

DEATH REVIEW COMMITTEE

FINAL REPORT

OCTOBER 1993 - SEPTEMBER 1997

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FINAL REPORT
DEATH REVIEW COMMITTEE

By: Rolanda Pierre Dixon - Chair

The Santa Clara County Death Review Committee was formed in October 1994. In 1994 there was no existing California Legislation which mandated or allowed the formation of such a committee. However since this subject was one which the Santa Clara County Domestic Violence Council and the Department of Justice felt was very important, the committee was formed. The first problem the committee encountered involved the question of confidentiality. How could several different groups and agencies both public and private come together and share pertinent information on the decedents in identified domestic violence related deaths? There was lots of discussion by the committee trying to answer this question. Eventually, due to the trust and past relationship of all the participants we were able to get past this hurdle and begin to work. Everybody knew that the ultimate goal was to avoid deaths in the future and not to point fingers at each other or the agencies we represented. Once everyone accepted this as our goal we were able to move forward. All members of the committee were also asked to sign a confidentiality agreement which is kept on file by the committee chair.

The Death Review Committee then established a working definition of what constituted a "domestic violence related death". A "domestic violence related death" is defined as one where the perpetrator and or victim were romantically linked, either at the time of death or prior to the death, and the conduct of either party led to the death.

In 1996 legislation was finally passed which allowed for the formation of a death review committee, Penal Code 11163.3. This legislation now makes it clear that all discussions held within the death review committee are not discoverable by defense counsel or others.

The Domestic Violence Death Review Sub-committee is currently reviewing 51 cases. We started this committee in 1994, however we did select 3 cases from 1993 because particular Death Review Committee members were familiar with those cases prior to the formation of the committee.

The cases we are reviewing break-down as follows:

I. TYPES OF DEATHS

1. 3 cases from 1993 (1 homicide, 1 case involving homicide/suicide combination)
2. 9 cases from 1994 (2 homicides, 3 suicides, 2 cases involving homicide/suicide combination)
3. 16 cases from 1995 (9 homicides, 5 suicides (1 case involves father killing girlfriend and 2 of her children and then himself). 1 "blue -suicide" (decedent caused the police to kill him by refusing to come out and threatening them with weapons), 1 third party homicide (neighbor coming to aide of d.v. victim and 1 accidental death (def. drunk driving kills v).
4. 8 cases from 1996 (3 homicides, 1 accidental death, 1 homicide/suicide combination, 3 suicides (2 cases def. stabbed victim, 1 def. jumps off a bridge holding minor who dies, 1 victim beat to death and def. kills himself, in the accidental death def. dies after harassing vic. and running from the police on his motorcycle killing himself)).
5. 15 cases from 1997 (5 homicides, 3 homicide/suicide combinations, 4 suicides (3 victims shot, 2 blunt trauma, all combinations involved shooting and 2 shooting and one arson)).

II. POLICE AGENCIES INVOLVED

1. 32 cases from San Jose Police Department (17 homicides, 9 suicides, 2 homicide/suicide combinations, 2 accidental deaths)
2. 5 cases from Sunnyvale Department of Public Safety (1 homicide, 2 suicides, 1 homicide/suicide combination)
3. 3 cases from Milpitas Police Department (1 homicide, 1 homicide/suicide combination)
4. 3 from the Sheriffs office (1 homicide, 1 homicide/suicide combination)
5. 1 from Gilroy Police Department (1 homicide)
6. 1 from Department of Corrections (1 suicide)
7. 3 from Santa Clara Police Department (1 suicide, 1 homicide/suicide combination)
8. 1 from Mountain View Police Department (1 homicide)
9. 1 from Palo Alto Police Department (1 suicide)
10. 1 from Los Gatos Police Department (1 accidental death)

III. AGE/RACE/SEX/SUBSTANCE ABUSE/CHILDREN PRESENT

1. **Ages-** For all victims/perpetrators from 9 months old to 85 years old.
 - A. Homicide adult average age was 33 years old. (Females average age 32 years, Males average age 35) - children and elder victim (85) not counted here
 - B. Suicide average age 38 years old. (Males average age 40, Females average age 33- two females died in murder/suicide combinations and 2 killed themselves)- elder perpetrator of 85 years not counted here
 - C. 2 elder victims. (murder/suicide combination both 85 years old)
 - D. 3 children homicide victims. (9 months, 1 year and 5 years old)
 - E. 2 accidental deaths. (1 male 29 and 1 female 30 years old)
 - F. 1 teenage suicide/attempted homicide death. (19 year old female shots herself, 16 year old companion also shot by her survived.)

2. Race

Asian	17 (6 homicides, 3 suicides, 4 homicide/suicide combinations)- all but four cases are homicide/suicide combinations, in three of the four they attempted to kill the partner)
White	14 (6 homicides, 5 suicides - 1 homicide/suicide combinations, 1 accidental death)
Hispanic	12 (5 homicides, 5 suicides - 1 homicide/suicide combination)
African American	5 (1 homicides, 3 suicides -1 accidental death)
Mixed Race	2 (2 infanticides - 1 child Filipino/African American, 1 child Hispanic/African American)
Indian	1 (1 homicide)

3. Sex:

Male	28 (8 homicides, 18 suicides, 1 accidental death and 1 "blue suicide")
Female	23 (20 homicides, 3 suicides)

4. **Substance Abuse:**

Male 9 (4 alcohol only, 2 alcohol/drugs, 3 drugs only- meth. or cocaine)

Female 6 (3 alcohol only, 1 alcohol/drugs, 2 drugs only -meth or cocaine)

5. **Children Present:** 21 (13 homicides, 8 suicides and in one case the child made the 911 call and in another 7 year old only witness, 3 children killed in two cases)

6. **Perpetrators Sex:** 44 male

7 female (3 homicides, 1 suicide, 1 homicide/suicide combination and 1 attempted homicide/suicide)

7. **Manner of Death:** 29 guns (17 homicides, 11 suicides, 1 "blue suicide) - average age females 32, average age males 35

4 blunt instrument (4 homicides female)-average age 32 one victim not counted in average she was 85 years old

5 stabbings (5 homicides female) - average age 27

5 burning (4 homicides, 1 suicide) - average age 40 two victims were children not counted in average, 1 and 5 years old

3 hanging (3 suicides all white male) - average age 37

2 accidents (1 male and 1 female) female was passenger in car driven by drunk and abusive mate, other the perp. was harassing wife when police chase him and he crashed.
- average age 29.

1 drowning (1 suicide) African American male age 29

1 suffocation (1 suicide) White male age 85

1 fall (1 homicide) Mixed race (African American/Hispanic) male child age 9 months

8. **Separated/Divorced at time of death:**

26 (8 homicides, 4 homicide/suicide combinations, 10 suicides)

9. **Prior Domestic Violence Contacts (police reports) :**

11 (2 homicides, 1 homicide/suicide combination, 6 suicides and 1 accidental death)

10. **Restraining orders:**

6 (4 completed and 2 in process , all male suicide victims)

11. **Location of deaths**

34 at home (11 homicides , 9 suicides including a "blue suicide" and 6 homicide/suicide combinations, one including 4 persons)

9 public place (4 homicides, 3 suicides and 2 accidents)

7 at workplace (2 homicides, 1 suicide - intended v left in coma and 2 homicide/suicide combinations)

1 at jail (1 suicide)

12. **Same sex couples:**

1 (suicide)

IV. CASE SUMMARIES

CASE 1: Suicide - Only contact with the system was the filing by the spouse for a divorce some 6 months before this incident. Decedent goes to her new home and tries to kill her and her new boyfriend, wounds both and then he kills himself. They survive. Asian couple, children were present. (1994) - Age 41.

CASE 2: Suicide - Wife had been previously abused by the decedent , decedent had been convicted of a misdemeanor violation of spousal abuse. Wife obtained a temporary restraining order, kicked the decedent out and informed her neighbors he was not to be around the premises. Per the wife he had always threatened to kill her and then himself if she left him. Decedent returns to premises, wife was out, neighbors saw him in the backyard and called the police, as police were knocking on the front door, decedent shot himself. Caucasian male. No children. (1994) - Age 64.

CASE 3: Homicide - Decedent shot by wife at his job. She claimed the gun malfunctioned while she was holding it and it went off killing him. He was involved in an affair with another woman. No prior contacts at all with the system. Perpetrator found guilty of 1st degree murder. Caucasian male, no children. (1994) - Age 45.

CASE 4/5: Homicide/ Suicide - Husband shot wife and then himself. No prior contacts at all with the system. Arranged marriage and per police department wife may have been seeing someone else. Family members of victim believe someone else committed the murders even though the evidence clearly points to murder/suicide. Asian couple, no children. (1994) - Ages 31 and 27.

CASE 6: Suicide - Decedent comes over to estranged wife's house. When she sees him coming she jumps out of the closed front window to escape him. Decedent chases her and hits her numerous times with a rifle butt, neighbors come to her aid. Decedent later found drowned in a backyard swimming pool. No prior contact with the system in Santa Clara County. Obviously there was prior unreported domestic violence based on the wife's reaction upon seeing decedent. Decedent African American, children were present during beating of spouse in a public street. (1994) - Age 29.

CASE 7: Homicide - Victim may have had an affair with 16 year old female perpetrator. He broke it off. She gets another juvenile and they kidnap decedent using a stun gun. The other juvenile leaves before the murder. Perpetrator shoots and kills him leaving his body in the woods. He isn't found until several days later. The juvenile had numerous previous contacts with the system, she was a dependent child and a former foster child of the victim's mom. Decedent also had prior contacts, he had been convicted 3 years earlier of torturing a number of animals. Perpetrator found guilty of man- slaughter, tried as an adult. Caucasian, children present (perp & original accomplice). (1994) - Age 21.

CASE 8: Murder - Decedent was girlfriend of perpetrator. Prior domestic violence convictions involving this victim. Perpetrator had been sent to prison for kidnaping and physically assaulting this victim. When he gets out she continued the relationship, even though he had another girlfriend who had a child for him. Leads to the day when he takes her into the hills and shoots her, also shot a deputy sheriff who came to her aide, deputy survived. Defendant escaped into Mexico, eventually turns himself in. Defendant still awaiting trial, went to Atascadero for mental evaluation, returns to court and has a trial on the question of competence, finally found competent. Hispanic victim, no children. (1993)
- Age 21.

CASE 9: Homicide - Victim was girlfriend of perpetrator, they had three children. Perp. had prior convictions for assaulting victim including a felony violation for spousal abuse. She continued in the relationship with perp. and was always trying to get the charges dismissed against him. She had severe drug abuse problems. Finally, on New Year's Eve decedent while drunk driving hits a pole and causes her death (she was the passenger, also under the influence). Perpetrator not charged with murder since death resulted from drunk driving. Perpetrator plead guilty given 12 years in state prison. African American, no children present, however perp. and victim had 3 children including one child with sickle cell anemia. (New Year's Day 1995) - Age 30.

CASE 10/11: Homicide/Suicide - Involved parties were boyfriend/girlfriend, He shoots her and himself at the same time. No prior contacts whatsoever with the system. Asian couple, children in the front room at the time of the murder/suicide and were locked out of the bedroom by the perpetrator. They went outside looked into the bedroom saw bodies and called 911. (1994) - Ages 35 and 37.

CASE 12/13: Homicide/Suicide - Involved parties were boyfriend/girlfriend. He shoots her and himself at the same time. No prior contacts whatsoever with the system. Asian couple, no children. (1993) - Ages 22 and 19.

CASE 14: Murder - Victim was spouse of perpetrator. Prior domestic violence and prior misdemeanor conviction for spousal abuse, misdemeanor. Perpetrator in domestic violence counseling, one of his friends from the class tried to get him to spend the night or at least not go home on the date of the death, defendant leaves anyway. Perp. goes home argues with victim, shoots her and drives her bleeding to the hospital with their two children in the car. Caucasian couple, two children. (1995)
- Age 27.

CASE 15: Suicide - Decedent previously threatened wife and attempted suicide twice. Wife had a temporary restraining order and called police most of the time when it was violated. He is finally arrested on view for pushing her and violating the order, hangs himself the third day in the jail. Also previous contacts with the health system. All health providers thought he was no longer suicidal. He knew the system and said all the right words. Caucasian male. Children present at time he violated the order and police called out. (1995) - Age 34.

CASE 16: Suicide - Decedent previously convicted of assault with a deadly weapon on the wife. Put on extensive supervision case load at probation. 15 years with the National Guard. Lost job as a result of felony conviction. Numerous contacts with system in re probation requirements for counseling and follow-up with family members by probation. Comes home one day and believes wife is going to leave him, barricades himself in garage with a gas mask on and then shoots himself after stand-off. Decedent was Hispanic. Their children were outside the house when he killed himself. (1995) - Age 34.

CASE 17/18/19/20: Homicide/Suicide - Perpetrator is boyfriend of victim in case 19, father to victim in case 17 and step-father to victim in case 18. There was a previous misdemeanor conviction for child abuse of another step-child (currently in a coma). The family was also visited by public health nurses because the youngest child (victim in case 17) was born with multiple birth defects. Girlfriend the day before the deaths apparently left the defendant and spent the night elsewhere, possible planning to leave the perpetrator. The next day she picks up the kids and returns home, he then stabs her numerous times and sets the house on fire, killing himself and two of the three children. Perpetrator was African American, female victim Asian, one minor male victim Asian and the other mixed African American/Asian. Third child came out of coma but has brain damage. (1995) - Ages 1, 5, 32 & 26.

CASE 21: Suicide - Decedent had a previous felony conviction for spousal abuse of current wife. Had also beat her up previously and also beat up a former girlfriend, convicted. Had a current no contact order in re wife. Decedent and spouse wanted contact, probation and the courts said no. Spouse did go into counseling and did not let decedent return. Decedent hangs himself after an argument with wife. He went over there in violation of the order and knew the probation officer would find out. He did call and tell the probation officer and then killed himself. Caucasian, no children. (1995)
- Age 37.

CASE 22: Blue suicide - Decedent and spouse fighting, police called. When they arrive he barricades himself in and won't let spouse out. He claims if they come in he will shoot. She manages to escape, police go in, decedent charges them with a knife, shot and killed by the police. No prior reported domestic violence contacts. Extensive drug/alcohol history, under the influence of alcohol and methamphetamine on the date of his death. Decedent was Hispanic, no children present. (1995)
- Age 38.

CASE 23: Homicide - Victim and perpetrator are husband and wife. Just moved here from Modesto, California. Several local criminal contacts. Perpetrator has been to prison twice, both for violent offenses. PCP user. Per family members perpetrator had been abusive to her in the past, they remember seeing bruises as recently as the day before the killing. Perpetrator stabs her numerous times. Case pending trial. (1995) - Age 22.

CASE 24: Homicide - Victim and perpetrator were boyfriend and girlfriend. No previous contacts with the system. Victim intended to leave perp. Per family and friends there was previous abuse (none reported) and she planned to leave him. Defendant was always around the victim even followed her to work and spoke with her during working hours at a large department store. Defendant beats her severely, blunt trauma to head and leaves her nude body in a lake near her parent's home. African American, no children. - Age 21.

CASE 25: Suicide - Decedent and his wife were separated. They agreed to meet for dinner that evening she calls off the date and cancels. He comes over to house uninvited, shoots her in the leg and her brother wrestled the gun from him and threw it in the backyard. They call the police, decedent retrieves the gun and shoots himself. No prior contacts with system. African American, young niece was present. (1995) - Age 42.

CASE 26: Homicide - Victim and perpetrator were boyfriend and girlfriend. She had told friends that he had previously threatened to kill her and they knew he was extremely jealous of her. He comes over to the residence. She is there with a group of friends having a party. She goes into a back room with him. He promised to give her the gun if she went outside with him, she did, he shot her numerous times and is still on the loose. The word is he has escaped to Mexico. Decedent was Hispanic and a grandmother. Children were inside the residence at time of her death. (1995) - Age 42.

CASE 27: Homicide - Victim and perpetrator were boyfriend and girlfriend. Numerous contacts with system because of mutual fighting situations. Per his family she was really violent towards him. Perpetrator had numerous drug convictions. Victim and perpetrator argue, perp. refuses him sex, he apparently tells her that she just ought to shoot him, she does. Perpetrator found guilty of manslaughter. Decedent was Hispanic, no children. - Age 40.

CASE 28: Homicide - Victim was a neighbor of the perpetrator's x-wife. He hears a loud commotion next door. Per the family lots of problems and possible past abuse between perp and his spouse (none reported). The perpetrator went over and stabbed the x-wife, her new boyfriend and then he comes outside sees the victim, knows who he is and then stabs him in the abdomen, killing him. Perpetrator has no prior contacts with the system but had been fired from his job as a paramedic for taking drugs which he never used and later returned. Decedent was Caucasian. Defendant and spouse had children, not present. Defendant found guilty of 1st degree murder. (1995) - Age 25.

CASE 29: Suicide - Decedent and his wife are separated, She did not intend to return. She stated that decedent was previously abusive. Two cases had been reported and were at the police station being worked up to bring over to the District Attorney's office. She would only meet with him in public places and at one such meeting he tried to hit her (reported). He was contacted by a police detective and there was a long discussion where he admitted wrongdoing but explained that he was so angry because she was having an affair with someone at work. He had also beat up this person (reported). Per the detective he had no clue that decedent was suicidal. She began a tro and decedent was served. He then went over to a relatives house and took his gun without permission. Mom of spouse sees defendant walk up the driveway but then he turns around not coming up to the door. Later the same day he shot himself. Decedent was Hispanic, no children. (1996) - Age 41.

CASE 30: Murder - Victim and perpetrator are boyfriend/girlfriend, two children. Previous domestic violence. Perpetrator has prior convictions. Victim had been beaten by him in December of 1995, when police respond she wouldn't tell the police or anyone else who did it. Even though the relatives knew it was him. All the neighbors also aware of the continuing abuse. Perpetrator also had another girlfriend that he also beat up, outstanding warrant. Perp goes to her home and stabs her numerous times in front of the children. The children make the 911 call. Decedent was Hispanic. Defendant pending trial. (1996) Age 30.

CASE 31: Homicide - Victim is 9 month son of defendant. Defendant and his spouse separated because of his infidelity. While separated she had custody of the son, no paperwork had been filed. She agrees to go out with one of his friends (she is a teenage wife and mother) and has sex with this person. When the defendant pages her he finds her at his friend's house. The truth then comes out. He comes over and her mother lets him take the child for a visit. He ends up keeping the baby over night and will not return him unless the spouse agrees to meet with him. She is afraid to and he leaves a cryptic message, saying she took something from him and now he is gonna take something she loves. He also calls and tells her he and the baby are going flying. Defendant then tries to wreck his car with the baby inside. When that doesn't work, he grabs the baby out of the car seat and jumps off a freeway overpass. The baby is killed, he is left a paraplegic. He plead guilty to manslaughter, spouse is intended to go back to him. Decedent was of mixed race, black and hispanic. (1996) - Age 9 months.

CASE 32/33: Homicide/Suicide - Decedent and victim are husband and wife both 85 years old, living in a senior citizen apartment complex. This complex serves elders who are still able to care for themselves. The wife in this case was very ill and had been hospitalized. The hospital called her husband and told him they were releasing her back to his care. He expressed objections to this stating that he had health concerns of his own and did not feel he could properly care for her. He also told this to numerous individuals in his complex, including health care workers. No one responded with assistance. The wife came home and the next day the defendant bludgeons and suffocates her and then puts a plastic bag over his own head. Caucasian.(1996) - Ages, both 85.

CASE 34: Suicide - Decedent was the father of 3 children with his girlfriend. The relationship was marred with prior incidents of domestic violence. In 1995 and 1996 warrants were circulated for the decedent's arrest on domestic violence charges. He failed to appear to court. At one point in 1995 and 1996 she had left him only to return. On this date she had decided to leave him again. She became aware that he was again abusing substances, something he had promised her he would not do. They went to a storage area.

She in her car with the three children, he was on a motorcycle. He was apparently trying to stop her from leaving. He kept driving up to her car window and trying to get her to stop. The police observe this and try to stop the decedent. He races off going up to speeds of 100 mph. He throws his helmet off towards the police, continues to speed and eventually hits a curb and lands on the sidewalk under some bushes. Killed instantly. At the morgue they find 68.7 grams of methamphetamine and 4 grams marijuana in his jacket pocket. He also had packaging materials, 2 driver's licenses and \$517.00 in cash. Decedent was Caucasian. Children present. (1996) - Age 29.

CASE 35: Homicide - Defendant and victim were husband and wife. In 1994 she refused him sex and def. hit her, she came to the police department 2 weeks later and reported it. She didn't want anything done and case was never brought to the District Attorney's office. In June of that same year he claims she hit him, no arrests made and no referral to District Attorney's office. In August of 1996 they separate, she keeps the family home and has custody of the kids. No formal paperwork filed. In December of 1996 he tells a friend he is depressed over the separation and was suicidal. He had also lost his job. On Christmas day he comes to the home with his sister and mother supposedly to visit the children. An argument erupts defendant stabs her to death in front of the Christmas tree, with all witnesses including the children present. Sister and mother try to intervene, one is cut with the knife and one is bit by the defendant. Victim manages to get out of the house and runs to a nearby coffee shop where her sister worked. She collapses out front, tells everyone her husband stabbed her. Later dies at the hospital. Victim was Asian. Children were present. Criminal case pending. (1996) - Age 28.

CASE 36: Suicide - Decedent and spouse were married around 1992. She had a minor son. Decedent always jealous of the son, and in 1992 in another state he beat the boy severely. Never went to jail but was sent to counseling. Decedent was an academician, who received various research grants. She worked and the decedent constantly spied on her and didn't allow her any friends or any control over the finances. He also threatened to commit suicide numerous times and did attempt to hang himself one time. They eventually move to California, he has a research fellowship at Stanford. They separate and she finds him an apartment close to her and the son. Decedent continues to control her by calling the home at all times of the day and night and controlling the family car. She eventually gets tired of it and def. hits her and threatens her. A police report is generated. Before the defendant can be brought to court he commits suicide by hanging himself. She was in the process of getting a divorce. Decedent was Caucasian. No children present (1996) - Age 41.

CASE 37: Homicide - Victim and defendant meet over the "net". She starts dating him, however soon discovers that he is very jealous and possessive. She tries to break it off. She is also afraid of him but does not tell her family. She doesn't go home but spends the night with a friend, trying to avoid him. She eventually returns home, defendant kidnaps her and later shoots her in his home. Her body is discovered over 1 week later in the trunk of her vehicle in San Francisco. Victim was Caucasian. No children. Defendant plead guilty to murder (1997) - Age 39.

CASE 38: Homicide - Victim and defendant live together. Victim has drug problems. Defendant also using. No prior police reports of domestic violence involving these two. They argue defendant ends up killing her with his hands and a blunt instrument. He turns himself into the police and admits killing her. Defendant is awaiting trial. Victim was Caucasian, no children. - Age 35.

CASE 39/40: Homicide/Suicide - Decedent and victim work at the same nursery. She had been involved with him the previous year. She had even moved in with him with but one day later she leaves with her four children. Decedent was nearly 30 years older than her and he was very jealous and possessive. She got her brother to go with her to get their clothes out of the apartment. Everyone on the work site says he continued to harass her and call her bad names. Nothing ever reported to the police and no one on the job site intervened. He comes to work on a day he was scheduled to be off. He was dressed up and then he goes after the victim, pulls a gun and shoots and kills her at work in front of numerous co-workers, then shot himself. Defendant and victim were **Hispanic**, no children together. (1997) - Ages 33 and 61.

CASE 41: Homicide - Defendant and the victim are ex husband and wife. Three children together. Defendant is very possessive, jealous and totally controls the victim. He is not working and she takes care of the bills. In September 1996 she finally moves out, but only moves around the corner with the children and her dad. Their back fences touch. She continues to pay the mortgage on both homes. He brings in elderly tenants to help with the rent. He continues to control her, making her come to him just about nightly. The youngest son, 7 years old goes with them on the night of the homicide. Defendant is up all night using methamphetamine. He sees a shadow on the wall, thinks its a signal from her boyfriend, proceeds to beat her to death. He uses his hands and a picture of her to accomplish this. She dies from this brutal beating, 7 year old sees all. Victim was **Asian**, child was present. (1997) - Age 41.

CASE 42: Suicide - Decedent and girlfriend meet and start dating in 1994. They live together but her parents are unaware, thinking she's staying with a roommate. In early 1997 they break up. He starts to harass her at work. Employers make it clear that his calls are not to be put through to the victim. However on the date of his death someone allows his call to get through. The victim agrees to meet him in a public parking lot. When she refused to go back to him, he pulls a gun shoots her numerous times and then shoots himself. Victim is engaged to someone else and he was due in that day. Citizens are all around give her CPR, she is still in the hospital, out of the coma. Decedent was **Asian**, no children. (1997) - Age 32.

CASE 43/44: Homicide/Suicide - Perpetrator and victim lived together. In early 1997 he hits her with a belt because she accuses him of having an affair. A criminal misdemeanor case is generated against him. He is awaiting his court date. He puts her out of the house and severs the relationship. She goes to live with a friend, he goes on a trip to Vietnam. Per the friend the perpetrator was very depressed and wanted to get back with the victim. When he returns from Vietnam she goes over the next day with a .45 handgun. They argue, she chases him with the gun finally shooting him through the head. She goes upstairs to his bedroom, lies on the bed with a picture of her 12 year old daughter on her chest and shoots herself in the head. Perpetrator and victim are **Asian**, no children together, no children present. (1997) - Ages 39 and 36.

CASE 45: Homicide - Defendant and victim are living together, one child. He is very jealous and possessive of her. No prior police reports. Her knee is found in a dumpster by a uninvolved person. The rest of the body has still not been found. Case still in investigation stage. - Age 27.

CASE 46: Suicide - Decedent was dating a married man. She throws him a birthday party at a club where she works. He gets totally inebriated and starts to harass another man about talking to her. The party is shut down early, he continues to berate her and drives her vehicle recklessly. She has a teenage daughter and elderly mother she is taking care of. She also told numerous friends she was pregnant by the boyfriend. Boyfriend continues to drive around trying to locate the man he had a fight with at the club. The decedent

pulls his gun out of the glove compartment and shoots herself while in the passenger seat of the moving vehicle. Decedent is Hispanic, no children were present. (1997)
- Age 37.

CASE 47: Suicide - Decedent and victim were husband and wife. Argue because she has a job interview the next day and he wants sex that night. Both are unemployed. Children in the home. He then proceeds to beat her up severely. She runs out of residence for help, the decedent sets the house on fire with his 2 minor children, a baby and an elderly relative in the house. They all manage to escape however when they tell him to leave he looks right at a teenage daughter with a "dead pan" expression and goes back into the master bedroom. He gets into a closet and burns to death. One of the teenage daughters goes into cardiac arrest because of smoke inhalation, taken to hospital. Decedent was Asian, children were present. (1997)
- Age 45.

CASE 48/49: Homicide/Suicide - Defendant and victim were ex-boyfriend and girlfriend. She told him to stay away. He continued to harass her and was eventually fired for it, they both worked on the same job. He comes to her work site, manages to slip into the secure building behind another worker who had just used his badge to enter. Found her in a computer room. When her supervisor came to assist her, the defendant turned a gun on him. He left, the defendant shot her in the head and then himself. When police arrive both are already dead. Victim left behind a critically ill young son. Victim was Asian, perpetrator was Caucasian. - Ages 33 and 34.

CASE 50: Suicide/attempted homicide - Decedent and victim met while in high school together. They begin a romantic relationship. Apparently they don't believe this relationship will be accepted. Both go to a public park together. 19 year old decedent shoots the 17 year old (who survives in coma) and then kills herself. Decedent was Hispanic. (1997) - Age 19.

CASE 51: Homicide - Perpetrator and victim were boyfriend and girlfriend. Victim breaks up with him. He continues to call and threaten her, trying to get her to take him back. She refuses. She talks to her family about her fears and even tells them she will get a restraining order after she leaves work. The perpetrator surprises her at work, when she sees him she gives a co-worker a note saying if something should happen to her that the perpetrator was responsible. Perpetrator sees her working at the bank inside the supermarket, opens fire killing her. A bystander runs to phone the police, while on the phone, perpetrator shoots him, he survives. Perpetrator runs away. Perpetrator caught at Mexican border. Trial pending. Victim was Indian. (1997) - Age 24.

V. TASKS ACCOMPLISHED AND SIGNIFICANT FINDINGS:

As stated previously, confidentiality was a major problem impeding our ability to carry out our tasks. Several meetings of the committee were held in an attempt to iron out the confidentiality problems. It was decided that all members would sign a confidentiality agreement agreeing to keep all matters discussed in meetings secret (see attached). After the agreements were signed we began to tackle specific confidentiality concerns. After a lot of discussion and work we had most of the issues ironed out, however we still left open the question of records kept by shelters.

The chair of the committee, Rolanda Pierre Dixon then met with Alana Bowman of the City Attorney's office in Southern California to discuss pending legislation involving the formulation of Death Review Committees and let her know of this committee's concerns. Penal Code Section 11163.3 and following (see attached) has now been passed and codified. This legislation makes it clear that all discussions held within the death review are not discoverable by defense attorneys or others. The question of shelters turning over records is still not covered by the legislation because shelters were reticent to allow such discussions when they promise all victims who contact them that all discussions are confidential. However this committee has managed to work through this problem by developing trust among the members, assuring confidentiality and making everyone feels comfortable in openly discussing cases.

In the beginning the committee was having a hard time garnering statistics of domestic violence related deaths. We started by trying to check out all reported deaths through the coroner's office. Not only was this time consuming we really could not be sure we were gathering all the cases. We then decided to check all news reports of homicides and or suicides and the chair of the committee made contact with all the police chiefs in Santa Clara County asking for their assistance. As a result of this effort we feel comfortable in stating that we are now informed of all such deaths.

As the committee began to work it became quite clear that the Asian community was over represented in the deaths (17 out of 51 cases). When we investigated the cases we found in all but one case there was no prior contact by victim or perpetrator with the system. (This made the members feel that we were not getting the word out about the dangers of domestic violence to the Asian community) We then put out a call for members of the Asian community to join the committee. We currently have 3 members from the Asian community represented on the committee.

One of the members of the committee, Joanne Yee has joined with other members of the Asian Community to form The Asian Community Against Domestic Violence Coalition. This committee has been meeting regularly and has organized a domestic violence conference for the Vietnamese community to be held on September 27, 1997. They also plan to hold other conferences for other segments of the Asian community.

In the discussion of one of our cases involving the death of a minor, we were made aware by one of our members that the department of Social Services had not opened a file on this minor. Lona Spencer opened up dialogue on this issue with the department and as a result they will now open files on all deaths of minors, not only to make sure the child's death is not forgotten but also to follow up on surviving siblings.

The committee in its discussions felt that the District Attorney's Office Domestic Violence Unit should handle domestic violence homicides. Currently the District Attorney George Kennedy has given the ok for this to begin and the unit currently has 2 pending homicide cases. One deputy just received a 1st degree murder conviction in a third very difficult case.

This committee has also been contacted numerous times by agencies all across the state and the nation requesting information of our committee and asking for our assistance in helping them form such a committee in their own jurisdiction. Committee members have given numerous presentations throughout the state on this issue. The Santa Clara County Death Review Committee was apparently the first on-going domestic violence death review committee in the United States.

In looking at the death review statistics, several significant issues have arisen:

1. In all male perpetrator suicides the victim either had or was in the process of getting a restraining order. The victim and or the probation department took the order seriously and the defendant or violator was turned over to the police or police reports made. It was our finding that once the perpetrator was made aware that he no longer had total power and control over the victim, he chose to end his life. In two of the cases we felt that the victim's lives were actually spared because the defendant knew he would be reported and what might have been a homicide/suicide was only a suicide.
2. 29 out of 51 deaths were the result of handguns. It is fairly clear that as a community we must advocate for handgun control.
3. 26 out of 51 cases the victim and perpetrator were either separated or divorced at the time of the death. This statistic makes it clear that victims are in the greatest danger when they leave abusive relationships. We need to stop asking why do victims stay and begin to ask how do they ever get away? We must talk with victims not only about their victimization but also about safety planning for themselves and their children.
4. In only 11 out of 51 cases was there any contact with the police about domestic violence issues. The committee interprets this to mean that we must continue to do public education so that victims know where to turn when they are being victimized.
5. The location of the deaths is also significant. Even though most domestic violence deaths occur in the home they are also happening in the workplace and in the public. Domestic violence is everyone's concern and employers and citizens must stop looking at it as a "private family" matter. In one case a neighbor also lost his life when the perpetrator came outside after stabbing his spouse.
6. In two cases there was no indication in the family court records about prior abuse. The committee then asked the family court to post the information that if domestic violence is or was involved in the relationship it should be noted in the paperwork. This has been done and is posted in English and other languages. Domestic violence deaths have occurred in every jurisdiction in this county and have involved every socio-economic group, race and sexual orientation.

VI. RECOMMENDATIONS

We the members of the Santa Clara County Domestic Violence Death Review Committee recommend as follows:

1. The Domestic Violence Council continue its efforts to educate the public on domestic violence, including the release of this report to the public.
2. All local school districts develop a curriculum which addresses the issues of domestic violence.
3. The court system look into the amount of time that it takes for domestic violence out of custody warrants to be processed. The amount of time it currently takes in some cases should be reduced.
4. Employers should be contacted by the Workplace Violence Committee to take the issues of workplace violence very seriously and also remember that "workplace violence" is often domestic violence related. They must begin to develop policies and procedures which can and will help save victims lives.
5. Health care providers who deal with elderly caretakers look very carefully at issues which may cause a caretaker to lose control. Develop strategies and other alternatives for such individuals so they do not feel helpless and desperate.
6. The continued promotion of the idea that victims of domestic violence get restraining orders. This may save their lives.