

# YUMA COUNTY DOMESTIC VIOLENCE

## REVIEW TEAM



## 2011 REPORT

Submitted To: Tom Horne, Arizona Attorney General

January 30, 2012

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## **Statement to the Arizona Domestic Violence Community**

January 30, 2012

To the Arizona Domestic Violence Community:

The Yuma County Domestic Violence Review Team hereby presents its annual report. This is the second report since the formation of the Team by the Yuma County Board of Supervisors in October 2009 under the authority in A.R.S. § 41-198. Membership appointment is shared between our Yuma County Attorney Jon Smith and Yuma County Sheriff Ralph Ogden. The Team reviewed two cases in 2011 involving fatalities attributable to domestic violence and also presented its 2010 report during a POST training for law enforcement on October 27, 2011 at Arizona Western College. The Team seeks to expand its membership to aid its analysis of domestic violence fatalities and near fatalities in our community and identify areas for improved response and intervention with the goal of preventing such tragedies.

Capt. Eben Bratcher, Yuma County Sheriff's Office, Co-chair

Theresa Fox, Yuma County Deputy Attorney, Co-chair

## Membership

Amberly's Place: Tori Bourguignon

AZ Coalition Against Domestic Violence: Stephanie Mayer

Victim Representative: Teri Lambert

Catholic Community Services: Dr. Elizabeth Ott

Community Legal Services: Nina Edidin

Yuma County Adult Probation: Martin Loaiza

Yuma County Medical Examiner's Office: Robert Vigil, Kristina Hayes

Yuma County Public Health District: Ryan Butcher

Yuma Police Department: Laura Scanlan, David Hartman

Yuma County Sheriff's Office: Eben Bratcher, Ryland Crouch, Jason Amon

Yuma County Attorney's Office: Theresa Fox

## Executive Summary

The mission of the Yuma County DVRT is to analyze near fatalities and past fatalities in an effort to better understand the dynamics of the circumstances that can lead to such deaths and make recommendations for system improvements. The purpose of each review is not to lay blame, but to actively improve all systems that serve persons involved with domestic abuse.

The DVRT was established by the Yuma County Board of Supervisors on October 19, 2009. The members were appointed jointly by the County Attorney and County Sheriff on or about December 24, 2009. Initial membership appointment was based on statutory recommendation.<sup>1</sup> The initial appointments included representatives from Amberly's Place, the Arizona Coalition Against Domestic Violence, the Yuma City Municipal Court, Yuma County Medical Examiner's Office, Yuma County Public Health District, Yuma Police Department, Yuma County Sheriff's Office, Yuma County Attorney's Office, and a victim representative. In 2011, Catholic Community Services, Community Legal Services and Yuma County Adult Probation were added to the DVRT. Meetings were held every other month at the Yuma County Sheriff's Office.

Domestic violence headlined in Yuma with a murder/suicide in June 2011. Although the 73 year old gunman subsequently ended his own life, it was not before he went on a multi-jurisdictional killing spree of six intentional shootings that resulted in five deaths and one seriously wounded victim. 2011 also saw Amberly's Place serve approximately 1250 primary and secondary victims of domestic violence in Yuma County.

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<sup>1</sup> A.R.S. §41-198(G)

## Process

In its case selection, the DVRT utilized its membership's familiarity with cases involving domestic violence. The cases chosen had no known domestic violence history until an investigation was made at death or near death. Many team members were aware of cases that had little to no history of domestic violence prior to death. In its review, the Team focused on events that could have alerted intervention.

The DVRT reviewed two cases in 2011. Both cases involved death; one victim was killed at the scene and the other victim died of injuries approximately six months after the domestic violence abuse incident.

Each review was facilitated by the co-chair, Captain Bratcher. An introduction of the case was made by the lead law enforcement officer—either from the Yuma Police Department or the Yuma County Sheriff's Office. Case materials would be presented from law enforcement, as well as an oral report from the lead detective, and an autopsy report from the Medical Examiner's Office. The Team would also hear and ask questions from different agency members involved in the case. In one case review, a timeline was utilized on a white board. Each review culminated in approximately 6-8 hours.

## Overview of the Cases

The first case review involved a 66 year old male victim who died from massive head and chest wounds inflicted by his step-son. The victim had recently wed the mother. The 46 year old step-son traveled from the Northwest region to Yuma to meet the new husband. On the night of the murder, the victim became angry at the step-son. An argument ensued and step-son beat the victim to death.

The second case involved a 37 year old woman who was paralyzed from a broken neck inflicted upon her by her 47 year old boyfriend. She died approximately six months later due to complication from the injuries. This case had no prior agency involvement as the victim denied abuse. The domestic violence was brought to the attention of law enforcement only because of an Emergency Room call. The emergency room nurse asked the victim "Do you feel safe in your environment?" and the victim responded that she did not. During the investigation, the victim admitted that the abuser would oftentimes assault her in what he would describe as "horse play."

After the completion of each case, the DVRT identified events where interventions could have been implemented that might have prevented the fatalities and the practicality of implementing such recommendations.

## **Key Findings**

A domestic violence case never would have been identified had it not been for a standard nursing assessment question of "Do you feel safe in your environment?" This question was non-threatening to the victim who had previously denied any abuse.

Unemployed adult children who move into a parent's home uninvited may be a precursor to abuse. Parents may have conflicting feelings about allowing an adult child to come back and unsure how to refuse or remove an adult child from the residence.

## Recommendations

### A. Confidentiality Forms.

The DVRT identified a gap in information in Yuma County that potentially could relieve the confidentiality issue medical and clergy members have regarding sharing personal information of a decedent. A medical release and/or a confidentiality form could be offered to domestic violence victims so that in case of death, such personnel would be allowed to speak to Domestic Violence Review Teams about the victim.

### B. Target Domestic Violence For Late Life Individuals.

Education needs to be provided for the retirement-aged population regarding what abuse looks like from adult children. Late life individuals seemed reluctant to discuss domestic violence issues and/or not know what such violence looks like. Information provided on a confidential level such as picking up a flyer or having access to a phone number to call at a time they feel they are comfortable doing so.

Although there was no previous physical domestic violence identified, a couple of weeks before one murder, an in-person request from the victim was made at a local law enforcement office seeking information about eviction. Although the victim received the information he requested, if the office had a flyer or pamphlet with information about abuse, where to call, what to do and available agency assistance programs that he could have been picked up, perhaps an intervention could have been triggered. Such flyers or pamphlets could be made available at law enforcement offices, churches, grocery stores, libraries, dance halls, and other frequented areas by late life individuals.

Included in this flyer or pamphlet should also be information for adult children who believe that their parent is in an abusive relationship. Adult children also need to know what abuse looks like and the resources that available. Such information may alleviate the need for adult children to take matters into their own hands if they believe a parent is being abused by a spouse or other sibling.

C. A Victim Must Receive A Copy Of A Conditions Of Release Order Issued Over The Weekend.

The DVRT identified in one review that had the victim/victim's advocate appeared in court over the weekend in regard to a domestic violence charge, it would have been unlikely that the victim would have received a copy of a Conditions of Release (COR) Order from the judge. A refusal to provide a copy impedes an arrest of the perpetrator since law enforcement may not be able to confirm the order if the victim does not have a copy to show the officer. Over the weekend, the order is not immediately accessible for patrol level so the victim must have a copy so that it may be enforced.

## Implementation

Yuma County has an Elder Abuse Task Force that is working on providing education to the retirement-aged community and such recommendation could be forwarded to this Task Force.

The DVRT recognizes that the standard nursing assessment question of "Do you feel safe in your environment?" is a critical question in identifying domestic abuse cases. This question could also be used by first responders to facilitate discussion.

The DVRT will encourage agencies to meet with weekend court judges regarding the importance of providing a copy of the COR Order to the victim or victim's advocate.

The DVRT proposes that victim advocacy groups have confidentiality release forms that can be given out to victims. An inquiry if such a release could be incorporated into medical release forms at Yuma Regional Medical Center will also be made.