

**COCONINO COUNTY DOMESTIC VIOLENCE FATALITY  
REVIEW TEAM**

**ANNUAL REPORT, 2011  
SUBMITTED TO:  
TOM HORNE, ARIZONA ATTORNEY GENERAL**

**JANUARY 31, 2012**

## TEAM MEMBERSHIP

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## Coconino County Domestic Violence Fatality Review Team

January 31, 2012

To the Arizona Domestic Violence Community:

The Coconino County Domestic Violence Fatality Review Team was established by the Flagstaff City Council and the Coconino County Board of Supervisors in the fall of 2009 in accordance with A.R.S. 41-198. This was our second full year working together as a domestic violence fatality review team. We added several important members who have enhanced the strength and breadth of our team's knowledge. We completed one review and are nearly finished with another. Our completed review was once again a situation that involved multiple contacts with police departments in two cities as well as with the mental health system. The perpetrator in this case had spent most of his life in juvenile and adult correctional facilities, including a ten year sentence for murder in another state. This man had a tragic history of abuse and mental health issues that were exacerbated by lifelong substance abuse. Despite the best efforts and intentions of systems and family members, he took the life of a woman he was involved with for about five years. He will spend the rest of his life in prison.

Although our team grew in size and experience, we also lost one of most well respected and loved founding members. On October, 9, 2011, Chief Brent Cooper passed away suddenly from natural causes. Coop supported our efforts from the beginning and we would not exist if it were not for his help. We miss him very much.

We are one of two Arizona sites for the new Fatality Review and Safety Audit (FRASA) project funded through the Office of the Governor. We look forward to this year and the safety audit process that will help us identify strengths and challenges in our response to domestic violence. Our recommendations focus on increasing the capacity and quality of mental health services for severely mentally ill domestic violence offenders and enhancing communication between the mental health and criminal justice systems. We present this report to the Arizona community in hopes of working together to reduce domestic homicides and their devastating impact on families, communities, and society.

Sincerely,

Contact: Dr. Kathleen J. Ferraro, Department of Sociology, PO Box 15300, NAU, Flagstaff, AZ 86011-5300  
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Kathleen J. Ferraro, Ph.D., Chair

### Executive Summary



In this report, we provide an overview of the findings and recommendations of our completed 2011 review. We discuss the inclusion of interviews with the victim's family and the perpetrator and the advantages of these sources of information. We also discuss our goals for the future. The appendix includes profiles of all Team members, the guiding statute as amended in 2011, the resolution establishing our Team, our case selection criteria, by-laws, confidentiality form and brief team history.

During our second year as a team, we developed some further suggestions for the community response to domestic violence. However, we continue to endorse the positive aspects and areas of improvement we identified in last year's report. These include:

- The Coconino County Sheriff's Domestic Violence Unit
- Frequent and consistent communication between the Sheriff's Office and the Flagstaff Police Department, housed in the same building
- Law Enforcement's access to information on prior domestic violence calls and arrests and probation and parole status via Coplink when responding to domestic violence calls
- A designated prosecutor for domestic violence cases within the Flagstaff City Prosecutor's Office
- Prohibition of a second deferred prosecution in domestic violence cases and records that maintain a domestic violence designation even when original charges are reduced
- The EXODUS life planning and substance abuse treatment program at the Coconino County Jail
- The Flagstaff Municipal Mental Health Court (MHC) which provides specialized interventions for non-violent misdemeanor offenders with documented Serious Mental Illnesses. All Victim's Rights are recognized by the MHC and victims report a high level of satisfaction with the Court processes and outcomes. MHC statistics indicate success in preventing the cycle of recidivism for defendants with SMIs. The MHC serves between 70 and 80 defendants each year.

These aspects of our community's response address the importance of adequate information on prior histories of criminality and domestic violence for first responders and prosecutors and judges. Our Sheriff's DV Unit, designated prosecutor, and the EXODUS program recognize the unique dynamics of domestic violence and the need for specialized knowledge for all those involved in providing services. Communication among the various agencies involved in domestic violence interventions is also key to providing effective remedies. An additional positive development is that the City Attorney in Flagstaff is now able to place violent misdemeanor offenders on supervised or unsupervised probation.



Last year, we identified the following areas that could benefit from improvements, and we see continued need in these areas that include:

- Increased and improved, culturally competent mental health services and outreach to the community to increase citizen engagement with services
- Enhanced communication among agencies with contact with secondary victims, particularly minor children
- Consistent, adequate information for all judges
- A judicial checklist indicating all information used in determining release status
- A medical protocol and improved domestic violence training for medical personnel
- Easily accessible, dual language information on resources for domestic violence victims and offenders
- Improved prevention services including youth programs addressing victimization, healthy relationships and bullying, adult programs for handling familial stress, and training on mandatory reporting for adults working with youth

Additional areas of improvement identified this year include:

- Assign a Victim/Witness advocate to each Law Enforcement agency who could respond to DV cases with first responder.
- Improve information available to judges and prosecutors at the time of the initial appearance of offenders. Explore the feasibility of providing all judges access to COPLINK prior to any hearings with DV offenders.
- Explore barriers to the effective use of Orders of Protection.
- Provide lengthier, at least two year, in-patient treatment for people with serious substance addictions.

The Team acted on last year's recommendations to:

- Expand the Team to include a more diverse membership

We now have a representative from the FBI, McDonald (Mac) Rominger, who has spent his career working on Northern Arizona reservations, the Chief of Police for the Supai Nation, Barry Yoyhoema, and a Victim Services Specialist for the Bureau of Indian Affairs, Gwendolyn Adaki, who provides victim services to Northern Arizona tribes. We continue to pursue the following goals:

- Outreach to establish a relationship with the Navajo Nation
- Review near death and trafficking cases
- Increase efforts to obtain medical histories

In addition to our review of cases, we became a site for the Fatality Review and Safety Audit project (FRASA), directed by Dr. Neil Websdale of Northern Arizona University and funded by the Governor's Office for Children, Youth, and Families. FRASA combines domestic violence fatality reviews with the domestic violence safety audit process to help identify and remedy obstacles to victim safety. As one component of FRASA, our Team was visited by three consultants who provided information on legal issues, working with tribal communities, and involving family members in reviews. Also, three team members, Lt. Tim Cornelius, Coconino County Sheriff's Office, Deborah Fresquez, Coconino County Victim/Witness, and Stacy Krueger, Deputy Coconino County Attorney, attended a four day training on domestic violence safety audits provided by Praxis International in Duluth, Minnesota. Their training prepares us to participate in a safety audit of our community this year.

## **MISSION AND GOALS OF THE TEAM**

The Coconino County Domestic Violence Fatality Review Team has as its mission and goals the following:

### **Mission Statement**

The mission of this team is to analyze the circumstances of past fatalities and near fatalities in an effort to better understand the dynamics of such deaths and make recommendations for prevention and system improvements. The purpose of this project is not to lay blame, but rather to actively improve all systems that serve persons involved with domestic abuse, and to prevent violence and fatalities in the future.

### **Goals**

- To improve the response to domestic violence and abuse within Coconino County.
- To promote better coordination and communication among and between agencies, departments, and organizations that work with victims of domestic violence and abuse.
- To make effective and specific recommendations designed to positively impact the ability of the community and relevant agencies to assist and serve the victims of domestic violence and abuse.
- To prevent domestic violence fatalities.

## **PROCESS**

The team is organized democratically and decisions are made collectively. The process we follow involves case selection, collection of relevant materials, individual review of the materials, summarization of case materials by the Chair, interviews with family members and other relevant community members, interview of the perpetrator, when possible, team discussion of facts and creation of the timeline, summation and development of findings and recommendations.

Case Selection. We have developed case selection criteria in accordance with authorizing legislation, ARS 41-198 (Attachment D). Any homicide, suicide, or near-death that is traceable to domestic violence, as defined in ARS 13-3601, is suitable for review. However, deaths occurring from law enforcement intervention are not considered for review. The Team selects cases in which:

- The fatality occurred within the geographical boundaries of Coconino County
- No criminal legal issues remain unresolved
- There is adequate information on which to base a review
- The review process will aid in coordinating the response to domestic violence and in preventing domestic violence fatalities



The Team strives to review cases that represent that broadest range of characteristics and concerns surrounding domestic violence fatalities. We rely on the list of domestic violence fatalities maintained by the Arizona Coalition Against Domestic Violence to identify possible cases for review. Team members also monitor deaths attributable to domestic violence through their work and routine review of news reports. We are also assisted by the Coconino County Medical Examiner, Lawrence Czarnecki, who has information on deaths throughout the county that may not appear in the news media.

Sixteen deaths traceable to domestic violence occurred in Coconino County between 2000 and 2011. Three of these deaths occurred on the Navajo Reservation, in Tuba City and Tolani Lake. In 2011, there were no domestic homicides within the City of Flagstaff. There were, however, eight deaths traceable to domestic violence in Coconino County. A man was shot by a law enforcement officer responding to a domestic violence call in Page. We do not review deaths resulting from law enforcement intervention. Three people were shot by a man at a motorcycle gathering at Mormon Lake before he shot and killed himself. The shooting was preceded by a domestic argument and the victims were the shooter's wife and two by-standers. The wife survived and may be a candidate for review of a near-death. A law enforcement officer was shot and killed while responding to a domestic violence call near Kaibito on the Navajo Reservation within the Coconino County boundaries. And a father killed his two sons then himself while visiting the Grand Canyon from Minnesota.

For our first review, we selected a double homicide followed by a suicide. This case had no remaining legal issues, there was adequate information available on which to base a review, and several Team members had participated in the immediate response and investigation of the case. The case also involved the death of a teen-aged child and provided an opportunity to review the system response to secondary victims of domestic violence. The limitation of this case was that no surviving family members remained in the area and we were only able to interview one of the victim's relatives.

Our review this year was of a homicide of one adult woman killed by her adult male partner who is in the custody of ADOC after receiving a life sentence. This case was selected based on its conformity to our selection criteria and the issues it presented. Details of our review are presented below. The Team is now in the middle of our third review involving a homicide/suicide of an adult married couple. The results of this review will be provided in next year's review.

Review of Cases: Upon selection of each case, Team members obtained relevant documents from their agencies. These documents were then scanned by the agency or by the Team Chair and delivered electronically to all Team members. Prior to receiving electronic documents, all participating Team members read and signed a confidentiality form explaining the importance of maintaining the confidentiality of documents and the prohibition on sharing information with anyone not an official member of the Team (Attachment E). Each Team member reads the documents prior to a meeting. The Team Chair announces the meeting time and place electronically by sending an agenda through e-mail. The Team Secretary posts the announcement of the meeting in accordance with public meeting law. The Team meets on Friday afternoons from 1:30 to 3:00 at the offices



of the Coconino County Attorney. Once any public business has been concluded, the Team adjourns to Executive Session to conduct the review.

The Chair distributes a summary of the case materials electronically prior to the Team meeting and presents that summary to begin the review. Over the course of three reviews, we have determined that our original data collection form is not useful. As a rural county, the number of cases we review is small. We have been reviewing 1.5 cases a year. Thus, it is not necessary for us to use a complicated data collection form. Rather, we report on the entire range of issues, the timeline and red flags in each case.

Once all members are familiar with the case, we generate a time-line for the perpetrator, the victim(s), and the case. The Chair suggests a tentative time-line that is then modified and expanded upon by the entire Team. After the first meeting to review the case, we identify missing information and assign team members to seek out that information. This has involved interviews with community members, neighbors, and family members as well as clarification of system involvement. The broad range of participants representing most relevant agencies and possessing experienced interviewing skills has been vital to our success in obtaining case information.

Findings and Recommendations: In the final phase of our process, we complete an internal report that includes a summary of the case, a synopsis of the homicide and/or suicide, the time-line, red flags, observations and the recommendations that flow from them. The Chair generates a draft of the report and circulates it among members for input. The Team finalizes the report and then determines any actions that would help move toward recommended changes or help the Team clarify issues. One action we took after our first review was to request a presentation from a judge and a probation officer to explain how risk is assessed in misdemeanor domestic violence cases and presentation from an Assistant County Attorney to explain the processing of felony domestic violence cases. Their input helped us to formulate a recommendation. This year, the team benefitted from presentations from FRASA consultants. The presenters provided clarification on legal issues, working with tribal communities, involving family members in reviews, and the availability of mental health assessments. We also had a guest presentation from Deputy City Attorney Lisa Stankovich on the Flagstaff Municipal Mental Health Court (MHC). Ms. Stankovich explained the eligibility requirements to have one's case heard by the MHC and the resource provided by the Court. This specialized court helps meet the mental health needs of non-violent defendants and receives high satisfaction ratings from victims. The Team also heard a report from Deputy Public Defender and Team member Fanny Steinlage on the process of mental health assessments of defendants. Ms. Steinlage clarified that professional assessments performed by qualified mental health professionals are usually performed at the request of defense counsel to assist in evaluating potential mitigating factors or to assess competency to stand trial. They are expensive and are not typically performed for non-serious violent or for non-violent offenses.



## SUMMARY OF DOMESTIC VIOLENCE FATALITY REVIEW, 2011

Perpetrator's background: He was born in California and the family moved to Florida when he was about two years old. His father was an alcoholic who abused his children emotionally and physically. At age 5, his father hired someone to run him over with a car. He carries scars on his head from this incident. At age 7, his father ordered him and his sister to consume alcohol to the point of intoxication. Their father abused them until he went to prison for sexually assaulting the perpetrator's sister. At age 8, he was sent to a wilderness camp where he "suffered multiple traumatic events." He also "suffered another traumatic event" at the hands of a friend of his uncle when he was 13 years old. The perpetrator told probation officers he was a drunk by age 14 and began using marijuana at 13 and cocaine at 14. He dropped out of school in 9<sup>th</sup> grade and never received a GED. He attempted suicide 3 times and is described as suffering from ADHD, bipolar, and schizophrenia in various notes but there are no psych records in our documents.

Perpetrator's criminal record: He spent most of his life in detention facilities. From the time he was 15 to 18 years old he was arrested over 11 times as a juvenile. His crimes included grand larceny, probation violations, MJ possession, aggravated assault and escape. At age 17 he committed battery on a law enforcement officer and was sentenced to 5.5 years in prison. While awaiting sentencing, he was charged with multiple counts of burglary as well as Grand Theft. Prior to his official release date, he strangled a man to death. He met the man at a bar and they went to the man's apartment. He believed the man was making a homosexual pass at him and strangled him. He then robbed him of jewelry and after serving ten years and shortly thereafter moved to Williams where his mother and sister live. He dated another woman and had a few problems with her before moving in with the victim some time in 2001. The perpetrator had 12 encounters with the Williams PD between Jan. 1, 2001 and August 12, 2002 when he assaulted a law enforcement officer after being arrested for arguing with the victim and banging on her door. The officer was injured and the perpetrator was sentenced to 1.5 years in prison which he served from Oct. 23, 2002 to February 9, 2004. The victim's mother said she moved the victim to Flagstaff after the perpetrator was incarcerated to get her away from him. A few months after his release, the perpetrator was found walking naked on Bill Williams Mountain seeking spiritual awakening. He attempted an inpatient program at the Guidance Center some time in this year, but was unsuccessful and asked to leave. According to the victim's mother, the Guidance Center called the victim and convinced her to take the perpetrator back. Mental health professionals on the team did not believe the Guidance Center would have done this and it is not corroborated.

Perpetrator's assaults on the victim. There were multiple incidents in Williams and officers told the victim she should get an OOP and consider her safety. She did not want to get the perpetrator in anymore trouble and just wanted to help him. The victim called the police on July 13, 2005 concerned that the perpetrator was going to commit suicide. She told officers "I can't do this anymore. I can't deal with him like this. I just want him to leave and get his things out." Officers were called out again on July 18, 2005, as the victim's dog bit the perpetrator when he got in its face and growled. The victim called them again on August 6, 2005 because the perpetrator was making suicidal statements. She called on Oct. 24, 2005



as they were fighting again and she wanted him to leave. Officers took him to the Rescue Mission. On Oct 27, the perpetrator beat up the victim. He also held her down and choked her. He threatened to kill her. Her injuries included lumps on her forehead, ear, cheek, bruises on upper arms, chest, elbows, a black eye, lumps on the back of her head, carpet burns, stiff neck and sore muscles. There were blood stains and drag marks and wall paneling was knocked loose when he slammed her against the wall. En route to jail, the perpetrator said that when he got out he was going to "put a bullet in my head." In his report, a Flagstaff Police Department sergeant wrote "repeatedly violent, meth addicted, serious mental health problems, 2<sup>nd</sup> degree murder, 1988, Fla, assault on police officer, 2002, Williams." Following his arrest, the victim got an OOP, served on November 3, 2005, ordering no contact with the victim. But she allowed him to stay at her house as she felt sorry for him and he had nowhere to go. On December 4 he was ordered off the Guidance Center property for yelling he was "looking for a woman to fuck." He was found with meth paraphernalia. On April 29 and 30, 2006, a neighbor, reported hearing the perpetrator knocking on the door and yelling "how come you haven't called the police yet?" After several minutes the pounding and yelling stopped. The neighbor told officers that the victim had locked the perpetrator out of the house several times in the past.

Family's knowledge of abuse: The perpetrator's family took out an OOP in Williams after he robbed his mother of \$300 and told his sister's husband that his dealer had threatened his family. His family was afraid of him and could not have him around them. The victim's family did not like the perpetrator. Her mother knew he had assaulted her at least twice. She was supporting the victim financially and told her she would cut her off if the perpetrator was living with her. The victim's daughter said that she never trusted the perpetrator because of the Florida murder. She was not around him very much and she never saw him hit the victim, but her grandmother told her of the abuse. She said both her mother and the perpetrator drank a lot and that the perpetrator used meth. The victim's son knew the perpetrator better and had an argument with him the night the victim was murdered. He told officers that the perpetrator was OK when he wasn't using drugs but that he was very strange and paranoid when he was. The victim's son had told both his mother and the perpetrator they should separate because they fought so much. The son stopped by the trailer with his friend on May 1, 2006 to pick up a hoodie. He said that the perpetrator was acting strangely and told him not to bother his mother because she wasn't feeling well. The son and his friend left the home to camp out without seeing the victim. Officers believe she was already dead when they arrived at the trailer.

The victim: The victim was born and raised in Flagstaff. Her biological father abused her mother while she was pregnant and threw her out of a window. The victim never knew her biological father. Her first stepfather was not abusive but he was not involved with the victim and she grew up without a close relationship with a father figure. She was a tomboy and loved animals. She was always bringing stray animals home. Her first abusive relationship was at age 15. Her mother called the police on the boy who was assaulting her. She married twice and had two children, a daughter born in 1980 and a son born in 1981. She and her first husband were mutually verbally abusive. She was also in an abusive relationship with a man she did not marry. She graduated from high school and took classes at the community college. She worked at a trucking company and a bar in Flagstaff.

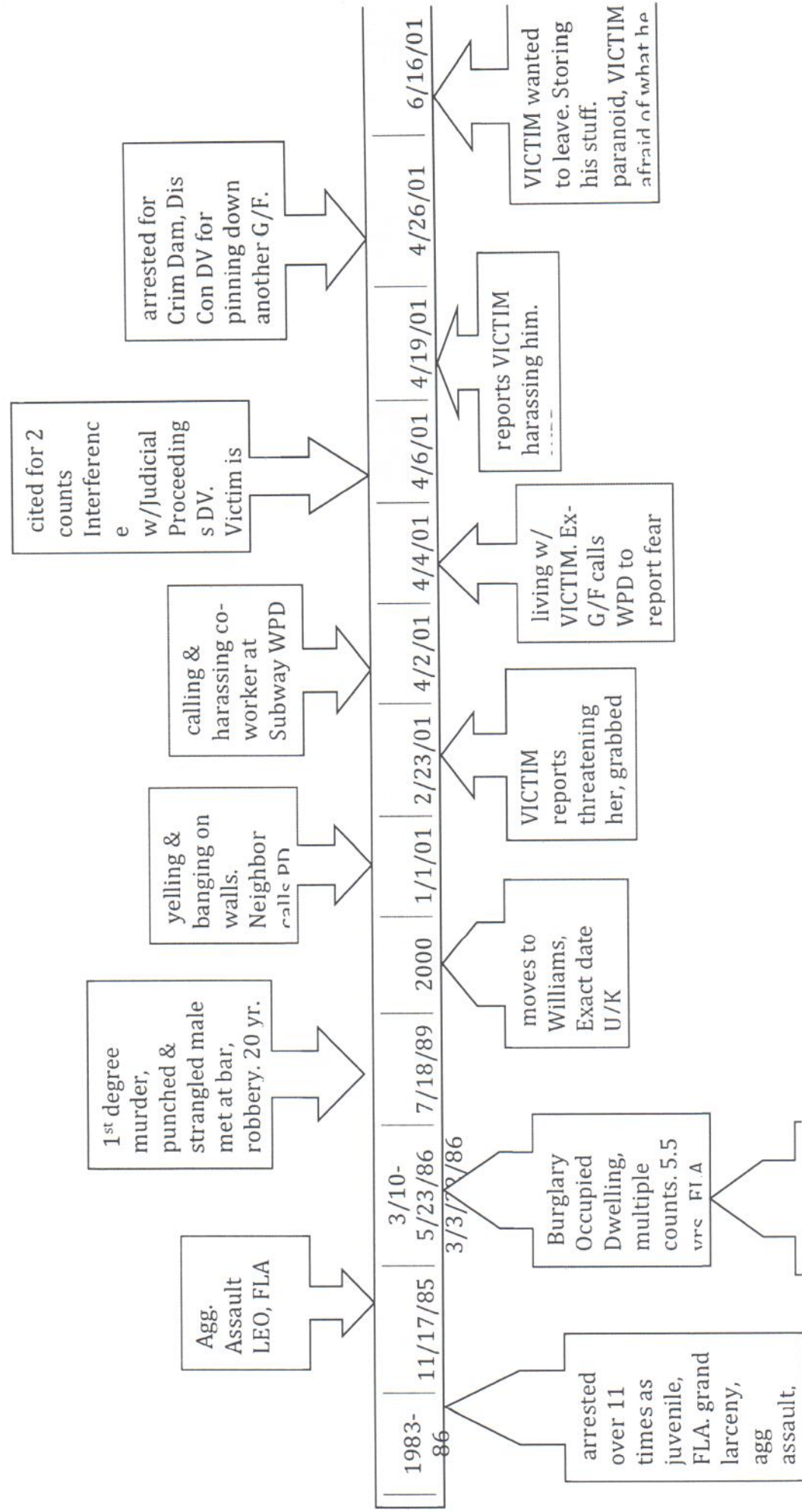


Her mother said that the victim was an alcoholic trying to get clean. She had worked as a bartender and had some friends from there, but left in July or August of 2005 and had not worked since. She had also attended AA meetings but stopped. She said the victim had no friends because of the perpetrator. Her blood alcohol level was .078% and she had an anti-depressant in her system at autopsy. Her mother said she was lonely and cared about the perpetrator. In a couple police reports, the victim told officers that she wanted to help the perpetrator and didn't want him to get in more trouble. She also said, however, that she was tired of dealing with him and afraid of things he was saying. She had him removed from her property several times and took out an OOP in November the year before she was killed. She was 42 years old at the time of her death.

The Homicide: On May 1, 2006, the perpetrator called 911 to report that his girlfriend was sick and hung up. Officers were dispatched and he called again talking irrationally. He was standing outside when officers arrived. Upon entering the house, officers noticed the disarray and searched. They located the victim's body in the back bedroom. She was already deceased and covered with bruises, abrasions, and lacerations. The room was also covered with blood. The perpetrator admitted to killing her and stated that he "took back control." He also said that God told him to kill her. He said "I beat her to death with my bare hands and I hit her with the lamp a couple of times." He also told officers he bit her "a bunch of times." He said "I had been standing over the demon I had defeated. I severed that cord."

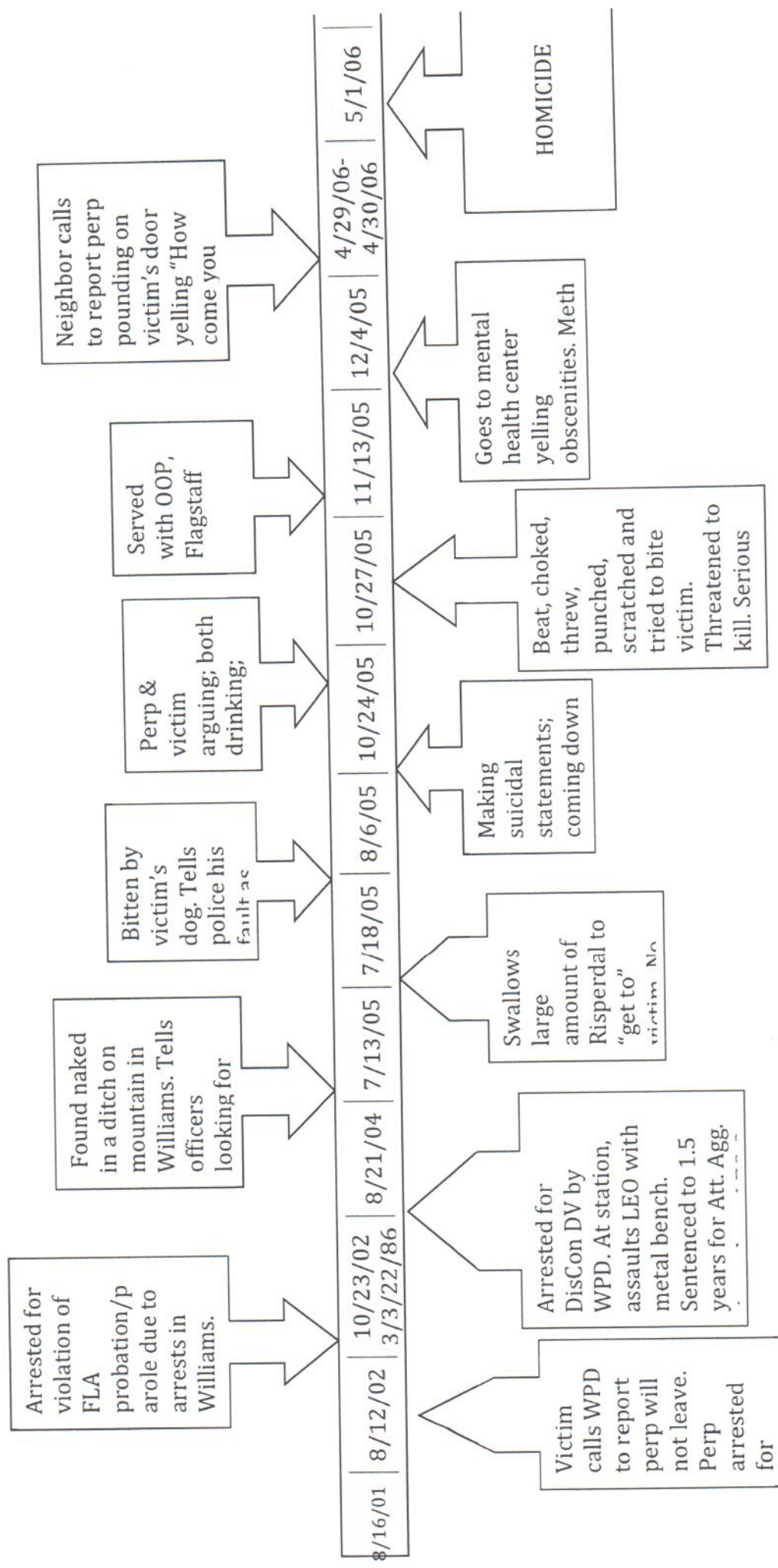
Additional facts: The perpetrator described himself as "sexually insane" after the murder. Two officers at prior incidents commented on his extensive collection of pornography, one noting it contained "hard core S & M" porn. The rape kit was negative but the perpetrator had undone his pants and rubbed his crotch against the victim's crotch postmortem and had her blood on him.

## Timeline, Perpetrator Criminal History, p. 1



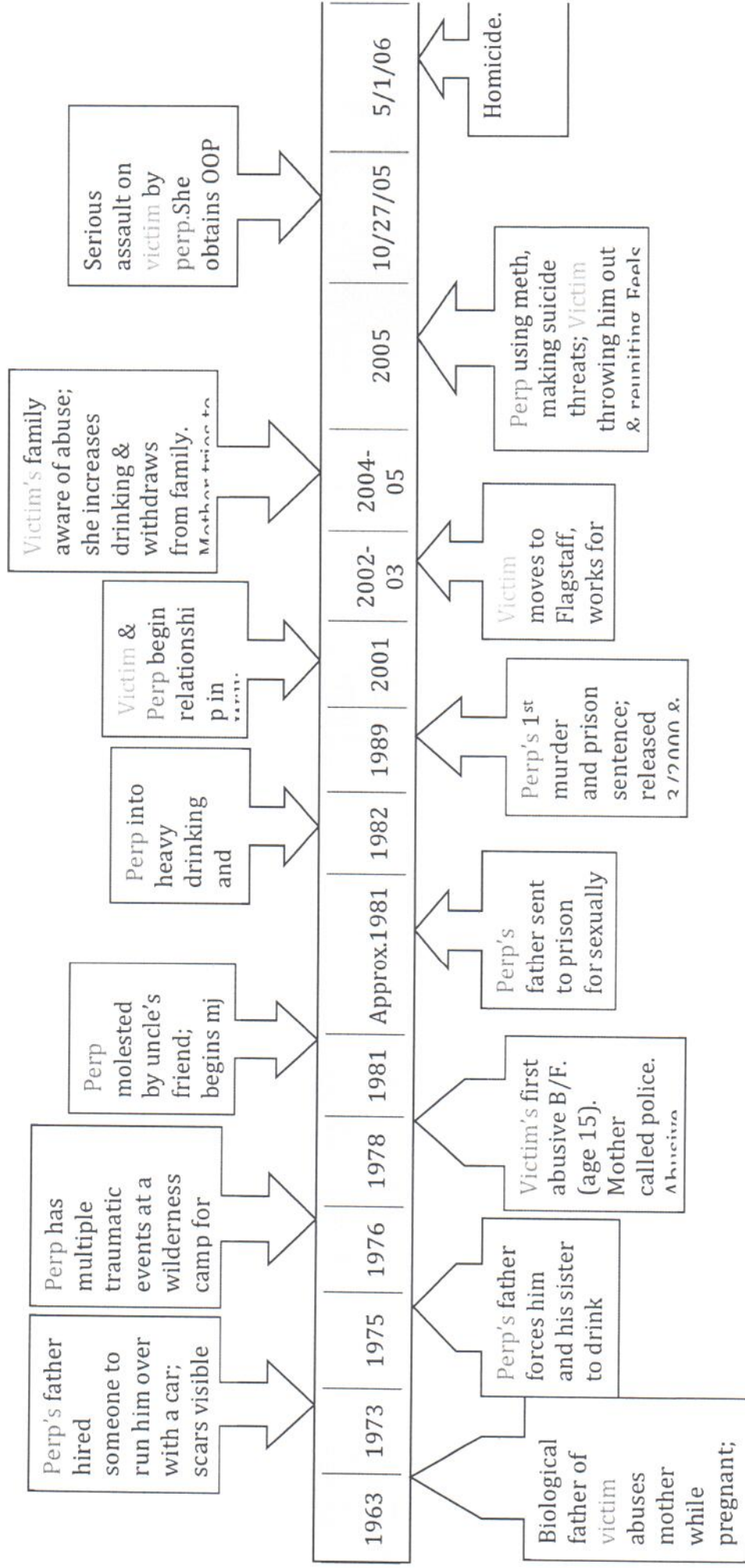


## Timeline, Perpetrator Criminal History, p. 2



# Timeline, Social History, Victim & Perpetrator

Perp= red; Victim=blue





Positive responses: There are a number of developments in our community that contribute to improved protection for victims of domestic violence. Sheriff Pribil reinstituted the Domestic Violence Unit. This specialized unit provides a more uniform, comprehensive response to domestic violence cases and minimizes the chance that high risk cases will be overlooked. Our team strongly endorses this work by Sheriff Pribil and encourages continued investment in this important resource. The Coconino County Sheriff's Office and Flagstaff Police Department share building space and it is convenient for law enforcement officers from the county and the city to share information. If a domestic violence case overlaps jurisdictions, the information is shared across agencies. Although this shared communication already occurs, it may be valuable to establish a routine process to ensure that all high risk situations are identified and receive appropriate interventions. Both the Sheriff's deputies and the City police officers have access to information on prior domestic violence calls and arrests as well as current probation and parole status when responding to a domestic violence incident.

The Flagstaff City Prosecutor's Office has a designated prosecutor assigned to domestic violence, but the Coconino County Attorney's Office does not. The County Attorney's Office has a supervising attorney for misdemeanor cases which account for the vast majority of domestic violence cases. For both misdemeanor and felony cases that originate in the Flagstaff Justice Court, cases are assigned alphabetically, not by type of case. Thus, if a person's last name is in the first half of the alphabet, they are prosecuted by one attorney and if their last name is in the second half of the alphabet, they are prosecuted by a different attorney. The domestic violence cases in Superior Court are also not assigned to a designated prosecutor.

Prosecutors in the City and the County do not permit domestic violence offenders who have completed a deferred prosecution agreement to have a second opportunity to do so on future arrests for domestic violence. When charges are reduced in the process of plea bargaining, the record retains information that domestic violence occurred. So, for example, if a domestic violence simple assault charge is reduced to disorderly conduct, the offender's record will retain the domestic violence designation. If the offender returns to court for a future domestic violence related arrest, the court will be aware of their prior domestic violence offense. Prosecutors in the City of Flagstaff have the option of recommending supervised or nonsupervised probation for violent misdemeanor offenders.

Nonviolent inmates in the Coconino County jail now benefit from the availability of the EXODUS program. This program offers intensive drug and alcohol counseling as well as life planning by trained counselors. The re-offense rate for inmates who complete the program is 38% compared with the national rate of 70%. Some domestic violence offenders are excluded from the program due to the violent classification of their offense. It would be highly beneficial for the program to extend to all domestic violence offenders. Our team is impressed with the EXODUS program and encourages increased support for this innovative



resource that is not only cost effective in preventing recidivism but is socially effective in helping people live healthier, more fulfilling lives.

Flagstaff police officers have access to ILEADS from their patrol cars. This allows them to search for prior domestic violence calls and arrests of domestic violence offenders prior to entering the situation. Flagstaff police department is working on developing accessing to the statewide database, COPLINK, from officers' cars.

The Flagstaff Police Department (FPD) collaborates very closely with the Coconino County Coordinated Community Response Team to Domestic Violence and Sexual Assault.(CCRT) . In 2011, Flagstaff Police Department took on a number of initiatives with the CCRT to include the development of a Coconino County DV response protocol, which was rolled out with training on DV (over 90% of FPD officers attended this training in 2011). Part of this training included the issue of identifying predominant aggressors as part of the investigation. Flagstaff PD also carefully tracks the percentage of arrests made in DV cases, to assure officers are making arrests when the suspect is present and probable cause exists. Their annual statistics in 2011 show a slight decrease in DV incidents in Flagstaff, a 1.78% decrease over 2010 to be exact. Additionally, the FPD developed an officer involved DV policy, based upon best practice endorsed by the International Association of Chiefs of Police. The FPD engaged in numerous other VAWA initiatives in 2011, but those were focused on sexual assaults and stalking. Other partners of the CCRT were involved in a number of community outreach programs locally, including educational initiatives on the NAU campus.

#### Areas that could benefit from improvements:

- The perpetrator in this case had a history of violent offenses dating to his youth, including a conviction for murder at age 18. He was sentenced to 20 years for killing a stranger he met in a bar, but was released after serving 10 years. This took place in Florida. His parole supervision was transferred to Coconino County Probation when he moved here upon his release from prison. Subsequently, he was involved in numerous violent and nonviolent offenses, including drug use, suicide threats, and aggravated assault on a law enforcement officer. He served 1.5 years in ADOC for that assault. About six months prior to the homicide, he perpetrated a severe assault on the victim after which she obtained an order of protection. In the following months, the perpetrator and victim continued their relationship. Thus, there were numerous contacts with the criminal justice and mental health systems. The community was aware of the danger posed by this person, to himself and to the victim, but we were unable to prevent this tragedy.
- Mental Health Services: Both perpetrator and adult victim had problems stemming back to their childhoods. The perpetrator had a long history of criminal justice interventions, beginning in 1983. There may have been earlier contacts that were



not available to us. He was in and out of juvenile facilities in Florida where he reported severe physical and mental abuse by his father as well as sexual abuse by at least two perpetrators. He reported diagnoses of schizophrenia and he was a lifelong polysubstance abuser. He received inpatient treatment in Flagstaff, but was ejected from the facility for aggressive and obscene conduct. The victim began her first violent relationship at 15 and struggled with intimate partner violence throughout her life. She was an alcoholic and cut off relationships with family, friends, and AA as her relationship with the perpetrator progressed. Both individuals were in need of competent mental health and substance abuse services. We encourage more resources for culturally competent mental health services and greater outreach to the community to engage with those services. The criminal justice system cannot prevent domestic violence when there are serious mental health needs that are not addressed. This is the second year we have made this recommendation. The Flagstaff Municipal Mental Health Court is an excellent model for linking the criminal justice and mental health systems. However, it is not available to violent offenders, offenders whose primary mental health problem is substance abuse, or to those who do not have a diagnosis of Serious Mental Illness. This excludes many domestic violence offenders, including those with PTSD, depression and developmental disabilities.

- Community support for families of victims of domestic violence: Neighbors, family and friends who were aware of the ongoing abuse in this relationship did know how to intervene effectively. Both the victim's and perpetrator's family were afraid of the perpetrator and the victim's family encouraged her to end the relationship. It would be helpful if there were an organization similar to Al-Anon, for relative of alcoholics, or NAMI, for families of people with mental illness, that could provide support and information to families of victims of domestic violence. It would also be helpful if there were a hotline that was not connected to the criminal justice system and that was locally managed to assist family members.
- Prevention services: The perpetrator and victim had histories that would have predicted involvement with serious, if not lethal, domestic violence. Both would have benefitted from services designed to help them recognize danger signals and healthy ways of coping with anger. Flagstaff Police Department is working with the public school system to initiate curricula at the junior and senior high school levels to educate youth on domestic violence, assault, sexual assault, and bullying.

## **PARTICIPATION OF THE SURVIVING FAMILY IN THE REVIEW:**

We benefitted greatly from the input of the victim's mother, sister and step-father. The family came to a Team meeting and spoke openly with us. They painted a picture of the victim, from childhood forward, that was unavailable in official documents. They shared information about the victim's biological father's abuse of her mother, her caring nature as



a child, her early experience with dating violence, and her unhappy marriages. We learned of their concern and efforts to help the victim remove herself from the violent relationship and their worry and frustration over her continuing involvement. Although we were concerned that the meeting could re-traumatize the family, they indicated that talking with us was helpful and therapeutic. They shared these feelings with our victim-advocate team member and have since reiterated their positive feelings about the experience with another team member. The victim's mother was particularly happy that the sheriff listened closely to what she told him and that he took notes on her input. By talking with the family and bringing the community together to examine this fatality, we gave dignity and importance to their terrible loss by trying to learn how we can do better in the future.

The family made the following recommendations:

- Keep order of protection violators in jail longer. The perpetrator was under a restraining order, but ended up back in the house having spent just enough time in jail to make him good and mad.
- Women should be counseled and be helped with understanding and choosing options. Understand that separating from the abuser is not an overnight process. Suspects hand-pick victims, destroy the victim's self-esteem, alienate them from friends and family. Law enforcement needs to treat the victim as a victim and realize that the victim may not have the emotional strength to seek help. Everything is tied up with the batterer who doesn't want the victim to have any independence. Victims don't trust the system and believe the batterer will find them at women's shelter.
- As the perpetrator had been convicted of murder before, it doesn't make sense that he was repeatedly arrested for violent offenses and received nothing but a slap on the hand. Family would like to see stricter laws. They met with Representative Ann Kirkpatrick on this issue, but know of no changes. While they had blamed police-the family is now empathetic as laws don't always back up the arrest.

## **INTERVIEW WITH THE PERPETRATOR:**

Two Team members were able to conduct a telephonic interview with the perpetrator who is incarcerated in ADOC. Having the opportunity to interview the offender provided meaningful insight into the offender's personal prior history of being a victim, his lack of remorse and accountability for the crime that he committed against his victim. Without having an opportunity to have the discussion with the actual offender, it would be difficult to try and guess as to where the breakdowns in the offender's behavior began.

## **OTHER ISSUES IDENTIFIED BY OUR WORK TO DATE**

We have other areas of concern that have emerged from our continuing work on our second review and build on the knowledge we gained from our first case. In this case, as in the case reviewed last year, the victim did not find the resources offered to her by law enforcement, the courts, the Victim-Witness program, or her family. were adequate from her point of view. The perpetrator alienated her from these sources of support and played

on her guilt about his mental illness and his lack of other support from friends and family. She felt sorry for him. We need to continue to work with domestic violence survivors to learn how to provide services that resonate more fully with the needs and perspectives of people who are entrapped in violent relationships. The expansions of A.R.S. 41-198 to include review of near-fatalities offers an opportunity learn from living victims. We hope to review a near-fatality within the next year or two.

As mentioned in last year's report, we believe it is incumbent upon our Team to expend greater efforts to establish connections with American Indian communities in our county that would permit review of domestic fatalities. Our new Team members, McDonald Rominger, Gwendolyn Adaki, and Barry Yoyoeoma, are well placed to assist in identifying and obtaining the necessary information for review of a domestic violence fatality on Native lands and we plan to do so this year.

Finally, we have a committed group of professionals that volunteer their time to fatality review. As occurred last year, there has been some turnover and loss of representation from agencies due to job changes and increasing workloads. For example, Kara Ransom-Wright was unable to continue on the Team this year, so we lost representation from the Northern Arizona Center Against Sexual Assault (NACASA). However, our member, Pam Turner, is a SANE nurse with many years of experience dealing with sexual assault and new member, Beya Thayer, coordinates the Coordinated Community Response to Domestic Violence and Sexual Assault. These two members provide input on sexual assault issues and we can still call on Ms. Ransom-Wright for input on specific cases. We feel extremely fortunate to have broad based support from the community and a cohesive Team that works respectfully and compliments each other's strengths. We look forward to meeting with the other Arizona teams this year to ensure that our work is translated into positive community change.



## **Team Member Profiles**

### ***Kathleen J. Ferraro, Chair***

Dr. Kathleen J. Ferraro earned her doctorate in Sociology from Arizona State University in 1981 and is the Chair and a Professor of Sociology & Social Work at Northern Arizona University. Prior to moving to NAU in 2003, she was an Associate Professor and Director of Women's Studies at ASU where she served as a professor for 20 years. She began work in the domestic violence movement in 1975 as a shelter volunteer at Rainbow Retreat in Phoenix. Since then, she has published 37 scholarly journal articles, book chapters and reports on domestic violence. Her research has examined domestic violence policing and prosecution, victim's coping strategies, the role of faith, incarcerated women and debates within domestic violence scholarship. Her book *Neither Angels nor Demons: Women, Crime, and Victimization* was a Choice Outstanding Academic Title in 2007. It is an analysis of the lives of women who kill their abusive partners or engage in other serious crime as a result of intimate partner victimization. She has also given numerous presentations and trainings on domestic violence in the United States and Europe. She has been a member of the Arizona Governor's Commission to Prevent Violence Against Women, the board of the Arizona Coalition Against Domestic Violence, the National Domestic Violence Fatality Review Initiative and the founding boards of several shelters and community programs for women. She has served as an expert witness on the effects of battering in over 120 criminal, civil and clemency cases.

### ***Bill Pribil, Sheriff of Coconino County, Vice-Chair***

Bill Pribil currently serves as the elected Sheriff of Coconino County, Arizona. Sheriff Pribil started his career in law enforcement with the Coconino County Sheriff's Office in 1974. In addition to the Office of Sheriff, he has served in the Patrol Division, the Criminal Investigations Division, as Chief Deputy for Patrol, and as Deputy Chief for Detention. He has a M.A. in Public Administration and a B.S. in Police Science from Northern Arizona University. He is a graduate of the National Sheriff's Institute, the FBI National Academy, the National Institute of Corrections, and the Leadership in Police Organizations sponsored by the International Association of Chiefs of Police. He serves on several community working groups, including the Arizona County Attorney's and Sheriff's Association, the Coconino County Criminal Justice Coordinating Council, the Juvenile Court Community Advisory Board, the Metro Board, the Methamphetamine Task Force, Coconino County Alliance Against Drugs, the Coconino Community College Criminal Justice Advisory Committee, and the Arizona Peace Officer Standards and Training Board Basic Training and Facilities Advisory Group. In partnership with the Flagstaff Police Department and Coconino County Emergency Services, Sheriff Pribil has been instrumental in implementing and developing Community Emergency Response Teams throughout Coconino County. Sheriff Pribil is dedicated to service of the Northern Arizona community and to developing our future leaders in law enforcement. Sheriff Pribil is married and has two children.



### ***Kathleen Paleski, Secretary***

Kathy Paleski served as Interim Chief of Police for the Northern Arizona University Police Department in Flagstaff, Arizona before retiring in April 2007. A 27 ½ year law enforcement veteran, Kathy began her career with the Coconino County Sheriff's Office as a Deputy Sheriff. Kathy holds a masters degree in educational leadership and is a graduate of the 213<sup>th</sup> Session of the FBI National Academy. As a certified assessor for the Commission on Accreditation for Law Enforcement Agencies, Kathy has reviewed a broad spectrum of law enforcement agencies throughout the United States.

### ***Gwendolyn Adaki***

Gwendolyn Adakai, member of the Navajo Nation, is a Victim Specialist with the Bureau of Indian Affairs, Division of Law Enforcement Services, duty stationed in Flagstaff, Arizona. She has been in the position for over 1 year. Before she was a social worker providing direct human services to Native American tribes surrounding Phoenix, Arizona. She has 10 plus years in direct human services and administration. Gwendolyn Adakai holds a Master of Social Work degree from Arizona State University and a Bachelor of Social Work from Arizona State University.

### ***Alex Alvarez***

Dr. Alex Alvarez earned his Ph.D. in Sociology from the University of New Hampshire in 1991 and is a Professor in the Department of Criminology and Criminal Justice at Northern Arizona University. From 2001 until 2003 he was the founding Director of the Martin-Springer Institute for Teaching the Holocaust, Tolerance, and Humanitarian Values. His main areas of study are in the areas of collective and interpersonal violence, including homicide and genocide. His first book, *Governments, Citizens, and Genocide* was published by Indiana University Press in 2001 and was a nominee for the Academy of Criminal Justice Sciences book of the year award in 2002, as well as a Raphael Lemkin book award nominee from the International Association of Genocide Scholars in 2003. His other books include *Murder American Style* (2002), *Violence: the Enduring Problem* (2008), and *Genocidal Crimes* (2009). He has also served as an editor for the journal *Violence and Victims*, was a founding co-editor of the journal *Genocide Studies and Prevention*, was a co-editor of the H-Genocide List Serve, and is an editorial board member for the journals *War Crimes, Genocide, and Crimes Against Humanity: An International Journal*, and *Idea: A Journal of Social Issues*. He has been invited to present his research in various countries such as Austria, Bosnia, Canada, Germany, the Netherlands, and Sweden. Dr. Alvarez also gives presentations and workshops on various issues such as violence, genocide, and bullying.

### ***Elizabeth C. Archuleta***

Elizabeth "Liz" Archuleta is the first Hispanic female to serve on the Coconino County Board of Supervisors. She is also the first Hispanic female to be elected to any office in the history



of Coconino County. Liz has deep roots in Flagstaff she is proud to say that she is 5<sup>th</sup> generation Flagstaff Native.

Elizabeth "Liz" Archuleta serves on the Coconino County Board of Supervisors as the County Supervisor of District 2. In 1998, 2000, 2005 and 2010 she was the Chairman of the Board. Liz was elected to office in November of 1996 and is currently serving her fourth term in office. Liz was the first Hispanic female elected official in the history of Coconino County. She is proud to be a public servant and continues to love and approach her job with the same enthusiasm as the first day she started!

### ***The Late Brent F. Cooper, Chief of Police, Flagstaff Police Department***

Having risen through the ranks of his Department over the past 33 years, Brent Cooper served as the Chief of Police of the Flagstaff Police Department from July, 2006 until his untimely death in October, 2011. He was a founding member of the Team and helped to gain the approval of the City Council and the County Board of Supervisors for our work.

During his law enforcement career, he served in a variety of operational and administrative positions. These assignments included uniform patrol, detectives and the Department's Tactical Operations Team. He was promoted to Sergeant in 1981 where he supervised a patrol squad for the next nine years while being assigned as the team leader to the tactical unit and in charge of the Department's firearms training program. He was instrumental in developing numerous new programs, including the Department's conversion to the Glock Pistol, being the first agency in the State to do so. As a Lieutenant and later Deputy Chief, he spent time managing the Patrol and Detective Sections of the Operations Division.

Brent had a B.S. and Masters degree from Northern Arizona University in Criminal Justice. He was a graduate of the 182<sup>nd</sup> Session of the FBI National Academy and the FBI Law Enforcement Executive Development Program. Chief Cooper left us on October 9, 2011. He is remembered with great affection, appreciation, and admiration.

### ***Tim Cornelius, Criminal Investigations Lieutenant, Coconino County Sheriff's Office***

Tim Cornelius is currently the Criminal Investigations Lieutenant for the Coconino County Sheriff's Office. During his 19 year career with the Coconino County Sheriff's Office, Tim has worked in the Jail Division, Flagstaff Patrol, Corporal in Flagstaff Patrol. In January of 1998, Tim was promoted to Detective and transferred into the Criminal Investigation Division. He became a member of the Arizona Homicide and International Homicide Investigators Associations. He was directly involved in 12 homicide investigations and was the lead detective in four homicides. All were solved, and all of the suspects were convicted. Tim was promoted in 2004 to the rank of Lieutenant for the Williams and the Grand Canyon sub-stations. In 2006 he was transferred back to the Flagstaff patrol division. Time was transferred to the Criminal Investigations Division in May of 2010. He began supervising one sergeant and six detectives and two Cold Case detectives.



### ***Kimberly Cvetkovich***

Kimberly Cvetkovich has been with Adult Probation for 26 years, serving as a supervisor for the last 19 years. She is currently supervising the Intensive Probation/High Risk Offender Unit. She serves on several county committees, including the Premier Employee Committee, Wellness Committee, and Employee Growth and Development. She is a certified trainer for the state through the Administrative Office of the Courts, Supreme Court, for our state's offender screening tool/risk and needs assessment used by all probation departments throughout the state. Additionally, she is an Evidence Based Practices instructor. She has supervised standard field units and DUI/Drug Court, and helped to create the same for our county. She graduated from NAU in 1984 with a B.S. in Sociology, extended major in Corrections.

### ***Lawrence Czarnecki, D.O.***

Dr. Lawrence Czarnecki has been a medical examiner for the Coconino County Health Department for 5 years. He worked as a medical examiner in Kansas for a few years prior to moving to Arizona. He attended Kirksville College of Osteopathic Medicine and trained at St. Joseph's Hospital and Medical Center in Phoenix for five years in a combined Anatomic and Clinical Pathology residency. He then trained at the University of New Mexico in a one year Forensic Pathology fellowship. He is board certified in Anatomic, Clinical and Forensic Pathology.

### ***Marcel A. Duclos, MTH, MED, NH-LCMHC, MLADC, LCS; AZ-RLPC, RLISAC***

Marcel A. Duclos, Professor Emeritus of Psychology, Human Services, and Alcohol/Drug Counseling, held faculty appointments at the New Hampshire Technical Institute in Concord, NH for twenty-eight-years. A professional educator and counselor for three decades, he holds credentials as a NCC, CCMHC, ACS, LADC and LCS LCMHC CCMHC. He is a certified Body Psychotherapy Specialist in the treatment of Addictions and Trauma. He has served as a Consultant/Therapist in a Child Welfare Demonstration Project for the Division of Children, Youth and Families in Child Protective Services. He is the former Executive Director of Headrest, Inc. in Lebanon, NH. He has training in Philosophy, Theology, Developmental Psychology, Pastoral Psychology, Jungian Analytical Psychology, EMDR, Core Energetic Evolutionary Therapy and Internal Family Systems Therapy. He is the co-author, with Connie Robbilar, of *Common Threads: Stories of Life After Trauma*. Currently he serves as the Clinical Director at Northland Family Help Center.

### ***Myra Ferell-Womochil***

Myra Ferell-Womochil is the Director of Community Based Services (CBS)/Legal Advocate at Northland Family Help Center. As the director of CBS, Myra oversees the community education department where she and her staff conduct multi-session prevention education to over 1,000 middle school, high school and college aged students each year. She also



supervises the Runaway/Homeless Youth (RHY) outreach coordinator as he connects necessary services to this vulnerable population. As the legal advocate, Myra helps women who are victims of crime, primarily domestic violence, navigate family and civil court. She also helps them complete and submit their court documents. Myra is the co-chair of the Coconino County CCRT, and is the founder of the MARS Project (Men Against Rape and Sexism). Myra also teaches classes for the Women's and Gender Studies program at Northern Arizona University where she is the faculty advisor for Triota Honorary Society. Myra was on the Team for the first half of 2011 and left due to the pressure of other commitments.

### ***Deborah Fresquez***

For the past six year, Deborah Fresquez has been the leading expert Domestic Violence Victim Advocate for Victim Witness Services for Coconino County. In 2009, she was recognized by the Coconino County Coordinated Response Team to Domestic Violence for her contributions to victims of domestic violence. She holds a Bachelor in Liberal Studies with an emphasis in Psychology from Northern Arizona University. In 1995, Fresquez retired as a Deputy Sheriff for the Coconino County Sheriff's Department where as a Detective she resolved investigations involving homicides and kidnappings. She then went on to manage and expand the family business, Fresco Inc. markets and gas stations. She completed the Arizona Victim Assistance Academy in Flagstaff in 2007 and the National American Victim Assistance Academy in Louisville, Kentucky in 2008. She is currently co-chair of the Coconino County Coordinated Response Team to Domestic Violence and Sexual Assault and sits on the Coconino County Domestic Violence Fatality Review Board.

### ***Valarie Hannemann***

Dr. Valarie Hannemann earned her Ph.D. from the University of Southern California in 1990 and is a Visiting Professor in the Psychology Department at Northern Arizona University, the Clinical Advisor to the EXODUS Program at the Coconino County Jail, and a Licensed Psychologist for over 25 years who provides psychotherapy to adolescents and adults in a private practice setting. One of her specialties is working with women and men who have experienced domestic violence. One of her main areas of interest as Clinical Advisor for the EXODUS Program (a life-skills program aimed at reducing recidivism) at the Coconino County Jail is designing and implementing programming and interventions which address the mental health issues surrounding domestic violence and drug/alcohol abuse. She has given numerous presentations on how mental health issues impact domestic violence.

### ***Lee Harsh***

Lee Harsh has been a registered nurse since 1956. She graduated from Michael Reese Hospital in Chicago circa 1956 and worked in Chicago and Phoenix before moving to Flagstaff in 1959. The many parts of nursing were experienced at Flagstaff Medical Center (FMC) with most of that time spent in the Emergency Department and lastly in the Operating Room. Now she is on call to work with women who have lost a pregnancy in



their first trimester. In the early 1990s she was selected as the Arizona Daily Sun Citizen of the Year for her work in establishing that program and for making Flagstaff a better place. She has completed the Palliative Care Certificate Program, the American Academy of Bereavement facilitator courses, hospice training, the SANE program and has received many awards and honors for her work with domestic violence. She is a graduate of the Citizens Police Academy and attended the Academy for Guided Imagery. She finished the Community Emergency Response Team training, and received a certificate in Forensics from Coconino Community College (CCC), completed police courses at CCC and is presently on the Flagstaff Citizen's Budget Task Force and the Flagstaff Economic Development Task Force. She is the Vice President of the Sunnyside Neighborhood Association.

### ***Ronald Kanwischer***

Ronald Kanwischer is an Assistant City Attorney with the City of Flagstaff. He received his Juris Doctor degree from Arizona State University in 1988 and was admitted to the State Bar of Arizona and the Federal Bar for the District of Arizona the same year. He has extensive Arizona trial experience in both civil and criminal cases. Since 2005, his job duties have included prosecution of all misdemeanor domestic violence cases originating within the Flagstaff City Limits. In 2009, he was selected by the Arizona Prosecuting Attorneys Advisory Council as one of a small number of Arizona prosecutors to attend the National Conference on Domestic Violence.

### ***Wendy Kasprzyk-Roberts***

Wendy was the Victim Services Program Coordinator for the Arizona Criminal Justice Commission (CJC) throughout 2011. Her responsibilities included managing the statewide Crime Victim Assistance Grant, with an active role in outreach, communication and training with professionals in the criminal justice system. Prior to joining ACJC, Wendy was the coordinator for the Coconino County Crime Victim Compensation Program for six years. She has extensive experience in sales/marketing, the criminal justice system, and victim rights. Wendy holds a Bachelors of Science in Business Administration. Her current position is the Integrated Family Court Coordinator for the Coconino County Superior Court.

### ***Stacy L. Krueger***

Stacy Krueger has been a Deputy County Attorney for Coconino County Attorney's Office for 1 ½ years. Her caseload consists of felony prosecution, including felony domestic violence offenses. Since starting her position as Deputy County Attorney, Stacy has attended the last two National Conferences on Domestic Violence, as well as several other conferences within the state related to domestic violence. She graduated magna cum laude from the University of Toledo College of Law. During her time in law school, she participated in the college's domestic violence clinic and was also a member of the Reinberger Fellowship Program in Prosecution. Stacy also holds a master's degree in higher education counseling from Youngstown State University.



### ***Heather Marcy***

Heather Marcy graduated from Northern Arizona University in 2005 with a Bachelor of Science in Psychology and Criminal Justice. Through NAU she interned at Sharon Manor, a program providing transitional housing to victims and survivors of domestic violence. From 2006-2007 she was employed at Sharon Manor as a facilitator of youth groups. In 2007, she began working at Northland Family Help Center where she currently serves as Residential Case Manager. Northland Family Help Center is an emergency domestic violence shelter for women and children that offers legal advocacy, counseling, and community outreach. As Residential Case Manager, she meets with residents weekly to work on their goals related to self-sufficiency, healing from trauma, and beginning a new life.

### ***Stephanie Mayer***

Stephanie Mayer is the Project Coordinator at the Arizona Coalition Against Domestic Violence. She coordinates Project Connect, a statewide public health initiative addressing domestic violence, sexual violence, and reproductive coercion in reproductive health clinics. Stephanie also serves as AzCADV's liaison to fatality review efforts across the state; she serves on five teams and logs and analyzes domestic violence related fatality statistics.

### ***Gregory Neville***

Gregory Neville is a Northern Arizona University graduate student of Applied Criminology, with a focus in domestic violence and fatality review. He is an intern for the National Domestic Violence Fatality Review Initiative, working under Dr. Neil Websdale. Greg is the site supervisor for AlliedBarton Security at WL Gore and Associates, medical products division.

### ***Mike Powers***

Lieutenant Mike Powers with the Flagstaff Police Department has been a police officer for the past 23 ½ years. Mike has experience in Patrol, Selective Enforcement and Narcotic Investigations. Prior to his current assignment as the Investigations Lieutenant, Mike spent time supervising a patrol squad, the Investigations Unit and the Northern Arizona Street Crimes Task Force "METRO." Mike also spent 2 years as a patrol Lieutenant. Mike attended Northern Arizona University, receiving a Bachelors' Degree in Criminal Justice and a Master's Degree in Educational Leadership.

### ***McDonald Rominger***

McDonald Rominger is the Supervisory Senior Resident Agent for the FBI Flagstaff-Gallup-Pinetop/Lakeside Resident Agencies.

### ***Fanny Steinlage***

Fanny Steinlage has been an attorney at the Coconino County Public Defender's Office for six years. She represents defendants who are charged with felony offenses, including those charged with felony domestic violence offenses. She is a graduate of Colgate University and the University of Arizona College of Law. Ms. Steinlage's interest in domestic violence issues dates back to her participation in a domestic violence clinic while in law school. She periodically participates in the Coconino County Domestic Violence Impact Panel.

### ***Beya Thayer***

Beya Thayer coordinates the Coconino County Coordinated Community Response Team (CCRT) to Domestic Violence and Sexual Assault – which is housed at Northland Family Help Center, but is a product of community engagement. Beya has a Master's degree in Social Work from ASU and has worked extensively in the social services arena for over 15 years.

### ***Kevin Treadway***

Acting Chief Kevin Treadway has been with the Flagstaff Police Department for 25 years. He holds a BS in Business Administration, and a Masters in Educational Leadership, both from NAU. He is a graduate of the FBI National Academy, and the FBI LEEDs (Law Enforcement Executive Development) seminar. He served on the Board for the Arizona Chapter of the FBI National Academy Associates for 5 years, and was the President in 2010. He also attended the West Point Leadership in Police Organizations Course. He has worked in the department as a patrol officer, DARE instructor, hostage negotiator, accident reconstructionist, and spent 9 years in criminal investigations in a variety of functions. I has been a Deputy Chief in Support Services and Operations for 6 years, and currently serve as the Acting Chief.

### ***Pam Turner***

Pam Turner is a Registered Nurse in the Emergency Department at Flagstaff Medical Center (FMC). Pam has been employed at FMC for the past 29 ½ years. Pam has specialty training in Forensic Nursing and is a Certified Adult/Adolescent Sexual Assault Nurse Examiner. She also is a Certified Forensic Nurse and specializes in the care of domestic violence patients, sexual assault patients and other patients that are victims of crime. She is co-chair of the Family Advocacy Council and a member of the County Coordinated Response to Domestic Violence and Sexual Assault. She was one of the founders of Northern Arizona Center Against Sexual Assault (NACASA) in 2001. In 2009, she was awarded the Arizona Attorney General's Distinguished Service Award for Advocacy/Direct Service and in 2008 she was



selected as the Arizona Daily Sun Female Citizen of the Year for her tireless efforts on behalf of victims' rights and assistance and for making Flagstaff a better place.

***Barry Yoyhoeoma***

Barry Yoyhoeoma, a member of the Hopi Nation, is the Chief of Police for Supai.

## ATTACHMENT A

### **-198. Fatal or near fatal domestic violence review teams; duties; membership; report; confidentiality; violation; classification; definitions**

A. A political subdivision of this state or a combination of political subdivisions may establish a fatal or near fatal domestic violence review team to:

1. Examine fatal or near fatal incidents of domestic violence to better understand the dynamics of these fatalities or near fatalities.

2. Report to the office of the attorney general its findings and recommendations as to how fatal or near fatal incidents of domestic violence may be prevented and how the system can be improved. The report shall not contain any information that identifies individuals in specific incidents of domestic violence related fatalities or near fatalities.

3. Determine the number and type of incidents it wishes to review.

B. A review team shall not review a fatal or near fatal incident of domestic violence until a criminal investigation or proceeding connected with the fatality or near fatality is completed.

C. A review team shall designate one of its members to serve as chairperson. The chairperson shall call meetings as necessary and is responsible for submitting the report prescribed in subsection A, paragraph 2 of this section.

D. All information and records acquired by a review team are confidential and are not subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding or disciplinary action. Information that is otherwise available from other sources is not immune from subpoena, discovery or introduction into evidence through those sources solely because they were presented to or reviewed by a review team.

E. A member of a review team or any person who presents information to a review team shall not be questioned in any civil or criminal proceeding or disciplinary action regarding the information presented. This subsection does not prevent a person from testifying regarding information obtained independently of the review team or as to public information.



F. Review team meetings are closed to the public and are not subject to title 38, chapter 3, article 3.1 if the review team is reviewing a fatal or near fatal incident of domestic violence case. All other review team meetings are open to the public.

G. The political subdivision shall establish the membership of a review team. Each review team may be comprised of the following:

1. A representative from a county or municipal law enforcement agency.
2. A representative of a county or municipal court.
3. A representative of a county or municipal prosecutor's office.
4. A representative of a local domestic violence prevention program.
5. A victim of domestic violence.
6. A representative of a county or state public health agency.
7. A representative of the office of the county medical examiner.
8. If child protective services received a report on any person residing with the victim before the fatal or near fatal incident of domestic violence, a representative of child protective services who serves the area covered by the review team for the duration of the review of that fatality or near fatality.
9. A representative of a statewide domestic violence coalition.

H. The office of the attorney general shall receive the reports of the review teams and distribute copies of them to the president of the senate, the speaker of the house of representatives, the governor, the peace officer standards and training board, the state domestic violence coalition and the chief justice of the supreme court, on or before January 31 of each year. Copies shall also be provided to the secretary of state.

I. When a review team concludes a fatal or near fatal incident of domestic violence review, the review team shall return all information and records concerning the victim and the family to the agency that provided the information or, if directed by that agency, shall destroy that information.

J. A person who violates the confidentiality requirements of this section is guilty of a class 2 misdemeanor.

K. For the purposes of this section:

1. "Domestic violence" has the same meaning prescribed in section 13-3601.
2. "Fatal incident of domestic violence" means a homicide or suicide that is committed by a party to the domestic violence and not committed by an on-duty police officer acting within the scope of employment.
3. "Near fatal incident of domestic violence" means an assault that is committed by a party to the domestic violence where the victim suffered life threatening injuries.
4. "Political subdivision" means a county, city or town.



## ATTACHMENT B

### COCONINO COUNTY DOMESTIC VIOLENCE FATALITY REVIEW TEAM

#### BY-LAWS AND RULES OF PROCEDURE

##### ARTICLE I - ORDINANCE AUTHORITY

The Domestic Violence Fatality Review Team is created/appointed by the Flagstaff City Council and the Coconino County Board of Supervisors in accordance with A.R.S.41-198 and as subsequently amended.

##### ARTICLE II - MISSION

The mission of this Team is to analyze the circumstances of fatalities and near fatalities in an effort to better understand the dynamics of such deaths and make recommendations for prevention and system improvements. The purpose of this project is not to lay blames, but rather to actively improve all systems that serve persons involved with domestic abuse, and to prevent violence and fatalities in the future.

##### ARTICLE III - POWERS AND DUTIES OF THE DOMESTIC VIOLENCE FATALITY REVIEW TEAM (DVFRT)

- A. **Advisory Body.** THE DVFRT is an advisory body to the Arizona Attorney General's Office. The DVFRT will serve as a resource to Membership, law enforcement agencies, the City, Country, and State on issues related to domestic violence. Its powers are advisory only, unless additional powers and authority is provided by ordinance or state or federal law or regulation.
- B. **Powers and Duties.** The powers and duties of the DVFRT shall be:
  - 1. Examine incidents of domestic violence related fatalities and near fatalities to better understand the dynamics of these incidents.
  - 2. Report to the office of the Arizona Attorney General, the Flagstaff City Council, the Coconino County Sheriff's Office and Coconino County Board of Supervisors its findings and recommendations as to how incidents of domestic violence related fatalities and near fatalities may be prevented and how the system can be improved. The report shall not contain any information that identifies individuals in specific incidents of domestic violence related fatalities.
  - 3. Determine the number and type of incidents it wishes to review.

## ARTICLE IV – MEMBERSHIP AND OFFICERS

- A. **Membership.** Membership shall include, but not be limited to, representatives of each of the following agencies. Those representatives shall be appointed by the Mayor of the City of Flagstaff and Chair of the Coconino County Board of Supervisors, upon recommendation of the respective agency head.

Child Protective Services  
Coconino County Attorney's Office  
Coconino County Domestic Violence Probation Officer  
Domestic Violence Shelter Professional  
Flagstaff City Attorney's Office  
Flagstaff Police Department  
Medical Examiner  
Public Defender  
Sheriff's Office  
Superior Court/Family Court Judiciary  
Victim Services

Based on a majority vote of the Team, other members may be recommended for appointment by the Mayor and the Chair of the Board of Supervisors, based on demonstrated expertise in the field of domestic violence.

- B. **Appointment.** The Mayor of Flagstaff and the Chair of the Board of Supervisors shall appoint members for a three-year term. Team members and the agency each represents will sign a confidentiality agreement.
- C. **Term.** Members shall serve terms of three years and may be reappointed to successive terms. In the event a member becomes incapacitated or resigns or is unable to perform the duties of the office or is otherwise removed, the Mayor and Chair of the Board of Supervisors shall appoint another member to fill the unexpired term of the member replaced.
- D. **Removal of Members.** A Team member may be removed by the Mayor and the Chair of the Board of Supervisors for non-attendance at three consecutive meetings, conviction of a crime involving more turpitude, repeated disruptive behavior after warning, or when in the opinion of the Mayor and Chair of the Board of Supervisors removal is in the best interest of the Team.
- E. **Officers.**



1. **Chairperson.** The Chairperson shall be elected by a majority of the members of the Team at a properly noticed and constituted meeting to serve for a term of three years. The Chairperson may be re-elected to serve successive terms as deemed appropriate by the Team members. In the event the Chairperson resigns, becomes incapacitated or unable to perform the duties of office or is otherwise removed, the Team members will elect a replacement for the unexpired term by a majority vote at a properly noticed and constituted meeting.

**Duties of Chairperson.** The Chairperson shall be responsible for:

- a. establishing a regular meeting schedule;
- b. presiding over Team meetings, including deciding upon all points of order or procedure;
- c. appointing a chair and board members to serve on committees, ad-hoc committees, and subcommittees of the Team;
- d. preparing agenda items for future meetings prior to Team meetings, and in consultation with other board members;
- e. considering other such matters and concerns of the Team as set forth in these by-laws or as directed by the Mayor and Chair of the Board of Supervisors.

2. **Vice Chairperson.** The Vice Chairperson shall be elected by a majority of the members of the Team at a properly noticed and constituted meeting to serve for a term of three years. The Vice Chairperson may be re-elected to serve successive terms as deemed appropriate by the Team members. A vacancy in the office of Vice Chairperson shall be filled for the unexpired term by a majority vote of the Team members.

**Duties of Vice Chairperson.** In addition to such other duties, if any, as may evolve upon the Vice Chairperson by virtue of the meetings of the office, or as assigned by the Chairperson, the Vice Chairperson shall preside over meetings of the Team in the Absence of the Chairperson.

3. **Secretary.** The Secretary shall be elected by a majority of the members of the Team at a properly noticed and constituted meeting to serve for a term of three years.

**Duties of the Secretary.** The Secretary shall take all minutes of Team meetings and keep all Team reports in accordance with Arizona

statutes. The minutes of all Team meeting shall be provided to the Team in summary/verbatim form.

4. **Legal Representation.** The City and/or County Attorney, or their designee shall provide legal representation and advice to the Team as necessary.
5. **Committees.** The Team shall establish such committees, ad-hoc committees, and subcommittees as the Team deems necessary and appropriate for carrying out Team business. The Chairperson shall appoint the members of the committees, ad-hoc committees, and subcommittees created. Such committees report to the Team in an advisory capacity and such committees shall exist only so long as necessary to fill the purposes for which they were created. Members of committees, ad-hoc committees, and subcommittees are not required to be DVFRT Members. The Chairperson may remove a committee member at any time with or without cause. Removal of a committee member who is also a Team member does not remove that individual from the team; it merely relieves the individual from his/her duties on that committee.

The Chairperson of a committee, ad-hoc committee, or subcommittee will be appointed by the Team Chairperson only so long as necessary to fill the purposes for which the committee was created. The Chairperson of such committee must be a Team member.

Meetings shall be called by the Chairperson of such committee or upon petition by a majority of the committee's members. Robert's Rules of Order shall govern meeting procedures.

Committee recommendations are to be forwarded to the DVFRT for official action.

6. **Compensation.**

The Membership of the Team as well as officers serve in a voluntary capacity.

## ARTICLE V – MEETINGS

- A. **Schedule.** When there exists business to be conducted and a quorum can be obtained, the Team shall meet quarterly and at such other times when called by the Chairperson after consultation with Team members.
- B. **Quorum.** A quorum of the Team shall consist of a majority of its appointed members. Any action voted on by a majority vote of the quorum present



shall be considered an action of the Team. In the event a quorum is not present for a meeting, the Team is prohibited from discussing any items from the agenda and the meeting shall be rescheduled. In the event a quorum is present at the beginning of a meeting and is not maintained throughout the meeting, no votes requiring action may be taken after the loss of a quorum.

- C. **Open Meetings.** The Team and its committees, ad-hoc committees, and subcommittees shall hold all meetings and conduct all business in accordance with Arizona Open Meeting Law A.R.S. 38-431 *et seq* and shall be open to the public. DVFRT meetings are closed to the public and are not subject to Title 38, Chapter 3, Article 3.1 if the Team is reviewing a domestic violence fatality or near fatality case.
- D. **Procedure Not Contained in By-Laws.** All meetings of the Team shall be, to the extent not in conflict with these by-laws, conducted according to the latest edition of Roberts Rule of Order, with the exception the Chairperson of the DVFRT, committee, ad-hoc committee, or subcommittee shall be permitted to vote on any motion.
- E. **Proxy Voting, Electronic and Telephonic Participation.**
  - 1. Proxy voting shall not be permitted.
  - 2. Electronic and telephonic participation may be permitted where, in the opinion of the Chairperson, members can participate fully.
- F. **Agenda Items.** Any member of the Team may propose items for the agenda. The Chairperson shall approve the agenda for each Team meeting.

#### ARTICLE VI – MISCELLANEOUS

- A. **Conflict of Interest.** Any member of the Team who has a substantial interest as defined in A.R.S. 28-502 in the outcome of any matter brought before the Team shall make known that interest and the minutes of the meeting shall reflect that the member made such fact known. The member shall refrain from voting or in any way participating in that matter.
- B. **Amending the By-Laws.** The By-Laws may be amended at any meeting of the Team after not less than seven (7) days notice has been given to all members of the Team and a copy of the proposed amendment sent with notice. Any change in the By-Laws shall require a concurring vote of three-fifths of the members present.





## **ATTACHMENT C**

### **COCONINO COUNTY BOARD OF SUPERVISORS RESOLUTION NO. \_\_\_\_\_**

### **FLAGSTAFF CITY COUNCIL RESOLUTION NO. 2009-42**

#### **A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AND THE BOARD OF SUPERVISORS OF COCONINO COUNTY, ARIZONA, ESTABLISHING A DOMESTIC VIOLENCE FATALITY REVIEW TEAM.**

WHEREAS, the Coconino County Board of Supervisors and the City of Flagstaff City Council have long supported efforts to prevent and reduce domestic violence in Coconino County; and

WHEREAS, domestic violence is a pattern of behavior that includes the use of or threat of violence and intimidation for the purpose of gaining power and control over another person; on average three women are murdered by their partners in the United States every day; in Arizona 95 people were killed in domestic violence related homicides in 2005, 111 people were murdered in 2006 and 126 people in 2007; and

WHEREAS, domestic violence accounts for over 50% of female homicides in the United States; and

WHEREAS, examination of incidents of domestic violence fatalities can help assess how law enforcement, court systems, and social services can be improved to help prevent such incidents; and

WHEREAS, employees of the Coconino County Sheriff's Office, the City of Flagstaff Police Department, and the Coconino County Attorney's Office are highly trained in investigation and prosecution of domestic violence matters; and

WHEREAS, A.R.S. § 41-198 authorizes Coconino County and the City of Flagstaff, political subdivisions of the State of Arizona, to establish a domestic violence review team; and

WHEREAS, the Board of Supervisors and the City Council finds that consideration of the public safety, health, and general welfare of potential domestic violence victims warrants the formation of a domestic violence review team;

**NOW, THEREFORE, BE IT RESOLVED BY THE COCONINO COUNTY BOARD OF SUPERVISORS AND THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**

**Section 1.** That the Board and Council hereby authorize the establishment of a domestic violence fatality review team in accordance with Section 41-198 of the Arizona Revised Statutes. The Board delegates to the County Manager and the City Council delegates to the City Manager the authority to appoint members of the team. In addition to the appointed members, the Team, with the concurrence of the County or City Manager, may invite additional persons to review specific cases when those persons have information directly relevant to the case under review. The Team has no subpoena power and no authority to compel attendance at its meetings.

**Section 2.** That pursuant to subsection 41-198.F, Arizona Revised Statutes, team meetings to review a domestic violence fatality case shall be closed to the public, but all other team meetings shall be open to the public and subject to Title 38, Chapter 3, Article 3.1 of the Arizona Revised Statutes (the Open Meeting Laws of the State of Arizona).

**Section 3.** That the Board and Council delegate to the County Manager and the County Attorney the authority to assure the meetings and conduct of the team comply with all applicable law.

**Section 4.** That the Team will submit a report to the Office of the Arizona Attorney General, with copies to the Board and Council, prior to January 31 of each calendar year in which the Team reports its findings and recommendations as to how incidents of domestic violence related fatalities may be prevented and how the system can be improved. The report shall not contain any information that identifies individuals in specific incidents of domestic violence related fatalities.

**Section 5.** That the authorization for the Team automatically terminates on January 31, 2014, unless re-authorized by the Board and Council prior to that date.

PASSED AND ADOPTED by the Flagstaff City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2009, and by the Coconino County Board of Supervisors on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRMAN OF THE BOARD

\_\_\_\_\_  
MAYOR

ATTEST:

ATTEST:

\_\_\_\_\_  
CLERK OF THE BOARD

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO FORM:



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COUNTY ATTORNEY

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CITY ATTORNEY

## **ATTACHMENT D**

### **Case Selection Criteria**

The Coconino County Domestic Violence Fatality Review Board will select cases to review in accordance with authorizing legislation, ARS 41-198. Any homicide or suicide that is traceable to domestic violence, as defined in ARS 13-3601, is suitable for review. The Board will select cases in which:

- The fatality or near-fatality occurred within the geographical boundaries of Coconino County
- No criminal legal issues remain unresolved
- There is adequate information on which to base a review
- The review process will aid in coordinating the response to domestic violence and in preventing domestic violence fatalities

The team will strive to review cases that represent that broadest range of characteristics and concerns surrounding domestic violence fatalities.



## ATTACHMENT E

### COCONINO COUNTY DOMESTIC VIOLENCE FATALITY REVIEW TEAM CONFIDENTIALITY AGREEMENT

By signing this form, I do hereby acknowledge and agree to the following:

I agree to serve as a member of the Coconino County Domestic Violence Fatality Review Team (CCDVFRT). I acknowledge that the effectiveness of the fatality review process is dependent on the quality of trust and honesty team members bring to it. Thus, I agree that I will not use any material or information obtained during the CCDVRT review process for any reason other than that for which it was intended. I further agree to safeguard the records, reports, investigation material, and information I receive from unauthorized disclosure. Pursuant to A.R.S. § 41-198 (I), I will destroy all information and records concerning the victim and the family at the conclusion of a review. I will refrain from representing the views of the CCDVFRT to the media. I understand and acknowledge that the unauthorized disclosure of confidential records, reports, investigation materials and information may result in civil or criminal liability and exclusion from the CCDVFRT.

**Violation of the confidentiality provision of A.R.S. § 41-198 is a Class 2 Misdemeanor.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## ATTACHMENT F

### HISTORY OF THE COCONINO COUNTY DOMESTIC VIOLENCE FATALITY REVIEW TEAM

Domestic Violence Fatality Review Teams were first created in Arizona after Arizona Revised Statute 41-198 (ARS 41-198) was signed into law in 2004 (Attachment A). This piece of legislation authorized the creation of fatality review teams within the state. ARS 41-198 stipulated that these teams would be organized at the local level of government, established rules for confidentiality, protected these same teams from litigation, and suggested membership representation from relevant agencies. In 2008, the Governor's Commission to Prevent Violence Against Women decided to refocus its efforts in order to reach out to areas beyond Phoenix and Pinal County and, accordingly, in late 2008 and early 2009 work began on creating a Fatality Review Team for Northern Arizona. Sonja Burkhalter, Executive Director of Northland Family Help Center, attended the initial meeting on revitalizing fatality review teams hosted by the Governor's Commission and requested that Deborah Fresquez and Myra Ferrell-Womochil, Co-Chairs of the Coconino County Coordinated Community Response Team, initiate efforts to develop a fatality review team. They contacted representatives from Flagstaff city government, Coconino county government, city and county law enforcement, the Coconino County Attorney's office, Northern Arizona University, Flagstaff Medical Center, and various non-profit agencies, such as the Northland Family Help Center and Victim Witness Services, who began meeting in December, 2009 to form a Domestic Violence Fatality Review Team.

Fatality review is a recently developed tool designed to address the issue of domestic violence related deaths. According to the National Domestic Violence Fatality Review Initiative, Domestic violence fatality review refers to the "deliberative process for identification of deaths, both homicide and suicide, caused by domestic violence, for examination of the systemic interventions into known incidents of domestic violence occurring in the family of the deceased prior to the death, for consideration of altered systemic response to avert future domestic violence deaths, or for development of recommendations for coordinated community prevention and intervention initiatives to eradicate domestic violence."<sup>1</sup> Importantly, these teams tend to operate with a "no-blame and shame" philosophy designed to encourage honest and open participation from a wide variety of relevant agencies. In short, the mission of the team is to analyze the circumstances of past fatalities in an effort to better understand the dynamics of such deaths and make recommendations for prevention and system improvements.

Working through the first half of 2009, the interested parties established an Oversight Committee that was dedicated to the establishment of a local fatality review team. This

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<sup>1</sup> National Domestic Violence Fatality Review webpage, [http://www.ndvfri.org/?page\\_id=323](http://www.ndvfri.org/?page_id=323). Accessed January 22, 2011



process involved discussing the needs and concerns of the affected city and county governments and agencies, meeting with leading experts on Fatality Review and representatives from the State Government, as well as having members attend various trainings and workshops on fatality review. In June 2009 the oversight committee developed two subcommittees in order to finalize the creation process. One designed and drafted a resolution for the city of Flagstaff and Coconino County, while the other worked on developing a set of bylaws and rules of procedure that would guide the operation of the proposed team (Attachment B). One important decision point was the choice that this team would operate as a joint team for both the city of Flagstaff and Coconino County. This is a fairly unique organizational structure and could potentially serve as a model for future teams. Finally, on August 10, 2009, the resolution was presented as a discussion item at a Flagstaff City Council and Coconino County Board of Supervisors joint meeting (Attachment C). Subsequently, the Flagstaff City Council voted approval of the resolution on September 8, 2009, followed by the County Board of Supervisors on November 17.

These votes and adoption of the resolution officially appointed the 26 members of the oversight committee to the new Fatality Review Team by the City and County Managers. These members represent a diverse range of organizations and agencies that allow the team to draw upon a wide range of experience and insight and also allow for a great deal of information to be gathered during the review process itself. Team officers were subsequently elected and the team began an assessment of all the potential cases that could be reviewed. The first case to be reviewed was selected from a possible pool of 11 domestic homicides that occurred between 2000 and 2009 within Coconino County. Given the relatively small population of the city and county, the team found that the pool of possible cases was somewhat limited when compared to larger urban areas.

