

A grayscale image of the Los Angeles skyline, showing various skyscrapers and buildings, serves as a background for the top portion of the cover.

REPORT OF **DOMESTIC VIOLENCE FATALITIES** 2017-2018



THE LOS ANGELES COUNTY
DOMESTIC VIOLENCE DEATH REVIEW TEAM

OCTOBER 2019

DOMESTIC VIOLENCE DEATH REVIEW TEAM

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I. INTRODUCTION

One third of all women murdered are killed by an intimate partner.¹ One in three women and one in four men in the United States have experienced some form of physical violence by an intimate partner.² Thirty-two point nine percent (32.9%) of California women and 27.3% of California men experience intimate partner physical violence, intimate partner sexual violence and/or intimate partner stalking in their lives.³

Some victims will report domestic violence from the first incident, some may not report at all. Sometimes we learn about the existence of domestic violence in a relationship too late—after someone has been injured or killed.

Domestic violence can start as a minor incident with minimal or no physical injuries, that can escalate to serious and sometimes lethal injuries. Other times, although less frequently, the first known incident of physical violence may be lethal. Often the signs are there, but the systems, agencies and/or individuals charged with responding to those signs do not respond quickly enough, strongly enough or well enough to prevent the ultimate harm.

In Los Angeles County, a group of government and private professionals who work in the domestic violence field meet once a month to review, discuss, and analyze a domestic violence related homicide that occurred within the County of Los Angeles. These professionals, members of the Los Angeles County Domestic Violence Death Review Team (DVDRT), review domestic violence homicide cases for the purpose of determining what, if anything, could have been done to prevent the specific loss of life and what we can do systemically, to help prevent future homicides and ensure the safety and security of our community.

• Domestic Violence Death Review Team Report Overview

This report examines cases reviewed by the Los Angeles County DVDRT from November 2017 to November 2018.

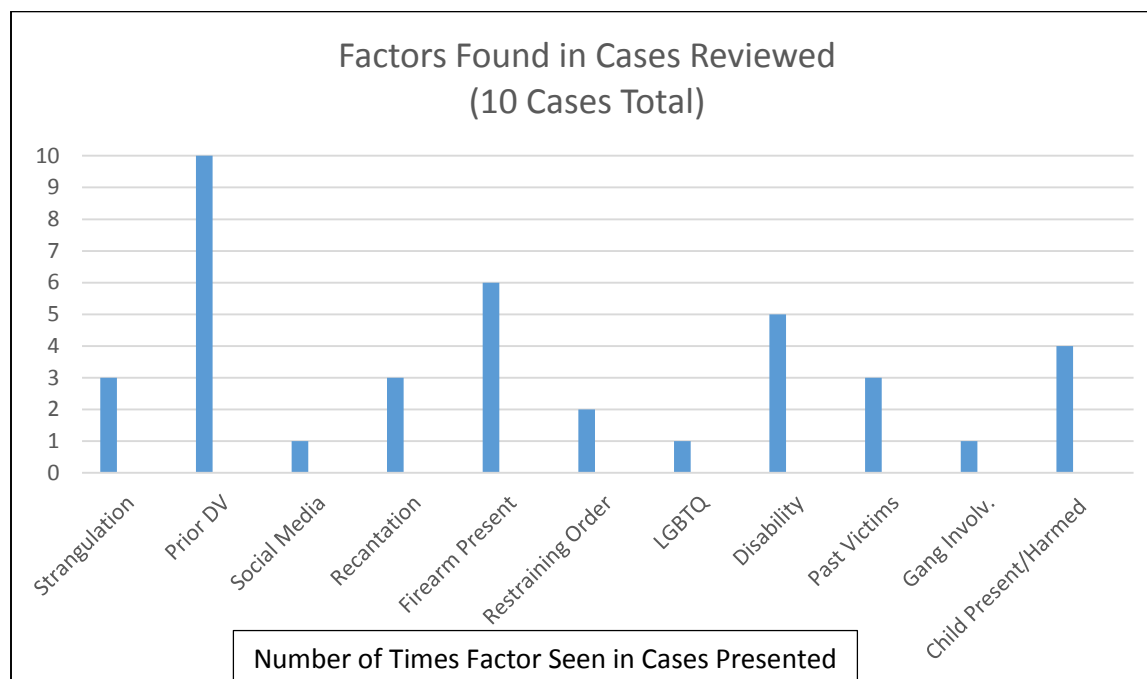
Tragically, there are a number of domestic violence homicides in Los Angeles County each year. The Chair of the DVDRT chooses which cases will be presented each month. Only closed criminal cases are considered for review to avoid creating potential issues for pending litigation. Each case is reviewed to assess what was done right, what was done wrong, and what could have been done differently to perhaps have avoided the lethal outcome. There are lessons learned and recommendations made arising from each of the cases that were presented during the stated timeframe. This report contains recommendations to policy makers, prosecutors and service providers that we hope will work to increase the safety of victims and decrease the number of domestic violence homicide victims within Los Angeles County.

¹ National Coalition Against Domestic Violence, National Statistics
http://www.speakcdn.com/assets/2497/domestic_violence.pdf

² *Domestic Violence in California*, National Coalition Against Domestic Violence.
<https://www.speakcdn.com/assets/2497/california.pdf>

³ *Domestic Violence in California*, National Coalition Against Domestic Violence.
<https://www.speakcdn.com/assets/2497/california.pdf>

- **Data from 2017-2018 DVDRT Cases**



Between November 2017 through November 2018, DVDRT reviewed various domestic violence homicides as well as two homicide/suicide cases. Every case reviewed by the DVDRT (100%) had evidence of prior domestic violence related incidents. This includes prior reported and unreported domestic violence between the victim and defendant. In 30% of the cases there was evidence of strangulation, meaning there was either strangulation present in the case being reviewed and/or there was prior strangulation from an incident that preceded the fatal assault. In 60% of the cases reviewed there was a firearm present. In 40% of the cases children were either present or physically harmed because of the incident. In 50% of the cases either the victim or the defendant had a disability. Ten percent (10%) of cases had gang involvement present and 10% involved LGBTQ victims. Ten percent (10%) of the cases had some aspect involving the use of social media. In 20% of the cases, the victim had a valid restraining order in place at the time of the murder.



- **Legal Basis for DVDRT**

The Los Angeles County DVDRT is convened pursuant to the authority of California Penal Code Section 11163.3. Under Penal Code Section 11163.3, each county is free to develop its own DVDRT and DVDRT related procedure. Penal Code Section 11163.3 states,

“A county may establish an interagency domestic violence death review team to assist local agencies in identifying and reviewing domestic violence deaths, including homicides and suicides, and facilitating communication among the various agencies involved in domestic violence cases. Interagency domestic violence death review teams have been used successfully to ensure that incidents of domestic violence and abuse are recognized and that agency involvement is reviewed to deploy recommendations for policies and protocols for community prevention and intervention initiatives to reduce and eradicate the incidence of domestic violence.”

California Penal Code Section 11163.3(a).

The goal of the Los Angeles County DVDRT is to recognize and address systemic gaps, barriers, patterns, policies and procedures of individuals, agencies and institutions that may contribute to, or fail to stop, the perpetration of domestic violence homicide. By identifying factors that fail to prevent these fatalities, the DVDRT works to provide insight and ideas to help facilitate changes and, therefore, increase safety to those at risk of harm from domestic violence. This report deals exclusively with the Los Angeles County DVDRT. We note that analyzing institutions, systems and agencies within the county of Los Angeles provides unique challenges. The county is massive in both geographical size and population. There are over 10 million people in the county living in an area larger than 4700 square miles. There are 88 cities in Los Angeles County, some with their own police departments and some with their own criminal prosecution offices that handle misdemeanor domestic violence cases. Not every city or law enforcement agency in the County is represented on the DVDRT, however, the DVDRT includes representatives from a broad spectrum of agencies. A list of members and their affiliations is included in Appendix A.

II. RECOMMENDATIONS

We have broken down our recommendations based on the agency or service provider. Our top recommendations to address the issue of domestic violence related homicides in Los Angeles County are as follows:

Law Enforcement

Domestic violence cases account for 15% of all violent crimes, so understanding which cases indicate the most risk is crucial. Therefore, for law enforcement we have several areas that we recommend focusing on for improved results. First, we recommend obtaining and using a risk assessment screening tool for all domestic violence calls. This tool would provide insight into the risks for each case and would assist the officers in triaging and prioritizing cases. Along with this, we would recommend a change in policy at LAPD to prioritize cases based on the threat posed and not just based on the custody status of the suspect. Second, we recommend specialized training on strangulation for all police officers, including what to look for in a strangulation case and the increased risks associated with strangulation. Third, we recommend a broad training of all police officers on how to investigate domestic violence cases generally. Finally, we recommend that each police Domestic Violence unit have a specially trained Victims of Crime Representative (a peace officer or other employee), who, with knowledge of a suspect's background, can help assess the risk to the victim and offer services in an expedited manner.

These recommendations stemmed from three cases reviewed during the relevant time period. To see full summary of each case, see Appendix B, cases 2018-01, 2018-02 and 2018-06.

Department of Children and Family Services (DCFS)

For DCFS we recommend two areas of focus for improved results. First, we recommend more follow-up with families when a domestic violence complaint is made. Second, we recommend training all DCFS workers on the importance of interviewing people separately whenever there is an indication that domestic violence may be present. These recommendations flow from two cases reviewed by the DVDRT during the relevant time period, where reports were made to DCFS but were not fully investigated and deemed unfounded or inconclusive.

To see a full summary of the cases upon which recommendations made, see Appendix B, cases 2018-02 and 2018-07.

Family Court

For Family Court we recommend better communication between the court and other agencies. Family Law courts often receive information about domestic violence during divorce proceedings directly from the parties to the divorce. These parties have personal interests in the outcome of the divorce proceedings and, therefore, it can be difficult for the judges to assess the validity of each claim. By developing better communication with other agencies judges will have access to documentation that may assist in determining what allegations are founded and may prompt the judge to ask for further information or investigation from the handling agency.

These recommendations stem from our review of case 2018-07, found in Appendix B.

Mental Health

We found several areas within the mental health arena that could be changed to help address the issues of domestic violence. Our first recommendation is that mental health professionals be mandated to take more training on identifying and addressing domestic violence. Though many mental health providers have clients that are victims of domestic violence, some mental health providers are not familiar with the services available for domestic violence victims and therefore fail to make proper referrals.

Additionally, many of the perpetrators of domestic violence suffer from some form of mental illness and need medication and many of them are homeless. Therefore, establishing programs for homeless individuals who are suffering from mental illness to allow access to mental health services as well as medication is crucial to helping reduce incidents of domestic violence.

Our third recommendation as it pertains to mental health is legislation that would authorize mental health providers to petition for gun violence restraining orders for their clients who have committed acts of domestic violence. While we recognize some mental health professionals do not support this due to fear it will have a chilling effect on people seeking treatment, we believe if worded properly, the benefit would outweigh the risk.

Our final recommendation for the mental health arena is for the development of more discerning domestic violence offender programs. Currently, first offenders and repeat offenders are treated the same. However, repeat offenders do not benefit from attending the same training as first time offenders.

The cases that serve as the basis for the mental health recommendations can be found in Appendix B, cases 2017-09, 2018-05 and 2018-09.

Restraining Orders: Legal Aid and Victim Advocacy Groups:

There are numerous agencies that provide assistance to victims of domestic violence. For any agency that provides such services, we recommend training on the importance of obtaining a restraining order and the necessity of conveying to the victim the importance of not only obtaining a restraining order, but of reporting each incident of domestic violence and each violation of the restraining order to law enforcement.

These recommendations flow from case 2018-04 found in Appendix B.

Prisons, Parole and Post Release Community Supervision:

It is recommended that regulations be more stringently enforced that do not allow prisoners access to the internet or cell phones. Allowing such access gives defendants access to their current victims and allows them to search for potential new victims. Further, when a defendant has been released from prison and soon thereafter commits a domestic violence offense, there needs to be a more expeditious way to remove that defendant from the community and back into custody.

The basis for these recommendations can be found in case 2018-01 found in Appendix B.

Public Service Announcement- “See Something Say Something”

In addition to the changes recommended above, we believe it is crucial to raise public awareness of the dangers of domestic violence and educate people as to what they can do to help stop it. In this regard, we recommend the creation of a public service announcement (PSA). The PSA should highlight the importance of calling 911 and speaking up when people see a situation that needs to be reported to law enforcement. When someone “sees something, he or she must say something.”

Case study 2018-03 in Appendix B is the basis for this recommendation.

The remainder of this report provides definitions of domestic violence, discusses the membership of DVDRT and provides an understanding of DVDRT’s confidentiality policy and overall operations. In addition, each case reviewed in 2018 is examined with specific lessons learned and recommendations which are made in this report.

III. DEFINITIONS

In this report the term domestic violence is used to describe the specific types of cases that the Los Angeles County DVDRT reviews. The definition of domestic violence for the cases includes abuse perpetrated against a spouse or former spouse, a cohabitant or former cohabitant (involved in an intimate relationship), any person with whom the perpetrator has or had a dating or engagement relationship, and anyone with whom the perpetrator has a child. While the Penal Code that authorizes the creation of the DVDRT allows for a broader definition of domestic violence⁴, for our purposes we use just the definition indicated above for purposes of defining the cases reviewed.

Domestic Violence is also called Intimate Partner Violence (IPV). The term Intimate Partner Violence is sometimes substituted for the term “domestic violence” because the term IPV focuses the violence on the relationship. Intimate Partner Violence/Domestic Violence occurs in both heterosexual and same-sex relationships. Perpetrators and victims can belong to any gender, age, socioeconomic group, race, culture and/or religion. The authors of this report use the phrase “domestic violence” to reflect violence or the threat of violence that occurs in any type of intimate partner relationship. The term abuse, as used in this report, means intentionally or recklessly causing or attempting to cause bodily injury, sexual assault, or placing a person in reasonable apprehension of imminent serious bodily injury to that person or another.⁵

A domestic violence death for purposes of this report refers to any death where the deceased was a victim of a homicide committed by a current or former spouse, fiancé, dating partner, or person with whom the victim had a child.

⁴ See Penal Code Section 11163.3(b) and Family Code Section 6211. This and all future references in this Report to statutory codes are based on California law.

⁵ See, Family Code Section 6203 and Penal Code Section 11163.3(b).

IV. MEMBERSHIP

By statute, membership on the DVDRT “shall be comprised of, but not limited to” the following:

- A. Experts in the field of forensic pathology
- B. Medical personnel with expertise in domestic violence abuse
- C. Coroners and medical examiners
- D. Criminologists
- E. District attorneys and city attorneys
- F. Domestic violence shelter service staff and battered women’s advocates
- G. Law enforcement personnel
- H. Representatives of local agencies that are involved with domestic abuse reporting
- I. County health department staff who deal with domestic violence victims’ health issues
- J. Representatives of local child abuse protection agencies
- K. Local professional associations of persons described in paragraphs (1) to (10), inclusive.


Penal Code Section 11163.3(c).

V. CONFIDENTIALITY

In order to facilitate an informed and open discussion, the governing statute allows individuals and agencies to voluntarily disclose information that may otherwise be considered confidential, privileged or prohibited from disclosure. However, any such information that is disclosed must remain confidential—i.e., the information provided to the DVDRT must remain within the DVDRT. Permitting open discussion of information, while ensuring that such communications remain confidential, enables team members to safely engage in meaningful discussions that are necessary to expose the systemic gaps and barriers that may impact the perpetration of lethal domestic violence in the County. The freedom to explore both errors made and alternative ways to address domestic violence works to prevent those same errors in the future and encourages institutional change. Dates and names and any identifying information have been purposely omitted from this report to protect confidentiality.

VI. DVDRT OPERATIONS

The DVDRT is charged with analyzing domestic violence deaths. It is co-chaired by a representative from the Los Angeles County District Attorney’s Office (LADA) and a representative from the Los Angeles County Department of Medical Examiner—Coroner. The District Attorney for Los Angeles County appoints one chairperson for the DVDRT. For the past several years, Los Angeles County District Attorney, Jackie Lacey, has appointed the Head Deputy District Attorney of LADA’s Family Violence Division as that chairperson. The



Family Violence Division prosecutes domestic violence cases, including murder, attempted murder, stalking, criminal threats, and other felonious physical abuse. It also prosecutes child abuse cases, including child murder and attempted murder. The LADA chairperson selects the case that will be reviewed by the DVDRT and provides administrative support for the DVDRT. The LADA chairperson coordinates the location of each meeting and has an assigned paralegal to prepare the meeting announcements, minutes, case recommendations, and facilitate PowerPoint presentations.

The cases reviewed by the DVDRT have already been prosecuted or closed out after police investigation. Out of concern for fairness to both the prosecution and the defense, the LADA and DVDRT refrain from reviewing and discussing open cases. Because investigation and prosecution in homicide cases may take years, the majority of the cases discussed occurred years before the DVDRT's review. The passage of time does not diminish the impact of the work done by the DVDRT. Even though the cases may be a few years old, the DVDRT is able to identify issues currently impacting the community.


To facilitate a productive meeting, the information about the case(s) to be reviewed is distributed to DVDRT members prior to each meeting so that members can research their files to determine if there is any relevant information they should bring to the meeting.

At the monthly meeting, information about the case is usually presented to the DVDRT by the deputy district attorney who prosecuted the case in court. Thereafter, representatives from other agencies provide information regarding their agencies' involvement in the case, if any. For example, a representative from the Department of Children and Family Services (DCFS) may have information about prior reports of abuse made to DCFS. Also, the City Attorney's Office may have records of prior cases involving the same defendant or victim who are involved in the homicide case.

The collaborative discussions amongst the members of the DVDRT result in insight into what was done well, what could have been done better and how we can improve our efforts in the future. Each case reviewed by the DVDRT offers a unique perspective into the multitude of agencies and service providers that had contact with the victim or defendant prior to the homicide. As each member of the DVDRT is able to listen to and assess what occurred, they can then provide a unique perspective on the strengths or weaknesses of any responses or services that were provided prior to the homicide. These perspectives are then formulated into the recommendations contained within this report.

APPENDIX A—List of Members (2017-2018):

1. **Joanne Baeza**- Co-Chair of DVDRT and Head Deputy District Attorney of Family Violence Division, Los Angeles County District Attorney's Office.
2. **Martina Kennedy, D.O.**, Co-Chair, Deputy Medical Examiner, Los Angeles County Department of Medical Examiner—Coroner.
3. **Edward T. Armstrong, Psy.D.**, Supervising Psychologist, Los Angeles County Department of Mental Health.
4. **Pat Butler**, Director of Sojourn, The People Concern OPCC & Lamp Community United.
5. **Carol M. Chacón**, Deputy County Counsel, Los Angeles County Office of the County Counsel.
6. **Nancy Che**, Paralegal, Los Angeles County District Attorney's Office, Complex Child Abuse Section, Family Violence Division.
7. **Natalin Daldalian, M.A.**, Victim Services Representative, Bureau of Victim Services, Los Angeles County District Attorney's Office, Family Violence Division
8. **Sandy Devos**, Licensed Clinical Social Worker, Inter-Agency Council on Child Abuse and Neglect, Children Services Administrator II.
9. **Debbie Dullabaun**, Advocate, Domestic Abuse Center.
10. **Donna M. Edmiston**, Assistant City Attorney, Managing Director of Family Violence Operations, Los Angeles City Attorney's Office.
11. **Marci L. Fukuroda**, Director of Legal Services, Rainbow Services.
12. **Carolyn Garret**, Deputy Sheriff, Los Angeles County Sheriff's Department, Field Operations Support Services, Risk Management Bureau.
13. **Shirelle Gordon, M.S.**, Deputy Probation Officer II, Los Angeles County Probation Department.
14. **Eli Hernandez**, Paralegal, Los Angeles County District Attorney's Office, Family Violence Division.
15. **Jennifer Hottenroth, Ph.D.**, Assistant Division Chief, Los Angeles County Department of Children & Family Services, High Risk Services Division.
16. **Angela Kaufman, M.A., CI/CT**, Project Coordinator, City of Los Angeles Department on Disability.
17. **Alycia Keys, MSW**, Children Services Administrator II, Department of Children and Family Services, Bureau of Clinical Resources & Services, High Risk Division.
18. **Diane Kirby-White**, Senior District Attorney Investigator, Los Angeles County District Attorney's Office.
19. **Lesley Klein**, Assistant Head Deputy District Attorney, Los Angeles County District Attorney's Office, Family Violence Division.
20. **Pak Kouch**, Deputy-in-Charge, Complex Child Abuse Section, Los Angeles County District Attorney's Office.
21. **Laura Maldonado**, Program Coordinator, Family Violence Prevention Program, South Gate Police Department.

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22. **Amanda Marquez, MSW**, Program Coordinator, 1736 Family Crisis Center.
 23. **Mary Nichols**, Director, Domestic Violence Network.
 24. **Nicolle Perras MPH, LMFT**, Health Program Analyst, Office of Women's Health, Los Angeles County Department of Public Health.
 25. **Gail Pincus**, Executive Director, Domestic Abuse Center.
 26. **Marie Sadanaga**, Detective, Domestic Violence Coordinator, Detective Services Group, Los Angeles Police Department.
 27. **Tchaka Shepherd, M.D.**, Director of Trauma Services, Saint Francis Medical Center.
 28. **Maureen R. Siegel**, Assistant Chief, Criminal and Special Litigation Branch, Los Angeles City Attorney's Office.
 29. **Edie Shulman**, Assistant Director, Inter-Agency Council on Child Abuse and Neglect.
 30. **Renee Smith**, Trauma Program Manager, Nurse Practitioner, Saint Francis Medical Center.
 31. **Monica Soliman, J.D.**, Paralegal, Los Angeles County District Attorney's Office, Family Violence Division.
 32. **Destinee Waters**, Victim Services Representative, Bureau of Victim Services, Los Angeles County District Attorney's Office, Family Violence Division.
 33. **Billie P. Weiss, MPH**, Associate Director Southern California Injury Prevention Research Center, University of California Los Angeles School of Public Health.

APPENDIX B: ALL CASES REVIEWED BY DVDRT BETWEEN NOVEMBER 2017 AND NOVEMBER 2018

Case # 1: HOMELESSNESS, MENTAL HEALTH AND PRIOR DOMESTIC VIOLENCE

DVDRT Case number 2017-09,

Case Summary

The defendant strangled the victim to death. The 49-year-old defendant and 46-year-old victim met at a homeless shelter and dated for six months prior to the offense. They both had mental health issues. They would, on occasion, sleep in the victim's father's backyard, but were not allowed in the home.

In 2014, the defendant and the victim got into an argument. At the time the victim was lying in the back of her car. The defendant was angry because the victim had previously accused him of physically harming her. During the argument, the defendant asked the victim to stop accusing him of physically hurting her. The defendant went into the back of the car where the victim was and placed the victim in a choke hold, strangling her to death. After the defendant killed her, he used a knife to cut himself above the wrists, wrote an apology letter, and laid down next to her to "die." When the defendant did not die, he called his mother to tell her what he had done. His mother notified the Los Angeles County Sheriff's Department - Industry Station and the Monrovia Police Department.

The police arrived and found the victim deceased in the car and the defendant nearby. The defendant told them, "I killed my girlfriend." He later told officers that he didn't mean to kill her, he was just trying to "shut her up." Investigators noted there was a small abrasion to the front of the victim's neck. Her face, head, and neck were swollen. There was blood emitting from her right ear and slight bruising to both right and left arms. The words "I LOVE Y" were written in blood on her stomach.

Discussions and Observations

During the discussions of this case it was observed that there are hurdles to providing services to the mentally ill and homeless because they can be resistant to help and often do not want to be involuntarily housed.

Furthermore, it was noted there is a general lack of mental health services for the homeless. It was also noteworthy that the defendant in this case had suffered trauma throughout his childhood and yet it does not appear that he ever had the benefit of any mental health or any other services to address these prior traumas. There was some question if, given the defendant's age, that there may not have been the necessary services available when he was younger.

Important Factors in the Case

- The defendant has a long criminal record.
- The defendant was afraid the victim would report the earlier dispute they had and he would go back to jail.

- The defendant exhibited typical batterer behavior which was not necessarily due solely to his mental illness.
- The defendant had a fear of being locked up in a mental institution, as a result he chose to deny his mental health history. This led him to be denied Supplemental Security Income and perpetuated his homelessness.
- Because of his homelessness, the defendant had issues with his insurance and couldn't get his medication.
- The defendant had a prior domestic violence incident with his ex-girlfriend in which he kicked her door down and threatened her.
- There was no prior reported domestic violence between the victim and the defendant in this case.

Recommendations

- Better access to mental health services in general and in particular for the homeless.
- Better access to medication for homeless individuals.

CHECKLIST for case 2017-09

Evidence of strangulation?	✓ Yes. The Defendant strangled the victim to death.
Any firearms present?	✓ No.
Prior victims?	✓ Yes.
Prior domestic violence?	✓ Yes. There was a prior incident where the defendant threatened a different victim. This resulted in a misdemeanor conviction in 2007.
Restraining order(s)? a) Against the victim b) And against other than the victim	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ No.
Did victim recant?	✓ No.
Disability?	✓ Yes. The Defendant and Victim both suffered from mental illness.

Case # 2: PRIOR DOMESTIC VIOLENCE, LACK OF CROSS REPORTING AND TRAINING ON TRIAGE OF CASES AND STRAGULATION CASES

DVDRT Case #: 2018-01,

Case Summary

In this case the defendant strangled, stabbed, shot, and killed the victim. The incident occurred at the defendant's uncle's house.

The victim in this case was 33-years-old and the defendant was 47-years-old. The two were dating for a few months. They met via Facebook while defendant was serving time in prison. After his release from prison, the victim and the defendant dated for several months prior to the murder. There were two prior domestic violence incidents which were reported to the police, but were not filed because the victim recanted. The first incident took place five months before the murder and occurred in Las Vegas, NV. In that incident the defendant intentionally set fire to grocery bags he placed on a kitchen stove in their Las Vegas apartment and fled. The victim was hesitant to tell fire department investigators who had done it and initially blamed her 10-year-old son. She finally told law enforcement it was her boyfriend but was fearful to give any more information.

The second incident of violence occurred two weeks later in Pacoima, CA. Defendant pulled victim by her hair and held a knife to her throat while threatening to stab her and kill her son, who was present when the threat was made. She managed to escape and went to LAPD Mission Division and immediately reported it. The defendant was arrested that same night. Body worn video recorded the victim's entire interview. During a follow-up interview by the investigating officer, the victim recanted, minimized defendant's actions, and did not wish to prosecute. DCFS was not notified of the incident. The case was rejected due to insufficient evidence and the defendant was released.

The victim and the defendant resumed their rocky relationship up until the day before the murder. That evening, the victim and defendant argued over their relationship and the victim left defendant with the intention to end their relationship. The victim confided in her best friend and told her that she would not go back to him. She believed that the next day the defendant would either board his flight to Chicago or the police would arrest him on an outstanding warrant and she would be free.

On the day of the murder, defendant had a one-way ticket to Chicago from LAX. After missing his flight and rescheduling it for the next day, the defendant came back to his uncle's house in Pacoima. The defendant lured the victim to his uncle's home by telling her he had left some marijuana at his uncle's and asked her to pick it up. Believing the defendant was gone, the victim went to the uncle's home. The victim had told another friend that day that she intended to pick up the marijuana from defendant's uncle's house, believing he was gone.

When the victim went to the defendant's uncles home and entered, she was caught off-guard by defendant's presence. The defendant stabbed her multiple times to her face with

a sharp object, strangled her (breaking her hyoid bone) and fired one shot at her head at point blank range. The defendant immediately fled the location, leaving behind his backpack which contained his personal identifying information.

Minutes later, the defendant called his uncle and told him that he had an issue with the victim and that he “lost it with her,” and they “got into it and it wasn’t good.”

The defendant managed to obtain a ride to downtown Los Angeles’ Greyhound Bus Station where he purchased a one-way ticket that evening to go to Las Vegas, Nevada using a false name. He boarded the bus shortly after midnight and arrived in Las Vegas around 5:30 a.m. His cousin picked him up and brought him to her home. The defendant changed his clothes and wore shoes belonging to his cousin’s boyfriend. The defendant discarded his bloody, white T-shirt and sneakers in a blanket.

With assistance of cell site mapping technology, Los Angeles Police Department homicide detectives tracked the defendant’s course of travel and location. Hours after defendant’s arrival in Las Vegas, FBI agents arrested defendant at his cousin’s home, murder charges were filed.

The case proceeded to jury trial and the defendant was convicted. After the jury returned its verdicts and exited the courtroom, the defendant stated in a loud tone, “I’m still breathing, that bitch is dead!”

Discussions and Observations

During the course of the discussions it was learned that LAPD has a policy where domestic violence cases fall under either category 1 or category 2. Category 1 cases include a named suspect who is in custody; these cases must be completed within three days. Category 2 cases are all other cases where the suspect is not in custody. In category 2 cases, the detective has 30 days. The assessment does not have to do with level of threat and therefore may allow a dangerous individual to remain free for an extended period of time. Furthermore, the longer the delay between the reporting of domestic violence and police intervention, the higher the probability the victim will feel his or her reporting was futile and the more likely they are to recant.

It was also noted that during the second reported incident there was a child present, yet DCFS was not notified. Had DCFS been notified there may have been further investigation done by DCFS and actions taken that may have altered the paths of the parties.

Furthermore, the defendant had recently been released from prison and subject to supervision. Yet, despite two police reports being generated regarding domestic violence, no action was taken to revoke his parole.

Important Factors in Case

- There were two prior incidents of domestic violence where the victim recanted and those occasions were potential opportunities for intervention.

- There was no cross-report to DCFS. The threat made was in the presence of a child, which mandated DCFS involvement.
- When a victim recants, law enforcement and prosecutors need to look to independent corroborating evidence to determine if a case is fileable.
- The defendant was in prison when he met the victim, via social media. This gave rise to the question of how prisoners are getting access to the internet.
- LAPD has a policy where domestic violence cases fall under either category 1 or category 2, the designation does not have anything to do with level of threat or the history of the defendant.
- There was an entry in the defendant's criminal history sheet that the defendant was possibly on early release, Post Release Community Supervision, yet he was not violated for the two prior domestic violence incidents.
- The defendant's RAP sheet indicated an arrest for assault with a deadly weapon. But there was no investigation into the nature of the assault to determine if it was domestic violence related. If the defendant is on parole, and he commits another violent offense, other than putting the warrant into the system, there are not many other resources that are available.

Recommendations

- Law enforcement should establish a risk assessment screening tool that is uniformly used to triage domestic violence cases. This could be a checklist attached to a report.
- There should be training for LAPD detectives assigned to handle domestic violence cases so they can triage cases more effectively.
- Every Major Assaultive Crimes (MAC) table should have a victims of crime representative, or another individual, whose job is to help assess the danger to the victim. This individual should have domestic violence training and should be provided information about a defendant's prior domestic violence cases, as well as, background data to be able to fully assess the case.
- RAP sheet designation of any charges related to domestic violence should be changed to allow the reader to know, without further investigation, whether a crime was domestic violence related, since often times it is not obvious from the crime charged.
- There needs to be a more efficient manner to revoke someone's parole or post-release community supervision.
- Cell phones and internet access should not be allowed in prison. (Some internet access allowed for educational purposes should only occur in a tightly controlled and highly supervised setting).

CHECKLIST for case 2018-01

Evidence of strangulation?	✓ Yes. Defendant strangled the victim, (breaking her hyoid bone).
Any firearms present?	✓ Yes. Defendant fired one shot at the victim's head using a firearm.
Prior victims?	✓ Yes. Defendant was previously convicted of Assault with Deadly Weapon against another girlfriend and served a 9-year prison sentence.
Prior domestic violence?	✓ Yes. Two prior domestic violence incidents not filed, victim recanted.
Restraining order(s)? a) Against the victim b) And against other than the victim	No. a) aside from an emergency protective order on the day and b) restraining order against the prior victim from 2005.
Gang involvement?	✓ Yes. Both the victim and the defendant's families were involved with a gang.
Social media involvement?	✓ Yes. Defendant and victim met via Facebook while defendant was serving time in prison.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ No.
Did victim recant?	✓ Yes the victim recanted on 2 occasions.
Disability?	✓ No.

**Case # 3: FOLLOW UP INVESTIGATION WITH A RECANTING VICTIM,
INTERVIEWING CHILDREN AND CREATING AWARENESS FOR ADULTS
DEALING WITH CHILDHOOD TRAUMA FROM PRIOR DOMESTIC VIOLENCE**

DVDRT Case #: 2018-02,

Case Summary

In 2016, the 70-year-old defendant shot his 38-year-old bisexual son (hereinafter “Victim #2”), four times with a shotgun at the side of the family residence in North Hills. Next door neighbors, as well as a pair of construction workers across the street, heard four loud shots shortly before 9:00 a.m. The witnesses all described hearing an initial shot, a pause and a high-pitched scream, and then three to four additional shots. When police arrived, they found the defendant’s 68-year-old wife, (hereinafter “Victim # 1”) stabbed to death in the bathroom. At the scene, the defendant told responding officers that he came home from a trip to Phoenix, Arizona, to find his wife lying lifeless in the bathroom. The defendant said he then found his son tampering with the electrical box with a knife. The defendant said that his son lunged at him with a knife and threatened to kill him. In response, the defendant shot him.

The crime scene evidence, autopsy results, and testimony at trial all squarely refuted the defendant’s initial version of events. The evidence clearly demonstrated that he did not kill his son in self-defense. Rather, the defendant lured his son to the side of the house, effectively trapping him down a long narrow pathway. Police conducted a thorough search of the area around victim #2; no knife was ever found. Victim #2 was never facing or lunging at the defendant. The defendant shot his son along the right side of his body at close range. In fact, the last shot to victim # 2 was directly to his head from approximately two to four feet away at a downward angle.

Victim # 1 had been dead for approximately 48 hours, putting her time of death sometime in the late afternoon/early evening of Sunday, March 27, 2016. She was stabbed 45 times throughout her neck, chest, back, breasts, and face. Seven of the stab wounds proved fatal. She also had defensive wounds on her hands, indicating she attempted to fight back against the defendant. The defendant’s wife did not die immediately; rather, due to the number and location of the stab wounds, she was conscious to the fact she had been stabbed and was dying. The defendant’s wife was in poor physical health in the years leading up to her murder. She could not cook or bathe on her own, and needed a walker to move around. Victim # 1 took many medications for her various health conditions. The defendant was supposed to be her caretaker.

Evidence showed that the defendant left his house in the early evening after killing his wife. He locked the padlock on the front door that would prevent anyone from entering and exiting the house once it was locked. He drove through the night toward Arizona (even though his children say he habitually avoided driving at night). He made several stops in dirt areas on the side of the highway. In the morning, he arrived at a bank in Phoenix and closed an account belonging to his older son, withdrawing all the money. The defendant then drove back to the Los Angeles area.

By that afternoon, the defendant's other adult children were desperate to get in touch with him and their mother. They were concerned for their mother when they found out that the defendant was in Arizona. None of the children had heard from their mother in days. The defendant ignored the repeated calls and texts from his children. Desperate, the eldest daughter had her husband text the defendant pretending to be outside the family residence and threatening to go in if he did not hear back soon. The defendant called his son-in-law back immediately. The defendant told his son-in-law that everything was fine and that his mother-in-law was with him. This phone conversation took place around 5:45 PM on Monday; based on the time of death, she was dead well before this time.

The next day, the defendant showed up at his oldest daughter's house unexpectedly at 6:30 AM. The defendant appeared rushed and nervous. He gave his son-in-law a briefcase and asked him to safeguard the papers and valuables inside in the event he would be "going away." The defendant then told his son-in-law he had to leave to "move his son out." The defendant fatally shot his son two hours later.

The defendant's motives for murdering his wife and son were twofold. First, the defendant displayed a deep hatred towards his son because his son was bisexual. The defendant treated his son differently once he found out about his sexual orientation. The defendant would rant to anyone who would listen about his son's lifestyle and constantly made crude and disparaging comments about his sexuality. The defendant also stalked and threatened to kill his son.

Second, the defendant, a lifelong gambler, was in severe financial stress in the months leading up to the killings. He was desperate to sell the family home to pay off his mounting bills and debts. However, Victim # 1 refused to sell the house while their son was still living on the property, and their son refused to move out. Victim # 2 lived in a unit that was created to be a rental property. The unit was attached to the main house but had its own separate entrance. The unit could not be accessed from the main house. Moreover, the defendant's son did not pay rent at the time. While the defendant's wife wanted to help provide for her son and often defended him, the defendant was enraged at the situation.

Prior History of Domestic Violence

The defendant and his wife were married for 49 years, and there was a long history of domestic violence. In 1975, the defendant and his wife got into an argument and the defendant took an axe and axed the walls of the living room; their children witnessed it.

Also in 1975, they were arguing in the car and he shoved her out of the vehicle. In 1977, they were arguing in the living room and the defendant punched her in the stomach and stabbed her in the head with a fork; their children also witnessed this incident, but defendant told them they couldn't tell anyone.

The defendant was arrested for domestic violence in 1991, where the defendant hit his wife with a can opener and split her lip open. When their son (Victim # 2) intervened, the defendant beat up their son. This was the only time a domestic violence incident was reported to

police. There was a police report taken and the defendant's wife stated that this was acceptable in her culture. Charges were never filed.

The problem came to a head at the beginning of 2016, when the defendant learned that he had lost an eviction proceeding he had initiated to try to force his son out of the rental unit. The defendant became obsessed with getting his son out of the house so he could sell. To that end, shortly before the murders, the defendant removed a shotgun he had kept at one of his daughter's home for years.

In one of the final conversations the defendant's wife had with her older son, she told him about a fight she had with the defendant. This conversation was recorded. During the conversation, victim #1 told her older son, "...he was going crazy and he wanted me to sign and I didn't want to sign. So, he stood above my head and I said I'm not going to sign for him, for you, for anybody ... I was so scared you know and then he stood on top of my head and he's like this, if you don't sign I'm going to kill you, and I'm going to burn your house and burn you in it ..."

The surviving children of the defendant testified about the constant abuse the defendant subjected their mother and them to throughout the years. The defendant and his wife had been married almost fifty years at the time of her murder. Throughout those years, the defendant constantly physically, emotionally, and verbally abused his wife. The defendant would hit, punch, pinch, kick, and spit on his wife. He threw objects at her head, including a can opener. He also repeatedly abandoned the family for months at a time. Although the children tried many times to encourage his wife to leave the defendant, she always returned to him. In the weeks leading up to the murders, the defendant's wife finally began to stand up to the defendant. Chillingly, Victim #1 even told the defendant she would put him in jail if he did any harm to their son (victim # 2) or their older son.

At trial, the defendant spun a completely different tale than what he had initially relayed to officers. The defendant told the jury that he returned from Arizona and found his wife dead in the bathroom. He said he then grabbed his shotgun and went to investigate at the side of the house. The defendant said he saw an unidentified person standing at the electrical box. He said he shot the person, but was adamant that he did not realize it was his son until the person was already dead on the ground. The defendant's story was wholly unbelievable based on the evidence and his prior recorded statements to police.

Observations

- Victim # 1 attended domestic violence classes with Jewish Family Services three to four times. When Jewish Family Services followed up with her, she said she would not continue to attend because she was too afraid.
- In 2015 and 2016, many of the fights that the defendant had with his wife were because the defendant wanted to sell the house.
- In 2010, victim # 2 reported that the defendant stole money from him, but this case was declined for filing.
- In the only reported domestic violence incident which took place in 1991, the defendant's wife failed to cooperate, and charges were not filed.

- In the months before the murder, the defendant's wife's adult children saw their mother stand up to their father for the first time, saying she would not sell the house. She also threatened to call the police if the defendant hurt her son.
- The defendant called Adult Protective Services for his wife to try to get her committed to a mental facility.
- The adult children felt that because the defendant was the gatekeeper, the only way for them to see or communicate with their mother was for them not to upset their father.
- The adult children received counseling through victim services after the murders.
- The children in this family left the family home as soon as they possibly could, some leaving before turning 18 years old. There were few DCFS referrals, aside from the 1999 referral that was called in by one of the neighbors.

Lessons Learned

- There are challenges present in ensuring that police investigative follow up is done.
- Cross-reporting was also lacking in this case.
- The Department of Children and Family Service (DCFS) did not interview the children separately in 1999. However, The DCFS' current policy is to interview the children separately from the adults.
- Also, DCFS's current policy is that before a referral is closed, collateral contacts must be made. In this case, before closing the referral, the expectation is that the neighbors would be contacted and statements would have been obtained.
- Physical abuse allegations should be cross-reported anytime DCFS gets the referral.
- DCFS' lack of interviewing the adult siblings was a missed opportunity.
- Towards the end, the victim (the defendant's wife) was fighting back and standing up for herself, which is often a red flag of escalation. She had a disability and did not have an independent source of income. She relied on her husband for everything.
- The defendant separated and isolated his wife from the family early on, which is typical of a domestic violence victim.
- Another pattern that is seen is women who are not able to take care of themselves financially perceive that they are stuck in the relationship, and therefore remain.
- Better collaboration of DVDRT and Child Death Review in fatal family violence cases and the sharing of information is needed.

Gaps in the System

- There was a need for more police investigative follow-up at the family home.
- There was a lack of cross reporting to DCFS, although the original report was in 1975. In 1975 cross-reporting was not consistently done at DCFS.
- While the current policy has changed since the original DCFS referral in this case, the children should have been interviewed separately in a safe place, rather than allowing the opportunity for the parents to coach the children.
- There was no case declination for the 1991 incident in the District Attorney case management system.
- For six months prior to the murder, the defendant reported vandalism against victim # 2, while it was the defendant who was vandalizing the house. The defendant was trying to document these acts of vandalism for the eviction of his son. When the defendant

called law enforcement several times neither victim # 1 nor victim # 2 were interviewed by police. Additional follow up should have been done.

Recommendations

- We recommend that DCFS training highlight the importance of separately interviewing those involved and the interview of collateral contacts.
- We recommend training of law enforcement which emphasizes investigative techniques in dealing with domestic violence cases, especially where signs may not always be the most obvious. We also recommend law enforcement training to increase awareness of signs that reflect what is going on in the home.
- There should be more awareness of services offered for adults who experienced trauma when they were children and continue to deal with the trauma of childhood domestic violence. Even though abuse happened to them as children, there are still services that can be provided when they are adults due to the continuing nature of trauma.

CHECKLIST for case number 2018-02

Evidence of strangulation?	✓ No.
Any firearms present?	✓ Yes, as to victim # 2.
Prior victims?	✓ No.
Prior domestic violence?	✓ Yes. The defendant was arrested for domestic violence in 1991, but charges were never filed.
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ Yes. The defendant's son, (victim #2) was bisexual.
Were children involved/present/harmed?	✓ Yes. The adult children suffer from Post-Traumatic Stress Disorder
Did victim recant?	✓ Yes. In 1991, Victim # 1 failed to cooperate, and charges were not filed.
Disability	✓ Yes. Victim # 1 had a disability and had no independent source of income.

Case # 4: BETTER EDUCATION ON GUN VIOLENCE RESTRAINING ORDERS, AN ELDERLY DEFENDANT SUFFERING FROM EARLY SIGNS OF DEMENTIA AND PUBLIC AWARENESS “SEE SOMETHING, SAY SOMETHING”

DVDRT Case #: 2018-03

Case Summary

The 74-year-old defendant and 72-year-old victim had known each other since they were children and had been married for over 35 years. The defendant and the victim each had two biological daughters from their prior marriages. When the victim divorced her first husband, the defendant left his family to be with her. The defendant's daughters could never reconcile this fact, so they were never close to the victim and the two families never merged; however, the defendant raised the victim's daughters from a young age like they were his own children.

The defendant had always been jealous and controlling of the victim, but their marital problems appeared to have gotten worse in the weeks leading up to the murder. During that time, the defendant appeared despondent and upset, and told several people that he believed the victim was having an affair with their family friend. There was absolutely no evidence that the victim was having an affair with their family friend. The defendant's only prior criminal history was a DUI conviction from 1993.

In 2015, the victim's daughter called LAPD Harbor Station front desk to request that a welfare check be conducted on her 72-year-old mother. She stated that her mother and her step father were having marital problems and that she had not had any contact with her mother for three days. The victims' daughter further stated that her mother had not picked up her mail or newspapers in the last several days, which was unusual. She also noted that the defendant kept guns at the house.

Los Angeles Police Department and Los Angeles Fire Department were dispatched to the defendant and the victim's residence. Los Angeles Fire Department was the first to arrive on scene at the residence. LAFD knocked on the door, but received no response, so they forced entry obtaining access into the residence from a rear door. Once inside the residence, they discovered the defendant lying on his back on the living room sofa. The defendant was unresponsive to the firefighter's questions. He appeared to be high on medication and alcohol. The defendant did not have any visible injuries, but did have dried blood on his neck and chest. He was transported to Little Company of Mary Medical Center in San Pedro for further treatment. Toxicology results showed numerous prescription medications in his system.

The victim was discovered lying on her back on the bed in the master bedroom. She was wearing pajamas and her body was partially covered with the bed's comforter. Her head and face were covered in dried blood. The victim sustained three contact gunshot wounds to her head, and was pronounced dead on the scene. There were no defensive wounds on the victim's hands or arms. In addition, an x-ray was done on the pillow that was under her head and two fired bullets were recovered from inside the pillow, suggesting that she was shot

while she was laying on the pillow. However, at the preliminary hearing, the coroner stated that she was not able to render an opinion as to whether she was asleep when she was shot. There were five shell casings located near her body.

A Berretta .25 caliber semi-automatic handgun was discovered on the dining room table inside a zip-lock bag. The gun had blood on the frame and the grips. The handgun's magazine was affixed to the gun and the hammer was in a cocked position. There were no live rounds found inside the magazine or the chamber. Ballistics experts determined that this was same gun that was used to shoot the victim. The gun was registered to the victim with a date of purchase in 1992. The footlocker where the gun was normally kept was located in the bedroom. It was found locked and contained the gun case, additional ammunition for the gun, and the defendant's medical card.

When the victim's lifelong close friend was interviewed by detectives after the murder, she stated that the defendant was always jealous and possessive of the victim but that it had become worse in the last few months. The victim's friend stated that the defendant had taken away the victim's cell phone and placed a tracking device on her car because he was convinced that she was having an affair. The victim's friend was adamant that the victim was not having an affair, and stated that she knew the victim intimately and that the victim shared all the details of her personal life with her. The victim would tell her friend that the defendant would push her around and had threatened her with a gun on several occasions. Furthermore, the victim's friend reported that the defendant was known to sleep with a gun under his pillow and that she believed that he was taking drugs.

A close lifelong friend of the defendant and the victim was interviewed by detectives. When interviewed by detectives, he recalled an incident that occurred late in 2014, just a couple weeks before the murder. He stated that on that day, the victim had called the friend to come over to the victim and the defendant's residence because the defendant was out of control and had threatened her with his gun. When the victim's close friend had arrived, the defendant was getting dressed and stated that he did not want to go to jail in his pajamas. The victim was so afraid that she ended up hiding the gun on that date. This incident was never reported to law enforcement.

Another friend of the defendant's stated that he had breakfast with the defendant in 2015. He described the defendant as "despondent and upset." The defendant believed that the victim was having an affair and he told his friend that the victim "allowed this guy to come in and out of the house all the time." The defendant's friend stated that he did not really eat his breakfast, but rather just pushed the food around on the plate, as he spoke like the marriage was over.

The defendant told detectives that he had no recollection of the details of the incident but that he was upset because he and the victim were having marital problems and that she even had a boyfriend that she would bring over to the house. When asked for the actual details of the incident, the defendant stated "I don't know what happened. I just snapped." The defendant then requested to speak to a lawyer and he was not interviewed further.

Observations

- Defendant appeared to suffer from the early signs of dementia. This is based on accounting from friends, but there was no diagnosis of suffering from dementia.
- The defendant was taking anti-depressants and pain medication and at some point had an addiction to cocaine.
- There was no evidence to support the defendant's belief that his wife was having an affair with their family friend.
- The gun used in the murder was purchased in 1992 and registered to the victim.
- Prior to the murder, the victim had told her best friend to call the police if she does not hear from her for a couple of days. The victim was afraid to that level where she was concerned, but the victim did not report this. The friend told detectives of this fact after the victim's murder. The same statement was also made to the victim's daughter.
- There was no paper record regarding the one point of contact with law enforcement, which was when the victim took her car in and it was identified as a tracking device.

Lessons Learned

- The defendant previously threatened the victim with a gun and prior to the murder would sleep with a gun underneath his pillow. None of this information was previously reported to law enforcement.
- There were various individuals who heard and saw incidents leading up to the murder including the December 29, 2014 incident, but did not report. The escalation of threatening the victim with a gun happened weeks before the murder.
- There was no referral to a domestic violence agency.

Gaps in the System/Recommendations:

- Educate and provide better information about the gun violence restraining orders, providing information to senior centers.
- A public service announcement should be made about the importance of calling 911 and speaking up when people see a situation that should be reported to law enforcement. When someone "sees something, they must say something."

CHECKLIST for DVDRT case number 2018-03

Evidence of strangulation?	✓ No.
Any firearms present?	✓ Yes. semi-automatic handgun
Prior victims?	✓ No.
Prior domestic violence?	✓ Yes. Prior unreported domestic violence
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ No.
Did victim recant?	✓ No.
Disability?	✓ Yes. Defendant was suffering from the early signs of dementia. There was no diagnosis.

Case # 5: PUTTING RESTRAINING ORDER DECLARATIONS IN THE PROTECTED PARTY'S OWN WORDS, BETTER TRAINING FOR LAW ENFORCEMENT TO INFORM VICTIMS ABOUT IMPORTANCE OF REPORTING EACH VIOLATION

DVDRT Case #: 2018-04

Case Summary

In 2016 the 59-year-old defendant stabbed the 40-year-old victim to death in their family residence in Long Beach. The defendant and the victim had been in a dating and cohabitating relationship for 23 years and had two sons in common: 7 years old and 14 years old.

The defendant had no prior criminal arrests or convictions. However just two weeks prior to her murder, the victim filed a criminal threats report with Long Beach Police Department. The victim walked into the police department to report that since January 2016, when the defendant was intoxicated, he would threaten to kill her and their children. The victim stated that recently the defendant was intoxicated and told the victim that he was going to buy a gun to kill her and the children. When the victim filed the police report, she was given information on how to obtain a Temporary Restraining Order (TRO).

One morning, just after the defendant left for work, the victim frantically woke up her two children and told them to pack their belongings. The victim and her children suddenly moved out of their Long Beach apartment without notifying the defendant. The victim and her children went to Los Angeles to live with the victim's parents and her brother. Later that day, the defendant arrived at the victim's parents' Los Angeles home and tried to persuade the victim and their children to return to Long Beach. The defendant's demeanor during this visit was angry and threatening, and no one returned to Long Beach with the defendant. Instead, it appeared that the victim intended for this to be a permanent move, as she proceeded to enroll her children in the new school district near her parents' home.

The following day, the victim filed for a TRO against the defendant, listing herself and her two sons as the protected parties. Attached to the Request for a Domestic Violence Restraining Order was a one page typed Declaration of the victim, detailing the reasons that she was requesting the TRO. Specifically, the victim stated "On or about this date, [the defendant] said, 'If you ever leave me, I am going to kill you and the kids.'" Additionally, the victim stated that "On or about this date, [the defendant] said to me, 'I'm going to kill you with (*sic*) the kids with a gun.'" The victim went on to explain that she and the children moved out of the house because she believed this threat. The victim explained that she was seeking the restraining order because "I am afraid of him and his violence. I need to protect myself and to protect our children, too." The TRO was granted pending a court hearing regarding the restraining order, as well as a mediation regarding child custody and/or visitation.

The defendant was served with a copy of the "TRO" and "Notice of Hearing" by a Los Angeles Sheriff's Deputy.

The victim came back to Long Beach for a community parade because their 7-year-old son was in the parade. At trial, the 7-year-old son believed that he saw his parents together during the parade, but seemed a little unsure of any details of the day.

On the date of her murder the victim again returned to Long Beach with their 7-year-old son. The victim's family believed that she was coming to Long Beach to obtain medical documentation to excuse the 14-year-old son from physical education at his new school due to an ankle injury. The victim's brother drove her and her 7-year-old son to the train station so that they could take the train to Long Beach. The victim's family was later shocked to learn that the victim and her 7-year-old son then took a bus from the train station to go to their former residence in Long Beach. The victim's family could not explain why she would return to the defendant's residence because they said the victim was terrified of the defendant.

At approximately 10 a.m., the victim and 7-year-old arrived at their former Long Beach apartment where the defendant continued to reside. The victim dropped her 7-year-old son off with her former next-door neighbor so that he could play with the neighbor's kids while the victim went into the defendant's apartment. At approximately 10:40 a.m., the victim's 7-year-old son heard the victim scream "Stop!" After hearing this, he was nervous about his mother's well-being and asked their neighbor to call 911. However, the neighbor believed that the victim and the defendant were having a normal marital argument and did not want to get involved their business, so she did not call 911 at that time.

The neighbor went to Food-For-Less to get diapers for her baby. The 7-year-old son along with the neighbor and her children, went to the defendant's apartment to get permission for the victim's 7-year-old son to accompany them to Food-For-Less. When he knocked on the apartment door, the defendant answered and his demeanor appeared normal. The 7-year-old son asked his father where the victim was and defendant responded that she was "sleeping in the bedroom."

When they returned from Food-For-Less at approximately 11:45 a.m., the defendant was standing near his apartment door and again his demeanor appeared calm and unremarkable. The 7-year-old son attempted to go into the defendant's apartment, but the defendant prevented him from entering, stating that the victim was still sleeping. The defendant instructed the 7-year-old son to play with the neighbors for a little while longer and they would go eat at a restaurant after the victim woke up.

Approximately one hour later, the neighbor had to leave to go visit family, and told the 7-year-old son that he needed to return to the defendant's apartment. The 7-year-old son walked across the hallway to his father's apartment and knocked on the door. When there was no answer, he opened the door to let himself in. Immediately upon opening the door to the apartment, he saw his father on the living room floor with a knife, sitting in a pool of blood with his intestines exposed. The 7-year-old son screamed and ran back into the neighbor's apartment where he began sobbing. The neighbor then went to the defendant's apartment to see what was going on and immediately returned to her apartment to call the police.

When the police arrived, the defendant was still holding the knife and was cutting out his own organs and throwing them at the officers. The defendant was combative and uncooperative and refused to comply with the officers' commands to drop the knife. Eventually, the officers were able to take the defendant into custody.

The officers then located the victim, who was dead on the bedroom floor. The victim had been stabbed 19 times, including eight fatal wounds to the torso, nine to the arms, and one to each hand. The medical examiner determined that the cause of death was multiple sharp instrument wounds and the manner of death was homicide. The victim was in poor physical health in the years leading up to her murder. Her family described her as disabled. She was blind in one eye, had a severe limp due to one leg being significantly shorter than the other, and had arthritis. The defendant was supposed to be her caretaker.

The defendant was transported to St. Mary's Medical Center to treat his life-threatening, self-inflicted wounds. While he was in the Intensive Care Unit, the defendant admitted to a nurse that he had killed his wife because his wife tried to take his sons away from him and he could not live without his sons, so he had to kill her and then himself. Based on this admission, homicide detectives elected not to attempt to interview the defendant.

A dependency investigator for DCFS later interviewed the defendant in jail for purposes of preparing a Jurisdiction/Disposition Report. The defendant made several incriminating statements to the DCFS dependency investigator, including that "he told [the victim] previously, 'I told her not to take my sons with her. They are my life. If you take my sons, there will be problem.... I told [the victim] I cannot survive without my kids. I told her, if you take kids, you'd kill me. Then we both die. Let the kids survive.'" The defendant repeatedly made statements to the DCFS dependency investigator such as "If you take away my sons, we all die. I don't care" and "If I don't have kids, we both die because kids are my life. But [the victim] doesn't listen to me. That's the problem."

Observations

- The defendant had been threatening the victim for months. This is a case where it was building up for months.
- No one intervened or said anything even though this was not a spur of the moment act of violence.
- There were indications that defendant had a gambling problem and appeared to be an alcoholic.
- The defendant testified that beginning in 2015, that the victim was cheating on him and was communicating with other men.
- On March 30, 2016, the victim was advised of the process of obtaining a temporary restraining order. The victim filed a restraining order in April 6, 2016. This was one week before she was murdered.
- Even though there was a certified copy of the victim's declaration, the judge at the trial did not admit the declaration as evidence due to it being hearsay. The fact that a restraining order was filed by the victim was admitted as evidence, but not the actual words that were part of the declaration.

- A Los Angeles County Bar Association Domestic Violence Project attorney may not have provided the victim with a referral to additional domestic violence services.
- The judge's ruling that victim's TRO declaration was inadmissible at trial was potentially legally incorrect.
- The defendant planned to kill himself after he killed the victim, but his attempts to commit suicide were unsuccessful. He wrote a suicide note apologizing to both children.
- The nurse who oriented the defendant in the hospital in the intensive care unit was called to testify at preliminary hearing. She was uncooperative when asked about the statement that the defendant said to her. The defendant's statement was "I killed my wife because she tried to take my sons away from me and I can't live without my sons. So, I had to kill her and myself."
- It should also be noted that the ICU nurse did not document in the medical records the statement that the defendant made.
- The police officers in this case had both the sons forensically interviewed on audio and video recording, which is always beneficial with cases where a minor is a major witness
- DCFS requires parents to fill out a form that states the parent's preferred language to be spoken when he or she is interviewed.

Lessons Learned

- Cross reporting was also lacking in this case. Law enforcement should have cross-reported the March 30, 2016 incident to DCFS. There were no prior ESCARs, even though the defendant made a threat to kill the children and a police report was taken.
- Based on the admission made by the defendant to the ICU nurse, the homicide detectives elected not to interview the defendant, which did not help in this case.
- DCFS records were subpoenaed because the defendant made incriminating statements to the dependency investigator. The jury said that they didn't put a lot of weight to the statements the defendant made because they were not recorded and the defendant was not interviewed in his native language.
- Long Beach Police Department should have linked the victim to receive victim services. If she was linked to a domestic violence organization, there may have been a safety plan for the victim.

Gaps in the System

- There was a lack of cross reporting to DCFS.
- DCFS should interview in a person's native language if English is not the language they feel comfortable speaking in.

Recommendations:

- Restraining Order Declarations should be prepared in the protected party's own words such as "she stated" and minimize language such as "on or about, respondent etc." The policy and training should encompass such suggested changes. Also, a box asking if the protected person has read over the statement and whether the statements are accurate should be signed dated by the protected person. While these changes may be

implemented, the defendant still has a constitutional right to confront and cross-examine his or her accuser.

- There should be better training to ensure that law enforcement agencies inform victims need to report every time a violation of a restraining order occurs.
- Agencies that help victims fill out in pro per declarations (such as legal clinics) should suggest to those victims the importance of reporting each incident to law enforcement.
- Based on this case and other cases, people don't call or report to law enforcement, a public service announcement should be introduced communicating the message "see something say something."
- It is always recommended for law enforcement to attempt to get a statement from the defendant.

CHECKLIST for case 2018-04

Evidence of strangulation?	✓ No.
Any firearms present?	✓ No.
Prior victims?	✓ No.
Prior domestic violence?	✓ Yes. Victim filed a criminal threats police report with LBPD two weeks before she was murdered.
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ Yes. Victim obtained a Temporary Restraining Order protecting herself and her two minor children from the defendant.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ Defendant and Victim had two minor children in common (ages 7 and 14), the 7-year-old was present but did not witness it.
Did victim recant?	✓ No.
Disability	✓ The victim's family described her as disabled. She was legally blind in one eye and walked with severe limp because one of her leg was shorter than the other one and had arthritis.

Case # 6: BETTER DOMESTIC VIOLENCE TRAINING FOR MENTAL HEALTH PROFESSIONALS TO BETTER FORMULATE A RISK ASSESMENT

DVDRT Case #: 2018-05

Case Summary

72-year-old defendant murdered his wife (victim # 1), and their son (victim #2) inside the family home in October of 2010. Victim #1 was 64-years-old at the time of her death. She was married to the defendant, for 46 years. The couple had two children: victim # 2, 25-years-old, and another son, 38-years-old.

The defendant, victim # 1, and victim # 2 lived together in a house located in Los Angeles, where the murders occurred. At the time, the defendant was retired from the U.S. Postal Service where he had worked for over 30 years. The defendant's wife had recently retired as a school teacher after 42 years with the Los Angeles Unified School District. Their son, victim # 2, was a college student with a full-time job at Target in Inglewood. Victim # 2 had an eight-month-old daughter. Victim # 2's daughter was not present at the time of the murders.

In the months preceding the murders, the defendant became convinced that his wife was having an affair with their neighbor. This neighbor and his wife moved into the neighborhood in 1966 and met the defendant and his wife in 1968. The neighbors became friends, but there was never any romantic involvement between victim # 1 and the neighbor. On June 19, 2010, months before the murders took place, the defendant called his neighbor. During the call, the defendant accused his neighbor of having an affair with victim # 1. Because of the call, the neighbor sent a letter to the defendant and his wife denying any affair. After the defendant returned home to California in the late summer of 2010, the neighbor recalls a few interactions with the defendant where it appeared he was persisting in his feelings of anger.

In 2010, victim # 1 and victim #2 were killed inside their home. Deputies responded after the defendant called 911 stating that he thought he had just killed his wife and son. When asked how he killed them, he told the dispatcher, "I shot them." The defendant also called a family friend to notify her of what he had done, as well as his surviving son, telling him, "I just killed your mother and [victim # 2], just come by."

Defendant was arrested in front of his house and was the only person on scene other than the decedents. Four firearms were recovered from the scene, including a .45 caliber Smith and Wesson semi-automatic with its hammer back and "off safe," loaded with one live round in the chamber and one live round in the magazine. Victim # 1 and Victim # 2 were found deceased inside victim # 2's bedroom. Victim # 2's body was positioned on top of victim # 1's body, which was face-down on the floor. The bedroom door reflected forced entry into the room. Once victim # 1's body was removed, investigators noticed a projectile strike mark in the floor of the bedroom underneath her head.

The defendant was interviewed by Los Angeles County Sheriff's homicide

investigators on the afternoon of October 21, 2010. He stated he understood his *Miranda* rights and while initially he indicated he was “in no condition to talk for himself,” he spoke freely with detectives. The defendant told them that he shot his wife and son. Defendant went on to say that he and his wife were having problems and that he had been doing some “spy work.” He said he had been tracking his wife with her cell phone and believed that she was having an affair with their neighbor.

Defendant told investigators that he tracked his wife and their neighbor to Torrance Courthouse on Wednesday October 20, 2010. He confronted his wife later that day regarding his belief in an affair, which she repeatedly denied. After drinking some tequila and playing solitaire, he kicked open the locked door to victim # 2’s room where defendant’s wife and son were located. The defendant was armed with the .45 caliber handgun, and after kicking open the door he “racked the action” of the weapon, causing a live round to eject from the chamber.

The defendant said he then shot the victim in the face as she was trying to push her way around victim #2. He shot her again in the head when she was on the ground. Victim #2 was shot in his left temple while he was attempting to gain control of the gun. During his statement, the defendant told the detectives that he “believes in head shots,” indicating that he had been trained to shoot that way when he was in the Army during the Vietnam War.

When detectives discussed his overall plan for the evening with the defendant, he indicated that he had considered shooting his neighbor and had even selected a rifle to do so. The defendant reported that he elected not to shoot his neighbor because that would be “lying in wait,” but in front of the jury under oath at trial, he bragged about how he was a very accurate shot and would have been able to shoot and kill him with ease if he chose to do so.

Defendant’s Mental Health

The defendant had a history of mental health treatment stemming back to 2001 when he sought treatment for depression from Kaiser Permanente. In 2010, the defendant returned to Kaiser Permanente for mental health treatment, reporting a depressed mood, irritability, and decreased sleep. The defendant expressed a belief that his wife was cheating on him, and he was diagnosed with “adjustment disorder” and a “partner/relational problem.” In one session, he reported that “sometimes I worry what I might do” and acknowledged access to firearms. There is no record of continued therapy sessions for the defendant.

After the murders, the defendant was diagnosed with delusional disorder, jealousy subtype. Prior to trial, the defendant pled “Not guilty by reason of insanity” (NGI) to the murders. At both the guilt and sanity phases of the trial, the defense put forth a Post-Traumatic Stress Disorder (PTSD) defense based on his participation in the Vietnam War. The defense also presented the theory that the defendant’s psychotic symptoms arising from his delusional disorder coupled with his alleged PTSD caused him to dissociate and fail to appreciate the wrongfulness of his actions at the time of the crimes.

Observations

- In 2010, victim #1 disclosed to at least one individual that the defendant had threatened to take an axe through the door. Victim # 1 agreed that she would report this incident to police, but the incident was never reported.
- Defendant placed a 911 call stating he believed he had killed his wife and son. He remained on the line with the 911 operator until the moment of his detention by police.
- Deputies found the door to victim # 2's room in the locked position. Both the door and the door frame were broken, exhibiting signs of forced entry.
- Investigators found a live round just inside victim # 2's bedroom doorway. Investigators, forensic firearms experts, and later the defendant himself stated that this live round ended up on the ground by the defendant pulling the slide back. This was done before any signs of a forcible struggle took place, and before any shots were fired. Investigators concluded this could have been done to intimidate the victims, or to clear a weapons malfunction.
- A hole in the floor consistent with a strike mark of a bullet was found directly underneath victim # 1's head. This hole denotes that the shot was fired when victim's body was already on the ground.
- Victim # 1's body was found face down on the ground. Victim # 2's body was found on top facing up. Body positioning indicates that victim # 1 was more than likely shot first.
- As a Vietnam veteran, the defendant asserted PTSD at trial. The defendant had never been diagnosed with PTSD, received any treatment for PTSD, nor had he complained of any symptoms of PTSD.
- Even though the murders were committed in 2010, the defendant was not diagnosed with PTSD until 2016 when the defense retained its own expert. The expert re-evaluated the defendant and opined that PTSD did not apply to this case. Symptoms were never reported and the defendant exhibited clear malicious motives for months and the most consistent conclusion based upon the evidence is that he killed his wife based on jealousy and not PTSD.
- Victim #1 and her therapist attempted to formulate a plan for her safety which involved removing all firearms from the home. The defendant and the victim's surviving son were invited to attend the therapy session where it was ultimately decided that he would remove all the firearms. He did not remove the firearms and denied having any recollection of attending the meeting.
- The defendant called his girlfriend in Louisiana, who was not cooperative as a witness.
- The defendant and victim were in an escalating domestic violence situation, consistent with other relationships exhibiting domestic violence.

Lessons Learned

- Despite having gone multiple times for mental health treatment for depression, the defendant was never diagnosed with delusional disorder. Delusional disorder is very rare and hard to diagnose. Unless, the person evaluating the defendant knew the jealousy was not based on reality, it would be very easy to miss.

- If PTSD claims were legitimate, there should have been testimony from relatives who had observed symptoms in the defendant or episodes of PTSD. However, there was no such testimony by any relative.
- Per the prosecution medical expert, statistically only 1 in 10 people develop PTSD from a stressful event. Additionally, 70% usually dissipate within a year.
- In 2010, an intern oversaw the care of the defendant. Although she correctly diagnosed the defendant with depression and anxiety, had she dug a little deeper she could have detected the delusional disorder. The defendant could have been placed on medication that would have helped mitigate his delusional thoughts.
- Current legislation does not allow mental health professionals to petition for a gun violence restraining order. Originally, mental health professionals were included in the legislation, but were ultimately removed. The team believes the field of mental health professionals would not support legislation allowing mental health professionals to petition for gun violence restraining orders. Mental health professionals believe individuals would be less likely to seek mental health treatment if the levels of confidentiality are decreased.
- To prevent domestic violence, exposure to domestic violence training should begin at a young age. This would allow families to identify the early signs of domestic violence, and it would illustrate to young people the difference between a healthy and unhealthy relationship.
- In the State of California, mental health practitioners are prohibited from reporting incidents of domestic violence. However, they are not prohibited from referring a patient to an expert. There is no evidence that victim # 1 was referred to any other expert including a domestic violence agency that could have explained the process of filing a police report and advised her of all the resources available to her.

Gaps in the System/Recommendations

- Therapists providing mental health treatment to victim # 1 would have greatly benefitted from receiving thorough training in dealing with domestic violence cases. This training would have enabled the therapist to formulate a risk assessment with victim #1 and provide her with information on all the resources available to her. At the very least, therapists should have known how to refer victim #1 to the appropriate expert that could assist her.
- There is a need for outreach programs targeted towards educating youth on domestic violence. This would help members of the family identify and report early signs of domestic violence. In victim # 1's case, no family member came forward to report any signs of domestic violence. Additionally, the surviving son failed to remove the firearms and instead stated it was his younger brother's responsibility.
- Current legislation excludes mental health professionals from petitioning for gun violence restraining orders. Many professionals in the field believe a decrease in confidentiality would deter individuals from seeking treatment.
- Current legislation should be amended to additionally authorize mental health professionals to petition for gun violence restraining orders. However, it should also include a process that allows individuals to petition to have their firearms returned if they meet certain criteria.

- We recommend additional training for mental health professionals in identifying and dealing with a potential domestic violence cases. The current mandated domestic violence training of mental health professionals is not enough.
- Mental health professionals should become more awareness of services offered to victims of domestic violence, or refer them to an appropriate agency.

CHECKLIST for case 2018-05

Evidence of strangulation?	✓ No.
Any firearms present?	✓ Yes. During the investigation, four firearms were recovered from the scene.
Prior victims?	✓ No.
Prior domestic violence?	✓ Victim disclosed threats made by the defendant in therapy sessions and to out-of-state family, but she never reported any incidents to the police.
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ No.
Did victim recant?	✓ No.
Disability	✓ Defendant claimed to have the mental health diagnosis of delusional disorder, jealousy subtype.

Case # 7: MORE STRANGULATION TRAINING FOR INVESTIGATORS AND FIRST RESPONDERS AND HIGHLIGHT IMPORTANCE OF CROSS REPORTING BECAUSE OF LIMITED RESOURCES OF DOMESTIC VIOLENCE LAW ENFORCEMENT UNITS

DVDRT Case #: 2018-06

Case Summary

In 2015, the defendant fatally shot his ex-girlfriend during an argument in an alley behind the defendant's home. It is unknown how long the victim had been at the defendant's home. It is also unknown why the couple was arguing. Nearby neighbors heard the arguing and called 911. They saw the victim holding the couple's 20-month-old son during the argument. Neighbors did not see the shooting, but they heard it. When he looked back out, one neighbor saw the defendant standing over the victim, holding a gun in one hand, and the child in the other. The defendant pointed the gun at the victim's face, said, "now what bitch," and tried to shoot her again. The gun was either out of bullets or it jammed. The defendant then fled the area, holding his child.

The defendant was soon seen by officers nearby entering an apartment. It happened to be the apartment of the defendant's friend. The occupants of the apartment refused demands by officers to emerge. Officers eventually forced entry. The defendant, his son, and the defendant's friend were in the apartment. Officers later found the murder weapon in the closet. The defendant never provided a statement to officers or detectives.

Just over two months prior to the murder, the victim was at the defendant's home. The defendant became upset when he saw text messages from unknown men on the victim's phone. The defendant wrapped his arm around the victim's neck, strangling her. She lost consciousness, and fell to the floor. The victim eventually woke up, and her tongue was bloody and painful. The victim once again started texting on her phone, which made the defendant upset. The defendant threw the victim's phone, breaking it. The defendant put the victim on the ground and punched her face four times. The defendant again wrapped his arm around the victim's neck, causing her to lose consciousness. When the victim woke up, she escaped through the bedroom window. The victim knocked on a neighbor's door for assistance, but they refused to let her use their phone. She saw the defendant leave the apartment. The victim went back inside the apartment, and she went to sleep. When she awoke, the victim went to her cousin's home and called police. Officers saw slight swelling on her forehead. The victim said that she did not desire prosecution.

The defendant's adult criminal history began in 2004, when he was convicted of a misdemeanor PC 273.5(a). In 2005, the defendant was convicted of a misdemeanor gun possession charge. In 2008, he committed a misdemeanor PC 243(e)(1) against another victim. In 2010, the defendant committed his only felony offense, a violation of VC 10851 for stealing a vehicle.

Observations

- In a prior incident, the defendant strangled the victim twice, causing her to lose consciousness on both occasions.
- When the victim awoke, she escaped through the bedroom window and sought help from her neighbors, but was not allowed to use a telephone. Eventually, she saw the defendant leave the residence.
- The victim stated that the prior incident was the first time that one of their arguments had become physical. The victim stated to police that she was non-desirous of prosecution and she did not want a restraining order.
- Later in 2015, a letter was sent to both parties informing them that investigators would be contacting them regarding the prior incident.
- Multiple 911 calls were received from neighbors at the same address that the prior incident took place stating they heard arguing. Subsequently, several calls were received stating that gunshots were heard.
- One of the 911 callers stated he heard the argument and subsequent gunshots. He witnessed the defendant standing over the victim holding their son and pointing a gun at the victim.
- The victim was found with eight gunshot wounds to her head. Soot was detected on one of the wounds, indicating a close-range shot.
- The defendant's father happened to be in the area during the investigation. The defendant's father voluntarily walked up to an officer guarding the crime scene perimeter and advised him that his son had just called him and said he just killed the victim. The defendant had provided his father with an address, and instructed his father to meet there.
- The father also confirmed that the defendant had threatened the victim with a gun in the past, but stated that he had never actually seen the defendant with a gun. Ultimately, the father would become uncooperative with the investigation.
- Per the victim's biological mother, the defendant had threatened the victim in the past and beaten her multiple times. None of these events were ever reported to police.

Lessons Learned

- The defendant had three prior misdemeanor domestic violence convictions. All three were committed against different people.
- At the time the murder occurred, aside from assigning the case to a detective and sending a contact letter, no action had been taken regarding the prior incident. The incident was never brought to the attention of the City Attorney, nor the District Attorney's Office.
- During the 911 call, the victim stated that in the past she had feared calling police because she did not want the defendant to lose his job or go to jail, but that she did not care anymore. Additionally, the operator asked the victim if the defendant had done something like this in the past. To which she replied, "not really, he's very aggressive," clearly indicating that there had been prior incidents of domestic violence.
- Even though it was clear in the 911 call that there had been prior incidents of domestic violence, there was no indication in the police report that responding officers ever questioned the victim regarding any prior incidents.

- The prior police report stated minimal swelling and included the victim's non-desire to seek prosecution. The report also mentioned that the victim returned to the defendant's home after the incident and fell asleep. However, the police report failed to include the child being present during the altercation.
- The prior domestic violence incident was never cross-reported to DCFS.
- The victim received medical attention following the prior domestic violence incident. As mandated reporters, hospital staff should have reported any signs of domestic violence.
- Law enforcement investigators are often placed in domestic violence units to gain experience and eventually promote to other more prestigious units. This causes domestic violence units to often be the least experienced and least desirable units.

Gaps in the System

- Domestic violence units are not being resourced properly even though 15% of all violent crimes are domestic violence. Thus, these units require adequate resources and funding to properly investigate and prosecute domestic violence cases.
- Long Beach Police Department detectives currently have 300 cases assigned per detective that still require review.
- The original police report denotes that the victim was strangled twice to the point that she lost consciousness both times, yet the only action taken was sending a contact letter. This demonstrates the need for strangulation focused training in law enforcement, and the need for case triage. Cases involving incidents of strangulation should be given priority due to their potential danger to the victims.
- Had triage been established, officers would have heard the 911 call and known that the October incident was not the first occurrence of domestic violence. This would have encouraged them to dig deeper and ask questions regarding past incidents.
- Original report included victim's non-desire to seek prosecution. By asking the victim if they desire prosecution, victims may have the impression that their choice to seek prosecution or not is the sole factor in going forward with the case. Additionally, including the victim's reluctance to seek prosecution in the report tends to dissuade detectives from further investigation or placing urgency on the incident.

Recommendations

- As domestic violence accounts for 15% of all violent crimes, triage becomes critical in combating it. Investigators would greatly benefit from developing an urgency classification structure which allows them to prioritize the cases which pose the greatest threat to potential victims.
- We recommend more strangulation specific training for investigators and emergency responders. The original police report mentioned the victim had been strangled twice to the point of losing consciousness. Had investigators possessed appropriate strangulation training, they would have known the urgency this case required and the potential danger the victim was in.
- Domestic violence units must be properly resourced and staffed. The lack of prestige in domestic violence units causes them to often time be the least experienced and the least desirable. Domestic violence units require experienced investigators and must retain

developed investigators within the unit. This is only possible if domestic violence units are no longer regarded as training positions.

- Cross-reporting is crucial when considering the limited resources that domestic violence units currently have at their disposal. Cross-reporting with other agencies provides a second pair of eyes on a case, which can help alleviate the present workload placed upon domestic violence investigators.

CHECKLIST for 2018-06

Evidence of strangulation?	✓ Yes. Defendant strangled Victim twice in prior incident.
Any firearms present?	✓ Yes. Defendant shot Victim with a handgun.
Prior victims?	✓ Yes. Two prior victims.
Prior domestic violence?	✓ Yes. The victim filed a domestic violence police report with LBPD
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ Yes. Defendant and Victim had a twenty-month-old boy in common. Who was present.
Did victim recant?	✓ The victim did not want to prosecute on prior occasions.
Disability	✓ No.

Case # 8: THREATS MADE OF HOMICIDE OR SUICIDE, PRIOR DOMESTIC VIOLENCE AND BETTER COMMUNICATION BETWEEN FAMILY COURT AND OTHER AGENCIES

DVDRT Case #: 2018-07

Case Summary

The victims' mother met the suspect in 2005. The victims' mother and suspect dated while they worked together in Palmdale. They were married in 2006 and had two children in common, victim # 1, a boy, and victim # 2, a girl.

The suspect had an older daughter from a previous relationship who is not involved in this incident and does not live with her father or his wife. The victims' mother said her marriage to the suspect was "rocky from the start" because of money problems. At the time of his death, the suspect was working as an air condition contractor.

Past Unreported Abuse

The victims' mother became pregnant with victim #1. When her husband found out that she was pregnant with a boy, he became verbally and emotionally abusive to her. She said that the suspect insisted on only having a girl. After victim #1 was born, the suspect would tell his wife what clothes to wear, put her down for her weight, push her and punch her with his fists. She never called the police or made a report about these incidents. On one occasion, the victims' mother was injured when suspect threw a rose bush at her. The suspect would treat his son (victim # 1) violently by pulling and dragging him by his arms. The suspect would also lock his son in dark rooms and put him outside in extreme cold weather to punish him.

Threats made by Suspect

In 2014, the victims' mother separated from the suspect leaving their residence. She officially filed for divorce in 2014. The victims' mother recalled the suspect telling her, "if you ever divorce me, I'll kill you and keep the kids." She said that the suspect had also expressed an idea to kill his own mother.

Divorce Proceedings

After filing for divorce, the victims' mother temporarily took her children with her for two weeks until the suspect filed an emergency court order for visitation of the children. A rigid custody arrangement was in place for the suspect to have every other weekend with the children from Friday after school until Sunday night. This order was relaxed and visitation was mostly guided by verbal arrangement.

The victims' mother filed a stipulation with the court to make the verbal agreement between her and the suspect a valid court order. The stipulation was never signed by either party or by a judge. The stipulation also did not have a stamp of approval from the court.

It was confirmed that there was no valid court order in effect regarding the custody of the victims due to lack of signature on the stipulation, no information posted on the California Law Enforcement Telecommunication System (CLETS), and no information regarding a valid court order on lasuperiocourt.org.

There was a court order signed by a judicial commissioner stating the listed address on Park Circle would be listed for sale and kept in good condition. Suspect remained living at Park Circle Drive location while the location was on the market for sale. On Friday 12/05/2014, the location sold.

In late 2014, the victims' mother said the suspect picked up the kids from school for his visitation, but she said an argument ensued over the phone and the suspect was angry about not getting enough visitation time. That day, the victims' mother told the suspect over the phone that she was coming to the Park Circle residence to clean up and meet a realtor/prospective buyer at 3:00. She did not hear from the suspect after that.

The victims' mother arrived at a park to take custody of the victims. At 8:40 p.m., the suspect and the victims hadn't arrived at the park. Between 7:55 and 8:40 p.m., she tried calling and text messaging the suspect multiple times, but he wouldn't answer his phone. At 8:26 p.m., she drove past his residence on Park Circle to see if he and the children were there, but she found all lights off at the residence and the suspect's car was gone. The victim's mother called the Lancaster Sheriff's station at 9:00 p.m. The victim's mother no longer lived at the location but still possessed keys and a 50% ownership stake in that location until it was sold according to a divorce decree. She had also been ordered by the court to retain keys to the house to keep it in good condition to show potential buyers.

Detectives observed that it was sparsely furnished and extremely cluttered with bicycles, boxes, tools, and clothing items. The bedrooms had bare mattresses with no sheets or bedding and looked mostly empty. Detectives accompanied victims' mother to the residence she had previously shared with the suspect and the children at Park Circle Drive. He was ordered to keep mortgage current and he was ordered to keep the house clean and in good condition to show prospective buyers. That morning at 12:55 A.M., detectives were notified that a fatal collision had occurred at the location earlier that morning. Officers and investigators from the Newhall Office of CHP responded to location and observed conditions that indicated the collision was likely intentional and reported the incident to LASD Homicide Bureau. The suspect and his two children were all killed when their vehicle rear-ended a parked tractor-trailer combination at high speed within the brake check area.

During the preliminary investigation at the scene by CHP, there were no skid marks, swerving tire marks, or other evidence that would tend to show that the suspect accidentally collided with the tractor-trailer. Additionally, Multidisciplinary Accident investigators found at the suspect's residence two small electronic boxes that had been removed from the vehicle prior to the collision in order to disable deployment of the air bags.

Observations

- The suspect became verbally and emotionally abusive to his wife when he learned that she was pregnant with a boy. He insisted on only having a girl.
- The victim's mother did not call the police or make any police reports regarding prior incidents of abuse.
- When the suspect became angry with his son, he would pull him by the arm and drag him to the couch or corner of the room. Victim # 1 had his arm in a cast for weeks. The suspect would also lock victim # 1 in dark rooms and put him outside in extreme cold weather to punish him.
- The victims' mother believed that the suspect exhibited signs of mental health illness which was reflected in his growing hoarding obsession.
- The suspect would often talk about killing his ex-wife and older daughter from another relationship. He thought of scenarios that would make their deaths seem accidental.
- The victims' mother recalled the suspect telling her, "if you ever divorce me I'll kill you and keep the kids."
- The suspect demonstrated suspicious behavior leading up to the incident. He dropped out of adult classes, neglected his mortgage and utility bills, ignored his monthly obligation of child support for his older daughter, and refused a job offer even though he desperately needed the money.
- A court order granted the suspect visitation every other weekend Friday after school to Sunday night. However, the victims' mother said that she and the suspect relaxed the order somewhat and visitation was mostly guided by verbal arrangements.
- The day of the incident, there were only bare mattresses in the home and most of the suspect's and the children's clothes were missing. Additionally, victim #1's inhaler was left behind which was odd considering he had a serious asthma attack recently.
- Police located 2 yellow plastic connectors on the suspect's kitchen counter. Investigators determined these belonged to the airbag relay in the suspect's vehicle. Removing these connectors ensured the airbags would not deploy upon collision.

Lessons Learned

- The victims' mother never called the police to report any of the incidents of domestic violence. No action was taken to protect her or her children because nothing was reported until after the divorce proceedings commenced.
- Evidence of the abuser's conduct, including physical and emotional abuse, possible drug use, and possibly undiagnosed mental illness was available through civil court divorce proceedings and DCFS.
- When individuals are going through a divorce, claims of abuse are often regarded as typical of the situation and not elevated to the importance that they deserve.
- The suspect was granted unsupervised visits despite abuse and threats to the victims' mother and children through custody order.
- By failing to strictly adhere to the court order regarding custody and allowing visitation to be dictated by verbal agreements, the victims' mother made the signed court order practically unenforceable.

- Had proper follow-up been conducted with the family, some of the red flags in the suspect's behavior may have been caught. Such as his sudden indifference toward his daily responsibilities as an adult and a father.

Gaps in the System/Recommendations

- The abuse allegations of the victims' mother and her children were not investigated thoroughly. As DCFS did not receive them until 2014, they were dismissed as typical claims of individuals going through divorce proceedings. There should have been more follow-up with the family instead of disregarding the claims as unfounded and inconclusive.
- An Electronic Suspected Child Abuse Report was never initiated when Victim # 1 was taken to the Emergency Room. As mandated reporters, medical personnel should possess knowledge in identifying signs of possible physical abuse.
- We recommend better communication between family law and other agencies. Family law courts often see multiple allegations presented during divorce proceedings. They are faced with the difficult challenge of identifying the authentic accounts of domestic violence and abuse. Sometimes genuine claims are dismissed due to the volume of allegations that arise during a divorce. In this case, if family law court had contacted DCFS, they would have been made aware that five Electronic Suspected Child Abuse Reports existed. The information contained in the family law documents, when paired with the information found in the Suspected Child Abuse Reports, would have triggered a DCFS investigation.

CHECKLIST for case 2018-07

Evidence of strangulation?	✓ No.
Any firearms present?	✓ No.
Prior victims?	✓ No.
Prior domestic violence?	✓ Yes. Victim never called the police or made a report about these incidents.
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ Yes. Two of the perpetrator's children were killed by the perpetrator in the crash.
Did victim recant?	✓ No.
Disability	✓ No.

Case # 9: MURDER SUICIDE, “SEE SOMETHING SAY SOMETHING” REPORT TO LAW ENFORCEMENT

DVDRT Case #: 2018-08

Case Summary

Twenty-seven-year-old suspect murdered his wife in their Lakewood home in 2017. The victim was 26-years-old at the time of her death. After using a 12-gauge pump-action shotgun on the victim, the suspect turned the gun on himself and took his own life in the home owned by the victim’s mother. The victim was married to the suspect, for one year. They had no children together.

The home was owned by the victim’s mother, a 57-year-old. The victim’s mother said that she had been living with and caring for her elderly mother in Marina del Rey because she was in her 90s and could not be left alone during the overnight hours. Her daughter and husband of one year had been caring for the home in Lakewood. At the time, the defendant was an enlisted sailor in the United States Navy and was stationed in Camp Pendleton, in Oceanside. His wife, had recently been employed as an Information Technology Tech at the Raytheon Aerospace plant.

The victim and the suspect were married at the Santa Ana Courthouse on June 9, 2016. Apart from both mothers, and some close friends, their marriage was kept a secret. The couple was saving money to have a formal church ceremony. They were left to care for the home in Lakewood and because they were having trouble in their marriage, the victim’s mother said she wanted to give them their space to work things out. However, in their short marriage, the victim’s mother made it a point to say that the suspect usually stayed on base because he was focused on his training regimen. Nevertheless, they were for the most part happy with their living arrangements in the short term. The victim’s mother added that the suspect was constantly in training, and when he was not, he would come to stay with the victim.

The suspect and the victim met while attending college. They dated six to seven years before they married. After graduating in 2013, the suspect joined the U.S. Navy and was sent to boot camp for approximately one year. The victim graduated the following year with a degree in Information Technology. After completing boot camp, the suspect was stationed at Camp Pendleton in Oceanside, California. Soon thereafter, he and the victim married. The victim did not attend the suspects graduation from Basic Reconnaissance Course, which made him very upset. Nonetheless, after graduation, the suspect came home to spend time with the victim before his redeployment to North Carolina.

According to the victim’s mother, the couple’s marriage was on shaky grounds. She told investigators, “they were trying to figure out if they wanted to stay together or divorce. The suspect was upset with the victim because she did not attend his graduation. The victim was busy at work.” It was obvious to investigators that the victim’s absence at the suspect’s graduation was a significant factor in the couple’s marital discord. The victim’s mother said that her daughter sensed something in the suspect that troubled her, so much so, that the victim was not sure she wanted to start a family with him. Despite their marriage being on shaky ground, the

victim's mother said that the suspect truly loved the victim and wanted to start a family with her. The victim's mother, on the other hand, wanted her daughter to get an annulment or divorce the suspect.

The suspect flew to his hometown in Loomis, California to visit family. The suspect and his mother left her house in northern California and drove south to the victim's house in a 2018 Ford F150 pickup truck the suspect purchased four days earlier. They arrived at the victim's house Friday evening, but the victim was out with friends having a glass of wine. Investigators would later learn that the victim was having an intimate affair with a coworker, and she and the coworker were enjoying a romantic outing that lasted late into the night. On Saturday morning, the suspect's mother said that she, the suspect and the victim spent the morning together. They were laughing and the conversation was friendly and upbeat. Later that morning, the victim left the house telling the suspect's mother and the suspect that her friends had previously invited her to the Stanford vs. USC football game at the Coliseum in downtown Los Angeles. Investigators would again learn that the victim lied to the suspect and his mother to cover-up her affair with a coworker. The victim and her coworker spent the day together; they went to a movie premiere, followed by a romantic late night dinner and drinks.

The suspect's mother was under the belief that although the suspect and the victim were having difficulties in their marriage, it seemed trivial since they were still moving forward with plans to have a formal church wedding. A close friend of the victim, stated that the victim told her that she had broken off her engagement to the suspect. She was unaware they had legally married in 2016. The victim's close friend received a text from the victim on September 4th stating she had ended her relationship with the suspect. The victim's close friend believed the relationship was over as the victim was supposedly dating a coworker at the Raytheon Aerospace plant where she worked, and the victim confided in her that she was "falling in love with him."

The victim's coworker told Investigators that for the past year, he and the victim were coworkers at the Raytheon Aerospace plant, and during that time, they became "very close." The victim had told him that she and her husband, had separated over the Fourth of July weekend in 2017, and she had asked him for a divorce. Not long afterwards, the victim's coworker said he and the victim started dating exclusively. The day the victim had told the suspect she was attending the Stanford vs USC game with friends. The weekend before the suspect killed the victim, the victim's coworker said he asked the victim if she had told the suspect about their relationship and she said, "No." When the victim's coworker asked the victim, "What's going to happen when you tell him?" The victim said, "He is not going to take it well." In 2017, the victim sent her last ever text message to her coworker, saying, "[the suspect] knows that I have feelings for you." The victim's coworker told investigators he slept in late Sunday morning and it was not until later that afternoon when he replied to the victim's earlier text messages. The victim's coworker said he sent the victim a string of three text messages, but each one went unanswered. He then called the victim's cellphone but his calls also went unanswered. The victim told her coworker that the suspect was not the love of her life, and "It seemed like she was ready for the relationship to end. It was a rollercoaster ride for the victim.

At first, the suspect agreed to the divorce, and then he would change his mind. It was back and forth with him and that caused the victim a great deal of anxiety," said the victim's

coworker. The suspect's coworker said the victim was so concerned about the suspect's volatility that she had the locks changed on her mother's house about two weeks earlier.

Investigators also spoke with the suspect's ex-girlfriend, who dated him in high school in their hometown of Loomis. She told investigators seven years had passed before they began speaking again. By this time, the suspect had enlisted in the Navy. The suspect's ex-girlfriend grew up in a military family, and she had previously served in the U.S. Army. As a military veteran, she said the suspect felt comfortable speaking to her about his marriage to the victim. She was one of the people who knew the suspect and the victim were legally married. The suspect confided in his ex-girlfriend that his marriage was on shaky ground and the victim was talking about divorcing him. Although the victim had supposedly told friends that she and the suspect had separated in 2017, the suspect's ex-girlfriend said the suspect never mentioned that to her. She believed the victim was leading a double life. She portrayed to the suspect that the marriage, although rocky, was still fixable, while secretly telling others they were separated and divorcing.

The victim's mother last spoke with her daughter the day of the murder around 11am to 12pm. The victim's mother asked her daughter if the couple would be home for dinner. The victim told her mother that she and the suspect were going out for lunch, but assured her that they would be home for dinner around 6pm. The victim departed her mother's home shortly after speaking with her daughter. She had lunch with a friend. She arrived at the Lakewood residence at approximately 3pm. She greeted her mother when she walked inside and noticed the television was on and the couple's two dogs were running loose. She thought her daughter answered and said, "What?" Thinking that the victim and suspect were napping together; her mother took the dogs into the backyard and played with them for a while. After interacting with the dogs for several minutes, the victim's mother then came back inside the house through the kitchen door and she made the horrific discovery.

On Sunday, September 10, 2017, at approximately 1600 hours, homicide investigators responded to the home in the city of Lakewood, to investigate the fatal shooting of the 26-year-old victim by her husband of one year. Investigators were informed that Lakewood Sheriff Deputies were dispatched to the home after a 9-1-1 caller reported a woman running up and down the street screaming for someone to call the police. Upon arrival, deputies encountered the victim's mother in her front yard; she had an incredibly deep sense of panic on her face, she was shaking terribly, and she was not making any sense as to what had occurred inside her home. In a rambling and often confused voice, the victim's mother told the deputies she found her daughter and son-in-law lying dead next to each other in the hallway.

Upon entering the home, deputies discovered the victim lying dead in the hallway outside the doorway to her bedroom. She was lying on the top of some blood-soaked clothing that was strewn about the hardwood flooring in the hallway. Her right forearm and hand were resting across her abdomen, and immediately apparent was the significant amount of the tissue and muscle missing between the wrist and elbow that appeared to have been significantly injured. Stippling and soot was present around the outer margins of the wound, which suggested, preliminarily, that this was a close/intermediate range gunshot wound. Similarly, stippling, and soot was present around the margins of a second gunshot wound on the right side of her face.

This close/intermediate range shotgun blast literally obliterated the top of her head, making her all but unrecognizable. The high velocity blood spatter on the walls and ceiling, along with the positioning of the victim, the blood-soaked clothing, and other objects suggested that she fell dead where she stood.

The suspect was observed lying dead in the hallway at the feet of his wife. There was smeared blood on the rubber soles of his sandals, yet there was an absence of blood on the floor by his feet; suggesting that when he shot and killed the victim, he did so at close range and then walked through the immense amount of her blood, tissue, and brain matter that covered the hardwood flooring where she lay dead. It also showed unequivocally that the victim was shot and killed first. The suspect was lying on his left side, his legs were extended outward to the west, and his upper body was canted to the right so that his shoulders were parallel with the floor in a quasi-facedown position. His left arm was extended across his body such as his forehead was resting in the crease of the elbow and his left hand was touching his wife's right ankle. His right arm was folded underneath his body, his hand was tucked under his neck and chin, and he was lying on the top of a Remington Model 870 Express Tactical pump-action 12-gauge shotgun.

Outside the home, the suspect's newly purchased pickup truck was parked in the driveway. Inside the truck's cab, a two-page handwritten letter from the suspect to the victim, a U.S. Navy Medical Outpatient and Dental Treatment folder containing confidential U.S. Government health records for U.S. Navy Corpsman, and his transfer orders from Camp Pendleton to Fort Bragg, North Carolina were recovered. On or before 23 September 2017, the suspect was to report to the Special Warfare Center at Fort Bragg, North Carolina.

Prior Domestic Violence

On September 17th, investigators spoke with the suspect's ex-girlfriend who said she began dating the suspect when they were juniors in high school in Loomis, California. They dated each other exclusively between January 2007 and April 2009. She described the suspect as volatile, short tempered, and controlling, "If you didn't meet his expectations, he became dramatically abusive, and his anger quickly turned to physical aggression." The suspect's ex-girlfriend said their relationship ended abruptly in April 2009, following a house party with some friends from school. She explained that the suspect had assumed wrongly that she was seeing a person who attended the party. She was not, but that did not stop the suspect from throwing her violently against her car door and putting his hands around her throat. The suspect's ex-girlfriend immediately ended their dating relationship.

One of the victim's close friends described the suspect as a jealous person, who often criticized the victim's looks, calling her unattractive, fat, and lazy. Near the end of the victim and the suspect's relationship, the victim's close friend said that the victim told her pointedly that the suspect once told the victim, "If I can't have you, no one else will."

Additionally, the victim's mother told investigators the victim often confided in her that the suspect was always belittling her about her appearance. Although she did not witness any physical violence between them, the victim's mother said that about a week before her daughter's death, the suspect got mad when the curtains kept falling, so he "yanked" them down completely in a fit of rage.

Observations

- Apart from the incident with his ex-girlfriend in High School, Investigators stated the suspect had no record of domestic violence that they knew of.
- The rounds used were 12-gauge slugs with 32 caliber ammunition on top. This type of ammunition is composed of a heavy projectile that delivers devastating pounds of force and is typically used to hunt large game.
- The contents of the cell phones were never downloaded as they were iPhones, which could not easily be unlocked. Investigators advised the cost would be significant to do so, and there was no prosecution taking place.
- In July, the victim had taken down her Facebook and removed all photos of the couple. The suspect had a Facebook under a false name, and had several photos of the pair together appearing to be a happy couple.
- The suspect did not attempt to conceal the marriage. Investigators state he openly shared the fact he was married with friends and family. The victim only informed a select few of their marriage.
- The victim's mother also worked at the Raytheon Aerospace plant with the victim. Investigators believed she may have been aware of her daughter's relationship with a co-worker.
- Investigators believed from every indication, the suspect was packed and had every intention of reporting to Fort Bragg and continuing his military training.
- There were no signs of a struggle in the home. The suspect's clothes were folded and placed on the bed of a spare bedroom. Detectives believe the suspect encountered and shot the victim as she was coming out of her bedroom.

Gaps in the System/Recommendations:

- A public service announcement should be made which can communicate the importance of calling 911 and speaking up when people see a situation that should be reported to law enforcement. When someone "sees something, they must say something."

CHECKLIST for case 2018-08

Evidence of strangulation?	✓ No.
Any firearms present?	✓ Yes. During the investigation, three firearms were discovered at the scene.
Prior victims?	✓ No.
Prior domestic violence?	✓ Yes. The victim's mother stated that although she never witnessed any physical violence, the suspect was always belittling victim about her appearance. The suspect was described as short-tempered, volatile, and controlling.
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ No.
Did victim recant?	✓ No.
Disability	✓ No.

Case # 10: FOCUSING ON PREVENTION OF DOMESTIC VIOLENCE AND TREATMENT OF DOMESTIC VIOLENCE AS A RECIDIVIST CRIME

DVDRT Case Number 2018-09

Case Summary

Defendant and victim were in a dating relationship for about two years prior to November 20, 2015. At the time, defendant was transient, staying overnight at various places. Defendant and victim frequented a residence owned by couple they were friends with. There are multiple residences on the property, including a converted garage in the back where yet another couple lived. Although the male owner of the residence was friends with the suspect, the female owner did not like it when defendant and victim showed up at her house—defendant and victim would frequently argue and defendant would call the victim names in front of the homeowners.

In November 2015, defendant and victim came and went to the residence a couple of times, without permission. At around 7:30 p.m. on the evening of Nov. 20, 2015, a friend of the homeowners was working on a car in the driveway, as he often did. The couple who lived in the converted garage were out bowling with their children and a family friend. The friend who was working on the car saw the defendant walk up the driveway around 11:00 pm, with victim trailing behind him, crying. The friend of the homeowners told the defendant and victim both to leave, because the female homeowner did not want them there. When they did not leave, the friend called the male homeowner to tell him the defendant and victim were at the residence and refused to leave. Meanwhile, the couple living in the converted garage had returned home and were getting ready for bed when the victim entered their room and asked for a cigarette. After finding her one, they told her to leave because they did not want to get in trouble with the female homeowner. Still, defendant and victim did not leave.

As the male in the converted garage tried to fall asleep, he heard defendant and victim arguing in a room the main house, just on the other side of a wall. He heard the defendant say, “You want to fuck with me?” and victim respond, “No, no, no” and “No, no, it wasn’t me.” He heard sounds of power tools, but assumed it was the homeowner friend working on the car outside. Soon after, he heard the female homeowner pounding on the door, asking the defendant to open the door. Defendant replied, “I’m going – I’m leaving right now. I’m just changing.” Female homeowner pounded on the door harder and ordered, “Open the fucking door.” As defendant opened the door slightly, she tried to push her way in. Defendant stated again, “I’m changing. I’ll leave right now.” The female homeowner replied, “No, there is no need for you to change here. Open the fucking door.”

The female homeowner was finally able to enter the room, but the light was off and the room was dark. She asked her boyfriend. to give her his cell phone so that she could use its flashlight. She saw was the victim’s body on the floor – lifeless, wrapped in a blanket, and covered in blood. As the female homeowner proceeded to call 911 for help, she heard defendant tell her boyfriend, “Don’t worry. I’ll take care of this.” Defendant then asked the male homeowner for his car keys, but the male homeowner refused. Defendant then fled about 1-2 blocks to the home of a long-time acquaintance.

After arriving at the home of this acquaintance, defendant tried to take his car keys. The acquaintance refused, but agreed to give the defendant a ride. Once the acquaintance started driving, defendant instructed him to drive throughout different areas of East Los Angeles, until they ended up in a residential neighborhood near LaVerne and Verona. During this time, defendant did not give many details to the acquaintance regarding what was going on, but he did state, “I fucked up.” When they arrived at this residential neighborhood, defendant exited the car, and told the acquaintance, “I love you. You’re a good friend. Thanks for everything.” The acquaintance still didn’t know what was going on when defendant exited the car, but as he got back to his neighborhood, he saw there was a lot of police activity. He then notified the police of what had just happened. The defendant fled to Mexico but was later captured.

When LASD arrived on scene, they found the victim wrapped in a blanket on the floor of the converted garage, laying in a pool of blood. Near her feet was a sledgehammer – covered in blood, brain matter, and hair. And near her head was a bloodied electric saw. The Deputy Medical Examiner determined that the victim died from multiple head and neck trauma with near complete decapitation. A large gaping complex laceration was located over the entire left parietal scalp. Three separate lacerations were located on the back of the victim’s head, all with underlying fractures. A large underlying comminuted skull fracture involving the parietal, frontal, and temporal bones, and extending 4 ½ inches from left to right and downward across the midline of the occipital bone to the base of the right skull, was located. In addition, a cranial hinge fracture was located. Two small lacerations and one abrasion were also located over the victim’s right eye. Across the victim’s anterior neck, a large gaping wound that measured 2 ¾ inches was located. The only connective tissue between the head and the body was a small area of skin extending from the rear shoulder area to the neck and head. Photographs of the victim’s injuries, crime scene, sledgehammer, and electric saw indicate the brutal nature of defendant’s attack. At the time of her death, the victim was only 20 years old.

The jury convicted the defendant of Count 1, violation of Penal Code Section 187(a), First Degree Murder and they found true on the knife allegation, violation of Penal Code Section 12022(b).

The victim died after the defendant brutally bludgeoned her and nearly decapitated her. There were numerous fractures in her skull and the coroner described her head as being “pulverized” or being put through a blender. The defendant continued his heinous act against her by taking an electric saw to her neck. When the defendant’s friends returned home, defendant did nothing to seek help for her or to show remorse. Instead, he fled the scene and demanded a friend drive him elsewhere. The defendant fled to Mexico, making no attempt to notify the victim’s family about her.

Observations:

- Moments after defendant killed the victim, surveillance footage showed him eating a burrito and engaging in casual conversation with the individual working on the car in the driveway. Surveillance cameras also captured the defendant dressing himself shortly after the murder. Defendant was seen buttoning his shirt and smoking a cigarette. The defendant had found time to shower before coming outside. Subsequently, Sheriff’s Department criminalist found positive blood in the shower drain.

- Defendant did not seek help or attempt to provide aid to the victim. He initially refused to open the door for anyone, and fled the scene after the victim's body was discovered.
- The victim's body was found wrapped in blanket laying in a pool of blood, with the bloodied sledgehammer and saw nearby.
- The hammer used to kill the victim was not an average sized hammer, it was a large sledgehammer. The victim's brain matter, hair, and blood were found on the sledgehammer. Her blood was also found on the blade of the electric saw.
- The electrical saw the defendant used on the victim was also incredibly large. Only a very brief demonstration was permitted at trial as it required considerable strength to maintain control.
- Per the coroner, both the sledgehammer and electrical saw contributed to the cause of death. This showed that there were several deliberate actions taken by the defendant. The victim had damage to both major arteries, one of her major veins, went through trachea, went through the vertebra (C-6), and damaged her spinal cord. The coroner described the victim as being nearly decapitated by the saw.

Lessons Learned

- There were several witnesses who heard the victim and defendant audibly and violently arguing, but did nothing to help the victim. The couple living in the converted garage heard the violent verbal exchange and heard the use of the electrical saw in the very next room, and still did nothing.
- Footage captured the victim walking up the driveway crying and visibly distraught. She walked past the individual working in the driveway, who did not engage nor attempt to offer any help to victim.
- The victim's mother was also previously a victim of domestic violence. The victim's mother stated that one of her former partners had sexually assaulted one of the victim's half-siblings. The family, having been exposed to domestic violence in the past, should have been aware of the potential danger to the victim, having also witnessed the heated verbal arguments between the victim and the defendant that regularly took place prior to the murder.
- There is no evidence that victim received treatment nor were any resources made available to her having grown up witnessing domestic violence in her home.
- Only the defendant had a history with DCFS. In 2004, a referral was received asserting that the defendant's father was providing him alcohol while the defendant was under house arrest for burglary. The defendant denied the allegations, and asserted that he was getting the alcohol from someone else. The assigned probation officer advised DCFS that he would enroll the defendant in some form of substance abuse counselling and DCFS closed the referral.

Gaps in the System

- Offenders are generally required to complete mandatory domestic violence counseling, but often elect to violate probation and serve the consequential jail time rather than complete the training. Additionally, first time and repeat offenders are mandated to attend the same program. There is no difference in the training provided to first time or repeat offenders.

- It was evident in both sets of parents that there was a history of domestic violence in the home. The victim and the defendant grew up witnessing domestic violence in their homes, but there is no evidence they received any form of treatment. It is becoming increasingly apparent that domestic violence does not solely affect the victim, it has an impact everyone in the home.
- Undoubtedly, when focusing on prevention, there can be great benefit from mandating domestic violence counselling for any kind of violent crime whether or not it is a domestic violence case or at a minimum, ensure that a component of the program includes domestic violence training.

Recommendations

- We recommend the development of domestic violence counseling programs geared toward people with a stronger criminal history. Repeat offenders do not benefit from repeatedly attending the same training as first time offenders.
- Both the victim and the defendant witnessed domestic violence in their homes and circumstances may have been different had domestic violence resources been made available to them. It is more and more clear that it is critical to focus strongly on prevention. We must reach out to children and teach them that this behavior is unacceptable.
- Domestic violence is generally recognized as a recidivist crime, but it is not treated as such. Sexual offenders, predators, and others are monitored, but domestic violence offenders are not. The approach to policing domestic violence needs to be changed. Domestic violence needs to be universally recognized as a recidivist crime, and investigators need to be trained to treat them as such.
- A public service announcement should be made which can communicate the importance of calling 911 and speaking up when people see a situation that should be reported to law enforcement. The importance of this announcement was never more evident than the present case. There were several people who could have helped the victim, and did not. The message should be made clear, when someone “sees something, they must say something.”

CHECKLIST for Case 2018-09

Evidence of strangulation?	✓ No.
Any firearms present?	✓ No.
Prior victims?	✓ Yes.
Prior domestic violence?	✓ Yes.
Restraining order(s)? a) against the victim b) and against other than the victim?	✓ No.
Gang involvement?	✓ No.
Social media involvement?	✓ No.
LGBT?	✓ No.
Were children involved/present/harmed?	✓ No.
Did victim recant?	✓ No.
Disability	✓ No.