08/27/02 Karen Cleaver, 39, and her friend Mike Bailey, 55, killed in a fire set by her ex-boyfriend. 09/10/02 Lori Ann White, 24, shot by her boyfriend, who also shot and wounded a neighbor who tried to intervene.
 09/22/02 Ingrid Jernigan, 18, stabbed and strangled by her housemate's ex-boyfriend after he broke into their house. His ex-girlfriend's five-year-old son was also in the house.
 09/23/02 Rachel Burkheimer, 18, kidnapped and shot by her ex-boyfriend and a group of his friends.
 09/27/02 Jennifer L. Moses, 34, shot by her husband. **10/06/02** Katherine Kushell, 47, shot by her fiancé, who then killed himself. 10/15/02 Tallen Chartier, 7, stabbed by his father.
10/18/02 Cresenciano Gatdula, 71, stabbed by his wife.
11/14/02 Teresa Cahill, 51, bludgeoned by her husband 10/15/02 Tallen Chartier, 7, sta 11/27/02 Ricky Sinclair, 34, shot by friends of his female friend's ex-boyfriend, after her ex-boyfriend was arrested for violating her protective order. She was also shot and wounded. 11/27/02 John McDonald, 55, bludgeoned and stabbed by his ex-girlfriend.
01/05/03 Karin Osterhaug, 31, shot by her husband, who then killed himself. She was six months pregnant.
01/18/03 Hyung "Max" Lee, 52, slashed with a machete by a business client who believed Lee was having an affair with his wife. Jamare Johnson, 12, and David Rodriguez, 9, beaten and stabbed by their mother's ex-boyfriend. He also tried to kill their mother.
 Diana Kovis, 48, shot by her husband, who then killed himself. 02/14/03 Diana Kovis, 48, shot by her husband, who then 03/01/03 Carlin Louise Lane, 68, stabbed by her boxfrien 03/01/03 Candace Fugate, 41, slashed with a sword by her boyfriend. O3/07/03 Tawni Baldwin, 30, shot by her husband, by her boyneths.
 O3/31/03 Brittany Louise Stroh, 17, and her son, Dylan James McGlenn, 1, strangled with a belt by her husband, who then killed himself.
 O4/08/03 Gum Soon Park, 76, stabbed by her former son-in-law, who blamed her for his divorce.
 O4/26/03 Crystal Brame, 35, shot by her estranged husband, who then killed himself in front of their two children. 04/29/03 Frank "Skip" M. Smith Jr., 53, shot by his son-in-law. 05/22/03 Sheila Sinclair, 35, stabbed by her boyfriend in front of their three-year-old son.
 05/26/03 Trevor Crilly, 22, shot by his girlfriend's estranged husband, who also shot and wounded Crilly's brother.
 06/01/03 Esther Keene, 85, shot by her husband, who then killed himself. every 3 John LaViolette, 41, stabbed by his ex-girlfriend.
 3 Martha Elizabeth Vaughn, 54, stabbed and strangled by her son as she intervened in a fight between him and his wife. The couple's three children witnessed the killing.
 3 Theodore Kim, 57, shot by his girlfriend, who then killed herself.
 3 Theodore Kim, 57, shot by his girlfriend, who then killed herself.
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 9 Theodore Kim, 57, shot by his pirlfriend, who then killed herself.
 1 Theodore Kim, 57, shot by his pirlfriend, who then killed herself.
 1 Theodore Kim, 57, shot by his pirlfriend. 07/05/03 Angela Marie Alden, 32, strangled by her estranged husband. 07/12/03 Joseph Hatley, 18, shot by his wife's ex-husband, who then killed himself. His wife and her son escaped.
 07/16/03 Jessica Lynn Meyers, 21, strangled by her husband and his friend.
 08/01/03 Helen Hampton Lycklama, 54, shot by her estranged husband, who then killed himself.
 08/01/03 Unnamed woman, 27, shot by her boyfriend. Jason R. Radach, 31, stabbed by his female friend's boyfriend in front of her and her children.

Donald Aaron Hayden, 33, shot by his girlfriend's male friend who perceived him as a rival, w 08/03/03 08/05/03 Donald Aaron Hayden, 33, shot by his girlfriend's male friend who perceived him as a rival, who then killed himself.
 08/06/03 Marisela Sital Ross-Serna, 45, and her nephew, Nathan Sital, 21, shot by her ex-boyfriend.
 08/22/03 Sarah Montgomery, 25, shot by her husband, who then killed himself. Their two children were asleep nearby. 08/25/03 Donna Lynn Wojahn, 37, shot by her boyfriend, who then killed himself in front of her four-year-old son. She was five months pregnant. 08/28/03 Ashley M. Parks, 16, killed by a man who admitted having a sexual relationship with her.
 09/11/03 Shamsa H. Osman, 44, stabbed by her husband in front of their children. He also injured one of their sons.
 09/13/03 Edward Boyer, 65, shot by his girlfriend in front of her four-year-old son. ost 10/15/03 Raymond Ubis, 54, shot by his girlfriend. 11/14/03 Loan Thoy Tran, 38, shot by her husband, who then killed himself.
11/14/03 Marilyn Derosia, 51, strangled by her husband.
11/20/03 Lashonda Shantell Flynn, 17, stabbed by her ex-boyfriend's new girlfriend as he watched. 11/30/03 Leta Kay Kiesz, 44, shot by her estranged husband. 12/26/03 Victoria Monique Ramon, 2, beaten by her mother's boyfriend after he threatened to kill her and her mother.
01/06/04 Gail M. Hope, 80, shot by her nephew who was her caregiver, who then killed himself.
02/28/04 Jong Ja Taylor, 61, and her friend Joy Meei Shang Sun, 54, shot by Taylor's husband, who then killed himself. 03/17/04 Dori M. Cordova, 31, shot by her boyfriend, who was then killed by police when he pointed a shotgun at them. 03/18/04 Emily May Jacobson. 20, strangled by her boyfriend.
 03/18/04 Kimberly Faye Denni. 37, shot by her husband.
 03/21/04 Kenneth Allen Hoshowski. 40, beaten and stabbed by his girlfriend's estranged husband, who also tried to kill her.
 03/24/04 Heather Ann Young. 26, shot by her ex-boyfriend outside her grandmother's apartment while their six-year-old son was inside. Noelle K. Staneart, 46, shot by her estranged husband, who also shot and wounded her boyfriend and then killed himself.
 Andrea Atkinson, 29, hit by a van driven by her estranged husband as he chased her and three of their children. His nine-year-old daughter was in the van with him.
 Tara Pitts, 28, drowned by her husband. call 04/23/04 Mychael Dean Alexander, 20, shot by his sister's ex-boyfriend in a park where his former high school football team was practicing. 05/03/04 Blair Arnold Buse, 49, shot by his estranged wife while her sixteen-year-old son was nearby.
 05/06/04 Judiann E. Hughes, 31, shot by her husband in their home while their children were outside. He then killed himself. 05/06/04 Judiann E. Hughes, 31, shot by her husb 05/18/04 Dean K. Lai-how, 34, shot by his ex-wife. 05/24/04 Dayna Marie Fure, 18, shot by her ex-boyfriend, who then killed himself. **05/30/04 Johnny Luevano**, 32, shot by his girlfriend's ex-boyfriend, who then killed himself. **06/14/04 William Laws**, 48, shot by his fiancée's ex-husband, who then killed himself. 06/14/04 William Laws, 48, shot by his fiancée's ex-husband, who then killed himself.
 06/16/04 Maria Estella Vasquez Chavez, 50, stabbed by her husband in front of their five-year-old son.

### Findings and Recommendations from the Washington State Domestic Violence Fatality Review

DECEMBER 2004

By Kelly Starr, Margaret Hobart and Jake Fawcett for the Washington State Coalition Against Domestic Violence



# Findings and Recommendations from the Washington State Domestic Violence Fatality Review

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December 2004

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Points of view in this document are those of the authors and do not necessarily represent the official position or policies of the Washington State Department of Social and Health Services.

In issuing this report, we remember the work of Susan Schechter, who lost her life to endometrial cancer in early 2004. Author of the book Women and Male Violence: The Visions and Struggles of the Battered Women's Movement, Susan was a champion for all victims, and she pioneered our efforts to bring advocates, activists and professionals from every discipline to one table for one purpose: protecting women and children from abuse. Susan was a remarkable educator and advocate. She understood the role that each individual and institution occupies in a comprehensive and well-coordinated response to domestic violence. She articulated the intersections of race, class and gender, and encouraged us to attend to those who are most marginalized and oppressed. In so many ways, her leadership paved the way for the efforts of the Fatality Review panels that are documented here in Every Life Lost Is a Call for Change. Most important, perhaps, was Susan's commitment to keeping the voices of domestic violence victims and survivors central in every discussion. That is what we have attempted to do in this report. For the people included here, and for Susan Schechter, we do not dwell on their dying. It is their living that mattered.

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# In This Report

#### **Executive Summary**

A brief overview of the Domestic Violence Fatality Review's goals, eight key recommendations, strategies for how to use this report as a tool for implementing change and a complete list of all the recommendations contained in this report.

#### **Overview of Fatalities**

A quantitative summary of the domestic violence fatality cases we have tracked, and those we have reviewed in depth. This chapter contains descriptive information about the fatalities, such as who was killed, how frequently homicidal domestic violence abusers were also suicidal and what weapons were used.

#### **Implementation of Fatality Review Recommendations**

An exploration of how communities have (or have not) implemented recommendations issued in previous Domestic Violence Fatality Review reports, and a discussion of barriers and supports to implementing change.

#### **Findings and Recommendations**

Findings and recommendations are based on the thirteen domestic violence fatalities reviewed in depth by Fatality Review panels between September 2002 and June 2004. Each chapter includes narrative explaining our findings, and detailed recommendations which respond directly to those findings.

#### **Appendices**

Appendix A explains the history of the Domestic Violence Fatality Review and how we identify and review domestic violence fatalities. Appendix B provides a glossary of terms used in this report. Appendix C contains a summary of key recommendations and data from this report in an easy-to-use photocopy format.

#### A Note About Language Used in This Report

With one exception, all the individuals who committed homicides in the cases reviewed by Fatality Review panels in the past two years were male. This is consistent with national trends and our prior findings that most domestic violence homicides are committed by male abusers against their female intimate partners, and that men commit the majority of murders overall. Thus, we will generally refer to victims with female pronouns and abusers with male pronouns.

#### What Is a Domestic Violence Fatality?

The Domestic Violence Fatality Review (DVFR) defines a domestic violence fatality as those fatalities which arise from an abuser's efforts to seek power and control over his intimate partner. Using this definition, domestic violence fatalities include:

- 1. All homicides in which the victim was a current or former intimate partner of the perpetrator.
- 2. Homicides of people other than the intimate partner which occur in the context of domestic violence or in the context of attempting to kill the intimate partner. For example, situations in which an abuser kills his current/former intimate partner's friend, family or new intimate partner, or those in which a law enforcement officer is killed while intervening in domestic violence.
- Homicides occurring as an extension of or in response to ongoing abuse between intimate partners. For example, when an individual kills children in order to exact revenge on his partner.
- 4. Suicides which may be a response to abuse.2

#### **Relationship of This Report to Our Previous Reports**

The DVFR has issued two previous reports: Honoring Their Lives, Learning from Their Deaths (December 2000) and "Tell the World What Happened to Me" (December 2002). These reports cover the Fatality Review's findings from its inception in 1997 through August 2002. The reports contain a series of recommendations aimed at almost every part of the coordinated response to domestic violence.<sup>3</sup>

This report builds upon those previous DVFR reports and should be considered a companion publication as opposed to a replacement. None of our findings in the last two years suggest that the problems identified in previous reports no longer exist; the recommendations made in those reports are still valid. In the cases we examined between September 2002 and June 2004 (discussed in the following chapters), many of the same issues emerged as were identified in the 2000 and 2002 reports. Rather than repeat the same topic areas and discussions, this report brings forward some new areas of concern, elaborates on previous findings and focuses on the implementation of DVFR recommendations.

- <sup>1</sup> The Bureau of Justice Statistics reports that at least 75% of murders attributable to intimate partners are women killed by male partners. Looking at overall murder rates, men commit 91% of murders of women and 89% of murders of men. Bureau of Justice Statistics, *Special Report: Intimate Partner Violence*, by Callie Rennison, Ph.D. and Sarah Welchans, NCJ 178247 (Washington, DC: U.S. Department of Justice, May 2000).
- <sup>2</sup> While suicides which may be a response to abuse fit within our criteria, current limitations on our staff and access to confidential information make it impractical to track these cases with any accuracy at present.
- <sup>3</sup> Washington State Coalition Against Domestic Violence, Honoring Their Lives, Learning from Their Deaths: Findings and Recommendations from the Washington State Domestic Violence Fatality Review, by Margaret Hobart (Seattle: WSCADV, 2000) and Washington State Coalition Against Domestic Violence, "Tell the World What Happened to Me": Findings and Recommendations from the Washington State Domestic Violence Fatality Review, by Margaret Hobart (Seattle: WSCADV, 2002).

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## **Executive Summary**

#### Introduction

<sup>4</sup> Washington Association of Sheriffs and Police Chiefs, Uniform Crime Reporting Project, *Crime in Washington State 2003* (Olympia, WA: WASPC, 2004). In 2003, 44% (n=23) of women who were murdered in Washington state were killed by their current or former husband or boyfriend.<sup>4</sup> Between January 1, 1997 and June 30, 2004, 281 people were killed by domestic violence abusers in Washington. The domestic violence victims whose murders are discussed in this report walked through our communities' courtrooms, schools, parks, hospitals, doctors' offices, prosecutors' offices and workplaces. They talked to teachers, welfare workers, neighbors, police officers, doctors, friends, co-workers, attorneys, family members and religious leaders in the weeks, months and years before they were killed. Their abusers murdered them in our neighborhoods, community centers and parking lots, and on our streets, sidewalks and doorsteps.

The Domestic Violence Fatality Review (DVFR) examines domestic violence-related fatalities in order to advance thinking about how to improve our communities' responses to domestic violence. We draw attention to the loss of life at the hands of abusers for two reasons. First, to recognize and honor the lives lost to domestic violence and insist that the battered women, children and their friends and family members killed by abusers are not forgotten. Second, to direct attention to the struggles and challenges faced by the thousands of domestic violence victims in our state living in the shadow of life-threatening abuse, who can still be helped by our efforts to respond more effectively to domestic violence.

Building communities that respond to domestic violence and support victims and their families is a task for all of us, and a goal that is within our reach. With this, our third biennial DVFR report, we challenge every person in our state to consider that *Every Life Lost Is a Call for Change*—a call to each of us to change the systems that failed those who were murdered, to recognize and make meaning of their loss, and not wait to act until the next life has been lost.

What we have learned from in-depth reviews of domestic violence fatalities over the last seven years is that domestic violence and domestic violence homicides are not an inevitable fact of life. Most homicides are preceded by multiple efforts to get help by the victim and multiple opportunities for the legal system and community to hold the abuser accountable for their violence.

The actions and choices of both victims and abusers are substantially influenced by the institutional, social and cultural reality which surrounds them. In this and our previous reports, we identify the shortcomings in policy, practice, knowledge, training, collaboration, resources, communication and referrals that worked to amplify abusers' ability to control and terrorize their partners, or conspired to create insurmountable obstacles to safety and autonomy for domestic violence victims and their children. The homicide perpetrator in each case is responsible for their actions and ultimately responsible for the murder(s) they have committed. However, the response to the abuser's violence prior to that murder and providing options for the victim to obtain some measure of safety, self-determination and economic autonomy separate from the abuser are all of our responsibility.

We know from closely examining the events leading up to domestic violence homicides that domestic violence victims were often trying to get away from their abuser. The way their community addressed issues related to domestic violence significantly impacted their ability to achieve safety and self-sufficiency for themselves and their children. A number of other factors also affected the ability of victims to escape their abuser's violence: the availability of safe and affordable housing; judicial decisions regarding custody and protective orders; access to civil legal representation; the quality of law enforcement investigations into the crimes committed against them; the degree to which criminal sentences were appropriate to the crime and strongly enforced; the availability of help and information in their first language; access to advocacy and safety planning; and the capacity of friends and family to respond supportively to the challenges they were facing.

Throughout this report, you will find specific recommendations for various institutions and disciplines. The recommendations are also summarized by discipline in the "Summary of Recommendations" section below. Each of these recommendations is related directly to findings from thirteen in-depth reviews of domestic violence fatalities conducted by the DVFR since September 2002.

While the findings in this report come directly from the observations of Fatality Review panel members, the recommendations do not. Review panels are not recommendation-making bodies. Rather, they focus on identifying issues and gaps in the response to domestic violence. The Washington State Coalition Against Domestic Violence (WSCADV) developed the recommendations in this report in conversation with advisory committees convened over the last year. WSCADV takes full responsibility for the recommendations contained herein, and the reader should note that some DVFR panel or advisory committee members may have differing opinions about what should be done to rectify the problems identified during the course of reviewing individual cases.

#### **KEY RECOMMENDATIONS**

We have identified eight key recommendations out of the many that appear in this report. These recommendations merit priority because they speak to issues or problems that Fatality Review panels identified repeatedly in domestic violence fatality cases. However, please keep in mind that each recommendation in this report is relevant to the ability of our communities to support domestic violence victims and hold abusers accountable and is directly rooted in the close examination of a domestic violence fatality.

#### **All Disciplines**

People who work with teens in any capacity should receive training regarding teen dating violence and domestic violence, and teen advocacy resources in the community.

#### **Domestic Violence Programs**

Domestic violence programs should develop policies and procedures that maintain safety for all program participants while providing services to substance-abusing domestic violence victims.

#### **Law Enforcement Agencies**

Consistent with our state law, law enforcement agencies should conduct investigations of domestic violence crimes with qualified interpreters (either in person or via telephonic services) for all Limited English Proficient individuals, with the goal of obtaining complete victim, perpetrator and witness statements at the initial crime scene, as well as high-quality investigative and follow-up work.

#### **Civil Courts**

All courts issuing civil Protection Orders should have domestic violence advocacy services available on-site and ensure that advocates have extensive training on how to assist women with safety planning. If resources are limited, courts should minimally require, as mandated by RCW 26.50.035, that clerks routinely provide all petitioners with referral information to the local domestic violence program for assistance with safety planning.

#### **Prosecutors and Probation**

Prosecutors and probation offices should employ well-trained domestic violence victim advocates who can contact partners of abusers, and provide resources and safety planning. If resources are limited, prosecutors and probation offices should work closely with community-based domestic violence programs in order to provide advocacy to victims.

#### Judges

Judges in both civil and criminal courts should receive mandated training on domestic violence and on assessing danger and lethality in domestic violence cases. Judges should routinely examine histories and patterns of behavior in domestic violence cases when considering how to proceed (e.g., they should ask the prosecutor, victim and advocate about the batterer's abuse history and consistently make use of computerized databases that track criminal histories).

#### Department of Social and Health Services (DSHS)

DSHS should ensure implementation of its policy of screening all WorkFirst program participants for domestic violence and providing an appropriate response (in the form of resources and workplans) for domestic violence victims.

#### **Legislature and State Agencies**

Funding should be made available for community organizing projects aimed at building safety and accountability strategies outside of the criminal legal system, particularly within marginalized communities and communities of color. Funding for such projects should go to organizations with established credibility and trust within the communities that will be the focus of organizing efforts.

#### **Summary of Recommendations**

This summary of Domestic Violence Fatality Review recommendations is prioritized by discipline. Each chapter of the report provides context and explains in detail how our findings led us to make these recommendations. The page number following each recommendation indicates where it is found in the text of the report.

#### **ALL DISCIPLINES**

- Use the Fatality Review reports as a tool for implementing change (p.53–54):
  - 1. Read the reports and remember the stories of those who have lost their lives to domestic violence.
  - 2. Share the reports with others. Copies of the 2000 and 2002 Fatality Review reports can be ordered at www.wscadv.org; the full text of the reports is also available on the website to read and print for free. Email the link to co-workers, advocates, judges, police officers, mental health professionals, chemical dependency counselors, prosecutors, healthcare workers, religious institutions, schools, friends, family and victims of domestic violence. Print a specific section that you think would be particularly relevant to another individual's work, and share it with them.
  - 3. Make a discussion of the report the focus of a staff meeting at your workplace. As an agency, identify five to ten recommendations particularly relevant to your community and work toward their implementation. View the recommendations as an ideal to strive for and identify steps to move toward that goal. Utilize the recommendations for strategic planning.
  - 4. For non-profit agencies: Share the report with your board and offer it as a tool for education and strategic planning.
  - 5. Create discussion groups in your community to talk about the report. These groups can be inter-disciplinary groups of professionals, or a group of community members interested in making their communities safer and healthier (e.g., religious groups, neighborhood watch). As a group, identify a few recommendations to prioritize and plan action steps toward achieving them.
  - 6. If your community has a domestic violence task force or commission, share the report with the group's facilitator and make it a topic for a future meeting. As a community task force, identify areas where the community is doing well and which areas need improvement. Identify a few key recommendations for your local task force to address. Start a fatality review work group to report back to the task force as a whole on its progress.
  - 7. Use the Fatality Review findings, recommendations and statistics in community education, with the media and in grant proposals.
- Organizations, institutions and individuals that work with domestic violence victims or abusers need to collaborate on establishing protocols for identifying and minimizing the danger that suicidal domestic violence abusers pose to intimate partners and others. (p.49)
- People who work with teens in any capacity should receive training regarding teen dating violence and domestic violence, and teen advocacy resources in the community. (p.49)
- All agencies, programs and institutions that respond to domestic violence (including domestic violence programs, law enforcement, courts, social service agencies and community organizations) should identify ways to improve support for friends and family of domestic violence victims. (p.83)

#### **DOMESTIC VIOLENCE PROGRAMS**

- Domestic violence programs should prioritize resources and work to make their services relevant and accessible for domestic violence victims with limited English proficiency. (p.49)
- Domestic violence programs that do not provide outreach and services to friends and family of domestic violence victims should consult with programs that do provide such services for assistance implementing similar practices. (p.49)
- Domestic violence programs should become familiar with the court process for resolving outstanding warrants and offer victims assistance with this process. (p.49)
- Domestic violence programs should develop policies and procedures that maintain safety for all program participants while providing services to substance-abusing domestic violence victims. (p.49)
- Domestic violence advocates should always ask victims about abusers' suicidal threats or behaviors. If victims reveal a history of suicidal ideation, advocates should inform and educate them about the risk of homicide and intensify safety planning. (p.49)
- Funding should be allocated for domestic violence advocacy programs to hire or contract with attorneys trained on domestic violence to represent victims. (p.61)
- Domestic violence advocates should develop safety planning tools to assist friends and family members of victims who call domestic violence crisis lines. (p.83)
- Domestic violence programs should evaluate how their own program policies reinforce isolation for victims, and make changes in order to promote victims' connection with their friends, family and community. (p.83)
- Domestic violence advocates should strategize with shelter residents to help them maintain or rebuild connections with friends and family while living in confidential shelter. (p.83)
- Funders and domestic violence programs should recognize community education and prevention efforts as a part of core services. (p.83)

#### LAW ENFORCEMENT

- Law enforcement agencies should work with their community to develop and implement a plan for providing equal protection and access to Limited English Proficient individuals in their community. (p.49)
- Law enforcement agencies should conduct investigations of domestic violence crimes with qualified interpreters. (p.49)
- The Washington Association of Sheriffs and Police Chiefs (WASPC) should develop an accreditation standard requiring law enforcement agencies to develop and implement a policy regarding the initial response to domestic violence-related crimes when the victim or perpetrator has limited English proficiency. (p.49)
- Every law enforcement agency should establish policies and procedures for gun removal and storage for convicted domestic violence offenders and domestic violence offenders subject to protective orders. (p.50)
- Police and sheriffs' departments without a mechanism or policy in place to monitor the accuracy and completeness of domestic violence incident reports should consult with departments that have an existing mechanism or policy for assistance developing and implementing similar standards. (p.50)

- Law enforcement agencies should require the completion of a Domestic Violence Supplemental Form at all domestic violence calls that prompts officers to document the history of abuse, including both criminal and non-criminal tactics, and to identify signs of escalating violence. (p.68)
- Law enforcement officers should always document threats of homicide and suicide in their reports. When domestic violence and suicide threats co-exist, officers should recognize the increased danger to the victim and should provide the victim with information about the increased risk of homicide and refer to a community-based domestic violence program for safety planning and other services. (p.68)
- Officers should attempt to remove guns from the home when the abuser has a history of homicidal or suicidal threats. Domestic Violence Supplemental Forms should include questions that prompt officers to ask suspects about access to, location of and use of weapons. (p.70)
- Local law enforcement officers should not inquire about citizenship status when responding to a crime scene. (p.76)
- Local law enforcement agencies should not coordinate efforts with the Bureau of Immigration and Customs Enforcement (ICE) in patrol, investigation and follow-up work on non-federal, non-terrorism-related crimes. (p.76)
- Local law enforcement agencies should not be involved in enforcing immigration law. (p.76)
- Local law enforcement should work with immigrant communities to publicize and clarify their policies regarding when and if they cooperate with ICE and what non-citizens can expect to happen when they call 911. (p.76)
- Local law enforcement agencies who have actively decided not to enforce immigration law should be in dialogue with other law enforcement agencies (particularly those in the same region) with differing policies, educating them about the safety concerns and increased danger to battered women and children that collaborative enforcement relationships raise in immigrant communities. (p.76)
- Law enforcement agencies should budget for telephonic interpretation services for all Limited English Proficient (LEP) calls and prioritize hiring employees who are qualified to provide services and intervention in relevant languages. (p.77)
- Consistent with Washington state law, law enforcement agencies should conduct investigations of domestic violence crimes with qualified interpreters (either in person or via telephonic services) for all LEP individuals, with the goal of obtaining complete victim, perpetrator and witness statements at the initial crime scene, as well as high-quality investigative and follow-up work. (p.77)
- Law enforcement agencies should hold officers accountable for conducting inadequate investigations when they fail to follow policies regarding interpretation and translation. (p.77)
- Police officers should hand out domestic violence information to friends, family and neighbors at the scene of domestic violence crimes. (p.83)
- Police, prosecutors and judges should make every effort to identify and remove abusers' guns at each step of the criminal and civil legal process. (p.83)

#### CIVIL ATTORNEYS, JUDGES AND CIVIL COURTS

- All courts issuing civil Protection Orders should have domestic violence advocacy services available on-site and ensure that advocates have extensive training on how to assist women with safety planning. If resources are limited, courts should minimally require, as mandated by RCW 26.50.035, that clerks routinely provide all petitioners with referral information to the local domestic violence program for assistance with safety planning. (p.50)
- Courts should employ well-trained evaluators, or work with their guardian ad litem (GAL) or court-appointed special advocate (CASA) registries to identify and train individuals to specialize in domestic violence cases. These specialists should provide assistance to judges in civil proceedings by conducting thorough assessments for domestic violence cases and providing recommendations regarding residential time and visitation which protect the safety of domestic violence victims and minimize the effects of domestic violence on their children. These evaluators, CASAs and GALs should receive extensive training, similar to that required of state-certified batterer's intervention providers as outlined in WAC 388-60 and RCW 26.50.150, on the manipulative and coercive tactics abusers use. (p.50)
- Funding should be increased for legal aid programs to assist with representation of domestic violence victims in domestic violence and family law matters, and legal aid programs should collaborate with domestic violence advocacy programs to provide comprehensive advocacy services. (p.61)
- The Washington State Bar Association and local bar associations should partner with local domestic violence programs to create pro bono panels to represent domestic violence victims in domestic violence and family law cases. Individuals who participate should be recognized for their efforts, and receive free continuing legal education (CLE) credits for taking these cases. (p.61)
- Law schools should prioritize the creation and support of legal clinics for representation of domestic violence victims in domestic violence and family law cases, and incorporate domestic violence education in core courses. (p.61)
- Low-cost and free legal representation services should work to ensure their intake processes are accessible to domestic violence victims (e.g., provide flexible times for intake appointments). Also, they should prioritize assisting domestic violence victims so that they are not "conflicted out" by their abuser (if the abuser contacts the available local resources and secures legal representation or legal advice first, then his victim can be denied services because of rules governing attorneys that prohibit conflicts of interest). (p.61)
- Judges should specifically inquire about the existence of firearms and order that abusers surrender their firearms when granting Protection Orders. (p.62)
- Judges, attorneys, advocates and court staff should ensure that Protection Order petitioners who mention an abuser's homicide or suicide threats are connected to advocacy services, made aware of their increased danger given these threats and supported to engage in immediate and detailed safety planning. (p.62)
- All players in the civil legal system should receive education regarding: identifying domestic violence; resources for support; lethality indicators and what to do if lethality seems high. Training should include examples of appropriate action for varied roles (e.g., attorney, judge, commissioner, advocate). (p.62)

■ To determine parenting plan arrangements, courts should utilize neutral, well-trained evaluators who can: assess for the existence of domestic violence; obtain all available prior civil and criminal legal records which may pertain to the existence of domestic violence, including Protection Orders, arrest records and information regarding the offender's history of compliance with court orders; speak to corroborating sources; assess for the domestic violence victim's and children's safety; and provide the judge with well-informed recommendations. (p.62)

#### PROSECUTING ATTORNEYS, JUDGES, CRIMINAL COURTS AND CORRECTIONS

- Additional funding available for improving the domestic violence response in the criminal legal system should be directed to probation and post-sentence supervision for misdemeanor domestic violence cases.<sup>5</sup> (p.50)
- Judges should have access to in-depth pre-sentencing reports to inform decision making about sentencing conditions and options. (p.66)
- Jurisdictions should implement specialized domestic violence probation units, with caseloads which allow officers adequate time for monitoring and responding to lack of compliance by abusers. (p.66)
- Probation officers and/or judges should be empowered to require attendance at a specific batterer's intervention program, or minimally, specify programs to avoid. (p.66)
- Probation offices should have domestic violence victim advocates on staff who can contact partners of abusers, and provide resources and safety planning. (p.66)
- Judges should inquire specifically about abusers' access to weapons, should order abusers to surrender weapons as part of temporary and permanent Protection Orders, and should make surrender of weapons a condition of pre-trial release for domestic violence charges. (p.70)
- Judges should receive mandated training on domestic violence and on assessing danger and lethality in domestic violence cases. Judges should routinely examine histories and patterns of behavior in domestic violence cases when considering how to proceed (e.g., they should ask the prosecutor, victim and advocate about the batterer's abuse history and consistently make use of computerized databases that track criminal histories).6 (p.71)
- Prosecutors should employ well-trained domestic violence advocates in their offices, or should work closely with community-based domestic violence programs in order to provide advocacy to victims. (p.72)
- Jails and prisons should designate resources to develop programs for inmates aimed at prevention or reduction of domestic violence incidents, such as certified batterer's intervention, chemical dependency treatment and mental health treatment. (p.72)
- Police, prosecutors and judges should make every effort to identify and remove abusers' guns at each step of the criminal and civil legal process. (p.83)

- <sup>5</sup> WSCADV has published model guidelines for all jurisdictions to follow in post-arrest supervision of domestic violence offenders. Washington State Coalition Against Domestic Violence, Post-Arrest Model Response for the Supervision of Domestic Violence Offenders, by Roy Carson (Olympia, WA: WSCADV, 1999). To request a copy, call WSCADV at 206-389-2515.
- <sup>6</sup> See Domestic Violence Cases in Municipal Court: Judicial Decision-Making for further guidance. This bench card was produced by the Washington State Supreme Court's Gender and Justice Commission in 2004 and posted on the Washington Courts' Intranet under "Judges' Resources."

<sup>7</sup> WSCADV has published model guidelines for all jurisdictions to follow in post-arrest supervision of domestic violence offenders. Washington State Coalition Against Domestic Violence, Post-Arrest Model Response for the Supervision of Domestic Violence Offenders, by Roy Carson (Olympia, WA: WSCADV, 1999). To request a copy, call WSCADV at 206-389-2515.

#### **LEGISLATURE AND STATE AGENCIES**

- Additional funding available for improving the domestic violence response in the criminal legal system should be directed to probation and post-sentence supervision for misdemeanor domestic violence cases.<sup>7</sup> (p.50)
- The Washington State Legislature should increase resources for domestic violence programs to provide material support for victims, such as childcare assistance, transportation, deposits for housing and attorney fees. In addition, the Legislature and state agencies should increase access to financial resources in the Temporary Aid to Needy Families (TANF) program and Crime Victims Compensation Program. (p.56)
- The Governor's Office should ensure collaboration among state agencies to develop and implement consistent policies to support and protect domestic violence victims. (p.57)
- DSHS should ensure implementation of its policy of screening all WorkFirst program participants for domestic violence and providing an appropriate response (in the form of resources and workplans) for domestic violence victims. (p.57)
- DSHS training and practices should support effective, individualized and compassionate implementation of their policies consistently across all programs. (p.57)
- Employment Security offices should create programs and institutionalize practice to customize services for domestic violence victims to ensure their safety and success in seeking employment. (p.57)
- The Division of Child Support should implement policies for identifying and serving domestic violence victims which include screening for domestic violence and ensuring domestic violence victims' safety when enforcing support.
  - In establishing policy, DSHS should look to programs in other states (for example, Massachusetts) which create a specialized caseload with workers knowledgeable about domestic violence and empowered to respond quickly and effectively to abusive tactics and safety concerns in the context of child support enforcement. (p.57)
- Employment Security should institute programs designed to ensure wage progression (meaning participants make more money from one year to the next), so that domestic violence victims are not trapped in abusive relationships by economic instability. (p.57)
- DSHS should devise a system to measure Community Service Office accountability to providing domestic violence screens for WorkFirst program participants. This measurement system should:
  - Place the emphasis on the worker doing the screening, not the victim disclosing.
  - Communicate to Community Service Offices (through policy directives) the agency's
    expectation that a certain number of participants will be identified as domestic
    violence victims and need exemptions from some of the WorkFirst program requirements in response to their safety or trauma issues related to the abuse, and provide
    offices with a benchmark against which they can measure their performance in
    terms of quality screening for, and response to, domestic violence.
  - Be created in consultation with state-level groups possessing domestic violence and welfare advocacy expertise to design a system which ensures (as much as possible) that recipients are not penalized or characterized negatively for disclosing (or choosing not to disclose) abuse. (p.57–58)
- The DSHS Children's Administration (which encompasses the Division of Children and Family Services) should engage in community partnerships to develop

philosophy, policy and protocols for identifying and responding to domestic violence between adult intimate partners.

#### Policies should include:

- Universal and effective screening for domestic violence with both parents, including screening for suicidal and homicidal threats.
- Checking for the existence of current or defunct Protection Orders and domestic violence convictions and obtaining copies of Protection Orders.
- Establishing collaborative, information-sharing relationships with Family Court Services and other workers who provide civil courts with parenting and domestic violence evaluations.
- Routine referral to local resources for battered women when domestic violence is identified. (p.59)
- The Division of Children and Family Services' (DCFS) policies should emphasize an approach in which the worker's interactions and interventions with family members attempt to meet the following three goals:
  - to protect the child;
  - to help the abused parent protect herself and her children, using non-coercive, supportive and empowering interventions whenever possible; and
  - to hold the domestic violence abuser, not the adult victim, responsible for stopping the abusive behavior.8 (p.59)
- New DCFS policies on domestic violence should be backed up with intensive training for staff to ensure their appropriate implementation. (p.59)
- Training of DCFS staff should involve locally based domestic violence advocates and emphasize the importance of forging links with local resources. (p.59)
- DSHS should collaborate with the Washington State Coalition Against Domestic Violence (WSCADV) and other researchers to analyze how many domestic violence victims in domestic violence fatality cases had come into contact with DSHS services prior to the fatality, whether they were screened for domestic violence, what intervention they received, how such interventions affected their safety and how this group compares to the larger DSHS caseload. (p.60)
- Funding should be increased for legal aid programs to assist with representation of domestic violence victims in domestic violence and family law matters, and legal aid programs should collaborate with domestic violence advocacy programs to provide comprehensive advocacy services. (p.61)
- Funding should be allocated for domestic violence advocacy programs to hire or contract with attorneys trained on domestic violence to represent victims. (p.61)
- The Washington State Legislature should prioritize funding for supervised visitation and exchange resources for domestic violence cases. Supervisors should receive specialized training on the dynamics of domestic violence, the potential for abusers to use visitation to stalk and control their partners, and the risk to children when one parent has a history of perpetrating domestic violence. (p.62)
- The Washington Administrative Code should require batterer's intervention programs to have a victim liaison who contacts women by phone or in person. This person should be separate from the abuser group leader. (p.66)
- Batterer's intervention programs should be required by the Washington Administrative Code to give victims accurate information in plain language about the limitations of batterer's intervention and the conditions under which it is more likely to be effective, including complete citations to research literature on the topic. (p.66)

8 Family Violence Prevention Fund, Child Abuse and Domestic Violence: Creating Community Partnerships For Safe Families: Suggested Components of an Effective Child Welfare Response to Domestic Violence, by Janet Carter & Susan Schechter (San Francisco: FVPF, 1997).

- The Washington State Legislature should direct the Washington Association of Prosecuting Attorneys, in collaboration with domestic violence advocates, to develop model guidelines on the prosecution of domestic violence cases. (p.71)
- The Washington State Legislature should fund innovative, community-based child abuse prevention and juvenile delinquency prevention programs based in agencies which already have trust and credibility within their target communities. (p.78)
- Funders should prioritize strategies that engage friends and family of domestic violence victims and that support victims to build and maintain connection with their communities. Funders should offer grants to fund innovative projects to develop such strategies, including those that address the needs of particular neighborhoods and marginalized communities. (p.83)
- Funding should be made available for community organizing projects aimed at building safety and accountability strategies outside of the criminal legal system, particularly within marginalized communities and communities of color. Funding for such projects should go to organizations with established credibility and trust within the communities that will be the focus of organizing efforts. (p.83)
- Funders and domestic violence programs should recognize community education and prevention efforts as a part of core services. (p.83)

#### **EMPLOYERS**

- Employers should proactively implement workplace safety policies to specifically address abuse and stalking of their employees, as well as supporting victims of domestic violence in retaining their employment while receiving support for coping with the abuse. (p.56)
- Employers should support (and not penalize) victims who need to take time off work to attend civil and criminal proceedings, or go to medical or counseling appointments related to domestic violence. (p.56)

#### **COMMUNITY ORGANIZATIONS**

- Community groups (such as neighborhood associations, block watch groups, fraternal and volunteer organizations) should create opportunities for members to learn about domestic violence. (p.83)
- Funding should be made available for community organizing projects aimed at building safety and accountability strategies outside of the criminal legal system, particularly within marginalized communities and communities of color. Funding for such projects should go to organizations with established credibility and trust within the communities that will be the focus of organizing efforts. (p.83)

# Key Recommendations from Every Life Lost Is a Call for Change Findings and Recommendations from the Washington State Domestic Violence Fatality Review, December 2004

#### **All Disciplines**

People who work with teens in any capacity should receive training regarding teen dating violence and domestic violence, and teen advocacy resources in the community.

#### **Domestic Violence Programs**

Domestic violence programs should develop policies and procedures that maintain safety for all program participants while providing services to substance-abusing domestic violence victims.

#### **Law Enforcement Agencies**

Consistent with our state law, law enforcement agencies should conduct investigations of domestic violence crimes with qualified interpreters (either in person or via telephonic services) for all Limited English Proficient individuals, with the goal of obtaining complete victim, perpetrator and witness statements at the initial crime scene, as well as high-quality investigative and follow-up work.

#### **Civil Courts**

All courts issuing civil Protection Orders should have domestic violence advocacy services available on-site and ensure that advocates have extensive training on how to assist women with safety planning. If resources are limited, courts should minimally require, as mandated by RCW 26.50.035, that clerks routinely provide all petitioners with referral information to the local domestic violence program for assistance with safety planning.

#### **Prosecutors and Probation**

Prosecutors and probation offices should employ well-trained domestic violence victim advocates who can contact partners of abusers, and provide resources and safety planning. If resources are limited, prosecutors and probation offices should work closely with community-based domestic violence programs in order to provide advocacy to victims.

#### **Judges**

Judges in both civil and criminal courts should receive mandated training on domestic violence and on assessing danger and lethality in domestic violence cases. Judges should routinely examine histories and patterns of behavior in domestic violence cases when considering how to proceed (e.g., they should ask the prosecutor, victim and advocate about the batterer's abuse history and consistently make use of computerized databases that track criminal histories).

#### Department of Social and Health Services (DSHS)

DSHS should ensure implementation of its policy of screening all WorkFirst program participants for domestic violence and providing appropriate response (in the form of resources and workplans) for domestic violence victims.

#### **Legislature and State Agencies**

Funding should be made available for community organizing projects aimed at building safety and accountability strategies outside of the criminal legal system, particularly within marginalized communities and communities of color. Funding for such projects should go to organizations with established credibility and trust within the communities that will be the focus of organizing efforts.

Every Life Lost Is a Call for Change: Findings and Recommendations from the Washington State Domestic Violence Fatality Review, December 2004. To obtain a copy of the full report, contact the Washington State Coalition Against Domestic Violence: www.wscadv.org or 206-389-2515.

#### **Domestic Violence Fatalities**

281 people in Washington were killed by domestic violence abusers between January 1, 1997 and June 30, 2004. These included domestic violence victims, their children, friends, family, co-workers and new partners, as well as law enforcement officers.

<ol> <li>Female domestic violence victim killed by current/former husband/boyfriend</li> <li>Female domestic violence victim killed by other male intimate (e.g., caregiver)</li> </ol>	176
2. Female domestic violence victim killed by other male intimate (e.g., caregiver)	
	4
3. Female domestic violence victim killed by female intimate partner	1
4. Female domestic violence victim killed by abuser's associate	2
5. Male domestic violence victim killed by current/former wife/girlfriend	20
6. Male domestic violence victim killed by male intimate partner	1
7. Children killed by male domestic violence abuser	21
8. Friends/family killed by male domestic violence abuser	32
9. Friends/family killed by female domestic violence abuser	1
10. New boyfriend of female domestic violence victim killed by male domestic violence abuser	19
11. Co-worker of female domestic violence victim killed by male domestic violence abuser	1
12. Law enforcement killed by male domestic violence abuser	3
13. Male domestic violence abuser killed by female domestic violence victim in self-defense, no prosecution	7
14. Male domestic violence abuser killed by female domestic violence victim, case prosecuted, but history of abuse claimed	8
15. Male domestic violence abuser killed by female domestic violence victim, not in self-defense	6
16. Male domestic violence abuser killed by friend or family of female domestic violence victim	10
17. Male domestic violence abuser killed by law enforcement	9
18. Male domestic violence abuser suicide	93
19. Children killed by female domestic violence victim	2
Totals	
20. All domestic violence fatalities (rows 1-19)	416
21. All homicide victims (rows 1-16 and 19, excludes suicides and abusers killed by law enforcement)	314
22. All homicides committed by domestic violence abusers or their associates (rows 1-12)	281

#### Homicide-Suicides

Almost a third (32%) of the 260 abusers who committed homicides from January 1, 1997 to June 30, 2004 committed homicide-suicides. An additional six abusers killed themselves after attempting homicide.

#### HOMICIDES COMMITTED BY DOMESTIC VIOLENCE ABUSERS BETWEEN 1/1/97 AND 6/30/04

Total cases: 260

- Multiple homicide + suicide: 4%
- Single homicide + suicide: 27%
- Single homicide, no suicide: 66%
- Multiple homicide, no suicide: 3%



#### Separation Violence

News reports or in-depth fatality reviews made clear that in at least 44% of the cases in which the domestic violence abuser killed someone (most often their intimate partner, but also including children, family members, friends and new love interests of the victim), the domestic violence victim had left, divorced or separated from the abuser, or was attempting to leave or break up with the abuser.\*

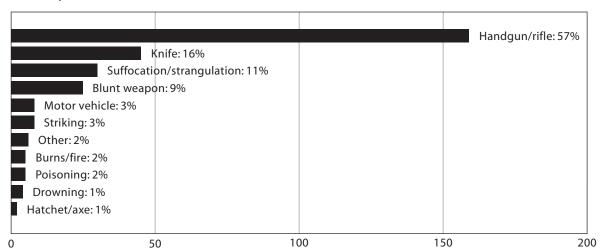
<sup>\*</sup> It is possible that a higher percentage were in the process of breaking up or leaving. For cases not reviewed in depth, information on the status of the relationship and whether or not the victim was attempting to break up or leave is often incomplete.

#### Weapons

Consistent with prior Domestic Violence Fatality Review reports and national crime trends, the majority of domestic violence homicides have been committed with firearms. Since 1997, abusers used firearms to kill 57% (n=159) of domestic violence homicide victims.

WEAPONS USED BY DOMESTIC VIOLENCE ABUSERS TO KILL 281 VICTIMS IN DOMESTIC VIOLENCE HOMICIDES COMMITTED BETWEEN 1/1/97 AND 6/30/04





<sup>\*</sup>Some homicides involved multiple weapons; therefore, percentages total greater than 100%.

# December 2004

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The names on the cover represent the lives taken by domestic violence abusers in Washington between September 1, 2002 and June 30, 2004. Also included in the list is one case from August 2002 which we were unable to include in our previous report and analysis.

Victims of homicides perpetrated by domestic violence abusers in Washington state

22 months ending in June 2004

Oct 2002	Nov 2002	Dec 2002
•••	•••	
Jan 2003	Feb 2003	Mar 2003
••••		••••
Apr 2003	May 2003	Jun 2003
•••	• •	•••
Jul 2003	Aug 2003	Sep 2003
		• •
Oct 2003	Nov 2003	Dec 2003
•	•••	•
Jan 2004	Feb 2004	Mar 2004
		••••
Apr 2004	May 2004	Jun 2004
		• •

Sep 2002