Pretrial Tools & Domestic Violence

Commission on Criminal & Juvenile Justice (CCJJ)

Statewide Information & Analysis Center (SIAC)

Administrative Office of the Courts (AOC)

Heard in Judiciary Interim Committee on 8/20/25

DVOT

- Domestic Violence Offender Treatment Board (DVOT)
  - Under Commission on Criminal and Juvenile Justice (CCJJ)
- 17 stakeholders across Utah
  - Including prosecution, defense, victim advocates, mental health, law enforcement
- Committed to enhancing public safety through research, discussion, and advising on the Domestic Violence Population
  - Evaluation
  - Treatment
  - Monitoring

Risk Assessment

- Topic of interest and discussion for a number of years
  - 3 years ago
    - DVOT
- Explore approaches to risk assessment and management through all avenues
  - focus on public safety
- LAP
  - Lethality Assessment Protocol
  - Assess risk of lethality and providing appropriate resources to victims
- Next step
  - Assess risk of offenders
  - 2025 Interim Study Item

UTAH'S INTIMATE PARTNER VIOLENCE

LETHALITY ASSESSMENT

PROTOCOL

SB 117

Assess

Law Enforcement will assess the victim's risk of homicide based on the LAP's scoring mechanism

Share

The LAP is sent to the SIAC which provides a response to officers with additional information from other incidents

Connect

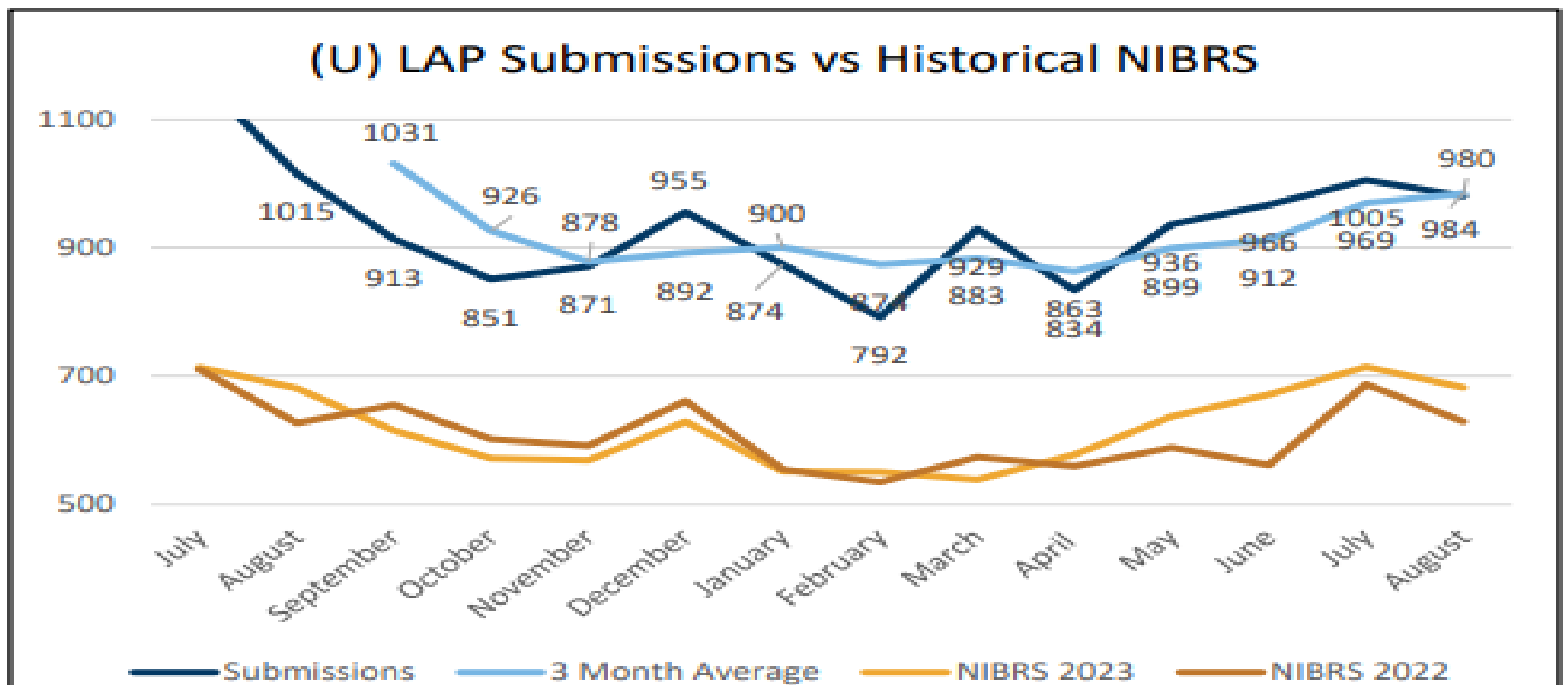Law Enforcement will connect the victim with a local domestic violence service provider
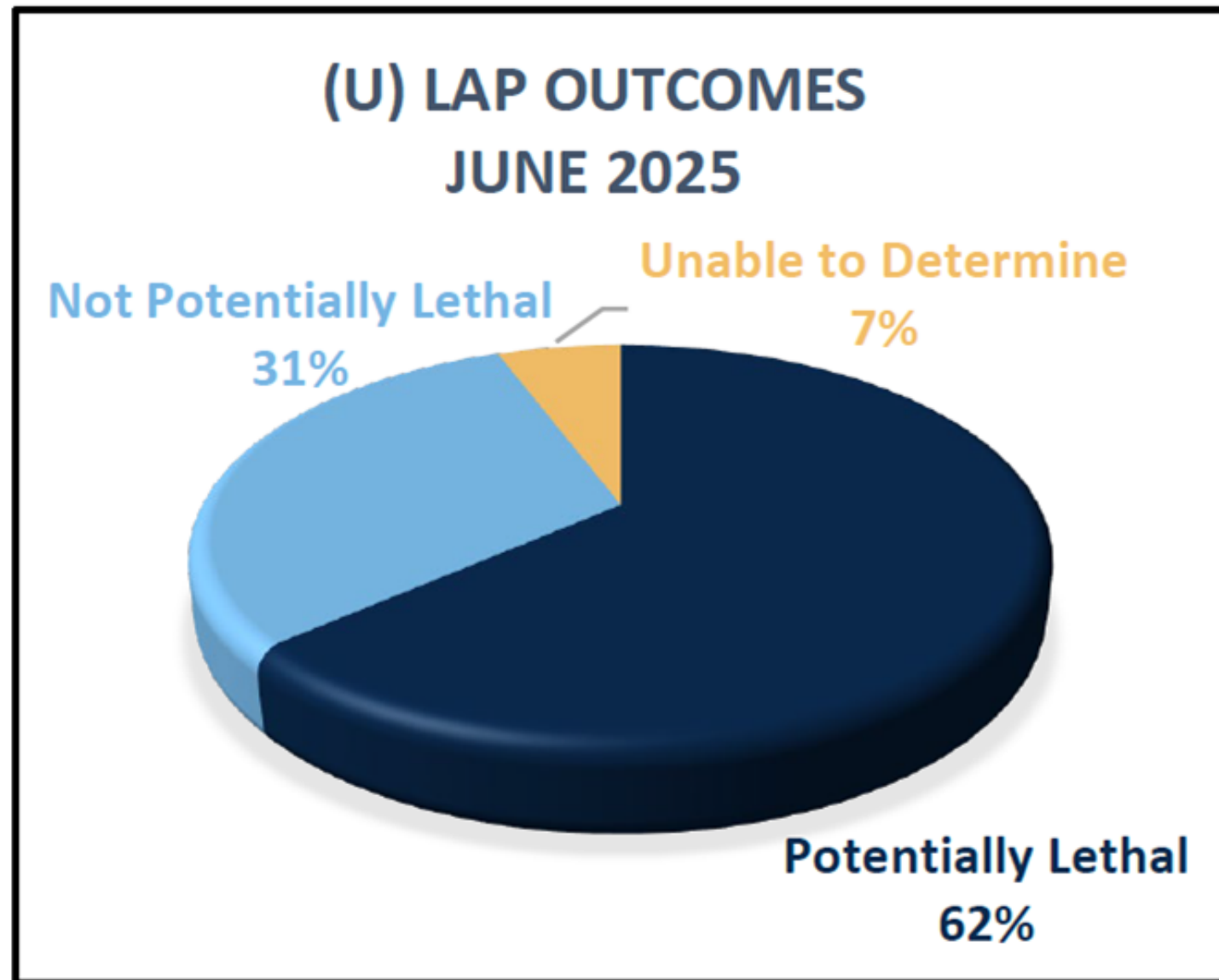
Assess

Law Enforcement will assess the victim's risk of homicide based on the LAP's scoring mechanism

(U) LAP Submissions vs Historical NIBRS

| Submissions | 3 Month Average | NIBRS 2023 | NIBRS 2022 |

LAP DATA

(U) LAP OUTCOMES
JUNE 2025

Not Potentially Lethal 31%

Unable to Determine 7%

Potentially Lethal 62%

(U)LAP Data from July 2023 through June 2025, a total of 22,252 Intimate Partner Violence Lethality Assessment Protocols (LAPs) were submitted Among those

- 62% of the LAPS were assessed as **POTENTIALLY LETHAL**
- 31% of the LAPS were assessed as **NOT POTENTIALLY LETHAL**
- 7% were **UNABLE TO DETERMINE**

LAP Case Support Sample Summary Results

Sample Negative Summary

- Warrants: Negative
- Protective Orders: Negative
- Corrections Probation (O-Track): Negative
- UT Criminal History: Negative
- Out of State Criminal History: Negative
- Domestic Violence Flag: Negative
- Previous LAP Involvements: Negative
- Gun Denials: Negative
- Utah Concealed Weapons Permit: Negative
- Other involvement flags: Negative
- Optional (attached) TLO Locate Report
- (attached) Other Agency RMS Involvements

Sample Criminal History and DV Flags

- **Corrections Probation (O-Track): Felony probation**
- **Criminal History: 7 arrests, most recent 2023**
- **UT Criminal History: Domestic Violence Flag: DV Arrest, convicted 2016**
- **Out of State Criminal History: 1 arrest**
- **Utah Concealed Weapons Permit: Current CFP, expires 2025 - Revoked 2022**
- **Other involvement flags: DV callout, no charges filed 2018**
- Warrants: Negative
- Protective Orders: Negative
- Previous LAP Involvements: Negative
- Gun Denials: Negative
- Optional (attached) TLO Locate Report
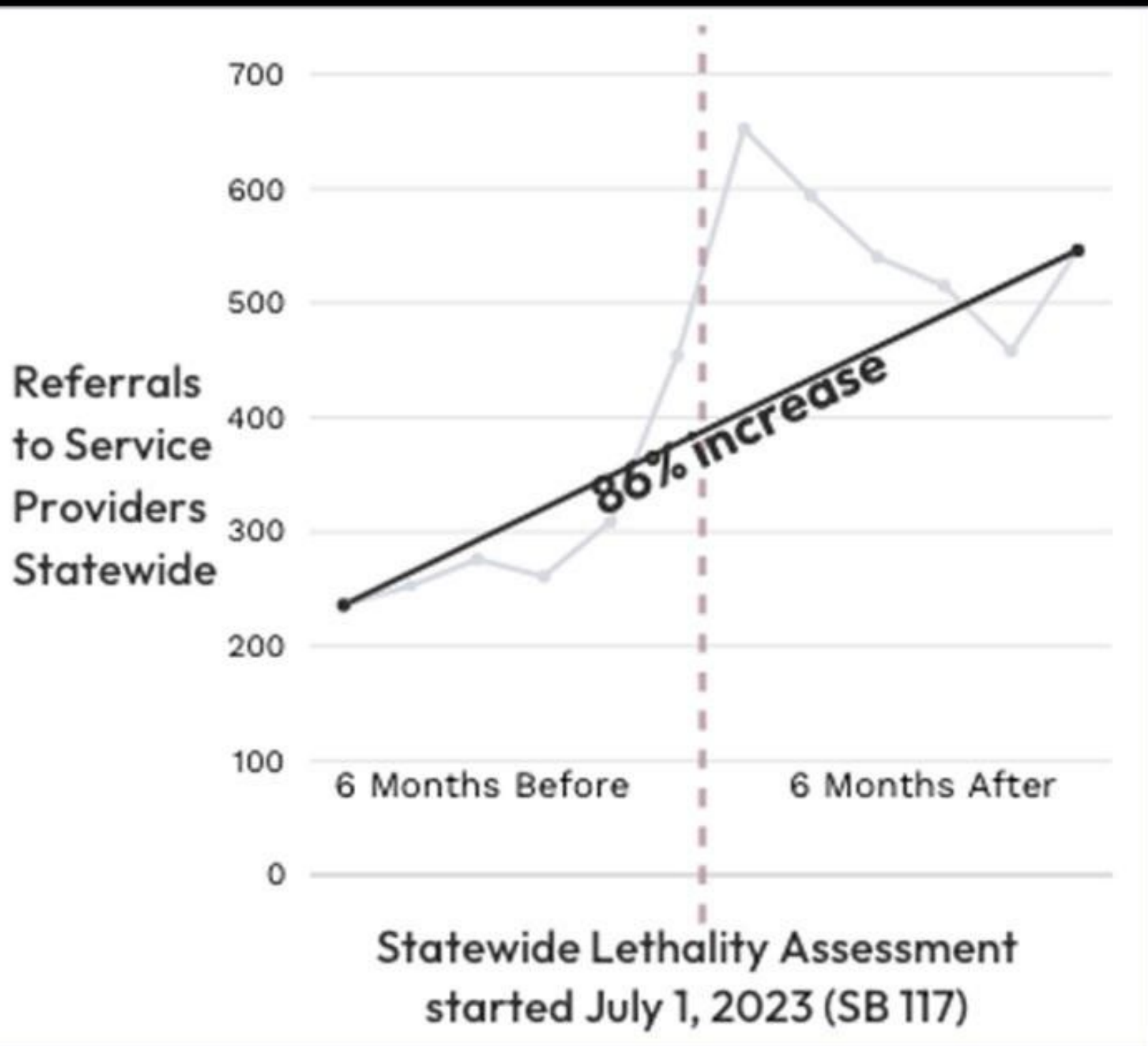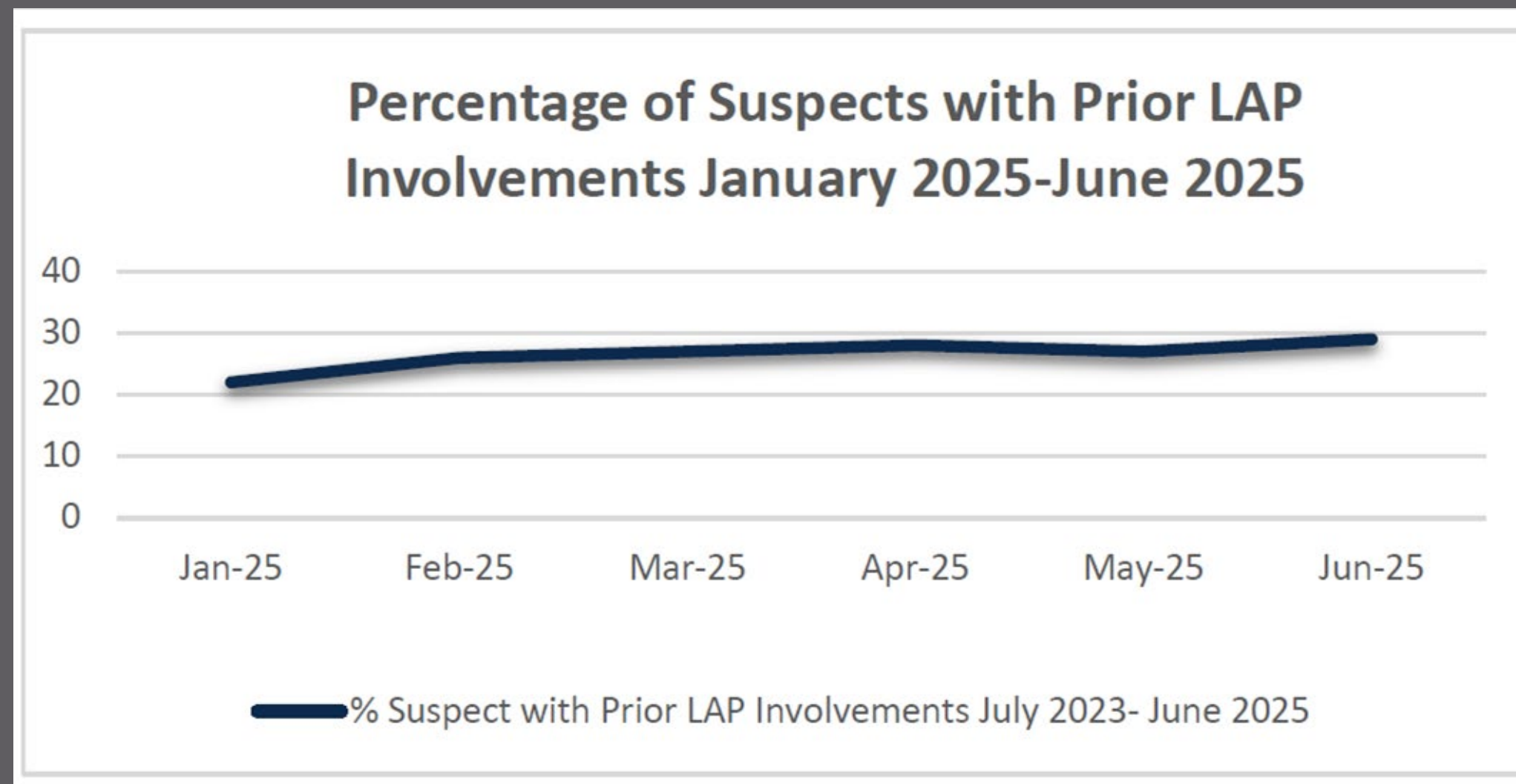- (attached) Other Agency RMS Involvements

Increase of Referrals to DV Service Providers Statewide

Connect

Law Enforcement will connect the victim with a local domestic violence service provider

Referrals to Service Providers Statewide

700
600
500
400
300
200
100
0

86% increase

6 Months Before | 6 Months After

Statewide Lethality Assessment started July 1, 2023 (SB 117)
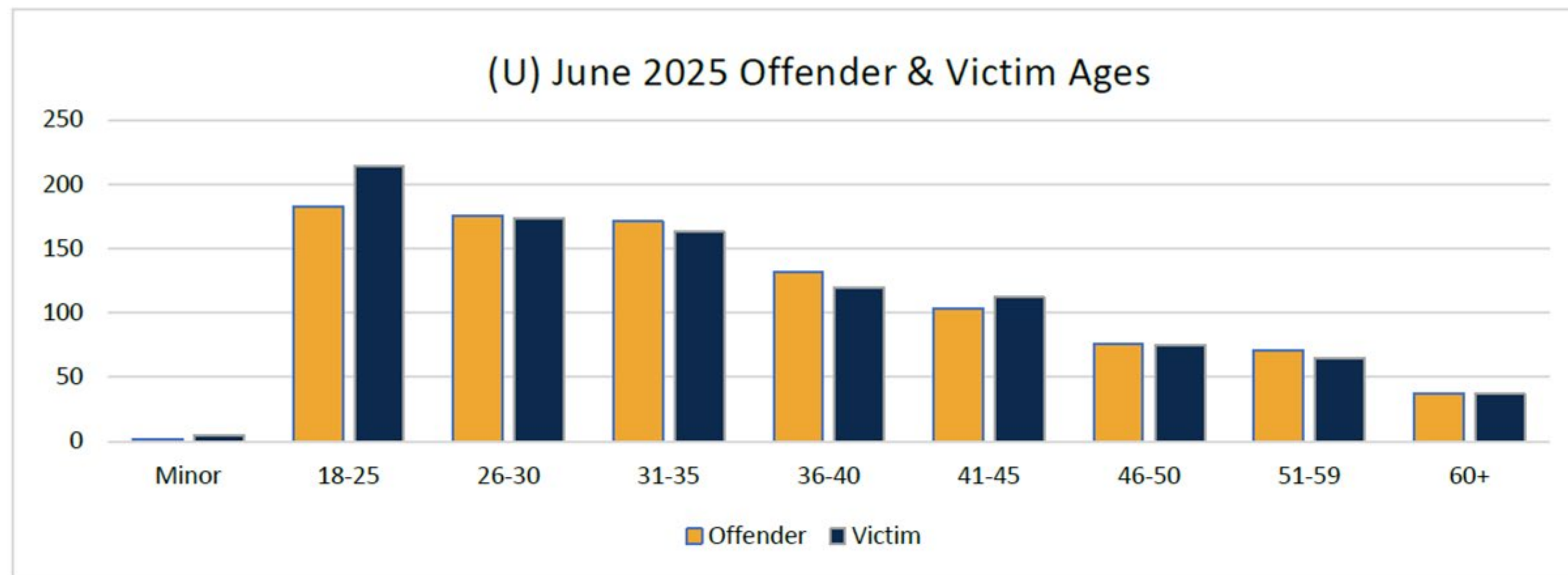
Suspects with Prior LAPS

The percentage of LAP suspects with prior LAP involvement (as a suspect or victim) has increased since the inception of the program (July 1, 2023)

Percentage of Suspects with Prior LAP Involvements January 2025-June 2025

LAP Victim Age Range

18 to 25 years old (18%) and 31 to 35 years old (18%) were the two most common age groups for **offenders**.

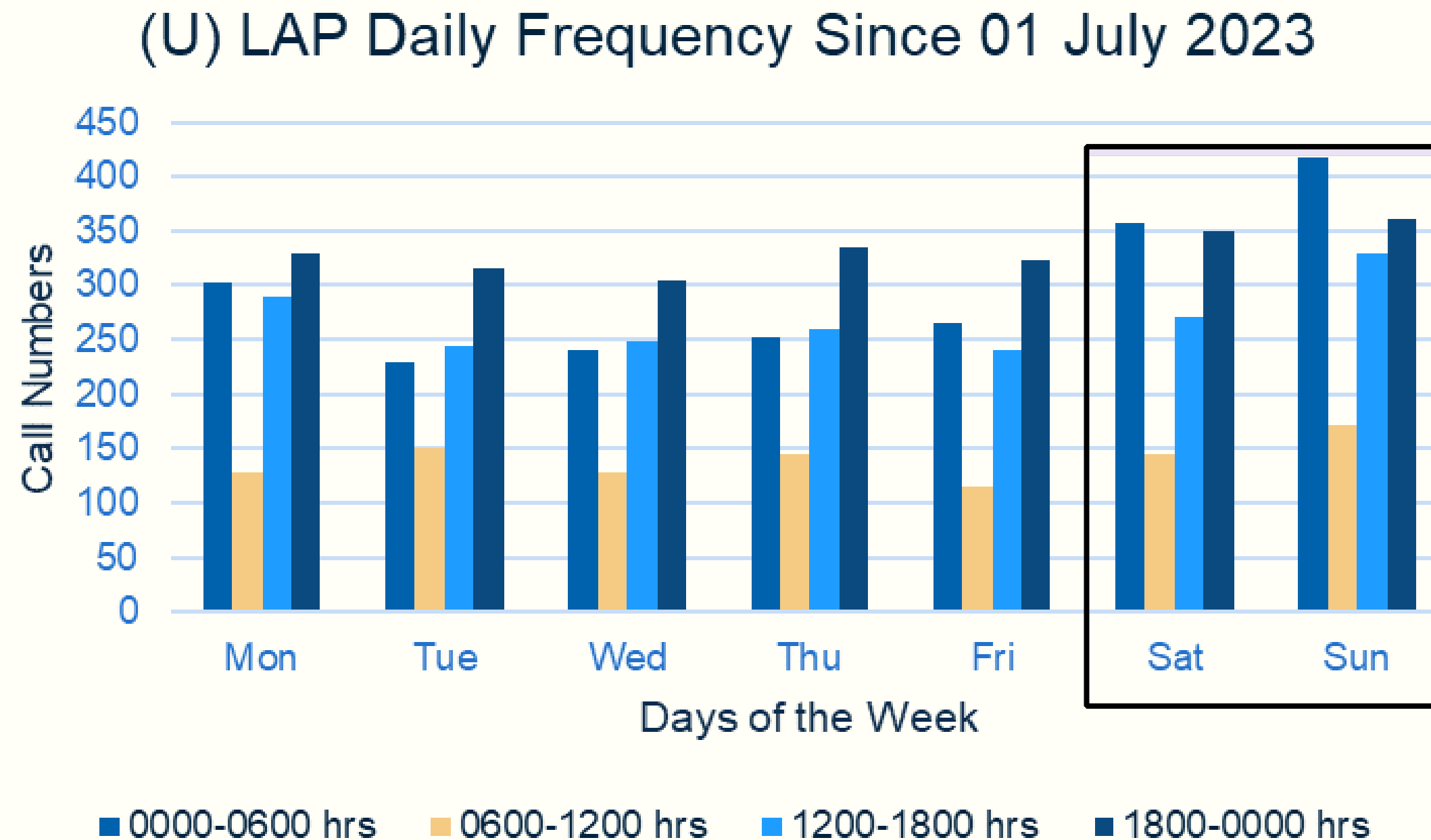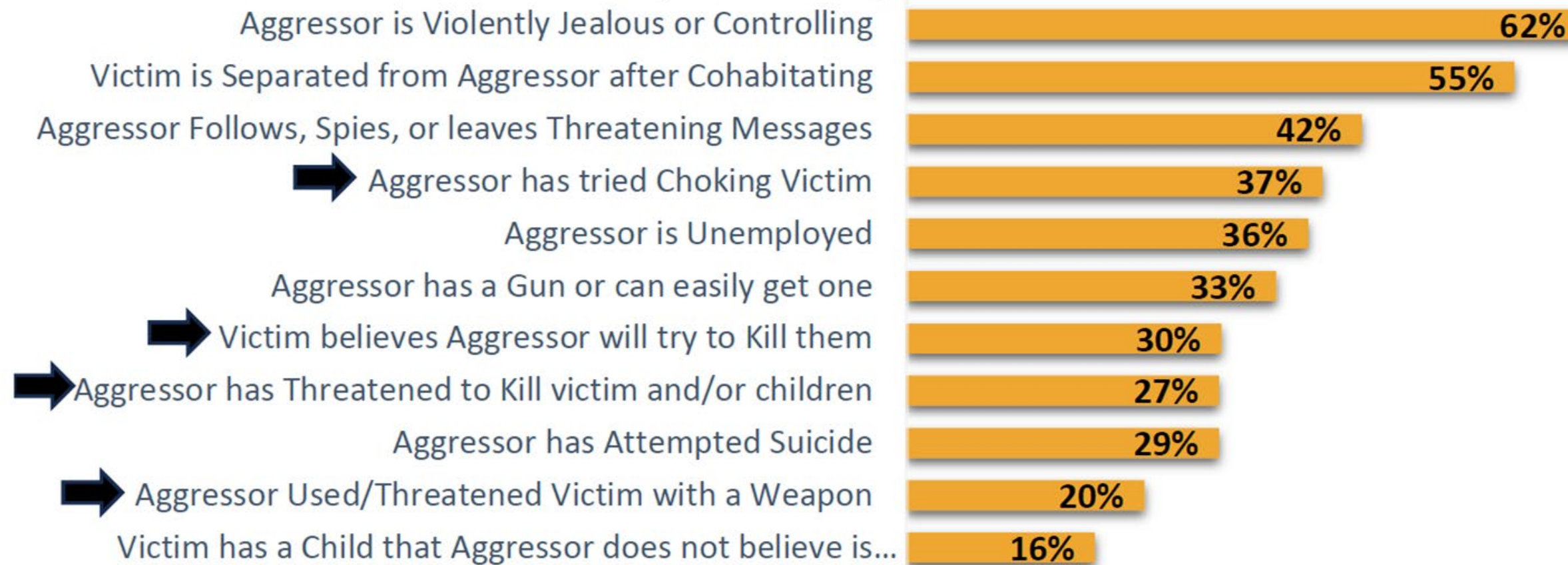18 to 25 years old (21%) continues to be the most common age group for **victim**.

(U) June 2025 Offender & Victim Ages

LAP FREQUENCY

LAPs were most frequently submitted on Sunday mornings between midnight and 6 am.

(U) June 2025 Yes Questionnaire Answers
(out of 970)

Question	Percentage
Aggressor is Violently Jealous or Controlling	62%
Victim is Separated from Aggressor after Cohabitating	55%
Aggressor Follows, Spies, or leaves Threatening Messages	42%
➡ Aggressor has tried Choking Victim	37%
Aggressor is Unemployed	36%
Aggressor has a Gun or can easily get one	33%
➡ Victim believes Aggressor will try to Kill them	30%
➡ Aggressor has Threatened to Kill victim and/or children	27%
Aggressor has Attempted Suicide	29%
➡ Aggressor Used/Threatened Victim with a Weapon	20%
Victim has a Child that Aggressor does not believe is…	16%

Per the questionnaire responses, victims most often reported that the aggressor is violently or constantly jealous, or controls most of the daily activities of the victim (62%). The second most common response is that the victim has left or is separated from the aggressor after cohabitating (55%). Affirmative answers to any of the questions with an arrow automatically designate the assessment as Potentially Lethal.

Overview

Ontario Domestic Assault Risk Assessment (ODARA) (Hilton, 2021)

- Actuarial, DV-specific assessment (risk tool in intimate partner violence cases)
- Risk of offender recidivism within the next five years
- 13 items (mix of dynamic and static)
- Higher scores=
  - Greater risk of new DV assaults
  - Shorter time between original offense and next assault
  - More likely to commit more severe and more frequent assaults
- Male defendants in a heterosexual relationship
- Female defendants in a heterosexual relationship

Comparing the ODARA & the LAP

ODARA (Hilton, 2024)
- **Criminal justice tool**
- **Assesses risk of future abuse**
- **Seven standardized risk levels**
- **AUC = .77**
- **Cross validation AUC= .72**
- **High inter-rater reliability (when trained properly)**

LAP (Utah Intimate Partner Violence Lethality Assessment)
- **Public health tool**
- **Assess lethality and connect with resources**
- **High Danger v. Low Danger (includes "gut decision for law enforcement) (Messing, Campbell, Wilson, Brown, & Patchell, 2017)**
- **High sensitivity (92% to 93%)**
- **Low specificity (21%)**

Why Both Are Needed

ODARA Score	% Recidivism	% in this Range	% Scoring Lower	% Scoring Higher
0	7	9	0	91
1	17	17	9	74
2	22	21	26	53
3	34	20	47	33
4	39	13	67	20
5-6	53	14	80	6
7-13	74	6	94	0

Infographics from Hilton, 2024

"How likely is my partner to assault again?"

ODARA score = 0: 5% of such wife assaulters commit another assault against their partner (or, in some cases, a future partner) that comes to the attention of the police, within an average of about 5 years.

ODARA score = 1: 10% of such wife assaulters commit another assault against their partner (or, in some cases, a future partner) that comes to the attention of the police, within an average of about 5 years.

ODARA score = 2: 20% of such wife assaulters commit another assault against their partner (or, in some cases, a future partner) that comes to the attention of the police, within an average of about 5 years.

ODARA score = 3: 30% of such wife assaulters commit another assault against their partner (or, in some cases, a future partner) that comes to the attention of the police, within an average of about 5 years.

ODARA score = 4: 40% of such wife assaulters commit another assault against their partner (or, in some cases, a future partner) that comes to the attention of the police, within an average of about 5 years.

ODARA score = 5-6: 60% of such wife assaulters commit another assault against their partner (or, in some cases, a future partner) that comes to the attention of the police, within an average of about 5 years.

ODARA score = 7-13: 70% of such wife assaulters commit another assault against their partner (or, in some cases, a future partner) that comes to the attention of the police, within an average of about 5 years.

Potential Ways Forward

Law Enforcement Rollout (most costly):

- **Significant cost (requires additional capacity for LEOs)**
- **Only regional benefits with pilot program**
- **Heavy lift to train (4 hours to certify in addition to POST)**

Jail Rollout (some costs):

- **Significant cost (requires additional capacity for jail staff)**
- **Only regional benefits with pilot program**
- **Significant, but smaller lift to train (29 counties)**

SIAC Rollout (least costly)

- **Conducted by additional SIAC analysts**
- **Statewide benefits**
- **Standardized**
- **Lowest training burden**
- **Best cost-benefit ratio**

The Plan

- **Listening sessions with regional and state stakeholders**
- **Providing training about the ODARA**
- **Implementing during the sentencing process where possible (evaluate outcomes)**
- **Looking for funding and scalability options**

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Sources

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Hilton, N. Z. (2021). <u>Domestic Violence Risk Assessment: Tools for</u>
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     American Psychological Association. doi: 10.1037/0000223-000

Messing, J. T., Campbell, J., Wilson, J. S., Brown, S., & Patchell, B.
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