



Closing: Panel Discussion

Case – “Lisa & Jack”
True Domestic Violence Case

Names have been changed to
protect those involved



Sandra Case
Moderator for the Panel
SVLAS Staff Attorney

Currently I'm an attorney for SVLAS in our Marion, VA office. I have over 14 years' experience working with Domestic Violence cases.

- Our agency has attorneys in each field office that specializes in Domestic Violence cases
- Our attorneys and paralegals can speak with you in person or over the telephone
- We can advise you, represent you in court or at an administrative hearing
- We can assist with Court Appearances for Protection Orders, Abuse & Neglect, children being placed in Foster Care, Safety Plans, and Custody and Support cases.
- We are here to encourage and empower each victim with legal support, at no costs to them
- We also refer clients to various supporting agencies throughout our service area of 17 counties in SW Virginia

Chronological Order From DV Scene to Court

1. Officer Melissa Cohen
2. Forensic Nurse April Bennett
3. Victim Advocate MaryBeth Burkes
4. Giles Co. CA Bobby Lilly & Grayson Co. Asst. CA Debra Sifford
5. Judge Lee Chitwood
6. Giles Co. Victim Witness Tamy Mann



OVW, FLETC and NCALL (2012)
Module 2: Domestic Violence in Later Life

Case # 1

- Lisa and Jack had only been dating for a couple of months.
- Lisa had a son from previous relationship.
- After knowing each other a week, Jack started moving his items into her home.
- Jack started monitoring her phone, taking her keys so she couldn't leave home, and she eventually lost her job.
- The physical abuse began within a month.
- Jack was a heavy drinker and refused to let Lisa drive her and her son home from museum.
- Jack began accusing Lisa of cheating on him with ex-boyfriend and when he passed ex-boyfriends house on the way home from museum, he start driving reckless.
- Lisa then called police.
- Jack grabbed phone and threw it out the car window. He then began hitting Lisa with the back of his hand and forearm.
- Jack pulled over and then got on top of her in the passenger seat punching her in the face until she blacked out.
- Last thing she remembered, her son was trying to get out of the car seat.

Case # 1 (continued)

- Lisa woke up and Jack was getting out of the car. She saw him throw her keys into the nearby field.
- Lisa's son was still in car seat, but he now had a large red mark across his cheek.
- A passing car had stopped, and the couple called the police.
- Jack left before Police and EMS arrived.
- The last thing Lisa remembered was her son screaming and trying to get out of his car seat.
- Lisa told the story to the Officer and her son added, "he choked you mommy!"
- Lisa didn't remember Jack choking her.
- The Officer took Lisa and her son to the magistrate's office for an assault and battery charge against Jack.
- When the magistrate saw Lisa's face, Jack was charged with malicious wounding, which LEO authorized, and an emergency protective order (EPO) was issued.
- Jack was also charged with assault and battery for hitting Lisa's son based on the boy's statement.
- The magistrate also charged Jack for assault and battery for hitting Lisa's son based on the boy's statement.



**Officer Melissa Cohen,
Narrows Police Dept.**

Action Steps

- Dispatch EMS & Encourage Lisa to see Forensic Nurse Examiner (FNE)
- Prompt Lisa's son to be seen by EMS and FNE
- Broadcast a full description of Jack to ALL Law Enforcement to "Be On the Look Out" and Apprehend when found
- Immediate pictures of injuries to Lisa and son be taken
- Use Child Forensic Interviewers for Lisa's son
- Pull camera footage from museum and any cameras with correlation with Lisa's version of events
- Offer continued support to Lisa and son through process



**April Bennett,
Forensic Nurse
SAFE Center of SWVA**

Action Steps

- Meet medical and legal needs of patients- both Lisa and her son.
- Request emergency advocate to provide support to the patients during and exam.
- Assess emergency conditions, identify physical trauma/findings and possible evidence, have patients evaluated for strangulation and radiology testing, evaluate psychological needs, collect evidence including photos, provide follow-ups/referrals.
- Report suspected child abuse as required (Code of VA) to local CPS and Law Enforcement.
- Strangulation – With patient consent (Lisa) report to law enforcement and use a Trace Evidence Collection Kit (NFK) and notify law enforcement kit was used per Code of Virginia, § 19.2-11.7 (as of July 21, 2025). For Lisa's son, this would be a mandatory report.
- Safety Planning before discharge including Danger Assessment.
- Further documentation.



MaryBeth Burkes,
Victim Advocate
People, Inc.

Action Steps

- Court Advocacy
 - Assistance for filling protective order
 - Court accompaniment for legal proceedings and law enforcement interviews
 - Assistance in filing paperwork for child custody, support and visitation
 - Help with navigating justice system
 - Referrals to appropriate partners, when needed to Legal Aid and other agencies
- Emergency Services
 - Emergency Shelter
 - 24-hour info., referrals, and intake hotline
 - Safety Planning
 - In-person crisis response
- Victim and Survivor Support
 - Allow Victims to discuss empowerment, self-esteem, coping skills, healing, and more...
 - Offer bi-weekly support groups
 - Individual counseling

DANGER ASSESSMENT
Jacquelyn C. Campbell, Ph.D., R.N.
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Several risk factors have been associated with increased risk of homicides (murders) of women and men in violent relationships. We cannot predict what will happen in your case, but we would like you to be aware of the danger of homicide in situations of abuse and for you to see how many of the risk factors apply to your situation.

Using the calendar, please mark the approximate dates during the past year when you were abused by your partner or ex partner. Write on that date how bad the incident was according to the following scale:

1. Slapping, pushing; no injuries and/or lasting pain
2. Punching, kicking; bruises, cuts, and/or continuing pain
3. "Beating up"; severe contusions, burns, broken bones
4. Threat to use weapon; head injury, internal injury, permanent injury
5. Use of weapon; wounds from weapon

(If any of the descriptions for the higher number apply, use the higher number.)

Mark **Yes** or **No** for each of the following. ("He" refers to your husband, partner, ex-husband, ex-partner, or whoever is currently physically hurting you.)

- ___ 1. Has the physical violence increased in severity or frequency over the past year?
- ___ 2. Does he own a gun?
- ___ 3. Have you left him after living together during the past year?
- ___ 3a. (If have never lived with him, check here: ___)
- ___ 4. Is he unemployed?
- ___ 5. Has he ever used a weapon against you or threatened you with a lethal weapon? (If yes, was the weapon a gun? ___)
- ___ 6. Does he threaten to kill you?
- ___ 7. Has he avoided being arrested for domestic violence?
- ___ 8. Do you have a child that is not his?
- ___ 9. Has he ever forced you to have sex when you did not wish to do so?
- ___ 10. Does he ever try to choke you?
- ___ 11. Does he use illegal drugs? By drugs, I mean "uppers" or amphetamines, "meth", speed, angel dust, cocaine, "crack", street drugs or mixtures.
- ___ 12. Is he an alcoholic or problem drinker?
- ___ 13. Does he control most or all of your daily activities? For instance: does he tell you who you can be friends with, when you can see your family, how much money you can use, or when you can take the car? (If he tries, but you do not let him, check here: ___)
- ___ 14. Is he violently and constantly jealous of you? (For instance, does he say "If I can't have you, no one can.")
- ___ 15. Have you ever been beaten by him while you were pregnant? (If you have never been pregnant by him, check here: ___)
- ___ 16. Has he ever threatened or tried to commit suicide?
- ___ 17. Does he threaten to harm your children?
- ___ 18. Do you believe he is capable of killing you?
- ___ 19. Does he follow or spy on you, leave threatening notes or messages, destroy your property, or call you when you don't want him to?
- ___ 20. Have you ever threatened or tried to commit suicide?

Total "Yes" Answers _____

Thank you. Please talk to your nurse, advocate or counselor about what the Danger Assessment means in terms of your situation.



Robert M. Lily, Jr
Giles Co. CA &
Debra Sifford
Grayson Co. Asst. CA

Action Steps

- Pull interview from LEOs
 - Review complete record of all officers and witnesses present at the scene
 - CRUCIAL to have phone numbers and other contact info for all witnesses (multiple safe contact numbers are useful)
 - All witnesses should be interviewed separately if possible
- Confirm that LEO has scheduled forensic interview with the child
 - Attend interview to assist with follow up questions
 - Provide advice to LEO regarding follow up investigation issues
- Prepare for bail hearing - work with VW to contact witnesses and consider special conditions
- Trial Preparation
 - Ensure that LEO has documented EVERYTHING. All statements, both inculpatory and exculpatory must be preserved.
 - Consider other sources of evidence regarding time frames – cameras, phone evidence, efforts to locate defendant, levels of intoxication, statements made from defendant, and jail phone calls
 - Ensure that all witnesses have been subpoenaed
 - Consider options to resolve cases and discuss with LEO, victim, and defense counsel. (“What are we trying to accomplish?”)

POTENTIAL POINTS OF CONTACT WITH THE COURT



**Honorable H. Lee
Chitwood
Judge, Pulaski Co.
J&DR Court**

- Arraignment/Bond Hearing
- Bail checklist-more is better
- Affidavit-what does it say, and what does it **tell** us?
- Victim input?
- Jail calls?
- Strangulation Bench Card
- Criminal history: **all** charges, charges with same victim.
- Types of supervision in place: good behavior, supervised probation, bond orders in place from other pending charges, protective orders
- LAP?
- Preliminary Protective Order/Protective Order
- Preliminary Hearing/Trial
- Child Protective Order/DSS involvement



Tamy Mann
Giles Co. Victim
Witness Director

Action Steps

- **Info. and Navigation** - Provides info. about court procedures, case status, and the overall criminal justice process
- **Emotional Support** - Crisis Intervention, emotional support and counseling
- **Courtroom Assistance** - Could be a courtroom tour, accompany victims to court and offer support during trial
- **Referrals** - Connect victims with various social services, including counseling, medical and other resources
- **Safety Planning** - See document and further provide info. about protective orders
- **Financial Assistance** – Crime Victims' Compensation Fund
- **Restitution** – Seek restitution from offenders
- **Interpreter Services** – Help victims access court-approved interpreters
- **Victim Impact Statements** – Guidance to prepare victim impact statements

Summaries

Narrow's Police Officer Melissa Cohen:

Forensic Nurse April Bennett - SAFE Center of SWVA clinic in Pulaski also provides care for all victims/suspects of violence at LGH-Pulaski, Wythe County Community Hospital, and Twin Counties Regional Hospital.

Victim Advocate MaryBeth Burkes:

Commonwealth Attorneys Robert Lilly, Jr. & Debra Sifford:

Judge Lee Chitwood:

Giles Co. Victim Witness Tamy Mann:

Questions?

