

**LOOKING AT FAMILY COURT-INVOLVED
DOMESTIC VIOLENCE AND CHILD ABUSE FATALITY CASES
THROUGH A LENS OF PREVENTION**

**Institute for Court Management
Court Executive Development Program
Phase III Project**

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ABSTRACT

The intersection between domestic violence-related fatalities and child deaths resulting from abuse and/or neglect in the Eleventh Judicial Circuit of Florida (Miami-Dade County) involving families with at least one active related Family Court case leading up to, or at the time of the fatal incident was examined. An exhaustive literature review indicates that this empirical study regarding the nexus between family violence fatalities and related Family Court matters is the very first of its kind.

The research methodology employed was a forensic case review of a five year period, 2001 through 2006. The research identifies the total number of fatalities of court-involved families for this time period, and considers what patterns emerge in terms of the prevalence of case types and data elements, what an archival case review indicates about precursors and predictors of lethal violence, and the associated utility of dangerousness assessment protocols in the court setting.

The research conducted revealed that during the five year time period, there were a total of 31 *fatal incidents*, resulting in 38 domestic violence-related homicide and suicide *deaths*, as well as three child deaths due to abuse and/or neglect, for a total of 34 *fatal incidents*, and 41 domestic violence-related homicide, suicide, and child abuse *deaths* combined. The data overwhelmingly indicated that these families with at least one active related Family Court case in the system leading up to, or at the time of the domestic violence or child fatality, have clear, extreme high risk indicators associated with them. The leading lethality indicator was that of Antisocial Behavior, with Ownership/Centrality of Victim to Perpetrator being the next most prevalent. Measures of Antisocial Behavior include histories of domestic violence, stalking, assaults on others, criminal activity, and substance abuse. With regard to Ownership/Centrality, the research

indicated that rage and/or depression over separation and perceived betrayal were among the most statistically significant factors within this category for these court-involved families.

In terms of Family Court actions, the majority of these families were party to civil Domestic Violence Injunctions (42%), followed by Dissolution of Marriage cases (33%), and criminal Domestic Violence cases (25%). Notably, the majority of Perpetrators committed the fatal incident in anticipation of, and prior to the final disposition in the case. Also significant was the extent of court system involvement of these families prior to the filing of the active Family Court matter. The majority of families had previous Domestic Violence Injunction or criminal Domestic Violence case histories, and close to half were substance abuse-involved, which coincides with the foremost lethality indicator present, Antisocial Behavior. Further correlating to this finding, a history of domestic violence was present in approximately 80% of the intimate partner homicide cases studied.

The research also revealed that almost three-quarters of these families had prior involvement with investigations by the Department of Children and Families (DCF) for reported child abuse and/or neglect. One of the most alarming findings was that in almost half of the cases, children witnessed the fatal incident either visually or by earshot.

Based upon these findings, recommendations for strategies integral to intervention and prevention include the establishment of centralized family intake centers and risk assessment protocols within the judicial system. It should be particularly recognized that death threats equate to extreme high risk, and that suicidal threats should also be perceived as homicidal warning signs.

Consistent with national data, gunshot wounds were the cause of death for the majority of domestic homicides, with knife wounds being the second most prevalent cause of death. Accordingly, tighter conditions should be imposed on the purchase of firearms in order to reduce lethal gun violence.

The families in the vast majority of cases researched had some form of prior contact with either a public or private agency, such as law enforcement, DCF, and substance abuse and/or mental health service providers. Professionals in the field should receive specialized cross-training with respect to domestic violence issues, risk assessment, child abuse, and the interplay of these issues with substance abuse and mental health. Public awareness should also be undertaken by all involved agencies in the coordinated system of care.

INTRODUCTION

Since 1991, all circuits in Florida have been under a mandate by the Florida Supreme Court to establish a Model Family Court which coordinates all family court matters that affect a single family.¹ In its most recent decision, In Re: Report of the Family Court Steering Committee, 26 Fla. L. Weekly S287 (Fla. 2001), the Florida Supreme Court specifically adopted the recommendations of the Family Court Steering Committee to establish a “coordinated management” model in Florida’s Family Courts by utilizing the concept of “one family, one judge”, or in the alternative, “one family, one team”.²

The Eleventh Judicial Circuit has historically been structured into three separate court divisions which combined, handle the types of cases enumerated in the most recent Florida Supreme Court decision. These include the Family Division, the Domestic Violence Division, and the Juvenile Division. The Family Division handles dissolution of marriage, annulments, child custody, child support, name changes, termination of parental rights pending adoption, adoptions, paternity, URESA, modifications, and enforcements and civil contempt which arises from these cases. The Domestic Violence Division handles civil domestic and repeat violence injunction cases, misdemeanor domestic violence cases, and criminal violations of injunctions. The Juvenile Division handles dependency, delinquency, termination of parental rights, adoption arising out of termination of parental rights, and children in need of services cases. Due to local obstacles such as geographic separation of courthouse locations and availability of

¹ In Re: Report of Commission on Family Courts (Family Courts I), 588 So.2d 586, 591 (Fla. 1991).

² In Re: Report of the Family Court Steering Committee (Model Family Court), 794 So. 2d 518, 521 (Fla. 2001).

resources, the Eleventh Judicial Circuit has not been positioned to “unify” these divisions administratively.

However, pursuant to the Florida Supreme Court mandate, the circuit’s Unified Family Court/Complex Litigation Division has jurisdiction to handle related family law matters (i.e., domestic relations, domestic violence, juvenile dependency, and juvenile delinquency cases) in multiple parts of the court system (“crossover” cases). In accordance with the mandate, the Eleventh Judicial Circuit’s Unified Family Court was established as a mechanism to provide a comprehensive, coordinated approach to handling these complex matters (“one family, one judge”), with the overall purpose of promoting judicial economy, ensuring consistent rulings, and eliminating duplication of resources.³

The nature of cases which straddle the Family Court system is often high in conflict and involves families and children at risk. At the most extreme end of the spectrum, fulfilling the worst fear of the judiciary and court personnel who intercede through the legal process, are those cases in which an intervening violent incident results in the loss of human life. All too often, after the severe dynamics of the psychopathology of these families unfold before us, what we have come to think of as “signs” or red flags weigh on our minds, and we silently think, or even overtly say that the circumstances presented pose a trepidating danger. We are left with a sense of helplessness, after attempting to put in place a band-aid composed of limited available resources within a burgeoning, sorely under-funded system historically designed and entrenched with a

³ See Eleventh Judicial Circuit Administrative Order #03-15, **In Re: Reaffirmation of Unified Family Court Plan, Establishment of Complex Litigation Division, Establishment of Procedures for Implementing and Evaluating Unified Family Court in the Eleventh Judicial Circuit of Florida**, October 2003.

mindset much more to “call balls and strikes”, than to addressing the entangled systemic social issues which manifest as legal complexities.

By examining the facts and circumstances surrounding these actual fatalities where the families were court-involved, this project considers emerging patterns in terms of the prevalence of case types, the precursors of lethal violence, and the associated utility of dangerousness assessment protocols in the court setting for prevention purposes.

Through the research methodology conducted, the data overwhelmingly indicated that these families with at least one active related Family Court case in the system leading up to, or at the time of the domestic violence or child fatality, have clear, extreme high risk indicators associated with them, including foremost Antisocial Behavior, as well as Ownership/Centrality of Victim to Perpetrator. Strategies for intervention focus on the critical role of centralized family intake centers and risk assessment protocols within the judicial system, as well as interagency cross-training and raising public awareness.

LITERATURE REVIEW

Literature on the topics of Family Courts, Problem-Solving Courts, Therapeutic Jurisprudence, Domestic Homicide, Family Violence, and Lethality Assessment were reviewed. These publications were helpful in understanding the ideology behind applying principles of Therapeutic Jurisprudence in the context of Family and Problem-Solving Court matters, as well as assessing for dangerousness posed by domestic violence perpetrators. While there is an enormous amount of information on Family and Problem-Solving Courts, Family Violence, and Domestic Homicide, there was relatively no material on point relating to the two concepts combined. Indeed, the examination of the intersection between Family Violence Fatalities and related Family Court matters is a research issue of first impression.

The evolution of Family Courts in Florida can be traced through a series of four Supreme Court opinions which were issued between the years spanning from 1991 to 2001.⁴ Beginning in 1991 with Family Courts I, all circuits in Florida have been mandated by the Florida Supreme Court to establish a Family Court that coordinates all family law matters that affect a single family.⁵ The mandate was based on a report submitted to the Court by the Commission on Family Courts established by the Florida Legislature, to develop specific guidelines for the implementation of a Family Court within each circuit of Florida, to provide recommendations for statutory, rule, and organizational changes, and to recommend necessary support services.⁶ In addition to recommending that circuits create family law divisions, the Commission emphasized the necessity of providing support services, additional judicial and court personnel, and

⁴ See Note 1 *supra*; In Re: Report of Commission on Family Courts (Family Courts II), 633 So.2d 14 (Fla. 1994); In Re: Report of Commission on Family Courts (Family Courts III), 646 So.2d 178 (Fla. 1994); See Note 2 *supra*.

⁵ See Note 1 *supra*, page 591.

⁶ *Ibid*, page 587.

developing criteria for assignment of family law judges.⁷ The primary impetus of these recommendations was the protection of children in court and the improved resolution of family problems.⁸ In supporting the recommendations of the Commission, the Supreme Court emphasized particularly their support for the Commission's recommendation, "that there be a means to assign all family court matters that affect one family to one judge".⁹ The Court subsequently created the Family Court Steering Committee to advise the Court on the progress of the circuits and to make recommendations on the characteristics of a Model Family Court.¹⁰

In its most recent Model Family Court opinion, the Florida Supreme Court specifically adopted recommendations of the Family Court Steering Committee as part of its continuing efforts to ensure that cases involving children and families are handled in a fair, timely, effective and cost-efficient manner.¹¹ Further, the Court specified the enumerated case types to be included within the family division of each circuit, and reiterated, "[I]ndeed, broad jurisdiction over all problems involving a single family is one of the key components of a unified court."¹²

In response to the 1991 Florida Supreme Court mandate, the Eleventh Judicial Circuit issued Administrative Order 91-47 on January 2, 1992. This Administrative Order established the Family Civil Department, which included Domestic Relations and Domestic Violence cases, and the Family Juvenile Department of the Eleventh Judicial Circuit Family Court. In 1994, the Eleventh Circuit submitted a Local Rule Establishing

⁷ Justice Barbara J. Pariente, **What, Where, Why and How: Unified Family Courts in Florida**, 2003, page 4.

⁸ **Loc. Cit.**

⁹ See Note 1 **supra**, page 591.

¹⁰ See Note 4 **supra** (Family Courts II), pages 16-17.

¹¹ See Note 1 **supra**, page 591.

¹² See Note 2 **supra**, page 525.

the Domestic Violence Division of the Eleventh Judicial Circuit, as a separate court division.

The Eleventh Circuit's initial plan for the Family Court proposed placing these three separate divisions under one administrative structure.¹³ However, the initial plan was impeded because each division was physically located at three separate courthouses.¹⁴ To ensure that the judiciary received adequate support from Court Administration, administrative staff and support services were individually developed for each of these divisions at their respective court locations.

The Eleventh Circuit has maintained this structure comprised of three separate court divisions which combined, handle the range of case types enumerated in the Model Family Court decision. These include the Family Division, the Juvenile Division, and the Domestic Violence Division. The Family Division handles dissolution of marriage, annulments, child custody, child support, name changes, termination of parental rights pending adoption, adoption, paternity, URESA, modifications, enforcements, and civil contempt which arises from these cases. The Juvenile Division handles juvenile dependency, juvenile delinquency, termination of parental rights, adoption arising out of termination of parental rights, and children in need of services cases. The Domestic Violence Division handles civil domestic and repeat violence injunction cases, misdemeanor domestic violence cases, and criminal violations of injunctions.

Despite the obstacles presented relating to geographic separation of courthouse locations and availability of resources, which pose a real challenge to efforts to “unify”

¹³ Sharon Denaro, **Family Division: A Proposed Family Court System and Budget**, Eleventh Judicial Circuit, Administrative Office of the Courts, Miami-Dade County, Florida, 1991, amended May 12, 1994.

¹⁴ Subsequently, in 1999, the Family and Domestic Violence Divisions were co-located at the Lawson E. Thomas Courthouse Center. However, the Juvenile Division remains geographically separated at another courthouse location, the Juvenile Justice Center. Land was recently purchased within the vicinity of the Lawson E. Thomas Courthouse Center that will be used to construct a new Juvenile (Children's) Courthouse for the Eleventh Judicial Circuit, projected for 2011.

these divisions administratively, as suggested by the Model Family Court opinion, in 2001 the Eleventh Circuit established a Unified Family Court Pilot Project designed to test and recommend procedures for the coordination of cases involving members of the same family.¹⁵ These procedures were then reaffirmed two years later and implemented via the establishment of a Complex Litigation Division, whereby a designated judge has jurisdiction to handle all related family law matters identified in multiple parts of the court system (“crossover cases”) for a single family, consistent with the “*one family, one judge*” concept promoted in Family Courts I.¹⁶ The nature of these cases are often high in conflict and involve families and children at risk. In accordance with the Model Family Court opinion, the Unified Family Court was established as a mechanism to provide a comprehensive, coordinated approach to handling these complex matters, with the overall purpose of promoting judicial economy, ensuring consistent rulings, and eliminating duplication of resources.

Also known as a type of “Problem-Solving Court”, one of the key characteristics Unified Family Courts employ is the principle of Therapeutic Jurisprudence as a means to effectively intervene in high conflict cases involving families and children. Therapeutic Jurisprudence attempts to address the family’s interrelated legal and non-legal problems to produce a result that improves the family’s functioning, and empowers families through skills development, assists them resolve their own disputes, provides access to appropriate services, and offers a variety of dispute resolution forums where the family can resolve problems without additional emotional trauma.¹⁷ As described in a recent newspaper article regarding New York State’s Problem-Solving Courts,

¹⁵ See Eleventh Judicial Circuit Administrative Order #01-16, **In Re: Establishment and Implementation of a Unified Family Court in the Eleventh Judicial Circuit of Florida**, 2001.

¹⁶ See Note 3 *supra*.

¹⁷ David B. Wexler, **Therapeutic Jurisprudence and Readiness for Rehabilitation**, Florida Coastal Law Review, Vol. 8, No. 1, 2006.

application of this interventionist approach means that judges, who in law school may have mastered the rules of procedure or statutory law, now need to be versed in such systemic social issues as the science of addiction, the pathology of batterers, and the bureaucracy of welfare programs.¹⁸

This review of the Florida Supreme Court decisions relating to the establishment of Family Courts in Florida, and proposals, Local Rules, and Administrative Orders establishing a Family Court in the Eleventh Judicial Circuit, together with principles relating to Problem-Solving Courts and Therapeutic Jurisprudence, provides a historical and ideological perspective and framework within which to consider the interrelation between families in crisis experiencing judicial intervention and the subset of those that end up on the most severe end of the spectrum, in terms of lethal violence.

The extant national research on the interrelated precursors of intimate partner homicides include, to differing degrees, a history of domestic violence, which often results in the increasing entrapment of women; the separation, estrangement, or divorce of the parties; obsessive possessiveness and morbid jealousy by the abusive partner; threats to commit intimate partner homicide; prior agency involvement, including police and courts; depression; the criminal history of perpetrators; and the use of alcohol, or drugs, or both.¹⁹ While the literature on the antecedents leading up to child fatalities is

¹⁸ Leslie Eaton and Leslie Kaufman, **In Problem-Solving Court, Judges Turn Therapist**, The New York Times, April 26, 2005. See also generally http://www.motherjones.com/news/qa/2005/06/good_courts.html, **Good Courts: An Interview with Greg Berman**, 2005; <http://www.courtinnovation.org>, **Problem-Solving Justice**; Pamela M. Casey and David B. Rottman, **Problem-Solving Courts: Models and Trends**, NCSC, 2003; National Council of Juvenile and Family Court Judges, **Family Violence: Improving Court Practice**, 1990; National Council of Juvenile and Family Court Judges, **Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice**, 1999; National Council of Juvenile and Family Court Judges, **Confronting Violence Against Women: A Community Approach**, 1998; Family Violence Prevention Fund, **Creating A Domestic Violence Court: Guidelines and Best Practices**, 2002; National Association for Court Management, **The Court's Response to Domestic Violence**, 1997; Alissa Pollitz Worden, **Violence Against Women: Synthesis of Research for Judges**, National Institute of Justice, 2000.

¹⁹ Neil Websdale, **Understanding Domestic Homicide**, Northeastern University Press, 1999, pages 26-27.

sparse, factors include prior child abuse, prior agency contact, and parental or caretaker domestic violence.²⁰

The body of literature on domestic violence homicides supports the assertion that this category of homicide is a preventable crime.²¹ The research conclusively indicates that in every community across the country where domestic violence is viewed as the crime, and steps are taken to change the criminal justice system, lives are saved.²² One strategy which has been undertaken by many states nationally is the practice of domestic violence fatality reviews, which utilize the forum of multidisciplinary review of facts surrounding a lethal incident to systematically explore the reasons for these deaths, and act as a powerful mechanism for consideration of altered systemic response to avert future deaths, and offer community prevention and intervention initiatives to eradicate domestic violence.²³ Neil Websdale, Professor of Criminal Justice at Northern Arizona University, cautions that this type of work,

“[r]equires a paradigm shift from a culture of blame to a culture of safety in which domestic violence deaths are reviewed through the lens of preventive accountability.”²⁴

He asserts that because domestic violence deaths often exhibit predictable patterns and etiologies, often they are quite preventable, and that with vigor and candor, courts and communities can build reliable systems that value accountability and help prevent future death and injury from domestic violence.²⁵

²⁰ **Ibid.**

²¹ Anne O'Dell, **Domestic Violence Homicides**, The Police Chief, 1996, page 21.

²² **Ibid.**

²³ Neil Websdale, Ph.D. and Byron Johnson, Ph.D., **Domestic Violence Fatality Reviews: Implications for Law Enforcement**, The Police Chief, 2001, page 65.

²⁴ Neil Websdale, Ph.D., Judge Michael Town, Byron Johnson, Ph.D., **From a Culture of Blame to a Culture of Safety**, Juvenile and Family Court Journal, 1999, page 57.

²⁵ **Ibid.**

Judge Michael Town, a Circuit Court Judge in Honolulu, Hawaii, who has played an active role in both Unified Family Courts and fatality reviews, has suggested that concepts of Preventive Law, Therapeutic Jurisprudence, and Restorative Justice all support some kind of domestic violence fatality review process.²⁶ Judge Town has posited that most domestic homicide cases are known to some part of the court system before the actual fatality occurs, and has raised the following question for consideration:

“While the justice system regularly addresses accountability for litigants and protection for victims and their families, should the justice system be held accountable when a domestic violence fatality known to the court or the justice system takes place, and if so, how?”²⁷

He has argued that domestic violence fatality reviews encompass accountability, systemic improvement, and better protection for litigants, and that those communities with Unified Family Courts need to be conversant with the rationale for such reviews together with effective and emerging models.²⁸

According to Jacquelyn Campbell, Ph.D., R.N., lead author of *Risk Factors for Femicide*,

“[d]etermining key risk factors, over and above a history of domestic violence, that contribute to the abuse that escalates to murder will help us identify and intervene with battered women who are most at risk.”²⁹

²⁶ Honorable Michael A. Town, **Are Domestic Violence Fatality Reviews Consistent with Concepts of Preventive, Therapeutic and Restorative Justice?**, National Fatality Review Bulletin, Volume 1, Issue 2, 2002, page 5.

²⁷ Honorable Michael A. Town, **Domestic Violence Fatality Reviews and the Unified Family Court**, Unified Family Chronicle, 1999, page 5.

²⁸ **Loc. Cit.**

²⁹ <http://www.endabuse.org/programs/display.php3?DocID=242> at page 1.

Campbell's study suggests that in the United States, women are killed by intimate partners more often than by any other type of perpetrator, with the majority of these murders involving prior physical abuse.³⁰

Websdale's research of lethality assessment tools indicates that Campbell's "Danger" Assessment Instrument is a more accurate term than "Lethality" Assessment when employing a prediction instrument to evaluate risk factors posed.³¹ According to Websdale's research, domestic homicides are typically crimes of cumulation in which men's violence and women's entrapment seem to intensify over time.³² As such, he indicates that trying to assess the lethality indicators in domestic violence cases by working back from domestic homicides is problematic because it assumes that certain permutations, combinations, and intensities of antecedents, culminate in or cause death.³³ In consideration of this critique, he suggests that it might be better to assert that the various factors are associative or correlative, with the clear understanding that correlation is not proof of causation.³⁴ However, while he acknowledges that it may not be possible to predict domestic fatalities, he affirms that there are many valid reasons for using research as to the antecedents of domestic homicide and associated assessment instruments, broadly consistent with and informed by the research.³⁵ The question that naturally follows then from this rationale, and which will be considered by this project, is whether there is a dichotomy between the endeavors of *prediction* and *prevention*, and whether it may be gleaned from the research that *some deaths may be more preventable than others*.

³⁰ **Loc. Cit.**

³¹ Neil Websdale, Ph.D., **Lethality Assessment Tools: A Critical Analysis**, Applied Research Forum, National Electronic Network on Violence Against Women, 2000, page 1.

³² **Loc. Cit.**

³³ **Ibid**, page 4.

³⁴ **Loc Cit.**

³⁵ **Ibid**, page 5.

Campbell has retorted Websdale's findings with research suggesting that lethality risk assessment is an extremely important enterprise, specifically for the self-assessment of the victim of abuse, advocates and other first responders, and for judges, probation officers, and other criminal justice practitioners to have an accurate system to determine potential danger.³⁶ However, she suggests that a combination of the judgment of an experienced and knowledgeable practitioner and a well-validated instrument or system, along with the victim's input, will probably prove to be the best approach.³⁷

Research on the nexus between Family Court litigants and the precursors of resulting domestic and child fatalities has been unexplored. The existing literature on Problem-Solving Courts, Therapeutic Jurisprudence, Family Violence, Domestic Homicide, and Fatality Review suggests that predictable patterns and etiologies are often tied to domestic violence deaths, and that assessing cases for lethal risk is a promising practice within the justice system setting which may have significant value in terms of intervention, and possibly even prevention.

³⁶ Jacquelyn C. Campbell, **Commentary on Websdale: Lethality Assessment Approaches: Reflections on Their Use and Ways Forward**, *Violence Against Women*, 2005, pages 1207-1208.

³⁷ *Ibid*, pages 1208-1209.

METHODS

The research methodology employed to examine the intersection between domestic violence and child fatalities in Miami-Dade County involving families with at least one active Family Court case leading up to, or at the time of the lethal incident, was a forensic case review of a five year period, 2001 through 2006. For the purposes of this project, the terms “Family Court case”, “domestic violence-related death”, and “child death” were applied as set forth in the Definitions section below.

Definitions Section

- A “**Family Court case**” has been defined as including the following types of cases:
 - domestic relations (i.e., dissolution of marriage, paternity, child support, custody);
 - civil domestic, repeat, dating, and sexual violence injunctions;
 - juvenile dependency/termination of parental rights;
 - juvenile delinquency;
 - criminal domestic violence³⁸.

- A death has been defined as being “**domestic violence-related**” when it is:
 - (1) a homicide or abuse-related death, where the relationship between the victim and the perpetrator is that of spouses, former spouses, family members (including persons related by present or former marriage), persons presently or formerly in a romantic or intimate relationship (regardless of whether they

³⁸ Although the Model Family Court opinion excludes criminal domestic violence cases as an enumerated case type within the jurisdiction of the Unified Family Court, the Supreme Court’s Family Court Steering Committee recognized that to address domestic violence in a comprehensive manner, criminal cases involving family members may be part of a family division or separate from, but coordinated with, the family division. See **A Model Family Court for Florida: Recommendations of the Florida Supreme Court’s Family Court Steering Committee**, June 2000, page 5.

have resided together in the present or past), or involving any significant others of persons presently or formerly in a romantic or intimate relationship,

(2) a suicide occurring in the context of family or domestic violence, or

(3) a police-involved homicide occurring in response to a domestic violence-related event.

➤ A **“child death”** has been defined as a minor child who died at the hands of a parent or caretaker and/or was reported to the Florida Department of Children and Families as initially suspicious.

The first issue that this research addresses is the determination of the number of domestic violence-related fatalities and child deaths resulting from abuse and/or neglect in Miami-Dade County, where the family had a related Family Court case(s) in the Eleventh Judicial Circuit, with at least one case being open leading up to or at the time of the fatal incident, for the years 2001 through 2006. In order to arrive at the exact number of deaths, voluminous records were reviewed from the Medical Examiner Department, law enforcement (seven of the 32 local police municipalities investigate their own homicides), Department of Health, Department of Children and Families, child welfare providers (i.e., Community Based Care Providers, Child Protection Team, Kristi House, Children’s Psychiatric Center), as well as newspaper articles for the selected years, to determine whether the facts surrounding the fatal incident fell within the purview of a domestic violence-related fatality or child death, as defined for the purposes of this project. This comparative, multi-agency records review is particularly critical in arriving at accurate data, due to the fact that historically in Miami-Dade County, most law enforcement agencies have had a practice of excluding from their domestic violence homicide data, domestic violence-related suicides, cases involving intimate partners who

fall outside of the statutory definition of domestic violence because they never resided together (dating relationships), and same sex relationships³⁹.

The second issue this research addresses is what the prevalence of the various Family Court case types is for those identified court-involved families which experienced a fatal incident during the selected time period. Once the actual death incidents were identified, each of the Perpetrators, Decedents, and children (all siblings) were individually cross-referenced and researched in the SIVA and CJIS civil and criminal case management systems for the Eleventh Judicial Circuit extensively to determine whether the family had any active Family Court cases in the judicial system leading up to or at the time of the fatal incident, as defined herein. Docket histories of case progression and disposition were studied intensively. Additionally, previous Family Court and criminal histories were also researched thoroughly, to provide a full picture of the extent of involvement which the family had with the judicial system in the Eleventh Circuit. A thorough review of all corresponding court files was then conducted.

The third issue that this research addresses is, for the identified fatalities where the families were court-involved, whether common threads and trends emerge in terms of individual data elements extracted from each case. In order to thoroughly analyze a wide range of data elements, the records review was further supplemented by obtaining copies of all additional pertinent records which were available (i.e., State Attorney's Office, school system response, health care/medical facilities, battered women's shelter, batterers' intervention programs, psychological service providers, substance abuse service providers, children's service providers, churches/synagogues (clergy), workplace involvement, involvement of family and friends, etc.). From these

³⁹ See Florida Statutes §741.28 (2007).

records, the following types of data elements were recorded, which were then analyzed in the aggregate and depicted graphically in terms of findings⁴⁰:

- Age of Decedent
- Gender of Decedent
- Race of Decedent
- Ethnicity of Decedent
- Employment Status of Decedent
- Diagnosis or Treatment for Mental Health (for Decedent)
- Substance Abuse History (for Decedent)
- Age of Perpetrator
- Gender of Perpetrator
- Race of Perpetrator
- Ethnicity of Perpetrator
- Employment Status of Perpetrator
- Diagnosis or Treatment for Mental Health (for Perpetrator)
- Substance Abuse History (for Perpetrator)
- Length of Relationship
- Cohabitation
- Separation between Parties
- Manner of Death
- Cause of Death
- Place of Death
- Suicide of Perpetrator
- Toxicology Findings of Perpetrators who Committed Suicide
- Witnessing of Fatal Incident by Children
- Domestic Violence History between Perpetrator and Decedent
- History of Stalking by Perpetrator
- Presence of Death Threats and/or Suicidal Threats
- Criminal History of Decedent
- Criminal History of Perpetrator
- History of Domestic Violence Injunction Actions
- Active Family Court Cases
- Battered Women's Shelter Services
- Prior Department of Children and Families (DCF) Involvement
- Utilization of Children's Service Providers
- Utilization of Psychological Service Providers
- School System Response
- Utilization of Healthcare/Medical Facilities
- Involvement of Churches/Synagogues (clergy)
- Workplace Involvement
- Involvement of Family/Friends

⁴⁰ See Appendices A and B. The data elements were recorded on the Data Collection Instrument (Appendix A) for each individual case and then compiled on the Data Tables, a cumulative spreadsheet format (Appendix B).

In addition, based upon nationally recognized variables for assessing danger in domestic violence homicide cases⁴¹, the following lethality indicators were recorded from the referenced records⁴², which were then analyzed in the aggregate and depicted graphically in terms of findings:

- **Decompensation:** suicidal, homicidal, loss of function (not eating, sleeping, working), history of psychiatric problems, poor compliance with taking medication, depression, economic loss, loss of family support.
- **Ownership/Centrality of Victim to Perpetrator:** obsessiveness about partner or family, extreme jealousy, access to victim and/or family members, rage and/or depression over separation, perceived betrayal.
- **Antisocial Behavior:** history of domestic violence, history of assaults on others, history of criminal activity, history of stalking, history of substance abuse.
- **Failure of Community Control:** violation(s) of restraining order, violation(s) of probation, arrest(s) for domestic violence, failure to complete BIP, failure to complete substance abuse.
- **Severity of Violence:** used a weapon, death threat, unwanted sexual contact, strangulation, hurt pet, severe injury, sadistic/terrorist acts.
- **Other Factors**

Utilizing all aforementioned records dissected in minute detail and compiled as the reference source for each of the domestic violence-related fatalities and child abuse/neglect deaths of the court-involved families, a comprehensive Fatal Incident Abstract was prepared, documenting in case synopsis form the following, including, but not limited to⁴³:

⁴¹ Family Violence Prevention Fund, **Domestic Violence and Children: Resolving Custody and Visitation Disputes: A National Judicial Curriculum**, 1995, pages 3-19 to 3-21, reprinted from Pennsylvania Coalition Against Domestic Violence (PCADV), **Confronting Domestic Violence: Effective Police Response**, 1990; **Assessing Dangerousness: Violence by Sexual Offenders, Batterers, and Child Abusers**, Interpersonal Violence: The Practice Series (IVPS), edited by Jacquelyn C. Campbell, 1995, pages 116-117; Barbara Hart, **Assessing Whether Batterers Will Kill**, Pennsylvania Coalition Against Domestic Violence (PCADV), 1990.

⁴² See Appendix A.

⁴³ See Appendix C. Note that all case identifying information pertaining to the names of the Decedents, Perpetrators, children, and family members involved were redacted in order to preserve confidentiality.

- **General Case Information:** Age of Decedent and Perpetrator, relationship of Decedent and Perpetrator, number of children in common and their ages, separation between parties, substance abuse history, history of mental illness, criminal history.
- **Circumstances Surrounding Death:** Events leading up to fatal incident, manner and cause of death, criminal charges due to fatal incident, case disposition.
- **History of Domestic Violence:** Domestic violence history between Decedent and Perpetrator, or involving any other relevant family member.
- **Court System Involvement:** All previous and active family court cases and abuse reports to DCF involving the family, any key event during the course of litigation that coincides with the fatal incident.

The Fatal Incident Abstract not only serves to illustrate the volatility and gravity of the dynamics involved with these high conflict families, but it provides the nexus, if any, between the events leading up to the fatal incident and the simultaneous court actions with which these families were involved, specifically highlighting any key events during the course of litigation that may have coincided, for concentration as to avenues for intervention and prevention.

Analysis of the totality of this entire set of data serves as the basis for making conclusions and recommendations as to the fourth issue that this research addresses, which is the consideration of precursors or lethal violence and protocols geared towards the reduction and prevention of future fatalities which may be implemented in the court setting, including the development of dangerous assessment techniques.

FINDINGS

I. NUMBER AND TYPE OF FAMILY COURT-INVOLVED DOMESTIC VIOLENCE AND CHILD FATALITIES

Approximately 16% of all homicides in Miami-Dade County are domestic violence-related.⁴⁴ Between the years 2001 to 2006, there were a total of 281 domestic violence-related *fatal incidents*, resulting in 367 domestic violence-related homicide and suicide *deaths* in Miami-Dade County.⁴⁵ In addition, there were a total of 172 child deaths due to abuse and/or neglect for this time period.⁴⁶

The research conducted for this project revealed that during the same time period, there were a total of 31 *fatal incidents*, resulting in 38 domestic violence-related homicide and suicide *deaths* in Miami-Dade County involving families with at least one active Family Court case leading up to, or at the time of the lethal incident.⁴⁷ In addition, there were three child deaths due to abuse and/or neglect for this time period, for a total of 34 *fatal incidents*, and 41 domestic violence-related homicide, suicide, and child abuse *deaths* combined.

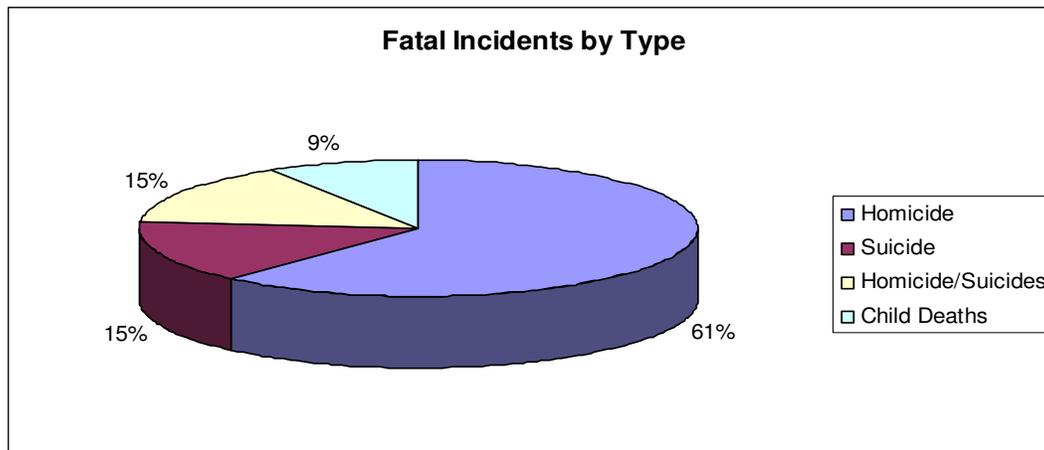
Of the 31 fatal incidents, 21 were domestic violence-related homicides, five were domestic violence-related suicides, five were domestic violence-related homicide/suicides, and three fatal incidents were child abuse/neglect deaths investigated by the Department of Children and Families (DCF).

⁴⁴ Homicide and Suicide *Death* Statistics in Miami-Dade County, Miami-Dade County Domestic Violence Fatality Review Team (2007).

⁴⁵ Homicide and Suicide *Incident* Statistics in Miami-Dade County, Miami-Dade County Domestic Violence Fatality Review Team (2007).

⁴⁶ Child Death Statistics in Miami-Dade County, Miami-Dade County Domestic Violence Fatality Review Team (2007).

⁴⁷ When looking at domestic violence-related fatalities, incidents and deaths must be considered separately. *Incident* refers to the action, while *deaths* refer to the number of deceased.

Chart 1

As stated above, the 34 fatal incidents resulted in 41 deaths. The 21 homicide incidents resulted in 22 deaths (one was a double-homicide involving the death of a minor), the five suicide incidents resulted in five deaths, the five homicide/suicide incidents resulted in 11 deaths (one was a double homicide/suicide involving the death of a minor), and the three child abuse death incidents resulted in three deaths.

Chart 2 Number of Fatalities/Incidents of Court-Involved Families for 2001-2006

YEAR	Total # of DV-Related HOMICIDE Incidents	Total # of DV-Related HOMICIDE Deaths	Total # of DV-Related SUICIDE Incidents	Total # of DV-Related SUICIDE Deaths	Total # of DV-Related HOMICIDE/SUICIDE Incidents	Total # of DV-Related HOMICIDE/SUICIDE Deaths	Total # of CHILD DEATH Incidents	Total # of CHILD Deaths
2001	3	3	1	1	0	0	0	0
2002	2	3	2	2	1	2	0	0
2003	3	3	1	1	1	3	0	0
2004	4	4	1	1	1	2	1	1
2005	4	4	0	0	1	2	1	1
2006	5	5	0	0	1	2	1	1
Total	21	22	5	5	5	11	3	3

II. DATA ELEMENTS AND FAMILY COURT CASE TYPES

The following are the findings as to the data elements examined, as per the Methods section of this report, broken-down by the type of fatal incident: (a) child deaths

due to abuse and/or neglect, (b) domestic violence-related homicides, (c) domestic violence-related suicides, and (d) domestic violence-related homicide/suicides⁴⁸.

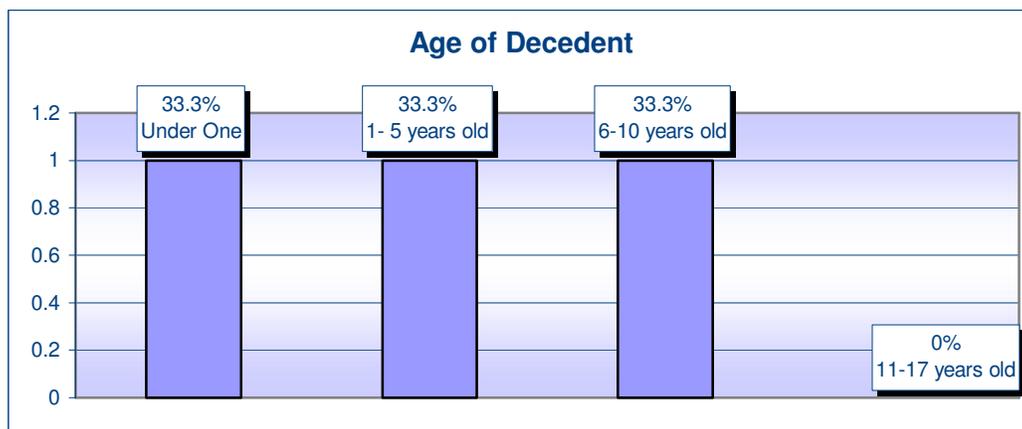
(A) Child Deaths Resulting From Abuse and/or Neglect

The following are findings from the three child fatalities with at least one active related Family Court case leading up to, or at the time of the lethal incident, between 2001 and 2006. Of these three fatalities, one was classified as a homicide, and two were determined to be accidental deaths.

Relationship. Sixty-seven percent (67%) of the Perpetrators were the Decedents' biological mothers. Paramours were the Perpetrators in 33% of the cases.

Age of Decedent. Thirty-three percent (33%) of the victims were under the age of one, and 67% were between the ages of one and five. Additionally, all of the victims were under the age of ten.

Chart 3



Gender, Race, and Ethnicity of Decedent. Sixty-seven percent (67%) of the Decedents were male, while 33% were female. With respect to race, 67% of the Decedents were black, and 33% were white. These findings are consistent with national

⁴⁸ See Data Tables contained in Appendix B, where each data element is individually recorded and broken-down by year. See also Appendix C, Fatal Incident Abstracts, for detailed description of factual scenario leading up to fatal incident, including data elements, Family Court system involvement, and key events during course of litigation that coincide with events leading up to fatal incident.

findings, which suggest that black children have the highest reported rates of child maltreatment⁴⁹. In terms of ethnicity, 67% of the Decedents were of African American origin, and 33% were of Latino origin.

Chart 4

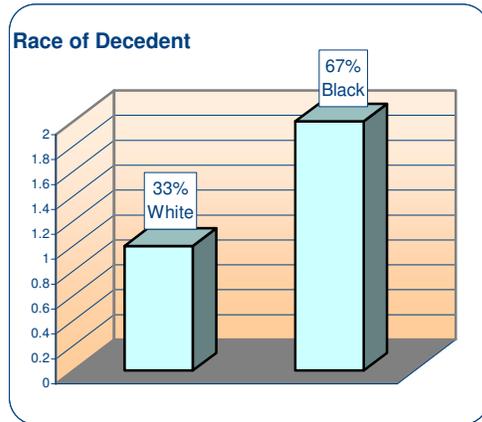
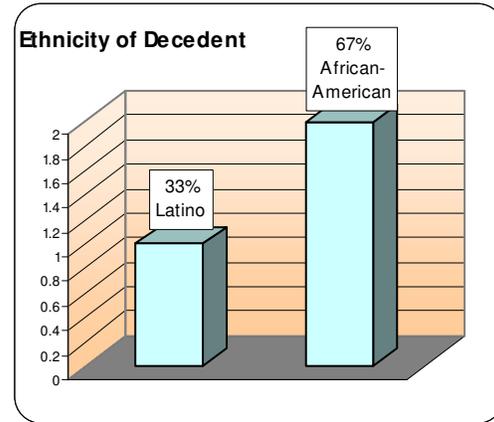


Chart 5



Age of Perpetrator. All of the Perpetrators were between the ages of 20-29 (100%).

Gender, Race, and Ethnicity of Perpetrator. Sixty-seven percent (67%) of the Perpetrators were female, while 33% were male. In terms of race, 67% were black, and 33% were white. Additionally, 67% of the Perpetrators were of African American origin, while 33% were of Latino origin.

⁴⁹ U.S. Department of Health and Human Services, Administration on Children, Youth, and Families, **Child Maltreatment 2005**, (Washington, DC: U.S. Government Printing Office, 2006). <http://www.acf.hhs.gov/programs/cb/pubs/cm05/cm05.pdf>.

Chart 6

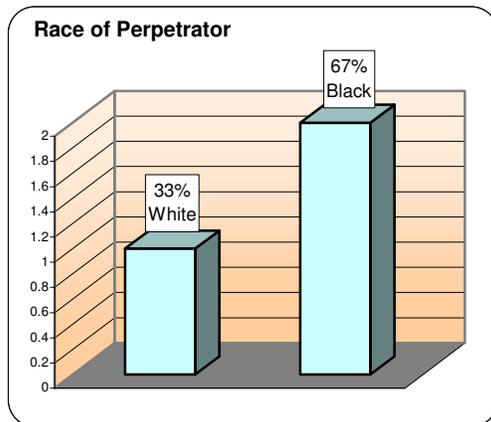
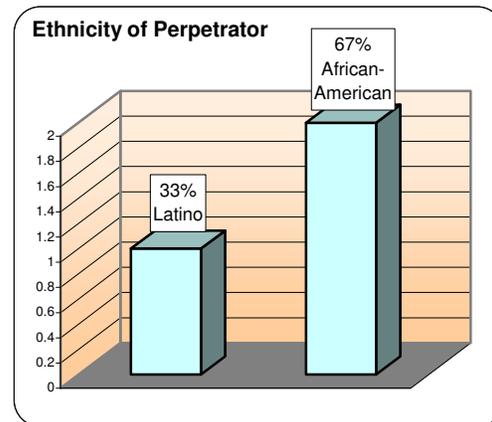


Chart 7



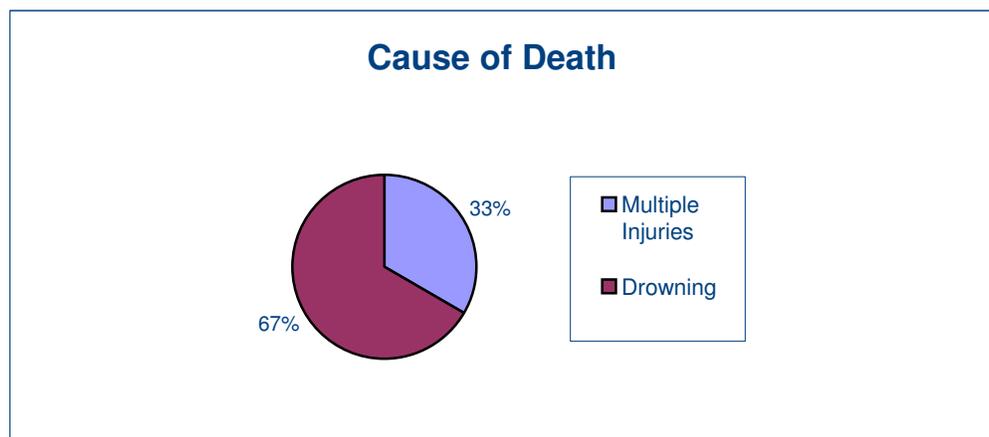
Employment Status of Perpetrator. All of the Perpetrators (100%) were unemployed.

Mental Health of Perpetrator. Sixty-seven percent (67%) of the Perpetrators did not have a diagnosis or treatment for mental health illness, and in 33% of the cases, this information was unknown.

Substance Abuse History of Perpetrator. All of the Perpetrators (100%) had no reported substance abuse history.

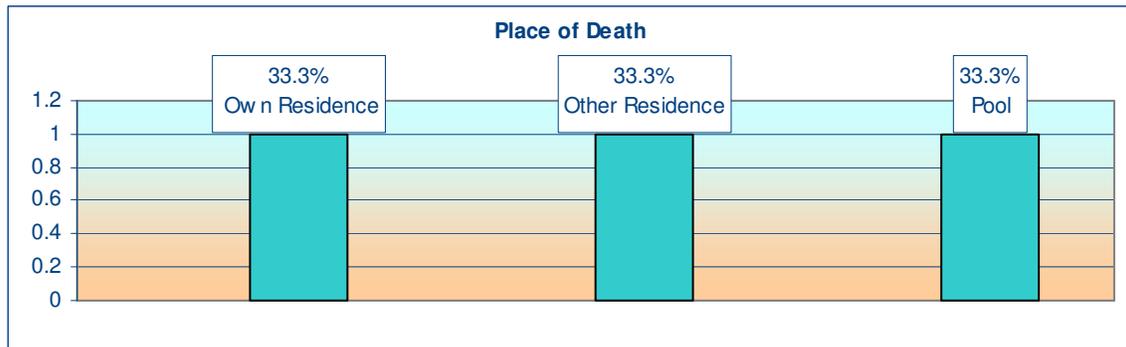
Cause of Death. Thirty-three percent (33%) of the fatalities were caused by multiple injuries, and 67% were the result of a drowning, both of which were ruled accidental by the Medical Examiner's Office.

Chart 8



Place of Death. Thirty-three percent (33.3%) of these fatalities occurred at the Decedent's own residence, 33.3% occurred at another residence (battered women's shelter), and another 33.3% occurred at a swimming pool.

Chart 9



Perpetrators who Committed Suicide. Sixty-seven (67%) of the Perpetrators did not commit suicide, while 33% attempted to commit suicide.

Witnessing of Fatal Incident by Children. In 67% of the incidents children witnessed the fatality visually.

Domestic Violence History between Perpetrator and Decedent. In all of the cases (100%), the family involved had a history of domestic violence.

History of Stalking by Perpetrator. None of the cases revealed a history of stalking by the Perpetrator.

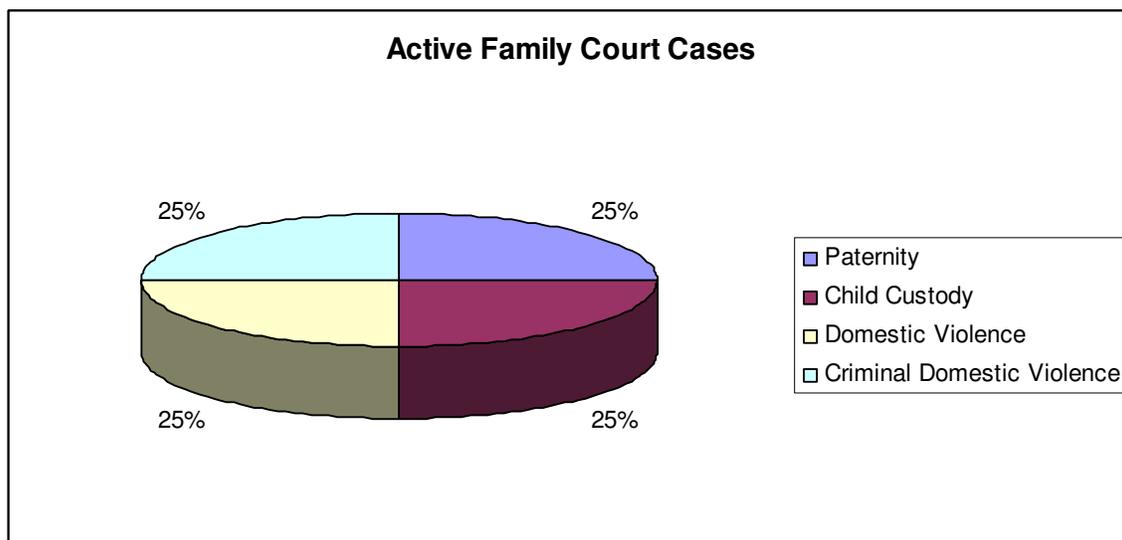
Presence of Death Threats and/or Suicidal Threats. There was no record of any homicidal threats made against Decedent prior to the fatal incident, or of any Perpetrator making suicidal threats prior to the fatal incident.

Criminal History of Perpetrator. Thirty-three percent (33%) of the Perpetrators had a criminal past.

Active Family Court Cases. Of the three child fatality cases, 33% had active Paternity cases, 33% had active criminal Domestic Violence cases, and 33% had active

Child Custody cases leading up to, or at the time of the fatal incident. Additionally, one (33%) family had sought an Injunction for Protection Against Domestic Violence against the Perpetrator in the past, and one (33%) had an active Domestic Violence Injunction case. There was a Permanent Injunction in place, the Perpetrator was sent to a batterers' intervention program, and the family had shelter involvement with a local domestic violence center.

Chart 10



DCF Involvement. All of these families (100 %) had some involvement in the Protective Services Division of the Department of Children and Families prior to the fatal incident.

Service Providers. Sixty-seven percent (67 %) of these families utilized children's service providers prior to the fatal incident, while 67% utilized psychological service providers. In addition, 33% utilized a healthcare or medical facility, and in another 33%, there was involvement of family and/or friends.

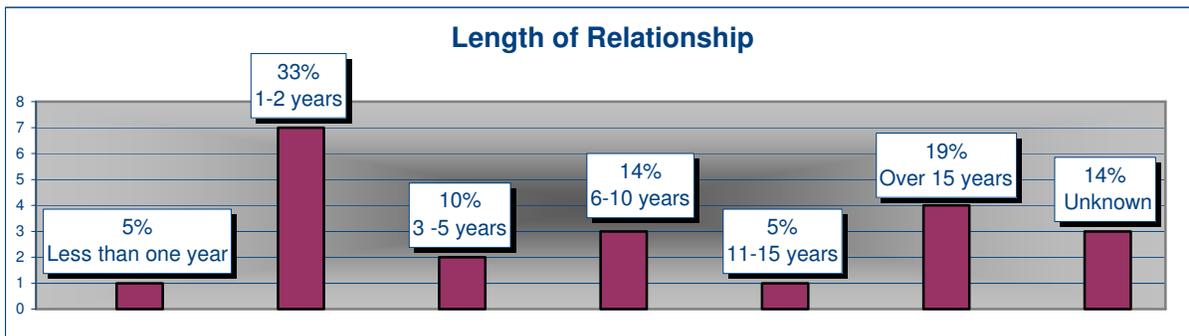
(B) Domestic Violence-Related Homicides

The following are findings from the 21 domestic violence-related homicide incidents which occurred in Miami-Dade County between 2001 and 2006, resulting in 22

fatalities, with at least one active related Family Court case leading up to, or at the time of the fatal incident. Two of the cases involved sexual competitors, and one fatality was the result of a domestic violence-related police shooting. Additionally, one incident was a double homicide.

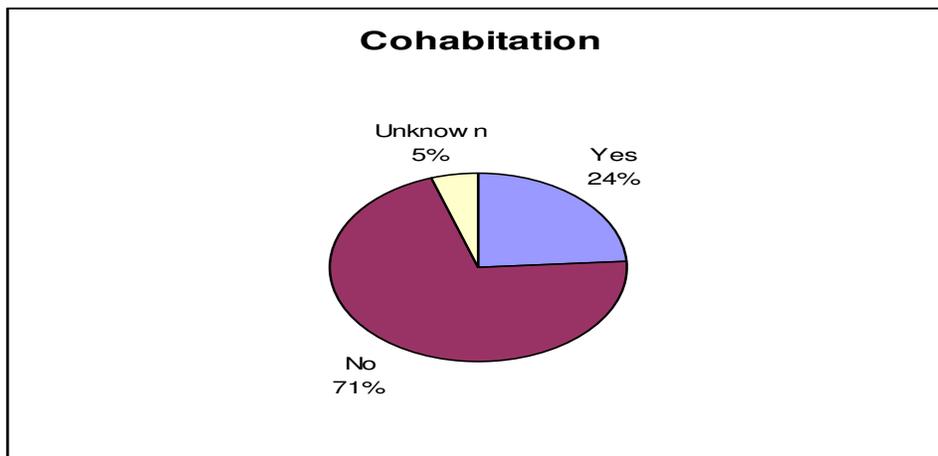
Length of Relationship. Thirty-eight percent (38%) of the cases involved partners that were in a relationship for less than two years. Forty-eight percent (48%) involved partners involved for less than five years. Sixty-two percent (62%) were involved for less than ten years.

Chart 11



Cohabitation. Seventy-one percent (71%) of the parties involved were living together at the time of the incident, 24% were not living in the same residence at the time of the fatal incident, and it is unknown where 5% of these partners were residing.

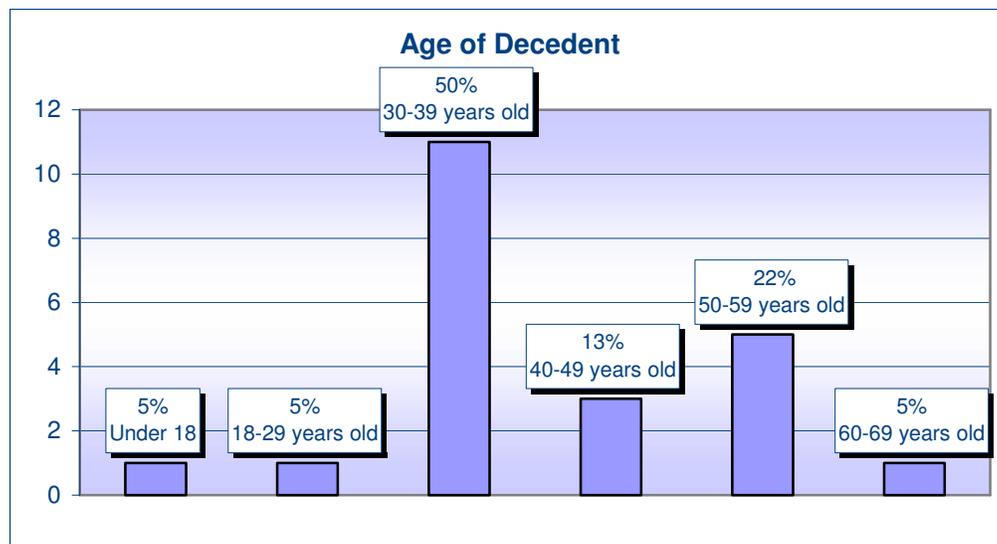
Chart 12



Separation between Parties. Sixty-three percent (63%) were separated at the time of the incident. Of those that were not separated, 14% evidenced some intention to leave.

Age of Decedent. Consistent with the analysis of the county-wide domestic violence fatality data⁵⁰, the aggregate data from the cases revealed that 50% of the victims in this category were between the ages of 30-39. Additionally, 73% were under the age of 49.

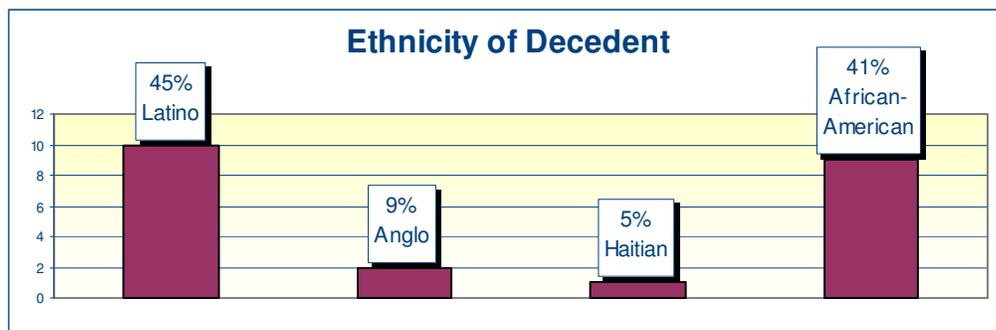
Chart 13



Gender, Race, and Ethnicity of Decedent. Sixty-four percent (64%) of the Decedents were female, while 36% were male. With respect to race, 50% of the Decedents were white, and 50% were black. In terms of ethnicity, the majority of the Decedents, or 45%, were of Latino origin.

⁵⁰ Miami-Dade County Domestic Violence Fatality Review Team, *Preliminary Comprehensive Report on Domestic Violence-Related Fatalities for 1997-2005*.

Chart 14



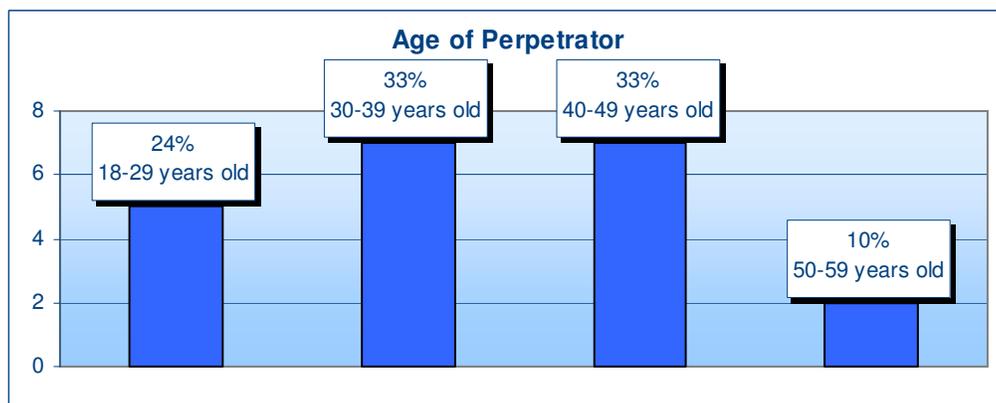
Employment Status of Decedent. Forty-one percent (41%) of the Decedents were employed, 27% were unemployed, and 32% of the Decedents' employment status was undetermined.

Mental Health of Decedent. Twenty-three percent (23%) of the Decedents had a diagnosis or treatment for mental health illness, 64% did not, and in 13% of the cases, this information was unknown.

Substance Abuse History of Decedent. Eighteen percent (18%) of the Decedents had a reported substance abuse history, 68% did not, and in 14% of the cases the history of substance abuse was unknown.

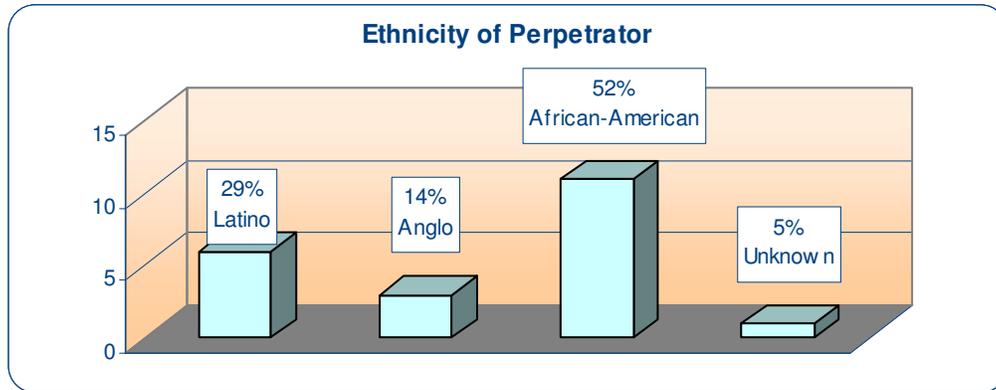
Age of Perpetrator. The majority of the Perpetrators were between the ages of 30-39 (33%), and 90% were between the ages of 18-49.

Chart 15



Gender, Race, and Ethnicity of Perpetrator. An overwhelming majority of the Perpetrators were male (90%), while only (10%) were female. In terms of race, 62% were black, and 38% were white. Additionally, 29% of the Perpetrators were of Latino origin.

Chart 16



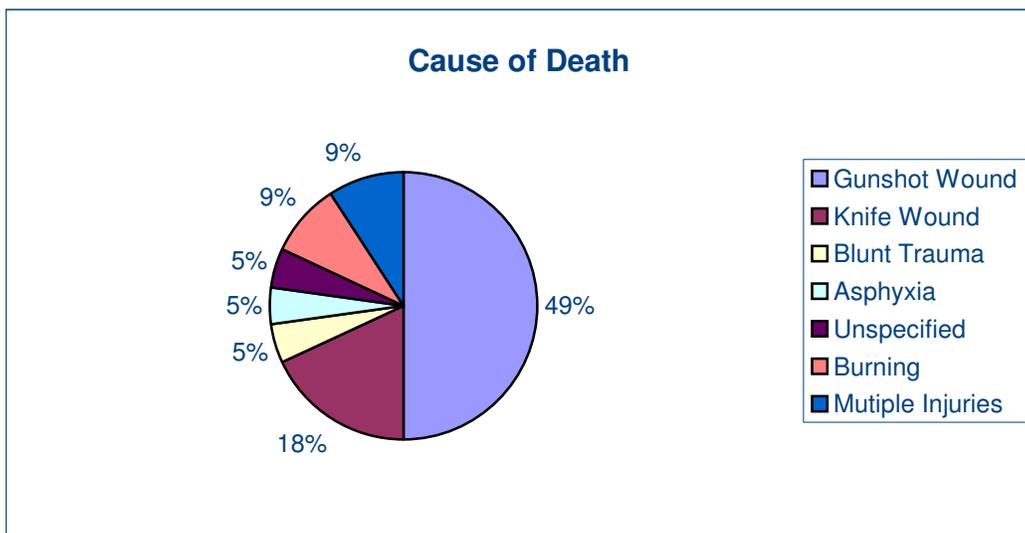
Employment Status of Perpetrator. Forty-three percent (43%) of the Perpetrators were employed, 5% were unemployed, and 52% of the Perpetrators' employment history was undetermined.

Mental Health of Perpetrator. Twenty-three percent (23%) of the Perpetrators had a diagnosis or treatment for mental health illness, 64% did not, and in 13% of the cases, this information was unknown.

Substance Abuse History of Perpetrator. Eighteen percent (18%) of the Perpetrators had a reported substance abuse history, 68% did not, and in 14% of the cases the history of substance abuse was unknown.

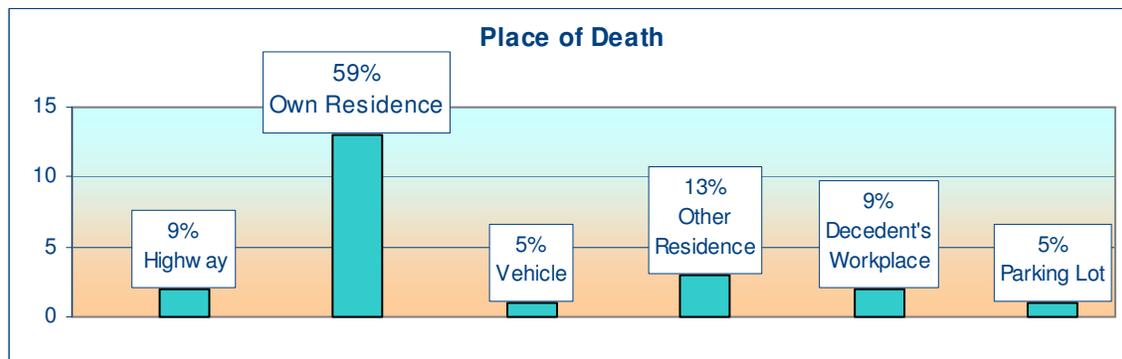
Cause of Death. Consistent with the county-wide domestic violence fatality data⁵¹, 49% of these homicides were caused by a gunshot wound(s), 18% were caused by a knife wound(s), 9% were caused by thermal injury (burning), 9% were caused by multiple injuries, 5% were caused by asphyxia, 5% were caused by blunt trauma, and another 5% of the causes were unspecified.

Chart 17



Place of Death. Fifty-nine percent (59%) of these murders were committed at the Decedent's own residence.

Chart 18



⁵¹ Loc. Cit.

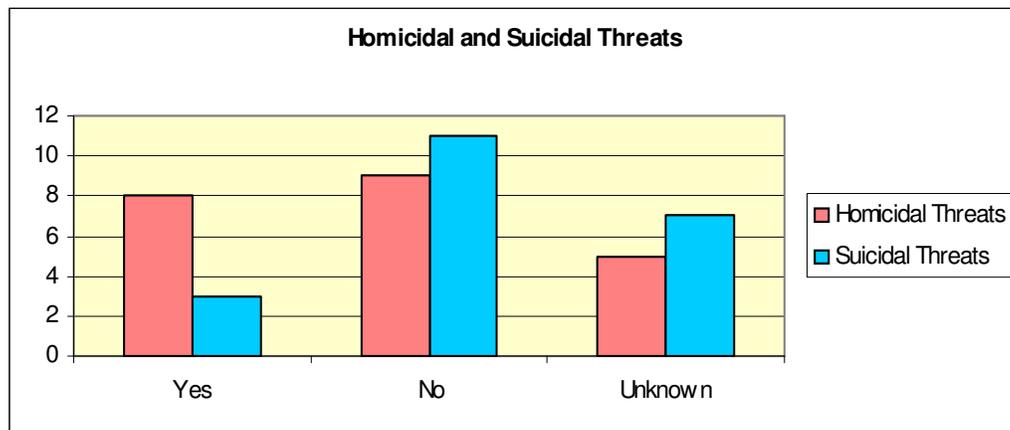
Witnessing of Fatal Incident by Children. In 38% of the incidents children witnessed the homicide, either visually or within earshot.

Domestic Violence History. Seventy-three percent (73%) of these cases revealed prior domestic violence between the parties involved.

History of Stalking by Perpetrator. Eighteen percent (18%) revealed a history of stalking by the Perpetrator, while 50% did not. Notably, in 32% of the cases reviewed this information was unknown.

Presence of Death Threats and/or Suicidal Threats. In 36% of the cases there were known homicidal threats by the Perpetrator against the Decedent prior to the event. In 14% of the cases the Perpetrator made at least one known suicidal threat prior to the fatal incident.

Chart 19



Prior (Closed) Injunction Actions. Sixteen Decedents (73%) had sought an Injunction for Protection Against Domestic Violence against the Perpetrator in the past.

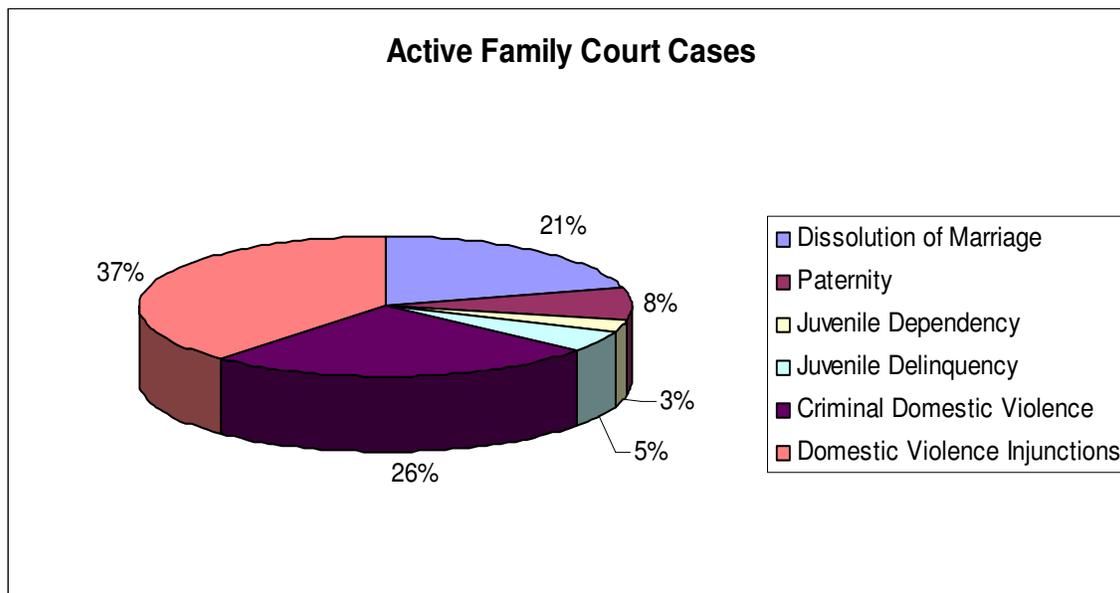
Criminal History of Perpetrator. Seventy-six percent (76%) of the Perpetrators identified had a criminal past, not involving domestic violence.

Active Family Court Cases. Of the 21 families, there were eight (21%) Dissolution of Marriage cases, three (8%) Paternity cases, one (3%) Juvenile Dependency

case, and two (5%) Juvenile Delinquency cases that were active leading up to or at the time of the fatal incident. Notably, there were ten (26%) criminal Domestic Violence cases.

Additionally, there were 15 (37%) active Domestic Violence Injunction cases leading up to or at the time of the fatal incident. Of these cases, in six of them, Temporary Injunctions had been issued, in eight of them, Permanent Injunctions were entered, and one Petition had been denied. Four of the Perpetrators had involvement with a local batterers' intervention program.

Chart 20



DCF Involvement. Forty-eight percent (48%) of these families had some involvement in the Protective Services Division of the Department of Children and Families prior to the fatal incident.

Service Providers. Nineteen percent (19 %) of these families utilized children's service providers prior to the fatal incident, while 38% utilized psychological service providers. In addition, there was a school system response 5% of the cases, 10% utilized

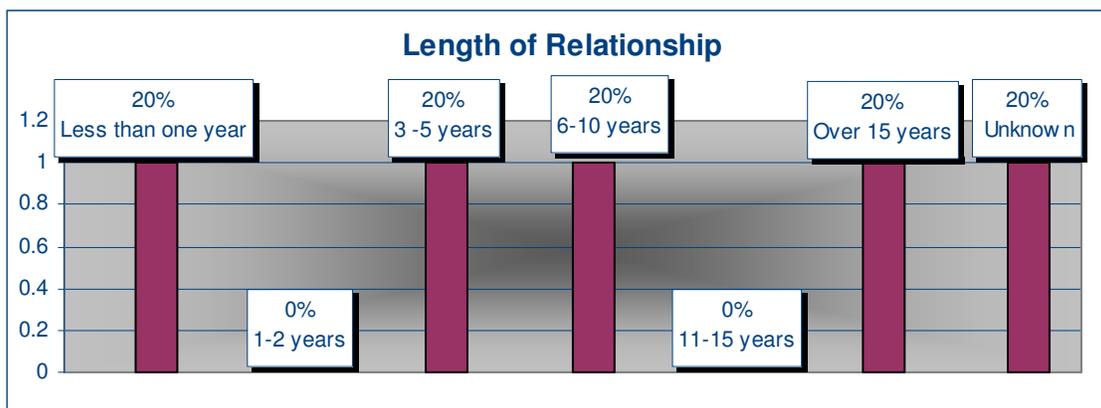
a healthcare or medical facility, there was workplace involvement in 5%, and in another 71% there was involvement of family and/or friends.

(C) Domestic Violence-Related Suicides

The following are findings from the five domestic violence-related suicide incidents which occurred in Miami-Dade County between 2001 and 2006, with at least one active related Family Court case leading up to, or at the time of the fatal incident.

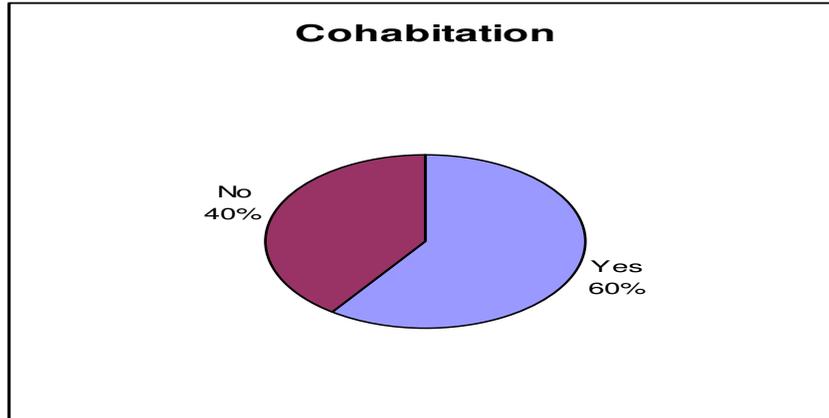
Length of Relationship. Sixty percent (60%) of the cases involved partners that were in a relationship for less than ten years. Twenty percent (20%) involved partners involved for more than fifteen years. Additionally, the length of the relationship for 20% of the cases was undetermined.

Chart 21



Cohabitation. Sixty percent (60%) of these parties involved were living together at the time of the incident, and 40% were not living in the same residence at the time of the fatal incident.

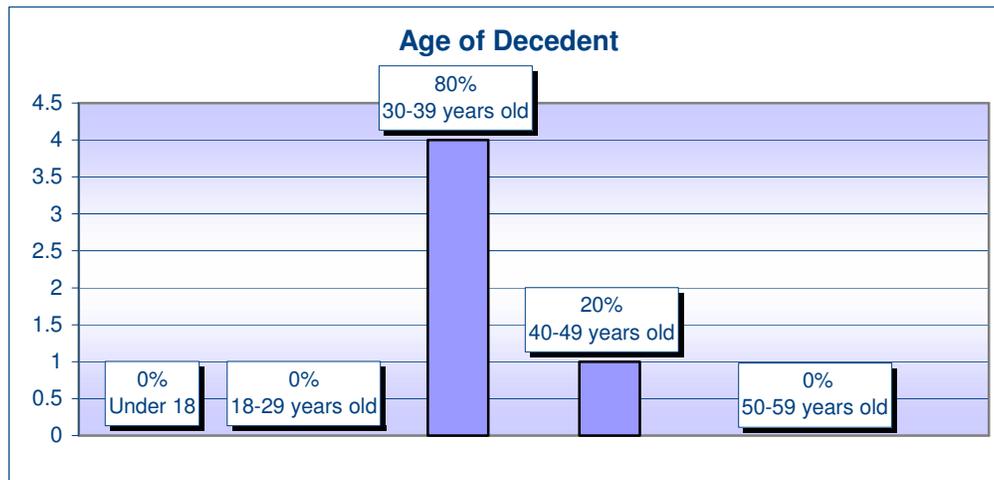
Chart 22



Separation between Parties. Eighty percent (80%) were separated at the time of the incident.

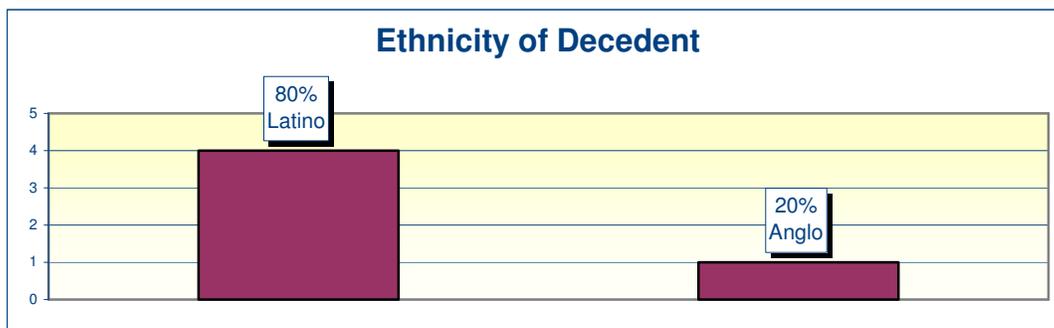
Age of Decedent. The aggregate data from the cases reviewed revealed that 80% of the victims in this category were between the ages of 30-39. Additionally, 100% were under the age of 49.

Chart 23



Gender, Race, and Ethnicity of Decedent. All (100%) of the Decedents were male. With respect to race, 80% of the Decedents were white, and 20% were black. In terms of ethnicity, the majority of the Decedents, or 80%, were of Latino origin.

Chart 24



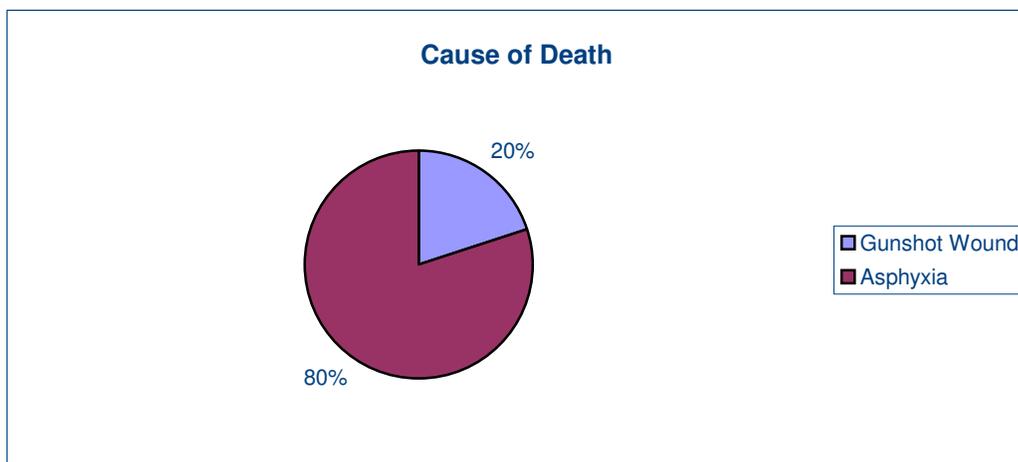
Employment Status of Decedent. Sixty percent (60%) of the Decedents were employed, and 40% of the Decedents' employment status was undetermined.

Mental Health of Decedent. Forty percent (40%) of the Decedents had a diagnosis or treatment for mental health illness, and 60% did not.

Substance Abuse History of Decedent. Forty percent (40%) of the Decedents had a reported substance abuse history, and 60% did not.

Cause of Death. Twenty percent (20%) of these suicides were caused by a gunshot wound, while 80% were caused by asphyxia (hanging).

Chart 25



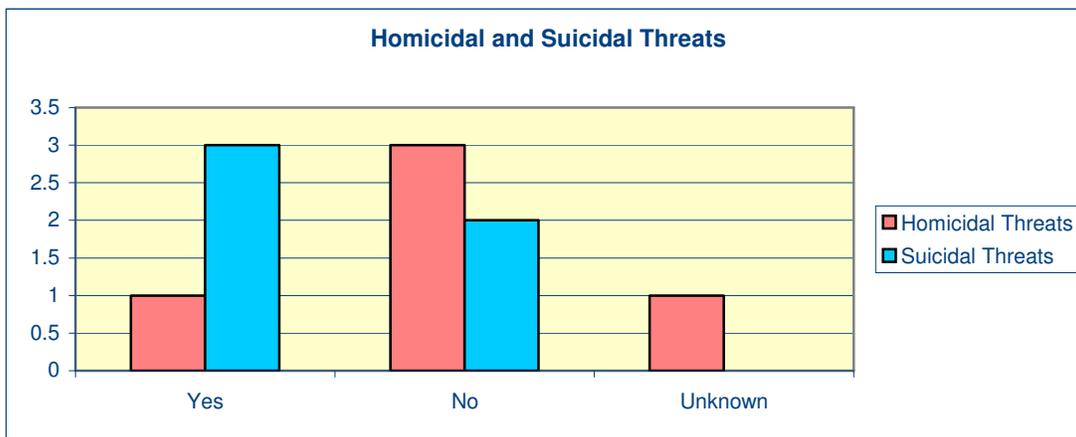
Place of Death. One-hundred percent (100%) of these suicides were committed at the Decedent's own residence.

Witnessing of Fatal Incident by Children. In 20% of the incidents children witnessed the suicide visually.

Domestic Violence History. Eighty percent (80%) of the Decedents had a prior history of domestic violence.

Presence of Death Threats and/or Suicidal Threats. In 20% of the cases there were known homicidal threats by the Decedent prior to the event. In 60% of the cases the Decedent made at least one known suicidal threat prior to the fatal incident.

Chart 26



Prior (Closed) Injunction Actions. Three Decedents (60%) had either sought or responded to an Injunction for Protection Against Domestic Violence in the past.

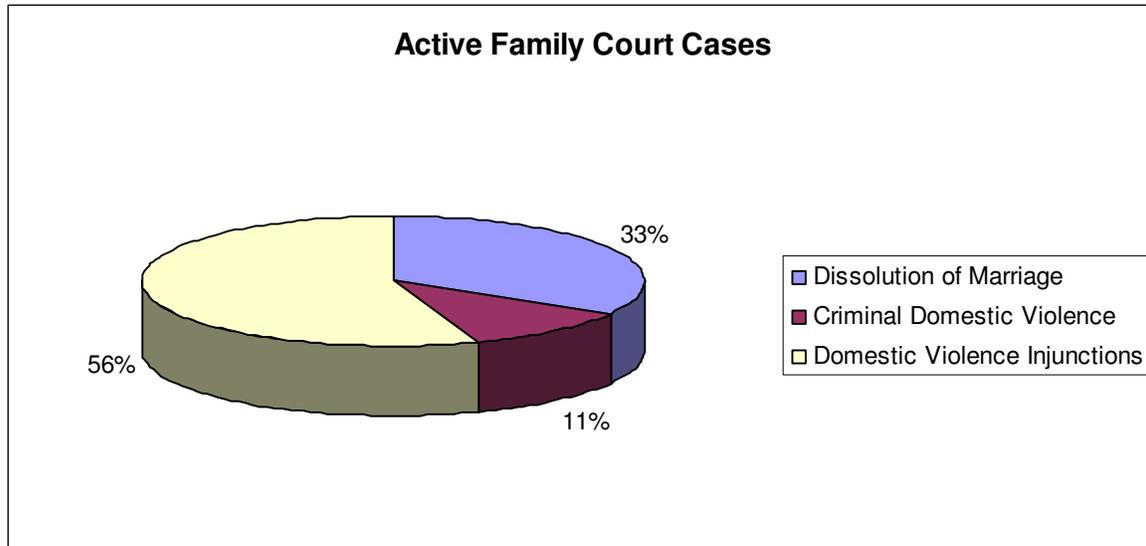
Criminal History of Perpetrator. Sixty percent (60%) of the Decedents had a criminal past, not involving domestic violence.

Active Family Court Cases. Of the five cases, three Decedents (60%) had an active Dissolution of Marriage case, and one Decedent (20%) had an active criminal Domestic Violence case leading up to, or at the time of the fatal incident.

Additionally, there were five active Domestic Violence Injunction cases, of which two Temporary Injunctions, and one Permanent Injunction was granted. Additionally,

two Petitions for Injunction were denied. One of the Decedents had involvement with a local batterers' intervention program.

Chart 27



DCF Involvement. None of the Decedents had prior involvement in the Protective Services Division of the Department of Children and Families prior to the fatal incident.

Service Providers. Twenty percent (20%) of the Decedents utilized a psychological service provider, and 20% utilized a healthcare/medical facility. In addition, in 20% of the cases there was involvement of family and/or friends.

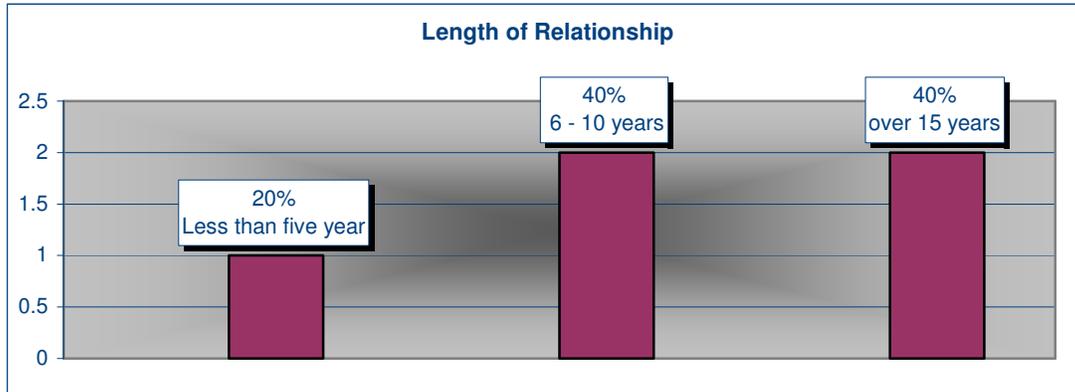
(D) Domestic Violence-Related Homicide/Suicides

The following are findings from the five domestic violence-related homicide/suicide incidents which occurred in Miami-Dade County between 2001 and 2006, resulting in 11 fatalities, with at least one active related Family Court case leading up to, or at the time of the fatal incident.

Length of Relationship. Twenty percent (20%) of the cases involved partners that were in a relationship for less than five years. Forty percent (40%) involved partners

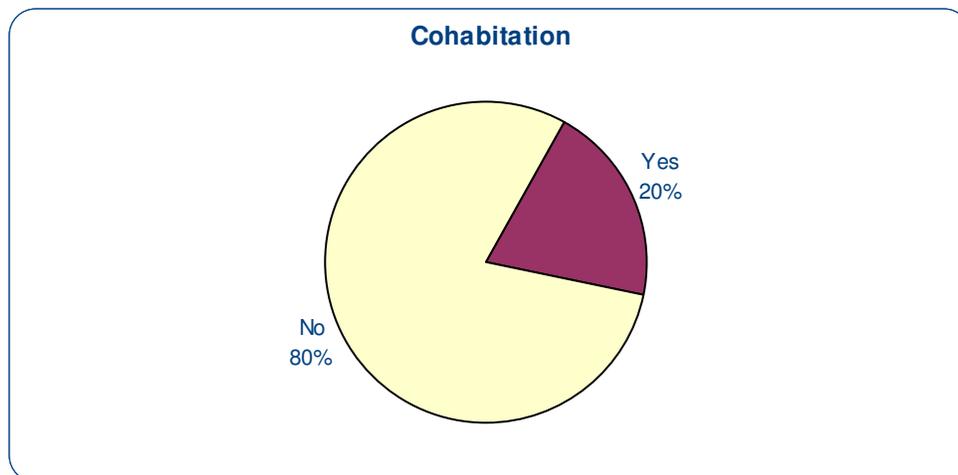
that were involved between six and ten years. Forty percent (40%) were involved for over 15 years.

Chart 28



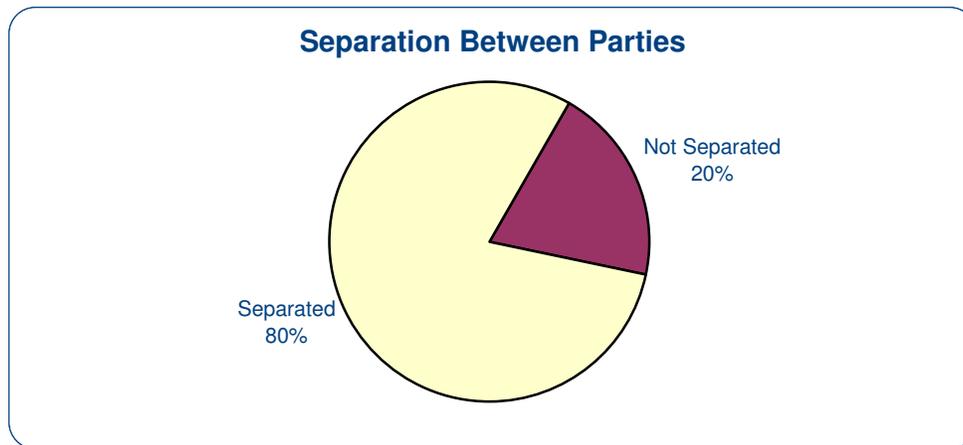
Cohabitation. Twenty percent (20%) of these partners were living together at the time of the incident, and 80% were not living in the same residence at the time of the fatal incident.

Chart 29



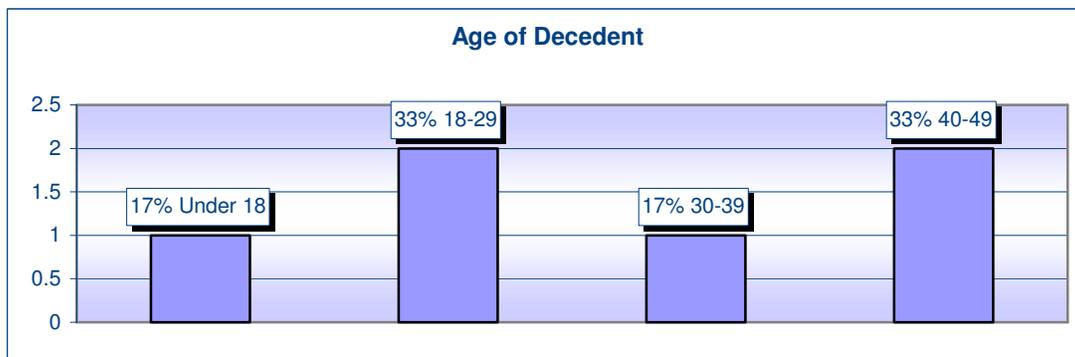
Separation between Parties. Eighty percent (80%) were separated at the time of the incident, and 20% were not separated at the time of the fatal incident.

Chart 30



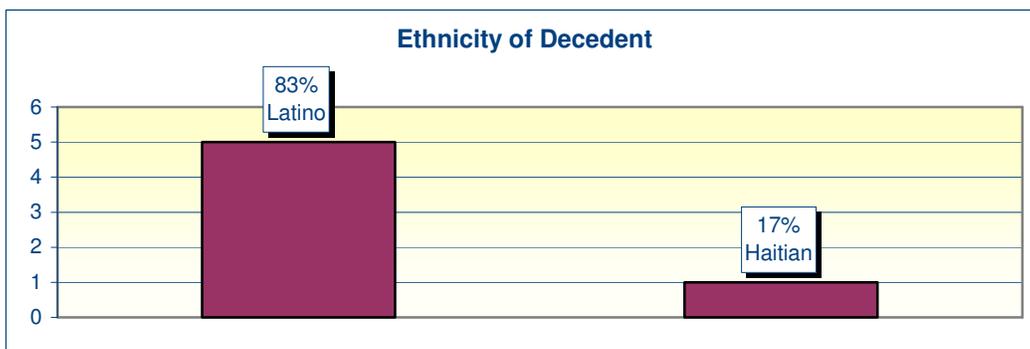
Age of Decedent. The aggregate data from the cases reviewed revealed that 17% of the victims in this category were under 18 years of age, 33% of the victims were between the ages of 18–29, 17% of the victims were between the ages of 30-39, and 33% were between the ages of 40-49.

Chart 31



Gender, Race, and Ethnicity of Decedent. All six (100%) of the Decedents were female. With respect to race, 83% of the Decedents were white, and 17% were black. In terms of ethnicity, 83% of the Decedents were of Latino origin, and 17% were of Haitian origin.

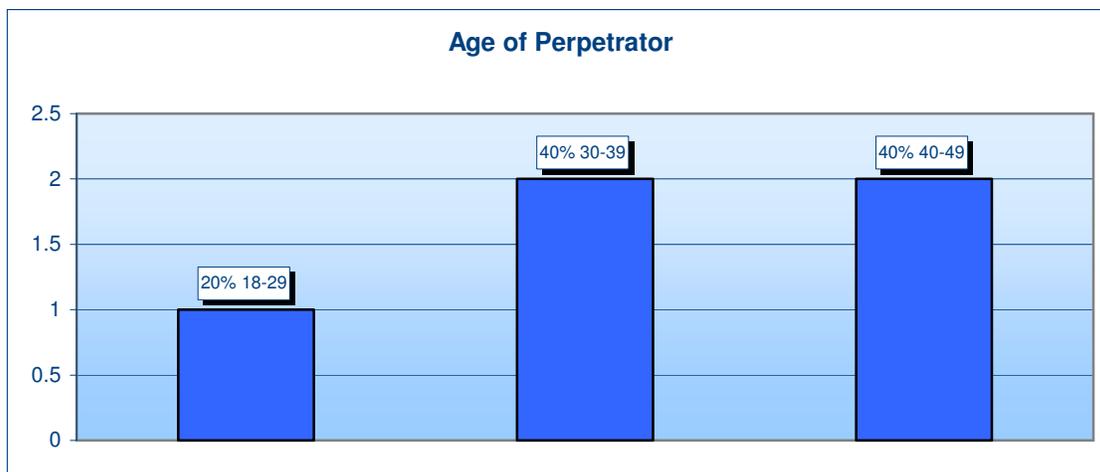
Chart 32



Employment Status of Decedent. The aggregate data from the cases reviewed revealed that all Decedents (100%) were employed at the time of the fatal incident.

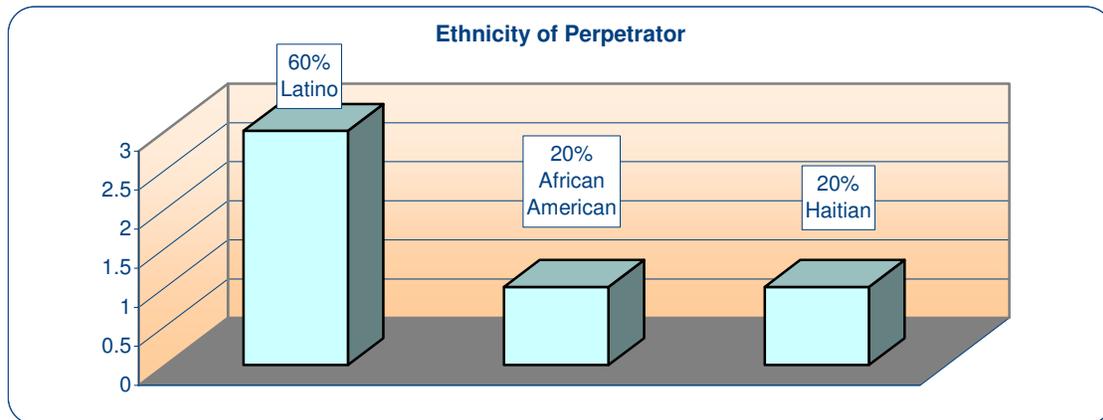
Age of Perpetrator. Twenty percent (20%) of the Perpetrators were between the ages of 18-29, 40% were between the ages of 30-39, and 40% were between the ages of 40-49.

Chart 33



Gender, Race, and Ethnicity of Perpetrator. All five (100%) of the Perpetrators were male. With respect to race, 60% of the Perpetrators were white, and 40% were black. In terms of ethnicity, the majority of the Perpetrators, or 60%, were of Latino origin, 20% were African American, and 20% were Haitian.

Chart 34



Employment Status of Perpetrator. Forty percent (40%) of the Perpetrators were employed, and 60% of the Perpetrators were not employed.

Criminal History of Perpetrator. The aggregate data from the cases reviewed revealed that all of the Perpetrators (100%) had a criminal history.

Substance Abuse History of Perpetrator. The aggregate data from the cases reviewed revealed that 20% of the Perpetrators had a substance abuse history.

Cause of Death. Sixty-six percent (66%) of the homicides were caused by a gunshot wound(s), 17% were caused by a knife wound(s), and 17% were caused by multiple injuries. In terms of suicides, 60% of the Perpetrators died from gunshot wound(s), 20% by multiple injuries, and another 20% were by drowning.

Chart 35

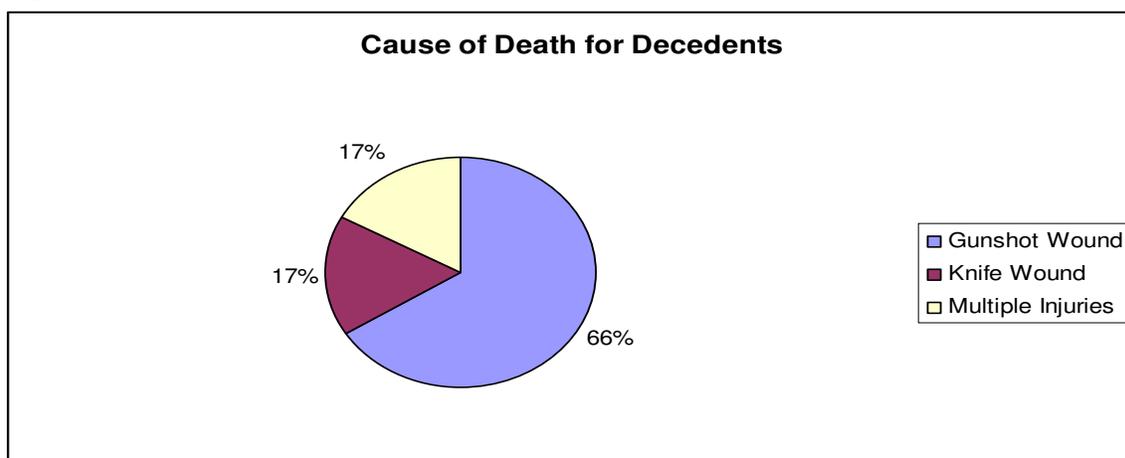
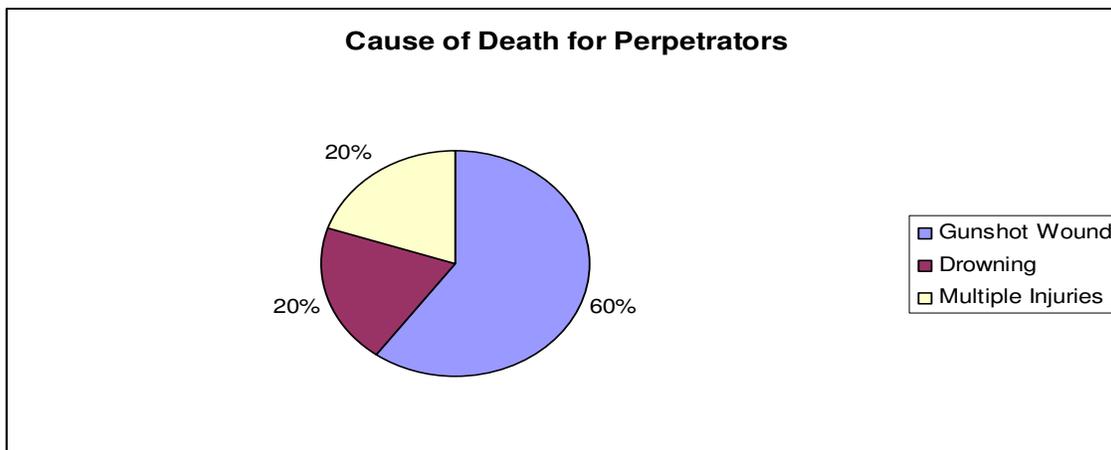
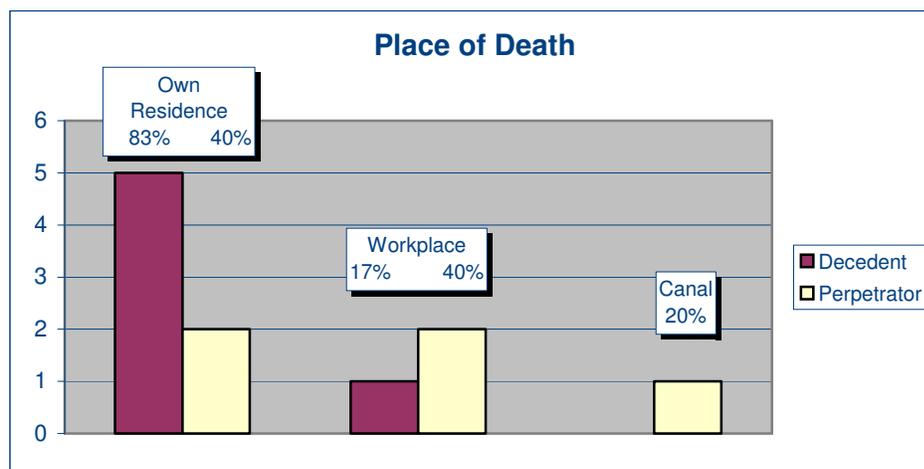


Chart 36



Place of Death. Eighty-three percent (83%) of these homicides were committed at the Decedent's own residence, and 17% were committed at the Decedent's workplace. Additionally, forty percent (40%) of the Perpetrators committed suicide at their own residence, 40% committed suicide at their workplace, and 20% committed suicide in a canal.

Chart 37



Toxicology Findings of Perpetrators who Committed Suicide. Forty percent (40%) of the Perpetrators who committed suicide were not under the influence of alcohol and/or drugs at the time of the fatal incident. Twenty percent (20%) of the Perpetrators

who committed suicide were under the influence of both alcohol and drugs, and twenty percent (20%) were under the influence of alcohol.

Witnessing of Fatal Incident by Children. In twenty percent (20%) of the fatalities, children were present and witnessed the incident visually.

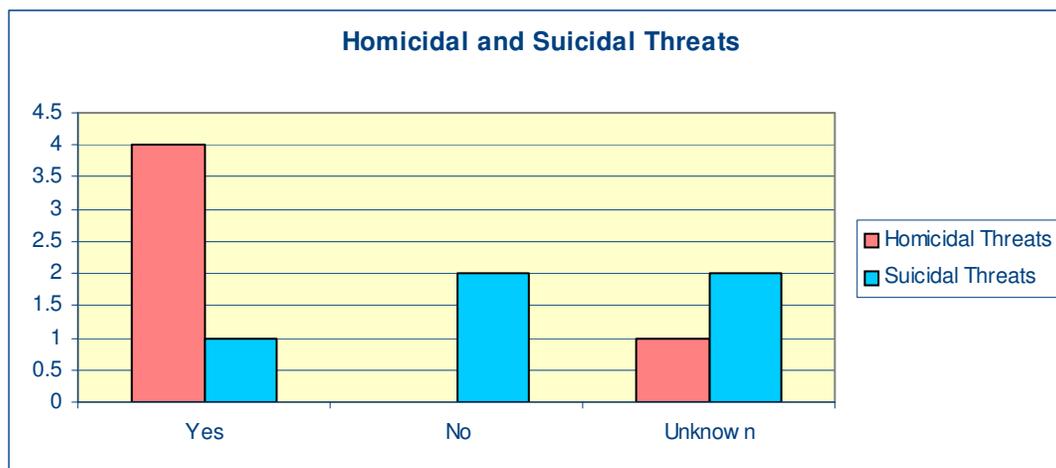
Domestic Violence History between Perpetrator and Decedent. Eighty percent (80%) of these cases revealed at least one prior domestic violence report to police or friends and/or family members.

Involvement of Friends and/or Family Members. Forty percent (40%) of these cases revealed involvement of friends and/or family members.

History of Stalking by Perpetrator. Sixty percent (60%) revealed a history of stalking by the perpetrator. Notably, in 40% of the cases this information was unknown.

Presence of Death Threats and/or Suicidal Threats. In 80% of the cases there were known homicidal threats by the Perpetrator against the Decedent prior to the event. In 20% of the cases the Perpetrator made at least one known suicidal threat prior to the fatal incident.

Chart 38

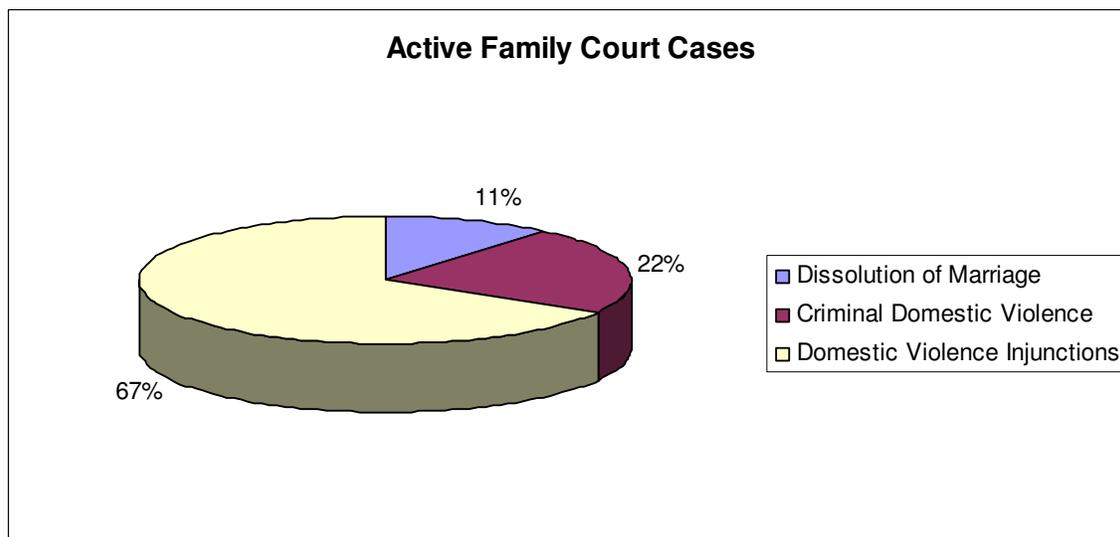


Prior (Closed) Injunction Actions. The aggregate data from the case reviews revealed that all Decedents had sought an Injunction for Protection Against Domestic Violence against the Perpetrator in the past. Furthermore, in 80% of these cases a Temporary Injunction had been issued, and in 20% a Permanent Injunction had been entered. Notably, in one of the cases, the Perpetrator had completed a batterer's intervention program.

Active Family Court Cases. Among the parties involved in the five cases, there was active Dissolution of Marriage case, and two active Criminal Domestic Violence cases leading up to, or at the time of the fatal incident.

Additionally, there were six open Domestic Violence Injunction cases. In two of these cases, a Temporary Injunction had been issued, and in four of the cases a Permanent Injunction was entered. One of the Perpetrators had involvement with a local batterers' intervention program.

Chart 39



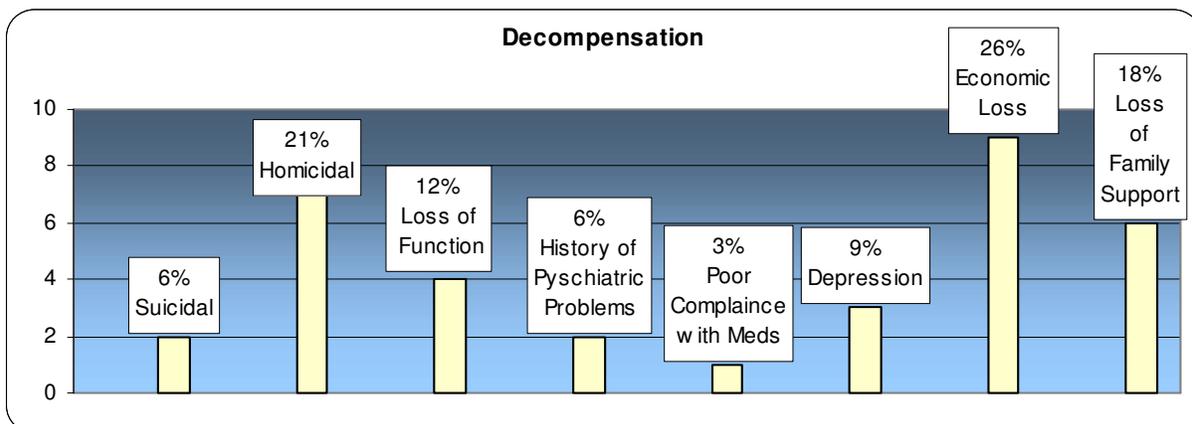
DCF Involvement. Sixty percent (60%) of these cases had some involvement in the Protective Services Division of the Department of Children and Families. Furthermore, one of these cases utilized Children’s Service Providers.

Workplace Involvement. The aggregate data from the cases reviewed revealed that one case had workplace involvement.

III. LETHALITY INDICATORS

The following are the findings from the analysis of the lethality indicators specified in the Methods section of this report, broken-down into the five main areas studied in assessing the level of lethality posed in each fatality case. These findings are aggregated together for all the types of fatal incidents (child deaths due to abuse and/or neglect, domestic violence related-homicides, domestic violence related-suicides, and domestic violence-related homicide/suicides).

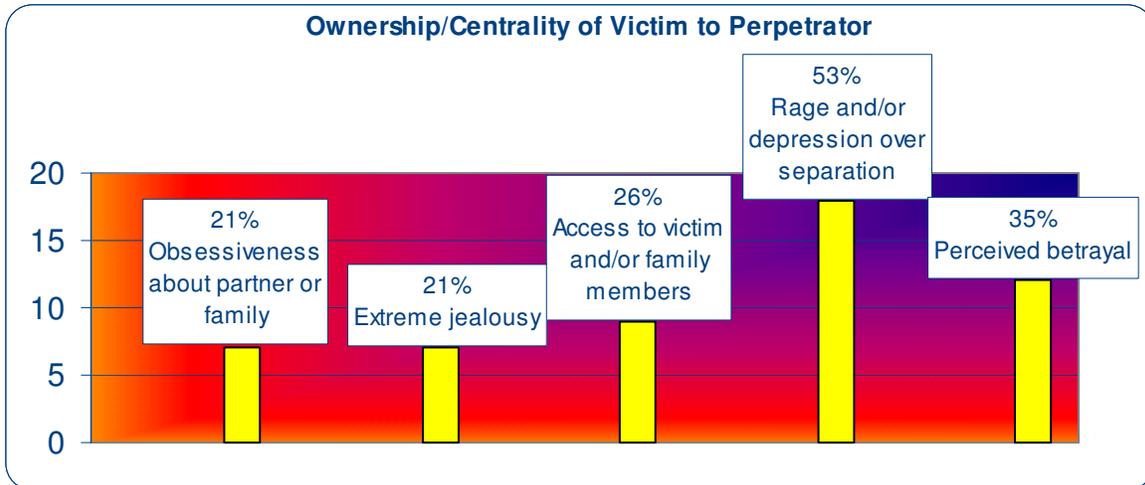
Chart 40



Decompensation measures suicidal and homicidal ideation, several factors relating to loss, diagnosed psychiatric problems, and reported symptoms of depression. “Loss of function” looks at a change in eating and/or sleeping habits, and work-related problems. Twenty-one percent (21%) the Perpetrators demonstrated homicidal ideations prior to the fatal incident, while 6% displayed suicidal ideations. The most common

decompensation lethality indicator was economic loss (26%). Additionally, 18% of the Perpetrators experienced loss of familial support, 12% had loss of function, 9% suffered from depression, 6% demonstrated a history of psychiatric problems, and 3% had poor compliance with medications prior to the fatal incident.

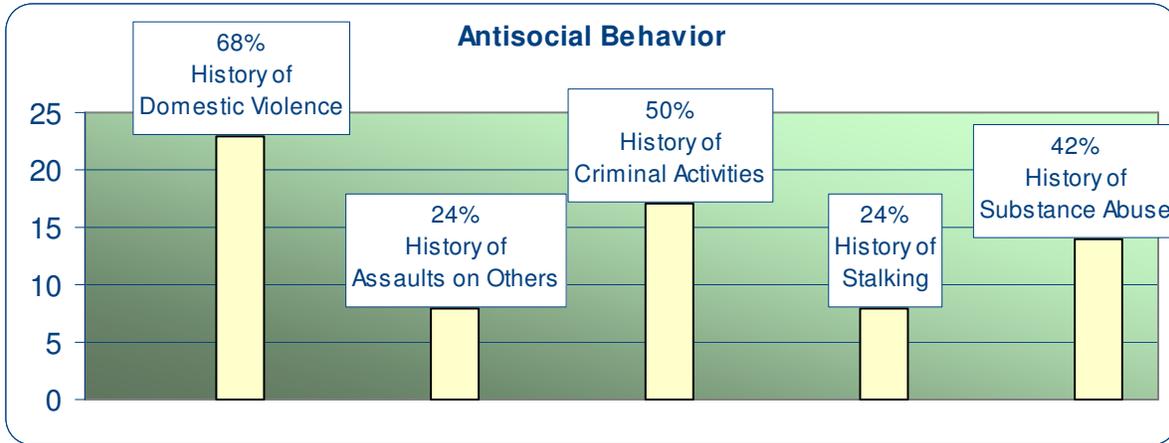
Chart 41



The Ownership/Centrality of Victim to Perpetrator lethality indicator measures a predatory personality pattern of the Perpetrator, compounded by morbid jealousy, and unrelenting obsessive and possessiveness of the victim. Although “history of stalking” is measured under the separate lethality indicator encompassing Antisocial Behavior, stalking is a form of predatory-like behavior, which clearly implies obsession towards the victim. This pattern, when coupled with other factors, suggests a high level of risk. These factors were measured by evaluating and interpreting such records as police reports of witness statements taken after the fatal incident, Petitions for Injunctions for Protection, and domestic violence-related Arrest Affidavits. The majority of the Perpetrators, or 53%, demonstrated rage and/or depression over separation prior to the fatal incident, while 35% felt betrayed by the Decedent. Additionally, 26% had access to

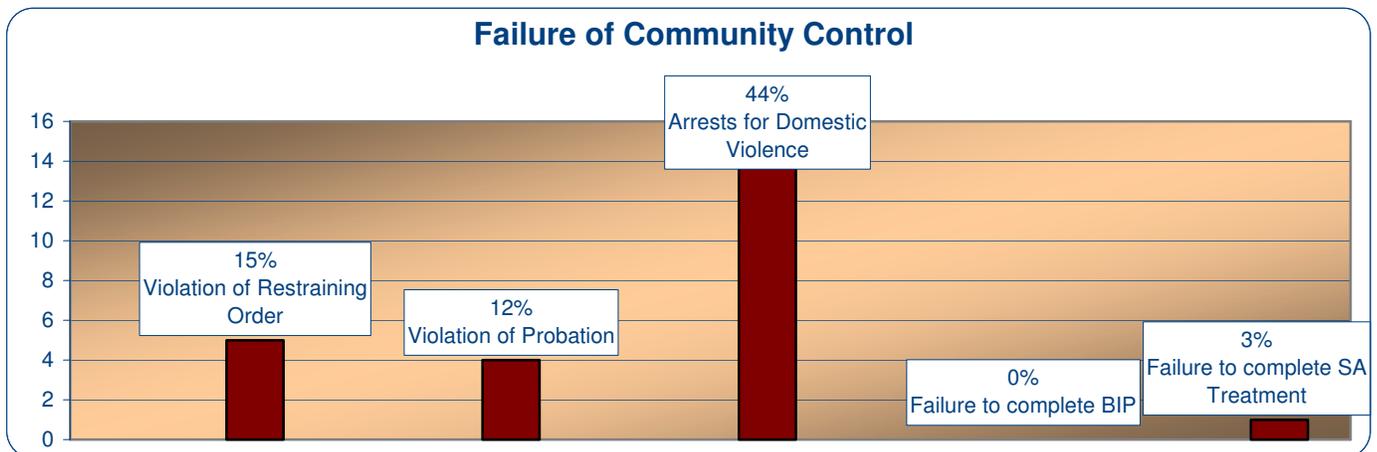
the Decedents and/or family members, 21% displayed obsessiveness about their partner or family, and another 21% demonstrated extreme jealousy.

Chart 42



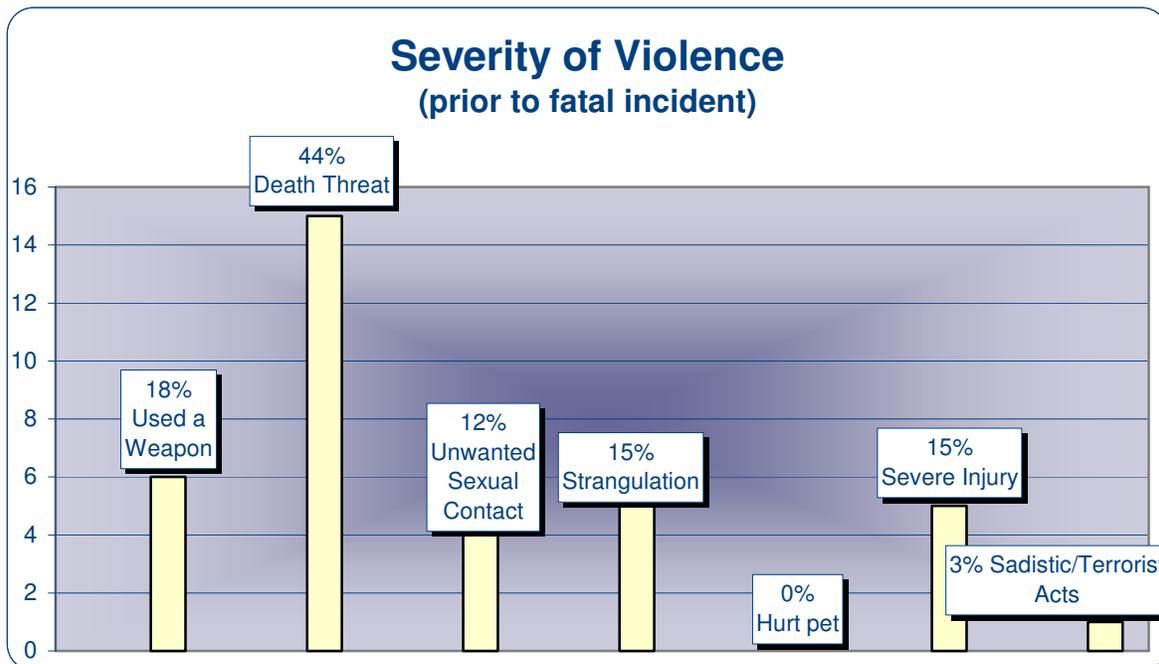
Antisocial Behavior, the most prevalent of the lethality indicators studied in this project, examines the history relating to antisocial tendencies. The data reveals that the majority of the Perpetrators had a history of domestic violence with either the Decedent, or in a past relationship. The majority of the Perpetrators (68%) demonstrated a history of domestic violence, while half (50%) had a criminal past. Additionally, 42% had a history of substance abuse, 24% had a history of assaults on others, and another 24% had a history of stalking.

Chart 43



The lethality indicator of Failure of Community Control deals with mechanisms of containing the Perpetrator as a means of ensuring the safety of the victim. Nearly half (44%) of the Perpetrators had prior arrests for domestic violence, and 15% had violated a restraining order. Additionally, 12% had violated probation in the past, and 3% failed to complete substance abuse treatment.

Chart 44



Severity of Violence measures forms of domestic violence, evidenced by the Perpetrator, *prior to the fatal incident*. These violence-related factors may have been carried out either to the Decedent involved and/or to past victims of domestic violence. Historically in Miami-Dade County, some of these factors may be higher than reported by this data. Specifically, factors such as “unwanted sexual contact”, “strangulation”, “hurt pet”, and “sadistic/terrorist acts,” are typically not explored when conducting a homicide investigation, possibly because they are thought not to be relevant to the current homicide. However, these factors are important when assessing the level of premeditation of the Perpetrator, and as such, can bolster prosecution efforts in First-

Degree Murder cases. Forty-four percent (44%) of the Perpetrators had made death threats against the Decedent, and 18% had used a weapon against Decedent in the past. Additionally, 15% had caused severe injury to Decedent, 15% used strangulation against Decedent, 12% had forced unwanted sexual contact, and 3% had performed sadistic or terrorist acts.

CONCLUSIONS AND RECOMMENDATIONS

The data collection methodology employed in this report has focused on quantitative findings revealed through an archival review of the records compiled for each fatal episode. These core conclusions and recommendations serve to convey qualitative findings which raise integral strategies for prevention through a number of different mechanisms.

Leading Lethality Indicator: Antisocial Behavior. The research overwhelmingly reveals that these families with at least one active related Family Court case in the system leading up to, or at the time of the domestic violence or child fatality, have clear, extreme high risk indicators associated with them. Interestingly, the most prevalent lethality indicator that surfaced from the research of the targeted subset of cases for review was Antisocial Behavior, which diverges from the county-wide fatality data findings that indicate Ownership/Centrality of Victim to Perpetrator to be most prevalent in domestic homicides.⁵²

In considering correlates within the category of Antisocial Behavior, the data indicates that the majority of Perpetrators have a history of domestic violence and criminal activity, and that almost half are substance abuse-involved. While there has always been a high correlation between drug and alcohol use and domestic violence, these substances are best seen as an associative factor rather than rooted in causation, the chronic use of which coincides with a number of symptoms, such as depressive behavior and suicidal ideations.⁵³ Further, under the categories of Failure of Community Control and Severity of Violence, respectively, almost half of the Perpetrators have a history of domestic violence-related arrests and have made death threats against the Decedent.

⁵² See Note 50 *supra*.

⁵³ *Ibid*, page 55.

Second Most Prevalent Lethality Indicator: Ownership/Centrality of Victim to Perpetrator. Ownership/Centrality of Victim to Perpetrator ranked as the second most prevalent indicator for the studied cases. Notably, the research indicates that rage and/or depression over separation and perceived betrayal are the most statistically significant factors within this category for these court-involved families. Consistent with this factor, the data revealed that the parties were separated in three-quarters of the cases studied. In his book, *Understanding Domestic Homicide*, Neil Websdale wrote,

“[t]he term ‘betrayal’ [refers] to the abuser’s sense that his female partner has committed certain acts tantamount to emotional treachery. These acts involve more than calling the police to the scene of a domestic dispute, even though the man may see treachery in such action. Perpetrators who feel betrayed seem to experience a particularly acute sense of rejection that appears to transcend the obsessive-possessive desire to hold onto a partner. Since the Perpetrator has placed the victim at the center of his projected hopes and dreams for the future, her decision to extricate herself from the relationship may lead some men to intense homicidal rage.”⁵⁴

The archival review of the case histories revealed that the factors of extreme or morbid jealousy and obsessive possessiveness were often focused on one particular act the Perpetrator perceived as a pivotally important signifier of rejection. In other cases, the obsessive possessiveness appeared more generalized and directed at an overall pattern of behavior by the Decedent which was perceived as threatening.

Most Prevalent Family Court Actions: Domestic Violence Injunctions and Divorces. In terms of the most prevalent types of Family Court actions these families were parties to in the Eleventh Judicial Circuit, the research revealed that the majority were involved with civil Domestic Violence Injunction for Protection cases (42%), a

⁵⁴ See Note 19 *supra*, page 99.

third with Dissolution of Marriage cases (33%), and a quarter with criminal Domestic Violence cases (25%).

Key Event in Court Activity as Interrelated Antecedent to Fatal Incident. Of the cases studied, careful review of the nexus between the facts and circumstances leading up to the fatal incident and key events during the course of litigation revealed that in the majority of cases, the Perpetrator committed the fatal incident in anticipation of, and prior to the final disposition in the case. When Dissolution cases were involved, there were clear indications of impending economic loss, which appeared from the records reviewed to be a motivating factor in the commission of domestic homicide. In approximately a quarter of the cases researched, economic loss was the most prevalent lethality indicator identified in the category of Decompensation.

With regard to Injunction for Protection cases, the majority of the domestic fatalities committed were following the issuance of a Temporary Injunction, providing the Decedent with exclusive use and possession of the dwelling, child custody, and resulting in separation of the parties. A history of domestic violence was present in approximately 80% of the intimate partner homicide cases studied. Endeavors to end conflicted relationships by resorting to separation, estrangement, or divorce can engender rage and provocation in the abuser. This finding is consistent with national literature which clearly indicates that attempts to leave violent abusers are one of the most significant correlates with domestic death.⁵⁵ Furthermore, the vast majority of the allegations which served as the basis for the issuance of the Temporary Injunction included prior threats to kill the Decedent.

⁵⁵ See Note 19 *supra*, page 52.

Also notable from the cases researched was the extent of court system involvement of these families prior to the filing of the active Family Court matter. The majority of the families had previous Domestic Violence Injunction or criminal Domestic Violence case histories, which is consistent with the foremost lethality indicator, Antisocial Behavior, which emerged from the research.

Prior Involvement with DCF. Also statistically significant, approximately 70% of these families had prior involvement with investigations by the Department of Children and Families (DCF) for reported child abuse and/or neglect, which did not result in a Juvenile Dependency case being filed, with very minimal exception. This finding supports national literature which suggests a high correlation between domestic violence and child maltreatment.⁵⁶ Furthermore, the research revealed that of the child deaths, all of the families (100%) had a domestic violence history, and all (100%) had some involvement with DCF prior to the fatal incident.

Witnessing of the Fatal Incident by Children. One of the most disturbing findings from this research is that in almost half of the cases, children witnessed the fatal incident either visually or by earshot. These children were then left orphaned after one parent killed the other, and then either killed themselves or were arrested. Research suggests that children who grow up in violent homes are at a higher risk of engaging in spousal abuse than that of the general population.⁵⁷ Other studies have found that children who witnessed the killing of a parent were more likely to have chronic emotional and behavioral problems, and symptoms of post-traumatic stress. Other children who were orphaned as a result of the domestic homicide were also likely to develop emotional

⁵⁶ See Note 18 *supra*, **Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice**, National Council of Juvenile and Family Court Judges, 1999, page 9.

⁵⁷ Markowitz, F., **Attitudes and Family Violence: Linking Intergenerational and Cultural Theories**, Journal of Family Violence, Vol.16, No.2, 2001.

and behavioral problems, but to a lesser extent than those who has actually witnessed the fatal incident⁵⁸. Consequently, as children are so greatly affected by domestic homicide, efforts should be made to engage children and teach them about issues relating to domestic violence. The school system is the medium by which we can access most of these children, and thus further educational awareness and intervention should be pursued.

The findings which have emerged from this research give rise to the following recommendations for strategies integral to intervention and prevention:

Recommendation 1: Establish Centralized Family Intake Centers and Risk Assessment Protocols within the Judicial System.

The patterns which have surfaced from this research in terms of the prevalence of the above-cited case types and lethality indicators underscore the critical need for the Family Court to contain, as a cornerstone of its foundation and structure, a comprehensive central intake component. This centralized family intake center should serve to provide pre-filing and post-judgment assistance to the public, whether represented by counsel or not, as well as procedural information and guidance (also known as “demystification of the court process”), and assistance with completion of forms. Pursuant to this model, specially trained staff should thoroughly research the family’s previous and current Family and Criminal Court involvement in the circuit’s case management system(s), including the children, and have procedures in place to make this information available to the judiciary and court staff for purposes of case coordination and achievement of guiding principles consistent with Unified Family Courts.

⁵⁸ Kaplan et al., **Outcome of Children Seen After One Parent Killed the Other**, *Clinical Child Psychology and Psychiatry*, Vol. 6(1), 2001.

With increasing numbers of families having histories of significant prior contact with the judicial system and multiple Family Court matters pending simultaneously throughout, not only do they need a single centralized venue where they can turn for assistance, guidance, and coordination, likewise, the numerous justice system partners involved with these cases also need such a venue to feed and receive case information and proper direction. Additionally, litigants attempting to navigate the system on their own very frequently end up in the wrong place, filing court actions *pro se* which are not procedurally appropriate to resolve their legal issues, and just need to be redirected appropriately. Sometimes the result is a referral to an agency which can address the matter, as opposed to an action in the judicial system.

Another critical role the family intake center should serve is to function as a forum for triage for litigants, including the performance of “front-loaded” social service referrals which directly link families with community-based, culturally appropriate service providers (i.e., counseling, treatment, day care, job placement, shelter, transportation, etc.), coinciding with the filing of their Family Court case. A research-based triage tool which would assess for factors contributing to risk should be implemented, and high risk cases should be flagged and assigned to a co-located community-based program that would partner with the courts to assist with advocacy, individualized safety planning, and coordination of care. Mental health specialists, advocates, and care coordinators should tailor services for high risk cases and families experiencing high conflict and family violence, and maintain the level of support throughout the duration of the court process.

Since lethality and dangerousness posed is a dynamic and not a static set of factors, specifically targeted points in the judicial system should be identified to reassess

for risk and lethality. For example, the triage tool should be administered with families referred for intake for any types of services, including treatment and counseling, supervised visitation and monitored exchange, parenting coordination, psychological evaluations, and custody evaluations, and high risk individuals should be flagged and referred to the community-based program, which would work in partnership with court staff to tailor appropriate interventions and service provision. In addition, mediation and other forms of alternative dispute resolution is another point in the system where risk assessment should be conducted.

Having recognized from the research that the typology of Family Court litigants who poses the highest risk of lethality is those individuals who exhibit characteristics within the category of Antisocial Behavior, in terms of considering the dichotomy between *prediction* and *prevention*, risk assessment protocols to be implemented within the setting of the judicial system should bear this in mind, weighing these factors more heavily when assessing for dangerousness, and intervention strategies should be tailored accordingly. Based upon this empirical evidence, and the theory that the infusion of intervention strategies in these identified high risk cases may impact prevention, one can posit that some deaths may be more preventable than others.

Recommendation 2: Recognize Death Threats Equate to Extreme High Risk and React Accordingly.

In the majority of the cases studied, the Perpetrators had verbalized homicidal and/or suicidal ideations, often delivering very poignant death threats prior to carrying out the fatal incident. Records indicated that very frequently, family and/or friends were aware of these death threats, and safety measures were not taken in response. That is, when a Perpetrator expressed suicidal and/or homicidal thought, police were not called

and Baker Act proceedings were not initiated. As is too often the case, friends and family minimized the level of risk posed by the Perpetrator.

In the instances when friends and/or family called the police, frequently the Decedent, or other involved family member, denied any allegations and continued on with the relationship. Likewise, in a number of the criminal Domestic Violence and Injunction cases which were studied, the Decedent, or other involved family member, did not go forward with the prosecution or pursue the Injunction action, and the cases were dismissed. This may have lead to the family feeling helpless and frustrated with the situation. This is why the recommendation as to advocacy support throughout the entire court process is paramount.

Family members and friends should be offered avenues for education on the key issue of death threats, so that they may recognize the risk factors invoked. In addition, they should be educated in the cycle of the “battered woman”, so that instead of becoming frustrated and “giving up”, they can better understand and verbalize the victim’s needs.

Recommendation 3: Recognize Suicidal Threats are also Homicidal Warning Signs.

Although traditionally not viewed as a form of domestic violence, the impact of suicide on the family should be recognized, particularly when the suicide takes place within a family with a history of domestic violence. Many view this as the final and most damaging form of abuse that the Perpetrator inflicts on the victim. In addition, as we work to assess risk with respect to domestic violence, we should recognize that when offenders make suicidal threats, there is a heightened risk for the victims. Clear suicidal warning signs may be present, but no homicidal threats, and the two often go hand in hand, as revealed by the cases studied.

Accordingly, as part of safety planning, victims, family, and friends should be advised to take suicidal threats seriously, particularly when the offender fits the obsessive and extremely jealous personality pattern.

Recommendation 4: Impose Tighter Restrictions for Firearms Purchase to Reduce Lethal Gun Violence.

The research revealed that, consistent with national data, gunshot wounds were the cause of death for the majority of domestic homicides, with knife wounds being the second most prevalent cause of death.⁵⁹ Although surrender of firearms may be ordered as a condition of an Injunction for Protection, surrender may never take place because possession may be denied. In some of the cases studied, the fatal incident occurred on the day surrender of the firearm was to take place.

A 2001 article reported that a study completed the U.S. Department of Justice showed an association between the decrease availability the national decrease of domestic homicide.⁶⁰ Further, an on-line article, published by the Join Together project of the Boston University School of Public Health reported on the ability of domestic abusers to buy guns.⁶¹ The article reported that a congressional study found that

“[p]eople with domestic-violence convictions were able to buy firearms between 1998 and 2001, because the FBI was unable to complete background checks before the sales went through.”⁶²

In addition, the article stated, “the system falters when identifying misdemeanor domestic-abuse convictions or findings of mental illness because they are usually

⁵⁹ According to the FBI, 33% of women who are murdered with firearms are killed by an intimate partner. <http://www.bradycampaign.org/facts/reports/?page=domvio>, Brady Campaign to Prevent Gun Violence.

⁶⁰ Los Angeles Times, October 29, 2001.

⁶¹ <http://www.jointogether.org>, Domestic Abusers Able to Buy Guns, June 26, 2002.

⁶² Loc. Cit.

recorded on paper, and require extensive research to locate”.⁶³ Furthermore, the current standard for issuance of a firearm at the time of purchase allows for a depressed, homicidal/suicidal person to legally purchase a firearm when they have not been formally declared mentally incompetent or institutionalized for mental illness. Additionally, gun dealers and pawn shops are not required by law to report the denial of sales of firearms as a result of identifying previous criminal or injunction history involving the buyer.

The finding that guns are the most prevalent weapon used in the commission of domestic fatalities indicates that laws which allow for adequate time to perform background checks, and address the “loopholes” which allow persons with a mental health history access to firearms purchase.

Recommendation 5: Implement Specialized Interagency Cross-Training and Raise Public Awareness.

The majority of the cases studied had some domestic violence-related involvement with law enforcement prior to the lethal event, as well as non-domestic violence-related criminal histories. A substantial portion had prior involvement with the Department of Children and Families. Additionally, there were cases that revealed a number of Perpetrators and/or Decedents with a substance abuse and/or mental health history.

Accordingly, the parties in the vast majority of the cases had some sort of contact with either a public or private agency. Therefore, professionals in the field should receive specialized cross-training with respect to domestic violence issues, child abuse, and the interplay of these issues with substance abuse and mental health. This training should be culturally sensitive and competent. Professionals should also have knowledge

⁶³ **Loc. Cit.**

on how to assess for risk, in a consistent and uniform manner between agencies, and should know how to implement safety planning for victims. They should also be versed in available referral sources, and the structure of our circuit's judicial system, so they can provide procedural information.

Once this structure is in place, public awareness of this expanded level of access to the court system and associated support services and social service provision should be a priority. All involved agencies in the coordinated system of care should create goals and priorities for initiating public awareness through forums specifically developed to serve this purpose.

APPENDIX A

**2001-2006 Domestic Violence-Related
Adult Fatalities and Child Deaths Resulting from Abuse and/or Neglect
DATA COLLECTION INSTRUMENT**

**2001-2006 Domestic Violence-Related Adult Fatalities &
Child Deaths Resulting from Abuse and/or Neglect**

DATA COLLECTION INSTRUMENT

A. GENERAL CASE INFORMATION

DECEDENT

1. Name: _____
2. Gender: Male Female
3. Age: _____ 4. Race: _____
5. DOB: _____ 6. DOD: _____
7. Ethnicity: _____
8. Marital status: single married
 separated divorced widowed
9. Employed? yes no unknown
10. Occupation: _____
11. Decedent had living children?
 yes no unknown
12. If so, names, ages, and sex of children: N/A

13. Was the Perpetrator the natural parent of any of the children?: yes no unknown N/A
If yes, place an asterisk (*) next to each child
14. Diagnosis or treatment for mental health?
 yes no unknown
15. Substance abuse (alcohol/drugs) history?
 yes (type: _____) no unknown

PERPETRATOR

16. Name: _____
17. Gender: Male Female
18. Age: _____ 19. Race: _____
20. DOB: _____ 21. DOD: _____
22. Ethnicity: _____
23. Marital status: single married
 separated divorced widowed
24. Employed? yes no unknown
25. Occupation: _____
26. Had child(ren) in his/her custody?
 yes no unknown
27. If so, names, ages, and sex of children: N/A

28. Diagnosis or treatment for mental health?
 yes no unknown
29. Substance abuse (alcohol/drugs) history?
 yes (type: _____) no unknown

E. HISTORY OF DOMESTIC VIOLENCE BETWEEN DECEDENT AND PERPETRATOR

ALLEGATIONS BY DECEDENT

71. Prior reports to the police (including 911 calls) by Decedent alleging domestic violence by the Perpetrator? yes (how many: _____) no unknown

72. Other reports to family, friends, coworkers, or community by Decedent alleging domestic violence by Perpetrator? yes (who: _____) no unknown

73. Did Decedent ever experience domestic violence related injuries received from the Perpetrator? yes no unknown

74. If yes, what type of injuries? N/A

75. Was there any known history of the Perpetrator being abusive to animals? yes no unknown

76. Were there any known allegations of stalking by the Perpetrator? yes no unknown

77. Did the Decedent ever allege that the Perpetrator made death threats against the Decedent prior to the event? yes no unknown

F. COURT HISTORY

CRIMINAL CASES (STATE ATTORNEY=S OFFICE)

PERPETRATOR'S CRIMINAL RECORD

78. At time of the event, prior domestic violence-related criminal history of Perpetrator:

[Place an asterisk (*) next to all cases where victim is same person as Decedent]

Case No.	Charge	Outcome

no criminal history on record

79. Were any Stay Away Orders entered in any of the above-listed domestic violence-related cases? yes (list Case #s below) no N/A

80. At time of the event, prior criminal history of Perpetrator for non-domestic violence-related crimes:

Case No.	Charge	Outcome

no criminal history on record

81. If Perpetrator was arrested for homicide of Decedent, outcome of court case: N/A

DECEDENT'S CRIMINAL RECORD

82. At time of the event, prior domestic violence-related criminal history of Decedent:

[Place an asterisk (*) next to all cases where victim is same person as Perpetrator]

Case No.	Charge	Outcome

no criminal history on record

83. Were any Stay Away Orders entered in any of the above-listed domestic violence-related cases? yes (list Case #s below) no N/A

84. At time of the event, prior criminal history of Decedent for non-domestic violence-related crimes:

Case No.	Charge	Outcome

no criminal history on record

PROBATION DEPARTMENT

85. Status of any cases on record:

no criminal history on record

INJUNCTION ACTIONS

INITIATED BY DECEDENT

- 86. Did Decedent ever file for an injunction against the Perpetrator?
 yes (Case # _____) no
- 87. If yes, was a Temporary Injunction granted?
 yes (issue date: _____ /
expiration date: _____)
 no N/A
- 88. If yes, was a Permanent Injunction granted?
 yes (issue date: _____ /
expiration date: _____)
 no N/A
- 89. Were there any allegations that the injunction was violated? yes no N/A
- 90. If there were allegations of an injunction violation, was there an arrest? N/A
 yes (see Criminal History section) no
- 91. Did the Decedent allege the Perpetrator possessed weapons? yes no N/A
- 92. Was the Perpetrator ordered to surrender any weapons? yes no N/A
- 93. Final outcome of injunction case: N/A

- 94. Did anyone other than the Decedent ever file for an injunction against the Perpetrator?
 yes (Case # _____) no
- 95. If yes, relationship to Perpetrator: N/A

- 96. If yes, final outcome of injunction case: N/A

- 97. Did Decedent ever file for an injunction against someone other than the Perpetrator?
 yes (Case # _____) no
- 98. If yes, relationship to Respondent: N/A

- 99. If yes, final outcome of injunction case: N/A

INITIATED BY PERPETRATOR

- 100. Did Perpetrator ever file for an injunction against the Decedent?
 yes (Case # _____) no
- 101. If yes, was a Temporary Injunction granted?
 yes (issue date: _____ /
expiration date: _____)
 no N/A
- 102. If yes, was a Permanent Injunction granted?
 yes (issue date: _____ /
expiration date: _____)
 no N/A
- 103. Were there any allegations that the injunction was violated? yes no N/A
- 104. If there were allegations of an injunction violation, was there an arrest? N/A
 yes (see Criminal History section) no
- 105. Did the Perpetrator allege the Decedent possessed weapons? yes no N/A
- 106. Was the Decedent ordered to surrender any weapons? yes no N/A
- 107. Final outcome of injunction case: N/A

- 108. Did anyone other than the Perpetrator ever file for an injunction against the Decedent?
 yes (Case # _____) no
- 109. If yes, relationship to Decedent: N/A

- 109. If yes, final outcome of injunction case N/A

- 110. Did Perpetrator ever file for an injunction against someone other than the Decedent?
 yes (Case # _____) no
- 111. If yes, relationship to Respondent: N/A

- 112. Final outcome of injunction case: N/A

119. Court involved with children or other family members as a result of this death?
 yes no unknown
120. Were there any juvenile records involving any of the minor child(ren) involved?
 yes (list case info below) no N/A

BATTERERS' INTERVENTION PROGRAMS

BY DECEDENT

121. Had the Decedent been ordered to attend a batterers' intervention program as the result of any court case? yes no N/A

122. If yes, case number and type of case: N/A

123. If yes, to what agency was the Decedent referred? N/A

124. If yes, how many times did the Decedent attend/miss the group sessions? N/A
 attended _____ missed _____ sessions

125. Did the Decedent successfully complete the program? N/A
 yes no (was revoked/terminated)
 still enrolled at time of event

126. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

BY PERPETRATOR

127. Had the Perpetrator been ordered to attend a batterers' intervention program as the result of any court case? yes no N/A

128. If yes, case number and type of case: N/A

129. If yes, to what agency was the Perpetrator referred? N/A

130. If yes, how many times did the Perpetrator attend/miss the group sessions? N/A
 attended _____ missed _____ sessions

131. Did the Perpetrator successfully complete the program? N/A
 yes no (was revoked/terminated)
 still enrolled at time of event

132. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

VICTIM SUPPORT SERVICE PROVIDERS

BY DECEDENT

133. Was there any record of the Decedent attending/utilizing any victim support services?
 yes no unknown

134. If yes, which one(s)? N/A

135. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

BY PERPETRATOR

136. Was there any record of the Perpetrator attending/utilizing any victim support services?
 yes no unknown N/A

137. If yes, which one(s)? N/A

138. Comments from records: N/A

no records obtained
 records reveal no further significant comments

CHILDREN'S SERVICE PROVIDERS

139. Was there any record of the child(ren) attending/utilizing any children's services?
 yes no unknown

140. If yes, which one(s)? N/A

141. Comments from records: N/A

no records obtained
 records reveal no further significant comments

PSYCHOLOGICAL SERVICE PROVIDERS

BY DECEDENT

142. Was there any record of the Decedent attending/utilizing any psychological services?
 yes no unknown

143. If yes, which one(s)? N/A

144. If yes, was there ever a diagnosis made?
 yes (what: _____) no
 unknown N/A

145. If yes, was medication(s) prescribed?
 yes (what kind(s): _____) no
 unknown N/A

146. If yes, was Decedent known to comply with taking medication(s)?
 yes no unknown N/A

147. Comments from records: N/A

no records obtained
 records reveal no further significant comments

BY PERPETRATOR

148. Was there any record of the Perpetrator attending/utilizing any psychological services?
 yes no unknown

149. If yes, which one(s)? N/A

150. If yes, was there ever a diagnosis made?
 yes (what: _____) no
 unknown N/A
151. If yes, was medication(s) prescribed?
 yes (what kind(s): _____) no
 unknown N/A
152. If yes, was Decedent known to comply with taking medication(s)?
 yes no unknown N/A
153. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

SUBSTANCE ABUSE SERVICE PROVIDERS

BY DECEDENT

154. Was there any record of the Decedent attending/utilizing any substance abuse services? yes no unknown
155. If yes, which one(s)? N/A

156. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

BY PERPETRATOR

157. Was there any record of the Perpetrator attending/utilizing any substance abuse services? yes no unknown
158. If yes, which one(s)? N/A

159. Comments from records N/A

- no records obtained
 records reveal no further significant comments

DOMESTIC VIOLENCE SHELTER

BY DECEDENT

160. Was there any record of the Decedent at Domestic Violence Shelter? yes no
161. If yes, during what time frame? N/A

162. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

BY PERPETRATOR

163. Was there any record of the Perpetrator at Domestic Violence Shelter? yes no N/A
164. If yes, during what time frame? N/A

165. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

SCHOOL SYSTEM RESPONSE

166. Had the Perpetrator harassed, threatened, or battered the Decedent at school or on the way to school? yes no unknown N/A
167. Were school officials notified of the existence of domestic violence?
 yes no unknown N/A

168. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

HEALTH CARE/MEDICAL FACILITIES

169. Did Decedent ever seek medical attention for any domestic violence-related injuries received by the Perpetrator? yes no unknown
170. If yes, what type of injuries and when? N/A

171. If yes, what medical facility did the Decedent go to for medical attention?: N/A

172. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

OTHER SOCIAL SERVICE AGENCIES

173. Is there any record of the Decedent or Perpetrator accessing any other social service agencies?
Decedent: yes no unknown
Perpetrator: yes no unknown

174. Comments from records: N/A

- no records obtained
 records reveal no further significant comments

CHURCHES/SYNAGOGUES (CLERGY)

175. Is there any record of the Decedent or Perpetrator involving their church/synagogue (clergy) with any incidence of domestic violence? N/A
Decedent: yes no unknown
Perpetrator: yes no unknown

176. If yes, name and location of religious institution:

unknown N/A

177. If yes, is there any record of a response by the clergy? N/A

H. WORKPLACE INVOLVEMENT

178. Had the Perpetrator harassed, threatened, or battered the Decedent at or on the way to the workplace? yes no unknown N/A

179. Were supervisors aware of the existence of domestic violence? yes no unknown N/A

180. Comments from records: N/A

no records obtained
 records reveal no further significant comments

I. INVOLVEMENT OF FAMILY/FRIENDS

181. Were family or friends aware of any prior incidents or threats of domestic violence between the Decedent and Perpetrator? yes no unknown

184. If yes, who (explain relationship)? N/A

185. If yes, what was their involvement? N/A

J. LETHALITY INDICATORS

Decompensation

- suicidal
- homicidal
- loss of function (not eating, sleeping, working)
- history of psychiatric problems
- poor compliance with taking medication
- depression
- economic loss
- loss of family support

Ownership/Centrality of Victim to Perpetrator

- obsessiveness about partner or family
- extreme jealousy
- access to victim and/or family members
- rage and/or depression over separation
- perceived betrayal

Antisocial Behavior

- history of domestic violence
- history of assaults on others
- history of criminal activity
- history of stalking
- history of substance abuse

Failure of Community Control

- violation(s) of restraining order
- violation(s) of probation
- arrest(s) for domestic violence
- failure to complete BIP
- failure to complete substance abuse treatment

Severity of violence

- used a weapon
- death threat
- unwanted sexual contact
- strangulation
- hurt pet
- severe injury
- sadistic/terrorist acts

Other factors

APPENDIX B

**2001-2006 Domestic Violence-Related
Adult Fatalities and Child Deaths Resulting from Abuse and/or Neglect
DATA TABLES**

A. Child Deaths Resulting from Abuse and/or Neglect

Table A.1

	AGE OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Under 1	0	0	0	1	0	0
1 – 5 years of age	0	0	0	0	1	0
6 – 10 years of age	0	0	0	0	0	1
11 – 17 years of age	0	0	0	0	0	0

Table A.2

	GENDER OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Male	0	0	0	1	0	1
Female	0	0	0	0	1	0

Table A.3

	RACE OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
White	0	0	0	0	1	0
Black	0	0	0	1	0	1
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table A.4

	ETHNICITY OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Latino	0	0	0	0	1	0
Caucasian/American	0	0	0	0	0	0
African-American	0	0	0	1	0	1
Asian	0	0	0	0	0	0
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table A.5

	AGE OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Less than 18 years of age	0	0	0	0	0	0
18 - 29 years of age	0	0	0	1	1	1
30 - 39 years of age	0	0	0	0	0	0
40 - 49 years of age	0	0	0	0	0	0
50 - 59 years of age	0	0	0	0	0	0
60 - 69 years of age	0	0	0	0	0	0

Table A.6

	GENDER OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Male	0	0	0	1	0	0
Female	0	0	0	0	1	1

Table A.7

	RACE OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
White	0	0	0	0	1	0
Black	0	0	0	1	0	1
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table A.8

	ETHNICITY OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Latino	0	0	0	0	1	0
Caucasian/American	0	0	0	0	0	0
African-American	0	0	0	1	0	1
Asian	0	0	0	0	0	0
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table A.9

EMPLOYMENT STATUS OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Employed	0	0	0	0	0	0
Unemployed	0	0	0	1	1	1
Unknown	0	0	0	0	0	0

Table A.10

MENTAL HEALTH OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Diagnosis	0	0	0	0	0	0
No Diagnosis	0	0	0	1	0	1
Unknown	0	0	0	0	1	0

Table A.11

SUBSTANCE ABUSE HISTORY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	0	0	0	0	0
No History	0	0	0	1	1	1
Unknown	0	0	0	0	0	0

Table A.12

	TYPE OF INCIDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	0	0	0	1	0	0
Suicide	0	0	0	0	0	0
Homicide/Suicide	0	0	0	0	0	0
Accident	0	0	0	0	1	1

Table A.13

	MANNER OF DEATH					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	0	0	0	1	0	0
Suicide	0	0	0	0	0	0
Accident	0	0	0	0	1	1

Table A.14

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Gunshot Wound	0	0	0	0	0	0
Knife Wound	0	0	0	0	0	0
Blunt Trauma	0	0	0	0	0	0
Asphyxia	0	0	0	0	0	0
Burning	0	0	0	0	0	0
Multiple Injuries	0	0	0	1	0	0
Drowning	0	0	0	0	1	1
Shaken Baby Syndrome	0	0	0	0	0	0

Table A.15

PLACE OF DEATH						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Own Residence	0	0	0	1	0	0
Other Residence	0	0	0	0	0	0
Vehicle	0	0	0	0	0	0
Highway	0	0	0	0	0	0
Pool	0	0	0	0	0	1
Shelter	0	0	0	0	1	0

Table A.16

SUICIDE OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Committed Suicide	0	0	0	0	0	0
Did Not Commit Suicide	0	0	0	1	0	1
Attempted Suicide	0	0	0	0	1	0

Table A.17

WITNESSING OF FATAL INCIDENT BY CHILDREN						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Witnessed Incident	0	0	0	0	1	1
Did Not Witness Incident	0	0	0	1	0	0
Witnessed Visually	0	0	0	0	1	1
Witnessed by Earshot	0	0	0	0	0	0

Table A.18

HISTORY OF DOMESTIC VIOLENCE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had DV History	0	0	0	1	1	1
No DV History	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table A.19

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had History	0	0	0	0	0	0
No History	0	0	0	1	1	0
Unknown	0	0	0	0	0	1

Table A.20

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	0	0	1	1	0
Unknown	0	0	0	0	0	1

Table A.21

PRESENCE OF SUICIDE THREATS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	0	0	1	1	1
Unknown	0	0	0	0	0	0

Table A.22

HISTORY OF DOMESTIC VIOLENCE INJUNCTIONS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	0	0	0	1	1
No History	0	0	0	1	0	0

Table A.23

CRIMINAL HISTORY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	0	0	1	0	0
No History	0	0	0	0	1	1

Table A.24

ACTIVE DOMESTIC VIOLENCE INJUNCTION ACTIONS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Temporary Injunction	0	0	0	0	0	0
Permanent Injunction	0	0	0	0	1	0
Denied Injunctions	0	0	0	0	0	0
Shelter Services	0	0	0	0	1	0
Batterer's Intervention Program	0	0	0	0	1	0

Table A.25

ACTIVE FAMILY COURT CASES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Dissolution of Marriage	0	0	0	0	0	0
Paternity	0	0	0	0	0	1
Child Support	0	0	0	0	0	0
Custody	0	0	0	0	1	0
Juvenile Dependency	0	0	0	0	0	0
Juvenile Delinquency	0	0	0	0	0	0
Criminal Domestic Violence	0	0	0	1	0	0

Table A.26

PRIOR DCF INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	1	1	1
No	0	0	0	0	0	0

Table A.27

UTILIZATION OF CHILDREN'S SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	1	1
No	0	0	0	1	0	0

Table A.28

UTILIZATION OF PSYCHOLOGICAL SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	1	1
No	0	0	0	1	0	0

Table A.29

SCHOOL SYSTEM RESPONSE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	0	0	1	1	1

Table A.30

UTILIZATION OF HEALTHCARE/MEDICAL FACILITIES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	1
No	0	0	0	1	1	0

Table A.31

INVOLVEMENT OF CHURCHES/SYNAGOGUES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	0	0	1	1	1

Table A.32

WORKPLACE INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	0	0	1	1	1

Table A.33

INVOLVEMENT OF FAMILY/FRIENDS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	1
No	0	0	0	1	1	0

B. Domestic Violence-Related Homicides

Note: In 2002 there was a double homicide, involving the death of a minor.

Table B.1

	AGE OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Under 18 years of age	0	1	0	0	0	0
18 - 29 years of age	0	0	0	0	1	0
30 – 39 years of age	2	0	1	1	2	5
40 – 49 years of age	0	1	1	0	1	0
50 – 59 years of age	1	1	1	2	0	0
60 – 69 years of age	0	0	0	1	0	0
70 – 79 years of age	0	0	0	0	0	0

Table B.2

	GENDER OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Male	1	2	2	0	2	1
Female	2	1	1	4	2	4

Table B.3

	RACE OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
White	3	3	2	1	0	2
Black	0	0	1	3	4	3
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table B.4

	ETHNICITY OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Latino	3	1	2	1	1	2
Caucasian/American	0	2	0	0	0	0
African-American	0	0	1	3	3	2
Haitian	0	0	0	0	0	1
Asian	0	0	0	0	0	0
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table B.5

EMPLOYMENT STATUS OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Employed	1	1	3	1	1	2
Not Employed	1	1	0	2	2	0
Unknown	1	1	0	1	1	3

Table B.6

MENTAL HEALTH OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has Diagnosis	1	0	1	1	1	1
No Diagnosis	1	2	2	3	3	3
Unknown	1	1	0	0	0	1

Table B.7

SUBSTANCE ABUSE HISTORY OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	1	1	1	1	0
No History	1	2	2	3	2	5
Unknown	2	0	0	0	1	0

Table B.8

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Less than 18 years of age	0	0	1	1	2	1
18 - 29 years of age	0	0	1	1	1	4
30 - 39 years of age	0	0	1	2	1	0
40 - 49 years of age	2	1	0	0	0	0
50 - 59 years of age	1	1	0	0	0	0
60 - 69 years of age	0	0	0	0	0	0

Table B.9

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Male	2	2	3	4	3	5
Female	1	0	0	0	1	0

Table B.10

	RACE OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
White	3	2	2	1	0	0
Black	0	0	1	3	4	5
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table B.11

	ETHNICITY OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Latino	2	1	2	0	0	1
Caucasian/American	1	1	0	1	0	0
African-American	0	0	1	3	4	3
Asian	0	0	0	0	0	0
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	1

Table B.12

	EMPLOYMENT STATUS OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Employed	3	2	2	0	1	1
Unemployed	0	0	0	1	0	0
Unknown	0	0	1	3	3	4

Table B.13

	MENTAL HEALTH OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Diagnosis	1	1	0	1	0	1
No Diagnosis	1	1	1	0	2	0
Unknown	1	0	2	3	2	4

Table B.14

SUBSTANCE ABUSE HISTORY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	1	1	3	0	1
No History	1	1	1	0	0	2
Unknown	2	0	1	1	4	2

Table B.15

LENGTH OF RELATIONSHIP						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Under 1 year	0	0	0	0	0	1
1 -2 years	1	0	1	2	2	1
3 – 5 years	0	1	0	0	1	0
6 – 10 years	1	0	1	0	0	1
11 - 15 years	0	0	1	0	0	0
Over 15 years	1	1	0	1	0	1
Unknown	0	0	0	1	1	1

Table B.16

COHABITATION						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Living Together	0	0	0	2	2	1
Not Living Together	3	2	2	2	2	4
Unknown	0	0	1	0	0	0

Table B.17

SEPARATION BETWEEN PARTIES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Separated	3	2	2	2	0	4
Not Separated	0	0	1	2	3	1
Intent to Leave	0	0	0	0	1	0

Table B.18

	TYPE OF INCIDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	3	2	3	4	4	5
Suicide	0	0	0	0	0	0
Homicide/Suicide	0	0	0	0	0	0
Accident	0	0	0	0	0	0

Table B.19

	MANNER OF DEATH					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	3	3	3	4	4	5
Suicide	0	0	0	0	0	0
Accident	0	0	0	0	0	0

Table B.20

	CAUSE OF DEATH					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Gunshot Wound	1	3	1	1	3	2
Knife Wound	0	0	2	0	1	1
Blunt Trauma	0	0	0	0	0	1
Asphyxia	0	0	0	1	0	0
Burning	0	0	0	2	0	0
Multiple Injuries	1	0	0	0	0	1
Unknown	1	0	0	0	0	0

Table B.21

PLACE OF DEATH						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Own Residence	2	1	1	4	3	2
Other Residence	0	2	1	0	0	0
Vehicle	0	0	0	0	0	1
Highway	0	0	0	0	0	2
Workplace	1	0	1	0	0	0
Bar/Club	0	0	0	0	0	0
Parking Lot	0	0	0	0	1	0

Table B.22

SUICIDE OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Committed Suicide	0	0	0	0	0	0
Did Not Commit Suicide	3	2	3	4	4	5
Attempted Suicide	0	0	0	0	0	0

Table B.23

WITNESSING OF FATAL INCIDENT BY CHILDREN						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Witnessed Incident	0	1	1	2	2	2
Did Not Witness Incident	3	1	2	2	2	3
Witnessed Visually	0	1	1	2	2	1
Witnessed by Earshot	0	0	0	0	0	1

Table B.24

HISTORY OF DOMESTIC VIOLENCE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had DV History	2	2	1	3	3	5
No DV History	1	1	2	1	1	0
Unknown	0	0	0	0	0	0

Table B.25

HISTORY OF STALKING BY PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had History	0	0	2	0	0	2
No History	1	3	0	3	3	1
Unknown	2	0	1	1	1	2

Table B.26

PRESENCE OF DEATH THREATS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	2	1	2	1	0	2
No	1	2	1	3	2	0
Unknown	0	0	0	0	2	3

Table B.27

PRESENCE OF SUICIDE THREATS BY PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	1	0	0	1	0	1
No	1	2	2	2	3	0
Unknown	1	0	1	1	1	4

Table B.28

HISTORY OF DOMESTIC VIOLENCE INJUNCTIONS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	2	2	1	2	4	5
No History	1	1	2	2	0	0

Table B.29

CRIMINAL HISTORY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	2	1	2	3	4	4
No History	1	1	1	1	0	1

Table B.30

ACTIVE DOMESTIC VIOLENCE INJUNCTION ACTIONS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Temporary Injunction	2	0	1	0	1	2
Permanent Injunction	0	0	1	3	1	3
Denied Injunctions	0	1	0	0	0	0
Shelter Services	0	0	0	0	0	0
Batterer's Intervention Program	0	0	1	1	1	1

Table B.31

ACTIVE FAMILY COURT CASES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Dissolution of Marriage	3	2	2	0	0	1
Paternity	0	0	0	1	2	0
Child Support	0	0	0	0	0	0
Custody	0	0	0	0	0	0
Juvenile Dependency	0	0	0	0	1	0
Juvenile Delinquency	0	0	0	0	0	2
Criminal Domestic Violence	0	0	1	3	4	2

Table B.32

PRIOR DCF INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	1	1	3	2	3
No	3	1	2	1	2	2

Table B.33

UTILIZATION OF CHILDREN'S SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	2	0	1	1
No	3	2	1	4	3	4

Table B.34

UTILIZATION OF PSYCHOLOGICAL SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	2	1	1	1	1	2
No	1	1	2	3	3	3

Table B.35

SCHOOL SYSTEM RESPONSE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	1
No	3	2	3	4	4	4

Table B.36

UTILIZATION OF HEALTHCARE/MEDICAL FACILITIES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	1	1
No	3	2	3	4	3	4

Table B.37

INVOLVEMENT OF CHURCHES/SYNAGOGUES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	3	2	3	4	4	5

Table B.38

WORKPLACE INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	1	0	0
No	3	2	3	3	4	5

Table B.39

INVOLVEMENT OF FAMILY/FRIENDS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	3	1	3	3	2	3
No	0	1	0	1	2	2

C. Domestic Violence-Related Suicides

Table C.1

	AGE OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Under 18 years of age	0	0	0	0	0	0
18 - 29 years of age	0	0	0	0	0	0
30 – 39 years of age	1	1	1	1	0	0
40 – 49 years of age	0	1	0	0	0	0
50 – 59 years of age	0	0	0	0	0	0
60 – 69 years of age	0	0	0	0	0	0
70 – 79 years of age	0	0	0	0	0	0

Table C.2

	GENDER OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Male	1	2	1	1	0	0
Female	0	0	0	0	0	0

Table C.3

	RACE OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	
White	1	1	1	1	0	0	
Black	0	1	0	0	0	0	
Other	0	0	0	0	0	0	
Unknown	0	0	0	0	0	0	

Table C.4

	ETHNICITY OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	
Latino	1	1	1	1	0	0	
Caucasian/American	0	0	0	0	0	0	
African-American	0	1	0	0	0	0	
Haitian	0	0	0	0	0	0	
Asian	0	0	0	0	0	0	
Other	0	0	0	0	0	0	
Unknown	0	0	0	0	0	0	

Table C.5

EMPLOYMENT STATUS OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Employed	0	2	1	0	0	0
Not Employed	0	0	0	0	0	0
Unknown	1	0	0	1	0	0

Table C.6

MENTAL HEALTH OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has Diagnosis	1	0	0	1	0	0
No Diagnosis	0	2	1	0	0	0
Unknown	0	0	0	0	0	0

Table C.7

SUBSTANCE ABUSE HISTORY OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	1	1	0	0	0	0
No History	0	1	1	1	0	0
Unknown	0	0	0	0	0	0

Table C.8

	LENGTH OF RELATIONSHIP					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Under 1 year	0	1	0	0	0	0
1 -2 years	0	0	0	0	0	0
3 – 5 years	1	0	0	0	0	0
6 – 10 years	0	0	0	1	0	0
11 - 15 years	0	0	0	0	0	0
Over 15 years	0	1	0	0	0	0
Unknown	0	0	1	0	0	0

Table C.9

	COHABITATION					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Living Together	0	2	0	1	0	0
Not Living Together	1	0	1	0	0	0
Unknown	0	0	0	0	0	0

Table C.10

	SEPARATION BETWEEN PARTIES					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Separated	1	1	1	1	0	0
Not Separated	0	1	0	0	0	0
Intent to Leave	0	0	0	0	0	0

Table C.11

	TYPE OF INCIDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	0	0	0	0	0	0
Suicide	1	2	1	1	0	0
Homicide/Suicide	0	0	0	0	0	0
Accident	0	0	0	0	0	0

Table C.12

MANNER OF DEATH						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	0	0	0	0	0	0
Suicide	1	2	1	1	0	0
Accident	0	0	0	0	0	0

Table C.13

CAUSE OF DEATH						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Gunshot Wound	0	1	0	0	0	0
Knife Wound	0	0	0	0	0	0
Blunt Trauma	0	0	0	0	0	0
Asphyxia	1	1	1	1	0	0
Burning	0	0	0	0	0	0
Multiple Injuries	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table C.14

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Own Residence	1	2	1	1	0	0
Other Residence	0	0	0	0	0	0
Vehicle	0	0	0	0	0	0
Highway	0	0	0	0	0	0
Workplace	0	0	0	0	0	0
Bar/Club	0	0	0	0	0	0
Parking Lot	0	0	0	0	0	0

Table C.15

WITNESSING OF FATAL INCIDENT BY CHILDREN						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Witnessed Incident	1	0	0	0	0	0
Did Not Witness Incident	0	2	1	1	0	0
Witnessed Visually	1	0	0	0	0	0
Witnessed by Earshot	0	0	0	0	0	0

Table C.16

HISTORY OF DOMESTIC VIOLENCE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had DV History	1	2	1	0	0	0
No DV History	0	0	0	1	0	0
Unknown	0	0	0	0	0	0

Table C.17

HISTORY OF STALKING						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had History	0	0	0	0	0	0
No History	0	0	0	1	0	0
Unknown	1	2	1	0	0	0

Table C.18

PRESENCE OF DEATH THREATS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	1	0	0	0	0	0
No	0	1	1	1	0	0
Unknown	0	1	0	0	0	0

Table C.19

PRESENCE OF SUICIDE THREATS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	1	1	1	0	0	0
No	0	1	0	1	0	0
Unknown	0	0	0	0	0	0

Table C.20

HISTORY OF DOMESTIC VIOLENCE INJUNCTIONS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	1	2	0	0	0	0
No History	0	0	1	1	0	0

Table C.21

CRIMINAL HISTORY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	1	1	1	0	0	0
No History	0	1	0	1	0	0

Table C.22

ACTIVE DOMESTIC VIOLENCE INJUNCTION ACTIONS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Temporary Injunction	1	1	0	0	0	0
Permanent Injunction	0	1	0	0	0	0
Denied Injunctions	0	2	0	0	0	0
Shelter Services	0	0	0	0	0	0
Batterer's Intervention Program	0	1	0	0	0	0

Table C.23

ACTIVE FAMILY COURT CASES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Dissolution of Marriage	0	2	0	1	0	0
Paternity	0	0	0	0	0	0
Child Support	0	0	0	0	0	0
Custody	0	0	0	0	0	0
Juvenile Dependency	0	0	0	0	0	0
Juvenile Delinquency	0	0	0	0	0	0
Criminal Domestic Violence	0	0	1	0	0	0

Table C.24

PRIOR DCF INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	1	2	1	1	0	0

Table C.25

UTILIZATION OF CHILDREN'S SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	1	2	1	1	0	0

Table C.26

UTILIZATION OF PSYCHOLOGICAL SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	1	0	0	0	0	0
No	0	2	1	1	0	0

Table C.27

SCHOOL SYSTEM RESPONSE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	1	2	1	1	0	0

Table C.28

UTILIZATION OF HEALTHCARE/MEDICAL FACILITIES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	1	0	0	0	0	0
No	0	2	1	1	0	0

Table C.29

INVOLVEMENT OF CHURCHES/SYNAGOGUES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	1	2	1	1	0	0

Table C.30

WORKPLACE INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	1	2	1	1	0	0

Table C.31

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	1	0	0	0
No	1	2	0	1	0	0

D. Domestic Violence-Related Homicide/Suicides

Note: In 2003, there was a double homicide/suicide, involving the death of minor.

Table D.1

	AGE OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Under 18 years of age	0	0	1	0	0	0
18 - 29 years of age	0	1	0	0	0	1
30 – 39 years of age	0	0	0	0	1	0
40 – 49 years of age	0	0	1	1	0	0
50 – 59 years of age	0	0	0	0	0	0
60 – 69 years of age	0	0	0	0	0	0
70 – 79 years of age	0	0	0	0	0	0

Table D.2

	GENDER OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Male	0	0	0	0	0	0
Female	0	1	2	1	1	1

Table D.3

	RACE OF DECEDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
White	0	0	2	1	1	1
Black	0	1	0	0	0	0
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table D.4

ETHNICITY OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Latino	0	0	2	1	1	1
Caucasian/American	0	0	0	0	0	0
African-American	0	0	0	0	0	0
Haitian	0	0	0	0	0	0
Asian	0	0	0	0	0	0
Haitian	0	1	0	0	0	0
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table D.5

EMPLOYMENT STATUS OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Employed	0	1	1	1	1	1
Not Employed	0	0	0	0	0	0
Unknown	0	0	1	0	0	0

***The unknown was for the minor. She was a student, but it was undetermined whether she was employed.

Table D.6

MENTAL HEALTH OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has Diagnosis	0	0	0	0	0	0
No Diagnosis	0	1	2	0	1	1
Unknown	0	0	0	1	0	0

Table D.7

SUBSTANCE ABUSE HISTORY OF DECEDENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	0	0	0	0	0
No History	0	1	1	1	1	1
Unknown	0	0	1	0	0	0

Table D.8

	AGE OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Less than 18 years of age	0	1	0	0	0	0
18 - 29 years of age	0	0	1	0	0	1
30 - 39 years of age	0	0	0	1	1	0
40 - 49 years of age	0	0	0	0	0	0
50 - 59 years of age	0	0	0	0	0	0
60 - 69 years of age	0	0	0	0	0	0

Table D.9

	GENDER OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Male	0	1	1	1	1	1
Female	0	0	0	0	0	0

Table D.10

	RACE OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
White	0	0	1	1	1	0
Black	0	1	0	0	0	1
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table D.11

	ETHNICITY OF PERPETRATOR					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Latino	0	0	1	1	1	0
Caucasian/American	0	0	0	0	0	0
African-American	0	0	0	0	0	1
Asian	0	0	0	0	0	0
Haitian	0	1	0	0	0	0
Other	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table D.12

EMPLOYMENT STATUS OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Employed	0	0	1	0	0	1
Unemployed	0	1	0	1	1	0
Unknown	0	0	0	0	0	0

Table D.13

MENTAL HEALTH OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Diagnosis	0	0	0	0	0	0
No Diagnosis	0	1	0	0	1	0
Unknown	0	0	1	1	0	1

Table D.14

SUBSTANCE ABUSE HISTORY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	0	0	0	1	0
No History	0	1	0	0	0	0
Unknown	0	0	1	1	0	1

Table D.15

	LENGTH OF RELATIONSHIP					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Under 1 year	0	0	0	0	0	0
1 -2 years	0	0	1	0	0	0
3 – 5 years	0	0	0	0	0	0
6 – 10 years	0	1	0	0	0	1
11 - 15 years	0	0	0	0	0	0
Over 15 years	0	0	0	1	1	0
Unknown	0	0	0	0	0	0

Table D.16

	COHABITATION					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Living Together	0	0	1	0	0	0
Not Living Together	0	1	0	1	1	1
Unknown	0	0	0	0	0	0

Table D.17

	SEPARATION BETWEEN PARTIES					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Separated	0	1	0	1	1	1
Not Separated	0	0	1	0	0	0
Intent to Leave	0	0	0	0	0	0

Table D.18

	TYPE OF INCIDENT					
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	0	0	0	0	0	0
Suicide	0	0	0	0	0	0
Homicide/Suicide	0	1	1	1	1	1
Accident	0	0	0	0	0	0

Table D.19

MANNER OF DEATH						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Homicide	0	1	2	1	1	1
Suicide	0	1	1	1	1	1
Accident	0	0	0	0	0	0

Table D.20

CAUSE OF DEATH FOR SUICIDES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Gunshot Wound	0	0	2	1	1	0
Knife Wound	0	0	0	0	0	1
Blunt Trauma	0	0	0	0	0	0
Asphyxia	0	0	0	0	0	0
Burning	0	0	0	0	0	0
Multiple Injuries	0	1	0	0	0	0
Drowning	0	0	0	0	0	0
Unknown	0	0	0	0	0	0

Table D.21

CAUSE OF DEATH FOR HOMICIDES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Gunshot Wound	0	0	1	1	1	0
Knife Wound	0	0	0	0	0	0
Blunt Trauma	0	0	0	0	0	0
Asphyxia	0	0	0	0	0	0
Burning	0	0	0	0	0	0
Multiple Injuries	0	0	0	0	0	1
Drowning	0	1	0	0	0	0
Unknown	0	0	0	0	0	0

Table D.22

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Own Residence	0	0	1	1	0	0
Other Residence	0	0	0	0	0	0
Vehicle	0	0	0	0	0	0
Highway	0	0	0	0	0	0
Workplace	0	0	0	0	1	1
Bar/Club	0	0	0	0	0	0
Parking Lot	0	0	0	0	0	0
Canal	0	1	0	0	0	0

Table D.23

PLACE OF DEATH FOR HOMICIDES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Own Residence	0	1	2	1	0	1
Other Residence	0	0	0	0	0	0
Vehicle	0	0	0	0	0	0
Highway	0	0	0	0	0	0
Workplace	0	0	0	0	1	0
Bar/Club	0	0	0	0	0	0
Parking Lot	0	0	0	0	0	0
Canal	0	0	0	0	0	0

Table D.24

SUICIDE OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Committed Suicide	0	1	1	1	1	1
Did Not Commit Suicide	0	0	0	0	0	0
Attempted Suicide	0	0	0	0	0	0

Table D.25

TOXICOLOGY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Drugs	0	0	0	0	0	0
Alcohol	0	0	0	0	1	0
Drugs and Alcohol	0	0	0	1	0	0
None	0	1	1	0	0	0
Unknown	0	0	0	0	0	1

Table D.26

WITNESSING OF FATAL INCIDENT BY CHILDREN						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Witnessed Incident	0	0	1	0	0	0
Did Not Witness Incident	0	1	0	1	1	1
Witnessed Visually	0	0	1	0	0	0
Witnessed by Earshot	0	0	0	0	0	0

Table D.27

HISTORY OF DOMESTIC VIOLENCE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had DV History	0	1	0	1	1	1
No DV History	0	0	1	0	0	0
Unknown	0	0	0	0	0	0

Table D.28

HISTORY OF STALKING BY PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Had History	0	1	1	0	1	0
No History	0	0	0	0	0	0
Unknown	0	0	0	1	0	1

Table D.29

PRESENCE OF DEATH THREATS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	1	0	1	1	1
No	0	0	0	0	0	0
Unknown	0	0	1	0	0	0

Table D.30

PRESENCE OF SUICIDE THREATS BY PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	1	0
No	0	1	0	0	0	1
Unknown	0	0	1	1	0	0

Table D.31

HISTORY OF DOMESTIC VIOLENCE INJUNCTIONS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	1	1	1	1	1
No History	0	0	0	0	0	0

Table D.32

CRIMINAL HISTORY OF PERPETRATOR						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Has History	0	1	1	1	1	1
No History	0	0	0	0	0	0

Table D.33

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Temporary Injunction	0	1	0	1	0	0
Permanent Injunction	0	0	1	1	1	1
Denied Injunctions	0	0	0	0	0	0
Shelter Services	0	0	0	0	0	0
Batterer's Intervention Program	0	0	0	0	0	0

Table D.34

ACTIVE FAMILY COURT CASES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Dissolution of Marriage	0	0	1	0	0	0
Paternity	0	0	0	0	0	0
Child Support	0	0	0	0	0	0
Custody	0	0	0	0	0	0
Juvenile Dependency	0	0	0	0	0	0
Juvenile Delinquency	0	0	0	0	0	0
Criminal Domestic Violence	0	1	0	0	0	0

Table D.35

PRIOR DCF INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	1	0	1	1
No	0	1	0	1	0	0

Table D.36

UTILIZATION OF CHILDREN'S SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	1	0	0	0
No	0	1	0	1	1	1

Table D.37

UTILIZATION OF PSYCHOLOGICAL SERVICE PROVIDERS						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	1	1	1	1	1

Table D.38

SCHOOL SYSTEM RESPONSE						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	1	1	1	1	1

Table D.39

UTILIZATION OF HEALTHCARE/MEDICAL FACILITIES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	1	1	1	1	1

Table D.40

INVOLVEMENT OF CHURCHES/SYNAGOGUES						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	0	0
No	0	1	1	1	1	1

Table D. 41

WORKPLACE INVOLVEMENT						
	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	0	1	0
No	0	1	1	1	0	1

Table D.42

INVOLVEMENT OF FAMILY/FRIENDS

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Yes	0	0	0	1	1	0
No	0	1	1	0	0	1

APPENDIX C**2001-2006 Domestic Violence-Related
Adult Fatalities and Child Deaths Resulting from Abuse and/or Neglect
FATAL INCIDENT ABSTRACTS**

**2001-2006 DOMESTIC VIOLENCE-RELATED ADULT FATALITIES AND
CHILD DEATHS RESULTING FROM ABUSE AND/OR NEGLECT
FATAL INCIDENT ABSTRACTS**

2001 Domestic Violence-Related Adult Fatalities

CASE #1

➤ **General Case Information:**

A 32 year old male was shot and killed multiple times by his ex-intimate female partner, 41 years old. They previously lived together for approximately two years, had been separated for approximately one year prior to the fatal incident, and had no children in common.

➤ **Circumstances Surrounding Death:**

Records indicated that one month prior to the fatal incident, Perpetrator rented an apartment at Decedent's complex without his knowledge, and that she would continually harass and stalk him and his girlfriend. Records also indicated that Perpetrator had previously threatened to kill Decedent or herself because she was distraught over their separation. Perpetrator indicated that Decedent would repeatedly taunt her, stating that he was with another woman.

On the night prior to the fatal incident, Decedent and his current girlfriend were having dinner at Decedent's home. Perpetrator called Decedent and questioned him as to whether his girlfriend was at his apartment. Reportedly, Decedent confirmed that his girlfriend was present and then hung up the phone. After midnight, Decedent's girlfriend asked Decedent to take her home. Decedent was first to exit the apartment to take out some trash, when Perpetrator confronted him and shot Decedent multiple times, causing his death in the presence of Decedent's girlfriend.

Perpetrator was charged with First Degree Murder and, after trial by jury, was convicted and sentenced to life in prison.

➤ **History of Domestic Violence:**

Records indicated that Perpetrator and Decedent had no known domestic violence history involving physical violence.

➤ **Court System Involvement:**

- (a) An open Dissolution of Marriage case was pending at the time of the fatal incident between Perpetrator and her former husband. Perpetrator had been married and divorced one time prior. The Dissolution case was filed by Perpetrator's former husband four months prior to the fatal incident. **The Dissolution case was set for final hearing on the same day that the fatal incident transpired.** [*★Key event during course of litigation that coincides with events leading up to fatal incident*]

CASE #2**➤ General Case Information:**

A 39 year old female was shot and killed multiple times by her ex-intimate male partner, 47 years old. They were married for eight years, had been separated for seven months prior to the fatal incident, and had two minor children in common, ages seven and eleven.

➤ Circumstances Surrounding Death:

To date, Decedent's body has not been found. Perpetrator insisted Decedent abandoned their children, was stealing money from his business, and may have fled to Honduras or been killed by co-conspirators. Perpetrator was charged with First-Degree Murder. Evidence implicating Perpetrator included an acrimonious divorce, self-incriminating statements by Perpetrator to police and other jail inmates, and a suspicious fire on Perpetrator's five-acre farm in the Everglades.

In the days before Decedent's disappearance, one farm-worker reported that Perpetrator had ten truckloads of dirt and gravel delivered to the property, and he told workers to stay away from the farm on the day the Decedent was last seen. He told one worker that he was planning a Santeria "cleansing" of the farm. On the day of Decedent's disappearance, the worker said he saw a fire burning for hours at the farm. A day later Perpetrator scattered the ashes from the fire over the farm before spreading the truckloads of gravel around with a bulldozer.

Prosecutors argued at trial that Perpetrator killed Decedent and then burned her body on the farm. After two mistrials and an attorney witness-tampering probe, Perpetrator was found guilty of First Degree Murder in December 2007, and was sentenced to life in prison.

➤ History of Domestic Violence:

Records indicated a history of domestic violence which included two arrests and multiple police reports. The most recent allegations made by Decedent, 11 months prior to the fatal incident, were that Perpetrator forced her to have sex with him by tearing her clothes off, getting on top of her, pushing her down by her throat, and choking her.

➤ Court System Involvement:

- (a) Seven months prior to the fatal incident, Perpetrator filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent. In his Petition, Perpetrator alleged that Decedent has a violent temper and throws household items at him and has punched him in the face and hit him on the body with the car club. A Permanent Injunction was entered and thereafter vacated, upon Decedent's motion, four months prior to the fatal incident. [**★Key event during course of litigation that coincides with events leading up to fatal incident**]
- (b) Decedent filed a Dissolution of Marriage action against Perpetrator three and a half months prior to the fatal incident. **Immediately prior to the fatal incident, Decedent had filed a Motion for Temporary Relief, requesting**

child custody and support, and the case was referred for hearing by a General Magistrate. A Request for Production of Documents was also filed by Decedent's attorney. Respondent, who was also represented by counsel, had filed an Answer and Counter Petition. [★Key event during course of litigation that coincides with events leading up to fatal incident.]

- (c) **Two weeks prior to the fatal incident, Decedent filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator. In her Petition, Decedent alleged that Perpetrator threatened to kill her if she got any money from him in their divorce. She stated that Perpetrator told her that everything acquired during their marriage belonged to him, and that he hit her in the shoulder and chest in the presence of their seven year old daughter when she refused to sign certain legal documents relating to the divorce case. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**

CASE #3

➤ General Case Information:

A 32 year old male committed suicide by hanging. The Decedent was married, but recently separated, and had no children in common with his current wife. He had one minor child in common from his previous marriage. He was unemployed. Records indicated that Decedent had a past history of depression and suicide attempts, but any substance abuse history is unknown.

➤ Circumstances Surrounding Death:

Decedent was depressed from the recent break-up of his second marriage. On the morning of the fatal incident, Decedent visited his nine year old daughter from his previous marriage at her residence. Later in the day, his ex-wife became concerned for his welfare and went to his residence with their daughter. They had a brief conversation with the Decedent, who seemed disoriented. They left to get him some food and when they returned there was no answer at the door by the Decedent. The Decedent's daughter entered the locked apartment through an open window to find the Decedent hanging from a closet door with an electrical cord around his neck.

➤ History of Domestic Violence:

Records indicated that Decedent's estranged wife and ex-wife were victims of domestic violence by Decedent.

➤ Court System Involvement:

- (a) Decedent was charged with misdemeanor Battery six years prior to the fatal incident. The alleged victim is unknown. The case was dismissed upon his successful completion of a batterers' intervention program.
- (b) Decedent was charged with misdemeanor Battery three years prior to the fatal incident. His ex-wife was the alleged victim in this case, which resulted in a dismissal being entered.

- (c) On the day of the fatal incident, Decedent’s estranged wife filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent. In her Petition, Decedent’s estranged wife alleged that the previous day, Decedent showed up at her workplace unexpected, grabbed her by the neck, and attempted to kiss her against her will. She called the police and security who asked Decedent to leave and informed her that he had waited for her around the metro-rail station. Two days prior to that, she alleged that Decedent showed up at her home unexpected, grabbed her by the shoulders, and attempted to kiss her against her will. He then went outside and slashed her car tires and left. She further alleged that two days prior to that, the Decedent showed up at her home unexpected, and grabbed her by the neck, lifted her, and pushed her down on the sofa. She stated that for the prior three years, Decedent had been violent toward her by punching, slapping, and pushing her, pulling her hair, choking and raping her. [★*Key event during course of litigation that coincides with events leading up to fatal incident.*]

CASE #4

➤ General Case Information:

A 51 year old female was brutally bludgeoned, beaten, and stabbed to death by the brother of her estranged husband, 50 years old. Decedent and her husband were married for over 30 years and had one child in common, 19 years old.

➤ Circumstances Surrounding Death:

Police responded to a burglar alarm at the Decedent’s residence in an upscale neighborhood in Coral Gables. A metal baton or asp was found bent and bloody near Decedent’s bludgeoned body. The investigation revealed that Decedent’s husband’s brother had come to Miami from Charlotte, North Carolina, and had killed the victim in a conspiracy with Decedent’s husband (hereafter referred to as Perpetrator). An office worker of Perpetrator testified that approximately six to eight weeks prior to the fatal incident, Perpetrator told her that, “My brother is crazy, he just told me that if I wanted anyone or the “bitch” killed, he could do it and no one would find out”. Decedent and Perpetrator were involved in contested divorce proceedings at the time of her death. Decedent had been unemployed for the past 15 years due to a nervous disorder and was receiving therapy with a psychologist to cope with her depression. She had previously been employed as a CPA with Exxon Corporation. Perpetrator was also a CPA, and owned and managed a very successful accounting firm in Coral Gables.

Perpetrator’s brother was charged with First Degree Murder and Decedent’s husband was charged with Conspiracy to Commit First Degree Murder. It was noted by police that while waiting to be interviewed at the police department, Perpetrator was calmly watching the World Series game on television. Both Perpetrator and his brother were convicted and sentenced to three consecutive life terms, plus 30 years in prison on three counts: First Degree Murder, Burglary, and Armed Robbery. Although the judge called it a “text-book” case for the death penalty, and prosecutors had sought it, both were spared.

➤ **History of Domestic Violence:**

Decedent had reported a history of domestic violence throughout her 30 year marriage to Perpetrator, and she had separated from Perpetrator for a brief period of time in 1999 due to his physical violence towards her.

➤ **Court System Involvement:**

(a) Perpetrator filed a Dissolution of Marriage action against Decedent approximately ten months prior to the fatal incident. [*Note: The following day, Decedent filed a separate Dissolution of Marriage action against Perpetrator, which was closed with the entry of a voluntary dismissal 11 days later. Perpetrator's case remained active in the system.*] Both parties retained “high power” matrimonial lawyers, and the case was very highly contested and heavily litigated. According to the Decedent's family members, Perpetrator did not want to provide full financial disclosure of the assets that he had hidden from her during the marriage. Court records indicate Perpetrator's failure to comply with financial disclosure orders and court-ordered support. **Decedent was scheduled to give a deposition concerning marital assets and property in the Dissolution case the day after her murder.** [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]

(b) **Four months prior to the fatal incident, Decedent filed and obtained an Injunction for Protection Against Domestic Violence against Perpetrator.** In her Petition, Decedent alleged that she had been a victim of humiliation, intimidation, and physical violence for many years throughout her 30 year marriage to Perpetrator. She stated that Perpetrator had made death threats against Decedent, stating that he could “kill her with one blow”. She alleged that in the past, Perpetrator had held a gun to her and choked her. Both the Decedent and their son were given exclusive use and possession of the family home, but police reports indicate they were afraid and had been intimidated by Perpetrator, who obtained separate living quarters on Ocean Drive in Miami Beach. Both parties retained counsel and the Injunction case was highly contested, including the filing of Notices of Taking Deposition and Motions for Protective Orders. **The Temporary Injunction was continued throughout this time period, and the fatal incident occurred prior to the Permanent Injunction hearing.** [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]

(c) Almost a year subsequent to the Decedent's murder, Perpetrator's ex-live-in girlfriend filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator. In her Petition, Perpetrator's ex-girlfriend alleged Perpetrator was verbally abusive and physically violent on her on two separate incidents by pushing her with his chest and arms, and attempting to punch her. She also alleged that he made a death threat to her by asking her, “do you want me to kill you?” She also alleged on a previous incident, which occurred two months subsequent to Decedent's murder, that

he made a death threat to her at that time by stating, “Something is going to happen to you and it is going to be worse than what happened to my wife!” An order of dismissal due to no just cause was entered in this case.

- (d) Two days following the filing of Injunction action by Perpetrator’s ex-girlfriend, Perpetrator filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator’s ex-girlfriend. In his Petition, Perpetrator alleged that Perpetrator’s ex-girlfriend showed up at his office unannounced and demanded that they talk. He stated that he picked up the phone to call police and she knocked the phone to the floor and shouted obscenities at him until coworkers intervened. On another occasion, he alleged that she physically attacked him by slapping him across the face and scratching his neck, arms, and hands. He also stated that she gave him a black eye 11 months prior. A Permanent Injunction was entered in this case.
- (e) Perpetrator was charged with misdemeanor Battery four days subsequent to the Injunction case filed by Perpetrator’s ex-live-in girlfriend. Perpetrator’s ex-girlfriend was the alleged victim in the case. The case was dismissed two months later.

2001 Child Deaths Resulting from Abuse and/or Neglect

N/A

2002 Domestic Violence-Related Adult Fatalities

CASE #1

➤ General Case Information:

A 30 year old male committed suicide by hanging. The Decedent was divorced and had one minor child in common from his previous marriage, one year old. He was employed as an air conditioning installer/mechanic. He had no mental health or substance abuse history or prior suicide attempts.

➤ Circumstances Surrounding Death:

On the day of the fatal incident, Decedent and his former live-in girlfriend had an argument at 2:00 am, which resulted in physical abuse. Decedent’s girlfriend left the apartment. A half hour later, Decedent called his girlfriend advising her there was no need to worry anymore, as he was going to hang himself. A citizen contacted police at 8:00 am, informing them that there was a man hanging by the neck from a fourth floor balcony. Fire rescue responded and forcibly opened the front door of the apartment, which had been double-locked, and found the Decedent expired on the balcony. The Decedent was viewed hanging from a rope around his neck, with the rope screwed to the bottom of the fifth floor balcony railing. Ligature marks were visible around his neck.

➤ **History of Domestic Violence:**

Records indicated an extensive domestic violence history with all three women with whom Decedent was a party to a court action filed in this circuit.

➤ **Court System Involvement:**

- (a) Two years prior to the fatal incident, Decedent's ex-intimate partner filed for and obtained a Temporary Injunction for Protection Against Repeat Violence against Decedent. In her Petition, Decedent's ex-intimate partner alleged that they had dated for only one month, and that after she broke-off the relationship, Decedent called and showed-up at her workplace and made a death threat against her by stating, "If you don't go back with me, I will kill you. If I can't have you, no one else will". She also alleged that he was stalking her and threatened her on two other occasions by saying, "I swear on my mother's life, I will kill you". She stated he then grabbed her by the wrist, bent it, and grabbed her arm, demanding to speak with her, and pushed her against a concrete slab. After getting away, she alleged that Decedent called her on the phone and threatened her by saying, "You're going to call the police? Now you're really going to die. Now you'll know who I really am." This incident resulted in an arrest (see below). A Permanent Injunction for Protection was issued in the case upon final hearing.
- (b) Two years prior to the fatal incident, Decedent was charged with misdemeanor Battery. The alleged victim was his ex-intimate partner. Decedent received a withhold of adjudication, credit for time served, a fine, and court costs.
- (c) Two years prior to the fatal incident, Decedent was charged with felony Aggravated Stalking and two counts of misdemeanor Injunction Violation/Sexual Violence. The alleged victim was his ex-intimate partner. Decedent received a withhold of adjudication and probation with special conditions.
- (d) Decedent was also charged on the same date with an additional count of misdemeanor Injunction Violation/Sexual Violence, which resulted in the case being dismissed. The alleged victim was his ex-intimate partner. In addition, he was charged with Prostitution and received a conviction with a fine and court costs. [*Note: The following year, Decedent was also charged with Prostitution and Resisting Arrest without Violence, for which he received a withhold of adjudication with a fine and court costs.*]
- (e) Decedent's ex-wife filed for Dissolution of Marriage and was granted a Final Judgment four and a half months prior to the fatal incident. The case was uncontested. [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]

- (f) Two days following the entry of the Final Judgment in the Dissolution case, Decedent's ex-wife filed for an Injunction for Protection Against Domestic Violence against Decedent. In her Petition, Decedent's ex-wife alleged that on the date their divorce was granted, when Decedent visited with their child, Decedent was angry about signing the divorce papers, which he claimed were false, and threatened her, stating that "She was going to know who he really was tonight". She further alleged that when she handed him their divorce decree, Decedent started to laugh and stated the only reason he did not "slap her silly" was because her father was there. She stated she was in fear because he hit and slapped her during their marriage, and was aware that he had hit his previous girlfriend as well. The Temporary Injunction was denied and the case was dismissed. [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]
- (g) **Three days later, Decedent's former live-in girlfriend filed and obtained a Temporary Injunction Against Domestic Violence against Decedent.** In her Petition, Decedent's former live-in girlfriend alleged that they had dated for approximately two months. Since their break-up, she stated that Decedent had been stalking her at her mother's house and elsewhere in public places, flattened her car tires, and scratched the paint on her car. She stated he called her at all hours to threaten that he would hurt her and her family since she left him. She further alleged that he attempted to run her vehicle off the road with his. She stated that during the time they were living together, he forced her to have sexual intercourse with him while recuperating from ovarian surgery, and grabbed and squeezed her arms, resulting in the formation of bruises. **A Permanent Injunction for Protection was issued in the case upon final hearing.** [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]
- (h) **Approximately two weeks following the entry of the Permanent Injunction in the case above, Decedent filed for an Injunction for Protection Against Domestic Violence against his former live-in girlfriend.** In his Petition, Decedent alleged that his ex-live-in girlfriend was violating the Permanent Injunction which was issued in her favor against him by constantly stalking and him at his job and attempting to make contact with him. **The Temporary Injunction was denied and the case was dismissed.** [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]
- (i) Two months prior to the fatal incident, a Contract and Indebtedness claim in the amount of \$10,232.00, was filed in civil court against Decedent.

CASE #2

➤ **General Case Information:**

Decedent #1, 51 years old, and his stepson, Decedent #2, 17 years old, were shot and killed by the 41 year old ex-husband of Decedent #1's wife. Decedent #1

and Perpetrator were friends prior to the fatal incident. Perpetrator and his ex-wife were divorced for three and a half years prior to the fatal incident, and had two minor children in common, ages eight and ten, who were at the residence at the time of the fatal incident. Six months following their divorce, Decedent #1 married Perpetrator's ex-wife (her third marriage). They had no minor children in common. Perpetrator's ex-wife had two children in common from her first marriage, ages 17 (Decedent #2) and 14, prior to her marriage to Perpetrator.

➤ **Circumstances Surrounding Death:**

On the day of the fatal incident, Perpetrator's sister called Perpetrator's ex-wife and asked if she could bring her two children to the residence to visit. Perpetrator's ex-wife agreed, but told her that Perpetrator could not be there. Shortly thereafter, Perpetrator's sister called Perpetrator and invited him to her home for lunch, with the intent to surprise him with the children, since he had lost visitation rights in an ongoing custody dispute with his ex-wife. Decedent #1 and Decedent #2 arrived at Perpetrator's sister's residence to drop off the children and entered the residence. Shortly thereafter, Perpetrator arrived and noticed his ex-wife's car parked outside. Perpetrator grabbed his revolver from his glove compartment due to verbal threats that Decedent #1 allegedly made against him on prior occasions.

Perpetrator entered the residence, and approached Decedent #1, and demanded to speak to his ex-wife regarding the children. After Decedent #1 refused, they became involved in a heated argument, and Perpetrator fired several shots at Decedent #1, causing him to collapse. He then fired another fatal shot into the back of Decedent #1's head, in the presence of the minor children. According to police, the eight year old child stated, referring to when the Perpetrator entered the residence, "My dad said he was going to kill these mother fuckers". When Perpetrator's sister yelled at Perpetrator and asked him why he did this, Perpetrator responded, "I'm tired of this guy not letting me see my children". Perpetrator exited the residence, placed his gun back in the glove compartment of his car, and waited outside for police. It was later discovered that Decedent #2 was also hit by the gunfire, causing his death.

Upon police arrival, Perpetrator was charged with two counts of First Degree Murder. He pled guilty to two counts of Second Degree Murder and was sentenced to 30 years minimum mandatory in state prison.

➤ **History of Domestic Violence:**

Records indicated a history of sexual violence by Perpetrator against his stepdaughter.

➤ **Court System Involvement:**

- (a) Eight years prior to the fatal incident, a Dependency case was filed concerning Decedent #2 and the other minor child from Perpetrator's ex-wife's first marriage, and the eldest child of Perpetrator and his ex-wife. The case was dismissed for a lack of probable cause.

- (b) Five years prior to the fatal incident, Perpetrator was charged with misdemeanor Battery and three counts of felony Aggravated Assault. The alleged victim is unknown. The case was dismissed.
- (c) Perpetrator's ex-wife filed for Dissolution of Marriage against Perpetrator three years prior to the fatal incident, and a Final Judgment was entered seven months later. Two months later, Perpetrator's ex-wife filed a Petition for Modification of the Final Judgment relating to child custody issues, which was litigated for the following six months. Visitation was ordered to take place at the court's Supervised Visitation Center.
- (d) Decedent #1 filed for an Injunction for Protection Against Domestic Violence against Perpetrator two and a half years prior to the fatal incident. In his Petition, Decedent #1 alleged that Perpetrator had called and told him that he purchased a firearm and was going to kill Decedent #1 wherever he saw him. He stated that Perpetrator had been harassing him with constant telephone calls and threats to kill on his voicemail. The Temporary Injunction was denied due to no just cause and the case was dismissed.
- (e) Decedent #1 was charged with misdemeanor Battery nine months prior to the fatal incident. The alleged victim was Decedent #2, who stated that Decedent #1 had struck him in the face with his hand. The case was dismissed.
- (f) Two weeks prior to the fatal incident, a family member read an excerpt from the diary of Perpetrator's ex-wife's daughter (from her first marriage), stating that Perpetrator had sexually abused her for years when she was a child and her mother was away at work on the weekends. The DCF Abuse Hotline received a report against Perpetrator as to the alleged maltreatment of sexual battery. DCF closed the investigation with "verified" findings. Due to the fact that the Perpetrator resided elsewhere, the child remained placed in the home, no Dependency case was filed, and the family was referred to Kristy House for services.
- (g) **The next day, Perpetrator's ex-wife filed for an Injunction for Protection Against Sexual Violence against Perpetrator on behalf of her two minor children in common with Perpetrator. The Temporary Injunction was denied and the case dismissed, however, due to the fact that the allegations involved sexual abuse against a child other than Perpetrator's own children. She thereafter restricted Perpetrator's visitation privileges with their minor children on her own accord. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]**
- (h) **Four days prior to the fatal incident, Perpetrator's ex-wife filed a Petition for Modification of the Final Judgment in their Dissolution case to prohibit any contact between Perpetrator and their two minor children in common, based upon the sexual abuse allegations involving her daughter**

from her first marriage. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]

CASE #3

➤ General Case Information:

A 48 year old female was shot and killed by her ex-husband, 59 years old. They were married for approximately 21 years, separated for approximately one year prior to the fatal incident, and had two minor children in common, ages 14 and 15. Perpetrator also had two children from a previous marriage.

➤ Circumstances Surrounding Death:

Decedent and Perpetrator's 14 year old son picked the lock of Decedent's bedroom door to open it and look for her after not hearing from her all morning. Their son found her in a pool of blood on her bed, suffering from multiple gunshot wounds to the head. Records revealed that the parties' two children were present in the home at the time of the fatal incident. In the sworn statement of the parties' eldest son, he stated that he heard one or two pounding noises around 3:00 a.m., but thought it was his brother sleeping in the room next to him knocking his head while sleeping because he moves around frequently during sleep. He looked around the house, saw his brother sleeping on the couch, and went to check his mother's room, but found it was locked. He figured if she heard something she would have been up, so he went back to sleep.

A warrant was issued for Perpetrator's arrest close to a week later. On that same day, he was taken into custody for Disturbing the Peace in another jurisdiction in Florida, and deputies noted the outstanding warrant in Miami-Dade for the homicide case. Perpetrator was under the influence of narcotics at the time of the arrest and was transported to a local area hospital, suffering from a drug overdose. Records also revealed that Perpetrator, who was employed as a dentist, had a substance abuse history involving prescription medication, and mental health history, and had been Baker Acted 14 months prior to the fatal incident for a suicide attempt. He was also known to carry and possess a firearm.

Perpetrator was subsequently charged with First Degree Murder and Armed Burglary. After a trial by jury, Perpetrator was acquitted on both charges.

➤ History of Domestic Violence:

Records indicated that Decedent was a victim of domestic violence by Perpetrator prior to the fatal incident, and that police were called to the home several times in reference to domestic disputes. He also made death threats against Decedent and their youngest son. On one occasion, allegedly attempted to strangle Decedent, and on another occasion allegedly held a twelve inch knife against his son's neck.

➤ Court System Involvement:

(a) Approximately six years prior to the fatal incident, an abuse report was called into the DCF Hotline as to alleged maltreatment of neglect/threatened harm by Perpetrator of the parties' two minor children. DCF closed the investigation with "no indicators", and services were offered to the family, but rejected.

- (b) Approximately one year prior to the fatal incident, an abuse report was called into the DCF Hotline as to alleged maltreatment of threatened harm by Perpetrator of the parties' youngest child. DCF closed the investigation with "verified" findings, but no court action was taken. Services were offered to the family, but rejected.
- (c) Perpetrator filed for Dissolution of Marriage against Decedent approximately one year prior to the fatal incident. **The case was contested as to financial issues, and a Final Judgment was entered two months prior to the fatal incident. Decedent filed a Motion for Contempt for failure to pay court ordered support approximately two and a half weeks prior to the fatal incident, and a hearing was scheduled on Decedent's contempt motion to take place 12 days subsequent to the fatal incident. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**

According to family members, on the day of the fatal incident Decedent was scheduled to meet Perpetrator at an undisclosed bank parking lot to settle all financial matters involving child support and alimony. They indicated that the Decedent had threatened to tell authorities about Perpetrator's Medicare fraud unless the financial issues from their divorce case were resolved. Records revealed that the Attorney General's Office had investigated Perpetrator and were prepared to obtain an arrest warrant charging him with those crimes. In addition, Decedent and Perpetrator's eldest son indicated to police that on the day prior to the fatal incident, he overheard his mother arguing with Perpetrator about money and stated, "You'll look good in orange and you won't have a dental practice".

- (d) Approximately 11 months prior to the fatal incident, Decedent filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator. In her Petition, Decedent alleged that Perpetrator had made a death threat against her by stating that if he as arrested, her life was as good as over. She also added that he pushed and punched her about the body. Decedent voluntarily dismissed the case.

CASE #4

➤ General Case Information:

A 27 years old female was beaten and stabbed to death by her estranged husband, 25 years old. He thereafter committed suicide by drowning. They previously lived together for approximately six years, had been married for two years prior to the fatal incident, and had been separated for three months prior to the fatal incident. They had one minor child in common, three years of age.

➤ Circumstances Surrounding Death:

Police were called to a canal reference a drowning and identified Perpetrator's body. Investigation revealed that Perpetrator and Decedent were having ongoing

problems, and police responded to Decedent's residence to check on her welfare. Upon arrival, she was found beaten and stabbed to death. Records indicated that their minor child was not present at the residence at the time of the fatal incident.

Records indicated that on the day of the fatal incident, Perpetrator arrived at Decedent's home and an argument ensued over money. A suicide note, authored by the Perpetrator, was found at the scene. According to the suicide note, Decedent was "always getting on his last nerve", as she kept begging for him to return. Additionally, the Perpetrator alluded to Decedent having an affair with another man, and the fact that she was probably giving money to "that punk". The note further stated that they were arguing about the money Decedent owed Perpetrator and they started calling each other names and pushing each other. He stated that when it got to this point, Decedent went to the kitchen to obtain a knife and swung it at Perpetrator, causing a small laceration to his hand. Perpetrator claimed he then obtained possession of the knife and began to beat and stab the Decedent. He then wrote the suicide note, stating that all his possessions should go to his minor child. He went on to state, "no need to look for me, I will be under the lake water by the bridge (*in a specified location*), because I would rather die instead of going to jail spending my time there." He then drove to a nearby canal, where he jumped in and drowned, presumably because he was unable to swim.

Perpetrator had no substance abuse or mental health history. Medical Examiner Records revealed that neither Perpetrator nor Decedent was found to be under the influence of drugs or alcohol at the time of the fatal incident.

➤ **History of Domestic Violence:**

Records indicated police were called on three separate occasions in the past alleging domestic violence by the Perpetrator, but that Perpetrator was not arrested due to the fact that the primary aggressor could not be determined.

➤ **Court System Involvement:**

(a) **Three months prior to the fatal incident, Decedent was charged with misdemeanor Battery. The alleged victim was the Perpetrator. Decedent was placed on pretrial diversion with the special condition that she attend an anger control program.** [*Note: Decedent had a prior Juvenile Delinquency charge for Aggravated Assault (victim unknown).*] [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]

(b) **A day later, Decedent filed and obtained a Temporary Injunction for Protection against Perpetrator.** In her Petition, Decedent alleged that Perpetrator pushed, shoved, and punched her repeatedly, and that she scratched him in self-defense and was arrested. She also recounted past incidents of physical violence, including one in which Decedent suffered domestic violence-related injuries. She alleged that the injury consisted of a severe contusion to her left eye, which resulted from the Perpetrator ripping out the car's rear-view mirror and striking her with it. **Two weeks later, upon final hearing where both parties were present, the Temporary**

Injunction was extended for six months, and the case was to be reset for hearing upon Decedent's request for extended protection prior to the expiration date. [★Key event during course of litigation that coincides with events leading up to fatal incident.]

CASE #5

➤ General Case Information:

A 41 year old male committed suicide by a single gunshot wound to the chest. The Decedent had been married for 17 years, and he and his wife had two children in common, ages 17 and 18. He was employed as a Recreation Director for Jackson Heights Nursing Home.

He had no known mental health history, but an alleged substance abuse history involving cocaine. Decedent's wife reported to police that he had been suicidal for the past couple of months.

➤ Circumstances Surrounding Death:

Records indicated that according to Decedent's wife, she had just filed for divorce, due to their ongoing marital problems. Decedent was depressed and commented to her, "I can't take this. I can't deal with it". She indicated that she did not pay any attention to his comment because he always said that to her. Decedent went and got ready for work in the bedroom. After some time had passed and he did not return, Decedent's wife went to check on him and found him unresponsive and bleeding on the bedroom floor. She yelled for their daughter, who was sleeping in her bedroom, and ran to call 911. Both indicated that they did not hear the gunshot. Decedent was pronounced dead on the scene upon the arrival of fire rescue.

➤ History of Domestic Violence:

There was a history of domestic violence by Decedent against his wife, as documented in her injunction action.

➤ Court System Involvement:

- (a) Decedent's wife filed and obtained a Temporary Injunction Against Domestic Violence Against Decedent two and a half years prior to the fatal incident. In her Petition, Decedent's wife alleged that Decedent made a death threat against her by stating, "If you try to leave me, I will kill you". She further alleged that two weeks prior, he grabbed her by the shirt and threatened, "I'm purchasing a gun just so I can kill you". Decedent's wife failed to appear at the final hearing, and the case was dismissed.
- (b) Ten months prior to the fatal incident, Decedent's wife filed a Child Support action against Decedent. A Final Judgment for Child Support and Spousal Maintenance was issued a month later.
- (c) **Decedent's wife filed for Dissolution of Marriage against Decedent a week prior to the fatal incident, and had retained counsel to represent her. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**

2002 Child Deaths Resulting from Abuse and/or Neglect

N/A

2003 Domestic Violence-Related Adult Fatalities

CASE #1

➤ **General Case Information:**

A 49 year old male was shot to death by a “hit man” (Perpetrator #1), 37 years old, who was hired by the husband, (Perpetrator #2), 30 years old, of Decedent’s lover, 25 years old. Perpetrator #2 and his wife (Decedent’s lover) were married for over 30 years and had three minor children in common, two, three, and nine years old.

➤ **Circumstances Surrounding Death:**

Perpetrator #1 arrived at Decedent’s workplace, an auto shop, and pretended to be a customer who needed help with his transmission. He asked for Decedent by name. Seconds later, witnesses heard gunshots and saw Perpetrator #1 flee to his vehicle and drive away. Decedent was found lying in the office area with multiple gunshot wounds. Police located Perpetrator #1, who denied involvement with the incident. Further investigation revealed that Decedent had been receiving death threats from Perpetrator #2 regarding an alleged affair with Perpetrator #2’s wife. The following day, police located Perpetrator #2, who admitted to giving a handgun and \$500.00, as an advance on \$5,000.00, to Perpetrator #1. He stated he rented him a hotel room and showed Perpetrator #1 where Decedent worked so Perpetrator #1 could beat him up with the gun. Perpetrator #2 told police that Perpetrator #1 said he wanted his wife dead.

Both Perpetrator #1 and Perpetrator #2 were arrested and charged with First Degree Murder. The case is currently set for trial.

➤ **History of Domestic Violence:**

Records indicated that Perpetrator #2 and his wife had no domestic violence history involving physical violence.

➤ **Court System Involvement:**

- (a) Twelve years prior to the fatal incident, Decedent was charged with two counts of felony Lewd and Lascivious Assault on a child (victim unknown), one of which was dismissed, and one of which he was sentenced to a withhold of adjudication with probation with special conditions.
- (b) Decedent’s wife filed for Dissolution of Marriage against Decedent approximately six years prior to the fatal incident, which resulted in the entry of a voluntary dismissal six months later. They had two minor children in common, ages three and seven.

- (c) Decedent's wife again filed for Dissolution of Marriage against Decedent approximately four years prior to the fatal incident, which resulted in the entry of a final judgment a month later.
- (d) Perpetrator #2 was charged with DWLS as a Habitual Offender four years prior to the fatal incident and was sentenced to a withhold of adjudication with probation with special conditions. He was also charged with Loitering, which was dismissed.
- (e) **Perpetrator #2's wife (Decedent's lover) filed for Dissolution of Marriage against Perpetrator #2 approximately one month prior to the fatal incident. Both retained legal counsel. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]**

CASE #2

➤ General Case Information:

A 31 year old male committed suicide by hanging. The Decedent had lived in the South Florida area for the past three years. He was recently separated from his wife, with whom he had one minor child in common (age unknown). Records indicated he had been depressed regarding his marital problems which culminated in his wife leaving him. He was employed as a car salesman. He had a substance abuse history involving alcohol.

➤ Circumstances Surrounding Death:

Records indicated that on the day of the fatal incident, when Decedent failed to show up to work as scheduled, co-workers became concerned due to the fact that he had previously spoken about suicide on two prior occasions. They contacted a neighbor who went to check on Decedent's welfare, and saw Decedent hanging from a ceiling fan when the neighbor peered through the kitchen window. Police and fire rescue responded and pronounced him dead at the scene.

➤ History of Domestic Violence:

Records indicated that Decedent and his wife had a domestic violence history involving physical violence.

➤ Court System Involvement:

- (a) Two months prior to the fatal incident, Decedent was charged with misdemeanor Battery. The alleged victim was Decedent's wife, who alleged he had been drinking alcohol at the time of the incident leading to the arrest. The case was set for Sounding five days prior to the fatal incident, at which time a continuance was granted and a trial date was set for approximately a month later. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]

CASE #3**➤ General Case Information:**

A 38 year old male died as a result of a blow to the head, which was received from a 39 year old male. Decedent was the former live-in boyfriend of Perpetrator's sister, 45 years old.

Decedent had a history of substance abuse involving alcohol and cocaine, but no known mental health history. He had an extensive criminal history, including arrests for Trespass, Grand Theft, several drug-related offenses, Battery, Probation Violations, Disorderly Conduct, and was a habitual traffic offender. Perpetrator's criminal history includes Loitering, Battery, Battery on a Police Officer, Aggravated Battery, Petit Theft, and Probation Violation.

➤ Circumstances Surrounding Death:

Records indicated that Perpetrator punched Decedent in the chin, causing him to fall to the ground and strike his head on the concrete pavement. When police arrived, he was bleeding from his left ear and back of the head. After being airlifted to the hospital, he was diagnosed as brain-dead and remained comatose. He was pronounced dead the following day.

Three days later, the Perpetrator turned himself over to police. In his statement, Perpetrator alleged that Decedent and his sister had a recent history of domestic violence, and that she had an injunction in effect against him. He stated that he attempted to counsel Decedent regarding his behavior towards his sister. Further, he alleged that his sister forced Decedent to leave their residence a week prior to the fatal incident, and that disputes continued between them in the neighborhood throughout the week, which led his sister to file for the injunction.

Perpetrator stated that on the day of the fatal incident, he became aware of an attempt Decedent made to gain entry to his sister's residence. He pursued Decedent and confronted him, telling him to stay away from his sister or he would be arrested for violating the injunction she had just filed. Witnesses indicated Decedent responded by punching Perpetrator in the chest, and that Perpetrator returned a punch and delivered a solid blow to Decedent's chin. Decedent collapsed to his ground and struck his head, which resulted in his death.

Perpetrator was not charged criminally due to a determination of self-defense.

➤ History of Domestic Violence:

Records indicated a history of domestic violence by Decedent against Perpetrator's sister.

➤ Court System Involvement:

- (a) Perpetrator's sister filed and obtained an Injunction for Protection Against Domestic Violence against her former live-in boyfriend three years prior to the fatal incident. In her Petition, Perpetrator's sister alleged that he was extremely violent and controlling. She stated that he had grabbed her, hit her, tied her down, and sodomized her, and that as soon as he was released from jail, he began stalking and harassing her. The case was dismissed due to lack of service.

- (b) Decedent's sister filed a Petition for Injunction for Protection Against Domestic Violence against Decedent two years prior to the fatal incident. In her Petition, Decedent's sister alleged that on several occasions, Decedent had broken her screen porch door to gain entry to her back porch. He then played loud music in her home, causing a disturbance. She stated that her husband had recently suffered a stroke, and that a contributing factor was Decedent, who was a constant threat and menace to their lives. She alleged that Decedent threatened to burn her house down, and would break into her garage and sell tools and anything else he could fence to sell for drugs. She stated that Decedent always appeared to be under the influence of drugs and alcohol and is unpredictable. The Temporary Injunction was denied. However, upon hearing, the Petition was amended and a Permanent Injunction was entered. Decedent was ordered to attend a batterers' intervention program, and Decedent failed to appear. He was held in civil contempt by the court and sentenced to 90 days jail time.
- (c) Perpetrator's sister filed and obtained a Temporary Injunction Against Domestic Violence against Decedent on the same day as the fatal incident. In her Petition, Perpetrator's sister alleged that on the previous day, Decedent went into her backyard and was stalking her. When he saw her looking at him, he ran. The day prior to that, he had also gone to her home and tried to gain entry, when her cousin, who was present in the home chased him away. She stated that a week prior to the fatal incident, they were home and he was drunk and wanted her to cook. He became angry when she refused and punched her on the side of the head. She alleged that on a daily basis Decedent came home under the influence of drugs/alcohol and physically and sexually abused her. She stated that on many occasions during the prior three months, he would beat her on the head and hold her down and force her to have sex with him against her will. When she would refuse, he would rip off her panties, hit her, and force her to engage in intercourse. She also alleged that Decedent used and would deal drugs on the corner of her home. [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]

CASE #4

➤ General Case Information:

A 50 year old female was stabbed to death by her estranged husband, 40 years old. Decedent and Perpetrator were married for 12 years, and had been separated for approximately two months prior to the fatal incident. They had one minor child in common, nine years of age.

Records indicated that Perpetrator had a history of substance abuse involving alcohol. Records also indicated Perpetrator had a mental health history and that he had been Baker Acted.

➤ **Circumstances Surrounding Death:**

Records indicated that on the day of the fatal incident, Decedent exited her residence with their son to walk him to school, when Perpetrator came out of the bushes and asked to speak with her in reference to their impending divorce. [Decedent had relocated to this residence, where her address had been kept confidential. However, Perpetrator found out the location by going to the minor child's school and following them home.] Perpetrator then pulled out a knife and began to stab Decedent, when their minor child tried to disarm his father and pull him away. The Perpetrator dropped the knife, and the minor child threw the weapon over the fence. The Perpetrator then pulled out a gun, at which time the minor child grabbed the gun and was able to disarm his father. The minor child sustained a minor injury to his left ankle during the incident. The Decedent staggered to the front patio but collapsed on the sidewalk adjacent to the street. The Perpetrator subsequently retrieved the knife and continued to stab Decedent as she lay on the ground. Neighbors witnessed the incident and called police. Perpetrator fled the scene on foot prior to police arrival, at which time Decedent was pronounced dead.

The following morning, Perpetrator turned himself into police and was subsequently charged with First Degree Murder, Child Abuse, and Injunction Violation. He pled guilty to these charges and was sentenced to life in prison without the possibility for parole and five years for the Child Abuse charges.

➤ **History of Domestic Violence:**

Records indicated an extensive history of domestic violence by Perpetrator against Decedent, and that the minor child witnessed these past incidents. Two years prior to the fatal incident, Perpetrator threatened to kill Decedent by pointing a gun at her, in the presence of their minor child. Perpetrator stated to Decedent, "I'm not going to kill you because my son is here".

➤ **Court System Involvement:**

- (a) Two years prior to the fatal incident, an abuse report was filed with DCF regarding the incident where Perpetrator threatened to kill Decedent at gunpoint in the presence of their minor child. The case was closed with "no indicators" of threatened harm to the minor child because Decedent recanted her allegations and stated Perpetrator did not live in the home, and reported that both she and the child were receiving mental health services.
- (b) Decedent filed for Dissolution of Marriage against Perpetrator six months prior to the fatal incident. Three weeks prior to the fatal incident, Perpetrator retained counsel, who filed a motion alleging that the minor child's safety was in question due to the Decedent's mental illness, and requested that a Guardian ad Litem be appointed, as well as a psychologist for the minor child, and that the parties be referred to Family Court Services. The Dissolution Judge referred the parties to Family Court Services for an assessment to determine whether supervised visitation should begin, but noted that a Permanent Injunction had been entered and that Decedent claimed the minor child was afraid of his father. The Decedent had an appointment with Family

Court Services two days prior to the fatal incident, but failed to appear. The Perpetrator had an appointment with Family Court Services the day prior to the fatal incident, but called to reschedule for the following day, when the fatal incident took place. Two weeks prior to the fatal incident, a Family Mediation Unit Agreement was filed in the case, following a mediation conference where both parties were present. The Agreement provided that the Decedent was to be the primary residential parent and that the Perpetrator was to have liberal visitation upon reasonable notice to Decedent. **The Dissolution case was set for Final Hearing two days after the fatal incident.** [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]

- (c) Perpetrator was Baker Acted five months prior to the fatal incident after threatening Decedent with a knife, in the presence of their minor child. Decedent stated Perpetrator was drunk, and entered the room with the knife and pointed it at her, and said if she called the police he would hurt himself.
- (d) Decedent filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator two months prior to the fatal incident. In her Petition, Decedent alleged that since she had filed for her divorce four months prior, the tension between her and the Perpetrator had escalated and he threatened to kill her. She stated that two days prior to filing for the injunction, she found a gun in the attic and had it impounded by police. She felt Perpetrator had hidden it there to carry out his threats to kill her. Decedent also recounted the other previous incidents during which Perpetrator threatened to kill her with a gun and knife. At the final hearing, Perpetrator testified that the only thing he has done for twelve years is to try to preserve his marriage, but not by death threats. He denied ever threatening Decedent with a gun or knife. He stated that he was threatening suicide at the time of the incident involving the knife. **A Permanent Injunction was issued at the final hearing. Perpetrator was denied custody of and any visitation with the minor child. Perpetrator was ordered to attend a batterers' intervention program, substance abuse treatment program, and parenting course.** Perpetrator enrolled in the batterers' program, attended an orientation session, and two treatment sessions. Groups were cancelled for the following two weeks due to the holidays, and the next session was scheduled for the day prior to the fatal incident. Perpetrator failed to appear. Perpetrator attended a substance abuse assessment approximately two weeks prior to the fatal incident, and was scheduled to begin substance abuse group sessions six days prior to the fatal incident, but failed to appear. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]

CASE #5**➤ General Case Information:**

A 35 year old male was stabbed to death by a 28 year old male. Decedent and Perpetrator were sexual competitors. Decedent had been attending parenting classes with Perpetrator's ex-girlfriend, 35 years old, who had been dating Perpetrator for approximately one year prior to the fatal incident. Perpetrator also had a live-in girlfriend of six years, 26 years old, with whom he had a minor child in common, three years of age. Perpetrator was employed as a security guard. Decedent had been married for approximately five years at the time of the fatal incident, to a 34 year old woman.

Records indicated that Perpetrator had no history of substance abuse or mental health. Decedent had a substance abuse history involving cocaine, but no mental health history. Records revealed that Decedent had an extensive criminal history, inclusive of arrests for Burglary, Grand Theft, Cocaine Possession, Armed Robbery, and Probation Violation. Records revealed that Perpetrator had an extensive criminal history, inclusive of arrests for Aggravated Assault, Battery on a Police Officer, Resisting Arrest with Violence, Possession of a Firearm by a Convicted Felon, Grand Theft, Loitering, and Probation Violation.

➤ Circumstances Surrounding Death:

Records indicated that on the day of the fatal incident, Decedent visited Perpetrator's ex-girlfriend, who was allegedly five months pregnant with Perpetrator's child, at the apartment complex where she resided. Decedent was confronted by Perpetrator outside of the apartment and an argument ensued. Perpetrator produced a knife and stabbed Decedent multiple times in the upper torso. Decedent ran down the stairs while Perpetrator chased him. Decedent collapsed onto the ground, and Perpetrator fled the scene. Decedent was pronounced dead upon police arrival.

Perpetrator was subsequently arrested and charged with Second Degree Murder. After a trial by jury, Perpetrator was found guilty of Second Degree Murder and sentenced to 30 years in state prison as a habitual offender/career criminal.

➤ History of Domestic Violence:

Records indicated that Decedent's wife was a victim of domestic violence by Decedent. Records indicated that Perpetrator's live-in girlfriend was a victim of domestic violence by Perpetrator.

➤ Court System Involvement:

- (a) Perpetrator's ex-girlfriend had four children who were adjudicated dependent and removed and placed in the custody of relatives, due to alleged maltreatment of "physically drug dependent newborn". The infant tested positive for syphilis and cocaine. She was later arrested for trafficking drugs.
- (b) Approximately one year prior to the fatal incident, the DCF Abuse Hotline received a report against Perpetrator's live-in girlfriend's sister. Perpetrator's live-in girlfriend had an argument with her sister which became violent when

her sister stabbed her in the presence of her children. The alleged maltreatment was “deadly weapon injury and family violence threatens children”. DCF closed the investigation with “no indicators” and the family was referred for counseling.

- (c) Decedent was charged with felony Aggravated Battery with a Deadly Weapon one week prior to the fatal incident. The alleged victim was his wife. **[★Key event during course of litigation that coincides with events leading up to fatal incident.]**

CASE #6

➤ General Case Information:

A 42 year old female (Decedent #1), was shot multiple times and killed by her live-in intimate partner, 36 years old. The Perpetrator also shot and killed her 15 year old daughter from a previous relationship (Decedent #2). Perpetrator committed suicide by a self-inflicted gunshot wound to the head. Perpetrator and Decedent #1 were live-in intimate partners for approximately two years, and had no children in common. Decedent #1 had three children, from three separate marriages, ages four, ten, and fifteen. Decedent #1 and her estranged husband, 37 years old, were in the process of getting divorced at the time of the fatal incident and were in a custody dispute over their four year old son.

Neither Decedent #1 nor Perpetrator had a history of substance abuse or mental health. Perpetrator had a criminal history of solicitation charges for Prostitution and Fleeing the Scene of an Accident with Injuries.

➤ Circumstances Surrounding Death:

Records indicated that on the morning of the fatal incident, Decedent #1 went to a friend’s house and left her ten year old son in the Perpetrator’s care. Reportedly, Perpetrator forced the boy into the car so that he could point out the house where Decedent #1 was visiting. Upon Perpetrator’s arrival, he and Decedent #1 began arguing. Decedent #2, who was there with her mother, tried to intervene and defend her, but Perpetrator shoved her to the ground. Perpetrator then shot Decedent #1 and #2 in the presence of Decedent #1’s four year old son, also present, who then ran to his older brother. The ten year old boy pleaded to Perpetrator not to shoot him or his little brother, and Perpetrator responded, “Don’t worry, I won’t hurt you”. Perpetrator then went into the bathroom and shot himself in the mouth. The minor children visually witnessed the suicide and observed Perpetrator going into convulsions. The ten year old then called 911. Upon arrival of police and fire rescue, Decedent #1 and #2 lying in the living room with multiple gunshot wounds, and the Perpetrator in the bathroom with an apparent self-inflicted gunshot wound to the head.

Decedent #1’s ten year old son revealed that Perpetrator was arguing with Decedent #1 about her children and financial matters. Perpetrator had assumed financial responsibility for all the minor children in the home, including Decedent #1’s two oldest children, who had arrived from Nicaragua five months prior to the

fatal incident, and reportedly felt an economic strain. He was also reportedly jealous of the time Decedent #1 spent with her children.

➤ **History of Domestic Violence:**

Records indicated that Perpetrator and Decedent #1 had no known domestic violence history involving physical violence. However, Perpetrator was known to be extremely jealous and engaged in stalking behavior towards Decedent #1.

➤ **Court System Involvement:**

- (a) Decedent #1 filed and obtained a Temporary Injunction Against Domestic Violence against her estranged husband approximately one year prior to the fatal incident. In her Petition, Decedent #1 alleged that they were separated, and that he showed up to her residence unannounced, woke her up, and started arguing with her about their child's support and their impending divorce. She stated he threw her on the ground and made a death threat towards her by stating, "I'm going to get rid of you", and balled up his fist to hit her. She ran to the bathroom with her child and called police. On another occasion that week, he pushed her to the ground and hit her stomach with a fishing rod. Upon hearing, the Temporary Injunction was extended for one year and the parties were referred to Family Court Services for supervised visitation and monitored exchanges. Decedent #1 at first failed to comply with this court ordered referral, which was reported back to the court. Thereafter, both parties were in compliance. Perpetrator regularly transported Decedent #1's minor son to the supervised visitation center for visitation with Decedent #1's estranged husband. Psychological evaluations, therapy for the minor child, and a parenting skills course for both parties were recommended. Two and a half months prior to the fatal incident, the parties failed to appear for hearing. An emergency hearing was set two and a half weeks prior to the fatal incident, and the Domestic Violence Injunction and Dissolution cases were transferred to the Unified Family Court, before one judge. Three days following the entry of the Final Judgment of Dissolution of Marriage, the Domestic Violence Injunction case was dismissed for insufficient basis, finding that Decedent #1 was not in fear.
- (b) Decedent #1's estranged husband filed for Dissolution of Marriage five days following the final hearing in the Domestic Violence Injunction case. Their minor child was three years old at the time. The parties were ordered to attend parenting classes and counseling was ordered for the minor child. The husband's motion for overnight visitation was also granted. Two weeks prior to the fatal incident, the court received a report from Family Court Services stating the parties complied with scheduling psychological evaluations and the child was attending counseling as ordered. The following day, a final judgment was entered.

- (c) A day later, Decedent #1's estranged husband was arrested for Battery for the incidents that formed the basis for the Domestic Violence Injunction. The cases were dismissed.
- (d) Approximately two and a half months later, the DCF Abuse Hotline received a report alleging that Decedent #1 was physically abusing the three year old minor child of Decedent #1 and her husband, and that she was living with her paramour, the Perpetrator, who collected guns. The case was closed with a finding of "no indicators".
- (e) Two months later, Decedent #1 filed a child support action against her husband. Child support payments were assessed and the case was transferred to the Unified Family Court Division.

2003 Child Deaths Resulting from Abuse and/or Neglect

N/A

2004 Domestic Violence-Related Adult Fatalities

CASE #1

➤ General Case Information:

A 37 year old male committed suicide by hanging. Decedent and his wife were married for the past seven years, and had no minor children in common. He arrived in the United States from Cuba approximately nine years ago, but was reportedly having difficulty adjusting. Records indicated Decedent had been depressed regarding his pending divorce and employment problems. He had been complaining of a rapid heartbeat a few days prior and went to his doctor's office, where he was seen for shortness of breath and palpitations. Prior to his death, he offered his wife a gold necklace. She indicated she did not realize why he offered her the necklace at the time. Decedent's wife stated he had not threatened to commit suicide in the past. It is unknown whether Decedent had any substance abuse or mental health history.

➤ Circumstances Surrounding Death:

Records indicated that on the day of the fatal incident, Decedent pulled a dresser from the wall and placed a step ladder on the dresser. He tied a rope to the ceiling and placed it around his neck. Decedent was suspended approximately thirteen inches from the floor. His wife arrived home and found him hanging from the rope in the master bedroom closet. Police and fire rescue were summoned and found him expired.

➤ History of Domestic Violence:

It is unknown whether Perpetrator and Decedent had any domestic violence history involving physical violence.

➤ **Court System Involvement:**

- (a) **Decedent's wife filed for Dissolution of Marriage against Decedent three days prior to the fatal incident. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**

CASE #2

➤ **General Case Information:**

A 50 year old female was found strangled to death by the on-again, off-again boyfriend, 33 years old, of her daughter, 36 years old. Decedent's daughter and Perpetrator had lived together for three and a half years, and separated approximately a year and a half prior to the fatal incident, but still dated. They had no children in common.

Perpetrator's criminal record included charges of Obstruction of Justice, Robbery (with force), Petit Theft, Cocaine Possession, Grand Theft, Probation Violation, Resisting Officer with Violence, Aggravated Assault on Law Enforcement Officer, Criminal Mischief, and Indecent Exposure. Decedent's daughter had criminal history involving Petit Theft, Cocaine Possession, Child Neglect, Prostitution, Grand Theft, and Uttering Forged Instrument. Both Perpetrator and Decedent's daughter had a substance abuse history involving cocaine, but no known mental health history.

➤ **Circumstances Surrounding Death:**

Records indicated that in the early morning hours on the day of the fatal incident, Perpetrator had been at Decedent's residence visiting her daughter. Perpetrator left the residence, reportedly to go purchase cocaine. Upon his return, he appeared to be paranoid, and for unknown reasons, entered Decedent's bedroom. He was heard saying, "I'm going to kill your mother, and I'll kill anyone who tries to stop me", while on top of Decedent, beating her and placing her in a choke hold. Family members attempted to help, but were unsuccessful, and Perpetrator continued his assault. Decedent's daughter's six minor children were present at the time of the fatal incident. Perpetrator did not stop until police arrived, ordered him to surrender at gunpoint, and pulled him off Decedent. Medical Examiner records indicated Decedent died from mechanical asphyxia.

Records indicated that Perpetrator admitted to being at the residence on the day of the fatal incident and to using cocaine. He advised that he felt people were out to get him, and that he only felt safe when police arrived. He also stated he did not remember assaulting Decedent. Perpetrator was charged with Second Degree Murder and convicted. The case is on appeal and sentencing is still pending.

➤ **History of Domestic Violence:**

Records indicated that Perpetrator had a prior criminal domestic violence history. Six years prior, he was charged with felony Aggravated Assault against his former girlfriend. The case was dismissed.

➤ **Court System Involvement:**

- (a) Decedent's daughter had a total of seven children, all of whom had been removed from her custody as a result of a Dependency case filed fourteen years prior to the fatal incident. Decedent was the legal custodian for six of the minor children. According to DCF, Decedent's daughter was not supposed to be living at Decedent's residence. The case was reopened four months prior to the fatal incident, and was active.
- (b) Approximately one year prior to the fatal incident, Perpetrator was charged with Aggravated Battery with a Deadly Weapon. The alleged victim was Decedent's daughter, who alleged that Perpetrator had smoked crack cocaine and demanded to have sexual intercourse with her. When she refused, he became enraged, accused her of cheating on him, and stabbed her several times in the abdomen and hand with a large kitchen knife. At the time of the fatal incident, Perpetrator was under community supervision for this charge. *[★Key event during course of litigation that coincides with events leading up to fatal incident.]*
- (c) Approximately three and a half years prior to the fatal incident, Perpetrator's former girlfriend filed a Paternity action against Perpetrator. A final judgment in the case was entered three months prior to the fatal incident.

CASE #3

➤ **General Case Information:**

A 67 year old female died as a result of burn injuries which resulted from her grandson, 26 years old, igniting a fire inside Decedent's home. Perpetrator previously resided with his mother, 43 years old, and was adopted by his mother's husband, 44 years old. Perpetrator's mother and adoptive father later got divorced, and records indicate that Perpetrator left his mother's home, due to poor living conditions. He moved in with his paternal grandmother (Decedent), who was the mother of his biological father, who lived in Atlanta. His uncle also resided in the home. Perpetrator's uncle had an extensive criminal and substance abuse history, was allegedly violent towards Decedent, and repeatedly threatened her if she did not give him money. Records indicated that police questioned Perpetrator's uncle (#1) as to his possible participation in the arson, however, he was in jail at the time of the incident, and denied any involvement. Perpetrator's father and other uncle (#2) were also known to continuously harass Decedent for money.

Perpetrator had no prior criminal history, and any substance abuse or mental health history is unknown.

➤ **Circumstances Surrounding Death:**

On the day of the fatal incident, two passersby observed smoke and flames coming from inside Decedent's residence, and were able to remove Decedent from the home. The front windows of the home were covered with storm panels and the

side windows had iron burglary bars. It was unclear whether the security measures hampered her escape. Decedent was transported to the hospital, where it was determined that she suffered second and third degree burns to 73 percent of her body. Three days later, she expired as a result of her injuries.

Records indicated that fire investigators classified the fire as arson, and the Perpetrator provided police with a confession, stating that he set the fire inside Decedent's home by igniting gasoline, which he poured on the floor throughout the residence. Perpetrator alleged that he was not aware Decedent was home, which was not consistent with the police investigation. He further stated that his motive for starting the fire was due to financial problems within his family.

Perpetrator was charged with First Degree Murder and Arson. The case is currently set for trial.

➤ **History of Domestic Violence:**

Records indicated police responded to Decedent's residence numerous times due to domestic disputes involving Decedent and her son (Perpetrator's uncle #1).

➤ **Court System Involvement:**

(a) Decedent filed and obtained a Temporary Injunction for Protection Against Domestic Violence against her son (Perpetrator's uncle #1), two months prior to the fatal incident. In her Petition, Decedent alleged that her son had a severe drug and alcohol problem, and that he had kicked the door, punched windows, slashed tires, stolen personal belongings, and been physically aggressive towards her when he has been high. At the final hearing, a Permanent Injunction was granted. *[★Key event during course of litigation that coincides with events leading up to fatal incident.]*

CASE #4

➤ **General Case Information:**

A 51 year old female died as a result of burn injuries which resulted from her former live-in boyfriend, 57 years old, dousing her with gasoline and a bleach substance and setting her on fire. Decedent and Perpetrator were involved in an intimate relationship for approximately two years, and were recently separated. They met while Perpetrator worked as a handyman for Decedent's ill grandmother. They had no children in common. Decedent had five children from previous relationships.

Perpetrator had an extensive criminal history including Trespass, Obstructing Justice, Battery, Robbery (with force), Carrying a Concealed Firearm, Loitering and Prowling, Burglary, and Aggravated Assault. Perpetrator had a history of substance abuse involving drugs and alcohol, but no known mental health history.

➤ **Circumstances Surrounding Death:**

Records indicated on the day of the fatal incident, Decedent was at home with her 11 year old son, when Perpetrator broke into her home and doused her with a gasoline-filled bleach bottle. When Decedent attempted to run to a neighbor's house for help, Perpetrator chased her and set her on fire. Decedent's son, who witnessed the attack, tried to intervene and put out the flames that were engulfing his mother,

and suffered second degree burns to his hands and arms as a result. Upon arrival of police and fire rescue, Decedent had suffered burns to 70 percent of her body. Decedent expired after spending 28 days in the Burn Unit of the hospital.

Perpetrator fled the scene after the fatal incident, but was captured a month and a half later for fishing illegally under a Miami Beach causeway with another man. He was also suspected of setting two other related fires. On the same day as the attack, an arsonist set fire to Decedent's mother's home a block away. Decedent's home was also doused ten days prior to the attack.

Perpetrator was charged with First Degree Murder, Burglary with Assault/Battery, and Child Abuse. Perpetrator died in custody prior to the case going to trial, approximately three years subsequent to the fatal incident.

➤ **History of Domestic Violence:**

Records indicated that police had a record of numerous calls to Decedent's home regarding domestic violence by Perpetrator.

➤ **Court System Involvement:**

- (a) A year prior to the fatal incident, Perpetrator's former live-in fiancé filed and obtained a Temporary Injunction Against Domestic Violence on behalf of herself and her minor child against Perpetrator. In her Petition, she alleged Perpetrator was stalking her and threatened to shoot her, in front of her son. She stated that Perpetrator sold illegal drugs, and that on previous occasions, he grabbed her, punched her in the face, and busted her lip open. In her Petition on behalf of her minor child who was nine years old, she alleged that Perpetrator repeatedly poked the minor child in a delicate area immediately behind his ear lobe and pushed his head in a backwards motion, which caused a scar. She further alleged that Perpetrator pushed the minor child with force, while angry with her, and said he would do it again when questioned why he did this. The minor child fell on his knees to the ground and Perpetrator's thumbnail print was left on the child's back. At the final hearing, a Permanent Injunction was entered in favor of both Perpetrator's former live-in fiancé and her minor child. Perpetrator failed to attend a court-ordered batterers' intervention program, and a civil contempt hearing was set, which Perpetrator failed to attend. A Domestic Violence Warrant was issued, for which Perpetrator was arrested, two months prior to the fatal incident.
- (b) Approximately two months prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction Against Domestic Violence against Perpetrator. In her Petition, Decedent alleged that Perpetrator punched her, twisted her arms behind her back, and pushed her on the floor and rubbed her face against it. On previous occasions, she stated Perpetrator punched her in the face, head, and ears, and threw a television to the ground. She further alleged that Perpetrator has burned her with lighter fuel and hot grease and during another incident, poured gasoline on her and threatened to set her on fire with a cigarette lighter. **A Permanent Injunction was issued at the final hearing, which took place one day prior to the fatal incident. [★Key event**

during course of litigation that coincides with events leading up to fatal incident.]

- (c) **Approximately one month prior to the fatal incident, Perpetrator was arrested for Aggravated Battery with Great Bodily Harm, Criminal Mischief, and Battery. The alleged victim was the Decedent. Decedent alleged that Perpetrator threw boiling kitchen oil at her.** She initially refused to cooperate with police, but later pressed charges. Decedent quickly posted bond for Perpetrator, however. A Stay Away Order was in effect. The charges were dismissed three years subsequent to the fatal incident. [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]

CASE #5

➤ General Case Information:

A 41 year old female was shot multiple times and killed by her estranged husband, 42 years old, who thereafter committed suicide by gunshot wound to the head. The Perpetrator and Decedent had been married for approximately sixteen years and had been separated for six months prior to the fatal incident. They had two children in common, ages 15 and the other, unknown.

Perpetrator had no known substance abuse or mental health history, and it is unknown whether he previously attempted suicide. Records indicated that Perpetrator had a criminal record which included charges for careless operation of a boat and burglary of an unoccupied dwelling. Records also indicated that two years prior to the fatal incident, Perpetrator was sentenced to 57 months in federal prison for money laundering charges. Perpetrator served 38 months and received three years of supervised release.

During the time Perpetrator was in prison, Decedent left the home and advised him she was terminating the relationship. Investigation revealed that six months prior to the fatal incident, after being released from prison and while on federal probation, Perpetrator went to Decedent's home, grabbed her by the neck, and threw her against the sliding glass door. He then grabbed her neck while she was on the floor, choked her, and said, "you're not leaving me, I'd rather see you dead than out of my life." Their minor child was present in the home at the time. Decedent reported this incident to Perpetrator's parole officer, and Perpetrator's probation was subsequently revoked and he was taken into custody. Perpetrator was sentenced to 80 days in federal custody and two years federal probation for the probation violation. Ten days later, approximately four months prior to the fatal incident, Perpetrator was released from federal custody on supervised release status.

➤ Circumstances Surrounding Death:

On the day of the fatal incident, Decedent was driving her vehicle through the parking lot of her apartment complex, when neighbors reported hearing several gunshots. Fire rescue found Decedent deceased inside the vehicle with multiple gunshot wounds. Following the fatal incident, Perpetrator telephoned their daughter and stated he was sorry for what he had done. Subsequently, Perpetrator was located

at his residence, and telephone contact was made in an effort to secure his surrender. During the conversation with police, Perpetrator fired a gunshot that he claimed was accidental. Minutes later, officers heard another gunshot in the residence, and Perpetrator advised he shot himself in the leg. As SWAT responded, a third gunshot was heard, and Perpetrator no longer responded to attempted police communication. Upon forced entry into the residence, Perpetrator was found deceased with a self-inflicted gunshot wound to the head.

➤ **History of Domestic Violence:**

Records indicated that Decedent was a victim of domestic violence by Perpetrator during their relationship.

➤ **Court System Involvement:**

(a) The day following Perpetrator's arrest for violating his federal probation by attacking and making a death threat towards her, which was approximately six months prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator, with the incident serving as the basis for the allegations contained in the Petition for Injunction. The Temporary Injunction was extended an additional 30 days. However, Decedent failed to appear for the final hearing, and the case was dismissed.

(b) Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator, in anticipation of his release from federal custody, approximately four months prior to the fatal incident. A Permanent Injunction was entered at the final hearing, which was in effect at the time of the fatal incident. [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]

CASE #6

➤ **General Case Information:**

A 41 year old male engaged in a heated argument with his estranged girlfriend, (hereafter referred to as the Near Death Victim/NDV), 32 years old, and committed suicide via police shooting. Decedent and NDV were in an on-again, off-again intimate relationship for approximately one year prior to the fatal incident. NDV dated the father of three of her children, during the times that they had broken-off the relationship, including one month prior to the fatal incident, when they moved back in together. Decedent and NDV had been separated for one day prior to the fatal incident. They had no children in common. Decedent had been fired from his job as an elevator technician a month prior to the fatal incident, as a result of being arrested and incarcerated on Battery and Child Abuse charges.

Records revealed that NDV had five minor children from three previous relationships, all of whom resided in the same residence. The children were ages three, five, nine, eleven, and thirteen. Decedent and his estranged wife, 32 years old, had one daughter in common, five years of age. Decedent's estranged wife left Decedent approximately 15 months prior to the fatal incident, when she found out

that he had been unfaithful to her. They agreed that Decedent would have temporary custody of their minor child until Decedent's estranged wife found a job and her own residence.

Decedent had a substance abuse history involving alcohol and a mental health history. Approximately two months prior to the fatal incident, several days after NDV and Decedent were involved in a verbal dispute over their relationship, culminating in Decedent punching the wall and police being called, Decedent spent three days at Jackson South Crisis Center. Decedent was diagnosed with Bipolar Disorder and was prescribed medication, but had reportedly not been compliant with taking his medication. Decedent had a criminal history including arrests for Possession of Firearm by a Convicted Felon, Aggravated Battery, Battery, False Imprisonment, Witness Tampering, Resisting an Officer without Violence, Child Abuse, and Probation Violation.

NDV had a history of substance abuse but no known mental health history. She had a criminal history that included Child Neglect, DWLS, and Probation Violation.

➤ **Circumstances Surrounding Death:**

Records indicated that during the morning on the day prior to the fatal incident, NDV posted bond for Decedent's release from jail, after serving 30 days on Child Abuse and Battery charges (against NDV). A Stay Away Order from NDV was in effect. On the way home that evening, NDV broke-off her relationship with Decedent and told him she had resumed her relationship with her former boyfriend, the father of three of her children. Later that evening, Decedent entered NDV's residence and began beating him as he was sleeping. NDV tried to intervene. NDV's former boyfriend fled the home and ran to a convenience store, where he contacted police. Two hours later, Decedent returned to the home, yelled obscenities from the front yard, and entered the home through the sliding glass door. NDV's former boyfriend fled from the residence, and ended up in the hospital from the injuries inflicted by Decedent during their physical altercation.

On the morning of the fatal incident, Decedent drove NDV to work. En route, he stopped at a store, bought a beer, and consumed it. At lunchtime, police were called to NDV's residence due to a domestic dispute. Decedent tried to kick his sister out of the house and called NDV at her workplace approximately 40 times, making threats. NDV stated that Decedent was irrational and his speech was slurred. Two hours later, NDV called police and reported that Decedent was harassing her. After police left, Decedent showed up at her workplace intoxicated, and was abusive. NDV's co-workers called police and Decedent left driving his sister's vehicle. Approximately ten minutes later, Decedent returned to NDV's workplace. Before police arrived, NDV entered Decedent's vehicle because she feared she was going to lose her job. Upon entering the house, NDV told Decedent to get away from her and sat on the couch with her daughter. Decedent sat on top of NDV. NDV's former boyfriend called the residence from the hospital to speak to NDV and she advised him of the situation. Decedent pulled the phone and disconnected the call. NDV's former boyfriend contacted police, stating that NDV was being assaulted by Decedent.

Shortly thereafter, two officers arrived in reference to a domestic battery incident. Upon police arrival, NDV and Decedent walked outside the residence and approached the two officers. NDV spoke to the officers and told them several times that Decedent had to leave. Decedent tried to convince NDV not to complain to the officers, but one of the officers pulled NDV away from the vicinity. NDV then screamed, "He's been hitting me". Decedent refused to be interviewed by the other officer, and Decedent yelled, "Now you're going to see. It's going to happen", and ran back inside the house. NDV yelled to Decedent, "Yeah, go ahead, kill yourself! You said you were going to kill yourself. Kill yourself!" The officer approached the front door and asked everyone to exit the house. Everyone exited the home except NDV's youngest son and NDV's mother, who locked herself inside of her room. All of the occupants of the house were standing near the police car when Decedent exited the side of the residence with rifle in his hand. The officers drew their firearms and commanded Decedent to lower his weapon. NDV yelled several times, "It's just a BB gun!" Decedent refused to comply and raised his rifle towards one of the officers. The officer shot Decedent multiple times in self-defense. NDV ran to Decedent and yelled, "You killed him, you killed him! I told you it was a BB gun". NDV became hysterical and was restrained by a backup unit that responded to the scene. Decedent was pronounced dead on the scene. Four of NDV's children were present and witnessed the fatal incident visually.

Medical examiner records indicate that the toxicology findings from Decedent's autopsy revealed that Decedent was under the influence of alcohol, cocaine, and prescription drugs at the time of the fatal incident.

➤ **History of Domestic Violence:**

Records indicated that law enforcement had been called on multiple occasions to NDV's residence in reference to domestic violence perpetrated by Decedent against NDV.

Records also revealed that Decedent had an extensive history of domestic violence against his estranged wife. She filed four separate Domestic Violence Injunction for Protection cases against Decedent.

Police records indicated that NDV was also a domestic violence victim from the biological father of three of her children (her former boyfriend), including an incident where he pulled her hair and threw her against the wall when she was seven months pregnant.

Police records also indicated that they responded to domestic disputes between Decedent and NDV's former boyfriend.

Records indicated that the family had at least 13 prior abuse reports filed with the Department of Children and Families. The allegations set forth in these reports were severe, and included the children witnessing incidents of domestic violence.

➤ **Court System Involvement:**

- (a) Nine years prior to the fatal incident, the DCF Abuse Hotline received a report against NDV's former boyfriend, concerning abuse on NDV's two children that she did not have in common with him. The alleged maltreatment was bruises/welts and beatings. DCF closed the investigation with "no indicators".

- (b) Seven years prior to the fatal incident, the DCF Abuse Hotline received a report against NDV and her former boyfriend, concerning abuse on NDV's eldest daughter (not his biological child). The alleged maltreatment was bruises/welts. DCF closed the investigation with "no indicators".
- (c) Three months later, the DCF Abuse Hotline received a report against NDV and her former boyfriend, concerning abuse on NDV's two children that she did not have in common with him, and two children of which he was the biological father. The alleged maltreatment was substance exposed child, inadequate supervision, conditions hazardous to health, inadequate clothing and inadequate food. DCF closed the investigation with "some indicators of conditions hazardous to health" and "no indicators" of other maltreatment codes.
- (d) A Dependency case was filed as a result of the above cited incident, seven years prior to the fatal incident. The children were removed and placed under the supervision of NDV's mother. The children were adjudicated dependent. NDV's case plan included a requirement that she complete a substance abuse program at The Village, in addition to other services, and the children were returned to her approximately three years later, upon successful completion of all requirements of her case plan.
- (e) Two months later, NDV and her former boyfriend were arrested on three counts of Child Abuse and Neglect. NDV was convicted and received two years probation on two of the Child Neglect charges, and a withhold of adjudication on the third Child Neglect charge. The Child Abuse charges were dismissed. NDV's former boyfriend received a withhold of adjudication with three years probation on the Child Neglect charges.
- (f) That same month, the DCF Abuse Hotline received a report against NDV and her former boyfriend, concerning abuse on NDV's two children that she did not have in common with him, and 1 of the children of which he was the biological father. The alleged maltreatment was conditions hazardous to health of child and inadequate food. DCF closed the investigation with "some indicators", and the children were placed in a shelter and released to NDV's mother.
- (g) Six years prior to the fatal incident, NDV and her former boyfriend were arrested on three counts of Child Neglect and Probation Violation. The disposition was a withhold of adjudication and modification of probation with special conditions.
- (h) Five years prior to the fatal incident, the DCF Abuse Hotline received a report against NDV's brother, 20 years of age, concerning abuse on NDV's two children that she did not have in common with her former boyfriend. The

alleged maltreatment was other physical injury and excess corporal punishment. DCF closed the case with “no indicators”.

- (i) Four months later, NDV and her former boyfriend were arrested on three counts of Child Neglect and Probation Violation. The disposition was a withhold of adjudication and modification of probation with special conditions.
- (j) Two days after the birth of NDV’s third child with her former boyfriend, the DCF Abuse Hotline received a report against NDV and her former boyfriend. The alleged maltreatment was inadequate supervision. DCF closed the case with “no indicators”.
- (k) Three years prior to the fatal incident, Decedent was arrested for Battery, False Imprisonment, Witness Tampering, and Probation Violation. The alleged victim was his estranged wife. Decedent received a conviction and probation with the special condition that he attend a batterers’ intervention program. Decedent was on probation at the time of the fatal incident.
- (l) Decedent’s estranged wife filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent that same day. In her Petition, she alleged that they had gotten into an argument and Decedent punched her in the face, choked her, and would not allow her to leave the dwelling. However, the case was voluntarily dismissed.
- (m) Four days later, the DCF Abuse Hotline received a report against Decedent, concerning threatened harm on his daughter and stepdaughters. The alleged maltreatment was family violence threatens child. DCF closed the investigation with “some indicators”.
- (n) Three weeks later, Decedent’s estranged wife filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent. In her Petition, she alleged that Decedent came home intoxicated, struck her in the right side of her face, grabbed her by the neck, and choked her in front of their minor child. However, the case was voluntarily dismissed.
- (o) Decedent’s estranged wife filed for a Temporary Injunction for Protection Against Domestic Violence against Decedent two years prior to the fatal incident. In her Petition, she alleged Decedent called multiple times and threatened to kill her. The Temporary Injunction was denied because the allegations did not meet the statutory criteria. A final hearing on the denial was set, however she failed to appear and the case was dismissed.
- (p) Decedent’s estranged wife filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent fourteen months prior to the fatal incident. In her Petition, she alleged that when she had met

Decedent at a public place for exchange of their minor child, Decedent accused her of being sexually promiscuous and threatened to kill her. At the final hearing, a Permanent Injunction was granted. Decedent was ordered to complete a substance abuse evaluation and treatment, if necessary. The drug screening results were negative. However, the case was set for civil contempt due to non-payment of fees.

- (q) On the same date, a female (relationship unknown) filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent. At the final hearing, a Permanent Injunction was granted.
- (r) A year prior to the fatal incident, the DCF Abuse Hotline received a report against NDV's former boyfriend, concerning threatened harm on all five of NDV's children. The alleged maltreatment was family violence threatens child. DCF closed the investigation with "some indicators".
- (s) Approximately six months prior to the fatal incident, the DCF Abuse Hotline received a report against Decedent's estranged spouse and Decedent, concerning threatened harm on their minor child. The alleged maltreatment was family violence threatens child. DCF closed the investigation with "verified" findings.
- (t) Approximately five months prior to the fatal incident, the DCF Abuse Hotline received a report against NDV and NDV's mother, concerning neglect on all five of NDV's children and an unknown child. The alleged maltreatment was inadequate supervision and conditions hazardous to health. DCF closed the investigation with "no indicators".
- (u) **A month prior to the fatal incident, Decedent was arrested for Battery, Resisting Arrest without Violence, and three counts of Child Abuse. The alleged victims were NDV, NDV's daughter, and Decedent's two nephews. Records indicated that the minor children were not the intended targets, but rather were assaulted by Decedent when they tried to intervene and defend NDV. The Child Abuse charges were dismissed and the case was bound down to County Court. Decedent was in custody for these charges for thirty days, until NDV bonded him out on the day prior to the fatal incident. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**
- (v) The DCF Abuse Hotline received a report against Decedent as a result of the above cited incident. The alleged maltreatment was physical injury, alcohol exposed child, family violence threatens child, cuts/punctures/bites, and medical neglect. DCF closed the investigation with "no indicators" of medical neglect and "verified" findings on all other maltreatment codes.
- (w) After the fatal incident, DCF was contacted to report that the children were present at the time of the fatal incident. The day following the fatal incident,

DCF removed NDV's five children from her residence for failure to protect from harm, and the Dependency case as reopened.

- (x) Four months following the fatal incident, the DCF Abuse Hotline received a report against NDV and her former boyfriend, concerning threatened harm and neglect on all five of NDV's children. The alleged maltreatment was beatings, asphyxiation, physical injury, inadequate supervision, and family violence threatens child. DCF closed the investigation with "no indicators".
- (y) Nine months following the fatal incident, the DCF Abuse Hotline received a report against NDV, her former boyfriend, and NDV's mother, concerning threatened harm and neglect on all five of NDV's children. The alleged maltreatment was substance exposed child, physical injury, inadequate supervision, and family violence threatens child. DCF closed the investigation with "no indicators".
- (z) Thirteen months following the fatal incident, the DCF Abuse Hotline received a report against NDV, her former boyfriend, and NDV's mother, concerning threatened harm and neglect on all five of NDV's children. The alleged maltreatment was substance exposed child, physical injury, inadequate supervision, and family violence threatens child. DCF closed the investigation with "no indicators".
- (aa) A month later, NDV's eleven year old son was arrested for Petit Larceny and was sentenced to complete a diversion program.
- (bb) Fourteen months following the fatal incident, the DCF Abuse Hotline received a report against NDV's former boyfriend, concerning threatened harm on NDV's eldest daughter. The alleged maltreatment was physical injury and family violence threatens child. DCF closed the investigation with "no indicators".
- (cc) Eighteen months following the fatal incident, the DCF Abuse Hotline received a report against NDV's former boyfriend, concerning threatened harm on NDV's eldest daughter. The alleged maltreatment was bruises/welts, excessive corporal punishment, and physical injury. DCF closed the investigation with "no indicators".
- (dd) Nineteen months following the fatal incident, the DCF Abuse Hotline received a report against NDV and her former boyfriend, concerning threatened harm on two of NDV and her former boyfriend's children. The alleged maltreatment was inadequate supervision. DCF closed the investigation with "no indicators". Shortly thereafter, the family subsequently moved to Naples and out of our jurisdiction.

2004 Child Deaths Resulting from Abuse and/or Neglect

CASE #1

➤ **General Case Information:**

A 27 year old male inflicted multiple injuries upon his son, four months old, which resulted in his death. Perpetrator and Decedent's mother were not married, but were living together. At the time of Decedent's birth, however, Perpetrator and Decedent's mother were estranged. Perpetrator was unemployed at the time of the fatal incident, and Decedent's mother worked as an exotic dancer.

Decedent's mother had a substance abuse history involving alcohol, but no known mental health history. Perpetrator had no known history of substance abuse or mental health. Perpetrator's criminal history includes arrests for Probation Violation, Aggravated Battery, Battery, Battery on a Police Officer, Resisting Arrest, Theft, Burglary, Trespass, and Loitering.

➤ **Circumstances Surrounding Death:**

Records indicated that on the day of the fatal incident, Perpetrator alleged that he left Decedent in the care of his neighbor while he went to the local grocery store. He stated that when he arrived home, his neighbor had left Decedent alone, and Decedent was unresponsive. He called fire rescue, and Decedent was transported to the hospital and placed on a ventilator. After six days of being placed on life support and all efforts to revive Decedent had failed, he was pronounced deceased.

After further questioning, Perpetrator recanted his story and admitted to being the sole caretaker of Decedent throughout the day of the fatal incident. Perpetrator admitted to violently grabbing Decedent around the chest and legs in an attempt to grab him away from his mother a week prior to the fatal incident. Perpetrator also admitted to shaking the baby on different occasions throughout the day on the day of and prior to the fatal incident, in order to wake him to play and eat. Autopsy findings revealed rib fractures which were healing at the time of the fatal incident, indicating prior trauma.

Perpetrator was charged with Second Degree Murder and Aggravated Child abuse and Neglect, as well as an outstanding Domestic Violence Bench Warrant. However, the charge was upgraded to First Degree Murder. Perpetrator was convicted of Second Degree Murder and sentenced to four years state prison. The prosecutor indicated there were problems proving the case, in terms of whether the Perpetrator or Decedent's mother had committed the fatal incident.

➤ **History of Domestic Violence:**

Perpetrator had a history of domestic violence against his girlfriend and Decedent's mother. Reportedly, Perpetrator had engaged in death threats towards Decedent's mother, and warned that he had previously "killed his uncle and gotten away with it".

➤ **Court System Involvement:**

(a) Perpetrator was involved in the death of a family member two and a half years prior to the fatal incident. According to police investigation, Perpetrator was

provoked by the victim, and he in turn punched the victim in the jaw. The Medical Examiner concluded that the victim's death was caused by injury which was consistent with being punched in the jaw. At the time of the fatal incident, however, Perpetrator had not been charged.

- (b) Perpetrator was arrested two years prior to the fatal incident for Battery and Aggravated Battery. The alleged victim was Perpetrator's girlfriend, 24 years old. The Perpetrator was allegedly observed by police grabbing the victim by the throat, and saying, "Bitch, I ought to slap you right now". He then raised his right hand, which was armed with an eight inch knife blade. The case was bound down to County Court and Perpetrator received a withhold of adjudication with probation and special conditions to complete a batterers' intervention program. Perpetrator failed to complete treatment, and a Probation Violation Affidavit was filed with the court approximately a month and a half prior to the fatal incident. Perpetrator failed to appear at the hearing set a month prior to the fatal incident, and a Domestic Violence Bench Warrant was issued for his arrest.
- (c) Decedent's mother, 27 years old, was arrested approximately one year prior to the fatal incident for Aggravated Battery. There were three Stay Away Orders issued in this case, one against Perpetrator, one against Perpetrator's girlfriend, and one against another female (relationship unknown). The case was dismissed.
- (d) Records indicated that the family was the subject of an open child abuse report at the time of the fatal incident. The allegations contained in the report were against Decedent's mother. Reportedly, the mother was overheard stating that she did not want the baby and that he had not "served her purpose", which was to get the biological father to marry her. It was also alleged that the mother was under the influence of alcohol all the time, had been "dumping" the baby with others to care for him, that his diapers were not changed, he smelled of urine, was not bathed, and not receiving proper nourishment. However, the reporter did not have any identifying information regarding the mother and the whereabouts of the baby, which hindered the investigation, despite diligent search efforts.

2005 Domestic Violence-Related Adult Fatalities

CASE #1

➤ General Case Information:

A 36 year old female was shot multiple times and killed by her estranged spouse, 42 years old. Perpetrator committed suicide by a gunshot wound to the head. The Perpetrator and Decedent had been married for approximately 20 years prior to the fatal incident. They were separated for 2 months prior, however. They had four children in common, ages 9, 10, 13, and 18. Records indicated that Decedent had

asked Perpetrator for a divorce in the past, and that he had taken the minor children to Ecuador without her knowledge or consent. Perpetrator was unemployed.

Records indicated that Perpetrator had a history of substance abuse involving alcohol, but no known mental health history. Perpetrator had a domestic violence criminal history to include arrests for Kidnapping and Aggravated Battery. However, these arrests did not appear during a record check.

➤ **Circumstances Surrounding Death:**

Records indicated that Decedent had obtained a Permanent Injunction against Perpetrator approximately a month and a half prior to the fatal incident, and that Perpetrator had reportedly relocated to Ecuador. However, a couple of weeks later, a relative reported to their eldest daughter that Perpetrator had returned to Miami, had purchased a firearm, and was threatening to kill Decedent. One of Decedent's co-workers, who was Decedent's brother's girlfriend, reported that Decedent advised a week prior to the fatal incident that she had met with a Legal Aid attorney and was preparing to file for a divorce. Records indicated Decedent was involved with another man at the time of the fatal incident. Records revealed that Decedent's boyfriend was aware of Perpetrator's violent behavior towards Decedent and that Perpetrator had been stalking and threatening Decedent after their separation.

Two days prior to the fatal incident, Perpetrator called Decedent at work and left her a message to call him in Ecuador. Perpetrator called Decedent back a few minutes later and spoke with her. Decedent advised her co-worker that Perpetrator was in Miami, not Ecuador. It was later learned that Perpetrator had a cell phone registered in Ecuador, but since the separation, he had been in Miami stalking Decedent. Perpetrator later called again and threatened to kill Decedent and their children.

The day prior to the fatal incident, the parties' daughter called Decedent at work indicating that she saw her father drive by her school twice, and that she saw him in possession of a firearm. Police documented the incident, secured the child's safety, and provided Decedent a police case number as to the injunction violation. Officers noted that the area around the school was canvassed for Perpetrator, but he was not located. That evening, the parties' other daughter ran into Perpetrator's relative at Walmart, who advised her that Perpetrator was acting crazy and threatening to kill the entire family.

Records indicated that on the morning of the fatal incident, Decedent brought the minor children to her mother's house, as she was afraid to leave them at school. Perpetrator repeatedly called Decedent, as she entered her workplace at an auto tag agency. Decedent reportedly contacted her Legal Aid attorney, the police, and her mother. Records indicated that after the call, she stated to co-workers that the police were unable to assist her, and that her attorney advised her to contact the State Attorney's Office to report the injunction violation. According to law enforcement, there were no records of a 911 call placed by Decedent that morning.

Perpetrator called Decedent again, and Decedent placed Perpetrator on speakerphone. Witnesses heard Perpetrator threatening Decedent, stating that he had pictures of Decedent with another man. Reportedly, the conversation ended with Decedent telling Perpetrator that if he had to kill her, then to go ahead. Perpetrator

responded by saying something to the effect of, “this will end with us”. At that point, Decedent hung up the phone on Perpetrator, and moments later, a co-worker saw Perpetrator walking towards the office. Decedent was warned of Perpetrator’s presence, and she ran to the bathroom in the back of the office to hide. Perpetrator entered the office armed and demanded to know Decedent’s whereabouts. Reportedly, those inside the agency started to scream and scramble, and someone called 911. Decedent’s employer responded that Decedent had not arrived at work, at which time Perpetrator fired his weapon into the air, which silenced the witnesses. Perpetrator then jumped over the counter, going towards the back of the office, and kicked open the bathroom door, where he found Decedent and opened fire.

Police and fire rescue were dispatched to the scene, found Decedent in the bathroom with multiple gunshot wounds to her head and torso, and pronounced her dead. Perpetrator’s body was found next to hers, with a self-inflicted gunshot wound to the head.

Medical examiner records revealed that Perpetrator was under the influence of alcohol at the time of the fatal incident.

➤ **History of Domestic Violence:**

Records indicated that Decedent was the victim of long-term domestic abuse at the hands of Perpetrator. Further, records revealed that their minor children witnessed the domestic violence, and that at least one child was also a victim of long-standing child abuse by Perpetrator. Records indicated following their separation as a result of Decedent obtaining a Temporary Injunction against Perpetrator, Perpetrator continued to call, threaten, and stalk Decedent, in violation of the order.

➤ **Court System Involvement:**

- (a) Twelve years prior to the fatal incident, Perpetrator was arrested for Aggravated Battery against Decedent. He was placed on probation and ordered to complete a batterers’ intervention program, which he successfully completed.
- (b) Eleven years prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator. The case was voluntarily dismissed.
- (c) Two years prior to the fatal incident, a Contract and Indebtedness suit was filed against Perpetrator in County Court. A judgment was entered in favor of the plaintiff.
- (d) A year prior to the fatal incident, a Mortgage Foreclosure claim was filed against Perpetrator. A summary judgment was entered in the Mortgage Foreclosure suit in the amount of \$107,146.26, to be paid within 60 days or the property was to be sold. The judgment was vacated upon payment by the family, with proceeds acquired through a personal injury claim from an auto accident involving their minor child.

- (e) The day following the filing of the above lawsuit, a process server attempted to serve the family. That evening, police were called to the home in reference to a domestic dispute. The parties' 17 year old daughter allegedly attacked Decedent with a knife, and Decedent was cut as a result. Perpetrator was listed as a witness. The minor child was arrested for Aggravated Battery against Decedent. The minor child stated she was in fact attacking Perpetrator in self-defense, when Decedent attempted to intervene and was cut in the process. The minor child disclosed a history of domestic violence by Perpetrator. The case was dismissed.
- (f) As a result of the above-cited incident, DCF was called, and an abuse investigation was opened. The case was closed by DCF with "some indicators" as to family violence. However, it was noted that risk was low because the last incident occurred over one year prior, and there were no serious arrests or violence in the family. A finding as to "no indicators" as alleged beatings regarding the minor child was entered, citing no documented history, and the fact that the minor child was arrested for Aggravated Battery. The family was referred for services and no Dependency case was filed.
- (g) Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator approximately two months prior to the fatal incident. In her Petition, Decedent alleged that she and Perpetrator became engaged in a verbal altercation, when Perpetrator struck her in the right cheek, causing a bump. Decedent advised that although the incident occurred in the laundry room and the children did not witness it, one of their minor children came in afterwards and was scared and wanted to leave. Decedent took the children to a friend's residence, without the Perpetrator's knowledge. A Permanent Injunction was issued at the final hearing. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]
- (h) An abuse report was filed with DCF as a result of the above-cited incident. The alleged maltreatment was family violence threatens harm. DCF closed the case with a finding of "some indicators" of family violence. It was noted that the children did not witness the incident, Decedent obtained an injunction, and that Perpetrator had reportedly permanently relocated to Ecuador. No Dependency case was filed.

CASE #2

➤ General Case Information:

A 24 year old male was shot and killed by his girlfriend's brother, 26 years old. Decedent and Perpetrator's sister, 20 years old, had a minor child in common, two years of age. Decedent was employed part-time as a recreational aide for the City of Miramar.

Decedent had no known history involving substance abuse or mental health. Decedent's criminal history included arrests for Battery, Petit Larceny, and Strong

Arm Robbery. It is unknown whether Perpetrator had any substance abuse or mental health history. Perpetrator's criminal history consisted of an arrest for Open Container Violation.

➤ **Circumstances Surrounding Death:**

On the day of the fatal incident, Decedent, Perpetrator's sister, and their two year old son went food shopping, when they ran into Perpetrator in the parking lot, who engaged Decedent in an argument. Records revealed that Perpetrator had accused Decedent in the past of mistreating his sister. Perpetrator shot Decedent multiple times, in the presence of Decedent and Perpetrator's sister's minor child. Perpetrator fled the scene in a car driven by a female friend, 30 years old. A uniform officer drove by the shopping center at the time of the shooting and began chasing Perpetrator. Perpetrator's friend attempted to stop the vehicle upon realizing they were being chased by police, but Perpetrator took control and the vehicle crashed.

Police investigation indicated that Perpetrator's sister may have been involved in soliciting her brother to commit the homicide. Records revealed that she previously witnessed the domestic homicide of her own mother. Police also responded in the past to a physical altercation involving Perpetrator's sister and Decedent's mother.

Perpetrator was charged with Second Degree Murder, Kidnapping, and Use of a Firearm in the Commission of a Felony. The case is currently set for trial.

➤ **History of Domestic Violence:**

Decedent had a history of domestic violence against Perpetrator's sister.

➤ **Court System Involvement:**

- (a) Six years prior to the fatal incident, a female (relationship unknown) filed and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent. The case was dismissed at the final hearing.
- (b) A year prior to the fatal incident, Perpetrator's sister filed a child support action against Decedent, which was open at the time of the fatal incident.
- (c) Decedent was arrested for misdemeanor Battery three months prior to the fatal incident. The alleged victim was Perpetrator's sister. Decedent accepted a plea of pretrial diversion and was ordered to complete a batterers' intervention program. At the time of the fatal incident, Decedent had attended ten group sessions, and the case was pending an upcoming judicial review hearing.
- (d) Decedent filed a Paternity action against Perpetrator's sister approximately two months prior to the fatal incident, as to their two year old son. The case was to be set for final hearing at the time of the fatal incident.

CASE #3

➤ **General Case Information:**

A 32 year old female was stabbed multiple times by her husband of four years, 47 years old, causing her death. Decedent had two children from previous relationships, ages 11 and 13, who were also found in the residence with stab wounds to the abdomen and chest, but survived their injuries. Both Decedent and her two children suffered from mild mental retardation.

Perpetrator was employed by the Miami-Dade County Department of Human Services as a Social Worker Aide in the Homeless Assistance Program. Perpetrator had a history of substance abuse involving crack cocaine. His mental health history is unknown. Perpetrator had an extensive criminal record, including arrests for Sexual Battery on a Minor, Cocaine Possession, Probation Violation, Carrying a Concealed Firearm, Burglary, Aggravated Battery, Robbery, and Aggravated Battery on a Pregnant Woman.

➤ **Circumstances Surrounding Death:**

On the day of the fatal incident, police were dispatched to the parties' home in reference to a caller stating that he was being held against his will. Upon arrival, officers encountered Perpetrator, who was hiding a blood-soaked knife in a chair. Perpetrator directed officers to the back of the home, indicating the subject was in the rear of the residence. Officers secured Perpetrator, and upon making a sweep of the home, found Decedent's son exiting the bathroom with multiple stab wounds to the chest. Decedent's daughter was found under the covers in her bed with multiple stab wounds in the abdomen. Decedent was found in the back bedroom with multiple stab wounds, and was pronounced dead at the scene. Her throat had been slashed, and a knife was protruding from her head.

Perpetrator provided a detailed confession to sexually battering both stepchildren on the day prior to the fatal incident. According to his own sworn statement, Perpetrator told police that after he was released from jail, he went home, later sexually assaulted both of his stepchildren, and then took them to Pollo Tropical for a chicken dinner. He also admitted to having sexual contact with his stepdaughter for two years, since she was nine. He further confessed that on the day of the fatal incident, he first sexually assaulted his two stepchildren again, in front of his wife. He confessed that he then stabbed his wife to death as his stepson watched, and he then used the knife against his two stepchildren as they pleaded for their lives, with the girl saying, "Stop, Daddy. Daddy, don't do it". The older boy had scars on one hand, a slash on his neck, a puncture wound near his throat, and others on his side, abdomen, and back. The girl had scars on her hand, chest, stomach, and back. In addition, Perpetrator confessed to burning a VHS cassette tape that he believed contained the images of the aforementioned sexual activities with the minor children.

Perpetrator was charged with First Degree Murder and two counts of Attempted First Degree Murder. The case is currently set for trial.

➤ **History of Domestic Violence:**

There is no record of Decedent being a victim of domestic violence by Perpetrator. Perpetrator has a history as a sex offender.

➤ **Court System Involvement:**

- (a) Fourteen years prior to the fatal incident, Perpetrator was charged with three counts of Sexual Battery on a seven year old neighbor. Records indicated that Perpetrator dragged the girl by her hair into his apartment and bedroom, where he raped her. The judge ordered a psychological evaluation to determine whether Perpetrator should be treated as a mentally disordered sexual offender. The testimony of the psychologist indicated that Perpetrator had poor insight into his crimes. To spare the victim from testifying, a plea bargain was entered. Perpetrator received a conviction with ten years probation, and mandatory attendance at a sex offender treatment program.
- (b) A year later, Perpetrator was arrested for Cocaine Possession and Probation Violation on the Sexual Battery charge. He had completed a year of sex offender treatment. Perpetrator was sentenced to eight years in prison. With credit for time served, he was released after serving two years.
- (c) Nine years prior to the fatal incident, a female (relationship unknown) filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator. A Permanent Injunction was granted at the final hearing.
- (d) Approximately four years prior to the fatal incident, an abuse report was filed with DCF concerning Decedent's children. The alleged maltreatment was inadequate supervision. The case was closed with "no indicators".
- (e) Approximately three and a half years prior to the fatal incident, Decedent's mother filed a Petition for Custody of Decedent's two minor children in Family Court. The Petition alleged that up until that time, Decedent, who had a 59 IQ, and her two children, who were also mentally handicapped, were in her care. However, Decedent's mother stated Perpetrator convinced Decedent to move in with him, with her children, leaving him in control of the incoming disability payments. Decedent's mother alleged that Perpetrator was not using the funds to benefit the children, and that Perpetrator had a criminal record and it was not in the childrens' best interest to be in his care. Decedent was referred for a psychological evaluation. However, there was no evidence that Decedent was unable to care for her children, and the court had no jurisdiction to remove the children from her care and place them in that of their grandmother. The case was voluntarily dismissed.
- (f) Approximately three years prior to the fatal incident, an abuse report was filed with DCF concerning Decedent's son. The alleged maltreatment was beatings by Perpetrator, consisting of hitting the then ten year old child in the head. The case was closed with "no indicators" when the investigator accepted Decedent's contention that the allegations were concocted by her mother in an attempt to gain custody of the children.

- (g) A month later, another abuse report was filed with DCF concerning Decedent's children. The alleged maltreatment was parent in need of assistance. The case was closed with "no indicators" since Decedent was the reporter and later withdrew the report.
- (h) Approximately two years prior to the fatal incident, an abuse report was filed with DCF concerning Decedent's daughter. The alleged maltreatment was child sexual abuse. Decedent and her mother discovered bloodstains on the minor child's panties. The child told investigators she had been attacked by three boys in the bathroom at school. Individual counseling was provided by Kristi House, and the case was closed.
- (i) Approximately a year and a half prior to the fatal incident, an abuse report was filed with DCF concerning Decedent's children. The alleged maltreatment was inadequate supervision/parent absent. The results of the investigation were "some indicators" against Decedent. Services were provided for parenting and family counseling, which were completed, and the case was closed.
- (j) **Perpetrator was charged with Sexual Battery on a Minor a year prior to the fatal incident. The alleged victim was Decedent's 11 year old daughter. Due to subsequent inconsistencies in statements made by Decedent and the minor child, as well as the minor child recanting during the Rape Treatment Center examination and Forensic Interview, the case was dismissed on the day prior to the fatal incident, at which time Perpetrator was released from custody. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]**
- (k) An abuse report was filed with DCF as a result of the above-cited incident concerning Decedent's daughter. The alleged maltreatment was sexual battery, sexual exploitation, substance misuse, substance exposed child, and inadequate supervision. The case was still under investigation at the time of the fatal incident.
- (l) **On the day prior to the fatal incident, in anticipation of Perpetrator's release from custody, and based upon the above-cited sexual battery incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence on behalf of herself and her minor daughter against Perpetrator. The final hearing date was set for two weeks later. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]**

CASE #4

➤ General Case Information:

A 37 year old female was shot and killed by her boyfriend, 34 years old. Decedent had four children, ages 20, 15, 13, and 11. According to family members and medical records, she had a history of substance abuse.

Perpetrator had a history of substance abuse and an extensive criminal history, which included arrests for Battery, Introducing an Article in Jail, Cocaine Possession, Cannabis Selling and Possession, Carrying a Concealed Firearm, Loitering and Prowling, Disorderly Conduct, Aggravated Assault on Police, Resisting Arrest with Violence, and Battery on Police.

Records indicated that Decedent had an extensive criminal history, consisting of arrests for Aggravated Child Abuse, Probation Violation, Aggravated Assault, Petit Larceny, Theft, Obstruction of Justice, Burglary, Grand Theft, and Cocaine Possession.

➤ **Circumstances Surrounding Death:**

On the day of the fatal incident, police and fire rescue were dispatched to Decedent's residence in reference to a domestic violence-related shooting. Upon entering the residence, officers found Decedent's body with a gunshot wound to the head. Fire rescue transported Decedent to the hospital where she was listed in critical condition and expected to survive. Approximately a month later, Decedent expired as a result as the injuries sustained from the gunshot.

Perpetrator was charged with First Degree Murder and Use of a Weapon to Commit a Felony. The case was dismissed.

➤ **History of Domestic Violence:**

Records indicated that Perpetrator and Decedent had no known domestic violence history involving physical violence.

➤ **Court System Involvement:**

- (a) Approximately ten years prior to the fatal incident, a female (relationship unknown) filed a Petition for Protection Against Domestic Violence against Perpetrator. The case was dismissed.
- (b) Approximately seven years prior to the fatal incident, the same female filed a Petition for Protection Against Domestic Violence against Perpetrator. The case was dismissed.
- (c) Approximately three and a half years prior to the fatal incident, a female filed a Paternity action against Perpetrator regarding her two minor children, ages nine and eleven. A final order of paternity was entered three months later.
- (d) Approximately two and a half years prior to the fatal incident, Perpetrator filed a Paternity action against a female regarding a 15 year old minor child. At the time of the fatal incident, and order requiring final judgment was issued, and the case was dismissed two months later.

CASE #5

➤ **General Case Information:**

A 41 year old male was shot to death multiple times by his wife, 27 years old, after a verbal and physical altercation. Decedent and Perpetrator were married for approximately a year and a half prior to the fatal incident, and had one child in common, eight months of age. Perpetrator had five other minor children from previous relationships.

Both Perpetrator and Decedent had substance abuse histories involving cocaine and alcohol. Perpetrator had an extensive criminal history, which included arrests for Battery, Trespass, Cocaine Possession, and Aggravated Battery.

Decedent had an extensive criminal history, which included arrests for Battery, Aggravated Battery, DWLS/Habitual Offender, Probation Violation, Dealing in Stolen Property, Trespass, Resisting Arrest, Burglary, Grand Theft, Criminal Mischief, Disorderly Conduct, Possession of a Firearm by a Convicted Felon, Trafficking Cocaine, Cocaine Possession, and Second Degree Attempted Murder (victim unknown). He was sentenced to two years in prison in the attempted homicide case.

➤ **Circumstances Surrounding Death:**

On the day of the fatal incident, police were dispatched to the parties' home reference a domestic violence-related shooting. Upon arrival, police discovered Decedent lying on the floor in the living room with multiple gunshot wounds to his upper body. Fire rescue responded and pronounced him deceased on the scene. Investigation revealed that Decedent had ongoing domestic violence incidents with Perpetrator, and that on that day, they had a heated verbal altercation, which escalated into a physical confrontation. At some point, Perpetrator armed herself with a pistol and shot Decedent several times. She then fled the residence on foot.

Perpetrator later turned herself into police and provided a statement indicating that she shot her husband in self-defense as he was holding her down and reaching for a weapon. The autopsy results indicated that Decedent was shot twice on his right side and once in the back. Once on the ground, he was shot three more times. This sequence of events was inconsistent with Perpetrator's recitation of the events which transpired, and Perpetrator thereafter recanted her story and provided a sworn statement, admitting to shooting Decedent until her weapon would no longer fire. A search warrant issued of the premises resulted in the impounding of 20 plastic bags containing cocaine, 15 plastic bags containing marijuana, and a large plastic bag containing one-half pound of marijuana.

Perpetrator was charged with Second Degree Murder with a Deadly Weapon. The case is currently set for trial.

➤ **History of Domestic Violence:**

Perpetrator and Decedent had an extensive history of domestic violence.

➤ **Court System Involvement:**

(a) Records revealed that Perpetrator had a history with DCF dating back ten years, with at least eight abuse reports, as a victim of child abuse herself, and as the alleged Perpetrator of child abuse/neglect on four of her children. The

alleged maltreatment included bruises/welts/beatings, other threatened physical and mental injury, family violence threatens children, and substance exposed child.

- (b) A Dependency case was filed eight years prior to the fatal incident, which remained active for four years. The case involved abuse against Perpetrator's two oldest children at first. During the time that the case was active, Perpetrator gave birth to her third and fourth children, who also became subjects of this case. Perpetrator's parental rights were terminated as to all four children, who were adopted.
- (c) Approximately six years prior to the fatal incident, Decedent was arrested for Domestic Violence Injunction Violation. The alleged victim in this case was Decedent's sister. Decedent was convicted and placed on 12 months probation. He was also ordered to attend and complete anger management classes, with which he complied. A probation violation was filed as a result of failure to report and pay fees, which was thereafter complied with, and probation was successfully terminated.
- (d) Approximately six years prior to the fatal incident, Perpetrator was arrested for Aggravated Battery. The alleged victim was Perpetrator's ex-boyfriend, and father to one of her children. The case was dismissed two weeks later.
- (e) Approximately two years prior to the fatal incident, the Dependency case was reopened as a result of a verified abuse report to DCF with alleged maltreatment of family violence threatens child. Perpetrator had given birth to her fifth child seven months earlier. **At the time of the fatal incident, the case was set for a hearing on adoption status of the minor child, to take place approximately three weeks later.** Perpetrator's parental rights were terminated, and the child was adopted a year following the fatal incident. *[★Key event during course of litigation that coincides with events leading up to fatal incident.]*
- (f) **While the above-cited Dependency case was pending, Perpetrator gave birth to her sixth child, who she had in common with Decedent. The minor child was in her custody at the time of the fatal incident. He became a subject of the Dependency case after the fatal incident, and Perpetrator's parental rights were terminated, and the child was adopted a year following the fatal incident. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**
- (g) Approximately three years prior to the fatal incident, Perpetrator was arrested for Battery. The alleged victim was Perpetrator's ex-boyfriend, and father to one of her children. The case was dismissed eight months later.

- (h) Approximately a year and a half prior to the fatal incident, Decedent's ex-girlfriend filed Petitions for Injunctions for Protection Against Domestic Violence against both Decedent and Perpetrator. In her Petition, she alleged that Decedent and Perpetrator had vandalized her car and were calling and harassing her constantly. Both Petitions were denied, and the cases were dismissed at final hearing due to no just cause.
- (i) **Approximately one year prior to the fatal incident, Decedent was arrested for Aggravated Battery on a Pregnant Woman. The victim in this case was Perpetrator. The charges were reduced to Battery, and the case was dismissed two months later. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**
- (j) **Approximately one year prior to the fatal incident, Perpetrator was arrested for Aggravated Battery with a Deadly Weapon. The alleged victim was the Decedent. At the time of the fatal incident, the case was set for trial six weeks later. The case is now set for trial in April 2008. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**
- (k) **Four months prior to the fatal incident, Decedent was arrested for Aggravated Assault with a Deadly Weapon and Battery against Perpetrator. The case was dismissed within a month. Records indicated that Perpetrator failed to appear for case filing. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**
- (l) **Approximately three weeks prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator.** In his Petition, he alleged that Perpetrator had slashed his car tires, and that he left the home to avoid an altercation. When he returned home later, he stated that Perpetrator came towards him with a knife in her hand, yelling and screaming at him, and swung it at him, attempting to cut him with it, but missed. She then kicked the door at him, hitting him on the wrist, which was bruised as a result. He stated that in the past she had been physically violent towards him, hitting him in the face with a stick, throwing rocks at him, and hitting him on the back. **The final hearing took place a week prior to the fatal incident, at which time a Permanent Injunction was entered.** Perpetrator was ordered to complete a batterers' intervention program, and the case was referred to Family Court Services for supervised visitation services. Perpetrator was given custody of the parties' minor child, with supervised visitation to Decedent. Two weeks following the fatal incident, Perpetrator was unsuccessfully terminated from the treatment program due to noncompliance, and two weeks later, she was sentenced to 30 days in custody. **[★Key event during course of litigation that coincides with events leading up to fatal incident.]**

2005 Child Deaths Resulting from Abuse and/or Neglect

CASE #1

➤ **General Case Information:**

A female, one year old, was suffocated to death by her two year old sister in a bathtub at a battered women's shelter, where they were staying with her mother, 30 years old, and half-brother, ten years old.

➤ **Circumstances Surrounding Death:**

On the day of the fatal incident, Decedent's mother, who was temporarily residing at a battered women's shelter, placed her two daughters in the bathtub and briefly left them unsupervised to check on dinner, while the water was running. Decedent's mother then went back into the bathroom and turned off the water. She thereafter unplugged the bathtub drain and left the children unsupervised briefly to get towels and again check on dinner. Upon her return, she discovered the older child sitting on Decedent's shoulders, as she lay lifeless, face down in the tub. Decedent's mother removed Decedent from the tub and called for emergency assistance. Decedent was transported to the hospital, where she was pronounced dead. Decedent's half-brother was present and gave a consistent account of the above events.

Records indicated that when police arrived on the scene, Decedent's mother was so distraught at the loss of her child, she attempted to pull a handgun from an officer's holster in an attempt to kill herself. She was Baker Acted as a result, but released the following day. DCF found "no indicators" of abuse or neglect in terms of the death, and ruled it accidental.

➤ **History of Domestic Violence:**

Decedent's mother was a victim of domestic violence by Decedent's father, 48 years old. At the time of the fatal incident, Decedent's mother and her three children were about to enter into transitional housing, arranged through a battered women's shelter.

➤ **Court System Involvement:**

- (a) A year prior to the fatal incident, Decedent's father was charged with four counts of Child Abuse against Decedent's half-brother. The allegations were that the victim was hit in the face by his stepfather, causing his nose to bleed, that he had been spanked with a wooden boomerang as discipline, that and that the victim hit him on his buttocks with a belt. Records indicated that Decedent's mother did not want to go forward with the prosecution because she was concerned that her son would be re-traumatized in the process. At the time of arrest, Decedent's mother moved to a secure location with her children. The case was dismissed approximately two months later.
- (b) As a result of the above-cited incident, an abuse report was called into DCF concerning Decedent's half-brother. The alleged maltreatment type was beatings, other physical injury, and other mental injury/threatened harm. The

case was closed with “some indicators” of abuse, with services to be continued at Kristi House. The mother had left the house, so the children were in a secure location.

- (c) A year prior to the fatal incident, Decedent’s mother filed a Petition for Injunction for Protection Against Domestic Violence against Decedent’s father, which was denied. In her Petition, Decedent’s mother alleged that Decedent’s father had been physically abusive to her ten year old son and wanted him out of the house. She stated that he emotionally and psychologically abused her and the children on a regular basis. She stated that Decedent’s father owns numerous handguns, and told her he had the urge to kill her and her family, and threatened to hurt her if he were to see her with another man. She further stated that when she was pregnant, he threw her out of the bedroom and forced her to sleep on the floor. At the final hearing, the judge entered a Temporary Injunction and ordered both parties to submit to a mental health evaluation. Decedent’s father alleged that Decedent’s mother’s son had behaving in a sexually deviant manner, making sexual overtures towards him, and expressing concern as to him interacting in a sexually inappropriate manner with his two half-sisters. Decedent’s father failed to comply with the court ordered mental health evaluation, supervised visitation order, and child support order, and was held in civil contempt. A Permanent Injunction was issued subsequent to the fatal incident.
- (d) A month later, Decedent’s father filed a Petition for Custody of Decedent and her sister in Family Court. A status conference was held six months prior to the fatal incident, and the case was reset for hearing the month following the fatal incident. After the fatal incident transpired, a Dissolution of Marriage action was subsequently filed, which was consolidated with this case.
- (e) A week later, Decedent’s father filed a Petition for Injunction for Protection Against Domestic Violence against Decedent’s mother, which was denied. In his Petition, he alleged that when he attempted to discuss his concerns regarding their daughter being molested by his stepson, Decedent’s mother became verbally and psychologically abusive, which caused him to feel like he was suffering a heart attack and he called for assistance. He also stated that she had viciously bitten him in the past and physically attacked him while he was driving because he was late to the airport to pick up her son. He further alleged that within the past eight years, she had twelve suicide attempts, and has a history of mental illness. At the final hearing, the judge dismissed the case for no just cause.
- (f) A week after the fatal incident, Decedent’s mother filed a Child Support claim in Family Court against Decedent’s father regarding Decedent and her sister. It appears that Decedent’s mother had prepared the paperwork two months earlier, but the case was filed after the fatal incident. This case was

transferred to the Unified Family Court, along with the open Dissolution and Domestic Violence Injunction case, and all matters were heard by one judge.

2006 Domestic Violence-Related Adult Fatalities

CASE #1

➤ General Case Information:

A 31 year old female was stabbed to death by her ex-intimate partner of six months. Decedent and Perpetrator had no children in common. Decedent was married to a 31 year old male, for 11 months prior to the fatal incident, and was currently separated from her husband. She had three minor children, ages two, eight, and eleven. Records indicated that Decedent's children had been sent to Colorado to temporarily live with Decedent's sister.

Decedent had no known substance abuse history, but a mental health history. Perpetrator's substance abuse and mental health history is unknown.

➤ Circumstances Surrounding Death:

Records indicated that on the day of the fatal incident, Perpetrator walked into the police department and told police he wanted to turn himself in because he just killed his girlfriend. Police responded to the address Perpetrator provided, and made forced entry into the residence. The Decedent was found lying on the floor with multiple stab wounds. Medical examiner records indicated Decedent was stabbed approximately 16 times. Decedent was pronounced dead on the scene. According to police, Decedent and Perpetrator had an on-again, off-again relationship. Decedent had ended the relationship, but neighbors reported that Perpetrator would still visit Decedent.

Perpetrator was charged with First Degree Murder. The case is currently set for trial.

➤ History of Domestic Violence:

Records indicated that Decedent was a victim of domestic violence by Perpetrator.

➤ Court System Involvement:

(a) Approximately eleven years prior to the fatal incident, an abuse report was called into the DCF hotline against Decedent. Decedent had given birth the day prior, and there was cause for concern due to Decedent's mental health history, which included a diagnosis of schizophrenia at the age of twelve. Reportedly she heard voices and laughter that are not real, had hurt herself in the past (smashing glass with hands), and had suicidal ideations. However, Decedent denied this to DCF investigators. Decedent was unable to take her medication while pregnant. The alleged maltreatment was special condition. DCF closed the investigation with "some indicators". Decedent had a psychological evaluation, and no evidence of thought or mood disorder was found. The case was referred to voluntary protective services.

- (b) Approximately three years prior to the fatal incident, an abuse report was called into the DCF hotline against the maternal grandmother of the children. The alleged maltreatment was beatings. DCF closed the investigation with verified findings.
- (c) Approximately seven months prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against her former boyfriend, with whom she had two children in common. In her Petition, she alleged that he called her on the cell phone and threatened to come over to her home with the intent to harm her. He also threatened to kill her. She stated that he has been physically abusive in the past, and had dislocated her shoulder. He also punched her in the arm and face, causing injuries which required hospitalization. A Permanent Injunction was issued at the final hearing. Two months prior to the fatal incident, the court suspended the father's supervised visitation.
- (d) Approximately six months prior to the fatal incident, an abuse report was called into the DCF hotline against her former boyfriend and father of two of her children, concerning the children. The alleged maltreatment was physical injury and family violence threatens child. DCF closed the investigation with "verified" findings for all maltreatment types. All children stated that they witnessed domestic violence. The children were relocated to Colorado and Decedent was referred to the battered womens' shelter, where she resided for a period of time. No Dependency case was filed.
- (e) Approximately four months prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Dating Violence against Perpetrator. In her Petition, Decedent alleged that after she ended their relationship, Perpetrator showed up at her apartment as she was opening the front door to smoke a cigarette outside, and barged his way into the residence. Once inside the apartment, he locked the door, grabbed Decedent by the neck, and took her to the bathroom. He then attempted to have sex with her by pulling down her panties halfway, but stopped. He then stood over her while she was on the ground and kicked her in the vagina repeatedly, very hard. He also stated to her, "I'm going to get you, you whore". She then tried to get up, but he stepped on her head several times and threatened to kill her. He then also threatened her by saying, "I'm not going to kill you today, but I'm going to come back and kill you". The Perpetrator then fled. Police were called to the scene and took pictures of her bruises. At the final hearing a month later, both parties failed to appear, and the case as dismissed. [**★Key event during course of litigation that coincides with events leading up to fatal incident.**]

CASE #2

➤ General Case Information:

A 27 year old female was stabbed multiple times by her estranged husband, 36 years old. Perpetrator thereafter committed suicide by jumping off a balcony at his place of employment. Decedent and Perpetrator were married for eight years, and separated for seven months prior to the fatal incident. They had two minor children in common, ages six and nine. The younger child was mentally handicapped, and the older child was autistic.

Perpetrator had a history of substance abuse involving alcohol, but no known mental health history.

➤ **Circumstances Surrounding Death:**

Records indicated that on the day of the fatal incident, Decedent's neighbor heard the Decedent screaming for help. The neighbors went and knocked on Decedent's door, and Decedent came out of the residence bleeding and then collapsed. She had been stabbed in the heart. Perpetrator then came out holding a knife to his chest, threatening to kill himself. He then fled in his car. He drove to his place of employment, went up to the fifteenth floor, and jumped off an apartment balcony. Perpetrator expired on the scene. Decedent was transported to the local hospital, where her condition deteriorated to the point that she expired.

➤ **History of Domestic Violence:**

Records indicated Decedent was a victim of domestic violence by Perpetrator, and that police had responded to their residence on numerous occasions in reference to domestic disputes.

➤ **Court System Involvement:**

- (a) Approximately two years prior to the fatal incident, Perpetrator was arrested for Battery against Decedent. Decedent alleged that Perpetrator was drunk, and that he pulled her by the hair, threw her against the floor, and then punched her in the head several times. Perpetrator accepted a plea of pretrial diversion and was ordered to complete a batterers' intervention program.
- (b) Approximately a year and a half prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator. In her Petition, Decedent alleged that Perpetrator had arrived at her home under the influence of alcohol and wanted to sleep in her bed with her. When she refused, he became furious. He then grabbed the telephone and smashed it against the floor. He also grabbed her cell phone and put it in his pocket so she could not call the police. He then pulled out a knife and threatened her by saying, "If you are a woman for real, I dare you to call the police. If I go back to jail, I'm going to go back to Nicaragua and kill your family!" At the final hearing, the case was dismissed due to Decedent's failure to appear.

- (c) A month later, Decedent filed a Paternity action against Perpetrator regarding their oldest child, which they had out of wedlock. An Acknowledgment of Paternity was entered in this case, and child support was ordered.
- (d) **Approximately one month prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Perpetrator. In her Petition, Decedent alleged that Perpetrator showed up at the house drunk and was verbally abusive to her. He then attacked her by punching her several times, which resulted in bruises on her upper arms, legs, and chest. A week prior, Perpetrator threw a chair at Decedent, which smashed into the wall and damaged it upon impact. At the final hearing, two weeks prior to the fatal incident, a Permanent Injunction was entered. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**
- (e) **Three days following the entry of the Permanent Injunction, and approximately three weeks prior to the fatal incident, an abuse report was received by the DCF hotline concerning threatened harm to the children. The alleged maltreatment was family violence threatens child. It was alleged that Perpetrator went to the home and threatened to kill Decedent. He then took a cable and wrapped it around her neck and choked her. The children tried to rescue her. Perpetrator allegedly attacked Decedent because he felt that she was trying to get him deported by having an injunction issued against him. The case was closed with “verified” findings. No Dependency case was filed. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**

CASE #3

➤ General Case Information:

A 36 year old female was shot and killed by her former live-in boyfriend, 38 years old. Decedent and Perpetrator had no children in common. Decedent had two children from two previous relationships, ages 12 and 19.

Perpetrator had a history of substance abuse involving cocaine, but no known mental health history. Records revealed that Perpetrator had an extensive criminal history, that included Cocaine Possession/Selling/Delivery, Resisting an Officer without Violence, Obstruction of Justice/False Imprisonment, Carrying a Concealed Firearm, Armed Robbery, Burglary, Use of a Firearm by a Convicted Felon, and Probation Violation.

Records indicated that Decedent had a criminal history, which included arrests for Trespass, Aggravated Assault, Obstruction of Justice/False Information, Resisting an Officer without Violence, and Petit Theft.

➤ Circumstances Surrounding Death:

Records indicated that on the day of the fatal incident, Decedent was driving her vehicle, when Perpetrator rammed it from behind. Decedent turned and tried to get away, but Perpetrator pursued her in his vehicle and rammed her from behind

again. Decedent then drove her vehicle to the swale area in front of a residence, and Perpetrator pulled in front of her vehicle and parked. Both Decedent and Perpetrator exited their vehicles and became involved in a heated argument, at which time Perpetrator shot Decedent and fled the scene. Sometime thereafter, police obtained information as to Perpetrator's whereabouts and found him sitting in his vehicle.

Perpetrator was charged with Second Degree Murder. The case is currently set for trial.

➤ **History of Domestic Violence:**

Records indicated Decedent was a victim of domestic violence by Perpetrator, and that Perpetrator had stalked and made threats against Decedent in the past.

➤ **Court System Involvement:**

- (a) Approximately seven and a half years prior to the fatal incident, Decedent filed a Paternity action against Timothy Gilmore, with whom she had one child in common. A final order of acknowledgment of paternity was entered a year later.
- (b) Approximately a year and nine months prior to the fatal incident, Decedent filed for Dissolution of Marriage against her estranged husband, 35 years old, with whom she had one child in common. They were married for five years. A final judgment was entered six months later.
- (c) Approximately one year and four months prior to the fatal incident, Perpetrator was charged with Battery and Aggravated Stalking. The alleged victim was Decedent. The case was reduced to Battery, Stalking, and Threatening Phone Calls. Perpetrator was convicted, placed on probation, and ordered to attend a batterers' intervention program. **Five months prior to the fatal incident, Perpetrator was charged with Probation Violation. A month later, a conviction was entered on this charge. [★Key event during course of litigation that coincides with events leading up to fatal incident.]**
- (d) Approximately five months prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection against Perpetrator. In her Petition, Decedent alleged that after Decedent advised Perpetrator that she no longer wanted to be with him, he continuously went to and called her place of employment trying to speak with her. After leaving work, Perpetrator followed Decedent home and as she was walking towards her residence, he told her that she was going to die, and that this was not the end. He spit in her face and pushed her down to the ground. She further stated that the following day, Perpetrator continued harassing her, telling her that she was going to die because he gave her AIDS. Perpetrator continued to call her constantly that day and night. **At the final hearing, a Permanent Injunction was entered, and Perpetrator was ordered to attend a batterers' intervention program, which he successfully completed. Decedent thereafter filed a motion to vacate the injunction, which was set for hearing two and a half months**

prior to the fatal incident, but the case was taken off calendar for unknown reasons. [★Key event during course of litigation that coincides with events leading up to fatal incident.]

CASE #4

➤ General Case Information:

A 32 year old female was shot multiple times and killed by her estranged husband, 31 years old. Decedent and Perpetrator had been involved in an intimate relationship for nine years, married for five months, and separated for three months prior to the fatal incident. They had two minor children in common, ages 18 months old and seven. Decedent had three other minor children from a previous relationship, ages 9, 10, and 12.

➤ Circumstances Surrounding Death:

Records indicated that on the day of the fatal incident, Decedent and Perpetrator became involved in a verbal altercation, at which time Perpetrator armed himself with a handgun. Some of the children were sleeping, and others were watching television in their rooms at the time. One of Decedent's minor child witnessed the argument, and returned to his bedroom. Moments later, three gunshots were heard. Decedent collapsed to the floor, just outside her bedroom door. Police and fire rescue responded, and found Decedent suffering from multiple gunshot wounds. She was treated, and later pronounced dead on the scene.

Perpetrator fled the scene and was later apprehended and charged with First Degree Murder. The case is currently set for trial.

➤ History of Domestic Violence:

Records indicated Decedent was a victim of domestic violence by Perpetrator, and that all of the children have witnessed the domestic violence.

➤ Court System Involvement:

- (a) Nine years prior to the fatal incident, an abuse report was called into the DCF hotline against Decedent concerning Decedent's two minor children. The alleged maltreatment was physical injury. The case was closed with "no indicators".
- (b) Six years prior to the fatal incident, an abuse report was called into the DCF hotline against Decedent and Perpetrator concerning Decedent's son/Perpetrator's stepson. The alleged maltreatment was lack of supervision. The case was closed with "no indicators".
- (c) Four years prior to the fatal incident, an abuse report was called into the DCF hotline against Decedent and Perpetrator, concerning their minor child in common and Decedent's other three children. The alleged maltreatment was physical injury. It was alleged that Perpetrator had hit one of the minor child with a belt, and that she also had marks on her chest and old scars. She

alleged he had hit her in the past, and choked the baby. She also alleged that Decedent had hit her as well. The case was closed with “no indicators”.

- (d) Four years prior to the fatal incident, an abuse report was called into the DCF hotline against Decedent and Perpetrator, concerning their minor child in common and Decedent’s other three children. The alleged maltreatment was physical injury. It was alleged that Perpetrator had hit one of the minor children with a stick, causing bruising on her buttocks and back. The case was closed with “no indicators”.
- (e) Four years prior to the fatal incident, Decedent filed an emergency Ex Parte Motion for Immediate Return of Child and Petition for Custody against Perpetrator concerning their minor child. An order to return the child was entered, and the case was thereafter dismissed.
- (f) **Decedent filed for Dissolution of Marriage against Perpetrator a month and a half prior to the fatal incident. Perpetrator filed an Answer in the case a week prior to the fatal incident. The parties were noticed to appear for a hearing two months later. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]**
- (g) **Three weeks prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection against Perpetrator.** In her Petition, Decedent alleged that Perpetrator slammed Decedent to the floor and kicked her in the presence of her minor children. The Perpetrator accused Decedent of being in someone else’s vehicle, after he noticed her walking to the school in their neighborhood. She further stated that Perpetrator had punched her in the head in the past and threatened to cut her throat with a machete after she witnessed him being at another woman’s residence. Furthermore, it was alleged that Perpetrator demanded money from Decedent, and when she did not give it to him, he threatened that he would bury her alive, burn the house down with her in it, or have his bother “put voodoo” on her from Haiti. **At the final hearing, four days prior to the fatal incident, a Permanent Injunction was issued. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]**
- (h) An abuse report was made to the DCF abuse hotline as a result of the above-cited incident. The alleged maltreatment type was family violence threatens child. The case was closed with “verified” findings. No Dependency case was filed prior to the fatal incident.

CASE #5

➤ **General Case Information:**

A 34 year old female was killed in an automobile collision caused by her former live-in boyfriend, 34 years old. Decedent and Perpetrator were on-again, off-

again intimate partners for 18 years, and had four minor children in common, ages 16, 15, 7, and 3 years old.

Records revealed that Perpetrator had a history of substance abuse involving cocaine and mental illness, possibly schizophrenia. Further, Perpetrator was Baker Acted by police on two prior occasions. Perpetrator had an extensive criminal history, including Cocaine Possession and Selling, Cannabis Possession/Selling/Delivery, Probation Violation, Loitering, Resisting Arrest, Obstruction, Trespass, Aggravated Assault, Disorderly Conduct, Threatening a Public Servant, Carrying a Concealed Weapon, and Grand Theft Auto.

Decedent had a criminal history which included a charge of Child Abuse nine years prior to the fatal incident, which was dismissed. Decedent also had a charge for Petit Theft twelve years prior.

➤ **Circumstances Surrounding Death:**

Records indicated that on the day of the fatal incident, Perpetrator was the passenger of a vehicle that was being operated by Decedent. They became involved in a heated argument, when Perpetrator made a profane statement and pulled the steering wheel, causing the car to go out of control and collide into a tree. Decedent was airlifted to the hospital, where she expired from her injuries. Three of their four children were inside the car at the time of the accident, and one sustained injuries and was hospitalized as a result.

Perpetrator sustained minor injuries, and upon being medically cleared, was charged with one count of Second Degree Murder and three counts of Attempted Second Degree Murder. Police records revealed that Perpetrator was uncooperative with detectives and was transported to the mental health wing at the jail. The case is currently set for trial.

➤ **History of Domestic Violence:**

Records indicated that there was an extensive history of Decedent being a victim of domestic violence by Perpetrator, and that on previous occasions, Perpetrator made threats to kill Decedent and the children. There are numerous police reports as well responding to domestic disputes.

➤ **Court System Involvement:**

(a) Approximately eleven years prior to the fatal incident, an abuse report was called into the DCF hotline against Decedent. The alleged maltreatment was physical injury. The allegations were that Decedent had been excessively punishing the children, hitting one of them with the heel of a shoe, causing bruising, redness, and a small cut to the eye and head. The case was closed with “some indicators”, and the family was referred for services. No Dependency case was filed.

(b) Approximately ten years prior to the fatal incident, an abuse report was called into the DCF hotline. The alleged maltreatment was inadequate supervision. Decedent reported there was a miscommunication with Perpetrator as to who

was supposed to care for the children on the day in question. The case was closed with “no indicators”.

- (c) Approximately nine years prior to the fatal incident, Perpetrator was charged with Aggravated Assault against Decedent. The case was dismissed.
- (d) Approximately eight years prior to the fatal incident, Perpetrator was charged with Throwing a Deadly Missile against Decedent. The case was dismissed.
- (e) Approximately eight years prior to the fatal incident, Chandra Davis, 33 years old, filed a Paternity action against Perpetrator, regarding a 14 year old child. A final order of paternity was entered two months later.
- (f) Approximately seven years prior to the fatal incident, Decedent filed for Dissolution of Marriage against her husband at the time, 61 years old. Records indicated they were married for three and a half years, and had no children in common. A final judgment was entered.
- (g) A month later, Decedent filed for and obtained a Temporary Injunction for Protection Against Perpetrator. The allegations contained in the Petition are unavailable. At the final hearing, the case was dismissed due to Decedent’s failure to appear.
- (h) Perpetrator was charged with Domestic Violence Injunction Violation (of the Temporary Injunction) during this time. A withhold of adjudication with probation was entered.
- (i) Six years prior to the fatal incident, Perpetrator was charged with Battery against Decedent. A withhold of adjudication with probation was entered.
- (j) As a result of the above-cited incident, an abuse report was called into the DCF hotline against Perpetrator. It was alleged that Perpetrator punched Decedent in the head and had been arrested as a result. It was further reported that Perpetrator had threatened to kill his children. The alleged maltreatment was family violence threatens children. The case was closed with “verified” findings. At the time of the investigation, Decedent showed the protective investigator proof that she had participated in domestic violence counseling and reported that she had filed for an injunction against Perpetrator. She also reported that she was planning on filing for custody of her children. Perpetrator was incarcerated, and Decedent stated she was moving out of the home with the children. No Dependency case was filed.
- (k) Approximately four years prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Perpetrator. In her Petition, Decedent alleged that since Perpetrator’s release from a mental institution two months prior, he had continually harassed and threatened

Decedent and their children. She stated that Perpetrator threatened their eldest son, stating he would throw him in a lake if he saw the child walking home from school. She also stated that two weeks prior, he came to Decedent's sister's home, where she was visiting, verbally abused her with profanities, and then stated, "The only way I would leave you alone is if you picked up a knife and killed all three kids. Then I would be happy because I want to see you suffer". She further stated that when she was five months pregnant, Perpetrator grabbed her by the hair and threw her on the floor, and that he threatened to set the house on fire with her inside it. She stated that Perpetrator had been abusive to the children as well, and on one occasion, picked up a golf club and lifted it above their daughter's head and gestured as if he was going to bust her head open. At the final hearing, the case was voluntarily dismissed by Decedent.

- (l) Approximately two and a half years prior to the fatal incident, an abuse report was called into the DCF hotline against Decedent. The alleged maltreatment was beatings on one of the children, but it was not known which child had been assaulted. Decedent reported that teachers at the school reported behavioral problems and disruptive behavior, and that she needed assistance with parenting. Further, she reported that Perpetrator had a history of mental illness, was not living in the home at the time, and that the children made statements that they hated their father. The case was closed with a finding of "no indicators", and the children were referred for family counseling.
- (m) Approximately two years prior to the fatal incident, Perpetrator was charged with Battery against Decedent. The case was dismissed eight months later.
- (n) Approximately one year prior to the fatal incident, the parties' 16 year old son was arrested and charged in a Juvenile Delinquency case with Resisting an Officer without Violence, Disorderly Conduct, and Affray. All charges were dismissed three weeks after the fatal incident.
- (o) **Approximately one month prior to the fatal incident, Decedent filed for and obtained a Temporary Injunction for Protection Against Perpetrator. In her Petition, Decedent alleged that four days prior, the Perpetrator, who suffered from mental illness, had gone to her residence uninvited, and had threatened their 14 year old son with a hammer, stating, "If I can't get to you, I'll kill your mother". Decedent also detailed prior incidents of domestic violence and child abuse by Perpetrator, and stated that he constantly has threatened to kill them. At the final hearing, ten days prior to the fatal incident, the case was voluntarily dismissed by Decedent. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]**
- (p) **The same day, Perpetrator was arrested for Trespass After Warning on Decedent's property. The case was dismissed 11 days prior to the fatal**

incident. [*★Key event during course of litigation that coincides with events leading up to fatal incident.*]

- (q) Approximately two weeks prior to the fatal incident, the parties' 15 year old son was arrested and charged in a Juvenile Delinquency case with Resisting an Officer with Violence, Trespass at a School, and Battery. All charges were dismissed two months after the fatal incident.

2006 Child Deaths Resulting from Abuse and/or Neglect

CASE #1

➤ General Case Information:

A male, nine years old, died from brain injury secondary to drowning in a swimming pool. Decedent had a younger sister, six years old, and two half-siblings, ages one and one month old. Decedent's mother and father were married for ten years, but had been separated for the previous several years prior to the fatal incident.

Neither Decedent's mother nor father had any known history of substance abuse or mental health.

➤ Circumstances Surrounding Death:

Records indicated that on the day of the fatal incident, the Decedent slipped and fell into a swimming pool during a child's birthday party. Decedent's mother, 29 years old, had taken her other child to the bathroom at the time. There were approximately 12 to 16 adults and 8 to 10 children in attendance. No one noticed that Decedent was missing for a short time. At some point, a family friend jumped into the pool and recovered Decedent. Fire rescue intervened and resuscitated him for about 20 minutes and transported him to a local hospital for care. Decedent expired three days later.

DCF found "no indicators" of abuse or neglect in terms of the death, and ruled it accidental. Bereavement services and therapy were provided to the family.

➤ History of Domestic Violence:

Records indicate that Decedent's mother was a victim of domestic violence by Decedent's father.

➤ Court System Involvement:

- (a) Three years prior to the fatal incident, Decedent's father was arrested for Battery and Witness Tampering. The alleged victim was Decedent's mother. Records indicated Decedent's mother may have been hospitalized as a result of the incident. Decedent's father was placed on probation and ordered to attend a batterers' intervention program.
- (b) That same year, Decedent's father filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent's mother. The case was dismissed for no just cause at the final hearing.

- (c) Approximately a year prior to the fatal incident, an abuse report was called into DCF concerning Decedent's three children at the time. The alleged maltreatment was inadequate food and physical injury. The case was closed with "no indicators".
- (d) Decedent's mother filed for and obtained a Temporary Injunction for Protection Against Domestic Violence against Decedent's father approximately 11 months prior to the fatal incident. In her Petition, she alleged that she and Decedent's father became involved in a heated argument when he got in her face and blamed her for their two children hating him. She stated that he wanted to take the children away from her, and that the children are afraid due to their having witnessed him perpetrating domestic violence in the home against her. He began pushing and shoving her and hit her on the back of her head. She stated that when she was able to get away from him with a friend's assistance, he followed her to her friend's house and threw a rock at the window, breaking it. She thereafter sought a confidential location to stay with their two children. She further alleged that Decedent's father has left her messages on her cell phone saying, "When I find you, you will be dead". She stated that he had been physically, verbally, and mentally abusive throughout their marriage, and that the year prior, he had put a gun to her head, threatening to kill her. Law enforcement were unable to personally service Decedent's father with the injunction paperwork, and the Temporary Injunction was extended over a three and a half month period while they attempted to locate him to effectuate service. The case was dismissed thereafter. Records indicated that Decedent's father may have been out of the country at the time.
- (e) Approximately eight months prior to the fatal incident, Decedent's mother filed a Paternity action against the alleged father of her third child. No final order has been entered in the case, and there has been no further activity in the case following the filing of an answer and referral to the general magistrate as of approximately a month prior to the fatal incident. Records indicate that Decedent's mother gave birth to a fourth child at that time, with the same alleged father.

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