DOMESTIC VIOLENCE IN ALASKA

April 2022

The Alaska Criminal Justice Commission

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Executive Summary

The Domestic Violence Workgroup of the Alaska Criminal Justice Commission began meeting in November of 2019. Its purpose was to bring together stakeholders in the field to discuss what has worked in the state to reduce domestic violence, and to discern additional ways in which Alaska can address these issues. Members of the Alaska Criminal Justice Commission believed that this special attention was needed because Alaska continues to have exceptionally high rates of domestic violence. The Workgroup has produced this comprehensive report with data about the problem, a review of case processing, and a survey of existing programs for both intervention and prevention. The report concludes with findings, and a separate document will be published with a recommendation to the Alaska Legislature.

The scope of domestic violence in Alaska

Prevalence: Conducted every five years, the Alaska Victimization Survey provides a picture of how many women in Alaska have experienced intimate partner violence. The 2020 Alaska Victimization Survey showed that nearly half (48%) of Alaska women over the age of 18 experienced intimate partner violence (IPV) in their lifetime. Of those surveyed in 2020, 6.9% had experienced intimate partner violence the previous year.

Of women surveyed in 2020, some groups of women were more likely to experience intimate partner violence, sexual violence or both in the previous year:

- About twice as many women between the ages of 18 and 40 (11.7%) experienced violence in the previous year as women ages 40 and over (5.6%).
- About twice as many women in households with financial or employment difficulties related to the COVID-19 pandemic experienced violence in the previous year.
- Women with past Adverse Childhood Experiences (ACEs) before the age of 18 were significantly more likely to have experienced violence in the previous year.
- Alaskan women who were potential Mental Health Trust beneficiaries were 2.4 times more likely to report having experienced IPV, sexual violence, or both it in the previous

Prevalence of Intimate Partner Violence

Nearly half of adult women in Alaska surveyed in 2020 had experienced intimate partner violence in their lifetime.

Women under age 40, women in households that were struggling financially, women who had had adverse childhood experiences and women who were potential Mental Health Trust Beneficiaries were all more likely to have experienced recent intimate partner violence.

Reports of Domestic Violence

- Alaska Native people disproportionately represented
- Many suspects have previously been charged with or involved in domestic violence
- Some suspects were previously reported as victims

year. Overall, one-half of the Alaskan women who reported experiencing IPV, sexual violence or both in the past year were potential Trust beneficiaries.

Reports: Although there is no statewide comprehensive information about reports of domestic violence incidents to law enforcement, there have been studies of reports to both the Alaska State Troopers and the Anchorage Police Department. Both studies found that Alaska Native people were disproportionately represented among both victims and suspects (figures 3 and 5 in the body of the report, below); and that a substantial percent of suspects had previously been charged with domestic violence incidents.

The Trooper study also found that over 63% of the reported incidents involved a suspect under the influence of alcohol (less than 4% using drugs), and 27% involved a victim intoxicated by alcohol (less than 1% under the influence of drugs). The Anchorage Police Department study also showed that 43% of people charged with a DV offense in 2019 had also been victims of a domestic violence crime.

Case filings and dispositions: The percentage of all criminal cases filed within a fiscal year that included domestic violence charges increased from 22.4% in FY15 to 36.8% in FY20 (figure 7). DV cases, both felonies and misdemeanors, are less likely to result in a conviction than other types of criminal cases (figures 13-16). More misdemeanor than felony DV cases end with a conviction.

Recidivism: Persons convicted of domestic violence crimes have higher recidivism rates than people with other types of convictions.

Alaska's Current DV Responses

The report details the different aspects of state, local, and tribal responses to the increasing levels of intimate partner violence and other forms of domestic and sexual violence. Policies and tools such as mandatory arrest, special bail conditions, victim advocates, legal representation for victims, and victim compensation programs address survivor and victim safety. They do this in part by focusing on the needs of people experiencing DV, and equally, by providing consequences and accountability for people charged with and convicted of domestic violence offenses. Batterers' intervention programs are designed to work with people convicted of domestic violence (and at times, people charged with DV) to change behavior.

In recent years, the state also has invested resources in the prevention of domestic violence. Many prevention programs educate young people in self-respect and empowerment, how to engage in healthy relationships, and how to respond non-violently to situations that they find themselves in. Some are sponsored by tribes and emphasize cultural traditions and expectations. Others focus on training within communities and organizations for bystander awareness and intervention in situations where violence might occur. While advocates agree that investment in prevention is beneficial, they point out that resources invested to date have not been enough to implement prevention programs in all areas of the state.

Recommendation

Alaska's efforts to prevent domestic violence and to address its current situation require the participation of communities, tribes, schools, and individuals throughout the state. One specific issue could be addressed by legislation and could contribute to the safety of people experiencing domestic violence, as well as helping to better use the tools and programs that the state has in place: the state could encourage greater use of community-adopted victim-centered risk assessments. These risk-assessments can help predict future dangers for people likely to experience new domestic violence and can help policymakers and community members understand patterns of domestic violence within a given community.

This recommendation, together with the more comprehensive view of the prevalence and ramifications of domestic violence provided by this report, can be steps forward to reduce the incidence of violence that harms all Alaskans.

I. Introduction

This report is the product of a working group of the Alaska Criminal Justice Commission: the Domestic Violence Workgroup. The Workgroup began meeting in November 2019, bringing in stakeholders from around Alaska who work in the field of domestic violence. Workgroup participants shared their experiences and expertise, discussing what has worked to combat domestic violence and what additional measures Alaska could take.

This report summarizes the information the workgroup has reviewed, including data, current and past statewide and local responses, and best practices from around the United States. It concludes with findings taken from this information that may be useful to the reader interested in areas of urgent need or practices that may be successful in Alaska. A separate document with a specific recommendation will be published concurrently with this report.

A note on terminology:

The term "domestic violence" is often thought of as violence between romantic partners. However, in Alaska domestic violence is legally defined as a crime of violence between people who have any of the following types of relationships:

- Current or former spouses
- Current or former roommates
- Current or former dating partners
- Current or former sexual partners
- People who are relatives by either blood, marriage, or adoption.[1]

The term "intimate partner violence" refers more specifically to violence between current or former romantic partners. This report discusses data and programming related to domestic violence in Alaska. Some sections of the report refer only to intimate partner violence, while some refer to domestic violence using the legal definition.

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[1] For a complete list of the qualifying relationships, consult AS 18.66.990 (3)(5).

Similarly, some programs are designed around intimate partner violence only, while some use the legal definition.

This report will use the term "domestic violence" to refer to the broader legal definition, and will use "intimate partner violence" to refer only to violence between current and former romantic partners.

The terms "victim" and "perpetrator" are not ideal. Some people who have been labelled as "victims" would rather be referred to as "survivors." This report will use both terms unless quoting from or reporting from another source, or where using "victim" is more legally accurate. Terms like "perpetrator" or "offender" can imply that people who commit domestic violence are primarily defined by their worst behavior, rather than as people capable of change. This report will also attempt to avoid terms such as "perpetrator" or "offender" where possible, but will use them where necessary for the sake of clarity.

The ACJC's Domestic Violence Workgroup

The Alaska Criminal Justice Commission welcomes broad participation in its working groups. Stakeholders from the following agencies and organizations participated in the Domestic Violence Workgroup:

Abused Women's Aid in Crisis (AWAIC) * Alaska Department of Corrections * Alaska Department of Law * Alaska Justice Information Center * Alaska Native Justice Center *Alaska Native Women's Resource Center * Alaska Network on Domestic Violence and Sexual Assault * Alaska State Troopers * Anchorage Health Department * Anchorage Police Department * Council on Domestic Violence and Sexual Assault * Healing Native Hearts Coalition * Interior Alaska Center for Nonviolent Living * Standing Together Against Rape (STAR) * Public Defender Agency * UAA Justice Center * Victims for Justice

The Alaska Criminal Justice Commission would like to thank the representatives of these organizations and members of the public who participated in the workgroup for sharing their valuable insight and expertise that helped inform this report.

II. Domestic Violence in Alaska by the Numbers

This section discusses the available data on domestic violence in Alaska, including the prevalence of domestic violence, aspects of criminal cases involving domestic violence, and recidivism among people who commit domestic violence. Because of the ways these data have been collected, the data described in subsection A refer to intimate partner violence, while the data in the subsequent subsections refer to all forms of domestic violence.

A. The Prevalence of Domestic Violence in Alaska

By its nature, domestic violence is a crime that is not often witnessed by anyone other than the people who are directly involved, either those who are causing harm or those who are being harmed. For that reason, it is impossible to know precisely the extent to which domestic violence affects Alaskans. But there are data sources that provide an understanding of the scope of the problem.

The Alaska Victimization Survey, or AVS, provides an estimate of how prevalent domestic violence is in Alaska, regardless of whether it is reported to law enforcement. The AVS has been conducted every five years on behalf of the Council on Domestic Violence and Sexual Assault (CDVSA) by the University of Alaska Anchorage Justice Center since 2010. The AVS surveys adult women in Alaska over the phone, asking them whether they have experienced intimate partner or sexual violence within their lifetimes or within the past year.[2]

Survey respondents are asked a number of questions regarding their past-year or lifetime experiences, and the questions are behaviorally specific. For example, the survey asks respondents

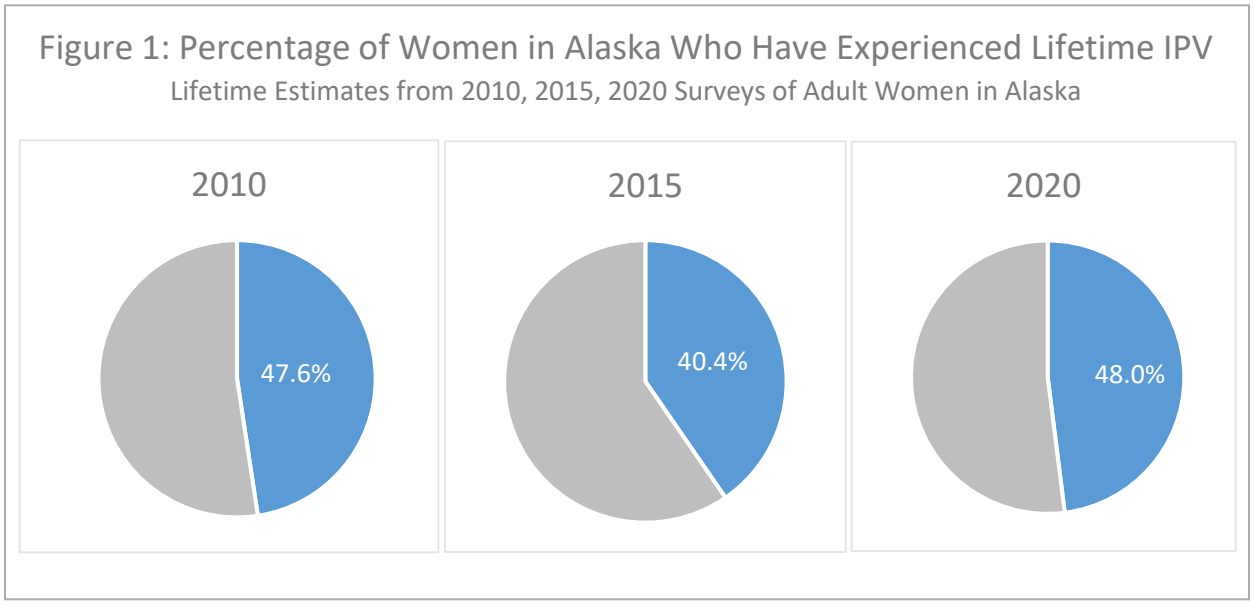


Figure 1 Source: Alaska Justice Center

[2] The website for the Alaska Victimization Survey is here: https://www.uaa.alaska.edu/academics/college-of-health/departments/justice-center/research/alaska-victimization-survey/. The site includes detailed reports on local and statewide surveys on elder abuse, stalking, intimate partner violence, domestic violence, and sexual assault. The Alaska Justice Information Center also hosts an online dashboard showing selected AVS results concerning intimate partner violence, available here: https://public.tableau.com/profile/ajic.uaa#!/vizhome/AVSDashboard-CDVSA-AJIC/Introduction?:render=false.

whether an intimate partner has ever slapped them, pushed them, or shoved them, and whether an intimate partner has done so in the last year. The survey also asks whether an intimate partner has threatened physical harm. The most recent statewide survey was conducted in 2020, and the analysis of the survey was published in a final report released in October 2021.[3]

More women reported experiencing lifetime intimate partner violence in 2020 than in 2015 (Figure 1, above). The AVS has been conducted in 2010, 2015, and 2020. Between 2010 and 2015, the AVS showed a decrease in victimization from 47.6% of adult women in Alaska in 2010 who had experienced intimate partner violence (in the form of physical violence or threats of physical violence) in their lifetime, to 40.4% in 2015. In 2020, the percentage increased to 48.0%.[4] Over time, percentages may vary without indicating an actual trend.

About the same percentage of Alaskan women reported experiencing a combination of intimate partner violence, sexual violence, or both in the past year in 2020 and in 2015. The 2020 and 2015 surveys both showed that 8.1% of adult Alaskan women (18 years and older) experienced IPV, sexual violence or both in the past year. The percentages remained unchanged between the two years.

Figure 2, below, shows the percentage of women in each survey year who said they experienced IPV that involved physical violence or the threat of physical violence. In 2010, 9.4% of Alaskan women had experienced this in the previous year. In 2015, that figure was 6.4%, and in 2020, the percentage "remained relatively unchanged"[5] at 6.9%. Those percentages correspond roughly to more than 23,000 women in Alaska in 2010; more than 16,000 women in 2015, and more than 18,000 women in 2020.[6]

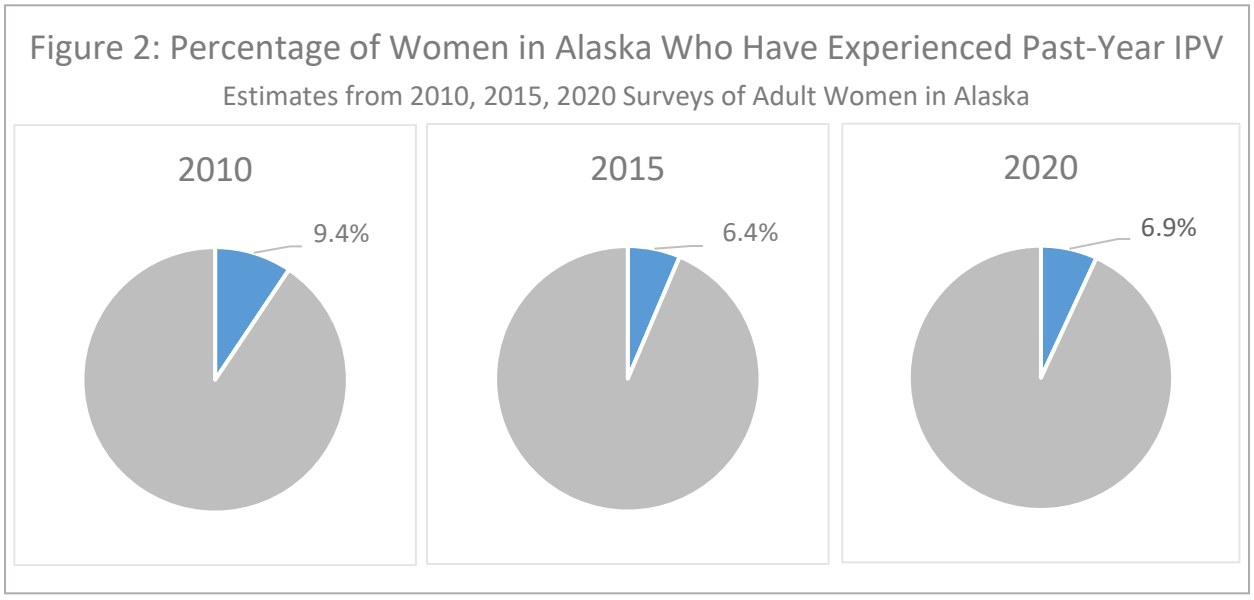


Figure 2 Source: Alaska Justice Center

[3] Ingrid D. Johnson, "2020 Statewide Alaska Victimization Survey, Final Report." University of Alaska Anchorage Justice Center and Alaska Council on Domestic Violence and Sexual Assault (October 2021), available at: https://scholarworks.alaska.edu/handle/11122/12259 .

[4] Information about the statistical significance of the change is not available.

[5] Johnson, "2020 Statewide Alaska Victimization Survey," p. 6 (Table 2).

[6] Johnson, "2020 Statewide Alaska Victimization Survey," p. 4 (Table 1).

A report about the CDC's National Intimate Partner and Sexual Violence Survey (NISVS) for 2015 showed that 5.5% of American women experienced violence in the past year, including IPV, sexual violence and stalking.[7] Alaskan women, with 8.1% reporting experiences of these types of violence in 2015, appeared to experience more than the overall national average.

Fewer women reported experiencing threats of violence in the past year (2019-2020) and more women reported experiencing actual violence. Looking only at intimate partner violence in the past year, the amount of threatened intimate partner violence declined slightly between 2015 and 2020, from 3.0% of the violence to 2.6%, while the amount of actual violence increased slightly from 5.9% to 6.5%. In other words, while threats of violence decreased, the actual violence increased slightly.[8] Again, percentages may vary over time without indicating an actual trend.

About twice as many women under 40 compared to women over 40 reported experiencing past year violence. The likelihood of having experienced intimate partner violence, sexual violence, or both in the past year was about twice as high for women between the ages of 18 and 40 (11.7%), as for those 40 and older (5.6%).[9] The *lifetime* likelihood of experiencing intimate partner violence, sexual violence or both was about the same for those under 40 and over 40 – 57.8 % compared to 57.7%.

In households with financial or employment difficulties during the COVID-19 pandemic, about twice as many surveyed women reported experiencing some form of violence in the past year. The 2020 Survey, conducted between July and November of 2020, measured correlations between some possible types of pandemic experiences and the likelihood of experiencing any intimate partner violence, sexual violence, or both in the past year. It found that women in households where they or another primary breadwinner experienced underemployment or loss of work because of the pandemic (11.5%) were nearly twice as likely to have experienced some form of violence in the past year, compared to those with stable employment (5.7%). Women in households where the pandemic negatively affected financial stability were

Past-year violence

Alaska women who were surveyed in 2020 were more likely to report experiencing violence within the past year if they:

- Were under 40
- Lived in a household that experienced financial or employment difficulties during the COVID-19 pandemic
- Had had adverse childhood experiences
- Were potential Alaska Mental Health Trust beneficiaries

[7] Sharon G. Smith *et al.*, "National Intimate Partner and Sexual Violence Survey: 2015 Data Brief – Updated Release." National Center for Injury Prevention and Control (U.S.). Division of Violence Prevention (November 2018), p. 8, available at: https://stacks.cdc.gov/view/cdc/60893.

[8] Information about the statistical significance of the change is not available.

[9] Johnson, "2020 Statewide Alaska Victimization Survey," p. 10. This finding was statistically significant.

also about twice as likely to have experienced violence (11.9%) as women in households without the negative financial effects of the pandemic (6.1%).[10]

Women with Adverse Childhood Experiences were significantly more likely to have reported experiencing some form of violence in the past year (i.e., between July-November 2019 to July-November 2020) than women without those experiences. The 2020 Alaska Victimization Survey for the first time also included a section showing associations between having Adverse Childhood Experiences (ACES) and the likelihood of experiencing intimate partner violence as an adult (pages 7-10). The ACES included living with someone with a mental illness, someone who had abused drugs or alcohol, was verbally abusive, was physically abusive, and several other situations. About 56% of the adult women who responded to the survey said that they had been verbally abused in their household before the age of 18. About 43% had lived with someone during childhood who abused drugs or alcohol; and 38% had lived with people who were mentally ill (including depressed and/or suicidal). Another 37% had been sexually abused by someone before the age of 18.

The women who experienced ACES before the age of 18 were significantly more likely to have experienced violence (intimate partner violence, sexual violence, or both) in the past year. The most frequent ACE (verbal abuse in the home, experienced by 56% of those surveyed) was associated with experiencing violence in the past year by 12.4% of the women, compared to 2.9% of the women surveyed who did not experience that type of abuse. More than three times as many women who, as children, had lived with people who physically assaulted each other (16.0%) experienced past year violence as did people who had not been in that childhood situation (5.0%).

Alaska Mental Health Trust Beneficiaries were more likely to experience Intimate Partner Violence and Sexual Violence. Alaskan women who were potential Mental Health Trust beneficiaries[11] were 1.6 times more likely to report experiencing IPV, sexual violence, or both in their lifetimes, and 2.4 times more likely to report having experienced it in the past year (2019-2020).[12] Overall, one-half of the Alaskan women who reported experiencing IPV, sexual violence or both in the past year were potential Trust beneficiaries.[13]

Limitations. The AVS has some limitations. It is a phone survey of English-speaking adult women, meaning it excludes men, non-English speakers, children and teens, and women without phones. However, the AVS is important because it provides a picture of victimization that is independent of reporting an offense to law enforcement. Not everyone who experiences intimate partner violence

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[10] *Id*., p. 11. Factors other than financial difficulties, time at home, and employment that could have affected these outcomes, but were not available to analyze, included availability of childcare, health, and changes in mental health. As a result, any correlations should not be taken as proof of a connection without further, more detailed analyses.

[11] Alaska Mental Health Trust beneficiaries include Alaskans with mental illness, developmental disabilities, substance use disorders, Alzheimer's disease and related dementia, and traumatic brain injuries. *See* Andrew Gonzalez, Ingrid Johnson, and Troy C. Payne, "Adverse Childhood Experiences, Intimate Partner Violence, and Sexual Violence Among Alaska Mental Health Trust Beneficiaries: Findings from the Alaska Victimization Survey." Alaska Justice Information Center, University of Alaska Anchorage, (October 2021), available at https://scholarworks.alaska.edu/handle/11122/12288.

[12] *Id*.

chooses to report to law enforcement, so not every instance of domestic violence is captured in arrest, incarceration, or court case data. Data from the national survey reported in *Criminal Victimization, 2020*, published by the Bureau of Justice Statistics, showed that about 40% of violent victimizations of all types were reported to the police in 2020.[14] Surveys such as the AVS and the national survey provide information that cannot be found in the databases of government agencies.

[14] Rachel E. Morgan and Alexandra Thompson, "Criminal Victimization, 2020." U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, (October 2021), p. 1, available at: https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cv20.pdf.

B. Reports to Law Enforcement

Data from law enforcement agencies provides information on domestic violence cases reported to law enforcement, the people who are involved in these cases, and the rate at which cases are referred to prosecution. This data is not available for the whole state and is not routinely published, except as part of individual studies conducted by researchers who receive access to some of this data from a law enforcement agency. There have been two such studies in recent years, one study on reports to the Alaska State Troopers, and one study on reports to the Anchorage Police Department, both of which are summarized below.

1. Reports to the Alaska State Troopers

The study of reports made to the Alaska State Troopers (AST) between 2008 and 2011 illustrates the common characteristics of domestic violence cases in the areas of the state served by AST.[15] AST is the primary police agency for areas of the state that do not have their own police agencies and supports local police agencies throughout the state.[16]

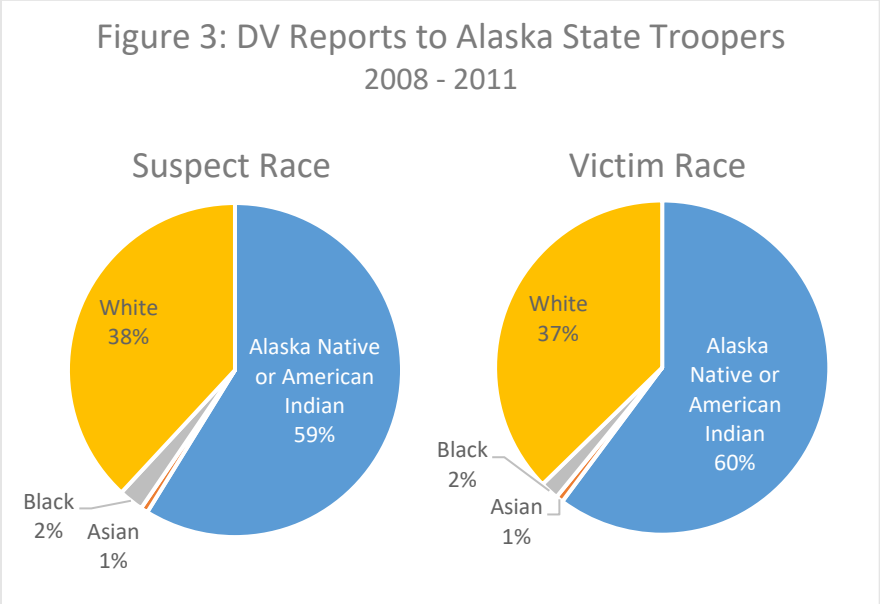


Figure 3 Source: Alaska Justice Statistical Analysis Center

In this study, most cases involved reports of assaultive behavior, and the majority involved suspects between the ages of 21-30 (40.5% of suspects) or 31-40 (23% of suspects).[17] Nearly 80% of

[15] Brad A. Myrstol and Khristy L. Parker, "Descriptive Analysis of Domestic Violence and Sexual Assault Incidents Closed by the Alaska State Troopers: 2008–2011 — Final Report." Alaska Justice Statistical Analysis Center, University of Alaska Anchorage (July 2015), p. 1, available at: http://hdl.handle.net/11122/7026.

An earlier study of DV reports made to troopers in 2004 found similar results to those presented in this section. See André B. Rosay *et al*., "Investigation and Prosecution of Sexual Assault, Domestic Violence, and Stalking." University Alaska Anchorage Justice Center with Alaska Department of Law and Alaska Department of Public Safety (August 2010), available at: https://www.ojp.gov/pdffiles1/nij/grants/236429.pdf.

[16] Myrstol and Parker, "Descriptive Analysis of Domestic Violence and Sexual Assault Incidents Closed by the Alaska State Troopers," p. 1.

[17] *Id*., p. 65.

suspects were male.[18] Around 59% of suspects were Alaska Native or American Indian, and 38% were white.[19] Around 60% of victims were Alaska Native or American Indian, and around 37% of victims were white. A small number of victims and suspects were Black or Asian.[20]

The percentage of Alaska Native or American Indian people among both DV victims and DV suspects is disproportionate to the percentage of Alaska Native or American Indian people in Alaska's general population, which is around 16% (see figure 17, below). It should be noted that this study looked only at reports to the Alaska State Troopers, meaning that the data largely exclude urban population centers, such as Anchorage, and likely include a greater percentage of Alaska Native or American Indian people than the general statewide population. It is also important to note that while Alaska Native or American Indian people are overrepresented among DV suspects in this study, they are also overrepresented in the criminal justice-involved population as a whole.[21] This overrepresentation is therefore not unique to DV cases.

The races of suspects and victims tended to align in the vast majority of cases. For cases involving Alaska Native or American Indian victims, at least one suspect was also Alaska Native or American Indian in nearly 92% of the cases. For cases involving white victims, at least one suspect was also white in 82% of the cases.[22]

The same study showed that nearly 36% of reports involved a suspect who had previously committed at least one other DV incident against the same victim, and only half of those prior incidents had been reported. About 13% of suspects had at least one prior conviction for DV (against any victim).[23] Of incidents between a single victim and a single suspect, nearly 68% were current or former intimate partners or spouses, and 27% were relatives.[24]

Alcohol was often present in these cases; over 63% of suspects were reported as being under the influence of alcohol when the incident occurred. A much smaller number (less than four percent) of

Figure 4: DV Reports to Alaska State Troopers, 2008-2011
Relationship of Victims and Suspects

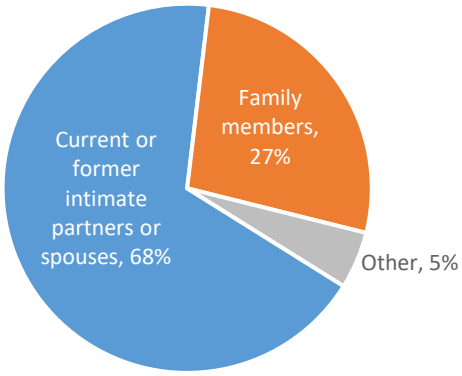


Figure 4 Source: Alaska Justice Statistical Analysis Center

[18] *Id.*, p. 66.

[19] *Id.*

[20] *Id.*, pp. 66, 71.

[21] See, for example, the Commission's 2020 Annual Report (p. 23), showing that Alaska Native people are overrepresented in the total prison population. That report is available at: http://www.ajc.state.ak.us/acjc/docs/ar/2020.pdf.

[22] Myrstol and Parker, "Descriptive Analysis of Domestic Violence and Sexual Assault Incidents Closed by the Alaska State Troopers," p. 71.

[23] *Id.*, at p. 69.

[24] *Id.*

suspects were under the influence of drugs.[25] Victims were intoxicated by alcohol in 27% of cases, and intoxicated by drugs in less than one percent of cases.[26]

In the reports to troopers, the case notes revealed the precipitating factors that led up to the reported violence. The ten most common factors were:

- Belongings/household property
- Personal insults/perceived disrespect
- Controlling behaviors
- Jealousy/alleged infidelity
- Disapproval of alcohol/drug use
- Parental discipline of children
- Angry/unhappy with ending of relationship
- Childcare/child custody/child visitation
- Financial stress/troubles
- Other sexual conflict.[27]

Of all of the cases in the study, nearly 98% of reports resulted in either an arrest or a referral to prosecution.[28] During the same time period (2008-2011), 83% of the cases referred to the Department of Law for prosecution were accepted for prosecution, and over 78% of those cases resulted in a conviction on one or more charges.[29]

2. DV Incidents Investigated by the Anchorage Police Department

The Alaska Justice Information Center (AJiC) has recently begun a study of incidents investigated by the Anchorage Police Department (APD) involving domestic violence. The study looks at twenty years' worth of reports to APD, from 1999 to 2019, that were flagged as domestic violence cases. Similar to the study on the reports to AST, the majority of DV reports to APD involved assaultive behavior.

In this analysis, AJiC was able to analyze whether a person appeared in more than one report during the 20-year span of the data set. The data showed that half of incidents in 2019 involved someone

DV Incidents Investigated by APD, 1999-2019

In 2019, half of all incidents involved someone who had been arrested in a prior DV incident, and 43% of offenders had previously been a victim.

[25] *Id.*, at p. 76-77.

[26] *Id.*, at p. 78.

[27] *Id.*, at p. 80.

[28] *Id.*, at p. 55. Referrals made to either the Department of Law or the Division of Juvenile Justice.

[29] *Id.*, at p. 86.

who had been arrested in a previous DV incident in Anchorage,[30] mostly in the previous three years. Many of the people who were characterized as "offenders" in the data (meaning the person was identified as an arrestee, suspect, or defendant in APD's reports) had also previously been victims; in 2019, 43% of offenders had previously been a victim at least once in the prior 20 years.[31]

The races of victims and suspects were similar. Of suspects, 33% were white, 12% were Black, 8% were Asian, and 38% were Alaska Native or American Indian, and the suspect's race in 8% of cases was missing or unknown. Of victims, 36% were white, 10% were Black, 8% were Asian and 37% were Alaska Native or American Indian, and the victim's race was missing or unknown in 9% of cases. Like the AST study above, Alaska Native or American Indian people were overrepresented among victims and suspects; Black and Asian people were also overrepresented.[32] Again, it is important to note that non-white populations are also overrepresented in the criminal justice system as a whole.[33] This overrepresentation is therefore not unique to DV cases.

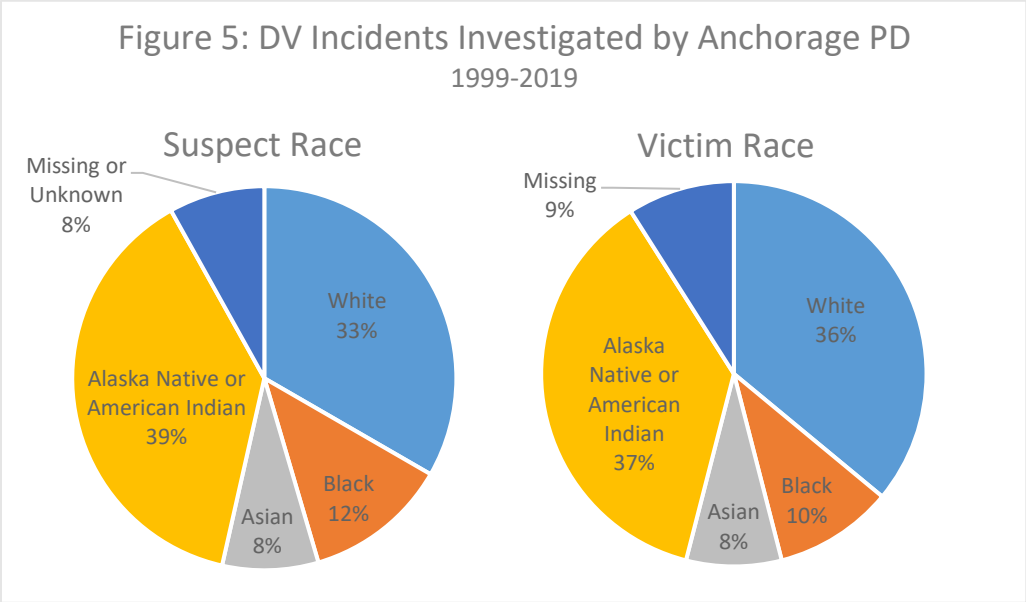


Figure 5 Source: Alaska Justice Information Center

[30] Within the 20-year span of the dataset; incidents prior to 1999 and non-DV incidents are not included in this statistic.

[31] "Offender" means a person labeled as an arrestee, suspect, or defendant in APD's database in an incident that officers had marked as a DV incident. "Previously been a victim" means that the offender appeared as a victim in one or more incidents in this same data set that occurred at least one day before the instant incident. This data does not include incidents outside of Anchorage or incidents prior to 1999.

[32] Anchorage's population in 2021 was estimated to be 62.6% White alone, 5.6% Black or African American alone, 7.9% Alaska Native or American Indian alone, 9.6% Asian alone, 2.4% Native Hawaiian or Other Pacific Islander alone, 9.5% Two or More Races. United States Census Bureau QuickFacts: Anchorage municipality, Alaska, available at: https://www.census.gov/quickfacts/anchoragemunicipalityalaska.

[33] See, for example, the Commission's 2020 Annual Report (p. 23), showing that Alaska Native people are overrepresented in the total prison population. That report is available at: http://www.ajc.state.ak.us/acjc/docs/ar/2020.pdf.

C. DV Criminal Case Processing

Crimes of domestic violence are not distinct offenses under Alaska law. Rather, certain crimes are "flagged" as crimes of domestic violence if there is a certain relationship between the victim and suspect and if the suspect is accused of one of the following crimes[34]:

- Homicide
- Assault
- Reckless endangerment
- Stalking
- Kidnapping
- Custodial interference
- Sexual assault/abuse
- Unlawful exploitation of a minor
- Indecent exposure
- Robbery
- Coercion
- Burglary
- Criminal trespass
- Arson
- Criminally negligent burning
- Criminal mischief
- Terroristic threatening
- Violating a DV protective order
- Harassment (second degree)
- Cruelty to animals (pets)

As noted on page one, a crime is only considered a DV crime if the relationship between the victim and the suspect is one of the following relationships:

- Current or former spouses
- Current or former roommates
- Current or former dating partners
- Current or former sexual partners
- People who are relatives by either blood, marriage, or adoption.[35]

A majority of DV cases involve charges of fourth-degree assault, a Class A misdemeanor that can incur a maximum incarceration term of one year.[36] Assault and domestic violence often go hand-in-hand; nearly 70% of assault cases include at least one domestic violence charge.[37]

Assault and Domestic Violence

Most domestic violence cases involve assault, and most assault cases involve domestic violence.

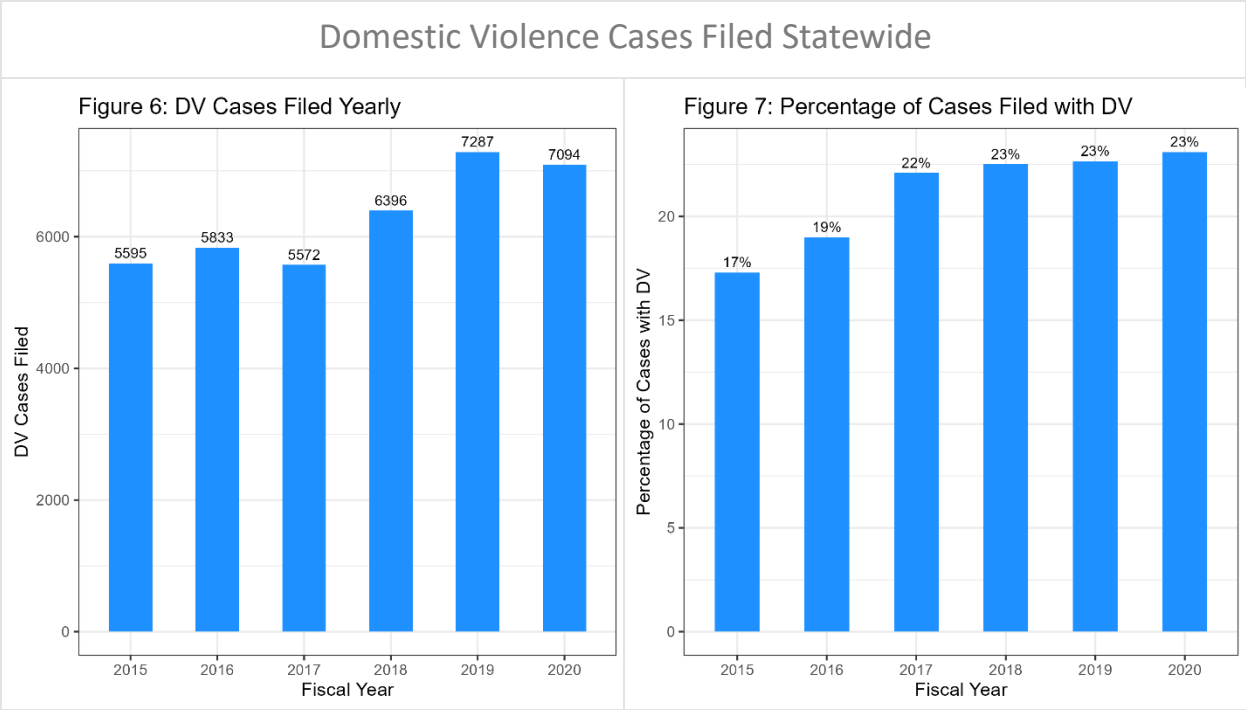
[34] See AS 18.66.990 for details. Some of these offenses only count as DV offenses in certain circumstances: harassment is a DV crime only if it the second-degree offense and only if it involves offensive phone calls; cruelty to animals is a DV crime only if it involves knowingly killing or injuring a pet with the intent to intimidate, threaten, or terrorize another person.

[35] For a complete list of the qualifying relationships, consult AS 18.66.990 (3)(5).

[36] Troy Payne and Brad Myrstol, "Research Brief: Alaska Domestic Violence Description of Cases." Alaska Justice Information Center (2019) (Analysis of DV cases disposed between July 2014 and June 2019). Offenses in Alaska are classified by the following levels, in order of most to least serious: Unclassified felonies, Class A felonies, Class B felonies, Class C felonies, Class A misdemeanors, and Class B misdemeanors.

[37] Payne and Myrstol, "Research Brief: Alaska Domestic Violence Description of Cases."

Criminal cases involving domestic violence account for around 5,500-7,000 cases filed in Alaska's courts per year.[38] In recent years, DV cases have been an increasing share of all cases filed.[39]



Figures 6 - 7 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 8 below depicts the number of DV cases filed in Alaska's courts per quarter (every three months) for the last seven years. Class A misdemeanors are by far the most common DV cases, with upwards of 1,000 of those cases filed statewide per quarter in recent years.

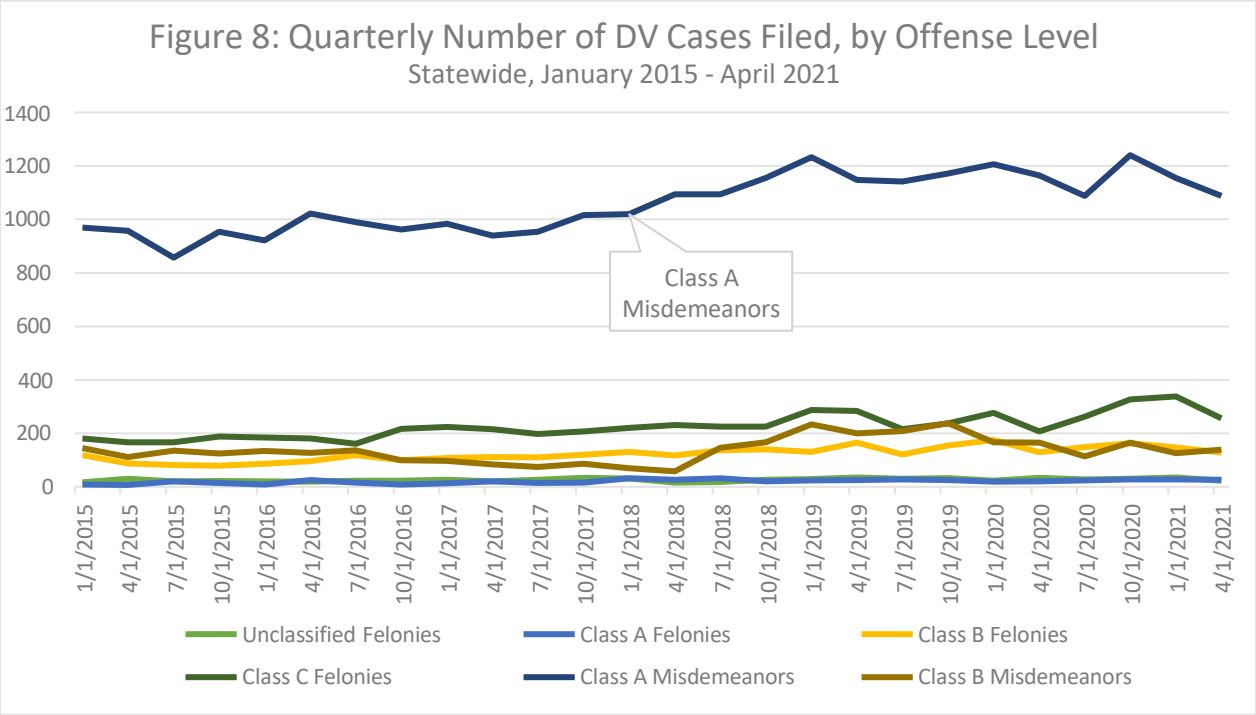


Figure 8 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

[38] Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission.

[39] *Id.*

Figure 9 - DVPOs Granted: 72-Hour Statewide

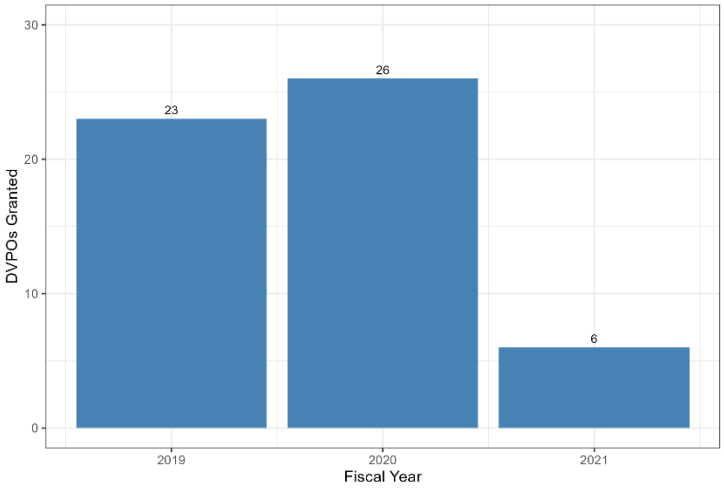


Figure 10 - DVPOs Granted: Short-Term Statewide

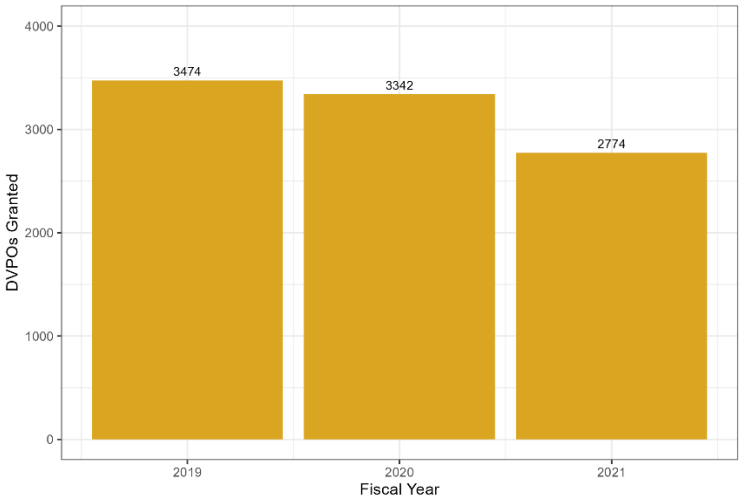
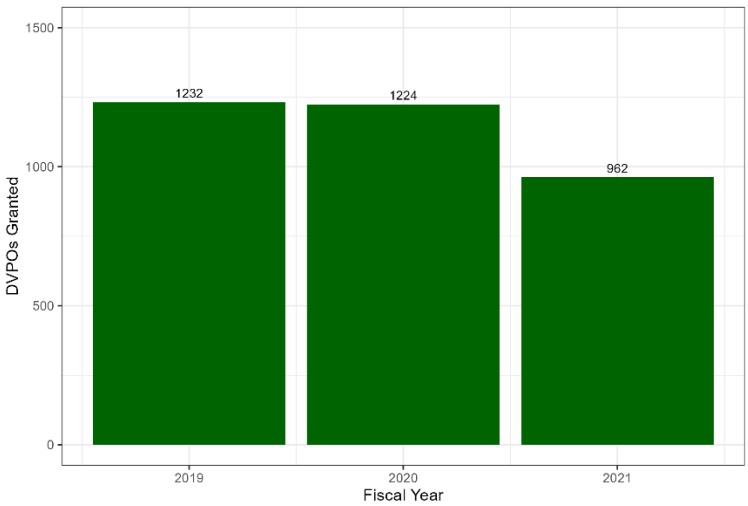


Figure 11 - DVPOs Granted: Long-Term Statewide



In addition to assault, other common DV offenses include criminal mischief (which involves destroying property), and violating a DV protective order.[40]

Domestic violence protective orders are civil (meaning non-criminal) orders issued by a judge.[41] A person who is or has been the victim of a crime involving domestic violence can file a petition for an emergency (72-hour), short-term (20-day) or long-term (one year) domestic violence protective order (DVPO) against the person who committed the domestic violence (the respondent). If the judge grants the petition, the judge will issue an order prohibiting the respondent from committing domestic violence, stalking, or harassment, and usually will prohibit the respondent from contacting or approaching the victim.[42] See page 44, below, for more information on how protective orders work.

Alaskans have filed for around 8,000 protective orders per year in recent years.[43] In the past three fiscal years, judges have granted between 1,000 and 1,300 long-term orders, between 2,800 and 3,500 short-term orders, and between 6 and 26 emergency 72-hour orders, as seen in figures 9-11 at left. The dip in orders granted in FY21 may reflect the effect of the COVID-19 pandemic. FY21 covers the period between July 1, 2020, and June 30, 2021. Many people stayed home during the pandemic, which may have made it difficult for some people to report DV crimes or to leave the house to obtain a protective order. (See page 42 for more information on the effect of the pandemic on domestic violence cases.) At any given time, around 1,000 to 1,500 orders are in effect, as seen in figure 12 below.

Figures 9 - 11 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

[40] Payne and Myrstol, "Research Brief: Alaska Domestic Violence Description of Cases."

[41] Protective orders are also available for stalking and sexual assault.

[42] See AS 18.66.100 *et seq*. Protective orders may do a number of other things in addition to or instead of prohibiting contact with the victim. For example, a protective order might also award temporary custody of a child to the petitioner.

[43] "Alaska Court System Statistical Report FY 2020." Alaska Court System (2020), p. 61, available at: https://public.courts.alaska.gov/web/admin/docs/fy20-statistics.pdf.

If a person is subject to a protective order and does something prohibited by the order, they may be charged with the crime of violating a protective order (VPO). Statewide, there are around 500 to 600 VPO cases filed per year.[44] (This figure reflects protective orders issued for sexual assault and stalking as well as DV.) Five hundred to six hundred VPO cases is not necessarily the equivalent of 500-600 orders violated; some defendants may have more than one VPO charge related to the same protective order in a given year.

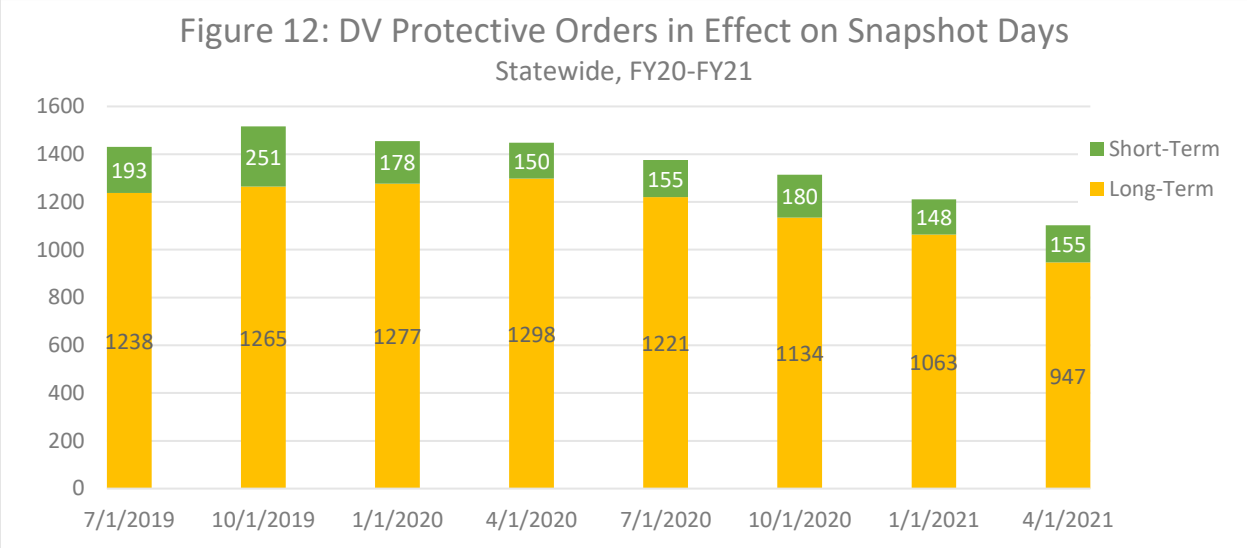
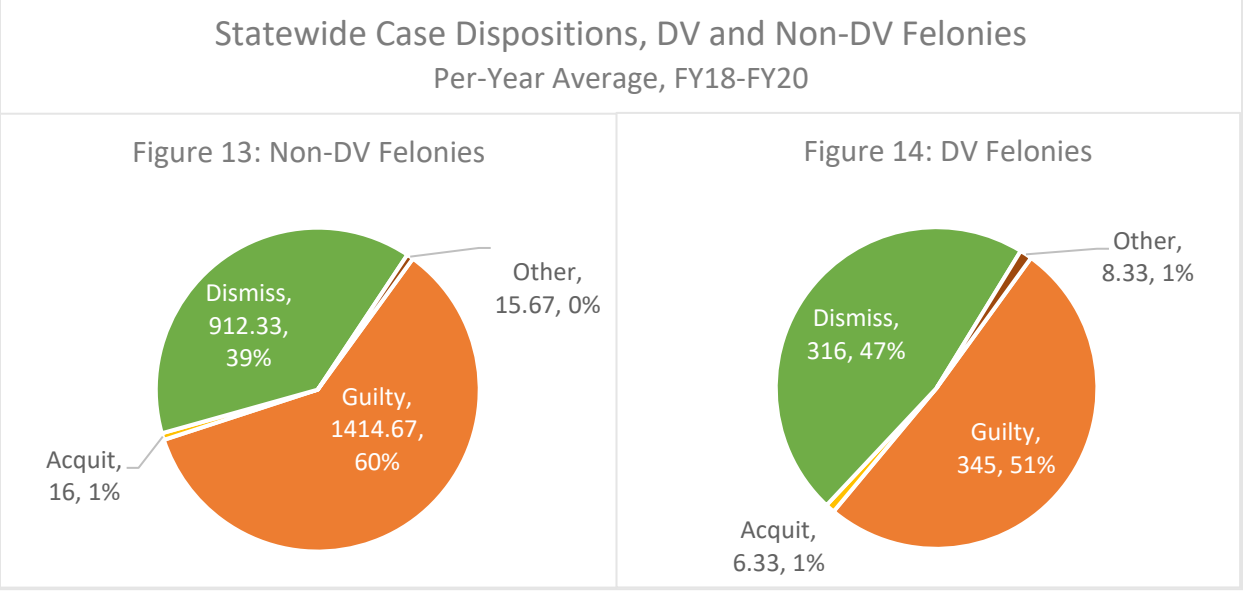


Figure 12 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

As criminal domestic violence cases proceed through the court system, they may result in a guilty conviction (whether through a trial or a guilty plea), or they may result in a dismissal or acquittal. The

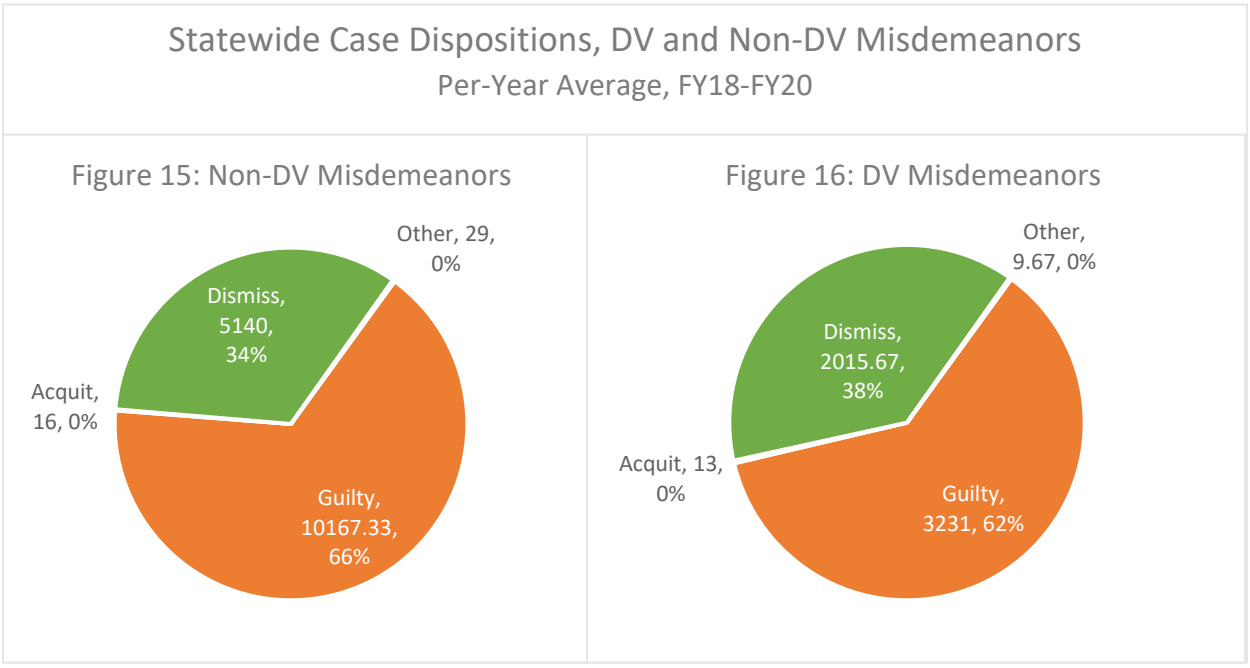


Figures 13-14 Data Source: Alaska Department of Public Safety; Analysis: Alaska Criminal Justice Commission

[44] The number of cases in which the most serious charge was a VPO was 558 in FY17, 560 in FY18, 591 in FY19, and 560 in FY20. These numbers include state and municipal VPO cases. Data from the Alaska Court System as analyzed by the Alaska Criminal Justice Commission.

figures above and below show how felony and misdemeanor DV cases have been resolved in recent years, compared to non-DV cases.

Figures 13 and 14 show that defendants were found guilty in 60% of non-DV felony cases and 51% of DV felony cases between FY18 and FY20. In other words, it was more likely that a person charged with a non-DV felony would be found guilty than if they were charged with a DV felony.



Figures 15-16 Data Source: Alaska Department of Public Safety; Analysis: Alaska Criminal Justice Commission

Similarly, figures 15 and 16 show that defendants were found guilty in 66% of non-DV misdemeanor cases and 62% of DV misdemeanor cases between FY18 and FY20. In other words, it was more likely that a person charged with a non-DV misdemeanor would be found guilty than if they were charged with a DV misdemeanor.

D. Domestic Violence Response in Rural Alaska and Impact on Alaska Native People

Law enforcement looks different in rural Alaska, as many communities do not have a municipal police department or a state trooper stationed within the community. If a community lacks a trooper post or a dedicated police force, that community may have one or more paraprofessional officers. These officers – Village Public Safety Officers (VPSOs), Village Police Officers (VPOs), or Tribal Police Officers (TPOs) – serve as first responders when crimes are reported. VPSOs are funded by the state but hired by regional nonprofits or boroughs; TPOs and VPOs are funded and hired by local communities.[45] VPSOs receive similar training to the state troopers' training, while VPOs and TPOs receive less training than VPSOs.[46]

Some communities do not have any immediate law enforcement presence at all, and since many of those communities are off the road system, they must rely on a trooper to fly, snowmachine, or boat out to their community to respond to a public safety emergency.[47] A 2019 investigation by the Anchorage Daily News and ProPublica found that one in three communities in Alaska had no immediate law enforcement presence.[48]

Recruitment for VPSOs, VPOS, and TPOs is a challenge in itself. In 2012, there were more than 100 VPSOs; in late 2021, there were 51.[49] In some communities, the difficulty of finding qualified candidates for an open VPO or TPO position may mean that the community must choose between hiring a person who has a criminal record or going without law enforcement. The 2019 Anchorage Daily News and ProPublica investigation found that 14 communities had hired one or more VPOs who should have been barred from serving in law enforcement due to their criminal

Law Enforcement in Rural Alaska

In 2012, there were more than 100 Village Public Safety Officers; in 2021, there were 51.

In some communities, the difficulty of finding qualified candidates for an open law enforcement position may mean that the community must choose between hiring a person who has a criminal record or going without law enforcement.

[45] Kyle Hopkins, "Lawless: One in three Alaska villages have no local police." *Anchorage Daily News*, May 16, 2019, available at: https://www.adn.com/alaska-news/lawless/2019/05/16/lawless-one-in-three-alaska-villages-have-no-local-police/#.

[46] "Reforming Justice for Alaska Natives: The Time is Now." A *Roadmap for Making Native America Safer: Report to the President and Congress of the United States*, Indian Law & Order Commission (November 2013), pp. 35, 37.

[47] *Id*.

[48] Hopkins, "Lawless."

[49] Hopkins, "Lawless" (reporting that there were more than 100 VPSOs in 2012); on August 12, 2021, the Department of Public Safety informed the Commission that there were 51 VPSO officers as of that day.

record.[50] An additional eight tribes had hired TPOs who had previously been convicted of domestic violence or sexual assault.[51] In one community, all seven officers had previously been convicted of domestic violence.[52]

The presence of a VPSO, VPO, or TPO can affect case processing in some respects. In 2011, the UAA Justice Center published a study of assault cases in rural Alaska involving domestic violence that were reported to the Alaska State Troopers in 2004.[53] The study found that in cases where a VPSO, VPO, or TPO was the first responder, cases were less likely (72% compared to 82%) to be referred for prosecution than if one of these entities was not the first responder.[54] On the other hand, of those cases that were referred for prosecution, cases where a VPSO, VPO or TPO was a first responder were more likely to be accepted for prosecution (91% compared to 85%) and more likely to result in a conviction (86% compared to 77%).[55]

The majority of people living in rural Alaska are Alaska Native people, and most of the communities that do not have any law enforcement are Alaska Native communities.[56] For Alaska Native people living in rural Alaska, the problem of domestic violence is therefore compounded; Alaska Native people are more likely to experience domestic violence than people in the general

Figure 17: Alaska Population by Race 2019

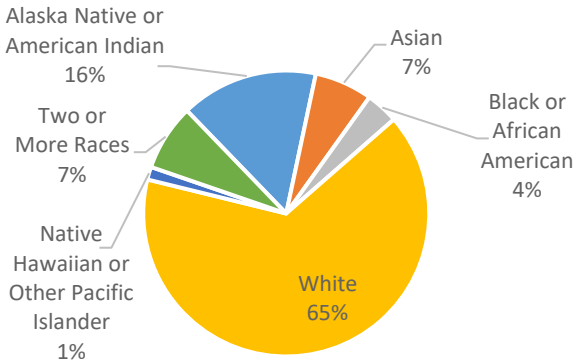


Figure 17 Source: Alaska Dept. of Labor and Workforce Development

Figure 18: Race of Domestic Violence Victims Reports to Alaska State Troopers, 2008-2011

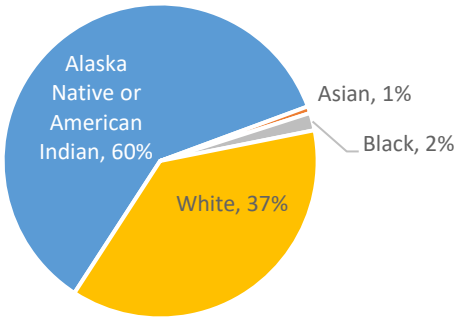


Figure 18 Source: Alaska Justice Statistical Analysis Center

[50] Kyle Hopkins, "Dozens of convicted criminals have been hired as cops in rural Alaska. Sometimes, they're the only applicants." Anchorage Daily News, July 18, 2019, available at: https://www.adn.com/lawless/2019/07/18/the-alaska-village-where-every-cop-has-been-convicted-of-domestic-violence/.

[51] *Id*.

[52] *Id*.

[53] "A Brief Look at VPSOs and Violence against Women Cases." UAA Justice Center (2011), p. 1, available at http://hdl.handle.net/11122/7016.

[54] *Id*., p. 2.

[55] *Id*.

[56] Hopkins, "Dozens of convicted criminals have been hired as cops in rural Alaska"; "Reforming Justice for Alaska Natives: The Time is Now," pp. 35, 37.

population,[57] and in rural Alaska, they are less likely to live in a place where a law enforcement officer can immediately respond to incidents of domestic violence.

The impact of domestic violence on rural and Alaska Native communities also intersects with the epidemic of missing and murdered Indigenous persons (MMIP) and missing and murdered Indigenous women (MMIW), a nationwide problem that Indigenous organizations and activists have called attention to for some time and that in recent years has been the subject of more coordinated responses from state and government entities.[58] In 2019, the U.S. Department of Justice began an initiative to address MMIP cases, placing MMIP coordinators in certain U.S. Attorneys' Offices to develop common protocols and procedures for responding to reports of missing or murdered Indigenous people.[59] One such coordinator for Alaska was placed in the U.S. Attorney's Office in Anchorage in 2020.[60]

Figure 19: Race of Domestic Violence Victims
Reports to Anchorage PD, 1999-2019

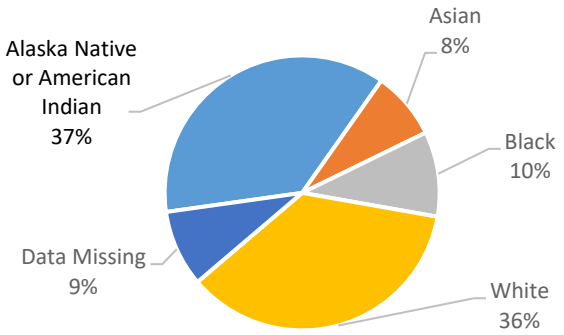


Figure 19 Source: Alaska Justice Information Center

One of the difficulties in understanding the scope of the MMIP epidemic is that there is a lack of data on the issue.[61] Thus, there is no available data on the extent to which the problem of missing and murdered Indigenous people overlaps with the problem of domestic violence. There is data on homicide victims, however. A recent study of all homicides in Alaska between 1976 and 2016 showed that Alaska Native people were disproportionately the victims of homicide in those years. Alaska Native or American Indian men were 20.3% of victims and 8.2% of the general population; Alaska Native or American Indian women were 10.2% of victims and 8.1% of the population.[62] The next section explores the link between domestic violence and homicide.

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[57] See figures 17-19; Statewide population estimates taken from Alaska Department of Labor and Workforce Development Population Estimates, 2020, available at https://live.laborstats.alaska.gov/pop/index.cfm.

[58] See *Missing and Murdered Indigenous Women USA*, https://mmiwusa.org/; *Understanding the Issue of Missing and Murdered Indigenous Women*, https://www.nativehope.org/en-us/understanding-the-issue-of-missing-and-murdered-indigenous-women; Native Womens Wilderness: Murdered and Missing Indigenous Women, https://www.nativewomenswilderness.org/mmiw.

[59] Marcia Good and Ernest Weyland, "Introduction (Missing or Murdered Indigenous Persons: Law Enforcement & Prevention)." *Department of Justice Journal of Law and Practice*, Vol., 69, No. 1 (November 2019), U.S. Department of Justice, p. 1, available at: https://www.justice.gov/usao/page/file/1362691/download.

[60] "Press Release: Recognizing Missing and Murdered Indigenous Persons Awareness Day in Alaska." Department of Justice, U.S. Attorney's Office, District of Alaska (May 5, 2021), available at: https://www.justice.gov/usao-ak/pr/recognizing-missing-and-murdered-indigenous-persons-awareness-day-alaska.

[61] See "Missing and Murdered Indigenous Women and Girls." Urban Indian Health Institute (November 2018), p. 2, available at: https://www.uihi.org/resources/missing-and-murdered-indigenous-women-girls/.

[62] Andrew Gonzalez, "Homicide in Alaska: 1976-2016." Alaska Justice Information Center, University of Alaska Anchorage (May 2020), p. 31, available at: http://hdl.handle.net/11122/11067.

E. Homicide and Domestic Violence

Nationwide in 2019, 20% of all homicide victims were the current or former intimate partner or family member of the suspect.[63] In Alaska in 2019, 24 of 70 (34%) homicide victims were the current or former intimate partner or family member of the suspect.[64] Between 2015 and 2020, 43 of the 71 homicides in Western Alaska involved domestic violence.[65]

Figure 20: Homicides in Western Alaska 2015-2020

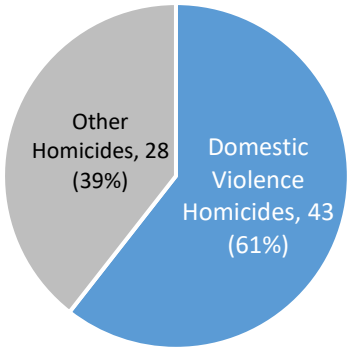


Figure 20 Source: Anchorage Daily News

Victims of intimate partner homicide in Alaska are primarily women. A recent study on homicides in Alaska from 1976-2016 examined the relationship between homicide victims and homicide suspects.[66] The study found that women were more likely than men to be killed by a current or former intimate partner.[67] This was true across racial groups, though there were differences by race as well; female Asian and Pacific Islander homicide victims were more likely to be killed by a current or former intimate partner than any other group.[68]

Figure 21: Statewide Homicide Victims, 2019
Relationship to Suspect

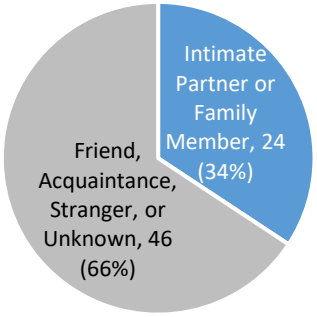


Figure 21 Source: Alaska Department of Public Safety

Figure 22 below shows the differences in the relationship between homicide victims and suspects by gender and race.

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[63] Figure from the FBI's Crime Data Explorer, available at: https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/shr (N= 2957).

[64] Lisa Purinton, "Crime in Alaska 2019." Alaska Department of Public Safety (June 2020), p. 15, available at: https://dps.alaska.gov/getmedia/711689b9-fe2f-4d89-b232-fc8e2262a37e/Crime-in-Alaska-2019.

[65] Kyle Hopkins, "A 'Blight' of Domestic Violence Deaths Strikes Alaska Villages." Anchorage Daily News (July 28, 2020), available at: https://www.adn.com/alaska-news/lawless/2020/07/28/he-said-hed-kill-her-then-he-did-a-blight-of-domestic-violence-deaths-strikes-alaska-villages/. In this context, "Western Alaska" refers to the area served by the C Detachment of the Alaska State Troopers. See Alaska Department of Public Safety, State Troopers, C Detachment, available at: https://dps.alaska.gov/AST/CDetachment/Home.

[66] Gonzalez, "Homicide in Alaska: 1976-2016," p. 44.

[67] *Id*.

[68] *Id*. p. 45.

Figure 22: Homicide Victim Relationship to Suspect, by Race and Gender 1976-2016

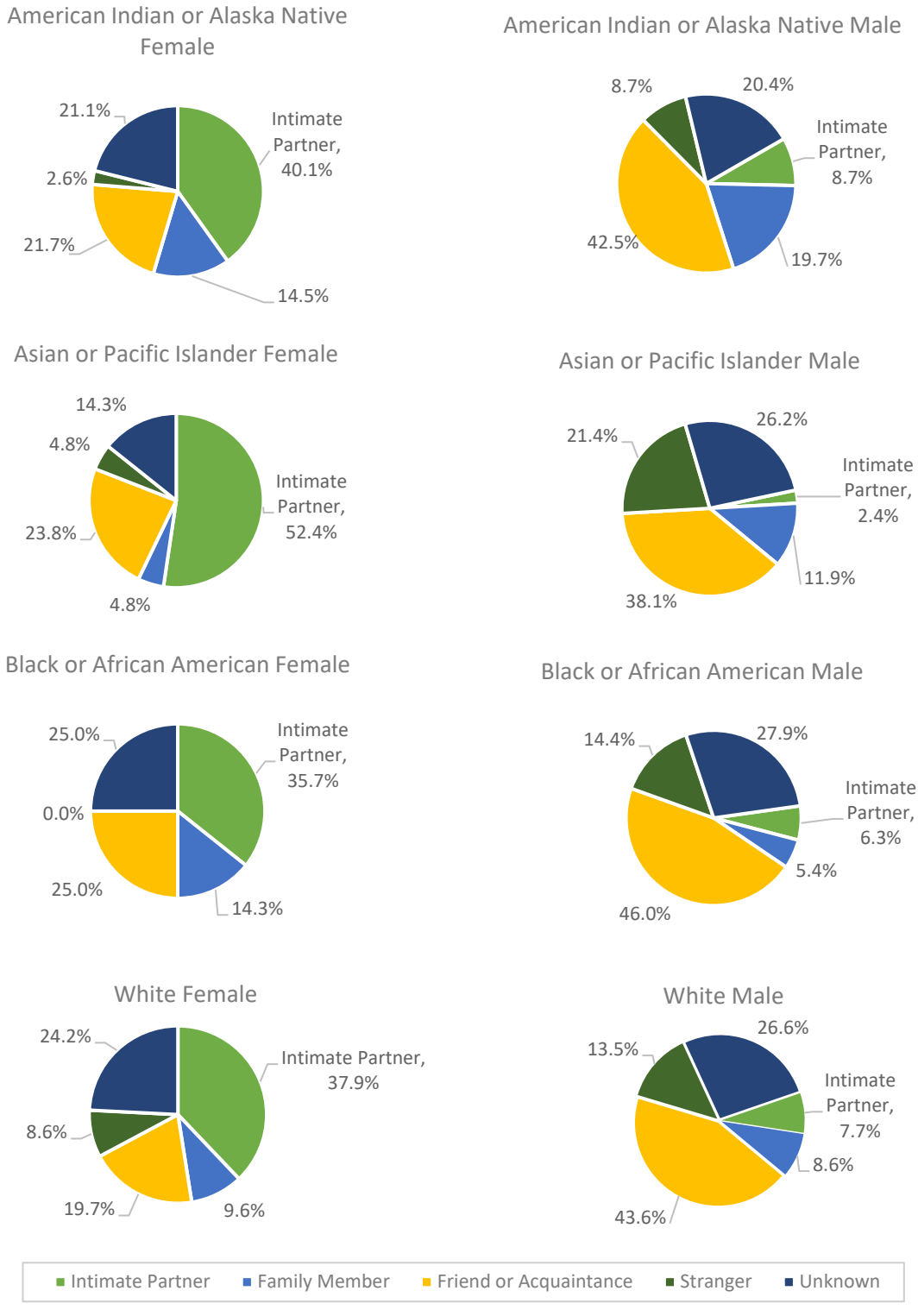


Figure 22 Source: Alaska Justice Information Center

F. Recidivism

Recidivism describes the extent to which people who have committed a crime continue to re-engage with the criminal justice system. In 2018, AJiC published data comparing recidivism rates for people convicted of different crimes.[69] Compared to people convicted of sex offenses or felony or misdemeanor DUI, people convicted of DV crimes had the highest recidivism rates.[70] (This study looked only at men who had served 120 days or less in prison for DV, whether for a felony or misdemeanor. Most had been convicted of misdemeanor assault.[71])

People convicted of domestic violence tend to have higher rates of recidivism compared to people convicted of other crimes.

One recent study showed that DV offenders were twice as likely to be arrested for and convicted of a new offense within one year of leaving prison, compared to other similar offenders.

After 8 years post-release, 75% of DV offenders had been arrested for and subsequently convicted of a new offense.

Compared to the other groups, people in the DV cohort were twice as likely to be arrested for a new crime within the first year following release from prison, with a rate of 41% compared to a rate of around 20% for the other groups. (For all groups, the study only counted arrests for which the defendant was eventually convicted.) After the eighth year post-release, around 75% had been arrested for and subsequently convicted of a new crime. Most of these new crimes were misdemeanors, and 60% were new DV crimes.[72]

Another recent AJiC analysis compared recidivism for people convicted in DV cases of any type to those convicted of non-DV assault.[73] Of those who were convicted in a DV case[74], 60% were rearrested within four years, and 40% were rearrested for a DV offense. Of those who were convicted of a non-DV assault, 58% were rearrested within four years, and 31% were rearrested for a DV offense.

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[69] Araceli Valle, "Expanded View of Recidivism in Alaska." *Alaska Justice Forum*, 34(3) (Winter 2018), available at: http://hdl.handle.net/11122/8091. The study followed people released from prison in 2007.

[70] *Id*.

[71] *Id*., p. 1.

[72] *Id*.

[73] Troy Payne and Brad Myrstol, "Research Brief: Alaska Domestic Violence FY2015 Conviction Cohort Recidivism." Alaska Justice Information Center (AJiC), 2019.

[74] This includes cases where a DV crime was among the initial charges, even if the charge of conviction was not necessarily a DV crime.

III. Pilot Programs Conducted in Alaska

Over the years, various pilot programs have been conducted in Alaska to reduce the incidence of domestic violence, improve victim response, or both. The Commission's workgroup reviewed a number of these programs.

A. Probation Project in Palmer

Starting in 1998, the Palmer Probation Office received a grant for a 15-month pilot project to supervise people who had been convicted of misdemeanor domestic violence offenses. (Typically, people who have been convicted of misdemeanor offenses are not actively supervised while they are on probation.) The project aimed to increase the number of people who successfully completed batterer intervention programs and to increase victim safety.[75]

The project involved supervision by a probation officer who was given a smaller than average caseload and therefore able to provide more intensive supervision for offenders and also keep in close contact with victims.[76] An evaluation by the Alaska Judicial Council found that people who were ordered to the intensive supervision program were no more likely to complete batterer intervention programming than a comparison group people who had similar convictions but who were not supervised.[77] People in the supervision group were also just as likely to commit new domestic violence offenses as people in the comparison group.[78] People in supervision group were more likely to have their probation revoked for a violation of probation conditions, perhaps because the intensive supervision meant that their probation-violating behavior was more likely to be observed.[79]

Despite the absence of positive results that could be quantitatively measured, the program was well-liked among judges, prosecutors, law enforcement officers, victim service providers, and the victims themselves. Practitioners appreciated the role the probation officer played as a coordination and supervision resource, while victims felt that the probation officer was a resource for assistance, advice, and safety. Defense attorneys, on the other hand, pointed out that the program's stated goal of increasing program completion was stymied by the increase in probation revocations, which prevented their clients from completing their assigned programs.[80]

Pilot Programs Conducted in Alaska

- **Probation Pilot Project in Palmer**
- Alaska Court System Innovations
- Alaska Domestic Violence and Sexual Assault Intervention Program (ADVSAIP)
- Fairbanks Coordinated Community Response
- Fairbanks DV Probation Project

[75] "Evaluation of Pilot Probation Program for Misdemeanor Domestic Violence Offenders." Alaska Judicial Council (July 1999), available at: http://www.ajc.state.ak.us/publications/docs/research/PalmerDVreport07-99.pdf.

[76] *Id.*, p. i.

[77] *Id.*, p. iii.

[78] *Id.*

[79] *Id.*, pp. iii-iv.

[80] *Id.*, p. iv.

B. Alaska Court System Innovations

In 2002, the Alaska Court System developed a set of pilot projects, funded by the US Department of Justice, to explore innovations in domestic violence cases. These innovations included an advocate who would help people file petitions for a protective order, a family law facilitator who would help parties in domestic violence cases where children were involved with custody and visitation orders, and improvements to the Court System's case management system for domestic violence cases.[81]

A 2005 analysis by the Alaska Judicial Council found that the advocate and facilitator projects, initially introduced in Anchorage, did not have their anticipated effects on court processes, such as reducing the number of motions to modify orders, decreasing no-shows at long-term order hearings, or increasing permanent civil solutions such as permanent custody orders.[82]

They did, however, appear to reduce the number of civil and criminal domestic violence cases between the same partners, a promising result.[83] Furthermore, people who worked with the advocate and facilitator reported a high degree of satisfaction with both. Victims were more supported during court processes and referred to services. The facilitator made it possible for judicial officers to process custody orders more quickly and earlier in the case. The initial results of these pilot projects were therefore more apparent in terms of qualitative, rather than quantitative, results.

The Court System expanded the advocate project by placing advocates in three additional communities—Kenai, Palmer, and Fairbanks—in 2005.[84] The Judicial Council conducted another evaluation of the advocate program in all four communities in 2007.[85] In each community, the advocate is employed by a local domestic violence shelter and works in the courthouse.[86] The 2007 evaluation found that court staff, judicial officers, and shelter employees all had a positive view of the advocate program, and believed that the advocate served a needed role, although there was room for improvement in communication among stakeholders and in implementation in the newer communities.[87]

Pilot Programs Conducted in Alaska

- Probation Pilot Project in Palmer
- **Alaska Court System Innovations**
- Alaska Domestic Violence and Sexual Assault Intervention Program (ADVSAIP)
- Fairbanks Coordinated Community Response
- Fairbanks DV Probation Project

[81] "Court Innovations in Domestic Violence Cases." Alaska Judicial Council (August 2005), p. 1, available at: http://www.ajc.state.ak.us/publications/docs/research/CtInnovatDVCases08-2005.pdf.

[82] *Id.*, pp. 85-91.

[83] *Id.*, p. 91.

[84] "Evaluation of Domestic Violence Advocates: 2007." Alaska Judicial Council (July 2007), p.1, available at: http://www.ajc.state.ak.us/publications/docs/research/DVReport8-07.pdf.

[85] *Id.*

[86] *Id.*

[87] *Id.*, pp. 3-7.

The improvements to the Court System's case management system for DV cases began in 2005.[88] This new system, an index that linked related cases, allowed judges to make decisions based on all available information about the parties, including open cases in other locations or other types of cases. [89]

C. Alaska Domestic Violence and Sexual Assault Intervention Program (ADVSAIP)

This program is a partnership with Anchorage Public Health, APD, municipal prosecutors, and victim service providers. In the past, the state had invested funds to make this program operate statewide, but that funding was not renewed, so the program now only operates in Anchorage.

The program has two DV investigators from APD who work in the municipal prosecutor's office. The two investigators have a caseload of about 500-600 active DV cases. They read all police reports in DV cases and flag cases that need more investigation; they can re-interview people, apply for search warrants, and follow up with victims at the courthouse. These efforts ensure that the case is a prosecutable one.

The Anchorage Municipal Prosecutor's Office has a full-time staff person who will enter bail conditions and no-contact flags into APSIN, the state's public safety database. This information is accessible to all law enforcement officers, and the program also has two dedicated compliance officers who ensure that people who have been charged with domestic violence are complying with their conditions of release. If a defendant is not in compliance, the officers will arrest the defendant and return them to jail.

Through ADVSAIP, victim service providers can provide victims with financial assistance to recover from the crime and to relocate to a new residence if necessary.

D. Fairbanks Coordinated Community Response

The Fairbanks Coordinated Community Response was developed with the assistance of a grant from the federal Office of Violence Against Women. It was based on the Duluth Model of the Coordinated Community Response (see page 28, below). The grant provided for joint training for prosecution, law enforcement, victim advocates, and forensic nurses, and for a working group to be formed from representatives from those professions as well as representatives of the local probation office and batterer's intervention program.

The working group examined closed cases to identify issues that needed to be addressed and to develop recommendations to

Pilot Programs Conducted in Alaska

- Probation Pilot Project in Palmer
- Alaska Court System Innovations
- **Alaska Domestic Violence and Sexual Assault Intervention Program (ADVSAIP)**
- **Fairbanks Coordinated Community Response**
- Fairbanks DV Probation Project

[88] "The Domestic Violence Index Evaluation." Alaska Judicial Council (September 2006), p. 1, available at: http://www.ajc.state.ak.us/publications/docs/research/DVIndex09-06.pdf.

[89] *Id.*, pp. 1-3.

address them. Examples of issues identified included: the need for better training for law enforcement regarding strangulation; the need for better training for law enforcement to identify the primary aggressor; the need to keep victims informed of court hearings and other criminal proceedings; and the need for victim outreach.

This group was able to do its work in part because one member volunteered to keep track of all police reports and new arrests filed daily. This work was not funded, however, and the group stopped meeting without funding for a position to keep the project going. Project members described the group as helpful and the project was instrumental in forming working relationships across agencies that had not previously existed.

E. Fairbanks DV Probation Project

In Fairbanks, an intensive DV probation pilot program ran from 2011-2014 as part of the Choose Respect initiative, a project of the Governor's office. The program was aimed at people convicted of DV misdemeanors who were assessed as high risk. The idea was to break the cycle of domestic violence before the person reached the felony level. The program received referrals from the local DA's office, and used the ODARA risk assessment (see page 33, below) to assess risk. The ODARA was scored without talking to the offender or victim.

The project also required participants to submit to random urinalysis tests, attend probation officer meetings, attend court-ordered treatment like mental health or substance abuse treatment, and attend a Batterers' Intervention Program (BIP).

Probation officers (POs) also reached out to victims and connected victims with advocacy services. Through this program, the POs would develop a relationship with the victim, and some of them were still in contact even after the program ended. Anecdotal evidence from program documentation and a staff interview revealed that victims often felt more comfortable talking to the POs than people at other agencies.

Those who implemented the program thought it was effective; of all participants, only three reoffended while in the program and of those three, two were in abscond status and did not really participate. Agencies working with the program said that it helped identify chronic DV offenders in the area. People involved in the program said that the drawbacks were that it was only for male offenders, and that it was sometimes used as a bargaining chip to reduce charges. Those in Fairbanks who had a hand in the program were sad to see it go. Ultimately the program did not have sufficient buy-in from all parties and didn't have enough referrals to fully populate the program. There was little to incentivize participation. The program had a capacity of up to 60 people, but usually had only around 20 in the program. Out of 300 or so DV offenders in the area that go through the criminal justice process per year, around one third of them scored high enough to be in the program.

Pilot Programs Conducted in Alaska

- Probation Pilot Project in Palmer
- Alaska Court System Innovations
- Alaska Domestic Violence and Sexual Assault Intervention Program (ADVSAIP)
- Fairbanks Coordinated Community Response
- **Fairbanks DV Probation Project**

IV. Best Practices from Around the US

The Commission's workgroup also examined programs and practices from around the United States, emphasizing evidence-based programming and promising practices.

A. Programs for Abusers

Intervention programs for people who commit domestic violence aim to change the behavior of the program participants so that they no longer harm intimate partners or family members (most are focused on intimate partner violence). One of the oldest and most widely-used of these programs comes from the *Duluth Model*, a program developed in the 1980s in Minnesota. While the original Duluth Model includes many components (see the section on coordinated community response teams, below), its nonviolence class for men is the component that has been adopted the most widely. Such classes for people who commit domestic violence are often called "batterer's intervention programs" (BIPs).

In recent years, studies of the Duluth Model BIP have found it to be ineffective or even counter-effective.[90] However, other studies have shown positive results[91] and some who question the criticism of the Duluth Model note that the studies with negative results were of programs that implemented only the BIP component and did not include the coordinated community response component.[92] Doubt about the effectiveness of the Duluth Model has led to a search for other intervention programs for people who commit domestic violence.

The *Offender-Focused Domestic Violence Initiative* is a North Carolina program based on similar programs aimed at reducing

Best Practices from Around the US

- **Programs for Abusers**
- Coordinated Community Response and High-Risk Response Teams
- Fatality Review Teams
- DV Courts
- Risk Assessments

[90] "Domestic Violence Perpetrator Treatment (Duluth-Based Model)." Washington State Institute for Public Policy (last updated December 2019), available at: https://www.wsipp.wa.gov/BenefitCost/Program/86.

[91] NIJ Crime Solutions rates it as "effective for reducing recidivism with respect to violent offenses and promising in reducing victimization." "Practice Profile: Interventions for Domestic Violence Offenders: Duluth Model." Cri*me Solutions*, National Institute of Justice (September 13, 2013), available at: https://crimesolutions.ojp.gov/ratedpractices/17#mao.

[92] See Larry Bennett and Oliver Williams, "Controversies and recent studies of batterer intervention program effectiveness." *VAWnet: The National Online Resource Center on Violence Against Women.* (August 2001), available at: https://vawnet.org/material/controversies-and-recent-studies-batterer-intervention-program-effectiveness ("BIPs [alone] have a small but significant effect. Batterer programs are not treatments…[they] are critical elements in an overall violence prevention effort. The effect of any of the elements in this effort – education, arrest, prosecution, probation, victim services, adjunct services, and BIP – is diminished by the removal of any of the other efforts. The most effective reduction in partner violence will occur in those communities with the strongest combination of coordinated, accountable elements. The challenge to BIP practitioners is to make sure their practice extends beyond the level of the individual to the level of the community. Practitioners should work to educate and support all elements of a coordinated community response.")

group/gang violence.[93] A key part of the program was to create a database to track offenders and victims. After a first offense, offenders get a very specific warning that if there is another incident, there will be a certain consequence—and that consequence is implemented if there is another incident. Another component of the program is a safety circle. The victim is asked to designate a number of people who can go check on them if they are not heard from. This program has been effective,[94] but it is very intensive to implement. It is helpful to reduce violence and victims also have very positive views, because they feel as though there is accountability right from the beginning. It is also less disruptive, because victims don't have to go to shelters as often.

The *Achieving Change Through Values-Based Behavior* program is based on Acceptance and Commitment Therapy (ACT) and was developed specifically for use in Iowa. The program is relatively new, but early studies show that it has been successful in several settings. It reduced recidivism slightly and people were more satisfied with the program than with other programs, and people who completed the program had fewer domestic violence incidents. The program was most successful when it was used for chronic DV offenders who were incarcerated and had not been successful in other programs.[95]

Creating Healthy Relationships is a program that involves treating couples together. One early study of this program looked at couples who were randomly assigned to the program following a self-report of perpetrating a physical assault. The study showed large and statistically significant reductions in violence, including for many women.[96] However, treating couples for domestic violence together would run contrary to federal and state regulations. Creating Healthy Relationships screens participants carefully to include only those who are situationally violent, not those with chronic anger. It was only for people using violence on an irregular basis. For other people, couples counseling would be inappropriate. Many couples with a history of domestic violence remain together[97] so a program that works with both partners might therefore be beneficial. Nevertheless, unless regulations are changed, implementing such a program in Alaska would likely not be feasible.

B. Coordinated Community Response and High-Risk Response Teams

A coordinated community response (CCR) to domestic violence brings together a team of individuals from different agencies, such as advocates, law enforcement, prosecutors, courts, batterer intervention programs (BIPs), and probation to enhance the effectiveness of interventions to protect

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[93] Stacy Sechrist, John Weil, and Terri Shelton, "Evaluation of the Offender Focused Domestic Violence Initiative (OFDVI) in High Point, NC & Replication in Lexington, NC." University at North Carolina at Greensboro (February 2016), available at: https://ncnsc.uncg.edu/wp-content/uploads/2013/11/COPS-OFDVI-Lexington-High-Point-Evaluation-FINAL.pdf.

[94] *Id*. at 79.

[95] Amie Zarling and Meg Berta, "An Acceptance and Commitment Therapy Approach for Partner Aggression." *Partner Abuse, 8*(1) (2017), pp. 89-109. See also Amie Zarling, Erika Lawrence, and James Marchman, "A Randomized Controlled Trial of Acceptance and Commitment Therapy for Aggressive Behavior." *Journal of Consulting and Clinical Psychology, 83*(1) (2015), pp. 199–212.

[96] Renay Bradley, Daniel Friend, and John Gottman, "Supporting Healthy Relationships in Low-Income, Violent Couples: Reducing Conflict and Strengthening Relationship Skills and Satisfaction." *Journal of Couple & Relationship Therapy*, 10(2) (2011), pp. 97-116.

[97] Unpublished review of information from Alaska DOC-approved BIP programs, by Alaska Judicial Council for CDVSA in 2019. Data showed that more than 50% of people attending BIP programs remained involved with their partners.

victims and hold offenders accountable in domestic violence cases.[98] A CCR also works to create a climate of deterrence to domestic violence in the community. Generally, the CCR is coordinated by an advocacy program. CCRs grew out of the Domestic Abuse Intervention Project's *Duluth Model* in the 1980s after there were substantial reforms to the criminal justice response to domestic violence. Examples of CCRs models implemented nationwide are: the *Domestic Violence High Risk Team* (http://dvhrt.org), the *Lethality Assessment Program* (https://www.pcadv.org/initiatives/lethality-assessment-program), as well as The Duluth Model (https://www.theduluthmodel.org).

Best Practices from Around the US

- Programs for Abusers
- **Coordinated Community Response and High-Risk Response Teams**
- Fatality Review Teams
- DV Courts
- Risk Assessments

In Washington, D.C., the *DC Safe*[99] protocol directs any first responders encountering an incident of domestic violence to ask some basic questions and then call the DC Safe hotline, which is staffed 24 hours a day. The victim can also speak with someone on the hotline. DC Safe has advocates on call who can provide immediate follow-up for more serious cases or follow-up in 1-2 days if it is not as serious. They help with immediate safety planning for the next 24-48 hours and then focus on a long-term safety plan. Partner agencies have agreed to prioritize and fast-track any processing necessary for the safety plan—for example the school system would transfer children from one school to another immediately or law enforcement would apply for a warrant immediately.

The DC Safe hotline is situated in the courthouse, so first responders calling the hotline could also use the advocates on the phone to look up active court cases and protective orders if necessary. The initial response protocol is for any domestic violence situation, and there is a follow-up team for the high-risk cases. The program is victim-centered; the law enforcement response is related but separate.

The *Blueprint for Safety* is a model that began in St. Paul, Minnesota.[100] The Blueprint is a CCR model with six foundational principles:

1. Adhere to an interagency approach and collective intervention goals;
2. Build attention to the context and severity of abuse into each intervention;
3. Recognize that most domestic violence is a patterned crime requiring continuing engagement with victims and offenders;
4. Establish sure and swift consequences for continued abuse;
5. Use the power of the criminal justice system to send messages of help and accountability; and
6. Act in ways that reduce unintended consequences and the disparity of impact on victims and offenders.[101]

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[98] Denise Eng, "Core Elements of an Effective CCR." *Institute for Coordinated Community Response*, (May, 2020), Available at: https://instituteccr.org/resources/.

[99] *DC Safe*, available at: https://www.dcsafe.org/.

[100] *Blueprint for Safety*, Praxis International, available at: https://praxisinternational.org/blueprint-for-safety/.

[101] *Id*.

The Blueprint offers a specific process with its own tools, including a three-question risk assessment, and a step-by-step guide to ensure a thoughtful and comprehensive implementation with an emphasis on a system-wide approach.[102]

C. Fatality Review Teams

Domestic violence fatality reviews examine the circumstances surrounding a domestic violence homicide in order to prevent similar deaths in the future. Ideally, a domestic violence fatality review team will be able to determine some of the gaps in services and missed opportunities for intervention that led to the victim's death, and then make recommendations as to how systems can be improved to address those gaps and missed opportunities.

Some review teams look at just a handful of cases in a year, which allows the team to take an in-depth look at each case, conducting interviews with people involved in the case and carefully reconstructing the events that led up to the fatality. Other review teams take a more statistically-based approach, looking at all fatalities within the jurisdiction within a given time frame and finding common characteristics among the data.[103]

Fatality reviews are most effective if the issues identified are translated into concrete policy changes that are then implemented. Review teams and policymakers looking to implement review team recommendations should think clearly about how to ensure that all relevant parties are aware of (and understand) the recommendations and that resources are devoted to making those recommendations a reality.

Alaska Statute 18.66.400 allows either the state or a municipality to convene a fatality review team "for the purpose of preventing domestic-violence-related fatalities, improving the response of law enforcement and other agencies to domestic violence, and providing consultation and coordination for agencies involved in the prevention and investigation of domestic violence". The statute envisions convening a team with multiple stakeholders to review DV fatalities or near-fatalities, and provides for confidentiality. The evidence reviewed and the conclusions of the review team are privileged and may not be used in legal proceedings. The Municipality of Anchorage has a similar statute.

A fatality review team was convened in Anchorage in the recent past, but that team has not met in several years. One of the barriers to success was the fact that they only considered cases that had gone completely through the entire judicial process, meaning that the cases were 8 to 10 years old. That made it hard to gather

Best Practices from Around the US

- Programs for Abusers
- Coordinated Community Response and High-Risk Response Teams
- **Fatality Review Teams**
- DV Courts
- Risk Assessments

[102] "Introduction," *The Blueprint Guide*, Praxis International, available at: https://praxisinternational.org/blueprint-for-safety/bp-guide-introduction/.

[103] For examples of each kind, consult the *National Domestic Violence Fatality Review Initiative*, available at: https://ndvfri.org/review-teams/.

information; people involved in the case were hard to find. In 2021, the Alaska Department of Public Safety announced that it would be convening a fatality review team.[104]

D. DV Courts

Domestic violence courts are a specialty court that follow a problem-solving model. Oversight is provided by the courts and referrals are made to appropriate programs, such as mental health or substance abuse treatment and batterer intervention programming. The courts establish partnerships with law enforcement, mental health workers, and social services. Some domestic violence courts operate full-time and some operate a few times a week to accommodate varying caseloads.[105] A 2009 literature review found that domestic violence courts reduced case processing time in misdemeanor domestic violence cases. On the other hand, one study found that case processing time increased for felony DV cases, which was attributed to a greater allocation of resources over time.[106]

New York is an example of a state that utilizes domestic violence (DV) and integrated domestic violence (IDV) courts.[107] The DV courts have a dedicated judge, specially trained staff, resource coordination, on-site victim advocacy, and technical assistance. The IDV courts have one judge that is assigned to the family's case that oversees both the criminal and family law cases. The courts are part of a coordinated community response to domestic violence designed to hold the offender accountable and enhance victim safety. The courts connect victims to services, provide intensive monitoring of offenders, and coordinate services between the courts, community partners, and victim services.

A 2013 study of New York's domestic violence courts found that case processing time for DV courts was significantly reduced when compared to conventional courts.[108] A 2015 study of these courts also found that the courts that prioritize deterrence and

Best Practices from Around the US

- Programs for Abusers
- Coordinated Community Response and High-Risk Response Teams
- Fatality Review Teams
- **DV Courts**
- Risk Assessments

[104] "Alaska Stands Up Domestic Violence Fatality Review Team," Alaska Department of Public Safety (Press Release, February 2, 2021), available at: https://dps.alaska.gov/AST/PIO/PressReleases/Alaska-Stands-Up-Domestic-Violence-Fatality-Review.

[105] Samantha Moore, "Two Decades of Specialized Domestic Violence Courts: A Review of the Literature." Center for Court Innovation (November 2009), available at: http://www.courtinnovation.org/_uploads/documents/DV_Court_Lit_Review.pdf.

[106] *Id*.

[107] *Domestic Violence (DV) & Integrated Domestic Violence (IDV) Courts*, New York State Unified Court System, Office for Justice Initiatives, Division of Policy & Planning, available at: http://ww2.nycourts.gov/Admin/OPP/dv-idv/index.shtml.

[108] Amanda B. Cissner, Melissa Labriola, and Michael Rempel, "Testing the Effects of New York's Domestic Violence Courts: A Statewide Impact Evaluation." Center for Court Innovation (February 2013).

offender rehabilitation, as well as addressing victim needs, were most effective in reducing future rearrest.[109]

In 1999, the Office on Violence Against Women (OVW) awarded funding to three sites—Dorchester, Massachusetts; Milwaukee, Wisconsin; and Washtenaw County, Michigan—to implement the Judicial Oversight Demonstration (JOD). The JOD was designed to test the effectiveness of enhanced judicial oversight in a coordinated response to intimate partner violence (IPV). The courts and justice agencies, specifically the judge, played a central role in the coordinated response. The primary goals of the JOD were to protect victim safety, hold offenders accountable, and reduce repeat offending. [110]

While the JOD sites produced substantial changes in the collaborative response to IPV, they produced mixed results in terms of the project goals. A follow-up evaluation of the Milwaukee site conducted in 2013 was inconclusive as to quantitative results, but DV court judges there felt the probation review hearings were effective in ensuring offender compliance with conditions of probation, such as batterer's intervention programming.[111]

E. Risk Assessments

Risk assessments are tools that are designed to help law enforcement, victim advocates, or other professionals determine which cases pose a serious risk of further violence or lethality. Though the tools are essentially questionnaires and are relatively simple, many have been tested and have been found to accurately identify the riskiest cases. "Risk" in this context can either refer to the risk that an offender will commit another crime of domestic violence, or that a victim will experience further domestic violence, including life-threatening or fatal violence. Risk assessments can be used in conjunction with high-risk response teams to determine the threshold risk level at which the team will intervene.

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[109] Amanda B. Cissner, Melissa Labriola, and Michael Rempel, "Domestic Violence Courts: A Multisite Test of Whether and How They Change Offender Outcomes." *Violence Against Women*, 21(9) (2015) pp. 1102 –1122, available at https://www.bwjp.org/assets/documents/pdfs/webinars/violence-against-women-2015-cissner-1102-22.pdf

[110] The main elements of the JOD were as follows: (1) Uniform and consistent initial responses by law enforcement to domestic violence incidents, including: pro-arrest policies, arrest of the primary aggressor, and a coordinated response between law enforcement and victim advocates. (2) Coordinated victim advocacy and services, including: contact by victim advocates as soon as possible after a domestic violence incident, individualized safety plans, and coordinating other needed services. (3) Enhanced offender accountability and oversight, including: intensive court-based supervision, referral to batterer intervention programs (BIP), and administrative and judicial incentives and sanctions.

Each site also held regularly scheduled meetings to enhance interagency collaboration. All three locations created or expanded a domestic violence prosecution unit, had specialized domestic violence courts, and specialized probation units.

[111] Nelida Cortes, "An Evaluation of the Effectiveness of Increased Judicial Oversight and Court-Ordered Batterer Intervention Programming in Milwaukee County Misdemeanor Domestic Violence Cases: Preliminary Findings," (2013), *Theses and Dissertations, UWM Digital Commons,* 279, available at: https://dc.uwm.edu/etd/279; see also Leticia Gutierrez, Julie Blais, and Guy Bourgon, "Do Domestic Violence Courts Work? A Meta-Analytic Review Examining Treatment and Study Quality." *Justice Research and Policy* 17(2) (2017), pp. 75–99; Adele Harrell *et al*., "Final Report on the Evaluation of the Judicial Oversight Demonstration." Washington, DC: National Institute of Justice (September 2008); "Practice Profile: Domestic Violence Courts." *CrimeSolutions*, National Institute of Justice (2018), available at: https://crimesolutions.ojp.gov/ratedpractices/78.

ODARA

The Ontario Domestic Assault Risk Assessment (ODARA) estimates the risk that someone who has committed intimate partner violence will assault a partner again.[112] Developed in Ontario, Canada, where it was initially designed to be used by front-line police officers, the ODARA is now used in jurisdictions across the US and Canada and can be used across multiple settings in criminal justice such as courts, victim advocacy, corrections, probation, and parole.[113] The predictive validity of the ODARA has been found to range from .64 to .77.[114]

The ODARA is scored using criminal records and victim interviews to answer 13 questions; some law enforcement procedures may already have these victim questions built in. The offender is given a score, and an individual with a higher score is likely to commit more assaults, commit them sooner, and cause more injury than someone with a lower score. The score can be used as a common language between agencies to help officials and service providers quickly understand the risk that the person poses.

Best Practices from Around the US

- Programs for Abusers
- Coordinated Community Response and High-Risk Response Teams
- Fatality Review Teams
- DV Courts
- **Risk Assessments**

Commission staff spoke with victim advocates in locations where the ODARA tool currently is being used by law enforcement, and they expressed positive opinions of the tool. They noted that law enforcement should be trained on the use of the ODARA to avoid the influence of implicit bias and to accurately score offenders. They also said that the ability to communicate using the common language of the ODARA score allowed advocates and officials to work more efficiently, and that the score can help victims and survivors understand the seriousness of their situation.

Danger and Lethality Assessments

Like the ODARA, danger and lethality assessments focus on intimate partner violence. Unlike the ODARA, they are focused on the victim rather than the offender; specifically the risk that the victim will be murdered or experience life-threatening injuries.

The first of these was the 15-question *Danger Assessment* developed by Jacquelyn Campbell in 1985. It was originally designed to assess the risk that a woman would kill her abusive partner as well as the risk that a woman would be murdered by her male partner and was intended for use by health and

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[112] *The Ontario Domestic Assault Risk Assessment Training Program*, available at: https://odara.waypointcentre.ca/.

[113] Jill Theresa Messing and Jonel Thaller, "Intimate Partner Violence Risk Assessment: A Primer for Social Workers." *British Journal of Social Work*, 45(6) (September 2015), pp. 1804-1820. ODARA also was used in Fairbanks as part of the DV Probation Project described in Section IIIE, above.

[114] Jill Theresa Messing and Jonel Thaller, "The Average Predictive Validity of Intimate Partner Violence Risk Assessment Instruments." *Journal of Interpersonal Violence*, 28(7) (May 2013), pp. 1537-58; Tonia L. Nicholls, *et al.*, "Risk Assessment in Intimate Partner Violence: A Systemic Review of Contemporary Approaches." *Partner Abuse*, 4(1) (2013), pp. 76-168.

social service professionals.[115] The Danger Assessment has been validated in numerous studies, including a study that included intimate partner femicide records from 11 cities between 1994 to 2000.[116] Following that study, the Danger Assessment was revised to include 20 questions.[117] The predictive validity of the Danger Assessment has been found to range from .56 to .92.[118]

The *Lethality Screen* is a derivative of the Danger Assessment.[119] The 11-question Lethality Screen was developed by the Maryland Network Against Domestic Violence to be used by the *Lethality Assessment Program (LAP).*[120] The LAP is a collaboration between law enforcement and advocacy services to provide victim-survivors advocacy services at the scene of an intimate partner violence incident. Police officers use the Lethality Screen to identify victims and survivors who are at "High Danger" of lethality and connect them to services.[121] A study by Messing et al. (2015b) examined the predictive validity of the Lethality Screen.[122] The study found the tool to have considerable sensitivity (92-93%), high negative predictive value (93%-96%), and low specificity (21%).[123] The Lethality Assessment Program is currently being used in 39 states.[124]

The *Danger Assessment – Law Enforcement (DA-LE)* is also a derivative of the Danger Assessment.[125] The DA-LE was developed by the Jeanne Geiger Crisis Center for use by Domestic Violence High Risk Teams (DVHRTs).[126] The DA-LE is administered on-scene by law enforcement. The DA-LE has a

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[115] Jacquelyn C. Campbell, Daniel W. Webster, and Nancy Glass, "The Danger Assessment: Validation of a Lethality Risk Assessment Instrument for Intimate Partner Femicide." *Journal of Interpersonal Violence*, 24(4) (April 2008), pp. 653-674; Messing and Thaller, "Intimate Partner Violence Risk Assessment: A Primer for Social Workers."

[116] Jacquelyn Campbell *et al*., "Assessing Risk Factors for Intimate Partner Homicide." *National Institute of Justice Journal*, 250 (2003), pp. 14-19; Campbell *et al*., "Risk Factors for Femicide in Abusive Relationships: Results From a Multisite Case Control Study." American Journal of Public Health, 93(7) (2003), pp. 1089-1097; Campbell, Webster and Glass, "The Danger Assessment: Validation of a Lethality Risk Assessment Instrument for Intimate Partner Femicide."

[117] Campbell, Webster and Glass, "The Danger Assessment: Validation of a Lethality Risk Assessment Instrument for Intimate Partner Femicide."

[118] Messing and Thaller, "The Average Predictive Validity of Intimate Partner Violence Risk Assessment Instruments"; Nicholls, *et al*., "Risk Assessment in Intimate Partner Violence: A Systemic Review of Contemporary Approaches."

[119] Jill Theresa Messing *et al*., "The Lethality Screen: The Predictive Validity of an Intimate Partner Violence Risk Assessment for Use by First Responders." *Journal of Interpersonal Violence* (2015), pp. 1–22.

[120] "LAP Program Overview." *Maryland Network Against Domestic Violence*, available at: https://www.mnadv.org/lethality-assessment-program/lap-program-overview/.

[121] Messing *et al*., "The Lethality Screen: The Predictive Validity of an Intimate Partner Violence Risk Assessment for Use by First Responders."

[122] *Id*.

[123] *Id*.

[124] "LAP Program Overview" *supra* note 120.

[125] "Danger Assessment for Law Enforcement." *Jeanne Geiger Crisis Center*, available at: https://www.jgccdale.org/about-dale.

[126] "Domestic Violence Homicide Prevention." *Jeanne Geiger Crisis Center*, available at: https://jeannegeigercrisiscenter.org/domestic-violence-homicide-prevention/. DVHRT consists of professionals from victim advocate organizations, law enforcement, prosecution, corrections, parole, and probation who work together to identify, review, and act on cases at high risk for homicide. Jill Theresa Messing and Jacquelyn

lower screen-in rate compared to the Lethality Screen, as it was developed to be used in court and for referrals to resource-intensive DVHRTs.[127]

Campbell, "Informing Collaborative Interventions: Intimate Partner Violence Risk Assessment for Front Line Police Officers." *Policing* (2016), pp. 1–13. The team focuses on ongoing monitoring and management of the case throughout the system, including victim services. Davies, H. & Dunne, K. (2020, December 10). *IPV risk assessment: Which tool is right for your community?* Institute for Coordinated Community Response. Available at: https://instituteccr.org.

[127] Messing and Campbell, "Informing Collaborative Interventions: Intimate Partner Violence Risk Assessment for Front Line Police Officers.".

V. Alaska's Current DV Response

While Alaska's rates of domestic violence remain unacceptably high, there is also a robust response to domestic violence from Alaska's state agencies, nonprofit organizations, and tribal organizations. This section outlines that response.

A. Mandatory Arrest

The concept of mandatory arrests for domestic violence began in the 1980s with a pilot program in Minneapolis that showed promising results; the idea soon spread to other jurisdictions.[128] In 1996, Alaska enacted a mandatory arrest statute. Alaska's mandatory arrest provision was part of a larger package addressing domestic violence, the Domestic Violence Prevention and Protection Act.[129] The Act was based on the Model Code on Domestic and Family Violence, and the mandatory arrest provision was intended to send a message that domestic violence was no longer considered a "family problem" and was considered criminal behavior.[130]

Alaska's mandatory arrest statute dictates that when a law enforcement officer responds to a domestic violence call, the officer must arrest a person if the officer has probable cause to believe that the person committed a crime of domestic violence within the last 12 hours. This is true whether the crime is a felony or misdemeanor, and the officer may make the arrest without a warrant.[131]

In some cases, a domestic violence incident may be complicated, for example if two or more people call for law enforcement because of the same incident. In these cases, the officer must determine who the principal physical aggressor was, and must arrest that person. This determination can take into account things such as prior complaints from the same parties, the relative severity of injuries to each person, and self-defense.[132]

The mandatory arrest law also has a safety valve provision, which allows officers to call a prosecutor to get permission *not* to arrest someone when responding to a domestic violence call.[133] In

Alaska's Current DV Response

- **Mandatory Arrest**
- Bail and Conditions of Release
- Victim Advocates
- Shelters and Housing
- Legal Representation
- Protective Orders
- Tribal Courts
- Prosecution and Sentencing
- Victim Compensation
- Batterer's Intervention Programming
- Prevention

[128] David Hirschel *et al*., "Domestic Violence and Mandatory Arrest Laws: To What Extent Do They Influence Police Arrest Decisions," Journal of Criminal Law and Criminology (2007), pp. 255-256, available at: https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7284&context=jclc

[129] Domestic Violence Prevention and Protection Act of 1996, 1996 Alaska Sess. Laws, ch. 64, § 29.

[130] Senate Judiciary Committee, April 15, 1996, comments of then-Rep. Sean Parnell, Laurie Otto, available at: http://www.akleg.gov/basis/Meeting/Detail?Meeting=SJUD%201996-04-15%2013:30:00.

[131] AS 18.65.530 (a). Mandatory arrest also applies when the officer has probable cause to believe a person has violated conditions of release in a domestic violence, stalking, or sexual assault case, or has violated a domestic violence, stalking, or sexual assault protective order.

[132] AS 18.65.530(b).

[133] AS 18.65.530 (c)

practice, this provision is used in cases where the officer is not sure whether there is probable cause, where the suspect needs medical attention, where it is too difficult to determine the principal physical aggressor, or whether mental health issues are at play.[134] In the latter scenario, a new provision in the statute now allows officers to transport someone to a crisis stabilization center.[135]

There has not been any Alaska-specific research on the effect of the mandatory arrest requirement. Studies from other jurisdictions have found mixed results. One recent meta-analysis of 11 studies found mandatory arrest had no effect on repeat offending.[136] A 2002 study found a modest deterrent effect on re-offense.[137] However, this was not true for all populations, with significant differences between employed and unemployed populations—people who were unemployed at the time of arrest were more likely (in some cases much more likely) to reoffend.[138] Additionally, one long-term study compared death rates from all causes among victims of misdemeanor domestic violence two decades after random assignment of their abusers to mandatory arrest versus being given a police warning. The study found increased mortality rates (due to any cause) in victims, particularly Black victims, noting that heart disease and other internal morbidity (not murder) caused most victim deaths. [139] Some studies have also questioned whether mandatory arrest policies are victim-centric, finding that not all victims want the suspect to be arrested, and some may be less likely to call for law enforcement intervention if they feel they will have no say in what happens.[140]

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[134] One article raises constitutional issues, and suggests that discretionary arrest would be the only constitutional approach. Paul Clark, "Mandatory Arrest for Misdemeanor Domestic Violence: Is Alaska's Arrest Statute Constitutional?" *Alaska Law Review*, Vol. 27:2 (2010), available at: https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1031&context=alr.

[135] AS 18.65.530 (c) (2)

[136] Susan Hoppe *et al*., "Mandatory Arrest for Domestic Violence and Repeat Offending: A Meta-Analysis." *Aggression and Violent Behavior*, Vol. 53 (July–August 2020), available at: https://www.sciencedirect.com/science/article/abs/pii/S1359178920300409

[137] C.D. Maxwell *et al*., "The Preventative Effects of Arrest on Intimate Partner Violence: Research, Policy, and Theory." *Criminology and Public Policy,* 2 (2002), pp. 51-80; Antony Pate and Edwin Hamilton, "Formal and Informal Deterrents to Domestic Violence: The Dade County Spouse Assault Experiment." *American Sociological Review,* 57(5) (1992), pp. 691-697; Lawrence Sherman *et al*., "The Variable Effects of Arrest on Criminal Careers: The Milwaukee Domestic Violence Experiment." *Journal of Criminal Law and Criminology*, 83 (1)(1992),pp. 137-169.

[138] Lisa G. Lerman, "The Decontextualization of Domestic Violence," *The Journal of Criminal Law and Criminology*, 83 (1992), p. 217. See also Pate and Hamilton, "Formal and Informal Deterrents to Domestic Violence"; Sherman et al., "The Variable Effects of Arrest on Criminal Careers: The Milwaukee Domestic Violence Experiment," p. 168.

[139] Lawrence W. Sherman and Heather M. Harris, "Increased Death Rates of Domestic Violence Victims from Arresting vs. Warning Suspects in the Milwaukee Domestic Violence Experiment (MilDVE)."*Journal of Experimental Criminology*, vol. 11(2015), pp. 1–20. The authors called for replications and detailed risk factor studies to confirm their conclusions.

[140] JoAnn Miller, "An Arresting Experiment: Domestic Violence Victim Experiences and Perceptions." *Journal of Interpersonal Violence,* 18 (2003), pp. 695-716; Valli Rajah, *et al*. "Aren't I a Victim? Notes on Identity Challenges Relating to Police Action in a Mandatory Arrest Jurisdiction." *Violence Against Women*, 12(2006), pp. 896-916; Ida Johnson, "Victims' Perceptions of Police Response to Domestic Violence Incidents." *Journal of Criminal Justice,* 35(5) (2007), pp. 498-510; Amy Leisenring, "Victims' Perceptions of Police Response to Intimate Partner Violence." *Journal of Police Crisis Negotiations*, 12(2) (2012), pp. 146-164; Allison Ward-Lasher et al., "The Association

Statistical evidence can only reflect the measures that are studied, and other experiences of people are important. For example, some victims/survivors approved of arrest because it gave them the opportunity to implement a safety plan or take other action. Some surveys of victims have found strong support for mandatory arrests: "A survey of women in a shelter found that around 85% were supportive of mandatory arrest policies, and the women surveyed were more likely to feel that mandatory arrest policies reduced the burden of responsibility for survivors (77%), rather than disempowering them (18%)."[141]

A substantial study in 2009 found that when a DV incident was reported to the police, and police became involved, victim satisfaction was high, and re-abuse by the offender was lower. It did not matter whether police arrested anyone or not, or whether they offered other services to victims – victims were dissatisfied and re-abuse was higher primarily if the police did nothing (or were perceived as doing nothing). Under most other circumstances, satisfaction was high and re-abuse was lower.[142] The same study cautions that if arrest rates are substantially lower than rates of abuse reported on victimization surveys, "greater community outreach and barriers to reporting must be addressed."[143]

The important takeaway from these studies is the complexity of the overall impact of mandatory arrest, and the possibility that mandatory arrest has unintended long-term impacts on both victims and suspects. As stated above, the effect of the mandatory arrest policy has not specifically been studied in Alaska.[144] Victim advocates consulted during the Commission's workgroup meetings believe the practice has been beneficial in Alaska.

B. Bail and Conditions of Release

If a person who is charged with domestic violence is arrested, that person must be held in custody at least until they are arraigned, which will typically take place the day after arrest (or potentially up to 48 hours).[145]

If a judicial officer then decides to release the defendant, the judicial officer may set conditions of release. These conditions can include things like paying a cash bond, orders not to contact or approach

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Between Homicide Risk and Intimate Partner Violence Arrest." *Policing: A Journal of Policy and Practice*, 12(2018), pp. 1-15.

[141] Barata, P. C., & Schneider, F. (2004). Battered women add their voices to the debate about the merits of mandatory arrest. Women's Studies Quarterly, 32(3/4), 148-163. Summary available at: UK Center for Research on Violence Against Women "What is the impact of mandatory arrest laws on intimate partner violence victims and offenders?" (December 2011) Available at: https://opsvaw.as.uky.edu/sites/default/files/05_Mandatory_Arrest.pdf.

[142] Andrew R. Klein, *"Practical Implications of Current Domestic Violence Research for Law Enforcement, Prosecutors and Judges."* NIJ Special Report, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice (June 2009), p. 11, available at: https://www.ojp.gov/pdffiles1/nij/225722.pdf.

[143] *Id*. at p. 6.

[144] A rigorous study of mandatory arrest in Alaska is not currently possible, because the law requires arrest in all cases (unless the responding law enforcement officer asks a prosecutor for permission not to arrest). A study involving a randomized control trial, where some suspects are randomly subject to mandatory arrest and some are not, would be illegal.

[145] AS 12.25.150 (a); AS 12.30.027(e)

the victim, surrendering weapons, electronic monitoring, or pretrial supervision by DOC.[146] Electronic monitoring can involve location monitoring via GPS, or alcohol intake monitoring.

Typically, DV cases comprise at least half of DOC's pretrial caseload. If the defendant is supervised by DOC pretrial and is subject to location monitoring, a pretrial officer can notify the victim and conduct a welfare check if the defendant enters an area they are not supposed to be in (an exclusion zone), such as the area around the victim's residence. Pretrial officers will obtain copies of any existing domestic violence protective order and enforce the conditions of that order as well. Pretrial offices are located in Anchorage, Dillingham, Fairbanks, Palmer, Juneau, Kenai, Ketchikan, and Sitka; each office covers the surrounding smaller communities as well as the larger communities in which they are located.[147]

Courts are required to distribute copies of a DV defendant's conditions of release to local law enforcement.[148] In practice, the extent to which this information is available to local law enforcement varies around the state. In Fairbanks, court staff enter this information directly into APSIN, the state's law enforcement database. In some communities, particularly smaller communities, law enforcement personnel may enter the information into the database when they receive a paper copy of the order from the court. In other areas of the state, this information is not available on APSIN, making it difficult for law enforcement to know when a person may be violating the conditions of their release. For this reason, in 2020 the Commission recommended that the court system continue to work with local law enforcement agencies to ensure that these conditions are entered into APSIN to further ensure the safety of victims and survivors and the community. This recommendation can be found in the Commission's 2020 Annual Report.[149]

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- Mandatory Arrest
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- Batterer's Intervention Programming
- Prevention

C. Victim Advocates

When responding to an incident of domestic violence, law enforcement officers in Alaska are required to notify victims of their rights and available services, including the location and contact information of the nearest organization providing services to domestic violence victims and survivors. These organizations employ victim advocates, who provide advocacy and support services for victims and survivors of crime, linking victims and survivors to needed resources and guiding them through court proceedings.

Victim advocates often step in just after the crime occurs. In some cases, law enforcement will provide advocates with victim information if the victim agrees, or the victim may contact the

[146] AS 12.30.027.

[147] PED Presentation to the Alaska Criminal Justice Commission, March 9, 2020. Meeting summary available at: https://www.ajc.state.ak.us/acjc/docs/meetings/03-09-2020.pdf.

[148] AS 12.60.027(c)(3).

[149] "Alaska Criminal Justice Commission 2020 Annual Report." Alaska Criminal Justice Commission, p. 9, available at: http://www.ajc.state.ak.us/acjc/docs/ar/2020.pdf.

advocacy organization using the information they received from law enforcement. Victims and survivors will also approach these organizations independently of reporting a crime, and do not need to have reported a crime to law enforcement to be eligible for services.

Most victim advocacy organizations are funded by donations and grants; many of the grants are federal funds stemming from either the Victims of Crime Act (VOCA) or the Violence Against Women Act (VAWA). In 2021, reductions to this funding threatened to impact the ability of Alaska organizations to provide services.[150] Ultimately, the state was able to make up that difference for FY22, and a permanent fix to VOCA funding has been signed into law and will be in place for future years.[151]

Alaska Network on Domestic Violence and Sexual Assault (ANDVSA)

ANDVSA is a statewide coalition of 23 member programs that provide a variety of services, including shelters for people who need safe housing, 24-hour hotlines, safety planning, counseling and support groups, transportation, food, clothing and other essential items, and court accompaniment.

ANDVSA member programs are located in:

Anchorage	Homer	Petersburg
Bethel	Hooper Bay	Seward
Cordova	Juneau	Sitka
Craig	Kenai	Unalaska
Dillingham	Ketchikan	Utqiagvik
Emmonak	Kodiak	Valdez[152]
Fairbanks	Kotzebue	
Haines	Nome	

ANDVSA also provides legal services and prevention services, as explained in sections E and K, below.

Tribal Service Providers

Victim advocacy services are also provided by tribal organizations and Alaska Native-focused nonprofits. Since 2018, federal funding for victims' services provided by tribal organizations has increased significantly, thanks to dedicated funds that have been set aside specifically for tribes within VOCA funding.[153] Each tribal organization applying for these funds can apply for a different project to aid victims

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[150] James Brooks, "Domestic Violence Organizations Face Huge Budget Cuts and Plead for Help from the Alaska Legislature." *Anchorage Daily News* (April 12, 2021), available at: https://www.adn.com/politics/alaska-legislature/2021/04/13/domestic-violence-organizations-face-huge-budget-cuts-and-plead-for-help-from-the-alaska-legislature/.

[151] Governor Distributes Funding Prioritizing Public Safety," Office of the Governor, Press Release, June 21, 2021, available at: https://gov.alaska.gov/newsroom/2021/06/21/governor-distributes-funding-prioritizing-public-safety/; H.R. 1652, "VOCA Fix to Sustain the Crime Victims Fund Act of 2021," available at: https://www.congress.gov/117/bills/hr1652/BILLS-117hr1652enr.pdf.

[152] Not every location offers every service. Consult https://andvsa.org/find-help/member-programs/ for more details. An organization in Palmer and an organization in Anchorage who are unaffiliated with ANDVSA also offer these services.

[153] "Omnibus Appropriations Act Gives Tribal Nations Direct Access to Crime Victims Fund." Healing Native Hearts Coalition Press Release (March 27, 2018), available at: https://hnhcoalition.org/news/omnibusappropriations/ .

and survivors of crime, and victims and survivors assisted by these grants do not need to have made a report to law enforcement.

Organizations that provide training and support for tribally-based programming and tribal grants include the Alaska Native Women's Resource Center and the Healing Native Hearts Coalition. The Alaska Native Women's Resource Center provides technical assistance and training to Alaska Native communities all over Alaska to address the high rates of domestic violence and sexual assault that Alaska Native people experience.

The Healing Native Hearts Coalition is based in the Tanana Chiefs' Conference (TCC) region. It is one of 19 such coalitions in the US, and is funded by the Office on Violence Against Women. Healing Native Hearts offers support, resources, training, and technical assistance to Alaska's villages. They work with the village to identify what is needed, which is different for every village. They work in partnership with shelters and other DV programs. Healing Native Hearts also has two advocates, who are trained in advocacy and SART services, and one is trained in legal services.

The Alaska Native Justice Center (ANJC), based in Anchorage, provides culturally sensitive services for victims and survivors of domestic violence to Alaska Native and non-Native people across the state. They provide emotional support and safety planning, assistance with protective orders, information about the criminal justice system, court accompaniment, emergency financial support and assistance in obtaining VCCB support, and referrals to other needed services.

Victims for Justice

Victims For Justice (VFJ) is a nonprofit organization that helps victims and survivors of crime statewide. VFJ specializes in helping victims and survivors of assault, robbery, arson, drunk driving and surviving family members of homicide victims; about 20% of their total caseload includes DV-related crime. They work statewide but primarily in Anchorage. They provide emotional support, accompany people to court, and explain rights what their rights are and what the criminal justice processes entail. They can provide emergency financial support and assistance applying for VCCB compensation. They also help people create victim impact statements, which are given to the court at sentencing. They work with partners to provide victims and survivors soft handoffs to people who specialize in services that the victims need. They also partner with APD, prosecutors, and the VCCB.

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- Batterer's Intervention Programming
- Prevention

Changes in Victim Services related to the COVID-19 pandemic

A report by the Alaska Council on Domestic Violence and Sexual Assault (CDVSA) gave the results of a survey conducted between March 11 and April 24, 2020.[154] Thirty of the organization's thirty-five members responded, or 85%. A slight majority of the members (52%) reported that their hotline calls had increased.[155] While two regions (Western and Southcentral) reported that requests for agency services had increased, the other three (Anchorage, Northern, and Southeast) said that requests for services decreased. Twenty-five percent of CDVSA member agencies had used telehealth and telephonic services before the lockdown; by the end of the brief timeframe during which the survey took place, sixty-four percent reported using them.

D. Shelters and Housing

For victims and survivors of domestic violence, finding a safe place to stay may be the key to leaving an abusive relationship. DV shelters can provide victims and survivors with emergency housing. Many victim advocacy organizations, described in the section above, also have shelters.[156] The shelters vary in capacity according to the size of the community served. Some are only available for women victims and survivors; some may also allow children and pets. The location of a DV shelter is sometimes kept confidential, and the identity of anyone staying at a shelter is always kept confidential.

In cases involving male victims or survivors, in cases where the shelter has reached capacity, or in locations where there is no shelter nearby, the shelter and/or local advocacy organization may be able to arrange for a safe house or hotel room. In smaller communities, victims and survivors in need of emergency shelter will have to be flown to the nearest hub community, which is not ideal for emergency situations. Many smaller communities in Alaska have

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- Batterer's Intervention Programming
- Prevention

[154] *COVID-19 Victim Services Update*, Press Release CDVSA, results first published in *Anchorage Daily News* as "Domestic violence shelters in Alaska see surge in hotline calls during stay-home orders," by Paula Dobbyn, May 8, 2020. The Alaska Criminal Justice Commission did not have the report directly from CDVSA when it prepared its 2020 annual report, and relied on the news article for its mention of the possible effects of COVID-19 restrictions on domestic violence needs and services ("Alaska Criminal Justice Commission 2020 Annual Report," p. 44, available at: http://www.ajc.state.ak.us/acjc/docs/ar/2020.pdf). In 2021, Commission staff received a copy of the original press release, allowing for a more correct report of the CDVSA findings.

[155] This was reported by ADN in the article mentioned above as a 52% increase in the number of calls; however, the data showed that 52% of the member agencies reported some increase in calls. The same mistake in analysis, of taking the percent of member agencies responding to a given question as the increase or decrease in a given area, continued throughout the article. However, the reduction in shelter beds may have been calculated using actual changes in the numbers of beds.

[156] See ANDVSA's website at https://andvsa.org/find-help/member-programs/ for a list of locations that have shelters.

developed an informal network of safe houses within the community to provide victims and survivors with immediate short-term shelter.

Having a safe place to stay at an emergency shelter is often necessary and in some cases lifesaving, but many victims and survivors are also in need of more permanent housing. Many victim advocacy organizations around the state offer transitional housing services, which provide subsidized and safe housing while the victim or survivor is looking for permanent housing. Advocacy organizations will also work with victims and survivors to apply for housing vouchers and other low-cost housing options. In some locations permanent supportive housing may be available.

E. Legal Representation

Both people affected by domestic violence and people who perpetrate domestic violence may need legal representation for a number of reasons.

Civil cases

Attorneys can help victims and survivors of DV file for protective orders (see section F below), for child custody orders, or for divorce. In a child custody case where one parent is accused of domestic violence, a presumption may apply that the other parent will have sole custody of the children. Victims and survivors can hire their own attorney, or they can obtain pro bono assistance from organizations that provide representation for victims and survivors in these cases. Pro bono assistance provided by ANDVSA, the Alaska Native Justice Center (ANJC), or the Alaska Legal Services Corporation (ALSC) is available statewide.

While pro bono assistance from these organizations benefits hundreds of low-income victims and survivors of DV in Alaska every year, hundreds more must proceed without an attorney due to the capacity of these pro bono programs. ANDVSA and ALSC both report that in a typical year, each must turn away one person for every person they take on as a client. ALSC reports that in 2020, it turned away more than 500 DV cases, and in 2019, it turned away more than 600 cases. ANJC assists low-income victims and survivors, but does not track legal assistance by type of case.

Criminal cases

People who are charged with crimes of domestic violence have a right to counsel, and if they can't afford an attorney, the court will appoint them an attorney, typically from either the Public Defender Agency or the Office of Public Advocacy.

In criminal proceedings, victims and survivors are not parties to the case, meaning they are not officially part of the case. The prosecution may wish to have the victim or survivor testify at a trial if necessary, but the interests of the prosecution and the interests of the victim or survivor are not always aligned. Victims do not have a right to be appointed an attorney.

Victims do have a right to participate in certain aspects of the criminal case. They can ask to be notified of hearings, to state whether they approve of a defendant being on bail, and to give a statement

at sentencing, among other things. The Office of Victims' Rights (OVR) may represent victims and survivors who wish to participate in the criminal case, although they do not have the resources to represent every victim in every DV case. Victims and survivors may also hire their own attorney for this purpose.

Child protection cases

If domestic violence happens to children, or in a home where children live, the state may intervene in that family's home life. This may involve social workers from the Office of Children's Services (OCS) coming into the home to work with the family. In cases where OCS believes the children are in danger from either physical or emotional harm, the state will step in and assume temporary legal custody of the children. In Alaska, these are known as Child in Need of Aid (CINA) cases.

Once the state assumes temporary legal custody, parents have a right to legal representation, and if they cannot afford representation, the court will appoint them an attorney. In these cases, each parent will have their own attorney, because the parents' interests may not be aligned. A parent who is a victim or survivor of domestic violence may be in danger of having their parental rights terminated, even if they did not commit any abuse, if OCS feels that the parent who is the victim or survivor cannot protect their children from the abusive parent.

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If a parent commits an act of domestic violence that rises to the level of a crime, they may have a criminal case and a CINA case run concurrently based on the same conduct. If the parent cannot afford to hire a private attorney, typically different attorneys will be appointed to handle each case by Alaska's indigent legal representation agencies.

F. Protective Orders

Protective orders are non-criminal court orders that prohibit the person who is subject to the order (the respondent) from contacting the person who asked for the order (the petitioner)—or in some cases, from contacting the child of the petitioner.[157] A protective order may also prohibit the respondent from going near the petitioner's workplace, school, or vehicle; may require the respondent to surrender any firearms; and may direct the respondent to attend a batterer's intervention program (see section J below).

If children are involved, protective orders can also include orders for temporary child custody, awarding temporary full custody to the petitioner. The order may also arrange for the respondent to visit the child under supervision in certain circumstances. Typically, a visitation order will include arrangements to ensure the safety of everyone involved. The protective order can also include an order for child support.

[157] Alaska's laws governing protective orders, are found at AS 18.66.100 *et seq*.

In emergency situations, a petitioner may ask for an *ex parte* protective order, which allows a judge to issue the order without notifying the respondent. If granted, the *ex parte* order will stay in place for 20 days.

If a petitioner asks for a long-term protective order, the court must schedule a hearing and provide at least 10 days' notice to the respondent. At the hearing, the judge may issue the order regardless of whether the respondent has appeared. Once issued, long-term orders are typically in place for one year unless the petitioner asks for the order to be dissolved. The petitioner can ask for the order to be renewed once the one year is up.

While protective orders are civil orders, meaning non-criminal, certain aspects of the orders are enforced by law enforcement. If a respondent violates the terms of a protective order (by contacting the petitioner, for example) that violation can be charged as a crime. Protective orders issued by tribal courts, federal and military courts, and by other states are recognized and enforced by State of Alaska authorities.

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G. Tribal Courts

Tribal courts have inherent authority over internal domestic affairs, and many tribal legal codes include domestic violence provisions that authorize tribal courts to issue protective orders.[158] Each tribal government has its own code, and its own approach to protective orders. Some tribal codes may authorize tribal judges to order respondents to comply with provisions that are not found in state statutes. For example, some codes in the Tanana Chiefs Conference region allow petitioners to request that a respondent be excluded from a village.[159] The code of the Central Council of Tlingit and Haida Indian Tribes of Alaska allows tribal courts to order respondents to participate in cultural activities or Peace Circles.[160]

Some tribal citizens choose to seek protective orders in a tribal court which has clear authority to issue protective orders, which are civil legal orders, in cases relating to tribal citizens. Federal law requires that the State recognize and enforce tribal court DV

[158] "Tribal Jurisdiction in Alaska: Child Protection, Adoption, Juvenile Justice, Family Violence and Community Safety." Alaska Legal Services Corporation (Winter 2012), p. 22, available at: http://alaskatribes.org/wp-content/uploads/2018/11/Tribal-Juridiction-in-Alaska.pdf.

[159] A sample petition for a tribal protective order may be found at the Tanana Chiefs Conference website at https://www.tananachiefs.org/services/tribal-court-governance/.

[160] Sec. 04.13.010 (B)(12),(13) of the Tlingit and Haida Statute Code, available at http://www.ccthita-nsn.gov/government/legislative/GoverningDocs/2021.06.21%20SEARCHABLE%20Gov%20Docs%20T&H.pdf.

orders that comply with the Violence Against Women Act.[161] Tribal citizens who choose to seek a protective order in tribal court should contact their tribal court for assistance.[162]

Tribal court jurisdiction is more complex in criminal cases and in cases involving non-tribal citizens.[163] The State of Alaska continues to have concurrent jurisdiction and may elect to prosecute all criminal cases, regardless of whether the defendant or victim is a member of a tribe.

In recent years, the state has entered into civil diversion agreements with some tribes. These agreements allow tribes to impose civil (non-incarcerative) penalties on people who otherwise might be prosecuted in state court for certain crimes, including domestic violence, under certain circumstances. The civil penalties may include community service, restitution, and restorative and traditional justice practices. Currently, the state has civil diversion agreements with eleven tribes. State law enforcement officials must offer the diversion option to a defendant to start the diversion process, and the victim must be given an opportunity to provide input. Thus far, there has not been any civil diversion of a DV case to a tribe.

H. Prosecution and Sentencing

The Alaska Department of Law prosecutes both felony and misdemeanor DV cases statewide. In Juneau and Anchorage, misdemeanor DV cases are also prosecuted by the municipalities. As noted above, tribal courts may address DV cases through civil diversion agreements. Protective orders issued by tribal courts are recognized and enforced by state authorities.

Criminal DV cases are complex and can be resource-intensive for both the prosecution and the defense. Prosecution of DV cases often relies on the cooperation of victims and survivors, because they may be the key witness and may be needed to testify if the case goes to trial. Often prosecutor's offices will employ victim/witness paralegals who most often make contact with victims and survivors.

The time it takes to resolve criminal cases can be a barrier to prosecution. In busy locations, felony cases may take 12-18 months to resolve, while misdemeanor cases may take 9-12 months. (Some jurisdictions have expedited dockets for DV cases.) From the time a defendant is charged to the time the case is disposed, the defendant may be out on bail and subject to a no-contact order. This can be a difficult for victims and survivors; the defendant may not adhere to

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[161] See "Memorandum Regarding Enforcement of Tribal Court Protective Orders," Alaska Department of Law Criminal Division (July 31, 2017) available at: https://law.alaska.gov/pdf/criminal/170731-TribalProtectiveOrders.pdf.

[162] For more information on contacting tribal courts, consult "2022 Alaska Tribal Court Directory." Alaska Legal Services Corporation, available at: https://t0l0j9bjcbb8jpr40yaclz4e-wpengine.netdna-ssl.com/wp-content/uploads/2022/01/ALSC-Tribal-Court-Directory-2022-Digital-Version.pdf. (Note: A Tribe may be operating a court and hearing cases whether or not that information is in the directory.)

[163] "Tribal Jurisdiction in Alaska," pp. 3-4, 16, 27.

the no-contact order, or the order may be impractical from the point of view of arranging childcare. Victims and survivors may find their life in disarray if the defendant was a source of financial support, subsistence, or housing. In some cases, victims and survivors may wish to resume a relationship with the defendant despite the no-contact order. Supportive services for victims and survivors during this time may therefore be key to successful prosecutions.

DV cases that are dismissed without a conviction can be problematic for the safety of victims and survivors and for establishing a criminal history for future prosecutions. To counteract this, the Department of Law tracks DV cases that have been dismissed, so they can potentially be used as evidence of prior bad acts in future cases. The Department of Law also has access to prior police reports for cases that were not prosecuted. Additionally, DV cases are not taken off CourtView, the public court records database, if they are dismissed without prejudice. However, there is no common tracking system between state, municipal, tribal, and military jurisdictions.

The most common DV offense, fourth-degree assault, is a misdemeanor which carries a prison sentence of up to one year.[164] If the defendant has previously been convicted of a DV crime, the minimum sentence is 30 days, and if the defendant has previously been convicted more than once of a DV crime or a crime against a person, the minimum sentence is 60 days.[165] If the fourth-degree assault involves violating a DV protective order or a bail condition in another DV case, the minimum sentence is 20 days.[166]

Assaults involving serious injuries or use of a weapon may be charged as a felony. Third-degree assault is a Class C felony which carries a presumptive prison sentence of up to two years for a first offense, and a maximum prison sentence of up to five years.[167] Second-degree assault is a Class B felony which carries a presumptive prison sentence of one to three years for a first offense and a maximum prison sentence of up to ten years.[168] The presumptive prison sentence will be higher in cases where the defendant has previously been convicted of a felony.[169] The law allows judges to sentence defendants in domestic violence assault cases to prison terms that are above the normal presumptive range, up to the maximum sentence.[170] The exact penalty will depend on the defendant's criminal history and the circumstances of the crime.

I. Victim Compensation

Victims and survivors of violent crime may be able to receive compensation from Alaska's Violent Crimes Compensation Board (VCCB). VCCB reimbursements are discretionary, and are limited to victims and survivors of certain crimes such as assault or sexual assault.[171] To be eligible, victims and survivors

[164] AS 11.41.230; AS 12.55.135 (a).
[165] AS 12.55.135 (g), (i).
[166] AS 12.55.135 (c).
[167] AS 11.41.220; AS 12.55.125 (e).
[168] AS 11.41.210; AS 12.55.125 (d).
[169] There is also a law that allows prosecutors to charge a defendant with third-degree assault (a Class C felony) if the defendant has committed fourth-degree assault (a Class A misdemeanor) and has previously been convicted of a violent crime in the preceding 10 years. AS 11.41.220 (a)(5).
[170] AS 12.55.155 (18)(A), (C), and (D).
[171] Other common crimes of domestic violence, such as criminal mischief or violation of a protective order, are not compensated by the VCCB. For a list of eligible crimes, consult the VCCB website at: https://dps.alaska.gov/VCCB/Victims/Eligibility.

must have reported the crime to law enforcement within five days of the crime, and must have cooperated with the investigation, although a conviction in the case is not necessary.[172] If eligible, victims and survivors may be compensated for expenses incurred because of the crime such as medical care, mental health treatment, or lost wages.[173]

Domestic violence assaults account for about 20% of claims to the VCCB.[174] A study by the Alaska Justice Information Center found that between 2004 and 2014, yearly VCCB claims based on domestic violence assault ranged between 33 and 219.[175] During that same time period, total payouts to victims and survivors of domestic violence ranged between $53,980 and $438,877.[176] The average compensation per DV claim was $1,534 during this period.[177]

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J. Batterer's Intervention Programming

As noted above (Section IV (A)), Batterer Intervention Programs (BIPs) were first developed in the 1980s. In Alaska, BIPs were first defined in the Alaska Administrative Code in the late 80s. Today, there are both state-funded and privately-funded BIPs. State standards require that BIPs must be gender-specific, and the programs must run for a minimum of 24 weeks. (Most run around 36 weeks.) They must use individual service plans, assessments, homework, and healthy confrontation as an educational tool. Programs must also address participants' substance use and mental health issues; in a recent Alaska Judicial Council survey of BIP providers, providers reported that 70-80% of participants had substance use problems.

In addition to providing accountability and treatment for people who commit domestic violence, BIP programs also help ensure the safety of victims and survivors and their children. (Many BIP programs are housed within victim advocacy organizations.) Programs will offer services to and maintain contact

[172] Department of Public Safety, Violent Crimes Compensation Board, available at: https://dps.alaska.gov/VCCB/Home.

[173] *Id*.

[174] "Violent Crimes Compensation Board Forty-Sixth Annual Report," State of Alaska, Department of Administration (2019), p. 11, available at https://dps.alaska.gov/VCCB/Home; Khristy Parker, "Violent Crimes Compensation Board: Claims, FY 2004–FY 2014." Alaska Justice Statistical Analysis Center, Justice Center, University of Alaska Anchorage (April 2015), p. 2, available at: http://hdl.handle.net/11122/5254.

[175] Parker, "Violent Crimes Compensation Board: Claims, FY 2004–FY 2014," p. 2. As noted above, criminal cases involving domestic violence account for around 5,500-7,000 cases filed in Alaska's courts per year; some of those cases may be reimbursable by the VCCB and some may not.

[176] Parker, "Violent Crimes Compensation Board: Claims, FY 2004–FY 2014," p. 5.

[177] *Id*.

with the victim while the perpetrator is in the program. Though typically provided out of the same organization or agency, the victim services units and BIP units don't share information.

Most BIP participants are referred to the programs as part of a court order in a criminal case. If a state-approved program exists in a given area, courts must refer to that program. Some participants join voluntarily; if a participant successfully completes an approved BIP program, the participant can overcome the presumption against shared custody in child custody cases where domestic violence is alleged.

If a person who has been court-ordered to a BIP does not participate or drops out of the program, the BIP service provider will alert the local prosecutor's office, who may then file a petition to revoke the person's probation. BIP providers consulted during the Commission's workgroup meetings reported that practices varied around the state in terms of whether the local prosecutor took immediate action on reports of noncompliance.

There are also BIPs offered in some of Alaska's prisons. The Department of Corrections reports having difficulty in finding providers to offer the programs, though ideally a program would be offered in every facility. It is also difficult to provide programming within the facilities for people charged with or convicted of misdemeanors, because they can bail out of jail without warning and can often be sentenced to time served. People cannot be ordered into programming before they are convicted, and once they are convicted and sentenced, will typically not spend enough time in prison to complete a program if they are convicted of a misdemeanor only. As noted on pages 12-13, above, the majority of DV cases are misdemeanor cases.

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BIP regulations are located in the Department of Corrections section of the Alaska Administrative Code. DOC works with the CDVSA to set the regulations. When programs apply to be a state-sanctioned BIP, CDVSA reviews the applications and makes recommendations to DOC. CDVSA also and monitors on-going programs and grant funding.

Current regulations require BIPs to base programming on the Duluth Model; a recent Judicial Council Survey found that most BIPs operating in Alaska have modified the Duluth Model to include components such as cognitive behavioral therapy. While there have been no evaluations of the effectiveness of any of the BIPs operating in Alaska, a 2017 analysis indicated that the Duluth Model is not an effective model and therefore may not be cost effective to implement in Alaska.[178] This finding was based on a Washington State Institute for Public Policy benefit-cost analysis that determined that the

[178] Araceli Valle, "Alaska Results First Initiative: Adult Criminal Justice Program Benefit Cost Analysis." Alaska Justice Information Center, University of Alaska Anchorage (2017), pp. 12, 64, available at: http://hdl.handle.net/11122/7961.

program offered no benefit to participants, meaning it did nothing to reduce recidivism.[179] (See section IV (A), above, for more on the history of the Duluth Model). Again, there have been no quantitative evaluations of BIPs operating in Alaska, and many of those BIPs report they are using a modified version of the Duluth Model. Still, practitioners and policymakers noted this finding with concern.

Culturally-specific programming for Alaska Native people may be available in some locations. In Anchorage, the Cook Inlet Tribal Council offers programs that promote developing healthy relationship and parenting skills.[180] The Southcentral Foundation offers the Family Wellness Warriors Initiative, a program that provides intensive five-day trainings to reduce family violence by helping participants address past trauma and adverse life experiences. Participants focus on building trust, spirituality, cultural connectedness, and healthy relationships.[181] A 2017 program evaluation showed that participants had increased family cohesion, spiritual well-being, cultural connectedness, and decreased unhealthy substance use.[182]

K. Prevention

While Alaska has extensive infrastructure and programming in place to respond to domestic violence, preventing domestic violence from happening in the first place is crucial to making significant reductions in Alaska's domestic violence rates.

The Pathways for Prevention Steering Committee is a nineteen-member group, with members representing twelve health, advocacy, or education organizations and five public members who are elders or community representatives. This diverse statewide group serves as a coordinating body for domestic and sexual violence prevention work in Alaska. Pathways aims to connect and amplify work already happening while identifying gaps in prevention efforts that member programs could possibly fill.

In recent years, the CDVSA, ANDVSA and the Women's, Children's and Family Health (WCFH) section of the Division of Public Health have partnered to expand violence prevention programming around the state.[183] Programs include:

Stand Up Speak Up: Stand Up Speak Up is a youth-led media and engagement campaign that inspires and empowers youth to more effectively take action to end violence in their communities, and to encourage their peers to do the same. By equipping youth with leadership and project planning skills, and by increasing healthy relationship knowledge, Stand Up Speak Up helps youth become agents of positive change in their own communities.

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[179] "Domestic Violence Perpetrator Treatment (Duluth-Based Model)." Washington State Institute for Public Policy (last updated December 2019), available at: https://www.wsipp.wa.gov/BenefitCost/Program/86. The WSIPP analysis was first published in 2014; this link is an updated analysis for 2019.

[180] "Child and Family Services." *Cook Inlet Tribal Council*, available at: https://citci.org/child-family/.

[181] Lily Ray, Bobbi Outten and Katherine Gottlieb, "Health Care Utilization Changes Among Alaska Native Adults After Participation in an Indigenous Community Programme to Address Adverse Life Experiences: A Propensity Score-Matched Analysis." *International Journal of Circumpolar Health*, 79:1(2020), available at https://doi.org/10.1080/22423982.2019.1705048.

[182] Evaluation Summary: Family Wellness Warriors Initiative. Southcentral Foundation, 2017.

[183] For more information on prevention programming, consult the Commission's annual reports. The 2020 Annual Report, available at http://www.ajc.state.ak.us/acjc/docs/ar/2020.pdf, describes state investment in prevention programming starting at page 63.

Teen Dating Violence Awareness Campaign: Alaska's Teen Dating Violence prevention and awareness efforts are highlighted annually, throughout the month of February, in alignment with the National Teen Dating Violence Awareness Campaign. Research has indicated teen dating violence is a key risk factor in lifetime violence in adult relationships. Investing resources that support the development of healthy and safe dating relationships is an investment that will reduce perpetration rates and the need for criminal justice responses to intimate partner violence in adult relationships.

Male Engagement: Both CDVSA and ANDVSA have long recognized the importance of getting men and boys engaged in violence prevention efforts, and the two organizations have regularly partnered to host gatherings for men who are community leaders to identify and plan how men in their communities can take part in violence prevention efforts.

Coaching Boys into Men: Coaching Boys into Men is a violence prevention curriculum for coaches of male high school athletic teams. Coaches play a unique role in the lives of their athletes and because of this relationship are poised to positively influence how young men think and behave both on and off the field. Coaching Boys into Men is evidence-based; a CDC study of high schools using the program showed that participants were more likely to report harmful behavior and less likely to engage in abusive behavior. Recently, federal funds through Rape Prevention Education (RPE), created a full-time position with the Alaska School Activities Association to oversee Coaching Boys into Men throughout the state.

Other efforts supported by CDVSA include:

Talk Now Talk Often: A parent engagement project for parents of teenagers that provides resources for parents and other adults who work with youth to promote discussions about healthy relationships to increase relationship safety and positive teen-adult connections.

Green Dot Alaska: Green Dot is a nationally recognized bystander intervention program with the goal of preparing organizations or communities to take steps to reduce power-based personal violence including sexual violence and domestic violence.

Conferences: The annual *LeadOn!* youth leadership conference serves to engage youth in an effort to support positive changes to social norms around teen dating violence and empower them as leaders. The *biennial professional development* gathers members of communities engaged in prevention programming to learn about topics ranging from comprehensive prevention programming and the nine principles of effective prevention, to evaluating and communicating prevention strategies. The biennial professional development conference is hosted on alternate years to *Alaska's Primary Prevention Summit*. The Summit was developed to provide training and support to community-based prevention teams as they develop and implement primary prevention strategies related to domestic violence, sexual assault, dating violence, and

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stalking in their communities. The Summit aims to enhance baseline knowledge in primary prevention.

Girls on the Run of Greater Alaska: Girls on the Run is an empowerment program for girls in grades three through eight. The program combines training for a 5k running event with healthy living and self-esteem enhancing curricula. Girls on the Run instills confidence and self-respect through physical training, health education, life skills development, and mentoring relationships. Girls learn to identify and communicate feelings, improve body image, and resist pressure to conform to traditional gender stereotypes.

The COMPASS Project: COMPASS promotes male and youth leadership through mentorship using a guide to help adult male mentors create a safe atmosphere for men and boys to learn about and practice healthy lifestyles, healthy identities, and safe and violence-free communities.

Boys Run/I Toowu Klatseen: The Boys Run program was co-developed by prevention staff at AWARE in Juneau and SAFV in Sitka. It's a 10-week curriculum in which boys learn how to work together as a team, how to process and express emotions, and how to choose to be an ally. Boys Run integrates a strong cultural component, honoring Southeast Alaska Native culture and values to foster an appreciation and understanding across cultures for all participants.

There are also education-based prevention efforts underway in Alaska's schools. WCFH oversees implementation of the Fourth R program for students in grades 7-9. This curriculum for school health programs promotes healthy relationships to reduce interpersonal violence, dating violence and other adolescent risk behaviors.

The Alaska Safe Children's Act (House Bill 44) was signed into law in 2015 and went into effect in 2017. The Act created AS 14.30.356 (also known as Bree's Law) which requires a training program for staff and students relating to dating violence and abuse in grades 7-12.

VI. Findings and Conclusions

Alaskans experience domestic violence at alarmingly high rates. At least 48% of women in Alaska have experienced domestic violence at some point in their lifetimes. Among those, Alaska Native people are disproportionately represented.

Repeat offending is more of a problem with DV cases than other types of offenses. People who commit DV tend to have high rates of recidivism. Of DV incidents reported to the Alaska State Troopers from 2008-2011, 36% involved a suspect who had previously committed at least one other offense against the same victim. Of DV incidents reported to the Anchorage Police Department in 2019, half involved someone who had been arrested in a previous DV incident.

Responding to this stark reality, Alaskans have developed, and are continuing to develop, new approaches to domestic violence. These are wide-ranging. In recent years, new responses have included more attention to prevention programs, the impacts of which should be felt in the years to come. Innovative ways of working with DV situations that were developed elsewhere in the United States may work for Alaska and may supplement the many efforts already underway in the state.

Readers of this report may wish to focus on the needs that are most urgent and the practices that are most promising for Alaska. Accordingly, the Commission makes the following findings:

1.) Domestic violence is a pervasive problem in Alaska, one that should be treated with urgency. High rates of recidivism among people convicted of domestic violence offenses show missed opportunities for effective intervention when domestic violence occurs. The Commission encourages communities to continue to develop holistic crisis responses to domestic violence incidents, so that:

   a. Victims' and survivors' needs are met immediately following an incident;

   b. Incidents are assessed for risk of future violence, so that cases with the highest risk/most potential for lethality are given a wraparound response;

   c. Incidents involving strangulation are closely scrutinized and prioritized for intervention;

   d. Victims and survivors who choose to remain within a relationship affected by intimate partner violence receive support for safety and survival planning. Victims and survivors choosing to leave the relationship should receive support, and adequate resources to do so safely and effectively.

   In 2020, the Commission recommended that law enforcement agencies work in partnership with victim service agencies to facilitate victim access to services immediately after a crime occurs.[184] These partnerships can help inform victims of domestic violence that help is available and can direct them to services more quickly.

2.) Domestic Violence occurs in every community in Alaska. Each community has unique challenges, whether it is a remote hub accessible only by air or sea, or an urban community

[184] See Recommendation 8-2020, available at https://www.ajc.state.ak.us/acjc/recommendations.html.

dealing with a high volume of cases. Some communities have developed innovative approaches to coordinating their responses to domestic violence; these approaches should be strengthened, sustained, and adapted to other locations if possible.

a. The Commission encourages communities to form interagency/multi-disciplinary response teams according to community needs, or to sustain such teams if they exist; and

b. Encourages communities to develop mechanisms for information-sharing to ensure swift and coordinated responses while maintaining individual privacy and confidentiality.

3.) As in other areas of Alaska's criminal justice system, Alaska Native people are disproportionately overrepresented among suspects and victims of domestic violence. The Commission finds that priority should be given to allocating resources for culturally appropriate responses, particularly responses that are relevant to Alaska Native communities, including:

a. Fostering collaborations with tribal, village, and federal programs and projects; and

b. Ensuring diverse representation in any community coordinated response.

4.) Alaska mandates arrest in all domestic violence cases, with possible exceptions depending on the circumstances. Mandatory arrest has not been studied in Alaska, but studies of other locations indicate that unintended consequences of mandatory arrest policies include increased reoffending by unemployed persons, and increased mortality for victims, particularly victims of color. The Commission has also heard anecdotal evidence of unintended consequences for people with severe mental illness or cognitive or developmental disabilities who are arrested on a domestic violence allegation against a co-habitant or employee in a group home.[185] The Commission does not recommend any changes to the mandatory arrest statute at this time, but does encourage interventions that may counteract any potential harmful effects of mandatory arrest, including:

a. Employment interventions and support for unemployed people who are arrested for DV; and

b. Interventions to improve physical and mental health outcomes of DV victims and survivors.

5.) Financial support for victims and survivors following an incident of domestic violence may be crucial to the victim or survivor's continued safety, and obtaining stable housing is equally important. Funds available from the Violent Crimes Compensation Board (VCCB) may be hard to access if law enforcement records do not make it clear that the victim cooperated with law enforcement. The Commission finds that procedures could be improved to help victims and survivors obtain reimbursement funds.

[185] See Recommendation 3-2016, available at https://www.ajc.state.ak.us/acjc/recommendations.html.

In addition to these findings, the Commission will submit a recommendation to the legislature to fund the use of victim-centered risk assessment for communities that wish to use them. This recommendation will be in a separate document issued concurrently with this report.

Appendix A – Glossary of Abbreviations

ACJC – Alaska Criminal Justice Commission

AJC – Alaska Judicial Council

AJiC – Alaska Justice Information Center

ANDVSA – Alaska Network on Domestic Violence and Sexual Assault

ANJC – Alaska Native Justice Center

APD – Anchorage Police Department

APSIN – Alaska Public Safety Information Network

AST – Alaska State Troopers

BIP – Batterers' Intervention Program

CDVSA – Council on Domestic Violence and Sexual Assault

CINA – Child in Need of Aid

DOC – Department of Corrections

DV – Domestic Violence

IPV – Intimate Partner Violence

OCS – Office of Children's Services

ODARA – Ontario Domestic Assault Risk Assessment Training Program

TPO – Tribal Police Officer

VCCB – Violent Crimes Compensation Board

VFJ – Victims for Justice

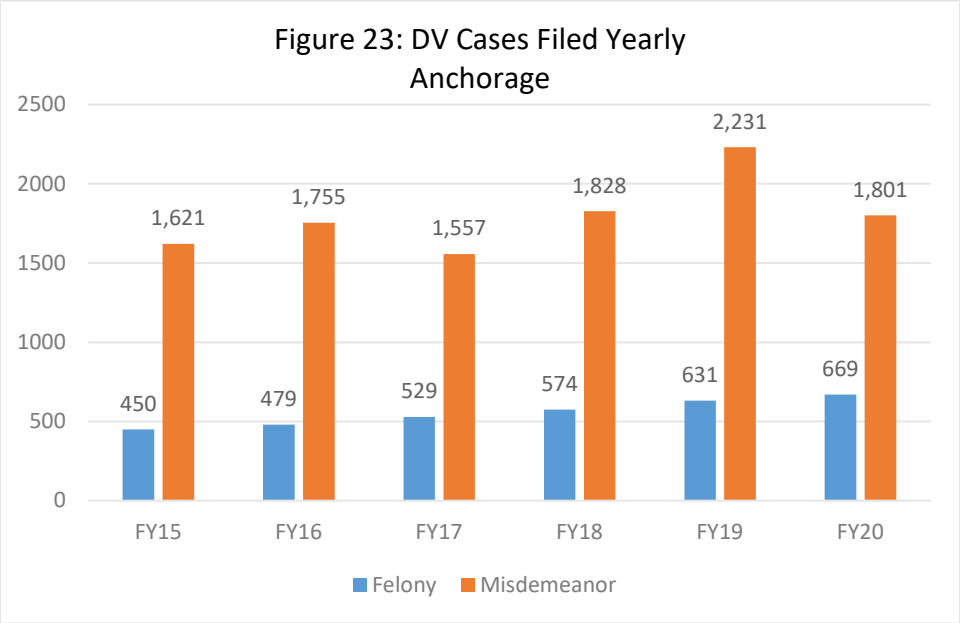
VPO – Village Police Officer

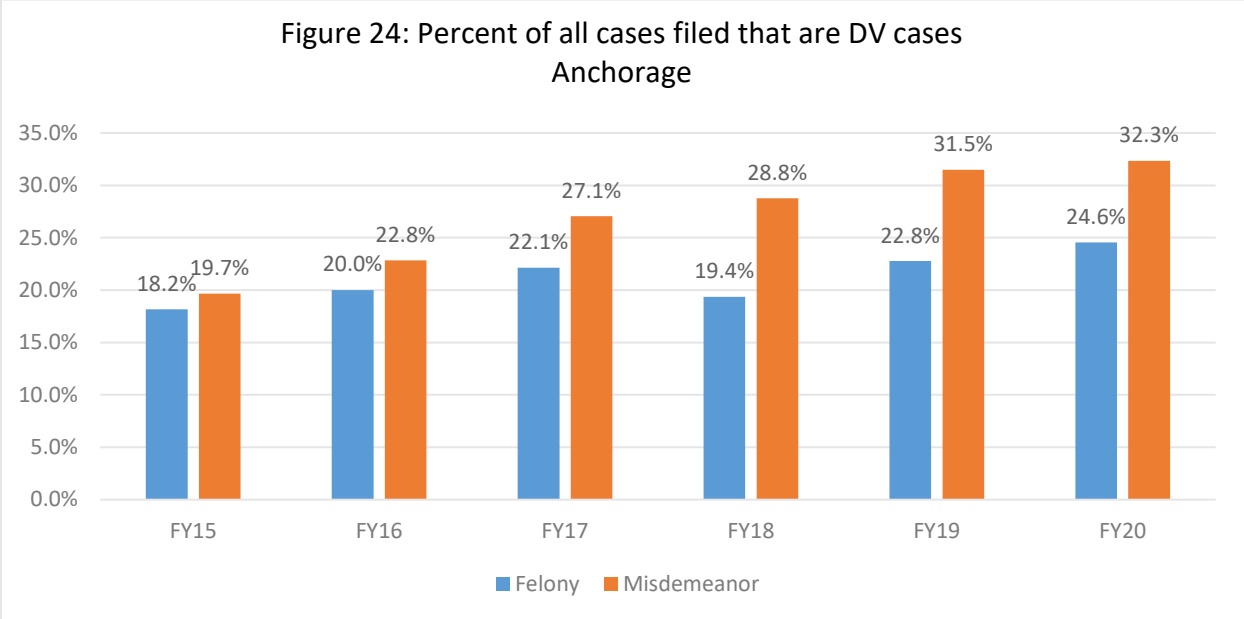
VPSO – Village Public Safety Officer

UAA - University of Alaska Anchorage

Appendix B – Anchorage Data

Figure 23 shows all criminal cases with at least one domestic violence (DV) charge filed in Anchorage each fiscal year, by felony and misdemeanor. Figure 24 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 23 and 24 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 25-28 show how DV cases are resolved in Anchorage compared to non-DV cases. Figures 25 and 26 show felony case resolutions while figures 27 and 28 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 25: Felony DV Case Dispositions, Anchorage

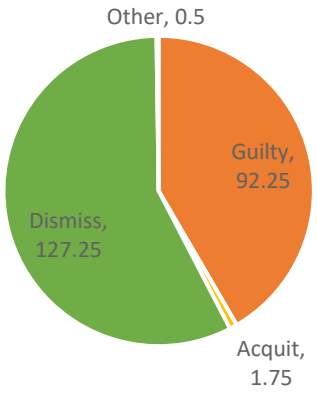


Figure 26: Felony Non-DV Case Dispositions, Anchorage

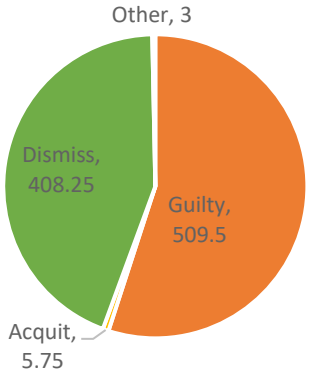


Figure 27: Misdemeanor DV Case Dispositions, Anchorage

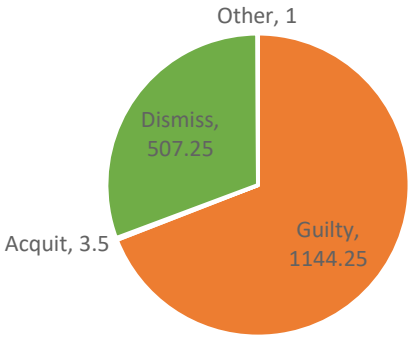
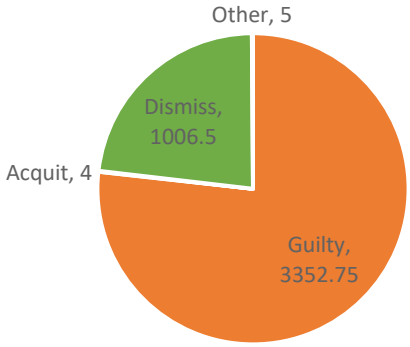


Figure 28: Misdemeanor Non-DV Case Dispositions, Anchorage



Figures 25-28 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 29 and 30 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Anchorage in the last three fiscal years.

Figure 29: DVPOs Granted: Long-Term Anchorage, FY19 - FY21

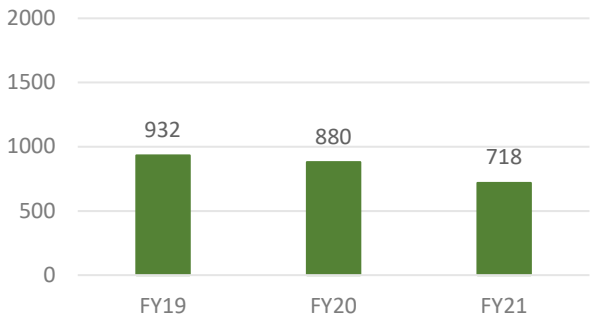
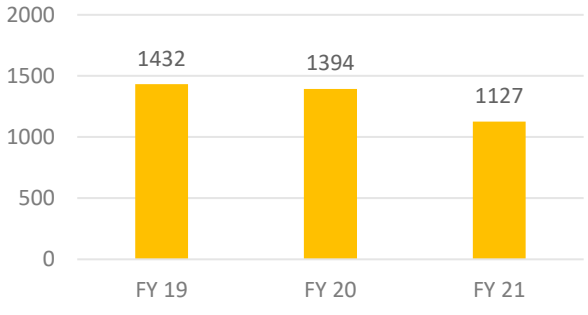
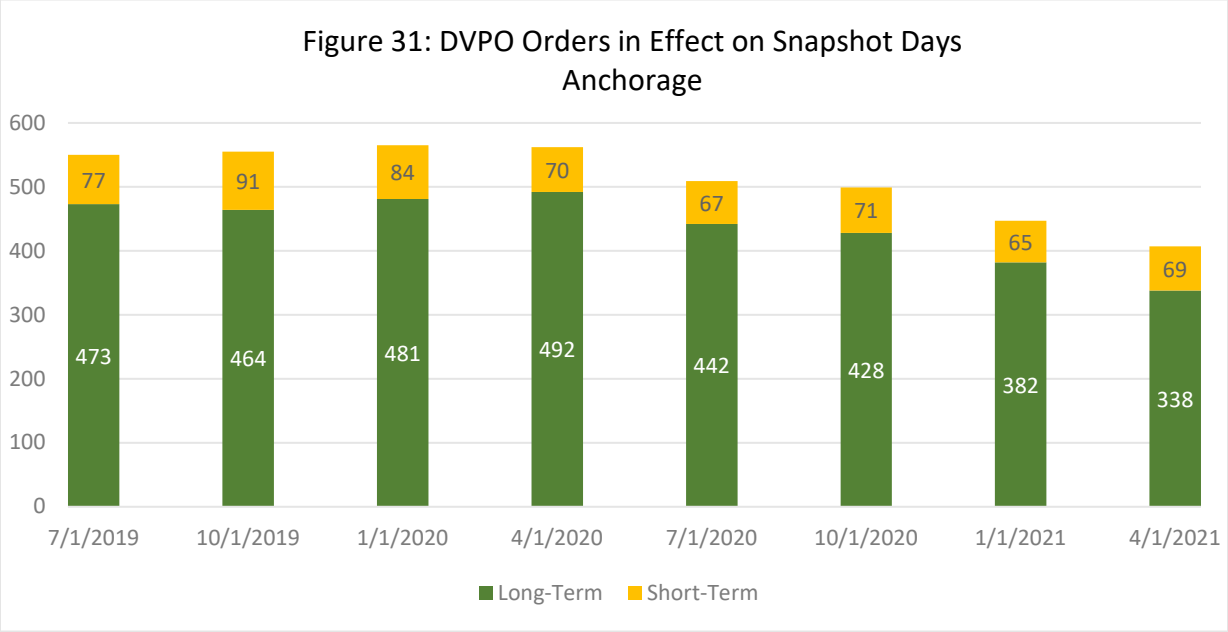


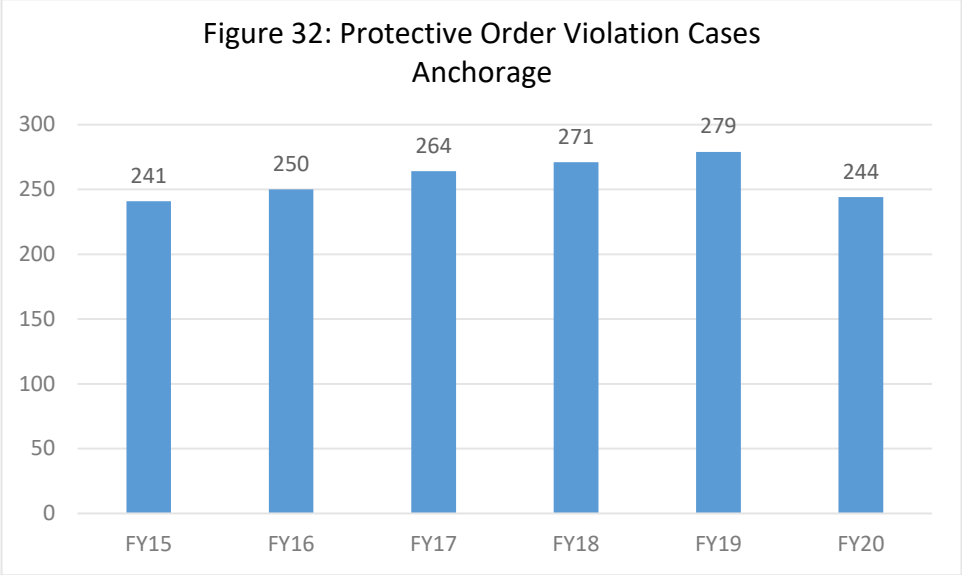
Figure 30: DVPOs Granted: Short-Term Anchorage, FY19 - FY21



Figures 29 and 30 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 31 shows the number of each type of order in effect on snapshot days. Figure 32 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

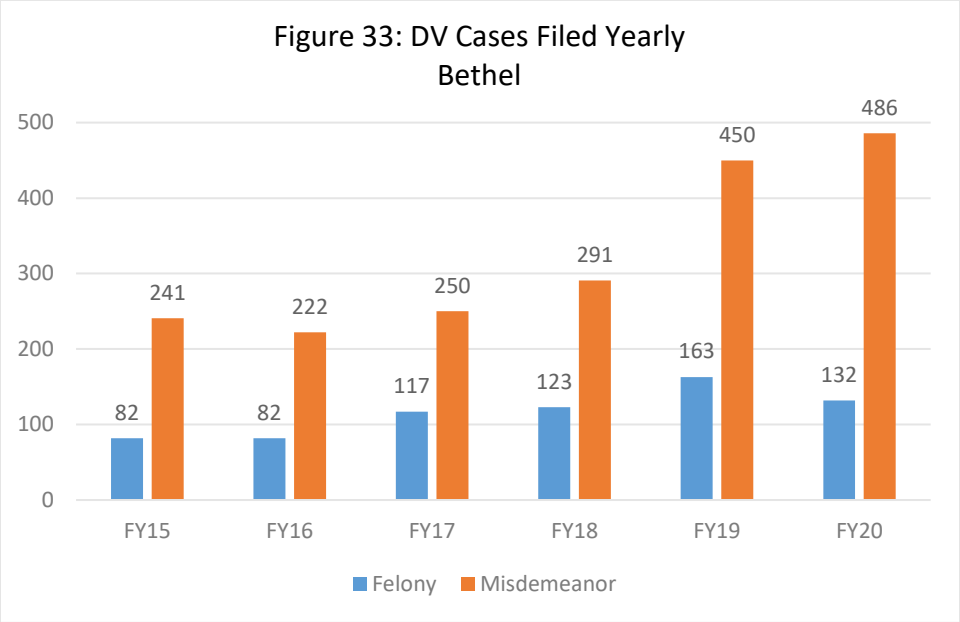


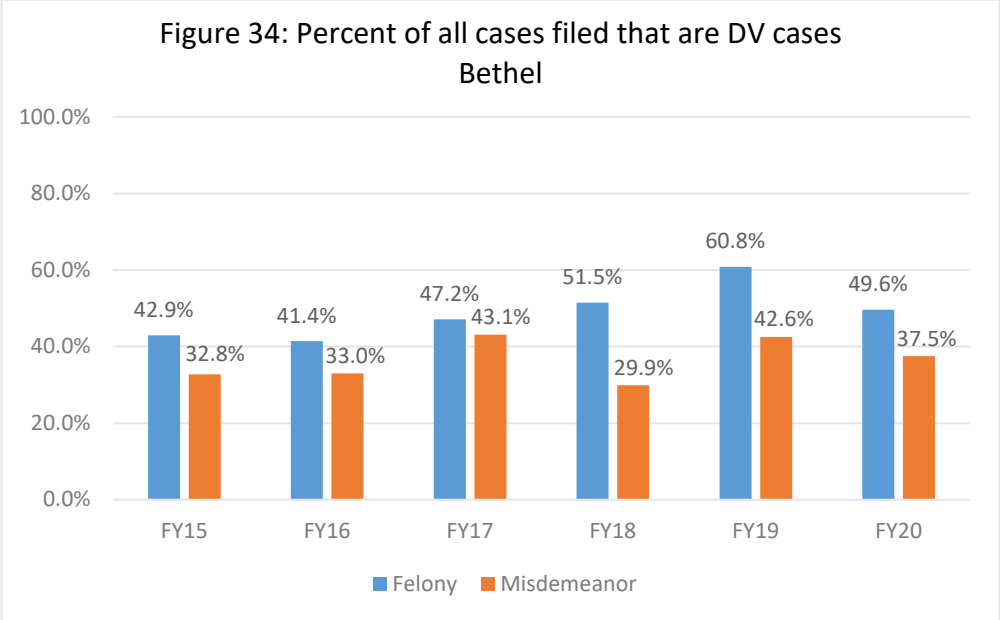


Figures 31- 32 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix C – Bethel Data

Figure 33 shows all criminal cases with at least one domestic violence (DV) charge filed in Bethel each fiscal year, by felony and misdemeanor. Figure 34 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 33 and 34 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 35-38 show how DV cases are resolved in Bethel compared to non-DV cases. Figures 35 and 36 show felony case resolutions while figures 37 and 38 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 35: Felony DV Case Dispositions, Bethel

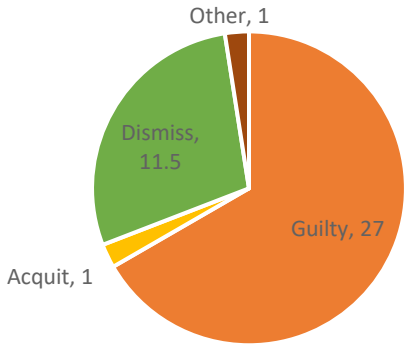


Figure 36: Felony Non-DV Case Dispositions, Bethel

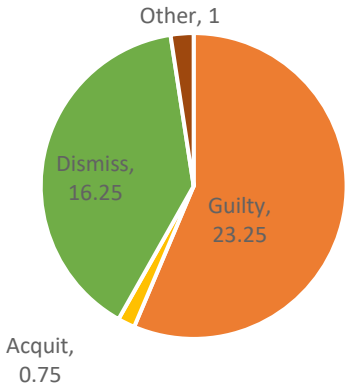


Figure 37: Misdemeanor DV Case Dispositions, Bethel

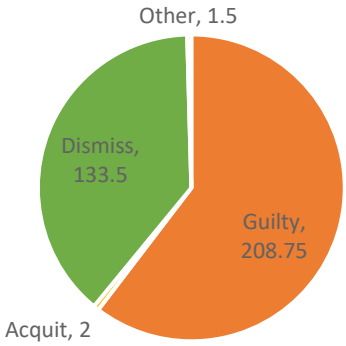
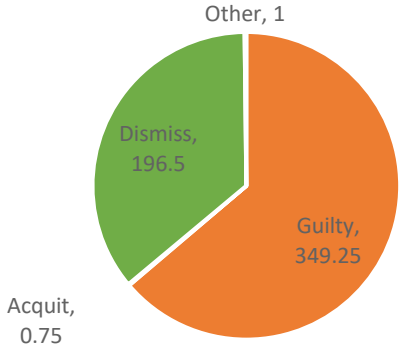


Figure 38 : Misdemeanor Non-DV Case Dispositions, Bethel



Figures 35- 38 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 39 and 40 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Bethel in the last three fiscal years.

Figure 39: DVPOs Granted: Long-Term Bethel, FY19 - FY21

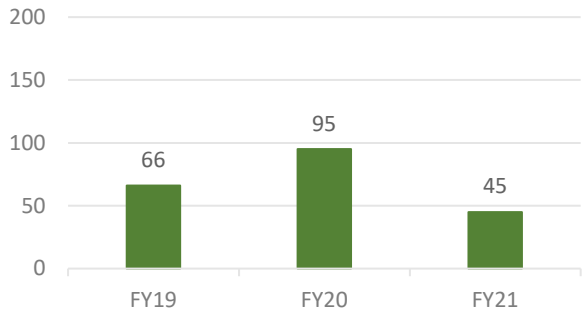
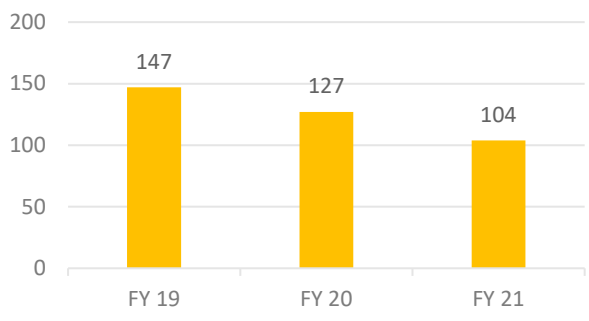
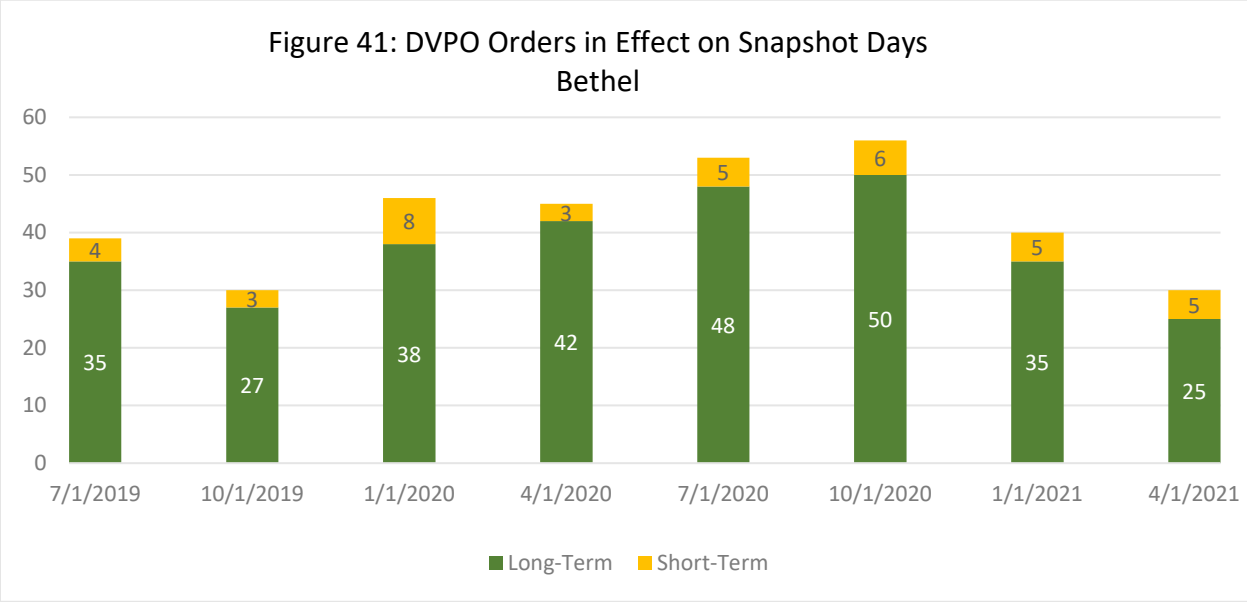


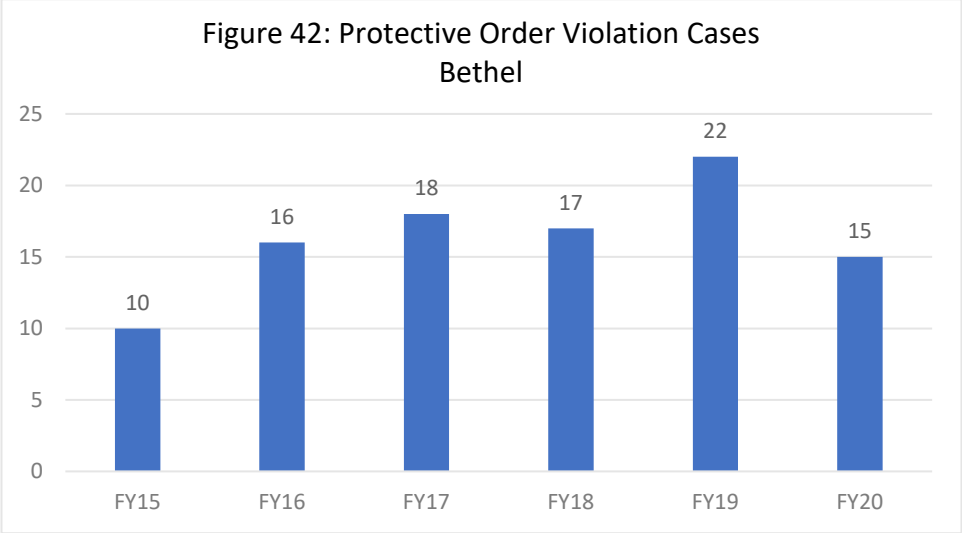
Figure 40: DVPOs Granted: Short-Term Bethel, FY19 - FY21



Figures 39- 40 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 41 shows the number of each type of order in effect on snapshot days. Figure 42 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

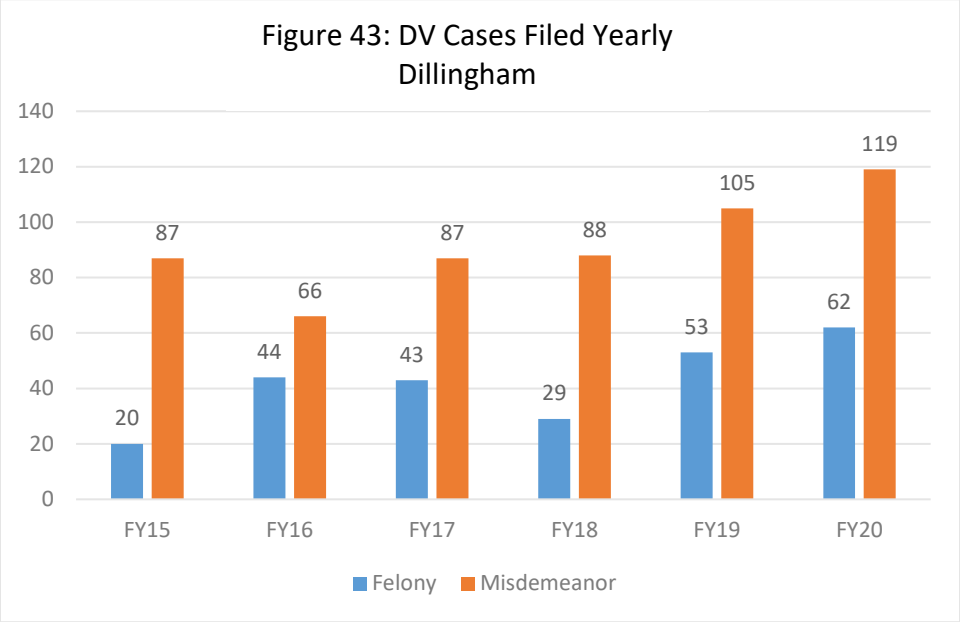


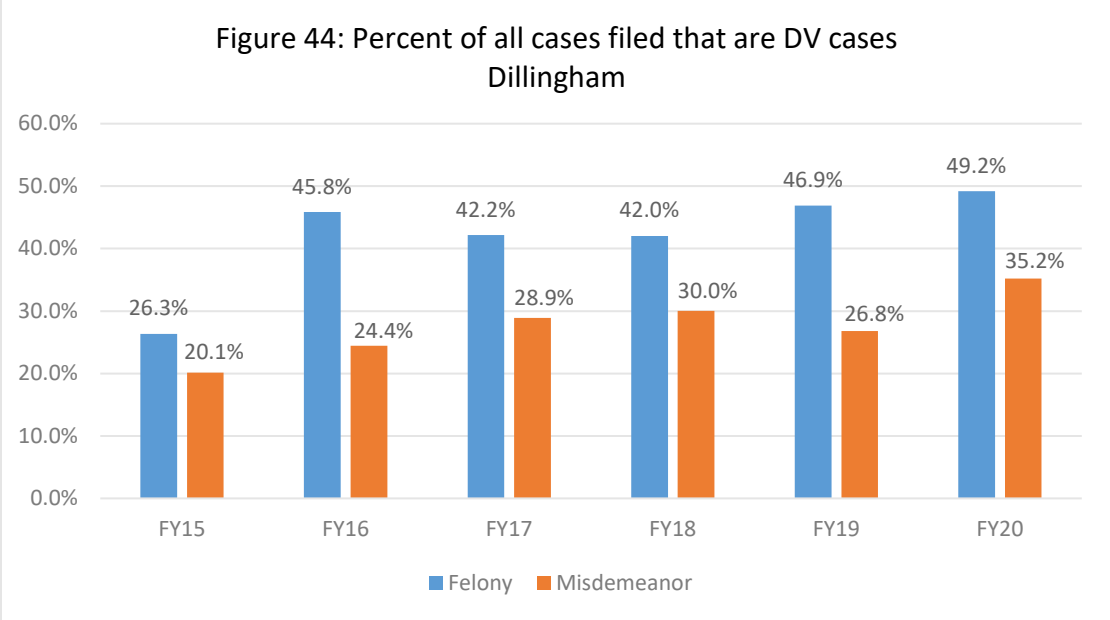


Figures 41 - 42 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix D – Dillingham Data

Figure 43 shows all criminal cases with at least one domestic violence (DV) charge filed in Dillingham each fiscal year, by felony and misdemeanor. Figure 44 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 43 and 44 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 45-48 show how DV cases are resolved in Dillingham compared to non-DV cases. Figures 45 and 46 show felony case resolutions while figures 47 and 48 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 45: Felony DV Case Dispositions, Dillingham

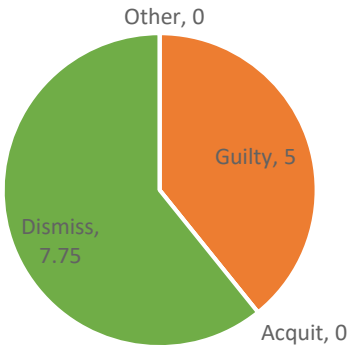


Figure 46: Felony Non-DV Case Dispositions, Dillingham

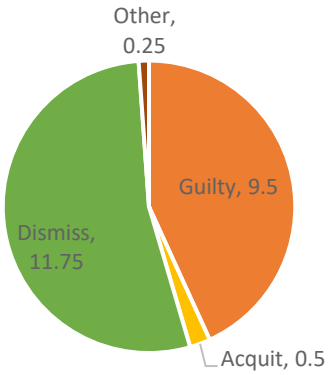


Figure 47: Misdemeanor DV Case Dispositions, Dillingham

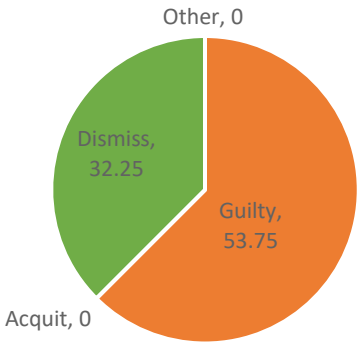
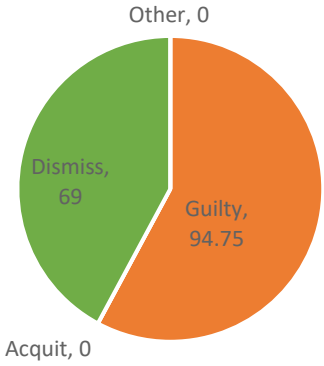


Figure 48: Misdemeanor Non-DV Case Dispositions, Dillingham



Figures 45 - 48 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 49 and 50 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Dillingham in the last three fiscal years.

Figure 49: DVPOs Granted: Long-Term Dillingham, FY19 - FY21

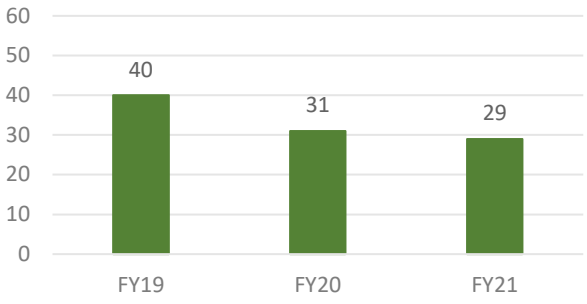
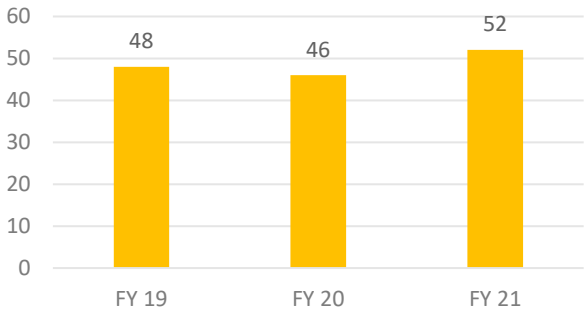
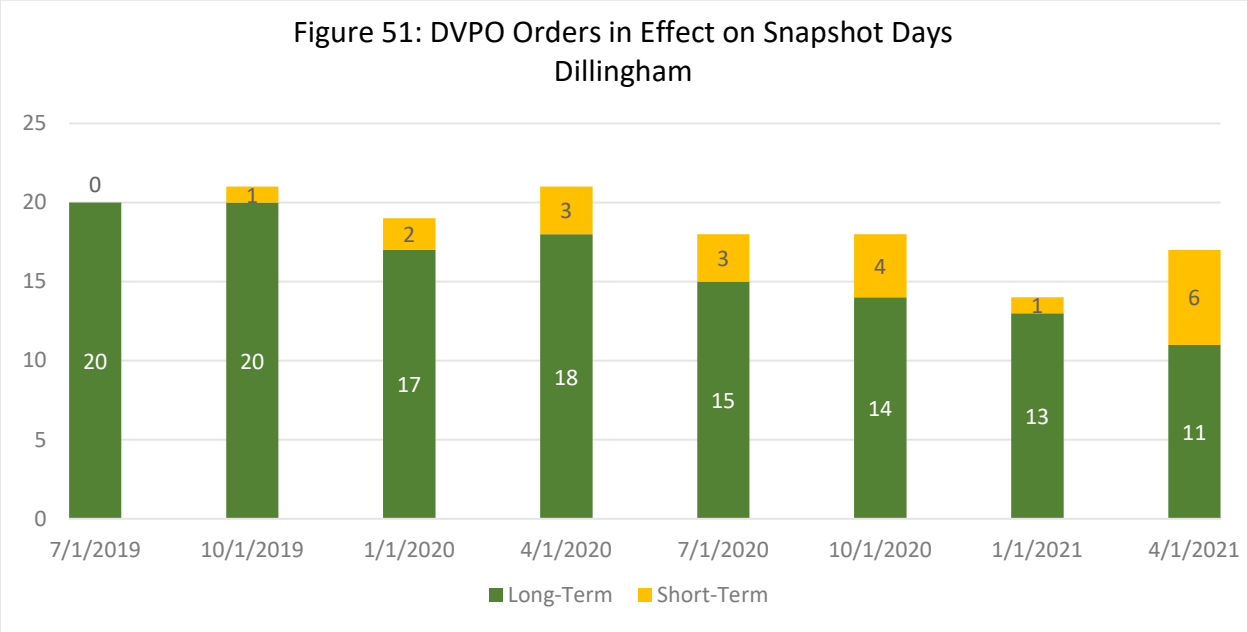


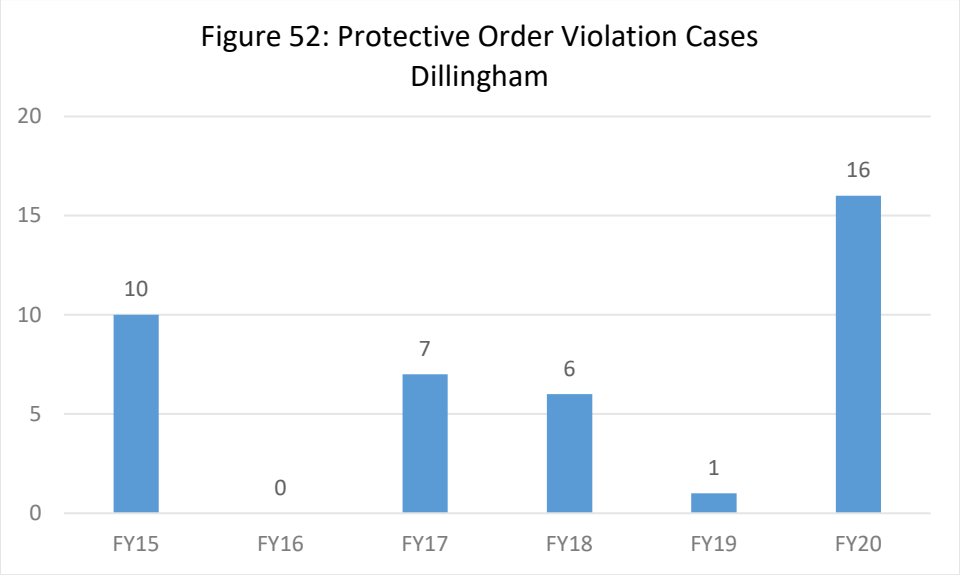
Figure 50: DVPOs Granted: Short-Term Dillingham, FY19 - FY21



Figures 49 and 50 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 51 shows the number of each type of order in effect on snapshot days. Figure 52 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

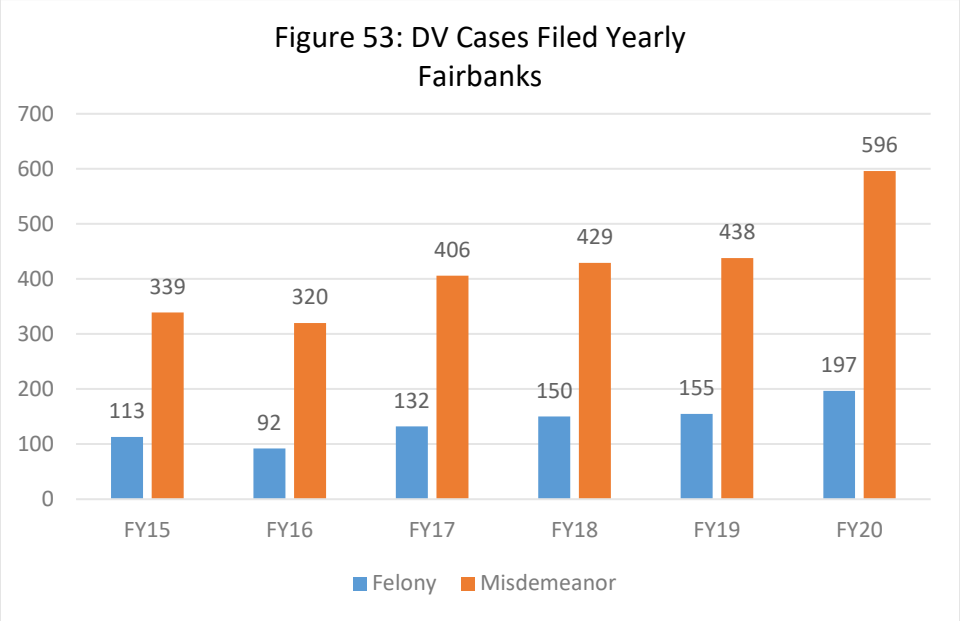


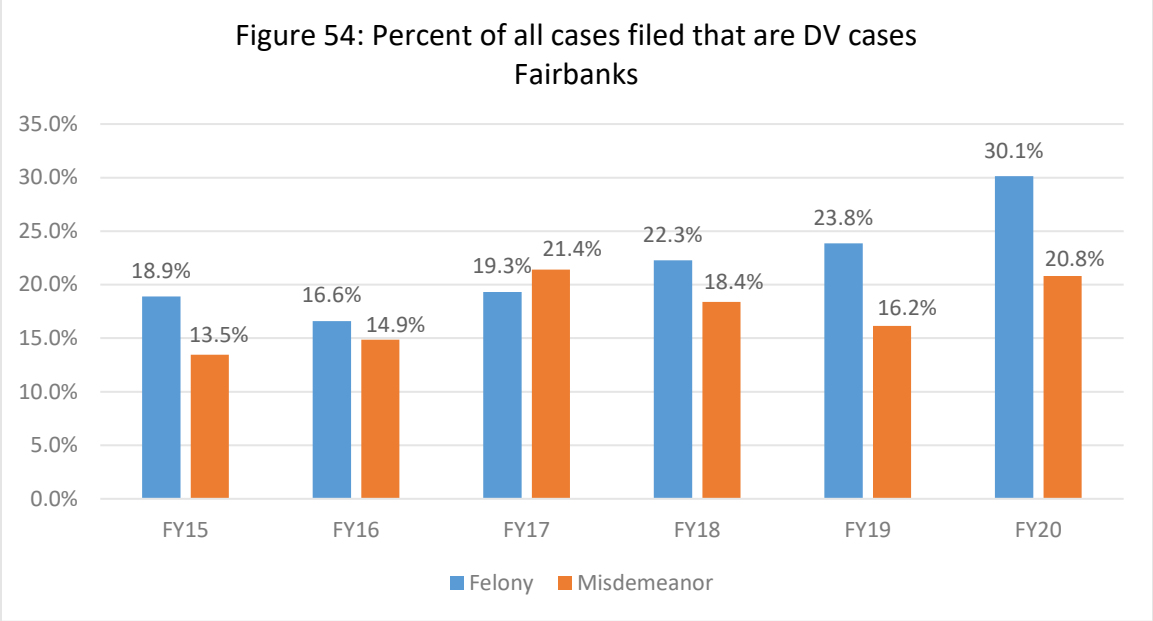


Figures 51- 52 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix E – Fairbanks Data

Figure 53 shows all criminal cases with at least one domestic violence (DV) charge filed in Fairbanks each fiscal year, by felony and misdemeanor. Figure 54 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 53 and 54 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 55-58 show how DV cases are resolved in Fairbanks compared to non-DV cases. Figures 55 and 56 show felony case resolutions while figures 57 and 58 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 55: Felony DV Case Dispositions, Fairbanks

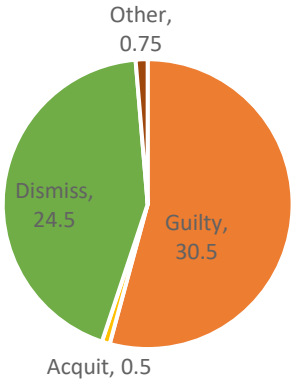


Figure 56: Felony Non-DV Case Dispositions, Fairbanks

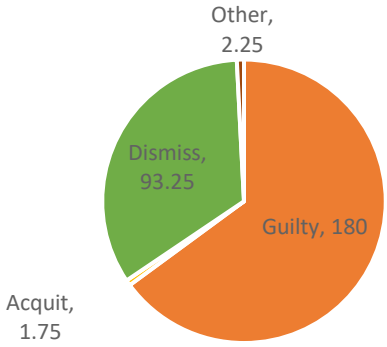


Figure 57: Misdemeanor DV Case Dispositions, Fairbanks

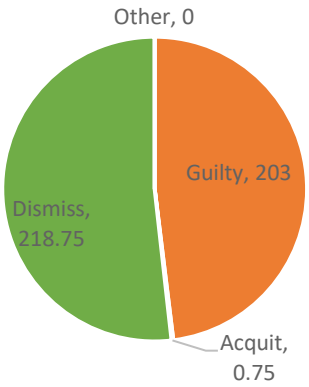
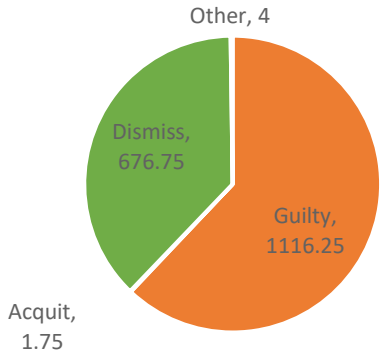


Figure 58: Misdemeanor Non-DV Case Dispositions, Fairbanks



Figures 55 - 58 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 59 and 60 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Fairbanks in the last three fiscal years.

Figure 59: DVPOs Granted: Long-Term Fairbanks, FY19 - FY21

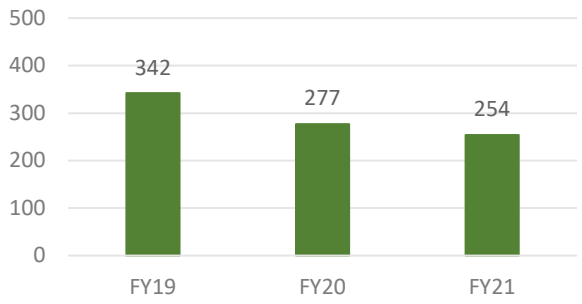
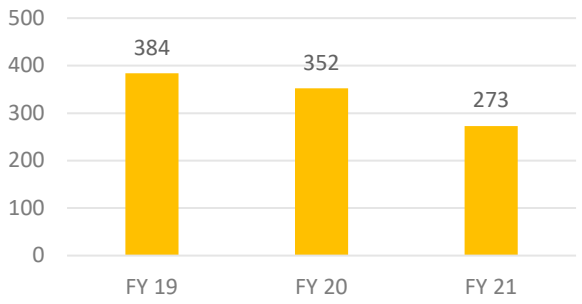
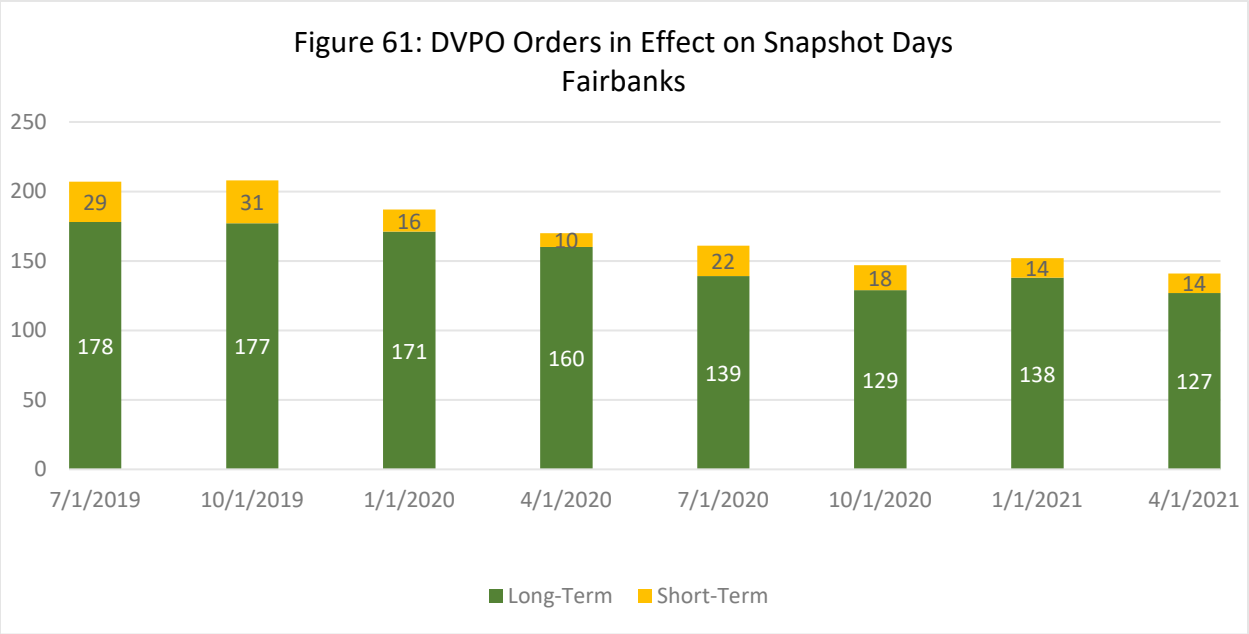


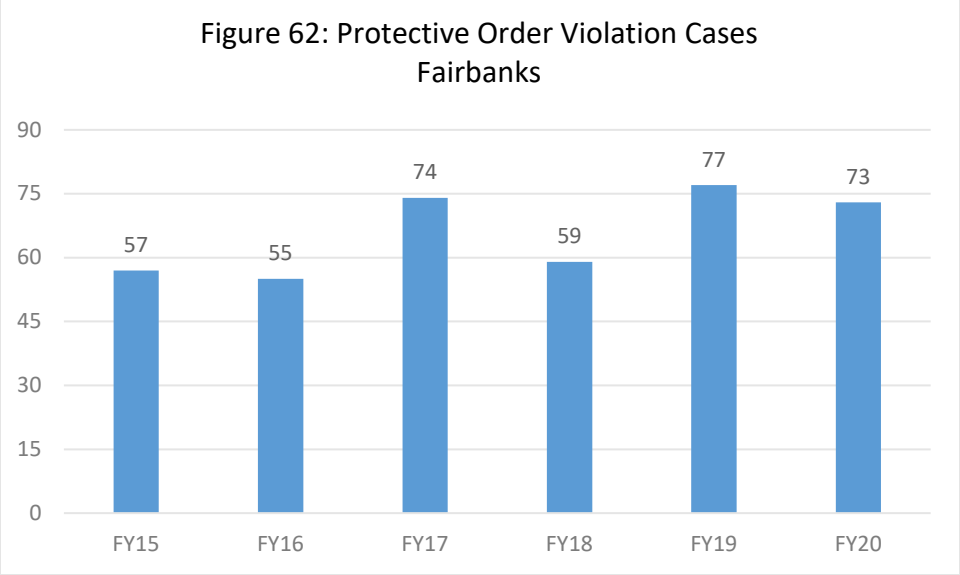
Figure 60: DVPOs Granted: Short-Term Fairbanks, FY19 - FY21



Figures 59 and 60 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 61 shows the number of each type of order in effect on snapshot days. Figure 62 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

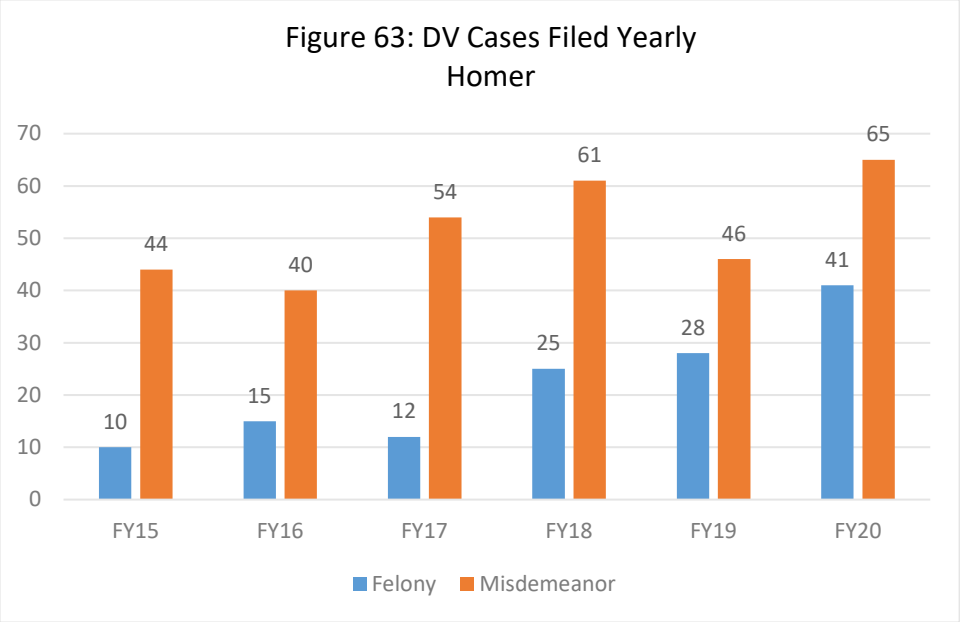


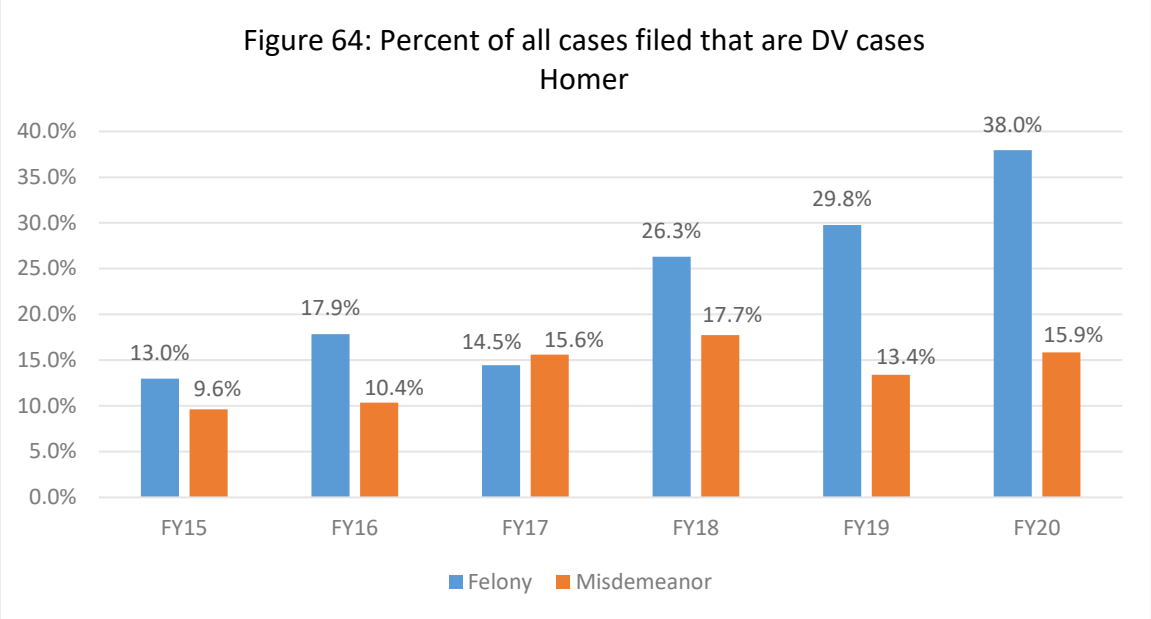


Figures 61 - 62 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix F – Homer Data

Figure 63 shows all criminal cases with at least one domestic violence (DV) charge filed in Homer each fiscal year, by felony and misdemeanor. Figure 64 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 63 and 64 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 65-68 show how DV cases are resolved in Homer compared to non-DV cases. Figures 65 and 66 show felony case resolutions while figures 67 and 68 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 65: Felony DV Case Dispositions, Homer

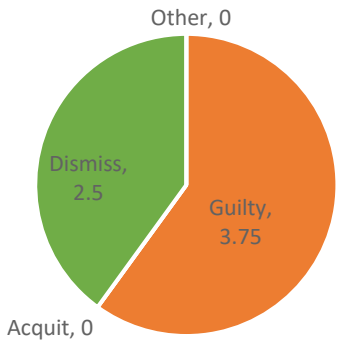


Figure 66: Felony Non-DV Case Dispositions, Homer

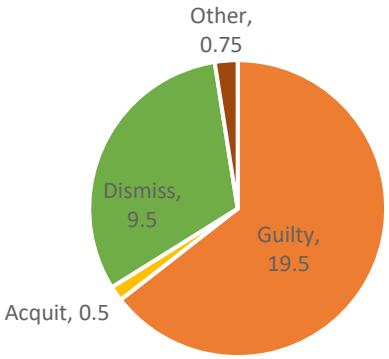


Figure 67: Misdemeanor DV Case Dispositions, Homer

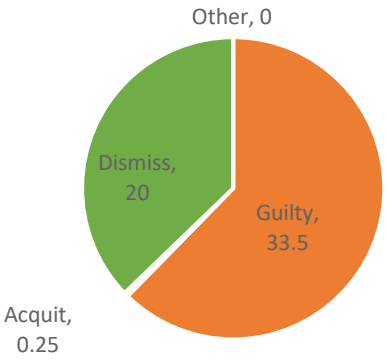
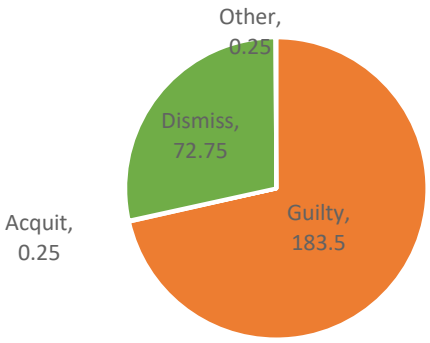


Figure 68: Misdemeanor Non-DV Case Dispositions, Homer



Figures 65 - 68 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 69 and 70 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Homer in the last three fiscal years.

Figure 69: DVPOs Granted: Long-Term Homer, FY 19 - FY21

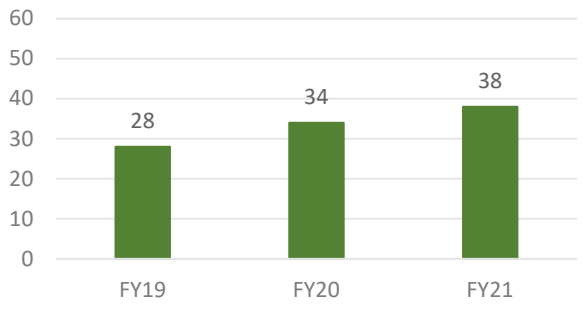
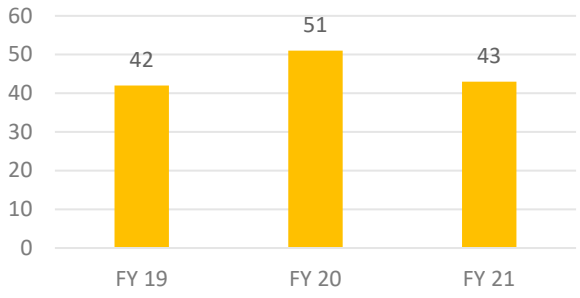
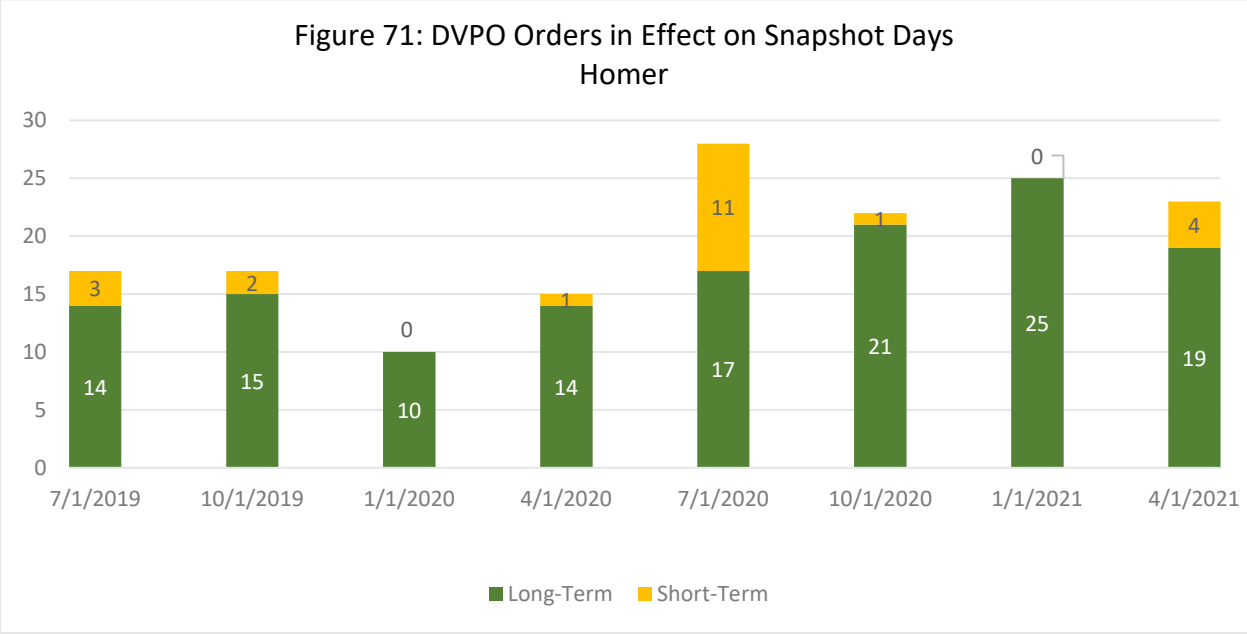


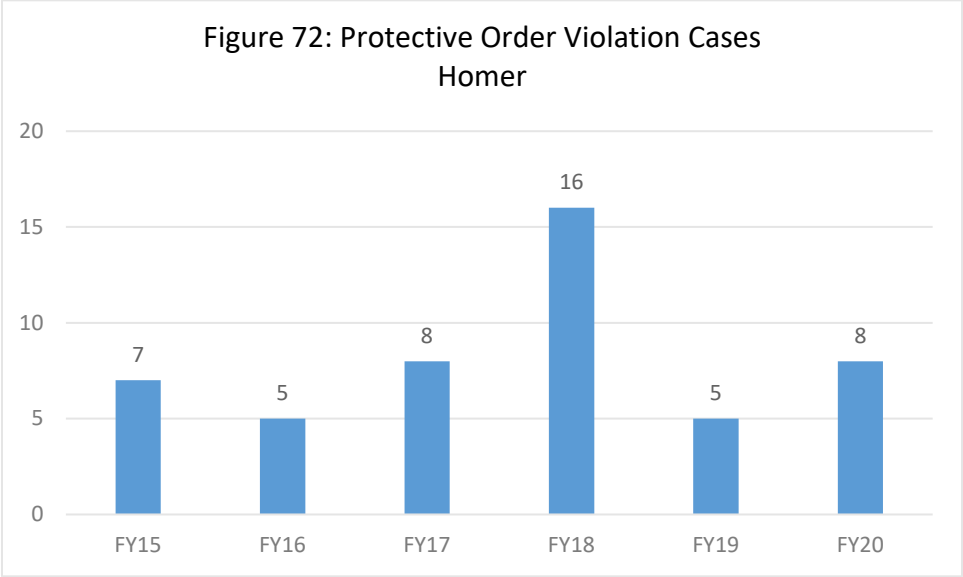
Figure 70: DVPOs Granted: Short-Term Homer, FY19 - FY21



Figures 69 and 70 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 71 shows the number of each type of order in effect on snapshot days. Figure 72 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

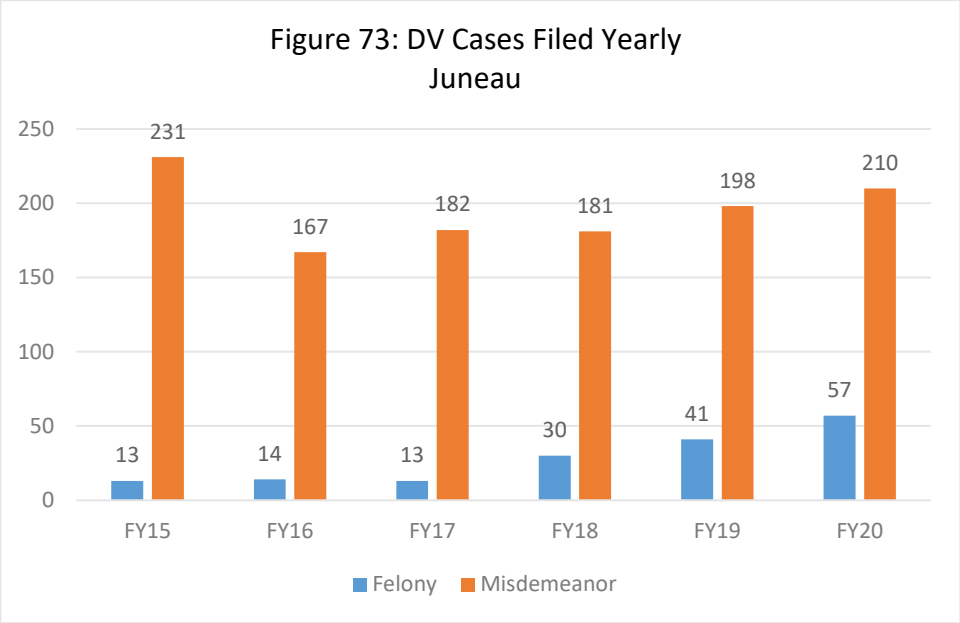


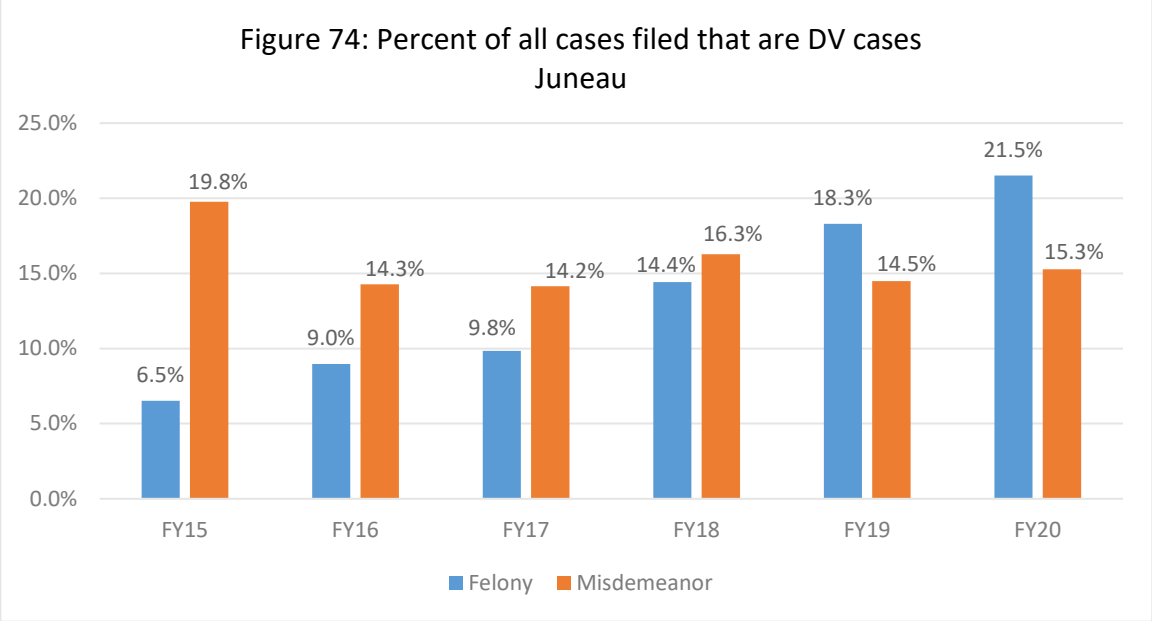


Figures 71 - 72 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix G – Juneau Data

Figure 73 shows all criminal cases with at least one domestic violence (DV) charge filed in Juneau each fiscal year, by felony and misdemeanor. Figure 74 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 73 and 74 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 75-78 show how DV cases are resolved in Juneau compared to non-DV cases. Figures 75 and 76 show felony case resolutions while figures 77 and 78 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 75: Felony DV Case Dispositions, Juneau

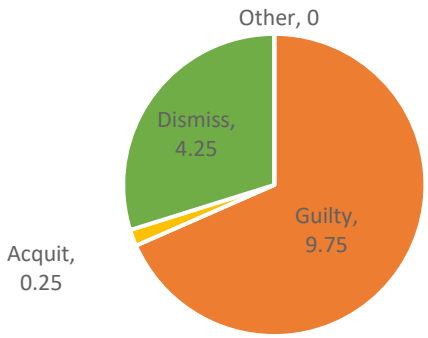


Figure 76: Felony Non-DV Case Dispositions, Juneau

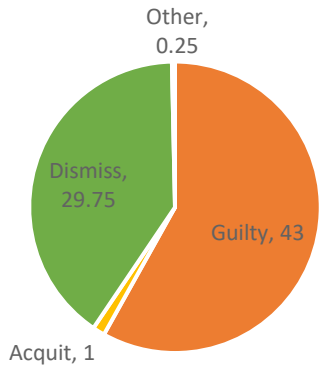


Figure 77: Misdemeanor DV Case Dispositions, Juneau

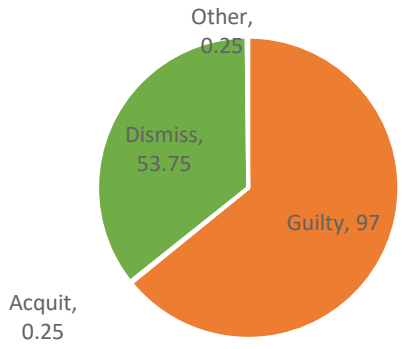
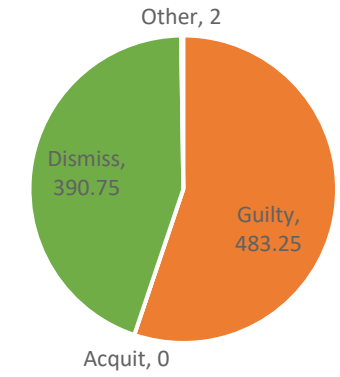


Figure 78: Misdemeanor Non-DV Case Dispositions, Juneau



Figures 75 - 78 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 79 and 80 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Juneau in the last three fiscal years.

Figure 79: DVPOs Granted: Long-Term Juneau, FY19 - FY21

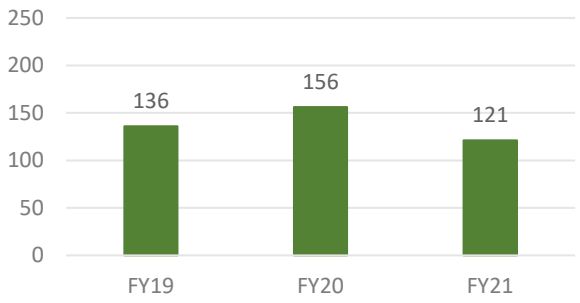
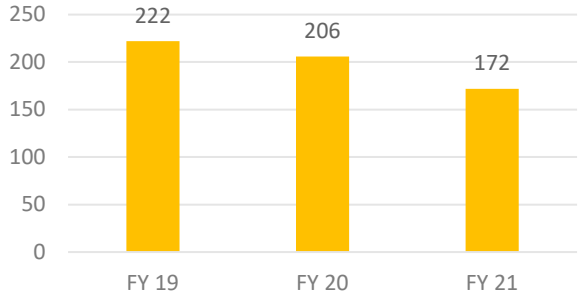
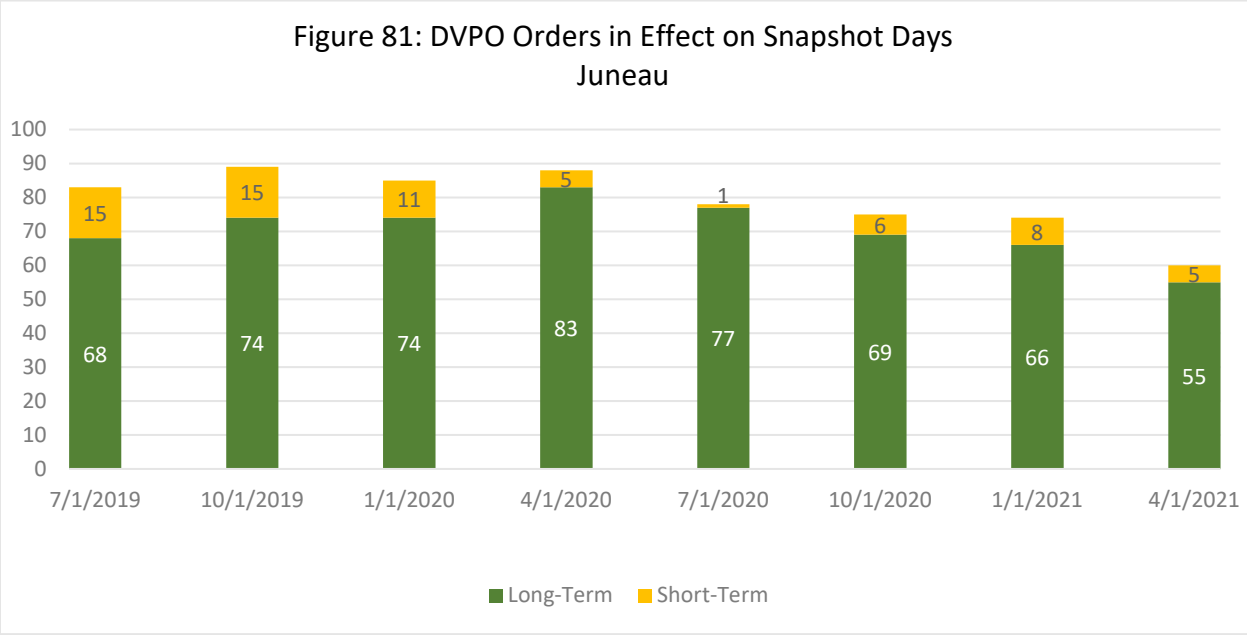


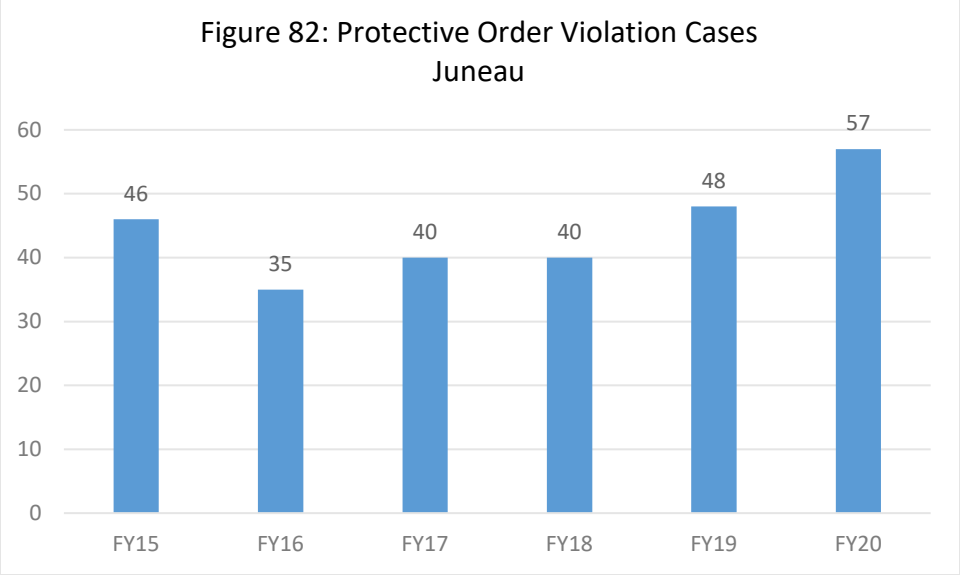
Figure 80: DVPOs Granted: Short-Term Juneau, FY19 - FY21



Figures 79 and 80 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 81 shows the number of each type of order in effect on snapshot days. Figure 82 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

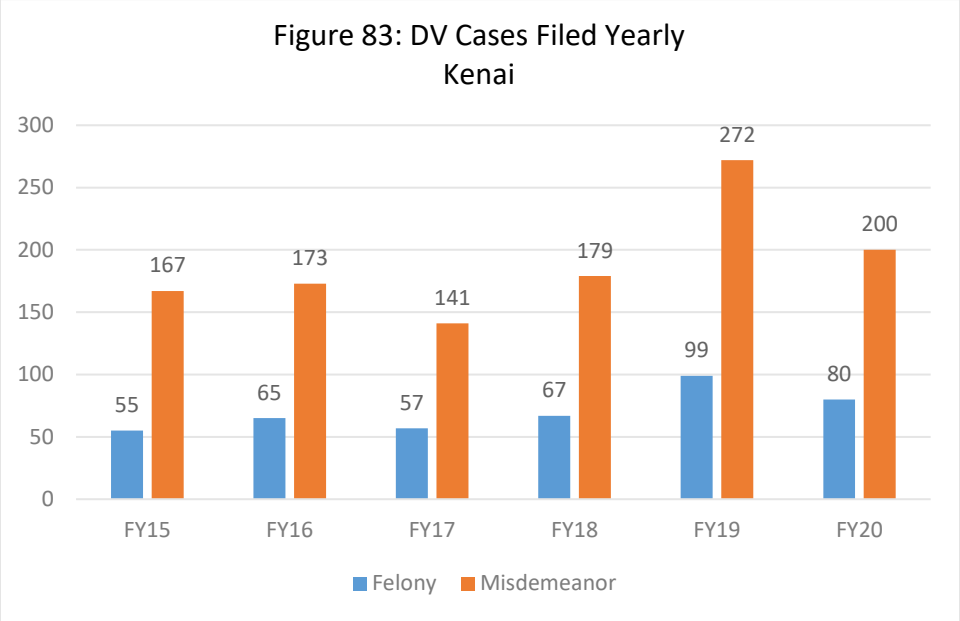


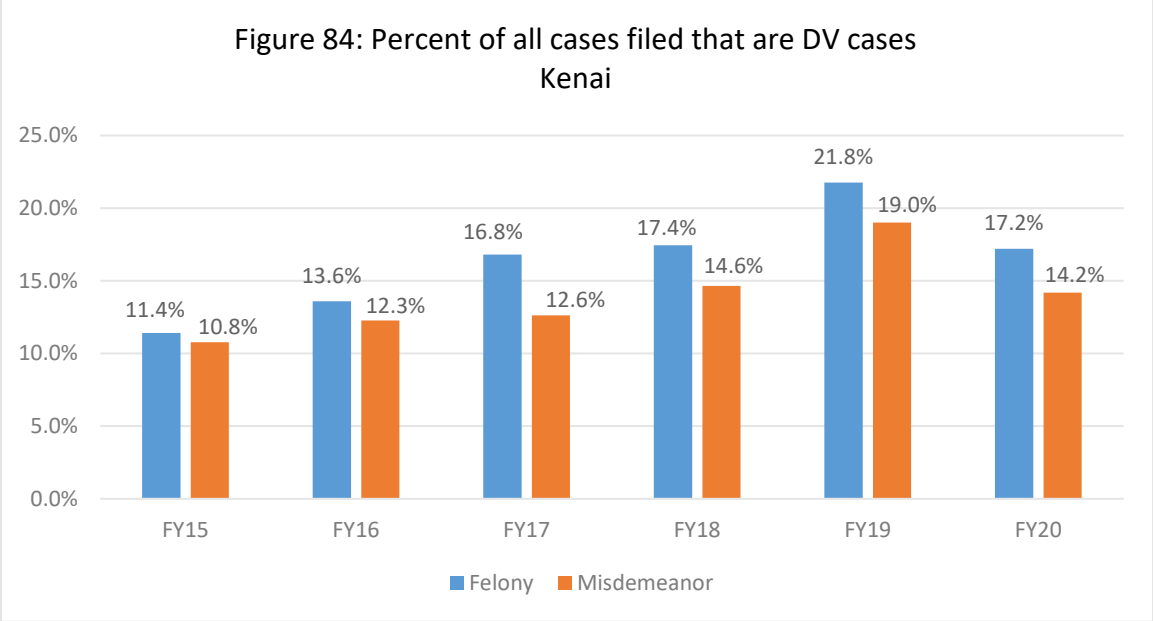


Figures 81- 82 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix H – Kenai Data

Figure 83 shows all criminal cases with at least one domestic violence (DV) charge filed in Kenai each fiscal year, by felony and misdemeanor. Figure 84 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 83 and 84 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 85-88 show how DV cases are resolved in Kenai compared to non-DV cases. Figures 85 and 86 show felony case resolutions while figures 87 and 88 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 85: Felony DV Case Dispositions, Kenai

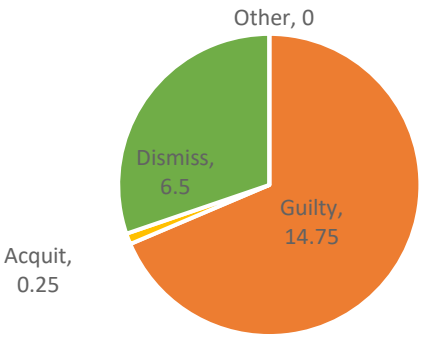


Figure 86: Felony Non-DV Case Dispositions, Kenai

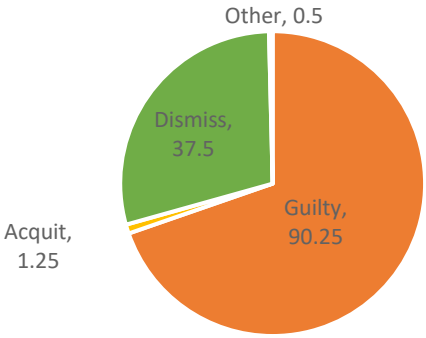


Figure 87: Misdemeanor DV Case Dispositions, Kenai

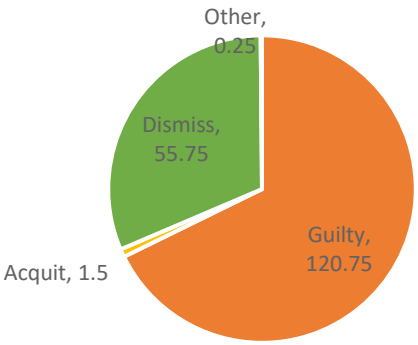
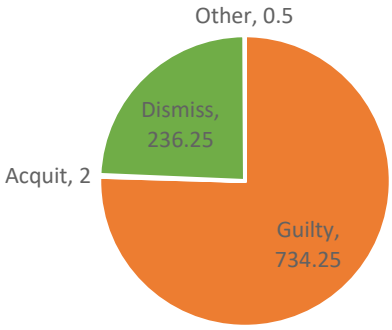


Figure 88: Misdemeanor Non-DV Case Dispositions, Kenai



Figures 85 - 88 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 89 and 90 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Kenai in the last three fiscal years.

Figure 89: DVPOs Granted: Long-Term Kenai, FY19 - FY21

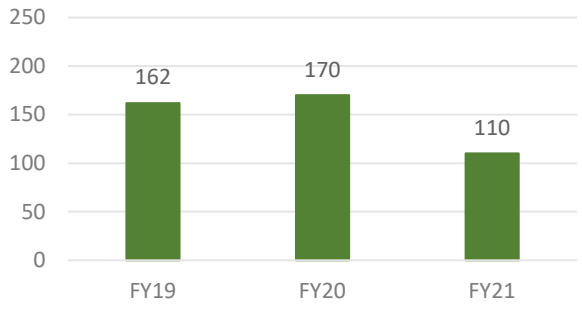
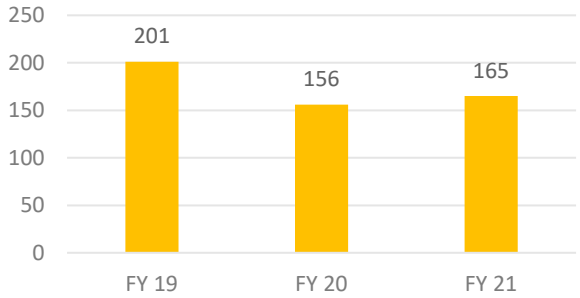
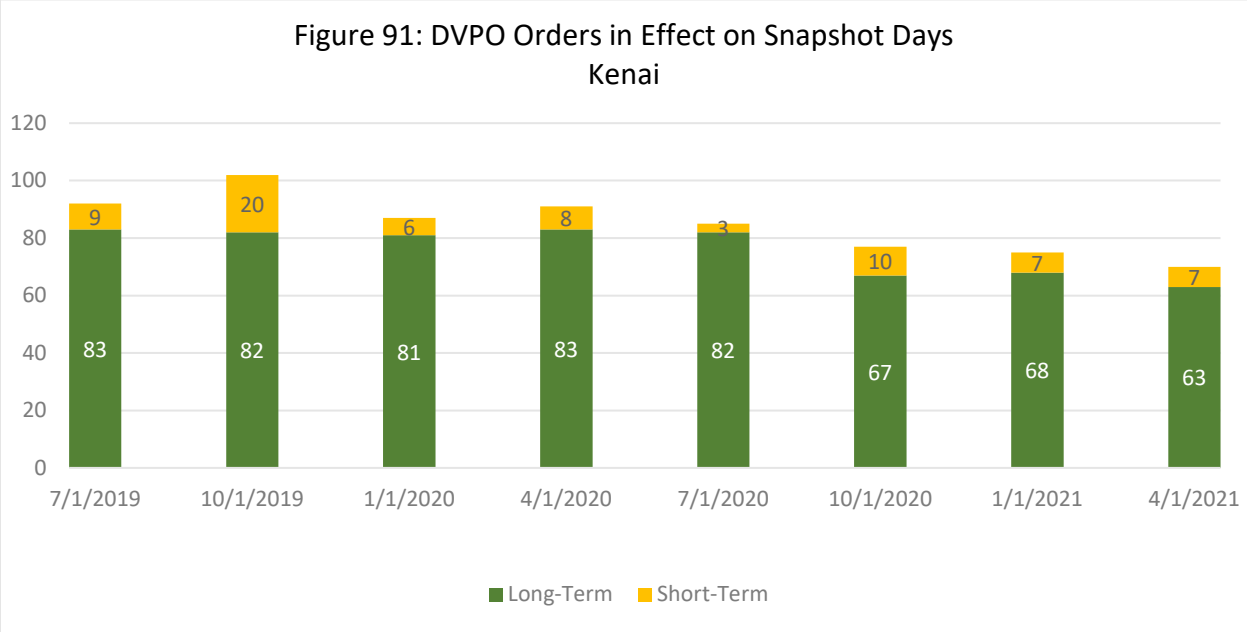


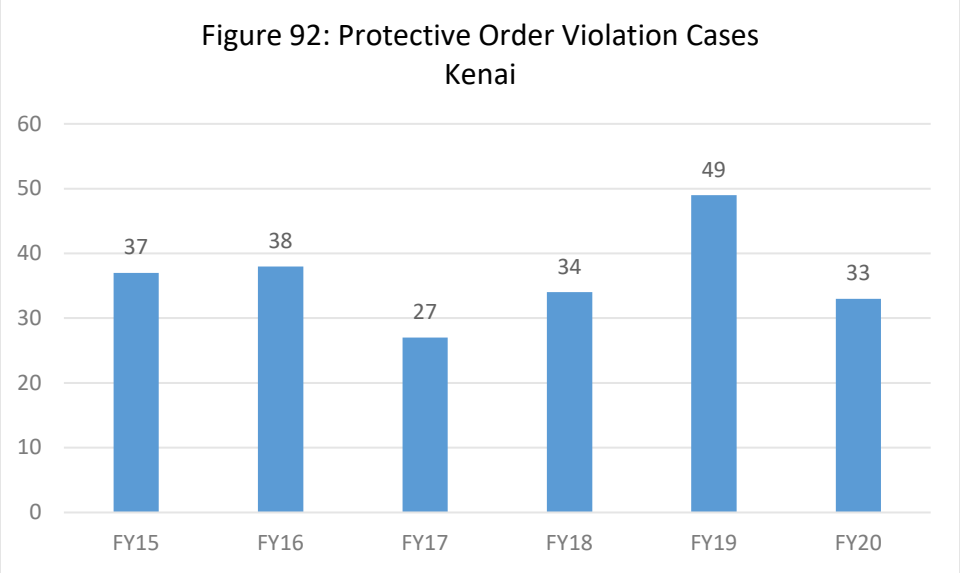
Figure 90: DVPOs Granted: Short-Term Kenai, FY19 - FY21



Figures 89 and 90 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 91 shows the number of each type of order in effect on snapshot days. Figure 92 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

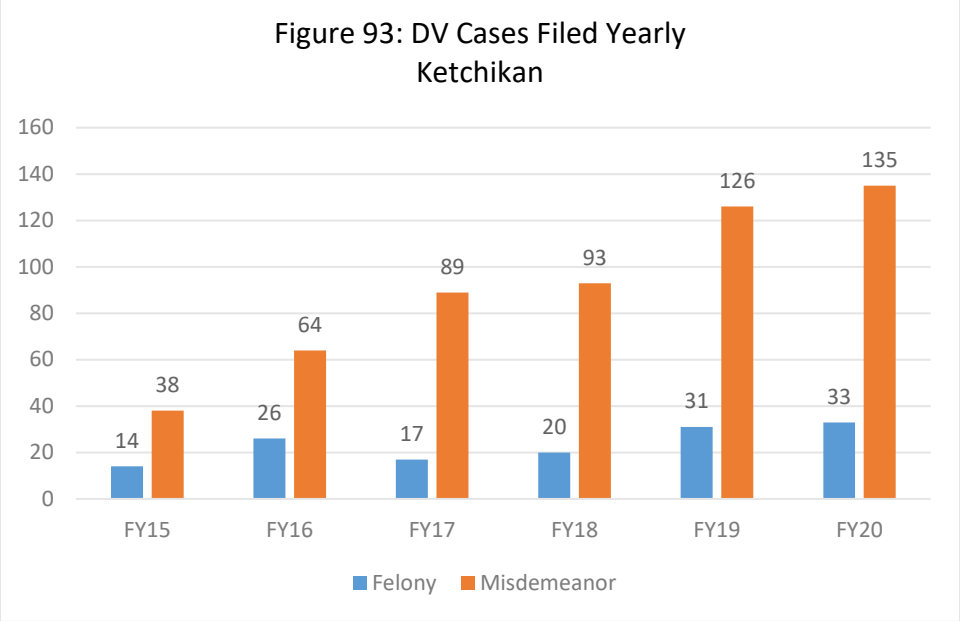


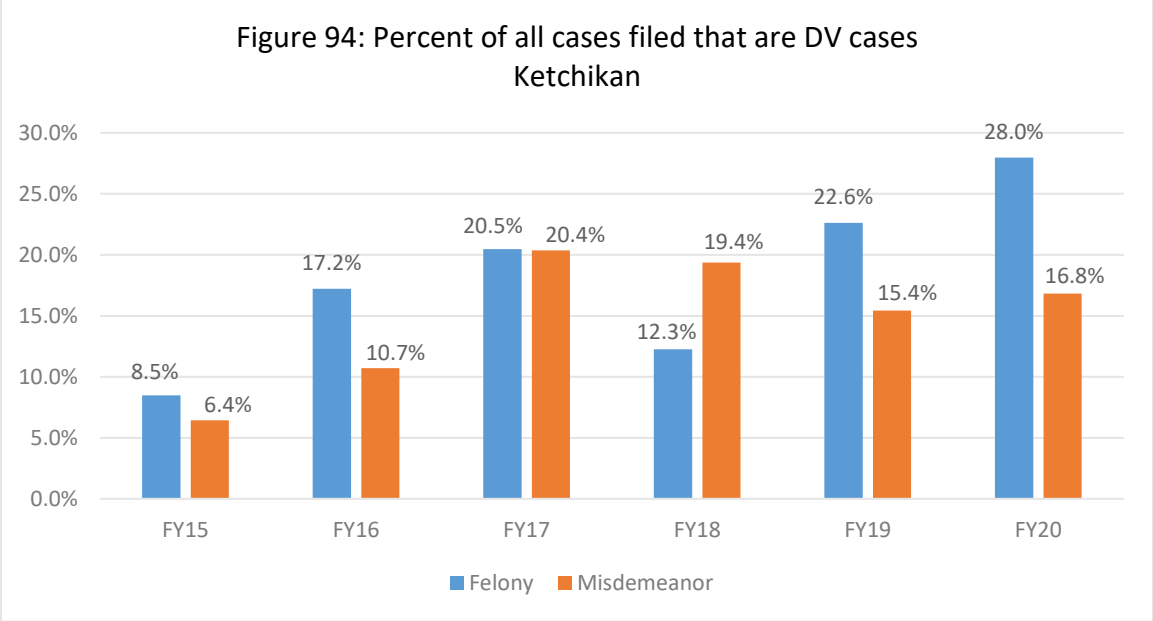


Figures 91- 92 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix I – Ketchikan Data

Figure 93 shows all criminal cases with at least one domestic violence (DV) charge filed in Ketchikan each fiscal year, by felony and misdemeanor. Figure 94 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 93 and 94 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 95-98 show how DV cases are resolved in Ketchikan compared to non-DV cases. Figures 95 and 96 show felony case resolutions while figures 97 and 98 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 95: Felony DV Case Dispositions, Ketchikan

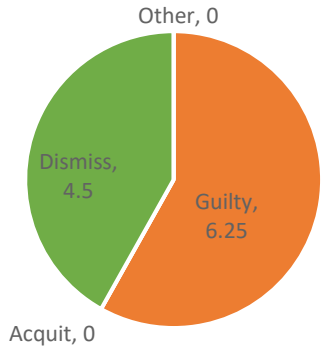


Figure 96: Felony Non-DV Case Dispositions, Ketchikan

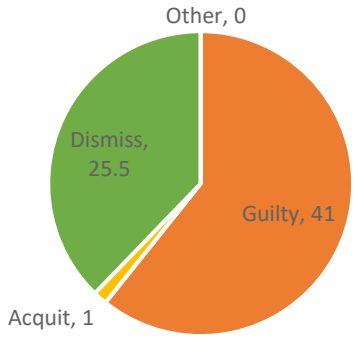


Figure 97: Misdemeanor DV Case Dispositions, Ketchikan

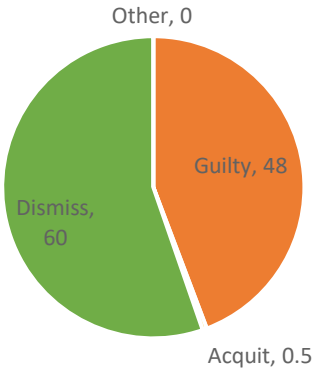
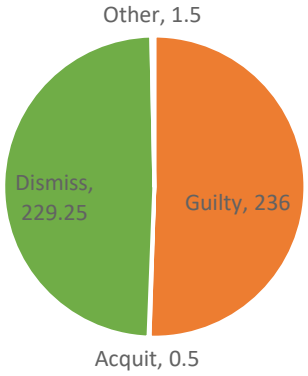


Figure 98: Misdemeanor Non-DV Case Dispositions, Ketchikan



Figures 95 - 98 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 99 and 100 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Ketchikan in the last three fiscal years.

Figure 99: DVPOs Granted: Long-Term Ketchikan, FY19 - FY21

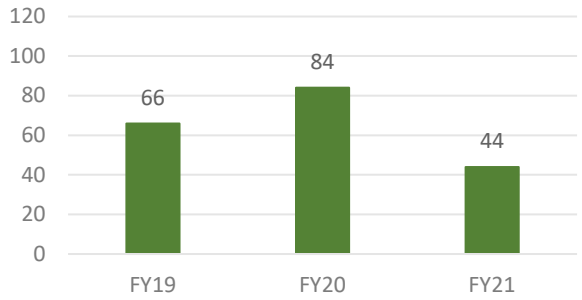
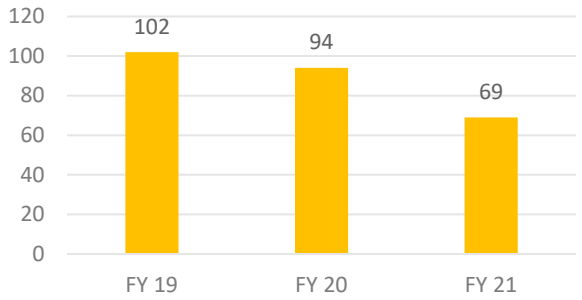
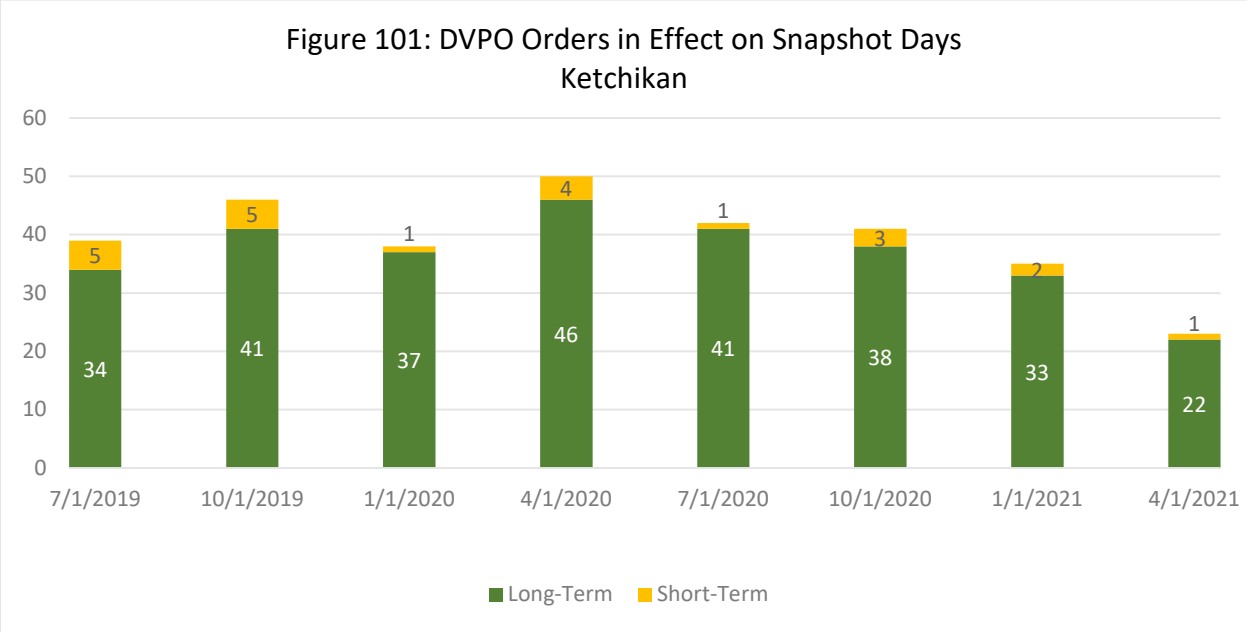


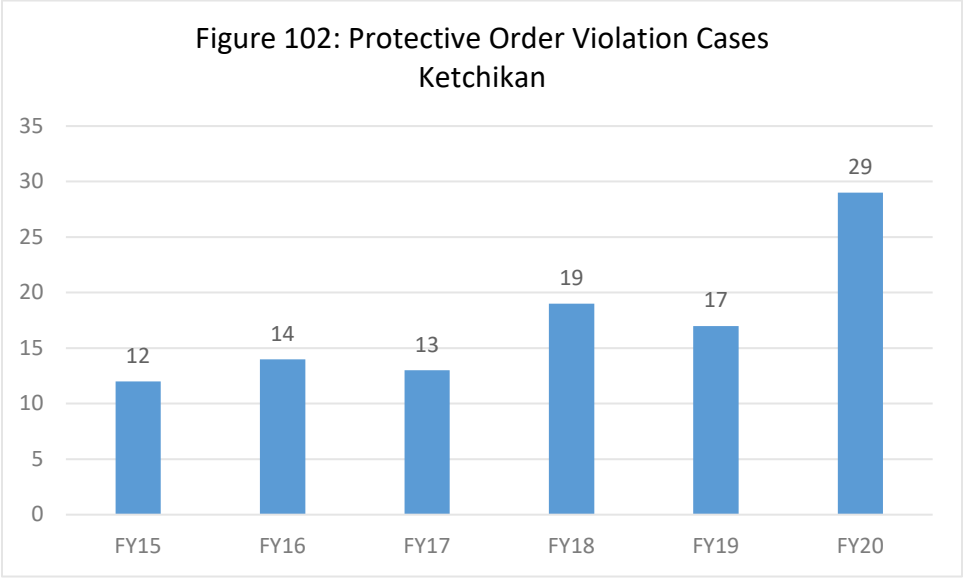
Figure 100: DVPOs Granted: Short-Term Ketchikan, FY19 - FY21



Figures 99 and 100 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 101 shows the number of each type of order in effect on snapshot days. Figure 102 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

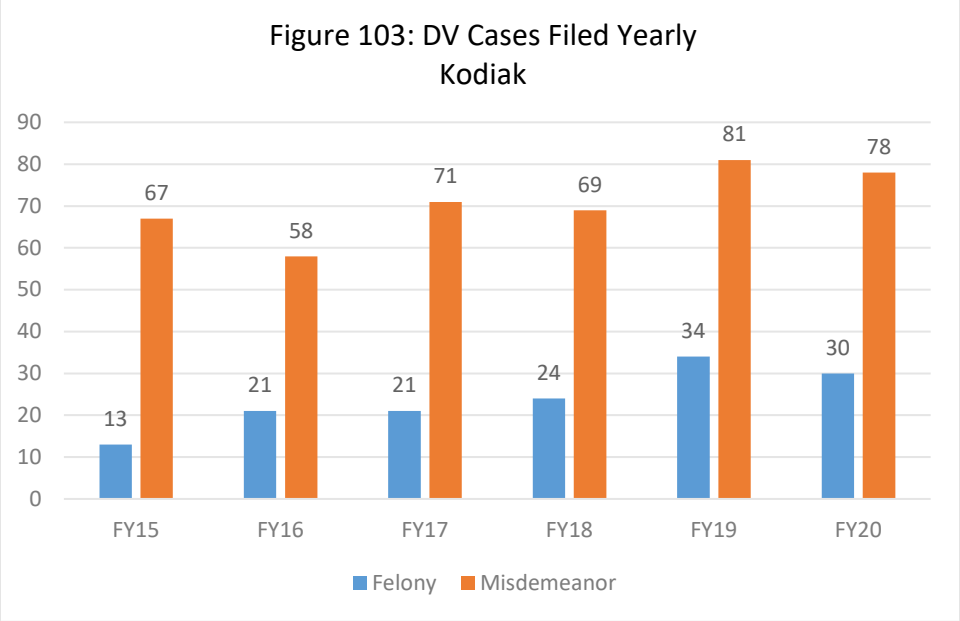


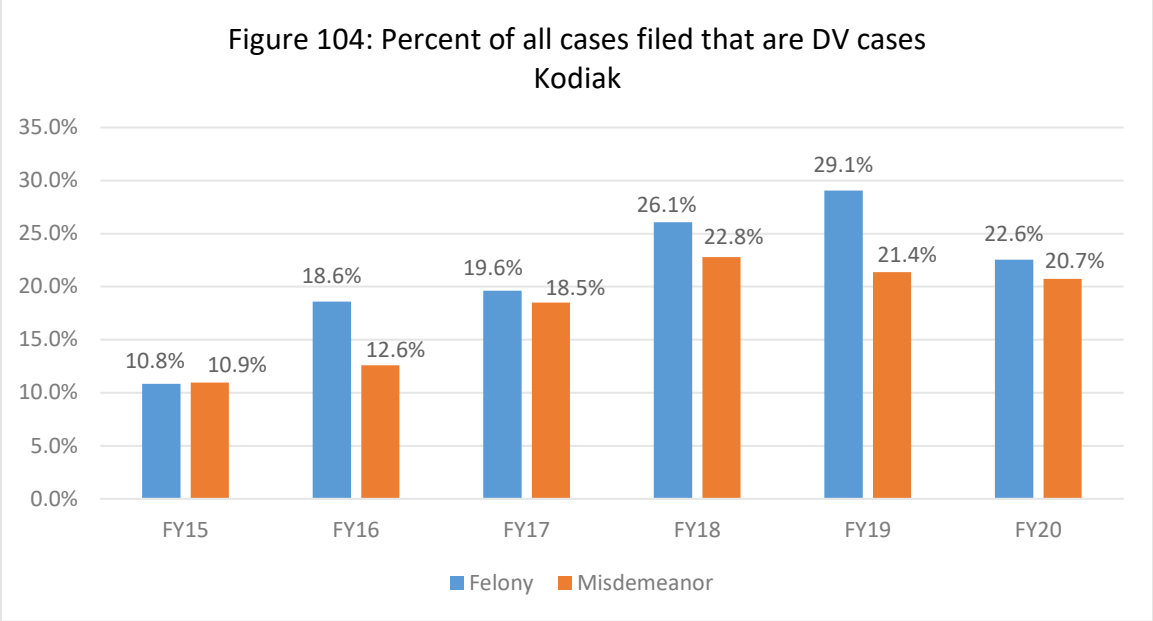


Figures 101 - 102 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix J – Kodiak Data

Figure 103 shows all criminal cases with at least one domestic violence (DV) charge filed in Kodiak each fiscal year, by felony and misdemeanor. Figure 104 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 103 and 104 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 105-108 show how DV cases are resolved in Kodiak compared to non-DV cases. Figures 105 and 106 show felony case resolutions while figures 107 and 108 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 105: Felony DV Case Dispositions, Kodiak

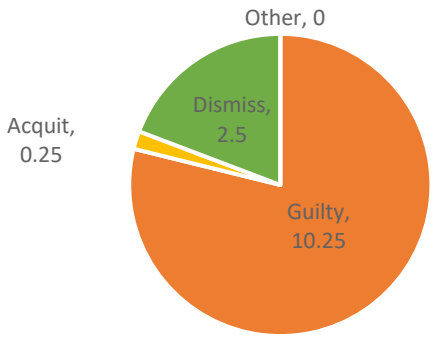


Figure 106: Felony Non-DV Case Dispositions, Kodiak

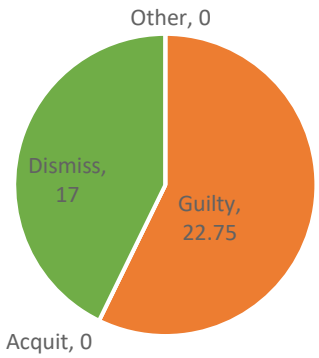


Figure 107: Misdemeanor DV Case Dispositions, Kodiak

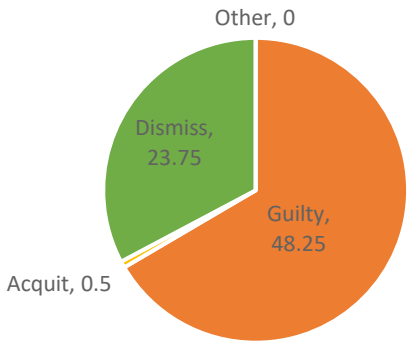
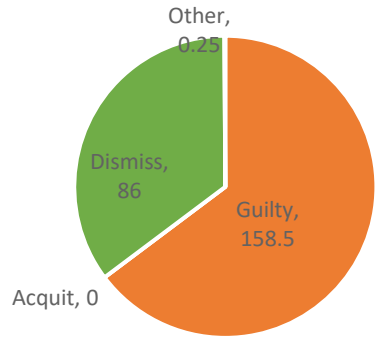


Figure 108: Misdemeanor non-DV Case Dispositions, Kodiak



Figures 105 - 108 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 109 and 110 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Kodiak in the last three fiscal years.

Figure 109: DVPOs Granted: Long-Term Kodiak, FY19 - FY21

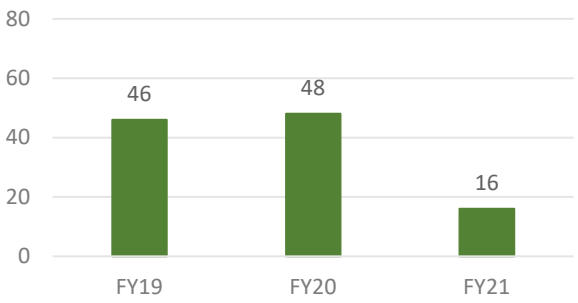
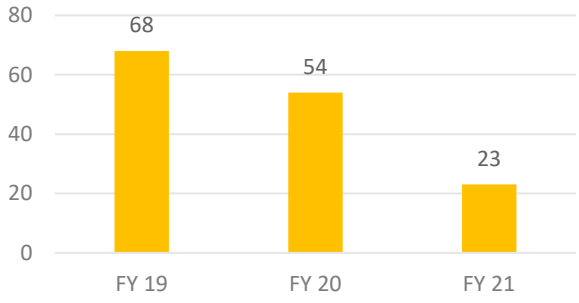
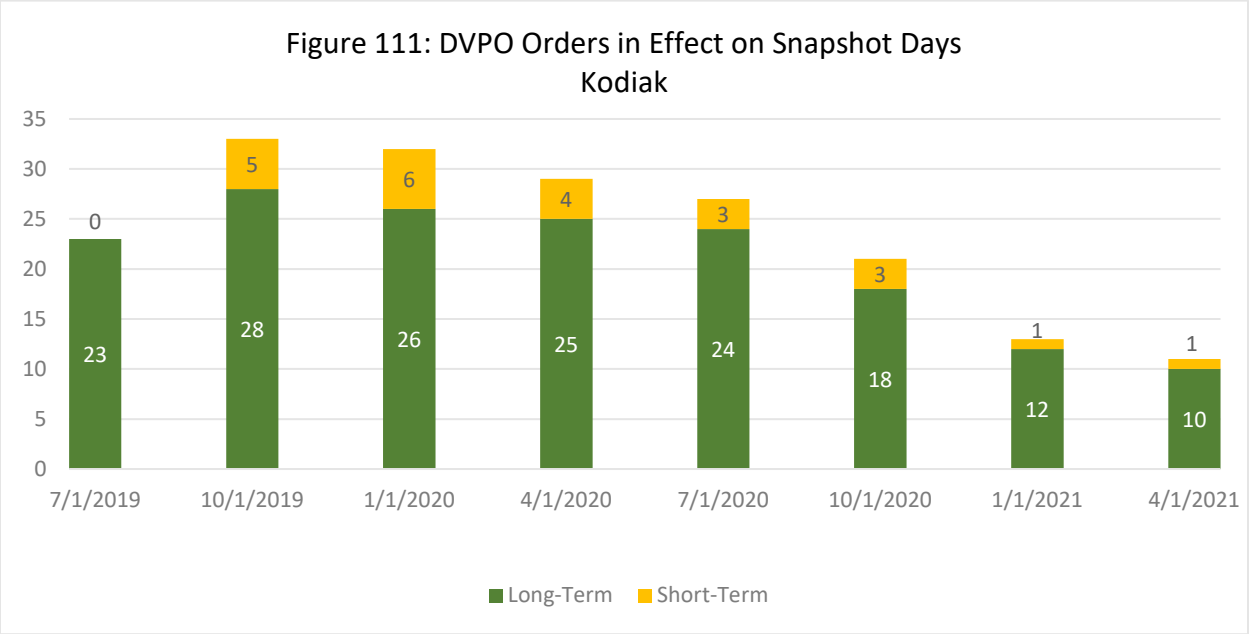


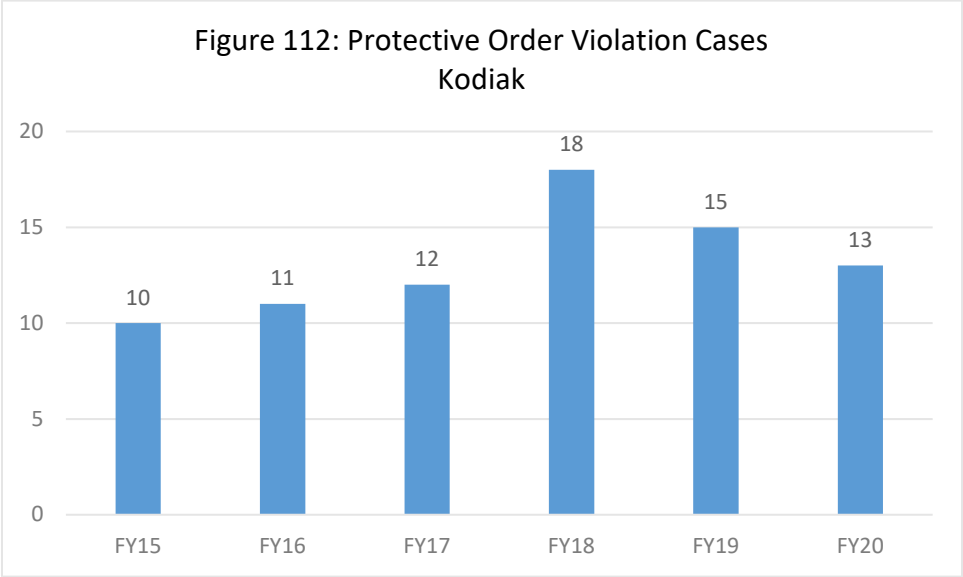
Figure 110: DVPOs Granted: Short-Term Kodiak, FY19 - FY21



Figures 109 and 110 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 111 shows the number of each type of order in effect on snapshot days. Figure 112 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

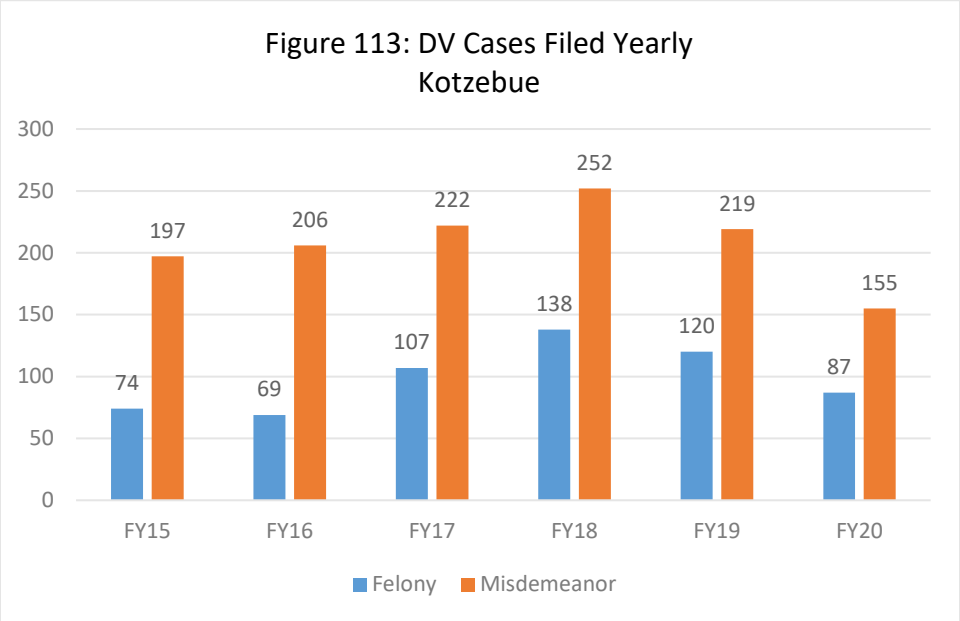


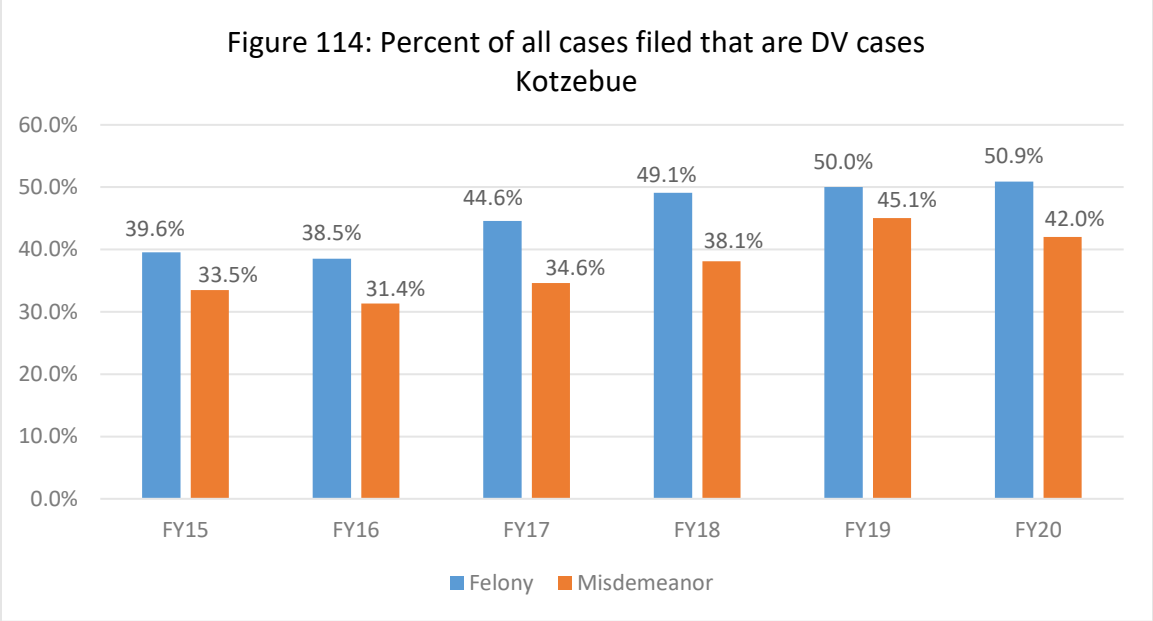


Figures 111 - 112 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix K – Kotzebue Data

Figure 113 shows all criminal cases with at least one domestic violence (DV) charge filed in Kotzebue each fiscal year, by felony and misdemeanor. Figure 114 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 113 and 114 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 115-116 show how DV cases are resolved in Kotzebue compared to non-DV cases. Figures 115 and 116 show felony case resolutions while figures 117 and 118 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 115: Felony DV Case Dispositions, Kotzebue

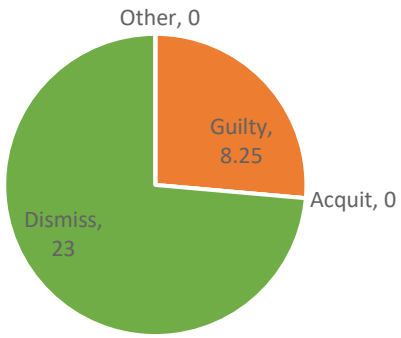


Figure 116: Felony Non-DV Case Dispositions, Kotzebue

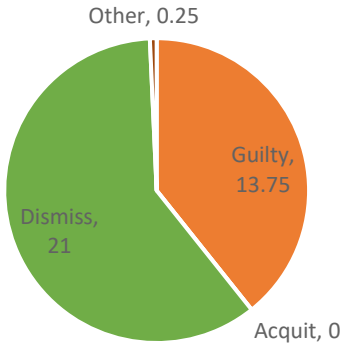


Figure 117: Misdemeanor DV Case Dispositions, Kotzebue

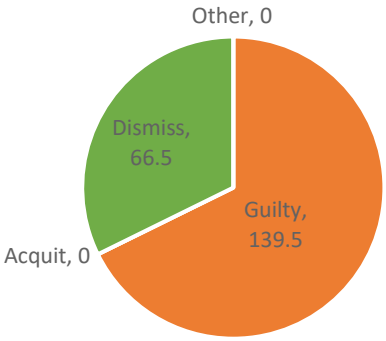
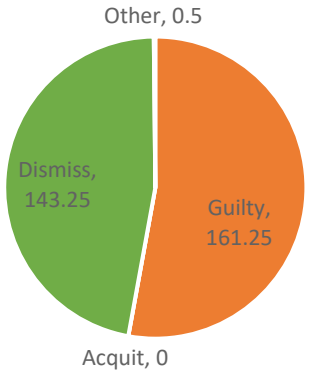


Figure 118: Misdemeanor non-DV Case Dispositions, Kotzebue



Figures 115 – 118 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 119 and 120 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Kotzebue in the last three fiscal years.

Figure 119: DVPOs Granted: Long-Term Kotzebue, FY19 - FY21

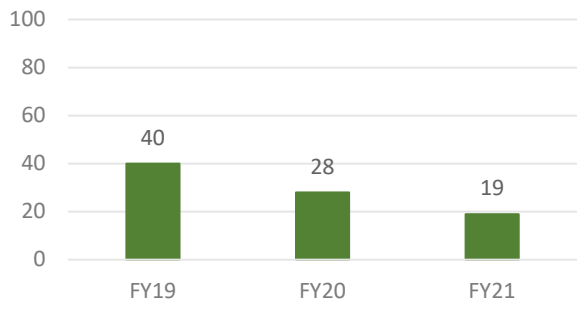
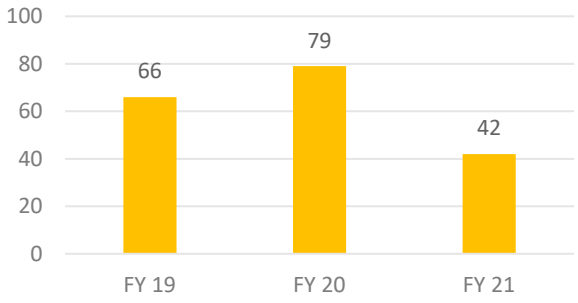
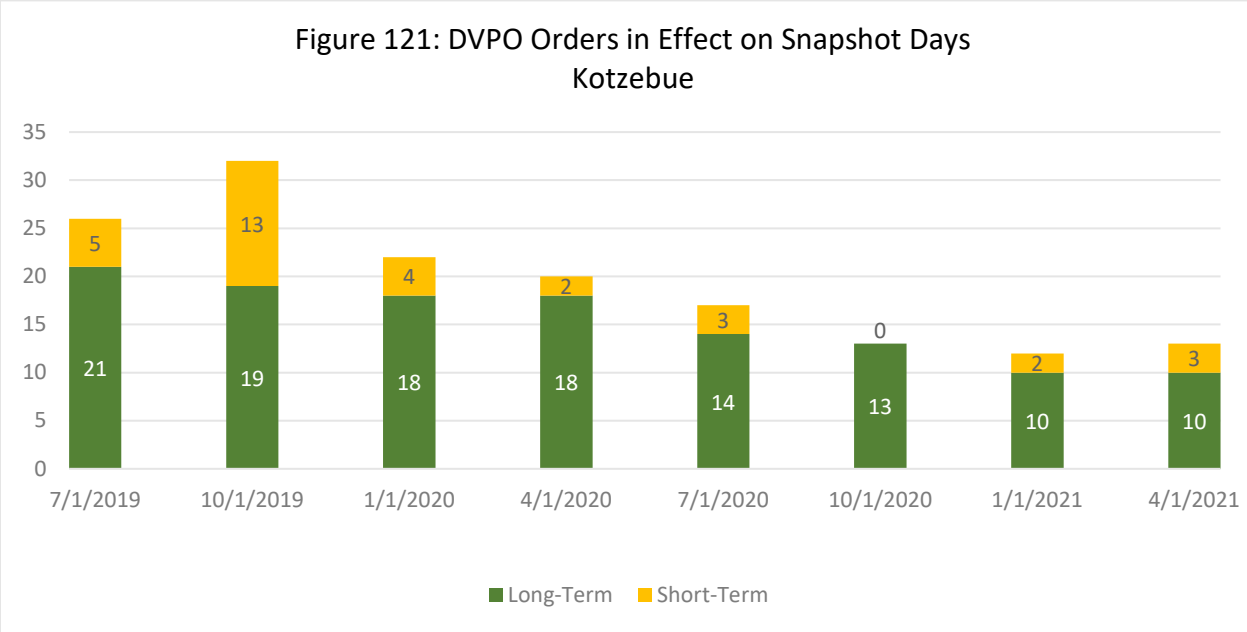


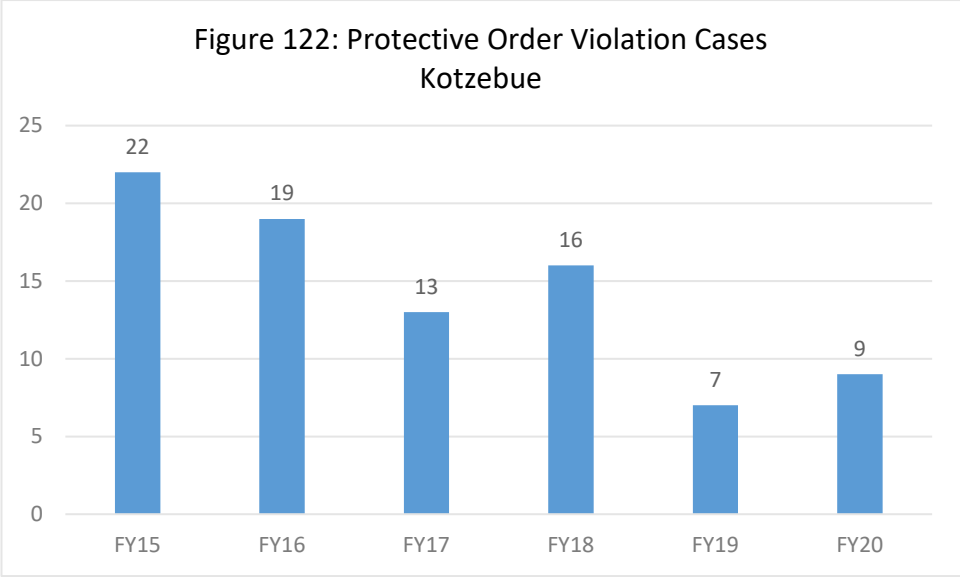
Figure 120: DVPOs Granted: Short-Term Kotzebue, FY19 - FY21



Figures 119 and 120 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 121 shows the number of each type of order in effect on snapshot days. Figure 122 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

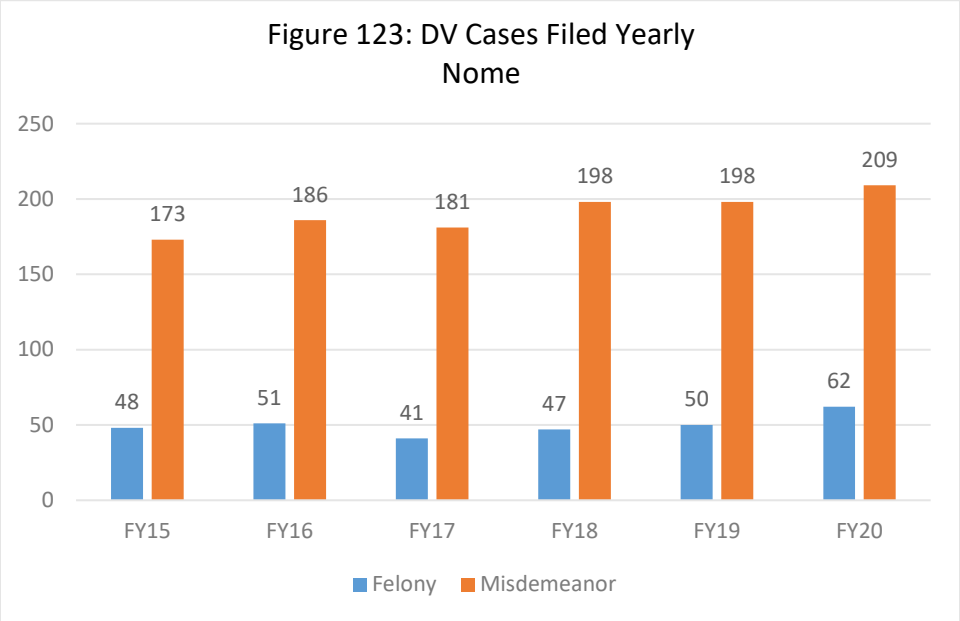


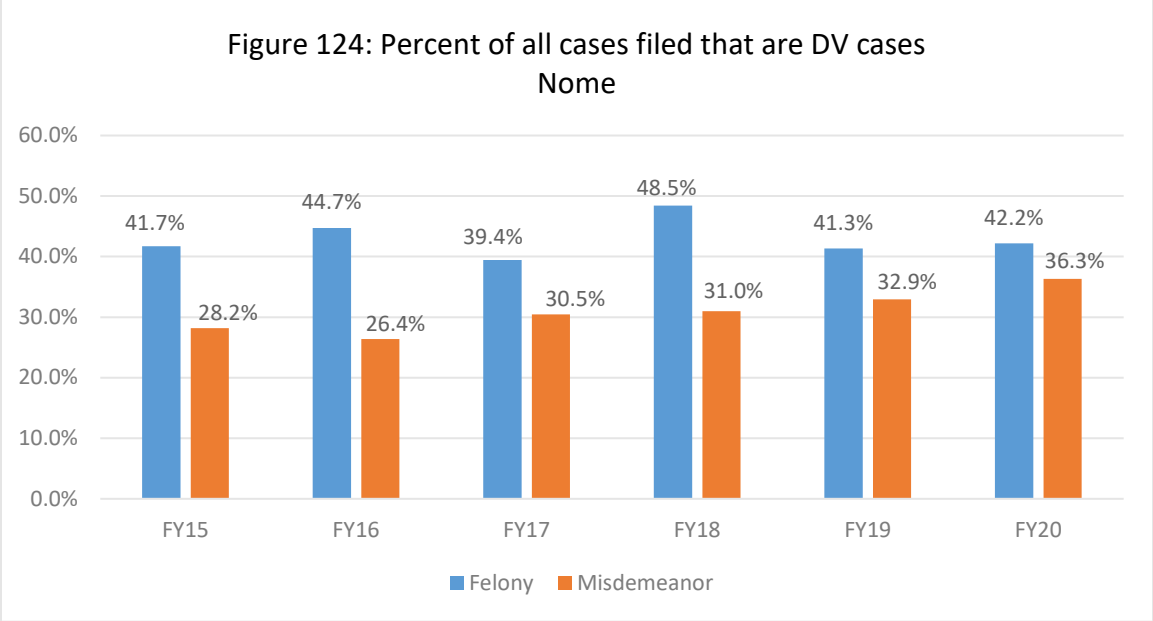


Figures 121 - 122 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix L – Nome Data

Figure 123 shows all criminal cases with at least one domestic violence (DV) charge filed in Nome each fiscal year, by felony and misdemeanor. Figure 124 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 123 and 124 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 125-128 show how DV cases are resolved in Nome compared to non-DV cases. Figures 125 and 126 show felony case resolutions while figures 127 and 128 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 125: Felony DV Case Dispositions, Nome

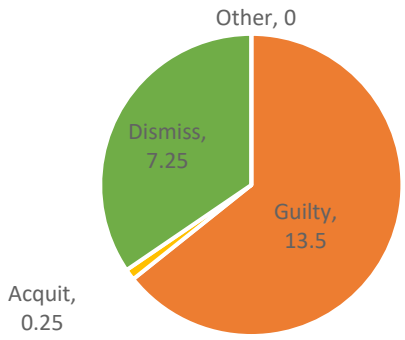


Figure 126: Felony Non-DV Case Dispositions, Nome

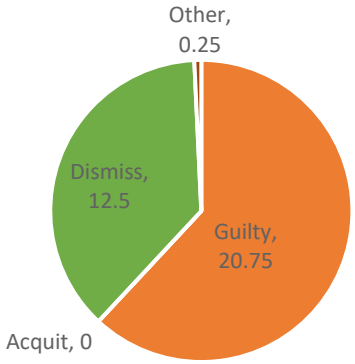


Figure 127: Misdemeanor DV Case Dispositions, Nome

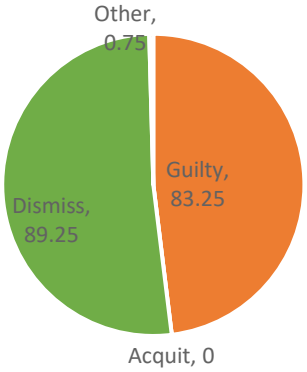
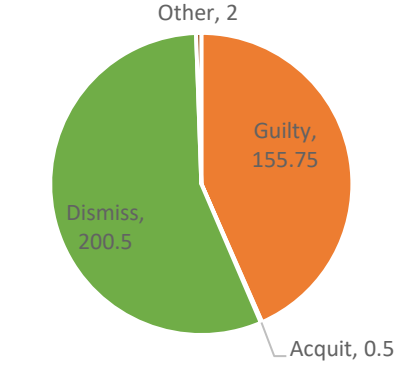


Figure 128: Misdemeanor non-DV Case Dispositions, Nome



Figures 125 - 128 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 129 and 130 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Nome in the last three fiscal years.

Figure 129: DVPOs Granted: Long-Term Nome, FY19 - FY21

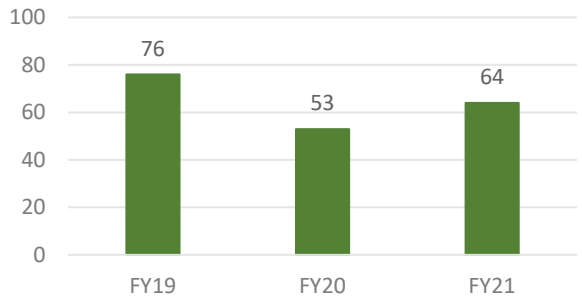
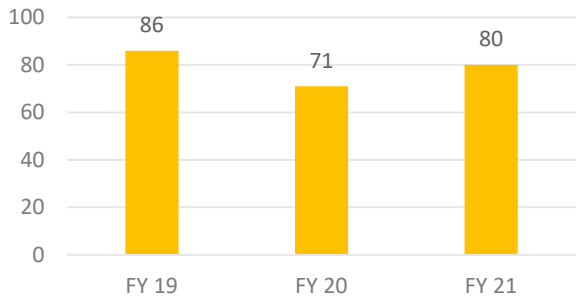
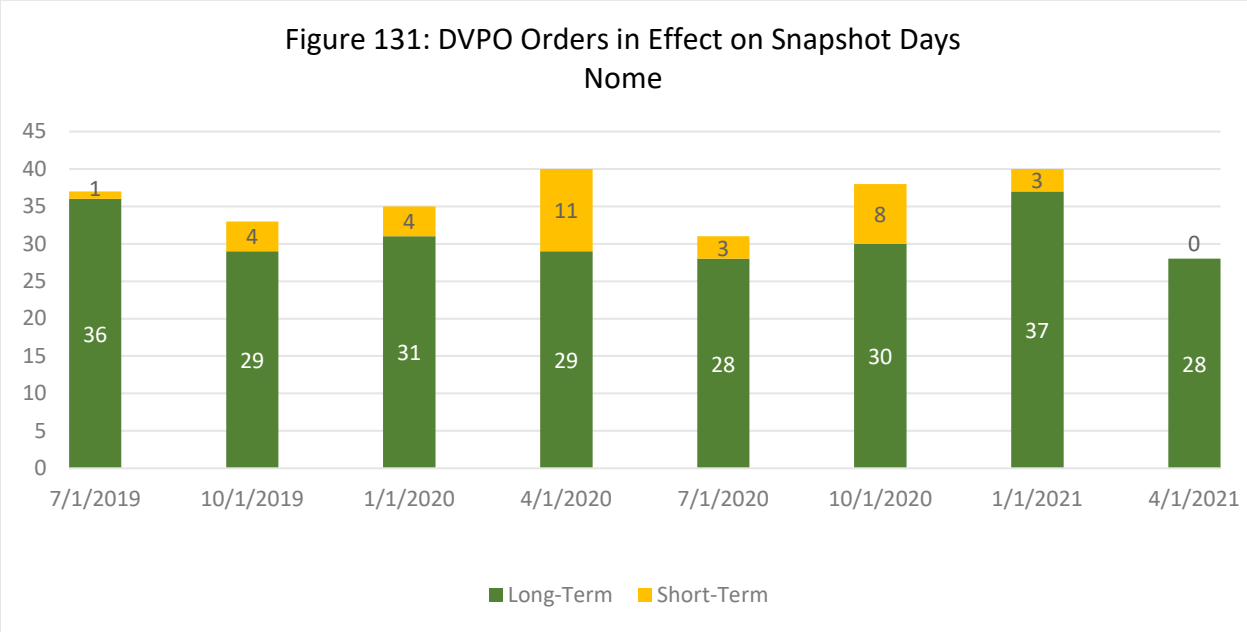


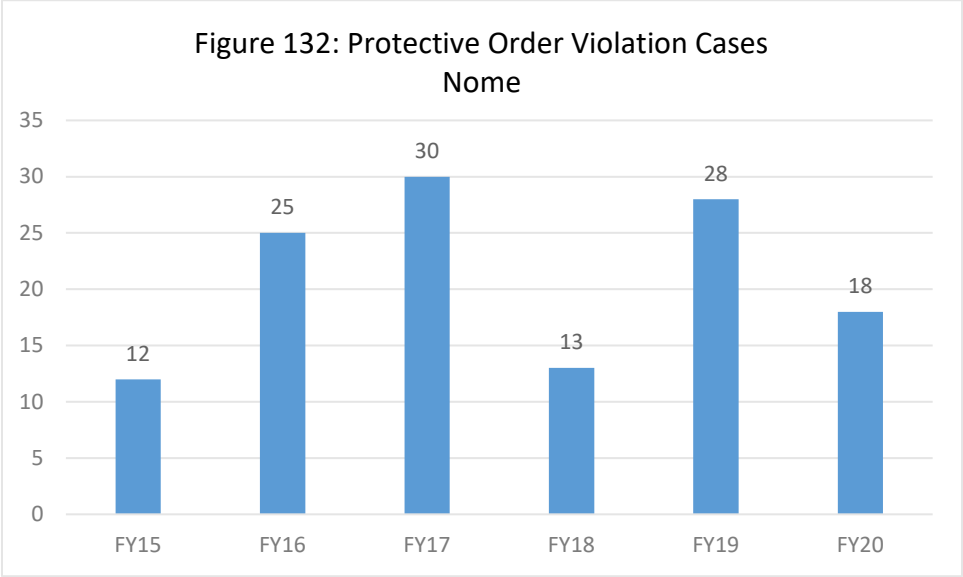
Figure 130: DVPOs Granted: Short-Term Nome, FY19 - FY21



Figures 128 and 129 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 131 shows the number of each type of order in effect on snapshot days. Figure 132 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

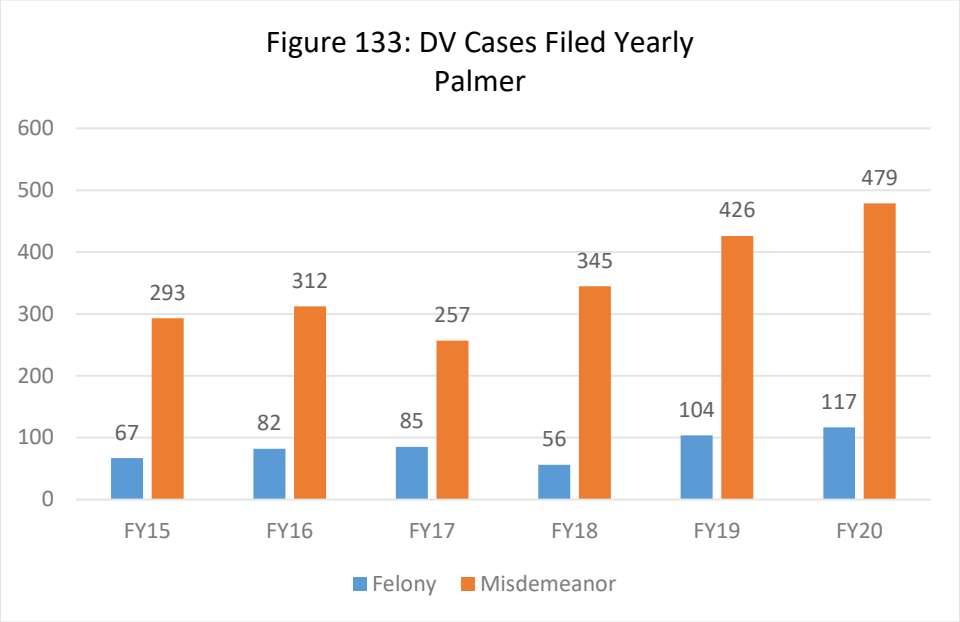


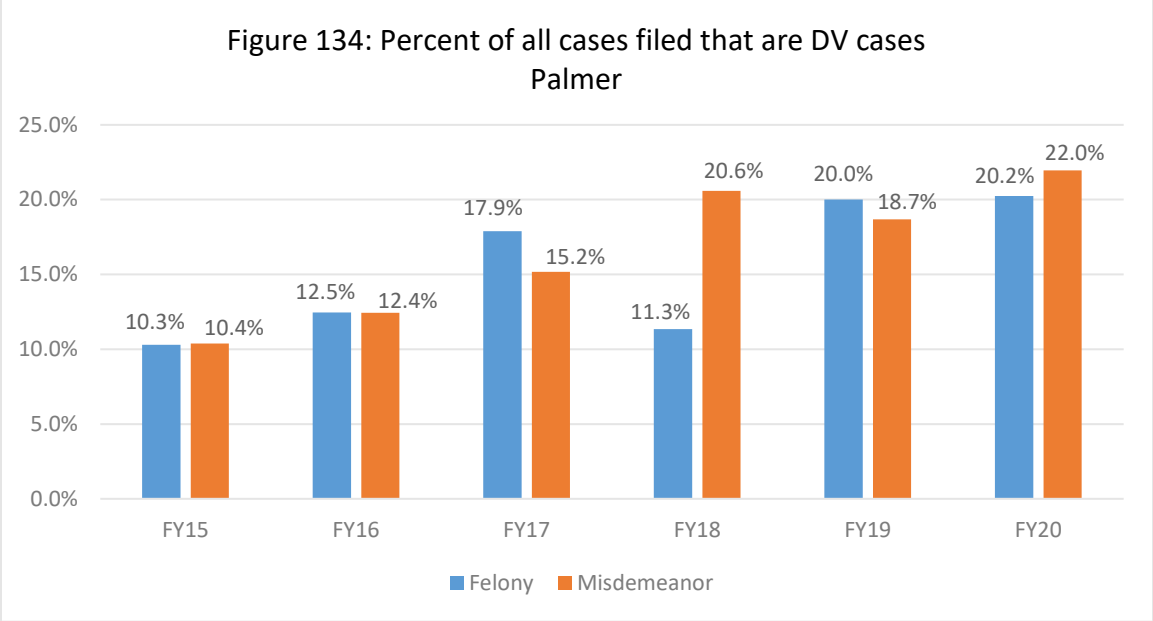


Figures 131 - 132 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix M – Palmer Data

Figure 133 shows all criminal cases with at least one domestic violence (DV) charge filed in Palmer each fiscal year, by felony and misdemeanor. Figure 134 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 133 and 134 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 135-138 show how DV cases are resolved in Palmer compared to non-DV cases. Figures 135 and 136 show felony case resolutions while figures 137 and 138 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 135: Felony DV Case Dispositions, Palmer

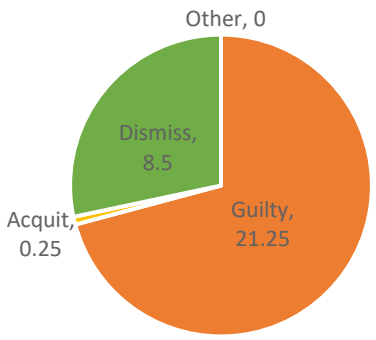


Figure 136: Felony Non-DV Case Dispositions, Palmer

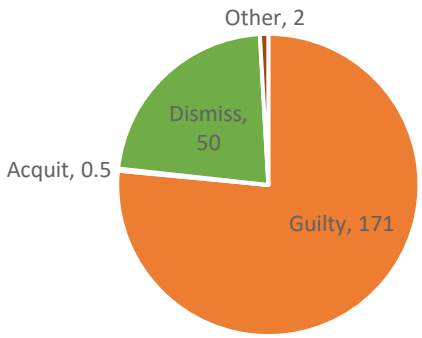


Figure 137: Misdemeanor DV Case Dispositions, Palmer

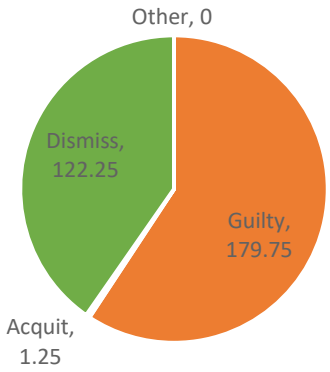
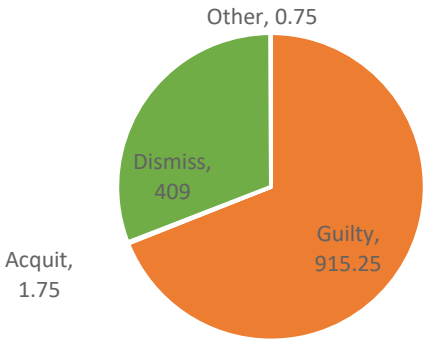


Figure 138: Misdemeanor non-DV Case Dispositions, Palmer



Figures 135 - 138 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 139 and 140 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Palmer in the last three fiscal years.

Figure 139: DVPOs Granted: Long-Term Palmer, FY19 - FY21

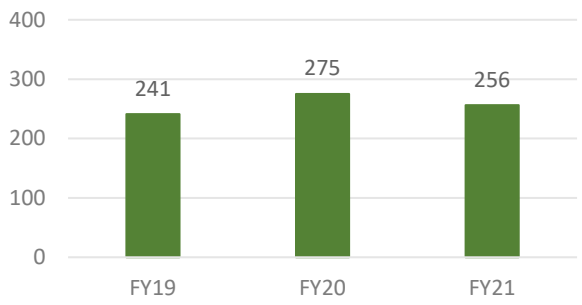
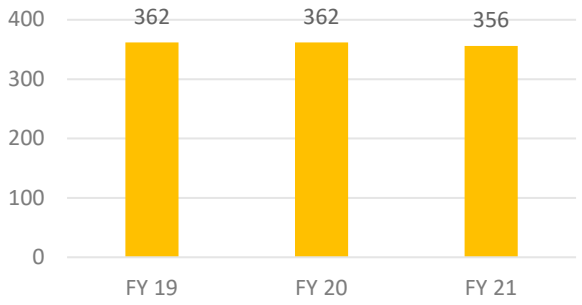
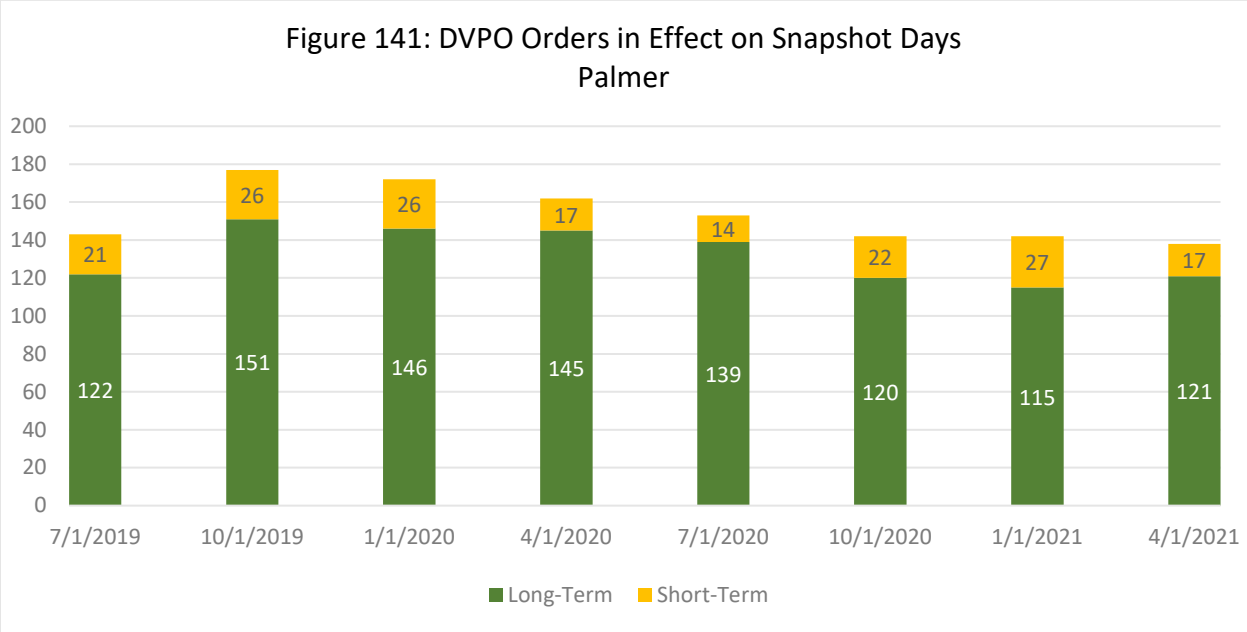


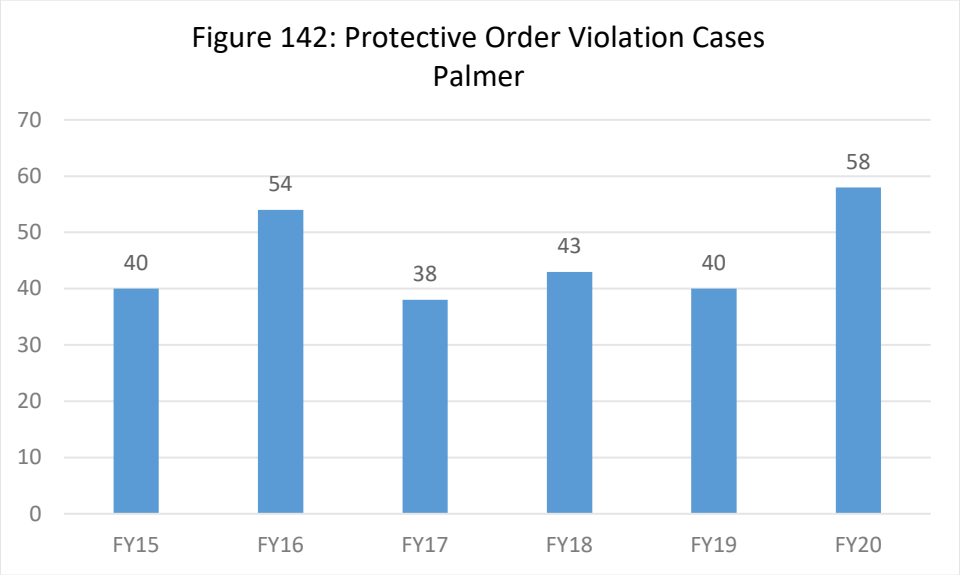
Figure 140: DVPOs Granted: Short-Term Palmer, FY19 - FY21



Figures 139 and 140 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 141 shows the number of each type of order in effect on snapshot days. Figure 142 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

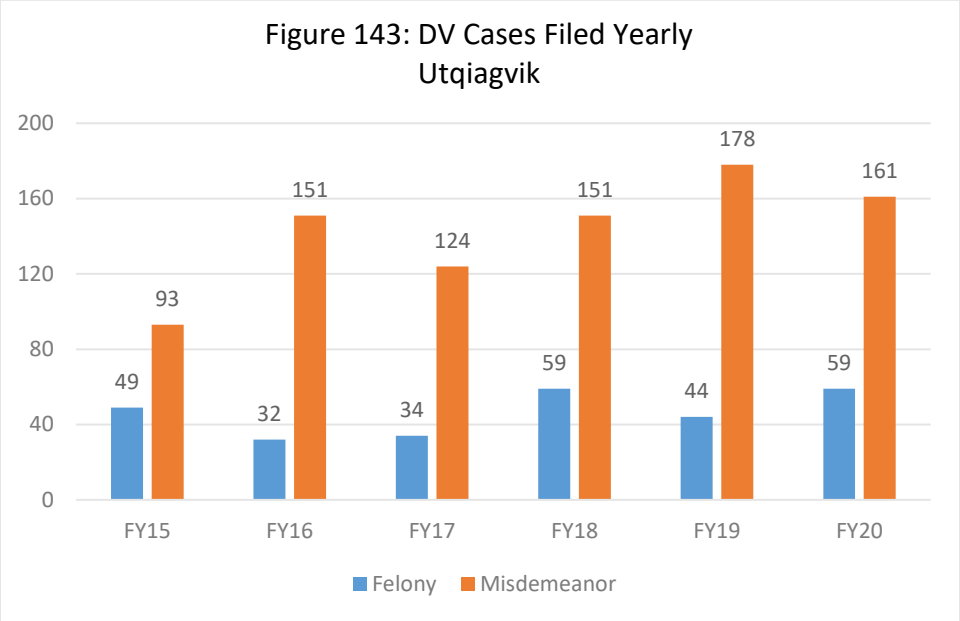


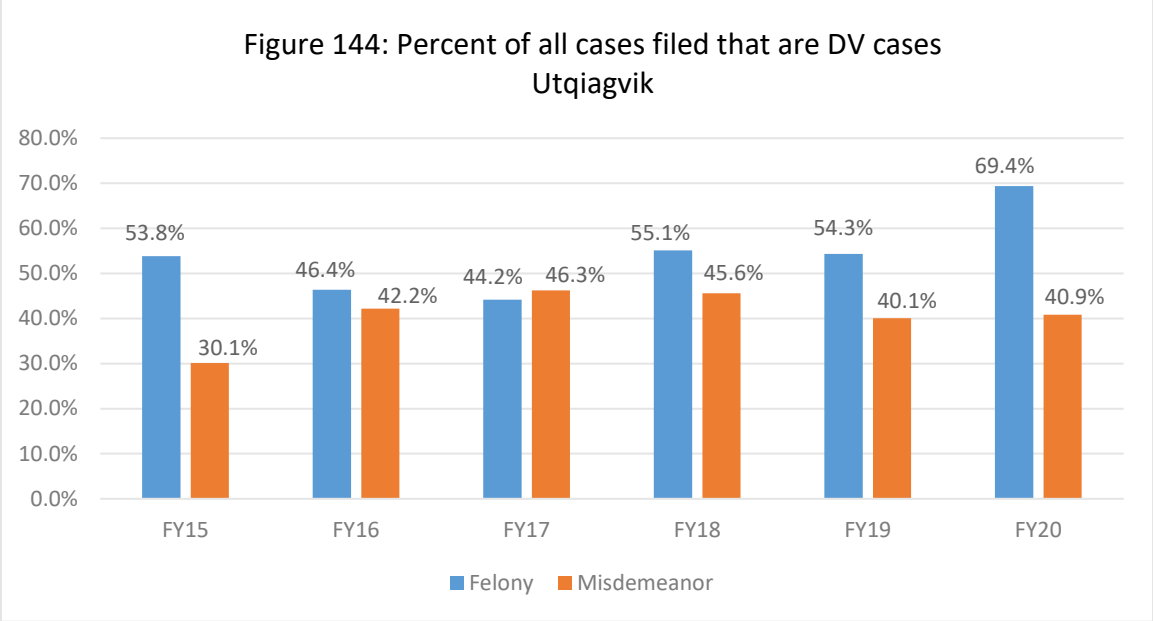


Figures 141 - 142 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Appendix N – Utqiagvik Data

Figure 143 shows all criminal cases with at least one domestic violence (DV) charge filed in Utqiagvik each fiscal year, by felony and misdemeanor. Figure 144 shows the percentage of all criminal cases filed that contain at least one DV charge.





Figures 143 and 144 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 145-148 show how DV cases are resolved in Utqiagvik compared to non-DV cases. Figures 145 and 146 show felony case resolutions while figures 147 and 148 show misdemeanor case resolutions. The numbers represent a per-year average from FY18-FY20.

Figure 145: Felony DV Case Dispositions, Utqiagvik

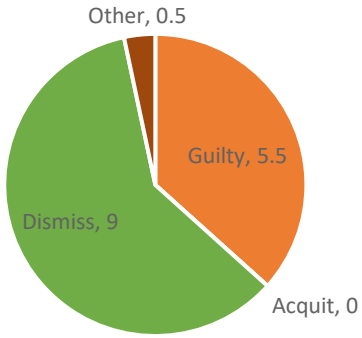


Figure 146: Felony Non-DV Case Dispositions, Utqiagvik

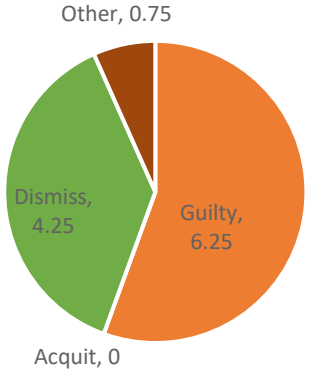


Figure 147: Misdemeanor DV Case Dispositions, Utqiagvik

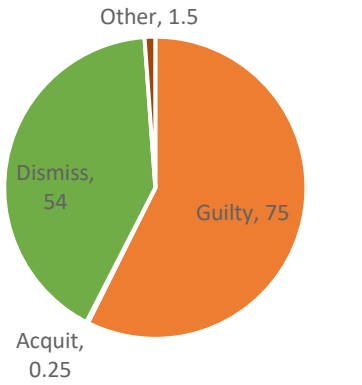
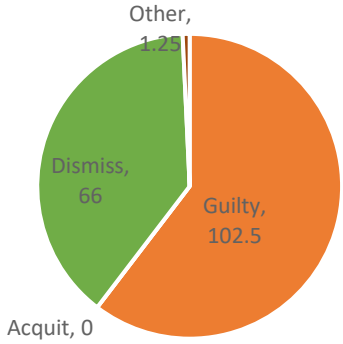


Figure 148: Misdemeanor non-DV Case Dispositions, Utqiagvik



Figures 145 - 148 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figures 149 and 150 show the total number of long-term (one-year) and short-term (20-day) DV protective orders filed per fiscal year in Utqiagvik in the last three fiscal years.

Figure 149: DVPOs Granted: Long-Term Utqiagvik, FY19 - FY21

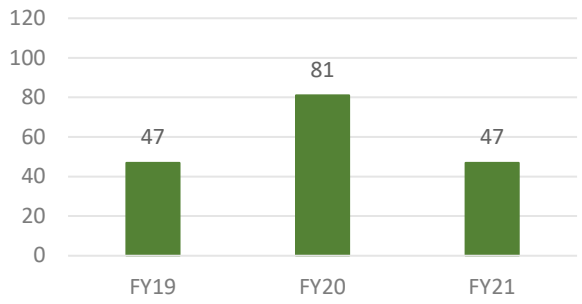
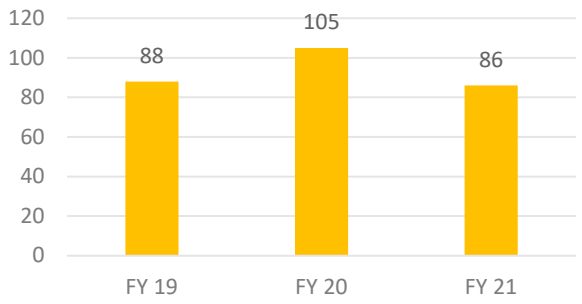


Figure 150: DVPOs Granted: Short-Term Utqiagvik, FY19 - FY21



Figures 149 and 150 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission

Figure 151 shows the number of each type of order in effect on snapshot days. Figure 152 shows the number of criminal cases filed per fiscal year with at least one charge of violating a protective order (may include stalking or sexual assault protective orders in addition to DV protective orders).

Figure 151: DVPO Orders in Effect on Snapshot Days
Utqiagvik

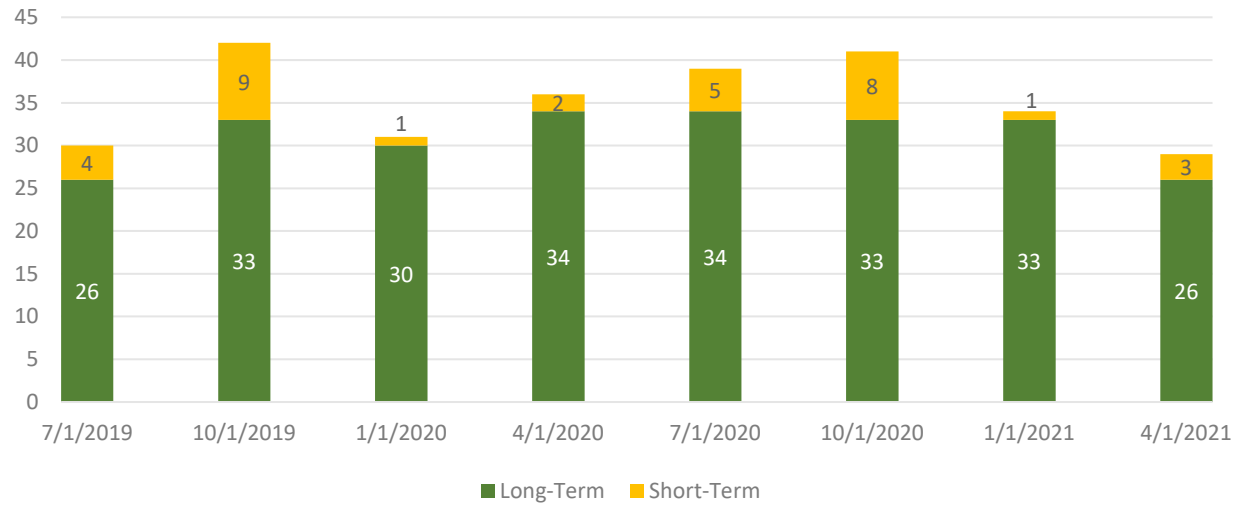
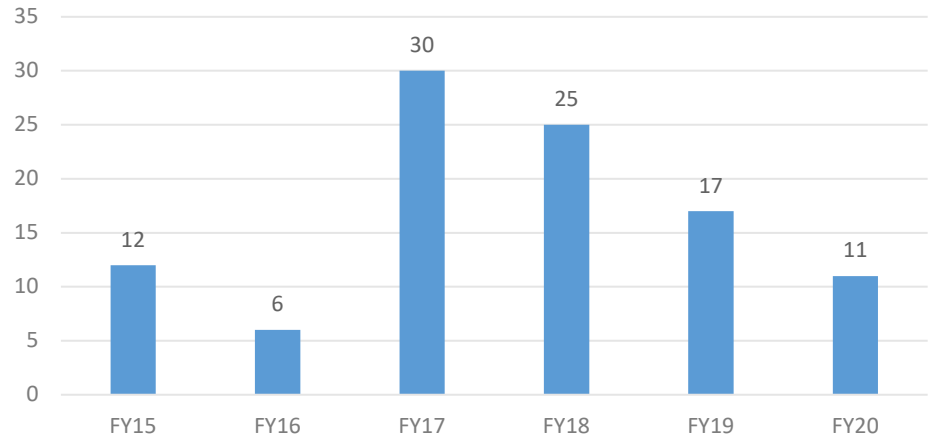


Figure 152: Protective Order Violation Cases
Utqiagvik



Figures 151- 152 Data Source: Alaska Court System; Analysis: Alaska Criminal Justice Commission