

Pinal County Domestic Violence Fatality Review

2012 Annual Report



ty Domestic Violence Fatality Review Team 2012- A



The Pinal County Domestic Violence Fatality Review Team was formed in late 2006 after the Pinal County Board of Supervisors enacted an ordinance authorizing the Pinal County Attorney's Office and the Pinal County Sheriff's Office to create a team. One of the goals for the review team is to examine DV fatalities from a Criminal Justice System perspective. This approach encompasses the responsibilities of identifying methods of intervention and prevention, along with victim protection and offender accountability. In 2012, the team reviewed one domestic near fatality case, as allowed by a recent change in the enabling statute. This report details findings and recommendations that came from this review processes.

The fact that domestic violence related homicides and suicides continue is tragic. The necessity of this review team concept provides a mechanism for blending of ideas, thoughts, perspectives and recommendations from a variety of societal and law enforcement agencies. There is a continued need for improvement of the systems utilized and the services provided by society, social service agencies, schools, the medical profession, clergy and law enforcement as it relates to domestic violence.

Domestic homicide/suicide continues in Arizona. In 2012 the Arizona Coalition Against Domestic Violence reported 116 recorded deaths related to domestic violence in Arizona. Reports from 2010 show 96 deaths, and show 2011 with 103 reported deaths. It appears that the trending from the last three years shows an increase in Arizona domestic violence related deaths after several years of consistent numbers. The work being done regarding domestic violence and related deaths is essential.

The offices of the Pinal County Sheriff and the Pinal County Attorney remain committed to this important review process, and intend to support implementation of the recommendations made in this review and encourage other agencies to do the same. Our offices continue to work to prevent these tragic events, to prosecute those criminally liable, and to provide justice for the victims and survivors.

**Paul R. Babeu
Pinal County Sheriff**

**Lando Voyles
Pinal County Attorney**

Executive Summary:

Domestic violence (DV), including intimate partner violence, is prevalent throughout Pinal County within the municipalities, the rural areas and the urban areas. Domestic violence is a reality that affects a large portion of the local population to some degree be it within the home, school or workplace.

In the mid 1990's, a number of governmental and social service agencies grouped together to form the Pinal County Domestic Violence Coalition (PCDVC). This coalition was formed to address issues surrounding domestic violence and intimate partner violence as well as to coordinate a system-wide response to prevention, education and crisis response for domestic violence related incidents. The PCDVC provides annual local training for all domestic violence related disciplines and providers in the form of a Domestic Violence Conference.

Throughout the mid 1990's and until the formation of the Domestic Violence Fatality Review Team (DVFRT) in 2006, Pinal County saw a number of improvements regarding the system response to DV Cases. Interest in domestic violence fatality review developed and ultimately peaked in 2004. Issues of confidentiality arose and ultimately were overcome through legislation, i.e. ARS 41-198 (Appendix "A"). This legislation allowed for the creation of domestic violence fatality review teams by the state, a political subdivision, or a combination of political subdivisions. The legislation was recently amended to allow for review of near fatality cases.

A number of political subdivisions formed the Pinal County Domestic Violence Coalition. The DVFRT spun off from this coalition once the Pinal County Board of Supervisor's took action in 2006. (Appendix B).

The Pinal County Resolution specifically authorized both the Pinal County Sheriff and the Pinal County Attorney to establish a Domestic Violence Fatality Review Team. A staff member from both offices was selected to co-chair the team. The team members are representatives of the Pinal County Domestic Violence Coalition membership and other agencies and organizations.

The review team selects cases from multiple sources for examination. Sources include research documents created by the Arizona Coalition Against Domestic Violence (AZCADV) and also adjudicated domestic violence death cases which were investigated by agencies within the Pinal County Law Enforcement Association (PCLEA).

Case Selection:

One case was selected for review by the team in 2012. The case was determined to be complete in both its criminal investigation and court proceedings, thus keeping with the statutory requirements.

The review team considered a number of factors for the selection of cases:

- The location of the occurrence**
- The investigating law enforcement agency**
- The availability of witnesses and case information**
- The parties involved**
- Children involved**
- Manner of death**

These factors were merely a part of the criteria which was considered in selecting a case which offered the best opportunity for system change or recommendations. The case reviewed pointed out issues where effective system changes would be of benefit.

Findings:

- * Almost every lethality indicator was present in this case of intimate partner violence.**
- * The frequency and intensity of incidents and the primary abuser's distrust of the system increased leading up to the attack, and peaked when the case against the primary victim was dismissed.**
- * Pinal County is steeped in and attached to its historical practices related to intimate partner violence and especially the processing of court cases.**
- * There is little to no information regarding services for the children in the wake of intimate partner violence attacks.**
- * Near death intimate partner violence reviews can become more complicated if too much time passes between the attack and the review.**
- * There may have been opportunities for the medical and other service communities to intervene in the intimate partner violence in this case (such as addressing the primary abuser's 'victim stance' and sense of entitlement).**
- * An earlier incident of strangulation was not prosecuted as a felony in this relationship; the reason for this is unknown.**
- * Even when the primary victim had education, knowledge, and the opportunity for services and/or action, the intimate partner attack still occurred.**

Recommendations (with priority and target dates):

- * (Priority #1) Explore lethality assessment and communication and coordination of lethality information. Develop a comprehensive system-wide recommendation, by December 31, 2013
- * (Priority #2) Investigate and support the development of a coordinated community response to children impacted by domestic violence. Work with community agencies to develop a plan for implementation by December 31, 2013
- * (Priority #3) When the victim and defendant are in opposite roles in the same court there should be a different Judge, Prosecutor, Victim Advocate, etc. Work with stakeholder agencies to implement appropriate policies by December 31, 2013
- * Add well-crafted screening questions to medical protocols and other service provider protocols.
- * Re-examine court scheduling and victim notification practices.
- * Examine the issues regarding weapons. Identify who is responsible to remove them, when, and how this is accomplished.

Presentation/Review Format:

The PCDVC meets regularly on the first Thursday of each month, from noon until 1:00 p.m. unless otherwise scheduled. Immediately thereafter, the members of the PCDVFRT convene for the review from 1:00 p.m. to approx. 3:00 p.m. at the same location.

The law enforcement agency and case prosecutor, for each case under consideration for review, are contacted with a request for cooperation in providing information from the case files. This ensures basic data is available to be placed on the team 'initial case summary review form' which is made available to each review team member at each meeting. A copy of the actual case file is maintained and read by both co-chairs or facilitator and remains available for additional information as needed. Relevant documents are destroyed after the review is complete.

At the beginning of each meeting of the DVFRT the confidentiality agreement is read and all members sign verifying their responsibility of confidentiality. Guests, family members, witnesses and experts are approved prior to each review meeting and sign a confidentiality form prior to the review meeting.

Review team members identify questions to be investigated. No accusations or fault finding is allowed during team meetings.

The review team discusses the information and potential system issues and concerns, formulating findings and recommendations.

Pinal County Domestic Violence Coalition:

The continued assistance and participation from the Pinal County Domestic Violence Coalition is worthy of mention. This participation has directly contributed to the success of the domestic violence fatality review team.

Pinal County Domestic Violence Fatality Review Team:

The expertise and enthusiasm to affect positive change displayed by the members of the PCDVFRT is nothing short of impressive. This team brings individual and organizational expertise and drive. Collectively the group is dynamic and action oriented. The efforts of this team produced the recommendations and key findings found within this annual report.

PCDVC and PCDVFRT Agency Participation/Membership

Against Abuse, Inc.
Apache Junction Police Department
Apache Junction Unified School District
Arizona Coalition Against Domestic Violence
Arizona Department of Economic Security; APS/CPS
Community Alliance Against Family Abuse (CAAFa)
Coolidge Police Department
Pinal County Adult Probation Department
Pinal County Attorney's Office
Pinal County Attorney's Family Advocacy Center
Pinal County Juvenile Court Services
Pinal County Medical Examiner's Office
Pinal County Sheriff's Office
Pinal County Superior Court Administration
Pinal Hispanic Council