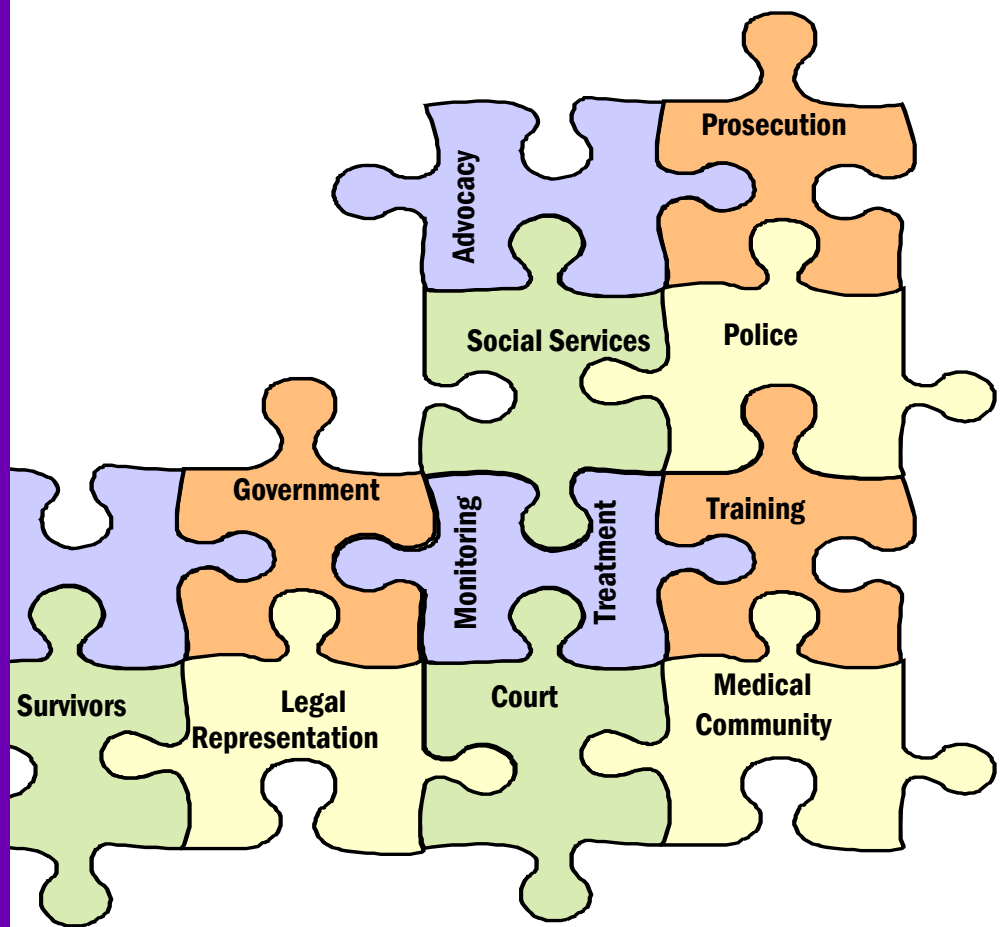


# Miami-Dade County

## UPDATE TO DOMESTIC VIOLENCE AND SEXUAL ASSAULT REPORT

### ASSESSMENT OF GAPS IN SERVICES



**NOVEMBER 15, 2008**  
**Presented by**  
**Advocate Program Inc.**

**[ACTT DIVISION]**

**MIAMI-DADE COUNTY, FLORIDA  
UPDATES TO DOMESTIC VIOLENCE AND  
SEXUAL ASSAULT REPORT**

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**A County-Wide Assessment of Gaps in Services**

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*Funded by*  
**Miami-Dade County and the  
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# **Introduction**

## **Acknowledgements**

The Advocate Program and the ACTT staff sincerely thank our community partners who labor to improve system response and expand services to victims of domestic violence [DV] and sexual assault [SA]. We greatly appreciate their willingness to provide their statistics, as well as their editing skills, insight, and input, without which this report would not be possible.

## **Overview of the Design of This Report**

There are five sections to this report. They include:

- Section One: 2007 Advocacy and Social Services Update
- Section Two: 2007 Law Enforcement Update
- Section Three: 2007 State Attorney's Office Update
- Section Four: 2007 Injunctions for Protection Against DV and Repeat Violence Update
- Section Five: 2007 Rape Treatment Center Update

This Report is an update to the *Miami-Dade County Domestic Violence Report: Assessment of Gaps in Services (DV Report)* (2003) funded by Miami-Dade County (MDC)<sup>1</sup>. The 2003 *DV Report* included an overview of system response and services available to victims of DV and SA. The conclusions and recommendations were based upon extensive interviews with system partners and statistics, which were included in the Appendix to the report.

This Report contains a brief update regarding significant system changes that have occurred since our last report. Statistical comparisons between 2001 (the target year of the first report) data and 2007 (the target year for this Report) data as well as updates to the geo-coded maps are included in this Report.

In general, the conclusions and recommendations stated in the 2003 DV Report continue to be relevant. The updates in this Report provide the MDC Board of County Commissioners, other local policy makers, and DV and SA community partners with up-to-date data regarding the state of Miami Dade County's [MDC]

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<sup>1</sup> The Advocate Program, Inc. received a grant from MDC, which was in part funded by the Domestic Violence Oversight Board with proceeds from the Local Option Food and Beverage Tax (FS 212.0306), in 2001. The grant was renewed in 2004 and extended in 2007 and 2008.

DV and SA system response and service provision for victims. It is hoped that the information in this Report will guide and enhance decision-making by those who seek to create an effective coordinated community response. Moreover, taken as a whole, the tables, graphs, geo-coded zip code maps and analysis can assist the Domestic Violence Oversight Board in the difficult task of choosing relevant sites as well as planning and programming for DV Centers funded by the Local Option Food and Beverage Tax.

### Source of the Data:

The statistics in this report, including information describing the type and number of direct services provided to victims, victim demographics and crime data were provided by the agencies referenced, unless otherwise noted at the beginning of the relevant section. Information about victims and offenses is not relational; meaning victim information and offense information cannot be linked or tracked across existing data systems. Finally, the limited demographic information contains only what is captured by the individual agencies. Not all agencies provided demographic information and there is no uniformity as to data elements collected across agencies.<sup>2</sup>

The information in this report does not include interviews with victims or other information typically obtained through primary data collection methods.

Research and analysis was provided by the Advocate Program, Inc./Advocate Center for Training and Treatment [ACTT] staff: Sharon Denaro, Director of the Professional Training Institute, with support from Pablo Lorenzo and Brigitte Winkler. Maps and supporting tables based on zip code data provided by the agencies were created by Laura Seff.

The maps and tables in this Report were provided by the following sources:

- Municipal offense maps reflect data provided by Florida Department of Law Enforcement (FDLE) Uniform Crime Reports (UCR)
- Data on offenses occurring in unincorporated Miami-Dade County (MDC) and investigated by MDPD, by zip code were provided by the MDPD Statistical Analysis Center
- Data regarding residence of victims seeking Injunctions for Protection against DV, Dating and Sexual Violence were provided by the Office of the Clerk of Court for the 11<sup>th</sup> Judicial Circuit
- Data regarding residence of victims seeking assistance from the Rape Crisis Center was provided by the Roxcy Bolton Rape Treatment Center (RTC)
- Location of DV related homicide / suicides was provided by the MDC Fatality Review Team

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<sup>2</sup> Demographic data was provided by the DV Centers, MDC Domestic Violence Intake Centers and the Roxcy Bolton Rape Treatment Center.

- Location of the DV and SA service providers were compiled from information provided by the service providers.

Population data from the 2000 U.S. census was used to calculate the offense rate for the maps and supporting tables: <http://www.census.gov>.

Population data from the University of Florida Bureau of Economic and Business Research (BEBR): <http://www.bebr.ufl.edu> was used to calculate the 2001 vs. 2007 comparative offense rate tables.<sup>3</sup>

In aggregate the cross-system information reported here tells us much about victims of DV and SA in this community. Nevertheless, the picture of characteristics, service access barriers and needs of victims who report are both incomplete and subject to errors of data collection, data entry, and sampling. No information about those who do not report and/or seek services was available for inclusion.

Further analysis is needed to compare what is known across systems and to confirm assumptions about the needs of these victims in order to create an effective safety net and coordinated system response. The information in this report should not be viewed as the end but as a good starting point.

### Research Note on Reporting vs. Non Reporting Victims

The National Crime Victim Survey (NCVS) estimates the ratio of reporting to non-reporting DV and SA victims as 2 non-reporting victims for every 1 reporting victim. The NCVS surveys all members of household over the age of 12 years and relates to crimes that occurred in the previous 12 months.

Many professionals believe the NCVS estimate of DV and SA rates is conservative, for many reasons, including the lack of confidentiality in survey methodology, limited screening questions, and 12 month period of reference.<sup>4</sup> In contrast the National Violence Against Women Survey (NVAWS) reports the ratio as six non-reporting victims to one reporting victim<sup>5</sup>. The NVAWS was conducted once and surveyed a smaller sample of men and women by phone. Participants were asked about DV and SA over their lifetime, rather than referencing the previous 12 months. The NVAWS is considered to be reliable, in part, due to the

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<sup>3</sup> BEBR estimates the population for counties and municipalities between census years. However BEBR data is not available at the zip code level.

<sup>4</sup> NCVS, which is published yearly by Department of Justice Bureau of Justice Statistics, is the most comprehensive and relied upon source of information on both reported and unreported crime and includes rape, attempted rape, and sexual assault, which includes the lesser crimes of fondling, as well as other violent and property crime. In 2002, NCVS surveyed 76,000 individuals 12 years old and older in 40,000 households.

<sup>5</sup> *Prevalence, Incidence, and Consequences of Violence Against Women: Findings From the National Violence Against Women Survey* The National Institute of Justice Centers of Disease Control and Prevention Research in Brief, November 1998.

confidential methodology and the use of multiple screening questions. Finally, a recent Florida Study regarding the number of SA victims found nine non-reporting victims for every one victim reporting.

We do not have any reliable studies in MDC to determine the number and location of non-reporting victims. Additional research is necessary to determine whether the zip codes with high rates of DV and SA crime actually reflect a greater number of victims or are skewed by neighborhood-specific factors such as: public awareness; confidence in local law enforcement; proximity to DV and SA advocates and service providers, or other unknown factors. Conversely, while we can make some assumptions about why victims do not report, we do not know whether low reporting jurisdictions actually reflect fewer DV and SA victims in the community or again, geographic-specific considerations such as less access to services and increased population-specific barriers such as those facing older, disabled and undocumented victims.

## **Highlights**

### **Demographics of Victims Reporting to Law Enforcement; Seeking Injunctions, DV Shelter and RTC Services**

Demographic data regarding victims and reporters were provided by MDPD, DV Centers, the Domestic Violence Intake Unit (DVIU) and the RTC. These data are also may be skewed based on the source of the data and the location of the facility reporting. Ethnic / Racial group labels are taken from the agency data as provided. Data charts for 2001 vs. 2007, by agency, are located in the Appendix to Section One. General findings are summarized below.

- *Age of victims.* Victims who report to law enforcement and seek shelter are most often in the 18 – 29 years age range, followed by victims in the 30 – 44years age range. Victims seeking outreach services from both DV Centers are most frequently between 30 and 44 years of age.
- *Gender.* Injunction filers were approximately 80% female and 20% male except for sexual violence injunction filers who were 85.8% female. Victims presenting at the RTC were 91.3 % female.
- *Ethnicity / Race:* Black, non-Hispanic victims represent the highest percent of victims reporting to police. Black, non-Hispanic victims and Hispanic victims sought shelter at the DV centers equally but the ratio differed at the various centers. Black, non-Hispanic victims sought MDC outreach services in higher percentages than the other groups measured. Hispanic victims were more likely than other ethnic groups to seek Injunctions; Black, non- Hispanic and Hispanic victims present at the RTC at similar rates.

- *Language:* Language data were provided by the DVIU and vary according to the location of the courthouse.

### DV and SA Services Service Inventory

Twenty-seven agencies, including MDC, community-based organizations and the State Attorney's Office, currently provide services to victims of DV and SA throughout the county. Some agencies have multiple service locations. In addition 13 law enforcement agencies have victim advocates and/or specialized DV and SA units. Three agencies, including the RTC, offer services exclusively to victims of SA.

Many services are duplicated, with one victim receiving one or more services from different providers at different times. Preliminary analysis indicates distance makes a difference and that victims are more likely to use services close to where they reside. Further analysis is possible and essential in order to develop a cost effective approach to service delivery.

Detailed information about the location and type of service and the numbers of victims receiving services is located in Appendix One. Three transparencies are included to enhance readers' review and analyses: DV and SA direct service providers; Criminal and Civil Justice Response and Batterer's Intervention Programs (BIP). These transparencies can be used with all maps.

### Reporting of DV and SA has Declined

Reporting of DV and SA by victims in 2007 declined across all systems compared with data from 2001. For example, there was a:

- 35.7% decline in DV offense reports to FDLE by local law enforcement
- 17.3 % decline in SA offense reports to FDLE by local law enforcement
- 29.7 % decline in SA offenses with a DV relationship by local law enforcement
- 6.2% decline in filings for Injunctions for Protection against DV
- 44.7% decline in victims presenting to the RTC

More research, including primary data collection, is needed to determine whether this represents an actual decline in crime or decline in reporting, or reflects some other phenomenon, or some combination of factors.

A comparison using estimated 2007 population provided by BEBR indicates a 35.8% decline in number of offense reports for all of MDC, a 58.1% decline for unincorporated MDC and 12.4% decline in the municipalities.

Note: MDPD has reported a 31% increase in DV offenses through October, 2008.

## 2008 - DV Related Homicide/Suicides are Up 53%

In 2008 the previous downward trend in DV related homicide/suicides was shattered. As of October 28, 2008 MDC has experienced 53 DV related homicide/suicides including 37 homicides and 16 suicides. This is a 56% increase in DV related homicide/suicides; a 76% increase in DV homicides and a 23% increase in suicides over 2007 with data for November and December still unknown.

## The State Attorney's Office

- *Felony Prosecutions:* Successful felony prosecutions in filed felony cases declined from an 87% success rate in 2001 to a 79.9% success rate in 2007. There was an 11% increase in "no action" felony DV cases.
- *Misdemeanor Prosecutions:* Successful dispositions in misdemeanor cases declined from 38.2% in 2001 to 30.7% in 2000 with a 7.8% increase in the "nolle prose" rate.
- *Misdemeanor MOVES Cases:* The successful prosecution rate for misdemeanor MOVES cases was 45%, significantly better than the 30.7% successful prosecution rate seen in misdemeanor non-MOVES cases. In 2007 the State Attorney's Office expanded its MOVES program from 5 law enforcement agencies in 2001 to 26 agencies. The State Attorney's Office is working with individual law enforcement agencies to increase the MOVES compliance rate among departments.

## The Advocate Program, Inc.

Total referrals to the Advocate Program have declined. There has been a 41.9% overall decline in total cases referred to the Advocate Program for supervision since our last report including: a 15.1% decline in DV diversion cases, an 83.2% decline in DV probation cases and a 44.1% decline in injunction cases.

Of the Injunction cases referred, the percent of successful program completions increased from 30.2% in 2000 to 37.4% in 2006. Of DV probation cases disposed by the Advocate Program, successful program completions increased from 18% in 2000 to 29.7% in 2006. Of DV diversion cases disposed by the Advocate Program, successful program completions increased from 61.5% in 2000 to 80.6% in 2006.

## Injunctions for Protection Against DV and Repeat Violence

The overall number of persons seeking injunctions assisted in all courthouse locations has remained fairly constant since 2001. However the elimination of the Miami-Dade County Domestic Violence Intake Units (DVIU) at the Caleb

Center, in Liberty City, and the Miami Beach Courthouse (Miami Beach) and the addition of the DVIU at the Hialeah Courthouse (Hialeah) have changed the geographic distribution of filers.

At the North Dade Justice Center (North Dade) the number of filers doubled since 2001. At the newest site, Hialeah the number of filers grew to 75% of those seeking Injunctions at North Dade. The number of filers decreased at the Lawson E. Thomas Courthouse Center (CHC). The number of filers at South Dade Government Center (South Dade) remained constant. Although there were many fluctuations in the number of filers by zip code, there was a significant increase in the number of filers in zip codes near the new Hialeah site and conversely there was a similar decline in zip codes near the Caleb Center and Miami Beach sites which were eliminated. A comparison of dispositions for temporary/permanent injunctions entered in 2001 and 2007 indicate that little change occurred. The DV Court judges granted temporary injunctions to 80.3% filers in 2001 and 81.9% of filers in 2007. Likewise, permanent injunctions were granted to 24.7% of filers in 2001 and 23.5% in 2007.

*There was a 25% increase in the number of persons who failed to appear at permanent hearing in 2007 compared to 2001.* The data indicated that 933 victims, or 32% of all petitioners receiving temporary injunctions in the three District Courts, were transferred to CHC for permanent injunction hearings due to the cap.<sup>6</sup> It is not possible to know the reasons for the decrease in appearance without further primary data collection, but the change in location undoubtedly plays a role. There is a significant distance between courthouse locations, especially in both North Dade and South Dade. Time, distance and limited transportation may be factors as well.

#### Roxcy Bolton Rape Treatment Center (RTC)

In 2001 431 adults were seen at the RTC. Of these victims, 79.8% lived North of Kendall Drive (S.W. 88<sup>th</sup> Street) and 20.2% lived South of Kendall Drive. By 2007 the number of adults seen dropped to 286. Of these, the percent of victims living North of Kendall Drive increased 88.8% of all victims seen, while the percent of victims living South of Kendall Drive dropped to 11.2%.

Since fiscal year 2003-04 there has been a steady decline of victims in all age groups seeking services at the RTC. The average annual decline was 6.9% in victims over the age of 12. In 2006-2007 the rate of decline for this age group was 6% and in 2007-2008 the rate fell to 2.5%.

MDPD investigates all SA offenses reported to law enforcement south of Kendall Drive. In 2007, MDPD offense reports by zip code showed that MDPD investigated 318 offenses involving adult victims. Of these offenses, 107 or 34%

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<sup>6</sup> District courts include: North Dade, South Dade and Hialeah

took place South of Kendall Drive. Far more victims assaulted South of Kendall Drive called the police than went to the RTC [107 versus 32].

## **SECTION ONE:**

# **2007 ADVOCACY AND SOCIAL SERVICES UPDATE**

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### ***Increased Advocacy and Community Collaboration***

There are new community collaborations which have emerged since our last report. The Domestic Violence and Sexual Assault Council of Greater Miami (DVSAC) was established in March 2004 in response to recommendations in the 2003 *DV Report*. The primary recommendation of the *DV Report* urged creation of a multidisciplinary community-based DV and SA Council to provide an ongoing forum for discussion, collaboration and resolution to systemic issues.<sup>7</sup> Today the DVSAC has more than 40 volunteer member agencies.

Other formal partnerships that developed, in part through the DVSAC collaboration, include:

- The Sexual Assault Response Team (SART), which includes law enforcement, the prosecution, the RTC and numerous community based service providers;
- The Grants to Encourage Arrest Partnership, which includes law enforcement and community-based partners including Legal Aid, the Florida Immigrant Advocacy Center (FIAC), the Lodge DV Center and the Women's Shelter of Hope (WSH);
- Two community DV and SA collaborations were funded by the Children's Trust
- Most recently, the Community Victim Assistance Center [CVAC] partnership, which was initiated by Miami Dade County (MDC).

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<sup>7</sup> In 2001 the Miami Dade County's Alliance for Human Services [The Alliance] and the Domestic Violence Oversight Board [DVOB] provided grant funding to the Advocate Program, Inc., a non-profit, community based organization, to develop a Domestic Violence and Sexual Assault Professional Training Institute [Training Institute]. In general, the Alliance objectives required the Training Institute to identify and disseminate promising practices and training to service providers, criminal justice agencies and the community. The DVOB objectives required the Training Institute to collect data, map the DV system and services, document system response and identify gaps in services in order to fulfill its broad statutory mandate to advise the Board of County Commissioners [BCC] on county-wide issues which impact victims of DV. The Advocate Program created the Advocate Center for Training and Treatment [ACTT] to accomplish these goals. During the 2001-2004 grant cycle, ACTT in collaboration with its criminal justice and community partners, engaged in data collection, identification of gaps and mapping of services, identification and dissemination of promising practices and training. These efforts resulted in the publication of "The Miami Dade County Domestic Violence Report; *Assessment of Gaps in Services*" [2001] [DV Report]. The DV Report contained 49 separate recommendations in five broad categories: Advocacy, Law Enforcement, Prosecution, Courts, Monitoring and Treatment.

On October 30, 2008 MDC opened CVAC, which is modeled in part after the San Diego Family Justice Center. To date more than 20 partners have agreed to partner with the county on and off site.

***Capacity of System and CBO Services Provided are Difficult to Determine***

The need and exact number of services is still difficult to determine. Criminal Justice and Civil Justice System partners provide services to victims of DV and SA who report to law enforcement agencies, participate in the prosecution of DV and SA cases, file for injunctions and/or seek the services of the Rape Treatment Center. MDC and community-based providers also offer services, often to the same victims. There is no central reporting mechanism where community-based and system-based providers report information about services they provide and therefore it is impossible to count or track unduplicated services across systems.

***Decline in Services Provided to Victims in the Criminal/Civil Justice System***

Since 2001 there was a 37% decline in DV offense reports; a 17% decline in SA offense reports; a 6% decline in DV injunctions for protection filed and a 45% decline in victims seeking RTC services. Public information to DV victims, has also been impacted by elimination of the MDC-funded DV Hotline at the MDC Domestic Violence Intake Unit (DVIU) in [insert year], which had been in operation since 1991<sup>8</sup>.

<b>Table 1.1 – 2001 vs. 2007 Comparison Offenses and Services</b>					
<b>Year</b>	<b>Hotline Calls</b>	<b>DV Offenses</b>	<b>SA Offenses</b>	<b>DV 741.30 Injunctions Filed</b>	<b>RTC Services</b>
2001	29,000 <sup>9</sup>	17,152	1680	6392	1532
2007	8,000 <sup>10</sup>	11,012	1389	5994	846

<sup>8</sup> The DV Hotline operated by the DVIU at the court was originally housed by the Court Administrator’s Office and later the Clerk of Court. The DVIU Hotline was discontinued in 2007 when the administration of the DVIU was transferred from the Clerk’s Office to MDC Department of Human Services (DHS) due to budget cuts to the Clerk’s Office by Article V of the Florida Constitution.

<sup>9</sup> Number of calls reported in 2001 from DVIU, Safespace and the RTC. Since that time the DVIU hotline has been discontinued. DV victims are directed to call the Florida Coalition Against Domestic Violence Hotline which routes the call to the closest certified DV Shelter. In Miami-Dade the calls are routed to Safespace by joint agreement with the Lodge unless a victim calls an area provider directly.

<sup>10</sup> Estimated number of DV and SA calls in 2007 received by all hotlines.

## ***DV and SA Services***

In 2007 the Advocate Program's ACTT staff repeated the survey of community-based and system-based service providers first surveyed in 2001 to determine current capacity of DV and SA providers in Miami-Dade County. Approximately In 2007 70 public and private agencies responded, including:

- Law Enforcement [offense reports],
- State Attorney's Office (SAO) [filed cases/arrests],
- Clerk's Office [DV, SA and Dating Violence Injunction filers],
- DVIU [Injunction filers and many who seek services but do not file for an Injunction],
- Legal Aid [Injunction and Family Court cases],
- Florida Immigrant Advocacy Center (FIAC) [Legal support to immigrant victims],
- Other Direct Service Providers who refer victims to each other for specialized services.

The Appendix at the end of this section includes a geo-coded map of services throughout the MDC and a detailed services inventory which includes criminal justice agencies, community based and government direct service providers.

## ***2007-2008 Summary of Services***

The summary of adult and child services below is more specifically detailed in the Service Inventory located in the Social Service Appendix at the end of this section. All data in this section were provided by the agencies referenced. In some cases agencies provided a total number for victims served but reflected the number of victims in each category [i.e. children served] as a % of the total. In these cases the percent was converted to an actual number for the purpose of this Report.

It is not clear whether there has been an increase in system-based and/or community-based services because we have had a significantly better response to our 2007 surveys than we had in 2001. We have lost some programs due to funding cuts but have gained others.<sup>11</sup> Please refer to the Social Services Index in the Appendix to this section for a detailed list of current services.

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<sup>11</sup> The Victim Service Center lost its funding and ceased providing services for victims in 2008.

## ***System-Based Services***

- 8,128 primary victims and 1,684 secondary victims received assistance from MOVES<sup>12</sup> and DART<sup>13</sup> victim witness counselors working for the State Attorney's Office in connection with offense and arrest cases.
- 5,595 DV victims filing a petition for an Injunction for Protection against Domestic Violence, and many others, who did not ultimately file, received assistance from Domestic Violence Intake Unit advocates<sup>14</sup> working for Miami-Dade County's Department of Human Services located at four district courthouses.<sup>15</sup>
- 13 Law Enforcement agencies have advocates who assist DV and SA victims in cases where the defendant is arrested.<sup>16</sup>
- 717 victims received services from counselors at Miami-Dade County Family and Victim Services as part of their Department of Children and Families case plan.<sup>17</sup>

## ***Community Based DV and SA Services and MDC DV Victim Programs***

### Services for Adult Victims

- 1,200 victims received legal services for injunction and family cases from Legal Aid.
- 795 victims received legal services and assistance with immigration matters from FIAC. St. Thomas School of Law assisted an additional 15 victims. Other agencies such as CASA, Fanm Ayisyen Nan Miyami, Inc.(FANM) and WSH also reported providing immigration legal services but did not provide specific data.
- 191 victims were placed in transitional housing provided by MDC, Inn Transition programs.
- 589 victims were provided with emergency shelter at Safespace, owned and operated by MDC, and at The Lodge, which is operated by Victim Response Inc.

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<sup>12</sup> **MOVES Paralegals** perform all initial case preparation at the scene including sworn statements, photographs and assessment of victim's needs (crime compensation, shelters, injunctions...) and provide referral information on resources available in the community.

<sup>13</sup> **DART counselors** are responsible for contacting victims within 24-48 hours after the crime in order to assess their needs resulting from their victimization and to provide them with information about the Criminal Justice System, including but not limited to pre-filing conference, arraignment, trial, and the victim access network.

<sup>14</sup> DVIU advocates assist victims seeking an Injunction; do safety planning with the victim, assist with victim's compensation, assist with completion of Family Court Self Help forms; make referrals to community agencies and assist with public transportation.

<sup>15</sup> Victims of dating violence and sexual violence (FS 784), who are not eligible for a DV injunction [FS 741.30] are also served by DVIU staff.

<sup>16</sup> The number of victim's served by law enforcement advocates is unknown. More research is needed in this area. .

<sup>17</sup> MDC Family and Victim Services is also a state certified batterer's intervention program.

- 691 Victims received outreach services, including financial assistance associated with relocation from the MDC, Victim Assistance Program (VAP).
- 372 SA victims received services from the RTC, MDC's rape crisis center, which conducted forensic examination in criminal cases where the victim consented, as well as victim advocacy and counseling.
- 1,700 victims received a combination of crisis counseling, longer term counseling, advocacy and referrals from other community based organizations.

Note: Approximately 700 of the above services were specifically tailored to adult victims of sexual assault; no services were specifically tailored to older victims or victims with disabilities.

### Services for Child Victims

- 60 child victims received legal services from Legal Aid.
- 115 child victims received legal services and assistance connected with immigration matters from FIAC and CASA.
- 324 child victims were placed in transitional housing provided by MDC, Inn Transition programs.
- 599 child victims were provided with emergency shelter at Safespace, owned and operated by MDC, and The Lodge, a program of Victim Response Inc.
- 193 child victims in shelter received counseling services from MDC Family and Victim Services.
- 1,296 child victims received outreach services from MDC, VAP.
- 160 child victims received counseling from the University of Miami Heroes Program.
- 464 child victims of SA received forensic services from the RTC.
- 134 child victims of SA received services from Family Counseling Center/The Journey Institute.
- 600 child victims of SA received counseling services and case management from Kristi House.
- 133 additional child victims received a combination of services from other community based organizations.

Within recent months certain changes may have impacted capacity in ways that cannot be documented until we are able to look at 2009 and possibly 2009 data. Community based organization budgets, funded by MDC as part of the Alliance for Human Services competitive grant process, were cut 15% across the board in October 2007, partially due to the loss of tax revenue resulting from legislated tax reductions as well as the decline in the housing market, which had additional negative effects on tax revenue. One agency that provided services for victims of DV and SA funded by a line item in the MDC budget was completely

eliminated<sup>18</sup>. Moreover, these agencies may have faced cuts from other funding sources.

There have been some enhancements to services since the 2003 *DV Report*. For example, The Children's Trust has funded programs for children and families impacted by DV. The Domestic Violence Oversight Board (DVOB) has successfully built the first community-based domestic violence shelter with funding from the Local Options Food and Beverage Tax<sup>19</sup>. The successful bidder, Victim Response Inc., opened The Lodge in 2004. The Lodge became Florida's 42nd certified DV shelter in 2007. As part of the 2004 Notice of Funding Availability (NOFA) process, MDC also funded a new neighborhood one stop center, Women Shelter of Hope, in Hialeah. Most recently, MDC purchased a building to house CVAC, which will be modeled, in part after the San Diego Family Justice Center. CVAC will open on October 30, 2008. Numerous local CBOs have agreed to partner with the County as on-site and off-site partners.

### **2007-2008 Victim Demographics**

Victim demographics are difficult to obtain. Some agencies do not collect demographic data, while others collect some demographics, often using inconsistent scales or categories. In the absence of a county-wide initiative coupled with incentives/funding to collect such data and a mechanism to store and collate such information, clear, comprehensive demographic data will continue to be unavailable. We have gathered demographic information for this section from those agencies that routinely collected and provided it to us. These agencies include the following MDC programs: Safespace; VAP; and the DVIU. We have included data from non-MDC programs as follows: VRI / The Lodge; and RTC.

The data presented below provides a profile of victims that report DV and SA in MDC or seek the services of the shelters or the RTC but leave us only with unsubstantiated assumptions about those who do not. One barrier to this type of inquiry is that little is known about victims who do not report, including older victims and victims with disabilities, and the resources necessary to collect and analyze the data. More research is needed to understand the needs and barriers of both reporting and non-reporting DV and SA victims if we are to develop programs that will assist them. Such an analysis will assist providers with program development.

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<sup>18</sup> Victim Services Center [VSC] lost its county funding in April 2008. VSC provided trauma based counseling services to more than 600 DV and SA clients in 2006.

<sup>19</sup> FS 212.0306 and MDC Ordinance No. 94-156

## Age of the Victims

The table below compares age-related data from three sources: Miami-Dade Police Department (MDPD); the DVIU, the combined data from both DV shelters and the RTC.

<b>Table 1.2 - 2007 Age of Victim Combined Agency Data</b>				
<b>Age of Victim</b>	<b>MDPD SA Offense Data</b>		<b>Victims Presenting at RTC</b>	
	<b># of Cases</b>	<b>Percentage</b>	<b># of Cases</b>	<b>Percentage</b>
<b>0-17 years</b>	<b>826</b>	<b>68.00%</b>	<b>474</b>	<b>58%</b>
<b>18-29 years</b>	<b>239</b>	<b>19.70%</b>	<b>275</b>	<b>34%</b>
<b>30-44 years</b>	<b>106</b>	<b>8.70%</b>	<b>58</b>	<b>7%</b>
<b>45-59 years</b>	<b>39</b>	<b>3.20%</b>	<b>3.2</b>	<b>0%</b>
<b>60 years and older</b>	<b>5</b>	<b>0.40%</b>	<b>10</b>	<b>1%</b>
<b>TOTAL</b>	<b>1215</b>	<b>100.00%</b>	<b>820.2</b>	<b>100%</b>
<b>Age of Victim</b>	<b>MDPD DV Offense Data</b>		<b>Victims in Emergency DV Shelter</b>	
<b>0-17 years</b>	<b>687</b>	<b>14.10%</b>	<b>599</b>	<b>50%</b>
<b>18-29 years</b>	<b>1664</b>	<b>34.20%</b>	<b>291</b>	<b>24%</b>
<b>30-44 years</b>	<b>1580</b>	<b>32.50%</b>	<b>229</b>	<b>19%</b>
<b>45-59 years</b>	<b>732</b>	<b>15.10%</b>	<b>65</b>	<b>5%</b>
<b>60 years and older</b>	<b>196</b>	<b>4.00%</b>	<b>4</b>	<b>0%</b>
<b>TOTAL</b>	<b>4859</b>	<b>100.00%</b>	<b>1188</b>	<b>100%</b>

The agency data suggests that victims ages 18 – 29 seek services most frequently, although MDPD DV offense data show that victims of DV ages 30 – 44 report at approximately the same rate as their younger counterparts. More research is needed to understand whether there is more DV and SA among younger victims or simply a higher rate of reporting, and how use of DV and SA services is related.

A closer look at the emergency shelter and shelter outreach data shown in Table 1.3 below paints a slightly different picture of victims in shelter or receiving outreach services. Safespace emergency shelter has a slightly older adult victim population [40% are ages 30-44]. The Lodge has a much larger adult outreach population in the 18-44 age category. 68% of The Lodge outreach clients are ages 18-44 compared to Victim Assistance Program<sup>20</sup>, which is 29% for the same age group.<sup>21</sup>

<sup>20</sup> MDC program that provides victim assistance and relocation services to crime victims.

<sup>21</sup> Safespace does not have its own outreach program. MDC Advocates for Victims program does outreach for all crime victims including DV and SA outreach clients referred from Safespace which may account for the difference. VAP services include victim relocation. VAP does not keep separate data for DV and SA victims. DV and SA client numbers are included in total crime victims served.

<b>Table 1.3 – 2007 Age of Residents at DV Shelters/Outreach</b>				
	<b>Emergency Shelter</b>		<b>Shelter Outreach</b>	
<b>Age of Victim</b>	<b>The Lodge</b>	<b>Safespace</b>	<b>The Lodge</b>	<b>VAP</b>
0-12	40.8%	47.9%	15%	54%
13-17	2.2%	6.6%	6%	11%
18-29	28.1%	22.6%	28%	14%
30-44	22.3%	40.2%	40%	15%
45-59	6.5%	4.9%	8%	5%
60 and Older	0.2%	0.4%	4%	1%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Finally, RTC data in Table 1.4 below shows the largest adult age category to be ages 18-29 which is surpassed by the age 13-17 category. This conclusion is consistent with the Department of Justice National Crime Victim Survey where the largest reported and non reported sexual assaults occur between the ages of 16-24.

<b>Table 1.4 - 2007 Age of Victim Presenting at the RTC</b>		
<b>Age of Victims Presenting at the RTC</b>	<b>2007</b>	<b>Percent Within Age Group</b>
0 - 11 years	162	19%
12 – 17 years	312	37%
18 – 29 years	275	33%
30 – 44 years	58	7%
44 – 59 years	29	3%
60 years and over	10	1%
<b>Total</b>	<b>846</b>	<b>100%</b>

### ***Gender of Victims***

The DVIU provided us with gender data for thousands of petitioners who sought Injunctions against DV<sup>22</sup>, dating violence and sexual violence<sup>23</sup>. Approximately 80% of petitioners who sought Injunctions against DV and dating violence were female while 20% were male. Sexual violence petitioners were 85% female and 15% male. However, the sexual violence sample was very small with only 35 petitioners.

### ***Race and Ethnicity***

This section compares race and ethnicity among victims seeking services from Safespace, The Lodge, the RTC and the DVIU. DVIU data is separated by the four courthouse locations.

<sup>22</sup> Florida Statutes 731.30

<sup>23</sup> Florida Statutes 784.046

There are differences in race and ethnicity as reported by the agencies. This may be due to the location of the agency reporting. It should also be noted that the DVIU courthouse locations changed since 2001. In 2001, there were DVIU intake centers at the Caleb Center, located in Liberty City, and South Beach. These centers closed since our last report and a new site at the Hialeah courthouse was established. The 2007 DVIU data in the table below evidences an apparent drop in the total number of Haitian, Black, West Indies and Hispanic filers and an increase in White filers. However, more research is necessary to draw any conclusions from these data because there also was a decrease in the "Other" category, which makes the data incomplete. A study of the zip codes losing and gaining filers since the closing and opening of the courthouse sites would clarify this analysis.

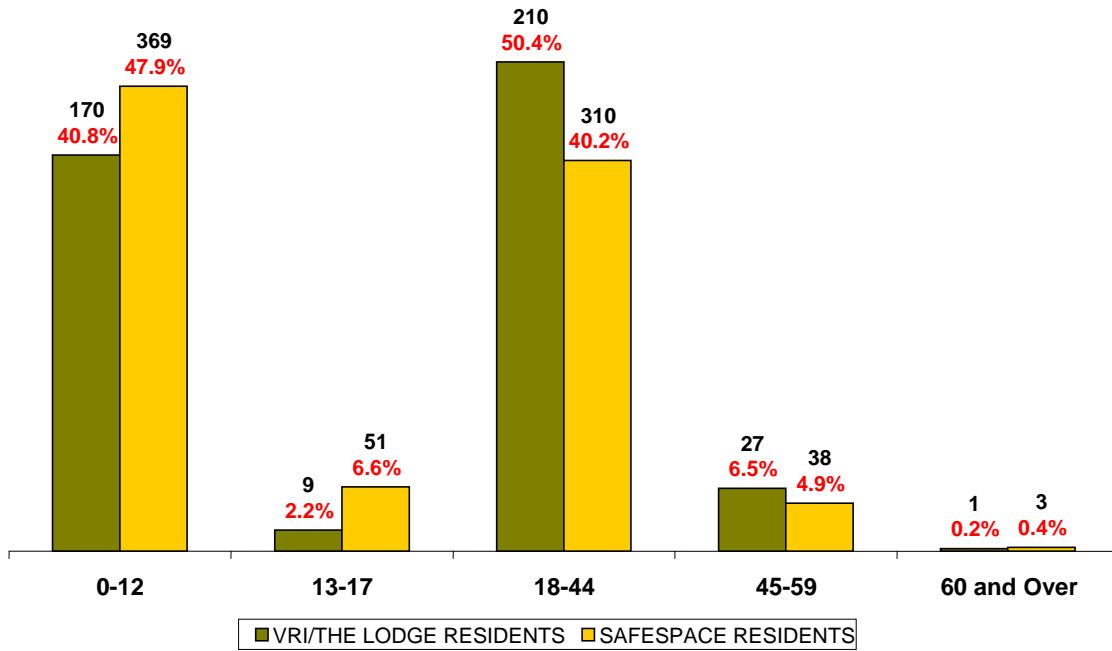
<b>Table 1.5 – 2007 Petitioners’ Ethnic Origin/Race Seeking Injunctions at the DVIU</b>						
<b>Petitioners' Ethnic Origin</b>	<b>Courthouse Center [CHC]</b>	<b>Hialeah District Court</b>	<b>North Dade Justice Center</b>	<b>South Dade Government Center</b>	<b>Total</b>	<b>Percent</b>
<b>Black/African</b>	<b>659</b>	<b>85</b>	<b>539</b>	<b>525</b>	<b>1808</b>	<b>23.2%</b>
<b>Hispanic</b>	<b>1473</b>	<b>911</b>	<b>269</b>	<b>1112</b>	<b>3765</b>	<b>48.2%</b>
<b>Haitian</b>	<b>36</b>	<b>1</b>	<b>164</b>	<b>18</b>	<b>219</b>	<b>2.8%</b>
<b>White</b>	<b>143</b>	<b>25</b>	<b>89</b>	<b>273</b>	<b>530</b>	<b>6.8%</b>
<b>West Indies</b>	<b>21</b>	<b>2</b>	<b>37</b>	<b>29</b>	<b>89</b>	<b>1.1%</b>
<b>Other</b>	<b>663</b>	<b>220</b>	<b>248</b>	<b>266</b>	<b>1397</b>	<b>17.9%</b>
<b>Total</b>					<b>7808</b>	<b>100.0%</b>

<b>Table 1.6 – 2002 Petitioners’ Ethnic Origin/Race Seeking Injunctions at the DVIU</b>							
<b>PETITIONER'S ETHNICITY</b>	<b>Courthouse Center [CHC]</b>	<b>Caleb Center</b>	<b>North Dade Justice Center</b>	<b>South Dade Government Center</b>	<b>Miami Beach</b>	<b>Total</b>	<b>Percent</b>
Black/African	600	928	483	427	17	2455	27.90%
Hispanic	2649	422	363	903	146	4483	51.00%
Haitian	75	47	209	22	2	355	4.00%
White	318	27	207	305	46	903	10.30%
West Indies	21	77	66	26	1	191	2.20%
Other	217	13	100	56	22	408	4.60%
<b>Total</b>						<b>8795</b>	<b>100.00%</b>

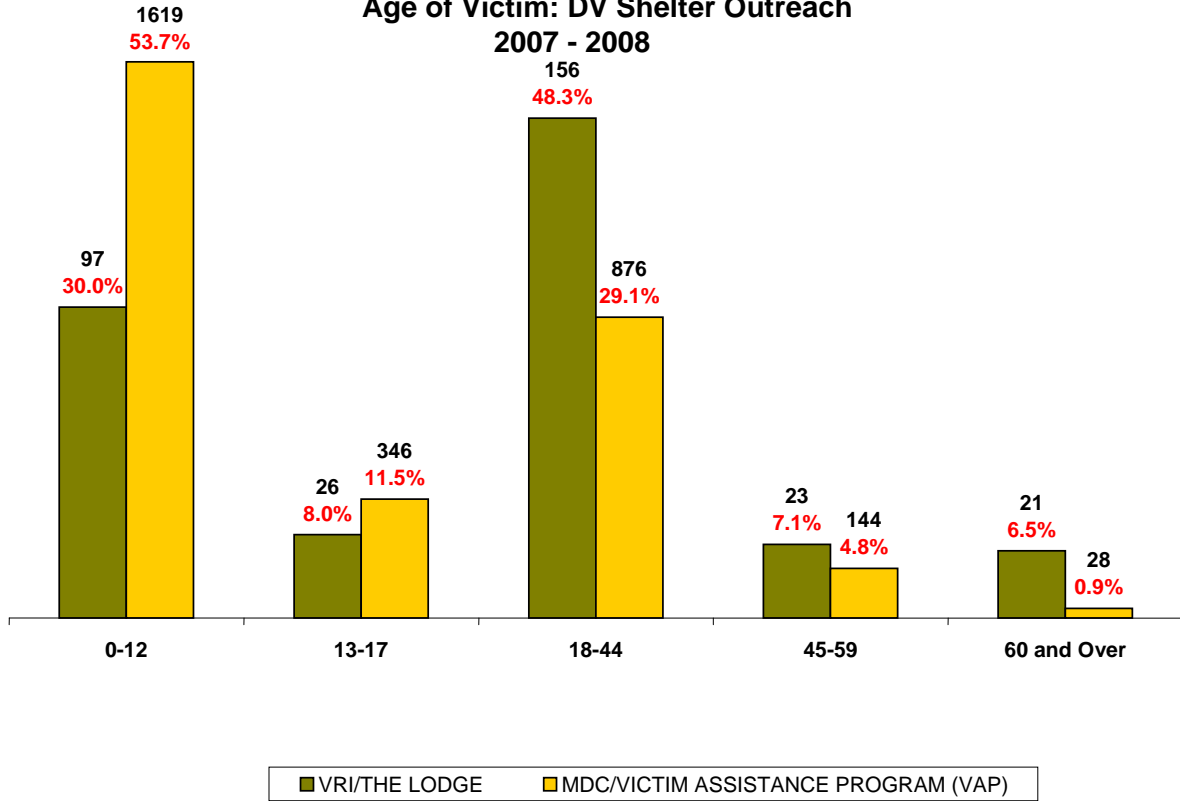
***Language of the Victim***

In 2007 the DVIU was the only agency surveyed that provided data on language. There were a high number of persons who did not respond to the question. Of those who did respond, The Hialeah Courthouse site reported the highest number of Spanish speakers; North Dade Courthouse reported the only significant number of Creole Speakers. All but the Hialeah Courthouse location reported a majority of English speakers.

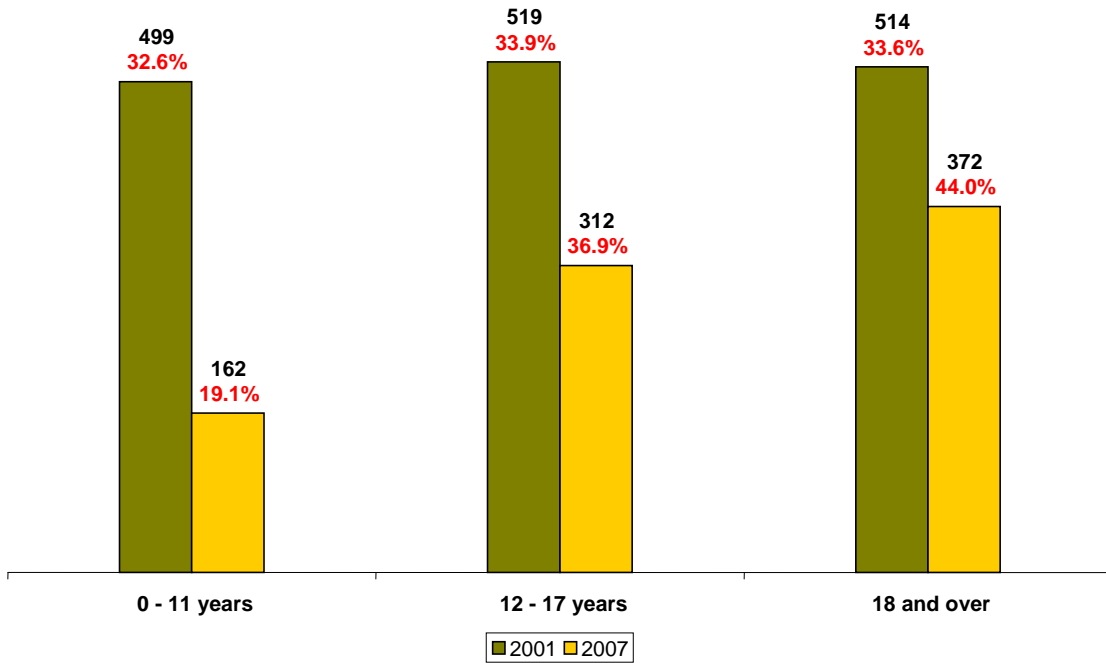
### Age of Victim: Domestic Violence Emergency Shelter / 2007 - 2008



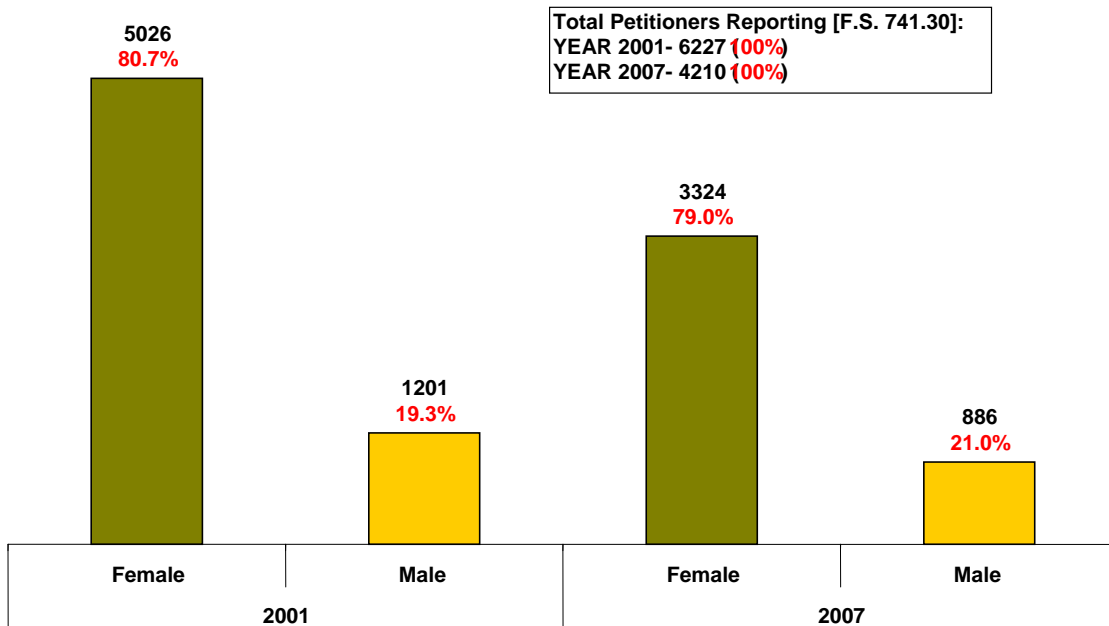
### Age of Victim: DV Shelter Outreach 2007 - 2008



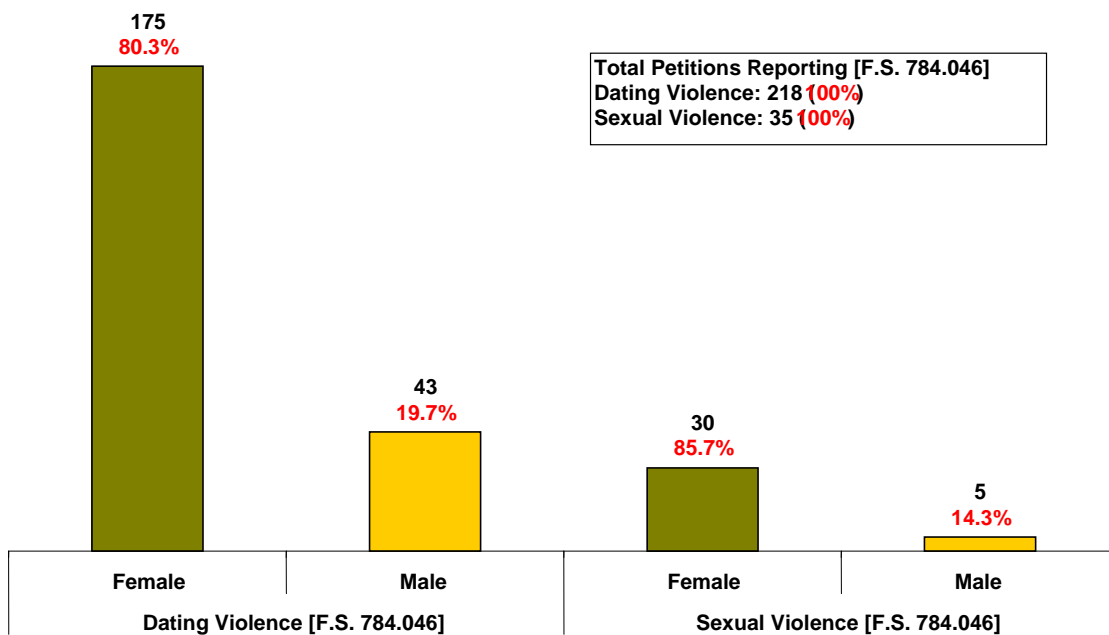
### Age of Victim: Rape Treatment Center / 2001 vs. 2007



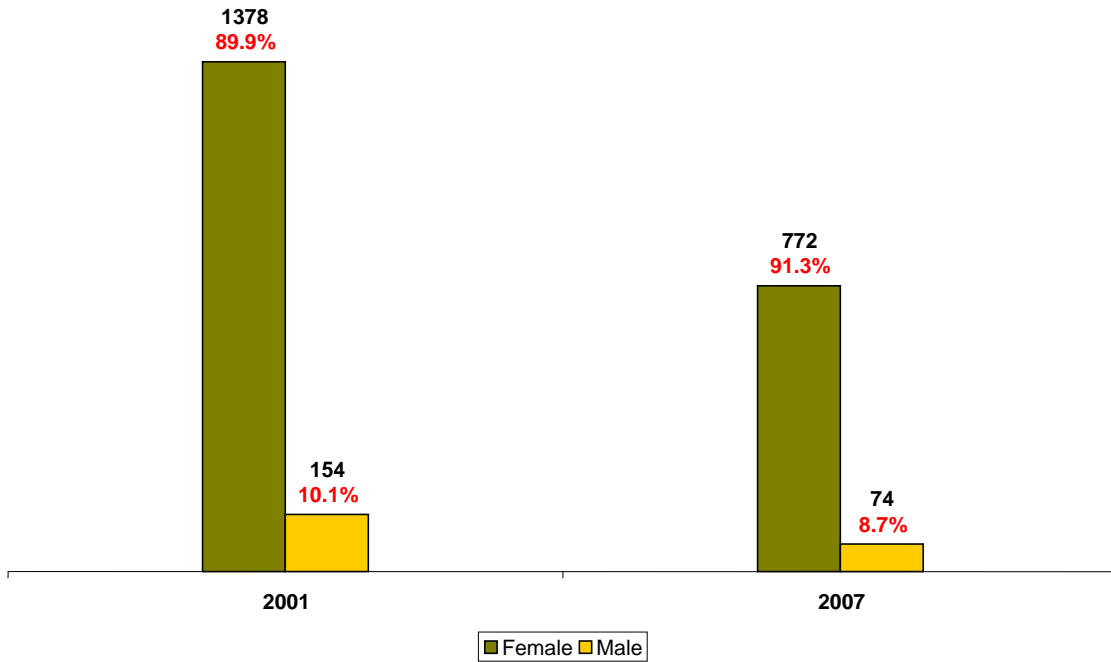
### Gender of Victim: Petitioners Filing for Injunctions for Protection Against DV / 2001 vs. 2007



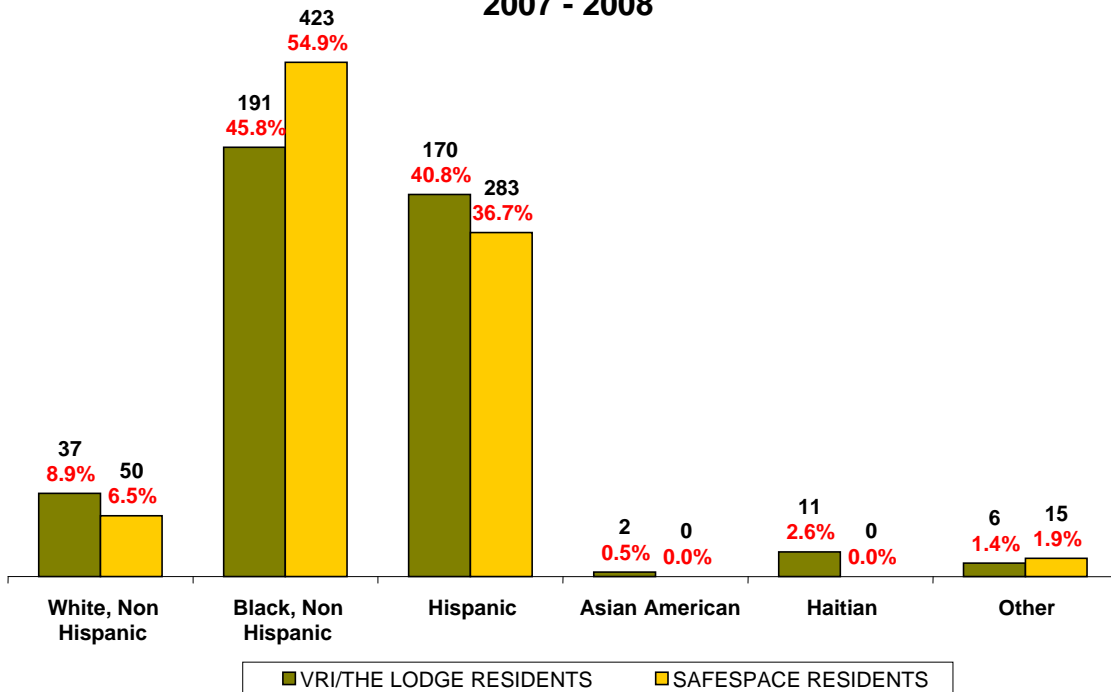
### Gender: Petitioners Filing for Injunctions for Protection Against Dating and Sexual Violence / 2007



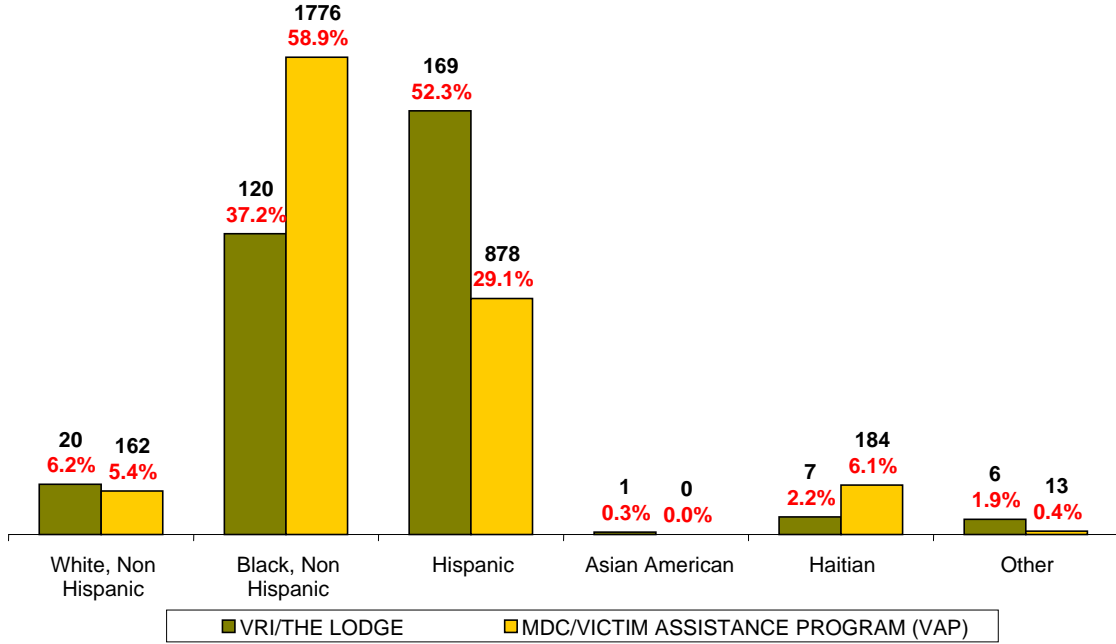
### Gender of Victims: Presenting at the Rape Treatment Center 2001 vs. 2007



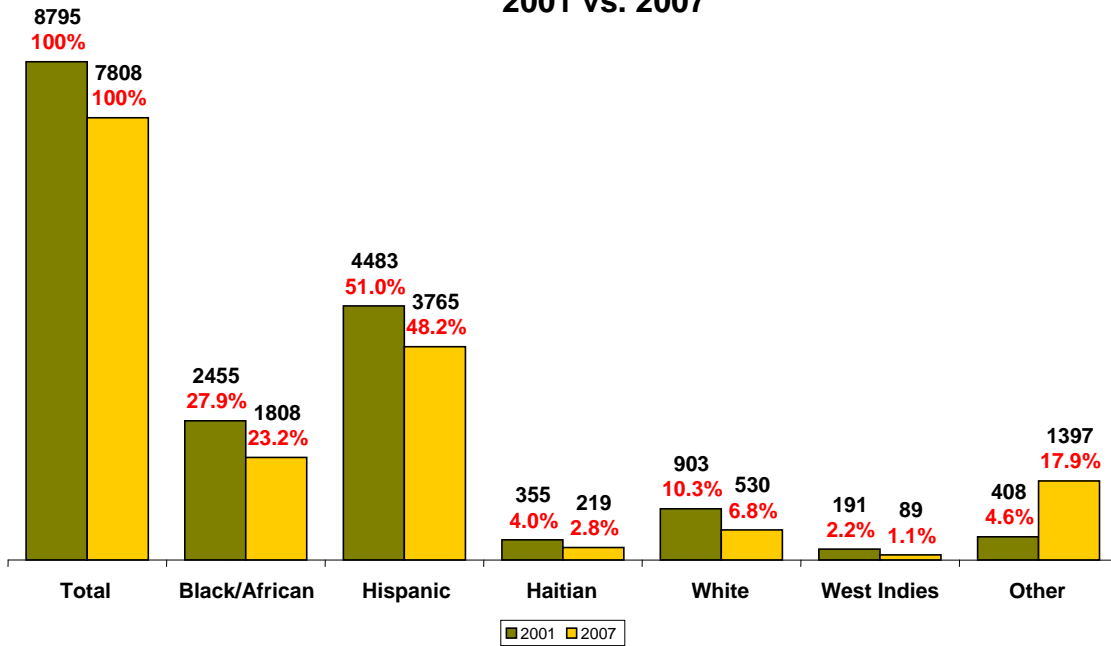
### Race - Ethnicity of Victim: Emergency Domestic Violence Shelters 2007 - 2008



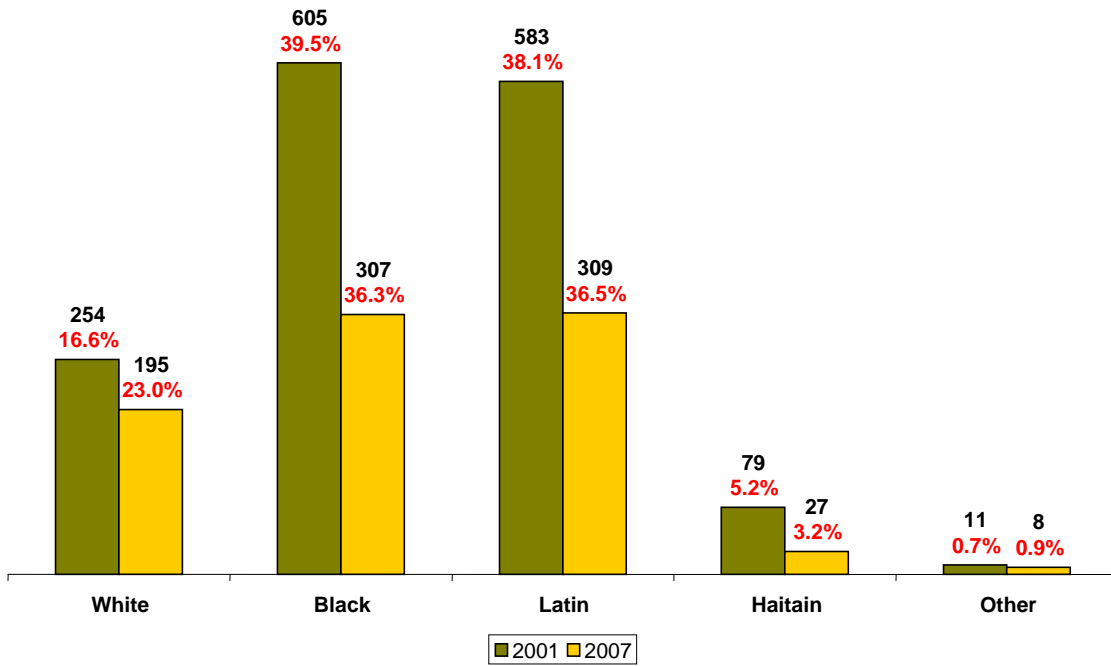
**Race - Ethnicity of Victims: Domestic Violence Shelter Outreach  
2007 - 2008**



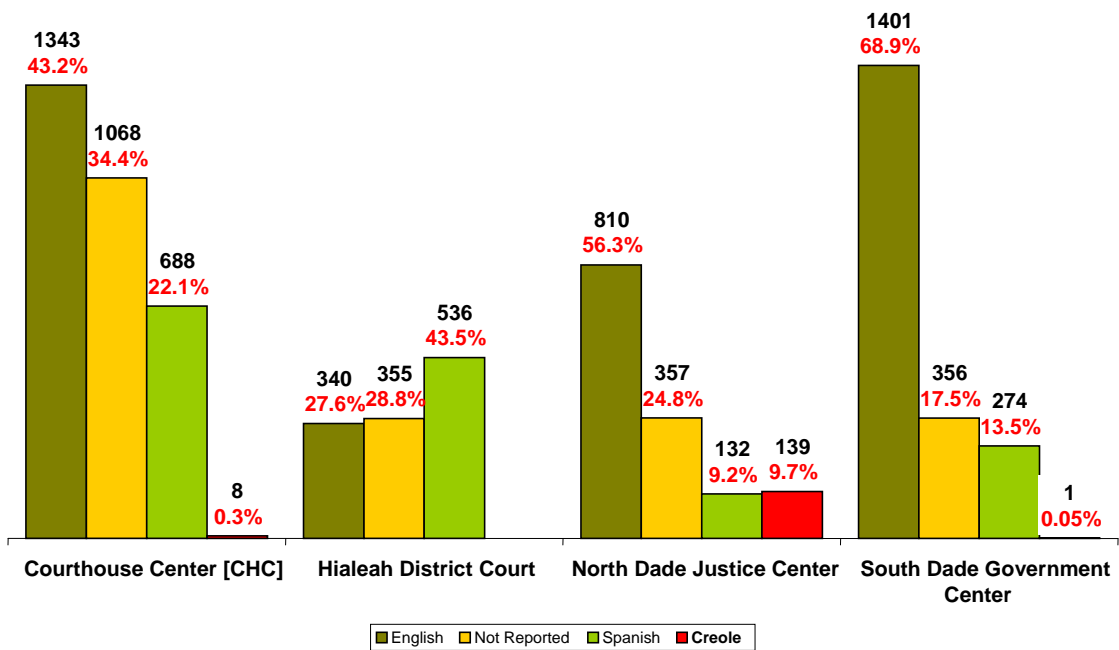
**Race - Ethnicity of Victim: Petitioners Filing for Injunctions for Protection  
Against DV and Repeat Violence  
2001 vs. 2007**



### Race-Ethnicity of Victim: Rape Treatment Center 2001 vs. 2007



### Language of Petitioners Filing for Injunctions for Protection Against Domestic and Repeat Violence - 2007



## **Summary of Adult DV and SA Service Providers**

The information in this section is a summary of direct services for adult victims of DV and SA provided by CBO and MDC/DHS agencies.

There are 27 agencies, including MDC Department of Human Services, that currently provide DV and SA services throughout MDC. Some of the agencies have multiple locations. Three of the 27 agencies offer predominately legal services. Of the 24 remaining direct DV and SA service providers, 14 offer services to more than 25 victims per year. Of the 14 agencies, 11 offer services to victims of DV or DV/SA. Three agencies offer services exclusively to victims of SA.

The eleven agencies offering services to victims of DV or DV/SA have 16 locations which include:

- Two in the **northeast** and include zip codes 33181 and 33138;
- Two are in the **northwest** and include zip codes: 33147 and 33150
- One **central** near the Jackson Memorial Hospital Complex [JMH] and includes zip code 33137
- One in **Hialeah** and includes zip code 33010;
- Three in **west central** and include zip codes: 33122, 33125 and 33126.
- One, the Victim Advocacy Center (VAC) at FIU, is further **west** but is available only to FIU students and faculty;
- One on **Miami Beach** and includes zip code 33139;
- Five in **Homestead** and/or deep south MDC and include the following zip codes: 33030, 33033 and 33034.

The three agencies offering services to victims of SA only have 8 locations which include:

- Five **centrally** located in zip codes: 33136, 33127, 33133, 33154
- One in **Kendall** and including zip code: 33143
- Two in **Homestead** including 33030, 33033

In addition to the direct service providers above, the DVIU provides Injunction intake and other support services to victims of DV and SA at four courthouse locations; Downtown Miami, Hialeah, South Miami-Dade and North Miami-Dade. Select law enforcement agencies also have specialized DV/SA units and/or advocates.

Further analysis is necessary to determine whether the capacity and location of current services is compatible with our understanding of where the greatest victim need occurs.

The map below: *Domestic Violence and Sexual Assault Community Services by Commission District* provides a comprehensive view of the known landscape of CBO services, government services provided by DHS, Criminal and Civil justice

intake locations and BIP providers including BIP providers who also offer services for non-offending victims.

The map, tables and charts in this section were compiled pursuant to surveys and other responses to data requests to the agencies. The services presented in the Appendix do not reflect unduplicated services. In many cases, multiple agencies, including first responders provide services to the same victims. There is currently no way to determine which victims are receiving what services and/or to what degree the services provided form a collective and coordinated web of safety for the victim.

The Advocacy Appendix below contains the following:

- *Domestic Violence and Sexual Assault Community Services by Commission District Map*
- Supporting Data – Service Map
- Service Inventory
  - Direct Service Providers
  - Civil and Criminal Justice based Services
- Certified Batterer’s Intervention Programs with and without Victim Services

# **ADVOCACY AND SOCIAL SERVICES APPENDIX**

# **GEO-CODED MAP/SERVICES AND SUPPORTING DATA**

# **SERVICE INVENTORY**

# **BIP PROVIDERS WITH AND WITHOUT VICTIM SERVICES**

## **Section Two: 2007 Law Enforcement Updates**

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### ***2001 vs. 2007 Law Enforcement System Updates***

#### ***Advocacy and Specialized DV / SA Units***

MDC has 36 law enforcement departments, including the Miami-Dade Police Department [MDPD] and 35 municipal police departments, up from 32 departments in 2001. In 2007 MDPD and City of Miami responded to approximately 50% of all DV offenses in MDC. MDC also responds to calls in contracted municipalities.

Some departments have specialized DV and/or SA units; some have DV and/or SA advocates and some have both. The chart below provides detailed information regarding these specialized services.

**Table 2.1 - 2007 Police Departments with Specialized Domestic Violence and/or Sexual Assault Units and or Advocates**

<b>2006 Police Departments</b>	<b>Address</b>	<b>Zip Code</b>	<b>DV Advocates</b>	<b>SA Advocates</b>	<b>DV Unit</b>	<b>SA Unit</b>
Aventura Police Department	19200 W. Country Club Drive, Aventura, FL	33180	Yes	Yes	No	No
City of Miami Police Department	400 NW 2nd Ave., Miami, FL	33128	Yes	Yes	Yes	Yes
Coral Gables Police Department	2801 Salzedo St., Coral Gables, FL	33134	Yes	Yes	Special Section	No
FIU Police Department	11200 SW 8th Street, Miami, FL	33199	Yes	Yes	No	No
Hialeah Police Department	555 E. 8 <sup>th</sup> Ave., Hialeah, FL	33013	No	No	Special Victims	Special Victims
Homestead Police Department	4 S. Krome Ave., Homestead, FL	33030	Yes	No	Special Victims	Special Victims
Miami Beach Police Department	1100 Washington Ave., Miami Beach, FL	33139	Yes	Yes	Yes	No
Miami-Dade Police Department (Domestic Crimes Bureau)	7875 NW 12th St. Suite 200., Doral, FL	33126	Yes		Yes	
Miami Dade Police Department (Sexual Crimes Bureau)	1701 NW 87 Ave., #120, Doral, FL	33172		Yes		Yes
North Miami Beach Police Department	16901 NE 19th Ave., North Miami Beach, FL	33162	Yes	Yes	No	No
North Miami Police Department	700 NE 124th Street, North Miami, FL	33161	Yes	Yes	Yes	No
Surfside Police Department	9293 Harding Ave., Surfside, FL	33154	Yes	Yes	No	No
<b>Police Departments with Special DV Units or DV Advocates</b>						
Opa Locka Police Department	2495 Ali Baba Ave., Opa Locka, FL	33054	Yes	No	Yes	No

***Model Uniform DV and SA Law Enforcement Response Policies***

In the 2003 *DV Report* we reported that every police department responds to DV and SA offenses according to their own department procedures. Policy, content and procedure vary according to each department.

The Domestic Violence and Sexual Assault Council of Greater Miami [DVSAC] members identified lack of county-wide uniform law enforcement response procedures in DV and SA cases as a serious concern and made development of these policies a high priority.<sup>24</sup> As part of the DVSAC committee process, uniform policies and procedures for law enforcement response in both DV and SA are in their final stage of development.

MDPD Sexual Crimes Bureau [SCB] took a leadership role in the development of a model uniform policy for law enforcement response in SA cases and the SAO took a similar role in the development of a model uniform policy for law enforcement response in DV cases. Both policies are scheduled to be presented to the Miami-Dade Chiefs of Police for county-wide adoption before the first quarter of 2009. Policy development involved a multidisciplinary approach and utilized nationally recognized best practice models. The uniform policies address many concerns raised in our 2003 DV Report including issues regarding: first response, on scene investigations, arrests and advocacy response to victims. The uniform SA law enforcement response policy stresses the role of advocates in SA cases and is in harmony with national SART policies.

### ***MDPD DV Clearinghouse***

Since our last report, MDPD created the DV Clearinghouse (Clearinghouse) whereby municipal police departments voluntarily input data from their offense reports into a central database.<sup>25</sup> The Clearinghouse is able to link offense data involving the same perpetrator. With funding from the Department of Justice Grants to Encourage Arrest, MDPD has been able to enhance the Clearinghouse so that its function is far more pro-active. Whenever there are two hits [offense reports] involving the same perpetrator, MDPD notifies the relevant law enforcement of the multiple offenses. A review of the first three months of operation indicates that 9/36 departments are actively entering their DV offense reports into the Clearinghouse and that numerous investigations in each department have been initiated in cases with multiple hits.<sup>26</sup>

The Clearinghouse is also capturing demographic information on victims, which is not centrally available from any other source. The Grant design also anticipates that grant partner agencies, such as Legal Aid and FIAC and the SAO will be able to obtain information from the Clearinghouse that will assist victims in their civil cases and the State in its prosecution of the perpetrator.

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<sup>24</sup> The DVSAC Sexual Assault Response Committee has developed SART procedures which include a policy for advocacy, forensics, law enforcement and the prosecution. MDPD drafted the law enforcement section of the policy .

<sup>25</sup> We included a report about the MDPD SA Clearinghouse in our 2003 DV Report.

<sup>26</sup> Data provided by Covian Inc., Grant Evaluator [2008]

## ***Budget Cuts Impact Departments***

As a result of a serious budget shortfall due to falling property taxes in the State, MDC has had to make deep cuts to its budget, which included cuts that impact DV and SA law enforcement response. For example, the MDPD Civil Process Bureau (Civil Process) was cut by one position. Civil Process serves Injunctions on respondents. The time it takes to serve respondents is directly impacted by the loss of positions to this unit.

## ***Data Updates***

This section will discuss the 2007 offense data and overall decline of reported DV and SA offenses since our last report. The data used in this section comes primarily from three sources: Florida Department of Law Enforcement Uniform Crime Reports (FDLE/UCR reports); MDPD Statistical Analysis Center; and the University of Florida Bureau of Business and Economic Research (BEBR).

In general, we relied on FDLE/UCR arrest / offense data for municipalities and total MDC offenses. We used MDPD data when analyzing offenses by zip code because FDLE/UCR data is provided by police jurisdiction rather than by zip code and therefore not as useful in determining the rate of offenses throughout unincorporated MDC. We utilized BEBR 2007 population estimates for municipalities and MDC to calculate the rates of increase or decline in offenses between 2001 and 2007.<sup>27</sup> BEBR population estimates are not available by zip code and therefore an offense comparison by zip for unincorporated MDC will not be possible until the 2010 census.

The maps and supporting charts below provide an in depth analysis of the rate of DV and SA and SA with a DV relationship for the entire County.<sup>28</sup> The geographic areas highlighted on each map are shaded to represent the lowest to highest offense rates with the lightest shading being the lowest rate and the darkest shading representing the highest rate.

## ***Terminology - DV and SA Offenses***

In this section, homicide, negligent manslaughter, forcible rape, forcible sodomy, forcible fondling, aggravated assault, aggravated stalking, simple assault, simple stalking and intimidation are classified as crimes against persons by local law enforcement, FDLE and the FBI. Each crime against each person is classified as

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<sup>27</sup> BEBR provides population projections for counties and municipalities, but not by zip code between each U.S. Census. Zip code population data will not be published from the 2010 census until 2011. See [www.census.gov](http://www.census.gov)

<sup>28</sup> The rate was calculated by dividing the 2000 U.S. census population of the target area by 1000 multiplied by the number of offenses for each area.

an offense. An offense is documented through an offense report. An offense report is written by law enforcement only after the law enforcement officer arrives at a scene and the officer determines that there is probable cause to believe that a crime of DV and/or SA against a person or persons has occurred. An offense which is later determined through investigation by the agency to be false or baseless is documented as unfounded at the agency level and is not reported to FDLE/UCR Program and not reflected here.

This section analyzes DV Offenses, SA Offenses and SA Offenses where the victim and perpetrator have a relationship as defined in FS 741.30 [the DV Statute]. This is sometimes called SA with a DV “Flag”. To be designated in this way the DV relationship must be determined by law enforcement. This may occur at at dispatch; at the time of the investigation and/or at the time of the arrest. When that criterion is met the relationship is captured and reported to FDLE.

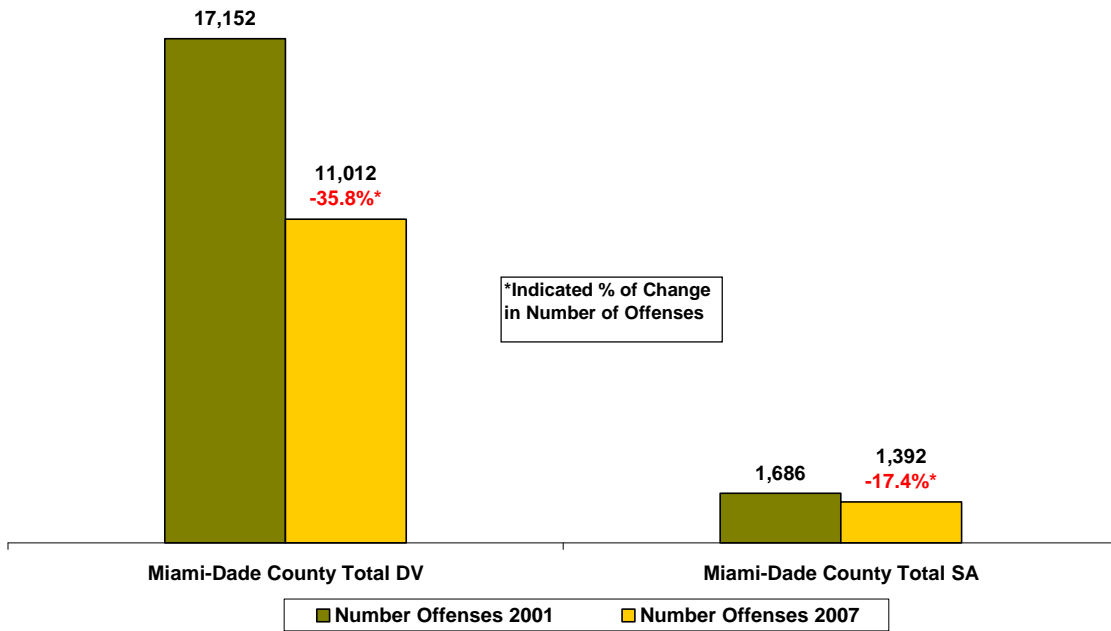
***2001 vs. 2007: Discussion of Decline in Reported DV and SA Offenses to Law Enforcement***

Between 2001 and 2007, there was an over all decline in all three offense categories as indicated in the table below. We cannot report as to whether the decline represents a decline in reporting or decline in the actual DV and SA offense rates. Also the apparent decrease in the number of SA offenses with a DV relationship is in part due to the fact that many municipal police departments, most notably the City of Miami, do not report this information to FDLE/UCR and therefore it is not captured on our map.

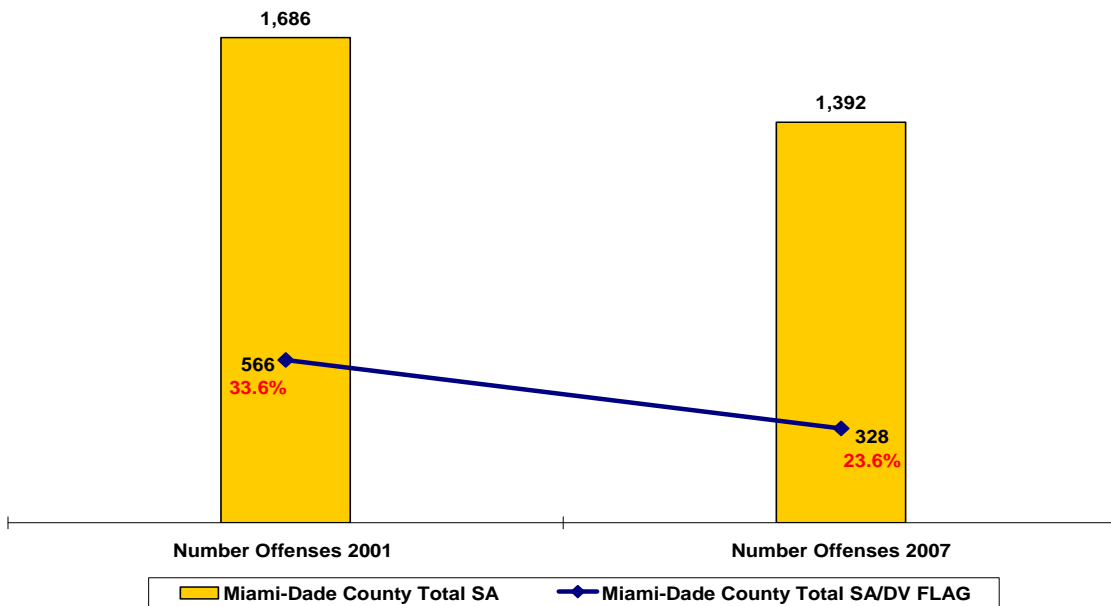
2008 Note: MDPD reports that the year to date DV Offense Rates is up 31% over 2007.

<b>Table 2.2 – 2001 vs. 2007 Comparison of MDC Law Enforcement Agencies DV/SA Offenses</b>			
	Number Offenses 2001	Number Offenses 2007	% Change in Number of Offenses
Miami-Dade County Total DV	17,152	11,012	-35.80%
Miami-Dade County Total SA	1,686	1,392	-17.40%
Miami-Dade County Total SA with a DV Relationship	566	328	-42.00%

**Decrease in Number of Offenses Reported to FDLE  
2001- 2007**



**Sexual Assault Offenses vs. Sexual Assault Offenses with a DV Flag  
2001-2007**



## 2001 vs. 2007 Decrease in DV and SA Offense Rates by Law Enforcement Agency

The table below indicates the rate of increase or decrease in DV and SA offenses reported to FDLE in municipalities with a population of more than 25,000. Smaller municipalities are included in the maps that follow this section but not in the analysis below because rates are distorted in communities with smaller populations. The list below does not include cities that were not in existence in 2001 or unincorporated areas of MDC. The 2001 vs. 2007 offense rate comparison is located in the Law Enforcement Appendix at the end of this section.<sup>29</sup>

<b>Table 2.3 - 2001 vs. 2007 Comparison of Rate of Increase-Decrease in DV/SA Offenses</b>				
<b>Municipality</b>	<b>DV Offenses</b>		<b>SA Offenses</b>	
	<b>% Up</b>	<b>% Down</b>	<b>% Up</b>	<b>% Down</b>
<b>Aventura</b>		-3.20%		- 16.8%
<b>Coral Gables</b>		-24.0%		- 24.2%
<b>FIU</b>	No change			- 16.7%
<b>Hialeah</b>		-15.5%		- 30.6%
<b>Homestead</b>	9.40%			- 74.2%
<b>Miami Beach</b>		-14.8%		- 11.0%
<b>MDC Public Schools</b>	420%		61.1%	
<b>Miami</b>		-50.8%		-56.2%
<b>North Miami Beach</b>		-47.8%	21.3%	
<b>North Miami</b>	65.3%			- 24.6%

### 2001 vs. 2007 Decrease in DV Related Homicides/Suicides

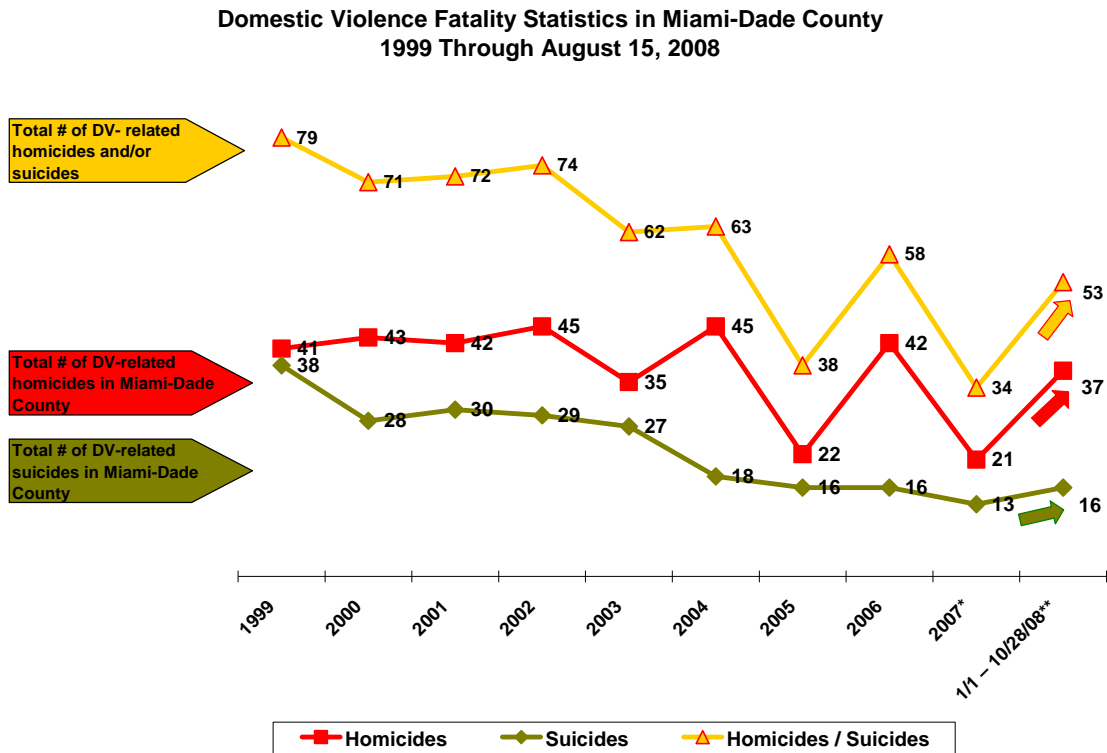
In 2001 there were 71 DV related Homicides/Suicides [homicides/suicides] which included 42 DV homicides and 30 DV suicides. With the exception of 2006 when the rate spiked from 38 to 58 homicide/suicides, the trend has been down. In 2007 there were 34 homicide/suicides, the lowest number since the Fatality Review Team [FRT] was established in 1999 and began reviewing and tracking these deaths.

### 2008 Increase in DV Related Homicides/Suicides

Unfortunately the trend has reversed itself again. As of October 28, 2008 the FRT has identified 53 DV related homicide/suicides, including 37 homicides and 16 suicides. *This is a 56% increase in homicide/suicides; a 76% increase in DV homicides and a 23% increase in suicides over 2007* with two months of 2008 remaining.

<sup>29</sup> Population estimates for rate of change provided by BEBR.

The map: *2007 Domestic Violence Related Homicide/Suicide Fatalities by Type* and supporting Map Index and the Fatality Review Team statistical report are included in the Law Enforcement Appendix at the end of this section.



**Location of DV and SA Offenses:**

The offense maps and supporting charts in the Law Enforcement Appendix at the end of this section provide an in depth analysis of the rate per 1000 of DV, SA and SA with a DV relationship in unincorporated MDC and the municipalities.<sup>30</sup> The geographic areas highlighted on each map are shaded to represent the lowest to highest offense rates with the lightest shading being the lowest rate and the darkest shading representing the highest rate.<sup>31</sup>

<sup>30</sup> The rate was calculated by dividing the population of the target area by 1000 times multiplied by the number of offenses for each area.

<sup>31</sup> It should be noted that the offense rate for zip codes in unincorporated MDC adjacent to municipalities which share the same zip code will be understated. This occurs because MDC cannot break out the population for the unincorporated part of the zip code from the population in the municipality which shares the zip code. Since the offense rate is calculated by dividing the entire population by 1000 times the number of offenses for just the unincorporated part of the zip code, the result is an understatement of the MDPD offense rate.

# **LAW ENFORCEMENT APPENDIX**

# **MAP: DV FATALITIES AND SUPPORTING DATA**

# **MAPS: DV-SA OFFENSES AND SUPPORTING DATA**

# **2001 VS. 2007 COMPARITIVE DV-SA OFFENSE RATE CHARTS**

## **Section Three:**

# **2007 State Attorney's Office Update**

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### ***2001 vs. 2007 State Attorney's Office System Updates***

#### ***Expansion of MOVES***

Since 2001 the State Attorney's MOVES program has expanded from collaboration with 5 law enforcement agencies to 26 agencies. MOVES misdemeanor cases have shown significant increase in successful prosecutions over non-MOVES cases.

MOVES involvement brings benefits to victims and their families, police, prosecution and the community.

- Victims – Victims of all ages, including elderly victims and their families are informed of all available options and resources providing enhanced safety immediately, as soon as law enforcement is called to the scene.
- Police – Eliminates cost of pre-file conferences and provides enhanced victim support, critical to agencies without advocates.
- Prosecution – MOVES paralegals are able to build a stronger case for the prosecution and increase probability of successful prosecution.

#### ***Terminology***

Nolle Prosequi (nolle prose): In some cases, charges may be dropped by the State after filing. A nolle prose may be entered for several reasons. The most common reasons are related to problems with witnesses or evidence. Charges may also be dropped after a defendant has successfully completed a diversion program.

No Action: Police arrest a defendant based on probable cause. The prosecutor will take sworn testimony to determine whether the case against the defendant can be proved beyond a reasonable doubt. The prosecutor may no action a case for many reasons, including:

- the victim and /or witnesses have failed to appear to give sworn testimony;
- the victim refuses to give a statement and there is no other evidence or insufficient evidence to go forward;
- evidence may have been seized illegally and there is no case without the evidence;
- the facts are insufficient to prove the case beyond a reasonable doubt.

## ***Victim Support***

All DV victims receive services without regard to whether the SAO files the case. Below is a short description of these services.

### MOVES

MOVES Paralegals perform all initial case preparation including: sworn statements, photographs and assessment of the victim's needs (crime compensation, shelters, injunctions...), providing referral information on resources available in the community right after the incident at the scene. The DART counselors are responsible for contacting victims within 24-48 hours after the crime in order to assess their needs resulting from their victimization and to provide them with information about the Criminal Justice System, including but not limited to pre-filing conference, arraignment, trial, and the victim access network.

DART Counselors also provide the following: Emotional support, information and referrals; court accompaniment to all court hearings; assistance with the filing of an Injunction for Protection Against DV; assistance related to fear of retaliation, loss of financial support from the defendant, concerns for their safety and their families, as well as their wishes to drop charges; collaboration with a variety of local service providers to ensure that victims are linked with services and support to which they are entitled such as: medication, shelter, clothing and filing for crimes compensation benefits, financial assistance [most commonly provided for the purpose of rent, utilities, relocation expenses], assistance and referral for passport replacement and/or Visa problems and assistance with obtaining proper medical attention.

Domestic Violence Paralegals and Counselors provide on-going services to victims throughout the duration of DV misdemeanor and DV felony cases.

### ***Data Update***

#### Dispositions for DV Felony Arrest Cases:

The data in this section was provided by the SAO. The table below indicates dispositions for all DV Felony arrest cases in 2001 and 2007. There was an 11% increase in no action cases in 2007.

<b>Table 3.1 - 2001 vs. 2007 Dispositions in DV Felony Arrests</b>				
<b>Dispositions in DV Felony Arrests</b>	<b>2001</b>	<b>2007</b>	<b>2001 % of Arrests</b>	<b>2007 % of Arrests</b>
Nolle Prose	194	255	5.2%	7.3%
Dismissed	16	16	0.4%	0.5%
Acquitted	14	13	0.4%	0.4%
Convicted	35	24	0.9%	0.7%
Pled Guilty	982	801	26.5%	23.0%
Nolo Contendre	263	70	7.1%	2.0%
Nolle Prose/PTI	213	237	5.7%	6.8%
Bound Down to County Court	353	80	9.5%	2.3%
No Action	1575	1854	42.5%	53.2%
Transferred	63	133	1.7%	3.8%
<b>Total Felony Arrest Cases</b>	<b>3708</b>	<b>3483</b>	<b>100.0%</b>	<b>100.0%</b>

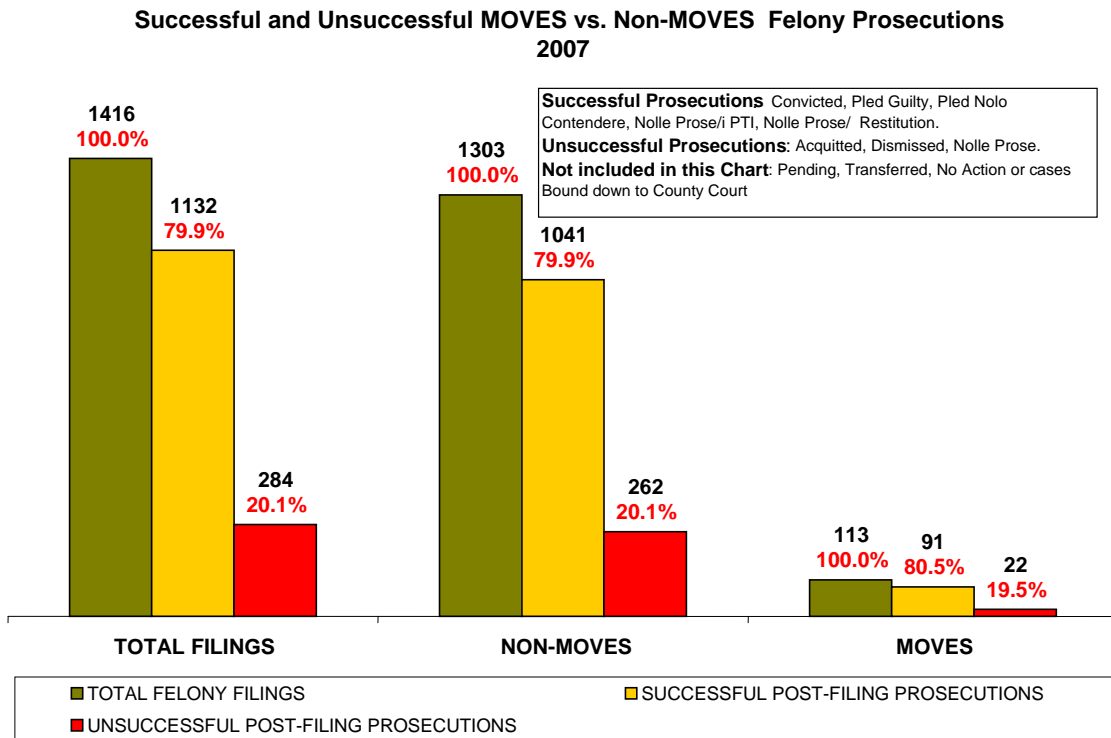
2001 vs. 2007 Successful/Unsuccessful Filed DV Felony Cases:

The table below shows the disposition of all filed DV Felony cases. Filed cases do not include: no action cases, cases bound down to County Court and transfer cases. Successful dispositions overall declined from 87% to 79.9% since 2001.

<b>Able 3.2 - 2001 vs. 2007 Successful-Unsuccessful Felony Prosecutions</b>				
<b>Year</b>	<b>2001 Filings</b>	<b>2007 Filings</b>	<b>2001 % of Filings</b>	<b>2007 % of Filings</b>
Nolle Prose	194	255	11.30%	18.00%
Dismissed	16	16	0.90%	1.10%
Acquitted	14	13	0.80%	0.90%
Pled Guilty	982	801	57.20%	56.60%
Convicted	35	24	2.00%	1.70%
Nolo Contendre	263	70	15.30%	4.90%
Nolle Prose/PTI	213	237	12.40%	16.70%
<b>Total Felony Filings</b>	<b>1717</b>	<b>1416</b>	<b>100.00%</b>	<b>100.00%</b>

2001 vs. 2007 Filed Felony MOVES Cases:

There was a modest increase in success in Felony MOVES cases in 2007 but a decline in successful MOVES cases since 2001.<sup>32</sup>



2001 vs. 2007 DV Misdemeanor Arrest Cases

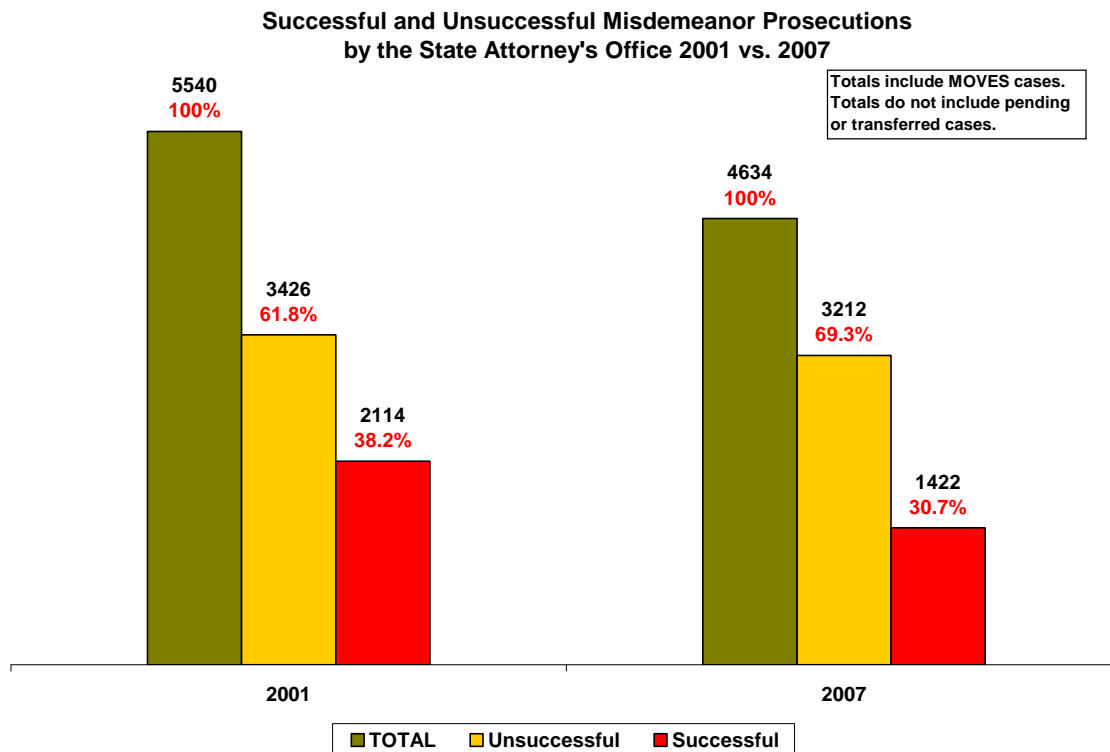
Unlike felony cases, all misdemeanor arrest cases are filed. If there is insufficient evidence to proceed with the case, the SAO enters a nolle prose in the case after filing. Therefore although the timing of the dismissal in misdemeanor cases is after filing, it functions like a no action in a felony case. In 2008, the SAO began to use the no action and nolle prose classification in misdemeanor cases as is done in felony cases.

As in felony cases, victims in misdemeanor cases receive services even if the State enters a nolle prose or no action in a case.

Table 3.3 - 2001 vs. 2007 Dispositions in DV Misdemeanor Arrest Cases				
	2001	2007	2001% of Arrests	2007% of Arrests
Nolle Prose	3350	3158	60.2%	68.0%
Dismissed	40	27	0.7%	0.6%
Acquitted	35	27	0.6%	0.6%
Convicted	145	74	2.6%	1.6%
Pled Guilty	27	14	0.5%	0.3%
Nolo Contendere	931	421	16.7%	9.1%
Nolle Prose/PTD	1011	913	18.2%	19.7%
No Action	1	0	0.0%	0.0%
Transfer Cases	23	11	0.4%	0.2%
<b>Total Cases</b>	<b>5563</b>	<b>4645</b>	<b>100.0%</b>	<b>100.0%</b>

2001 vs. 2007 Successful/Unsuccessful DV Misdemeanor Cases:

The table below shows the disposition of all filed DV Misdemeanor cases. Filed cases do not include: no action cases and transfer cases. Successful dispositions overall declined from 38.2% to 30.7% since 2001. Felony dispositions and misdemeanor dispositions cannot be compared because felonies dispose of cases prior to filing where misdemeanors do not dispose of cases that are not legally sufficient until after filing.

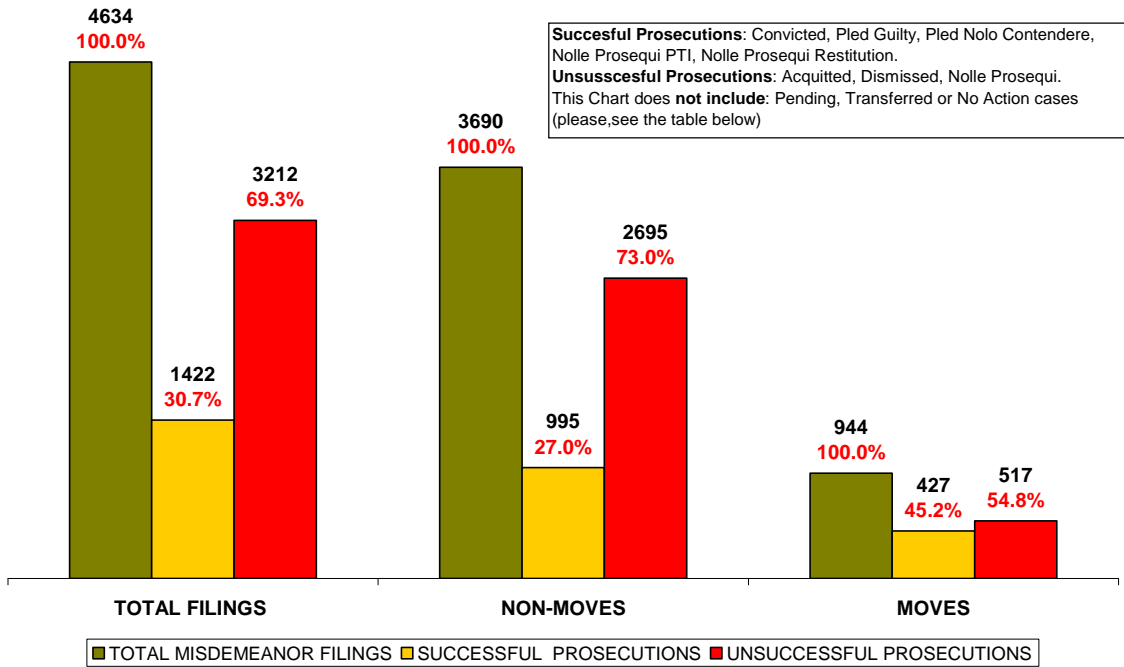


2001 vs. 2007 Misdemeanor MOVES Cases:

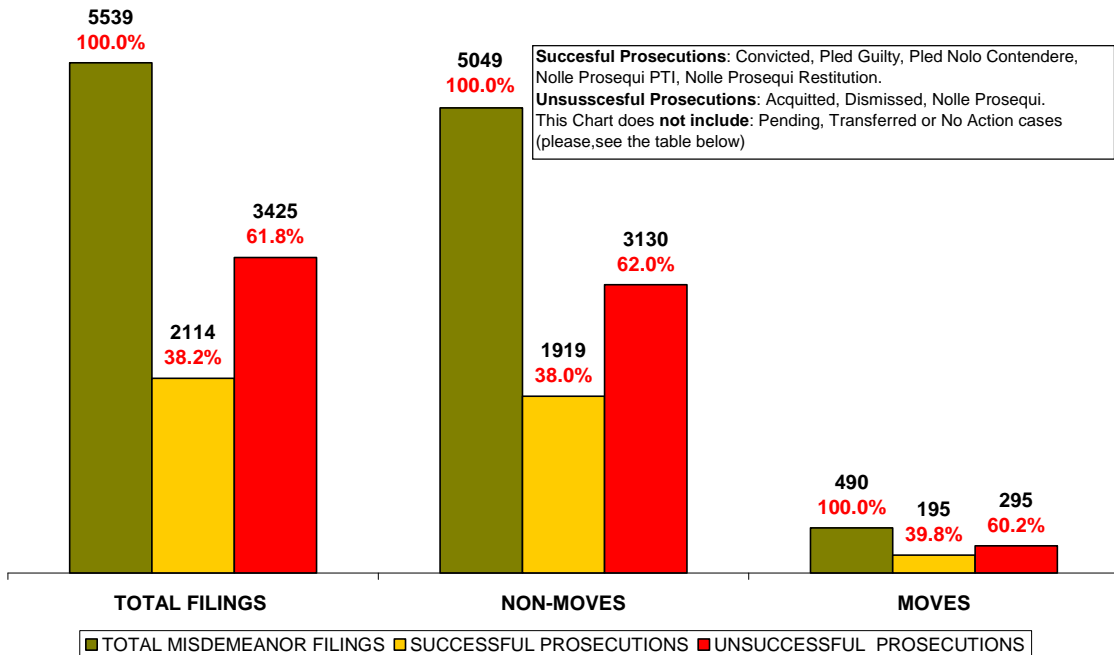
In 2007 Misdemeanor MOVES cases had a 45.2% success rate as opposed to the 26.9% success rate in non-MOVES cases. Success in MOVES cases has climbed from 39.9% success rate in 2001 to 45.2% in 2007. Existing data is not sufficient to determine why MOVES has a greater impact on success in misdemeanor cases vs. felony cases.

<b>Table 3.4 - 2001 vs. 2007 Dispositions in Misdemeanor MOVES/NON MOVES CASES</b>						
<b>2007</b>						
	<b>Total</b>		<b>MOVES</b>		<b>NON-MOVES</b>	
<b>Total Misdemeanor Arrest Cases</b>	4645	100.0%	944	100.0%	3701	100.0%
<b>Successful Prosecutions</b>	1422	30.6%	427	45.2%	995	26.9%
<b>Unsuccessful Prosecutions</b>	3212	69.1%	517	54.8%	2695	72.8%
<b>Transferred Cases</b>	11	0.2%	0	0.0%	11	0.3%
<b>No Action</b>	0	0.0%	0	0.0%	0	0.0%
<b>2001</b>						
	<b>Total</b>		<b>MOVES</b>		<b>NON-MOVES</b>	
<b>Total Misdemeanor Arrest Cases</b>	5563	100.0%	490	100.0%	5073	100.0%
<b>Successful Prosecutions</b>	2114	38.0%	195	39.8%	1919	37.8%
<b>Unsuccessful Prosecutions</b>	3425	61.6%	295	60.2%	3130	61.7%
<b>Transferred Cases</b>	23	0.4%	0	0.0%	23	0.5%
<b>No Action</b>	1	0.0%	0	0.0%	1	0.0%

**Successful and Unsuccessful MOVES vs. Non-MOVES  
Misdemeanor Prosecutions 2007**



**Successful and Unsuccessful MOVES vs. Non-MOVES  
Misdemeanor Prosecutions 2001**



## **Section Four: 2007 Advocate Program Inc. Update**

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### ***2001 vs. 2007 Advocate Program System Updates***

Since 2001 there have been few changes in policy or procedure with one exception; misdemeanants are no longer revoked and sent back to court for non-payment of fees. If all other conditions have been met but an offender under supervision has not paid his/her fees, the matter is referred to a collection agency.

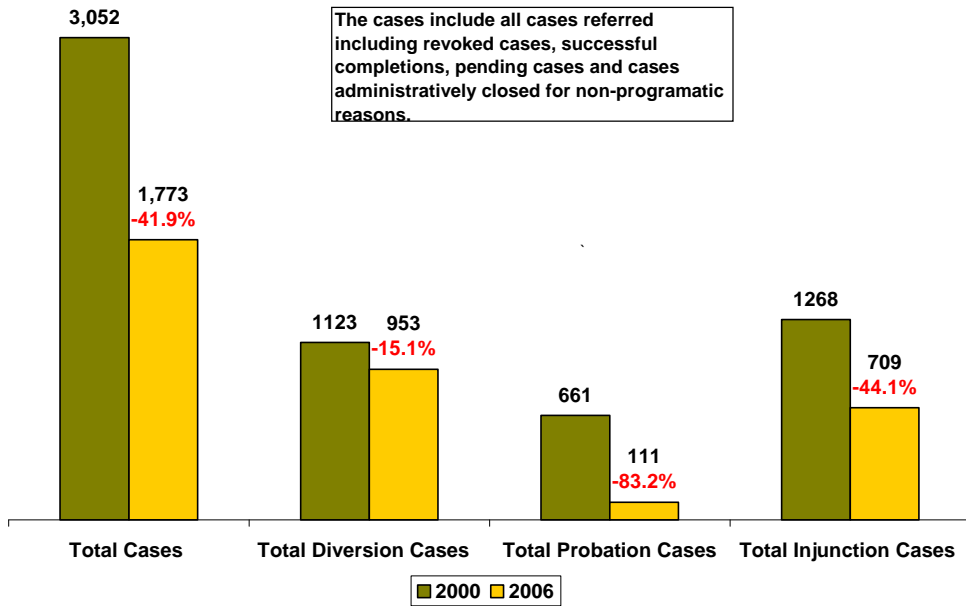
### ***Data Update***

The data in this section was provided by the Advocate Program, Inc. (Advocate Program), which monitors all DV civil permanent injunction cases (injunction cases); DV probation cases and DV diversion cases. Typically, it takes several months from referral to disposition. Therefore, in order to obtain data on the highest number of closed cases, we have compared cases where the court order of referral or intake was signed or completed between the dates of January 1, 2000 – December 31, 2000 vs. January 1, 2006 – December 31, 2006 and the disposition on all cases compared was concluded on or before December 31, 2001 vs. December 31, 2007. DV probation and injunction cases are ordered to the Advocate Program by the DV Court and DV diversion cases are referred by the State Attorney's Office.

### **Total Referrals Have Declined**

There has been a 41.9% decline in total cases referred since our last report including: 15.1% decline in DV diversion cases, an 83.2% decline in DV probation cases and a 44.1% decline in injunction cases.

**Decrease in Cases Referred to the Advocate Program  
2000 vs. 2006**

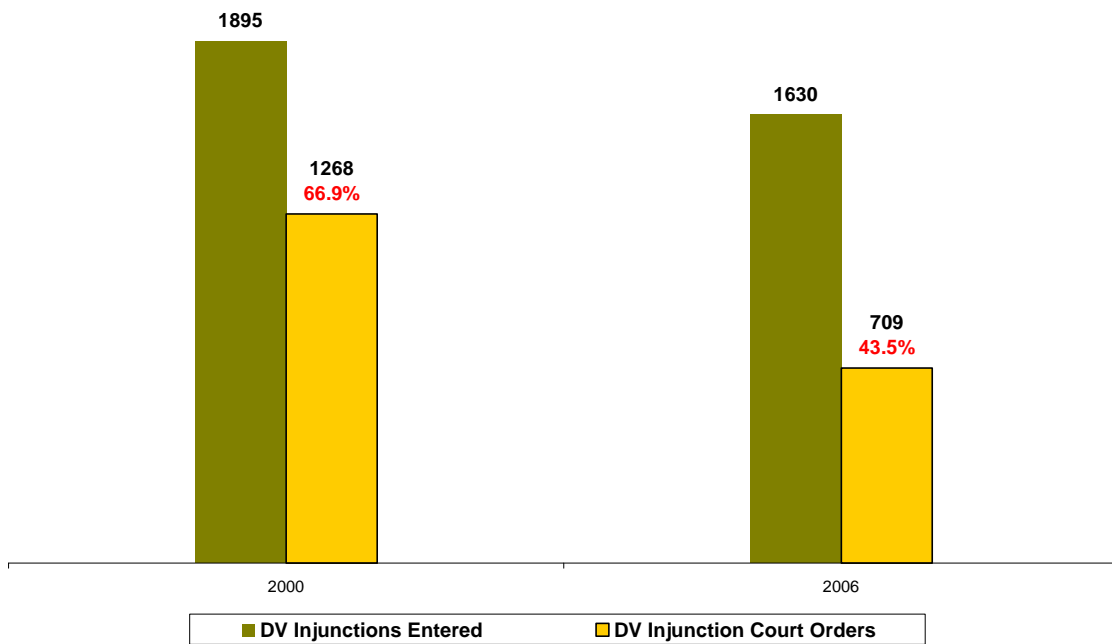


Each section below will compare successful and unsuccessful completion of program conditions and reasons for revocation in probation and diversion cases.

DV Injunction Cases Ordered to the Advocate Program 2000 vs. 2006

The chart below compares the number of DV injunctions entered by the DV Court vs. DV injunction cases ordered to the Advocate Program in the same year. The percent of injunctions entered vs. cases ordered to the Advocate Program has declined from 66.9% in 2000 to 43.5% in 2006.

**Permanent DV Injunctions Entered vs. Permanent DV Injunctions Court Ordered to the Advocate Program 2000 vs. 2006**



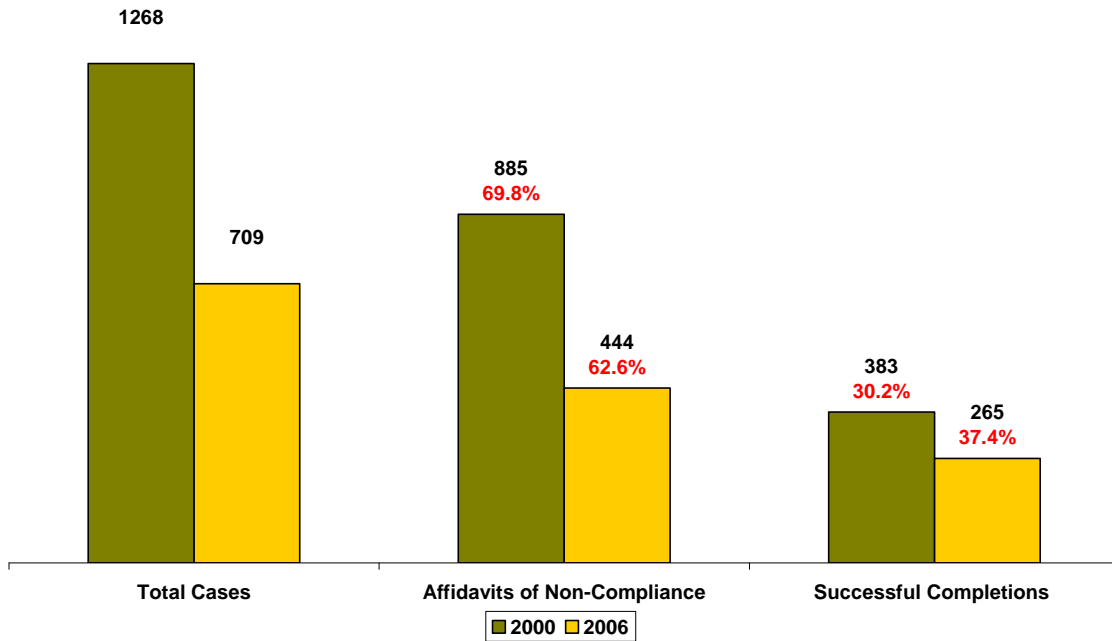
DV Civil Injunction Cases

2000 vs. 2006 Comparison of Successful / Unsuccessful Completion of Probation Cases Referred to the Advocate Program

The number of DV injunction cases court ordered to the Advocate Program declined from 1,268 cases in 2000 to 709 cases in 2006 or a 44% decline. Of these cases, the percent of successful program completions increased from 30.2% in 2000 to 37.4% in 2006. Conversely, the percent of revocations declined over the same period from 69.8% in 2000 to 62.6% in 2006.

The chart illustrates this improvement and includes only cases where the Advocate Program entered affidavits of non-compliance (unsuccessful completion) or where cases were successfully terminated. They do not include pending cases or cases that were administratively closed.

**DV Civil Injunction Cases Court Ordered to the Advocate Program  
2000 vs. 2006**



Reasons for Affidavits of Non-Compliance in Injunction Cases

The percent of affidavits for non-compliance filed for *Failure to Appear for Intake* remained the same. However the percent of affidavits filed for *Failure to Appear for Assessment* declined from 12% in 2000 to 5% in 2006. The largest increase in affidavits of non-compliance filed was due to *Failure in Treatment or Delinquent Fees* which increased from 31% non-compliance rate in 2000 to 36% non compliance rate in 2006 or an increase of 17%. This category includes: re-arrest, poor attendance and failure to pay fees due the treatment provider.

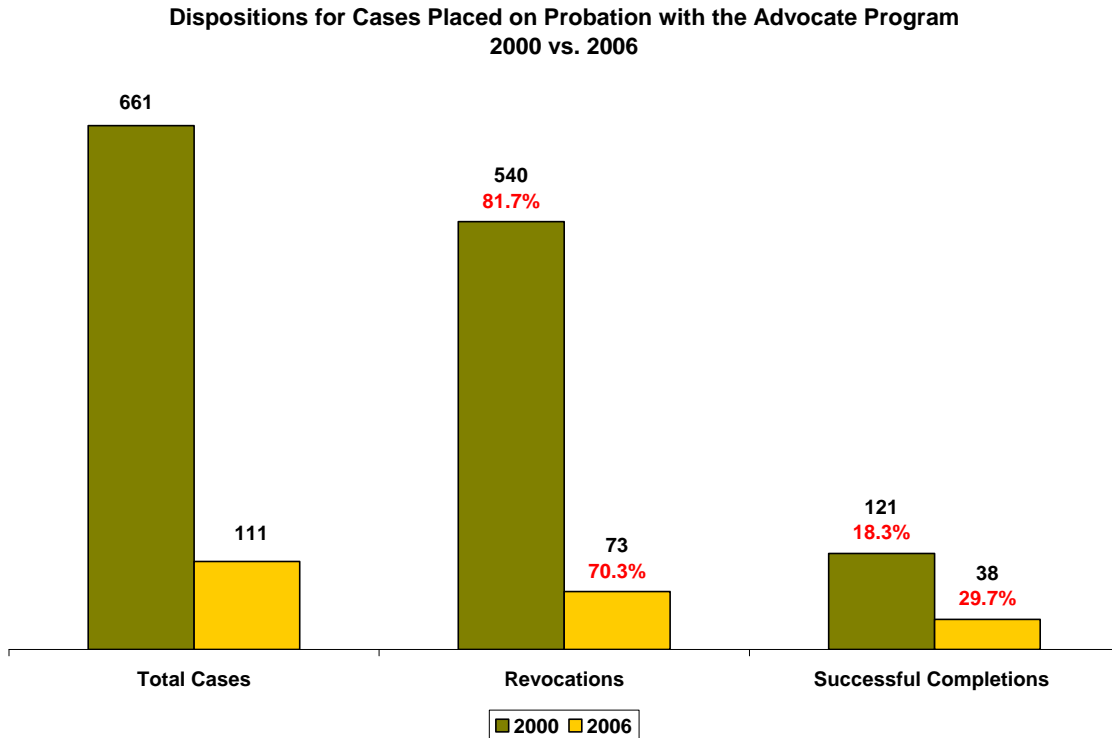
<b>Table 4.1 - 2000 vs. 2006 Reasons for Affidavits of Non-Compliance in DV Permanent Injunction Cases Supervised by the Advocate Program</b>					
<b>Year</b>	<b>2000</b>	<b>% of Cases</b>	<b>2006</b>	<b>% of Cases</b>	<b>% of change 2000 vs. 2006</b>
Failure to Appear/Intake	468	53%	237	53%	No Change
Failure to Appear/Assessment	105	12%	23	5%	56%
Failure in Treatment or Delinquent Fees	272	31%	160	36%	-17%
Other	40	5%	24	5%	No Change
<b>Total Non-Compliant Cases</b>	<b>885</b>	<b>100%</b>	<b>444</b>	<b>100%</b>	

## DV Probation Cases

### 2000 vs. 2006 Comparison of Successful / Unsuccessful Completion in DV Probation Cases Referred to the Advocate Program

The number of DV probation cases referred to the Advocate Program for supervision declined from 661 cases in 2000 to 111 cases in 2006 or an 83.2% decline. Of DV probation cases disposed by the Advocate Program, successful program completions increased from 18% in 2000 to 29.7% in 2006. Conversely, revocations declined from 81.7% in 2000 to 70.3% in 2006.

The chart below includes only cases that were revoked or were successfully terminated by the program. They do not include pending cases or cases that were administratively closed.



## Reasons for Revocation in DV Probation Cases

The percent of revokes for *Failure to Appear at Intake* fell from 20.4% in 2000 to 8.2% in 2006. Likewise, the percent of revokes for *Failure to Appear at Assessment* fell from 13.5% in 2000 to 4.1% in 2006. The leading reason for revocation in probation cases for both years was *Failure in Treatment or*

*Delinquent Fees* which increased from 29.6% in 2000 to 54.8% in 2006, an 84.9% increase. This category includes re-arrest, poor attendance and failure to pay fees due the treatment provider.

<b>Table 4.2 - 2000 vs. 2006 Reasons for Revocation in DV Probation Cases Supervised by the Advocate Program</b>					
<b>Year</b>	<b>2000</b>	<b>% of Cases</b>	<b>2006</b>	<b>% of Cases</b>	<b>% of change 2000 vs. 2006</b>
Failure to Appear/Intake	110	20.40%	6	8.20%	59.70%
Failure to Appear/Assessment	73	13.50%	3	4.10%	69.60%
Failure in Treatment or Delinquent Fees	160	29.60%	40	54.80%	-84.90%
Other	197	36.50%	24	32.90%	9.90%
<b>Total Probation Cases Revoked</b>	<b>540</b>		<b>73</b>		

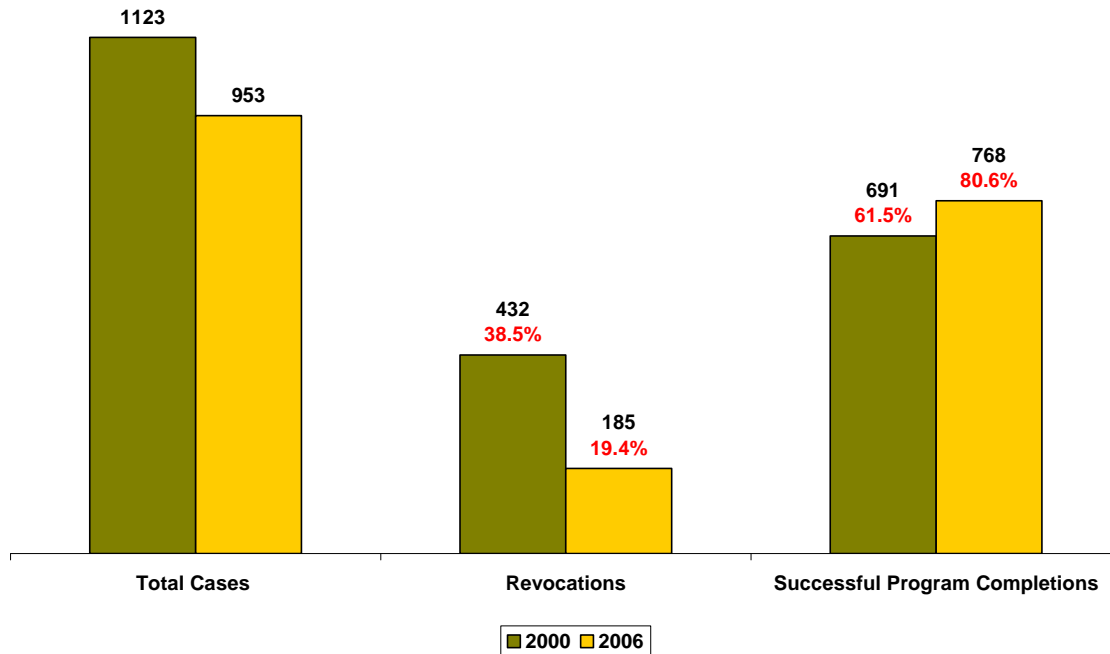
### Diversion Cases

#### 2000 vs. 2006 Comparison of Successful / Unsuccessful Completion of DV Diversion Cases Referred to the Advocate Program

The number of DV Diversion cases referred to the Advocate Program for supervision declined from 1123 cases in 2000 to 953 cases in 2006 or a 15.1% decline. Of DV diversion cases disposed by the Advocate Program, successful program completions increased from 61.5% in 2000 to 80.6% in 2006. Conversely, revocations declined from 38.5% in 2000 to 19.4% in 2006.

The chart below includes only cases that were revoked or were successfully terminated by the program. They do not include pending cases or cases that were administratively closed.

**Dispositions in DV Diversion Cases Referred to the Advocate Program  
2000 vs. 2006**



Reasons for Revocation in DV Diversion Cases

The percent of revokes for *Failure to Appear at Intake* fell from 28.7% in 2000 to 20.5% in 2006. Likewise, the percent of revokes for *Failure to Appear at Assessment* fell from 10.6% in 2000 to 1.6% in 2006. As in DV probation cases above, the leading reason for revocation in DV diversion cases in both years was *Failure in Treatment or Delinquent Fees* which increased from 36.1% in 2000 to 65.9% in 2006, an 82.6% increase. This category includes re-arrest, attendance and failure to pay fees due the treatment provider.

<b>Table 4.3 - 2000 vs. 2006 Reasons for Revocation in DV Diversion Cases Supervised by the Advocate Program</b>					
Year	2000	% of Cases	2006	% of Cases	% of change 2000 vs. 2006
Failure to Appear/Intake	124	28.7%	38	20.5%	28.4%
Failure to Appear/Assessment	46	10.6%	3	1.6%	84.8%
Failure in Treatment or Delinquent Fees	156	36.1%	122	65.9%	-82.6%
Other	106	24.5%	22	11.9%	51.5%
<b>Total Cases Revoked</b>	<b>432</b>		<b>185</b>		

## **Section Five:**

# **2007 Injunctions for Protection Against DV and Repeat Violence**

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### ***2001 vs. 2007 Injunction System Updates***

#### Change in Administration

In 2001 persons wishing to file an Injunction for Protection Against DV (DV Injunction)<sup>33</sup> or an Injunction Against Repeat Violence (Repeat Violence Injunction)<sup>34</sup> did so at the DVIU which was operated by the Court Administrator's Office (AOC) at CHC,<sup>35</sup> and four district courthouses located at: North Dade<sup>36</sup>; Miami Beach<sup>37</sup>; the Caleb Center<sup>38</sup> and South Dade.<sup>39</sup>

Under the AOC, DVIU staff provided injunction filing assistance, needs assessment and community referrals to petitioners seeking an injunction. The Clerk's Office assisted the process by preparing the service package and performing other traditional functions of the office. Since our last report, two DVIU locations, the Caleb Center and the Miami Beach were eliminated and a site was established at the new Hialeah courthouse.<sup>40</sup>

As a result of revisions to Revision 7, Article V of the Florida Constitution,<sup>41</sup> MDC continued to fund some but not all of the Court's programs. Since the Office of the Clerk had the statutory obligation to assist injunction filers, the DVIU was transferred to the Clerk's Office and was no longer part of the AOC<sup>42</sup>. As employees of the Clerk's Office the DVIU continued to assist victim seeking injunctions but could no longer provide the victim support that it had provided under the AOC.

In 2007, the DVIU was absorbed by MDC Department of Human Services (DHS) where it remains today. Under DHS the DVIU staff provides petitioners with assistance in filing for an injunction but also has resumed and expanded victim support and referrals which it offered under the AOC.

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<sup>33</sup> FS 741.28 – 741.31

<sup>34</sup> FS 784.046

<sup>35</sup> 175 N.W. 1st Avenue, Miami FL 33128

<sup>36</sup> 15555 Biscayne Boulevard, Miami, FL 33160

<sup>37</sup> 1130 Washington Ave, Miami Beach, FL 33139

<sup>38</sup> 5400 NW. 22nd Ave., Miami, FL, 33142

<sup>39</sup> 10710 S.W. 211 Street, Miami FL 33189

<sup>40</sup> 11 East 6th Street, Hialeah, FL 33010

<sup>41</sup> Revision 7 Article V of the Florida Constitution directed the State to pay for "essential elements" of the court. This provision took effect 2004.

<sup>42</sup> Pursuant to Article V of the Florida Constitution, the County was no longer obligated to provide funding to the Court Administrator's Office which included funding for the DVIU. As a result, the DVIU was transferred to the Clerk's Office which is statutorily required to provide assistance to petitioners seeking Injunctions.

## Change in the Law

In 2001 there were essentially two forms of injunctions; a DV Injunction<sup>43</sup> and a Repeat Violence Injunction which could be obtained by anyone, including petitioners involved in dating violence, but the Repeat Violence Injunction required two acts of violence, one within the prior 6 months. Since that time the Florida legislature amended the Repeat Violence statute as to dating violence, which now requires one act of violence,<sup>44</sup> and added an Injunction against Sexual Violence<sup>45</sup>.

## Changes in Procedure for Permanent Injunction Hearings

DV Court judges at CHC hear DV civil and criminal cases and all related motions. They do not hear any non-DV cases. The District Court judges in North Dade, South Dade and Hialeah hear a variety of civil cases including DV civil injunction cases.

In 2005 in order to relieve the District court judges of the high volume of cases, there was a cap implemented for the number of permanent injunction cases able to be heard in the District court. Permanent Injunction hearings above the cap are set for permanent hearing at CHC. Effective in 2008, permanent injunction hearings for all temporary injunctions entered in North Dade are heard at CHC by one designated judge.<sup>46</sup>

## Data Updates

The data in this section was provided by the Office of the Clerk for the 11<sup>th</sup> Judicial Circuit.

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<sup>43</sup> Florida law (FS 741.28) defines domestic violence as any assault, battery, sexual assault, sexual battery, stalking, kidnapping, or false imprisonment or any criminal offense resulting in physical injury, or death of one "family or household" member by another who is, or was, residing in the same single dwelling unit. "Family or household" members include spouses, former spouses, those related by blood or marriage, those who are or were residing in the same single dwelling unit (including same sex relationships), as well as those who have a child in common regardless of whether they have ever resided together (FS 741.28 – 741.31)

<sup>44</sup> You may file for an Injunction Against Dating Violence (including stalking) if you and the abuser have or have had a continuing and significant relationship of a romantic or intimate nature within the past six months. Dating violence does not include violence in a casual acquaintanceship or violence between individuals who have only socialized in a business or social context. Dating Violence ([FS 784.046 \(1\)\(d\) and \(2\)\(b\)](#))

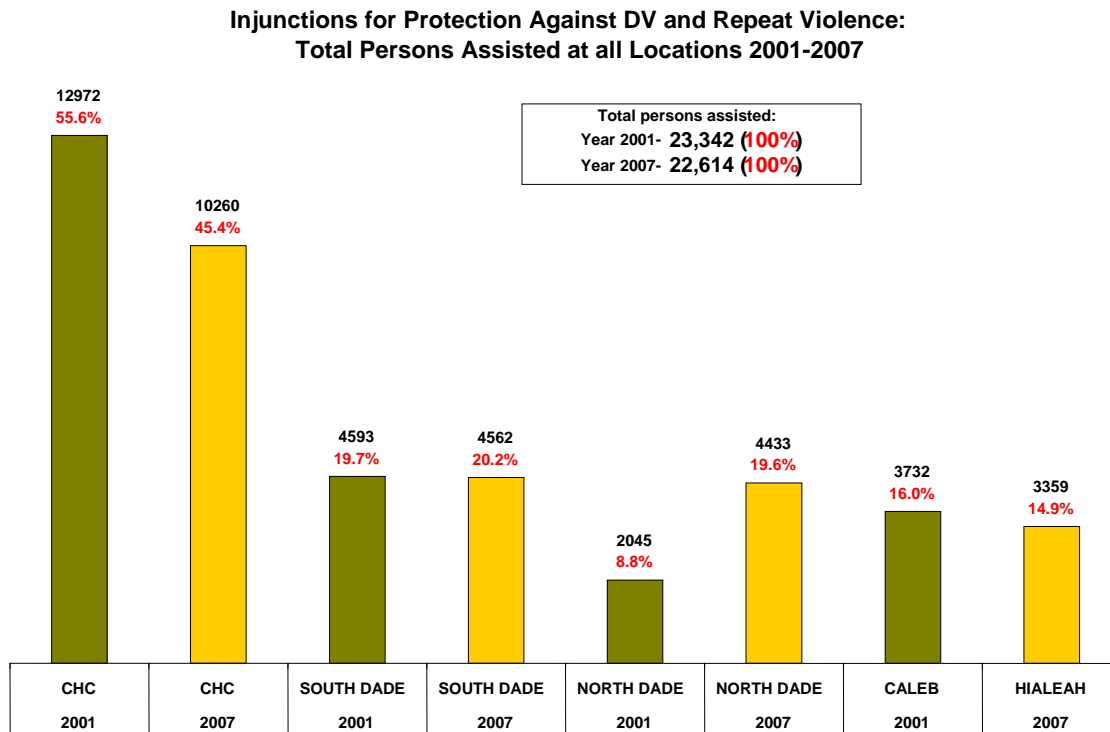
<sup>45</sup> You may file for an Injunction against Sexual Violence if you are a victim of sexual violence as it is defined in the Florida Statutes. To be eligible to file a petition for an Injunction against Sexual Violence you must have reported the incident of violence to the police or other law enforcement agency and be cooperating in any criminal proceeding against the abuser. What is an act of sexual violence under the law is defined in several different sections of the Florida Statutes. The law enforcement agency to which you report the incident of violence will help you understand whether an act of sexual violence, as defined in the law, has been committed. Sexual Violence (FS 794.046, & chapters 787, 800 & 827) (FS 784.046(1)(c)).

<sup>46</sup> The North Dade permanent injunctions are heard at CHC on Mondays and Fridays by a North Dade judges on special assignment to CHC.

2001 vs. 2007 Total Persons Assisted at all Locations Remains Constant

The overall persons assisted at the courthouse locations have remained consistent since our last report<sup>47</sup>. However there have been changes to the geographic distribution of filers. Since the elimination of the DVIU at the Caleb Center and Miami Beach significant increases have occurred at North Dade and Hialeah. CHC filers have declined slightly and South Dade has remained constant.

The chart below shows the number of persons seeking Injunctive relief in 2001 and 2007 at the various DVIU courthouse locations. Miami Beach is excluded because of a lack of data for that location.



Comparison 2001 vs. 2007 Dispositions for DV Injunctions and Repeat Injunctions at all Locations

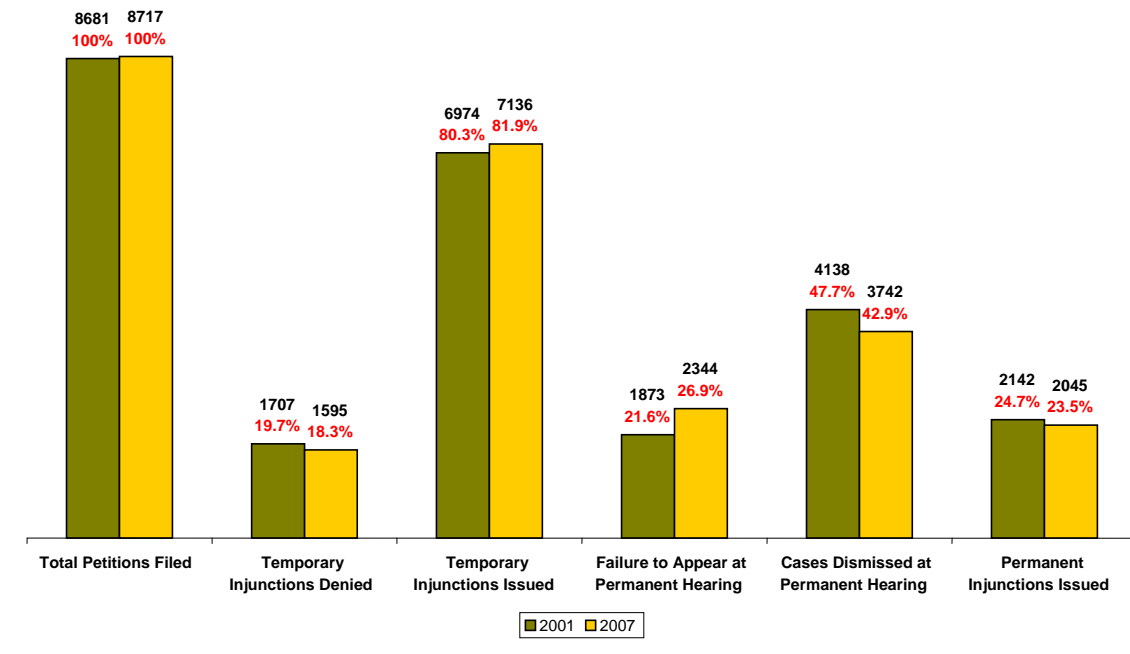
There was little difference in the total number of DV and Repeat Violence Injunctions filed, issued and granted in 2001 vs. 2007. *There was however a 25%*

<sup>47</sup> In general, persons assisted are individuals who go to one of the courthouse sites, fill out a questionnaire. Clerks do a civil and criminal background check and a DVIU staff member reviews the questionnaire to determine whether there is an advocacy issue that needs to be resolved i.e. the person qualifies for a DV, SA or dating violence injunction. If there is an advocacy issue, the person is interviewed by a DVIU staff member. If there is no advocacy issue, the person is referred to the Clerk for resolution.

increase in the number of persons who failed to appear at permanent hearings in 2007. The data provided indicates that in 2007, 933 victims or 32% of all petitioners receiving temporary Injunctions in the three District Courts, were transferred to CHC for their permanent injunction hearing due to the cap.<sup>48</sup>

It is not possible to know from the data provided the reasons for the decrease or to know how many victims failed to appear from specific court locations. We also do not know whether victims who did not appear were victims of DV seeking a DV Injunction or neighbors seeking a Repeat Violence Injunction. Additional research is necessary to determine whether time, distance, transportation or other geographic specific factors played a role in petitioners' failure to appear.

**Dispositions for Injunctions for Protection Against DV and Repeat Violence:  
2001 vs. 2007**



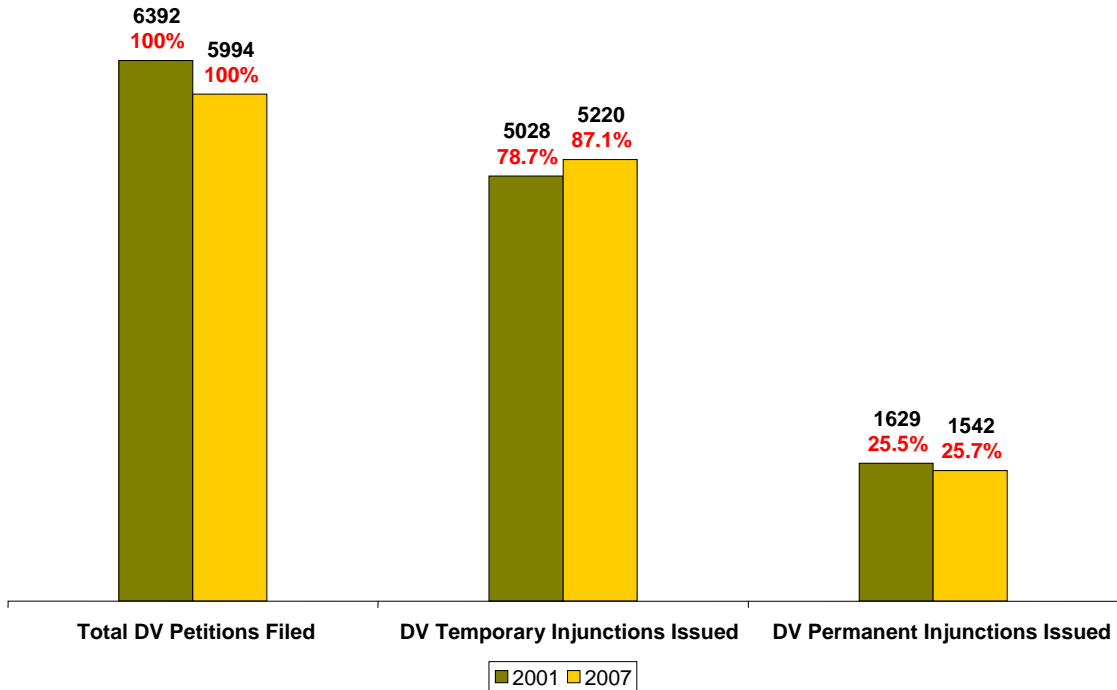
Comparison 2001 vs. 2007 Dispositions for DV Temporary and DV Permanent Injunctions

The number of petitioners filing for an injunction fell slightly in 2007 when compared with 2001. The percent of DV Temporary Injunctions issued rose from 78.7% to 87.1% for the years 2001 vs. 2007 respectively while the percentage

<sup>48</sup> Effective 2008, all permanent injunctions entered at North Dade are heard at CHC by a North Dade judge on special assignment at CHC.

of DV permanent injunctions issued remained statistically unchanged at 25.5% vs. 25.7% for the years compared.

**Injunctions for Protection Against DV Issued: 2001-2007**



Comparison 2001 vs. 2007 Dispositions for Temporary DV Injunctions and Repeat Injunctions Issued by District Court Locations

The table below shows dispositions for all temporary injunctions issued by courthouse location. In 2001 there were differences in the rate of issuance according to location with Caleb Center having the lowest issuance rate and North Dade the highest. By 2007 these differences were no longer apparent.

<b>Table 5.1 - 2001 vs. 2007 Dispositions by Courthouse Location</b>							
Year	Courthouse Location	Persons Assisted	Petitions Filed	Temporary Injunctions Denied	Temporary Injunctions Issued	% Denied	% Issued
2001	CHC	12972	3920	921	2999	23.5%	76.5%
	SOUTH DADE	4593	1750	275	1475	15.7%	84.3%
	NORTH DADE	2045	1287	85	1202	6.6%	93.4%
	MIAMI BEACH		272	31	241	11.4%	88.6%
	CALEB	3732	1452	395	1057	27.2%	72.8%
	<b>Total All Sites</b>	<b>23342</b>	<b>8681</b>	<b>1707</b>	<b>6974</b>	<b>19.7%</b>	<b>80.3%</b>
2007	CHC	10,260	3759	701	3058	18.6%	81.4%
	SOUTH DADE	4562	1863	365	1498	19.6%	80.4%
	NORTH DADE	4433	1919	288	1645	15.0%	85.7%
	HIALEAH	3359	1176	241	935	20.5%	79.5%
		<b>Total All Sites</b>	<b>22,614</b>	<b>8717</b>	<b>1595</b>	<b>7136</b>	<b>18.3%</b>

### 2007 Zip Codes with the Highest Number of Filers

The geo-coded map: *2007 Residence of Petitioners Filing for Domestic or Repeat Violence Injunctions by Zip Code* and Supporting Zip Code Table in this section shows the zip codes where all injunction filers, filing in 2007, were residing at the time of filing.<sup>49</sup> The map is color coded to show the actual number of filers *not the filing rate* per 1000 residents. The highest number of filers in the two top categories lived in zip codes clustered north of NW 20<sup>th</sup> St. and south of SW 157 St.

### Zip Codes with the Largest Rate of Decrease/Increase in Filers

The chart below reflects 17 zip codes with the largest decline in filers [-59.7% to – 30%] and 17 zip codes with the largest increase in filers [2.2% - 281.8%] since 2002. The highlighted areas reflect zip codes in close proximity to DVIU sites that were either eliminated or added since our last report. These include: Caleb Center and Miami Beach which were eliminated and Hialeah which was added.

Near the Miami Beach site, there was 30% decline in zip code 33141 [North Miami Beach] and a 22% decline in zip code 33139 [South Miami Beach]. Near the Caleb Center there was a 30% decline in zip code 33147 and a 22% decline in zip code 33142. In Hialeah, there was a 10% increase in 33012 and a 16% increase in 33010.

Although these changes are worth noting, similar increases and decreases occurred in zip codes throughout the county where DVIU sites were not a factor. More research and analysis is necessary to analyze other factors, in addition to proximity to an injunction intake site, such as: the presence of DV or SA providers<sup>50</sup> or the addition of other resources<sup>51</sup>; law enforcement agencies with specialized DV/SA Units and advocates; effective MOVES response, shifts in population, the culture of the specific communities and availability of transportation in order to understand the significance of this data.

The table below identifies the top 17 zip codes where petitioners reside that experienced the greatest decline in injunction filers since our last report.

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<sup>49</sup> An additional 519 filers lived in zip codes outside of MDC. Filers who did not disclose their zip codes are not captured in this map.

<sup>50</sup> Women's Shelter of Hope [WSH] was established and funded by MDC in 2004.

<sup>51</sup> DOJ Grants to Encourage Arrest awarded to MDC in 2005 began funding one additional advocate to WSH and a Legal Aid attorney to assist petitioners at the Hialeah DVIU.

**Table 5.2 – 2002 vs. 2007 Zip Codes with the Greatest Decrease in Petitioners Filing for Injunctions**

<b>Miami Beach</b>	<b>Caleb</b>						
Zip Codes	Population Census 2000	Injunctions on 2002	Injunction Rate per M (2002)	Injunctions on 2007	Injunction Rate per M (2007)	% Change in Number of Injunctions	% Change in Injunction Rate per M
<b>Zip codes with the Greatest % Decrease in Injunction Filers</b>							
33187	14014	67	4.8	27	1.9	-148.10%	-59.70%
33133	29929	112	3.7	48	1.6	-133.30%	-57.10%
33154	13359	48	3.6	25	1.9	-92.00%	-47.90%
33128	7002	44	6.3	23	3.3	-91.30%	-47.70%
33160	33833	140	4.1	79	2.3	-77.20%	-43.60%
33156	31450	40	1.3	23	0.7	-73.90%	-42.50%
33175	52581	141	2.7	83	1.6	-69.90%	-41.10%
33169	36115	216	6	133	3.7	-62.40%	-38.40%
33176	52081	133	2.6	85	1.6	-56.50%	-36.10%
33030	27304	194	7.1	125	4.6	-55.20%	-35.60%
33015	49279	184	3.7	119	2.4	-54.60%	-35.30%
33167	18203	121	6.6	79	4.3	-53.20%	-34.70%
33196	34661	92	2.7	63	1.8	-46.00%	-31.50%
33054	28177	237	8.4	163	5.8	-45.40%	-31.20%
33147	50500	373	7.4	259	5.1	-44.00%	-30.60%
33141	36545	138	3.8	96	2.6	-43.80%	-30.40%
33181	17694	92	5.2	64	3.6	-43.80%	-30.40%

The table below identifies the top 16 zip codes where petitioners reside that experienced the greatest increase in injunction filers since our last report.

<b>Table 5.3 Zip Codes with the Greatest % of Increase in Petitioners Filing for Injunctions 2002 vs. 2007</b>							
<b>Hialeah</b>							
Zip Codes	Population Census 2000	Injunctions on 2002	Injunction Rate per M (2002)	Injunctions on 2007	Injunction Rate per M (2007)	% Change in Number of Injunctions	% Change in Injunction Rate per M
33178	15272	50	3.3	51	3.3	2.0%	2.0%
33166	22563	45	2.0	46	2.0	2.2%	2.2%
33170	8460	62	7.3	64	7.6	3.1%	3.2%
33180	20799	52	2.5	54	2.6	3.7%	3.8%
33034	15402	74	4.8	78	5.1	5.1%	5.4%
33012	74948	150	2.0	165	2.2	9.1%	10.0%
33136	13119	89	6.8	98	7.5	9.2%	10.1%
33149	10513	9	0.9	10	1.0	10.0%	11.1%
33134	34045	57	1.7	64	1.9	10.9%	12.3%
33032	20716	128	6.2	147	7.1	12.9%	14.8%
33150	26355	137	5.2	158	6.0	13.3%	15.3%
33010	45353	126	2.8	147	3.2	14.3%	16.7%
33145	28921	71	2.5	88	3.0	19.3%	23.9%
33158	6457	3	0.5	4	0.6	25.0%	33.3%
33033	31394	148	4.7	201	6.4	26.4%	35.8%
33035	2762	11	4.0	42	15.2	73.8%	281.8%
33109	467	0	0.0	1	2.1	100.0%	#DIV/0!

Complete 2001 vs. 2007 comparison of rate of increase and decline in filers living in MDC is included in the Injunction Appendix at the end of this section.

# **INJUNCTION APPENDIX**

# **MAP: INJUNCTIONS AND SUPPORTING DATA**

# **2002 VS. 2007 COMPARISON % OF CHANGE IN INJUNCTION FILERS BY ZIP CODE**

## **Section Six:**

### **2007 Rape Treatment Center Update**

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#### ***History of the Roxcy Bolton Rape Treatment Center***

The RTC data in this section was not presented in our last report. Therefore this section is included to provide a brief History of the RTC.

In 1971 the incidence of rape increased in the Miami area drawing media attention and the awareness of concerned local female residents, including Mrs. Roxcy O'Neal Bolton. Mrs. Bolton and other disturbed citizens decided to organize to obtain support from local government. Their voices were heard and the Miami-Dade County Commission formed a county-wide Rape Task Force. Members of the Rape Task Force included housewives, females from local media, business and professional women, representatives from mental health and law enforcement agencies. By the end of the first meeting, the members agreed on the need for a new county rape crisis program.

In 1973, the Rape Task Force proposed, and the Miami-Dade County Commission approved, county funding for the Rape Treatment Center (RTC).

In 1974, the RTC opened its doors as a county-supported organization and fiscal extension of Jackson Memorial Hospital. The center was one of the first rape treatment centers in the nation and provided services to children, adolescents and adult victims of sexual assault at no cost, as well as to non-offending family members. Dr. Dorothy J. Hicks, University of Miami (UM), Professor of Obstetrics and Gynecology was appointed the center's first Medical Director and served from 1973 to 1993. During Dr. Hick's tenure, third year medical residents from the UM Department of Obstetrics and Gynecology rotated through the center.

During the late 1980s, Jackson Memorial Hospital recommended the establishment of a Volunteer Advisory Board for the active participation of concerned Miami-Dade County (MDC) residents. The Board was to assist the administration in carrying out the mission of the center as well as to increase its presence through community outreach activities.

In 1993 Dr. Hicks appointed Karen J. Simmons, M.D., as her successor. Dr. Simmons served as the Medical Director through August 2008.

## ***2001 vs. 2007 RTC System Updates***

### Change to Forensic and Medical Staffing

In 2003/4 the forensic/medical staffing model for the RTC changed. The RTC was no longer included in the third year medical residents' rotation. Instead, Dr. Simmons was supported by a team of "on-call" forensic examiners who were attending physicians.

In 2005, after surveying national best practice model policies and staffing patterns for centers that provide SA forensic examinations, the RTC, under the direction of its medical director, began to train Advanced Registered Nurse Practitioners (ARNP) hospital staff to perform SA forensic examinations. The use of trained Sexual Assault Nurse Examiners [SANE] staff under the supervision of a medical doctor or ARNP, has become the industry standard for the forensic examination of sexually assaulted adult victims across the nation.

This decision was supported by the RTC Advisory Board and other stakeholders. The change to an ARNP staffing model also supported the Jackson Health System (JHS) cost reduction goal.

### RTC Community Collaborations

In March 2005, the RTC was provisionally certified by the Florida Council Against Sexual Violence as the primary Rape Crisis Center in MDC.<sup>52</sup> Certification was made final in 2007.

In December 2006, the RTC, Miami-Dade Police Department (MDPD), the State Attorney's Office and MUJER signed the Miami-Dade County Sexual Assault Response Team (SART) Advocacy Protocol. At the same time, the RTC entered into the Sexual Assault Response Team Advocacy Partnership (SARTAP) Memorandum of Understanding, a service partnership between the RTC and other direct service providers. According to this procedure, all advocacy services are free to primary and secondary victims; victim-centered and victim directed; offered regardless of legal immigration status; communicational and physically accessible to all victims. The RTC is part of the Sexual Assault Response Committee [SARC] of the DVSAC and together with its partners work to improve systemic response and services to adult victims of rape.

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<sup>52</sup> MUJER, a community based one stop center in deep South Miami-Dade was also certified as a Rape Crisis Center by the Florida Council Against Sexual Violence for the populations that they serve.

## RTC Reorganization and Expansion of Services

In 2004, JHS began offering forensic examinations for adult victims of rape living or assaulted South of Kendall Drive. MUJER, the certified Rape Crisis in South Dade, is the advocacy partner for Jackson South. Full implementation of the partnership is still in the process of development. Both partners continue to work on this issue through participation in the SARC. After the resignation of Dr. Simmons in September 2007, it was decided that child victims of sexual assault ages 0 -11, would no longer be seen at the RTC but rather by the UM Child Protection Team.

Effective July 2008, the RTC was reorganized by the JHS executive administration and is now under the medical leadership of Dr. Andrew Ta. This change in JHS' Table of Organization structure allows the hospital to add more resources to the program by training existing health care professionals at no additional cost.

### ***Data Updates***

#### Note of Prevalence of Rape:

According to National Violence Against Women Survey [NVAWS]<sup>53</sup>, *18% of all women, or one in six, and 3% of all men* surveyed have experienced a completed or attempted rape [including sodomy] as a child and/or an adult [NVAWS].<sup>54</sup> Women raped by their intimate partners reported being raped on multiple occasions [NVAWS].<sup>55</sup> Of the women who reported being raped at some time in their lives, 22% said that they were less than 12 years old when they were raped for the first time and 32% reported being raped between the ages of 12 and 17 [NVAWS].<sup>56</sup>

According to the National Crime Victimization Survey (NCVS) 69% of victims over 12 reported knowing their attacker [2002]. Young women and girls are most at risk [2002 NCVS]. Seven of every eight rapes are experienced by women and girls between the ages of 12 -34 [2002 NCVS]. Girls ages 16 through 19 are four times more likely than the general population to be victims of rape, attempted

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<sup>53</sup> The National Violence Against Women Survey [NVAWS] was jointly sponsored by the National Institute of Justice [NIJ] and the Centers for Disease Control and Prevention [CDC] to provide comparable data on women's and men's experiences with violent victimization and to further an understanding of violence against women. The NVAWS involved confidential telephone interviews with 8,000 women and 8,050 men and was conducted once in 1995-1996

<sup>54</sup> *Prevalence, Incidence, and Consequences of Violence Against Women: Findings From the National Violence Against Women Survey* The National Institute of Justice Centers of Disease Control and Prevention Research in Brief, November 1998.

<sup>55</sup> The NVAWS found that women were raped approximately 2.9 times and men were raped approximately 1.2 times by their intimate partners during the 23 months preceding the survey.

<sup>56</sup> NVAWS supra footnote 4.

rape and sexual assault [2000 NCVS]. It is estimated that one in five college students are victims of rape.<sup>57</sup>

### Limitations of the Data

The data in this section uses information from two different time periods. The multi-year charts immediately include data from the RTC fiscal year which begins on October 1 and ends on September 30 of each year. Victims included in these charts include all victims, even those victims living outside of MDC as long as the offense occurred in MDC.

The comparative charts for 2001 vs. 2007 and the Geo-Coded maps displaying where victims reside are based on the calendar year and include only victims residing in MDC.

The law enforcement data below does not directly compare with the number of victims presenting at the RTC because not every adult victim that goes to the RTC involves law enforcement although the reverse is obviously true. However, there is a very close correlation. Most victims presenting at the RTC are also law enforcement involved.

### Decline in Victims Seeking Services from the RTC over Time

Since fiscal year 2003-04 there has been a steady decline of victims in all age groups seeking services at the RTC.<sup>58</sup> The average annual decline was 6.9% in victims over the age of 12. This trend may be slowing. In 2006-2007 the rate of decline for this age group was 6%. In 2007-2008 the rate of decline fell to 2.5%.<sup>59</sup>

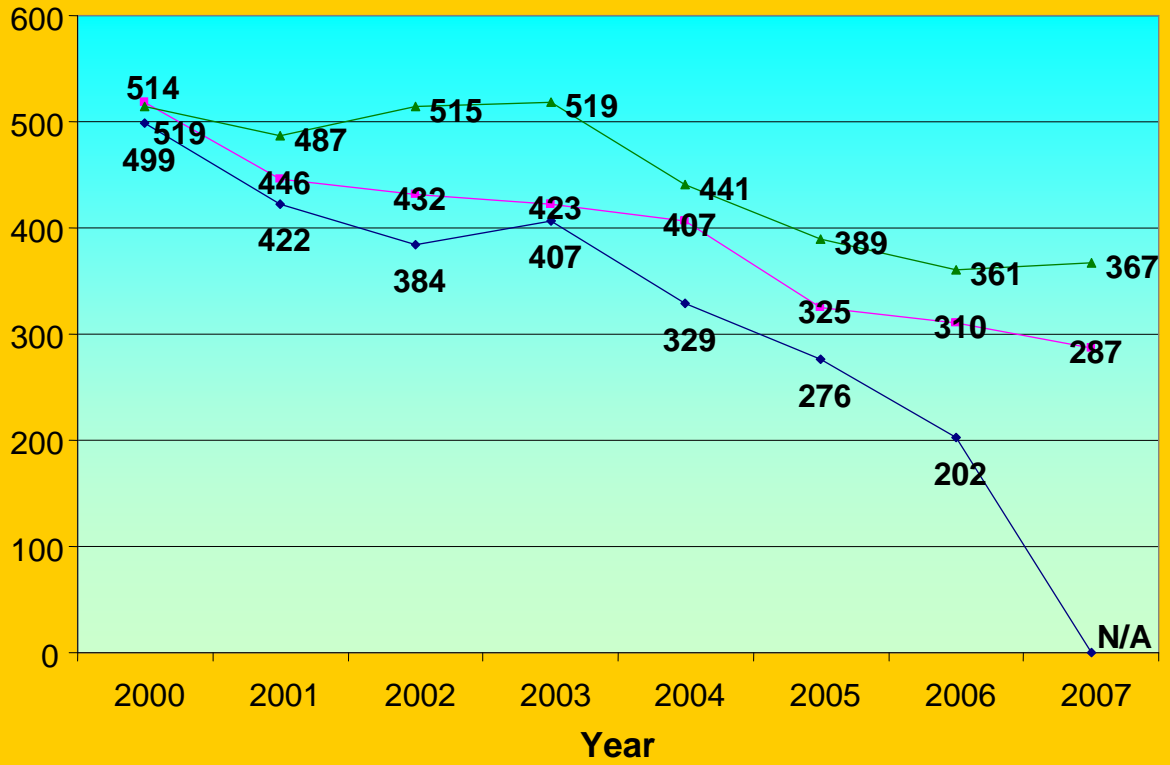
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<sup>57</sup> National College Health Risk Behavior Survey [1995] developed by the Center for Disease Control [CDC]

<sup>58</sup> RTC Fiscal Year is September 30 to October 1. The yearly comparative analysis by age charts in this section is based on Fiscal year. All other charts in this section are based on the calendar year.

<sup>59</sup> The charts below include all victims, including those who live outside of MDC.

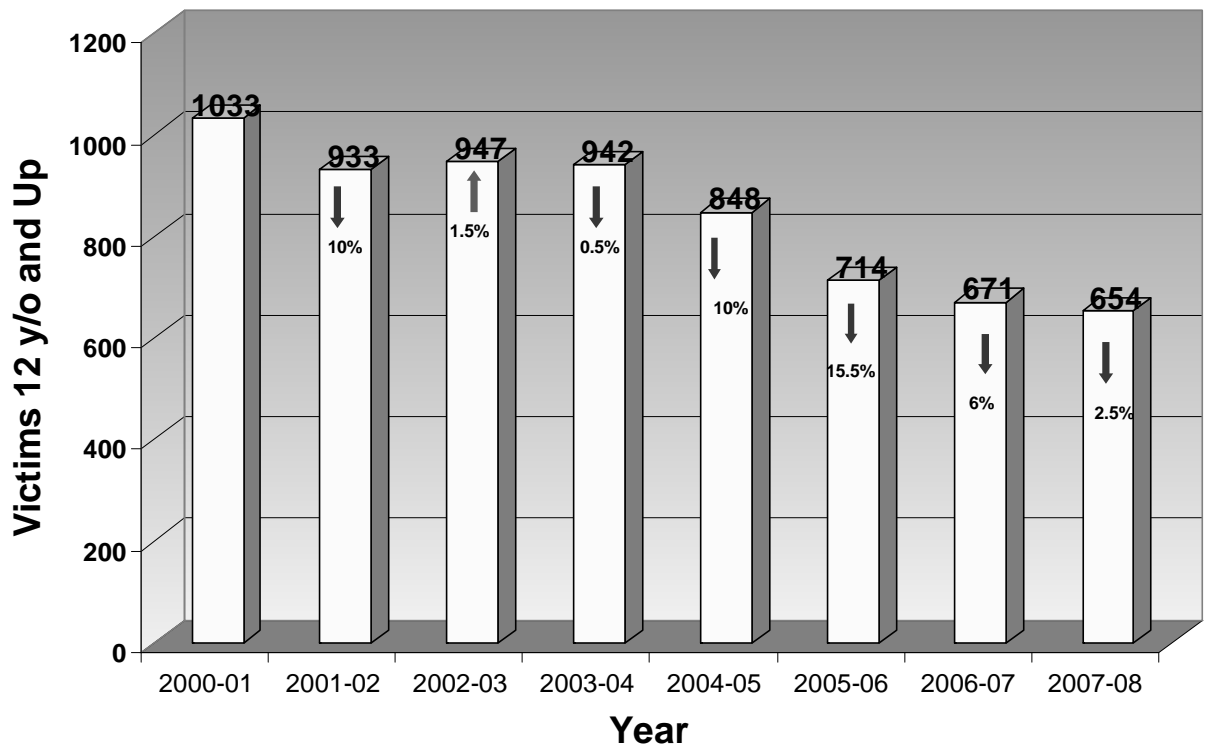
**ROXY BOLTON RTC VICTIMS**  
Yearly Comparative Analysis by Age Groups



—●— 0-11 —■— 12-17 —▲— 18 and up

## ROXYCY BOLTON RAPE TREATMENT CENTER

12 y/o and up by Fiscal Year (Oct-Sept) 2001-2007

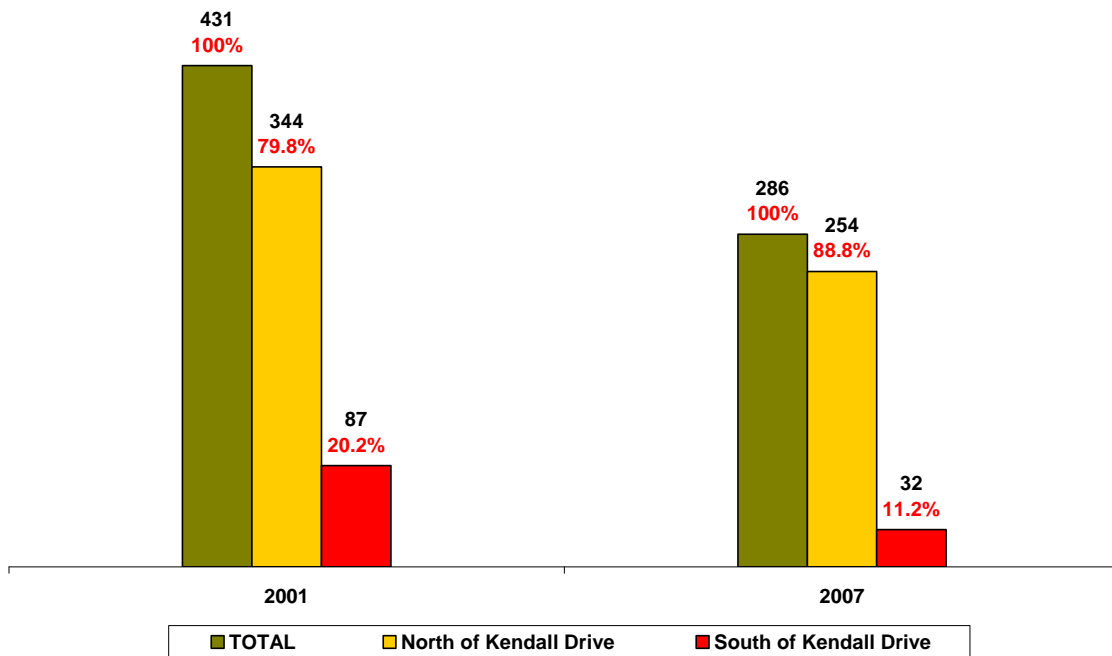


Many factors may contribute to this decline including: the manner in which the RTC option is explained to victims by law enforcement; the wide availability of the morning after pill; lack of public awareness of all the services offered at the RTC; cultural acceptance and/or community support, and the distance between the residence of the victims and/or the location of where the assault occurred and the RTC. The analysis of why this has occurred, though very important, is beyond the scope of this report.

2001 vs. 2007 Decline in % of Victims Living South of Kendall Drive Seeking Services at the RTC

In 2001 there were a total of 431 adults seen at the RTC. Of these victims, 79.8% lived North of Kendall Drive and 20.2% lived South of Kendall Drive. By 2007, the number of adults seen overall dropped to 286.<sup>60</sup> Of these, the percent of victims living North of Kendall Drive had increased 88.8% while the percent of victims living South of Kendall Drive had dropped to 11.2%.

Adult Sexual Assault Victims Presenting at RTC: 2001 vs. 2007

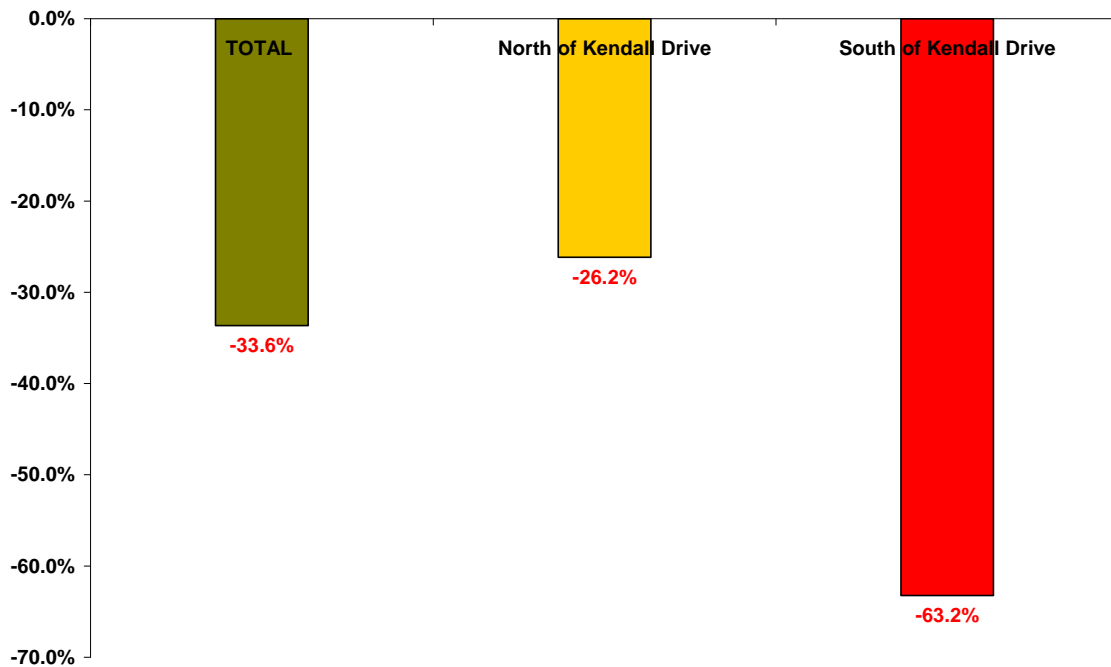


<sup>60</sup> The number of adult victims cited in this section includes only adult victims that reside in MDC.

As noted above, fewer victims from North of Kendall Drive sought services from RTC during the time period, however the rate of victims seeking these services living South of Kendall Drive dropped at a much greater rate than those living North. Further study is necessary to determine whether this phenomenon is due to distance alone or whether other factors play a part.

<b>Table - 2001 vs. 2007 Comparative Rate of Decline in Number of Victims Presenting at the RTC Living South of Kendall Drive</b>			
<b>Year</b>	<b>2001</b>	<b>2007</b>	<b>% of Change</b>
Victims Residing North of Kendall Drive	344	254	-26.2%
<b>Victims Residing South of Kendall Drive</b>	<b>87</b>	<b>32</b>	<b>-63.2%</b>
Total Number of Victims Presenting to RTC	431	286	-33.6%

**% of Change in Number of Adults Presenting at RTC by Location 2001 vs. 2007**

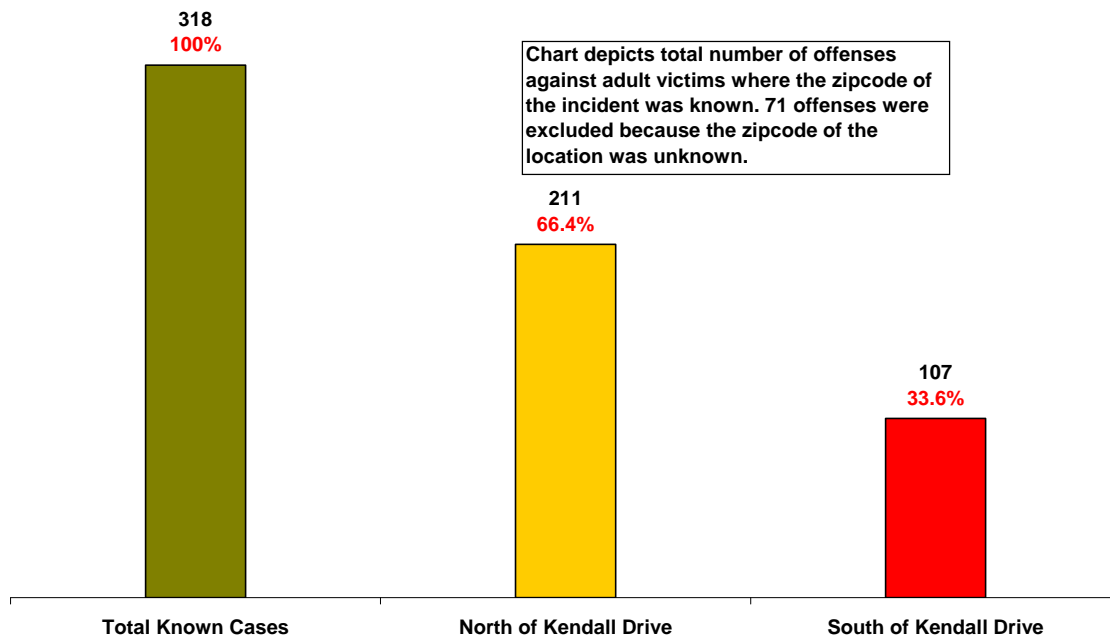


### 2007 - 34% of SA Offenses Reported to MDPD Occur South of Kendall Drive

MDPD investigates all cases of SA South of Kendall Drive including the cities of Homestead and Florida City but not all cases North of Kendall Drive<sup>61</sup>. MDPD offense reports by zip code show that MDPD investigated 318 offenses involving adult victims in 2007. Of these offenses, 107 or 34% took place South of Kendall Drive. Far more victims assaulted South of Kendall Drive called the police than actually went to the RTC [32/107].

An analysis of the data provided by both the RTC and by MDPD indicates that victims living and assaulted South of Kendall Drive are seeking services of the RTC far less often than those living North of Kendall Drive.

**Sexual Assault Offenses Investigated by MDPD Reported by Adult Victims by Zip Code: 2007**



### 2007 MDC Residence of SA Victims Presenting to the RTC by Zip Code by Age

Geo-Coded maps: *2007 Residence of Sexual Assault Victims Presenting to Rape Treatment Center by Zip Code*, by age category are included at the end of this section. Only victims living in MDC are represented on the maps.

<sup>61</sup> In 2001 and 2007 MDPD performed investigations for all but 9 municipalities. They include: Aventura; North Miami PD; North Miami Beach PD; Sunny Isles PD, Coral Gables PD; Miami Beach PD; City of Miami PD; Hialeah PD; Florida International University PD.

# **RTC APPENDIX**

**MAPS:  
RESIDENCE OF VICTIMS BY AGE  
AND SUPPORTING CHARTS**