

## **“Daddy Bang Bang”**

*The name of this report comes from a two year old child of a victim in one of the cases we reviewed. He was home at the time of the murder and said to the officer who found him with his mother’s body: Daddy Bang Bang.*

Fifth Annual Mecklenburg Domestic Violence Fatality Review Team (DVFRT) Report  
(9/17/2015)

### **Introduction**

The mission of the Mecklenburg Domestic Violence Fatality Review Team (DVFRT) is to prevent domestic violence (DV) deaths, increase safety for DV victims, and increase accountability for abusers through systems change. The Team has been reviewing intimate partner fatalities<sup>1</sup> since 2010 with a focus on improving intra-agency and inter-agency practices that impact victim safety.

This report (The Team’s fifth) will look at five domestic violence homicides reviewed in 2014 and 2015. From these victims’ stories, we learn ways in which we can improve the County’s coordinated response to intimate partner violence. Though each story is tragic and unique, we will focus on their common themes and offer recommendations that can be applied systematically. We will also highlight successes that have come out of past recommendations.

### **Summary of Intensive Reviews**

Since the last report, the Team reviewed five separate domestic violence-related murders; there were seven fatalities resulting from these incidents (including one suicide). The six homicide victims consisted of four women and two men (one of these males was the new boyfriend of one of the female victims). The victims ranged in age from 18 years old, to 71 years old. Some victims were natives of Mecklenburg County, while some relocated from other states. One victim had adult children from a previous relationship while another victim had a two year old, present at the time of the murder.

Of the five murderers, four were male and one was female. The murderers ranged in age from 18 years old to 62 years old. In three cases the murders were committed with firearms, in one by strangulation, and in one by strangulation/stabbing.

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<sup>1</sup> The North Carolina General Assembly authorized the team in SL 2009 -52 and re-authorized it in SL 2013 -70.

This report has four themes, each divided into a findings and a recommendations section:

- A) Effective Bystander Intervention**
- B) Increased Public Awareness of DV Impacts**
- C) Law Enforcement / Probation Practices and Protocols for DV Incidents**
- D) Enhanced Offender Focus**

### **Effective Bystander Intervention**

Findings:

- In each case, family and friends of the victim were aware of abusive behavior. The degree of awareness varied, but in each case, the victim reached out to at least one family member, friend or co-worker.
- In one case friends of the murderer knew she was depressed and angry at her former boyfriend (the victim). The victim's parents said that they knew the relationship was abusive and that their son was afraid of his ex-girlfriend. They also said that she had threatened the victim's sister. None of these concerns had been reported to the police.
- Sometimes family and friends knew that "scuffling" or "heated arguments" occurred, but they did not characterize these behaviors as "abusive". A neighbor of one victim informed police, after the murder, that arguing was not uncommon in the victim/murderer's home, and he knew of an instance in which one party was locked out of the home and had to break a window to enter. In another case, after a victim (a teen at the time) was hit in the face by the abuser, the abuser's mother advised the victim to simply "sit in the car and wait" until tempers cooled down.
- Throughout these reviews, it was evident that friends, family members and neighbors either did not identify the risks and dangers present in these intimate partner relationships, or did not know how to address the situations in a helpful manner.

Recommendations:

1. Explore with Charlotte Mecklenburg Schools: a) what periodic training school counselors and school resource officers receive to help them identify children/youth who may have been exposed to Domestic Violence or other trauma, and to offer effective supports and referrals, and b) opportunities to expand evidence-based youth violence, bullying and dating violence prevention programs that include appropriate bystander intervention roles for youth, c) opportunities to advocate for adequate numbers of mental health professionals to serve students in CMS.

2. Explore with Mecklenburg County Community Support Services formation of a task team to develop bystander intervention tips and messages on how to support friends and family involved in DV situations, and a listing of key DV resources.
3. Provide the work products of item 2 to the Charlotte-Mecklenburg Police Department (CMPD) Special Victims Unit which has agreed to facilitate broad distribution to the public through the CMPD Community Coordinators.
4. Request that the Greater Charlotte Apartment Association and Charlotte Housing Authority make available bystander intervention literature (provided through the Community Support Services Department) to leasing offices with specific information about DV resources and law enforcement contacts. Request feedback from these organizations regarding volume of information distributed, any responses to the materials, and any impacts.
5. Through the Violence Prevention staff in Mecklenburg Community Support Services, request a pilot project to engage a neighborhood in discussion about DV, including how to report, barriers to reporting, effective ways to be an “upstander”, and available resources.

### **Increased Public Awareness of DV Impacts**

#### Findings:

- In one case, where the victim was male, it is unclear whether he felt at liberty to seek assistance with any concerns about the violence in his relationship and his safety, in light of cultural norms and gender stereotyping.
- In another homicide, a toddler son of the victim and murderer was present at the time of the shooting and was left alone with two dead bodies when the murderer fled the scene. The toddler told a responding officer “Daddy bang bang”. The murderer fathered six children with four women and he maintained contact with the children and their mothers before going to prison for the murders. He has a history of arrests for a variety of crimes including assaults on a female, communicating threats, and assault by strangulation. It is probable that a number of his children observed his abusive behavior toward their mother.
- In the above case the victim’s family members were aware of some abusive behaviors of the boyfriend, but made no reports to Child Protective Services

or law enforcement because they did not believe that the child was endangered in any way.

#### Recommendations:

1. Request that the Mecklenburg Departments of Social Services and Community Support Services continue to educate the public that DV exposure is injurious to children, and remind the public that a) everyone in North Carolina is a mandated reporter for child abuse/neglect under North Carolina General Statute 7B-301, and b) DV reports may be made anonymously both to Child Protective Services and to the police.
2. Work with DV Prevention/Education providers to broaden the public's understanding of DV to include financial and emotional abuse. Encourage the use of materials other than the classic poster of a woman with a black eye.
3. Request that DV agencies examine their messaging and materials to ensure that male victims of DV, as well as female victims, are provided with tailored information and resources.
4. Request that the Men's Shelter of Charlotte provide resource information for male DV victims.
5. Together with the Maternal Child Health Programs in Mecklenburg County's Health Department, explore ways to engage, educate and support parents who have limited understanding of child developmental needs and parenting skills, and may be unaware. Consider development of a parents' "answer line" staffed with trained peers who are demonstrably compassionate and knowledgeable about developmental issues and community resources.
6. Request that the Domestic Violence Advocacy Council offer one or more workshops for local DV victim advocates and other health care and social services providers on how to investigate whether an individual has a record of abusive behavior.

#### **Law Enforcement / Probation Practices and Protocols for DV Incidents**

##### Findings:

- In one case, while the abuser was on supervised probation, there were several 911 calls to the police from multiple victims about his abusive and violent behavior, but none of these calls resulted in new charges. The Probation officer was unaware of these calls, and did not have access to the Charlotte-Mecklenburg Police's KBCOPS information system.
- In another case there were many 911 calls for service at the couple's residence over several years. In none of these cases was there observable

physical injury; as a result, there were no arrests. At the time, Charlotte-Mecklenburg Police were not yet using the Lethality Assessment Protocol.

- In a third case the murderer had a history of arrests for illegal drug sales, underage drinking, resisting arrest, assaults on a female, communicating threats, assault by strangulation, and breaking and entering, among other crimes. He served short stints in jail for some of these offenses, and was sentenced to supervised probation and a batterer intervention program. On the evening of the murder, law enforcement came out to the victim's home after the suspect threatened to throw a weight through the sliding glass door. When law enforcement searched the premises and surrounding area, he was not found. It is unclear if the responding officers (at least two officers are routinely dispatched to DV calls) knew the scope of the suspect's previous criminal history and/or involvement with Probation. Shortly after law enforcement left, the murderer came back, used the weight to break in, and killed his former girlfriend and her new boyfriend with a shotgun<sup>2</sup>.

#### Recommendations:

1. Support the Pineville, Matthews, Cornelius and Mint Hill Police Departments in their efforts to implement the Lethality Assessment Protocol by the end of FY 16.
2. Explore with all of the police departments in Mecklenburg County current directives, practices and training associated with responses to intimate partner domestic violence calls for service to determine whether there are opportunities to increase safety and reduce repeat calls to the same address. Among the issues to consider:
  - Administering the LAP even if no crime has been committed and there is no obvious injury, in order to alert the victim to potential danger
  - Requiring a check of CJLEADS (for probation status and history of criminal charges) before an officer leaves the scene
  - Requiring a check of NCIC Module I (for arrest warrants and driver's license query which automatically yields wanted /missing persons, concealed handgun permits, DV protective orders and sex offender information) before an officer leaves the scene
  - Requiring an offender name search through KBCOPS before an officer leaves the scene

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<sup>2</sup> The Mecklenburg DVFRT reviewed a similar case in 2010 in which law enforcement responded to a DV call, searched the premises and found the suspect gone, left the premises to pursue him, and within minutes he returned to the premises and killed the woman and her unborn daughter.

- Requiring Computer Assisted Dispatch operators to review previous 911 calls for service to the address and enter this information into the current call for service
  - If the offender is no longer on the premises, evaluating what additional measures, if any, might be taken to protect the victim should it turn out that the suspect is waiting for an opportunity to return.
  - Consistently providing the New Options for Violent Actions (NOVA) card to DV offenders when no arrest is made. The card helps abusers to identify their own abusive behaviors and provides a phone number to access help.
3. Advocate for reduced caseload size for Probation Officers who have a DV-focused caseload to promote closer monitoring of this high risk group. It is our understanding that current caseload size averages 50 in Mecklenburg.

### **Offender Focus**

#### Findings:

- Four of the five murderers had criminal histories.
- Two of the five completed a batterer intervention program.
- As noted above, in one case, while the abuser was on probation, there were several 911 calls to the police from multiple victims about his abusive and violent behavior, but none of these calls resulted in new charges. The Probation officer was unaware of these calls, and did not have access to the Charlotte-Mecklenburg Police's KBCOPS information system to see the information.

#### Recommendations:

1. Continue to support the development of a pilot multi-disciplinary team through the Mecklenburg Criminal Justice Advisory Group to actively monitor selected repeat violent DV abusers. Similar initiatives have shown results in other North Carolina communities, including the city of High Point.
2. Request that the NC Division of Adult Correction continue to: use the Risk Assessment instrument, make referrals for mental health evaluations when indicated, and follow up with the treatment provider to assess probationer progress.
3. Encourage local law enforcement jurisdictions and Probation (through the Division of Adult Correction) to develop, formalize and institutionalize a process whereby Probation officers who carry DV cases are notified timely of calls for service involving the Probationer, even when no arrest is made.
4. Request through the North Carolina Division of Adult Correction that Probation Officers receive credit for visiting their probationers at certified

batterer intervention programs, such as NOVA, as a means to facilitate information exchange between Probation and NOVA, and to provide an additional opportunity for direct observation and exchange with the probationer. At the present time, visits at NOVA are not counted as “contacts”.

5. Request that the North Carolina Division of Adult Correction review its policies and practices regarding required documentation of collateral contacts for DV Probationers in order to determine whether the Probation Officers have an accurate picture of compliance with the specific terms of probation. Encourage additional use of collateral contacts to verify probationer self-reports.

### **FY 15 Accomplishments**

1) Per the Review Team’s recommendations, and with the support of the North Carolina Coalition Against Domestic Violence, the North Carolina General Assembly enacted two pieces of legislation to increase penalties for people who commit abuses in the presence of a child(ren). The first piece of legislation redefines “in the presence of” a child to include sight or *hearing*. The second piece of legislation enacted provides that the offender who commits a felony knowingly in the sight or hearing of a child under the age of sixteen can receive a greater consequence by creating a new statutory aggravating factor. This addition gives the court the ability to impose a longer active or suspended sentence.

2) Safe Alliance has agreed to replenish DV victim safety cards in all of the district court rooms, on an on-going basis, to increase awareness and access to resources. Mecklenburg Community Support Services Department and Safe Alliance take turns buying these cards, which are printed in English and Spanish.

3) Safe Alliance and Community Support Services Domestic Violence Victim Services, in partnership, provided refresher training at roll calls to Charlotte Mecklenburg Police Department Patrol Officers. This training focused on how to administer the Lethality Assessment Protocol (LAP) and then connect intimate partner violence victims with assistance by phone, as appropriate. The LAP has been used by the Charlotte-Mecklenburg, Davidson and Huntersville Police Departments since 2012. By protocol, this assessment is conducted when an officer responds to a DV call for service. Its purpose is to alert officers and victims to the degree of danger/ risk of lethality to the victim by the perpetrator. DV victims are offered the opportunity to connect with the DV Shelter, Victim Assistance and/or County DV Victim Services. Periodic training is essential to ensure that new officers and veteran officers understand how to use the assessment.

4) Community Support Services, in partnership with the Matthews Police Chief, is leading an effort, through the Criminal Justice Advisory Group Home Campaign, to closely monitor and intervene with repeat domestic violence offenders in order to enhance safety and reduce harm to victims of domestic violence. The DVFRT has championed such an approach for several years. The vast majority of initiatives to reduce DV rely on the victim, who is often too fearful of the abuser or may lack access to resources to take action. Recent research has demonstrated the efficacy of focusing on offender deterrence. High Point, North Carolina has implemented a similar initiative, resulting in significant decreases in repeat offenses by abusers. Through the Home Campaign of the Criminal Justice Advisory Group (CJAG), stakeholders will be convened, strategies will be developed and implemented, and results will be measured. It is anticipated that the bulk of the planning work will be completed in FY 16 and FY 17 and that implementation will commence later in FY 17.

5) The New Options for Violent Actions (NOVA) Batterer Intervention Program, operated by Mecklenburg Community Support Services, is exploring a number of programmatic changes in response to both an examination of NOVA participant characteristics conducted by UNCC Social Work Professor Shanti Kulkarni and recommendations by the Domestic Violence Fatality Review Team.

## **Mecklenburg Domestic Violence Fatality Review Team Members<sup>3</sup>**

Sarah Morton, Chair  
Domestic Violence Healthcare Project, Carolinas Medical Center

Judge Ronald Chapman, Vice-Chair  
Mecklenburg District Court Judge

Jay Ashendorf, Mecklenburg District Attorney's Office

Dr. Marion R. Bish, Executive Director, Student Services, Charlotte-Mecklenburg Schools

Susan Cabarcas, Detective/Victim Advocate, Huntersville Police Department

Katrina Clyburn, North Carolina Division of Adult Correction

Christine Davis, Survivor

Rashida Gittens, Survivor

Donavan Grant, NOVA Supervisor, Mecklenburg County Community Support Services

Jane Harper, Retired District Court Judge

Sergeant Angela Haywood, Charlotte-Mecklenburg Police Department

Betty J. Hooper, Mecklenburg County Department of Social Services

Captain "Dan" Johnson, Mecklenburg County Sheriff's Office

Pat Kelly, Safe Alliance Victim Assistance

Martha L. Leary, Novant Health

Erik Lindahl, Mecklenburg District Attorney's Office

Tommy Lopez, Central Piedmont Community College

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<sup>3</sup> The Mecklenburg Domestic Violence Fatality Review Team ("DVFRT") was authorized by the North Carolina General Assembly in 2009 and was reauthorized in 2013. The Mecklenburg Community Support Services Department is the lead agency for the DVFRT.

Sara Lovett, Mecklenburg County Health Department

Connie Mele, Mecklenburg County Health Department

Reverend Glencie S. Rhedrick, First Baptist Church-West

Melissa Summit, Survivor

Jane Taylor, Safe Alliance, Domestic Violence Shelter

Katrina Watson, Chief Magistrate

Staff support: Helen Lipman, Mecklenburg County Community Support Services  
John Weil, Facilitator