

# Dangerousness-Lethality Assessment Guide

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- 1 In proceedings involving domestic violence, determine the nature and extent of the domestic violence.
- 2 Observe for indicators for highly dangerous/potentially lethal behavior from interviews with adult victim, and other records if available (i.e. law enforcement report, arrest records, DVPO's, criminal backgrounds, etc.). GAL can access medical records, CPS records, education records and counseling reports.

## Researched indicators of highly dangerous/potentially lethal behaviors.

The **presence** of these factors can indicate **elevated** risk of serious injury or lethality. The **absence** of these factors is not, however, evidence of the absence of risk of lethality.

Possession, access and use of weapons and/or possession of weapon when prohibited.
Direct Threats to Kill—anyone in the family, including self
Victim perceives that offender might kill her/him
Stalking behavior—following victim, leaving threatening/intimidating messages, following victim's family/friends, soliciting others to follow victim or check up on victim, electronic monitoring
Strangulation (choking) - restriction of airway
Intrusive coercive control (i.e. control most of daily activities, constant monitoring, controlling personal autonomy, violently or constantly jealous)
Forced sex
Victim is has left or is attempting to leave the relationship
Offender is unemployed
Victim has a child that is not the offenders biological child
Violence is escalating
Substance abuse may exacerbate highly dangerous/potentially lethal behaviors

Attorney

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If indicators for highly dangerous, potentially lethal behaviors are present, consider the following enhanced responses to:

## Increase Victim Safety

Make contact with the victim as soon as possible to:

- Discuss the highly dangerous, potentially lethal indicators and express heightened concern for victim and child(ren) safety - Indicators for adult victims are also indicators for substantial risk of harm to children.
- Explain the court process to victim emphasizing how the process has been influenced by the presence of the highly dangerous/potentially lethal indicators of offender.
- Discuss impact of court process on victim safety.
- Discuss Immediate referral to a domestic violence advocate
- Assess impact of offender behavior on victim(s) - Adult and child(ren) - understand impact of trauma and survival tactics
- Maintain protective orders in agreements
- Argue to determine predominant aggressor (with cross petitions or victim is charged when defending him/herself)
- Discourage mediation
- Appeal unfavorable orders

## Reduce Dangerousness of Offender

Civil proceedings:

- Child abuse and Neglect proceedings: Highly dangerous/potentially lethal behaviors create substantial risk of harm to children that could rise to the level of aggravated circumstances
- Advocate for compliance review hearings—Rule 24a
- Advocate If violate order post monetary bond
- Cross examine GAL report

Attorneys must take their clients threats seriously and take appropriate actions if their clients make credible threats

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## System Collaboration

- Include highly dangerous/potentially lethal behaviors in any motion or arguments made before the court
- Refer to community and system based advocates.
- If victim contacts offender's attorney (public defender) refer to advocate and contact prosecutor
- Balance judicial need for information and victim autonomy/safety
- Understand how other systems assess for indicators.