

Arizona
Domestic Violence
Fatality Report
2010



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Introduction

The complicated dynamics of domestic violence make it a difficult issue for some to grasp. The relationship may start out normally and may continue that way for some time, but abuse may begin with insults and isolation from family and friends. The violence usually escalates and may be verbal, emotional, physical, sexual, or may contain elements from all of those categories. These acts of violence are different in the context of an abusive relationship than when used against strangers or even friends. Perpetrators utilize a series of behaviors which create a coercive, controlling atmosphere that leaves victims dependent on them for all of their emotional and often financial needs. These acts, however, are intermingled with acts of love and healthy behaviors, adding to the victim's confusion. The time immediately after a victim leaves an abusive relationship is statistically the most dangerous, as the abuser may attempt to gain his or her power back through increased physical violence.

Since 2005, at least 673 Arizonans have lost their lives in domestic violence related incidents. These tragedies represent a small fraction of those involved in violent relationships in this state, but they demonstrate a wide ranging potential for lethality in violent intimate and familial situations.

Methodology

This document examines the fatalities that occurred in Arizona from January 1 – December 31, 2010. Each year, the Arizona Coalition Against Domestic Violence (AzCADV) catalogues domestic violence related fatalities by combing through hundreds of news articles from all over the state containing certain keywords. In 2010, the Coalition transitioned from a physical clipping service to an online service.

The domestic violence statute in Arizona, ARS 13-3601, outlines crimes that can be charged as domestic violence if the perpetrator and victim meet the defined relationship criteria: current or former spouses, people who currently live or previously lived together, people in a current or previous romantic or sexual relationship, people who share a child in common or one is pregnant by the other party, relations by blood or court order, or cases where the victim is a child with a specific relationship to the defendant.

Domestic violence is an attachment crime in Arizona, meaning that certain crimes can be

“tagged” as domestic violence. For example, an assault on a stranger will be charged as assault, but an assault by a perpetrator against a person with whom they have a specific relationship can be charged as assault per domestic violence. The list of crimes that can be tagged as domestic violence was expanded in 2010 to include the homicide and manslaughter statutes as well as sexual assault, unlawful imprisonment, animal cruelty, and prevention of the use of a telephone in an emergency.

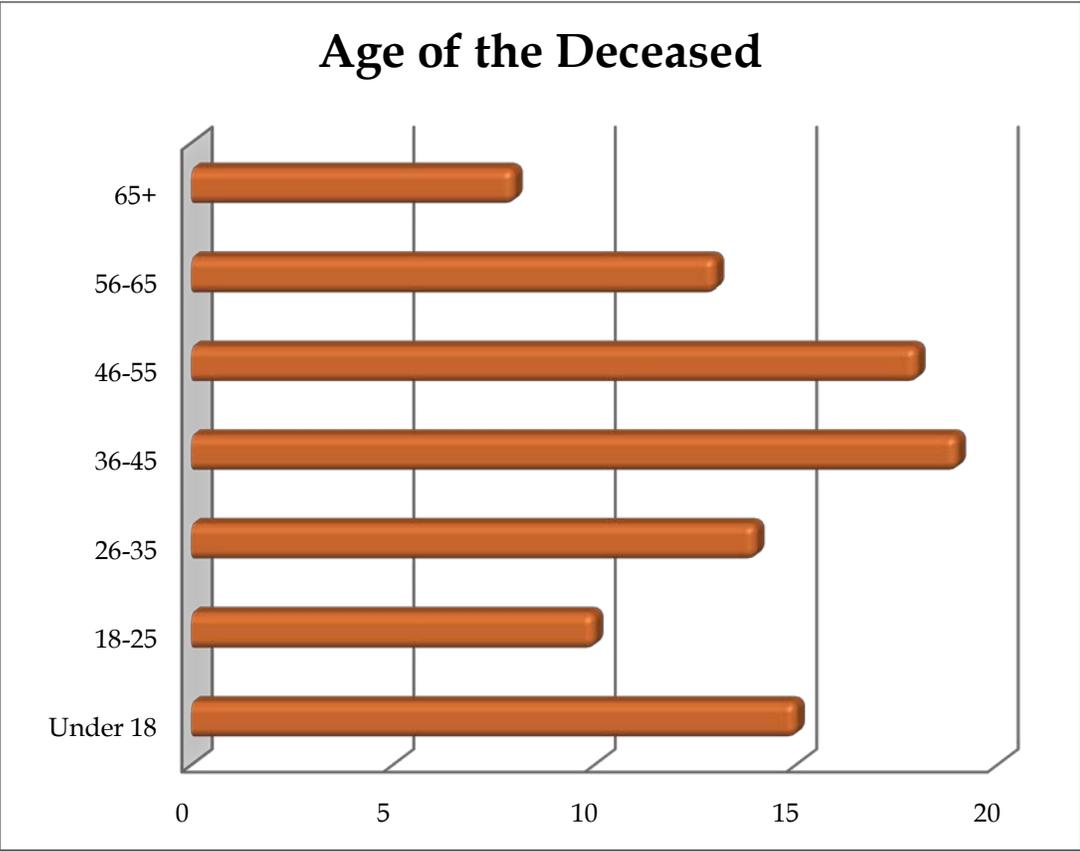
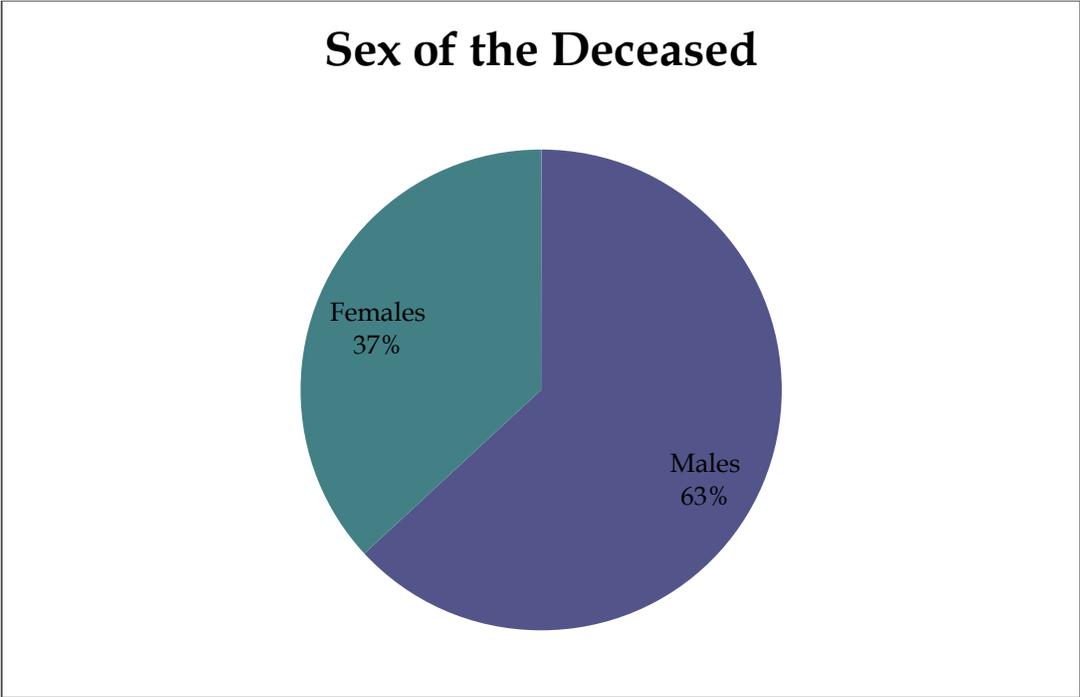
In order to create a complete picture of the lives lost to domestic violence in Arizona, the deaths are not limited to intimate partner homicides. They include homicides perpetrated by family members as well as suicides related to incidents of domestic violence and perpetrators killed by law enforcement when they respond to a domestic violence call. The methodology creates a reasonably comprehensive list, but AzCADV recognizes that it is inherently incomplete. Some fatalities fail to garner a news article, or information related to underlying domestic violence may not be included. Other deaths may occur in related circumstances but cannot be specifically linked to domestic violence. For instance, approximately 25% of homeless women report that domestic or sexual violence was the immediate cause of their homelessness. Some victims may die from conditions associated with living on the street, which is difficult to trace back to their experiences of domestic violence. Additionally, it is very difficult to document the link between suicide and domestic violence. Some victims may take their own lives to escape the abuse, and the public would rarely know.

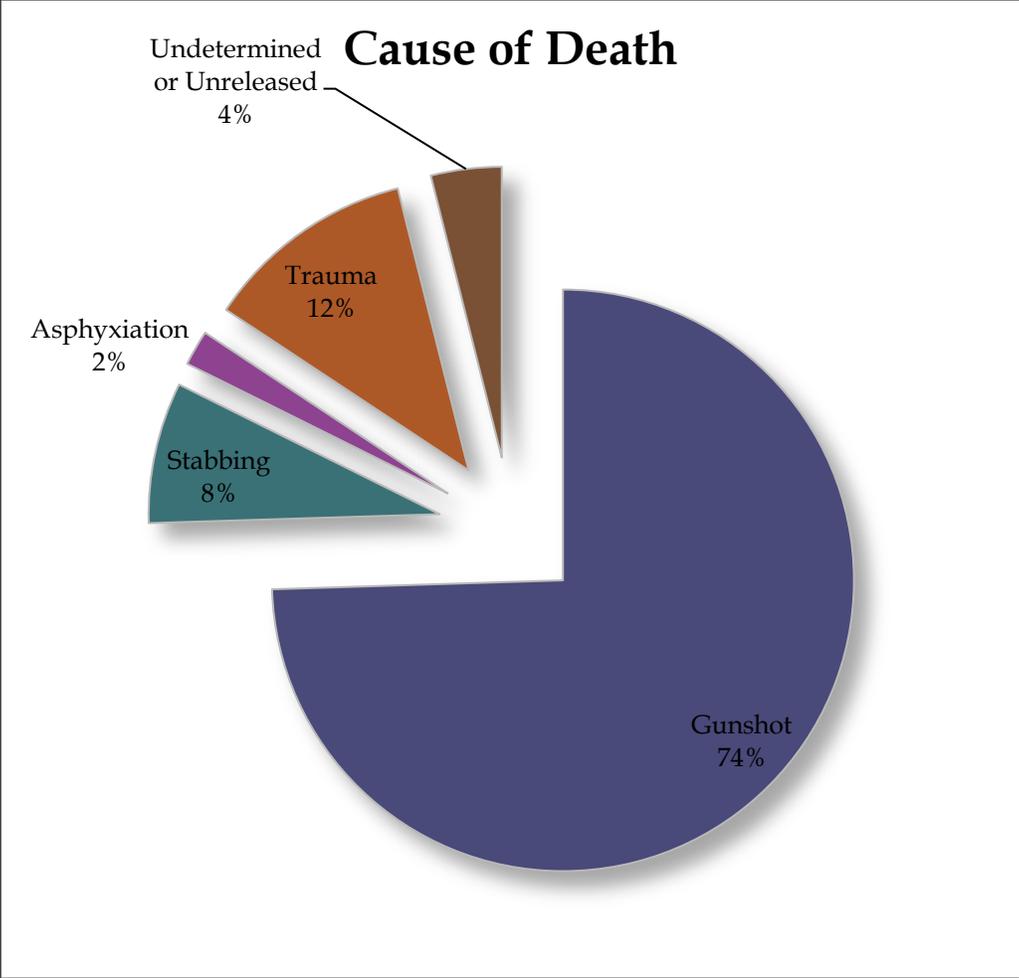
Another complication arising from our methodology is that an entire population may be overlooked by the media. Incidents occurring on tribal lands may not be highlighted by mainstream sources, leaving a broad gap in this report. Domestic violence incidents among Native women are much higher than other demographics, and the lack of cases on tribal lands indicates that another source of data should be found rather than assume a dearth of incidents themselves.

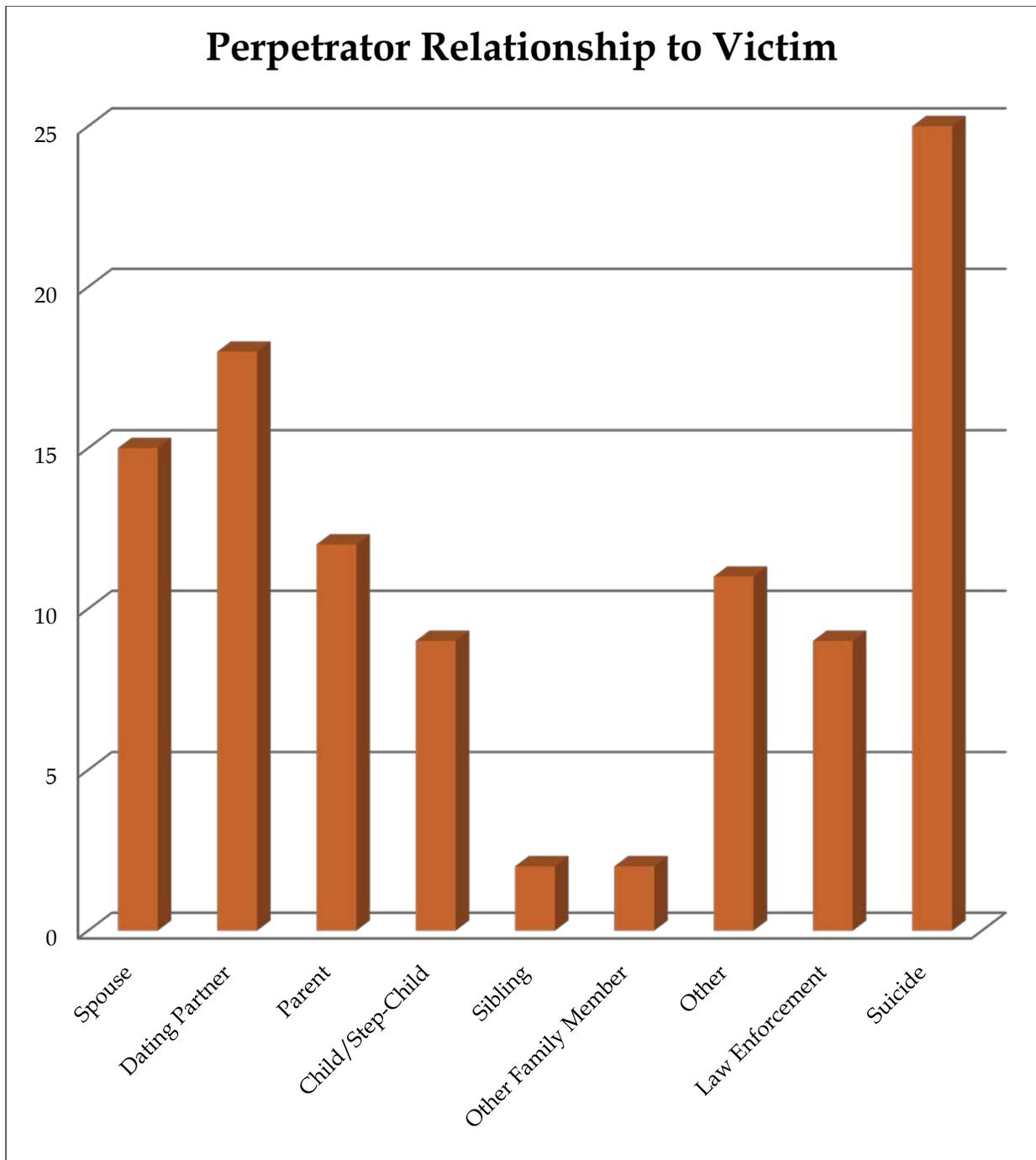
As domestic violence emerged from the confines of people’s homes into the public sphere, community understanding and efforts to respond have changed and improved dramatically. Domestic violence programs are the cornerstone of victim safety in Arizona and across the country. The National Network to End Domestic Violence conducts a nationwide census of services delivered by programs. In a single 24 hour period in 2010, programs in Arizona served 1,622 victims, the vast majority of whom found refuge in shelters or transitional housing. Programs provided individual advocacy and group support for adults and children as well as court accompaniment and legal advocacy. Hotlines answered 336 calls for help, providing support, safety planning, referrals, and information. However, in that 24 hour period, 131

requests for services went unmet due to funding limitations. Programs did not have available beds or enough staff to meet every request, so some victims in Arizona are not finding help from conventional sources even when they find the courage to reach out.

Statistical Overview 2010



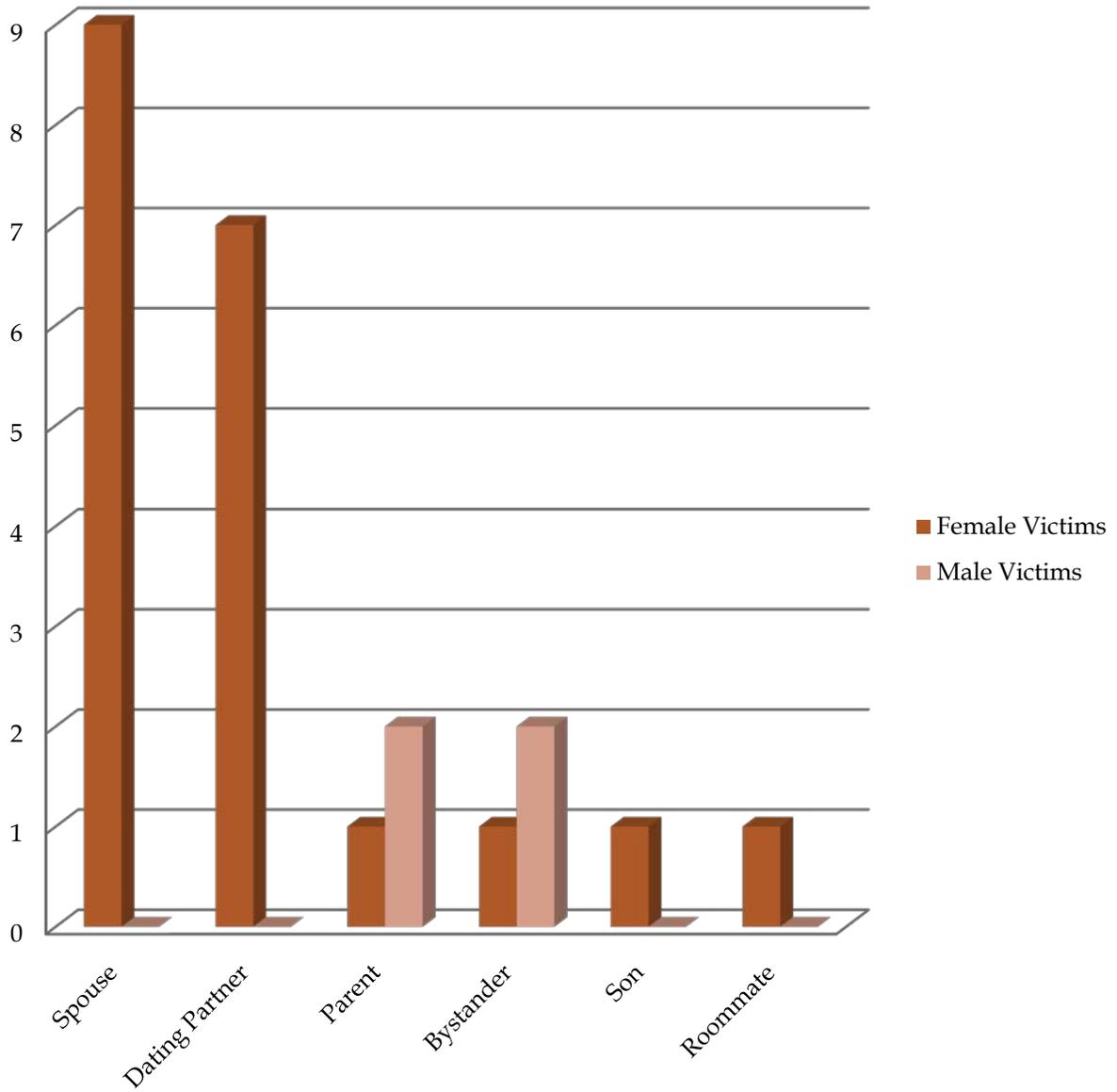




“Other” perpetrator/victim relationships include: mother’s boyfriend (3), men who killed their former female partners’ new partners (2), family member of abuse victim who killed her abuser (1), roommate (1), bystanders (3), and undisclosed (1).

“Suicide” refers to persons who committed suicide in the context of a domestic violence incident

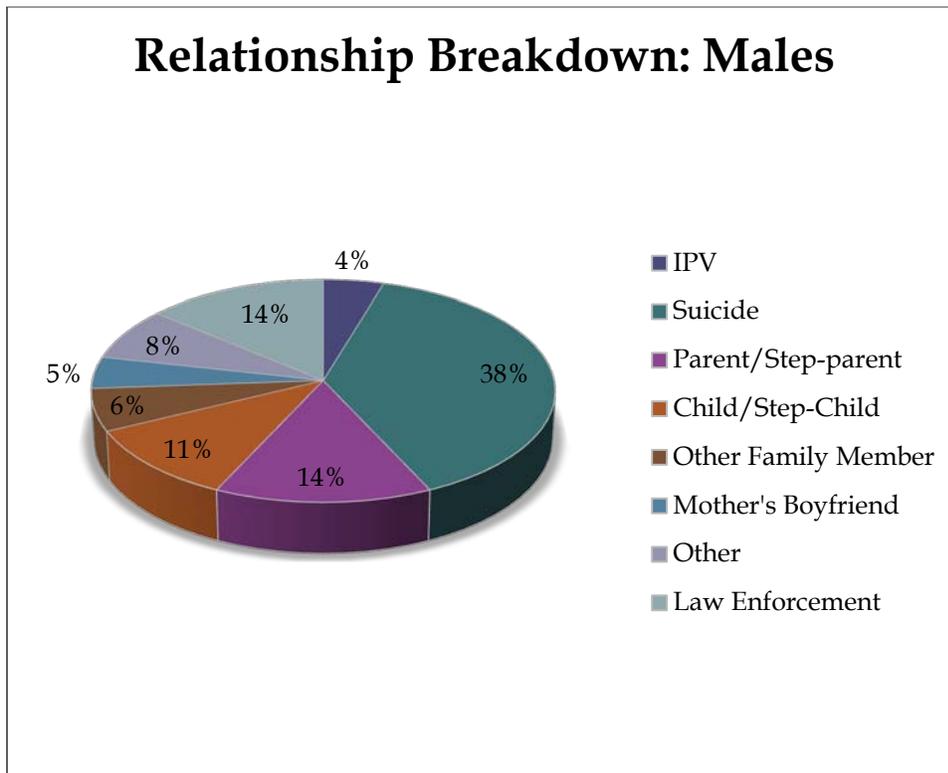
Perpetrator Relationship to Victim in Homicide/Suicides



Sex of Deceased & Relationship to Perpetrator

In 2010, 65 males and 38 females died in domestic violence related incidents. This is consistent with national data; males have a substantially higher risk of murder than females. Females, however, have a substantially higher risk of murder by an intimate partner. Analysis of these deaths reveals that three of the males were killed by an intimate partner, while the rest died under other circumstances such as suicides, familial homicides, and officer-involved shootings.

Males



Of the 65 males who died last year, 25 (38.5%) of them took their own lives. Nineteen of those males were the perpetrators in homicide/suicides where the victim and the perpetrator died in the same incident (see section on Homicide/Suicide). Five of the remaining suicide cases involved attempted murders or aggravated assaults. The last case was an argument between roommates, resulting in law enforcement response, a barricade situation, and ultimately, a suicide.

Case Example: Suicide after attempted homicide

Daniel Tamuty, 47, went to his estranged girlfriend's apartment, where she was with her 10 year old daughter and her daughter's 8 year old friend. He knocked on the door and fired shots through it as she approached. She suffered 2 non-fatal gunshot wounds, and told the girls to run to the balcony and scream for help. Before police arrived, he turned the gun on himself. He was declared dead at the scene. The two children were physically unharmed, but were "quite traumatized." (2/6/2010)

One was the victim in a jealousy murder.

Daniel Gerard Zamora-Robles drove his girlfriend and her daughter to the restaurant where they both worked. Fifty-two year old Eligio Millanes-Esquer, Zamora-Robles' girlfriend's ex-husband, shot and killed him. (9/25/2010)

Case Example: Jealousy murder

Two men were killed in a confrontation over one of the men's abusive behavior.

Case Example: Reaction to abuse

Police attempted to serve Jose C. Mancillo, 34, with an Order of Protection in which his girlfriend was the petitioner. They were unsuccessful in the service. A few hours later, police responded to shots fired and found Mancillo dead of gunshot wounds. They reported to the media that he had been shot after a "domestic argument." Gemaro Mercado, 36, the brother of the petitioner, fled the scene. Police located his car on the I-10, where he got out and fired rounds at the officers. They fired back and killed him. (5/7/2010)

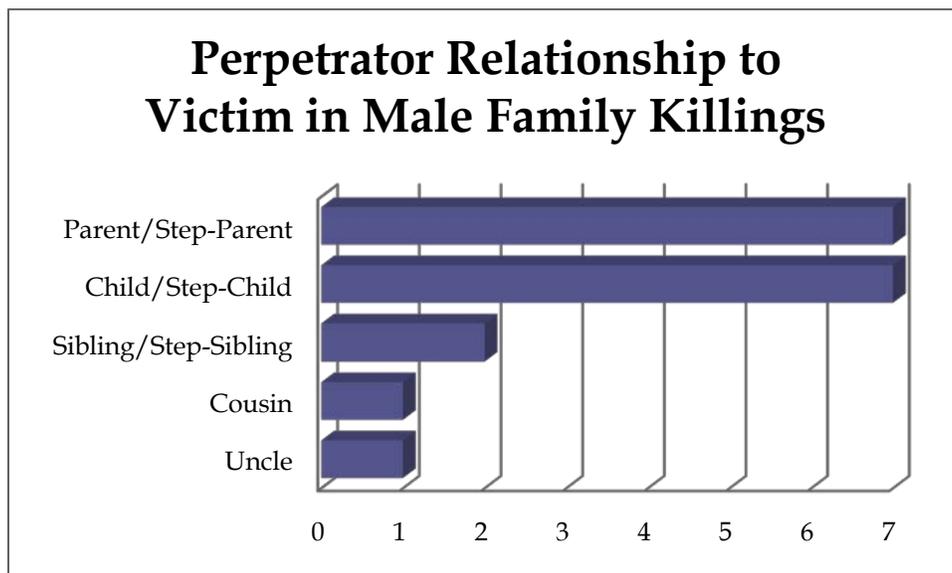
Nine men were killed by law enforcement responding to a domestic violence call (including the above case example). This is an increase from 2009, when four men died when police intervened.

As previously stated, three men were killed by current or former intimate partners, representing 4% of the male deaths. Two of them were killed by their girlfriends and reports cited arguments as precipitous events. The remaining case was perpetrated by the victim's ex-wife.

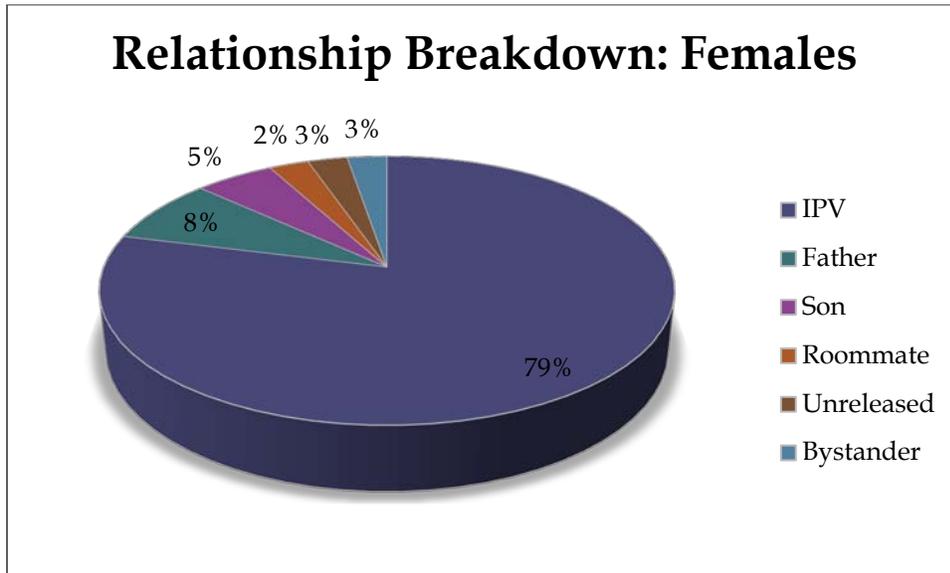
*Case example:
Female
perpetrated
intimate partner
homicide*

Kathy Thorpe, 50, called police and told them she had just shot a man. They responded to the residence, and she reportedly would not let them inside and brandished a gun at them. After a three hour standoff, the police were able to enter and found her ex-husband, Don Thorpe, who had been fatally shot. The woman was taken into custody. Family members reported that the two had once been married, but had been divorced for 20 years. Police reports indicated she was under the influence of alcohol and drugs, and that she told police she shot him because "he was being a jerk." (4/7/2010)

The remaining male deaths were perpetrated by other family members, or occurred in a homicide/suicide discussed in more detail later in this report. There were five male victims in homicide/suicides. Of the male homicides not involving a suicide, the perpetrators were predominantly parents, step-parents, children, and step-children of the victims.



Females



Thirty-eight females died in domestic violence related incidents in 2010. Thirty of those were killed by a current or former intimate partner (78.9%). Seventeen of the female intimate partner homicide victims died in homicide/suicides, which are discussed later in this report. An additional 4 female victims died in homicide/suicides who were not current or former intimate partners of the perpetrator, bringing the total female victims to 21.

Of the 16 homicides in which a single female victim died, 13 were perpetrated by a current or former intimate partner.

*Case Example:
Male Perpetrated Intimate Partner
Homicide*

Laurice Villavicencio, 40, was found dead in a motel room, and an autopsy determined that she died of blunt force trauma. Charles E. Brown, her boyfriend, has been arrested for her murder. (9/18/2010)

Several of the cases mentioned one or more known risk factors for lethality (see Appendix A).

In 8 of the female homicide cases (including homicide/suicides), prior acts of domestic violence by the perpetrator were mentioned in some way.

*Case Example:
Prior Domestic Violence
and Estrangement in an
Intimate Partner
Homicide*

Carlos Ratcliff-Barreras, 22, called 911 for medical assistance for his girlfriend, Maria Montes, 27. He reported that the two of them had been arguing when she locked herself in the bathroom. He said he kicked down the door after she had fallen down in the shower, and that she was asking for help. Montes died of a puncture wound to the neck at the hospital. Neighbors reported hearing regular arguments coming from the residence, and Montes' mother said she had talked to her about leaving the relationship. Ratcliff-Barreras had been "getting physical" with her. Officers took Ratcliff-Barreras into custody. (7/25/2010)

Sheila Shurtz and her boyfriend, Bernardo Barraza had been out together. They returned to their residence, where Shurtz disagreed with Barraza's habit of sleeping with a gun because they each had a child. He initially reported that she accidentally shot herself in the neck, then told police that the shooting was accidental while he attempted to prove the safety of the weapon. Shurtz' stepfather told the media that Barraza was abusive and "She would flat out say that, 'One day he's going to kill me.'" (8/13/2010)

*Case Example:
Prior Domestic Violence and
Access to Firearms in an Intimate
Partner Homicide*

Three of the single-victim homicides occurred with an attempted suicide or involved reported suicidality on the part of the perpetrator.

Police received a call early in the morning regarding a shooting. When they arrived at the residence, they found Lorraine Long, 62, and Robert Wiesner, 52, both suffering from gunshot wounds. Long was pronounced dead at the scene, but Wiesner's wounds were not life threatening. Long had obtained an Order of Protection against him earlier this year. Both parties lived in Scottsdale, and were traveling to Seligman to a home Long owned. (8/13/2010)

Case Example: Prior Domestic Violence in an Intimate Partner Homicide/Attempted Suicide

*Case Example:
Estrangement in an Intimate Partner Homicide/Attempted Suicide*

Paula McGuire, 65, was shot and killed by her husband, Glen Jepsen, 56. He shot himself as well, but did not die from the injuries. He waited four days to call authorities, who took him to the hospital. The couple had been married for 10 years, but had been having problems for the last year.

Homicide/Suicides

The proportion of deaths in homicide/suicides has increased for the last three years. In 2010, all 19 perpetrators were male; they killed 26 people (21 female, 5 male) before killing themselves. These deaths comprised 43.6% of the total fatalities. In 2009, there were 19 incidents and a total of 43 dead (38.7% of the overall deceased). In contrast, in 2008, there were 16 perpetrators with 20 victims, encompassing 28.6% of the total fatalities.

As demonstrated in the graph, the relationships between the perpetrator and victim were overwhelmingly intimate partners.

The majority of cases were perpetrated by men against current or former intimate partners or children. This is consistent with national data, which shows that men perpetrate 85-95% of intimate partner related homicide/suicides (Adams, 2007).

Circumstances involving divorce or separation were mentioned in 5 of the homicide/suicides. Estrangement is widely cited as a lethality risk factor, and deaths where separation was cited are presented in the section titled, "Estrangement."



*Case Example:
Intimate Partner
Homicide/Suicide*

*A relative found Cecilia Lopez, 41, and her boyfriend, David Munguia, 37, dead in their home. Munguia had called the relative to come over because the couple had been fighting, but by the time the relative arrived, both had died. Lopez died of several stab wounds and Munguia died of a self-inflicted gunshot wound. The two shared children.
(5/3/2010)*

Sharon Smith, 63, and her husband, Franklin Smith, 57, were found dead of gunshot wounds; police suspect that Franklin Smith shot his wife before shooting himself. Police report that Sharon Smith may have been diagnosed with an illness, and her husband may have expressed suicidal thoughts. Her brother discovered the bodies. (12/19/2010)

*Case Example: Intimate
Partner Homicide/Suicide
Later in Life*

*Case Example:
Non-intimate Partner
Homicide/Suicide*

Police went for a welfare check and discovered the bodies of Audrey Larson, 84, and her son, Donald Larson, 43, as well as two dogs. They believe that he shot his mother, shot the two dogs, and then committed suicide. (Mid-December, 2010)

While the majority of incidents involved a perpetrator and a single victim, 3 of the incidents were multiple homicide/suicides. Two of those left multiple family members dead. In a Phoenix case, a man killed his adult son, his wife, and the family dog before killing himself. A case in San Tan Valley left two children, their mother, and their father dead. The woman survived for two days in critical condition from a gunshot wound at the hands of her husband before succumbing to her injuries.

The third case of multiple homicide/suicide happened in Lake Havasu City. The highly publicized case was the deadliest incident of 2010, leaving six people dead. Estrangement was a major factor in the incident.

*Case
Example:
Multiple
Homicide/
Suicide*

*Deborah Langstaff was celebrating her boyfriend's birthday with him, her two children, and some friends when the father of her children broke into the home and started chasing the partygoers through the house, shooting all of them but his own children and killing 5 adults. Brian Diez, 26, fatally shot Langstaff, her boyfriend Promo Verdone, 24, Russell Nyland, 42, Ashley Nyland, 20, and Ashley's boyfriend Brock Kelson, 20. Kelson died of his injuries a few hours after the shooting. Diez then kidnapped the children he shared with Langstaff, a 4-month-old and a 13-month-old and took them to California. He shot and killed himself there. The children were physically unharmed. Langstaff had taken out an Order of Protection against him earlier this year, prohibiting him from seeing her or their children after he slapped their infant son. He violated the Order of Protection previously when he approached her, but reportedly made no threats. They had dated off and on for about 5 years. The sole survivor of the shooting, Deborah Nyland, was shot in the neck but is expected to survive after losing her daughter and husband in the multiple homicide.
(8/28/2010, 8/29/2010)*

Estrangement

Abusive relationships are include a pattern of behaviors where the perpetrator exerts power and control over a victim. Abusive partners may interpret estrangement or separation as a threat to their power in the relationship, increasing their desire to gain control over the situation. Victims often experience increases in stalking behaviors, violence, and threats following separation (Wilson & Daly, 1993)

Among the 103 domestic violence related deaths in 2010, 26 cited estrangement, separation, or divorce.

An unidentified woman was picking up some belongings, as she and her husband were going through a divorce. Her estranged husband shot and killed her when she walked into the house, and then killed himself. (10/11/2010)

*Case Example:
Divorce in a Homicide/
Suicide*

*Case Example:
Divorce and Jealousy in a Suicide*

Henry Mapstone, 62, went to his ex-wife's home and threatened her and her boyfriend with a handgun, saying her wanted to kill the man. They managed to wrestle the gun away from him and he left the residence. She called police, concerned about the safety of their two children, who had been dropped off earlier that day. Authorities found Mapstone's 21 year old son driving his van; Mapstone had told him to take the children. Police found Mapstone dead of a self-inflicted gunshot wound in his home in Congress. (9/26/2010)

Additional Issues

Child and Adolescent Deaths

There were 15 homicides with victims under the age of 18 in 2010. One was related to adolescent dating violence and one was a fratricide precipitated by an argument. The remaining cases were perpetrated by family members or caretakers against young children. In three of those cases, a male child was murdered by his mother's new partner; in one, an adult male was murdered by his mother's boyfriend. The presence of a child who is not biologically related to the mother's male intimate partner is a risk factor for homicide (Websdale, 1999).

*Iva Rae Herman, 15, left the library with her ex-boyfriend, Thomas Odom, 16. Within a few hours, her body was discovered partially clothed in a ditch by kids who were in the area. She died of multiple blunt force traumas, and Odom was taken into custody and charged with her murder. Herman's sister reported that she had seen a bruise while Odom and her sister were dating.
(4/21/2010)*

*Case Example:
Teen Dating Abuse
in a Homicide*

*Case Example:
Non-biological Child
Homicide*

Walter Munoz, 24, reportedly tripped over his girlfriend's two year old son, Daniel Resendiz. He beat the child to death and placed him in bed. Daniel's mother, Bianca Arce, 27, returned home and called 911 after Munoz pointed the child out to her. Arce had reported Munoz for child abuse previously and sought help at a shelter. He has been arrested for the murder. (10/31/2010)

There were 9 cases of children who were killed by one or both biological parents. Seven of the cases were perpetrated by the father, one by the mother, and both parents were charged in the remaining case. Two of those were multiple homicides representing four deaths of minor victims; in both, the father attempted suicide, but only succeeded in one case.

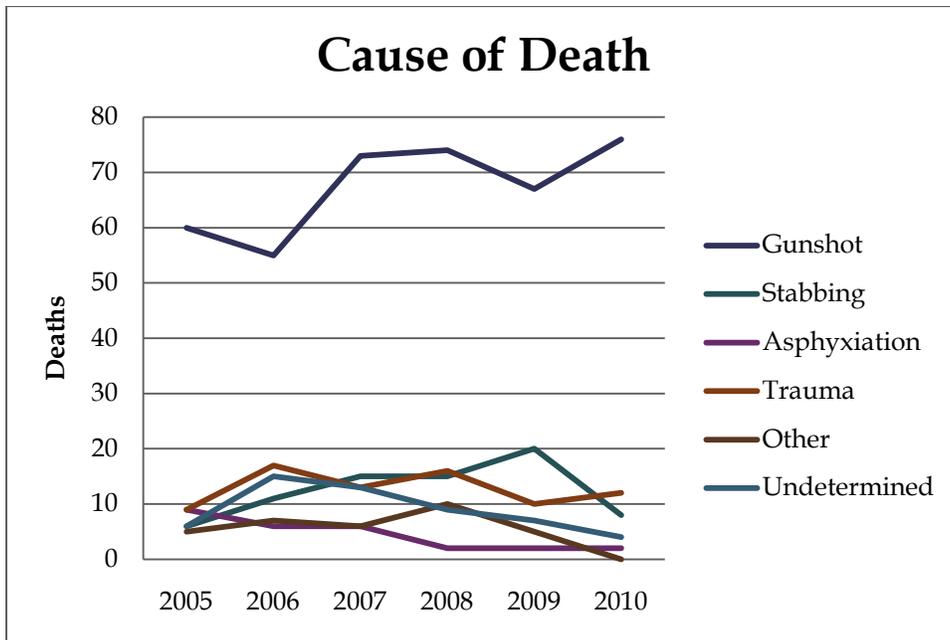
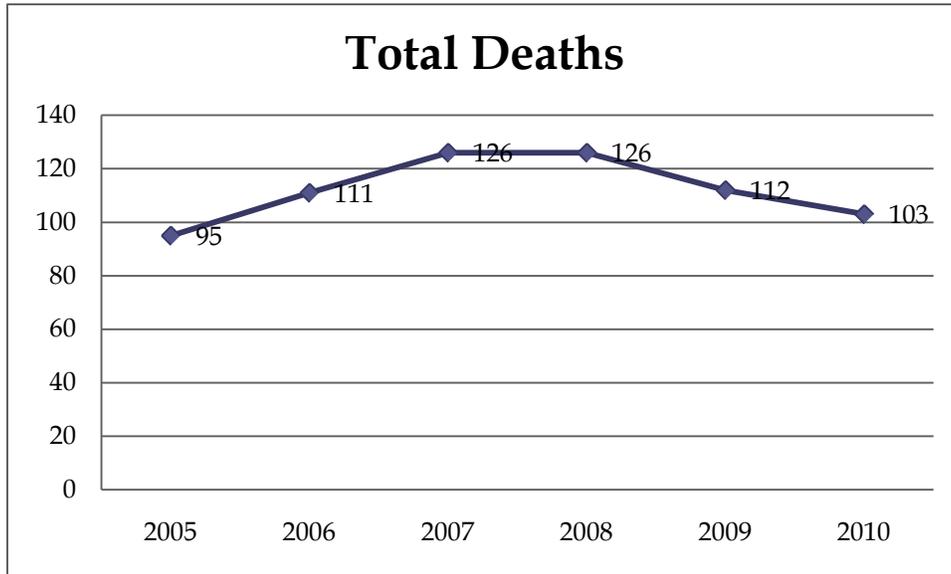
*Case Example:
Estrangement in a
Multiple Child Homicide*

Andre M. Leveté, 39, called police at approximately 8 am and told them he had just shot his son. Police arrived on the scene to find Alec Leveté, 5 and Asher Leveté, 1, dead of gunshot wounds. Their father was injured with a self-inflicted gunshot wound to the head. He was taken to the hospital and is expected to survive. Leveté and his wife were going through a divorce, and he had filed for an emergency custody order because he thought she was attempting to relocate to Florida.(3/31/2010)

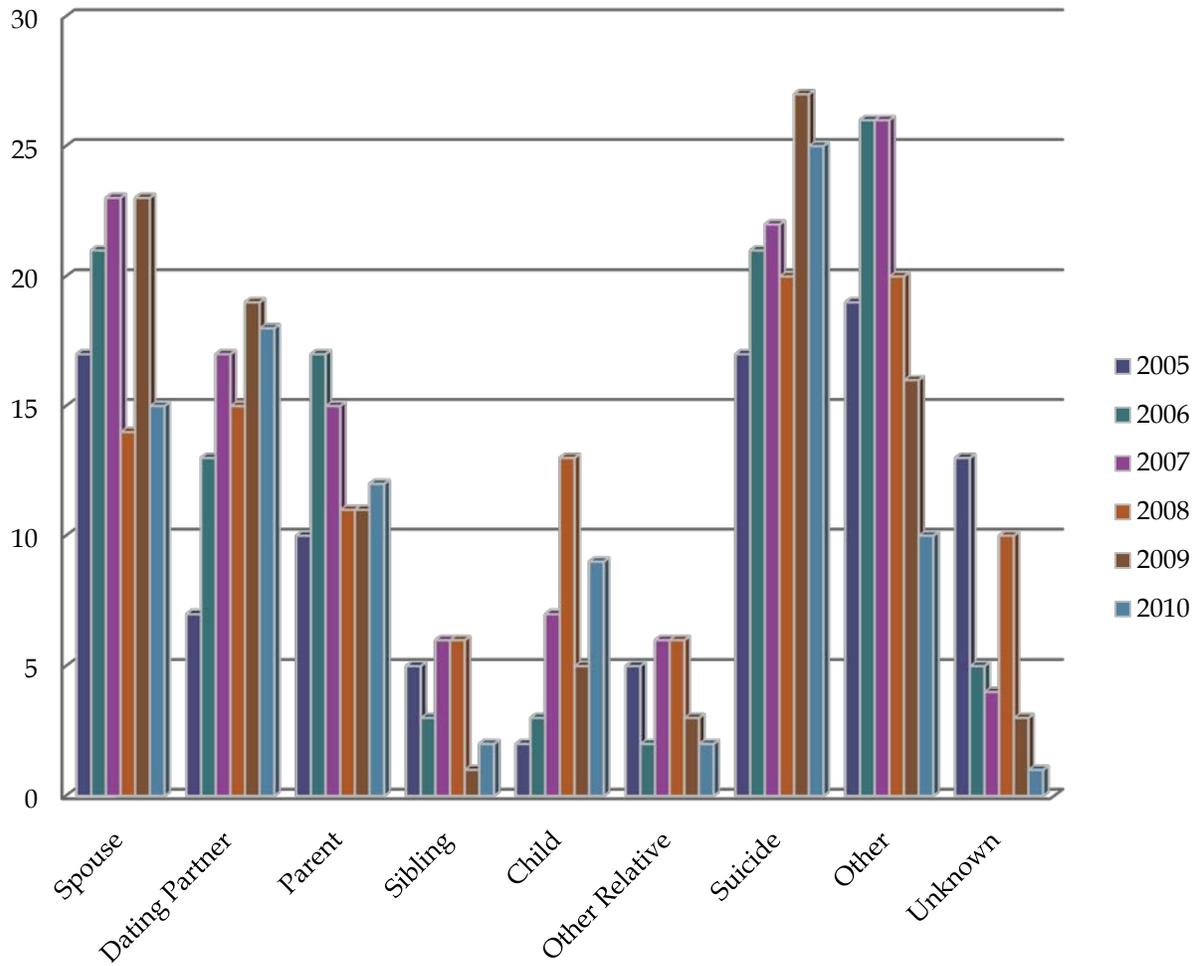
Firearms and Domestic Violence

The vast majority of perpetrators used firearms to kill their victims and/or themselves. Gunshots were cited as the cause of death in 67 fatalities (not including perpetrators killed by law enforcement), more than all other causes combined. Among the homicide/suicides specifically, a gun was not used in only two deaths out of 45. It is widely known that keeping firearms out of the hands of domestic violence offenders is a protective factor for victims. Dr. Campbell's groundbreaking work on risk assessment has shown that being attacked or threatened with a weapon increases risk for murder by 20.2 times, and merely having a gun in the home increases the risk by 6.1 times (Campbell, 2003). Under state and federal law, perpetrators who have been convicted of a qualifying misdemeanor, or who have a qualifying Order of Protection against them, are prohibited possessors. However, some offenders manage to retain or obtain weapons, even when those conditions apply.

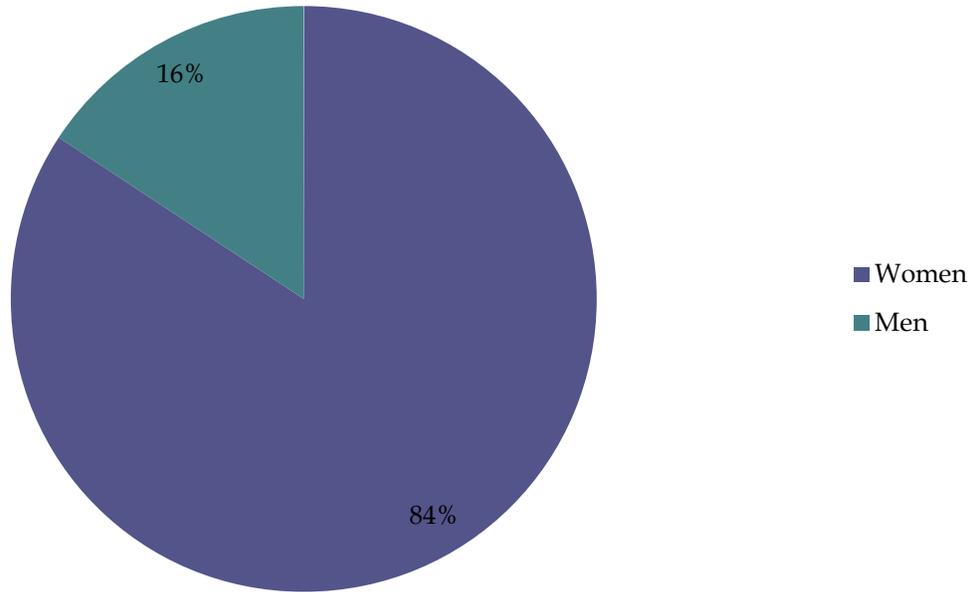
Trends



Perpetrator Relationship to Victim



Intimate Partner Homicides Among Victims Over 18, 2005-2010



Recommendations

Programmatic Support

Domestic violence victims in Arizona seek assistance in a variety of ways. While the budget crisis in Arizona must be addressed, the programs that have suffered deep cuts are essential to many victims in this state. Domestic violence programs, both residential and non-residential, must be fully funded by the state and the federal government in order to maximize the number of victims served and the quality of those services.

Programs that provide health care for victims and their children can reduce dependence on abusive partners and assist in creation of a safety net. Arizona's version of Medicaid, the Arizona Health Care Cost Containment System (AHCCCS), has endured significant cuts over the last two years. The proposed cuts for FY2012 would freeze enrollment for adults without minor children, and would later freeze enrollment for low-income parents. For victims who need access to medical care to manage chronic conditions or treat disease, enrolling in AHCCCS can mean the difference between returning to an abusive relationship or establishing independence.

The state also chose to eliminate child care subsidies for 13,000 children. In this economy, maintaining employment is more important than ever. Loss of child care subsidies may force some women to quit their jobs, decreasing their economic independence.

Risk Assessment

The major risk markers for domestic violence homicides have been researched and validated. There are tools available to both the social service and the criminal justice system that may assist professionals in identifying high risk cases. While the tools are not a guaranteed prediction of which relationships will become lethal, they can help guide police, prosecutorial, and judicial responses. Risk assessment should be viewed as a continuous process in order to account for changes in circumstances and interactions between the parties.

Increased Community Awareness and Education

In some of the 2010 homicides, there was no indication that systemic involvement had taken place. For victims who do not seek assistance from sources like law enforcement, the courts, or domestic violence programs, increased community awareness and education can help fill the gap. Training on how to recognize intimate partner violence, what to do when you suspect it, and how

to support victims and hold perpetrators accountable safely can strengthen community based responses.

In the child deaths perpetrated by the mother's boyfriend, media attention and public shame was turned toward the mothers. It is important to raise community awareness of the plight of victims of abuse and the multitude of reasons they may remain with, or return to, an abusive partner. Strengthening social support systems, through government programs and community awareness, can assist women who want to leave their abuser but are financially unable to do so.

Surrender of Weapons

Under ARS 13-3601, law enforcement responding to a domestic violence has the authority to question the parties regarding the presence of a firearm in the home. If the responding officer believes that the weapon may pose a threat to the victim or anyone else in the household, he or she can seize it temporarily. Utilizing this authority more regularly may help increase victim safety, and AzCADV recommends strict adherence to policies and procedures regarding firearm seizure.

The statute defining Orders of Protection, 13-3602, grants judges the authority to deem the respondent a prohibited possessor if that judge finds that the respondent poses a credible threat. Judges who utilize this authority must make sure that their orders are being carried out, and that surrender of firearms takes place within 24 hours of service.

Similarly, under ARS 13-3101, perpetrators on probation for domestic violence offenses become prohibited possessors for the duration of their sentence. Funding cuts to the criminal justice system have made supervised probation difficult. In order to enhance both victim safety and perpetrator accountability, supervised probation should be utilized and the prohibited possessor status enforced at all times.

On a federal level, under 18 USC 922(g)9, those convicted of a qualifying misdemeanor or who have been served with a qualifying protective order become prohibited possessors and are not permitted to obtain or maintain weapons. Universal background checks, including checking purchases made at gun shows, can help vendors determine if they are supplying a firearm illegally.

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Appendix A

Risk Factors for Lethality in Domestic Violence Cases

Dr. Jackie Campbell developed the “Danger Assessment,” a risk assessment tool for domestic violence victims. In her research, she compared behaviors exhibited by abusers who murdered their partners to behaviors among abused women.

Behavior	Increased Likelihood of Homicide	Behavior	Increased Likelihood of Homicide
Partner used or threatened with a weapon	20.2	Physical violence increased in frequency	4.3
Partner threatened to kill woman	14.9	Partner uses illicit drugs	4.2
Partner tried to choke (strangle) woman	9.9	Partner drunk every day or almost every day	4.1
Partner violently and constantly jealous	9.2	Woman ever beaten while pregnant	3.8
Woman forced to have sex when not wanted	7.6	Woman believed he was capable of killing her	3.3
Gun in the house	6.1	Partner reported for child abuse	2.9
Physical violence increased in severity	5.2	Partner violent outside the home	2.2
Partner controls most or all of woman’s daily activities	5.1	Partner threatened or tried to commit suicide	1.3

Campbell, J. et al. “Assessing Risk Factors for Intimate Partner Homicide.” National Institute of Justice Journal. 250, p 17

Dr. Neil Websdale's book, "Understanding Domestic Homicide," examined deaths in Florida. He found commonalities in the cases that can be seen in Arizona.



Understanding Domestic Homicide. (Websdale, 1999)

