

# FATALITY REVIEW BULLETIN

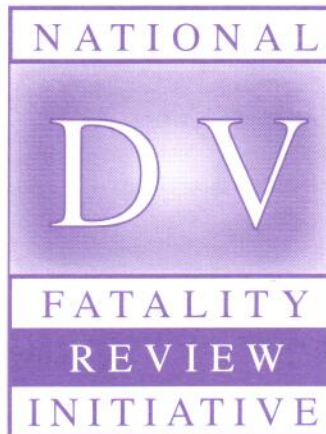
The Fatality Review Bulletin is a publication of the National Domestic Violence Fatality Review Initiative (NDVFRI). NDVFRI provides technical assistance through annual conferences, teleconferences, newsletters, customized information packets, fatality review team training, and other types of technical assistance on an as-needed basis. NDVFRI works closely with other leading domestic violence organizations to provide support and information for their fatality review work. NDVFRI is sponsored by The U.S. Department of Justice Office on Violence Against Women, grant number 86604788.

## National Domestic Violence Fatality Review Initiative

Northern Arizona University

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### National Conference on Domestic Violence Fatality Review October 20-21, 2003

The Westin Horton Plaza, San Diego, California

The National Domestic Violence Fatality Review Initiative (NDVFRI) in conjunction with the California Office of the Attorney General and The Office of Violence Prevention, County of San Diego Health and Human Services Agency presents its second national conference to be held on October 20-21, 2003 at the Westin Horton Plaza in downtown San Diego. State and local communities are invited to send team members who are currently conducting domestic violence fatality reviews or are interested in starting a review team. This conference is specifically designed for teams that are in the beginning and intermediate stages of fatality review team development.

**Invited Speakers:** NDVFRI Director Neil Websdale and Ellen Pence, PRAXIS International.

**Workshop Topics Include:** The Role of Advocacy in Fatality Review Work ~ Creating a Subculture for Death Review ~ Promising Practices: What Seems to Work? ~ Cultural Implications of Fatality Review ~ Using Fatality Reviews to Inform Social Change ~ Broadening the Scope of Cases to be Reviewed

For registration information please call Lynn or Debbie at 1-800-531-2693.

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*Our mission is to provide technical assistance for the reviewing of domestic violence related deaths with the underlying objectives of preventing them in the future, preserving the safety of battered women, and holding accountable both the perpetrators of domestic violence and the multiple agencies and organizations that come into contact with the parties.*



# NDVFRI Site Visit Reports

## **Mohave County, AZ**

**Consultant:** Neil Websdale

**Training Date:** March 7, 2003

This training was designed for professionals in Mohave County who are in the initial phase of developing a fatality review team. The meeting included an overview of domestic violence related homicides and the history and process of fatality review.

## **Michigan Coalition Against Domestic Violence Okemos, MI**

**Consultants:** Heather Moss & Cynthia Rubenstein

**Training Date:** April 10, 2003

The main focus of this training was to provide technical assistance to the emerging Michigan death review initiative. The Advisory Board was interested in determining what type of information could be collected from the local teams while remaining in compliance with the recently established legislation.

Board Members discussed the development of local teams and how the board could provide direction to these teams. A draft protocol has been developed which will potentially be used as a resource by the new teams. The Board will focus on collecting data and use the data to make changes that are guided by the needs of local communities. They will be researching multiple data collection tools and pilot them with emerging local teams. The group agreed that local autonomy should stay in the forefront of death review work and that local teams must drive data collection.

## **San Diego, CA**

**Consultant:** Neil Websdale

**Training Date:** April 11, 2003

The San Diego site visit included a 3 hour community forum on domestic violence fatalities and a 2 hour fatality review.

## **Pennsylvania Coalition Against Domestic Violence**

**Consultant:** Robin Thompson

**Training Date:** April 16, 2003

The Pennsylvania Coalition Against Domestic Violence (PCADV) requested technical assistance which would provide information on the fatality review process and how to form a fatality review team. Discussed were issues of confidentiality, liability and immunity, the role of the domestic violence advocate on fatality review teams and information on how teams operate. Anne Redford-Hall, Supervising Attorney for PCADV, reported that the information this group gathered during Robin's training will help them move in a positive direction and fully consider fatality review legislation. If they move forward with the proposed bill, it will be during the legislative session in 2004.

## **Dialogues for Sustainable Change**

**Eugene, OR**

**Consultant:** Neil Websdale

**Training Dates:** May 14-16, 2003

The Greenbook Technical Assistance Team (National Council of Juvenile & Family Court Judges, American Public Human Service Association and the Family Violence Prevention Fund) hosted the Greenbook Initiative 2003 All-Site Conference, Dialogues for Sustainable Change. The focus of the conference was on the process of change by examining critical and emerging issues that impact institutional capacity to engage in reforms aimed at developing integrated multi-system responses to the co-occurrence of domestic violence and child maltreatment.

Neil Websdale and Ellen Pence facilitated a lunchtime roundtable with fatality review team members. The discussion included the linkages and parallels between domestic violence fatality reviews and safety and accountability audits.

## **El Paso County Greenbook Initiative**

**Colorado Springs, CO**

**Consultant:** Neil Websdale

**Training Date:** July 25, 2003

Neil Websdale was invited to meet with various local professionals including advocates & attorneys to discuss the possibility of setting up death review teams in the Colorado Springs area.

## **Native American Circle, Ltd.**

**Domestic Violence Fatality Review**

**Roundtable Meeting**

**Couer d'Alene, Idaho**

**NDVFRI Representatives:** Cynthia Rubenstein,  
Lynn Spence, Robin Thompson & Neil Websdale

**Date:** August 1, 2003

NDVFRI representatives met with Native American Circle staff and representatives from various tribes. A lively constructive discussion ensued with the possibility of future collaborative work between Native American Circle and NDFVRI.

## **Upcoming Site Visit**

Atlanta, Georgia

September 18, 2003

**If you are interested in receiving fatality review team training, informational packets or other types of technical assistance, please contact us at 1-800-531-2693.**



# BEYOND POWER AND CONTROL MODELS

By Cynthia Rubenstein, MS, LMHC

While explaining the power and control wheel during a recent training for volunteer victim advocates, a participant asked me about the effect of testosterone on levels of violence. Without even thinking, I automatically responded by saying that violence is a learned behavior with no real consideration of the issue raised in her questions. What struck me later was how I instantly discounted the question since it did not fit with my mental model of the dynamics of domestic violence. Alarm bells rang in my mind when I realized that I was allowing my beliefs to keep me from considering other possibilities. Regardless of the content of the question, was my staunch adherence to viewing domestic violence through the power and control wheel keeping me from considering alternatives that could possibly be valid?

Models are a powerful way to explain and present data. Yet by their very nature, models inhibit our ability to conceptualize and are therefore also limiting. When conflicting data emerges do we try to fit it into our model or are we open to new ways of understanding? DeLoria (1999) discusses differences between Western scientific data gathering and Native American ways of gathering information. Western science views phenomena outside of accepted theories as anomalies. Native American viewpoints suggest that exceptions are not anomalies but instead are pieces of information that contribute valuable knowledge to the whole. Do we look at exceptions to the power and control wheel as anomalies or do we consider them as providing additional data? Could there be dynamics that go beyond power and control style thinking in explaining why violence against women occurs? And do these models apply among diverse groups and cultures?

## REINVENTING THE WHEEL

Evidence is emerging that the power and control wheel does not adequately explain the dynamics of violence against women in all cultural groups. Websdale (2001) has noted that among African Americans in Nashville, the dynamics defined in the wheel are not always applicable. He speculates the high levels of intimate partner violence in African American communities may also be a result of the economic powerlessness experienced by black males as well as the use of male privilege (p. 132). Websdale (2001) also points out the model was based on input from groups of European American women. In addition, the power and control wheel is based on heterosexual abuse dynamics that do not take into account the experience of gays and lesbians (Ristock, 2002). In an effort to address the cultural and life experiences of diverse groups, the wheel has been adapted for populations including Gays & Lesbians, Asian and Pacific Islanders, Native Americans, and the Developmentally Disabled. Adaptations are problematic because they are based on the dynamics of intimate partner violence between heterosexual European American couples that may be invalid for other groups. While beginning to address cultural and contextual issues, any conversion still uses

the same basic framework as the original power and control wheel. Exceptions, which we could consider anomalies, continue to be molded to fit into existing models instead of contributing fresh perspective. Plus, the original intent was not as a diagnostic or an explanatory tool, but as a springboard for discussion about violence in the lives of women (Ristock, 2002). However, this purpose got lost, when power and control wheel style thinking became a standard template for understanding dynamics of intimate partner violence.

The intent of men who use violence is also not considered in power and control thinking styles. While some may question the relevance of this perspective, strong advocacy on the part of the domestic violence movement resulted in raising the voices of battered women above the voices of those theorizing about them. Given the importance of everyone having a voice, do we at least need to listen to men's explanations of their behavior? Maybe exerting power and control is not the intent of men who use violence in their relationships. In any case, power-control thinking does not really capture the fact that the meaning of domestic violence differs not only by context, but also according to whom you ask and how they see the situation.

Rather than reinventing the wheel to fit diverse populations, we may want to look at alternative reasons for the use of threats, intimidation and coercion and other tactics used to commit intimate partner violence. I do not mean to imply that we have to totally discount the power and control wheel, which has had a profound impact on our understanding and response to violence against women, especially in conjunction with the criminal justice system. The wheel presents a compelling visual for the prosecution and can be a powerful tool when presented in a courtroom. It can also be an effective training tool when used properly. At the same time, we need to begin to look at intimate partner violence through a wider prevention oriented lens. If we were to suspend our beliefs about power-control other significant information could appear. For example, poverty and economic issues, religious and cultural factors and levels of community support are important issues that could be examined. What would happen if instead of looking through the wheel we began to look beyond it? In other words, we suspended our beliefs about domestic violence by holding our assumptions as if they were literally hanging in front of us, so they may be objectively observed, questioned and examined (Senge, 1990).

## DOMESTIC VIOLENCE FATALITY REVIEW TEAMS

Domestic violence fatality review teams provide a means to look beyond the power and control wheel and are a possible source for developing additional ways of understanding the dynamics of domestic violence. One of the missions of the Palm Beach County Domestic Violence Fatality Review Team, with which I am associated, is to look for possible points of



intervention for families prior to fatal incidents. The Team is focusing on a public health approach to family violence with an emphasis on prevention and is interested in examining dynamics that can lead to a wide variety of interventions.

The following data gathered by the Palm Beach County Domestic Violence Fatality Review Team raises interesting questions about the validity of our assumptions about the power and control wheel. Exceptions occurred throughout many of the 17 cases reviewed by the team. While all the cases involved some form of intimidation, threats or coercion, the tactics described by power and control thinking did not always apply.

Victims and perpetrators practiced Voodoo or Santeria in a least two of the cases. The effect of religions including Santeria and Voodoo may involve coercive behaviors that fall outside of traditional power and control wheel thinking.

Economic abuse was also not a factor in at least five of the homicides. In these cases, the female victim provided economic support to the perpetrator. The homicides occurred when the victim withdrew economic support. The relationships were in the process of ending with the victim withdrawing financial support one of the steps taken to separate from the perpetrator.

The perpetrator's use of the children as a tool to control the victim was not relevant in cases involving childless or older couples. However, it is important to note that in some of the cases involving children the perpetrators did intimidate victims by threatening or harming the children. The use of children as a tool does not account for older couples. At least five of the cases reviewed involved couples over the age of 40 with one married couple both over the age of 70. The power and control wheel does not take into account some of the issues faced by elderly couples such as the effects of dementia and failing health on both the victim and perpetrator.

What issues can we look at to better understand and intervene effectively in cases of intimate partner violence? When we look beyond the wheel we find that instead of looking at models to explain behavior we can begin to look more at the context in which the behavior occurs. In other words, to ask the question, "what does this behavior mean?" Barbara Hart has eloquently described the power of this question when posed to a victim of intimate partner violence. (Note 1) What if the question was asked about intimate partner violence in diverse communities? In Gay and Lesbian communities? In Native American or Hispanic communities? In the elderly population? What does the behavior mean in relation to economic or health issues? What does the behavior mean in relation to personal responses to trauma or mental health issues? What does the behavior mean to the perpetrator who is a chronic alcoholic and unemployed?

## BEYOND THE WHEEL

The importance of looking at contextual meaning is that we can create a holistic approach to viewing intimate partner violence. Focusing on models that address intimate partner violence from one perspective, such as a socio-political or a personality-based explanation, limits the range of possible interpretations. In addition, the proponents of a particular perspective often believe that their view has to be the only one. Valuable time that could be used to develop quality interventions is spent in persuading others that a particular perspective is right. Why can't theories be combined? An integral approach (Wilber, 1997) that looks at what factors may be true, or in other words, the common factors shared by differing viewpoints may be the most helpful in both understanding intimate partner violence and designing effective interventions. Addressing the relationships among the physical, mental, cultural and societal experiences accounts for a greater picture of the total life experience of an individual. There doesn't have to be one cause for battering behavior. Maybe our affinity to science and the search for causation is the real problem. Is cause-effect all important or could we look at meaning and context instead or as well? For example, what does it mean for an African American female victim of intimate partner violence who has a history as both a child witness and victim of family violence and may have trauma related issues? What does it mean for a Cuban lesbian who is a victim of intimate partner violence with a previous history of victimization and is also wheelchair bound? What does the violence mean to the perpetrator in each of these cases? What experiences have shaped the perpetrator in making the choice to batter? An integral approach based on a contextual framework that references a wide spectrum of a person's life experience allows for intimate partner violence to be understood from a more global perspective. Elements of power and control, effects of trauma, and brain chemistry may all have a role in understanding the dynamics.

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- Note 1 Keynote address delivered at the National Conference on Domestic Violence Fatality Review, Phoenix, AZ August 2002



## **The 5th Annual Report of the Domestic Violence Fatality Review Committee of Cuyahoga County, Ohio**

In 1996 the Domestic Violence Fatality Review Committee of Cuyahoga County was established to track and review domestic violence related deaths. The Committee's objective is to develop a better understanding of why these deaths occur and learn how they can be reduced or prevented.

Thirty one of 94 homicides occurring in Cuyahoga County in 2000 are classified as domestic violence related. The 31 cases represent 33% of all homicides occurring in Cuyahoga County in 2000.

### **Action Steps and Recommendations**

The Committee has developed a detailed list of suggestions intended to raise public awareness about domestic violence related fatalities as a serious community issue. In addition, they have compiled strategies for preventing or reducing fatalities related to domestic violence through education, research and management information systems. The Committee would like to see these system recommendations utilized by members of law enforcement, criminal and juvenile justice, and medical and social service providers.

### **Expanding and Improving**

The Committee is currently looking for increased financial support to:

- Advocate for statewide legislation which will mandate domestic violence fatality reviews.
- Follow up on the Committee's systems recommendations.
- Validate and improve lethality risk assessment.
- Improve and extend domestic violence fatality case review methods.
- Compare findings with similar fatality review committees.
- Research statewide and national trends.
- Determine how to identify and reach the high-risk population.
- Educate the community as to available services.

The main goal from these expanded and improved efforts is greater community safety. The Committee plans to focus their community efforts on *prevention* in order to decrease the number of domestic violence fatalities in Cuyahoga County.

***"The statistics in this report serve as a reminder that we should honor those who have died, the children who have been left without parents and that no***

***death should be in vain. The numbers we see on paper do not fully reflect the impact on the community of the many lives lost, or the meaning to family and friends who have survived and are affected by these fatalities."***

*(This article is a summary of the 5th Annual Report of the DVFRC of Cuyahoga County, Ohio issued on February 10, 2003. The original report was drafted and edited by Committee Chair Marcia Petchers, with assistance from Larry Bruner.)*

## **Risk Factors for Femicide in Abusive Relationships: Results From A Multisite Case Control Study**

In a recently published article, Campbell et.al.(2003) contends that a combination of factors increases the likelihood that a woman will be murdered by her partner. Campbell revised The Danger Assessment Instrument (originally developed by Campbell in 1986) by adding new questions to provide valuable information for her recent multisite case control study. Variables shown to be most predictive in femicide cases included immediate availability of weapons, and the presence of a stepchild. The most significant demographic variable found in this study was unemployment of the perpetrator.

The application of the Danger Assessment Instrument to situations of domestic violence will enable medical professionals, advocates, and counselors to more accurately identify a variety of warning signs that may place women in extreme danger. Having identified key variables leading to the potential for domestic violence, professionals will be better equipped to implement appropriate intervention strategies (e.g. referrals to shelters and other social services).

For more information on this research go to [www.son.jhmi.edu/research/cnr/homicide/main.htm](http://www.son.jhmi.edu/research/cnr/homicide/main.htm)

***Risk Factors for Femicide in Abusive Relationships: Results From a Multisite Case Control Study***, By: Campbell, Jacquelyn C., Sharps, Phyllis, Laughon, Kathryn, Webster, Daniel, Manganello, Jennifer, Schollenberger, Janet, Koziol-McLain, Jane, Block, Carolyn Rebecca, Campbell, Doris, Curry, Mary Ann, Glass, Nancy, Gary, Faye, McFarlane, Judith, Sachs, Carolyn, Ulrich, Yvonne, Wilt, Susan A., Xu, Xiao, Frye, Victoria A., American Journal of Public Health, 00900036, Jul2003, Vol. 93, Issue 7

Jacqueline Campbell teaches at Johns Hopkins University School of Nursing in Baltimore.



## IN THE NEWS . . .

### County Found Liable in Domestic Violence Fatality

(Summary of a newspaper article published March 1, 2003 in the Helena, Montana Independent Record)

**Broadwater County, Montana** has been found liable in the death of a woman who was killed 6 years ago by her abusive husband. Following 10 hours of deliberation on February 27, 2003, the woman's three sons were awarded a combined total of \$358,000 to compensate for the loss of their mother.

The court case stemmed from a murder-suicide in May 1997 in which Ray Doggett, the boys' stepfather, shot their mother, Vicki, and then shot himself.

On four prior occasions Broadwater County Sheriff Rich Thompson and his deputies had been called to the family's residence to resolve domestic disputes. Instead of arresting Ray Doggett on any of these 4 occasions, Sheriff Thompson mediated the disputes and left without making an arrest. This occurred after deputies witnessed Doggett holding a hand gun to his wife's head and urged the sheriff to make an arrest.

Montana state statute mandates police officers to counsel victims of domestic violence concerning services available to them such as shelter in the community and their legal rights including the opportunity to obtain an order of protection against their attacker. Jim Hunt, legal representative for the plaintiffs argues Sheriff Thompson did none of this even after his deputies urged him to arrest Doggett. The jury made the decision that the Sheriff was negligent for not making an arrest or offering the required counseling to the victim.

Hunt said the this case should send a message to peace officers that when dealing with situations such as this one, the law must be followed.

## MURDER IN OKLAHOMA

### Oklahoma Domestic Violence Fatality Review Board: Report 2002

#### History & Legislation

In 1998 law enforcement officials in Oklahoma received more than 21,000 calls relating to domestic violence. During 1998 and 1999 the state of Oklahoma reported 119 domestic violence-related homicides. These numbers prompted the Oklahoma Council on Violence Prevention and the Oklahoma Criminal Justice Resource Center to propose legislation that would establish a Domestic Violence Fatality Review Board.

The board's objective would be to "perform multidisciplinary review of data to identify common characteristics of these crimes, and then develop recommendations to improve the systems involved to better protect and serve the victims of domestic violence." On May 31, 2001, Governor Frank Keating signed the enabling legislation and the Oklahoma Domestic Violence Fatality Review Board was established in September 2001.

#### Fatality Reviews

As of August 2002, the Oklahoma Domestic Violence Fatality Review Board has reviewed 75 of the 159 domestic violence fatalities from 1998 and 1999.

#### Key Findings of the 75 Cases Reviewed:

- 57% of those murdered were previous victims of domestic violence.
- 62% are committed by intimate partners.
- 38% are committed by other family members.
- 67% of the killings occurred at the victim's home.
- 39% of the murders were witnessed by children.
- Average age of victim was 35, perpetrators 38.
- 74% of victims were White, 19% Black and 7% Native American.
- 9% of the victims reported being stalked prior to their murder.

#### Conclusion

The Oklahoma Domestic Violence Fatality Review Board believes that through improved system response, victims of domestic violence will receive the assistance they need and avoid further abuse. In turn, homicide rates will be reduced. While the fundamental goal is to eradicate domestic violence, Board members recognize that this can only begin with "specific and manageable strategies for change."

*(Information for this article is from the Oklahoma Domestic Violence Fatality Review Board 2002 Executive Summary. The original report was written by Brandi Woods-Littlejohn, MCJ Project Director; Carrie Duncan, Project Specialist; David Wright, Ph.D., Director of Research and Bill Huntington, M.S.Ed.)*



# Findings from the Washington State Domestic Violence Fatality Review December 2002

## **History, Background & Funding**

Washington State Domestic Violence Fatality Reviews (DVFR) began in 1997 with Federal Violence Against Women Act (VAWA) funds. In January 2000, the DVFR moved from the Department of Social and Health Services (DSHS) to the Washington State Coalition Against Domestic Violence (WSCADV). A second VAWA grant allowed the DVFR to begin implementing the model. The Washington State Legislature has allocated funding for the DVFR since the 2000 legislative session. These monies are administered through DSHS Children's Administration.

## **Homicide & Suicide Threats in Protection Orders:**

### **The DVFR Protection Order Study**

Fatality Review panel members from Washington State conducted a study of Protection Order narratives in King and Pierce counties to see how often women revealed homicide or suicide threats in their Protection Orders. The team members looked at a total random sample of 625 Protection Orders (300+ from each county). The sample includes only those orders involving intimate partners.

Sex of Petitioner/ Respondent	All Protection Orders		Protection Orders Mentioning Homicide Threats	
	N	%	N	%
Missing	8	1%	0	0%
Male/Male	16	3%	5	2%
Male/Female	90	14%	18	9%
Female/Female	27	4%	8	4%
Female/Male	484	77%	170	85%
<b>TOTALS</b>	<b>625</b>	<b>100%</b>	<b>201</b>	<b>100%</b>

Out of the 625 Protection Order narratives examined in the DVFR Protection Order Study, 210 (34%) refer to some type of homicide or suicide threat. Of these, the majority are homicide threats in the absence of any suicide threat (85%).

## **Recommendations:**

- Courts should ensure that petitioners who mention homicide and suicide threats are made aware of their increased danger due to these threats and are referred to advocacy services. In addition, courts should offer support to petitioners for immediate and detailed safety planning.
- Judges should order that abusers surrender their guns when granting Protection Orders.
- Protection Order advocates should ask specifically about threats of homicide and suicide. If these threats are being made, then provide safety plans accordingly.
- Safety plans for women reporting homicide and suicide threats should include getting weapons out of the house and car.

*This information was adapted from a report written by Margaret Hobart for the Washington State Coalition Against Domestic Violence. Ms. Hobart is a current Advisory Board Member with the National Domestic Violence Fatality Review Initiative.*

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