

Arizona
Domestic Violence
Fatality Report:
2009



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Introduction

Since 2005, at least 569 Arizonans have lost their lives in domestic violence related incidents. These tragedies represent a small fraction of those involved in violent relationships in this state, but they demonstrate a wide ranging potential for lethality in violent intimate and familial situations.

This document examines the fatalities that occurred in Arizona from January 1 – December 31, 2009. Each year, the Arizona Coalition Against Domestic Violence catalogues domestic violence related fatalities by utilizing a clipping service and combing through hundreds of news articles containing certain keywords from all over the state. In order to create a complete picture of the lives lost to domestic violence in Arizona, the deaths are not limited to intimate partner homicides. They include homicides perpetrated by family members as well as suicides related to incidents of domestic violence and perpetrators killed by law enforcement when they respond to a domestic violence call. The methodology creates a reasonably comprehensive list, but AzCADV recognizes that it is inherently incomplete. Some fatalities fail to garner a news article, or information related to domestic violence may not be included. Other deaths may occur in related circumstances but cannot be specifically linked to domestic violence. For instance, approximately 25% of homeless women report that domestic or sexual violence was the immediate cause of their homelessness. Some victims may die from conditions associated with living on the street, which is difficult to trace back to their experiences of domestic violence. Additionally, it is very difficult to document the link between suicide and domestic violence. Some victims may take their own lives to escape the abuse, and the public would rarely know.

As domestic violence emerged from the confines of people's homes into the public sphere, community understanding and efforts to respond have changed and improved dramatically. Domestic violence programs are the cornerstone of victim safety in Arizona and across the country. The National Network to End Domestic Violence conducts a nationwide census of services delivered by programs. In a single 24 hour period in 2009, programs in Arizona served 1,567 victims, the vast majority of whom found refuge in shelters or transitional housing. Programs provided individual advocacy and group support for adults and children as well as court accompaniment and legal advocacy. Hotlines answered 199 calls for help,

providing support, safety planning, referrals, and information. In that 24 hour period, 296 requests for services went unmet due to funding limitations. Programs did not have available beds or enough staff to meet every request, so some victims in Arizona are not finding help from conventional sources even when they find the courage to reach out.

Law enforcement has become a source of assistance, and the criminal justice system has substantially increased perpetrator accountability. The definition of domestic violence was expanded last year to include dating relationships, offering protections to victims who are not married, cohabitating, or co-parenting. Those victims can now access Orders of Protection, and perpetrators in dating relationships can be appropriately prosecuted for their crimes.

The domestic violence statute in Arizona, ARS 13-3601, outlines crimes that can be charged as domestic violence if the perpetrator and victim meet the defined relationship criteria. Prior to 2009, the criteria limited the definition to current or former spouses, people who currently or previously lived together, people who shared a child in common or one was pregnant by the other party, relations by blood or court order, or cases where the victim is a child with a specific relationship to the defendant.

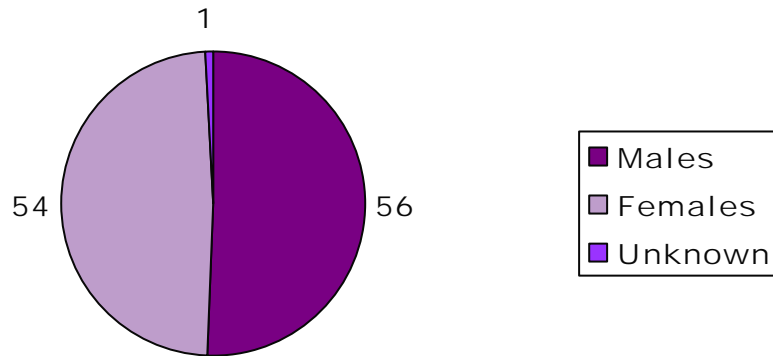
Domestic violence is an attachment crime in Arizona, meaning that certain crimes can be “tagged” as domestic violence. For example, an assault on a stranger will be charged as assault, but an assault by a perpetrator against a person with whom they have a specific relationship can be charged as assault per domestic violence. The list of crimes that can be tagged as domestic violence do not currently include the homicide or manslaughter statutes, so those who explore the issue of domestic violence homicides must utilize other methods.

The complicated dynamics of domestic violence make it a difficult issue for some to grasp. The relationship may start out normally and may continue that way for some time, but abuse may begin with insults and isolation from family and friends. The violence usually escalates and may be verbal, emotional, physical, sexual, or may contain elements from all of those categories. These acts of violence are different in the context of abuse than when used against strangers or even friends. Perpetrators utilize a series of behaviors which create a coercive, controlling atmosphere that leaves victims dependent on them

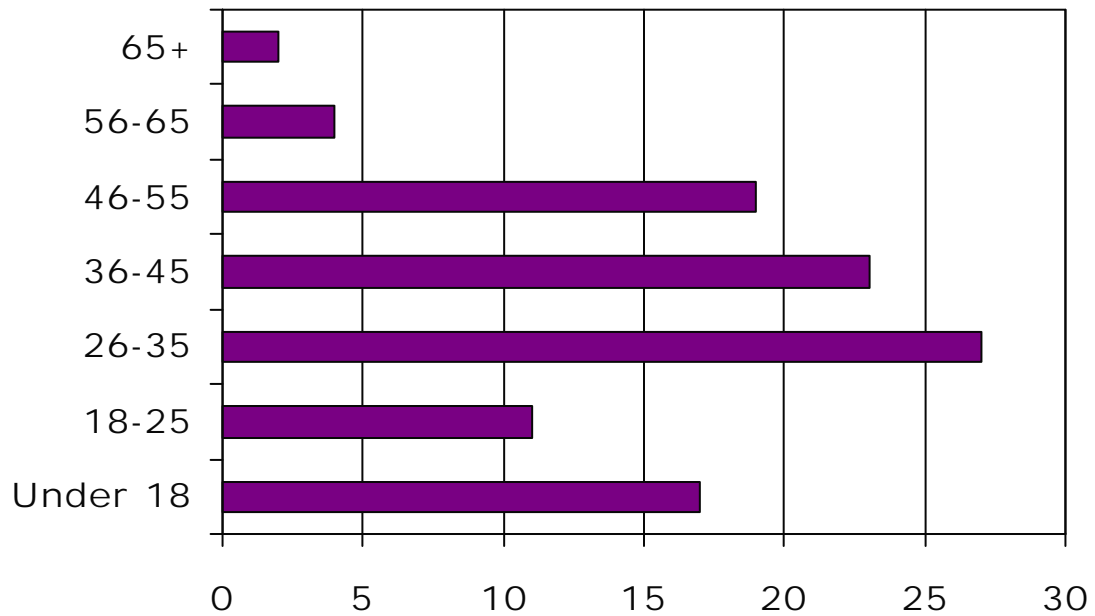
for all of their emotional and often financial needs. These acts, however, are intermingled with acts of love and healthy behaviors, adding to the victim's confusion. The time immediately after a victim leaves an abusive relationship is statistically the most dangerous, as the abuser may attempt to gain his or her power back through violence.

Statistical Overview

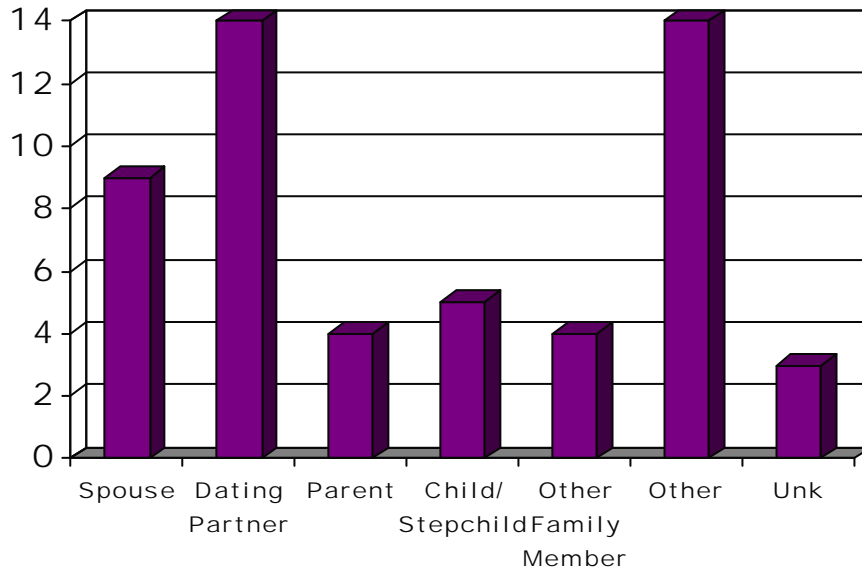
Sex of the Deceased



Age of the Deceased



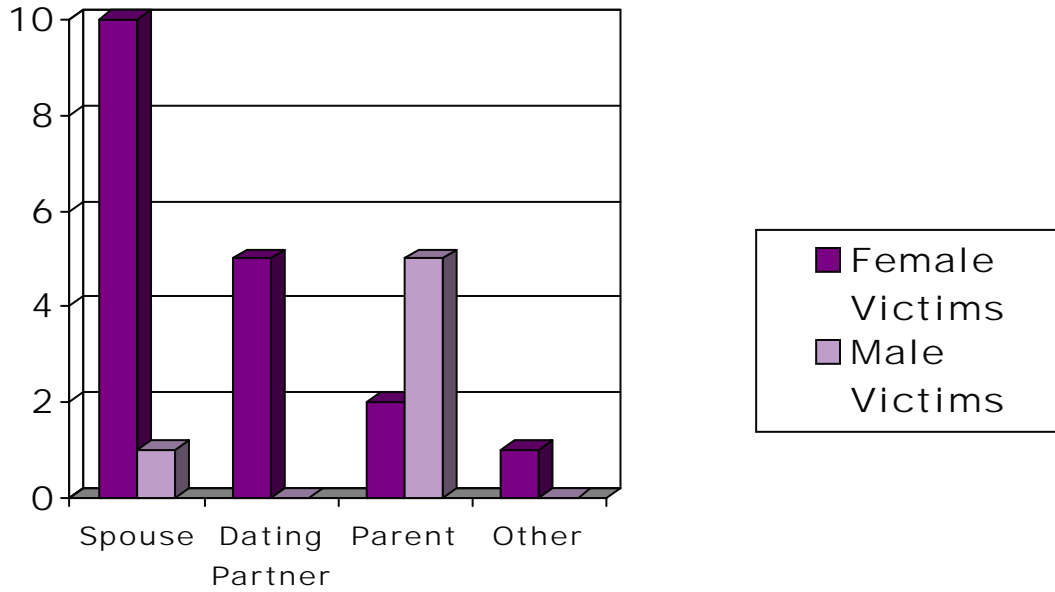
Offender Relationship to Victim in Homicides



*note: One woman was the domestic partner of the offender, and has been included in the “Spouse” category

*note: “Other” included law enforcement, bystanders, jealousy killings, and non-related caretakers

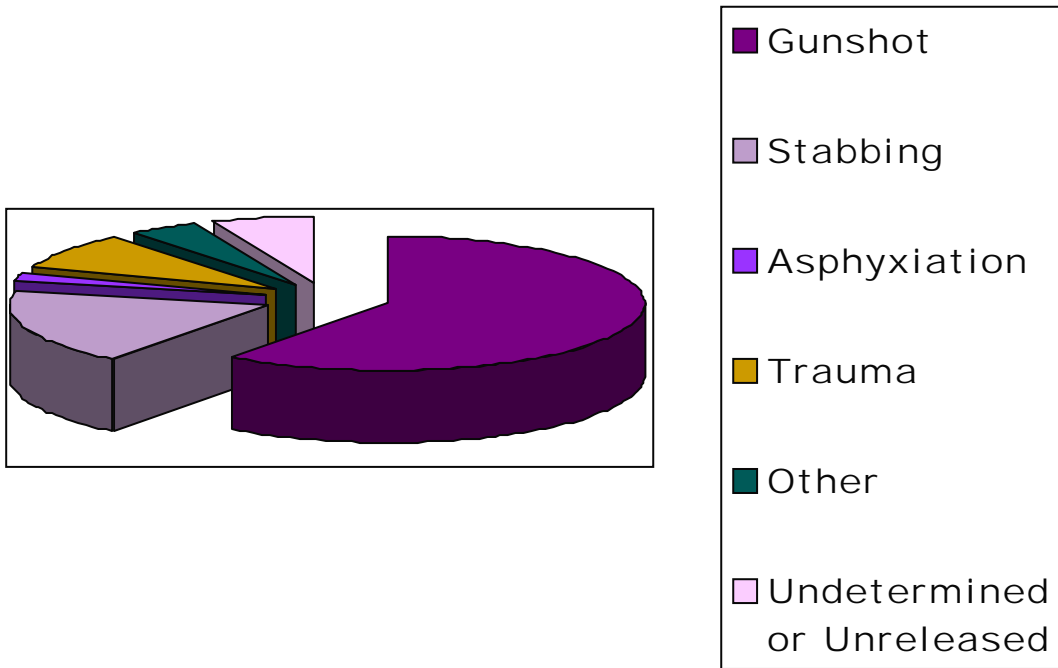
Offender Relationship to Victims in Homicide/Suicides



*note: One woman who was engaged to the perpetrator has been included in the "Dating Partner" category.

*note: "Other"- see 10/16/2009

Cause of Death



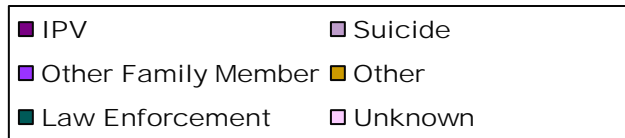
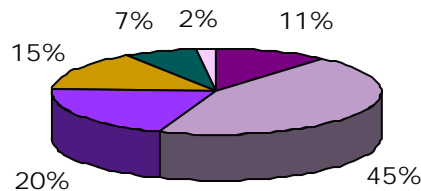
note: "Other" category included being run over with a car, set on fire, killed by multiple methods, and suicide by hanging

Sex of Deceased & Relationship to Perpetrator

In 2009, 56 males, 54 females, and 1 person of unknown sex died in domestic violence related incidents. While the similarity in the number of domestic violence related deaths for males and females may come as a surprise, the circumstances and relationships involved in the deaths vary significantly between the sexes. Analysis of these deaths reveals that six of the males were killed by an intimate partner, while the rest died under other circumstances such as suicide and male children murdered by their father.

Males

*Relationship
Breakdown: Males*



Of the 55 males who died last year, 24 (45.5%) of them took their own lives.

- 16 were the perpetrators in homicide/suicides where the victim and the perpetrator died in the same incident (see section on Homicide/Suicide)
- 3 suicides took place in the immediate aftermath of an attempted murder
- 2 suicides took place in the immediately following an assault
- 1 suicide took place 6 days after service of an Order of Protection
- 1 suicide took place after 3 days as a fugitive after killing his wife
- 1 suicide took place while in custody for the murder of his wife

Christian Mendivil, 28, paid an unexpected visit to Carmen Lara, 25. The two began arguing, and Mendivil shot Lara in the face before turning the gun on himself. He was killed, and Lara was taken to an area hospital. The shooting occurred as their 8-year-old son slept on the couch. He woke up to the sound of a shot and ran down the hallway; Mendivil shot himself shortly after. (10/22/2009)

*Case Example:
Suicide after
attempted
homicide*

Two were the victims in jealousy murders.

*Case Example:
Jealousy
murder*

Sally Johnston-Huddleston's ex-boyfriend, Brent Matthew Banks, was invited to a graduation party. He saw his ex-girlfriend and Auston Blanks, 32, kissing in a bedroom and assaulted her. He went to his car with the intent to leave the party, but instead retrieved two handguns and shot her and Blanks. The two died at the scene. A Mesa police officer was also shot in the arm and will require several surgeries to repair the injury. Six other people at the party, including Sally and Brett's 8-year-old-son, were injured by grazing bullets or impact from bullet fragments. (5/23/2009)

One man was killed when he broke into the home of his estranged wife's boyfriend in an attempt to gain access to her.

Charles Goff, 37, and his wife separated, and she began a relationship with another man. Goff broke into the man's home and awaited his return. When the homeowner entered, Goff confronted him with a weapon. He held the man at gunpoint for approximately four hours, repeatedly texting his estranged wife in an attempt to lure her to the residence. The man was able to retrieve his own gun and the two fired at one another; Goff was killed and the homeowner was shot in the leg. (4/28/09)

*Case Example:
Regaining
power*

An additional four men were killed by law enforcement responding to a domestic violence call.

As previously stated, six men were killed by current or former intimate partners. Two men were killed by their girlfriends, one by his boyfriend, one by an ex-girlfriend, and two by their wives. One of the men killed by his wife was the victim in a homicide/suicide; his wife cited “domestic issues” in her suicide note. The other female perpetrated spousal murder created some media stir, due to the rarity of such cases, the brutal nature of the killing, and the woman’s confession, detailing years of abuse. Her trial is scheduled to begin August 11, 2010. According to an article from the Gilbert Republic:

*Case
example :
Female
perpetrated
intimate
partner
homicide*

Marissa Devault reported that she suffered years of abuse at the hands of her husband, Dale Harrell, before bludgeoning him to death with a hammer while he slept. She reported that he beat her for the first time one month and three days into their nine year marriage because she refused to take his last name for herself or her daughter. She was pregnant at the time. Devault told police that he punched her in the head three times, and she learned later that the assault had fractured her skull. She said that she left him, but returned when he agreed to counseling on the condition that she carried her pregnancy to term. Every three months, however, the arguments resurfaced, with Harrell damaging items in the house. In 2003, she reported that he shoved her in front of others, popping her arm out of its socket. A friend popped it back into place. Devault reported several other specific assaults in her confession, culminating in handing Harrell divorce papers on January 14, 2009. She refused sex and waited until he fell asleep before going to bed.

She reportedly awoke to Darrell constricting her airway and raping her. She lost consciousness, and when she revived, he was asleep. She went to the bathroom, returned to the bedroom, and hit him repeatedly in the head with a hammer. “I don’t know. I just didn’t want him to touch me. I just wanted him to feel every time he’s ever touched me and I wanted him to know what it felt like.” (Gilbert Republic, 3/6/2009)

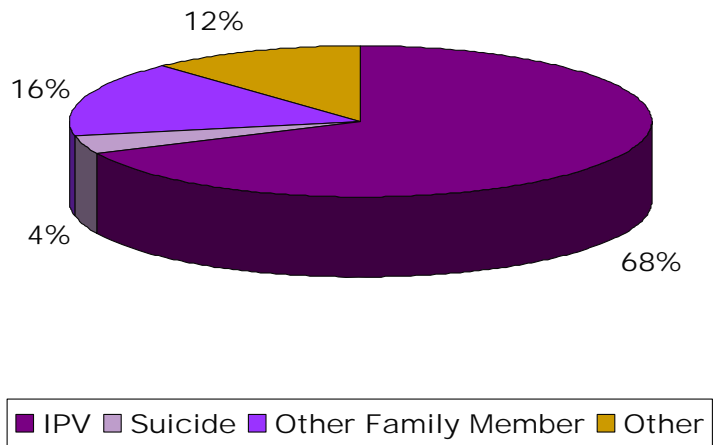
The other 18 males were killed by other family members or were killed by the current or former intimate partners of family members.

Joseph B. Ochoa, 36, went looking for his ex-girlfriend and became angry when she wasn't there. He began a verbal altercation with her brother, Michael Carter, 31. According to police, Ochoa shot both Carter and his mother, Joann Deanda, 51. Carter was killed and his mother was taken to the hospital with serious gunshot wounds. (10/19/2009)

*Case Example:
Bystander
killing*

Females

Fifty-four females died in domestic violence related incidents last year. Thirty-four of those were killed by a current or former intimate partner (63%). Sixteen of the intimate partner killings died in murder-suicides, which will be discussed later in this report.



Estrangement was a factor in 14 of the female homicides perpetrated by intimate partners. It is largely noted that the most dangerous time for female victims of domestic violence is during and after attempts to escape. Dr. Carolyn Block, principle investigator of the Chicago Women's Health Risk Study, noted this risk in her collaborative work. In a report compiled for the National Institute of Justice, she reported that 75% of intimate partner homicide victims in her study had left or tried to leave in the past year. (Block, C. How Can

Practitioners Help and Abused Woman Lower Her Risk of Death? National Institute of Justice Journal. 250, p 6)

*Case Example:
Estrangement*

Alma Ramos' body was found near a carport by family members. Ramos' husband, Jesus Quinonez-Valazquez, was arrested the next day and held without bond on suspicion of stabbing her to death. The two had been married, but reports indicate they were separated at the time of the murder. (8/17/2009)

Ramos' husband killed himself in his jail cell on September 8, 2009.

However, in some cases, estrangement can simply mean that it is perceived by the perpetrator, rather than an actual attempt to leave the relationship.

Lee White reported that his marriage had been strained for several months, ever since he found out that his wife had been making calls to another man. On January 2nd he confronted her in a parking lot and got into her truck. The couple argued, and he reports that after she drove a short distance he told her to stop the truck. Luna was shot three times, though Lee reports that the gun went off when he fumbled with it but he didn't know he shot her. He left her there. The FBI discovered that he had placed a rifle on layaway in December and had upped Luna's life insurance policy by \$15,000 on December 23. (1/2/2009)

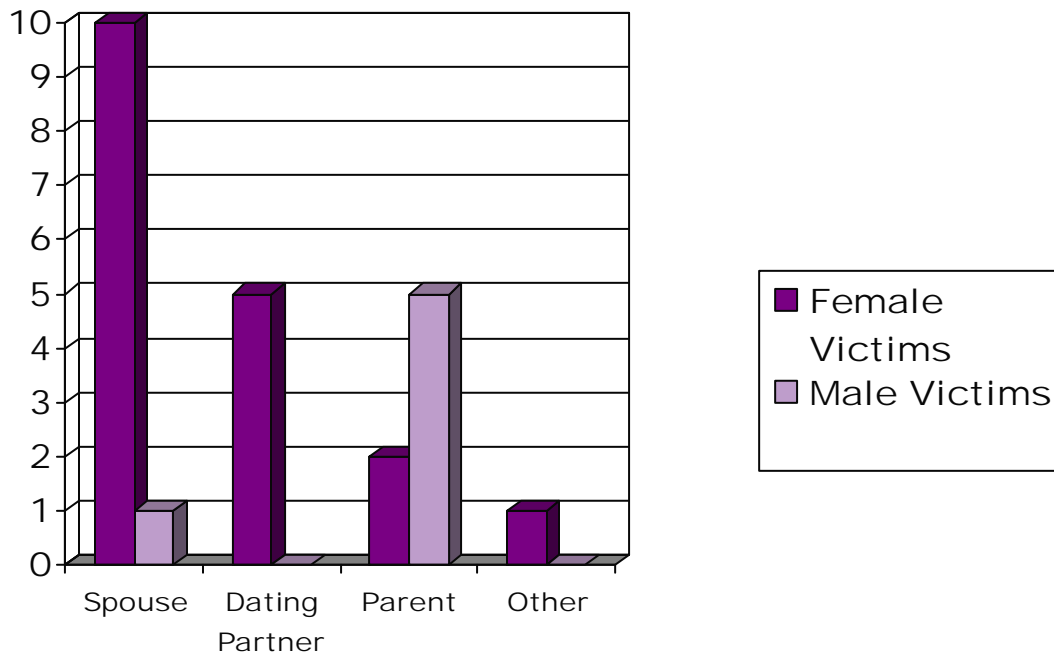
*Case Example:
Estrangement*

Homicide/Suicides

Arizona saw a small but proportionally important increase in homicide/suicides in 2009. There were 19 perpetrators with 24 victims, leaving 43 dead. These tragedies comprised 38.7% of the total fatalities. In contrast, in 2008, there were 16 perpetrators with 20 victims, comprising 28.6% of the total fatalities.

- 16 male perpetrators
- 2 female perpetrators
- 1 perpetrator of unknown gender

As demonstrated in the graph, the relationships between the perpetrator and victim were overwhelmingly intimate partners. In one case, law enforcement did not release the identity of the perpetrator, only that a husband and wife were dead in an apparent murder-suicide.



The majority of cases were perpetrated by men against current or former intimate partners or children. This is consistent with national data, which shows that men perpetrate 85-95% of intimate partner related homicide/suicides (Adams, D. Why Do they Kill?, 2007, p 84).

Estrangement was the most common factor cited; circumstances involving divorce or separation were mentioned in 8 of the homicide/suicides.

*Case example 1:
Estrangement in
a male
perpetrated
homicide/
suicide*

Ana Delia Rios, 45, and Martin Rios Gonzalez, 45, had been divorced for about a year, but continued living together. The day of the murder-suicide, Gonzalez was supposed to move out of the home. The two had been arguing; family members heard gunshots and called 911. Their 4-year-old grandson was in the home at the time, along with their daughter-in-law and her sister. (4/9/2009)

Officers responded to a domestic violence call in the early evening. One approached the house, and Holly Anderson, a Mohave County probation officer, cracked open the door and handed the couple's 20-month-old daughter to an officer before being fatally shot. The bullet went through her and struck the officer, who was wounded in the arm. The toddler was unharmed. Brett Anderson then turned the gun on himself. The two were separated and had a long history of domestic violence. Holly had filed for an Order of Protection on the same day she filed for divorce, but withdrew the order later. (8/2/2009)

*Case example 2:
Estrangement in a
male perpetrated
homicide/suicide*

Three of five cases where children were killed involved estrangement.

Gilbert resident Ryan Peters, 29, failed to return Teigan Brown, 3, to her mother's custody on Friday before the murder-suicide. She filed a complaint; she had filed for an Order of Protection 5 days earlier, stating that after the divorce filing, he began stalking and harassing her, and that he had threatened to kill her and her boyfriend. On Sunday, Peters' father called authorities, fearing his son was suicidal. The police went looking for the man and the toddler, and found them both dead of gunshot wounds. (6/21/2009)

*Case Example 3:
Estrangement in
a male
perpetrated
homicide/suicide*

Fights were listed as precipitous events in only two of the homicide/suicides. Five of the cases cited no contributing factors or precipitous events in the articles describing the cases.

There were two homicide/suicides perpetrated by women. Both cited marital issues as contributing factors. (An additional male-perpetrated familial annihilation cited this factor as well.) One involved intimate partners; in the other, a woman killed her two teenage boys before taking her own life.

*Case Example:
Female
perpetrated
homicide/
suicide*

The couple's 21 year old son was watching TV with a friend when he heard gunshots and found his parents in the bedroom. Mario Corona, Sr., 52, was pronounced dead at the scene. Patricia Corona, 44, was taken to the hospital, where she later died of a self-inflicted gunshot wound. Police found a note from Patricia conveying suicidal intent, and have said that "domestic issues" may have led to the murder/suicide. (5/31/2009)

Additional Issues

“Honor Killing”

A highly publicized “honor killing” took place in Peoria in 2009.

*Case Example:
Honor killing*

Noor Almaleki, 20, was walking across a parking lot with her boyfriend’s mother, Amal Khalaf, 43. Her father, Faleh Almaleki, 48, hit them both with his Jeep and drove away. He attempted to flee to England, but was denied entry into the country and deported back to the US. He reportedly killed his daughter because he felt she was becoming too Westernized. (11/2/2009)

While some may dismiss this murder as a cultural phenomenon removed from the US, these killings have much in common with domestic violence homicides. For instance, both involve the use of coercion, control, and isolation in order to manipulate behavior. Honor killings are a supposed attempt to remove shame brought on by the behavior of the woman; abusers often blame their partners for the abuse. This particular murder could be interpreted as an estrangement homicide, since the offender saw the moves toward independence as a threat to his power and control.

Teen Dating Violence

As the nation’s understanding of domestic violence broadens, an increasing level of focus has been placed on the violence teens experience in their intimate relationships. According to a 2009 study commissioned by Liz Claiborne, Inc, “47% of surveyed youth have been personally victimized by a controlling boyfriend or girlfriend,” and “29% have been the victim of sexual abuse, physical abuse, or threats of physical abuse by a boyfriend or girlfriend.” (Troubled Economy Linked to High Levels of Teen Dating Violence & Abuse Survey,” 2009)

After dating for six months, Ashley Dewitte and Eric Serdechny broke up. He went to her house discuss the break-up and shot her on the doorstep before turning the gun on himself. Serdechny’s mother would let her son use the gun for target practice, and he had gun-

*Case example:
Teen dating violence*

*Case Example:
Teen dating violence bystander killing*

Jaime Arturo Olivas, 18, went to his ex-girlfriend’s house to confront her about their recent breakup. He assaulted her outside the home, and her father, Adolfo Lwyva, 42, ran outside to help. He struggled with Olivas, was stabbed multiple times, and died of his injuries. Her mother, Dora Leyva, 42, also suffered serious injuries in the attack. Police believe there may have been a history of violence between Olivas and the teen. (12/6/2009)

Firearms and Domestic Violence

The vast majority of perpetrators used firearms to kill their victims and/or themselves. Gunshots were cited as the cause of death in 63 fatalities (not including perpetrators killed by law enforcement), more than all other causes combined. Among the homicide/suicides specifically, a gun was not used in only one death out of 43. It is widely known that keeping firearms out of the hands of domestic violence offenders is a protective factor for victims. Dr. Campbell’s groundbreaking work on risk assessment has shown that being attacked or threatened with a weapon increases risk for murder by 20.2, and merely having a gun in the home increases the risk by 6.1. (Campbell, J. et al. Assessing Risk Factors for Intimate Partner Homicide. National Insitute of Justice Journal. 250, p 17) Some of the homicides in Arizona involved reported arguments or fights as precipitous events; if the gun had not been in the house, the outcome may arguably have been different.

According to Selena Bedonie’s 8 year old daughter, Selena and her husband, Wilson Ray Tsosie, were arguing in a truck when he retrieved a gun and shot her once in the head. (8/7/2009)

*Case Example:
Arguments and firearms*

Under state and federal law, perpetrators who have been convicted of a qualifying misdemeanor, or who have a qualifying Order of Protection against them, are prohibited possessors. However, some offenders manage to retain or obtain weapons, even when they meet those conditions.

Frederick Flynn Tyrell had been served with an Order of Protection on March 6th and had a copy of the order with him when his body was found. His live in girlfriend and four children had stayed at a local domestic violence shelter after the order was issued, and they were still at the shelter when she was notified of his death. Tyrell committed suicide with a handgun. (3/12/2009)

*Case Example
1: Firearms and
Orders of
Protection*

*Case Example 2:
Firearms and
Orders of
Protection*

Amy Hancock, Ronald's ex-wife, dropped their daughter off at his mother's house for a visitation weekend. When Ronald arrived at the house, he strangled her and held a knife to her throat, attempting to kill her. She ran to a nearby residence a mile away for help, leaving her daughter behind with the girl's grandmother. After a DPS helicopter arrived to assist in the search for the girl and Hancock, they found their bodies near the residence. Amy reported a history of domestic violence and an Order of Protection that had been filed in late March. The Order was amended to allow visitation with the child. (5/8/2009)

Recommendations

Programmatic Support

Victims of domestic violence in Arizona utilize a wide range of services to increase their safety and independence. In addition to the life-saving services provided by domestic violence programs, victims often need financial assistance in order to begin a new life. Programs like Temporary Assistance for Needy Families (TANF), ACCCHS, food stamps, and child care subsidies provide essential resources to victims attempting to escape abuse. The decimation of those and other social service programs in the FY2011 Arizona state budget will have an undeniable impact on the safety and security of victims in this state. Funding for social services should be reinstated in order to maximize the resources available to victims and their families.

Risk Assessment

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

Fatality Review Teams

Arizona now has seven established Domestic Violence Fatality Review Teams (DVFRTs) across the state. These multidisciplinary groups offer an in-depth analysis of domestic violence homicides, reviewing who knew about the situation and what was being done. The teams make recommendations to improve policies and procedures for systems players in the hopes of preventing a future homicide.

The teams need local, statewide, and federal support to develop their processes and make sure the recommendations are implemented appropriately. In light of the recent progress

regarding DVFRTs in Arizona, statewide coordination may become helpful. Current teams and stakeholders may want to consider the creation of an oversight committee to streamline processes. Individual autonomy within the teams should be respected, however, as each team represents a different community and should be free to adapt to their needs.

Teen Dating Violence Education

While the DVFRT process is directed at improving policies and procedures to prevent homicides, a more widespread approach to preventing domestic violence in general should be adopted. Youth in Arizona often do not receive basic training on intimate relationships. Age-appropriate discussions on healthy relationships, the warning signs of abuse, and where to receive services should be integrated into statewide educational curricula. Primary prevention strategies can be utilized by school and community groups with the goal of changing the climate to increase understanding of the dynamics of interpersonal violence and promote respect and healthy relationships.

Increased Community Awareness and Education

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

Surrender of Weapons

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

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

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

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

References

Adams, D. Why Do they Kill?, 2007, p 84

Block, C. “How Can Practitioners Help an Abused Woman Lower Her Risk of Death?” National Institute of Justice Journal. 250, p 6

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

“Impact of the Economy and Parent/Teen Dialogue on Dating Relationships and Abuse.” 2009. Conducted by Teenage Research Unlimited for the Family Violence Prevention Fund and Liz Claiborne. Available at <http://www.loveisnotabuse.com/pdf/Liz%20Claiborne%20Teen%20Dating%20Abuse%20and%20the%20Economy%20Research%20RPT.pdf>.

For a complete list of the domestic violence related fatalities discussed in this report, visit the Coalition’s webpage at www.azcadv.org.

