

**EAST VALLEY POLICE
CHIEFS ASSOCIATION
Domestic Violence
Fatality Review**



**2012 Annual Report
to the
Arizona Attorney General**



EAST VALLEY POLICE CHIEFS ASSOCIATION

Chief Alan Rodbell – Chairperson

Chief Tim Dorn – Vice Chairperson

Chief John Bennett - Secretary/Treasurer

January 11, 2013

To the Arizona Domestic Violence Community:

As the Chair of the East Valley Chiefs Association (EVPCA), it is my pleasure to present this annual report to the Attorney General on the work and activities of the East Valley Domestic Violence Fatality Review Team during the calendar year 2012. This was our third year reviewing domestic violence related death cases, making recommendations for system change/improvement, and working towards the implementation of those changes. Our goal continues to be to improve systems that may lead to the prevention of domestic violence related deaths.

In the East Valley Communities, domestic violence continues to be among the most common calls for service in law enforcement. Many were calls that involved acts of physical violence. These cases represent not only a danger to the parties involved, but to the community in general and especially to the first responders whose job it is to intervene, provide resources and safety to victims, and enforcement of the law upon abusers. The East Valley Chiefs Association, through the East Valley Domestic Violence Fatality Review Team, remains committed to continuing the work of preventing domestic violence related deaths and near deaths through this prevention strategy.

A handwritten signature in blue ink, appearing to be "Alan Rodbell".

Chief Alan Rodbell
EVPCA Chairperson
Scottsdale Police Department

A message from the East Valley Domestic Violence Fatality Review Team Co-Chairs:

As Co-Chairs of the East Valley Domestic Violence Fatality Review Team (EVDVFRT), we are pleased to share our annual report with you. The East Valley Team was created in 2010, following approvals by the member agencies governing bodies. The City Councils of Chandler, Tempe, Mesa, Gilbert, Scottsdale and Apache Junction all authorized participation through an Intergovernmental Agreement (IGA).

This report describes the case review conducted in 2012, a Mesa murder/suicide. The information that came from this case review was significant and provided the team with a foundation upon which several recommendations for system change were made. As these recommendations are implemented, positive changes will occur within the systems designed to assist those caught in abusive, violent relationships.



Chief Jerald L. Monahan
Co-Chair
Apache Junction Police Department



Chief Frank Milstead
Co-Chair
Mesa Police Department



Membership

The team members of the EVDVFRT are appointed by the East Valley Police Chiefs Association following a presentation by the Co-Chairs. Team members are appointed for a three-year term and sign a confidentiality agreement at each meeting. The process for replacing members, which may be needed from time to time, is outlined in the By-Laws under Article IV (See Appendage 1).

The Co-Chairs would like to acknowledge the dedication and commitment shown to this effort by the team members, who not only represent themselves as professional and caring individuals, but also represent their agencies in a very positive manner. The energy and enthusiasm of each team member contributed greatly to the overall success of the case review.

East Valley Domestic Violence Fatality Review Team Membership

Chief Frank Milstead (2012 Co Chair)	Mesa Police Department
Chief Jerald L. Monahan (2012 Co Chair)	Apache Junction Police Department
Chief Sherry Kiyler	Chandler Police Department
Barbara Duft (Secretary)	Apache Junction Police Department
Commander Richard Wilson	ASU Police Department
Lieutenant Frank Hogle	Mesa Police Department
Lieutenant David LeVoy	Chandler Police Department
Lieutenant Bruce Ciolli	Scottsdale Police Department
Lieutenant Michael Collins	Tempe Police Department
Sergeant Dave Meyer	Gilbert Police Department
Sergeant Brian Potter	Chandler Police Department
Sergeant Dan Rincon	Scottsdale Police Department
Detective Carmen Johnson	Mesa Police Department
Dr. Kathy Coffman	St. Joseph's Hospital
John Belatti	City of Chandler Prosecutor's Office
Katie Cain	Chandler Police Department Victim Services
Jami M. Cornish	Community Legal Services
Kim Dexter	Cardon Children's Medical Center
Susan Eissing	Chandler Unified School District
Jon Eliason	Maricopa County Attorney's Office
Craig Gilbert	Chandler Unified School District
Sarah Greenway	Child Protective Services
Cindy Heard	formerly with AzCVS
Linda King	Fix the Hurt
Dana Martinez	Autumn House
Stephanie Mayer	AzCADV
Keith Perkins	Never Again Foundation
Dino Recla	Mesa Public Schools

Andrea Sierra
Kristi Ward
Tracey Wilkinson
Stephanie Willison
Leolani Ah Quin
Laura Guild
Meg Giancesello

Mesa Police Department
Maricopa County Adult Probation
Scottsdale Police Department
Maricopa County Attorney's Office
Salt River Indian Community
DES
Chandler Unified School District

Executive Summary

The mission of the East Valley Police Chiefs Association (EVPCA) is to enhance cooperation among law enforcement, criminal justice agencies and related partners primarily in the East Valley. Entities in both Maricopa County and Pinal County make up Association members. These entities come together in agreement to share information; assist and cooperate in investigations; and to build partnerships that will promote efficiency and effectiveness in the prevention of crime. EVPCA member agencies include: Apache Junction, Arizona State University, Chandler, Gila River, Gilbert, Maricopa, Mesa, Paradise Valley, Phoenix, Salt River, Scottsdale and Tempe.

In 2010, the East Valley Chiefs Association approved the establishment of an East Valley Domestic Violence Fatality Review Team, to function under the direction of the East Valley Chiefs Association. Six of the member cities came together and formally created the team using an Intergovernmental Agreement (IGA) to ensure compliance with the Arizona Revised Statute (ARS § 41-198). Those six cities are: Tempe, Apache Junction, Mesa, Scottsdale, Chandler and Gilbert. A Chandler case was reviewed in 2010 and a Scottsdale case in 2011.

The East Valley Domestic Violence Fatality Review Team selected a Mesa case to review in 2012. The case was a murder/suicide. During team discussions, it was agreed that reviewing additional murder/suicide cases had specific advantages and could assist in implementation of recommendations from previous case reviews. This proved to be true in the 2012 case review as several issues emerged that were similar to the other cases previously reviewed. The 2012 case review once again saw good team participation, high levels of energy and interest, and lively discussion during the presentations and when recommendations were being brought forward.

The collective goal of the team is to ensure the recommendations from these case reviews are implemented. By implementing these recommendations, system change can continue to take place, creating a more effective intervention into those families who are experiencing domestic violence with potential for a lethal or extremely violent outcome.

The 2012 case review was provided by the Mesa Police Department (MPD) and involved a murder/suicide dating/intimate partner relationship. A young adult male offender and

a young adult female victim died at the scene by gun shot. Detectives from the MPD Domestic Violence Unit opened the review with a comprehensive presentation of the case. The investigator provided great detail which allowed the team to gain valuable insight as they considered what direction to take the review in subsequent meetings. Members of the MPD Domestic Violence Unit assisted by contacting affected family members. They also arranged for guest presenters to address questions.

The Case Review concluded with three key findings resulting in five recommendations. The implementation of each recommendation seems feasible. The recommendations are the outcome of meetings and review discussion that took place over the course of several months in 2012.

Case Selection

Chief Milstead and Chief Monahan were selected as Co-Chairs for 2012, with the Mesa Police Department providing the case for review. The review began in March 2012 and concluded in August 2012.

The selected case involved the murder of a young adult female. The suspect was her young adult male boyfriend who committed suicide after her murder. The acts were committed with a handgun outside the home of the female. Case history revealed priors attempts at suicide by the boyfriend, including one serious attempt while in the military. While the relationship between the victim and suspect was very short, the suspect's military and personal history allowed the team to explore a number of system contacts and examine the effectiveness of each.

Review Process

The team began the case review on March 22nd, 2012, at the MPD Headquarters on Robson Road. Meetings also took place at the MPD Red Mountain District Office on University Drive.

Detectives from MPD presented the investigation of the murder/suicide. The presentation included information on the history of the short relationship between the victim and suspect, the suspect's prior history of suicide attempts, military service, and family history which all appeared to have a bearing on the final act.

The meetings, which were held in March, April, May, June, and August, focused on various aspects and activities in connection with this case.

Detective and other members of the MPD Domestic Violence Unit were present for each meeting. They provided clarification for team members and assisted with gathering additional information, contacting and scheduling appearances with family members and guest speakers. The mother of the deceased suspect met with the team for close to two hours. After telling her story, she allowed the team members to ask questions about the family dynamics and about her relationship with her son.

Information about the prior suicide attempt was explored by the team. There was little information available from the military, but the team was able to gain much information about what services are in place in the military for members and their families. A police investigation about another attempted suicide was available and provided valuable insight into the suspect's thinking about how a suicide would be carried out.

The review process also included extensive review of text messaging that took place between a family member of the victim and the suspect just hours before the murder occurred. Information appeared to have been provided to the suspect that contributed to the suspect's thinking and may have played a role in the decision to murder when initially it appeared the suspect was intending to commit suicide in front of the victim.

Key Findings

The following are the key findings identified by the East Valley Domestic Violence Fatality Review Team.

- Information about the suspect's prior suicide attempt in the military and what treatment was available and provided to the suspect was not available to the suspect's family and unable to be used by them in assisting the suspect's return to civilian life.
- Communication by the victim's step-mother to the suspect possibly played a part in the suspect's decision to commit murder/suicide instead of just suicide.
- Following mandatory hospitalization for a threatened suicide attempt not related to the suspect's military service, no follow up or treatment options were communicated to the suspect's family.

Recommendations

The following recommendations were made at the conclusion of the case review after considerable discussion by the East Valley Domestic Violence Fatality Review Team.

- Law enforcement and military interaction. Increase Arizona Peace Officers Standards and Training Board sponsored law enforcement training on returning military personnel who may be suffering with Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI).
- Creation of a liaison between law enforcement, the military and the mental health community.

- Training for Batterer Intervention and Crisis Line personnel that includes lethality and risk assessment.
- Discussion with the Mental Health Community about the threat of suicide being also considered a danger to others, even if the threat is just to oneself.
- Increase dating violence/healthy relationship curriculum in schools.

Bylaws and Rules of Procedure for the East Valley Domestic Violence Fatality Review Team

Article I – ORDINANCE AUTHORITY

The East Valley Domestic Violence Fatality Review Team (EVDVFRT) is created/appointed by the authority of the participating agencies 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 past 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 to actively improve all systems that serve persons involved in domestic abuse or intimate partner violence and to prevent violence and fatalities in the future.

Article III – POWERS AND DUTIES OF THE EAST VALLEY DOMESTIC VIOLENCE FATALITY REVIEW TEAM

- A. Advisory Body: The EVDVFRT is an advisory body to the Arizona Attorney General’s Office. The EVDVFRT will serve as a resource to Membership, Law Enforcement Agencies, Local Municipalities, County 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 EVDVFRT shall be:
 - 1. Examine incidents of domestic violence related fatalities to better understand the dynamics involved.
 - 2. Report to the Office of the Arizona Attorney General and the East Valley Police Chief’s Association (EVPCA) its findings and recommendations as to how incidents of domestic violence related fatalities may be prevented and how related systems can be improved. The report shall not contain any identifiable information pertaining to

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individuals in specific incidents of domestic violence related fatalities.

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

Article IV – MEMBERSHIP AND OFFICERS

- A. Membership: Membership may include, but not be limited to, examples listed in A.R.S. §41-198. Those representatives shall be appointed by the EVPCA upon recommendation of the respective agency head. Candidates for team membership will be presented by the Co-Chairs of the Team at the next meeting of the EVPCA, based on demonstrated expertise in the field of domestic violence.
- B. Appointment: The EVPCA shall appoint members for a three-year term. Team members and the represented agencies will sign a confidentiality agreement.
- C. Term: Team 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, EVPCA will attempt to fill the vacant position.
- D. Removal of Members: A Team Member may be removed by the EVPCA for nonattendance at three consecutive meetings, conviction of a crime involved moral turpitude, repeated disruptive behavior resulting after a warning, or when based on the recommendation of the Co-Chairs, removal is in the best interest of the Team.
- E. Officers:
 1. Co-Chairs – The Co-Chairs shall be appointed by the EVPCA. The Co-Chairs will serve for a term of one year. The Co-Chairs may be reappointed to serve successive terms as deemed appropriate. In the event a Co-Chair resigns, becomes incapacitated or unable to perform the duties of the office or is otherwise removed, the respective appointed authority will select a replacement.

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2. Duties of the Co-Chairs - The Co-Chairs, or their designees, shall be responsible for:
 - a. Selecting appropriate cases for review
 - b. Establishing a regular meeting schedule
 - c. Presiding over Team meetings, including all points of order
 - d. Appointing committees, ad-hoc committees, sub committees and their respective chairs
 - e. Preparing agenda items for future meetings prior to Team meetings, and in consultation with other Team members
 - f. Considering other such matters and concerns of the Team as set forth in these bylaws
3. Secretary – The Secretary shall be appointed by the Co-Chairs and shall serve a term of one year. The Secretary will set and distribute meeting agendas, send announcements of all regular or special meetings. This position will assist with research and compile case reviews and provide forms for each meeting, and maintain all statistics, documentation to be file in accordance with Arizona Statutes. The sole written report file shall be maintained by the Secretary.
4. Legal Representation – The Co-Chairs shall make available, as necessary, legal representation to the Team.
5. Committees – The Team may establish such committees, ad-hoc committees, and subcommittees as the Team deems necessary and appropriate for carrying out Team business. The Co-Chairs shall appoint the chair person of the committee, ad-hoc committee, and subcommittee. Such committees report to the Team in an advisory capacity and such committee 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 EVDVFRT Members. The Co-Chairs may remove a committee member at any

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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 specific Committee Chair will be appointed by the Team Co-Chairs and will retain that position only as long as necessary to fulfill the purposes for which that committee was created. The Committee Chair must be a Team member.

Article V – MEETINGS

- A. Schedule – When there exists business to be conducted and a quorum can be obtained, the Team may meet monthly and at such other times when called by the Co-Chairs 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 meetings 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 Laws 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 case.
- D. Procedure Not Contained in Bylaws – All meetings of the Team shall be, to the extent not in conflict with these bylaws, conducted according to the latest edition of Robert's Rules of Order, with the exception that the Co-Chairs of the DVFRT, the committee, ad-hoc committee and subcommittee shall be permitted to vote on any motion.
- E. Proxy Voting - Proxy voting shall not be permitted

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- F. Agenda Items – Any member of the Team may propose items for the agenda. The Co-Chairs shall approve the agenda for each Team meeting.
- G. All verbal and written information and documentation not related to the reviews shall be held in complete confidence and will be the property of EVPCA until such time documents are disposed of.

Article VI – MISCELLANEOUS:

- A. Conflict of Interest – Any member of the Team who has a substantial interest as defined in A.R.S. §38-502 in the outcome of any matter brought before the Team shall make known that interest and the minutes brought before the Team 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 Bylaws – These bylaws may be amended upon recommendation of a team member and presented to the EVPCA at their next meeting. A copy of the proposed amendment will be sent with the notice. A change in the bylaws shall require a concurring vote of three-fifths of the membership present.
- C. Guests – With prior approval of Co-Chairs and upon signing the agreement of confidentiality, guests will be permitted to attend meetings.