State Domestic Violence Fatality Review Team



2024 ANNUAL REPORT

Chair: Vilma Uribe | Coordinator: Anjeza Xhemollari

Presented by:

State Domestic Violence Fatality Review Team; Executive Office of Public Safety and Security

Presented to:

Governor Maura Healey; Lieutenant Governor Kim Driscoll; the Clerks of the House and Senate; the House and Senate Committees on Ways and Means; the Joint Committee on Children, Families, and Persons with Disabilities; the Joint Committee on Public Safety and Homeland Security; and the Joint Committee on the Judiciary

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This report is dedicated to the victims of domestic violence whose lives were tragically cut short. May their stories inspire us to continue the fight for justice and safety.

Acknowledgment

The Massachusetts State Domestic Violence Fatality Review Team would like to thank Governor Healey and Lt. Governor Driscoll for their commitment to supporting survivors of domestic violence, sexual assault, and human trafficking across the state.

This year, the Healey-Driscoll Administration has made significant strides with the Governor's Council to Address Sexual Assault, Domestic Violence, and Human Trafficking. Governor Healey has signed several vital pieces of legislation, including:

- An Act Criminalizing Sexual Assault by Fraud Committed by Medical Professionals
- <u>An Act Modernizing Firearms Laws</u>
- <u>An Act to Prevent Abuse and Exploitation</u>

Additionally, the Healey-Driscoll administration filed a supplemental budget, which was approved. It includes funding for the VOCA Bridge program, which aims to enhance support for crime victims.

We would also like to thank the Massachusetts District Attorneys Association, the Commonwealth's District Attorneys, and staff for continuing to dedicate their time and efforts to facilitating review sessions.

Last but certainly not least, we would like to thank the local community partners who participate in local reviews each year. Our work would not be possible without their support and contributions to these review sessions.

A Note from the Chair

As Chair of the State Domestic Violence Fatality Review Team, I present our annual report with a heavy heart and a commitment to preventing domestic violence fatalities in our state. Each case we reviewed represents a life cut short—a family member, friend, or neighbor whose death was preventable.

This past year, we analyzed three domestic violence fatalities to understand the circumstances surrounding these tragedies and identify ways to intervene. Our findings highlight patterns and gaps in our system that, if addressed, could improve our response to domestic violence. The report includes specific recommendations for enhancing response, social service provision, and community awareness. Each recommendation stems from the analysis of domestic violence fatalities in our state.

We owe it to those who have lost their lives and to those impacted by domestic violence to learn from these tragedies and implement meaningful changes. This report not only serves as a memorial to those we've lost but as a roadmap to prevent future deaths.

I want to extend my gratitude to Anjeza Xhemollari (a true rockstar behind the scenes), the State Team, Local Teams, and state partners for their commitment to these reviews. Thank you for your expertise and dedication to preventing future domestic violence fatalities.

I encourage you to read this report with an eye toward action. Whether you're a legislator, service provider, law enforcement officer, educator, or simply a neighbor, you have the power to prevent domestic violence fatalities. Let's work together to make a difference.

Sincerely,

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Vilma Uribe Chair, State Domestic Violence Fatality Review Team Executive Director, Governor's Council to Address Sexual Assault, Domestic Violence, and Human Trafficking

Membership

State Team

Chair Vilma Uribe, Governor's Council to Address Sexual Assault, Domestic Violence, and Human Trafficking Andrea Joy Campbell, Attorney General, Office of the Attorney General Nicole Poirier, Office of the Attorney General (Designee) Dr. Mindy Hull, Office of the Chief Medical Examiner **Deborah Mendoza-Lochrie**, Office of the Chief Medical Examiner (Designee) Middlesex District Attorney Marian Ryan, Massachusetts District Attorneys Association Megan McGovern, Middlesex District Attorney's Office (Designee) Colonel Geoffrey Noble., Massachusetts State Police **Detective Captain Michael Farley**, Massachusetts State Police (Designee) Dianne Fasano, Office of Probation **Corinn Crowninshield**, Office of Probation (Designee) Liam Lowney, MA Office for Victim Assistance **TBD**, Chief Justice of the Trial Court or a designee* **TBD**, Chief Justice of the Family and Probate Court or a designee* **State Partners**

Anjeza Xhemollari, Executive Office of Public Safety and Security Keara Kelley, Massachusetts Parole Board Sue Englaish Lachowetz, Department of Children and Families Crystal Jackson, Department of Transitional Assistance

Arielle Mullaney, Executive Office of Public Safety and Security

*Committee on Judicial Ethics Opinion on Judicial Service on Statutory Commissions

Under Committee on Judicial Ethics Opinion No. 2014-4, "Serving on Statutory Commissions," dated December 10, 2014, judges are not permitted to serve on the State Team, notwithstanding their inclusion in the statute (<u>Massachusetts Supreme Judicial Trial Court,</u> <u>2014</u>).

Judges may designate non-judiciary employees as representatives on the state team. These designees are subject to the same limitations as the judges and cannot exceed the scope of their delegated authority. When judges serve in consulting roles, their limited participation must be clearly documented in all commission materials, and they must explicitly state that they take no position on the commission's findings and recommendations.

The State Team continues to work with the Trial Court and the Family and Probate Court to identify and designate individuals who can fulfill the limited consulting function outlined below.

Roles and Responsibilities

State Team

The State Domestic Violence Fatality Review Team was created by <u>Chapter 260 of the Acts of</u> <u>2014, An Act Relative to Domestic Violence</u>. Chapter 260 was passed unanimously by the Legislature and signed into law on August 8, 2014. The purpose of the State Team is to decrease preventable domestic violence fatalities. To achieve its purpose, the State Team conducts comprehensive analyses of domestic violence fatalities, examining the causes, frequency, and circumstances surrounding these incidents, including murder-suicides, in collaboration with Local Teams. Based on these reviews, the team provides recommendations to the Governor and Legislature regarding essential modifications to existing laws, policies, and practices to prevent domestic violence fatalities.

Responsibilities

Protocols and Operational Rules

- Create model investigative and data collection protocols for local review teams.
- Establish rules and procedures for state and local review teams, including the use of confidentiality agreements.

Review Fatalities

- Annually review at least three domestic violence fatalities across the state
- Assign selected cases to local review teams for investigation and reporting
- Review reports from local review teams
- Analyze community, public, and private agency involvement with victims and perpetrators

Training and Support

- Share relevant information with local review teams, law enforcement, and domestic violence service providers to protect victims.
- Train local review teams on data collection, confidentiality, and investigative protocols
- Provide training and written materials to assist local review teams

Reporting

• Provide findings and recommendations in annual written reports to the Governor and Legislature

Local Review Team

Membership

Composed of at least the following members:

- Local District Attorney who serves as chair
- Medical examiner or pathologist
- Chief of police
- Probation officer
- Non-profit legal services provider for domestic violence victims
- Direct service provider for domestic violence victims
- Additional experts on an ad hoc basis

Functions

- Coordinate the collection of information on fatalities assigned to it for review
- Promote cooperation and coordination between agencies responding to fatalities and providing services to victims or victims' family members
- Understand the causes and incidence of domestic violence fatalities
- Advise the state review team on potential policy and practice improvements

Responsibilities

- Review and implement the fatality review protocol established by the State Team.
- Sign and execute a confidentiality agreement to protect sensitive information.
- Collect, maintain, and provide confidential data as the state review team requires for fatality case reviews.
- In collaboration with the State Team, conduct thorough reviews of individual fatality cases, utilizing established protocols.
- Recommend strategies to enhance coordination and collaboration between regional agencies and service providers.
- Provide relevant information to law enforcement or other agencies to support the protection of domestic violence victims and the accountability of perpetrators.

Philosophy and Process

The Mission Statement, Values, and Process are reviewed and read aloud at the start of all fatality review sessions. They provide a template for decision-making throughout the review.

Mission Statement

The State Team provides strategic leadership for and conducts collaborative, multi-disciplinary reviews of domestic violence-related fatalities with local review teams to better understand the dynamics of such deaths and develop recommendations—without blame—for creative and effective strategies to reduce the number of domestic violence deaths across the state.

Core Values

The State Team conducts in-depth reviews of three intimate partner homicides and related fatalities annually, collaborating with Local Teams to ensure a comprehensive examination.

The review team operates under a "no blame, no shame" philosophy. This approach allows the State Team to conduct impartial investigations without casting blame on individuals or agencies involved in the fatalities being examined. Instead, the focus is on identifying systemic failures within local and state response systems that may have contributed to these tragic events.

The team aims to identify systemic issues and develop practical solutions to prevent future fatalities. These solutions may include public awareness campaigns, education initiatives, and community empowerment programs.

By fostering collaboration and a nonjudgmental environment, the team strives to gain a comprehensive understanding of the challenges involved and ultimately improve overall safety outcomes.

Recommendations are de-identified and provided in general terms to maintain confidentiality for those involved in each case.

The Review Process

Each review session takes place in the county where the crime was committed and involves a Local Team chaired by the District Attorney with jurisdiction over the case.

In conjunction with the State Team, the Local Team requests all available information and connects with relevant parties. This includes consulting with law enforcement and gathering criminal

histories, medical records, autopsy reports, and other case histories. The aim is to gather as much background information as possible to accurately portray the victim, perpetrator, and those who knew the individuals who lost their lives.

Before the review, the local review chair creates a timeline of events from all gathered information and shares this with team members during the discussion. This exercise is designed to expose strengths and weaknesses in the system, get a better understanding of relationship dynamics, understand who the formal and informal support networks were and what they knew, determine any history of help-seeking and offender accountability and the outcomes, and help the review team understand the circumstances leading up to the fatality. Once the review team convenes, the members continue to refine the timeline until they have exhausted all available information.

After each session, members identify practical recommendations and measurable objectives. The State Team monitors the progress and measures the success of any recommendations ultimately implemented.

The State and Local Teams operate under strict confidentiality. All materials, reports, and timelines used and created during meetings are not part of the public record.

Data

National Incident-Based Reporting System Data

The National Incident-Based Reporting System (NIBRS) collects detailed data on crimes reported to police, including offense types and victim and offender characteristics. NIBRS collects demographic data on victims of crimes, including:

- Sex of Victim: This data element categorizes victims as male, female, or unknown.
- **Race of Victim:** This data element categorizes victims into specific racial categories, including White, Black or African American, American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific Islander, or Unknown.
- Ethnicity of Victim: This optional data element categorizes victims as Hispanic or Latino, Not Hispanic or Latino, or Unknown.
- **Resident Status of Victim:** This optional data element indicates whether the victim was a resident or nonresident of the jurisdiction where the crime occurred, not their immigration or citizenship status.

It is important to note that NIBRS data may only partially capture the experiences of LGBTQIA+ and communities of color due to limitations in data collection and reporting practices.¹ These groups may face unique forms of victimization and discrimination that may not be adequately reflected in current data collection methods.

Massachusetts NIBRS Data

The data below outlines domestic violence-related charges in Massachusetts from 2020 to 2023. These offenses pertain to individuals such as spouses, intimate partners, children, and other family members. Aggravated assault charges include assault and battery with a dangerous weapon, strangulation, and assault on a pregnant woman. Note that these figures reflect the total number of offenses, not the number of arrests.

In 2023, there were **26,463** domestic violence incidents reported to law enforcement in Massachusetts. A disproportionate number of domestic violence victims in 2023 were female,

¹ The acronym LGBTQIA+ represents a diverse range of gender and sexual identities, including lesbian, gay, bisexual, transgender, queer, questioning, intersex, and asexual, as well as those identities yet to be fully defined.

accounting for 71% of fatalities. Males were victims in 29% of cases. While 70% of offenders were male and 30% were female.

Incident Date	Murder And Non- Negligent Manslaughter	Kidnapping/Abduction	Aggravated Assault	Simple Assault	Intimidation
2020	21	290	5,690	16,026	3,347
2021	18	341	5,739	16,400	3,531
2022	28	299	6,102	16,760	3,498
2023	26	308	6,072	16,566	3,147

Domestic Violence Incidents (NIBRS 2023 Data)

Domestic violence-related crime rates declined in several categories in 2023: murder and nonnegligent manslaughter (-7.14%), aggravated assault (-0.05%), simple assault (-1.16%), and intimidation (-10.03%). However, there has been a slight increase in kidnapping/abduction (3.01%). While we have seen a decline in most categories, these rates demonstrate the need for improved prevention programming and continued survivor support.

The Complexities of Domestic Violence Data

Data analysis and fatality reviews are essential tools for unraveling the complexities of domestic violence fatalities. While data analysis can provide a quantitative overview of trends and patterns, it often falls short of capturing the nuanced dynamics of domestic violence. Law enforcement data, frequently focused on isolated incidents, provides limited information on the broader context of abuse, including, but not limited to, economic control, emotional abuse, and coercive control. Limited information sharing across jurisdictions and lack of connection between multiple incidents involving the same parties limit the insights gleaned from these data. These issues often hinder a comprehensive understanding of the factors leading to domestic violence fatalities.

In-depth domestic violence fatality reviews can complement data analysis by delving into the specific circumstances of each case. These reviews can identify missed opportunities for intervention, uncover patterns in system responses, and reveal barriers that prevent victims from seeking help. This qualitative approach allows for a more comprehensive understanding of the factors contributing to lethal violence, including economic factors, cultural barriers, and the impact on children and communities.

By combining detailed data analysis of domestic violence fatalities with in-depth reviews of individual cases, the State Team develops a comprehensive understanding of the factors contributing to these tragic events across the state. This integrated approach informs the evidence-based recommendations presented in this document.

Recommendations

In 2024, we conducted three comprehensive domestic fatality reviews throughout the year in partnership with designated District Attorneys and their local community partners. Below are the recommendations developed by the State Teams in collaboration with the Local Teams.

R1: Implement Reverse Search for Active Abuse Protection Orders

Police officers can access restraining order information in two main ways:

- **Board of Probation (BOP) Record:** This information is maintained by the courts and is integrated into the Criminal Justice Information System (CJIS), which is accessible to law enforcement. It is important to note that BOP records only disclose restraining order information when the offender's name is queried. The victim's name appears on the order, but results will not appear if you search for the victim.
- National Crime Information Center (NCIC) Database: This is a database managed by the Federal Bureau of Investigation (FBI) and is also populated with information from the courts, which is then provided to the Department of Criminal Justice Information Services (DCJIS). Similar to the BOP records, NCIC databases will only return restraining order information when the offender is queried. The victim's name is included in the file, and results will not return if you search for the victim.

It is important to understand that the information contained in CJIS and NCIC does not originate from DCJIS; instead, it reflects data that has been received from the courts.

Recommendation 1

A reverse search system can significantly enhance law enforcement's situational awareness by providing real-time access to critical information. This improved access can help reduce response times and increase safety for both victims and officers.

Importantly, the system would not only flag current abuse protection orders against the individual being searched, but it would also identify any past orders, orders issued across different jurisdictions, and any orders the individual may have against someone else. This enhanced capability enables more comprehensive threat assessments.

Therefore, we recommend implementing real-time access to a reverse search system that is integrated with local, state, and federal law enforcement and judicial databases. This system should

flag any active protection orders the person has against another individual during routine traffic stops or in response to calls involving suspects or individuals of concern. This will improve law enforcement interventions and enhance victim safety.

R2: Expand Access to Virtual Hearings for Abuse Prevention Orders

The COVID-19 pandemic, though devastating, presented an opportunity for many courts to reevaluate their operations and make changes that better serve the public. During the pandemic, courts were forced to adopt technology, such as virtual hearing rooms, to ensure access to justice despite the global crisis. While it is crucial to understand that technology should not replace the fundamental principles of justice, there are benefits that extend beyond the pandemic and can continue to be utilized. In particular, the use of videoconferencing technology during civil abuse prevention order cases (e.g., 209A and 258E) has proven beneficial.

While remote hearings are not the same as in-person court hearings, there are various examples of their applicability in cases involving vulnerable individuals. Remote hearings have been used in criminal cases involving child victims of sexual abuse to protect them from the trauma of facing their alleged abusers (Carpenter, 2022; Maryland v. Craig, 1990). This precedent suggests that similar accommodations can be made in 209A and 258E hearings to safeguard victims from further emotional distress, ensuring their well-being and facilitating their participation in legal proceedings.

Moreover, virtual hearings for abuse protection orders could help streamline the legal process by reducing delays, particularly amid busy court schedules. Victims can attend hearings from safe locations, which is particularly beneficial for those with mobility issues, children, or those in rural or remote areas with limited transportation access.

Lastly, offering virtual hearings could also address the logistical difficulties of in-person court attendance, which can lead to increased absences or delays. Some domestic violence victims miss hearings due to scheduling conflicts or fear of re-engagement with the abuser. Virtual hearings can mitigate these issues, leading to better legal outcomes.

Recommendation 2

The State Team recommends expanding access to optional virtual hearings for abuse prevention orders in all courts as a measure to prevent domestic violence fatalities. We also recommend providing clear guidelines for virtual attendance in civil abuse prevention order cases to judges, court staff, and the public, ensuring victims' privacy and security, and offering virtual notifications to defendants regarding restraining orders.

R3: Expand High-Risk Teams in All District Attorney Offices

To effectively address the rising prevalence of domestic violence cases, particularly those involving repeat offenders or escalating violence, the expansion of High-Risk Teams (HRTs) within all District Attorney (DA) offices is essential. High-risk teams provide a multi-disciplinary approach to managing these complex cases, ensuring that victims receive the support they need and that offenders are effectively monitored and managed. Researchers have found that targeted domestic violence interventions can significantly reduce the risk of homicide for high-risk victims (Jelveh et al., 2024).

These teams typically include law enforcement, prosecutors, victim advocates, and domestic violence providers, and mental health professionals, working collaboratively to assess risk and coordinate responses. By identifying lethality factors, such as previous police contact, access to firearms, and a history of violent behavior, these teams can prioritize cases with the highest risk of homicide or serious injury. The structured approach increases coordination between criminal justice agencies and victim services, resulting in better outcomes for victims. Importantly, these teams are positioned to intervene in cases where other traditional responses may fall short, offering a more comprehensive and tailored approach to victim safety.

The role of high-risk teams is especially critical for cases that involve repeat offenders or escalating violence, as they provide a multi-disciplinary approach to managing the risks. Counties with high-risk teams saw a decrease in repeat incidents of intimate partner violence compared to those without such specialized teams. These teams, which typically consist of law enforcement, prosecutors, victim advocates, and mental health professionals, provide a comprehensive approach to managing high-risk offenders and ensuring that victims receive timely support.

Further, high-risk teams increase coordination between criminal justice agencies and victim services, leading to better outcomes for victims. High-risk teams are uniquely positioned to intervene in cases where other responses may be inadequate. The need to expand these teams to address the growing prevalence of high-risk domestic violence cases, particularly in areas with limited resources, is crucial. Such teams help to ensure that victims at the highest risk of homicide or serious injury receive coordinated, tailored support while repeat offenders are more effectively managed.

Recommendation 3

To prevent future domestic violence fatalities, we recommend expanding domestic violence highrisk teams to all District Attorney offices across the state. These multidisciplinary teams should include experts from law enforcement, legal services, victim advocacy organizations, and healthcare professionals. They will work together to offer a wide range of support services. A critical component of this expansion is dedicated funding to hire a full-time high-risk coordinator in each District Attorney's office. The coordinator's responsibilities will include conducting comprehensive risk assessments, managing case referrals, facilitating multi-agency coordination across jurisdictions, and developing prevention and intervention strategies. By implementing this approach, we can create a more proactive, collaborative system to identify and support high-risk domestic violence situations, ultimately saving lives and protecting vulnerable individuals.

R4: Increase the Awareness of Domestic Violence Resources Among Immigrant and Refugee Communities

Immigrant communities face unique challenges when it comes to domestic violence awareness and support. Language barriers, lack of knowledge about available resources, fear of law enforcement due to concerns about immigration status, and cultural stigmas often prevent individuals from seeking help. Immigrant victims of domestic violence are less likely to report abuse or seek support services because of fear of the police, deportation, or the language barriers when trying to access services (Kasturirangan et al., 2004). To address these barriers, targeted resources are needed for refugee and immigrant communities, especially in school districts where families often have a higher presence.

As the United States becomes increasingly linguistically diverse, with the number of non-English speakers nearly tripling in recent decades (U.S. Department of State, 2024), it is essential for statewide multilingual campaigns to ensure that domestic violence prevention messages and resources are accessible to all communities. People are more likely to seek help when they know resources are available in their native language and tailored to their cultural needs. Providing culturally and linguistically appropriate services can enhance engagement with victims of domestic violence from immigrant and non-English-speaking communities.

Recommendation 4

The State Team recommends funding and implementing multilingual social media campaigns to promote domestic violence resources in Massachusetts. This should involve collaboration with state agencies to create targeted advertisements and consistently promote these resources, especially in family welcome centers, shelters, and resettlement agencies.

R5: Increase Access to Child Witness to Violence Programs or Similar Programs

Comprehensive prevention services are a critical strategy in reducing domestic violence fatalities. By providing accessible resources, counseling, legal support, and safety planning, communities can

create a protective network that interrupts the escalation of violent patterns and provides survivors with meaningful alternatives and support.

Children impacted by domestic violence and parental incarceration represent a particularly vulnerable population that requires targeted, holistic support. Further developing and expanding dedicated programs for these children should focus on comprehensive, trauma-informed approaches that address their unique emotional, psychological, and social needs. These programs should offer counseling, mentorship, educational support, and opportunities for healthy relationship modeling to help children develop resilience and break potential cycles of violence.

Implementing wrap-around services for children who have witnessed domestic violence is crucial, drawing inspiration from successful overdose response models. These integrated services should provide multi-layered support that addresses immediate trauma, long-term psychological impacts, and potential risk factors. Such comprehensive interventions would include mental health counseling, family support systems, educational interventions, and community-based resources designed to create a supportive environment for healing and prevention.

However, these critical support services face significant challenges due to ongoing fiscal challenges such as federal funding cuts and the post-ARPA fiscal cliff effect. Domestic violence prevention and support programs are experiencing substantial cuts across multiple funding sources, threatening the sustainability of essential services. These funding constraints not only limit the scope and reach of existing programs but also impede the development of innovative approaches to addressing domestic violence and supporting survivors and their families.

Addressing these challenges requires a coordinated approach involving governmental agencies, nonprofit organizations, community leaders, and policymakers to ensure stable, comprehensive support for those affected by domestic violence.

Recommendation 5

In times of fiscal constraint, government leaders face a critical strategic decision: whether to reduce spending or make strategic investments that create long-term value. Our recommendation is unequivocal: **invest to grow**. Specifically, investing in domestic violence prevention and support programs represents both a moral imperative and a fiscally responsible approach to addressing domestic violence.

Targeted investments in domestic violence support services, particularly innovative programs addressing the needs of children impacted by domestic violence and parental incarceration, offer significant promise. These programs can potentially interrupt intergenerational cycles of trauma, reduce future social service and criminal justice costs, and support the healthy development of vulnerable children and families.

The State Team strongly urges the legislature to provide **consistent**, **stable funding for victim services**, with a specific focus on programs experiencing federal funding reductions, such as those traditionally supported by the <u>Victims of Crime Act</u> (VOCA). By strategically allocating state resources to bridge funding gaps, the legislature can ensure the continuity of critical support services, prevent service interruptions, and demonstrate a commitment to protecting the most vulnerable community members.

This **strategic investment** addresses the urgent challenge of reducing domestic violence fatalities while also fostering community resilience, public safety, and long-term social stability. By providing sustained and targeted support for domestic violence prevention, we are investing in the overall well-being of our communities.

Looking Forward: 2025

As recommended in previous reports, we look forward to working with the legislature to implement recommendation two from the <u>2023 State Team Report</u>.

The goals are to address two issues regarding membership limitations and record-sharing limitations that need to be addressed to conduct effective reviews, as outlined below.

- **Membership Limitations:** The current law, MGL Chapter 6A, Section 18N, limits the participation of necessary state agencies and community stakeholders on the State Team, impacting the review process and information collection.
 - **Recommendation**: In 2017 and 2023, the State Team recommended reviewing and amending the current law to address membership limitations.
- **Record Sharing Limitations:** The current law, MGL Chapter 6A, Section 18N, also limits the ability to directly access relevant information from state agencies such as DTA and DCF, medical institutions, and others.
 - **Recommendation:** To address this challenge, as highlighted in previous years, we recommend updating the current law to address record-sharing challenges

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