Domestic Violence

looking beyond perps and victims

Who gets attention?

- Traditional Barbie's
- Mothers
- Sensational stories - headline quality

Who doesn't get attention?

- People of color
- People living with poverty
- People who are afraid of the police
- People who are afraid of social services
- People - Most People

Did you survive?

- It must not have been that bad. I mean you are here, right?

Did you try to get away?

- Yes but "I had no resources" to leave
  - No local support
  - No options for housing
  - Finances were intertwined
  - I am afraid of being in a worse situation than the current one.

"The Monroe County Domestic Violence Coalition is committed to improving our community's response to domestic violence issues through communication and coordination of services. Major projects of the Coalition include a biennial Domestic Violence Awareness Conference and the implementation and monitoring of an audit of our community's response to domestic violence.

Membership to the Domestic Violence Coalition is open to service providers, representatives from local communities of faith, individual community members, and other organizations concerned with the elimination of domestic violence in our community.

This information is provided to:
(1) assist domestic violence survivors in decision making and
(2) assist the organizations that serve these individuals by providing information about other domestic violence resources. "

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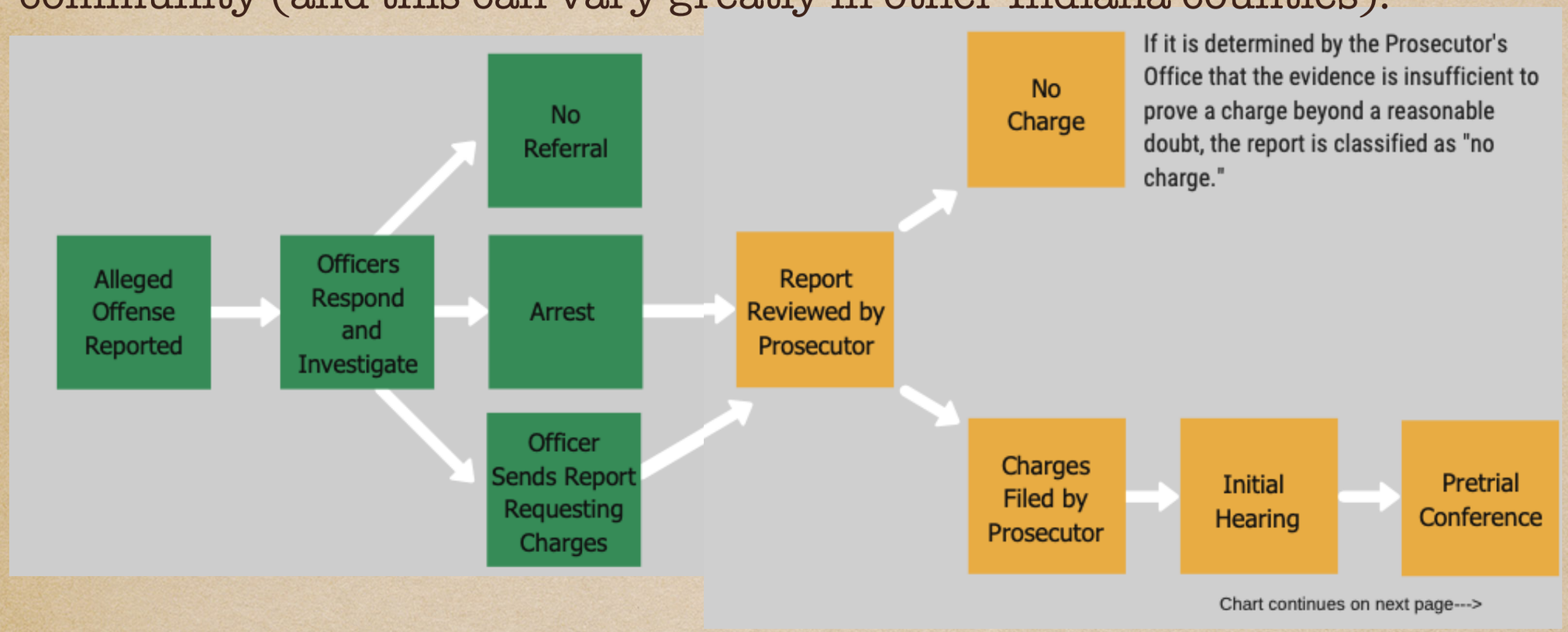
The legal system

- Does the legal system define who is worthy of services for domestic violence?
- Do I report someone to qualify?
  - Ok then, lets pursue the criminal charges
- Don't worry, you can sign up for 24x7 notifications (via VINElink) for survivors, victims of crime, and other concerned citizens to access timely and reliable information about offenders or criminal cases in U.S. jails and prisons. So you can be gone when they come looking for you!

An abbreviated description of how a report is processed through the Monroe County legal system. While it is frequently more complex than what is shown here, it represents what happens in the Monroe County community (and this can vary greatly in other Indiana counties).

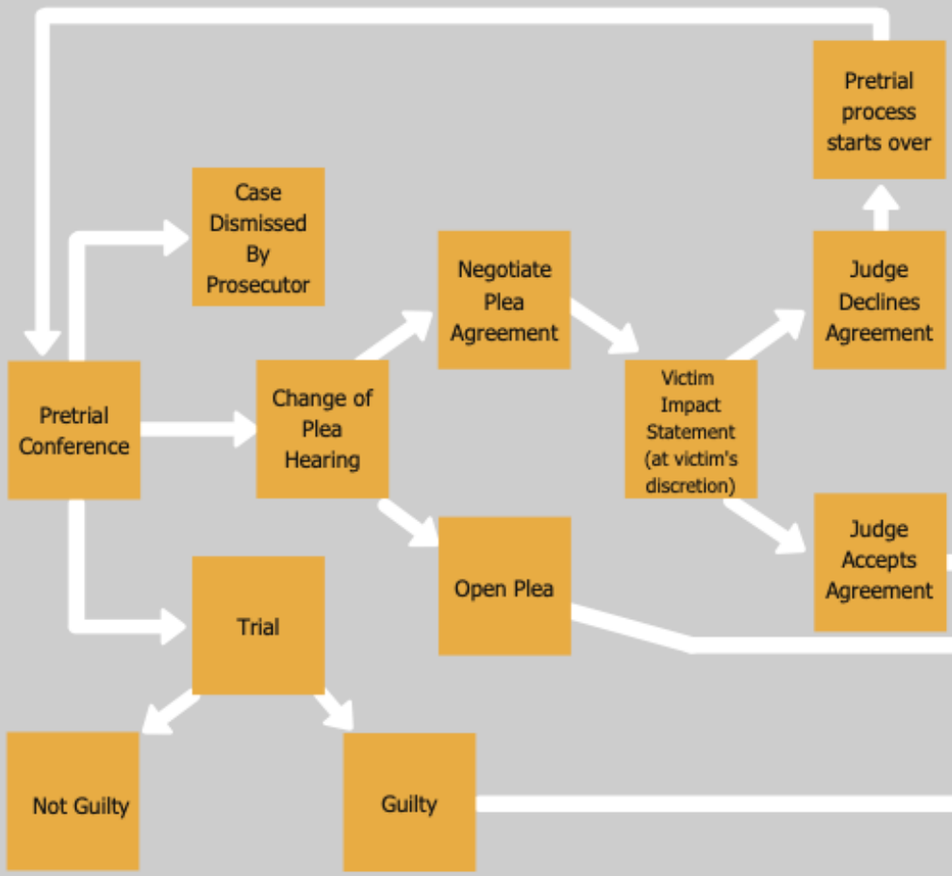


The Monroe County Prosecutor's Office reviews reports submitted by investigating agencies to determine if there is sufficient, credible, and admissible evidence to prove the charge beyond a reasonable doubt. If it is determined by the Prosecutor's Office that the evidence is insufficient to prove a charge beyond a reasonable doubt, the report is classified as "no charge."

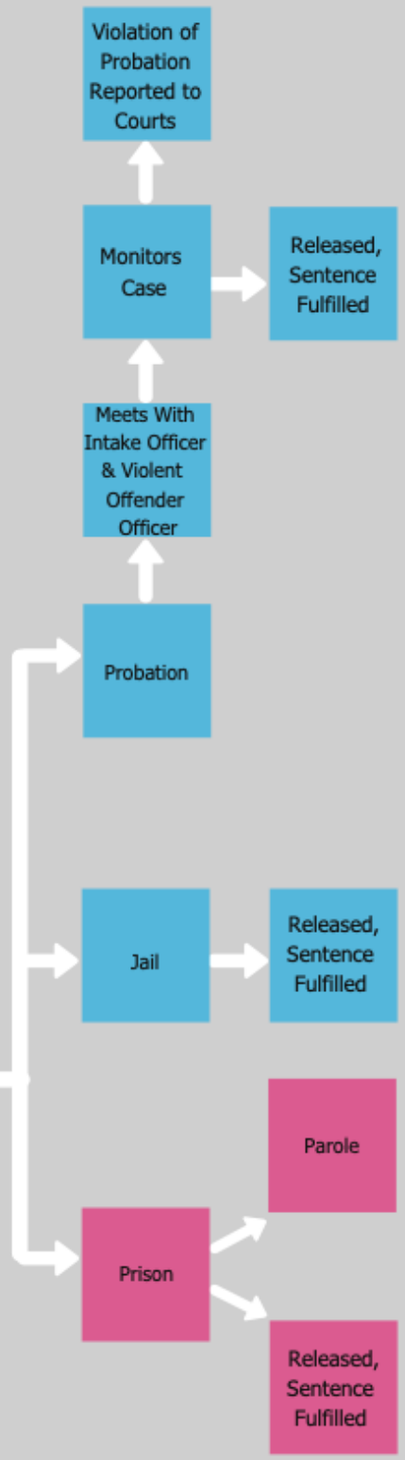
After charges are filed, the defendant will have an initial hearing, at which the defendant enters a plea of guilty or not guilty, is advised of their rights, is informed of the range of penalties, and may request a public defender. If the defendant enters a plea of not guilty, the case will proceed to a pretrial conference - a meeting between the prosecutor, defendant, and defense attorney. Possible case resolutions are represented in the corresponding chart.

Pretrial Release and Supervision

All persons booked into the Monroe County Jail for any criminal offense will receive a risk assessment by the Probation Department and, whether released on their own recognizance or by issuance of a monetary bond, may be subject to pretrial conditions to include, but not limited to, electronic monitoring, daily reporting requirements, drug and alcohol testing, and/or regular meetings with an authorized representative of the probation department. A person arrested for an offense resulting in bodily injury to a person shall not be released until 24 hours have elapsed, unless ordered by a judge.



Community Supervision



Upon conviction, a person may also be sentenced to the Monroe County Jail, prison, probation, another form of community supervision, and then released from custody upon completion of their sentence. Persons sentenced to a term of community supervision report to a probation officer either after their release from incarceration or immediately after their sentencing hearing.

The convicted person will meet with an intake probation officer to collect general information and to participate in a risk assessment and substance abuse assessment.

After the initial assessment, the person will be assigned to a supervision probation officer who will oversee their case. The Probation Department has a specialized unit, the Enhanced Supervision Unit (ESU), which provides more intensive supervision to offenders convicted of sex and violent offenses. The ESU probation officer will develop a case plan that is designed to reduce the risk the person poses to the community. (Continued)

Policies for successful intervention:

Early Contact

- Report
- Arrest is the most significant factor in deterring future abuse.
  - *Department of Justice; National Institute of Justice, Special Report; Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges. (2009)*
  - Policies: Arrest on PC, 24 hold
- Contact the victim as early as possible
  - Establish a relationship
  - Listen to wishes and concerns
  - Build trust
  - Encourage cooperation in a criminal prosecution
  - Explain process of criminal justice system
  - Help victim anticipate what to expect in court
- Domestic Violence Victim Assistant (2008)
- Call victim as soon as possible, most often before a charge is even filed
- Best Practice:
  - increases victim cooperation
  - more successful outcomes

Policy on victim cooperation

- Prosecutor's Office may continue to pursue prosecution notwithstanding lack of cooperation from the victim if there is sufficient evidence in the case to proceed
  - Often relief to the victim
  - Prosecution of their intimate partner is not the victim's fault
  - Domestic violence is perpetrator's responsibility
  - Defendant should not be allowed to avoid accountability through pressuring victim to refuse cooperation.
  - Role of prosecutor is to enforce the law, DV is a criminal offense.
  - Holding perpetrators accountable under the law is an intervention that helps break the cycle of domestic violence.

Domestic Violence Filing Policy

- "Probable cause" is standard for arrest
  - "More likely than not" that a criminal offense occurred
- "Beyond a reasonable doubt" is standard required for conviction
- Interventionary filing policy: Filing a case in order to intervene, promote victim safety, and provide a meaningful response
- Filing a marginal case may be a successful intervention even if the evidence is ultimately too weak to support a conviction

"**Domestic or family violence**" means:

- Attempting to cause, threatening to cause, or causing physical harm to another family or household member;
- Placing a family or household member in fear of physical harm; or
- Causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress.

"**Stalking**" means "a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened." Ind. Code § 35-45-10-1. "Course of conduct" means at least two incidents.

"**Sex offense**" means one of the crimes listed in Ind. Code § 35-42-4, such as rape, sexual battery, or crimes against children.

American Prosecutor's Research Institute

The Role of the Prosecutor in Domestic Violence Cases

Traditionally, the role of the prosecutor has been to hold offenders who violate criminal statutes accountable for their actions, the goal being conviction. In domestic violence cases, however, the prosecutor should make the victim's safety the first priority, because domestic violence victims are in greatest danger when they attempt to seek help. The prosecutor, therefore, should redefine "success" and "winning" in light of the special characteristics of domestic violence. Success, in domestic violence cases, is attaining the victim's safety. Conviction may be part of securing the victim's safety . . . . Prosecutors who strive for conviction first and safety later may allow "weaker" cases to slip through the cracks of the system (by rejecting them for prosecution), despite a substantial risk of repeated violence.

Ex Parte Order for Protection

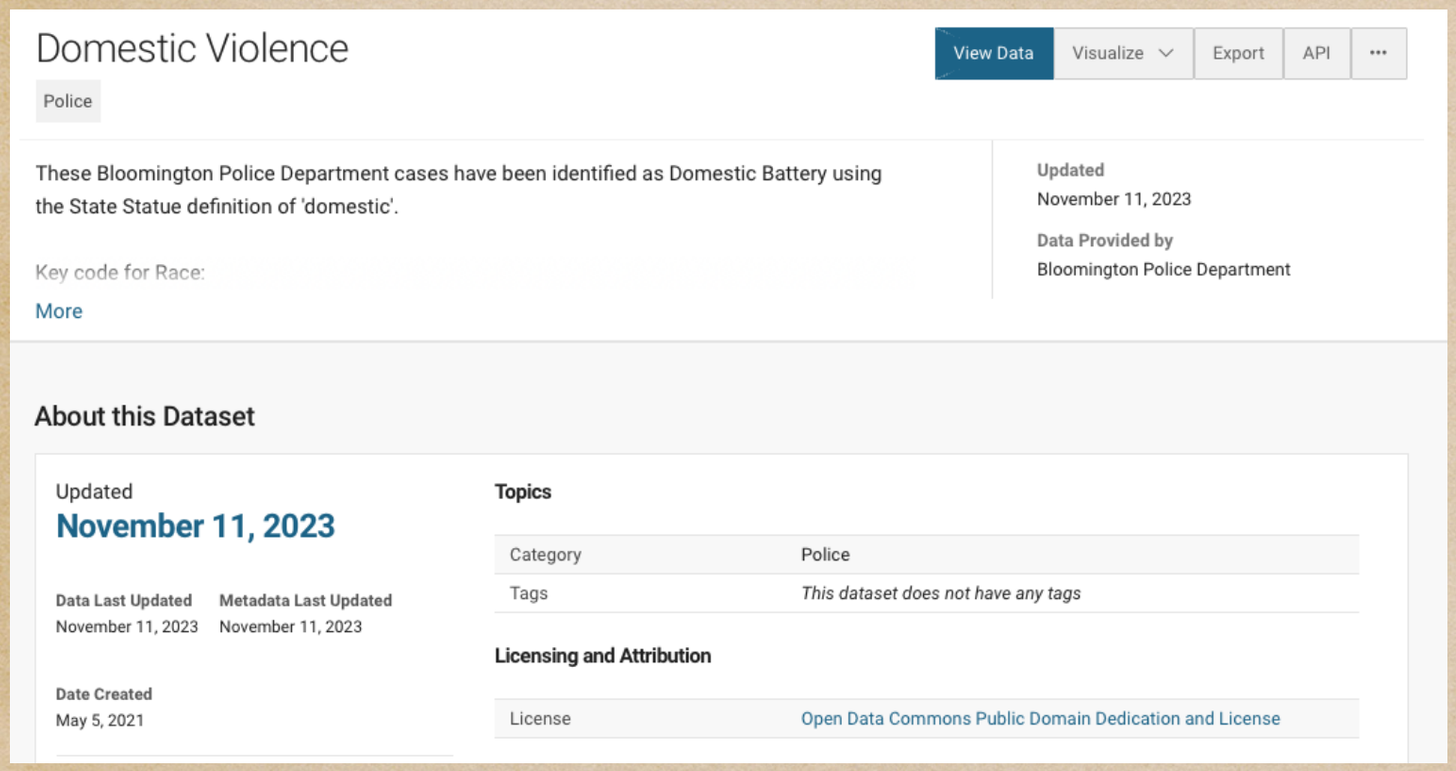
What is an ex parte order for protection?

The term "ex parte" means one-sided. Normally, in our legal system, both sides to a case are allowed to present their evidence and arguments to a judge (usually at a hearing) before the judge makes a decision on the case and issues an order or ruling. An ex parte order is an exception to this principle, because the judge issues the order after considering only one side of the case (the petitioner's side)—and does so before the other side (the respondent) even knows there is a case against him or her. This extraordinary measure is allowed in protection order cases, however, since there are often allegations of violence or the threat of violence.

Jail

- Arrest is the most significant factor in deterring future abuse. Really? I need more proof.
  - *Department of Justice; National Institute of Justice, Special Report; Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges. (2009)*
- Policies: Arrest on PC, 24 hold
- Of 232 DV cases
  - 203 defendants (87.5%) received an executed jail sentence.
  - 122 (52.5%) served at least one week (7 real days) in jail
  - 81 (34.9%) served less than one week (7 real days) in jail

A look at recent public data which would support that JAIL is BEST claim.



Domestic Violence

View Data | Visualize | Export | API | ...

Police

These Bloomington Police Department cases have been identified as Domestic Battery using the State Statue definition of 'domestic'.

Key code for Race:

More

Updated
November 11, 2023

Data Provided by
Bloomington Police Department

About this Dataset

Updated
November 11, 2023

Data Last Updated: November 11, 2023
Metadata Last Updated: November 11, 2023

Date Created
May 5, 2021

Topics

Category	Police
Tags	*This dataset does not have any tags*

Licensing and Attribution

License	Open Data Commons Public Domain Dedication and License

2017-2023

A- Asian/Pacific Island, Non-Hispanic
B- African American, Non-Hispanic
C- Hawaiian/Other Pacific Island, Hispanic
H- Hawaiian/Other Pacific Island, Non-Hispanic
I- Indian/Alaskan Native, Non-Hispanic
K- African American, Hispanic
L- Caucasian, Hispanic
N- Indian/Alaskan Native, Hispanic
P- Asian/Pacific Island, Hispanic
S- Asian, Non-Hispanic
T- Asian, Hispanic
U- Unknown
W- Caucasian, Non-Hispanic

L for Law call or incident
B stands for Bloomington
5 is the district or beat where incident occurred
All numbers following represents a grid sector.

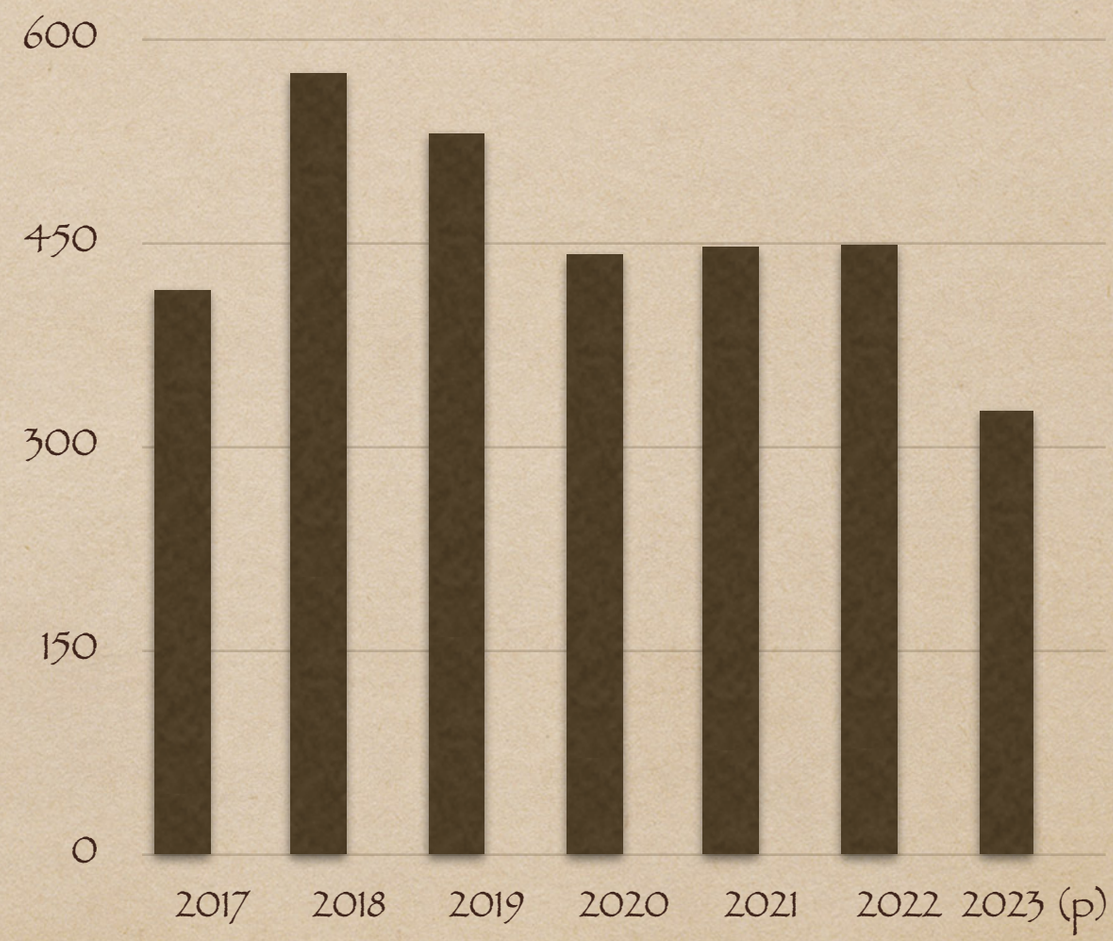
https://data.bloomington.in.gov/Police/Domestic-Violence/vq37-rm9u

3200 Reports recorded by the DATASET

Jan 2017 - Nov 11 2023

FYI Only 18 reports from non-BPD

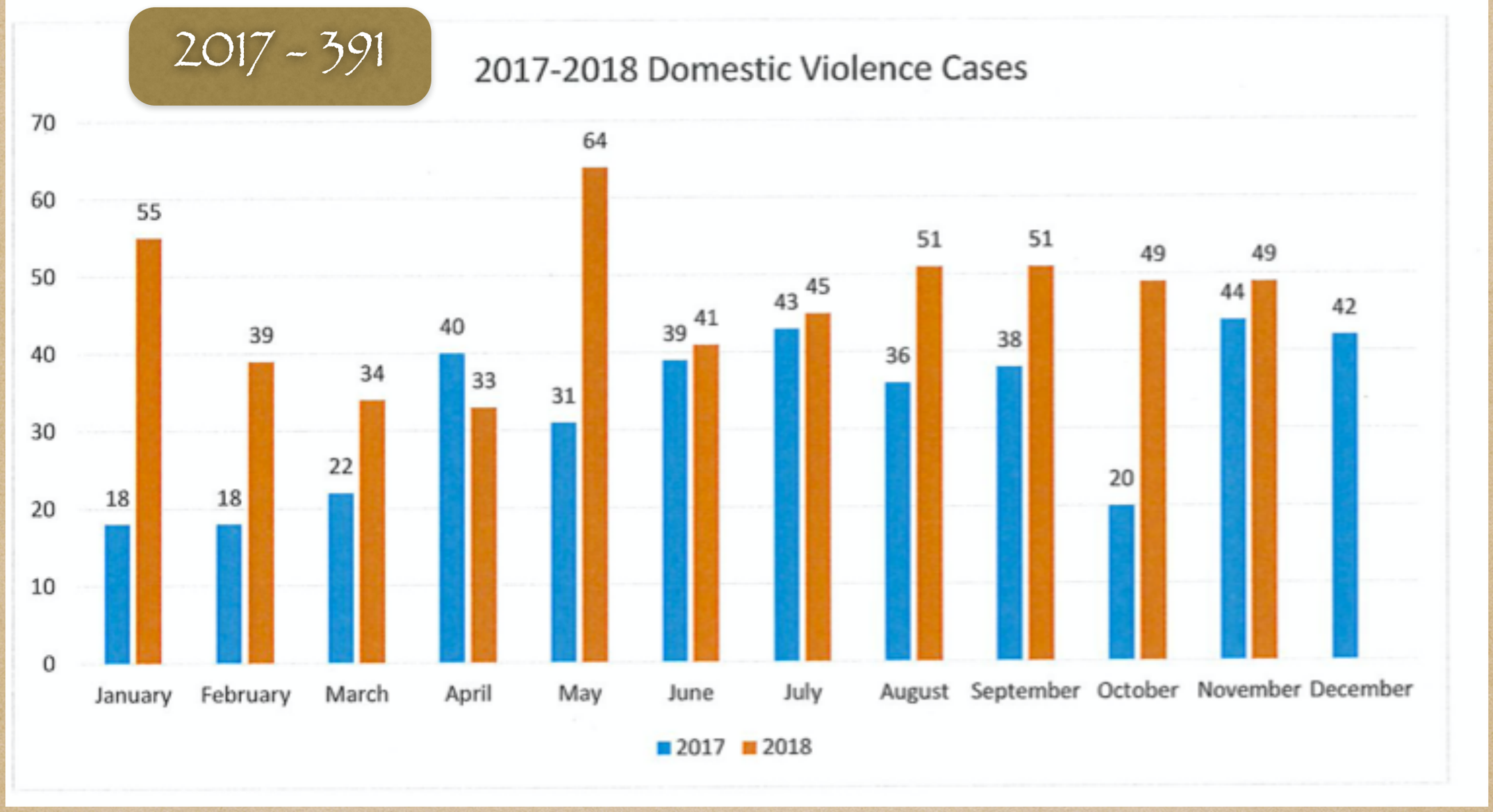
416 in 2017
575 in 2018
531 in 2019
442 in 2020
448 in 2021
450 in 2022
328 in 2023 (partial year)



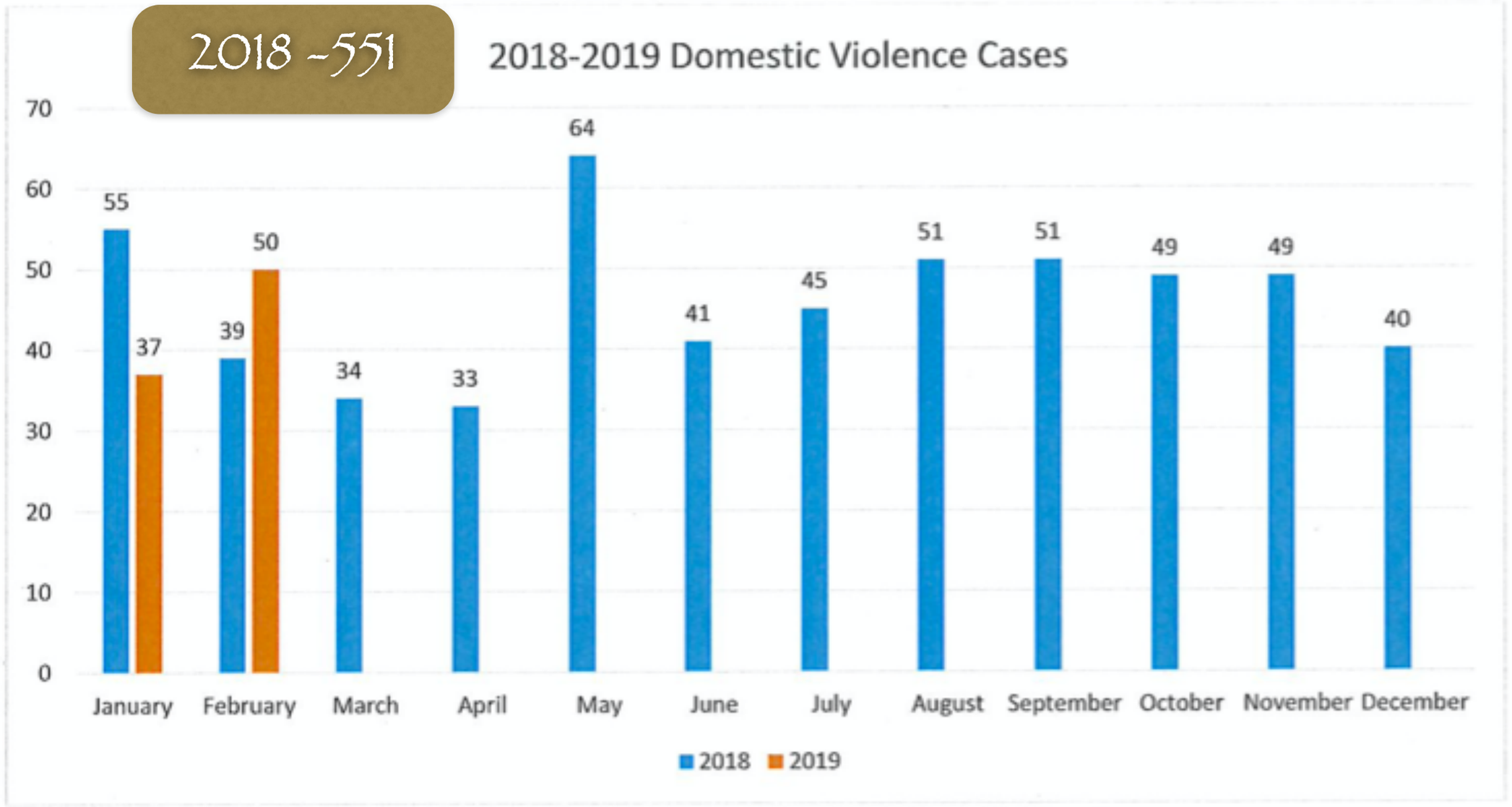
DV reports per year 2017 2023

These Graphs are from the Packets for the Bloomington Board of Safety Commission.

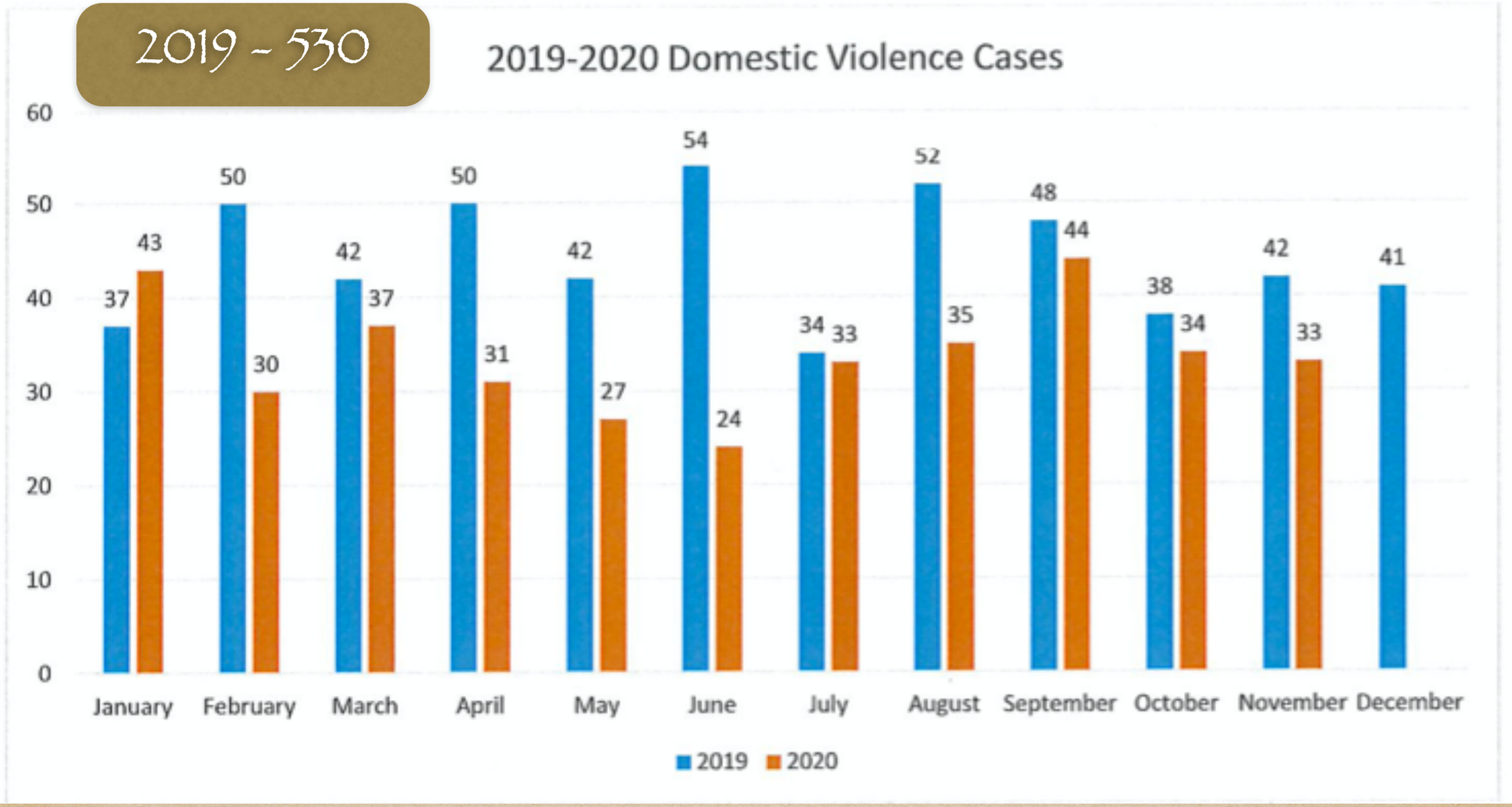
2017 - 391



2018 -551


2018-2019 Domestic Violence Cases
70
60
50
40
30
20
10
0
55
37
39
50
34
33
64
41
45
51
51
49
49
40
January
February
March
April
May
June
July
August
September
October
November
December
2018
2019

2019 - 530


2019-2020 Domestic Violence Cases
60
50
40
30
20
10
0
37
43
50
30
42
37
50
31
42
27
54
24
34
33
52
35
48
44
38
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42
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41
January
February
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July
August
September
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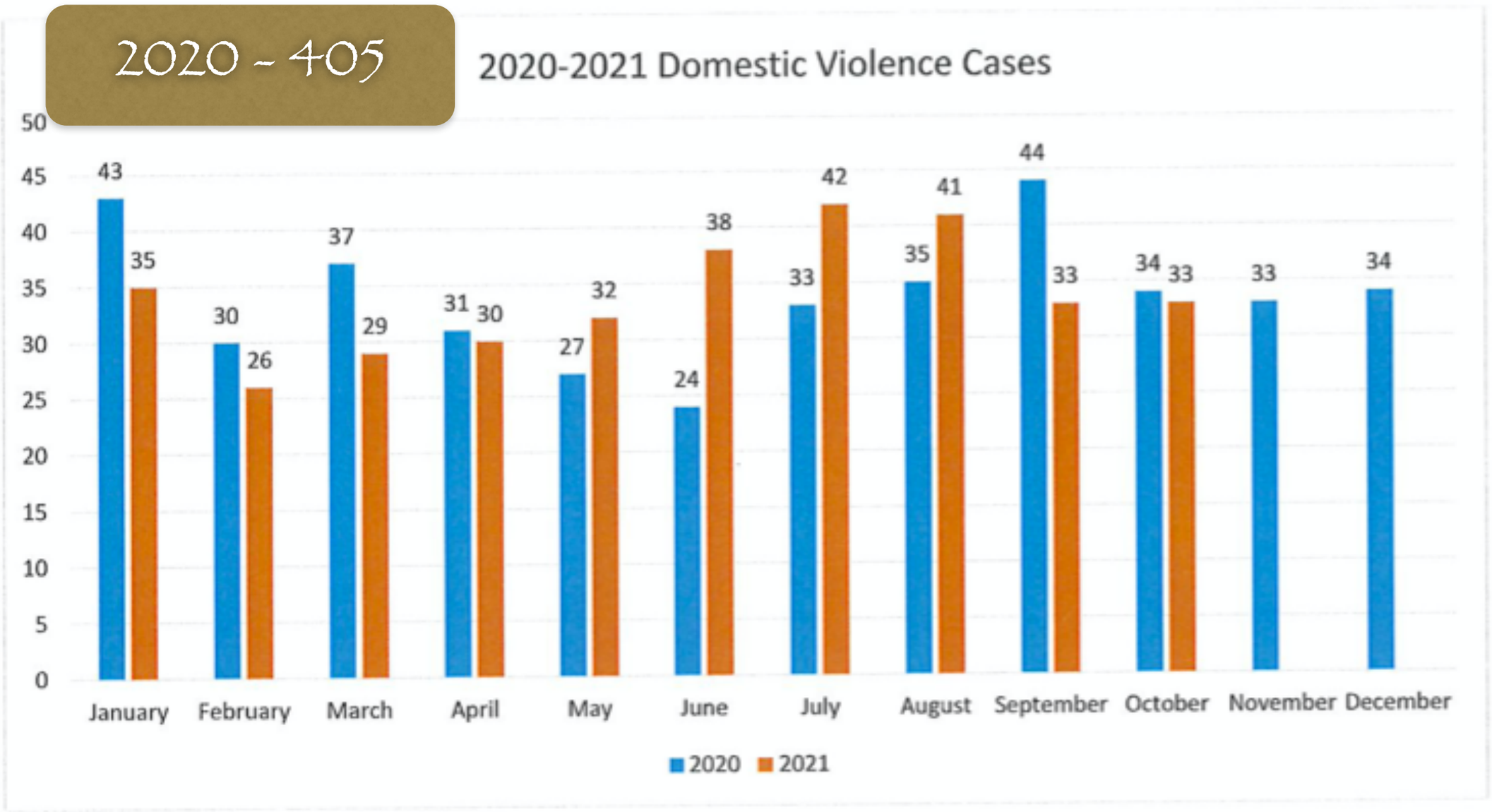
November
December
2019
2020

2020 - 405


2020-2021 Domestic Violence Cases
50
45
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35
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15
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29
31
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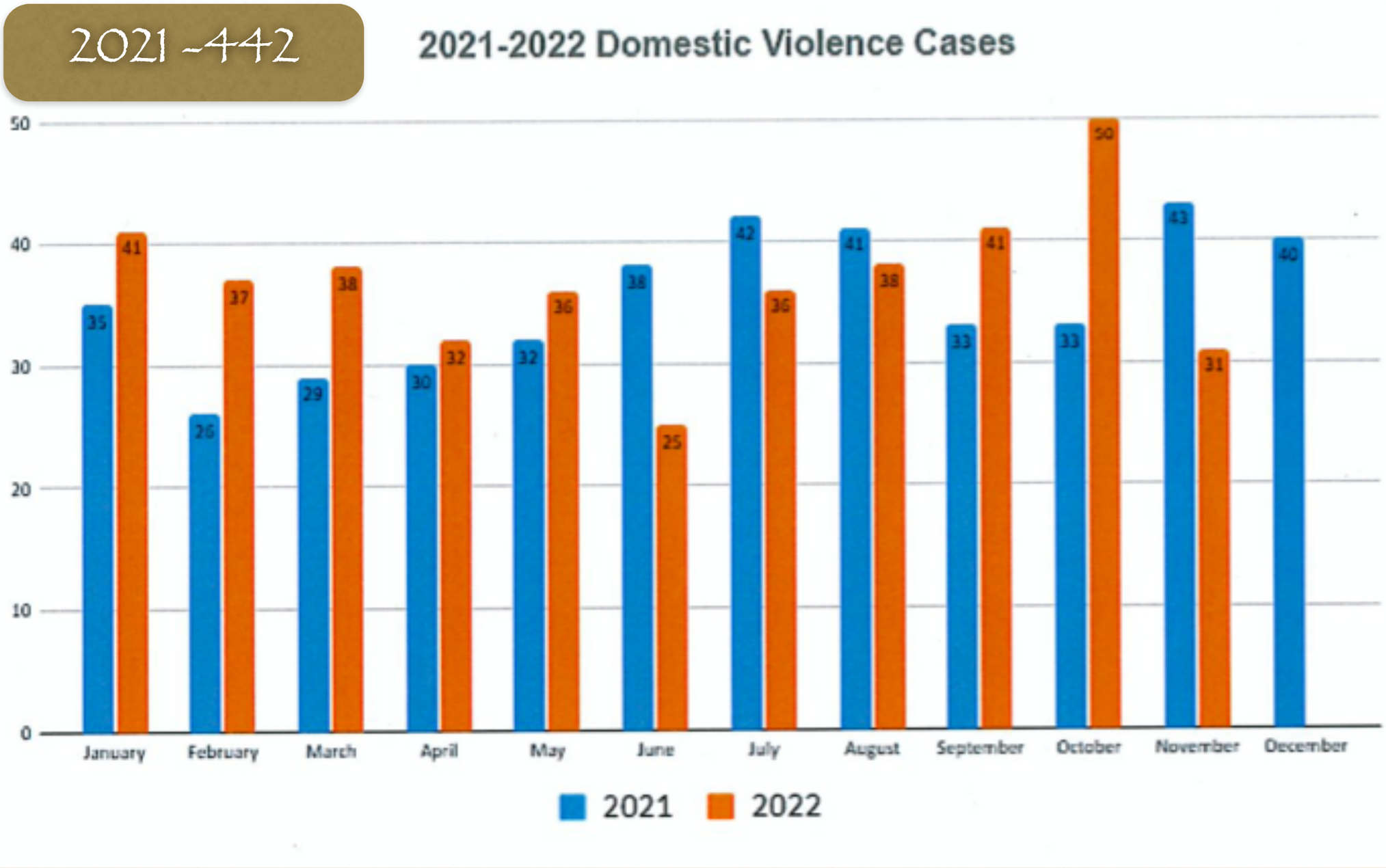
2020
2021

2021 -442


2021-2022 Domestic Violence Cases
50
40
30
20
10
0
35
41
26
37
29
38
30
32
32
36
38
25
42
36
41
38
33
41
33
50
43
31
40
January
February
March
April
May
June
July
August
September
October
November
December
2021
2022

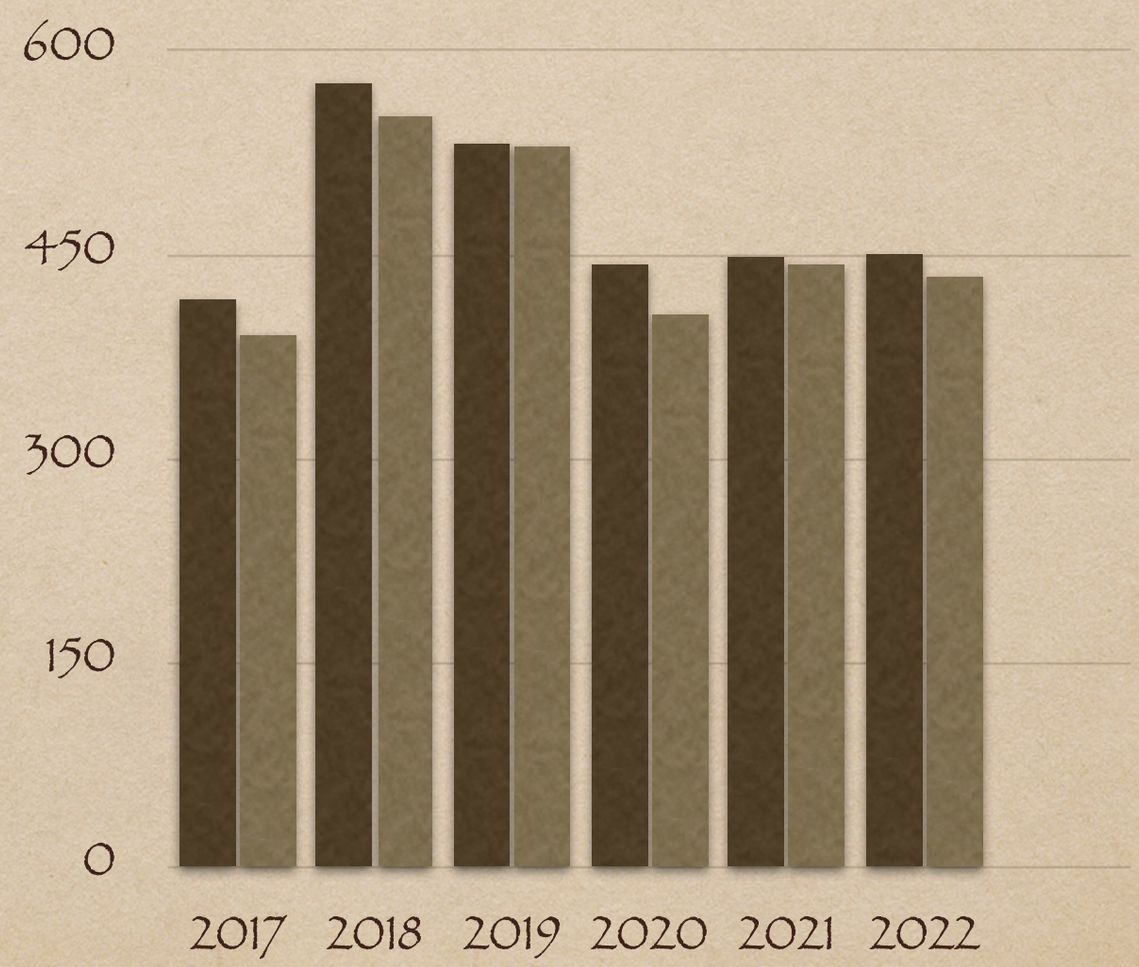
2022 - 434

- Last Data Report Given at the Bloomington Board of Public Safety meeting by Police Deputy Chief Scott Oldham in the BPD Statistical Report in May 2023

Reports recorded by the DATASET contrasted with BPD Statistical reports to the Bloomington Board of Safety 2017-2022

416 in 2017
575 in 2018
531 in 2019
442 in 2020
448 in 2021
450 in 2022
328 in 2023 (Nov 2023)

391 in 2017
551 in 2018
530 in 2019
405 in 2020
442 in 2021
434 in 2022
176 in 2023 (may 2023)



The mission of the Bloomington Police Department is to safeguard life and property while respecting diversity, encouraging civility, solving problems, and maintaining a high standard of individual integrity and professionalism.

2021 Domestic Violence Case Data													
Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Total
Cleared by Arrest	15	10	8	12	15	19	23	14	17	12	24	15	184
Cleared by Juvenile Arrest	1	1	4	1	1	1	1	1	1	1	2	1	16
Resulted in No Charges	0	0	0	0	0	0	0	0	0	0	0	0	0
Active Investigation	3	1	1	2	1	5	3	5	6	7	2	11	47
Exceptional Adult Clearance	5	3	6	2	4	4	3	7	0	2	5	2	43
Exceptional Juvenile Clearance	0	0	0	0	0	0	0	0	0	0	0	0	0
Warrant Requested	0	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded	4	2	0	4	6	1	2	4	1	4	1	0	29
Inactive	7	7	14	8	7	14	16	12	8	8	12	11	124
Total Domestic Battery Cases	35	24	33	29	34	44	48	43	33	34	46	40	443

200 of 443 arrests

About the Statistics

- An **Active Case** is still being investigated.
- Cases have been **Cleared by Arrest** when the perpetrator has been arrested for domestic battery.
- **Exceptional Clearance** means all leads have been exhausted.
- **Inactive cases** have not been resolved but are not expected to continue.
- A case is **Unfounded** when police are unable to arrest due to a lack of evidence.

200 Arrests

- 122 Guilty plea
- 50 Dismissed
- 28 Guilty Plea Other Charge (dismissed)

Guilty Plea to DV Case: Defendant was convicted of a domestic violence charge pursuant to a negotiated plea agreement.

Guilty Plea to Companion Case: Defendant was convicted of an offense in a related case pursuant to a negotiated plea agreement.

Dismissed: The charge against the defendant is dismissed. In situations where the evidence likely does not support an outright conviction the state may still seek to achieve a favorable outcome that provides a meaningful response to protect victim safety along with

Received Supervisions for Domestic Battery	
January - December 2021	
Adult Probation	47
Day Reporting	19
Electronic Monitoring	6
Pretrial Monitoring	92

Closed Supervisions for Domestic Battery	
January - December 2021	
Adult Probation (Absconded)	3
Adult Probation (Closed - Transfer in)	5
Adult Probation (Revoked - New Offense)	2
Adult Probation (Successful)	11
Adult Probation (Unsuccessful)	6
Day Reporting (Successful)	7
Day Reporting (Revoked - Technical)	1
Day Reporting (Unsuccessful)	1
Day Reporting (Absconded)	1
Electronic Monitoring (Successful)	14
Electronic Monitoring (Unsuccessful)	1
Electronic Monitoring (Revoked - Technical)	1
Pretrial Case Management (Successful)	65
Pretrial Case Management (Absconded)	5
Pretrial Case Management (Unsuccessful)	21

Total of 164

29% Failed

Protective Order Project

The Protective Order Project ("POP") is a law student-directed project at the Indiana University Maurer School of Law designed to help victims of domestic violence, sexual assault, stalking, and harassment obtain civil protective orders from the court, with the goal of preventing further abuse, both by restraining the abuser and by empowering the victim.

POP utilizes the skills of law students, the advice and assistance of private volunteer attorneys, and the resources of Middle Way House, to serve those seeking protective orders in Monroe and surrounding counties.

Learn more about protective orders and Indiana's protective order law.

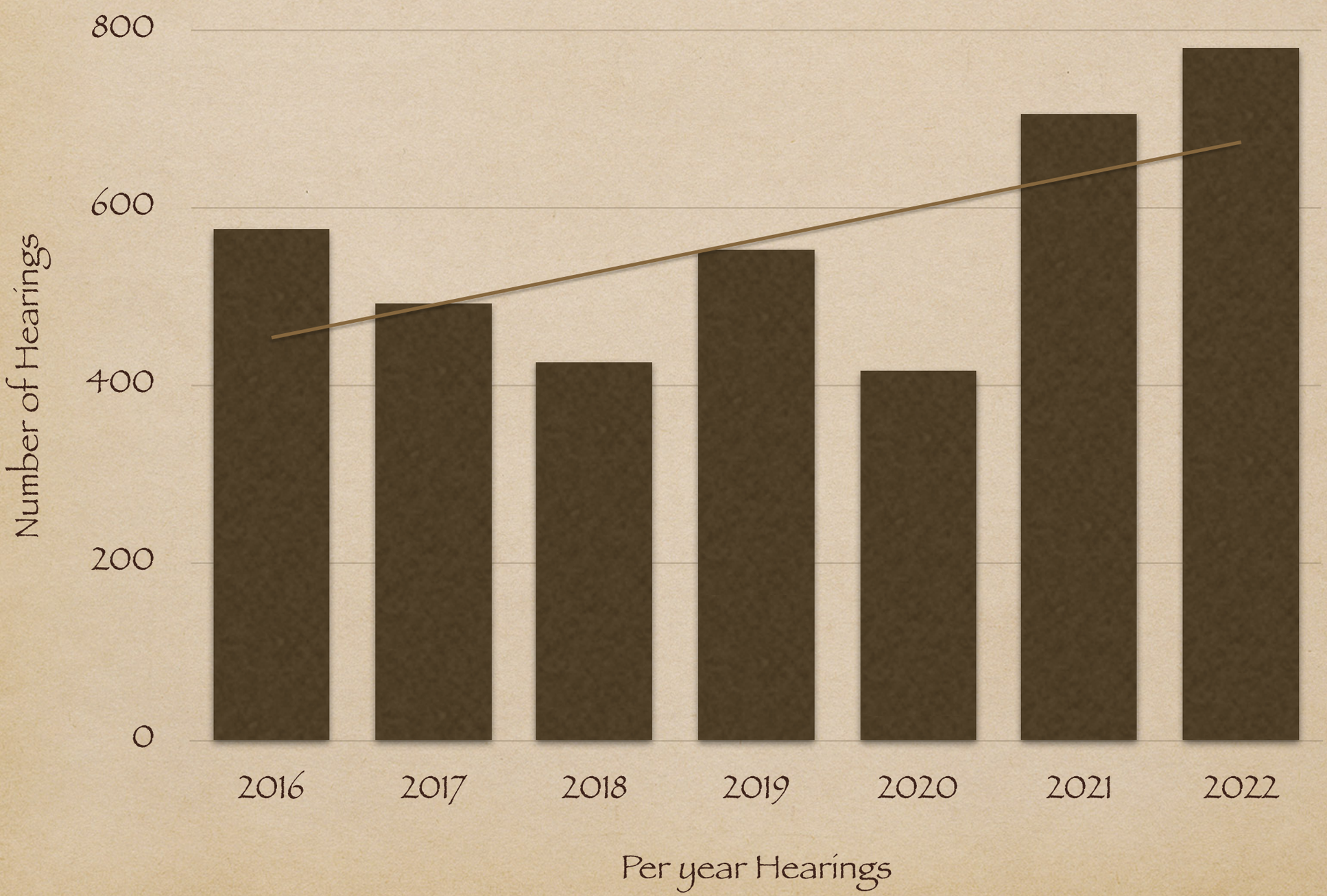
Contact us

You can contact us any time at pop@indiana.edu or leave a voicemail at (812) 855-4800. Emails and voicemails are checked during office hours.

Regular Office Hours: Monday – Friday from 12 p.m. – 1 p.m. and 5 p.m. – 6 p.m.

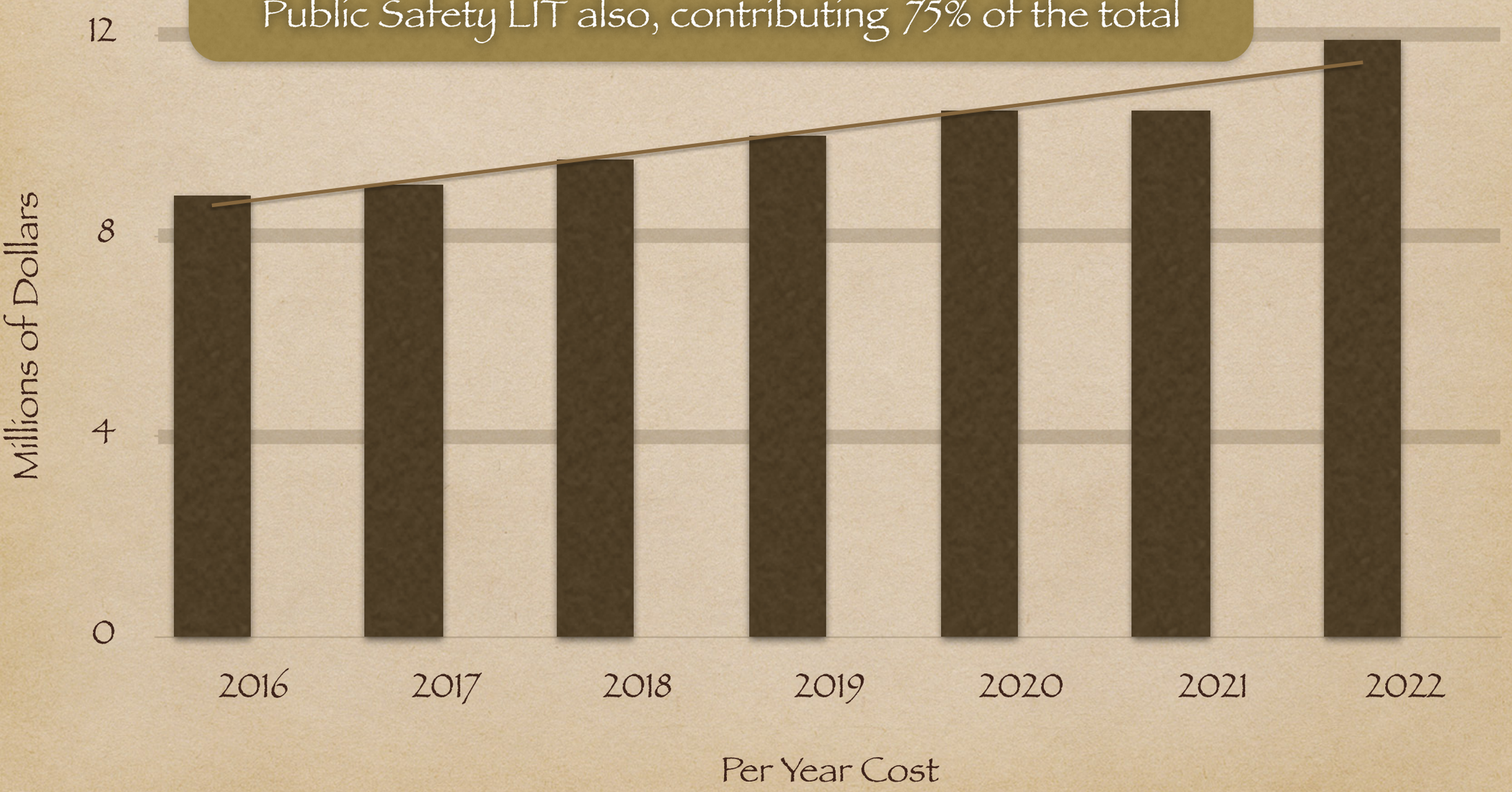
We are located in the Indiana University Maurer School of Law at 211 S. Indiana Avenue, Bloomington, Indiana 47405. We are in Room 010 in the lower level of the building.

Protective Orders Hearings



Monroe County Court Systems budgets 2016 - 2022

General Funds, Special LIT, and, beginning in 2018 the Public Safety LIT also, contributing 75% of the total



It is unclear if the Courts budgets include the Sheriffs Office and the Jail.

- 2024 budget for SHERIFF'S OFFICE GENERAL FUND TOTAL $6,442,456

SO YOUR Options?

- Either leave or shut up.
    - If you leave you can not complain about the process which "saved your life", EVER
    - If you leave you can make leaving the reason why you are so horribly broken, and the reason you can not heal or move on.

Start a safety plan

- Start writing down options which will do something different.
- Study the cycle of violence and pin point the places in which you have agency.
- Do something, confidentially, which is just for you.

Believe things can change

- It's hard to stay afloat and resilient if you don't have a shred of hope that you can live without the hurt, agitation, and worry that violence brings into your life.

- Focus on ways which you have available to you which will prevent further harm to yourself and your family.