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A high-tech way to fight domestic abuse

GPS TRACKING OF VIOLENT OFFENDERS

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Two years ago, Tasha Dye filed a protective order against her estranged husband, Chuck Dye Jr., that required him to stay away from her.

A few weeks later, the 35-year-old woman was standing in her mother's yard in Oldham County when Chuck Dye appeared suddenly. He chased his wife, grabbed her and shot her in the head. He then turned the gun on himself.

So when asked about a prospective law to force the most extreme domestic violence offenders to wear GPS monitoring devices, Oldham County Police Detective Paul Kerr had a simple answer:

"I think it would have helped," he said.

If Chuck Dye Jr. had been wearing a GPS unit that notified police and Tasha Dye of his whereabouts, it could have given her a chance to get to safety, Kerr said.

"Every county has people who law enforcement know are vicious and violent," he added. "Chuck Dye would have fallen into that category. We tell victims that a DVO (domestic violence order) is only a piece of paper" without enforcement.

Shortly after former state legislator Steve Nunn's Sept. 11 arrest in the shooting death of his ex-fiancée, 29-year-old Amanda Ross, House Speaker Greg Stumbo filed a bill that would allow judges to require the most dangerous domestic violence offenders to wear a GPS device.

Similar legislation has been passed in 15 states, and several others are considering it, according to the Cynthia L. Bischof Memorial Foundation, named for an Illinois woman who was killed by her ex-boyfriend. It's difficult to assess the effectiveness of the relatively new monitoring system, and some experts question how well it can work in many rural areas of Kentucky, where cell phone reception is spotty and law enforcement is stretched thin.

But advocates contend that it can save lives in Kentucky, where intimate-partner violence is a factor in 45 percent of all homicides of women, according to Diane Rosenfeld, a Harvard Law School lecturer.

'It saves lives'

Fleming Commonwealth's Attorney Kathryn Hendrickson prosecuted Roy Pollard Jr., who was convicted in May of shooting and killing two people and wounding a third before taking his pregnant ex-wife into the woods as a hostage.

The ex-wife, Bonnie Butler, who escaped, had gotten a protective order against Pollard before the incident. Pollard is serving a life sentence in prison.

Hendrickson says GPS could have warned Butler and others with her that Pollard was in the area — if the cell phone service worked properly.

Still, Hendrickson says, GPS monitoring "certainly wouldn't have hurt the situation."

"The bracelet acts as a voice of reason," said Michael Bischof, president of the Bischof Memorial Foundation. His sister, Cindy Bischof, was killed in 2008 in Illinois by an ex-boyfriend who had violated a protective order; upon his release from jail, he drove to Bischof's office and shot her dead before killing himself.

Today, Michael Bischof campaigns around the country for GPS laws similar to the one Kentucky is considering.

However, Bischof cautioned, it's important that people understand that GPS bracelets would only be assigned to the most violent offenders.

"Not everybody who gets a protective order would also get a GPS bracelet," he said.

That's true under Stumbo's bill. Judges would conduct a risk assessment before assigning a monitoring device.

The legislation would also allow a court to impose electronic monitoring as a condition of bail for a person charged with a crime of domestic violence or violation of a protective order, which orders an alleged assailant to stay away from a victim.

The victims of domestic violence would be allowed to wear a device, if they choose, to alert them when the person with the order comes within a certain distance.

Ross had taken out a protection order against Steve Nunn, the son of former governor Louie B. Nunn, earlier this year. Nunn has pleaded not guilty to her murder.

Ross's family and friends support Stumbo's bill.

Kentucky has used the GPS technology in a few cases after someone violated a protective order, but only for the abuser who is already in the criminal justice system.

Jim McFarland of Leimac Home Incarceration in London watches four people across the state who have violated domestic violence orders. They wear GPS bracelets as part of a state program that allows people to leave jail under certain conditions before their trials.

One offender, McFarland said, lives in Paris and is not allowed to go anywhere in Fayette County. If he drives too close to the county line, an alarm goes off. Then McFarland calls the police and the victim.

"It's a psychological deterrent as much as anything else," he said of Stumbo's legislation. "I think it could have a great impact."

'Ducking responsibility?'

In Isabella County, Michigan, GPS monitoring has been in effect since 2008, with victims and assailants wearing bracelets. With 200 domestic violence cases each year, there have been no violent incidents in the county by the people ordered to wear the bracelet, and only a handful of violations of orders.

GPS "is there and, if we don't avail ourselves of the technology for the benefits that it does bring, shame on us," said Larry Burdick, a prosecutor in the county.

Bischof says the GPS law works best in communities where it is part of a coordinated community response.

Jefferson Family Court Judge Jerry Bowles, a domestic violence expert, agrees. "I don't know that giving her the device will be the solution to her safety until criminal justice responds effectively," Bowles said. "In some respect, it's ducking responsibility by the state and the community by passing it off to the victim."

'Scared 24 hours'

Lt. Barry Wilkerson, the head of the homicide unit for the Louisville police department, said he hoped that a GPS system could help even when the victim doesn't want to wear a bracelet. In those cases, the alleged abuser could still wear a bracelet, and police could respond if that person goes near the victim's home, Wilkerson said.

"There's a reason why the judge issues the order. There's a reason why the two people shouldn't go near each other," Wilkerson said.

TK Logan, a University of Kentucky professor who recently published a report on access to protective orders, said the GPS bill would not help the many women who face barriers to getting protective orders.

The biggest group is women who are abused by boyfriends with whom they don't live. They are not eligible for court protective orders. There is proposed legislation this year to make those couples eligible.

"Those barriers are the same," Logan said.

But Bischof says that for those people whose alleged abusers qualify, the monitoring works.

"What's important to point out is that for every victim like my sister whose life is threatened, there are hundreds who are scared 24 hours a day," he said. "How many more people can sleep at night, knowing there is something in place to help them?"

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