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June 19

Are we asking the right questions?

After two murder-suicides in a week, experts are assessing whether Maine needs further safeguards.

By David Hench dhench@mainetoday.com
 Staff Writer

The tragedy of back-to-back murder-suicides in central Maine this month gives rise to an unavoidable question:

Is there nothing society can do to protect a woman from an abusive spouse whose desperation overrides all norms of decency and even his own will to live?

Nothing can guarantee that an abusive partner won't pursue the ultimate act of domestic violence, but there are steps being taken in other states that can improve safety for domestic violence victims. For example:

- Risk and lethality assessments, like those used by most Maryland police agencies, can help identify abusers most prone to homicide, provide information for bail commissioners and judges and encourage victims to seek help with safety planning.
- Electronic monitoring of abusers, currently being piloted in parts of Michigan and Massachusetts, can alert police and victims if an offender goes where he shouldn't.
- Swift and strict enforcement of bail conditions and protection-from-abuse order mandates, with significant consequences for violations, can reduce the likelihood of violation -- an approach advocated at a recent training session in Maine by police from State College, Pa.
- Seizing an offender's guns pending a court verdict -- a proposal rejected by the Maine Legislature this year -- could reduce access to the type of weapon most commonly used in domestic violence homicide.

Experts and advocates are reluctant right now to delve too deeply into the circumstances surrounding the deaths of Sarah Gordon in Winslow and of Amy, Coty and Monica Lake in Dexter and the suicides of the men involved in each case.

There are still too many unanswered questions, and the police investigations are not yet complete.

The answers to those questions are important to determine whether the safeguards in place in those cases failed to function as intended or were no match for the persistence of a determined killer.

"That's very discouraging, to have these two cases occur in the same week," said Assistant Attorney General Lisa Marchese, chair of the state Domestic Abuse Homicide Review Panel. "I was awake at night thinking about these cases. Are we asking the right questions?"

The panel meets monthly to review domestic violence homicides to identify systems that might need improvement.

Maine does many things right, say members.



Tim Greenway/Staff Photographer Four full lines go here plz Julia Colpitts, executive director of Maine Coalition to End Domestic Violence, middle, during the Domestic Abuse Homicide Review Panel in Augusta on June 15, 2011.

Tim Greenway



The state Domestic Abuse Homicide Review Panel meets in Augusta. Groundbreaking steps that other states are taking to prevent domestic violence homicides include electronic monitoring and strict enforcement of bail condition violations.

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Danger_Assessment

The Danger Assessment was developed by John Hopkins University professor Dr. Jacquelyn Campbell by isolating factors that historically have been present in the 1,200 to 1,500 domestic violence homicides that occur each year in the U.S. Although the assessment has weighted questions and requires training to assess thoroughly, 10 yes answers or more typically indicates serious danger. For more information about this risk assessment tool, go to dangerassessment.org.

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For information about domestic violence resource in Maine go to the Maine Coalition to End Domestic

But groundbreaking work also is under way in other states, and could find its way to Maine.

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Maryland police began using the Lethality Assessment Program in 2005.

In 90 percent of the state's police agencies, officers pose 11 questions to victims of domestic assault during a police response.

Victims of domestic violence are more likely to become victims of homicide if their partner has threatened them with a gun, choked them, threatened to kill their children or carried out other behaviors identified in the questionnaire.

The assessment identifies victims who should communicate with domestic violence counselors on safety planning, said David Sargent, a former police lieutenant who coordinates the assessment program for the Maryland Network Against Domestic Violence.

Maryland officers who identify someone as high risk will call the domestic violence hotline and encourage the victim to speak to the outreach worker immediately, Sargent said. National statistics suggest that only 4 percent of domestic violence homicide victims had obtained services from a victim support organization.

The rating also is used by bail commissioners, district attorneys and judges when setting bail, he said.

In the past three fiscal years, domestic violence homicides have dropped 41 percent in Maryland, from 56 in fiscal 2008 to 33 in fiscal 2010. In the past five years, none of the women who had sought services after being identified through the survey as high risk died from domestic homicide, he said.

Many of the agencies in Maine that serve victims of domestic violence employ some form of risk assessment when doing safety planning.

Saco police have been using the ODARA assessment, developed in Ontario, for more than a year. That questionnaire, says Deputy Chief Jeffrey Holland, helps determine a suspect's risk of re-offending and how serious a future attack might be.

"It allows everyone involved to take notice this incident has the potential for escalation, and to make sure we get everything done to protect the victim as best we can," he said.

Some police agencies in Michigan and Massachusetts are using GPS and electronic ankle bracelets as a mechanism to alert police and victims when an offender nears prohibited places, such as a victim's workplace or residence.

The technology holds promise as an early warning system, and arguably could have alerted Amy Lake that her estranged husband was on his way from a family member's home in Wellington to Dexter.

Police believe Steven Lake arrived at her house before dawn, armed with a shotgun, pistol, knife and flashlight.

A bill proposed this year by Rep. Kim Rosen, R-Bucksport, would have enabled courts to require electronic monitoring of domestic violence offenders. Maine's Department of Corrections opposed the proposal because of its cost and limitations.

A study conducted by the Muskie School of Public Service estimated such a system would cost Maine about \$8 per day, plus twice that in administrative costs, or about \$876,000 to monitor 100 offenders for one year.

That kind of system involves active monitoring by probation personnel rather than an arguably less reliable static system that triggers a police alarm when the GPS signal enters a forbidden area.

Rep. Mark Dion, D-Portland, a former Cumberland County sheriff, said the technology is available.

"The question is, are we committed in its application?" he said. "I would rather see more energy expended on why we can't do this, as opposed to another rewrite of bail conditions."

"Then we could tell the woman or family or neighborhood: 'We've created a digital zone of safety,'" he said.

Critics say so-called "GPS tethering" would give victims a false sense of security because of possible malfunctions, and it has led to lawsuits if police do not respond quickly enough. As well, a high percentage of alerts are false alarms, which can tax public safety resources.

Victims in some communities already can use alarms to alert police in certain situations.

Voice-activated radio dispatch alarms include security systems, like intruder alert systems, as well as an alarm pendant that a victim can activate if an abuser comes to the home or

drives past the front of the house. Via police radio, the alarm automatically alerts local police, who have already been briefed about the address and specifics of the case.

Another step Maine communities can take to protect victims of abuse from homicide is reducing offenders' access to guns.

Currently, people charged with domestic violence crimes are not allowed to have access to guns. They are able to meet that obligation by giving the weapons to a family member for safekeeping.

South Portland Police Chief Ed Googins testified in favor of a bill that would have allowed police to seize guns from people who had protection-from-abuse orders against them or bail conditions barring gun possession.

"Right now they can be prohibited from possessing them, but we can't take them. You sort of have to take them at their word that they no longer have their weapons," he said.

The bill was ultimately rejected by legislators.

National experts also say there is growing consensus that swift and strict enforcement of bail conditions and protection-from-abuse orders curbs offenders.

Unfortunately, bail conditions work only for people who are intent on avoiding jail.

"The problem with bail is it was set up to control when people come back to court, but it's only effective for somebody who will pay attention to the judicial process," said Lois Reckitt, executive director of Family Crisis Services, which serves domestic abuse victims in Cumberland and Sagadahoc counties.

Googins, South Portland's police chief, said no one thing can keep domestic abuse victims safe.

"If you have an abuser who is intent on doing harm, they are going to get creative. My opinion is we can't make it easy for them," he said. "We have to make it hard, and that's why all these pieces have to be in place."

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