

Domestic Violence in Whatcom County 2000 - 2005

Released December 2006

**Bellingham-Whatcom County Commission
Against Domestic Violence**

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EXECUTIVE SUMMARY

This is the fourth annual report of domestic violence data in Whatcom County published by the Bellingham/Whatcom County Commission Against Domestic Violence. This report describes the characteristics of domestic violence-related incidents reported by all Whatcom County Municipal, Tribal and County Law Enforcement Agencies; the nature and outcome of domestic violence cases adjudicated in Tribal, Municipal, District and Superior Courts; and the characteristics of services utilized by both perpetrators and victims of domestic violence in Whatcom County.

In general, 2005 saw few notable variations in levels of domestic violence-related activity across Whatcom County Criminal and Civil Justice Systems. Over the course of the six-year assessment period, domestic violence indices have remained relatively stable, with relatively minor fluctuations across time. On the other hand, some components of Whatcom County's Criminal Justice System saw statistically significant increases in domestic violence-related indices. For example, the number of Felony Domestic Violence Cases filed in 2005 significantly outpaced felony filings for each of the preceding years in the assessment period. Similarly, the number of domestic violence-related charges referred to Whatcom County District Court Probation for supervision continued to increase at a statistically significant rate.

The number of individuals who completed Domestic Violence Evaluations in 2005 and the number of individuals enrolled in Domestic Violence Perpetrator Treatment during this same year also showed significant increases over previous years. On the other hand, Whatcom County Law Enforcement Agencies reported that in 2005 there were significantly fewer domestic violence "Verbals" than in any other year during the assessment period. Thus, for the first time since the inception of data collection, law enforcement reported that they responded to significantly more Domestic Violence Offenses (where an arrest was made), than they did Verbals (incidents where law enforcement determines that no physical assault occurred, and/or where no other conditions were met to warrant probable cause for an arrest).

Even given the differences noted above, Whatcom County findings continue to be in keeping with that found across the state of Washington. For example, the number of domestic violence offenses per capita (defined as the number of domestic violence offenses for every 1,000 residents) remains statistically equal to that found in the state as a whole.

Unfortunately, the reasons for any changes in domestic violence-related indices documented across systems remains unclear. The data collected and catalogued herein cannot speak to the causes for these differences, and significant refinement and enhancement of existing data collection methodologies are required before these questions can be adequately addressed.¹

For the data contained herein, all domestic violence indices have been evaluated using Pearson's Chi Square Analysis. This procedure accounts for changes in the population, and determines whether differences in the numbers seen are a result of chance. When changes in numbers are statistically significant (i.e. not due to chance and mathematically meaningful), this is noted in the text.

¹ Detailed discussion of the issues related to data collection and analysis are detailed in the March 2005 Report: "Domestic Violence in Whatcom County: A Compilation of Data", which can be found on the organization's website (www.dvcommission.org).

DOMESTIC VIOLENCE IN WHATCOM COUNTY: LAW ENFORCEMENT

Domestic Violence Offenses

In 2005:

- *Whatcom County Law Enforcement Agencies² reported a total of 1,696 domestic violence offenses*
- *Over 75% of offenses were handled by the Bellingham Police Department and Whatcom County Sheriff's Office*
- *Domestic violence offenses accounted for 14% of all reported criminal offenses in Whatcom County*

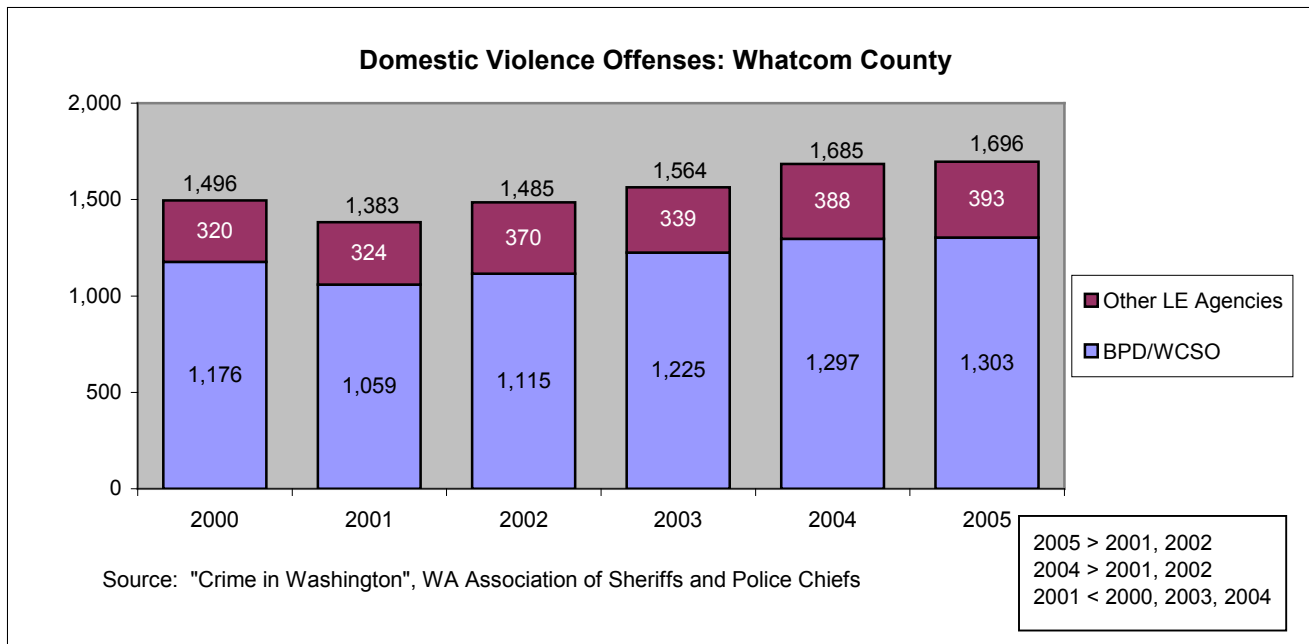


Figure 1

Between 2000 and 2005, Whatcom County Law Enforcement Agencies reported an average of 1,546 domestic violence offenses per year, with the Bellingham Police Department (BPD) and Whatcom County Sheriff's Office (WCSO) handling an average of 77% of these cases a year. In 2005, Whatcom County Law Enforcement Agencies reported a total of 1,696 domestic violence offenses, with 77% of these offenses handled by the two largest law enforcement agencies in the county. Figure 1 illustrates rates of domestic violence offenses as reported by all Whatcom County Law Enforcement Agencies.

² This includes the Bellingham Police Department, Whatcom County Sheriff's Office, Lummi Nation and Nooksack Tribal Law Enforcement, and Blaine, Everson-Nooksack, Ferndale, Lynden and Sumas Police Departments.

The number of domestic offenses handled by Whatcom County Law Enforcement Agencies fluctuated significantly between 2000 and 2005. For example, 2001 and 2002 saw the statistically lowest levels of domestic violence offenses dealt with by law enforcement in the 6-year period evaluated.

Alternatively, the numbers of domestic violence offenses handled by law enforcement in 2005 were statistically equal to that seen in 2000, 2003 and 2004.

Domestic violence is only one category of crime that Whatcom County Law Enforcement handles at any given time. For example, an annual average of 11,411 criminal offenses (including domestic violence) were reported by Law Enforcement Agencies during the assessment period. When evaluated in this context, domestic violence accounts for a small but consistent percentage of all of the crime dealt with by law enforcement (13.7% on average).

Verbal Domestic

In 2005:

- *The Bellingham Police Department and Whatcom County Sheriff's Office reported 1,194 verbal domestics^{3,4}*

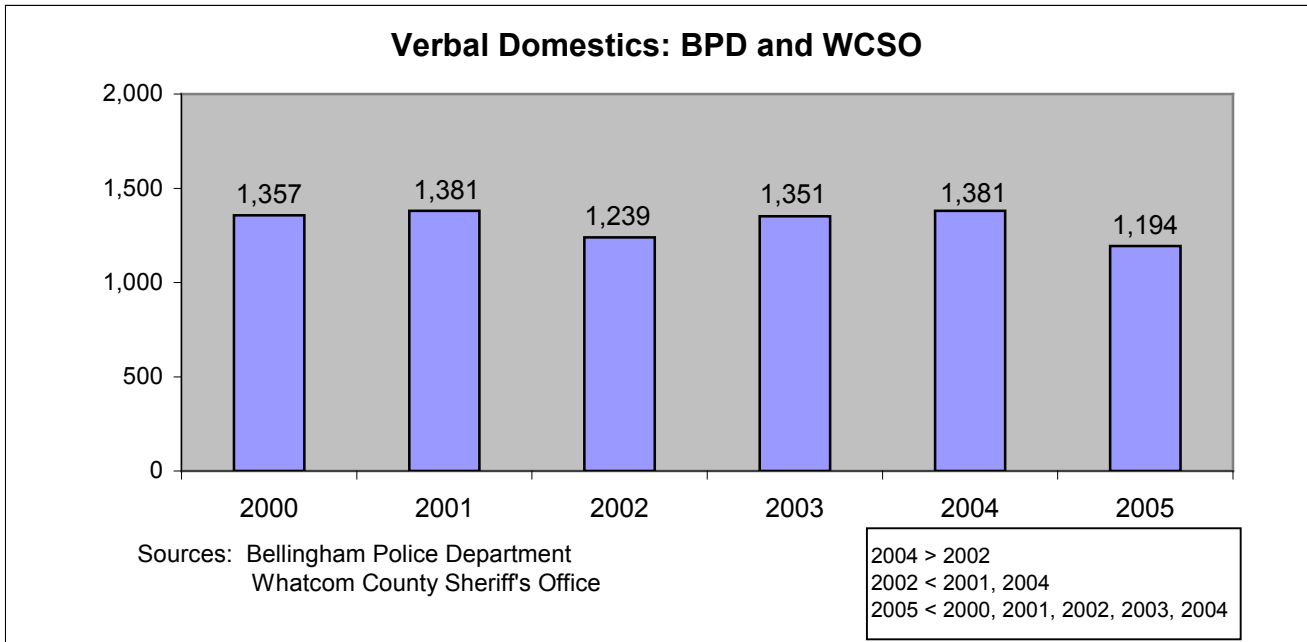


Figure 2

Between 2000 and 2005, the Bellingham Police Department and Whatcom County Sheriff's Office reported handling an average of 1,317 verbal domestics a year, with a total of 1,194 reported in 2005. Figure 2 illustrates rates of verbal domestics reported by the Bellingham Police Department and Whatcom County Sheriff's Office between 2000 and 2005.

When the level of verbal domestics is evaluated across time, significant statistical differences emerge. Most notably, the number of verbal domestics reported in 2005 was the statistically lowest level seen in the time period evaluated.

³ Verbal Domestic represent incidents where law enforcement determines that no physical assault has occurred, and/or where no other conditions are met that warrant an arrest.

⁴ Data only available from these 2 agencies for the period of time evaluated.

Domestic Violence Offenses vs. Verbal Domestic

In 2005:

- *The Bellingham Police Department and Whatcom County Sheriff's Office reported dealing with statistically higher rates of domestic violence offenses than verbal domestics for the first time in 6 years*

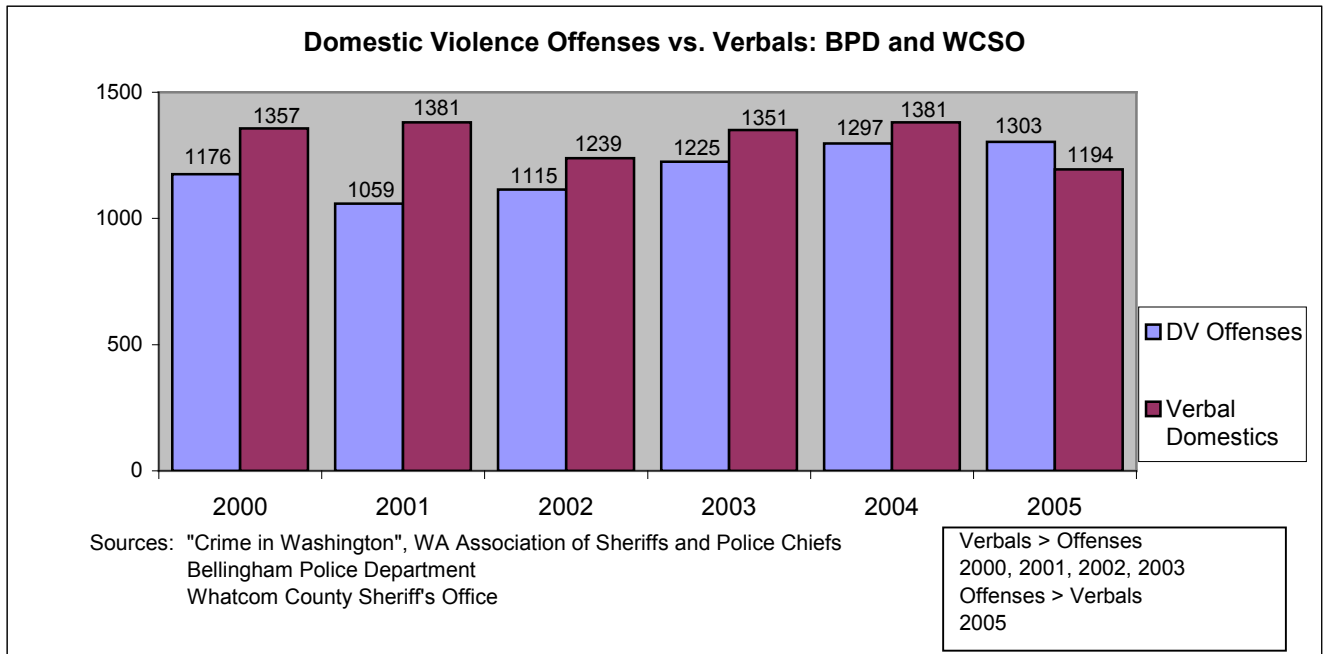


Figure 3

Between 2000 and 2004, law enforcement dealt with verbal domestics (where no crime has been committed) at a higher rate than they did domestic violence offenses (where a crime has been committed). While the difference between these two categories appears minimal, it is enough to be statistically significant in virtually every year assessed. The exception to this occurred in 2004, when verbal domestics and domestic violence offenses occurred at statistically equal rates.

On the other hand, the 2005 rate of domestic violence offenses exceeded that of verbal domestics for the first time in this 6-year period. While the difference between these two categories is merely 8%, it is enough to be a statistically meaningful one.

Figure 3 compares the rate of reported domestic violence offenses to the rate of reported verbal domestics in each of the years evaluated.

Per Capita Rates of Domestic Violence Offenses⁵

In 2005:

- *Whatcom County's per capita rate of domestic violence offenses was 9.4*
- *The per capita rate is equal to that seen in all other years evaluated, and generally reflects statewide statistics*

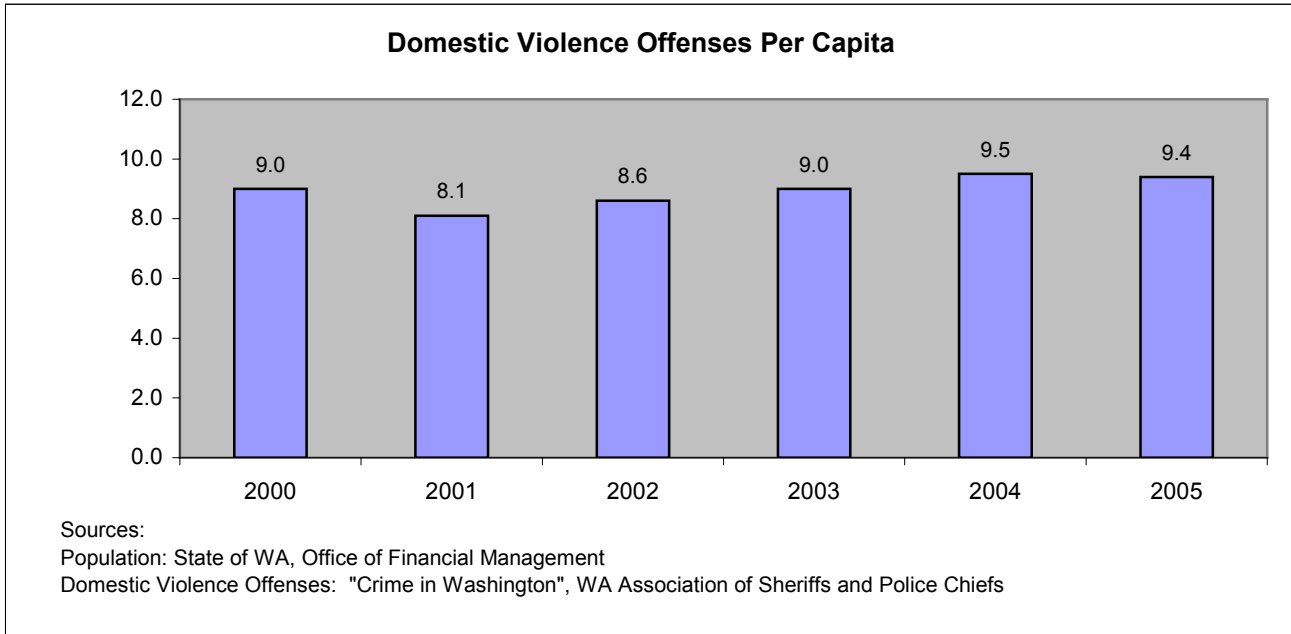


Figure 4

In 2005 Whatcom County's per capita rate of domestic violence offenses was 9.4 (compared to 8.6 for the state as a whole), with an average per capita rate of 8.9 during the six-year assessment period. When evaluated over time, Whatcom County's per capita rate has remained essentially unchanged, and closely parallels that seen at the state level.

Figure 4 illustrates per capita rates of domestic violence offenses in Whatcom County over time.

⁵ Per capita rate is defined as the number of domestic violence offenses for every 1,000 residents

DOMESTIC VIOLENCE IN WHATCOM COUNTY: JAIL AND THE COURTS

Jail Bookings

In 2004:

- *The Whatcom County Jail reported 1,345 domestic violence-related bookings, representing almost one-quarter of all jail bookings*

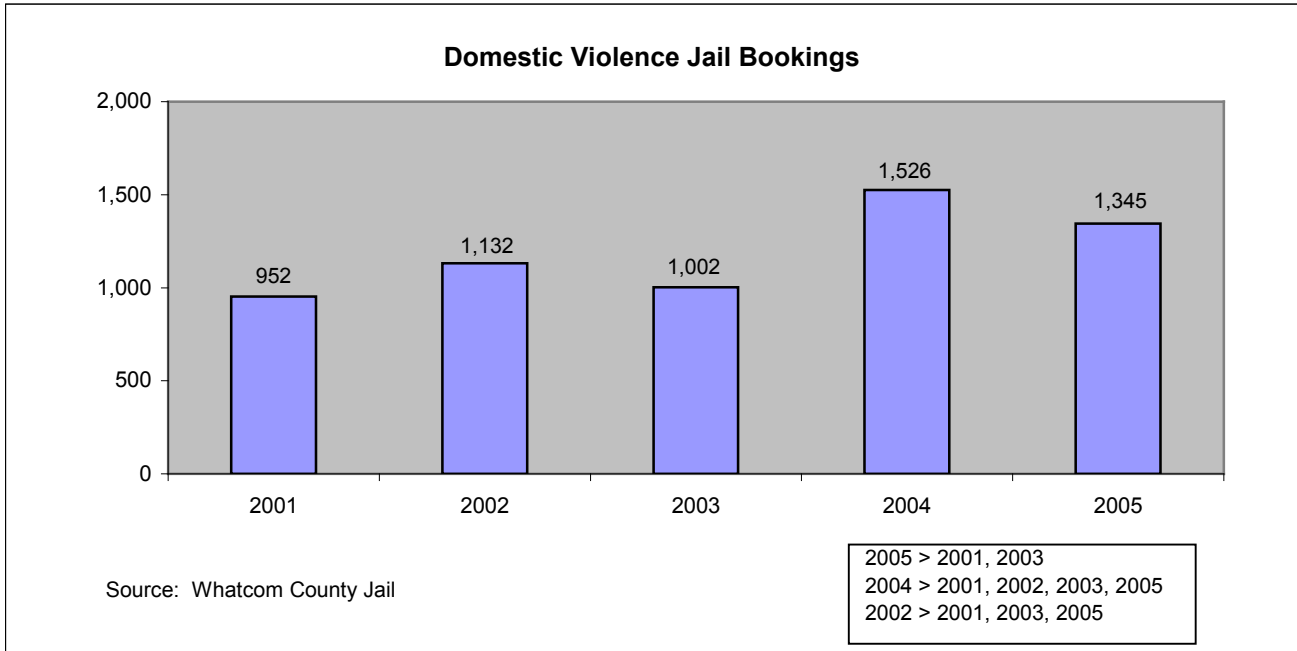


Figure 5

Between 2001 and 2005, an average of 1,191 individuals per year were booked into Whatcom County Jail on a domestic violence offense. Domestic violence represented a significant category of jail bookings in all of the years sampled, averaging between 17% and 28% of all bookings recorded.

Levels of domestic violence jail bookings have statistically fluctuated over time. For example, 2004 saw the highest levels of domestic violence offenders booked into jail in the years evaluated, and 2005 levels were significantly higher than that reported in 2001 and 2003.

Notably, refinements in data collection have occurred over this 4-year period. Thus, while there are likely true increases in domestic violence jail bookings, this is impossible to separate from the effects of more accurate reporting (which typically results in increases in reported phenomena).

Misdemeanor Charges: Filings and Resolutions

In 2005:

- *Whatcom County Courts⁶ reported 1,266 misdemeanor domestic violence charge filings*

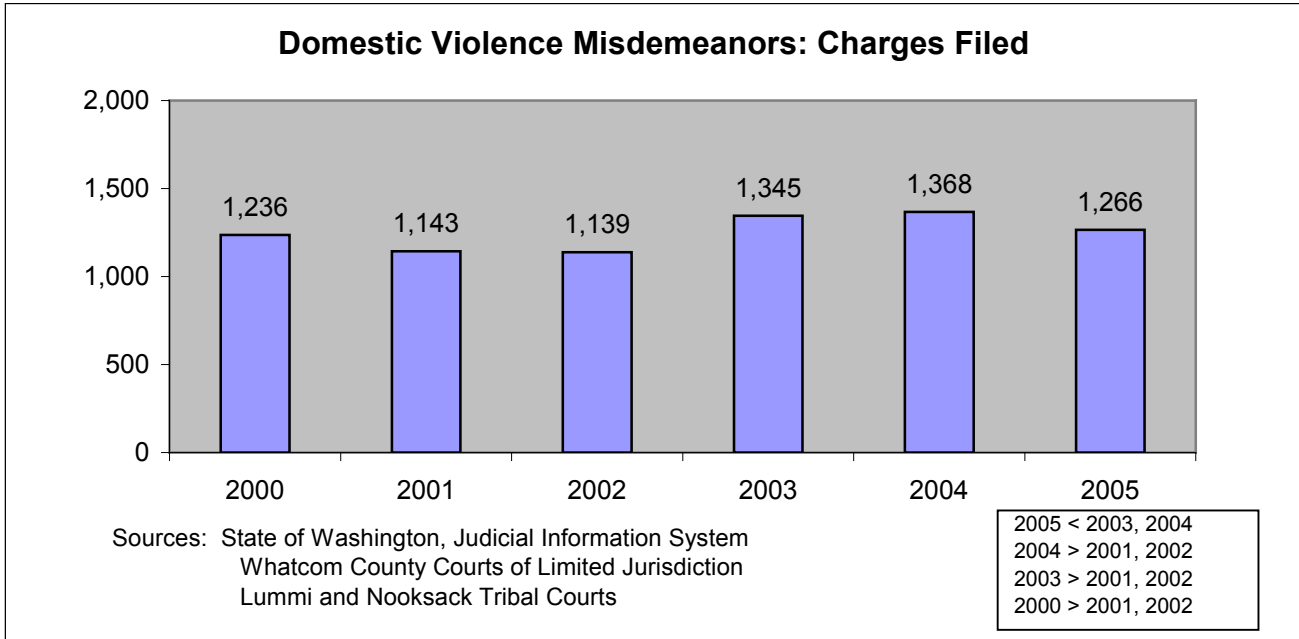


Figure 6

Whatcom County Courts reported 1,266 misdemeanor domestic violence charge filings in 2005, with an average of 1,250 misdemeanor domestic charges filed annually between 2000 and 2005. Over the course of this six-year period, there have been significant fluctuations in the number of misdemeanor domestic violence charges filed.

Over the course of 2005, there were a significant number of domestic violence misdemeanor charges resolved during this 12-month period. Specifically, 1,355 domestic violence-related misdemeanors were resolved across Whatcom County Courts in 2005 (excluding Tribal Courts). With respect to the outcomes of these charges, the majority resulted in either a “Guilty” (42%) or “Dismissed” (41%) status. Alternatively, 16% resulted in “Amended”⁷ and 1% as “Not Guilty”. Finally, from the point of filing to the point of resolution, these charges were in the court system an average of 151 days.

Figure 6 illustrates the number of misdemeanor domestic violence charges filed in Whatcom County Courts between 2000 and 2005.

⁶ Includes all Municipal, District, and Tribal Courts in Whatcom County.

⁷ Conviction for a related misdemeanor other than the original charge

Felony Cases: Filings and Resolutions

In 2005:

- *The Whatcom County Prosecutor’s Office reported filing 276 felony domestic violence-related cases*
- *The number of felony domestic violence cases filed was at the statistically highest levels for all years evaluated*

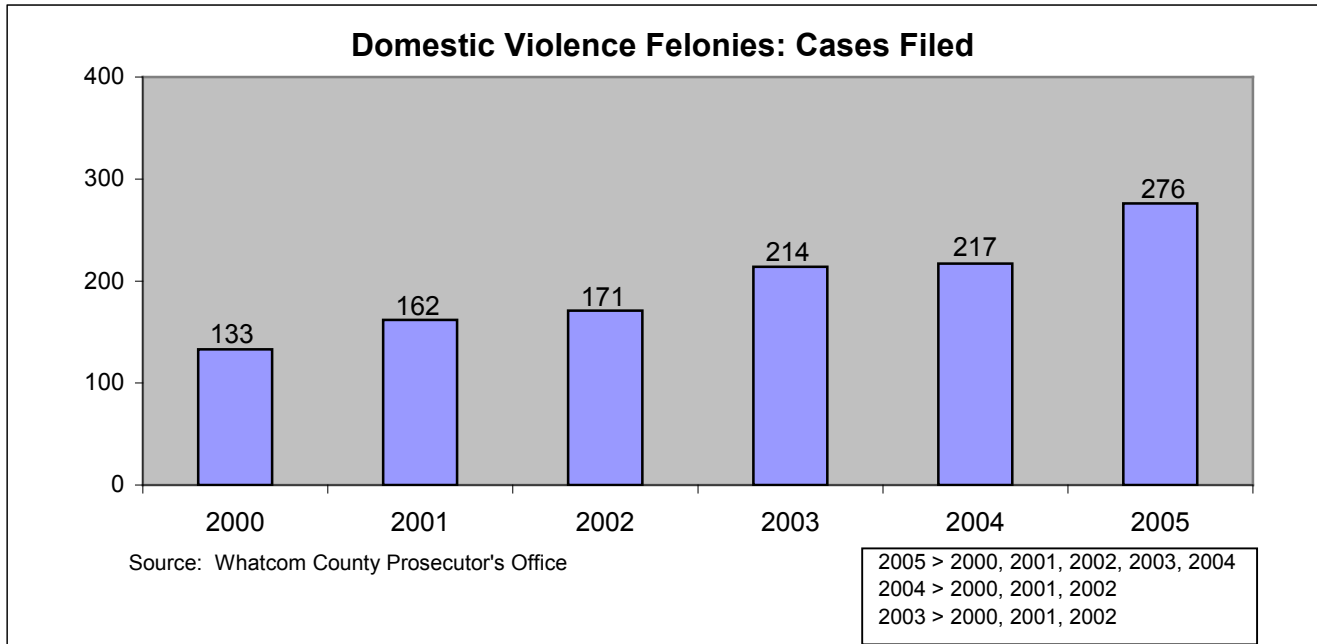


Figure 7

The number of felony domestic violence cases filed in 2005 markedly outpaced felony filings in all of the preceding years. That is, the number of domestic violence felony filings in 2005 was statistically greater than the number of filings in any other year during the assessment period.

Over the course of 2005, there were a significant number of domestic violence felony cases resolved during this 12-month period. 243 domestic violence felony cases were resolved in 2005. With respect to the outcomes of these cases, the vast majority (87%) resulted in some form of a “Guilty” classification. The remainder resulted in “Dismissed” (5%) or “Other” (8%) classifications. Finally, from the point of filing to the point of resolution, these cases were in the court system an average of 157 days.

Figure 7 illustrates the number of felony domestic violence cases filed by the Whatcom County Prosecutor’s Office between 2000 and 2005.

Probation Referrals

In 2005:

- *Whatcom County District Court Probation was referred 816 domestic violence-related charges for supervision*

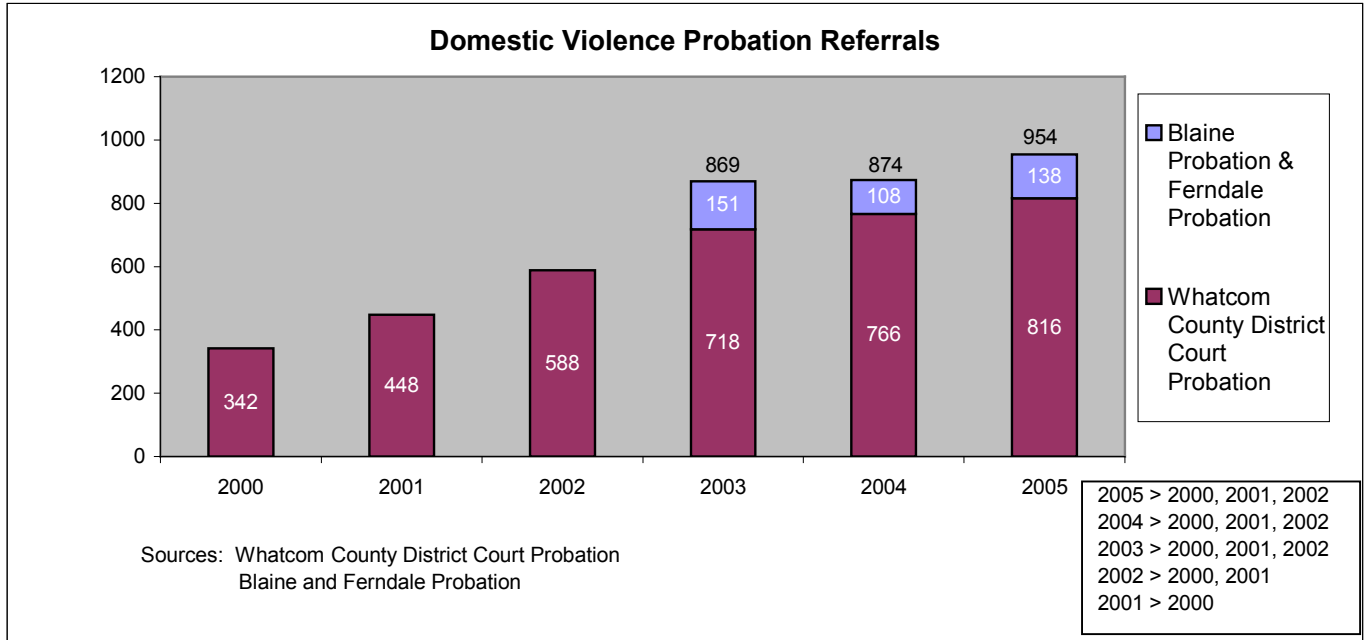


Figure 8

In 2005, Whatcom County District Court Probation was referred a total of 816 domestic violence-related charges for supervision. While domestic violence probation referrals have fluctuated over time, analyses indicate that the number of referrals received in 2005 is statistically consonant with that seen in the two preceding years (2003 and 2004). In contrast, between 2000 and 2002 Whatcom County District Court Probation had a significantly greater number of charges referred for supervision each year during this time period.

Figure 8 documents all domestic violence charges referred to Whatcom County District Court Probation during the years 2000 through 2005. While domestic violence charges referred to Blaine and Ferndale Probation Departments are included beginning in 2003, referrals to these two agencies were not included in statistical analyses.

Protection Orders

In 2005:

- 381 Domestic Violence Protection Orders were filed in Whatcom County Courts⁸
- The number of Protection Orders filed in Whatcom County Courts has remained essentially stable since 2000

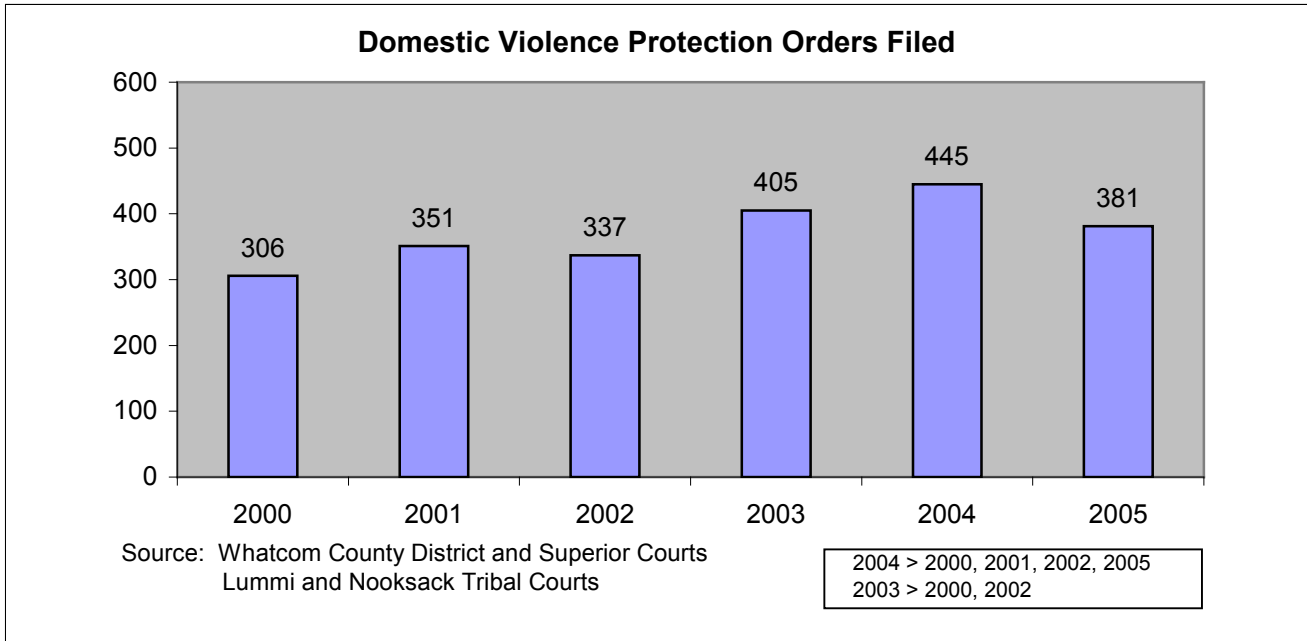


Figure 9

In 2005, there were 381 Protection Orders filed in Whatcom County Courts, with an average of 369 Protection Orders filed in the six-year period evaluated. With the exception of an unusually high number filed in 2004, Protection Orders have remained relatively stable over time. With respect to the number of Protection Orders filed in 2005, they do not statistically differ from that seen in five of the six preceding years.

Figure 9 indicates the number of Domestic Violence Protection Orders filed in Whatcom County Courts between 2000 and 2005.

⁸ Includes Whatcom County District and Superior Courts and Lummi and Nooksack Tribal Courts

Misdemeanor Repeat-Offenders⁹

Between 2003 and 2005:

- 22% of individuals re-offended subsequent to the resolution of their first domestic violence charge
- 28% of repeat offenders were charged with domestic violence crimes in multiple jurisdictions
- Repeat offenders were typically charged with Order Violations in subsequent incidents

<u>Misdemeanor Repeat Offenses: 2003 - 2005</u>				
Incident	Number of Offenders (n=469)	Nature of Charges:		
		Assault	Order Violation	Other ^a
1 st	469	49%	15%	36%
2 nd	469	21%	66%	13%
3 rd	170	12%	71%	17%
4 th	61	13%	76%	11%
5 th	21	10%	70%	20%
6 th	8	--	--	--
7 th	1	--	--	--

^aFor example: Malicious Mischief, Disorderly Conduct, Interfering with Reporting of Domestic Violence

Source: State of WA, Judicial Information System
Whatcom County Courts of Limited Jurisdiction

Table 1

Between 2003 and 2005, there were 2,128 individuals who had misdemeanor domestic violence charges resolved in Whatcom County Municipal and District Courts. During this three-year time period, and after their initial domestic violence-related charge had been resolved, 469 individuals were charged with at least one additional misdemeanor domestic violence offense. Table 1 summarizes information on these 469 individuals. For example, the nature of the initial domestic violence charge is cited in the first row. Since all 469 individuals were charged with a second domestic violence related incident, the second line shows the nature of the charges of these second offenses. Of these 469 repeat-offenders, 170 committed a third offense; the nature of those incidents is indicated as well.

⁹ Re-offenders are defined as those individuals who have been charged in more than one misdemeanor-level domestic violence incident between 2003 and 2005 in Whatcom County District and Municipal Courts.

As Table 1 demonstrates, the majority of individuals who re-offended (44%) were involved in only one additional incident. On the other hand, a small handful of offenders were involved in a significant number of additional domestic violence incidents (as many as 7 during this three-year time period).

For those individuals who re-offended, roughly half of the initial charges were for domestic assault, and 15% of charges were related to Protection or No Contact Order Violations. Beginning with the first re-offense incident (2nd incident in Table 1), the nature of charges changes markedly. For example, and for those individuals involved in one or more re-offense incidents, the vast majority of charges are for Protection or No Contact Order Violations. Specifically, up to 76% of charges associated with further domestic violence incidents are for this category of offense.

DOMESTIC VIOLENCE IN WHATCOM COUNTY: SERVICES

Perpetrators: Evaluation and Treatment¹⁰

In 2005:

- *Over 300 individuals successfully completed Domestic Violence Evaluations*
- *There were a significantly greater number of domestic violence perpetrators in treatment than were in treatment in 2003 or 2004*
- *One-third of perpetrators in domestic violence treatment were terminated due to noncompliance with court and/or treatment requirements*

Domestic Violence Perpetrator Evaluations and Treatment:			
	2003	2004	2005
Completed Domestic Violence Evaluations	136	243	332
Number of Individuals in Perpetrator Treatment	140	181	238
Status of Individuals in Treatment: ¹¹			
Completed	46 (33%)	54 (30%)	63 (27%)
Ongoing	34 (24%)	48 (27%)	99 (42%)
Terminated for non-compliance	52 (37%)	64 (35%)	71 (30%)
Relocated	8 (6%)	15 (8%)	5 (2%)

Table 2

In 2005, the number of individuals who completed Domestic Violence Evaluations and the number of perpetrators participating in Domestic Violence Perpetrator Treatment was statistically greater than that seen in 2003 and 2004 in both of these categories. Of the 332 individuals who completed Domestic Violence Evaluations in 2005, 86% of these evaluations were court ordered.

While the number of individuals in perpetrator treatment has increased on an annual basis, there have been some similarities in the status of those individuals over the assessment period. For example, the percentage of individuals completing treatment each year has remained relatively stable at roughly 30%. On the other hand, 2005 saw greater proportions of individuals in ongoing treatment than in the preceding years, and less of those in treatment terminated for non-compliance.

¹⁰ Data derived from the two state-certified Domestic Violence Perpetrator Treatment Programs in Whatcom County: Violence Intervention Professionals and Waterfront Counseling

¹¹ Individuals in treatment at any point in time during the 2005 calendar year were included in these counts.

Victim Services¹²

In 2005:

- *Almost 3,000 domestic violence victims received a wide array of services from Whatcom County's Domestic Violence and Sexual Assault Services (DVSAS)*
- *1,209 victims of domestic violence utilized the emergency helpline provided by Womenscare Shelter, and 249 women and children stayed at least one night in Womenscare's shelter for victims of domestic violence*
- *Over 125 domestic violence victims received a wide array of services from Lummi Nation's Victims of Crime*

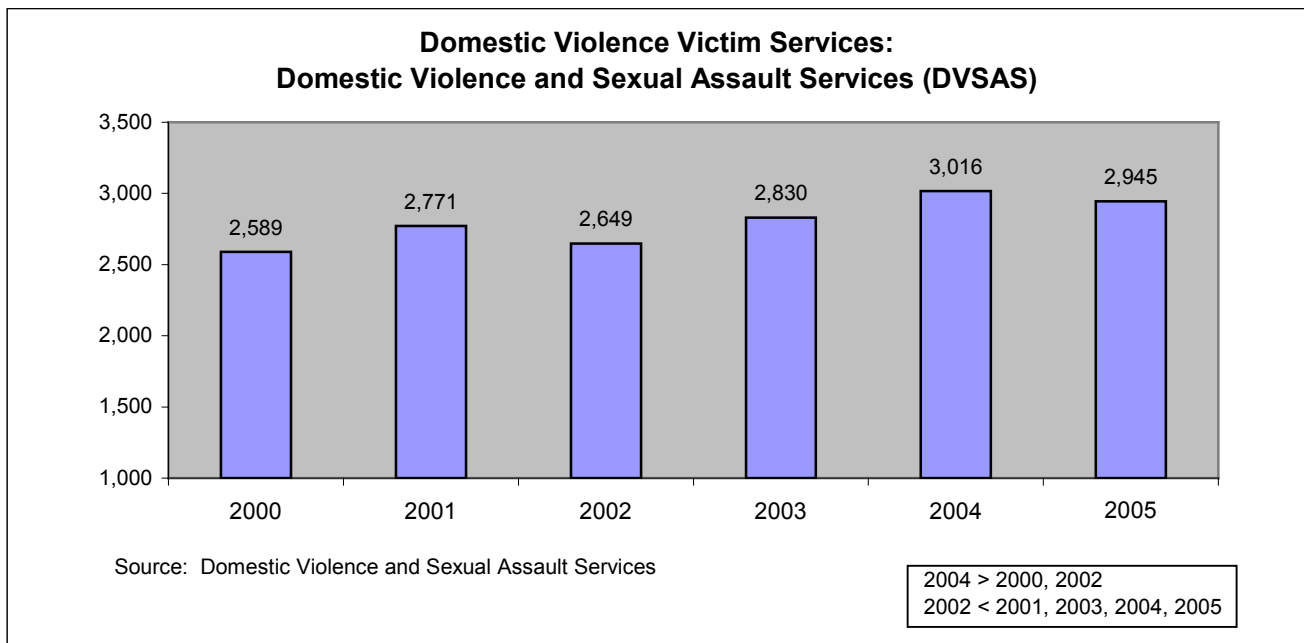


Figure 10

In 2005, two thousand nine hundred and forty five domestic violence victims received services from DVSAS, with an average of 2,800 victims annually receiving services since 2000. The number of clients provided crisis intervention/support services, legal advocacy, and/or support group services have seen minimal fluctuations over time.

Figure 10 indicates the total number of domestic violence victims served by DVSAS between 2000 and 2005.

¹² Services to victims of domestic violence in Whatcom County are overwhelmingly provided by three agencies: Domestic Violence and Sexual Assault Services (DVSAS), Womenscare Shelter and Domestic Violence Services (Womenscare), and Lummi Victims of Crime.

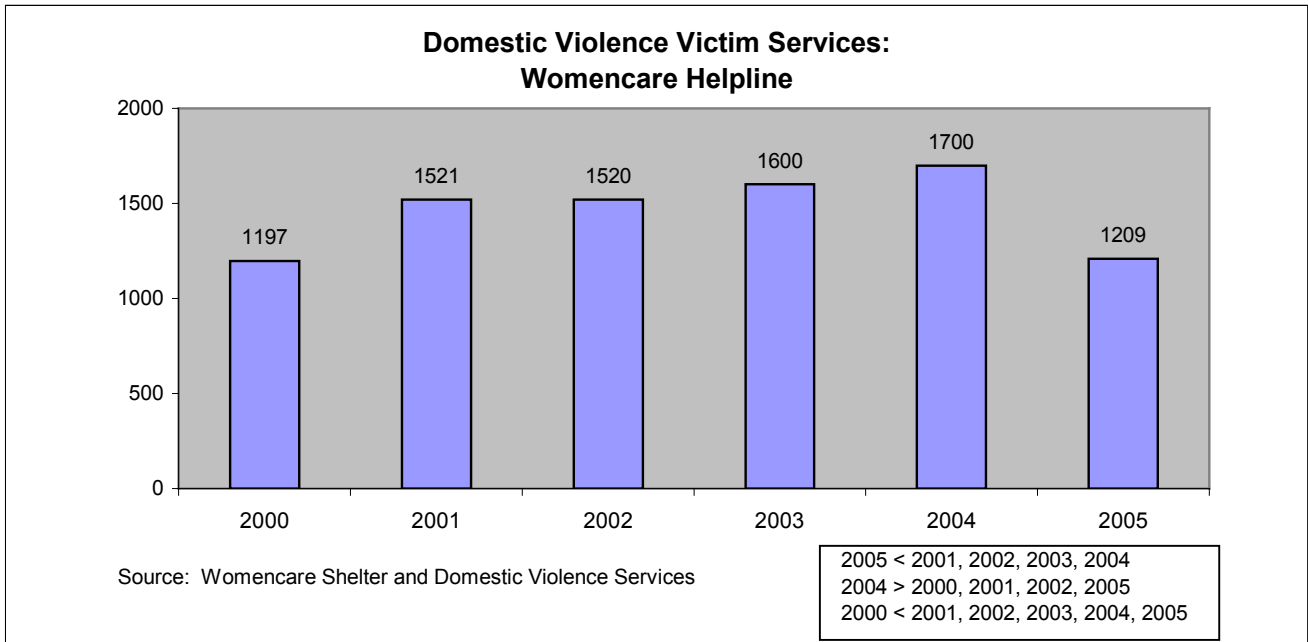


Figure 11

Between 2000 and 2004, Womencare Shelter and Domestic Violence Services experienced a significant increase in helpline services provided to victims. Alternatively, service levels in 2005 dropped significantly from that seen in 4 of the 5 preceding years.

Figure 11 reports the number of Helpline callers served by Womencare between 2000 and 2005.

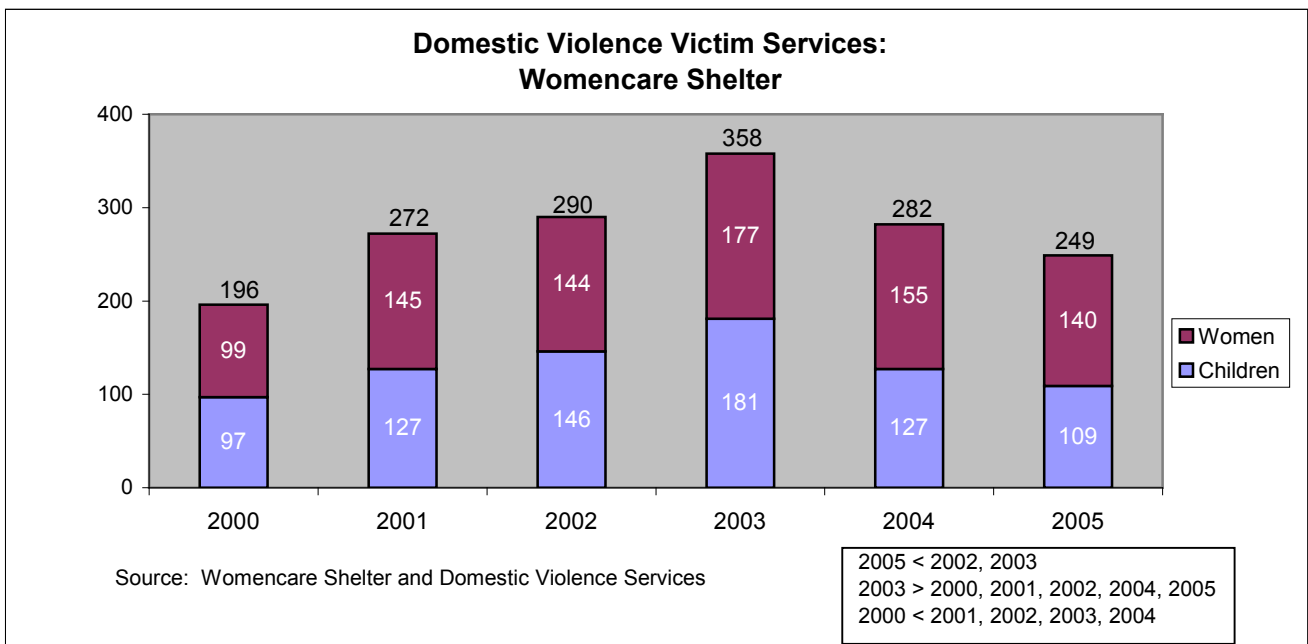


Figure 12

In 2005, a total of 249 women and children sought emergency shelter to escape domestic violence. On average the shelter housed 12 individuals per night, with residents typically staying slightly more than 2 weeks duration (17 days). Between 2000 and 2005 shelter services have fluctuated statistically over time, with the highest demand in services seen in 2003.

Figure 12 indicates the number of women and children victims who received emergency housing and support services at Womenscare Shelter between 2000 and 2005.

Glossary of Terms

Domestic Violence Offenses

Under Washington State law, an offense is considered to be domestic violence-related if it is committed by a family member (regardless of the family relationship) or by a domestic partner. Domestic violence offenses include crimes in the following categories: criminal homicide, forcible rape, robbery, assault, burglary, larceny theft, motor vehicle theft, arson and violation of Protection/No Contact Orders. It is not unusual for multiple offenses to occur during the same incident. However, based on recording standards established by the FBI, only the “highest-ranking offense” is recorded into *Uniform Crime Reports*, which is the nation’s statistical database for crime (utilized by this report). For example, an offender can break into a victim’s home, steal her car keys, force her into her vehicle, drive her to a secluded location, sexually assault her, take her car and her purse, and abandon her. Even though there are multiple offenses in this one event, the highest-ranking offense is the rape. This would be the only offense recorded, counted (and thus accessible to researchers) in *Uniform Crime Reports*. Therefore, for each domestic violence related incident, there is generally only one domestic violence offense counted. However, it is important to remember that this system of coding identifies and tallies a police identified problem and is not based on the findings of a court, medical examiner, jury or other judicial findings.

Felony Domestic Violence

Felony domestic violence offenses are defined as occurring when there is a family, household, or dating relationship, and one or both parties commit a crime against the person or property of the other. The nature of the charges filed may include both physical and non-physical assault offenses, including but not limited to, felony harassment/threats, violation of a no contact order, burglary, malicious mischief, robbery, kidnapping, unlawful imprisonment, assault and murder. The superior courts in the State of Washington have sole jurisdiction over the adjudication of cases when a felony offense is charged.

Misdemeanor Domestic Violence

Misdemeanor domestic violence crimes occur when there is a family, household, or dating relationship, and one or both parties commit a crime against the person or property of the other. Examples of this type of crime include: Violation of a Protection Order; Assault 4th Degree; Malicious Mischief; Disorderly Conduct; and Interfering with Reporting of Domestic Violence. Courts of Limited Jurisdiction (District and Municipal Courts) and Tribal Courts have jurisdiction over domestic violence related misdemeanors committed within their area of authority.

Verbal Domestic

Law enforcement officers are frequently called to respond to situations that are categorized as “Domestic Violence – No Assault”, or “Verbal Domestic”. These are incidents where law enforcement determines that no physical assault occurred, and/or where no other conditions were met to warrant probable cause for an arrest.

Jail Bookings

Due to inadequate jail space, Whatcom County Jail has had to prioritize those offenses that will be accepted for booking (versus being issued a citation and released). For the past several years, domestic violence offenses have been prioritized and typically accepted for booking. Comparatively, significant restrictions have been imposed on most other bookings. As a result, domestic violence-related offenses represent a significant proportion of jail bookings relative to all criminal bookings. Until space issues are remediated, accurate estimates regarding the proportion of offenders booked into jail for domestic violence-related offenses (versus all other offenses) will not be able to be determined.

Probation Services

Whatcom County District Court Probation provides probation services for Whatcom County District Court and the Municipal Courts of Bellingham, Everson-Nooksack, Lynden, and Sumas. Lummi Tribal Court, Blaine Municipal Court, and Ferndale Municipal Court provide their own probation services.

Probation services are typically limited to misdemeanor cases, with felony domestic violence cases supervised by the Washington State Department of Corrections. It is important to note that the number of new referrals to probation does not correspond to the actual number of individuals requiring supervision by that department. For example, a single incident may result in two domestic violence charges. If the individual responsible for this incident is mandated to pre-trial probation supervision by the courts, the probation department counts this as two new referrals (corresponding to the number of charges). If during the same calendar year that same individual is convicted of one of those domestic violence charges and is ordered to two years of probation supervision, this is counted as an additional referral by the department. In summary, this individual's case will result in three new domestic violence probation referrals in one calendar year.

Protection Orders

A Domestic Violence Protection Order is a civil Court Order available to an individual who is a victim of domestic violence, or who is inflicted with the fear of violence by a family or household member (see RCW 26.50.510 for further definition). In general, Protection Orders may contain stipulations that include prohibiting contact of any kind between the abuser and victim, removing the abuser from a shared residence, awarding temporary custody of the children to the victim and setting parameters for visitation, and/or ordering an abuser to obtain a Domestic Violence Evaluation and Domestic Violence Perpetrator Treatment. Protection Orders are generally sought by individuals who are not involved in criminal domestic violence cases, individuals for whom a criminal case does not resolve all safety issues, such as temporary custody and visitation arrangements of children, and individuals who are the alleged victim in criminal domestic violence cases which result in no conviction or a dismissal of the charges or case.

Domestic Violence Perpetrator Treatment

Washington Administrative Code 388-60-0025 establishes minimum standards for programs that treat perpetrators of domestic violence. In the State of Washington, the Department of Social and Health Services must certify all domestic violence perpetrator treatment providers. In order to be certified, the program must demonstrate that it meets the standards outlined in WAC 388-60-0025. These state codes assert that the focus of domestic violence perpetrator treatment programs is on ending the program participant’s physical, sexual, and psychological abuse. Treatment must be based on strategies and philosophies that hold the participant accountable for the violent and abusive behaviors and are not blaming of the victim. The minimum treatment period for program participants is twenty-six consecutive weekly same gender group sessions followed by monthly sessions until a twelve-month period is complete.

Population Figures

Washington State’s Office of Financial Management provided all population rates utilized in this report. Whatcom County and Washington State figures are as follows:

Year	Whatcom County	Washington State
2000	166,814	5,894,121
2001	170,600	5,974,900
2002	172,200	6,041,700
2003	174,500	6,098,300
2004	177,300	6,167,800
2005	180,800	6,256,400

Acknowledgments

This report was produced and developed under the direction of the Bellingham-Whatcom County Commission Against Domestic Violence. Public and private organizations provided cooperation and assistance in providing data.

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