

Domestic Violence Claimed

**67 Lives**

in Wisconsin in 2009

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**Wisconsin  
Domestic Violence  
Homicide Report  
2009**

*You will be remembered*

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Published September 2010



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## EXECUTIVE SUMMARY

Continuing the work launched in 2000 with publication of the first Wisconsin Domestic Violence Homicide Report, this edition details domestic violence-related homicides in the calendar year 2009.<sup>1</sup> This brief accounting in no way represents the victims' full lives. That would require a far more detailed inquiry, in-depth study of official case records, and conversations with family and friends left behind. Within the limitations of readily available public information, we have endeavored to construct as accurate a description as possible of key events and circumstances related to each homicide.<sup>2</sup>

In 2009, there were 47 domestic violence homicide incidents resulting in 67 deaths: 52 homicides and 15 perpetrator suicides.<sup>3</sup> Two multiple homicide incidents accounted for 7 of the victim deaths and one perpetrator suicide. The numbers of victims and total deaths are the highest in ten years.<sup>4</sup>

Other aspects of domestic violence-related homicide during 2009 include:

- There was an average of 4 domestic violence homicide deaths per month in Wisconsin. When perpetrator suicides and homicide death are combined, the rate was almost 6 domestic violence-related deaths per month.
- Perpetrators of domestic violence homicide incidents were overwhelmingly male: 83% (40 of 48, excluding one homicide by responding law enforcement officers).
- Two-thirds of victims were female (35 of 52). About 40% of the male victims were killed by a current or former female partner (7 of 17). 60% of male victims were killed by another male in conjunction with an attack on or in relation to a former female partner.
- Most domestic violence homicides included in this report are related to intimate partner violence. Victims were current or former partners, children or family members of a current or former partner, or bystanders present during the attack. The analysis for 2009 included only one incident of non-intimate partner homicide that met the definition and criteria used in the report.
- Fifty-two percent of the homicide incidents involved a victim or someone close to the victim who had left the relationship or was taking action to leave the relationship, such as moving out or filing for divorce.
- Victims reflected the life span, from age 1 to 82 years old. 19% of victims were age 50 and older. Perpetrators ranged in age from 13 to 87 years old, with 25% over age 50 and older.
- Victims were from 24 counties across all regions of the state.
- At least 52 minor children were left orphaned or without a mother or father as a result of a domestic violence homicide or homicide-suicide. Of the 32 minor children who lost one parent, 24 lost their mothers.

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<sup>1</sup>Homicides were considered "domestic" if the victims and perpetrators were spouses or partners, former spouses or former partners, adults with children in common, and adults or teens who had been in a dating relationship. Homicides of others were also included if the circumstances of murder included obsessive control of the perpetrator's current or former partner that extended to her or his new partner or an attempt to protect a domestic violence victim from future harm. This report also details homicides of domestic violence perpetrators that occur as their victims acted in self-defense. See *Methodology* for additional information on definitions and criteria.

<sup>2</sup>Primary sources include news media (print and Internet editions) and Wisconsin Circuit Court Access records.

<sup>3</sup>The Office of Justice Assistance, using Uniform Crime Report data submitted by law enforcement agencies, reports 159 homicides in 2009. Data on 2009 deaths in Wisconsin, including homicide, was unavailable from the Wisconsin Department of Health Services Bureau of Health Information and Policy at the time this report was published. See *Methodology*.

<sup>4</sup>See the statewide map and 2000 through 2009 comparison at the conclusion of this report.

- In 45% of domestic violence homicide incidents, there was a known past history of domestic violence involving the perpetrator and either the victim, a victim's family member (e.g., a daughter or sister) or friend, or another person.
- When perpetrators had a record of arrest on domestic abuse–related charges, such as battering, restraining order or harassment order violations, or intimidating a victim, such charges were often dismissed or reduced to disorderly conduct. In several cases, the effect of this decision was that the defendant was still allowed to possess firearms.
- Fifty-four percent of domestic violence homicide victims were shot to death. Firearms were used 68% of all incidents of domestic violence homicide, either as the primary or secondary method of killing or the method of perpetrator suicide..
- The 2009 cases reflect the factors that research has found to be particularly associated with lethal violence and the risk of violence.<sup>5</sup> These include, among other factors: stalking, strangulation, threats to kill the victim and threats to kill that the victim believes, threats to kill that are conveyed to others, forced sex, serious injury to the victim, access to or use of weapons, violence outside the home, a victim who is attempting a permanent break, obsessive jealousy, and prior arrests, police calls and/or restraining orders.

While intimate partner homicide rates overall have declined nationally for all race and gender groups in the past thirty years, the decline has varied significantly for different populations. According to data compiled by the Bureau of Justice Statistics, between 1976 and 2005, “the number of black males killed by intimates dropped by 83%, white males by 61%, black females by 52%, and white females by 6%.” This downward trend has been attributed to increased awareness, services, and intervention. Nevertheless, of all female murder victims, the proportion killed by an intimate partner has been increasing and for white women in the relationship of girlfriend the intimate partner homicide rate is higher than it was in 1976. While the rate has declined for black women in the relationship of girlfriend, it remains higher for them than for any other group.<sup>6</sup>

Several key themes emerged across the 2009 cases and are addressed in detail in the report. These include: the reach and impact of domestic violence homicide, including attempts by family and friends to intervene in some way; the impact on children; contrasts between male- and female-perpetrated domestic violence; stalking behavior; the persistent role of firearms in domestic violence homicides; help-seeking by victims of ongoing abuse and the efforts of family members to protect them and get the attention of official interveners; the reach of domestic violence homicide into later life; and the impact of domestic violence homicides on diverse communities. Many of these themes have been common across the ten years that the report has been published.

Our intent with this report is to honor the victims of domestic violence homicide and help Wisconsin communities create opportunities for intervention and prevention. We want to expand the understanding of the dynamics of domestic violence among Coordinated Community Response Teams, Elder Abuse Interdisciplinary Teams, and other critical systems where those living with domestic violence, whether as the target of that violence or the perpetrator, might seek help, assistance, support, and opportunities to change. We hope to inspire community members to get involved in efforts to prevent domestic violence.

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<sup>5</sup> For a summary of key factors, see the “Practitioners’ Guide to Risk and Danger in Domestic Violence Cases,” in *The Blueprint for Safety: An Interagency Response to Domestic Violence Crimes*, Praxis International, 2009; <http://www.praxisinternational.org>

<sup>6</sup> Bureau of Justice Statistics, *Homicide Trends in the U.S., Intimate Partner Homicide*, available at <http://www.ojp.usdoj.gov/bjs/homicide/intimates.htm>

## KEY FINDINGS – 2009

The following tables provide snapshots of the number and characteristics of victims and perpetrators, homicide methods and location, and factors related to domestic violence homicide, such as prior history of domestic violence and whether the victim tried to leave the relationship.

### Overview

<b>Domestic violence homicide incidents</b>	<b>47</b>
<b>Victims of domestic violence homicide</b>	<b>52</b>
<b>Homicide incidents with two or more victims</b>	<b>2</b>
<b>Homicide incidents with perpetrator suicide</b>	<b>15</b>
<b>Total deaths (victim and perpetrator)</b>	<b>67</b>
<b>Female victims</b>	<b>35</b>
<b>Male victims</b>	<b>17</b>
<b>Female perpetrators</b>	<b>8</b>
<b>Male perpetrators</b>	<b>40</b>

- The 2 multiple homicide incidents accounted for 7 of the 52 victims.
- Of the 17 male victims, 8 were killed by a male perpetrator and one by responding law enforcement.
- Perpetrator total count (48) includes multiple perpetrators in one case and excludes responding law enforcement officers.

### Age and gender of victims

	Female	Male	Total by age
<b>0-6 years</b>	<b>3</b>	<b>1</b>	<b>4</b>
<b>7-17</b>	<b>--</b>	<b>1</b>	<b>1</b>
<b>18-29</b>	<b>8</b>	<b>3</b>	<b>11</b>
<b>30-49</b>	<b>16</b>	<b>10</b>	<b>26</b>
<b>50 and older</b>	<b>8</b>	<b>2</b>	<b>10</b>
<b>Total</b>	<b>35</b>	<b>17</b>	<b>52</b>

- Of the victims age 50 and older, 4 were over 60 years of age; of those, 3 were over 80.

### Age and gender of perpetrators

	Female	Male	Total by age
<b>Under 18</b>	<b>1</b>	<b>9</b>	<b>1</b>
<b>18-29</b>	<b>6</b>	<b>20</b>	<b>9</b>
<b>30-49</b>	<b>1</b>	<b>11</b>	<b>26</b>
<b>50 and over</b>	<b>8</b>	<b>40</b>	<b>12</b>
<b>Total</b>	<b>8</b>	<b>48</b>	<b>48</b>

- Perpetrator count excludes responding law enforcement officers.

## Race or ethnicity of victims and perpetrators

	Victims		Perptrators	
	Female	Male	Female	Male
Caucasian	27	5	1	27
African American	4	10	7	8
Asian	1	1	--	2
Latino or Hispanic	1	1	--	3
Native American	--	--	--	--
Other or unknown	2	--	--	--

- Race and ethnicity listed according to identification in an official record or news report.
- Perpetrator count does not include responding law enforcement officers.

## Methods of killing

A homicide often involved multiple methods of assault. The following figures reflect the primary method contributing to the victim's death.

By number of victims killed by each method	
Shot	28
Stabbed	13
Beaten or assaulted by being punched, pushed, bludgeoned	3
Strangled	5
Heroin toxicity and asphyxiation/strangulation	1
Beating and strangulation	1
Undetermined (body too badly burned after death)	1

- 32 of the 47 incidents of domestic violence homicide (including self-defense or defense of another) and homicide-suicide involved a firearm, either as a primary method of killing or related weapon.

## Relationship of victim to male perpetrator

When perpetrator was male, victim was:	
Current female partner	15
Former or estranged female partner	15
Perpetrator's child ( <u>and</u> child of current or former female partner)	4
Perpetrator's stepchild	1
Family member of perpetrator's former/estranged female partner	2
New male partner/male otherwise connected to the perpetrator's former or estranged female partner	4
Former male partner of perpetrator's current female partner	1
Bystander	1

- Perpetrator count does not include responding law enforcement officers.

## Relationship of victim to female perpetrator

When perpetrator was female, victim was:	
Current male partner (husband/boyfriend)	6
Estranged male partner	1
Step-grandfather	1

## Homicide-suicide

Homicide incidents with perpetrator suicide	15
Number of victims in homicide with perpetrator suicide	20
Homicide-suicide incidents involving firearms	13
Male perpetrator/suicide	14
Female perpetrator/suicide	1

- One of the homicide-suicide cases involved multiple homicides.
- In 10 of the 15 homicide-suicide cases, the homicide victim was the perpetrator's current female partner.

## Multiple homicides

Multiple homicide incidents	2
Number of victims in multiple homicides	7
Multiple homicide incidents with perpetrator suicide	1
Multiple homicide incidents involving firearms	2
Male perpetrator	2
Female perpetrator	--

## Impact on children

Children killed (under age 18)	5
Children at the scene of an adult homicide	16
Minor children orphaned	20
Minor children left motherless	24
Minor children left fatherless	8

- The number of children killed is most likely undercounted, as are the numbers of children at the scene or left orphaned or without a parent. See Methodology.

## Prior history of domestic violence

(By incident)	
Known prior history with homicide victim	17
Known prior history with other victim(s)	4
Prior history with this or any victim was unknown	26

## Leaving the relationship

(By incident; involving either the victim or someone the victim was related to or involved with, e.g., a daughter)	
Divorced, pending divorce, or separation	14
Unmarried and separated or leaving the relationship	8
Unknown if action to leave or end the relationship	25

## Location of homicide

(By incident)	
Victim's home or shared home with perpetrator	21
Public location (e.g., driveway or apartment building parking lot, street, park, motel, parking lot, medical facility)	16
Perpetrator's home	7
Unknown (body found in woods or lake)	3

## 2009 HOMICIDES

The following accounts of the domestic violence homicides included in this year's report are compiled from information that is readily available via public sources and limited follow-up inquiries. The amount of attention such sources pay to one domestic-violence-related homicide in comparison to another varies greatly. Hence, the detail available to address each homicide varies greatly. Clearly these brief descriptions in no way reflect the complexity and circumstances of each person's death, and they certainly do not capture the complexities and fullness of their lives and the impact that each homicide and suicide has on surviving family members, friends, neighbors, coworkers, communities, and those responding and attempting to help, whether in the immediate event or in the time preceding it. All accounts and discussions of the homicides included in this report should be read with this reminder, from a surviving family member:

*...she was a person, she wasn't just a victim of a crime.  
[Her daughter] wasn't just some little girl that was killed.  
They were people. They were so much to so many people.*

NOTE: Perpetrators and defendants are identified according to news accounts and public records, including persons charged with a crime where the case remains open. Case status reflects information available at the time of publication of this report. Individuals' ages are listed as of the date of the homicide.

### County

### In the death of...

NOTE: The current status of an open case can be found via Wisconsin Circuit Court Access. Check under the defendant's name at: <http://wcca.wicourts.gov/index.xsl>

### Brown

#### **Richard Bostwick, 34, Bellevue – August 28**

Shot to death by his estranged wife, Barbara A. Bostwick, 48, who then killed herself. She had filed for divorce approximately ten days prior to the homicide. A motion hearing had been held earlier in the day. The couple was reportedly involved in a custody action concerning their young child, who was at day care at the time of the deaths.

#### **Kenneth Erving, 51, Green Bay – October 11**

Nawanna L. Polk, 41, has been charged with first-degree intentional homicide in the stabbing death of Kenneth Erving. A jury trial is scheduled for October 2010. Between January and July 2009, Nawanna Polk was charged with domestic-abuse-related disorderly conduct in three incidents involving Kenneth Erving. No-contact orders were issued in each case and removed at his request. Two of the cases remained open at the time of the homicide.

## County

## In the death of...

### Dane

#### ***Francesca M. (“Francie”) Weber, 47, Fitchburg – May 16***

Shot to death at her home by her former husband, Steven J. Weber, 49, five days after their divorce was finalized. The homicide occurred in the parking lot of her apartment building. Steven Weber remained at large for three days after the homicide and was the subject of an extensive search by authorities. His body was found in the city park where he had shot and killed himself. A criminal no-contact order was in place at the time of the homicide in conjunction with pending charges of strangulation and suffocation, child abuse, disarming a peace officer, and other charges related to assaults on Francesca and one of her daughters. As a convicted felon, Steven Weber could not legally own or possess guns.

#### ***Detarius Martin, 23, Fitchburg – June 16***

Perry E. Lucas, 28, has been charged with first-degree intentional homicide and first-degree recklessly endangering safety in the shooting death of Detarius Martin and the wounding of his brother. A jury trial is scheduled for October 26, 2010. The homicide occurred during a confrontation involving Perry Lucas, his girlfriend and her friend, and a woman who was on a date with the defendant. Detarius Martin and his brother had accompanied the two women to Lucas’s residence.

#### ***Shereen C. Beaulieu, 51, McFarland – July 14***

Shot to death at her home by her estranged husband, Robert S. Beaulieu, 61, who died a few hours later from a self-inflicted gunshot. The couple had been separated for several years and had filed a joint petition for divorce three weeks prior to the homicide.

#### ***Tracy Judd, 33, Middleton – December 3***

#### ***Deja Renee (Deja Adair), 1***

#### ***Amber Weigel, 25, Madison – December 3***

#### ***Neveah Weigel-Adair, 2***

Tyrone M. Adair, 38, strangled his current girlfriend, Tracy Judd, and suffocated their daughter, Deja Renee. He also shot and killed Amber Weigel, a woman with whom he had been in a prior dating relationship, and their daughter, Neveah. Tyrone Adair remained at large for four days until his body was found in one of the victim’s cars. He died from a self-inflicted gunshot. At the time of the homicides he was subject to a restraining order obtained in 2006 by another woman. In 1995 and 2000, two other women initially sought restraining orders, but did not obtain them. In 2000 he pled no-contest to a charge of battery involving one of the women. Although prohibited by the restraining order and the battery conviction from possessing firearms, he purchased one via a private sale.

## County

## In the death of...

### Dodge

#### ***Tammy Lynn Henry, 42, Waupun – July 13***

Died after her skull was fractured with a metal rod and a plastic bag was placed over her head. Her husband, Larry Randall Henry, 44, was found guilty of first-degree intentional homicide after a jury trial. He was sentenced to life in prison, with eligibility for extended supervision after twenty years.

***Joyce S. Breitzkreutz, 61, Horicon – September 8*** Shot to death by her husband, Dale K. Breitzkreutz, 59, who then killed himself.

### Eau Claire

#### ***Theresa L. Still, 43, Altoona – December 27***

Her boyfriend, Gregory A. Gubernot, 44, was charged with strangling and beating her to death. He committed suicide in jail in June 2010 on the day before his trial was to begin. Theresa Still's body was discovered in another county by a hunter. In the days prior to the homicide, she had told a co-worker that he had become increasingly violent with her. Gregory Gubernot was charged several days after the homicide and was at large until apprehended in northern Wisconsin.

### Fond du Lac

#### ***Renee Redmer, 28, Fond du Lac – January 5***

Brandon J. Mueller, 36, has been charged with first-degree intentional homicide and mutilating a corpse in conjunction with the strangulation death of his girlfriend, Renee Redmer, and the burning of her body and disposal of her remains in Lake Winnebago. A jury trial is scheduled for October 11, 2010. In connection with Renee Redmer's death, a jury convicted Brandon Mueller's mother, Nancy J. Pinno, of mutilating a corpse and resisting or obstructing an officer. She was sentenced to seven years and six months in prison and five years of extended supervision. Donald R. Worth, 37, Nancy Pinno's friend, was found guilty of mutilating a corpse after a no-contest plea. He was sentenced to six years in prison and four years of extended supervision, with eligibility for earned release after three years of confinement. Renee Redmer's family reported her missing in January 2009, and arrests were made in July after a tip to police. At four times between 1998 and 2008, Brandon Mueller was convicted of domestic-abuse-related crimes involving other women and was named as the respondent in four domestic abuse temporary restraining orders. Renee Redmer had been dating him for approximately one month prior to her death.

#### ***Julie M. Hinkley, 42, Eldorado – January 9***

Shot to death by her husband, Kurt R. Hinkley, 48, who then killed himself. The deaths occurred outside of the couple's home and in front of law enforcement officers on the SWAT team who had been alerted by a text message that Julie Hinkley sent to a neighbor. Kurt Hinkley had been released on bond in mid-November 2008 in conjunction with a domestic-abuse-related charge and a pretrial conference was scheduled for the week following the homicide.

**County****In the death of...****Kenosha*****Carmen Santos-Padilla, 37, Kenosha – August 8***

Died from stab wounds that punctured her liver and also cut her skull and jugular vein. Her husband, Jose Leon-Colon, 41, was charged with first-degree intentional homicide. He committed suicide by hanging in November 2009 while awaiting trial. About three weeks prior to the homicide, Carmen Santos-Padilla had separated from her husband and went to live with her pastor and his family.

**La Crosse*****Pa Hou Vang, 22, La Crosse – May 21***

Shot to death by her estranged husband, Dang Xiong, 24, who then killed himself. The homicide occurred in front of his home as Pa Hou Vang got out of her car. In 2008, Dang Xiong physically assaulted her and was charged with domestic abuse disorderly conduct. He pled guilty to an amended charge of disorderly conduct, without the domestic abuse modifier, and was sentenced to time served in jail.

**Manitowoc*****Miki Greaves, 50, Cooperstown – November 20***

Miki Greaves's body was found by two hunters alongside a remote road. She had been stabbed to death. Her estranged husband, Ambrose Greaves, 40, has been charged with first-degree intentional homicide. Proceedings were suspended in April 2010 after he was found incompetent to participate. He was committed for treatment and his competency to stand trial will be periodically re-evaluated. Two months prior to the homicide, Miki Greaves told a neighbor, who was also a law enforcement officer, that Ambrose Greaves was threatening her and "pushing her around." A store clerk told investigators that a man fitting Ambrose Greaves description had purchased weed killer, duct tape, and a utility knife shortly before Miki Greaves disappearance. A store bag, receipt, and duct tape were found near her body. Officers responding to a one-vehicle traffic accident discovered Ambrose Greaves in his blood-stained car, with injuries inconsistent with a traffic accident.

**Marathon*****Robin Dunwoody, 39, Wausau – January 3***

Shot to death by her former boyfriend, Walter E. Lassa, 54. He pled guilty to first-degree intentional homicide and was sentenced to life in prison. The homicide occurred as Robin Dunwoody was leaving work and was witnessed by her coworkers. She had ended their two-year relationship two months prior to the homicide and had told family members that she was afraid of him. Walter Lassa fled the scene and was at large for approximately one hour before being apprehended.

***Cynthia Tyler, 43, Stratford – March 14***

Died of blunt force trauma and bleeding into her brain after being struck in the head. Her boyfriend, Eric R. Mayer, 28, was found guilty of felony murder after a no-contest plea. He was sentenced to ten years in prison and five years of extended supervision.

## County

## In the death of...

### Milwaukee

#### ***Phillip A. Townsel, 39, Milwaukee – January 19***

Stabbed to death by his girlfriend, Tonia Felice Thornhill, 55. She was found guilty of second-degree reckless homicide (reduced from first-degree reckless homicide while armed) after a no-contest plea and was sentenced to four years in prison and six years of extended supervision. Tonia Thornhill reported that immediately prior to the homicide, Philip Townsel had been threatening her. Earlier in the day police had come to the residence after she had asked a neighbor to call them. She reported that he had hit her on the face and she had responded by punching him in the mouth.

#### ***Timothy R. Adams, 26, Milwaukee – February 25***

Stabbed to death by his girlfriend, Melissa M. Jelks, 30. The couple had two children in common. She pled guilty to charges of homicide by a dangerous weapon and second-degree reckless endangerment of safety. She was sentenced to a total of seven years in prison and four years of extended supervision. Melissa Jelks reported that prior to the homicide there had been a physical confrontation and she demanded that Timothy Adams leave the residence and then called police. The stabbing occurred prior to the officers' arrival.

#### ***Aeric C. Johnson, 35, Milwaukee – March 4***

Stabbed to death by his girlfriend, Roquita L. Young, 32. She was found guilty of homicide by a dangerous weapon after a no-contest plea. She was sentenced to eighteen months in prison and eighteen months of extended supervision. Roquita Young reported that prior to the homicide, Aeric Johnson picked her up and threw her to the floor multiple times and then hit her in the mouth. A witness reported seeing him grab Roquita Young by the hair and punch her at least once while she tried to fight back.

#### ***Omar Vera-Marti, 29, Milwaukee – April 27***

A warrant has been issued for Francisco Rivera, 28, in connection with the shooting death of Omar Vera-Marti. At the time of the homicide, Omar Vera-Marti was in the company of Francisco Rivera's girlfriend and another woman. The second woman present reported that after the shooting, Francisco Rivera slapped his girlfriend, forced her into a van, and left the scene, threatening the witness not to say anything.

#### ***Johnnie W. Chapman, 30, Milwaukee – May 3***

Raymond E. Woods, 18, has been charged with first-degree reckless homicide and dangerous use of a weapon in the shooting death of Johnnie Chapman. A jury trial is scheduled for September 7, 2010. Raymond Woods was in a relationship with a woman who had previously been involved with Johnnie Chapman and with whom she shared children.

#### ***Terry T. Robinson, 47, Milwaukee – May 11***

Shot to death after confronting a man who was in the company of his (Terry Robinson's) girlfriend. Authorities declined to issue charges after determining that the perpetrator acted in self-defense.

## County

## In the death of...

### Milwaukee

**Myesha A. Haynes (Myesha House), 28, Milwaukee – May 13** Melvin R. House, 44, has been charged with first-degree intentional homicide in the death of his wife, Myesha Haynes. A jury trial is scheduled for December 6, 2010. Myesha Haynes' body was found in Lake Michigan, with four gunshot wounds to her chest. At the time of the homicide, Myesha Haynes had moved in with friends, telling them that she wanted a divorce because her husband had repeatedly beaten her and threatened her with a gun. In May 2008, she sought a restraining order that was not granted. In 2004, Melvin House was charged with battery against her, and the charge was dismissed on the defendant's motion.

**Katelyn Mrozinski, 22, West Allis – May 21**

Died from acute heroin intoxication, with a "ligature placement" (i.e., strangulation-type marks) noted as a "significant condition" by the medical examiner. Her boyfriend, Adam R. Koch, 23, pled guilty to a charge of first-degree reckless homicide by delivery of drugs and was sentenced to nine years in prison and nine years of extended supervision.

**Bernice Jackson, 37, Milwaukee – May 25**

Shot to death by her sister's former husband, Clyde Tally, 35, who had appeared at a family gathering and attempted to take his twelve-year-old daughter with him. After leaving and returning, he again drove away, firing the shots that killed Bernice Jackson and injured a seventeen-year-old boy. Clyde Tally pled guilty to charges of first-degree reckless homicide and first-degree recklessly endangering safety. He was sentenced to twenty-five years in prison and seven years of extended supervision for the homicide and an additional period of incarceration and supervision on the second charge, to run concurrently.

**Pauletta S. Harris, 42, Milwaukee – July 5**

Shot to death by her boyfriend, Robert Joseph Grant, 54. He pled guilty to second-degree reckless homicide (amended from first-degree) and was sentenced to eleven years in prison and nine years of extended supervision.

**Robert A. Moon, 48, Milwaukee – August 8**

L.T.B., 13, has been charged as adult with first-degree intentional homicide (upgraded from first-degree reckless homicide) in the stabbing death of her step-grandfather, Robert Moon. Proceedings were suspended in April 2010 after she was found incompetent to participate. She was committed for treatment and her competency will be periodically re-evaluated. Child welfare and children's court records examined by the Journal Sentinel show a history of abuse and neglect of L.T.B. and her young relatives, including alleged sexual assault of L.T.B. and other girls by the victim's son. About twelve days prior to the homicide, a court denied a request by social workers to place L.T.B. in foster care outside of Milwaukee County because her safety was in jeopardy and instead scheduled a review hearing for October.

**Shoua Lee, 41, Milwaukee – December 31**

Lee Yang, 56, has been charged with first-degree intentional homicide in the shooting death of Shoua Lee. A jury trial is scheduled for October 11, 2010. Shoua Lee was in a relationship with Lee Yang's former wife.

**County****In the death of...****Monroe*****Teresa Wilkinson, 37, Warrens – July 22***

Shot to death by her estranged husband, Brent W. Wilkinson, 37. He pled guilty to first-degree intentional homicide and a sentencing hearing is scheduled for September 9, 2010. The homicide occurred approximately two weeks after the couple had filed for divorce.

**Oconto*****Christine M. Staeven, 40, Town of Chase – May 14***

Christine Staeven's badly burned body was found in her home. Her three young children were also present and were able to escape the fire. The autopsy determined that she did not die as a result of the fire, which investigators determined had been started in three locations in the house. Her estranged husband and the children's father, Randall C. Staeven, 50, has been charged with first-degree intentional homicide, arson, three counts of first-degree reckless endangerment, and mutilating a corpse. He has pled not-guilty and filed a motion to dismiss the charges. A hearing on the motion is scheduled for September 1, 2010. Christine Staeven filed a petition for divorce in March 2009 and filed a domestic abuse temporary restraining order in January 2009. The restraining order was issued in March and was in effect at the time of her death. Her eleven-year-old daughter described waking to the smell of smoke and the sounds of the fire alarm and one of her younger brothers screaming. She led her brothers to safety and sought help from a neighbor.

**Outagamie*****Kelly Wing Schmidt, 39, Grand Chute – April 17***

Shot to death by her estranged husband, Scott E. Schmidt, 38, who also wounded her mother. He was found guilty by a jury of first-degree intentional homicide and attempted first-degree recklessly endangering safety. He was sentenced to life in prison for the homicide, with parole eligibility in 2050, and a lesser and concurrent sentence on the second charge. Scott Schmidt had a history of domestic-abuse-related disorderly conduct charges and was the respondent in a harassment restraining order obtained by another woman he had dated. The couple had separated approximately one month prior to the homicide.

**County****In the death of...****Portage*****Christine Gollon, 30, Nelsonville – Between April 27 and April 30  
Ashley Kettner, 3 Griffin Kettner, 2***

Christine Gollon died from a “complex homicidal fatality,” according to the medical examiner, which included cuts on her neck and wounds on her wrists; her children were shot to death several days after she was killed. Her six-month-old daughter survived being doused with gasoline and inhaling the fumes. Christine Gollon’s estranged boyfriend and the children’s father, Shane M. Kettner, 36, pled guilty to one count of reckless homicide in her death and two counts of first-degree intentional homicide in the children’s deaths. He was sentenced to thirty years in prison and twenty years of extended supervision in her death and two concurrent life sentences in the children’s deaths, to begin after first serving the thirty-year term. He will be eligible for parole after fifty years in prison. Authorities discovered the bodies after returning a second time to conduct a welfare check at the urging of Christine Gollon’s mother, who reported that Shane Kettner had made past threats to hurt her if she tried to leave him and would not allow her to leave the home with all three children at the same time. Authorities found the doors barricaded, an assault rifle and other guns and ammunition throughout the house, and signs that Shane Kettner may have planned to commit suicide. The carpeting was soaked with gasoline in several places, and he had a lighter in his pocket, as well as a revolver within reach. He and the surviving child were in the house with the murdered children and their mother.

**Racine*****Kirby McClain, 47, Racine – April 21***

Stabbed in the stomach by his girlfriend, Norma Jean Brayboy, 36, and died after complications due to the stab wound. She was found guilty of first-degree reckless homicide (reduced from first-degree intentional homicide) after a no-contest plea and sentenced to twenty-five years in prison and ten years of extended supervision. At the time of the homicide, Norma Jean Brayboy was on extended supervision following a prison term for a knife assault on three people during a fight in 2000.

**Richland*****Douglas A. Lisney, 51, Akan Township – July 13***

Shot to death by deputies from the Richland County Sheriff’s Department who responded to a 911 call from Douglas Linsey’s girlfriend. In the call, she reported that he had been drinking all day, slapped a child in the face with a flyswatter, and was shooting off guns. She later told investigators that they had been arguing about her threatening to move out and that during the incident she was afraid that Douglas Lisney was coming after her and was afraid he was going to shoot her. When deputies arrived they found Douglas Lisney on a horse, dressed in Western gear, and carrying two loaded guns. Two women and three children were in the house; deputies had the dispatcher call the house and have them leave and walk to a road behind the house. The subsequent investigation found that Lisney made repeated threats to the responding officers, similar to “We’re going to settle this” or “We’re going to have a shoot-out.” He told them that he had six guns and they were all loaded. Officers gave repeated commands to Lisney to drop his weapons and attempted unsuccessfully to stop him with a Taser. A deputy fired the first shot after Lisney pointed a gun at the deputy’s face, from a distance of six to eight feet.

**County****In the death of...****Rock*****Erica Ostenson, 25, Janesville – April 22***

Shot to death by her former boyfriend, Kyle E. Hicke, 37. He pled guilty to first-degree intentional homicide (related charges were read in) and was sentenced to life in prison, with eligibility for extended supervision in 2052. Kyle Hicke shot Erica Ostensen repeatedly while she was in front of her home and in the presence of her five-year-old son. He fled the scene of the homicide and was apprehended after a high-speed chase. Between 1995 and 2010 he was arrested and convicted of domestic-abuse-related charges on five occasions. Because of the convictions he was prohibited from owning a gun.

***Darrellwar “RoRo” Tillman, 18, Beloit – September 28***

Strangled to death by her boyfriend, Jeremy Alexander Leavy-Carter, 20, who pled guilty to second-degree intentional homicide (reduced from first-degree). Charges of strangulation and suffocation were dismissed but read in to the plea. A sentencing hearing is scheduled for September 10, 2010. Others in the apartment complex reported that they often heard sounds of fighting coming and that Darrellwar Tillman was trying to break off their relationship, but that he would not let her go.

**Sawyer*****David W. Palm, 43, Edgewater – October 31***

Shot to death by his sister's former boyfriend, Arthur Garcia, 31, who then set fire to the home. Authorities found Arthur Garcia's badly burned remains in an abandoned home in Washburn County. He had shot himself while positioned on a pile of burning tires. Authorities found two handguns and three pipe bombs nearby.

**Shawano*****Elaine Pedersen, 82, Shawano – October 26***

Shot to death by her husband, Robert Pedersen, 87, who then killed himself.

**Sheboygan*****Marchel Brand, 40, Sheboygan – January 1***

Charlene Ruffin-Brand, 42, was found not guilty by a jury in the stabbing death of her husband, Marchel Brand. At the trial, she described years of abuse and how, on the night of the homicide, her husband was being physically abusive with her, including grabbing her by the neck and attempting to pull her out of a room (a witness interceded) and pushing her against the kitchen counter. She described how she picked up a knife that was on the counter and swung at him to get him to leave her alone, as she had done several times in the past to defend herself, believing that he was farther away than he was. She struck Marchel Brand in the neck, severing the carotid artery, and he left the house, collapsing in the street a half-block away.

**St. Croix*****Betty Erickson, 81, Hudson – March 24***

Shot to death by her husband, Claire Erickson, 83, who then killed himself.

**Taylor*****Margaret S. McKelvey (Margaret Soyk), 48, Little Black – December 29***

Beaten to death by her former husband, Donald Soyk, 48, who then shot and killed himself. The couple divorced in 2008, about five months after they were married, but were living together at the time of the deaths. Margaret Soyk resumed use of her birth name, Margaret McKelvey, subsequent to the divorce. In 2008, she, had sought a temporary restraining order against Donald Soyk, citing behavior that included choking, threatening to burn her house, slashing tires, and locking her out of the house.

## County

## In the death of...

### Washington

#### ***Alice M. Gill, 52, West Bend – October 15***

Shot to death by her former husband, Jeffrey S. Gill, 50, who then killed himself. Alice Gill was killed while in the driveway of her home and in the presence of her adult son, who had tried to help her. She tried to flee the attack, but Jeffrey Gill chased her and shot her several times before taking his own life. He also threw a pipe bomb into her vehicle, which detonated during the shooting.

#### ***Cody Reetz, 14, Germantown – November 15***

Strangled to death by his stepfather, Charles Avey, 37, who pled guilty to first-degree intentional homicide and was sentenced to life in prison without parole. Cody Reetz was killed when his mother went to the police to report Charles Avey's attack on her with a hammer, an assault that had occurred the week prior to the homicide. While Cody was in his van with him, Charles Avey drove past the police department and recognized a vehicle belonging to his in-laws. He then went to a store parking lot where he strangled his stepson with a necktie. As part of the plea agreement, charges of domestic abuse-related strangulation/suffocation and battery with a dangerous weapon filed in connection with the attack on his wife were dismissed, along with five counts of identify theft involving Cody's father.

### Waukesha

#### ***Carol Fisher, 55, Waukesha – June 16***

Daniel K. Christesen, 49, has been charged with first-degree intentional homicide in the stabbing death of his girlfriend. Proceedings were suspended in December 2009 after he was found incompetent to participate. He was committed for treatment and will be periodically re-evaluated. Carol Fisher had reportedly told him that she was leaving the relationship. Police had responded to complaints at the home that were characterized as minor disputes at least fifteen times since January 2008.

#### ***Samantha Peterson, 21, Waukesha – September 5***

Stabbed to death by her former boyfriend, David A. Wapp, 29. He was found guilty by a jury of first-degree intentional homicide and sentenced to life in prison plus six years, without the possibility for early release. David Wapp stabbed Samantha Peterson repeatedly and slit her throat. The homicide occurred five days after he was released from prison (a term served after extended supervision in a 2003 conviction and sentence for child abuse and carrying a concealed weapon had been revoked). Following the homicide, a person whom he had told about the murder called police and David Wapp was arrested at gunpoint as he tried to escape through a hotel window.

#### ***Kimberly Smith, 39, Oconomowoc – October 1***

Three men have each been charged with first-degree intentional homicide in the stabbing death of Kimberly Smith. They are Justin P. Welch, 26; Darren M. Wold, 41; and Jack E. Johnson, 65. A status conference is scheduled for each defendant on September 10, 2010. Darren Wold is Kimberly Smith's former boyfriend and the father of their four-year-old son. They reportedly had been involved in a protracted custody action. Their son was present in the home, but apparently did not witness the murder.

#### ***Anne M. Hoffer, 81, Menomonee Falls – November 24***

Shot to death by her husband, Edward J. Hoffer, 81, who then killed himself. The deaths occurred at a care facility that Anne Hoffer had recently moved to.

# A CLOSER LOOK: Domestic Violence Homicides in Dane County

Since the first homicide report was compiled in 2000, far too many Wisconsin communities have experienced a domestic violence homicide. Only seven counties have not appeared in the report at some time in the past ten years. Some communities, such as Crandon in Forest County and Delavan in Walworth County, have faced the widespread shock and tragedy of mass killings and suicides and the frenzy of media attention from all corners of the state and country and beyond.<sup>7</sup> In others, a domestic violence homicide has been a rare and tragic event, perhaps the only homicide that has occurred in years. It may be less noticed outside the city or county limits or Tribal reservation lands, but it is equally devastating for surviving family members, friends, and neighbors.

2009 marks ten years of reporting on domestic violence homicides. This report's discussion begins with a snapshot of domestic violence homicide through the lens of one community: Dane County. In a sense, it is looking in WCADV's own backyard. While WCADV is an organization with a statewide mission and role, its main office is physically located in Madison, and thereby in Dane County. Its staff members have sometimes been the friends, neighbors, or advocates to those who have been killed in or committed the domestic violence homicides that have occurred within the county borders in the past ten years. Some have worked in the agencies that respond to and seek to prevent domestic violence. Dane County is also a community that has experienced a significant increase in domestic violence homicides in the past two years. Between 2000 and 2009, the report has identified 32 domestic violence homicides in the county; 12 of those occurred in 2008-2009, with 7 in 2009 alone. In the past ten years, at least one-third of all homicides in Dane County were related to domestic violence (32 of 93, using data compiled by WCADV and the Office on Justice Assistance). The toll could have been even higher. 2009, for example, could have ended with 13 instead of 7 homicides, were it not for prompt medical attention, where the shot or blow landed, or an attack that stopped short of homicide.

A mirror, a microcosm: both of those well-used words apply to this closer look at Dane County's experience. Dane County holds up a mirror: how can we – the community “we” – be more successful in protecting one another and building true public safety? And, the county's experience is a microcosm of the complexities of risk and danger and safety. Over the past ten years, all of the primary factors associated with increased danger of lethal domestic violence can be found across the 32 homicides that occurred in Dane County.<sup>8</sup>

- **Knowing or perceiving that the victim is leaving or about to leave the relationship**
- **Stalking**
- **Strangulation (“choking”)**
- **Threats to kill the victim**
- **Threats to kill that the victim believes or fears**
- **Threats to kill that are conveyed to others**
- **Threats of suicide**
- **Forced sex or pressuring for sex even when separated**
- **Serious injury to the victim**
- **Carries, has ready access to, uses, or threatens with a weapon**
- **Violence outside of the home**

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<sup>7</sup>In Crandon, on October 7, 2007, Tyler Peterson shot and killed his former girlfriend and five others, then committed suicide. All involved were age twenty or younger. In Delevan, on June 9, 2007, Ambrosio Analco killed his former girlfriend, their twin sons, her sister, and her friend, then shot and killed himself. All involved were age twenty-three or younger. To find reports from past years, go to <http://www.wcadv.org> Publications.

<sup>8</sup>Adapted from the “Practitioner’s Guide to Risk and Danger in Domestic Violence Cases,” The Blueprint for Safety.

Those killed have been overwhelmingly the current or former female partners of male perpetrators, or the children of those women. Sometimes they have been the perpetrator's own children. Some victims have been a former girlfriend or wife's new partner. Some have been bystanders. Homicides have occurred months, even years after a relationship has ended or a woman has attempted to end it. There were often earlier contacts with law enforcement and prosecutors, restraining orders filed or in place at some point in the relationship, and violence between the perpetrator and other intimate partners. Some perpetrators have had long histories of general criminal activity and violence. Several could not legally possess or use a gun, either under restraining order restrictions or prior felony convictions.

In most of the domestic violence homicides in Dane County, one or more of these "red flags" had been raised, and often raised high and wide. More than one victim told a family member to call police if she did not arrive somewhere on time. Many relayed threats to kill and their fears to family members, friends, and to the civil and criminal legal systems. In a few cases, none of the cues to possible lethal violence were visible, and what might have been occurring "behind closed doors," stayed with the victim.

Many of the homicides have been witnessed or discovered by neighbors, co-workers, or family members. Some have occurred in public places, such as the parking lot of an apartment building or a victim's place of employment. Several, including two from 2009, required alerts and searches for individuals who were at large, armed, and had killed one or more people.

A closer look at some of the homicides and "near homicides" that occurred in Dane County in 2009 provides examples of many of these themes and the wide range and reach of domestic violence.<sup>9</sup> As explained in the report's section on methodology, found towards the end of the report, this information is drawn from readily available public sources and limited additional follow-up. These are snapshots, not the entire picture, and these brief accounts of people's deaths in no way do justice to their full lives.

May 16, 2009

Francesca Weber was shot to death at her home by her former husband, Steven Weber, five days after their divorce was finalized. She was attacked in the parking lot of her apartment building. Steven Weber remained at large for three days after the homicide and was the subject of an extensive search by authorities. His body was found in the city park where he had shot and killed himself. A criminal no-contact order was in place at the time of the homicide in conjunction with pending charges of strangulation and suffocation, child abuse, disarming a peace officer, and other charges related to assaults on Francesca and one of her daughters. Steven Weber had made threats to kill Francesca Weber, both to her and to others. As a convicted felon, he could not legally own or possess guns.

June 16, 2009

Perry Lucas has been charged with first-degree intentional homicide and first-degree recklessly endangering safety in the shooting death of Detarius Martin and the wounding of his brother. A jury trial is scheduled for October 26, 2010. The homicide occurred during a confrontation involving the defendant, his girlfriend and her friend, and a woman who was on a date with the defendant. Detarius Martin and his brother had accompanied the two women to the residence.

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<sup>9</sup>"Near homicides" are not identified in the research for the report in any systematic or thorough way. They are noted as they come to the attention of researchers and entered in the database if they involved a near-fatal injury or attack that could have readily resulted in a homicide.

July 14, 2009

Shereen Beaulieu was shot to death at her home by her estranged husband, Robert Beaulieu. He died a few hours later from a self-inflicted gunshot, after returning to his apartment. The couple had been separated for several years and had filed a joint petition for divorce three weeks prior to the homicide.

August 19, 2009

Gerald Orton has been charged with attempted first-degree intentional homicide, aggravated battery with intent to cause great bodily harm, and strangulation/suffocation in an attack on his estranged wife, about ten days prior to a scheduled pretrial conference in their divorce. He is accused of coming to her residence, telling her she was going to die, grabbing her by the head and choking her, and hitting her with a mallet. Police found Julie Orton on the kitchen floor of her home after he called 911, saying "...I just killed my wife." She sustained a brain hemorrhage and other injuries. In May 2008, Gerald Orton was found guilty after a no-contest plea to charges of criminal damage to property and disorderly conduct. He was placed on eighteen months probation and ordered to "not threaten or direct any acts of physical violence toward Julie O." and complete a certified domestic violence treatment program.

November 28, 2009

Donte D. Beasley, Sr., has been charged with three counts of attempted first-degree intentional homicide, first-degree sexual assault using a dangerous weapon, and felon in possession of a firearm in the shooting of his girlfriend and their two children, ages eight and seven. A jury trial is scheduled for January 20, 2011. One child was shot while attempting to help her mother, and the other when he told his father to stop. Before the shootings, the victim was trying to get to safety with her children after he had attacked her. She had attempted to call police for help, but he grabbed the phone. After the shootings, she managed to get out of the home and sought help from a neighbor. She survived nine gunshot wounds. Police discovered the defendant with self-inflicted, life-threatening knife wounds to his neck.

December 3, 2009

Police were called to a Madison home after Amber Weigel's boyfriend found her body and that of her two-year-old daughter, Neveah, in a car parked in their garage. They had been shot to death. Less than two hours later, authorities discovered the bodies of Tracy Judd and her one-year-old daughter, Deja Renee, in the trunk of a car parked at a Middleton apartment complex. She had been strangled and her daughter suffocated. The women and their children were killed by the children's father, Tyrone Adair. Tracy Judd was his current girlfriend, and Amber Weigel had been in a brief dating relationship with him. Tyrone Adair remained at large for four days until his body was found in one of the victim's cars. He died from a self-inflicted gunshot. At the time of the homicides, he was subject to a restraining order obtained in 2006 by another woman. Although prohibited by the restraining order from possessing firearms, he purchased one via a private sale. In 1995 and 2000, two other women initially sought restraining orders against him, but did not obtain them. In 2000, he pled no-contest, to a charge of battery involving one of the women. The battery conviction also prohibited him from possessing firearms.

All of the Dane County homicides involved a family who had to identify the body of a loved one. All of the homicides and near-homicides involved family members, friends, neighbors, and co-workers who saw the headlines and the news coverage. All involved community advocates, law enforcement officers, and others in the community systems and agencies that responded to the homicides or had contact at some point in time with many of the victims and perpetrators.

Dane County has had a longstanding coordinated community response to domestic violence in place, involving advocates, law enforcement agencies, prosecutors, batterer intervention programs, corrections, courts, and social service agencies. At various times over the past thirty years, policies and procedures have been written; specialized response, investigation, and prosecution has been established (and curtailed as funding has declined or disappeared); and legal advocacy and victim services have been defined and established (and stretched thin as demands have increased and funding has declined).

The recent domestic violence homicides have presented many questions and challenges to Dane County, as those who have long been involved in building community intervention and prevention readily acknowledge. In interviews with those active in different facets of the community response, they identified key questions that need to be answered. Among those questions:

- What aspects of our community response need to be renewed, refreshed, and strengthened?
- How do we better understand each other's roles and link our responses as a whole?
- Where and how do conditions of pretrial release need to be strengthened?
- How do we collectively look at agency accountability (as well as offender accountability) and identify gaps in safety that our produced by our response?
- How do we ensure that our actions and responses avoid re-traumatizing victims?
- How do we do a better job of hearing, seeing, and attending to threats and the meaning of threats?
- How do we best fit charging and prosecution decisions to dangerousness?
- What can we do to better reach people experiencing domestic violence who are most isolated?
- How do we best counter an abuser's persistent and effective messages that "No one will help you, no one will believe you."?
- How do we build more of the community into coordinated "community" response and reach beyond the usual criminal justice system and social service agencies?
- How do we better ensure that safety, advocacy, and support for battered women and their children are seen and supported as essential components of public safety?

The task ahead is to figure out how to answer these and other questions and how community leaders and a broad range of residents can be engaged in doing so. No single answer will fit. Part of it might be to convene community forums to increase awareness of domestic violence and issues related to lethal violence and explore ways in which everyone from a neighbor or minister to police officers and elected officials can respond in more protective ways. One such event has been held in Fitchburg, organized by a resident who has worked professionally on domestic violence issues for many years and saw that several of the recent homicides had occurred within her immediate community. Part of the answer might be to conduct a formal fatality review of several of the homicides to take a more in-depth look at the related events, risk markers, agency and community involvement, and the degree of communication and collaboration. Part of the answer might be to establish coordinated risk, lethality, and safety assessments. All of these ideas and others are under consideration.

# KEY THEMES AND POLICY IMPLICATIONS

## Impact on children

### *Children at the scene and losing parents*

Living with domestic violence has a profound effect on children, particularly when it leads to homicide. Some children see a parent murdered or commit suicide. Some children are themselves attacked. Some try to protect a parent during the assault. Surviving children not only face the aftermath of losing a parent, but losing a parent in a violent attack that they have seen or heard, and often at the hands of their other parent or a stepparent. Homicides that occur in public settings may be witnessed by children who live next door, pass on the street, or play in the park. Children are also sometimes killed or injured as bystanders during an attack that targets another person, although there were no such deaths in 2009.

At least 16 minor children were at the scene of 12 of the homicides in 2009. Those children ranged in ages from six-months-old to eighteen. In one homicide, two children, ages 2 and 4, hid in the bathroom while their father shot and killed their mother and wounded their grandmother. Children from age five to young adults saw their mothers killed. Three children, age 11 and under, escaped after their father killed their mother and set fire to their home. Three children were present when law enforcement officers shot and killed a man in response to 911 call.

Two children, ages 2 and 3, were shot to death by their father after he killed their mother. Their infant sister survived asphyxiation by gasoline fumes or a possible fire when authorities came to the house at the insistence of their grandmother. Two young children and their mothers were killed by their father.

Domestic violence homicide also means that many children lose one or both parents through homicide and often a related suicide. While the tally cannot be precise, and is most certainly an undercount, in 2009 at least 20 minor children were orphaned, 24 were left without a mother, and 8 were left without a father.

Adult children are similarly affected by domestic violence homicide and suicide. They attempt to intervene, discover one or both of their parents dead, and are left without one or both of their parents.

### *The intersection of domestic violence and child custody*

There is a growing understanding of the ways in which batterers use children to coerce and control their mothers, including threatening to abduct or kill the children, particularly if a woman tries to leave the relationship.<sup>10</sup> News media reporting often refers to a “custody battle,” without any closer examination of how killing a child is perhaps the most powerful form of coercion and control.

Despite the overall trend to recognize the seriousness of domestic violence, particularly within the criminal legal system, abusive men who fight for custody continue to win contested actions. In 2003, the state legislature enacted a law (2003 Act 130) aimed at addressing this problem. The new law created a rebuttable presumption that it is not in the best interest of children to be placed with a parent who is known to have engaged in domestic abuse. However, there is currently no centralized method for tracking the outcome of family law cases involving domestic abuse. There has also been no review of the extent to which the new law has been successfully implemented in family courts across the state.

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<sup>10</sup>See David Adams, *Why Do They Kill? Men Who Murder Their Intimate Partners*, Vanderbilt University Press, 2007. Also, Lundy Bancroft and Jay G. Silverman, *The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Dynamics*, Sage Publications, 2002.

One of the few comprehensive studies of child custody and domestic violence, released by the federal Department of Justice in 1995, found that abusive men who fight for custody win 70% of contested actions, obtaining at least joint physical and legal custody or sole custody.<sup>11</sup> Many family courts compound difficulties related to adult victim and child safety when they fail to recognize domestic abuse, its seriousness, and its profound effects on children. Many batterers pursue custody of the children as means to continue to exert control or to abuse their estranged partners. The existence of joint custody and visitation orders can provide a batterer with access to information about the child's mother, her location, who she is dating, and her activities. All of this can contribute to stalking and the risk of homicide.<sup>12</sup> Considerable national-level discussion and research is currently underway on custody-related issues. When one parent has been abusive toward the other, decisions related to custody and visitation occur at a volatile and dangerous time, although custody issues remain largely unexamined and unreported in coverage of domestic violence homicide.

In 2009, child custody and related issues, such as child support and paternity, were referenced in at least 6 of the homicide cases. In one, a woman was shot to death forty minutes after a scheduled child custody hearing. In another, a woman was shot to death by her sister's former husband when he tried to take his daughter from a family gathering. A protracted custody action that was not going the perpetrator's way was cited in the murder of a woman whose former boyfriend has been charged with hiring someone to kill her. In the one homicide-suicide committed by a woman, the couple was reported to be engaged in a custody action.

### ***The intersection of domestic violence and child abuse***

Various studies estimate that between three and ten million children are exposed to domestic violence annually. The U.S. Advisory Board on Child Abuse suggests that domestic violence may be the single major precursor to child abuse and neglect fatalities in the country. While not all of these homicides occur within the context of domestic violence, many do.

Each edition of this report includes many discussions back and forth at WCADV about how and whether to include child abuse-related deaths. We include children who were killed as a direct result of a domestic violence incident, such as the four children killed along with their mothers in 2009. Because of the pervasive use and abuse of children as a tactic of battering, we also include children killed when there are indications that one parent has abused the other, such as the 2009 homicide of a fourteen-year-old boy by his step-father. While we believe that a larger number of child deaths are directly related to an ongoing pattern of domestic abuse, our current methods of tracking homicides do not allow us to consistently identify children killed by perpetrators of domestic violence.

## **Post-separation danger: leaving does not equal safety**

Every year thousands of battered women make decisions to leave their abusive partners and make new and better lives for themselves and their children. Leaving an abusive relationship is often a very difficult, complex, and dangerous process.

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<sup>11</sup> R. Bachman and L.E. Saltzman, National Crime Victimization Survey, Violence Against Women: Estimates from the Redesigned Survey, U.S. DOJ, Bureau of Justice Statistics, 1995. More recent studies show that raising allegations of abuse often hurts the abused or protective parent. The Leadership Council on Child Abuse and Interpersonal Violence provides an annotated review of research: <http://www.leadershipcouncil.org/1/pas/dv.html>

<sup>12</sup> See Bancroft and Silverman, *The Batterer as Parent*.

<sup>13</sup> Research cited by Family Violence Prevention Fund, "The Facts on Children and Domestic Violence," <http://www.endabuse.org/resources/facts/Children.pdf>

According to the National Crime Victimization Survey, the rate of domestic violence homicides by husbands was 25 times higher when women were separated from their husbands than when married and cohabitating.<sup>14</sup> Other research has found that a woman's attempt to leave was the precipitating factor in 45% of intimate partner homicides of women.<sup>15</sup> Leaving means weighing and reweighing threats to themselves and their loved ones. The frequency of such threats is related to an increased risk of violence for victims who had left their relationships.<sup>16</sup> The work of Jacquelyn Campbell and others shows that women whose partners threatened them with murder were 15 times more likely than other women to be killed.<sup>17</sup> Nearly half of domestic violence homicides occur a month or more after a couple has separated.<sup>18</sup>

Many of the homicides described earlier in this report illustrate the frequent connection between leaving a relationship and homicide. Of the 47 incidents in 2009, almost half (22 of 47) involved a marriage or other intimate partner relationship that a woman had ended or was taking action to leave. In the remainder of the cases it was unknown whether a victim was taking any steps to leave.

## **Stalking**

Stalking has a lengthy legal definition under Wisconsin law.<sup>19</sup> To paraphrase, it is a pattern of unwanted conduct that carries an implied or explicit threat that causes fear in the person who is the target of the behavior. It can include "following me" and "checking up on me," as behaviors battered women often describe. It can include repeated hang-up calls, e-mail, or appearing at someone's place of work. It can include leaving a bouquet of flowers on a doorstep. Changes in technology—such as global positioning tracking devices, text messaging, and the proliferations of databases with personal identifying information—have expanded the ways in which stalking can occur. In one study of victims of battering who survived a homicide attempt, every woman reported some kind of stalking behavior by the abusive partner with a significant escalation prior to the final assault. Other research has found that perpetrators of domestic violence homicide are twice as likely to have used stalking behaviors.<sup>20</sup> Stalking often escalates as a woman is trying to leave an abusive relationship.

The 2009 homicides included several examples of stalking behavior, including following victims to their workplace, parking outside their home, monitoring email and phone calls, searching computer files, and sending repeated text messages.

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<sup>14</sup> Neal Websdale, *Understanding Domestic Homicide*, Northeastern University Press, 1999.

<sup>15</sup> Carolyn Rebecca Block, "How Can Practitioners Help an Abused Woman Lower Her Risk of Death?" *NIJ Journal*, Issue 250, November 2003.

<sup>16</sup> Ruth E. Fluery et al., "When Ending the Relationship Does Not End the Violence: Women's Experiences of Violence by Former Partners," *Violence Against Women*, December 2000.

<sup>17</sup> Jacquelyn C. Campbell et al., "Assessing Risk Factors for Intimate Partner Homicide," *NIJ Journal*, National Institute of Justice, Issue 250, November 2003.

<sup>18</sup> Jacquelyn Campbell et al., "Risk Factors for Femicide in Abusive Relationships: Results from a Multi-site Case Control Study," *American Journal of Public Health*, 2003.

<sup>19</sup> Wisconsin Statutes section 940.32.

<sup>20</sup> Adams, *Why Do they Kill?* and Campbell et al., cited in Adams.

## Wider brutality and contrasts between male and female perpetrators

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Beyond the overarching brutality of any method of killing someone, certain acts stand out. In 2009 these included:

- Multiple killings or attempted killings of mothers and their children. In the two instances of multiple homicides, fathers shot and killed their children and shot or beat their children's mothers to death. In another homicide, a father killed his children's mother and set the house on fire, leaving his three young children inside. They escaped when the eleven-year-old girl woke up to the smell of the fire, the alarm going off, and one of her younger brothers screaming.
- Strangling a child to death. A man strangled his teenage stepson to death with a necktie after discovering that his wife (the boy's mother) had reported an earlier attack on her to police.
- Strangling a woman to death and burning her body.
- Repeatedly stabbing a woman (36 wounds).
- Repeatedly stabbing a woman (8 wounds) while her hands were bound.
- Repeatedly shooting a woman or a man (3 or more shots).
- Bludgeoning a woman to death with a metal rod and then placing a plastic bag over her head.
- Shooting a woman to death in front of her coworkers.
- Shooting a woman to death in front of responding law enforcement officers as she attempted to flee.
- Shooting a woman to death in front of her adult son who was attempting to come to her aid and detonating a pipe bomb in her car as she attempted to flee.
- Stabbing a man multiple times with a butcher knife.
- Slashing a man's throat with a paring knife.

As in past years, there was a contrast between men and women as perpetrators in the level of brutality involved in the homicide and the method of homicide. With the exception of the last two examples, the list describes the actions of men.<sup>21</sup> The victims were women, children, and men killed because of their relationship with or proximity to a woman who was the focus of the attack or the focus of the perpetrator's prior violence and threats.

To the extent that information was available about the past history of domestic violence in the relationship and risk factors for intimate partner homicide, homicides committed by men were often preceded by stalking, strangulation, increased and more severe violence, forced sex, threats to kill, and other coercive behavior. For example, the following actions were described as occurring in the period leading up to these homicides:

- Made repeated phone calls and appeared at her workplace after they broke up.
- Threatened to kill her, called her repeatedly when she was with other people, and was "very jealous."
- Kept at least one of her children with him while she was moving out and would not let her take all three children with her at one time.
- Choked, beat, and threatened to kill her in repeated prior assaults. In the week prior to the homicide, he made repeated public threats to kill his former wife. He hit his daughter with a fireplace poker when she tried to intervene in one assault, then "slugged" her and kicked her in the stomach.
- Called his children "pigs," smashed objects, and frightened his family and their pets to the extent that one child hid in the basement when she was home alone with him and the dogs shook when he was around. In the week prior to the homicide, he made public threats to kill his estranged wife. She wrote in petitions for temporary restraining orders: "I'm afraid of what he will do" and "I don't know how far he will go."

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<sup>21</sup>Adams makes this observation: "Our research suggests that killers denigrate and blame their partners even more than abusers who don't kill. Perhaps the most surprising single finding about these men was how much rage they still held toward the women they had killed." *Why Do They Kill?* p.30.

## ***Multiple homicides***

Multiple homicides, where a single perpetrator kills more than one person, immediately illustrate the wide-reaching harm caused by domestic violence. The circle of people directly touched by the attack and resulting deaths expands greatly and there is often much media attention to the event.<sup>22</sup> Sometimes family members and friends who have tried to help and support a victim are also the targets. Often the attack includes or is directed at the perpetrator's children. Almost always the homicides include or are directed at a current or former intimate partner, such as killing the children, but leaving their mother alive. The overwhelming majority of multiple killings in domestic violence homicides are perpetrated by men, as are most homicide-suicides.<sup>23</sup>

In Wisconsin, 2005 – 2009, there were 35 homicides-suicides; 32 (91%) of the perpetrators were men. In this same period, multiple homicides comprised 10% of the domestic violence homicide incidents (16 of 166), accounting for 22% of victims (44 of 199). The multiple homicides were committed by 16 individuals, 94% of whom were men (15 of 16) who killed 42 of the 44 victims.

In 2009, there were 2 cases involving multiple homicides, with a total of 7 victims: 3 adult women and 4 children, all three years old or younger. One man killed his toddler-age daughters and each girl's mother (one mother and her daughter were shot to death; the other was strangled and her daughter suffocated). He then committed suicide with a self-inflicted gunshot. Another man killed his wife, who was the victim of a "complex homicide," according to the coroner. He then shot and killed two of his young children. A third child inhaled gasoline fumes, but survived. He appeared to be planning to commit suicide: he soaked the carpets with gasoline, barricaded the doors, blocked air returns, and had a lighter in his pocket and a revolver within reach.

As in 2008, 2009 marks a decline in multiple homicides from preceding years. In each of the years from 2005 through 2007, there were four multiple homicide cases, with 10, 8, and 15 victims, respectively (a total of 33).

## ***Strangulation***

Strangulation is a tactic of battering that is a marker for potentially severe or fatal violence. Block and Campbell have found that past attempts to strangle (or, as victims often refer to this kind of attack, "choke") are key indicators of risk.<sup>24</sup> When strangulation is the cause of a domestic violence homicide, it is unlikely to be the first occurrence.

In 2009, strangulation or suffocation was the primary cause or a contributing factor in 7 homicides. The victims included: 5 adult women, a one-year-old girl, and a fourteen-year-old boy. All of the strangulation-related homicides were perpetrated by men.

## ***Homicides by women***

2009 saw the second-highest number of domestic-violence-related homicides attributed to female perpetrators in the ten years that this report has been published: 8 of 52 homicides (15%).<sup>25</sup> Between 2000 and 2009, adult or adolescent women committed 11% of domestic violence homicides included in the report (42 of 374). With four exceptions, all involved the death of a current or estranged male intimate partner. Others involved children (2), another woman involved with the perpetrator's partner (1), and a step-grandfather (1). Of the 54 deaths that occurred in the 35 multiple homicide incidents over the past ten years, two (a pregnant woman and her unborn child) were caused by a woman. Of the 49 perpetrator suicides, three involved women.

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<sup>22</sup> This media attention is often highly sensational and lacking in its understanding of domestic violence. Past editions of the *Wisconsin Domestic Violence Homicide Report* have paid specific attention to media accounts of domestic violence homicides (e.g., see the 2004 and 2003 reports). They identified the following issues in media coverage of domestic violence homicides: (1) the homicides are rarely labeled as or placed in the broader context of domestic violence; (2) coverage provides an inaccurate view of domestic violence and reinforces myths; and, (3) sources that shape the stories are often limited or poorly chosen.

<sup>23</sup> Bernie Auchter, "Men Who Murder Their Families: What the Research Tells Us," *NIJ Journal*, Issue 266, June 2010.

<sup>24</sup> Block, "How Can Practitioners Help?" and Campbell, et al., "Assessing Risk Factors." Investigators make a distinction between "strangulation," as external force applied to someone's throat, and "choking" as an obstruction in the airway. Common usage does not distinguish, however, and the words are often used synonymously.

<sup>25</sup> In 2001, 25% (8 of 31) domestic violence homicides were committed by women.

The domestic violence homicides committed by women have typically involved a single stab wound or gun shot. Female perpetrators have almost never engaged in the patterns of prior stalking, strangulation, increased and more severe violence, forced sex, threats to kill, and other coercive behavior that have characterized the homicides committed by men. Homicides committed by women were often preceded by some kind of immediate or anticipated attack on the woman or a long history of abuse by the homicide victim.

Of the eight cases included in 2009, stabbing was the method of homicide in seven and a gunshot in one. There was a clear indication of some level of prior violence or abuse of the woman by the victim in the homicide in 4 of the 8 incidents. In several, the women charged in the homicide, as well as other witnesses, described the homicide victim as pushing, shoving, or grabbing by the woman/perpetrator by the neck shortly prior to the homicide. In at least 4 of the 8 incidents, the murder weapon was a knife that the perpetrator had picked up in the kitchen. For example:

- Prior to the stabbing, he tried to force himself into a room she was in, grabbed her by the neck and attempted to pull her out of the room, and pushed her several times until she fell backward toward a kitchen counter. She described how she grabbed the knife that was on the counter and swung at him to get him to leave her alone, as she had often done in the past when he attacked her, with “whatever is handy, whatever is closer to me,” such as pen, knife, fork, hot sauce bottle, or a lamp. She and others described how she had been “choked” at different times. At the trial where she was found not guilty, she described years of past abuse that included bite marks on her legs, black eyes, and bruises; being regularly punched, kicked, bit, and her hair pulled; sexual abuse; and threats to kill her if she left him.
- A witness at the scene observed him grab her hair and punch her in the face. In her statement, she described how he picked her up and threw her to the floor twice and then hit her in the mouth. She ran into the kitchen and grabbed a knife. The victim died from a single stab wound to his chest. She told police, “I just wanted him to stop hitting me.”
- She described the following history of violence: he had bitten her on the face and she had bitten him on the chest; she had slashed him on the arm and once stabbed him in the back of the neck with a screwdriver. (While apparently not explored in any depth during the investigation, she described what could be injuries caused by someone defending herself from an attack: i.e., bite mark to the other party’s chest and wounds to the arm and back of the neck.) Shortly before the homicide she called police after he refused to leave the residence after a “physical confrontation” (investigator’s description). Before police arrived, he came out of a bedroom with a small wooden bat and she picked up a knife from the kitchen. They struggled over the knife, and she stabbed him in the abdomen as he “came at her.”

In two cases, women called for police help shortly before the homicide. In one, the homicide occurred after the call, but before officers arrived. In another, she asked someone in her apartment building to call police after her boyfriend hit her on the face and she “punched him in the mouth” in response. Officers arrived and made him leave the premises, but he returned about an hour later.

In 2009, as well as in prior years, African American women were significantly over-represented among women who commit a domestic-violence-related homicide: 88% (7 of 8). Six involved adult women who killed a husband or boyfriend, and in one a thirteen-year-old girl killed her grandmother’s husband (step-grandfather); all of the victims were African American men. Between 2005 and 2009, 11% of domestic violence perpetrators were women (22 of 169); of those 22 women, 68% (15 of 22) were African American. Nationally, African American women between the ages of 15 and 45 have the highest intimate partner homicide rate.<sup>26</sup> It is therefore not unexpected that they would be overrepresented among women most at risk of committing intimate partner homicide. In 2009, almost all of the African American adult women who killed a male partner were between the ages of 30 and 42 (5 of 6).

<sup>26</sup> Meklit Zewatos and Patricia Bunton, *A Comparison of Domestic Violence in African American, Asian, and Hispanic Women*, results of literature review presented to Graduate Research and Scholarly Project Symposium, Wichita State University, April 27, 2007.

This disparity calls for a much closer examination of the economic and social conditions and resources that can increase vulnerability to intimate partner violence and homicide, including the ways in which advocacy and legal system interventions may not be meeting the needs of women who are most at risk for killing a male partner. In the past decade, there has been increasing attention by advocates and by researchers to women's use of violence in intimate partner relationships, particularly in responding to and resisting ongoing violence and coercion.<sup>27</sup> While not every domestic-violence-related homicide committed by a woman occurs in that context, many do. Overall, the Wisconsin homicides over the past decade reflect the findings of Carolyn Block, Jacquelyn Campbell, and other researchers. Abused women who killed their partners "(1) had experienced more severe and increasing violence; (2) had fewer resources (such as employment or education); and (3) were in more traditional relationships (were married, had children, had longer relationships)." <sup>28</sup> Many African American women face the additional and interrelated impacts of historic and ongoing racism and poverty; constricted opportunities in many aspects of life, from education to employment; significant economic and health disparities; alcohol and drug dependency rooted in self-mediation for past and ongoing trauma; and, neighborhoods that have become saturated with guns and general violence. Institutional responses – from the way in which an initial call for help is classified and dispatched to the availability of prompt medical attention in underserved communities and the nature of the emergency room response – can all make a critical difference in whether a stab or gunshot wound is fatal. (See the discussion of the impact of domestic violence homicide on diverse communities, included below.)

## **Impact on diverse communities**

As reinforced throughout this report, domestic-violence-related homicides and suicides have a deep and lasting impact on many people. Women living with ongoing coercion, abuse, and violence by an intimate partner recognize many common tactics of domination, including name-calling ("slut," "whore," "ugly bitch"); stalking and persistent scrutiny of her whereabouts; physical, sexual, and emotional abuse; and threats to take her children or kill her children. At the same time, different communities also have distinct experiences with domestic violence, both in the day-to-day reality and response and in the aftermath of a homicide. In 2009, as in previous years, the report includes cases that reflect the experiences of diverse communities in Wisconsin, including rural, Hmong and Lao, Latino, and African American communities. In 2009, research conducted in compiling the report did not identify any homicides involving members of tribal communities. By no means are the communities referenced here the only culturally-distinct communities in Wisconsin that face domestic violence and its related homicides. As addressed in the Methodology section, for example, domestic violence homicides involving lesbian, gay, and transgendered residents are almost certainly under-identified. At this point in time, the following discussion reflects the domestic violence homicides that have most readily come to researchers' attention under the current methodology.

### ***Rural communities***

As of the 2000 U. S. Census, 32% of the state population was classified as rural. Even within many predominantly urban counties, however, such as Dane, Brown, and Eau Claire, there are rural sections and small communities. People recognize one another and cross paths frequently on streets and in shops. They are often connected through work, school, and family, both within the county and across adjacent counties. Extended families often farm together. While such closeness can be a source of support and help for community members living with domestic violence, it can also mean pressure to keep everything "behind closed doors" and to "keep your business to yourself." Calling law enforcement for help might mean that the abuser's brother, cousin, or best friend comes to the door. Geographic and social isolation, weather extremes and lack of transportation, and limited employment can be significant barriers to building ongoing safety. A woman who operates a farm may have her economic well-being entirely intertwined with a violent and abusive partner. Gun ownership or access is widespread and medical care in the event

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<sup>27</sup> For example, see the discussions in Joan B. Kelly and Michael P. Johnson, "Differentiation Among Types of Intimate Partner Violence: Research Update and Implications for Interventions," *Family Court Review*, 46 (July 2008), 476-499. Also, Evan Stark, *Coercive Control: How Men Entrap Women in Personal Life*, Oxford University Press, 2007; and Ellen Pence and Shamita Das Dasgupta, "Re-examining 'Battering': Are All Acts of Violence Against Intimate Partners the Same?" Praxis International, Inc., 2006.

<sup>28</sup> Block, "How Can Practitioners Help?" p.7.

of a shooting may not be readily available. Some women may be reluctant to turn for help in their own communities because of the abuser's prominence and connections or concerns about confidentiality. Rural women who speak a language other than English or live with a disability can be extremely isolated and at risk for severe abuse.

In 2009, 12 of the 47 homicide incidents (26%) occurred in rural counties or communities.<sup>30</sup> Of the total homicides, 14 of 52 victims (27%) were from rural areas. Of the homicide deaths, 71% involved a gun as the primary method of killing (10 of 14). This compares to 62% for all homicides in 2009 (32 of 52). One-third of the perpetrator suicides in 2009 (5 of 15) occurred in rural communities, and all of them involved a gun.

Advocacy programs have been working in rural Wisconsin communities since the mid-1970s, often stretching themselves and their services across multiple counties. They provide refuge via shelters, motels, and safe homes. They provide crisis lines and toll-free numbers and legal advocacy. They strategize daily to meet the challenges of limited or no transportation, employment, and community resources.

### ***Tribal communities***

There are eleven federally-recognized Tribes with land holdings in Wisconsin and large Native American urban communities in Milwaukee, Green Bay, and Madison.<sup>31</sup> Victims of domestic violence living on Tribal lands in rural areas of the state face many of the barriers to safety common to rural areas. Beyond the trauma of the violence and crises they are experiencing, Native women face multiple, distinct issues related in part to sovereignty, jurisdiction, and the relationships between Tribal and non-Tribal governments and communities, and to the legacy of colonialism.<sup>32</sup> These can include the involvement of Indian Child Welfare, losing their children when they report abuse against themselves, the under- or over-involvement of the U.S. legal system in their lives, and lack of emotional and financial support from their community and families. Native American and Alaska Native women experience the highest rates of sexual violence, which is often intertwined with intimate partner violence, to the extent that it has become a focus of Amnesty International as a violation of fundamental human rights.<sup>33</sup>

Domestic violence homicides of Native Americans in Wisconsin have been infrequent over the past ten years. Whether they are under-reported in the primary sources used in compiling the report or infrequent overall is unknown and warrants further study. Between 2000 and 2009, the report has identified 6 homicides where the victims had been identified as Native American. At least two of them were Native men who were killed by a non-Native man as they were trying to protect a sister or other woman who was a domestic violence victim.

The day-to-day reality of domestic violence in Native American women's lives is clear from the experiences women have shared in focus group conversations over the past decade. Increased advocacy, shelter, and legal services have been established in response. Tribal advocates across Wisconsin have joined across boundaries to create American Indians Against Abuse and build a network of support and services that addresses domestic violence in ways that honor traditional customs, values, and teachings.<sup>34</sup>

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<sup>30</sup> Rural counties included the 45 Wisconsin counties listed as rural on the U.S. Department of Agriculture's *Rural Urban Continuum Code Classification*. Rural communities are those with a population under 2,000. For example, while Portage County is not on the USDA list of rural counties, a homicide in the Village of Nelsonville, with a population of 191, is included.

<sup>31</sup> Bad River Band of Lake Superior Chippewa, Forest County Potawatomi Community, Ho-Chunk Nation, Lac Courte Oreilles Band of Lake Superior Chippewa, Lad du Flambeau Band of Lake Superior Chippewa, Menominee Nation, Mohican Nation – Stockbridge Munsee Band, Oneida Tribe of Wisconsin, Red Cliff Band of Lake Superior Chippewa, St. Croix Band of Chippewa, and Sokaogon Chippewa Community.

<sup>32</sup> See Andrea Smith, *Conquest: Sexual Violence and American Indian Genocide*, South End Press, 2005. Also, *Community Based Analysis of the U.S. Legal System's Interventions in Domestic Abuse Cases Involving Indigenous Women*, Mending the Sacred Hoop, 2002, available at <http://www.msh-ta.org>

<sup>33</sup> See the report and campaign, *Maze of Injustice – The Failure to Protect Indigenous Women from Sexual Violence in the USA*, available at <http://www.amnestyusa.org>

<sup>34</sup> American Indians Against Abuse: <http://aiaainc.org>

## *Hmong and Lao communities*

Domestic violence homicide takes a particular toll on small, culturally distinct communities. There are strong connections among individuals, families, and neighborhoods. Hmong and Lao communities have faced several domestic violence homicides since their move to Wisconsin, often with the combination of homicide and suicide. Between 2000 and 2009, the homicide report has identified and included 14 domestic-violence-related deaths in Hmong and Lao communities: the homicides of eight adult women, one fetal death, and one man killed by a woman's former husband (according the charges filed in the case); plus four perpetrator suicides. All of the deaths occurred between 2005 and 2009, with two of the homicides and one suicide in 2009. All of the perpetrators have been men.

While aspects of cultural identity can help strengthen safety, they can also be used as a tactic of battering and can present significant barriers to a woman trying to end or escape violence. Hmong women must navigate the danger and attempt to build safety within their cultural identity, traditions, and language. Hmong women have organized and mobilized statewide gatherings, summits, and retreats. They emphasize the need to take into account the distinctiveness of the clan structure, the significant role of elders and in-laws in women's lives, and how shame and gossip in the community can be powerful controls over a woman's willingness to report domestic violence and seek help.

A Hmong woman's trust that she will be able to get the help she needs can be shaken by events such as those that occurred in 2009 when the leader of a program providing services to domestic abuse victims and their families was the subject of a domestic abuse temporary restraining order and charged with battery. Leaving can present the wrenching decision of choosing safety over losing an entire community. It can mean cutting off her connections, her place in her culture, and her only source of social, familial, cultural, and spiritual support. It can mean losing a language, food, traditions, holidays, and a shared understanding of what it is like to be in the world. She can be violence free, but at a tremendous cost. As one advocate observed, leaving means that "she gets up in the morning and goes to bed at night without another voice that she can communicate with."<sup>35</sup>

Domestic violence homicide and its devastation has become a catalyst for change in the Hmong community. Hmong women, advocates, survivors, and victims have worked to organize culturally appropriate protocols and action plans that are anchored in and not imposed on their communities. They continue to hold the eighteen Wisconsin Hmong Clan Councils, leaders, and the community accountable to the voices and experiences of Hmong victims and survivors of domestic violence.

## *Latino communities*

The single heading of "Latino communities" is inadequate for the many countries, cultures, and experiences that it represents. While there is a common connection of language for many people, language, too, is diverse, with people using distinct forms of Spanish and indigenous languages, and many using primarily English in their daily lives. Community members might be long-time U.S. citizens or recent immigrants, documented or undocumented. The experiences of domestic violence victims in Latino communities will be affected by these diverse qualities, as well as certain shared values, beliefs, and experiences.

Between 2000 and 2009, there have been relatively few domestic violence homicide victims identified as Latino in the research conducted to compile the homicide report: 9 total. That is about 2% of all homicide victims, and well below the proportion of Latino/Hispanic residents in the 2000 Census estimate (as 5% of the state population). At least three of the victims have been men, killed by another man in circumstances related to a current or former wife or girlfriend. The women were killed after long periods of abuse in which they had tried many avenues to safety, including trying to leave the relationship, contacting the police, and obtaining a restraining order. Their experiences illustrate several of the key barriers faced by many Latina victims of domestic violence: strong pressure to keep her family together or be seen by family members as a failure; bringing the violence into the open is shaming to her family; misunderstanding and

<sup>35</sup> "Tsim Txom: Domestic Violence in Hmong Society," a Wisconsin radio documentary available at the Public Radio Exchange, <http://www.prx.org>

erroneous information from the legal systems about her rights if she is undocumented; limited access to Spanish-language and culturally-specific crisis services, advocacy, and support; and increased vulnerability when the batterer is a U.S. citizen and she is not. The threat of deportation, misinformation about legal rights, and language barriers can leave some women very isolated and vulnerable to ongoing coercion and violence.

In Wisconsin, efforts to address that isolation and extend help and resources include the longstanding work of UNIDOS Against Domestic Violence and the UMOs Latina Resource Center.<sup>36</sup>

### *African American communities*

While intimate partner homicide rates have declined nationally for all race and gender groups since 1993, African American women continue to experience higher rates of intimate partner homicide than White women and the rate is higher for African American women in the relationship category of girlfriend than for any other group.<sup>37</sup> In 2007, “black female victims of intimate partner homicide were twice as likely as white female homicide victims to be killed by a spouse” and “black females were four times more likely than white females to be murdered by a boyfriend or girlfriend.”<sup>38</sup> Lifetime rates of intimate partner violence for African American women and men exceed the rates for any group other than Native American, according to Tjaden and Thoennes’s analysis of the National Violence Against Women Survey data.<sup>38</sup>

For African American communities in Wisconsin, domestic violence homicide carries a disproportionate impact in comparison to their representation in the state’s population (as 6% of state residents). Data between 2005 and 2009 is most readily retrieved, and of the domestic violence homicides included in the report during those years, 22% of victims were African American (42 of 189, where the victim’s race/ethnicity was known). Most domestic violence is intra-racial, and this is reflected in Wisconsin homicides as well. When the victim was African American, all but one of the perpetrators was also African American. Across all homicides between 2005 and 2009, when the perpetrator’s race/ethnicity was known, 29% of perpetrators (56 of 195) were African American.

In the comparison period of 2005 to 2009, domestic violence homicides in African American communities were highest in 2005, at 28% of total homicides. The numbers declined significantly in 2006 (14%) and again 2007 (15%). They increased significantly in 2008 (20%) and again in 2009. In 2009, 27% of victims (14 of 52) were African American.

Both the national experience and Wisconsin’s experience reinforce a call to examine what has been described as the “double bind” that African American women face when confronting domestic violence—in meeting what they perceive as the greater good of the community before their own well-being—and the “triple jeopardy” of intersecting factors of poverty, substance abuse, and battering,<sup>40</sup> as well as the impact of historic and ongoing racism. African American women are acutely aware of the ways in which criminal justice and law enforcement systems – and the impact of the “war on drugs,” in particular – have helped to produce what Michele Alexander describes as the “new Jim Crow,” where often relatively minor offenses that occur with little notice on college campuses or in middle class suburban communities mean felony convictions for young African American men. A felony conviction ushers in a “parallel social universe” in which they can be denied the right to vote, automatically excluded from juries, and legally discriminated against in housing, employment, and education in ways that are reminiscent of the Jim Crow era.<sup>41</sup>

<sup>36</sup> UNIDOS Against Domestic Violence: <http://www.unidosagainstdv.org> UMOs Latina Resource Center: <http://www.umos.org>.

<sup>37</sup> Roberta K. Lee, Vetta L. Sanders Thompson, & Mindy B. Mechanic, “Intimate Partner Violence and Women of Color: A Call for Innovations,” *American Journal of Public Health*, April 2002, 530; and, BJS, *Homicide Trends*.

<sup>38</sup> Shannan Catalano, Erica Smith, Howard Snyder & Michael Rand, *Female Victims of Violence*, Bureau of Justice Statistics, September 2009. Available online: <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=2020>

<sup>39</sup> Patricia Tjaden and Nancy Thoennes, *Extent, Nature, and Consequences of Intimate Partner Violence: Findings from the National Violence Against Women Survey*, July 2000, 26. Available online: <http://www.ncjrs.gov/pdffiles1/nij/181867.pdf>

<sup>40</sup> Tricia B. Bent-Goodley and Oliver J. Williams, *Community Insights on Domestic Violence among African Americans: Conversations About Domestic Violence and Other Issues Affecting Their Community*, Seattle, WA, 2004. The Institute on Domestic Violence in the African American Community (IDVAAC) has convened discussion groups in nine U. S. cities to expand knowledge about community perceptions of and responses to domestic violence. This report and others are available at: <http://www.dvinstitute.org/> See also: Doris Williams Campbell, et al., “Intimate Partner Violence in African American Women,” *2002 Online Journal of Issues in Nursing*, January 31, 2002.

<sup>41</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, The New Press, 2010. See an interview with Michelle Alexander and Bryan Stevenson, founder of the Equal Justice Initiative, online: <http://www.pbs.org/moyers/journal/04022010/profile.html>

Bent-Goodley and Williams characterize the complexity of risk and safety related to domestic violence in this way: “many African Americans forego reporting abuse in an attempt to protect their intimate partner from abuse by police or loss of income through imprisonment or incarceration. The result is that the woman and her child(ren) are at an increased risk for violence and often do not report violence until the lethality of the abuse cannot be withstood.”<sup>42</sup> As addressed in this report’s earlier discussion of homicides by women, the result is also that African American women may be more likely to be isolated from help and respond to escalating abuse with lethal violence.

African American communities throughout the country and in Wisconsin have been working to address domestic violence through advocacy, prevention, intervention, and research. This includes informal supports and networks created by individual women, such as Lilada’s Livingroom; culturally-specific programs and services through established domestic abuse programs, such as Asha Family Services; research, policy development, and training via organizations such as the Institute on Domestic Violence in the African American Community; and, the work of scholars such as Beth E. Richie.<sup>43</sup>

## **Later life**

Since this report was first published in 2000, it has paid specific attention to homicides of persons age fifty and older. Those accounted for 65 of the 374 homicides in the period 2000 through 2009 (17%). 2009 had one of the highest numbers in a single year, with 10 of 52 homicides (19%) involving a victim who was age fifty or older; although as a proportion of the total in a given year, it was midrange. Later-life homicides have ranged from 7% of the yearly total (3 of 41 in 2007) to 33% (11 of 33 in 2000). The 2009 homicides in later life had several distinct characteristics that have been similar to other cases included in the report between 2005 and 2009, the years for which the data is most readily retrieved. The 2009 homicides included the death of one victim age fifty or older who was killed by law enforcement in response to a domestic violence call (Douglas Lisney, Richland County). That case is not included in the following calculations.

- In 2009, in 6 of the 9 cases (67%) where the victim was age fifty or older, the perpetrator was also fifty or older. Similarly, this was true in about half of the later-life homicides between 2005 and 2009.
- Shooting was the prevailing method of killing when the victim was age fifty or older. In 2009, 6 of the 9 older victims (67%) were shot to death. Between 2005 and 2009, 18 of 31 older victims (58%) were shot to death.
- Suicide often accompanies the homicide when the victim or perpetrator is age fifty or older. In 2009, when the homicide victim was age fifty or older, 6 of 9 perpetrators (67%) also committed suicide. Of the 49 perpetrator suicides between 2005 and 2009, 15 (31%) were by individuals age fifty or older.
- When the victim and perpetrator are age fifty or older, the homicide-suicide link is even more pronounced. Between 2005 and 2009, perpetrators committed suicide in 11 of the 17 homicides (65%) in which the victim and perpetrator were age fifty or older. The report does not specifically track attempted suicides, which may be evident or suggested by an individual’s conduct after the homicide. If attempted suicides were included in a count of attempted and completed suicides, the numbers might increase significantly. In 2009, for example, after killing his estranged wife, one man was in a one-vehicle crash and another ignored deputies’ repeated commands to drop his weapons and was subsequently killed by the responding officers. If these actions were forms of attempted suicide or “suicide by police,” then 80% of later-life homicides in 2009 would have involved a perpetrator who attempted or succeeding in committing suicide (8 of 10).

<sup>42</sup>Bent-Goodley and Williams, *Community Insights*, p. 5.

<sup>43</sup>Lilada’s Livingroom: <http://www.liladalivingroom.org/>; Asha: <http://www.ashafamilyservices.com/>; IDVAAC: <http://www.idvaac.org>  
Among Beth E. Richie’s work: *Compelled to Crime: The Gender Entrapment of Battered Black Women*, Routledge, 1996; and, the forthcoming *Black Women, Male Violence*, and the *Build-up of a Prison Nation*.

- Men are perpetrators in the majority of later-life homicides. 89% in 2009 (8 of 9); 81% between 2005 and 2009.
- In approximately half of the later-life homicides in 2009, there was a known history of prior domestic violence, including repeated and more frequent calls to police, disorderly conduct and damage to property, temporary restraining order petitions, and seeking help from a neighbor. This has also been characteristic of prior years.
- The report has primarily included later-life homicides that involve an intimate partner relationship, either between the victim and perpetrator or between the perpetrator and someone related to or otherwise involved with his current or former partner. In 2009, all of the ten included cases were tied to intimate partner relationships. Between 2000 and 2009, only three later-life homicides listed in the report were committed by other family members, and all involved an attack by an adult child on a parent. In each of these cases, there was a pattern of ongoing abusive conduct that met the criteria of the report's methodology (see Methodology section). Later-life homicides committed by other family members may warrant reconsideration in future reports, however, with a closer look at the wider sweep of "eldercide" and how factors of chronic alcohol or drug dependency or mental illness (or combination thereof) can in effect function as a form of control of a parent or grandparent.
- Many later-life homicides are characterized by the perpetrator or surviving family members as "mercy killings" or "acts of love" when the victim is physically or mentally ill or living with some kind of dementia. In 2009, as in other years, this has characterized several homicides where the victim was age 70 or older. As noted in the Methodology section, as homicides involving spouses and partners, these are included in the report.

Relatively little research has been conducted into what is increasingly becoming known as eldercide, including the subset of eldercide related to intimate partner violence. What is emerging, however, largely through the work of Donna Cohen, is recognition of the high rate of homicide-suicide in older adult couples. Older persons have homicide-suicide rates that are twice as high as younger adults, and 83% of those homicide-suicides are the "spousal/consortial type." Cohen describes three subtypes of homicide-suicide in older persons, including what she terms "aggressive homicide-suicide," "dependent/protective homicide-suicide," and "symbiotic homicide-suicide." She also notes common features across all subtypes, among them : (a) intense attachment of the perpetrator to the victim and a desire to maintain the relationship when threatened with separation or dissolution; (b) older men are almost always the perpetrators; (c) guns are the overwhelming method of choice; (d) homicide-suicides are not acts of love or altruism, but acts of desperation and depression; and (e) the older perpetrator has thought about and planned the act for months or longer and the wife or lover is not a willing participant.<sup>44</sup>

Any homicide-suicide has a devastating and profound impact on surviving family members, neighbors, friends, and care providers. That impact can be magnified for survivors of later-life homicide-suicides who may have observed some of the risk markers that are increasingly being identified, but not recognized their significance or known where to turn for help. For example, as Cohen notes, and as was characteristic of 3 of 9 later-life homicide-suicides involving couples: "Homicide-suicide is a very high risk in situations where an older man is caring for a sick wife, the two have been married for a long time, the health of one or both is changing, and the wife is hospitalized or institutionalization is imminent" and guns are in the house or readily available.<sup>45</sup>

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<sup>44</sup>Donna Cohen, "An Update on Homicide-Suicide in Older Persons: 1995-2000," *Journal of Mental Health and Aging*, Vol. 6, No.3, 2000, 195-199.

<sup>45</sup>Cohen, 2000, p. 195.

## Gun violence

A gun is the most commonly used weapon in domestic violence homicide in the United States.<sup>46</sup> The Centers for Disease Control and Prevention has reported that family and intimate assaults with a firearm were three times more likely to result in death than those involving knives or other sharp instruments and twenty-three times more likely to result in death than assaults involving other weapons or bodily force.<sup>47</sup>

In 2009, 54% (28 of 52) domestic violence homicide victims in Wisconsin were killed by guns. Sixty-eight percent of all incidents (including self-defense or defense of another) involved a gun as a primary or secondary method of homicide or method of suicide. Guns were used in the two multiple homicide incidents. Of the 15 perpetrators who committed suicide, 87% used a firearm.

Guns continue to be the most likely weapon used in a domestic violence homicide in Wisconsin. Between 2000 and 2009, 184 people were murdered with a gun in domestic violence-related homicides. This is more than those killed by knives, other weapons, beating, strangulation, and other known methods of killing combined (172).

In response to the heightened risk that guns pose to domestic violence victims, federal law restricts an offender convicted of a domestic violence-related misdemeanor crime from possessing a firearm. Similarly, both federal and Wisconsin law prohibit possession of firearms while a person is subject to an active domestic violence restraining order. In 2009, at least 5 perpetrators who used a gun as the method of homicide should not have had access to firearms under either felony or domestic abuse-related convictions or an active domestic abuse restraining order.

According to various research studies, when firearms are in homes, an abused woman is six times more likely than other abused women to be killed.<sup>48</sup> Guns are kept in homes where there is domestic violence more often than in homes that are not violent. In addition, if a gun is present, its use in domestic violence situations is relatively common. In 2009, 28 of the 32 firearm-involved incidents (88%) occurred in the victim or perpetrator's home or a home in common.<sup>49</sup> All of the incidents involved an intimate partner relationship, either between the perpetrator and the victim, or between the perpetrator and someone related to or otherwise involved with the victim.

Guns and murder-suicide are closely linked. A study by the Violence Policy Center found that 73.7% of murder-suicide incidents involved intimate partners and nearly all (94.5%) of the murder-suicides involved firearms.<sup>50</sup> In 2009, 87% (13 of 15) perpetrators who committed suicide used a gun. In 2009, there were two instances of armed suspects on the run before they committed suicide and 16 homicides by firearm that occurred outside in public places where shots could have readily hit bystanders.

## Near homicides

While WCADV does not track non-fatal attacks systematically, such cases quickly come up in the search for homicide cases. These “near homicides” are distinguished by an apparent intention to kill the victim that is thwarted by the victim's actions, intervention by others, a shot or blow that did not do as much damage as it could have, or prompt medical attention. If we could identify all near homicides that occur in Wisconsin, the range and impact of domestic violence would be even wider and more visible than it already is, as illustrated in the closer look at Dane County's experience earlier in the report. For every assault that ends in death there are countless others that leave victims terrorized, severely hurt, and traumatized and often draw in family members, neighbors, and responding officers as well.

<sup>46</sup> BJS, *Homicide Trends*.

<sup>47</sup> Leonard J. Paulozzi et al., “Surveillance for Homicide Among Intimate Partners – United States, 1981 – 1998,” *Morbidity and Mortality Weekly Report Surveillance Summaries*, October 12, 2001, 50:1 – 16.

<sup>48</sup> Campbell et al., “Assessing Risk Factors for Intimate Partner Homicide.”

<sup>49</sup> S.B. Sorenson and D.J. Wiebe, “Weapons in the Lives of Battered Women,” *American Journal of Public Health*, August 2005, 94:1412- 1417.

<sup>50</sup> Violence Policy Center, *American Roulette: The Untold Story of Murder-Suicide in the United States*, 2002.

I thought I was going to be killed.” Those were the words of Milwaukee Mayor Tom Barrett, in describing the attack in 2009 that too easily could have moved from a near homicide to a homicide. Mayor Barrett responded to a cry for help from a woman who was trying to protect her one-year-old granddaughter from being taken by her father after the man had threatened to shoot the woman or himself, threatened to break her wrist, and broke her cell phone. In attempting to help her, the Mayor was beaten with a tire iron. Anthony Peters knocked out three of Mayor Barrett’s teeth, split his skull, and repeatedly smashed the hand that the Mayor was using to shield his head. Anthony Peters pled guilty to first-degree reckless injury with use of a dangerous weapon. He was sentenced to twelve years in prison and ten years of extended supervision.

Near-homicides found in the research for the 2009 report include the following types of violence:

- Shot a former girlfriend in the leg.
- Strangled, suffocated, and attempted to rape his former wife. There were multiple examples across the state of strangulation and suffocation.
- Shot into his former wife’s home and those of two neighbors when he noticed them observing him. There were multiple examples across the state of a man shooting at his former girlfriend’s or wife’s home, as well as others nearby.
- Beat his girlfriend with a hammer.
- Threw his pregnant girlfriend to the ground, kicked her, slapped, punched, and strangled her.
- Grabbed his girlfriend by the throat, choked her, and slammed her head against the wall.
- Held his girlfriend as a prisoner, broke her jaw, beat and bit her, threatened to shoot her, and threatened to shoot her father when he tried to help.

## Seeking help

Most victims of domestic violence seek help from a variety of sources, both informal (e.g., talking with family and friends, finding information online or through a library) to formal (e.g., local domestic abuse services, police, courts, counseling). While the homicide report does not specifically examine help-seeking strategies used by victims prior to their deaths, it provides numerous examples of their efforts. Help-seeking efforts reflected the approaches reported in research studies, as well as findings that abused women who were killed were more likely to have sought help and that “by seeking help, an abused woman indicates that her situation could be serious.”<sup>51</sup> This picture of help-seeking raises questions about what kinds of new strategies might support those efforts to be safer and more protective. It also reinforces the challenge of recognizing opportunities for intervention. According to one of the leading researchers in intimate partner homicides, when a man kills his female partner, 83% of such cases are known in some way somewhere in “the system,” i.e., in the civil or criminal or family court system.<sup>52</sup>

In 2009, women used informal approaches such as leaving and spending time at a relative or friend’s home, sending children to stay at another location, confiding in co-workers, talking with a neighbor who was a law enforcement officer, moving in with friends, and seeking support from their spiritual community.

The formal help-seeking evident in the 2009 homicide reviews was to call police, use a domestic abuse shelter and services, use a private attorney, and seek a temporary restraining order. Only 2 incidents involved an active domestic abuse restraining order at the time of the homicide, and in one case that was obtained by someone other than the victim.<sup>53</sup> In 14 incidents, there was a prior history of restraining orders that either the victim had applied for but not pursued or that had been obtained by another person.

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<sup>51</sup>Block, “How Can Practitioners Help?” Also, Adams, *Why Do They Kill?* Adams reports a range of help-seeking by women who survived homicide attempts. The top five include: sought help from her family, obtained protective order, sought medical treatment for domestic violence injury, called police, and sought help from friends.

<sup>52</sup>Jacquelyn Campbell, presentation to National Institute of Justice online event, “Can You Predict Lethal Intimate Partner Violence?” November 12, 2009.

<sup>53</sup>Victims may not seek restraining orders for a variety of reasons: threats from the abuser, past experience with inadequate enforcement, messages that it will not make any difference, and limited information about the process.

Several incidents involved one or more police contacts in the months leading up to the homicide. Such examples, in particular, reinforce Block's finding that seeking help can be a signal of escalating and severe violence.<sup>54</sup> In at least two homicides, others who feared for the victim's safety asked law enforcement authorities to intervene.

## **Impact on domestic abuse programs**

A domestic violence homicide casts a broad shadow and domestic abuse programs are drawn into that shadow in a unique way. Advocates may have worked directly with the victim, or they may never know whether she had used the crisis line or had other contact with their services. The homicide may be the first one that a program has experienced, or it may be all too familiar to many advocates and other staff. Almost certainly, the agency will be contacted by one or more reporters or television stations. Almost certainly, the agency will be put in the position of trying to balance respect for the families with its role as advocate, educator, and dispeller of myths about domestic violence, all while trying to help its staff and volunteers with their experiences of secondary trauma and feelings of grief, anger, guilt, and the many emotions that accompany a domestic violence homicide.

Recognizing the high number of homicides in 2009, WCADV invited program directors to participate in informal discussions about their experiences with and response to domestic violence homicide. Those conversations will help WCADV and its members to further address how to best prepare and support programs when a homicide occurs. The participants provided the following insights and comments about their program's experience after a domestic violence homicide:

- The “phone can be ringing off the hook” with calls from the victim's family and friends or women seeking help, or it can be “eerily quiet.” One program saw a dramatic decrease in requests for shelter and other services for several months. Another had many women calling them, frightened and reporting that their partners were using the homicide to threaten them: “Remember what happened to her? You could be next?”
- Receiving an advance notice from the prosecutor or police before the story reached the media was very important. It allowed the program time to prepare and also signaled respect for the agency as a community partner.
- Being prepared made a difference, including: (a) having someone designated to respond to the media, (b) letting everyone in the organization know what has happened and whether or not the victim or perpetrator or anyone else involved was someone the agency had served, (c) gathering as a staff each day for an update, and (d) creating a space for everyone to be kept informed and to share their reactions and emotions.
- Deciding whether, how, and when to reach out to surviving family members can be a difficult, delicate decision. Programs do not want to intrude on a family's grief or be seen as capitalizing on the tragedy. At the same time, they have a vital role and responsibility to get as much accurate information as possible out and stem the almost inevitable victim-blaming that surfaces in news accounts, challenge inaccurate assumptions and statements about the dynamics of abuse, and make sure that others know where to get help.
- Formal grief counseling may or may not be helpful. If a program considers it, it should make sure that the practitioner has a solid grasp of domestic violence issues. A more generic approach is unlikely to be very useful.
- In offering help to a battered woman who has killed her abuser, it is helpful to have conversations in advance with police and prosecutors so that they understand the advocate's role.

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<sup>54</sup>Block, “How Can Practitioners Help?”

## UPDATES TO PRIOR REPORTS

The following cases have since been concluded or otherwise updated since the original report was published.

- Racine, Racine County – 2005  
On December 21, 2007, Martin F. Walker was sentenced to thirty-five years in prison and extended supervision of twenty years after pleading no-contest to second-degree intentional homicide in the stabbing death of his girlfriend, Rhonnette Lange. He was initially charged with first-degree intentional homicide and in May 2006 was found competent to stand trial. The case is being appealed.
- Madison, Dane County – 2007  
James P. Bohanan was found guilty by a jury of first-degree intentional homicide in the shooting death of his former girlfriend's current partner. He was sentenced to life in prison without eligibility for early release.
- Green Bay, Brown County – 2007  
On February 24, 2009, Khamthong Bongxay, entered an Alford plea and was found guilty, but not guilty due to mental disease/defect in the shooting death of his wife, Mai Bongxay. He was committed for treatment.
- Augusta, Eau Claire County – 2008  
Jeffrey T. Rodrick was initially charged with felony murder in the beating death of the woman he was living with, Kathryn Padilla. The charge was changed to aggravated battery with intent to cause great bodily harm. He pled no-contest and was found guilty of the revised charge and was sentenced to seven years in prison (with credit for 474 days served) and five years of extended supervision.
- Kenosha, Kenosha County – 2008  
Gary Sabol was charged with first-degree intentional homicide, first-degree sexual assault using a dangerous weapon, and mayhem in the stabbing and shooting death of his wife, Joann Reidenbach. The case remains open, but proceedings have remained suspended since mid-2008 because he has been found incompetent to participate. Another competency hearing is scheduled for October 8, 2010.
- Marinette, Marinette County – 2008  
Joseph W. Evans, Jr., was found guilty by a jury of first-degree intentional homicide in the shooting death of his wife, Dina Evans, and sentenced to life in prison without the possibility of parole.
- Milwaukee, Milwaukee County – 2008  
David Brown, pled guilty to first-degree reckless homicide and being a felon in possession of a firearm in the shooting death of Carl Coleman. He was sentenced to twenty years in prison and fifteen years of extended supervision. Coleman was the brother of his former girlfriend.
- Milwaukee, Milwaukee County – 2008  
Gerhard Witte was found guilty by a jury of first-degree intentional homicide in the stabbing death of Elisabeth Witte, his former wife.
- Beloit, Rock County – 2008  
Donyil Anderson was found guilty by a jury of first-degree intentional homicide and attempted first-degree intentional homicide in the stabbing death of his former girlfriend, Stacey Hosey, and the wounding of her current partner.
- Baraboo, Sauk County – 2008  
David R. Yates has been charged with two counts of first-degree intentional homicide in the deaths of his infant twins. A jury trial has been scheduled for October 1, 2010. The children died after receiving fractured skulls and multiple blunt force injuries.

- Shawano, Shawano County – 2008  
Michael R. Schutt pled no-contest and was found guilty of charges of first-degree reckless homicide, arson of a building, and first-degree recklessly endangering safety in the death of his former wife and injuries to his adult son. Dawn Shutt died from smoke and soot inhalation in the fire at her home. He was sentenced to twenty-five years in prison and five years of extended supervision for the homicide and lesser and concurrent sentences of prison (seven to eleven years) and extended supervision on the other charges.

## TEN YEARS OF REPORTING ON DOMESTIC VIOLENCE HOMICIDE

<b>Year</b>	<b>Homicide Deaths</b>	<b>Suicides</b>	<b>Total</b>
2000	33	8	41
2001	33	9	42
2002	38	11	49
2003	45	16	61
2004	28	5	33
2005	40	6	46
2006	28	8	36
2007	41	10	51
2008	36	10	46
2009	52	15	67
<b>Total</b>	<b>374</b>	<b>98</b>	<b>472</b>

This is the tenth year that the Wisconsin Coalition Against Domestic Violence has published the domestic violence homicide report. Set out year-by-year, it is more discouraging than encouraging, particularly in looking at the years 2007 to 2009. Domestic violence homicides, related suicides, and total deaths have been jumping upward. There has been much speculation and attention throughout the state and nationally about the impact of the recession on the ability of domestic violence victims to more readily escape and build safety for themselves and their children. For many, the profound shifts in unemployment, housing foreclosures, and a social safety net that is fraying at many points make the extraordinarily difficult path of escaping a violent partner even more challenging, if not impossible, to navigate. Advocates who work with battered women describe shelters with waiting lists, great needs for housing and employment, complicated legal needs around child custody, and women who seem to be facing more extreme and frightening violence than ever before.

A more encouraging look requires going back to 1990, when there were 70 domestic violence homicides in Wisconsin. The overall direction in twenty years has been downward, as it has been nationally. According to the Bureau of Justice Statistics' study of homicide trends in the United States, there has been a clear decline in intimate partner homicides since 1975.<sup>55</sup> In general, intimate partner homicides have declined for each race and gender group, and for male victims, in particular. In other words, we have made progress, but we clearly are not there yet.

Each year, this report provides a lens through which Wisconsin and its communities can better understand the realities of domestic violence and identify changes in policy and practice that will help improve intervention and prevention. The report has helped inform an understanding of the safety risks involved in custody disputes and contributed to changes in child custody law (2003 Act 130). Among the changes: guardians ad litem (GAL) and mediators must have training on the dynamics of domestic violence and its effects on victims and children; a guardian ad litem must investigate and report to the court on whether there is evidence of interspousal battery or domestic abuse; and, when there is evidence of battery or abuse, parents cannot be required to attend a mandated parenting program together or at the same time.

<sup>55</sup>BJS, Homicide Trends.

The report has also helped inform policy changes related to firearms and advocate for better enforcement of existing restrictions that apply to abusers. For example, it is now less common for judges (contrary to law) to cross out firearm surrender requirements on domestic abuse restraining orders or attempt to order that the federal firearm prohibition does not apply to individual domestic violence convictions.

## METHODOLOGY

Our definition of homicide is the killing of one human being by another. This encompasses criminal, justifiable, self-defense and reckless homicides. Homicides were considered domestic violence-related if:

- The victims and perpetrators were spouses or partners, former spouses or former partners, adults with children in common, and adults or teens that had been in a dating relationship. We also include cases that involved adults related by blood if dynamics of power and control were demonstrated.
- It was a homicide of a person *other than* the intimate partner and it occurred within the context of domestic violence. This includes cases where the circumstances of the murder included obsessive control of the perpetrator's current or former partner that extended to her or his new partner; or, of a person who attempted to protect a domestic violence victim from future harm.
- The homicide occurred as an extension of or in response to ongoing abuse between intimate partners. For example, when a partner or estranged partner killed their children in order to exact revenge on his partner.

The report also accounts for overall deaths related to domestic violence homicide, including perpetrator deaths. Most perpetrator deaths are suicides. The count of domestic violence homicide victims occasionally includes perpetrators killed by responding law enforcement officers or killed by someone in defense of another person who is under attack. The victim count also includes law enforcement officers killed in the line of duty when responding to domestic violence.

To determine the domestic violence homicides that occurred in Wisconsin in 2009, we examined the Uniform Crime Reports (UCR) submitted to the Wisconsin Office of Justice Assistance (OJA) by local law enforcement agencies. UCR fields include: reporting agency; county; homicide date, type, and location; victim and offender demographics; weapon used; relationship between the perpetrator and victim; and, circumstance of the homicide. The UCR does not provide the name of the victim or the offender. We reviewed the UCR reports and identified domestic violence-related homicides for further review.

The next step was a search for news accounts of the selected homicides and those that might not have appeared in the UCR. WCADV tracks daily media coverage of domestic violence homicides in three Wisconsin newspapers, which is supplemented with Internet searches. Finally, in some cases we contacted one or more of the following sources for clarification of information: local domestic violence programs, district attorney's offices, adult protective services, law enforcement agencies, and coordinated community response coordinators in the counties where the homicides took place. We also used the Wisconsin Circuit Court Access Program to research the criminal history of the homicide perpetrator and victims.

We sought to uniformly report the facts of the case for each incident. However, if additional information was not available to us, we reported only the simple demographic information available in the UCR. Reporting on domestic violence-related homicides is complicated since we cannot know the exact characteristics of the relationship. Our knowledge is ultimately limited by the information reported to community systems and friends and family by the involved parties prior to the homicide, and how much of that knowledge finds its way into the official record.<sup>56</sup>

<sup>56</sup> Neil Websdale, *Lethality Assessment Tools: A Critical Analysis*, National Resource Center on Domestic Violence, 1999.

The scope of our report is limited to those homicides identifiable through public access. Due to confidentiality laws, WCADV could only obtain records of public access, and such data as death certificates were not available to us. We know this methodology is imperfect and can result in undercounts in at least two areas:

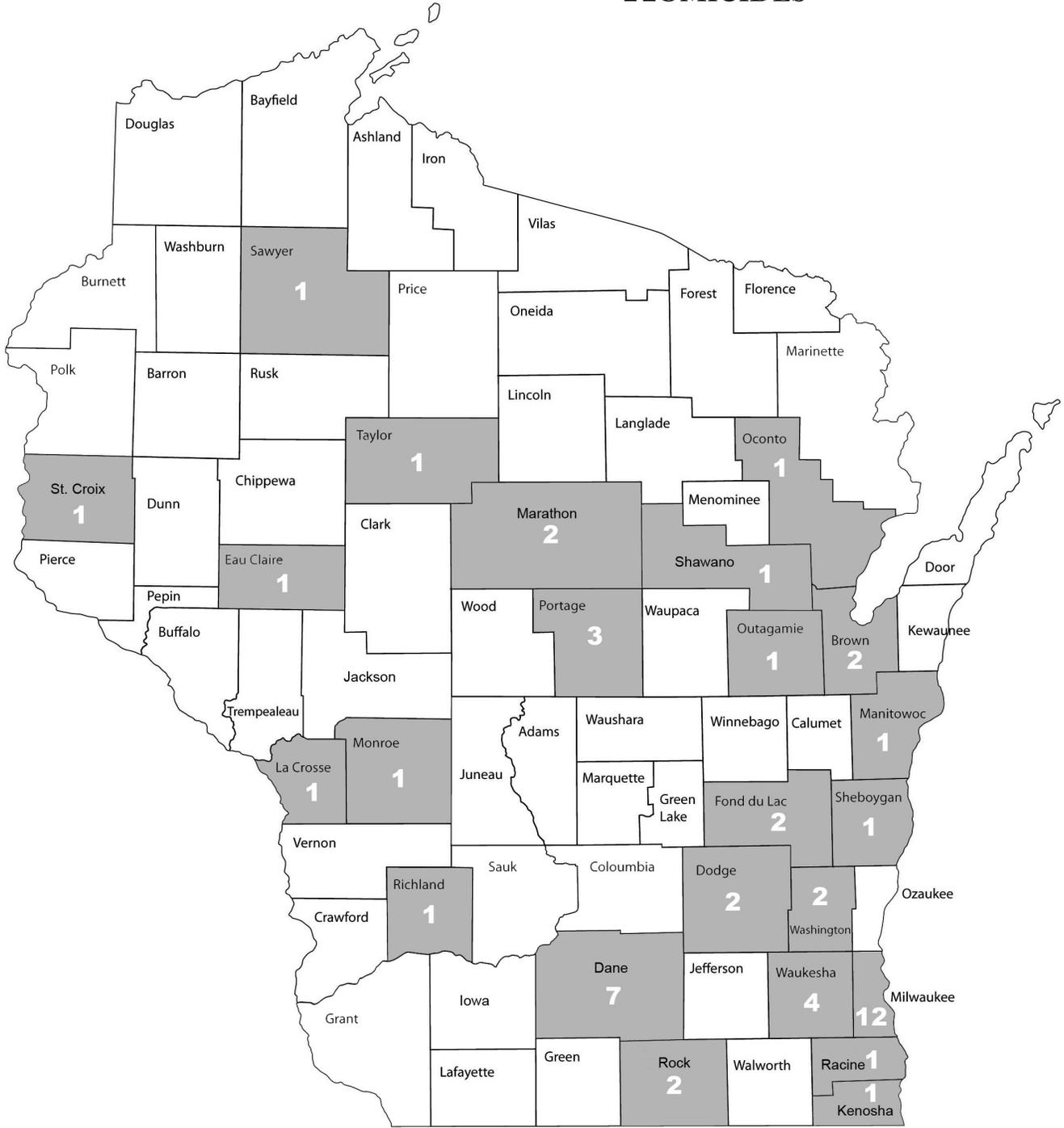
***Children killed by domestic violence abusers:*** We include children who were killed as a direct result of a domestic violence incident. We believe this count is low since a homicide of a child is often viewed as an isolated incident of child abuse. An investigation of a child homicide can often overlook past domestic violence or the domestic violence might not be included in the public record. While we believe that a larger number of child deaths are directly related to an ongoing pattern of domestic abuse, our current methods of tracking homicides do not allow us to consistently identify children killed by perpetrators of domestic violence.

***Same-sex relationships:*** It is likely that we undercount domestic violence homicides that occur in lesbian, gay, bisexual, transgender (LGBT) relationships. Due to the stigma that is placed on LGBT communities, relationships can be hidden and the nature of a relationship might not be accurately identified in the public record of a homicide. An LGBT relationship might be coded as “friend,” “roommate” or “other known to victim”.

In compiling our summary data, we chose to include the total number of homicides committed in Wisconsin in 2009. The figure for 2009 comes from the Office of Justice Assistance (OJA). Information from the Bureau of Health Information (BHI) was not available at the time the report was completed. Each agency compiles its data from various reporting methods including death certificates, police reports, coroner, medical examiner and hospital records. For example, BHI counts homicides of Wisconsin residents that occur in other states, as well as traffic fatalities from intoxicated driving; OJA counts homicides in the Wisconsin county in which they occur and conforms to UCR standards, which omit intoxicated driving deaths. The BHI figure is therefore usually higher than the UCR-based count.

In each case of homicide-suicide, we chose to list the murdered person in our heading as we recognized this person as the homicide victim. We seek to be as consistent and as accurate as possible year to year in the homicides included in the report. The methodology leaves out certain kinds of violence between individuals who know one another or are related to one another. It does not take in the full scope of “family violence,” for example. With few exceptions, it does not include deaths from child abuse and neglect, deaths of parents or grandparents at the hands of adult children or grandchildren, or one sibling’s murder of another. In applying this framework, most of the cases included in the report are related to intimate partner violence.

# 2009 WISCONSIN DOMESTIC VIOLENCE HOMICIDES





## **POSTSCRIPT: Reading domestic violence homicide cases**

Researching and writing this report each year brings many questions: questions about which cases to include and which to exclude; the circumstances of someone's death; the particular details to include and how. For example, how do we write about the sexual violence and brutality a victim experienced before her death? We always wonder whether we even have a right to put people's stories on the page, however well-intentioned the cause. They have no say in how the story is told, after all, whether by police or prosecutors or reporters or by us.

Each year brings its own distinctive set of questions. In 2009, one of those questions was: How can threats to kill a woman be so openly and brazenly made and nothing happens? "If she were the President," many of us say to ourselves, plenty would be done to protect her. How can we as communities and as a state better prepare ourselves to take "I'm going to kill her and I've got plenty of guns" seriously and know where to turn? How can we do a better job of sending messages of help to battered women and their children and messages of accountability – and the opportunity to change – to those who harm them? How can we stop missing opportunities to intervene early on in ways that are swift, sure, just, and compassionate? If domestic violence homicides are anywhere from 20 to 33% of all homicides in our state, how might 20 to 33% of our resources go to preventing them in the first place?

## ABOUT WCADV

The Wisconsin Coalition Against Domestic Violence (WCADV) is a statewide membership organization of domestic abuse programs, formerly battered women, and other individuals who have joined together to speak with one voice against domestic abuse. As a statewide resource center on domestic violence, we offer such services as:

- Training and technical assistance to domestic abuse programs
- A quarterly educational journal
- Forums for the involvement of battered women
- Networking and support for programs for battered women and their children and for professionals in related fields
- Training for professionals in legal, health care, social services, child welfare, elder abuse, housing, education, and mental health fields and for employers throughout Wisconsin
- Technical assistance for attorneys, legal advocates, prosecutors, and public defenders and limited funds for victims to acquire direct legal assistance

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**Author:** Jane Sadusky, Consultant to WCADV

**Researchers:** Alyssa Gerarden, Research Assistant; Saby Cordoba, Homicide Project Intern

**Editors:** Patti Seger, WCADV Executive Director; Julie Andersen, Community Response Coordinator; Tony Gibart, Policy Coordinator; and Valerie Nash, Outreach & Social Action Coordinator.

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Since 2000, we have benefited greatly from the findings and recommendations of The Washington State Coalition Against Domestic Violence Domestic Violence Fatality Review. Their definitions of a domestic violence fatality and undercounts have been of particular use in crafting the Wisconsin report.

Finally, we want to acknowledge each and every individual life taken by domestic violence, and their surviving families and communities.



**307 South Paterson Street, Suite 1  
Madison, WI 53703  
608.255.0539 phone  
608.255.3560 fax  
[www.wcadv.org](http://www.wcadv.org)**