

Course Description

Responding to Non-Fatal Strangulation Cases - The Maricopa County Law Enforcement Protocol

Presented by: Sgt. Dan Rincon, Cindi Nannetti, Esq., and Jill Rable, BSN MSN-ED RN CPN SANE-A

First responders play a vital role in responding to and documenting IPV strangulation crimes. During this webinar, the presenters will discuss protocols developed in Maricopa County for handling IPV strangulation cases. The presenters will also explain how partnerships with other disciplines, such as forensic nurse examiners, help in enhancing the documentation and investigation of these crimes. Finally, the presenters will identify the outcomes related to the new protocols, including enhanced victim safety and offender accountability. Attendees will leave the webinar with new policies or protocols to implement regarding documenting and investigation non-fatal strangulation cases in their own respective jurisdictions.

Continuing Education

This session is approved for 1 California Minimum Continuing Education (CEU) credit and 1 Minimum Continuing Legal Education (MCLE) credit. The Family Justice Center Alliance is a California approved provider of CEU for MFT, LCSW, LEP, LPCC (Provider # PCE 5095) and MCLE for attorneys (Provider #15493). Professionals in states outside of California should check with their own state board to determine whether these credits are approved in their jurisdiction. Information on how to obtain credit will be provided during the webinar and within the course materials.

MARICOPA COUNTY ATTORNEY'S OFFICE

STRANGULATION PROTOCOL

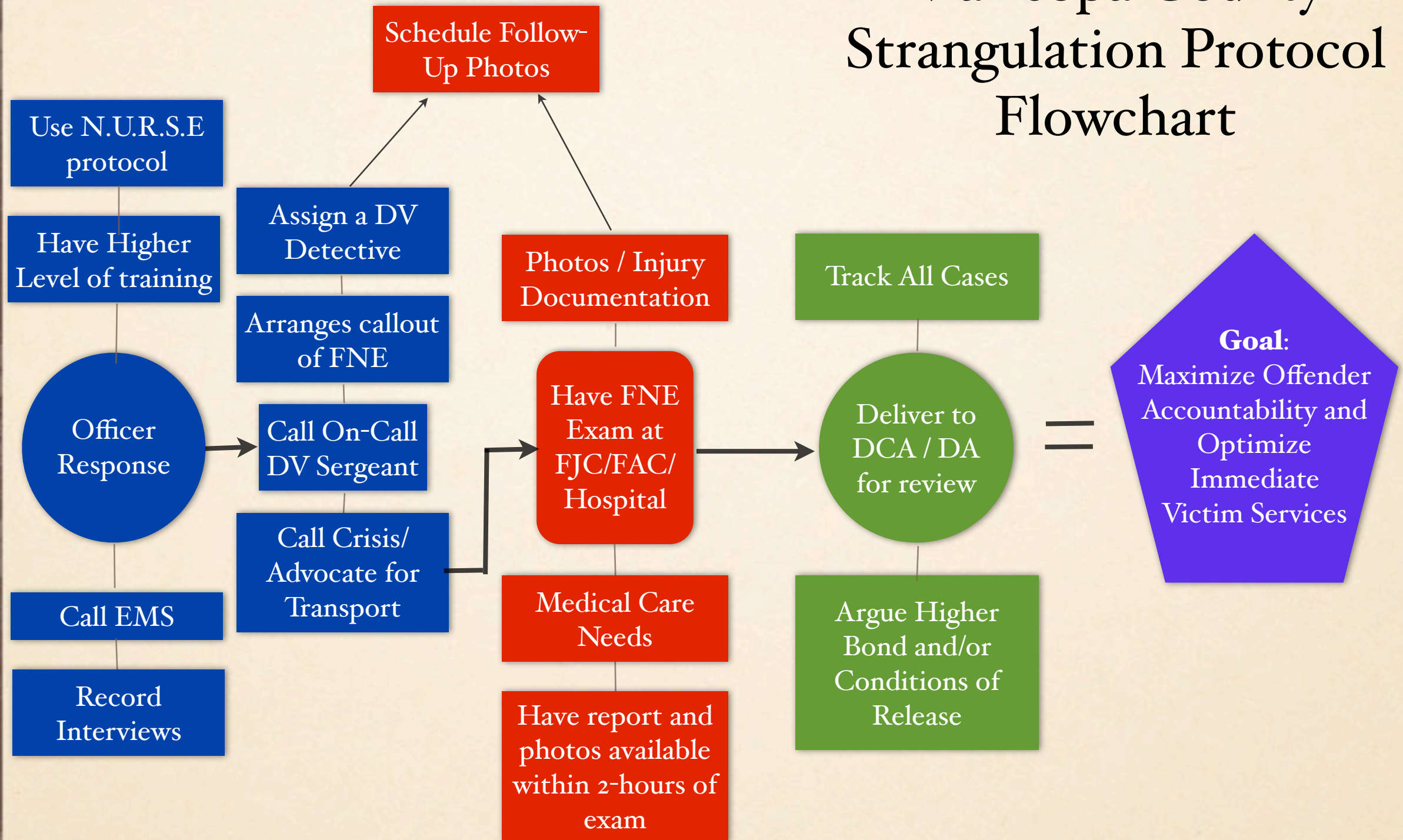
PRESENTED BY:

SERGEANT DANIEL RINCON - SCOTTSDALE POLICE DEPARTMENT
CINDI NANNETTI ESQ., MAJOR CRIMES DIVISION CHIEF. - MCAO
RN KARYN RASILE (FNE), SUPERVISOR, SCOTTSDALE HEALTHCARE
RN JILL RABLE (FNE), SCOTTSDALE HEALTHCARE

COURSE OBJECTIVES

- ❖ Outline the MCAO protocols for handling Strangulation cases.
- ❖ Explain needed partnerships to maximize overall success
- ❖ Explain the added value of using Forensic Nurse Examiners
- ❖ Identify outcomes from the new protocols
- ❖ Describe avenues to fund and implement all facets of the strangulation protocol

Maricopa County Strangulation Protocol Flowchart



OFFICER RESPONSE

- ❖ Respond to scene of alleged strangulation
- ❖ Triage cases through Patrol and Detective Sergeants (DV) as agency policy dictates to assess lethality
- ❖ Sergeants and detectives have a higher level/more specific training
 - ❖ Minimum of 2-hour Strangulation Investigation Training
- ❖ Officers should be trained and able to assess lethality, victim needs, and evidence collection that is necessary

OFFICER RESPONSE

- ❖ Call EMS to the scene
- ❖ Our first priority is the welfare and safety of our victim
- ❖ Victim signs a medial release form
 - ❖ Collect EMS Run sheets and Hospital records
- ❖ Record all interviews
- ❖ Preserve 9-1-1 tapes

OFFICER RESPONSE

- ❖ Officers use the N.U.R.S.E. model to determine needs of the victim and appropriate responses
 - ❖ **N**eck: Any visible sign of trauma (neck or mouth)
 - ❖ **U**nconscious: Memory lapse or gaps in timeline
 - ❖ **R**estricted Airway: Difficult to swallow, breathe, or talk
 - ❖ **S**trangulation: Report of strangulation
 - ❖ **E**yes: Check eyes, ears, or face for visible trauma
- ❖ Any “YES” answer: Conduct medical forensic DV exam

OFFICER RESPONSE

- ❖ Contact a Patrol Supervisor and advise of the circumstances
- ❖ Patrol Supervisor will call the on-call Detective Sergeant
- ❖ Call the on-call Police Crisis Specialist to respond
- ❖ The Detective Sergeant will:
 - ❖ Arrange for a FNE response to the FJC, FAC, or Hospital
 - ❖ Assign a Detective and determine their response

FORENSIC NURSE EXAMINER

- ❖ FNE will respond to requested location (FJC, FAC, Hospital)
- ❖ FNE will conduct a comprehensive DV Medical Forensic Exam
 - ❖ Photos
 - ❖ Narrative and Injury documentation
 - ❖ Evidence Collection and preservation
- ❖ FNE will obtain medical history from victim including how injuries were sustained

FORENSIC NURSE EXAMINER

❖ DV MEDICAL EXAMS

- ❖ Will provide a CD of the photographs immediately after the exam by the time the kit and report are ready for pick up (generally 2-hours of completion of the exam)
- ❖ Encompasses a 6-page Strangulation Medical Form
- ❖ Will give form and CD of photos to the case detective to include in the in-custody packet to MCAO

PROSECUTION

- ❖ Will receive packet from case detective/patrol which will include: Police Reports, Copies of tapes (9-1-1 & interviews), and Forensic Medical Exam and Photographs
- ❖ Check for prior report/convictions
- ❖ If the case meets prosecution standards, attorney will request appropriate bond and release conditions
 - ❖ No contact order

PROSECUTION

- ❖ All DV and Sex Crimes Prosecutors have received a minimum of 2-hours of Strangulation Investigation Training
- ❖ Experienced and specialized prosecutors are assigned DV strangulation cases
- ❖ Strangulation program database is maintained by the prosecution office

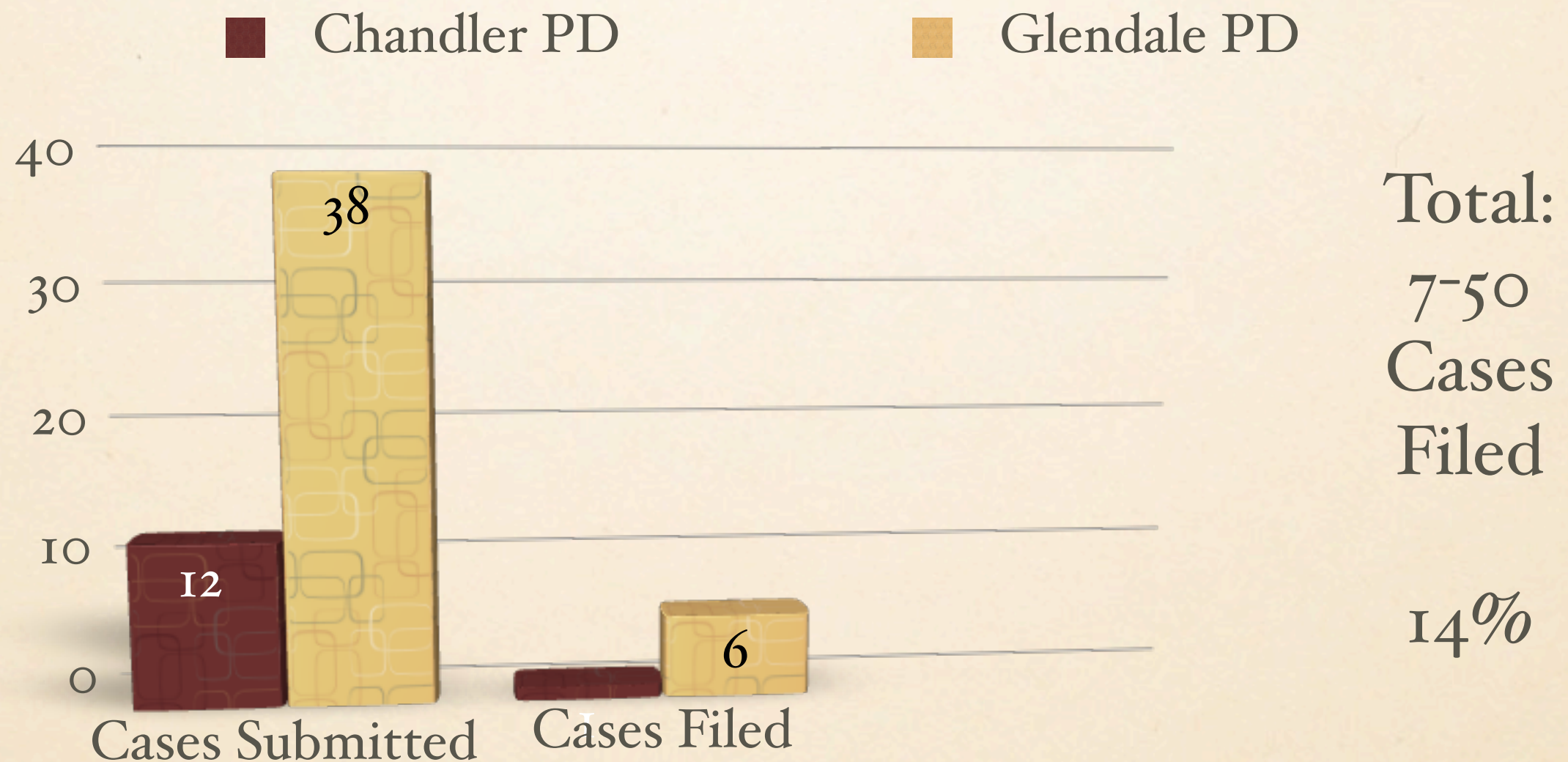
FOLLOW-UP

- ❖ The case detective and FNE coordinate to conduct follow-up photographs
 - ❖ We have experienced more success in by having the detective repond to the victim's location rather that making an appointment to return to the FAC/FJC for follow-up photographs.

MARICOPA COUNTY DOMESTIC VIOLENCE STRANGULATION PROJECT



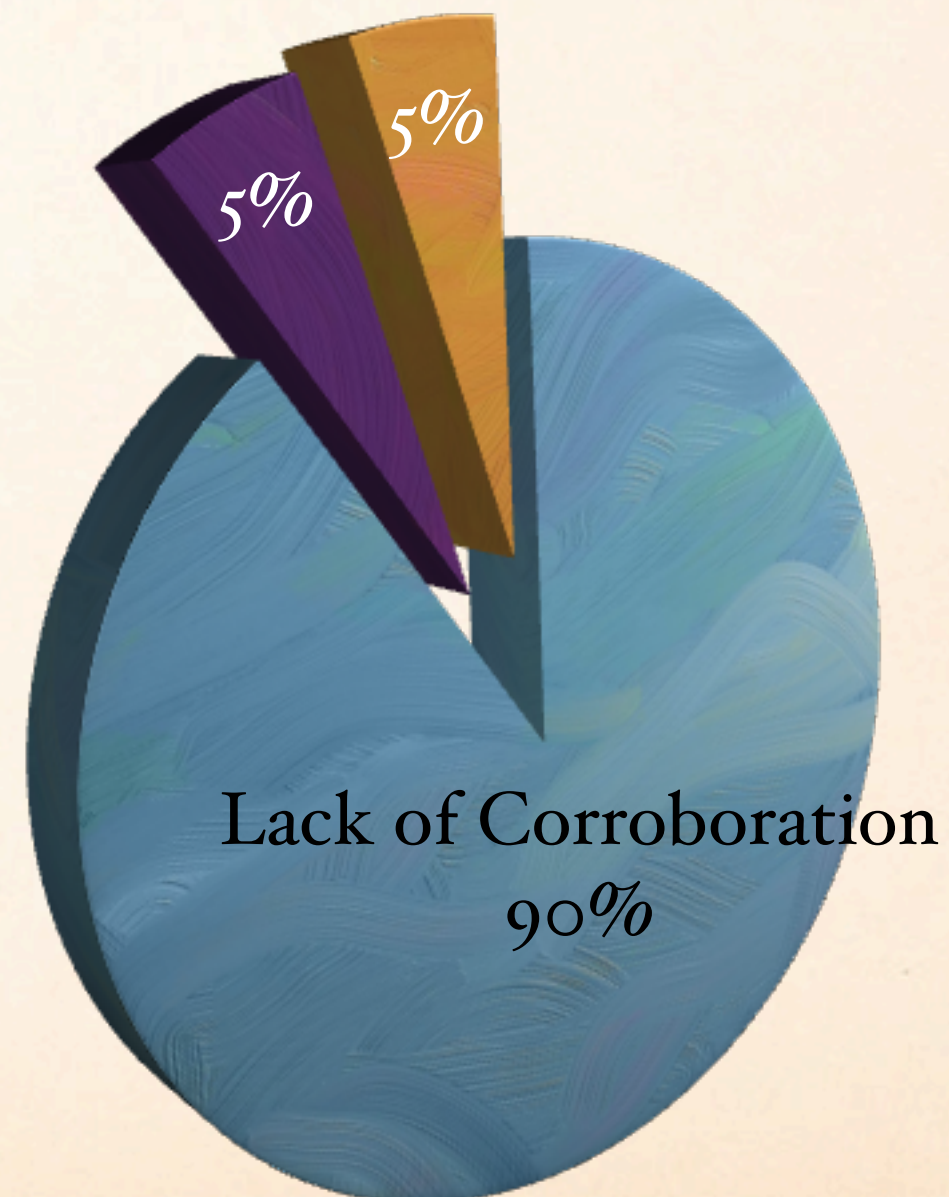
The Maricopa County Attorney's Office reviewed the following cases from **Chandler PD** and **Glendale PD** between February 2011 - August 2011



REASONS FOR TURNDOWN FOR PROSECUTIONS

- Lack of Corroboration
- Breathing Not Impeded
- Self-Defense Issues

43 Cases Turndown



PILOT PROJECT

❖ **BEGAN DECEMBER 1, 2011**

❖ Partners

❖ Maricopa County Attorney's Office

❖ Glendale Police Department

❖ Chandler Police Department

❖ Scottsdale Healthcare



AGREEMENT

- ❖ To provide medical – forensic examinations and collect evidence relating to intimate partner domestic violence where allegations of strangulation are present





FORENSIC EXAM CAMERA

❖ Cannon EOS 7D



COST PER EXAM \$550

Includes:

- ❖ Respond 24/7 to Advocacy Center/Hospital
- ❖ Assess, plan, intervene and evaluate patient/victim care as stated in the policies and procedures, standards of care, and clinical competencies of the FNE department
- ❖ Conduct comprehensive evidentiary examinations of the victim/suspect including documenting the history, perform a head to toe examination, gather photographic documentation, collect DNA evidence and other physical evidence, evaluate and report findings to law enforcement, and maintain the chain of custody as directed by MCAO.

CONTINUED

- ❖ Provide fact and expert witness testimony in court; attend and participate in defense interviews and pretrial preparation; and maintain availability for case staffings as necessary.
- ❖ Maintain victim/suspect documentation and confidentiality of medical/legal records, including HIPAA requirements where and if applicable; and
- ❖ Consult with other specialists as required and adjust nursing care process as indicated to ensure optimal care.

3-MONTH REVIEW

December 1, 2011 - February 29, 2012

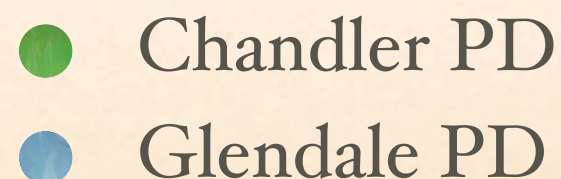
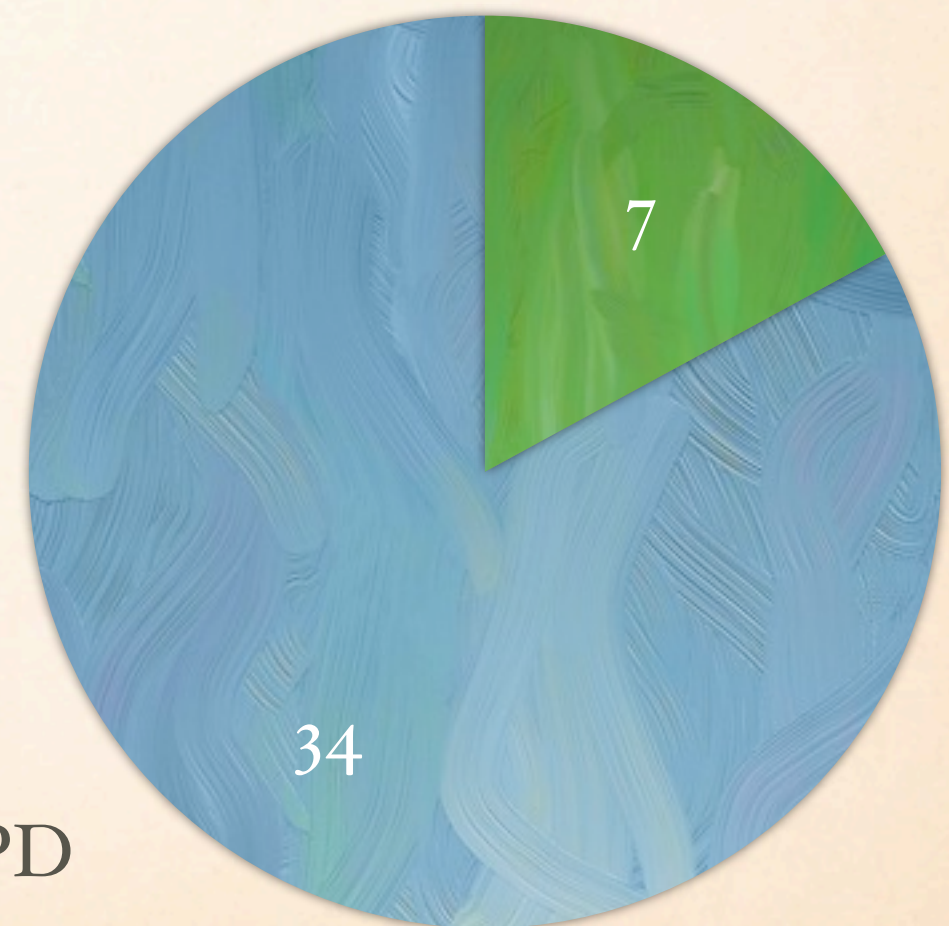
Allegations of Strangulation

❖ Allegation of Strangulation

34 cases – Glendale PD

7 cases – Chandler PD

41 Total



CONSENTED TO EXAMINATION

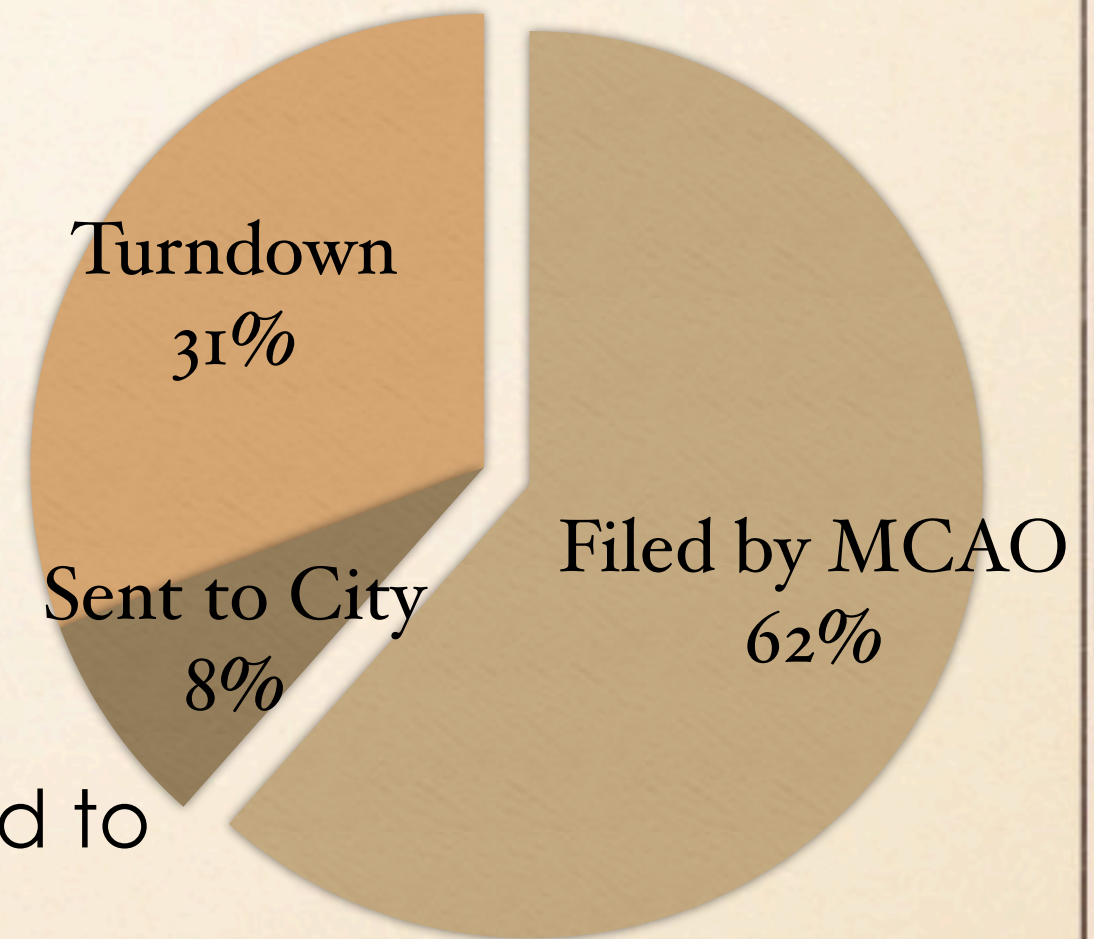
- ❖ 31 Victims in 41 Cases consented to the exam
- ❖ Exams performed at
 - ❖ 31 – Glendale Family Advocacy Center
 - ❖ 6 – Mesa Center Against Family Violence
 - ❖ 2 – Arrowhead Community Hospital
 - ❖ 1 – Banner Thunderbird Hospital
 - ❖ 1 – Chandler Regional Hospital

31 exams of consenting victims 26 of these cases were submitted for felony charges to MCAO

Results:

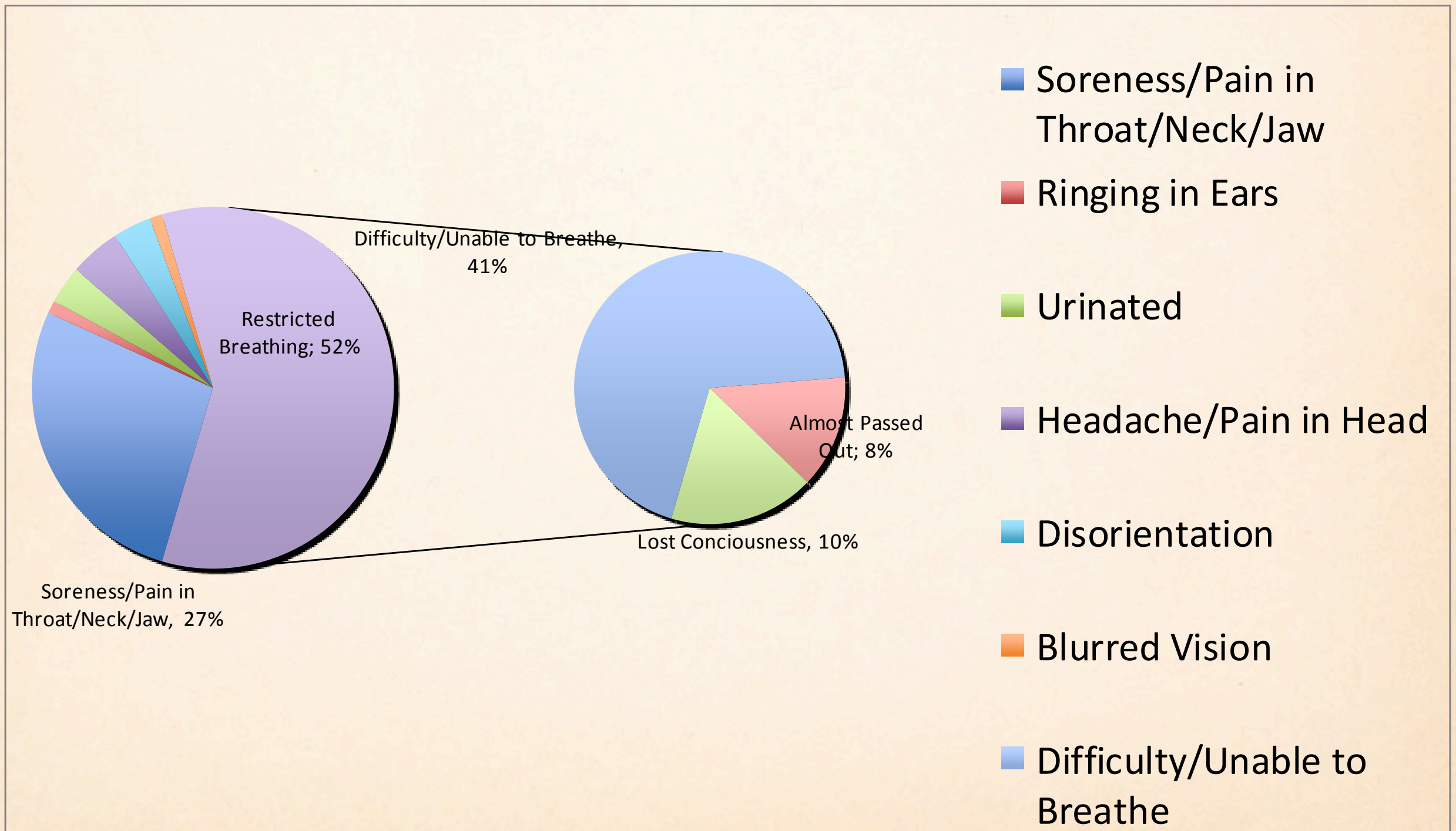
- 16 - Cases filed by MCAO
- 2 - Sent to City
- 8 - Turndown

*Filing rate Increase from 14% filed to **61.5%** filed.

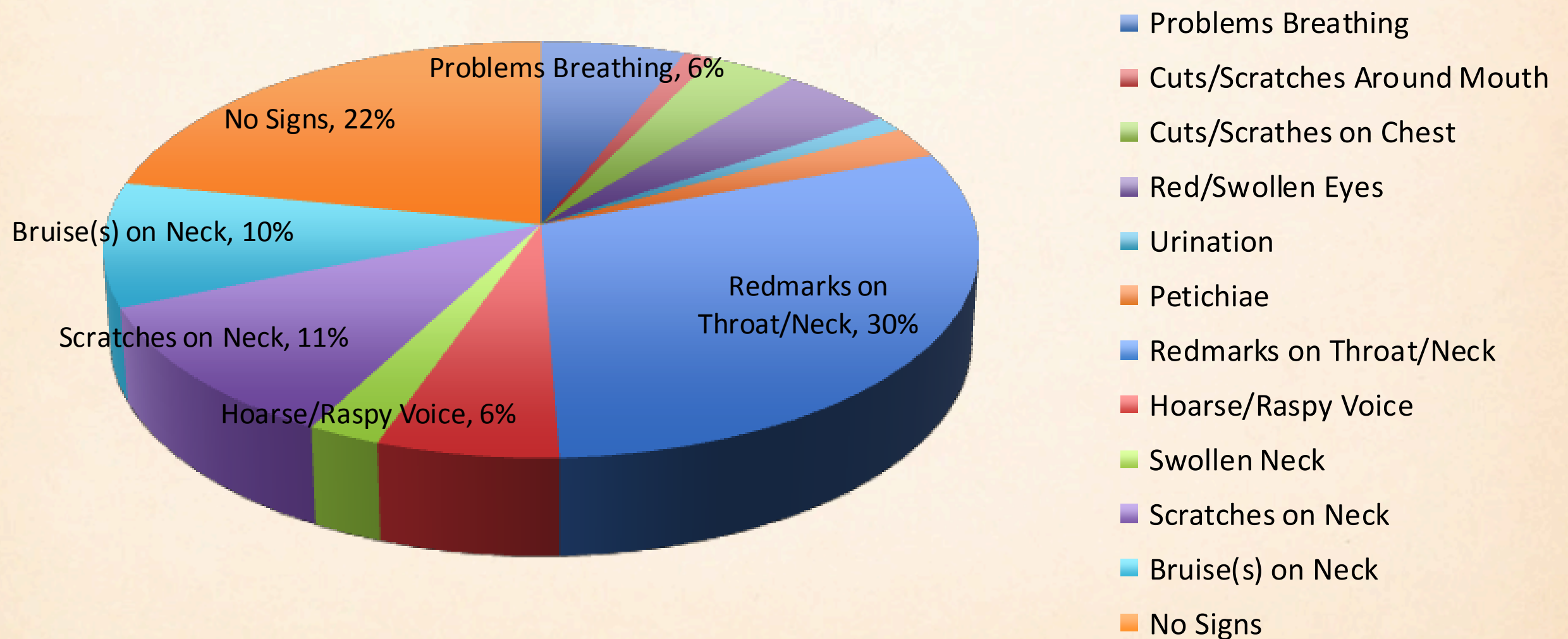


PILOT PROJECT STATISTICS

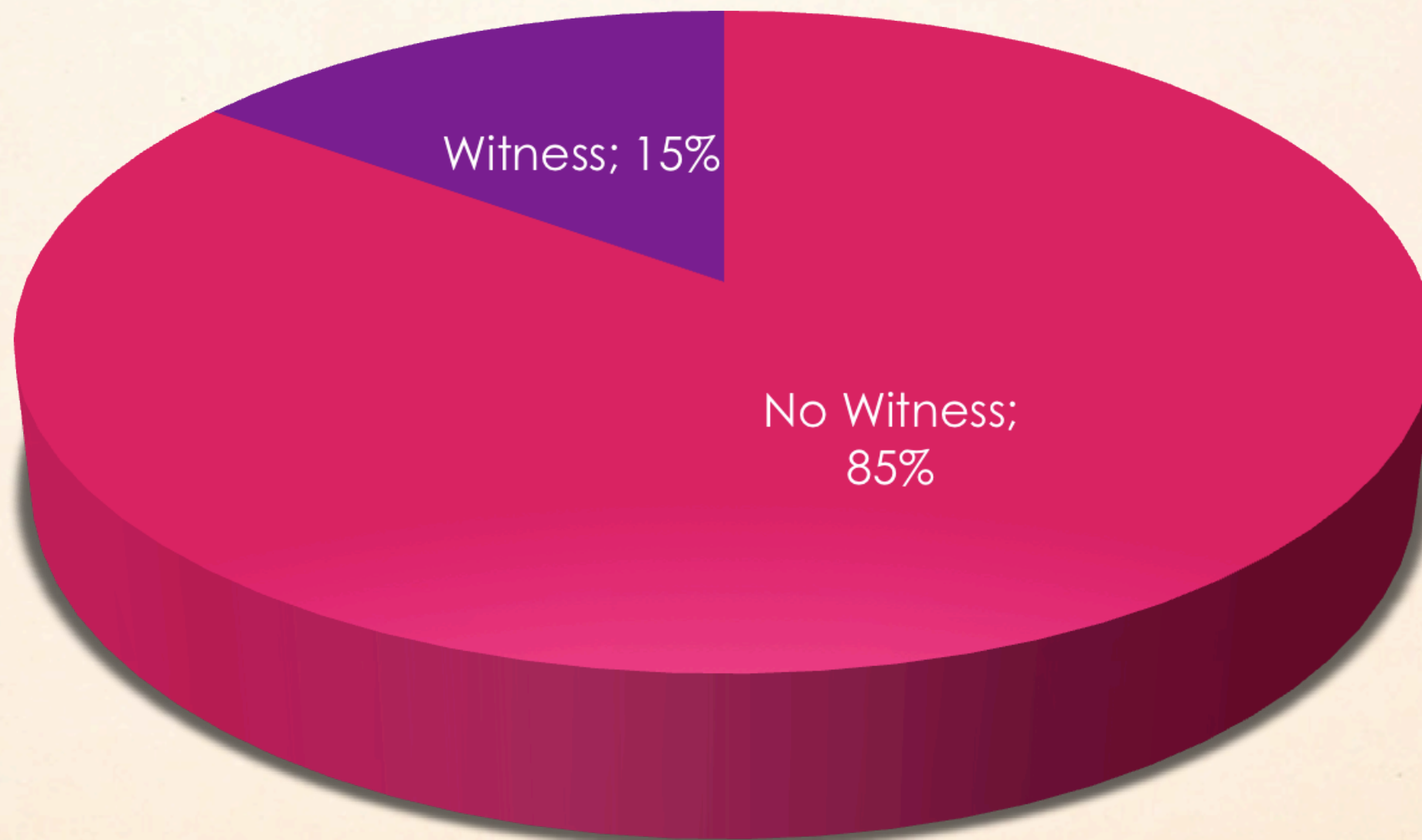
VICTIM'S SELF-DESCRIBED SYMPTOMS



OFFICER OBSERVATIONS

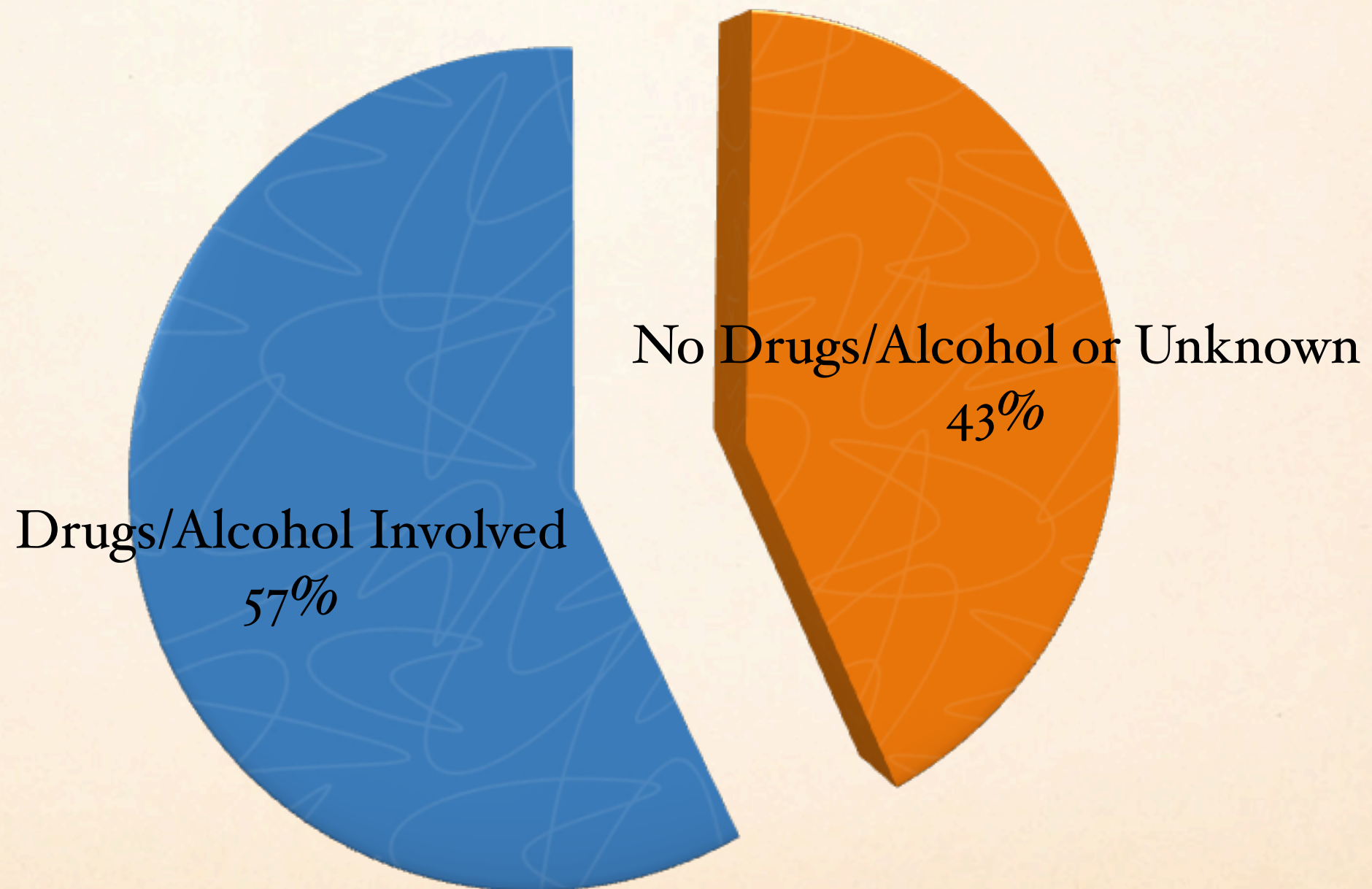


LACK OF 3RD PARTY WITNESSES



ALCOHOL OR DRUGS INVOLVED (EITHER PARTY)

- No Drugs/Alcohol or Unknown
- Drugs/Alcohol Involved



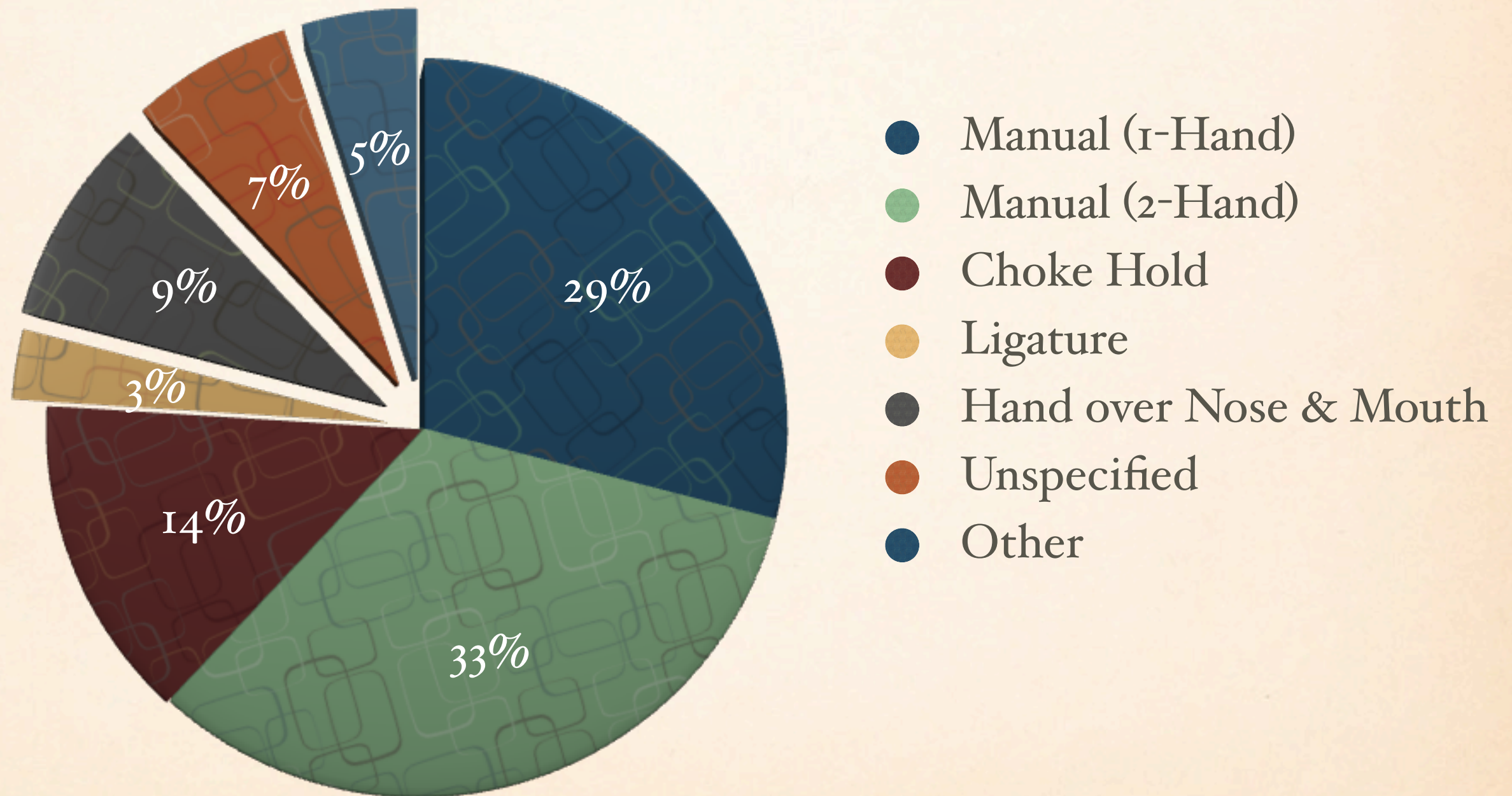
VICTIMS SUBMITTING TO FORENSIC EXAM

● Did Not Consent

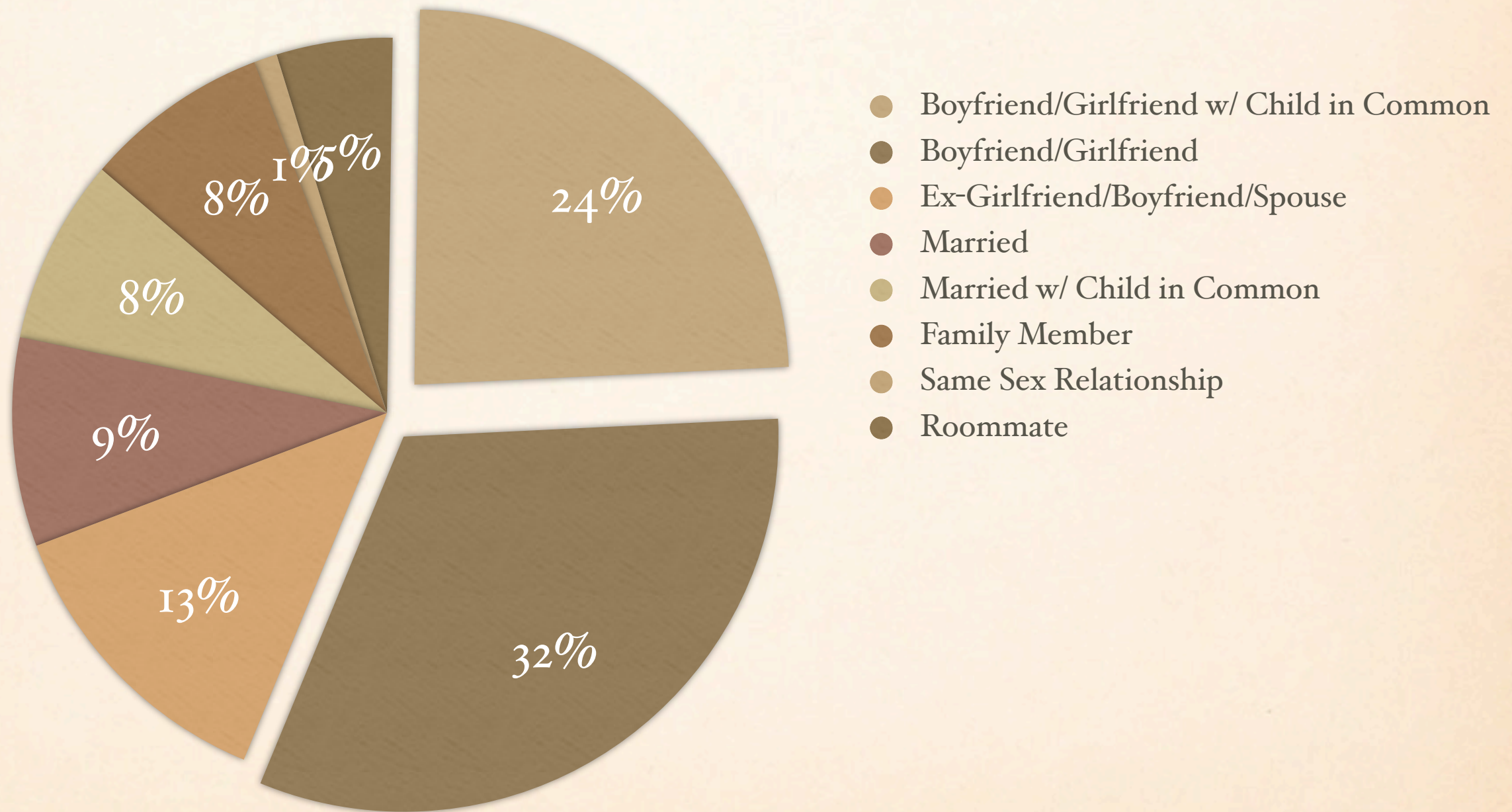
● Consented



METHOD OF STRANGULATION



RELATIONSHIP

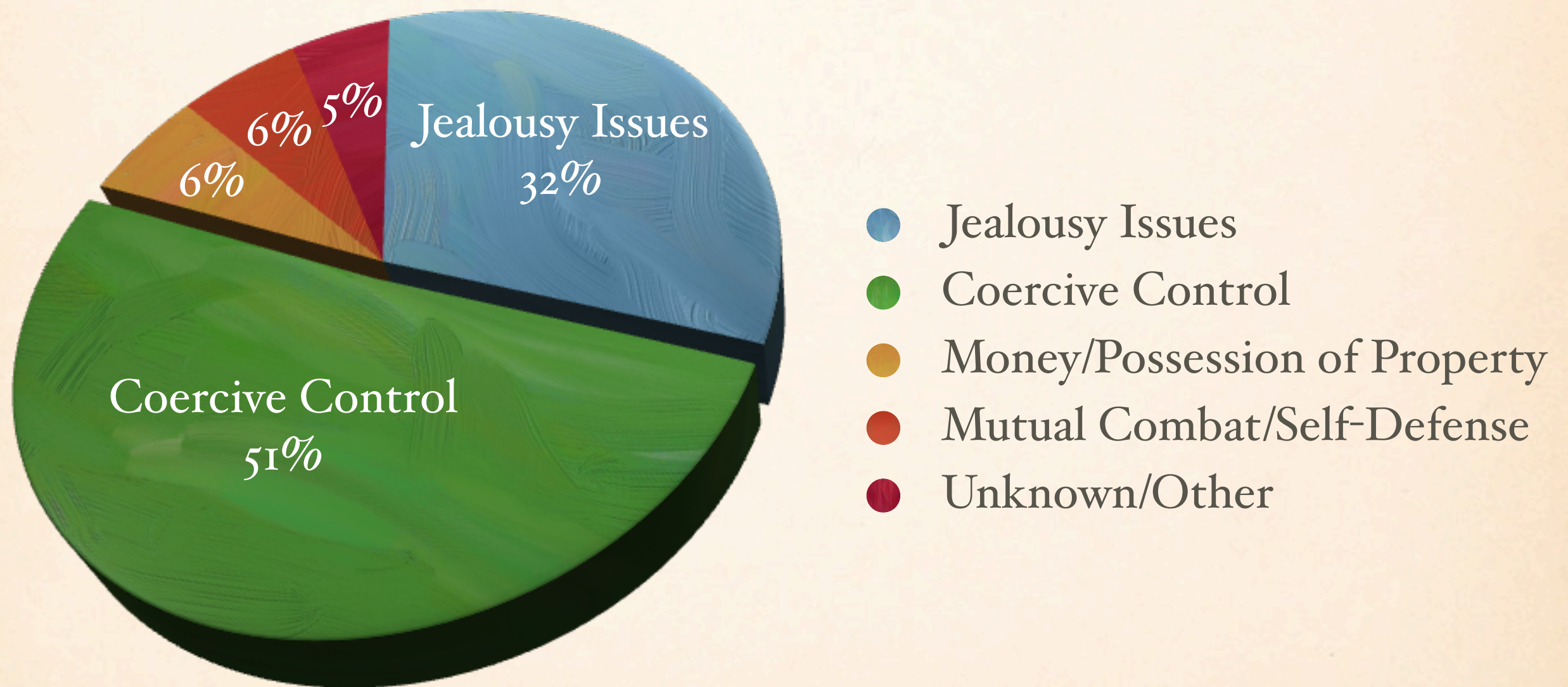


COERCIVE CONTROL

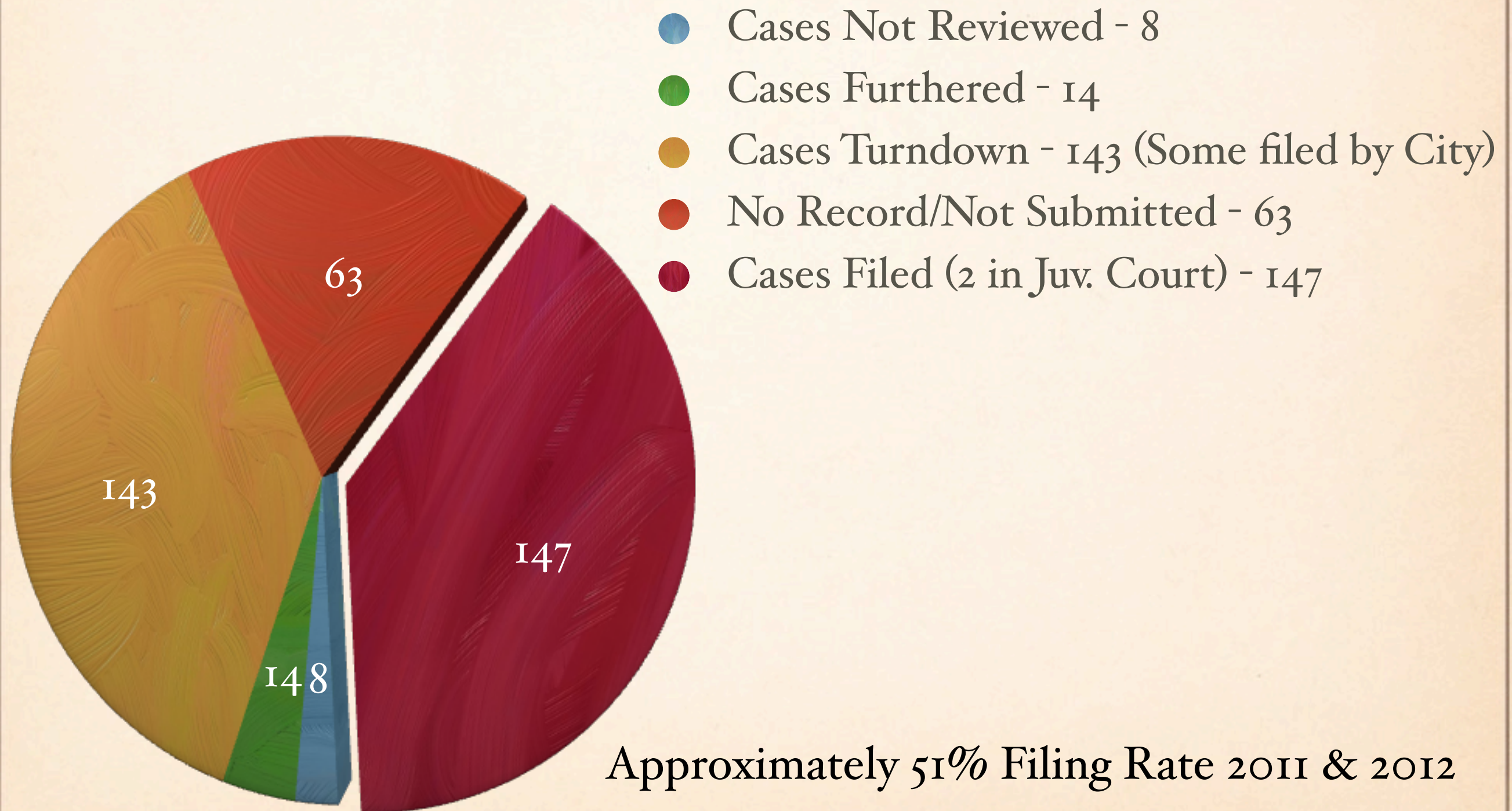
- ❖ “Coercive control is a model of abuse that attempts to encompass the range of strategies employed to dominate individual women in personal life... Almost exclusively males, interweave repeated physical abuse with three equally important tactics: intimidation, isolation, and control.”

Stark, Evan. Coercive Control: How Men Entrap Women in Personal Life. Oxford University Press (2007).

ALLEGED PROVOCATION



DECEMBER 1, 2011 - DECEMBER 31, 2012 (ALL OF MARICOPA COUNTY)



2013 STRANGULATION CASES

Total exams in January, 2013 – 37

- ❖ 25 cases submitted to MCAO
- ❖ 12 Filed
- ❖ 12 Not submitted
- ❖ 6 Turndowns (some filed by City)
- ❖ 7 Furthered
- ❖ Approximate Filing Rate of 67%

14 LAW ENFORCEMENT AGENCIES SUBMITTED CASES

❖ Phoenix

❖ Avondale

❖ Glendale

❖ Gilbert

❖ Scottsdale

❖ Buckeye

❖ Tempe

❖ El Mirage

❖ Mesa

❖ Wickenburg

❖ Peoria

❖ Salt River

❖ Goodyear

CASES PLEAD

- ❖ Aggravated Assault F6 / DV Open
- ❖ Criminal Trespass F6D
- ❖ Unlawful Imprisonment F6 Undesignated
- ❖ Aggravated Assault F4 DV
- ❖ Kidnap F2
- ❖ Aggravated Assault F5
- ❖ Disorderly Conduct
- ❖ Endangerment
- ❖ Attempted Aggravated Assault

SENTENCES

- ❖ 18 Months Probation – 7 Years Probation
- ❖ 1 Year Department of Corrections
- ❖ 2.5 Years Department of Corrections
- ❖ 3 Years Department of Corrections
- ❖ 3.5 Years Department of Corrections
- ❖ 4.5 Years Department of Corrections
- ❖ 7 Years Department of Corrections
- ❖ 8 Years Department of Corrections

*Many included jail or deferred jail terms.

PROBATION VIOLATIONS

- ❖ 12-Probation Violations
- ❖ 2 - Contact with victim.
- ❖ 2 - Reinstated to probation.
- ❖ 1 - For New Crime.
- ❖ 2 - Sentenced to 2 year Department of Corrections
- ❖ 1 - Absconded after reinstated and sentenced to 2.5 years Department of Corrections

REFLECTION

- ❖ What are your local law enforcement agencies doing now?
- ❖ How involved are your city and county attorney's office?
- ❖ What role do your medical professionals currently have?
- ❖ How would you define your multidisciplinary relationships?
 - ❖ Are you playing well in the sandbox?!
- ❖ Do you have a strategic plan?

Contributors

National Strangulation Training Institute: Faculty and Advisors

Casey Gwinn, JD: Co-Founder and President of the National Family Justice Center Alliance (N.F.J.C.A.)

Gael Strack, JD: Co-Founder and CEO of the N.F.J.C.A

Dean Hawley MD: Forensic Pathologist, Indiana University School of Medicine

Mike Agnew, Detective (Ret.), Fresno Police Department

Daniel Rincon, Sergeant, Scottsdale Police Department

Karyn Rasile RN, Forensic Nurse Examiner Supervisor, Scottsdale Healthcare

Jill Rable RN, Forensic Nurse Examiner, Scottsdale Healthcare

Cindi Nannetti, Esq.: Division Chief, Maricopa County Attorney's Office

Jon Eliason, Esq: Mesa City Prosecutor

~THANK YOU FOR YOUR ATTENTION~

CONTACT INFORMATION

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Cindi Nannetti, Esq.

Cindi is the Major Crimes II Division Chief for Maricopa County Attorney's Office and currently serves under County Attorney Bill Montgomery. She has over three decades experience as a prosecutor, primarily in sex crimes and family violence. As a staunch advocate for the safety of women and children, Ms. Nannetti has lectured nationally and internationally, and received state and national awards for her work.

Over the years, Ms. Nannetti has handled numerous high profile sex crimes including Dr. Brian Finkel, Father George Bredeman, and Steven Hummert, one of the first DNA cases in the State. She is an adjunct professor for Gilbert Chandler Law Enforcement Academy, lectures and teaches nationally including NFL football teams, Arizona Prosecuting Attorneys' Advisory Council and the Children's Justice Task Force Training Team. Ms. Nannetti has been instrumental in drafting a number of legislative bills on both on the state and national level, working with Senator Jon Kyl on an amendment to Arizona Rules of Evidence as well as DNA statutes, amendments to the statutes of limitations, luring of minors and more.

Ms. Nannetti co-authored *Investigation and Prosecuting Sex Offenders*, published in *Managing Adult Sex Offenders, a Containment Approach* by the American Probation and Parole Association.

In 2002, Ms. Nannetti was named *Outstanding Sexual Assault Prosecutor*, by the Arizona Attorney General's Office, and in 2004, *Arizona Felony Prosecutor of the Year* by the Arizona Prosecuting Attorneys' Advisory Council. She received the *Bev Ogden Lifetime Achievement Award* from the Children's Justice Task Force in 2004, and the *David R. White Excellence in Victim Advocacy Award*, from Arizona Prosecuting Attorneys' Advisory Council in 2010.

Over the years, Ms. Nannetti has shared her knowledge and passion with a number of non-profit organizations including Honor Flight, Arizona Foundation for Women, MISS Foundation, Prevent Child Abuse Arizona, and currently serves on the New Life Women's Shelter board of directors and vice chair of the Arizona Juvenile Justice Commission.



Jill Rable BSN, MSN-ED, RN, CPN, SANE-A

Jill has 14 years as a nurse. She is a certified pediatric nurse and is a SANE-A certified forensic nurse examiner at Scottsdale Healthcare. For the past 7 years she has provided nursing care to patients affected by domestic violence, sexual assault, and child abuse. In 2012, Jill was an active participant in establishing a medical forensic domestic violence strangulation protocol for victims in Maricopa County. Jill is an active board member of the East Valley Fatality Review Board and Arizona Foundation for Women's Greater Arizona Anti-Strangulation Project. Jill provides expert witness testimony in courts regarding forensic nursing, strangulation, sexual assault, and domestic violence. Jill has traveled across Arizona training health care agencies, first responders, law enforcement, attorneys, and judges in the areas of sexual assault, abuse, domestic violence, and strangulation. Jill is a member of IAFN.

Karyn Rasile, BSN MAEd RN SANE-A CFN



Karyn is currently the supervisor of the SHC Forensic Nurse Examiner Unit. She also holds a post Masters certificate in Advanced Forensic Nursing from Johns Hopkins University. She has been with SHC since 2000 as a forensic nurse and has performed over 1700 medical-forensic examinations. In addition, she provides expert witness testimony on the topics of sexual assault and domestic violence. She is a member of multiple state and national work groups. She has consulted with many programs both in and out of AZ, including Canada. Karyn authored the SANE-A 40 hour training that is taught at SHC and is a frequent presenter/trainer to healthcare providers, law enforcement, attorneys, students, crime labs and community partners throughout AZ. She is a member of IAFN, AAFS and ACFEI. Karyn Rasile, BSN MAEd RN SANE-A CFN is currently the supervisor of the SHC Forensic Nurse Examiner Unit. She also holds a post Masters certificate in Advanced Forensic Nursing from Johns Hopkins University. She has been with SHC since 2000 as a forensic nurse and has performed over 1700 medical-forensic examinations. In addition, she provides expert witness testimony on the topics of sexual assault and domestic violence. She is a member of multiple state and national work groups. She has consulted with many programs both in and out of AZ, including Canada. Karyn authored the SANE-A 40 hour training that is taught at SHC and is a frequent presenter/trainer to healthcare providers, law enforcement, attorneys, students, crime labs and community partners throughout AZ. She is a member of IAFN, AAFS and ACFEI.



Sergeant Daniel E Rincon

Daniel Rincon is a 22-year veteran of the Scottsdale Police Department (Arizona) and earned a Bachelors of Science Degree in Justice Studies from Arizona State University. He has been a Sergeant for the past ten years and was the Domestic Violence Unit supervisor for over five years. Dan currently serves on the East Valley Domestic Violence Fatality Review Board (Phoenix Metropolitan Area), the National Strangulation Training Institute (Nat'l Family Justice Center Alliance – San Diego), and was appointed by Arizona Governor Jan Brewer to serve on the Governor's Commission to Prevent Violence Against Women.

Sergeant Rincon's investigative experience includes being case detective or supervising Homicides, Sexual Assaults, Major Assaults, Domestic Violence cases, Child Abuse and Gang related investigations. Since 2009, Sergeant Rincon has dedicated himself to educating Law Enforcement Professionals, Prosecutors, Victim Advocates and the community. Sergeant Rincon's current assignment is in the Internal Affairs Unit.



National Family Justice Center Alliance
Webinar Training

**Responding to Non-Fatal Strangulation Cases: The Maricopa County Law
Enforcement Protocol**

*Presented by Sgt. Dan Rincon, Cindi Nannetti, Esq., and Jill Rable, BSN MSN-ED RN CPN
SANE-A*

May 28, 2013

Certificate of Attendance

1.5 Hours

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Family Justice Center Alliance

Date of Issue: May 29, 2013