicity
5. **Victim Information**
 - a. Age
 - b. Sex
 - c. Race
 - d. Ethnicity
6. **Incident Information**
 - a. Day of the week
 - b. Premise location
 - i. RH= residence/home
 - ii. AC= apartment/condo
 - iii. HM= hotel/motel
 - iv. HRA= highway/road/alley
 - v. PLG= parking lot/garage
 - vi. BAR= bar/nightclub/lounge
 - vii. other= anything else
 - c. **Incident Classification**
 - d. CDV-unspecified= C.D.V., Criminal Domestic Violence, Crim Domestic Violence, CDV, 13B CDV, 13B Domestic Violence, Possible CDV; anything that is CDV that does not have a 1st, 2nd, 3rd or CDVHAN
 - e. CDV 1st= CDV (first), CDV (1ST) etc.
 - f. CDV 2nd= C.D.V. 2ND, CDV 2, etc.
 - g. CDV 3rd= CDV third, CDV-3, etc.
 - h. CDVHAN= CDV High and Aggravated Nature, CDV-HAN, etc.
 - i. OOP Viol.= Violation of Order of Protection

⁵ A large percentage were filtered out from the original collection as cases were identified as non-CDV, which was determined by looking at parties involved and whether they were household members.

- j. CHILD= Unlawful Conduct Towards a Child, Cruelty to Children, Child Neglect, and any other charge dealing with children
- k. Other= other, non-CDV, non-child-related charges; (e.g. Simple Assault, Trespassing, Kidnapping, Disturbing Schools, Simple Possession of Marijuana)

7. Responding Officer(s) Last Name

8. Relation to the Victim (see Appendix A for South Carolina’s statutory definition of “household member”)

- a. “spouse” - includes spouses who are separated; common law spouses
- b. “former spouse” - divorced only
- c. “child in common”
- d. “cohabitate”
- e. “former cohabitant”
- f. “other” - e.g. the victim is pregnant with the suspect’s child, and there is no indication in the report if they cohabitate or are married; boyfriend/girlfriend—if it is unknown whether they cohabitate or have a child in common
- g. “unknown” - no relationship indicated in report or report is unclear
- h. “parent” - used in cases where a offense is charged because of the child, e.g. Endangering the Welfare of a Child, or Unlawful Conduct Towards a Child.

9. Warrant Secured

10. Was the suspect gone on arrival (GOA)? If so, what arrest action was made?

11. Arrest

- a. Arrest made
 - i. Courtesy Summons⁶ issued
- b. Dual arrest made - these incidents were listed twice in the database, alternating suspect and victim, but divided out in the analysis piece to ensure no duplication of cases
- c. Prior history (charge or conviction) of domestic violence
- d. Current order of protection between suspect and victim in place

12. Injuries Listed

- a. Victim injuries - by body part and severity of injury
- b. Strangulation - because this behavior indicates a high risk for lethality, strangulation indicators were listed separately
- c. EMS called - indicates whether: 1) the officer offered to call EMS, 2) the victim desired EMS services

13. Children

- a. Children present—this is a high priority concern for the community. This variable indicates: 1) if it is unknown by reading the report, 2) the report indicates that there are zero or more children indicated.

⁶ S.C. Code Ann. §22-5-115 authorizes the use of a courtesy summons, a criminal charging document to be used where a citizen, rather than a law enforcement officer, requests the arrest of a person for allegedly committing a summary court level offense. This puts the arrest decision in the victim’s hands.

- b. Children listed - identifies whether children were listed in the “Additional Others” section of the report, and how they were classified: Victim, Witness, Other, or not at all

14. Complainant

- a. Identifies who called for emergency help: victim, suspect, witness, other (to include “concerned citizens”), or if it is unknown

15. Evidence

- a. Were there photos taken?
- b. Was evidence collected and/or recorded?

16. Weapon(s)

- a. Was a weapon involved? A weapon is classified as any object used to inflict plain on another human being. Body parts (such as fists or hands) are not classified as weapons in this analysis.
- b. Weapon category and degree of lethality

17. Other Variables

- a. Alcohol/drug use by suspect and victim
- b. Language barriers

18. Victim Services: Was a Notification of Protective Measures form given to the victim?

LIMITATIONS

While reviewing these findings, it is important to be aware of the below limitations of this data.

1. This incident report analysis reflects only those incidents reported to law enforcement and then shared with the CCRDV. For a variety of reasons, such as fear for safety, lack of resources, religious beliefs and personal philosophy, domestic violence is often not reported to law enforcement. Therefore, this data can be seen as a significant representation of domestic violence in Charleston County but not as a complete picture of all domestic violence incidents in this community.
2. A significant limitation to these findings is the absence and/or inconsistency of the data gathered from the incident reports. This can be attributed to the individual officer writing the report, the absence of complete reports, or the individual that inputted the data. As such, this data does not seek to offer complete answers but instead propose additional questions and training needs.
3. Incident classification in this report must be viewed with particular caution. Case disposition was often not included and therefore, it is unknown by looking at this data whether a conviction occurred and, at times, whether the suspect was even arrested. Supplemental reports documenting the case as it proceeded through the system were provided for some but not for others. Consequently, the results presented herein are based off of only what was provided to staff.

Furthermore, some case offenses are listed as *unspecified* within these findings. For these cases, the specific CDV charge could not be determined based on available information. This is partially due to FBI reporting systems that agencies must adhere to, which utilize UCR Codes for categorization.⁷ Domestic violence incidents are generally classified under the following UCR Codes:

13A-CDV (CDV-Aggravated Assault / Firearm)
13K-CDV (CDV-Aggravated Assault / Knife)
13O-CDV (CDV-Aggravated Assault / Object)
13C-CDV (CDV-Intimidation)
13B-CDV (CDV-Simple Assault)

Because CDV incidents are so generally classified, when reviewing the CDV incident reports, it was sometimes difficult to determine if the incident was a CDV 1st, CDV 2nd, CDV 3rd, or subsequent offense. Occasionally, it was even unclear whether it was a CDVHAN offense. Each incident report had to be reviewed individually to determine the actual charge. In most cases, the CDV charge was determined by reading the summary section of the incident report. It is regularly practiced by all agencies to simply write CDV, which is understood to be a CDV 1st, unless otherwise noted in the report. However, approximately 14% of the CDV incidents remain unspecified as it was not possible to accurately determine the correct CDV charge.

4. Any reference to a statute reflects the statute as it was worded during the data collection period (July 1, 2009 – June 30, 2010).

⁷ The Uniform Crime Reporting (UCR) Program was conceived in 1929 by the International Association of Chiefs of Police to meet a need for reliable, uniform crime statistics for the nation. The UCR Program is a voluntary city, university and college, county, state, tribal, and federal law enforcement program that provides a nationwide view of crime based on the submission of statistics by law enforcement agencies throughout the country. To ensure these data are uniformly reported, the FBI provides contributing law enforcement agencies with a handbook that explains how to classify and score offenses and provides uniform crime offense definitions.

FINDINGS

The CCRDV partnered with MUSC's National Crime Victims Research and Treatment Center (NCVC) in March 2011 to modify and analyze the collected data (see Appendix B for Terms of Use Agreement between the NCVC and Ninth Circuit Solicitor's Office). With access to data software⁸, the NCVC was able to provide a detailed analytical review of the data and identify specific statistics, comparisons, trends, and gaps within the data sets. These findings have been graphed below along with additional information and references for further discussion.

SECTION 1. DEMOGRAPHIC INFORMATION

TABLE 1.1. AGE

The largest group of victims and suspects was between the ages of 25 and 34.

	Suspect Age		Victim Age	
	FREQ	%	FREQ	%
12 & under	0	0	2	0.1
13-17	12	.8	11	0.8
18-24	324	22.4	409	28.2
25-34	505	34.9	470	32.4
35-44	325	22.4	287	19.8
45-54	181	12.5	154	10.6
55-64	54	3.7	51	3.5
65 & older	14	1.0	12	0.8
Unknown	34	2.3	53	3.7
TOTAL	1449	100.0	1449	100.0

Corroborated by this data, statistics define the typical victim as being between the ages of 18 and 34. As demonstrated in the table above, the rate of domestic violence significantly declines when both the victim and the suspect have aged above 54 years old. However, for various reasons, many older victims do not report domestic violence crimes committed against them and are thus less often identified as victims of intimate partner abuse. In 2008, 11% of individuals aged 60 and older reported experiencing abuse, and 57% of reported physical abuse was perpetrated by a partner/spouse. The National Center on Elder Abuse (NCEA) estimates that 84% of elder abuse incidents are not reported.⁹

⁸ Statistical Package for the Social Sciences (SPSS) is a full-featured statistics software program that is used for survey authoring and deployment, data mining, text analytics, statistical analysis, and collaboration & deployment.

⁹ Wisconsin Coalition Against Domestic Violence. "Advocacy for Survivors of Abuse Later in Life." *Coalition Chronicles*, 2010: 1-40.

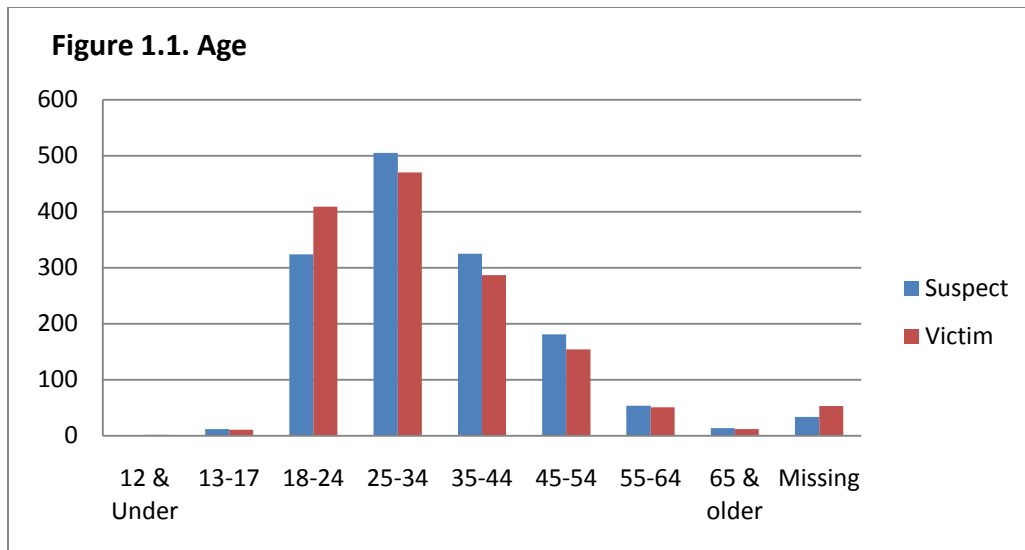


TABLE 1.2. GENDER

The majority of reported suspects were male. The majority of reported victims were female.

	Suspect Sex		Victim Sex	
	FREQ	%	FREQ	%
Male	1187	81.9	254	17.5
Female	253	17.5	1157	79.8
Unknown	9	0.6	38	2.6
TOTAL	1449	100.0	1449	100.0

TABLE 1.3. RACE

The largest group of suspects and victims were classified as Black.

	Suspect Race		Victim Race	
	FREQ	%	FREQ	%
Black	852	58.8	788	54.4
White	571	39.4	605	41.8
Asian	7	0.5	9	0.6
Unknown	19	1.3	47	3.2
TOTAL	1449	100.0	1449	100.0

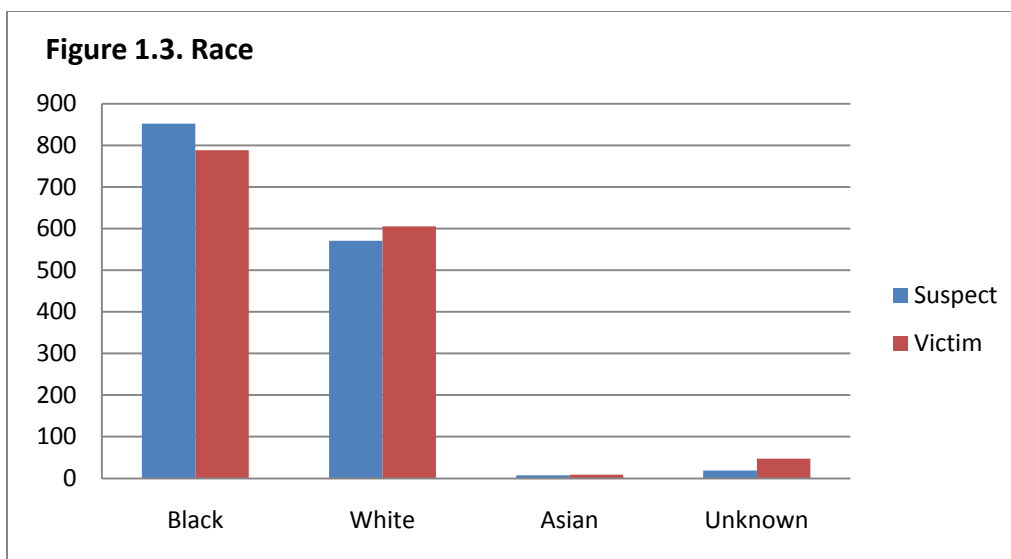


TABLE 1.4. ETHNICITY

Approximately 6.7% of reported suspects and 5.5% of reported victims were classified as Hispanic.

	Suspect Ethnicity		Victim Ethnicity	
	FREQ	%	FREQ	%
Non-Hispanic	1316	90.8	1152	79.5
Hispanic	97	6.7	80	5.5
Unknown	36	2.5	217	14.9
TOTAL	1449	100.0	1449	100.0

Every agency's incident report form included an area to record the race and ethnicity of the parties involved in the incident. All agencies follow a set classification system for these variables. The race category includes the following classifications: White, Black, Asian/Pacific Islander, American Indian/Alaska Eskimo, and Unknown. The ethnicity category includes the following classifications: Hispanic, Non-Hispanic, and Unknown. As demonstrated above, this report remains consistent with and will use the classifications provided by the incident reports when presenting findings.

TABLE 1.5. VICTIM-OFFENDER RELATIONSHIP^a

The most prevalent relationship between the victim and the offender was having a child in common.

	FREQ	%
Spouse	436	30.1
Former spouse	23	1.6
Child in common ^b	453	31.3
Cohabitant	425	29.3
Former cohabitant	23	1.6
Other ^c	3	0.2
Unknown	219	15.2

a. An incident can have more than one relationship classification. For example, if the victim and offender were married and also had children together, this incident would be included in both the “spouse” and “child in common” categories.

b. Of the 453 cases where a child in common was indicated as the relationship, 133 cases (9.2% of all cases) indicated child in common along with another relationship category. Thus, 320, or 22.1% of all cases indicated child in common as the only relationship type.

c. Other indicates a parent-child relationship, corresponding to the charges involving child abuse or neglect.

SECTION 2. INCIDENT DETAILS

FIGURE 2.1. DAY OF THE WEEK

Though there was not considerable variation, more incidents occurred on Sunday than on any other day of the week.

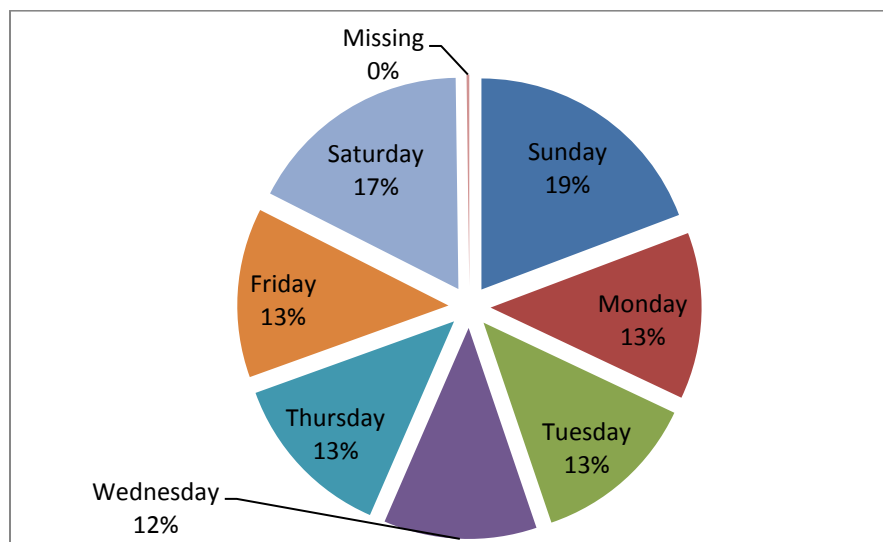


TABLE 2.2. TIME OF DAY

More incidents occurred between 8:00pm – 11:59pm than any other time of the day.

	FREQ	%
12:00am – 3:59am	304	20.9
4:00am – 7:59am	118	8.2
8:00am – 11:59am	208	14.4
12:00pm – 3:59pm	213	14.8
4:00pm – 7:59pm	247	17.1
8:00pm – 11:59pm	351	24.2
Unknown/Missing	8	0.6
TOTAL	1449	100.0

TABLE 2.3. INCIDENT LOCATION

More incidents occurred at a residence/home than at any other premise location.

	FREQ	%
Residence/home	980	67.6
Apartment/condo	167	11.5
Hotel/motel	39	2.7
Highway/road/alley	129	8.9
Parking lot/garage	43	3.0
Bar/nightclub/lounge	11	0.8
Other	50	3.5
Unknown	30	2.1
TOTAL	1449	100.0

FIGURE 2.3. INCIDENT LOCATION

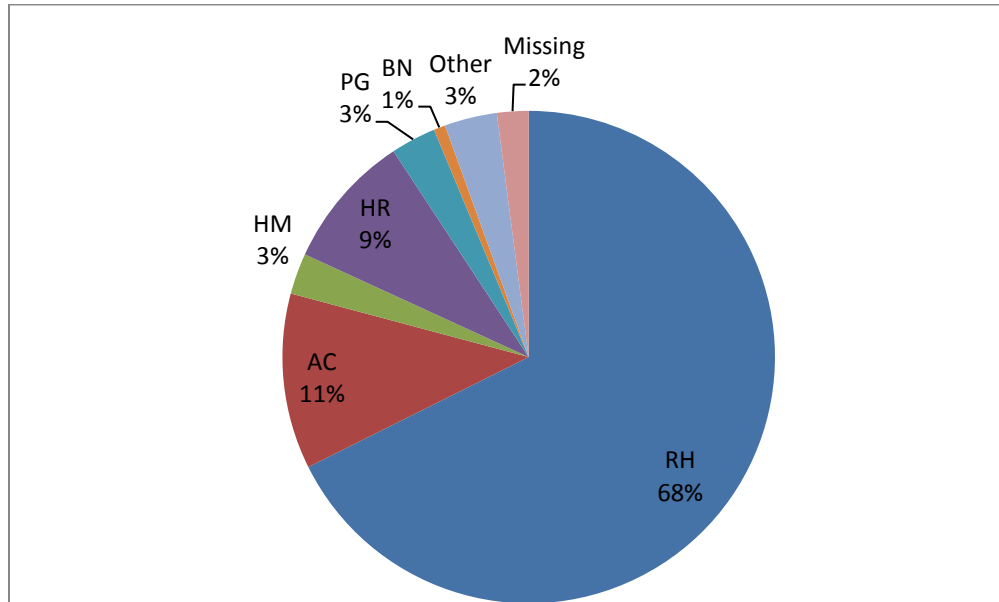


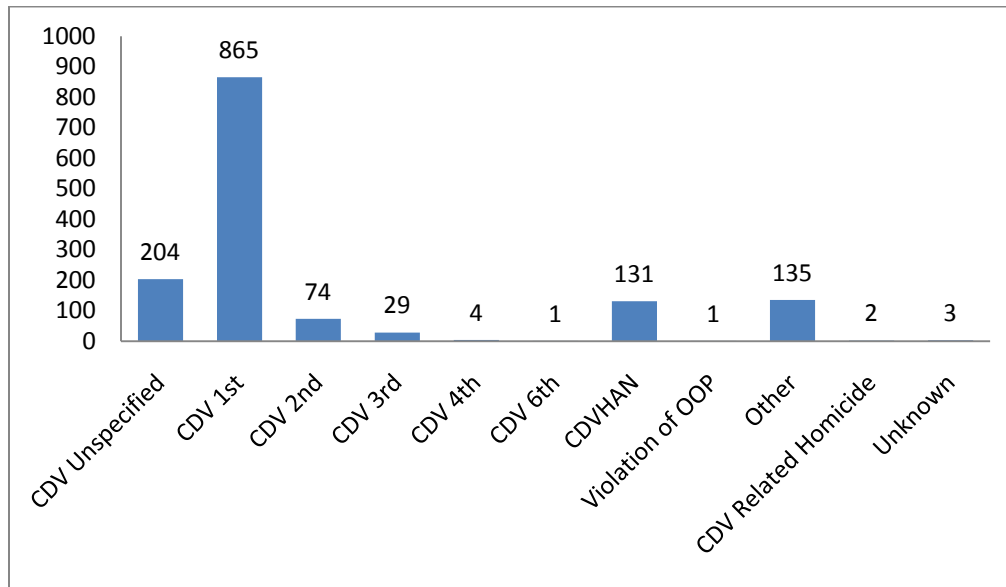
TABLE 2.4. INCIDENT OFFENSE CLASSIFICATION

The most common offense charged was criminal domestic violence 1st offense.

	FREQ	%
Criminal domestic violence—unspecified	204	14.1
Criminal domestic violence—1 st offense	865	59.8
Criminal domestic violence—2 nd offense	74	5.1
Criminal domestic violence—3 rd offense	29	2.0
Criminal domestic violence—4 th offense	4	0.3
Criminal domestic violence—6 th offense	1	0.1
Criminal domestic violence—high and aggravated nature	131	9.0
Homicide—domestic violence-related	2	0.1
Violation of order of protection	1	0.1
Other, non-criminal domestic violence, non-child related charges ^a	135	9.3
Unknown	4	0.3
TOTAL	1449	100.0

a. Charges include simple assault, assault and battery, vandalism, unlawful use of a telephone, drug/narcotic violation, resisting arrest, vehicle theft, traffic arrest, trespassing, and other non-CDV or child related charges.

FIGURE 2.4. INCIDENT OFFENSE CLASSIFICATION



As discussed in the *Limitations* section, some incident offense classifications are listed as unspecified. This is because it is sometimes difficult to determine if the incident was a CDV 1st offense, CDV 2nd offense, CDV 3rd offense (or subsequent), or a CDV of a high and aggravated nature (CDVHAN). We expanded our study by further researching these unspecified cases to determine the actual charge. In most cases, the CDV charge was determined by reading the summary section of the incident report. We confirmed that most officers simply write CDV, meaning CDV 1st, unless it was otherwise noted in the report. Some of the CDV incidents remain unspecified because it was not possible to accurately determine the correct CDV charge.

Often, incident reports would list additional charges based on the incident and offense(s). The following table lists the second and third charges applied to incident charges listed above.

TABLE 2.5. OTHER CHARGES

Three percent (46) of the total cases included a second charge, and less than one percent (2) of the total cases included a third charge.

	Second Charge		Third Charge	
	FREQ	%	FREQ	%
Criminal domestic violence—1 st offense	1	0.1	0	-
Violation of order of protection	2	0.1	0	-
Any charge involving children	7	0.5	0	-
Other, non-criminal domestic violence, non-child related charges	36	2.5	2	0.1
Missing	1403	96.8	1447	99.9
TOTAL	1449	100	1449	100

TABLE 2.6. SUSPECT PRIOR CDV OFFENSES INDICATED IN REPORT

Results regarding past incidents are largely inconclusive. Overall, the majority of the incident reports did not include any information on past charges, convictions, or violence experienced by the victim.

	FREQ	%
Nothing indicated in report	472	32.6
Suspect had prior CDV conviction	32	2.2
Suspect had prior CDV charge	24	1.7
Victim indicated prior domestic abuse without any law enforcement intervention	55	3.8
Unknown	866	59.8
TOTAL	1449	100.0

TABLE 2.7. ACTION TAKEN BY OFFICER^a

In over half of the cases, the report indicated that an arrest was made.

Sample reading of this table: In 8.1% of all of the cases, the incident report indicated that a warrant was issued. In less than one percent of the cases, the incident report indicated that a warrant was not issued. In 91.1% of the cases, the incident report did not indicate anything about whether or not a warrant was issued.

	YES		NO		UNKNOWN		TOTAL
	FREQ	%	FREQ	%	FREQ	%	FREQ
Warrant	118	8.1	11	0.8	1320	91.1	1449
Arrest	735	50.7	302 ^b	20.8	411	28.4	1449
Dual arrest	67 ^c	4.6	0	-	1315	90.8	1449
Courtesy Summons	33	2.3	0	-	1416	97.7	1449

- a. More than one action may have taken place in an incident. For example, the incident report may have indicated that a warrant was issued and an arrest was made, and thus this incident will be included in both categories as “yes.”
- b. In one of the incidents in which an arrest did not occur, the suspect committed suicide.
- c. There were a total of 134 suspects involved in dual arrests. This number has been divided in half to demonstrate the overall occurrence of dual arrests, which is defined as the arrest of both parties in the incident.

A dual arrest occurs when law enforcement officers are unable to identify the primary aggressor and arrest both parties involved in an altercation. South Carolina law mandates that officers are to make every attempt to determine the primary aggressor in domestic violence incidents.¹⁰ If both parties are arrested for a crime involving domestic violence, the law further requires officers to include grounds for arresting both parties in the incident report and indicate that every attempt was made by that officer to determine the primary aggressor (see Appendix A for the full South Carolina statute regarding determination of the primary aggressor).

In a 2007 study funded by the U.S. Department of Justice, researchers used the National Incident-Based Reporting System (NIBRS) to examine 577,862 police records from 2,819 police departments in 19 states for the year 2000. This study found that the overall dual arrest rate was 1.3% for all assault and intimidation cases. Dual arrest rates were higher for intimate partner (1.9%) and other domestics, such as parent-child, (1.5%) than for acquaintance (1.0%) and stranger (0.8%) cases.¹¹ Comparatively, the data from Charleston County reveals an overall dual arrest rate of 4.6% in CDV cases.

It is very important for officers to fully investigate these incidents, because dual arrests in CDV cases can have several negative implications. If the true victim in the incident is arrested, they may become more vulnerable to manipulation by the perpetrator and may be reluctant to contact law enforcement in the future as their confidence in the criminal justice system will diminish. The arrest of the victim can negatively impact any pending child custody cases as well as other family court cases, and may prevent

¹⁰ S.C. Code Ann. § 16-25-70(D) et. seq.

¹¹ Hirschel, David, Eve Buzawa, April Pattavina, Don Faggiani, and Melissa Reuland. *Explaining the Prevalence, Context, and Consequences of Dual Arrest in Intimate Partner Cases*. Research report, National Institute of Justice, Grant No. 2001-WT-BX-0501, U.S. Department of Justice, 2007.

that victim from obtaining an order of protection. Furthermore, an arrest may restrict a victim's access to services such as public housing, victim assistance, and legal aid. The victim is also vulnerable to losing employment and welfare benefits.

TABLE 2.8. SUSPECT GONE-ON-ARRIVAL

In 44% of the cases to which officers responded, the suspect was gone-on-arrival.

	FREQ	%
Suspect gone-on-arrival	639	44.1
Suspect at the scene on arrival	718	49.6
Unknown	91	6.3
Suspect committed suicide	1	0.1
TOTAL	1449	100

TABLE 2.9. OFFICER ACTION WHEN SUSPECT GONE-ON-ARRIVAL

Of the 639 incidents where the suspect was gone-on-arrival, an arrest was made in about 29% of the cases.

	FREQ	%
Warrant	44	6.9
No warrant	2	0.3
Arrest	182	28.5
No arrest	165	25.8
Summons	12	1.9
Dual arrest	6	0.95

Criminal domestic violence cases are already difficult for law enforcement officers to respond. They become especially complicated when the suspect has fled the scene before the officers' arrival, as it affects the investigation process. Findings from this study demonstrate that the suspect had fled the scene in a little less than half of CDV incidents to which law enforcement responded.

TABLE 2.10. BREAKDOWN OF INCIDENT CLASSIFICATION BY ACTION TAKEN BY OFFICER

Sample reading of this table: 13.7% of the 140 cases that were charged as CDVHAN indicated that no arrest had been made. 65.6% of the 140 cases that were charged as CDVHAN indicated that an arrest had been made. Thus, 20.7% of the CDVHAN incident report did not indicate whether or not an arrest was made.

	Warrant		No Warrant		Arrest		No Arrest		Dual Arrest		Summons	
	FREQ	%	FREQ	%	FREQ	%	FREQ	%	FREQ	%	FREQ	%
CDV Unspecified	24	11.8	7	3.4	78	38.2	95	46.6	6	2.9	2	1.0
CDV 1 st	44	5.1	1	0.1	415	48.0	140	16.2	45	5.2	30	3.5
CDV 2 nd	11	14.9	0	-	63	85.1	5	6.8	3.5	4.8	1	1.4
CDV 3 rd	4	13.8	0	-	27	93.1	1	3.4	3	10.4	0	-
CDV 4 th	1	25.0	0	-	4	100.0	0	-	0.5	12.5	0	-
CDV 6 th	0	-	0	-	1	100.0	0	-	0	-	0	-
CDVHAN	24	18.3	0	-	86	65.6	18	13.7	6	2.9	0	-
Violation of Order of Protection	0	-	0	-	1	100.0	0	-	0	-	0	-
Unlawful Conduct/ Child Neglect (2 nd offense)	0	-	0	-	7	100.0	0	-	0	-	0	-
CDV –related Homicide	0	-	0	-	1	50.0	1 ^a	50.0	0	-	0	-
Other	10	7.4	3	2.2	58	43.0	42	31.1	3	2.2	0	-

a. This case involved a murder-suicide. There was no arrest made because the suspect committed suicide.

It is important to reiterate here how dual arrests are classified. One dual arrest indicates two suspects and thus two charges. For this reason, half numbers are used in the above table in the dual arrest column, to indicate one suspect who was charged with one crime as part of a dual arrest when the other suspect was

charged with a different crime. For example, one suspect may be charged with CDV 1st and the other suspect could be charged with CDV 2nd, if he/she had a previous CDV conviction.

SECTION 3. VICTIM INJURY

A list of victim injuries was compiled from the CDV incident reports. Every description of victim injuries was recorded and categorized by region of the body. Some incident report descriptions were very detailed while others were very vague. Examples include: bite mark on hand, finger bleeding, bleeding from both ears, bruise on jaw, scrapes and cuts, swelling of wrist and hand, and bruise on chest. In order to provide the most inclusive findings, code lists were developed to better classify both the nature of the bodily injury and the severity of injury. To better categorize and describe the severity levels for the purposes of this analysis, injuries were classified according to medical definitions and standards. However, it is important to note that these classifications may differ from law enforcement's classifications and definitions of injury severity. Thus, the classifications utilized for this analysis are meant to obtain a broad understanding of the injuries involved in criminal domestic violence incidents and should not be misconstrued to be definitive of injury classification in all fields of study. Injury severity was classified in this analysis as:

- **Moderate injury** includes incidents where the victim was slapped, grabbed, pushed, shoved, scratched, or cut, as well as incidents where the suspect threatened harm or threw an object at the victim. Moderate injury also occurred if the victim sustained sprains or bite marks.
- **Severe injury** includes situations where the victim was beat, burned, kicked, dragged, hit with an object, hit with a fist, slammed against wall/big object, or was subject to any type of sexual violence. The use of a weapon by the suspect is also considered severe injury.
- **No injury reported** denotes that the incident report did not provide any information on victim injuries.

TABLE 3.1. SEVERITY OF REPORTED INJURY

Most of the incident reports did not include information on injuries. Of those reports that did indicate injuries, severe injury was slightly more common.

	FREQ	%
Moderate injury	311	21.5
Severe injury	450	31.1
No injury reported	688	47.5
TOTAL	1449	100.0

Incidents involving strangulation of the victim were also specifically identified. To further examine these incidents, the reports indicating strangulation were thoroughly analyzed and broken down for analysis. Information gathered included:

- Offense charge
- Officer action (arrest, dual arrest, none)
- Terminology used in the report (strangled, choked, grabbed, placed, etc.)
- Visible injuries to the neck
- Incident details (quotes, summary wording)
- Other variables (officer procedures, children present, threats of homicide)

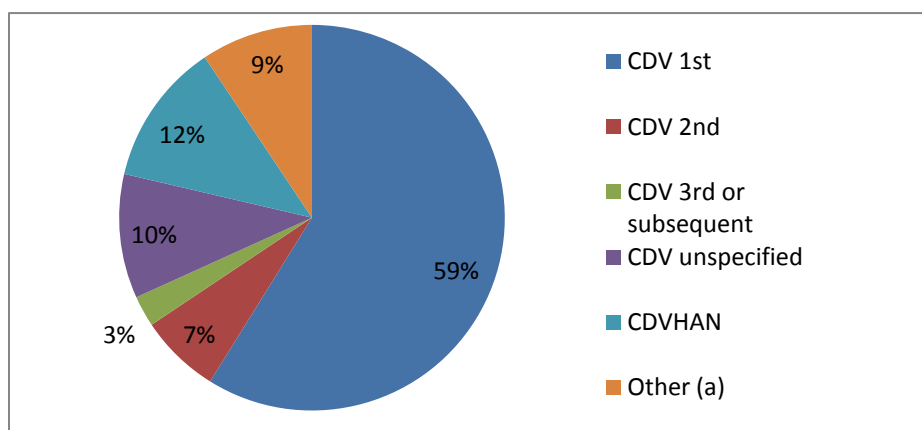
TABLE 3.2. INCIDENTS INVOLVING STRANGULATION

Over 12% of the incidents reported strangulation of the victim.

	FREQ	%
Strangulation indicated in report	186	12.8
Strangulation not indicated in report	1263	87.2
TOTAL	1449	100.0

FIGURE 3.3 OFFENSE CLASSIFICATION OF INCIDENTS INVOLVING STRANGULATION

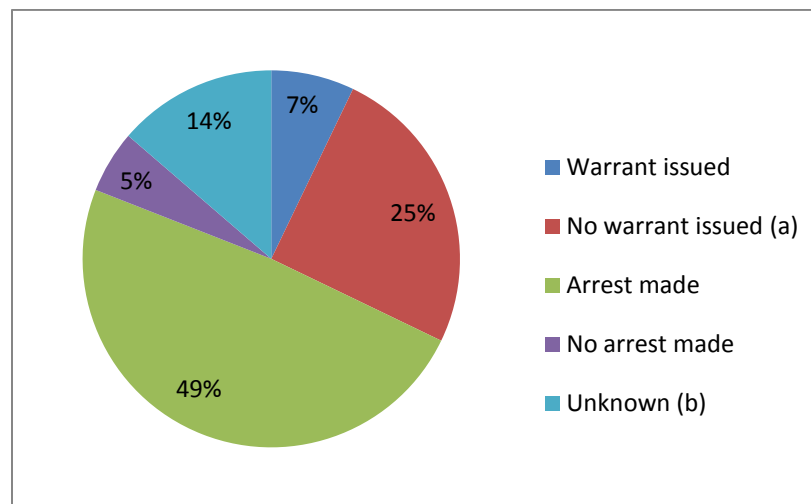
The majority of the incidents involving strangulation resulted in a CDV 1st offense charge.



a. Other includes attempted murder, simple assault, child related charge, drug charge, and other unrelated charges.

FIGURE 3.4 ACTION TAKEN BY OFFICER IN INCIDENTS INVOLVING STRANGULATION

An arrest was made in nearly half of the incidents involving strangulation.

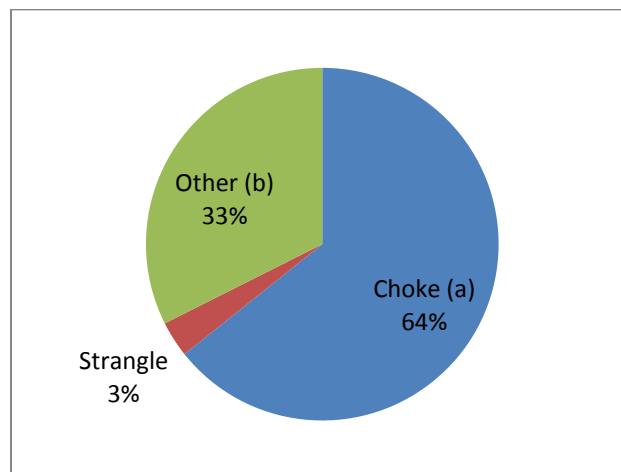


a. No warrant issued—reports noted that victim was advised on how to obtain a warrant/advised on warrant procedures, or it stated no warrant was issued.

b. Unknown—no mention of warrant or arrest made

FIGURE 3.5 DOCUMENTED TERMINOLOGY IN INCIDENT REPORTS INVOLVING STRANGULATION

The majority of the reports used the term “choke” to denote the strangulation action.



a. The term “choke-hold” was used three times.
b. Other includes “grabbed,” “placed,” “pinned,” etc.

According to the Violence Policy Center (VPC), in an analysis of 2008 homicide data of female murdered by males in single victim / single offender incidents, South Carolina ranks ninth in the nation. With a homicide rate of 1.69 per 100,000 females murdered by males, a total of 39 female victims of homicide in

2008 identified by the VPC, 11 victims were killed by bodily force, to include strangulation.¹² As indicated above, out of 1,449 reports collected, strangulation was indicated in 12.8% of incident reports.

Any report of strangulation is extremely lethal behavior and creates an elevated risk of injury or death for the victim. Many times the perpetrator's use of strangulation foreshadows increased violence and dangerous intent to the victim. Therefore, it is essential that reports of strangulation and "choking" are thoroughly investigated and that prosecutors understand the risk factors to utilize this information effectively.¹³

Furthermore, it is important for officers to understand the difference between the terms "choke" and "strangle". In these incidents, the appropriate word to use is "strangle" as "choke" refers to a blockage in the airway, i.e. choke on a piece of food. As demonstrated in Figure 3.5, 64% of the collected written reports state the word "choke" while only 3% use the term "strangle." Unless the officer is directly quoting a party to the incident, using incorrect terminology can be problematic for future prosecutorial proceedings.

TABLE 3.6. EMS ASSISTANCE

Data on EMS assistance is largely inconclusive. The majority of the incident reports did not indicate whether EMS was requested or responded.

	FREQ	%
Yes—victim consented to EMS services and EMS responded to the scene	167	11.5
No—victim was asked if EMS services were desired and victim declined	315	21.7
Nothing indicated in report	967	66.7
TOTAL	1449	100.0

¹² Violence Policy Center. *When Men Murder Women: An Analysis of 2008 Homicide Data, Females Murdered by Males in Single Victim/Single Offender Incidents*. Annual report, Washington, DC: Violence Policy Center, 2010.

¹³ Turkel, Allison. "'And Then He Choked Me': Understanding and Investigating Strangulation." *Update*, American Prosecutors Research Institute, National Center for Prosecution of Child Abuse) 20, no. 8 (2007): 1-2.

TABLE 3.7. BREAKDOWN OF INCIDENT CLASSIFICATION BY INJURY SEVERITY

Of the cases in which severe injury was reported, the majority resulted in a CDV 1st offense charge.

Sample reading of this table: Of all of the cases in which severe injury was reported (450), most—59.3%—were charged as CDV 1st offense, while only 17.1% were charged as CDV of a high and aggravated nature.

	MODERATE		SEVERE		NO INJURY REPORTED	
	FREQ	%	FREQ	%	FREQ	%
CDV—unspecified	58	18.6	36	8.0	110	16.0
CDV—1 st offense	192	61.7	267	59.3	406	59.0
CDV—2 nd offense	23	7.4	22	4.9	29	4.2
CDV—3 rd offense	9	2.9	8	1.8	12	1.7
CDV—4 th offense	1	0.3	0	-	3	0.4
CDV—6 th offense	0	-	1	0.2	0	-
CDV—high and aggravated nature	10	3.2	77	17.1	44	6.4
Violation of order of protection	0	-	0	-	1	0.1
Homicide—domestic violence-related	0	-	2	0.4	0	-
Other, non-criminal domestic violence, non-child related charges	18	5.8	37	8.2	80	11.6
TOTAL	311	100.0	450	100.0	688	100.0

TABLE 3.8. BREAKDOWN OF OFFICER ACTION TAKEN BY INJURY SEVERITY

The majority of cases in which moderate or severe injury were reported resulted in arrest.

Sample reading of this table: Of cases where moderate injury was reported, 60.1% resulted in arrest, according to the incident report, and 19% of the cases involving moderate injury did not result in arrest. 6.8% of the reports where moderate injury was reported resulted in a warrant, and one percent did not result in a warrant.

	MODERATE		SEVERE		NO INJURY	
	FREQ	%	FREQ	%	FREQ	%
Warrant	21	6.8	39	8.7	58	8.4
No warrant	3	1.0	3	0.7	5	0.7
Arrest	187	60.1	257	57.1	291	42.3
No arrest	59	19.0	81 ^a	18.0	162	23.5
Dual arrest	16	5.2	28	6.2	23	3.4
Summons	12	3.9	15	3.3	6	0.9

a. One case involved a murder-suicide so there was no arrest or warrant made by officer.

SECTION 4. CHILDREN

A major area of concern for the CCRDV Task Force is children who witness or are exposed to domestic violence, and, more specifically, the proper procedures for law enforcement and the criminal justice system when addressing such incidents. Relevant research and the development of action plans were identified as a top priority initiative for the Task Force. To aid in this objective, this database collected information to identify:

1. The number of identified children within the report.
2. If it was unknown by reading the report if children were present.
3. If it specifically states that zero children were present.
4. If children were listed as an “additional other” in the report and how they were classified if listed.

TABLE 4.1. CHILDREN PRESENT AT THE SCENE

Over half of the incident reports made no mention as to whether or not there were children present at the scene. Approximately 22% of all incident reports indicated that one or more children were present at the scene.

Sample reading of this table: In 24% of all incidents, the report indicated that zero children were present at the scene. In 5.2% of all incident reports, the report indicated that two children were present at the scene.

Number of Children	FREQ	%
0	349	24.1
1	217	15.0
2	75	5.2
3	16	1.1
4	4	0.3
5	2	0.1
6	1	0.1
Unknown	785	54.2
TOTAL	1449	100.0

TABLE 4.2. CHILDREN LISTED IN INCIDENT REPORT

In 15% of all reported incidents, children were present at the scene, as indicated in the narrative, but were not listed by name and date of birth as an “additional other” on the incident report.

	FREQ	%
Child(ren) listed as “victim”	43	3.0
Child(ren) listed as “witness”	37	2.6
Child(ren) listed as “other”	40	2.8
Child(ren) present but not listed	217	15.0
Unknown	1112	76.7
TOTAL	1449	100.0

TABLE 4.3. BREAKDOWN OF INCIDENT CLASSIFICATION IN CASES WHERE CHILDREN WERE LISTED AS VICTIMS

Of all of the cases where children were listed as victims on the incident report, most resulted in a CDV 1st offense charge.

	FREQ	%
CDV—unspecified	6	14.0
CDV 1 st offense	22	51.2
CDV 2 nd offense	1	2.3
CDV 3 rd offense	3	7.0
CDV 6 th offense	1	2.3
CDV of a high and aggravated nature	9	20.9
Other non-CDV non-child related charges	1	2.3
TOTAL	43	100.0

Not demonstrated in the above chart are child-related criminal charges. This is because all child-related charges were classified as the second charge, and the above table represents only first charges. Out of the 315 total incident reports that indicated a child present at the scene, there were only seven incidents (2%) that included a charge on behalf of that present child.

According to the National Child Traumatic Stress Network, exposure to domestic violence is the second most frequently mentioned type of traumatic experience for children.¹⁴ Children who are exposed to domestic violence often develop behavioral and emotional problems, suffer poor academic performance, and are much more likely to engage in criminal behavior themselves. Further, intimate partner abuse in families often coexists with violence against children.¹⁵ Studies show that the frequency of child abuse doubles in these families and as the severity and frequency rates escalate in domestic violence situations, so does the rate of child abuse.¹⁶

As demonstrated by the data in this section, children were indicated in only 21.8% of the incident reports. Interestingly, Table 1.5 indicates that approximately 31% of all incidents indicated that the victim and offender had a child in common. This suggests that children may have been present in more than 21.8% of the cases but were not identified as such in the incident report.

Even though children were identified in almost 22% of the cases, in only seven incidents were charges brought against alleged abusers involving the child's exposure to the domestic violence. Furthermore, of the 315 incidents where children were present, 217—or about 68%—of these reports did not include the children's information in the additional others section. This brings up several questions:

¹⁴ The National Child Traumatic Stress Network. *Domestic Violence: What is Domestic Violence?* <http://nctsn.org/trauma-types/domestic-violence> (accessed January 2011).

¹⁵ The National Child Traumatic Stress Network. *Children and Domestic Violence*. <http://nctsn.org/content/children-and-domestic-violence> (accessed January 2011).

¹⁶ Whitcomb, Debra. "Prosecutors, Kids, and Domestic Violence Cases." *NIJ Journal* (National Institute of Justice, U.S. Department of Justice), no. 248 (2002): 3-9.

1. In instances where children were identified as present at the scene, could law enforcement officers have charged an additional offense regarding the child's exposure to domestic violence?
2. Have these children received any kind of intervention or therapeutic assistance post-incident? Is the availability of services affected by how they are included in the incident report?
3. Why are children who are present at the time of the incident, according to the narrative, being omitted from the "additional others" section within incident reports?

Discussions with law enforcement officers revealed that the circumstances of most criminal domestic violence incidents do not meet the criteria for officers to charge other offenses involving harm to children in South Carolina.¹⁷ Therefore, law enforcement rarely (2% of the time) makes any charge that recognizes the exposure of children to domestic violence in addition to the CDV charge. Furthermore, many officers are unclear on what constitutes "in the presence of" when children have been discovered in the residence during a domestic violence incident and therefore are unsure how to proceed.

Since research shows that children who are exposed to domestic violence are at a greater risk of being perpetrators or victims of intimate partner violence themselves, access to proper treatment at an early age can be crucial to breaking the cycle of violence. Currently, child victims are eligible for SOVA¹⁸ benefits, which can help cover medical or treatment costs and other needed assistance. However, to be eligible for these benefits, the child must be listed as a victim in the incident report.

With this understanding, these findings demonstrate the need for increased attention, policy reform, and training concerning children that are present and/or in the vicinity of domestic violence incidents by law enforcement. Officers should determine and relay information regarding whether there are children present at every incident and should identify all persons, including children present or in the vicinity of the crime (regardless of whether or not the child witnessed the incident) by full name, address, social security number, date of birth, gender, height, and weight. "In the vicinity" should include the entire residence, whether or not they were present, witnessed, or were involved in the event. Similarly, officers need better guidance and training on how to classify children in the incident report.

¹⁷ In South Carolina, there are only two charges that could be applicable to children at a domestic violence scene: (1) §63-5-80 Cruelty to children, a misdemeanor; and (2) §63-5-70 Unlawful conduct towards a child, a felony (*See Appendix A for full definitions*).

¹⁸ The State Office for Victim Assistance (SOVA) is a program of the South Carolina Governor's Office. SOVA provides a community and victim centered approach to proactively end violent crimes statewide; assists crime victims and their families in need by providing compensation to victims of crime who are eligible; and meets the educational, training and professional needs of victim advocates, health care professionals, South Carolina schools, and victim service providers.

SECTION 5. WEAPONS

An extensive list of weapons used in CDV crimes was compiled from each CDV incident report. Careful analysis of each weapon was required prior to categorization because the weapons were classified based on how they were actually used at the incident. It is important to note that not all of these objects are necessarily “weapons” in the traditional sense. For example, some weapons listed in the incident reports included coke cans, eggs, hairbrush, plate, telephone, toothpick, picture frame, dog leash, and a child’s toy. Each weapon on the list was then classified into one of three weapon categories:

- **Blunt object**—e.g., firearm, baseball bat, bottle, pipe, broomstick.
- **Sharp object**— e.g., knife, scissors, any sharp object or broken glass.
- **Other**—e.g., garden hose, belt, flower stem, dog leash, pepper spray.

Each weapon or object from every CDV incident report was then analyzed and coded based on its degree of lethality, from minimally harmful to highly lethal with potential to cause severe harm or death. This categorization has to do not only with the type of object but how the object was utilized. For example, a belt was used in one incident in an attempted strangulation. Though a belt on its own is not a particularly dangerous object, the manner in which it was used in this particular incident qualifies it as a highly lethal object. The following categories were used to indicate degree of lethality:

- **Minimally lethal objects** are small household objects and can be defined as not inflicting much harm. Some examples include: book, cell phone, plates, small lamps, cooking pot, fork, flower stem, hat, laptop, shirt, shoe, etc.
- **Moderately lethal objects** are large blunt objects that are defined as being more severe than small household objects. Some examples include: attic door, baseball bat, cinder block, bed frame, cane, hammer, metal pole, pipe, wooden block, tire iron, brick, chair.
- **Highly lethal objects** are defined as extremely dangerous with the potential to cause severe harm or death. Some examples include: butcher knives, sword, sawed off shotgun, rifle, revolver, knife, pistol, motor vehicle, machete, ax, homemade knife, handgun.

To further explain, the following are some examples of weapon classification in these two categorizations:

- A knife is considered a sharp object (weapon type) and a highly lethal object (degree of weapon lethality).
- A firearm is considered a blunt object (weapon type) and a highly lethal object (degree of weapon lethality).
- A baseball bat is considered a blunt object (weapon type) and a moderately lethal object/large blunt object (degree of weapon lethality).
- A fork is considered a sharp object (weapon type) and a minimally lethal object/ small household object (degree of weapon lethality).

Also, there were many cases that involved multiple weapons. These were indicated with more than one data variable.

TABLE 5.1. PRESENCE OF WEAPONS

In 17.7% of the incidents, the incident report indicated that a weapon had been used in perpetrating the CDV.

	FREQ	%
Yes	257	17.7
Unknown	1192	82.3
TOTAL	1449	100.0

TABLE 5.2. WEAPON TYPE

Of the incidents where the incident report indicated that a weapon was used, the most frequent weapon type was a blunt object.

	FREQ	%
Blunt object	123	47.9
Sharp object	96	37.4
Other	35	13.6
Unknown ^a	3	0.2
TOTAL	257	100.0

a. It was unclear by reading this report what type of weapon was used, though the report did indicate that a weapon was involved.

TABLE 5.21. SECOND WEAPON

Of the incidents where the incident report indicated that a weapon was used, 18 incidents indicated that a second weapon was used.

	FREQ	%
Blunt object	13	72.2
Sharp object	4	22.2
Other	1	5.6
TOTAL	18	100.0

TABLE 5.3. DEGREE OF WEAPON LETHALITY

According to the incident reports, in almost 8% of all incidents, a highly lethal weapon was used. Of the 257 incidents reports that indicated the use of a weapon, approximately 45% of the weapons fall into the highly lethal category.

	FREQ	%
Minimally lethal objects	76	5.2
Moderately lethal objects	63	4.3
Highly lethal object	115	7.9
Unknown weapon or object ^a	3	0.3
No weapon reported	1192	82.3
TOTAL	1449	100.0

a. It was unclear by reading these report what type of weapons were used, though the report did indicate that a weapon was involved.

TABLE 5.4. BREAKDOWN OF INCIDENT CLASSIFICATION BY WEAPON LETHALITY

Incidents involving weapons in the minimally lethal object or moderately lethal object categories most commonly resulted in a CDV 1st offense charge. Incidents involving a “highly lethal object” were more likely to result in a CDV of a high and aggravated nature charge.

Sample reading of this table: In approximately 49% of all incidents where a minimally lethal object was used as a weapon, the resulting charge was CDV 1st offense.

	MINIMALLY LETHAL OBJECT		MODERATELY LETHAL OBJECT		HIGHLY LETHAL OBJECT		NO WEAPON REPORTED	
	FREQ	%	FREQ	%	FREQ	%	FREQ	%
CDV—unspecified	13	17.1	7	11.1	8	7.0	176	14.8
CDV—1 st offense	37	48.7	27	42.9	36	31.3	763	64.0
CDV—2 nd offense	6	7.9	3	4.8	5	4.3	60	5.0
CDV—3 rd offense	1	1.3	1	1.6	4	3.5	23	1.9
CDV—4 th offense	0	-	0	-	0	-	4	0.3
CDV—6 th offense	0	-	0	-	0	-	1	0.1
CDV—high and aggravated nature	15	19.7	20	31.7	38	33.0	58	4.9
Homicide—domestic violence-related	0	-	0	-	2	1.7	0	-
Other, non-criminal domestic violence, non-child related charges	4	5.3	5	7.9	22	19.1	104	8.7
TOTAL^a	76	100.0	63	100.0	115	100.0	1193	100.0

a. The above findings do not incorporate the two “unknown” weapons that were shown in Tables 5.3 and 5.2.

SECTION 6. OTHER VARIABLES

TABLE 6.1. COMPLAINANT

In the majority of the incident reports (51.3%), it was uncertain who initiated contact with law enforcement. The victim was listed as the complainant in about 33% of the cases.

	FREQ	%
Victim	484	33.4
Witness	84	5.8
Suspect	14	1.0
Other	123	8.5
Unknown	744	51.3
TOTAL	1449	100.0

TABLE 6.2. EVIDENCE COLLECTION–PHOTOS

In roughly 16% of all cases, the incident report indicated that photographs were taken. In the majority of incidents, the report did not indicate anything regarding photos taken.

	FREQ	%
Yes	236	16.3
No	3	0.2
Unknown	1210	83.5
TOTAL	1449	100.0

TABLE 6.21. EVIDENCE COLLECTION–OTHER EVIDENCE

About 14% of the incident reports indicated that evidence was collected at the scene.

	FREQ	%
Yes	206	14.2
Unknown	1243	85.8
TOTAL	1449	100.0

Incident reports can serve as the most important document for practitioners in the criminal justice system and often set the tone for the successful or unsuccessful prosecution of these cases. When practicing evidence-based prosecution, sometimes referred to as “victimless prosecution,” the case relies almost exclusively on the evidence collected by the responding officer and the accompanying incident report, since the victim in the case is unavailable or unwilling to cooperate with prosecution, out of fear or other reasons. As a best practice, officers should write the report in expectation that every case will go to trial without the supporting testimony of the victim in the case. For example, statements given by the victim can be argued as hearsay¹⁹ and thus are inadmissible in a hearing in which the victim is not present. However, if an officer records an excited utterance²⁰ by a victim at the scene, this type of statement may be admissible in court without the presence or cooperation of the victim. In these cases, thorough evidence collection is especially critical.

Proper evidence collection and lack of technology exist as huge gaps for law enforcement officers. Funding continuously poses barriers for law enforcement and impacts the technology and equipment provided to officers. Some agencies in Charleston County are unable to allot cameras and other essential tools to officers that would allow thorough evidence collection. For example, a team of officers may have one camera to share; however, access to that camera on a moment’s notice is not always a guarantee. This is important because, in some instances, physical abuse markings or evidence of property destruction should be immediately captured. If there is a time delay, the injury markings or damage may be imperceptible or altered by the time a camera is obtained.

Furthermore, some patrol officers may use their personal cellular telephones to take pictures for evidence collection if they are unable to obtain an agency-issued camera. However, some officers are reluctant to use a personal device to collect evidence for fear that the court will subpoena all information from the phone, thus putting the officer’s personal life on display. Also, cellular phone cameras are typically of low quality and defense attorneys often argue that the image(s) have been altered. Given the aforementioned barriers, best practices must dictate that evidence collection does not rely solely on photographs.

Regardless of differences in procedures, officers are encouraged to document in the original incident report what evidence/photographs are collected or taken. According to the previous findings presented, in 16.3% of incidents the officer stated that photographs were taken, and only in 14.2% of the reports did the officers state that evidence was collected. This does not necessarily mean that the officer did not collect any evidence in roughly 85% of the reports, but it can be argued that if it is not written in the report, it did not take place. Thus, lack of the documentation of evidence can be problematic in future proceedings.

¹⁹ The hearsay rule of evidence prohibits admitting out-of-court testimony of an unavailable witness into evidence when the statements contained within are offered to prove truth. It can also be considered “second-hand” information. Because the person who made the statement is not in court to give testimony, there is a constitutional due process issue in that it deprives the other side of an opportunity to cross-examine the witness who originally saw or heard the incident.

²⁰ Excited utterances are an exception to the hearsay rule as they are certain statements made under the influence of a startling event.

TABLE 6.3. SUBSTANCE USE BY SUSPECT

Of all of the incident reports, 28.9% indicated that the suspect was using alcohol, while only 1.9% of all reports indicated that the suspect was using drugs.

	ALCOHOL		DRUGS	
	FREQ	%	FREQ	%
Report indicated that suspect was using	418	28.9	28	1.9
Report indicated that suspect was not using	260	18.0	319	22.0
Report indicated that use by suspect was unknown	278	19.2	523	36.1
No information in report regarding use	493	34.0	579	39.9
TOTAL	1449	100.0	1449	100.0

TABLE 6.4. SUBSTANCE USE BY VICTIM

Of all of the incident reports, 11.7% indicated that the victim was using alcohol, while only 0.3% of all reports indicated that the victim was using drugs.

	ALCOHOL		DRUGS	
	FREQ	%	FREQ	%
Report indicated that victim was using	169	11.7	5	0.3
Report indicated that victim was not using	471	32.5	459	31.7
Report indicated that use by victim was unknown	182	12.6	346	23.9
No information in report regarding use	627	43.2	639	44.1
City of Charleston reports (see discussion below)	177	n/a	177	n/a
TOTAL	1449	100.0	1449	100.0

When the incident report data was collected, information regarding substance and alcohol use by the victim was initially omitted in the collection process. The decision was made to intentionally leave out this information in order to avoid any findings from this research being construed as blaming the victim for the incident due to these types of behaviors. However, law enforcement officers brought to our attention that it is important to collect this information in order to provide a full picture of the event. With that understanding, staff went back through all of the reports and collected this information, if available.

It is important to note here that City of Charleston Police Department incident reports do not have checkbox categories for information on substance and alcohol uses by the individual, while the remainder of the agencies in Charleston County do have forms including this checkbox. The information originally collected regarding substance/alcohol use by the suspect was gathered through reading the incident report

summary. Due to the lack of available interns/staff to go back and read through all of the City of Charleston report narratives, information on substance or alcohol use by the victim from this department was not included.

While substance abuse does not cause domestic violence, research shows a statistical correlation between the two issues. The U.S. Department of Justice found that 61% of domestic violence offenders also have substance abuse problems.²¹ Regular alcohol abuse is one of the leading risk factors for intimate partner violence,²² and a battering incident that is coupled with alcohol abuse may be more severe and result in greater injury.²³ A 1994 study conducted by the U.S. Department of Justice on murder in families found that more than half of defendants accused of murdering their spouses had been drinking alcohol at the time of the incident.²⁴

However, as identified by this data, substance abuse may be a contributing factor in some cases, it cannot be seen as the ultimate reason for domestic violence incidents.

TABLE 6.5. LANGUAGE BARRIERS

A total of 41 incident reports indicated that a language barrier was present between the suspect and/or victim and the responding officer. Of these reports, the majority did not indicate the primary language spoken by either of the parties.

	FREQ	%
Non-English	29	2.0
Spanish	8	0.6
Chinese	1	0.1
Hearing impaired/deaf	3	0.2
No language barrier indicated	1408	97.2
TOTAL	1449	100.0

²¹ Collins, James J., and Donna L. Spencer. *Linkage of Domestic Violence and Substance Abuse Services*. Research report, National Institute of Justice Grant No. 97-IJ-CX-0009, Research Triangle Park, NC: Research Triangle Institute, 1999.

²² Connecticut Clearinghouse. "Making the Link Between Alcohol and Other Drugs and Domestic Violence" Plainville, CT: A Program of the Wheeler Clinic. www.ctclearinghouse.org, as cited in: National Coalition Against Domestic Violence. *Domestic Violence and Substance Abuse*. Washington, DC: The Public Policy Office, NCADV.

²³ Women's Rural Advocacy Programs. "Alcohol Abuse and Domestic Violence." www.letswrap.com, as cited in: National Coalition Against Domestic Violence. *Domestic Violence and Substance Abuse*. Washington, DC: The Public Policy Office, NCADV.

²⁴ Bureau of Justice Statistics. *Violence Between Intimates: Domestic Violence*. NCJ Pub. No. NCJ-149259, Washington, DC: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 1994.

The latest census numbers reveal that South Carolina has experienced an increase in its Hispanic or Latino population.²⁵ In fact, the state added more Hispanics from 2000 to 2010 than it did African-American residents. From 2000 to 2010, Charleston County experienced a 154% increase in its Hispanic population. Overall, Charleston County's Hispanic population increased from 2% in 2000 to 5% in 2010. While this is still a very significant increase, the Hispanic population in reality is much larger than this data suggests, as many undocumented immigrants of Hispanic origin are apprehensive about answering census surveys.

In 2010, the CCRDV staff facilitated a focus group of patrol officers represented by each of the law enforcement agencies in Charleston County.²⁶ During part of the group discussion, the officers focused on the limited number of bilingual officers on duty available to assist the non-English speaking victims and perpetrators in Charleston County. Yet, this data reveals that only 2.9% of the total reports indicated language barriers between the officer and the victim and/or suspect.

However, Table 1.4 shows that approximately 6.7% of suspects and 5.5% of victims in this study were identified as Hispanic. This statistic is interesting when juxtaposed with the findings regarding language barriers. Though it is understood that many Hispanic individuals are fluent in English, the findings identified regarding language barriers are hard to interpret. It would be safe to assume that there may have been other cases that contained language barriers but were not recognized as such in the incident report. Regardless, the increase in population diversity points to the need for more programs and culturally-competent services to assist and communicate with these individuals.

TABLE 6.6. NOTIFICATION OF PROTECTIVE MEASURES PROVIDED TO VICTIM

Forty-five percent (45%) of all reports indicated that the victim was given a Notification of Protective Measures form.

	FREQ	%
Report indicated that Notification of Protective Measures was given to victim	661	45.6
No information in report on Notification of Protective Measures	788	54.4
TOTAL	1449	100.0

Many victims of domestic violence feel trapped in violent relationships because they may be unaware of the resources and laws available to help them. Also, offenders may threaten further violence if the victim attempts to leave or seeks assistance. Officers are therefore required to provide certain assistance to victims, witnesses, and children.

²⁵ Behre, Robert, and David Slade. "2010 Census: Who We Are." *The Post and Courier*, March 24, 2011: A1-A4.

²⁶ Folly Beach Public Safety was unable to be represented for this Focus Group.

Every victim should receive rights and services as provided under the Constitution of the State of South Carolina. Victims and witnesses will be treated with fairness, compassion, and dignity. The law enforcement officer is required to uphold the rights of crime victims in South Carolina pursuant to the Victims' Bill of Rights in the South Carolina Constitution.²⁷ Law enforcement officers must complete an incident report and provide the victim with the incident (OCA) report number in accordance with S.C. Code Ann§ 16-3-1520, which states "Victim entitled to copy of initial incident report; assistance in applying for victim's compensation benefits; and information on progress of the case." Under this guideline, officers should complete a Notification of Protective Measures²⁸ form and confirm the completion of this protocol in the incident report (See Appendix C for Notification of Protective Measures example).

However, according to this data, in just less than half of the incident reports collected, confirmation of the Notification of Protective Measures completion was listed. This, of course, does not mean that the form was only completed half of the time; however, only half of the reports made this indication, which could be problematic for future proceedings. It is especially problematic if this procedure was in fact not followed by the officer, and the victim was left without this information.

SECTION 7. DEMOGRAPHIC INFORMATION BY AGENCY

As the figures below demonstrate, the different agencies vary in their suspect and victim demographics (see Appendix D for a full demographic breakdown for each agency). There are many things to consider when comparing this information, and many different factors that may result in the differing statistics.

According to the most recent census data, Charleston County has approximately 350,209 residents.²⁹ Charleston County is made up of 64.2% White residents, 29.8% Black residents, 1.3% Asian residents, 0.3% American Indian and Alaska Native residents, 0.1% Native Hawaiian and Other Pacific Islander residents, and 1.6% residents reporting two or more races. Persons of Hispanic or Latino origin comprise 5.4% of Charleston County's population. Approximately 21.2% of the population of Charleston County is under 18 years of age, and about 13% of the population is above age 65. Females make up 51.7% of the residents of Charleston County.³⁰

Charleston County is a popular vacation area frequented by tourists. More than 4.3 million people visit the Charleston area annually.³¹ These visitors may account for some of the CDV incident reports that were collected and would help explain why the suspect and victim demographics are not representative of the overall population. Folly Beach, Isle of Palms, and Sullivan's Island are beach communities where

²⁷ S.C. Constitution, Article 1, Section 24. Victims' Bill of Rights.

²⁸ Notification of Protective Measures: Form that lists victim's rights and referral agencies with contact information that is given to victims at the scene of a crime by law enforcement.

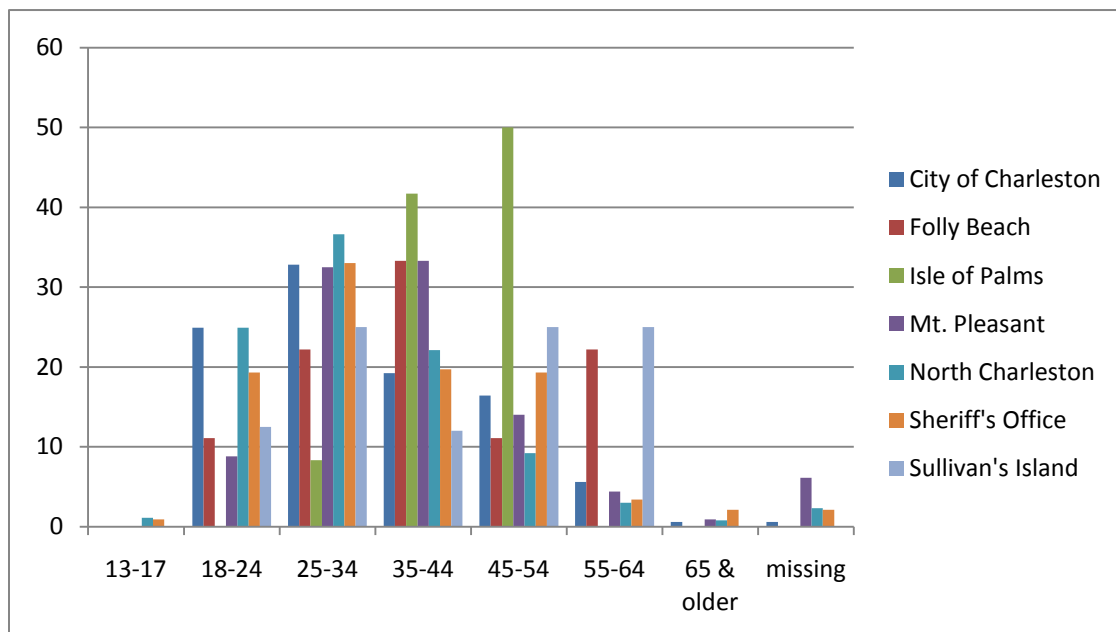
²⁹ U.S. Census Bureau. *State & County Quick Facts: South Carolina*. quickfacts.census.gov/qfd/states/45000.html (accessed May 2011).

³⁰ A person identified as Hispanic can be of any race. Hispanic is considered an ethnicity and is associated with country of origin.

³¹ Atlantic Publication Group, LLC. *Welcome Charleston, SC*. 2011. www.welcomecharlestonsc.com/lowcountry-life/charleston-county (accessed May 2011).

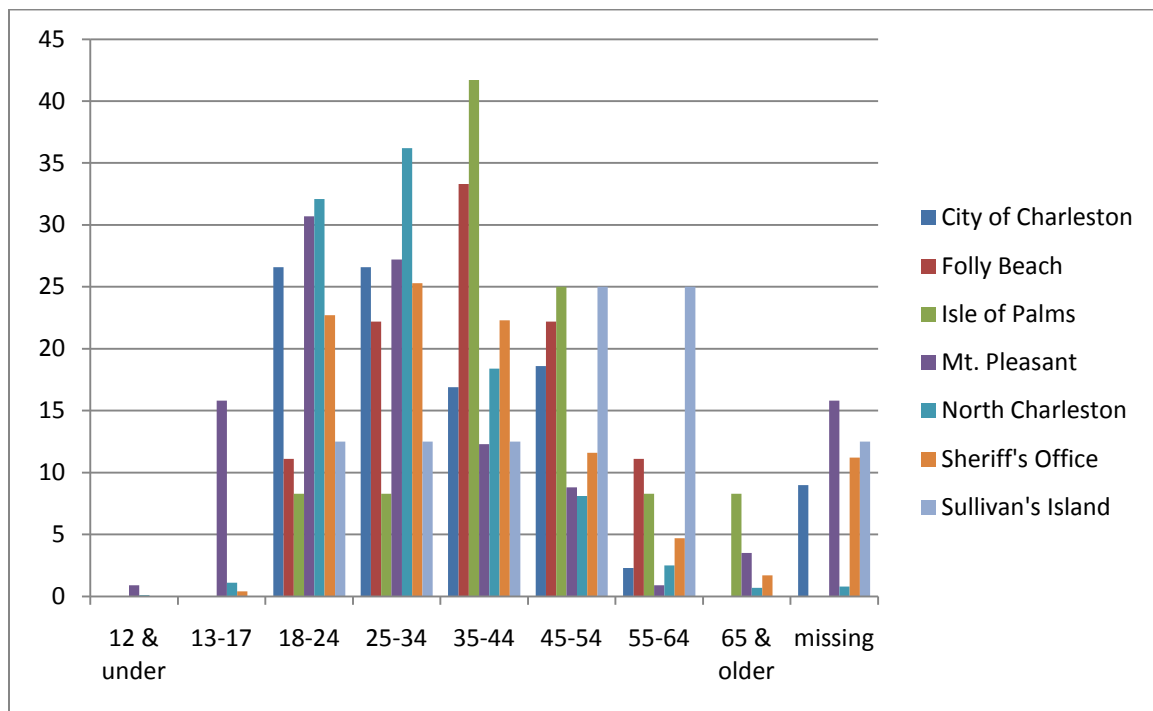
many tourists visit for vacation and stay for an extended period of time. An increase in overnight visitors may impact the number of CDV incident reports, as well as the suspect and victim demographics.

FIGURE 7.1. SUSPECT AGE—AGENCY COMPARISON (BY PERCENTAGE)



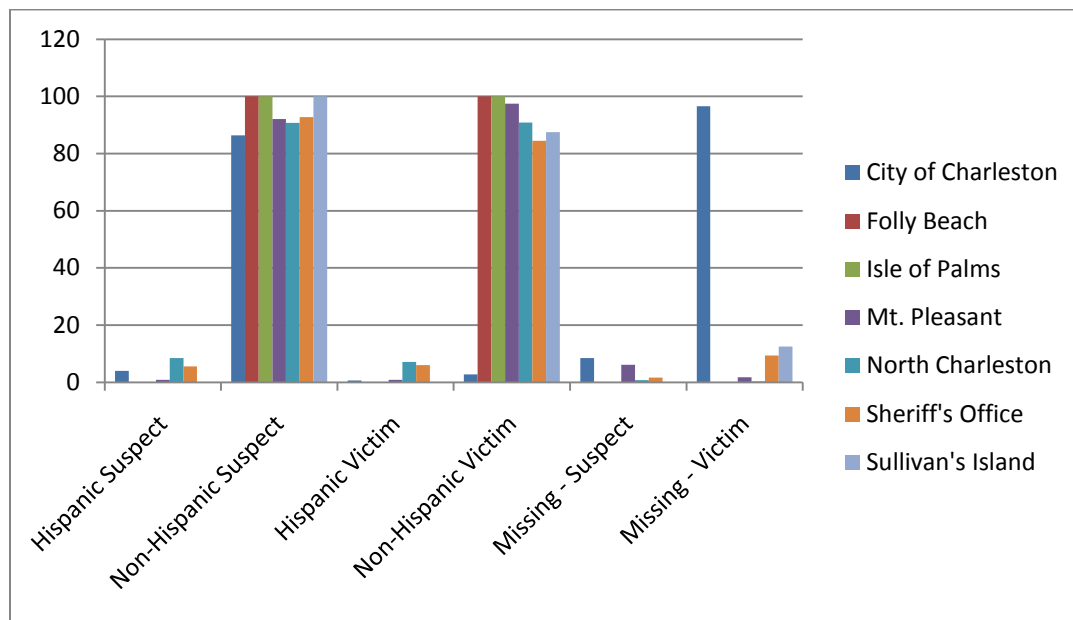
The City of Charleston and North Charleston have the highest percentage of suspects in the 18-24 age range, with the Charleston County Sheriff's Office ranking third. North Charleston also has the highest percentage of suspects in the 25-34 age range, with the Charleston County Sheriff's Office ranking second and Mt. Pleasant and the City of Charleston ranking third. Isle of Palms has the highest percentage of suspects in the 45-54 age range. Folly Beach and Sullivan's Island have the largest percentage of suspects in the 55-64 age range. The Charleston County Sheriff's Office has the largest percentage of suspects in the 65 and older category. Mt. Pleasant had the highest percentage of incident reports that did not specify the suspects age.

FIGURE 7.2. VICTIM AGE—AGENCY COMPARISON (BY PERCENTAGE)



Mt. Pleasant has the highest percentage of victims in the 13-17 age group. The City of Charleston, North Charleston, and Mt. Pleasant have the highest percentage of victims in the 18-24 age group. North Charleston has the highest percentage of victims in the 25-34 age group, with the City of Charleston, Mt. Pleasant, and the Charleston County Sheriff's Office also ranking high. Isle of Palms has the highest percentage of victims in the 35-44 age group and Folly Beach ranks second. Isle of Palms and Sullivan's Island have the highest percentage of victims in the 45-54 age group, with Folly Beach in second. Sullivan's Island has the highest percentage of victims in the 55-64 age group, and Isle of Palms had the highest percentage of victims in the 65 and older age group. Mount Pleasant has the highest percentage of incident reports that did not specify the victims age.

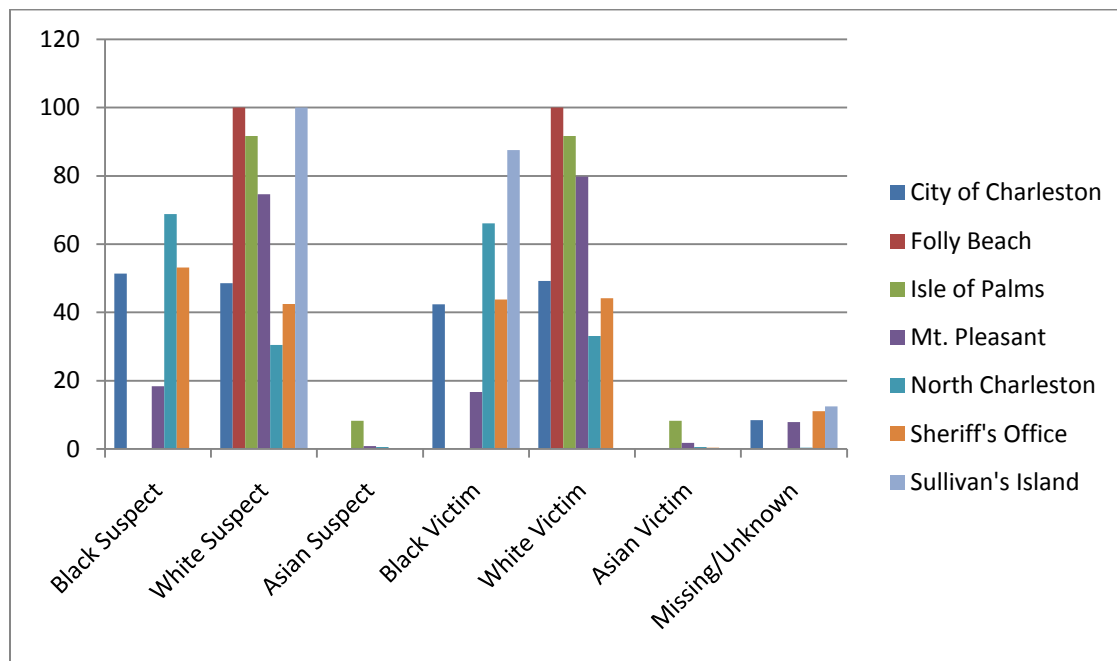
FIGURE 7.3. VICTIM AND SUSPECT ETHNICITY—AGENCY COMPARISON (BY PERCENTAGE)



All seven agencies have comparable percentages in regards to Non-Hispanic suspects and victims and Hispanic suspects and victims. Folly Beach, Isle of Palms, and Sullivan’s Island have the highest percentage of Non-Hispanic suspects. Folly Beach, Isle of Palms, and Mt. Pleasant have the highest percentage of Non-Hispanic Victims. North Charleston has the highest percentage of Hispanic suspects and victims, with the Charleston County Sheriff’s Office in second for both categories. According to the most recent census data, North Charleston has an overall Hispanic population of 8.4%, Folly Beach with 5.2%, Charleston County with 3.7%, City of Charleston with 2.2%, Mt. Pleasant with 1.2%, Isle of Palms with 0.7%, and Sullivan’s Island with 0.4%.³² The City of Charleston had the highest percentage of incident reports that did not specify the victim or suspects ethnicity.

³² U.S. Census Bureau. 2005-2009 American Community Survey. www.factfinder.census.gov (accessed May 2011).

FIGURE 7.4. VICTIM AND SUSPECT RACE—AGENCY COMPARISON (BY PERCENTAGE)



The race demographics of both the suspects and the victims vary across the different agencies. The City of Charleston, North Charleston, and Charleston County Sheriff's Office have the highest percentages of Black suspects and Mt. Pleasant ranks third. These four agencies, along with Sullivan's Island, also have the highest percentages of Black victims. According to the latest census data, North Charleston has an overall Black population of 49.9%, Charleston County with 31.1%, the City of Charleston with 28.3%, Mt. Pleasant with 4.8%, Folly Beach with 1.6%, Sullivan's Island with 0.7%, and Isle of Palms with 0%.³³

Folly Beach, Sullivan's Island, Isle of Palms, and Mt. Pleasant have the highest percentages of White suspects. Folly Beach, Isle of Palms, and Mt. Pleasant also have the highest percentages of White victims. Isle of Palms has an overall White population of 99.2%, Sullivan's Island with 99.1%, Folly Beach with 97.3%, Mt. Pleasant with 92.7%, City of Charleston with 67.8%, Charleston County with 64.5%, and North Charleston with 42.6%.³⁴

Isle of Palms has the highest percentage of Asian suspects and victims. City of Charleston has an overall Asian population of 1.9%, North Charleston with 1.9%, Charleston County Sheriff's Office with 1.5%, Mt. Pleasant with 1.0%, Isle of Palms with 0.8%, Sullivan's Island with 0.2%, and Folly Beach with 0%.³⁵

Charleston County Sheriff's Office has the highest percentage of incident reports that did not specify the suspect and/or victims race.

³³ U.S. Census Bureau. 2005-2009 American Community Survey. www.factfinder.census.gov (accessed May 2011).

³⁴ U.S. Census Bureau. 2005-2009 American Community Survey. www.factfinder.census.gov (accessed May 2011).

³⁵ U.S. Census Bureau. 2005-2009 American Community Survey. www.factfinder.census.gov (accessed May 2011).

NEXT STEPS

The seven law enforcement agencies in Charleston County are each represented in the Best Practices Committee facilitated by the CCRDV.

In conjunction with training needs identified through the incident reports, the CCRDV has also developed a Best Practices Guide for First Responders. This guide was developed through the study of current policies and procedures from each agency, effective model policies and procedures, and specific needs in the community, as discovered through report analysis and the patrol officer focus group.

The CCRDV will work with agencies to formalize and implement training initiatives for all responding officers, which will be accredited to meet the yearly continuing education demands for law enforcement. As soon as the training is completed by all responding officers and supervisors, the CCRDV will begin collecting all CDV incident reports for another one-year period and enter them into a similar database. The two years will then be compared to measure the successfulness of the Best Practices Guide and the trainings, by looking at changes in the data and continuing to identify ongoing training needs of officers in Charleston County.