

**SACRAMENTO COUNTY  
DOMESTIC VIOLENCE COORDINATING COUNCIL  
ANNUAL DVDRT REPORT  
October 2014**

**INTRODUCTION**

The Sacramento County Domestic Violence Coordinating Council (DVCC) is presently chaired by District Attorney Jan Scully, represented by Assistant Chief Deputy District Attorney Paul Durenberger.

The DVCC has three active committees: the Community Subcommittee, the Law Enforcement Subcommittee and the Domestic Violence Death Review Team (DVDRT). Each subcommittee is comprised of agency and/or community representatives with expertise in these distinct areas. The committees work independently and are multi-disciplinary in nature.

**The Community Subcommittee** known as the Domestic Violence Prevention Collaboration (DVPC) continues to remain very active in addressing the needs of domestic violence victims in Sacramento County.

From the time Jan Scully announced a commitment to create a Family Justice Center for domestic violence victims and families, the DVPC has been involved. Earlier this year, DVPC partnered with the National Family Justice Center Alliance to send a group of children to Camp Hope, a trauma-based camping and mentoring initiative that focuses on children exposed to domestic violence.

The Family Justice Center has the potential to fundamentally change the way we do business in Sacramento. Law enforcement, the District Attorney and our committed partnership of advocacy groups in Sacramento will be able to collaborate in a way that is efficient and easy for victims to navigate. The biggest potential is a reduction in domestic violence homicides, which has been documented in San Diego and other Family Justice Centers.

As the District Attorney's Office continues to close the gap on a venue, DVPC members have been finalizing their commitments and operational plans so their agencies will be open for business when the Justice Center opens its doors in the months to follow.

In addition to their collaboration on creating a Family Justice Center, DVPC held their annual awards ceremony where community members who have dedicated themselves to victims of domestic violence were honored.

DVPC is co-sponsoring an all-day seminar for law enforcement and health care providers on October 29<sup>th</sup> to train them on how domestic violence affects children in the home and how to document children's reactions to violence.

DVPC is also in the process of digitally streamlining domestic violence resources to better serve more technologically inclined victims.

**The Law Enforcement Subcommittee** has met a number of times during the year to discuss issues they currently face. Efforts have been made by the District Attorney to provide training for all patrol and detective law enforcement personnel new to domestic violence. The training has been revised and offered to every law enforcement agency in the county, at their request. Law enforcement agencies regularly attend the other subcommittee meetings.

**The Domestic Violence Death Review Team** is a subunit of the Sacramento County Domestic Violence Coordinating Council (DVCC). The DVDRT is authorized to exist pursuant to Penal Code Section 11163.3. Formed in the spring of 1998, the team meets on a monthly basis.

This is the DVDRT's 15<sup>th</sup> annual report. The first report was released in the fall of 2000. The reports are released in October, to coincide with Domestic Violence Awareness Month. The team is presently chaired by District Attorney Jan Scully, represented by Noah Phillips, supervisor of the District Attorney's Domestic Violence Unit.

## **PURPOSE**

The purpose of the DVDRT is to bring together a multi-disciplinary team to review domestic violence related homicide cases (including homicide/suicide cases) in Sacramento County; to develop strategies, policies and procedures to improve the system's response to domestic violence; and to reduce and prevent future incidents of domestic violence related homicides, homicide/suicides and injuries. Domestic violence continues to be a widespread problem in our county. In the last 12 months, approximately 3,900 fresh arrests were made for domestic violence and 2,000 warrants were requested, for a total of close to 6,000 cases reported to law enforcement. The District Attorney filed and prosecuted over 2,400 cases in that same time period. Of those, 80% were fresh arrests and 20% were warrant arrests. The principle reason a case was handled by warrant rather than fresh arrest was that the perpetrator fled the crime scene before law enforcement arrived, preventing immediate arrest. This often requires law enforcement to conduct follow-up investigations.

## **CONFIDENTIALITY**

Pursuant to Penal Code Section 11163.3, the meetings of the DVDRT are confidential. Every representative of a constituent agency or institution who attends DVDRT meetings signs an agreement of confidentiality.

## **MEMBERSHIP**

The DVDRT is a multi-disciplinary, broad based organization which reviews information from law enforcement, public health, social services, coroner, child welfare, public and private medical organizations and domestic violence advocacy organizations. The current participating organizations are:

- Sacramento County District Attorney's Office
- Sacramento County Sheriff's Department
- Sacramento City Police Department
- Sacramento County Probation Department
- Sacramento County Coroner's Office
- Elk Grove Police Department
- Citrus Heights Police Department
- Law Enforcement Chaplaincy- Sacramento
- California Attorney General's Office
- Sacramento County Department of Health and Human Services
- Kaiser Permanente
- University of California, Davis Medical Center
- Sacramento County Child Protection Services
- Sutter Medical Center
- Dignity Health
- WEAVE, Inc. (Women Escaping a Violent Environment)
- My Sister's House
- A Community For Peace
- Child Abuse Prevention Council

## **IMPLEMENTATION**

To fulfill its mission, the DVDRT:

- Reviews domestic violence homicides in the county to determine if any systemic improvements should be made.
- Develops and recommends strategies to reduce and prevent domestic violence related homicides and homicide/suicides.
- Develops and recommends strategies to deal with the aftermath of domestic violence and domestic violence deaths.
- Acts as a multi-agency and multi-disciplinary team with regular meetings.
- Operates with the confidentiality principles outlined in Penal Code Section 11163.3 (requiring a signed statement of confidentiality for all team participants).
- Maintains a database of all records reviewed.
- Interacts with agencies and community based organizations to help achieve its goals, using the Domestic Violence Coordinating Counsel as a point of contact and interaction.

## **SELECTION AND REVIEW OF CASES**

The process by which the DVDRT selects cases for review has evolved over time. Currently, any member who has knowledge of a domestic violence related death in Sacramento County (that is not currently being prosecuted by the District Attorney) may ask for the case to be reviewed. Most cases are referred by either law enforcement or the District Attorney. The DVDRT chair selects which of the referred cases will be reviewed.

Once a case is selected, the District Attorney's Office provides identifying information to the other members of the team regarding the victim, the perpetrator, and any children involved prior to the meeting. Each committee member is responsible for reviewing the records of their agency to identify relevant information regarding the case and/or parties involved. At the time of review, the District Attorney or law enforcement agency describes details of the homicide and each member agency provides any additional information they may have about the case.

In some cases, the DVDRT may extend an invitation to the prosecutor, law enforcement detective or victim advocate assigned to the case. When necessary, a member of the group may be assigned to contact members of the victim's or perpetrator's family to develop a better understanding of the underlying relationship. In some instances, family members and witnesses have been asked to attend DVDRT meetings to give direct input to the team.

With the limitations of the selection process, the time constraint placed on the team to ascertain records and the inability of the DVDRT to gather information from every possible source, the database of cases reviewed cannot be considered exhaustive or statistically representative. Nonetheless, the data collected can reveal significant concerns or insufficiencies which are evaluated by various experts, representatives from local agencies and members of the team, who then make recommendations.

## **CASES REVIEWED**

In 2013-2014, the team reviewed nine distinctly different homicides. Each case required complex scrutiny by the team to evaluate all of the issues. The murder/suicide cases, where no criminal prosecution was possible, required even more effort to gather essential family history information since police agencies are generally not inclined to conduct an investigation into the background factors of a case when prosecution is not possible.

## **CASE SUMMARIES**

The review of our nine cases this year reaffirms our conclusions from years past. Domestic violence cuts across all age ranges, races, religions and economic levels of our society. The main truism that can be gleaned from these cases is that a domestic violence homicide victim or perpetrator can be either male or female, and an abuser can be from any part of society.

### **Age Range:**

The victims ranged in age from a 6-month-old fetus to 52 years old. The perpetrators ranged in age from 32 to 59.

### **Education Levels:**

Education levels of both victims and perpetrators ranged from high school dropout to college level.

**Employment:**

In the cases reviewed this year, several victims were unemployed or receiving social security income. Often, the cycle of violence financially tethers victims to their abusers restricting their ability to maintain steady employment. Employment for perpetrators ranged from unemployed to a teacher's aide. The incomes of the victims and perpetrators ranged from middle income to low income.

**Murder/Suicide and Murder Witnessed by Family:**

Two of the nine cases were murder-suicides. In two other cases, additional victim/witnesses were both seriously injured by the assailant immediately before the perpetrator committed murder. Both victim/witnesses survived and ultimately testified at the respective trials.

**Premeditation and Deliberation:**

In eight of the nine homicides, there was evidence of calculated pre-planning by the perpetrator.

**Prior Domestic Abuse:**

There was evidence of prior abuse, both physical and verbal, in five of the murders where we were able to get detailed histories of their relationships. However, the evidence did not show a progression of escalating violence preceding the murders.

**Alcohol/Drugs or Prescription Medications:**

Alcohol and/or illegal drug use was a contributing factor in all of the cases where we were able to determine their drug and alcohol habits.

**Prior Awareness of Abuse by Others:**

In most cases, the victim had either told someone about prior abuse or family members knew about prior abuse and/or fear of future abuse. In some of the cases, the victim thought they could control the situation. This incorrect judgment on the part of the victim (i.e. the victim of abuse believing he/she would have time to make a determination about the danger, and take appropriate steps before the violence turned lethal), turned out to be a deadly error.

In most of the cases reviewed, the friends or family members who knew or were concerned for the victim's situation failed to realize there was a possibility the violence could end in murder. Repeatedly, friends or family talked about signs of abuse they had witnessed, and in the next breath, expressed shock about the homicide. This insight into the potential lethality of domestic violence was also lacking in many of the victims, who were certain they could control their environment and escape serious injury, as they had in the past.

Below is a breakdown of some of the key factors seen repeatedly in domestic violence homicides:

V = Victim

P = Perpetrator

D = Defendant

BF = Boyfriend

GF = Girlfriend

Unk - Unknown

Case	# 1	#2	#3	#4	#5	#6	#7	#8	#9
Age of Victim	50	42	25, 6 mo. fetus	28	41	37, 10	46, 30	52	22
Age of Perp	58	40	32	36	43	39	50	59	33
Kids Together?	No	Yes	Yes	No	No	Yes	Yes	No	No
Children – V	3	3	1	No	5	3	1	No	No
Children – Perp	1	2	1	No	2	2	1	3	4
Kids Witness Violence?	Yes	Yes	Yes	No	No	Yes	No	No	No
Relationship Status	BF-GF- EX-BF intercedes	Estranged Husband & Wife	BF-GF	BF-GF	Husband & Wife	Husband & Wife	Estranged Husband & Wife	Estranged Husband and Wife	BF-GF EX-BF intercedes
Weapon Used	Gun	Strangled	Knife	Gun	Gun	Gun	Gun	Gun	Knife
Facts	EX-BF found GF and new BF living together. EX-BF shot new BF in head.	P broke into home and strangled estranged wife	P stabbed pregnant GF in stomach killing fetus	Murder/Suicide: Pistol to head of both V and P	Murder/Suicide: V shot in head, P shot self in chest	P shot step-daughter in arm and wife in head	P pointed gun at V1 and shot wife V2 5X	P shot wife 3X during argument	new BF confronted GF's estranged husband. Estranged husband stabbed new BF
Prior DV History	Yes	Yes	Yes	Unk	Unk	Yes	No	No	Yes

Prior Suicidal Ideation	Unk	No	No	No	Unk	Yes, P	No	No	No
Education – V	High School Grad	Unk	Attending College	High School Grad	High School Grad	High School Grad	High School Grad	High School Grad	High School D/O
Education – P	High School Grad	Unk	High School D/O	High School Grad	High School Grad	Unk	High School D/O	Some College	High School D/O
Mental Health Diagnosis	None	None	None	Unk	Unk	P: Unspecified Psychotic Disorder	None	P: Depression	None
Employed? V	Un-employed	SSI	SSI	Campbell's Soup Plant	Un-employed	Un-employed	Un-employed	Un-employed	Unk
Employed? P	Unk	Day Laborer	SSI	Teacher's Aide	SSI	SSI	Janitor	Tow Truck Worker	Floor Installer
Drugs/ Alcohol	P: MJ & Alcohol abuse	P: Alcohol V: Alcohol & Cocaine	P: Alcohol, Meth & Cocaine V: meth (not on day crime)	P: Alcohol V: Alcohol	P: Alcohol Prescription Meds V: Prescription Meds	P: MJ	None	P: Alcohol	P: Alcohol V: Alcohol
Race	V: Hispanic P: White	V: Hispanic P: Hispanic	Both White	Both African American	Both African American	Both White	Both White	Both White	Both Hispanic

## **FINDINGS**

### **Murder/suicide investigations currently leave unanswered questions for victim's families.**

In both cases involving murder/suicide, the victim's families expressed frustration over the lack of closure regarding the circumstances surrounding the death of their loved one. The lack of closure is due in large part to the absence of a criminal adjudication establishing the guilt of the perpetrator. Additionally, the lack of court process left one family struggling with the media and various organizations to accurately portray a perpetrator as a murderer involved in the crime of domestic violence.

### **Law enforcement needs to better identify homicides with a domestic violence component.**

In one of the cases involving a husband killing his estranged wife's new boyfriend, we learned that law enforcement failed to identify the homicide as one involving domestic violence. The lack of identifying the nature of the crime itself led to an incomplete investigation. Lethality factors were not considered. Witnesses were not questioned and potential witnesses who could provide information about prior domestic violence were not identified in the critical hours immediately after the crime when law enforcement typically collects their best evidence and develops the most relevant leads.

### **Mental health professionals may be missing domestic violence warning signs.**

In two separate cases, a victim and a perpetrator were seeing mental health professionals in the months leading up to the crimes. Both cases occurred at a time of separation in the respective relationships, and in both cases the victim and the perpetrator were likely seeking help to deal with the end of their respective relationships. It is unclear to what extent either mental health professional was able to identify and address the lethality factors and history of abuse that would have been discussed in either case.

## **RECOMMENDATIONS**

The DVDRT recommends that the Board approve the following implementation plan:

### **The results of murder/suicide investigations should be made public.**

The DVDRT will review every future murder/suicide investigation and the District Attorney's Office will report the findings publicly via press release to local media. Findings will include naming the responsible party and the cause of death to provide closure to family and friends and shine a light on the nature of domestic violence murder/suicides. To expedite closure, the DVDRT will review all future murder/suicides within six months of the crime and make a pronouncement on each case that is determined to involve a domestic violence murder/suicide.

### **All mental health professionals need domestic violence training identifying lethality factors.**

A dialogue should be started by the Board of Supervisors about requiring all mental health professionals to take domestic violence related training to assist them

<http://hopethriveshere.org/wp-admin/> in identifying victims who are at risk of being victims of domestic violence. Mental health workers often find themselves in a unique and intimate setting, counseling both victims and potential perpetrators on a spectrum of diagnosable issues without identifying domestic violence lethality factors. Training on the signs of a domestic violence

relationship and the potential for violence will assure mental health professionals have the tools they need to save lives.

**Law enforcement will receive more training on identifying and investigating domestic violence homicides.** Members of the District Attorney's Office will provide updated Peace Officer Standards and Training (POST) certified instruction to all local law enforcement agencies on identifying crimes as containing a domestic violence component. Instruction will include case specific examples and suggested areas of investigation including questions to ask potential witnesses.

The DVDRT committee, which is part of the DVCC, is excited about the implementation of a Family Justice Center here in Sacramento County. The implementation of both recommendations would be greatly facilitated by the resources available at a Justice Center.

## **CONCLUSION**

The DVCC is continuing to actively work with a broad spectrum of domestic violence partners including law enforcement, community organizations, businesses, educators, faith based organizations and local governments in trying to better address the issue of domestic violence here in Sacramento County. The Family Justice Center is an opportunity to advance the collaboration we have worked on in Sacramento. We hope you continue to support us during the next year as we explore this exciting opportunity.