

TEAM MEMBERSHIP

DISTRICT ATTORNEY'S OFFICE
DISTRICT ATTORNEY KATHLEEN DELOE, CHAIR

SONOMA COUNTY

DEATH REVIEW

TEAM

2000 FINAL REPORT

KAISER MEDICAL CENTER

SUSAN McCAULEY
YWCA

TONI NOVAK
SONOMA COUNTY LEGAL SERVICES FOUNDATION

DET. SGT. TOM SCHWEDHELM
SANTA ROSA POLICE DEPARTMENT

BRAD STEVENS
REDWOOD CHILDREN'S CENTER

TEAM MEMBERSHIP

CHIEF DISTRICT ATTORNEY KATHLEEN DeLOE, CHAIR
DISTRICT ATTORNEY'S OFFICE

BARBARA BRANAGAN, RN, NP
DEPARTMENT OF HEALTH SERVICES

SGT. GREG CONTOS
SONOMA COUNTY SHERIFF'S DEPARTMENT

DR. DEANE DEFONTES
PETALUMA HEALTH CENTER

DR. THOMAS GILL
FORENSIC MEDICAL GROUP

DET. SGT. ROY GOURLEY
SONOMA COUNTY SHERIFF'S DEPARTMENT
CORONER'S OFFICE

SARAH JENNINGS, LCSW
KAISER MEDICAL CENTER

SUSAN McCAULEY
YWCA

TONI NOVAK
SONOMA COUNTY LEGAL SERVICES FOUNDATION

DET. SGT. TOM SCHWEDHELM
SANTA ROSA POLICE DEPARTMENT

BRAD STEVENS
REDWOOD CHILDREN'S CENTER

Domestic Violence Death Review Team

2000 Report

Kathleen D. DeLoe, Chair

The Sonoma County Domestic Violence Death Review Team, established December 12, 1996, continued to meet every two months throughout 2000. The Team followed its 1999 work plan, examining domestic violence-related deaths including suicides that were assessed as domestic violence related deaths. The Team reviewed issues of prevention. Four (4) domestic violence related deaths occurred in 2000 and one that occurred in 1999 were brought to the attention of the team in 2000. The 1999 death was originally termed a suicide and was later determined a domestic violence homicide. Of the four deaths in 2000, three were suicides. Review of some deaths occurred in 2001 due to the time involved in the review process. The deaths documented in this report occurred in the year 2000 except for the previously mentioned 1999 death.

In past years, the Team reviewed several homicide/suicide cases. The three suicides occurring in 2000 did not include homicides. One decedent was a victim of domestic violence and the other two were perpetrators. Prior to reviewing the deaths of the perpetrators, the Team reviewed the Protocol to determine what is a domestic violence related death and if the perpetrator suicides were domestic violence related. The conclusion of the team was the suicides were related to domestic violence as the perpetrators had either a history of domestic violence, made a threat to their partner shortly before their suicide, and/or they were under investigation or had been arrested for domestic violence.

During 2000, the Sonoma County District Attorney's Office reviewed an average of 278 domestic violence cases per month. This is an increase over the average of 200 per month in 1999. Sonoma County Sheriff's Department statistics for 2000 indicate domestic violence related arrests had increased 19% over the previous year. Domestic violence related incidents increased 3% and domestic violence reports increased 11%. The exact reasons for the increase in reporting domestic violence crimes is unknown at this time. The dedicated Domestic Violence Court is still in operation and continues to generate a high number of convictions for misdemeanor violations. The local domestic violence coordinating counsel, the Domestic Violence Action Committee, remains active in the community.

During the year 2000, the Domestic Violence Action Committee presented a daylong training, "Creating Family Safety and Support, The Community's Role in Domestic Violence Prevention". Among the workshops were "Teens Supporting Teens: An Interactive Peer Educator Program; and "Cultural Issues in Prevention and Intervention with the Latino Community." These two workshops were well attended. The Sonoma County Sheriff's

Office presented updates in domestic violence laws in their BLOC training to all deputy sheriffs. Grants continue to fund programs and personnel in the District Attorney's Office, the YWCA, law enforcement agencies, the Courts and the Probation Department.

Concluded in the year 2000 was the County of Sonoma Protocol for Interagency Collaboration in the Investigation of Child Abuse and Neglect. Included in this countywide protocol is a child endangerment section that outlines the appropriate law enforcement response to children who may be involved in domestic violence situations. (See attachment No. 1 and 2). The impact of domestic violence on children continues to be examined by the Child Abuser Protocol Committee, the Domestic Violence Death review Team, and the Domestic Violence Action Committee.

Community members involved in elder abuse issues from both the public and private sector have become involved in domestic violence committees in Sonoma County to advocate on the behalf of elderly. Members of the Team also serve on the other committees that address elder abuse and domestic violence so that the prevention, intervention and education process has widened to include all who may be involved in domestic violence issues in our community.

Future plans include a focus on the issues of law enforcement continuing education and the effects of domestic violence on children.

1. The investigating agency will document any visible signs of injury or evidence of neglect through photographs and detailed descriptions.
2. The investigating agency will collect any instrumentalities of the crime (i.e., belts, spoons, lubricating jelly, pornographic movies or magazines).
3. The investigating agency will refer all cases of sexual abuse and physical abuse with serious bodily injury to RCC where further evidence may be developed during the course of the RCC interview and exam.

Child Endangerment Situations

1. Suspected Child Abuse in Domestic Violence Situations

When responding to a report of domestic violence, law enforcement will be alert to and observant of the impact domestic violence may have on any child present.

- a. The investigating officer will ask the child(ren) if they observed the incident of domestic violence or threatened domestic violence.
 - 1.) The officer will observe if physical injury (intentional or unintentional) was inflicted on the child(ren) during the course of domestic violence.
 - 2.) The officer will observe the child(ren)'s behavior, affect and statements for signs of emotional distress due to the domestic violence.
- b. The officer will advise the parents or caretakers of the harmful effects on children who witness domestic violence, and include in report that the parents or caretakers were informed. If the officer is aware of any previous incident(s) of domestic violence in which the parents or caretakers were informed of the harmful effect on children who witness domestic violence, he/she will document this also.
- c. The officer will cross-report to Child Welfare if he/she assesses there may be child abuse secondary to the domestic violence, and then will proceed with investigation as for any complaint of alleged child abuse.
- d. The investigating officer will forward the report to the District Attorney's Office.
- e. The District Attorney's Office will evaluate if an ongoing domestic violence situation provides grounds to file charges of child abuse for physical injury or severe emotional trauma. Emotional abuse can be difficult to prove, and cumulative documentation by witnesses is imperative.

Protective Custody

1. If the child welfare worker determines that the child cannot be safely left in the home, the child welfare worker will contact the law enforcement agency in whose jurisdiction the incident occurred. In the absence of a court order, law enforcement has the ultimate authority to place a child in protective custody.
2. If a law enforcement officer places a child in protective custody based upon the recommendation of a child welfare worker, it will be the child welfare worker's responsibility to document the circumstance justifying the protective custody.

Dependency Petition

1. The Child Welfare Services Court Services Unit reviews the circumstances of the child(ren) who are taken into protective custody. The intake social worker makes a determination of risk to the child(ren) and, if circumstances show that return to parental care is not safe and there is legal basis under Section 300, Welfare and Institutions Code, the intake social worker files a petition in Juvenile Court seeking dependency.
2. A Child Welfare Services investigation worker completes a follow up investigation and report for the Juvenile Court Jurisdictional and Dispositional Hearings, making recommendations which may include removal from parental custody and control.

Suspected Child Abuse in Domestic Violence Situations

When Child Welfare Services receives a referral alleging child abuse inflicted on a child(ren) during the course of domestic violence, the referral will be evaluated, as would any report of suspected child abuse, according to Child Welfare Services Regulations, Division 31, definitions of child abuse and neglect. It is understood that children exposed to domestic violence are at risk for psychological damage and/or physical injury.

Investigation/Referral:

In cases of sexual abuse or physical abuse with serious bodily injury, the child will be referred according to the Redwood Children's Center protocol for interview and examination (see Appendix F).

The investigating agency will submit a Child Abuse Investigation Report (SS 8583) to the Department of Justice Child Abuse Central Index as soon as an active investigation has been conducted and the incident has been proven to not be unfounded.

The investigation and follow-up of any case will be the responsibility of the child welfare agency and/or the law enforcement agency(ies) in whose jurisdiction the incident(s) occurred.

RECOMMENDATIONS

The members of the Sonoma County Domestic Violence Death Review Team recommend the following:

1. The all law enforcement, prosecution, court personnel and mandated domestic violence reporters be trained annually on domestic violence, including the cycle of violence, risk assessment, dominant aggressor identification, and cultural factors (including same sex) represented in Sonoma County.
2. That law enforcement officers responding to domestic violence adhere to the County of Sonoma County Protocol for Interagency Collaboration in the Investigation of Child Abuse and Neglect when there are children in the home. Children in homes where domestic violence occurs should have advocacy and counseling available to them.
3. That Batterer's Programs address the effects of domestic violence on children as required by Penal Code Section 1203.097.
4. That training on the dynamics of domestic violence be provided for Sonoma County mental health community, including how threats or assessment of impending violence may fall under the duty to report laws.
5. That training on the dynamics of domestic violence and mandated reporting laws be provided for Sonoma County health care providers.
6. That lists of domestic violence counseling resources be provided by the Family Law courts and mediators when recommending counseling to parties when domestic violence is an issue, whether criminal charges are pending or not.
7. That coordination and communication with the Elder Abuse Prevention Council regarding issues of domestic violence involving the elderly continue.

SONOMA COUNTY DEATH REVIEW TEAM 2000 WORK PLAN

The purpose of the Sonoma County Domestic Violence Death Review Team is to evaluate policies and practices used by agencies and individuals in working with the victim and perpetrator in violent relationships. The Team will examine murders, suicides, and accidental deaths caused as a result of domestic violence and determine if other services or better services may have prevented the ultimate death of the individual. The Team will also provide a final report at the end of the year and will make appropriate recommendations aimed at the cessation of murder in domestic violence cases.

The above will be accomplished by:

1. Holding bimonthly meetings to review cases of domestic violence, homicide, and suicide and to identify areas of need in the system.
2. Making recommendations to the Sonoma County Domestic Violence Action Committee regarding needs in the system, as well as specific institutions or agencies as identified in case reviews.
3. Promote awareness of the effects of domestic violence on children.
4. Encourage law enforcement agencies to educate parents and provide written information on domestic violence and child abuse.
5. Gather statistical data regarding child in families where a family member has sustained a domestic violence related criminal conviction.
6. Review domestic violence Batterer's treatment programs in Sonoma County to assess program contents.

2000 Case Summaries

This is the first time the DV Death review team has reviewed a case where a female committed the homicide.

Case 1: 2/4/00. Suicide. A 34-year-old Caucasian female called policed to report violence by husband in their home. There had been numerous previous calls for assistance. Perpetrator (husband) was booked into jail on DV charges. While he was in jail, she killed herself by carbon dioxide asphyxiation. He was released from jail. He had previous arrests and was reported to CPS. She had previously sought help from the women's shelter. He was arrested two months later in another county for a DUI and cocaine possession. They had been married 5 years and had no children. Investigated by the Sonoma County Sheriff's Office (SO).

Case 2: Suicide. A 28-year-old Hispanic man overdosed on his daughter's medication in his wife and daughter's room at the Homeless Shelter. There was a previous history of domestic violence and a suicide attempt. Investigation by Santa Rosa Police Department (SRPD).

Case 3: 11/7/99. Homicide. (Charges were not brought until 2000, so this case was not included in the 1999 report.)

A 63-year-old Caucasian female died at her home. Sixty-four year old Caucasian husband is charged with murder. Both had used alcohol on the night of her death. They had been married 31 years and have 2 adult children living separately. Investigated by the SO.

Case 4: 11/24/00. Homicide. A 36-year-old Caucasian woman shot her 43-year-old Caucasian boyfriend in their shared home. Both had significant contacts with law enforcement for traffic violations, methamphetamine use, stolen property, and possession of drug paraphernalia. She had also been the victim of battery in another state. She has an 11-year-old daughter who was living with her mother at the time of the homicide. Investigated by SRPD.

Case 5: 11/7/00. Suicide. A 46-year-old Hispanic male, who had separated from his wife, killed himself. He had threatened to kill his wife and then himself. On the day of his suicide, he had gone to his son's home to kill the family and then himself. His son left with the family. He had a previous suicide attempt in 1998. At the time of his death, he had 7 grams of cocaine in his wallet. Adult children were not living with their father. Investigated by SO.

	1997	1998	1999	2000
Age:				
Average age victim	31 years	25 years	57 years	53 years
Average age perpetrator	43 years	23 years	65 years	50 years
Average age suicide				36 years
Age of children killed	14 years	3 weeks	None	None
Gender:				
Victim	4 F, 1 M	3 F, 1 M	2 F	1 F, 1 M
Perpetrator	4 M	3 M	2 M	1 F, 1 M
Suicide				1 F, 2 M
Sexual Orientation (S=straight; G=Gay):				
Victim	4 S, 1 G	3 S (+ 1 infant)	2 S	2 S
Perpetrator	3 S, 1 G	3 S	2 S	2 S
Suicide				3 S

Race*				
Victim	4 C, 1 H	1 B, 3 C	1 H, 1 J	3 C, 2
Perpetrator	3 C, 1 H	1 AA, 2 C	1 C, 1 H	H 2 C
Location of deaths:	5, family home 1, neighbor's home 1, boyfriend's home (In another county)	3, family home 1, ex-husband's home 1, on freeway	3, family home	3, family home 1, in field 1 in homeless shelter
Weapons:	4 guns, 1 kitchen knife	Hands, kitchen knife, vase	1 hammer, 1 gun	1 pending, 2 guns, loverdose, 1 CO ₂

*(AA=African American, B=biracial, C=Caucasian, H=Hispanic, J=Japanese):