



Massachusetts Intimate Partner Homicide Review

An Overview of District Attorney Cases between 2005 and 2007

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Points of view in this document are those of the authors and do not necessarily represent the official position or policies of the Massachusetts Executive Office of Public Safety and Security.

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Highlights

An analysis was conducted on intimate partner homicides occurring between 2005 and 2007 in the Commonwealth of Massachusetts based on a data collection tool (survey) designed by EOPSS for use by the 11 District Attorney's offices in the state. This report presents findings on the 47 intimate partner (IP) homicide surveys returned to EOPSS by the District Attorneys. For the purposes of this report only, an intimate partner homicide was defined as any homicide where the victim was a spouse, ex-spouse, live-in partner, former live-in partner, boy/girlfriend, or former boy/girlfriend of the assailant (or someone acting under the direction of the assailant). The following are highlights of these findings:

- The number of intimate partner homicides has increased each year from 2005 through 2007.
- The distribution of IP homicides was fairly even across most DA offices. Worcester, Essex, and Middlesex Counties had the highest number of IP homicides, while Dukes, Hampshire, Franklin, Nantucket and Norfolk Counties had no IP homicides (as per the definition of IP homicide used for this analysis).
- IP homicide victims and assailants were usually very close in age and generally of the same race.
- Most IP homicide victims were female (85%) and most assailants were male (87%).
- Victims and assailants were generally married (55% of cases).
- The assailant committed suicide within 24 hours of the homicide in 28% of the cases.
- Intoxication and illegal drug use did not factor into the homicide for many of the cases analyzed.
- The most common motive for IP homicides was the ending of the relationship (20% of cases).
- IP homicide victims were most commonly killed (37%) in the home shared by the victim and assailant.
- Almost half (45%) of assailants were charged with a previous violent crime. Of those charged with a previous violent crime, all had at least one prior charge involving some type of assault.

Introduction:

In the fall of 2008 the Executive Office of Public Safety and Security (EOPSS) initiated a review of intimate partner (IP) homicides in the Commonwealth of Massachusetts in response to concern over an increase in the number of reported IP homicides. The purpose of this review was to gain a deeper understanding of the circumstances and characteristics surrounding IP homicide in the Commonwealth with the hope that information learned through this exercise would help inform policy around IP homicide prevention and prosecution.

In order to determine what would be the most accessible, complete, and unfiltered information, EOPSS convened a diverse group of domestic violence stakeholders from various public and private agencies, including: Massachusetts District Attorney's Association, Jane Doe, Inc., The Governor's Council to Address Sexual and Domestic Violence, and the Department of Public Health. Along with advice from this group, EOPSS decided data collected from the District Attorney's Offices' case files of IP homicides over the three most recent years would be the best method to learn more about incidents of IP homicide in Massachusetts.

Based on the topics and concerns discussed at this stakeholder meeting, the Research and Policy Analysis Division at EOPSS designed a 52 question IP homicide data collection tool (or survey) that would be sent to each District Attorney's Office and completed for each IP homicide they had on file from 2005 through 2007. This tool was reviewed by various members of the stakeholder committee and then field tested with three District Attorney's Offices. The following report is based upon the findings from the 47 surveys received by EOPSS from 11 District Attorney's Offices (representing 14 counties).¹

It is important to note that this report does not present information on the incidence or prevalence of domestic violence in Massachusetts, as EOPSS specifically examined the characteristics of IP homicide only. For the purposes of this IP homicide review and this report only, an IP homicide was defined as any homicide where the victim was a spouse, ex-spouse, live-in partner, former live-in partner, boy/girlfriend, or former boy/girlfriend of the assailant (or someone acting under the direction of the assailant).

This report is organized into the following sections: Introduction, Overview, Characteristics of Homicide Victims and Assailants, Case Characteristics, History of Abuse/Violence, and Recommendations.

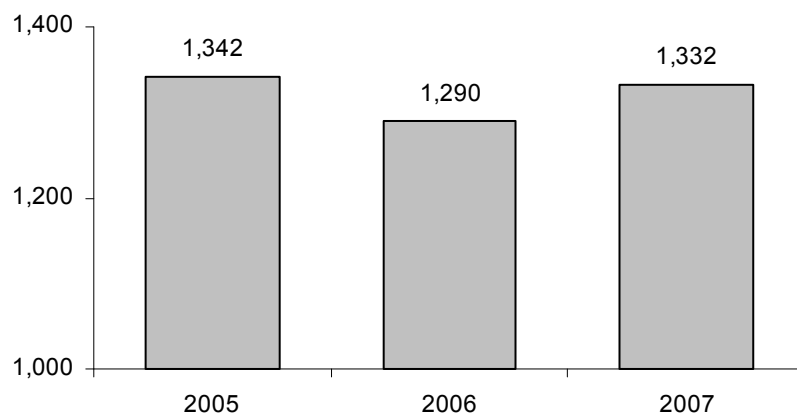
¹ According to data from the Federal Bureau of Investigation's Supplemental Homicide Reports there were a different number of intimate partner homicides in Massachusetts between 2005 and 2007. This discrepancy may be the result of: different definitions of an 'intimate partner', data collection procedures, and/or data coding errors.

Data Overview

According to data from the Federal Bureau of Investigation's Supplemental Homicide Report, there were approximately 3,964 victims of intimate partner homicide in the United States from 2005 through 2007. Of those homicides, approximately 21% of victims were male and 79% were female. It is important to note, these homicides include only the following victim-offender relationship types: spouse/ex-spouse and boy/girlfriend.

Figure 1.

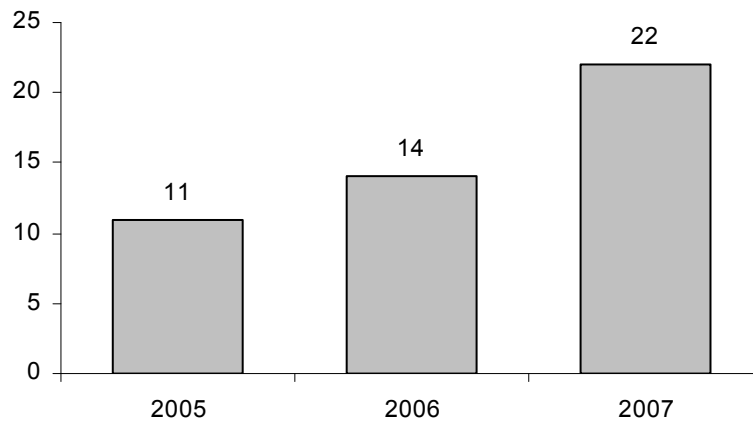
Count of IP homicides in the United States, 2005-2007



For more information on a 22 year review of intimate partner homicides in Massachusetts using data from the FBI's Supplemental Homicide Report, please see the "Analysis of Intimate Partner Homicides in Massachusetts: An Overview of Supplementary Homicide Report Cases between 1986 and 2007" report available on the EOPSS website (www.mass.gov/eopss).

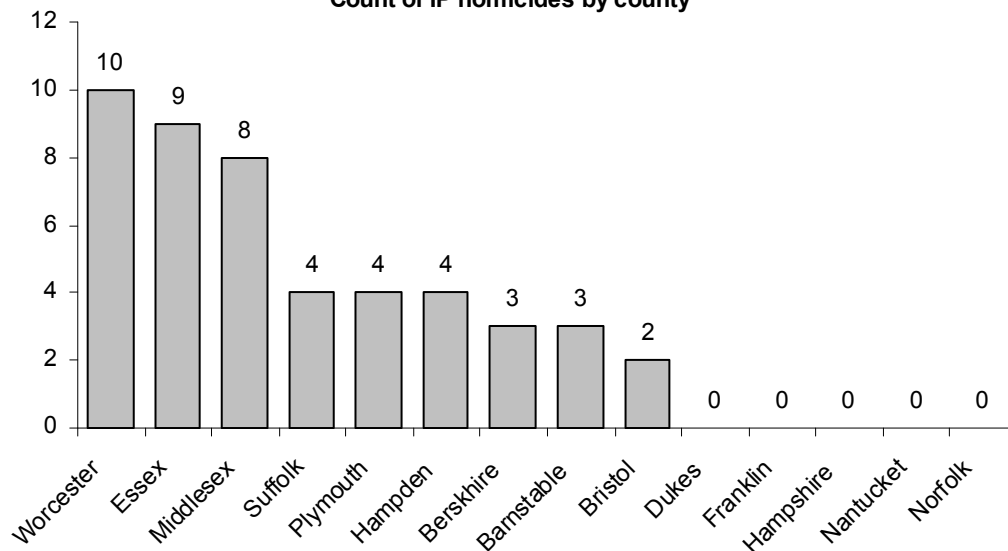
According to data collected through this project from Massachusetts' District Attorney Offices, there were a total of 47 intimate partner (IP) homicides in Massachusetts from 2005 to 2007. The number of IP homicides increased steadily each year. Overall, IP homicides doubled from 2005 to 2007.² The most dramatic increase occurred between 2006 and 2007 (50% increase).

Figure 2.
Count of IP homicides by year



Based on the data collection forms, Worcester County experienced the highest number of IP homicides from 2005 to 2007 (10), followed closely by Essex County (9). Dukes, Franklin, Hampshire, Nantucket, and Norfolk Counties had the lowest number of IP homicides (0).³

Figure 3.
Count of IP homicides by county



² This text was corrected on October 5, 2009.

³ Dukes, Nantucket, and Barnstable Counties share the same District Attorney's Office (Cape and Islands DA). Hampshire and Franklin Counties also share the same District Attorney's Office (Northwestern DA).

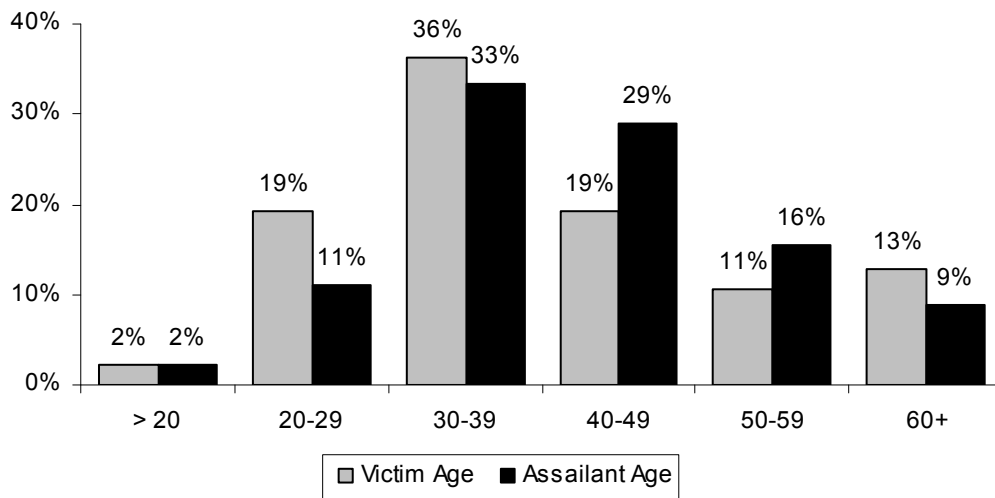
Characteristics of Homicide Victims and Assailants

Age

Victims and assailants of intimate partner homicides had very similar age profiles. Both victims and assailants of IP homicides were most commonly between the ages of 30 and 39. Overall, the average age of IP homicide assailants was slightly higher than the average age of IP homicide victims (41 yrs old vs. 40 yrs old, respectively).⁴

Figure 4.

IP homicides by victim vs. assailant age groups

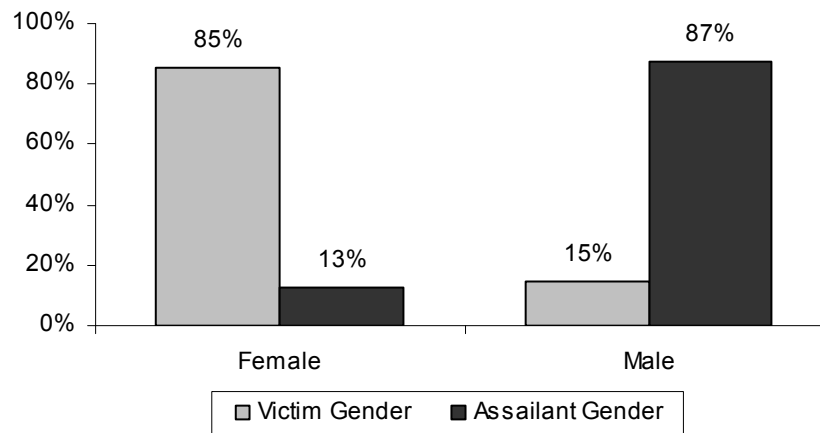


Gender

Intimate partner homicide victims were much more commonly female (85%), while intimate partner homicide assailants were overwhelmingly male (87%). All female victims were killed by male assailants. While most of the male victims were killed by female assailants, one male victim was killed by a male assailant.

Figure 5.

IP homicides by gender of victim vs. gender of assailant



⁴ Does not include 2 cases where the age of assailant was missing.

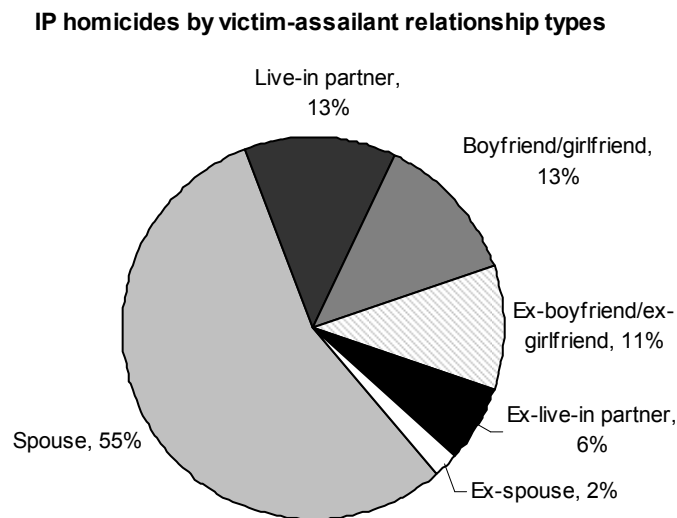
Race

The racial/ethnic profile of IP homicide victims and assailants is very similar. Both groups were more commonly white (73%) and non-Hispanic (84%).⁵ Nearly all victims (98%) were killed by intimate partners who shared the same racial category as their own.

Victim-Offender Relationship

Intimate partner homicide victims were most commonly married to their assailant (55%). Live-in partner and boyfriend/girlfriend were the next most common relationship types (13% each).

Figure 6.



Pregnancy

Two intimate partner homicide victims and one IP homicide assailant were pregnant at the time of the homicide.⁶

Children

Children were present in more than half of the homicide victims' homes (54%).⁷ Stepchildren were present in 28% of the homicide victims' homes. Three quarters of the stepchildren were children of the homicide victims and 25% were children of the homicide assailants.

Immigration Status/English Proficiency

The majority of both intimate partner homicide victims and assailants were proficient in English (93% vs. 90%, respectively), indicated the United States as their country of origin (84% vs. 80%, respectively), and had not immigrated to the United States within one year of the homicide (94% vs. 90%, respectively).

⁵ Ethnicity is missing from 3 assailants and 4 victims. Racial profile is missing from 2 victims and 2 assailants.

⁶ Does not include 1 case where response to pregnancy was missing.

⁷ Does not include 1 case where response to children present in the home was missing.

End of Relationship

In 30% of cases the homicide victim attempted to leave the relationship within the year prior to the homicide.

Assailant Employment

Almost half (45%) of the homicide assailants were not employed at the time of the homicide.^{8,9,10,11} It is interesting to note that the unemployment rate of IP homicide assailants in this sample is more than 8 times higher than the state average (33% vs. 4.1%). Of the 10 cases where an income level was indicated, the largest percentage of homicide assailants earned between \$15,000 and \$30,000.

Figure 7.



Assailant Suicide

In 26% of cases (12 out of the 47), the IP homicide assailant committed suicide within 24 hours of the homicide. All of the assailants who committed suicide within 24 hours of the homicide were male.

⁸ This text was corrected on October 5, 2009.

⁹ Does not include 7 cases where response to homicide assailant employment status was missing.

¹⁰ Of the 13 cases where an education level of the homicide assailant was indicated, almost half of the assailants completed high school (46%).

¹¹ Totals equal more than 100% due to rounding.

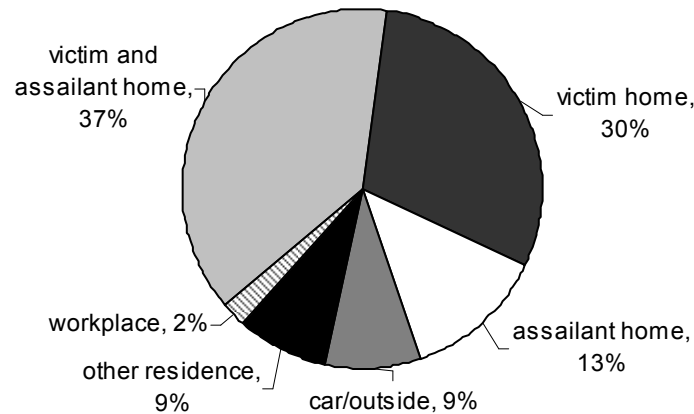
Case Characteristics

Location

The majority of intimate partner homicides occurred in the home shared by the victim and the assailant (38%), followed by the home of just the victim (30%). IP homicides occurring in the workplace were the least common (2%).

Figure 8.

IP homicides by location at time of homicide

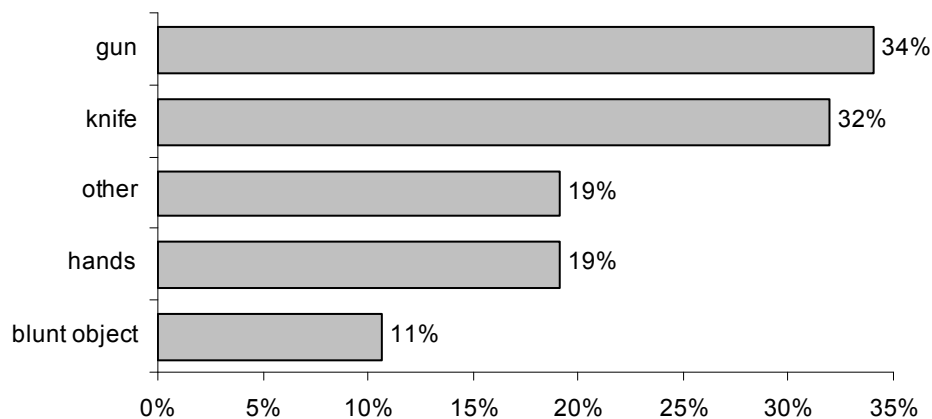


Weapon Used

Guns were the most common weapons used during the commission of the IP homicides (34%), followed closely by knives (32%). “Other weapons” include: rock, scissors, fire, motor vehicle, nylon rope, plastic bag, pillow, pavement, and a plastic zip tie. It is important to note that these categories are not mutually exclusive, as some assailants used more than one weapon during the commission of the homicide.

Figure 9.

IP homicides by weapon(s) used

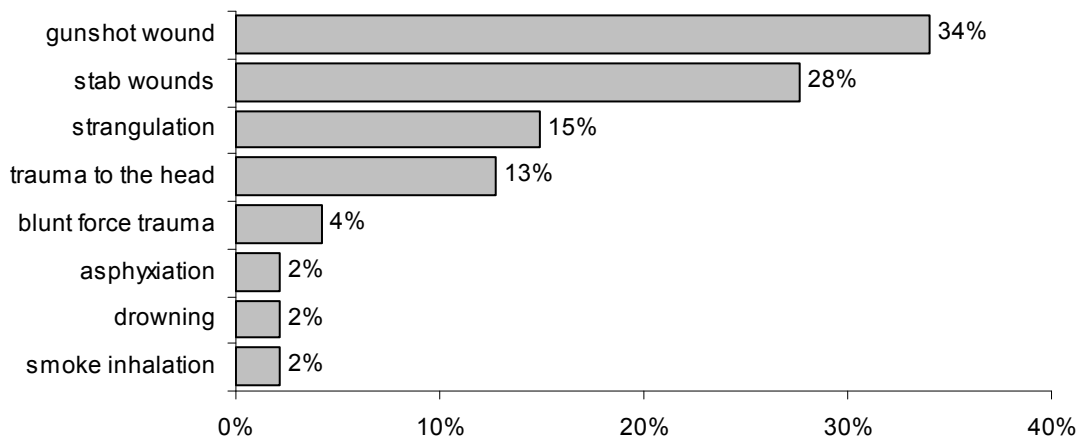


Injuries Sustained

As guns were the most commonly used weapons, it is not surprising that gunshot wounds were the most frequent cause of death in intimate partner homicides (34%). Similarly, as knives were the next most commonly used weapon, stab wounds were the second most frequent cause of death (28%).

Figure 10.

IP homicides by cause of death



Alcohol Use/Illegal Drugs

It was relatively uncommon for either IP homicide victims or assailants to be intoxicated or under the influence of illegal drugs at the time of the homicide. Approximately 7% of homicide victims and 4% of homicide assailants were intoxicated at the time of the homicide.¹² Similarly, only 2% of homicide victims and 7% of homicide assailants were under the influence of illegal drugs at the time of the homicide.

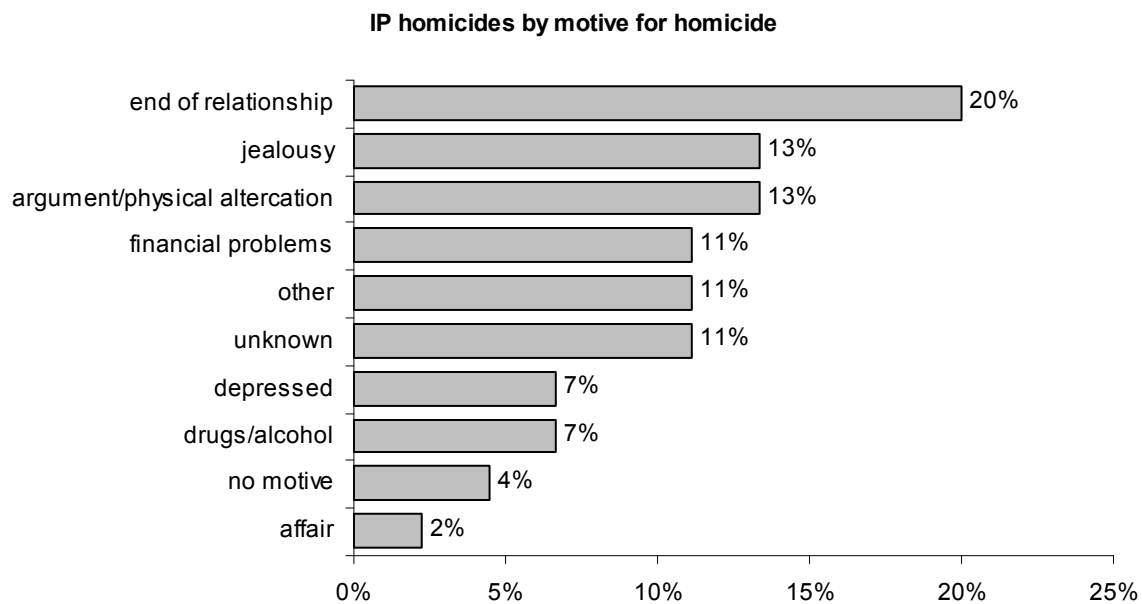
Motive for Homicide

In an effort to ascertain as much information about the circumstances surrounding IP homicides as possible, the data collection tool asked about any significant life stressors experienced by the assailant prior to the homicide. More than half (57%) of the IP homicide assailants experienced a significant life stressor prior to the homicide. The most common significant life stressor was the ending of the relationship (35%). Other examples of significant life stressors included: financial problems, loss of employment, depression/mental health concerns, and death of a family member.

¹² Response to victim intoxication and drug use was missing for 2 cases. Response to assailant intoxication and drug use was missing for 1 case.

The IP homicide data collection tool also asked specifically about a motive for the homicide. In some cases, the motive for the homicide and the significant life stressor are the same. Of those cases where a motive for the homicide was given, the ending of the relationship was indicated in 20% of cases. Jealousy and argument/physical altercation were the next most common motives (13% each), followed by financial problems, other motives, and unknown motives (11% each).¹³

Figure 11.



Premeditation/Spontaneity of Homicide

Approximately 29% of the intimate partner homicides were planned by the assailant and 24% were spontaneous. The premeditation/spontaneity was unknown in 47% of cases.

Other Victims

In addition to the 47 IP homicide victims, 8 other people were killed during the commission of 6 of the IP homicides. These victims included children, stepchildren, and a victim's parent.

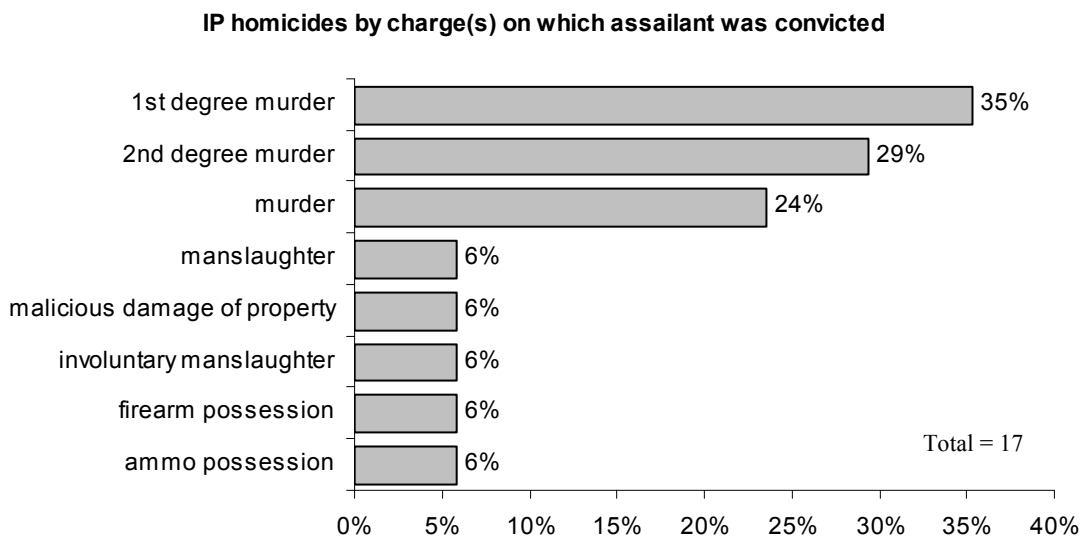
¹³ Does not include 2 cases where the motive was missing.

Legal Outcome

In every case, excluding those where the homicide assailant committed suicide¹⁴, the homicide assailant was prosecuted or a prosecution was pending (24 assailants were prosecuted, and prosecution was pending for 10 assailants). Of the 24 assailants who were prosecuted, 17 (71%) were convicted of the homicide. Five cases (21%) were prosecuted, but the assailants were not convicted of the homicide.¹⁵ Conviction was pending for the remaining 2 assailants (8%). Sentences for assailants who were convicted ranged from 4-6 years to life in prison.

Of those 17 intimate partner homicide assailants who were convicted of a crime occurring during/as a result of the commission of the IP homicide, all but two assailants were convicted of murder.¹⁶ Specifically, assailants were most commonly convicted of 1st degree murder (35%), followed by 2nd degree murder (29%).¹⁷ It is important to note that these categories are not mutually exclusive, as some assailants were convicted of more than one crime stemming from the homicide.

Figure 12.



¹⁴ In 12 cases the homicide assailant committed suicide within 24 hours of the homicide and in one case where the homicide assailant committed suicide 4 days after the homicide.

¹⁵ Of the 5 assailants who were prosecuted but not convicted: one assailant died prior to conviction, one assailant was committed to the state hospital for one day to life, and, in one case, the grand jury returned “no bill” after hearing about the history of abuse against the assailant by the victim. In 2 cases the reason for no conviction is unknown.

¹⁶ One assailant was convicted of involuntary manslaughter and one assailant was convicted of manslaughter/youthful offender.

¹⁷ In some cases the district attorney did not clarify the charge of “murder” and therefore a separate category was created (24%).

History of Abuse/Violence

History of Abuse/Restraining Orders

In 18 of the 47 cases (38%), there was a history of abuse against the IP homicide victim by the homicide assailant.¹⁸ In 2 cases (4%) there was a history of abuse against the homicide assailant by the homicide victim. Of those 18 cases where a history of abuse was indicated, 8 of the homicide victims previously sought a restraining order against the homicide assailant. A total of 10 homicide victims previously sought a restraining order against the homicide assailant (this includes 2 cases where a history of abuse against the homicide victim by the homicide assailant was not indicated). Restraining orders were granted in 90% of cases (the result was unknown for 1 case). There was only one documented case where an assailant violated the restraining order granted to the homicide victim prior to the homicide.¹⁹

Restraining orders had been filed against the homicide assailant by previous domestic partners (not the homicide victim) in 19% of cases. Only 7% of IP homicide assailants violated these restraining orders.

Previous Violent Crime

Approximately 45% of IP homicide assailants were previously charged with a violent crime. Of those charged with a previous violent crime, all assailants were charged with some type of an assault charge.²⁰ In addition to the assault charges, 62% of these IP homicide assailants were also previously charged with other crimes such as: attempted murder, armed robbery, manslaughter, kidnapping, breaking and entering, malicious destruction of property, threatening, and intimidation. All but one of the homicide assailants who were previously charged with a violent crime were male.

Of those IP homicide assailants who were previously charged with a violent crime, 57% were previously convicted of a violent crime.²¹ Of those assailants who were previously convicted of a violent crime, 62% were previously incarcerated for a violent crime (incarceration was unknown in 1 case). None of the IP homicide assailants were under supervision (probation/parole) at the time of the homicide.

Five (11%) of the IP homicide assailants had a pending criminal charge against them at the time of the homicide. In 3 of those cases the IP homicide victim was the same victim on the pending case.

¹⁸ No homicide victims previously sought/used domestic violence services as a result of the relationship with the homicide assailant.

¹⁹ Restraining order violations were unknown in half of the cases where a restraining order was granted.

²⁰ This includes assault charges such as: assault and battery (A&B), A&B with a dangerous weapon, assault, assault with a dangerous weapon, armed assault to rob, and assault to kill.

²¹ Includes 1 unknown and 1 missing out of the 21 assailants who were previously charged with a violent crime.

Recommendations

The Research and Policy Analysis Division of the Executive Office of Public Safety and Security recommends maintaining annual data collection efforts of IP homicide data in the Commonwealth of Massachusetts. While this report may suggest predictive risk factors for IP homicide, due to the small sample size we are unable to draw statistically significant conclusions. A larger, and thus more reliable, sample of cases may provide for interesting trend analysis and could help to further inform policy and procedure around the state.