

SANTA CLARA COUNTY DOMESTIC VIOLENCE COUNCIL

DOMESTIC VIOLENCE  
DEATH REVIEW COMMITTEE



ANNUAL REPORT

JANUARY 1 – DECEMBER 31, 2013

**SPEAK UP - SAVE LIVES**

Santa Clara County Domestic Violence Council Website: <http://dvc.sccgov.org>

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## **DOMESTIC VIOLENCE DEATH REVIEW COMMITTEE MEMBERS**

SANTA CLARA COUNTY, CALIFORNIA  
JANUARY 1, 2013 - DECEMBER 31, 2013

Steven Dick, Santa Clara County District Attorney's Office (Chair)  
Adriana Caldera, YWCA Support Network  
April McHugh, Santa Clara County Sheriff's Office  
Bart Sloan, Santa Clara County Probation Department  
Brenda Farrell–Thomas, MFT, Family Court Services  
Brian Welch, Santa Clara County District Attorney's Office  
Bryan Glatz, Santa Clara County Sheriff's Office  
Carmen Vargas, Adult Probation Department  
Carol Turner, Adult Probation Department  
Christiana Blawie, Pretrial Services  
Claudia Pedrora, Next Door Solutions  
Cynthia Spencer, Children's Attorney  
Dalia Rodriguez, Santa Clara County Sheriff's Office, ME/Coroner's Office  
Dan Accardo, Los Gatos/Monte Sereno Police Department  
Dan Rodriguez, Santa Clara County Sheriff's Office  
Denise Henderson, LMFT, YWCA Support Network  
Eric Fong, San Jose Police Department  
Eric Quan, San Jose Police Department  
James Ford, San Jose Police Department, Family Violence Division  
Jamie Field, Los Gatos/Monte Sereno Police Department  
Jeanine McKelvey, Legal Advocates for Children and Youth  
Joanna Demetriou, Santa Clara County Sheriff's Office  
Julie Saffren, Family Law Attorney  
Ivonne Zelaya, Santa Clara County District Attorney's Office  
LeeAnn Alfonzo, San Jose Police Department, Family Violence Division  
Lindsay Walsh, Santa Clara County District Attorney's Office  
Marla Johanning LCSW, Department of Family and Children Services  
Melissa Luke, Asian Americans for Community Involvement  
Dr. Michelle Jordan, Santa Clara County Medical Examiner/Coroner's Office  
Dr. Michael Kerner, Psychologist  
Michael Kihmm, San Jose Police Department  
Mindy Zen, Morgan Hill Police Department  
Nancy Marshall, LMFT, DVIC Director  
Perla Flores, Community Solutions  
Saher Stephan, SV Faces - Victim Witness Assistance  
Sarah Scofield, LCSW, Director Family Court Services  
Steve Baron, LMFT, Santa Clara University  
Dr. Susan Ditter, Santa Clara County Department of Mental Health

**ANNUAL REPORT**  
**DOMESTIC VIOLENCE DEATH REVIEW COMMITTEE**  
**JANUARY 1, 2013 – DECEMBER 31, 2013**  
by Steven Dick, Chair

The Santa Clara County Domestic Violence Death Review Committee (**DVDRC**) is a multi-disciplinary committee of experts that investigates and reviews all domestic violence related deaths that occur in Santa Clara County. The DVDRC provides monthly reports to the Santa Clara County Domestic Violence Council and prepares an annual report that the Domestic Violence Council posts on its website.

[Mandate](#)

The DVDRC investigates and reviews domestic violence related deaths in order to make recommendations aimed at preventing deaths in similar circumstances and reducing domestic violence in general. The DVDRC examines lives of the victims and perpetrators lives with a special focus on any contact the individuals may have had with the justice system, mental health services, or other social service programs. A comprehensive database of victims, perpetrators, and the circumstances surrounding the deaths is created to help identify trends and risk factors. The DVDRC has reviewed 253 deaths since 1994.

Recommendations for effective intervention and prevention strategies are prepared if problems, gaps or shortcomings are discovered. The recommendations are distributed to relevant organizations and agencies by the Chair of the DVDRC and are included in the DVDRC's Annual Report. The Annual Report is given to the Santa Clara County Board of Supervisors and is published on the Santa Clara County Domestic Violence Council's website.

Discovered information is only used to accomplish the constructive work of advocating for system-wide change and protecting future victims. The committee's job is not to point fingers or place blame. The members of the DVDRC firmly believe that many lives have been saved as a result of the committee's work.

[Recommendations](#)

Organizations and agencies are asked to respond back to the Chair on the status of implementation of recommendations within one year of distribution. The recommendations developed by the DVDRC are not legally binding and there is no obligation for agencies and organizations to implement or respond to them.

[Creation of the DVDRC](#)

In early 1994, a representative of the United States Department of Justice visited the Santa Clara County Domestic Violence Council and requested that the Council create a domestic violence related death review committee. The DVDRC was established by the Santa Clara County Domestic Violence Council in October 1994 in response to this request. Santa Clara County was one of the first counties to establish a death review team.

In 1995, the California Legislature enacted Penal Code section 11163.3 which allowed all California counties to establish an interagency domestic violence death review team. These teams were mandated to coordinate and integrate state and local

efforts to address fatal domestic violence incidents and create a body of information which would help prevent domestic violence deaths.

In 1996, the California Legislature expanded Penal Code section 11163.3. As a result of the new legislation, information shared in death review committee meetings was to be confidential and not subject to disclosure or discovery by a third party. Recommendations may be disclosed at the discretion of a majority of the team members.

### Confidentiality

DVDRC members sign an agreement requiring that all information discussed in committee meetings remain confidential. The only agreed upon public disclosure of cases involves statistics and fact patterns. The names of particular victims and perpetrators are removed out of respect for victims, family members, and survivors. The signed agreement is kept on file by the committee chair. A copy of the agreement is provided in **Attachment 1**.

### Membership

DVDRC membership consists of a cross-section of organizations and disciplines in Santa Clara County that interact with domestic violence victims, perpetrators, and their children. Committee members come from the Office of the District Attorney, local law enforcement agencies, the therapeutic community, victim advocacy agencies, the Probation Department, the Department of Corrections, Pretrial Services, the Department of Family and Children's Services, Adult Protective Services, Family Court Services, Family Law Bar, Asian community, Victim Witness, County Mental Health, the LGBT community, batterer's intervention programs, the Department of Public Health, and the Medical Examiner/Coroner's Office.

### Definition of "Domestic Violence Related Death"

The DVDRC defines a "domestic violence related death" as a death that occurs when the perpetrator and victim were involved in an intimate relationship, either at the time of death or prior to the death, and domestic violence was the catalyst for the death. A time of separation between the parties does not preclude a review of an incident if domestic violence was the catalyst for the death(s). A domestic violence related death also includes the death of a family member(s), friend(s), and community member(s) if the motivation for the homicide was domestic violence. Domestic violence related deaths include homicides, homicide/suicides, suicides, fatal accidents, and blue suicides. Blue suicides occur when an individual threatens to kill police officers, verbally or by use of a weapon, and intends that the police will respond by firing upon the individual.

Each decedent is counted separately and given their own number, even if multiple people die during one incident.

## OVERVIEW OF THE DOMESTIC VIOLENCE RELATED DEATHS IN SANTA CLARA COUNTY IN 2013

The DVDRC identified nine (9) domestic violence related incidents which resulted in eleven (11) deaths during 2013. One incident involving an elderly couple who committed a homicide/suicide as part of a suicide pact was referred to the Santa Clara County Elder Death Review Team and was not included in this report. In 2012, there were six (6) domestic violence related incidents resulting in nine (9) deaths.

The eleven (11) domestic violence related deaths in 2013 included nine (9) homicide victims and two (2) people who committed suicide. In 2012, there were six (6) homicide victims and three (3) people who committed suicide. In 2011 there were seventeen (17) domestic violence related deaths. Eleven (11) people were homicide victims and six (6) people committed suicide. **Attachment 2** lists the domestic violence related deaths in Santa Clara County since 2000.

In 2013, the Santa Clara County District Attorney's Office filed criminal complaints alleging a violation of Penal Code section 187, Murder, against seven (7) defendants in domestic violence related incidents.

There were no children murdered this year in domestic violence related incidents. In one incident four (4) minor children had their mother murdered and the whereabouts of their father was unknown. In another incident the perpetrator killed the mother of their three (3) children. He is incarcerated. In another incident the perpetrator killed a woman who had three (3) children. The perpetrator may have been the biological father of one of the children. The mother's husband is still alive and with the children.

There were eight (8) male perpetrators and one (1) female perpetrator.

There were no perpetrators or victims from the LGBT community.

The average age of the nine (9) perpetrators was approximately 41 years-old. The average age of the nine (9) homicide victims was approximately 37 years-old.

The ethnic background of the decedents included two (2) Asians, two (2) Caucasians, one (1) Native American/Eskimo, and six (6) Hispanics.

The ethnic background of the perpetrators included one (1) Asian, one (1) Caucasians, one (1) African-American and six (6) Hispanics.

The perpetrators and victims came from different socio-economic backgrounds.

Seven (7) of the eleven (11) decedents died from stab wounds, two (2) died due to firearms, one (1) was killed from blunt force trauma, and one (1) committed a "Blue Suicide."

Domestic violence affects every aspect of our community. It is not just a problem for those in a particular economic class, ethnicity, religious group, age or gender. It has a tremendous impact on the victim, the victim's family and has a tremendous impact on children. We must be vigilant in acting to protect everyone from intimate partner violence!

## **2013 CASE SUMMARIES**

### **242/243. HOMICIDE/SUICIDE**

On February 14, Valentine's Day, a 22 year-old woman was shot and killed by her ex-boyfriend, age 25. The perpetrator then committed suicide with the same firearm. The victim and perpetrator dated for a few months and lived together for approximately 5 months in 2012. They ended their relationship in January, 2013. They continued to live in the same house after the separation but slept in different rooms. There were other tenants living in the residence. On Valentine's Day, the perpetrator was convinced that the victim had begun to date other people. He confronted the victim in his bedroom. During the argument, the perpetrator shot the victim and then himself. Neither party has a known history of domestic violence.

### **244. HOMICIDE**

The female perpetrator, age 47, stabbed and killed her 69 year-old boyfriend sometime in early February, 2013. The victim's body was discovered a few weeks after the murder. The victim suffered from multiple stab wounds throughout his body. The perpetrator had a history of homelessness, mental health issues and had stabbed another man years earlier. The victim was developmentally delayed due to a brain injury suffered in his youth. The motive for the murder, according to the perpetrator, was because the victim was "making noise" while he was sleeping.

### **245. HOMICIDE**

The victim, age 28, was stabbed multiple times by her ex-boyfriend, age 25, outside of a Togo's restaurant in the middle of the afternoon on February 22, 2013. The defendant had a history of domestic violence incidents and there was an active criminal and an active civil restraining order prohibiting him from having contact with the victim. The perpetrator was waiting for the victim outside of her apartment. He confronted her, a brief argument ensued, and then he stabbed her in broad daylight in the middle of a parking lot. There were a few civilian witnesses to the event. The victim and perpetrator dated for about one year and the relationship ended in 2010. There was a criminal no contact order and the victim had obtained a civil no contact order. The perpetrator was not apprehended and is currently outstanding.

### **246. HOMICIDE**

The victim, age 36, was stabbed, tortured, mutilated and shot by her ex-boyfriend, age 43. The incident occurred on May 15, 2013. The victim had four (4) children. The location of the father of the children was unknown at the time of the incident. The perpetrator and victim had a prior dating relationship but remained in contact with one another. The victim had a new boyfriend. The perpetrator and the victim were in the perpetrator's hotel room when the murder occurred and the victim probably went to the hotel room voluntarily. The victim's body was mutilated and the perpetrator sent photographs of the victim's body to the victim's new boyfriend. The perpetrator was not apprehended and is currently outstanding.

**247. HOMICIDE**

The victim, age 45, was born in Alaska and is a Native American/Eskimo. She was homeless and living in Morgan Hill. She maintained a dating relationship with the perpetrator, age 58, and they were not in an exclusive dating relationship. On June 14, the perpetrator and victim argued after the perpetrator accused the victim of having an affair with another man. The perpetrator used blunt force trauma and struck the victim in the head and neck. The perpetrator left the victim's body near train tracks.

248. This is a 2010 incident that was discovered in 2013. This case was not reviewed for the 2013 DVDRRC report.

**249/250. HOMICIDE/SUICIDE**

The perpetrator, age 68, and victim, age 56, had been married for over 20 years. The victim had indicated that she wanted to obtain a divorce and terminate the marriage. The victim and perpetrator continued to live in the same residence. In early August, the perpetrator beat and stabbed the victim. The victim died due multiple stab wounds including a slit throat and a stab wound to the heart. The perpetrator may have also used a bag to strangle the victim. The perpetrator called 911 to report that he had killed his wife two days earlier. The perpetrator committed a "blue suicide" when he attacked the police with a knife as the officers entered his home.

**251. HOMICIDE**

The victim, age 49, and perpetrator, age 42, had a dating relationship for an extended period of time. They were both married to other people. The mother had three children. The perpetrator suffocated the victim and then slit her throat. The victim was found days later in the victim's van.

**252. HOMICIDE**

The victim, age 39, was in the process of leaving the father of her children. The perpetrator, age 41, was arrested in September, 2013 for criminal threats after he threatened to kill their son if the victim did not immediately return home. The perpetrator posted bail after a criminal no contact restraining order was issued. The perpetrator located the victim, who had moved, upon his release from custody. With the children in another room, the perpetrator stabbed the victim multiple times.

**253. HOMICIDE**

The perpetrator, age 21, and the victim, age 21, dated on and off for over three years. They did not have any children together and never lived together. On November 12, 2012, the perpetrator stabbed the victim on her arms, back and shoulder with a box cutter and was convicted of a misdemeanor 243(d) in San Benito County. The criminal restraining order was modified in August, 2013 to peaceful contact. On Christmas Eve, 2013, the victim went to the perpetrator's house. She was found deceased the next day in his bed with a broken nose, bruises on her face and a knife slash through her neck. The perpetrator had a history of mental health issues and suicidal ideation.



## **STATISTICAL ANALYSIS**

### **I. OVERVIEW**

Decedents:	11
Number of Incidents:	9
Homicide Victims:	9
Suicides:	2

### **II MANNER OF DEATHS**

Gun Shot:	2
Stabbing:	7 (1 stabbing also involved a gun shot)
Blunt Force Trauma:	1
Blue Suicide:	1

### **III. LOCATIONS OF DEATHS**

Victim's Residence:	2
Perpetrator's Residence:	2
Victim and Perpetrator's Joint Residence:	4
Public Place:	3

### **IV. POLICE AGENCIES INVOLVED**

1. 7 deaths investigated by San Jose Police Department
2. 0 deaths investigated by Mountain View Police Department
3. 0 deaths investigated by California Highway Patrol
4. 0 deaths investigated by Campbell Police Department
5. 1 deaths investigated by Gilroy Police Department
6. 0 deaths investigated by Los Altos Police Department
7. 0 deaths investigated by Los Gatos-Monte Sereno Police Department
8. 0 deaths investigated by Milpitas Police Department
9. 1 deaths investigated by Morgan Hill Police Department
10. 0 deaths investigated by Palo Alto Police Department
11. 0 deaths investigated by Santa Clara County Sheriff's Office
12. 0 deaths investigated by Santa Clara Police Department
13. 2 deaths investigated by Sunnyvale Department of Public Safety

**V. SOCIAL IDENTIFIERS**

**1. Ages**

Female Homicide Victims:	21, 22, 28, 34, 39, 46, 49, 55
Male Homicide Victims:	69
Male Homicide Perpetrators:	21, 25, 25, 41, 42, 43, 58
Female Homicide Perpetrators:	47
Male Homicide/Suicide:	29, 68
Female Homicide/Suicide:	

**2. Race/Ethnicity of Decedents**

Asian (Vietnamese):	2
Caucasian:	2
Hispanic:	6
Native American/Eskimo:	1

**3. Race/Ethnicity of Perpetrators**

Asian (Vietnamese):	1
Hispanic:	6
Caucasian:	1
African-American:	1

**4. Gender of Decedents**

Female:	8
Male:	3

**5. Gender of Perpetrators**

Female:	1
Male:	8

**6. Same Gender Couples**

Zero (0)

**VI. CHILDREN**

**1. Number of Biological Children Perpetrator and Victim had in Common**

Two (2) incidents:	3 children 1 child
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**2. Number of Children who were Homicide Victims**

Zero (0)

3. **Minor Children Present at Time of Incident**

2 children were present at the time of the death in 1 incident.

4. **Number of Minor Children Whose Parents were Decedents**

Ten (10) minor children lost their mothers in three (3) separate incidents.

VI. **RELATIONSHIP HISTORY AND CURRENT STATUS OF PARTIES**

1. **Type of Relationship at Time of Death (Recorded per Incident)**

Married:	0
Divorced:	0
Married and filed for divorce:	1
Married and discussed separation:	0
Married and separated:	1
Dating:	0
No longer dating:	2
Dating and seeing other people:	3
No longer dating but living together:	1
Dating but in the process of breaking up:	1

2. **Length of Relationship**

Less than one year:	2
One year:	2
1-3 years:	2
Over 15 years:	1
Over 20 years:	2

3. **Prior Police Reports of Domestic Violence**

Four (4) known incidents involved a perpetrator with prior acts of domestic violence that had been reported to law enforcement.

Two (2) incidents involved unreported incidents of domestic violence.

4. **Restraining Orders**

In one (1) incident, there was a criminal no contact order and civil no contact order.

In one (1) incident, there was a criminal no contact order.

In one (1) incident, there was a criminal peaceful contact order.

5.	<b><u>Known Occupations of Homicide Victims</u></b>	
	Administrative assistant for waste management company:	1
	Hairstylist:	1
	Waitress at a card club:	1
	School yard duty assistant:	1
	Employee at food distribution, manual labor:	1
	Retired:	1
	Secretary and Bookkeeper:	1
	Unemployed:	2

6. **Known Occupations of Perpetrators**

Tree trimmer:	1
DJ:	1
Computer technology employee:	1
Laborer:	1
Prostitute:	1
Self-employed contractor:	1
Retail sales:	1
Unemployed	2

7. **Immigrant Victim**

The DVDRC defines an immigrant as a person who has been in the United States for 10 years or fewer. We do not look at legal status.

One victim came from Mexico and was living in the United States for approximately eight years at the time of the murder.

## **RED FLAGS AND CHARACTER TRAITS FOR POTENTIAL LETHAL SITUATIONS**

In many instances, domestic violence homicides are about an individual's desire to have power and control over their intimate partner. When a perpetrator begins to feel that power eroding, they may do whatever they can to regain power, including killing the people they seek to control. In the end, the perpetrator ensures that the victim cannot leave and start a new life.

The risk may also escalate when the victim challenges the perpetrator's control by trying to end the relationship, filing for divorce, or beginning a relationship with another person. It is critical that safety planning is a part of the process of terminating a relationship and that the safety planning continues even after the relationship ends. It is also important that mental health issues relating to the separation be addressed.

Children, other family members, neighbors, co-workers, and innocent bystanders are all put at risk if they are nearby when the violence erupts. We must continue to educate the public on these issues and help people understand that reporting domestic violence saves lives and that intervention is necessary.

The DVDRRC has identified numerous "red flags," or factors that may precede a domestic violence related death. These factors have been reported and discussed in multiple studies.<sup>1</sup> These red flags may not apply in every situation but may signal that a person is at risk. We hope that people will recognize these risk factors and seek help before it is too late.

Risk factors may include:

- (1) Prior acts of intimate partner violence.
- (2) Separation or talk of ending the relationship.
- (3) Access to firearms or failing to relinquish firearms after being served a protective order.
- (4) Controlling behaviors which may include social isolation, financial dependency by restricting access to money and information about finances, threats to take away children, or threats involving deportation.
- (5) Stalking behavior including monitoring of daily activities.
- (6) Threats of suicide and/or homicide.
- (7) Kidnapping or imprisoning someone against their will.
- (8) Lack of any, or very few, friends outside the relationship.
- (9) Untreated and inadequately treated mental health conditions, or illnesses including depression, anxiety, and related conditions. Issues may stem from early childhood trauma, abuse, neglect or abandonment.
- (10) Previous use of weapons or threat of using weapons.
- (11) Extreme jealousy and/or possessiveness.
- (12) Prior strangulation and choking.

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<sup>1</sup> See: Campbell J.C. (2005) Assessing dangerousness in domestic violence cases: history, challenges and opportunities. *Criminology and Public Policy*, 4 (4), 653-672; Campbell, J.C., Glass, N., Sharps, P.W., Laughon, K., & Bloom, T. (2007). Intimate partner homicide: Review and implications of research and policy. *Trauma, Violence, & Abuse*, 8, 246-269; Knopp, P.R., & Gibas, A. (2010) The spousal assault risk assessment guide (SARA). In R.K. Otto & K.S. Douglass (Eds.), *Handbook of Violence Risk Assessment*, 227-250.

- (13) Aging-related diseases (like dementia) which may exacerbate abusive or violent behavior.
- (14) A sense of entitlement, self-centeredness, or a lack of empathy for others (including children).
- (15) Illicit drug use or alcohol consumption.

## **A MESSAGE TO VICTIMS OF DOMESTIC VIOLENCE: “SEEK HELP!”**

The DVDRC studies domestic violence related deaths within the context of both lethal and non-lethal acts of domestic violence. In 2013, law enforcement officers referred approximately 3,749 non-lethal cases of domestic violence to the Santa Clara County District Attorney’s office for review. The Domestic Violence Death Review Committee discussed numerous controlling behaviors that are commonly seen in these domestic violence incidents and encourage individuals to seek help if your partner:

- (1) Physically abuses you in any way.
- (2) Threatens you.
- (3) Does not want you to have a life outside of the relationship, including isolating you from friends and family members.
- (4) Becomes emotionally intense and frightening.
- (5) Keeps you on an emotional roller coaster.
- (6) Does not, cannot, or will not accept you ending the relationship.
- (7) Uses force, coercion, or threats to control you.
- (8) Apologizes profusely for “bad” conduct but then repeats the conduct on other occasions.
- (9) Shows anger not in proportion to the incident.
- (10) Never takes responsibility for the problems in the relationship and minimizes, denies, or blames you for the perpetrator’s behavior.
- (11) Hides or stows items such as firearms or weapons, and keeps important documents from you.
- (12) Monitors your phone calls, text messages, emails, letters, and computer usage.
- (13) Is extremely jealous and always wants to know your location.
- (14) Wants to have control over your financial situation and restricts your financial independence.
- (15) Wants to know everything about you from the moment you meet, including phone numbers, access codes, and computer passwords.

All threats must be taken seriously, whether or not you feel the perpetrator has the means to follow through on them or says that the threats were just a joke. Listen to your inner voice that says there may be a problem!

## **A MESSAGE TO FRIENDS, FAMILIES, CO-WORKERS AND COMMUNITY MEMBERS: “SPEAK UP - SAVE LIVES”**

Numerous fatalities studied by the DVDRC since 1994 have involved situations where family members, co-workers, friends, and community members were aware of serious problems in a relationship but did not intervene. Intervention and support is necessary when someone may be a victim of domestic violence. Domestic violence does not get better on its own. Calling 911 or seeking professional assistance could save a life!

The DVDRC recognizes that a person may not know what to do when they suspect a person is a victim of domestic violence or if a child is at risk. The DVDRC recommends that one or more of the following actions be taken:

- (1) Call 911.
- (2) Contact a victim advocacy agency and inquire about ways to help the victim. The names and numbers of local agencies can be found on page 26 of this report.
- (3) Ask victims if they are fearful of the perpetrator and why. Let them know that you are there for them.
- (4) Determine if there are deadly weapons in the home and contact local law enforcement or advocacy agencies about the threat of the use of these weapons.
- (5) Assist victims in calling a domestic violence advocacy agency to create a safety plan, obtain a restraining order, or seek domestic violence counseling. This is especially important if the victim wishes to end the relationship.
- (6) Take all threats seriously even if the victim says that the perpetrator is just “blowing off steam.”
- (7) Protect children. Do not be afraid to tell victims that domestic violence is harming their children. When necessary, contact the Child Abuse Hotline at the Department of Children and Family Services.
- (8) Learn about domestic violence and share the information with others.
- (9) Encourage people to seek mental health help if they are suffering from the loss of a relationship.
- (10) Reach out to a person who may be depressed or upset about the end of a relationship. Attempt to guide them into counseling or to seek professional help.

The DVDRC has also studied numerous instances where a child has been killed, lost a parent and witnessed the murder of a parent. When a child expresses real fear of a parent or if a child is living in dangerous conditions and is subjected to abuse or neglect, action must be taken. Please contact the Child Abuse Hotline at the Department of Family and Children Services (DFCS) at 408-299-2071 or a local law enforcement agency immediately.

**A phone call can save a loved one’s life!**

**SPEAK UP - SAVE LIVES**



## **DOMESTIC VIOLENCE DEATH REVIEW COMMITTEE'S RESPONSE – TASKS ACCOMPLISHED IN 2013**

The DVDRC is committed to informing the general public about domestic violence and its deadly consequences. In 2013, DVDRC members made presentations at various conferences and workshops in Santa Clara County and throughout California. These presentations were made to professional and lay groups, medical personnel, law students, college students, high school students, and parent/teacher organizations.

The DVDRC also worked closely with the Court Systems Committee, Police Victim-Advocacy Committee, and the Executive Committee of the Domestic Violence Council in creating policies and procedures to combat domestic violence.

At the end of 2013, the DVDRC began to advocate for the Courts to raise the bail amount of certain criminal offenses. This process will continue in 2014. The DVDRC recognized that there were instances where perpetrators committed lethal acts of intimate partner violence while they were released from custody after posting bail. The DVDRC studied the bail schedules in other counties and is working with the Santa Clara County Courts in attempting to raise specific bail amounts. It should be noted, that the DVDRC does not place blame on anyone for the deaths while a person is out on bail except for the perpetrator of the homicide!

Members also worked with the Santa Clara Domestic Violence Information and Resource Team in making a presentation in May regarding intimate partner violence in the gay, lesbian, transgender and bi-sexual community. An emphasis was placed on males on same sex relationships.

Members of the DVDRC also continued to work on developing counseling for children who are exposed to domestic violence. The Domestic Violence Council's Court Systems Committee continues to investigate and discuss this issue.

The DVDRC continues to work with victim advocacy agencies and law enforcement agencies to develop programs and policies to protect victims who are in high risk situations. These programs include conducting lethality assessment surveys, quickly connecting victims to advocacy agencies, and conducting follow-up telephone contact when appropriate. Trainings were also given to numerous law enforcement agencies and domestic violence advocacy groups regarding the information learned by the DVDRC.

We will continue to track and study domestic violence related deaths and seek ways to end domestic violence and domestic violence related deaths.

## **COMMUNITY RESPONSES TO DOMESTIC VIOLENCE**

Numerous agencies throughout Santa Clara County work to protect domestic violence victims, their families, and their friends. There are also numerous organizations that help prosecute and rehabilitate perpetrators of domestic violence. The DVDRC believes that the work of these agencies and organizations contributes to improving the lives of Santa Clara County citizens.

There are many instances of the outstanding work performed in our community. For example, the thirteen (13) law enforcement agencies in Santa Clara County signed and adhered to the 2013 Domestic Violence Law Enforcement Protocol. The Domestic Violence Law Enforcement Protocol recognizes domestic violence as a crime and contains a “shall arrest policy.” A “shall arrest policy” means where probable cause exists to believe a person committed an act of domestic violence, an arrest shall be made by the responding law enforcement officer. The Domestic Violence Law Enforcement Protocol is reviewed and updated yearly by members of all thirteen (13) local law enforcement agencies, social workers, victim advocates, and other community leaders. **Attachment 3** lists the law enforcement agencies that signed the Domestic Violence Law Enforcement Protocol in 2013. **Attachment 4** lists some of the local college campus police agencies and security agencies that are involved with protecting domestic violence victims. A copy of the Domestic Violence Law Enforcement Protocol can be found on the Domestic Violence Council’s website, [dvc.sccgov.org](http://dvc.sccgov.org).

The Santa Clara County District Attorney’s Office issued 1760 misdemeanor and 427 felony complaints in 2013 and the Family Violence Criminal Courts issued protective orders in each of these cases. In 2012, The Santa Clara County District Attorney’s Office issued 1,849 misdemeanor and 410 felony complaints. The Santa Clara County Family Law and Civil Courts issued 1586 restraining orders in domestic violence cases after hearing in 2013, which is a decrease from the 1996 restraining orders issued in 2012. The DVDRC recognizes the need to study why the number of criminal referrals and civil restraining orders declined in 2013.

Community service providers, legal services, batterer intervention groups, and other professionals worked to actively combat domestic violence in 2013. These agencies provided services to thousands of victims, perpetrators, and their children. They offered counseling to help families build lives without violence, created safety plans, and helped explain the legal process. These agencies likely work with more victims than law enforcement because many victims do not call the police when they are being abused. **Attachment 5** lists local victim advocacy agencies. **Attachment 6** lists numerous crisis hotline numbers and referral agencies.

The DVDRC wishes to commend all those who work to improve the lives of domestic violence victims, perpetrators, and their families. The DVDRC wishes to specifically commend the following aspects of domestic violence advocacy, community support, law enforcement, and prosecution in Santa Clara County:

- (1) Continued reporting of non-lethal domestic violence incidents by individuals within the county.
- (2) Confiscation of guns at domestic violence incidents by police officers.

- (3) Arrest and thorough follow-up by well trained law enforcement officers.
- (4) Prosecution by the District Attorney's Office.
- (5) Thorough investigation by the Office of Pretrial Services.
- (6) Advocacy support for victims and their children.
- (7) Appropriate sentences and orders for perpetrators imposed by judges and enforced by the Probation Department.
- (8) Counseling provided to victims, children and perpetrators.
- (9) Community campaigns on domestic violence.
- (10) In-custody and community intervention programs.
- (11) Increased community awareness through educational programs.
- (12) Collaboration among the government agencies, victim advocacy agencies, and community based organizations on domestic violence issues.
- (13) Collaborations among county agencies, including Adult Protective Services, Pretrial Services, Family Court Services, Probation, Department of Family and Children Services, and the District Attorney's Office.
- (14) Workplace violence policies implemented by corporations and businesses which include early detection, intervention, and protection of victims.
- (15) Attorneys appointed to advocate for children when domestic violence is discovered.
- (16) The collaborative work that led to the signing of the All Language Access agreement by the majority of the law enforcement agencies in Santa Clara County.

It is our belief that Santa Clara County's cutting-edge policies and procedures have helped improve the lives many people, even during difficult economic times. The DVDRC recommends that the Board of Supervisors continue to support these and other programs that help improve lives.

## **RECOMMENDATIONS BY THE DVDRC TO COMMUNITY LEADERS**

The DVDRC has compiled a list of recommendations for numerous agencies throughout Santa Clara County. We believe that these reforms and policy changes are necessary in our efforts to fight domestic violence.

### **SANTA CLARA COUNTY BOARD OF SUPERVISORS**

- (1) Coordinate with the Board of Education and local education agencies to address the issues of domestic violence, dating violence, and stalking. Curriculum should be developed in how to prevent violent and controlling behavior and enhance emotional health and positive relationships. Schools should amend their policies and procedures to create a safe environment that encourages children and youth to report abuse, to ensure teachers and other staff members are appropriately trained, and to require administrators to regularly assess the appropriateness of the school's efforts to address domestic violence.
- (2) Protect funding and staffing for agencies that counsel, create safety plans, and offer secure living facilities for victims and children; and for agencies that work with perpetrators of domestic violence.
- (3) Protect funding and staffing for law enforcement agencies that investigate and prosecute domestic violence cases.
- (4) Make available monies for mental health and legal services for children exposed to domestic violence, victims of domestic violence, and for those individuals who commit acts of domestic violence, including domestic violence evaluations for patients being treated in our mental health facilities. Mental health professionals should receive extensive training on the identification of domestic violence and how to address it.
- (5) Develop state of the art programming for perpetrators, and potential perpetrators, of domestic violence. Help create mental health facilities which provide services to those who may be concerned that they will perpetuate violence in the future or who are having difficulty coping with the loss of a relationship. An advertising campaign should be instituted to inform people who may be depressed because a relationship may be ending, where they can go for services.
- (6) Release and distribute this report to the public.

### **SANTA CLARA COURT SYSTEMS**

- (1) Create, implement, and monitor safety measures to obtain and collect firearms from perpetrators.

- (2) Develop an annual educational program about domestic violence and child abuse. This training should be targeted to judges who work with families that may have suffered violence or traumatic conditions; and attorneys involved with family law matters, custody disputes, and divorce proceedings.
- (3) Ensure that parents and guardians obtain counseling for children who have been exposed to domestic violence.
- (4) Encourage the Criminal, Juvenile and Family Courts which process cases having elements of Intimate Partner Violence to provide on-site comprehensive safety planning services for victims of intimate partner violence and routinely encourage the use of those services. Services should be provided in appropriate languages.

### VICTIM ADVOCACY AGENCIES

- (1) Develop procedures to evaluate and classify high risk lethal situations. Advocates should receive special training on how to create safety plans for potentially lethal situations.
- (2) Contact victims on a regular basis who are classified as being in high risk lethality relationships. The agency should create a safe word with the victim when contact is initially made. The committee recommends that each agency have a policy to maximize the safety of each client that they serve.

### LAW ENFORCEMENT AGENCIES

- (1) Fully staff and train Family Violence Units.
- (2) Designate at least one person to attend meetings of the Domestic Violence Death Review Committee, Domestic Violence Law Enforcement Protocol Team, and Police-Victim Advocacy Team.
- (3) Implement and use the High Lethality Assessment Investigation Tool as described in the Santa Clara County Domestic Violence Law Enforcement Protocol.
- (4) Train all officers regarding changes in the policies and procedures in safely securing firearms at the scene of a domestic violence incident and upon serving a protective order.

### DOMESTIC VIOLENCE COUNCIL

- (1) Create a Public Service Awareness Campaign. The campaign should be targeted to multi-ethnic and multi-lingual audiences and explain the dangers of domestic violence towards the victim, children, and family

members. Information about where to turn for safety and advice should be included. Efforts should be made to reach out to immigrants, seniors, ethnic minorities, the disabled, as well as members of the LGBT community. This campaign should be coordinated with the Board of Supervisors and local city councils.

- (2) Work with the Board of Supervisors to develop state of the art programming for perpetrators of domestic violence. Develop mental health facilities to provide services to those who may be concerned that they will perpetuate violence in the future. An advertising campaign should be instituted to inform people who may be depressed because a relationship may be ending, where they can go for services.
- (3) Work with the appropriate agencies to ensure that when children have lost a parent(s) to intimate partner violence that the children receive appropriate counseling and trauma based support.

## DOMESTIC VIOLENCE INFORMATION AND RESOURCE COMMITTEE

- (1) Schedule an outreach program for the Hispanic community. Education regarding domestic violence reporting and safety planning should be provided.

## CITY COUNCILS

- (1) Protect funding and staffing for law enforcement agencies that investigate and prosecute domestic violence cases. The DVDRC recognizes that City Councils may have budget constraints, but failing to adequately provide field officers or a fully staffed Family Violence Detective Team places domestic violence victims and children at risk.
- (2) Protect funding and staffing for agencies that counsel, create safety plans, and offer secure living facilities for victims and children; and for agencies that counsel perpetrators in order to prevent future acts of domestic violence.
- (3) Support the development of state of the art programming for perpetrators, and potential perpetrators, of domestic violence. Help create mental health facilities which provide services to those who may be concerned that they will perpetuate violence in the future or who are having difficulty coping with the loss of a relationship. An advertising campaign should be instituted to inform people who may be depressed because a relationship may be ending, where they can go for services.

## COMMUNITY AT LARGE

- (1) Encourage victims, friends, family members, co-workers, and community members to speak up and report domestic violence.

- (2) Encourage all public and private agencies who deal with families in traumatic situations to assess for domestic violence and engage in early intervention.
- (3) Encourage victims to get restraining orders and pursue the enforcement of the protective order. Victims and their families should also be encouraged to obtain comprehensive safety planning services.
- (4) Encourage people who may be suffering from depression, anxiety or any other mental illness, especially when a relationship may be ending, to seek counseling and professional help.

## **SPEAK UP - SAVE LIVES**

## **CONCLUSION**

Domestic violence impacts every aspect of our community regardless of socio-economic status, ethnicity, religious beliefs, age, immigration status, or sexual orientation. Domestic violence and abuse will not end on its own. Family members, co-workers, and neighbors who are aware of the serious problems in relationships and recognize domestic violence, should report the abuse and let victims know that there are options available.

Our community must continue to educate itself about all forms of domestic violence and realize that these situations may turn deadly. Law enforcement, the courts, pretrial services, probation, victim advocacy agencies, batterer treatment programs, and victims need the help of the community to combat domestic violence. We must all make a concerted effort to become more knowledgeable about domestic violence and to speak up when we know something is wrong. The community must get involved before another victim loses their life.

**We end this report with a final message: Everyone in the domestic violence community is working tirelessly on behalf of victims of domestic violence. We want to see an end to domestic violence in our lifetime. We want peace in our homes. Help us by remembering to:**

# **SPEAK UP – SAVE LIVES**

Respectfully Submitted: The Domestic Violence Death Review Committee 2013



**Attachment 1: DVDRC's Confidentiality Agreement**

**CONFIDENTIALITY AGREEMENT**

**DOMESTIC VIOLENCE**

**DEATH REVIEW COMMITTEE**

I, as a member of the Domestic Violence Death Review Committee, agree to keep confidential all information discussed at the death review meetings. I also agree to return all outside case information received in the meeting involving decedents to the Chairperson of the Death Review Committee upon my resignation from the Committee.

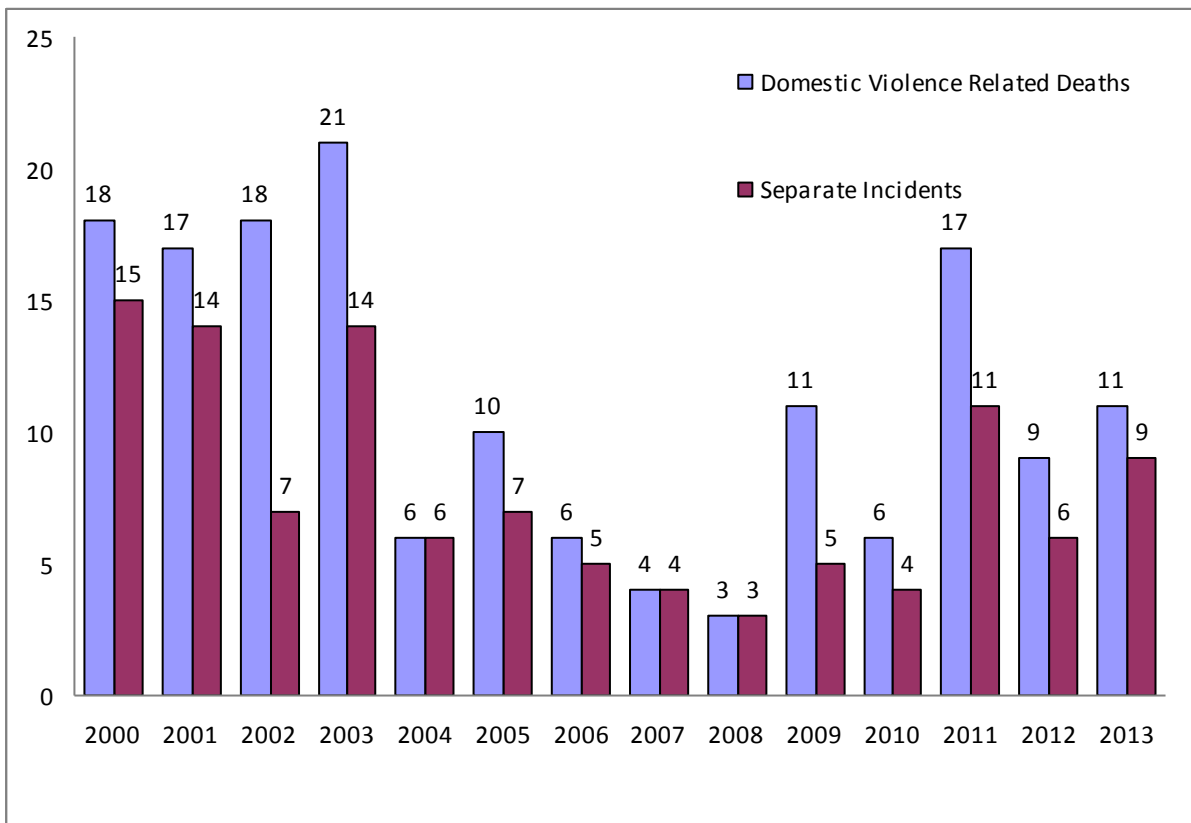
\_\_\_\_\_  
Dated

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

## Attachment 2: Domestic Violence Related Death Review Log Since 2000

<u>Year</u>	<u>Number of Domestic Violence Related Deaths</u>	<u>Number of Incidents</u>
2000	18	15
2001	17	14
2002	18	7
2003	21	14
2004	6	6
2005	10	7
2006	6	5
2007	4	4
2008	3	3
2009	11	5
2010	6	4
2011	17	11
2012	9	6
2013	11	9



### Attachment 3: Police Agencies in Santa Clara County

California Highway Patrol	(408) 467-5400
Campbell Police Department	(408) 866-2121
	(408) 378-8161*
Gilroy Police Department	(408) 846-0300
Los Altos Police Department	(650) 947-2770
	(650) 947-2779*
Los Gatos-Monte Sereno Police Department	(408) 354-8600
Milpitas Police Department	(408) 586-2400
	(408) 263-1212*
Morgan Hill Police Department	(408) 776-7300
	(408) 799-2102*
Mountain View Police Department	(650) 903-6344
	(650) 903-6922*
Palo Alto Police Department	(650) 329-2406
Santa Clara County Sheriff's Office	(408) 299-2311
San Jose Police Department	(408) 277-5300
	(408) 277-8911*
Santa Clara Police Department	(408) 615-4700
Sunnyvale Department of Public Safety	(408) 730-7100
	(408) 736-2644*

## CALL 911 FOR ALL EMERGENCIES

\*Some of the Law Enforcement Agencies in Santa Clara County have direct emergency telephone numbers that can be programmed into a person's cellular telephone. These numbers are provided by the DVDRC for those individuals who may need these numbers as part of their safety planning. The DVDRC recommends that individuals call 911 for all emergencies.

#### **Attachment 4: Campus Police and Security Agencies**

De Anza Community College Campus Safety and Security Department 7 a.m. – 12 midnight	(408) 864-5555
Evergreen Valley Community College Police Department 8 a.m. – 11 p.m. Monday-Friday and 8 a.m. – 4 p.m. business line only	(408) 270-6468
Foothill Community College Police Department 7 a.m. – 11 p.m. business line 7 a.m. – 11 p.m. emergency line	(650) 949-7313 (650) 949-7911
Gavilan College Security Department 8 a.m. – 11 p.m. Monday-Friday business line only	(408) 848-4703
Mission Community College Police Department 7 a.m. – 11 p.m. business line After hours dispatch line	(408) 748-2797 (408) 299-2311
San Jose City College Police Department 7 a.m. – 3 p.m. dispatch line only; will connect to Evergreen Police Department after 3 p.m.	(408) 288-3735
San Jose State University Department of Public Safety 8 a.m. – 5 p.m. business line 24 hour dispatch line	(408) 924-2185 (408) 924-2222
Santa Clara University Department of Public Safety 24 hour business and dispatch line	(408) 554-4441
Stanford University Department of Public Safety 8 a.m. – 5 p.m. Monday-Friday business line 24 hour non-emergency dispatch line	(650) 723-9633 (650) 329-2413
West Valley Community College Police Department 7 a.m. – 11 p.m. business line After hours dispatch line Investigations Bureau	(408) 741-2092 (408) 299-2311 (408) 741-2068

## Attachment 5: Victim Advocacy Agencies

Asian Americans for Community Involvement (AACI) <a href="http://www.AACI.org">www.AACI.org</a>	(408) 975-2730
Community Solutions <a href="http://www.communitysolutions.org">www.communitysolutions.org</a>	(877) 363-7238
MAITRI <a href="http://www.maitri.org/contact.html">www.maitri.org/contact.html</a>	(888) 862-4874
Next Door Solutions to Domestic Violence <a href="http://www.nextdoor.org">www.nextdoor.org</a>	(408) 279-2962
SV Faces – Victim/Witness Assistance Program <a href="http://www.svfaces.org">www.svfaces.org</a>	(408) 295-2656
Women-of-Means Escape Network, Silicon Valley <a href="http://www.losaltoscf.org/womensv">www.losaltoscf.org/womensv</a>	(650) 996-2200
YWCA Silicon Valley Support Network Program <a href="http://www.YWCA-SV.org">www.YWCA-SV.org</a>	(800) 572-2782

## Attachment 6: Crisis Hotlines and Referral Agencies

### EMERGENCY POLICE RESPONSE - 911

Adult Protective Services <a href="http://www.sccgov.org/aps">www.sccgov.org/aps</a>	(800) 414-2002
Asian Americans for Community Involvement (AACI) <a href="http://www.da.aaci.org">www.da.aaci.org</a>	(408) 975-2739
Bay Area Legal Aid <a href="http://www.baylegal.org">www.baylegal.org</a>	(408) 850-7066
Billy DeFrank Center <a href="http://www.defrankcenter.org">www.defrankcenter.org</a>	(408) 293-3040
Child Abuse Neglect and Reporting Hotline <a href="http://www.sccgov.org">www.sccgov.org</a>	(408) 299-2071 (408) 683-0601
Community Solutions (South County) <a href="http://www.community_solutions.org">www.community_solutions.org</a>	(877) 363-7238
CONTACT (Hotline for all hotlines) <a href="http://www.BillWilsonCenter.org">www.BillWilsonCenter.org</a>	(408) 850-6125
Domestic Violence Intervention Collaborative <a href="http://www.dvintervention.org">www.dvintervention.org</a>	(408) 294-0006
Family Court <a href="http://www.scscourt.org">www.scscourt.org</a>	(408) 534-5600
Family Court Self Help Center <a href="http://www.courtinfo.ca.gov">www.courtinfo.ca.gov</a>	(408) 882-2900
Legal Advocates for Children and Youth (LACY) <a href="http://www.lawfoundation.org/lacy.asp">www.lawfoundation.org/lacy.asp</a>	(408) 280-24146
MAITRI <a href="http://www.maitri.org/contact.html">www.maitri.org/contact.html</a>	(888) 862-4874
National Domestic Violence Hotline <a href="http://www.thehotline.org">www.thehotline.org</a>	(800) 799-7233 (SAFE)
Next Door Solutions to Domestic Violence <a href="http://www.nextdoor.org">www.nextdoor.org</a>	(408) 279-2962
Pro Bono Project <a href="http://www.probonoproject.org">www.probonoproject.org</a>	(408) 998-5298

Restraining Order Self Help Center <a href="http://www.courtinfo.ca.gov">www.courtinfo.ca.gov</a>		(408) 534-5709
San Jose State Counseling Service (SJSU students) <a href="http://www.sjsu.edu/counseling">www.sjsu.edu/counseling</a>		(408) 924-5910
Senior Adult Legal Services <a href="http://www.sala.org">www.sala.org</a>		(408) 295-5991
SJPD Family Violence Center <a href="http://www.sjpd.org/boi/fvc">www.sjpd.org/boi/fvc</a>		(408) 277-3700
Suicide Crisis Service <a href="http://www.suicidehotlines.com/california">www.suicidehotlines.com/california</a>		(408) 279-3312
	North County	(650) 494-8420
	South County	(408) 683-2482
SV Faces - Victim Witness Assistance <a href="http://www.svfaces.org">www.svfaces.org</a>	8:30 a.m. – 5:00 p.m.	(408) 295-2656
Victim Notification System (Victims can register and be informed when a defendant is to be released.) <a href="http://www.vinelink.com">www.vinelink.com</a>		(800) 464-3568
YWCA Rape Crisis Center <a href="http://www.YWCA-SV.org">www.YWCA-SV.org</a>		(408) 287-3000
YWCA of Silicon Valley Support Network Program <a href="http://www.YWCA-SV.org">www.YWCA-SV.org</a>		(408) 295-4011
	English/Spanish	(800) 572-2782
	TDD	(650) 490-7857