



Montgomery County
Domestic Violence Fatality Review

2021 Annual Report

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Executive Summary

The Montgomery County Domestic Violence Fatality Review Team (DVFRT) is a multidisciplinary group of professionals and community members that meets regularly to examine the circumstances leading to fatalities and near-fatalities that occurred between intimate partners in Montgomery County, Maryland. From 2017-2021, the Montgomery County DVFRT completed a review of thirteen domestic violence-related cases that resulted in death or serious injury. The thirteen cases reviewed included eleven homicides and three attempted homicides. One of the homicide cases included a secondary victim. Four of the homicides also involved offender suicide. The cases reviewed occurred between 2008-2017. The data findings in this report are cumulative from 2017-2021. Multiple factors were assessed, including the following: gender, age, weapon ownership and use, child witness, precipitating event(s), history of arrest or conviction, interventions sought, and convictions/outcome. For the cases reviewed in 2021, the Montgomery County DVFRT made findings and recommendations related to the following topics: education, outreach, and training; responding to children exposed to domestic violence; and victim safety and engagement.

Team Members

Montgomery County (MC) DVFRT Officers: Debbie Feinstein, MC-DVFRT Chair, Chief, Special Victims Division, Montgomery County Office of the State's Attorney; Thomas Manion, MC-DVFRT Vice-Chair, Director, Montgomery County Family Justice Center, Montgomery County Office of the Sheriff

Community Organizations: Alia El Radi, Managing Attorney (*Former*), House of Ruth Maryland; Jenica Kramer, Staff Attorney (*Former*), House of Ruth Maryland; Luanne Edwards, Attorney, House of Ruth Maryland; Donna Rismiller, Attorney, Executive Director, DVS Legal Services; Amy Palumbo, Attorney, Program Director, DVS Legal Services; Dr. Rahel Schwartz, Clinical Director, Jewish Coalition Against Domestic Abuse; Odelya Kadosh, Clinician, Jewish Coalition Against Domestic Abuse

Hospital Based Health Care Provider: Dr. Jessica Volz, Clinical Director of Forensics, Forensic Medical Unit, Adventist Healthcare Shady Grove Medical Center; Vania Baioni, Forensic Nurse Examiner, Forensic Medical Unit, Adventist Healthcare Shady Grove Medical Center

Judiciary of Maryland, Commissioner's Office: Carolyn Creel, Deputy Administrative Clerk, 6th District Court of Maryland; Julie Gray, Administrative Commissioner, 6th District Court of Maryland

Maryland Department of Public Safety and Correctional Services: Ingrid Gonzalez, Field Supervisor, Division of Parole and Probation

Montgomery County Department of Correction and Rehabilitation: Kendra Jochum, Deputy Warden, Inmate Services, Detention Services Division; Tina Michaels, Records Manager (*Retired*), Detention Services Division

Montgomery County Department of Health and Human Services (HHS): Dr. Rafiah Prince, Acting Manager of Trauma Services, HHS Trauma Services; Peaches Wilson, Supervisory Therapist, HHS Trauma Services; Ilana Kein, Assessment Unit Supervisor, Child Welfare Services; Larissa Royal, Services Supervisor, Child Sexual Abuse and Fatalities Investigations, Child Welfare Services

Montgomery County Department of Police: Dinesh Patil, Assistant Chief (*Retired*), Investigative Services Bureau; Captain Amy Daum, Director, Special Victims Investigations Division; Lieutenant Gerald McFarland, Deputy Director, Special Victims Investigations Division; Captain Monique Tompkins, Director, Internal Affairs; Lieutenant Kenneth Sanger, Deputy Director, Major Crimes Division; Sergeant Sun Cheong, Detective, Special Victims Investigations Division; Officer Richard Reynolds, Community Engagement Division

Montgomery County Public Schools: Dr. Kyle Potter, Coordinator, Student Health and Wellness

Montgomery County Office of the County Attorney: Corey Talcott, Chief, Health and Human Services Division

Montgomery County Office of the Sheriff: Lieutenant Colonel Christina Calantonio, Assistant Sheriff; Captain Robert Lehman, Domestic Violence Section, Family Division; Lieutenant Mike Tester, Domestic Violence Section, Family Division; Smita Varia, Program Manager, Domestic Violence Coordinating Council

Montgomery County Office of the State's Attorney: Christina Miles, Program Director, Special Victims Division

Rockville City Police Department: Assistant Chief Laura Lanham

Takoma Park Police Department: Lieutenant Richard Poole, Criminal Investigations Division;
Lieutenant Joseph Butler

Montgomery County DVFRT Staff: Ngozi Obineme, Program Manager, Montgomery County Family
Justice Center, Montgomery County Office of the Sheriff

Acknowledgements

We would like to thank the dedicated county agencies, community partners and individual members for their contributions to the review process.

Thank you to the following people for your continued support and allocation of dedicated staff to participate in the review process:

- County Executive Marc Elrich
- The Honorable John McCarthy, Montgomery County State's Attorney
- Montgomery County Sheriff Darren Popkin
- Montgomery County Police Chief Marcus Jones
- Rockville City Police Chief Victor Brito
- Takoma Park Police Chief Antonio B. DeVaul
- Dr. Raymond Crowel, Director, Montgomery County Department of Health and Human Services
- Angela Talley, Director, Montgomery County Department of Correction and Rehabilitation
- The Honorable John Markovs, Acting Montgomery County Attorney
- Robert L. Green, Secretary, Maryland Department of Public Safety and Correctional Services
- Dorothy Lennig, Director, Marjorie Cook Legal Clinic at House of Ruth Maryland
- Dr. Monifa McKnight, Superintendent, Montgomery County Public Schools
- Donna Rismiller, Executive Director, DVS Legal Services
- Amanda Katz, Executive Director, Jewish Coalition Against Domestic Abuse
- Dan Cochran, President, Adventist Healthcare Shady Grove Medical Center

Our sincerest gratitude also goes to Ngozi Obineme, Program Manager, for her tireless coordination efforts and for keeping our team moving in a forward and productive direction.

About the Montgomery County DVFRT

Mission

The mission of the Montgomery County DVFRT is to:

- 1) Achieve a better understanding of why and how people are injured and/or die in domestic violence-related incidents;
- 2) Find ways to improve community involvement, work collaboratively in responding to, effectively addressing, and preventing domestic violence-related deaths and serious injuries; and
- 3) Formulate recommendations for systemic improvements in individual agency policies and protocols to prevent domestic violence-related deaths and serious injuries.

The Montgomery County DVFRT is one of eleven regional DVFRTs in Maryland. DVFRTs were authorized by the Maryland General Assembly in 2005, and the Montgomery County DVFRT was established in 2005.

Purpose

The purpose of Montgomery County DVFRT is to prevent deaths and serious injuries related to domestic violence. This purpose is accomplished by:

- 1) Promoting a coordinated community response among agencies that provide domestic violence-related services;
- 2) Identifying gaps in service and developing an understanding of the causes that result in deaths and serious injuries to domestic violence; and
- 3) Recommending changes, plans and actions to improve:
 - a. coordination related to domestic violence among member agencies,
 - b. the response to domestic violence by individual member agencies, and
 - c. state and local laws, policies, and practices.

Case Review Process

Selection of Cases for Review

The Montgomery County DVFRT (hereinafter referred to as DVFRT or Team) reviews domestic violence-related deaths or serious injuries that occur in Montgomery County, Maryland. The review process begins with the Montgomery County Police Department (MCPD) compiling a list of cases. Cases include those that have been adjudicated through trial and sentencing or have resulted in the death of the perpetrator. The DVFRT Case Screening Committee (CSC) determines which domestic violence homicide and attempted homicide cases that the Team will review at each meeting. Per the request of the Chair, the Team is given the names of the victim and offender and other basic identifying information to gather information pertinent to the case. The cases selected for review occurred between 2008-present year.

Gathering Information

The Team is asked to research agency and organization files to locate records they have on the parties involved in the case. The Team may also request records and information from agencies and organizations that do not participate as DVFRT members, as authorized by statute Section 4-705 of the Family Law Article of Maryland Annotated Code. The release of medical records is covered by federal

statute under HIPAA, however exceptions are made for release of information mandated by state law, such as the Team statute.

The Team may also choose to interview certain informed individuals that had contact with the involved parties. Informed individuals can include family and non-family members of the parties involved in the case. If the Team determines that the individual may have information relevant to the review, a designated team member will request and, if granted, conduct an interview with that individual. Interviews of informed individuals will often be assigned to counselors and advocates due to the sensitive nature of the discussion. All information gathered by the Team will be shared at the DVFRT meetings.

Review Meetings

The Chair convenes meetings monthly to review selected cases. DVFRT meetings are comprised of two parts, public and confidential. Members of the public are welcome to attend the public portion of the meeting where the Team discusses general community issues and events related to domestic violence. The Team reviews cases during the confidential portion of the meeting, which is open only to designated team members. Before the confidential portion of the meeting is called to order, all Team members in attendance are required to sign a sworn statement honoring the confidentiality of the information, records, discussions, and opinions disclosed during case review. A breach of confidentiality by any member results in removal from that member and possible prosecution under Section 4-706 or 4-707 of the Family Law Article of the Maryland Annotated Code.

The Chair calls to order and presides over the discussion. A member of the Montgomery County Police Department typically offers the initial case overview. Other Team members present relevant information from gathered records, documents, and interviews. When reviewing cases, the Team analyzes the following: the facts and circumstances surrounding the death or serious injury of the victim; the possible gaps in services, coordination of services, and systems response; and individual, relationship, community and societal risk factors associated with the case.

Findings, Recommendations and Annual Report

After case analysis, the Team offers specific findings and recommendations. Finalized findings and recommendations are reached by consensus. The Team's recommended actions aim to prevent deaths and serious injuries related to domestic violence. Recommendations are collected throughout the year and are not attributed to any one specific case. Findings and recommendations collected during the calendar year are included in a written annual report, which is disseminated the following year.

Cumulative Data Collection Findings: 2017-2021 Case Review

From 2017-2021, the Team reviewed thirteen domestic violence cases involving fourteen victims. Of the fourteen victims, ten were intimate partner-related homicide victims, one was a child of a victim who died by homicide and three were intimate partner-related attempted homicide victims. The following are the prominent findings from the Team's review:

Demographics

- Twelve of the fourteen homicide and attempted-homicide victims were female, and twelve of the thirteen offenders were male.
- One of the homicide victims was under the age of 18.
- One of the homicide victims was pregnant.
- The average age of victims was 36 years old, with an age range of 11 to 51 years old. The average age of offenders was 41 years old, with an age range of 30 to 52 years old.

Weapons

- Guns were used as the fatal or near-fatal agent in four of the cases. Five of the cases involved the use of a blunt instrument, six of the cases involved the use of a knife, and two of the cases involved the use of a personal weapon (hands or feet) as the fatal or near-fatal agent. (*Please note that some cases involved more than one fatal or near-fatal agent.*)
- Three of the eleven offenders used more than one type of weapon as the fatal or near-fatal agent.

Involvement of Children

- One of the thirteen cases involved a child who was killed after the homicide of the intimate partner.
- Four of the thirteen cases involved children who were present during the homicide or attempted homicide. Of the four, three of the cases involved children who directly witnessed the homicide or attempted homicide.

Precipitating Circumstances

- Nine of the thirteen cases involved either termination or separation of the intimate partner relationship and a belief or perception that the victim had a new intimate partner.
- One of the thirteen cases involved cultural and religious stressors within the intimate partner relationship.

History

- The available historical information from ten of the thirteen cases demonstrated some history of domestic violence between the victim and the offender.
- Five of the thirteen offenders had a documented history of arrest or conviction for non-domestic violence offenses.
- One of the thirteen offenders had a documented history of childhood abandonment and trauma.
- Six of the thirteen offenders had a documented history of alcohol or drug abuse.
- Four of the fourteen victims sought law enforcement intervention and/or obtained a Protective Order prior to the homicide or attempted homicide. None of the victims sought victim services prior to the homicide or attempted homicide.
- Three of the fourteen victims had domestic violence history with a former intimate partner and were ultimately killed by another.

Perpetrator Outcomes

- One of the offenders completed an abuser intervention program pending trial and, since release from incarceration, has not reoffended.
- Four of the thirteen offenders died by suicide: three died by suicide immediately after perpetrating the homicide or attempted homicide, and one died by suicide sometime after perpetrating the homicide. One of the offenders attempted suicide sometime after perpetrating the homicide, but survived the attempt.
- Eight of the nine living offenders were charged and convicted of criminal offenses: five were found guilty of first degree murder; one was found guilty of two counts of first degree murder; two were found guilty of attempted first degree murder; and one was charged with second degree assault, indicted on attempted second degree murder and first degree assault, but was ultimately found guilty on the second degree assault charge only. One of the deceased offenders was charged and convicted of first-degree murder prior to his death.

Recommendations: 2021 Case Review

Education, Outreach and Training

Finding: During case review, the Team found that one of the victims had a distrust of authorities, government, and law enforcement. The team noted that victims of domestic violence experience numerous barriers to leaving an abusive relationship and that those barriers are even greater for victims in racial and ethnic minority and immigrant populations. Victims in minority and immigrant populations face unique challenges to seeking services, including:

- Cultural and/or religious beliefs that restrain the survivor from leaving an abusive relationship or involving outsiders.
- Strong loyalty binds to race, culture, and family.
- Distrust of law enforcement, the criminal justice system, and social services.
- Lack of service providers who look like the survivor or share common experiences.
- Lack of culturally and linguistically appropriate services.
- Lack of trust based on history of racism and classism.
- Fear that their experience will reflect on or confirm the stereotypes placed on their ethnicity.
- Assumptions of providers based on ethnicity.
- Attitudes and stereotypes about the prevalence of domestic violence in communities of color.
- Legal status in the U.S. of the victim or perpetrator.
- Oppression, including revictimization, intensified at the intersections of race, gender, gender identity, sexual orientation, ability, legal status, age, and socioeconomic status.¹

The Team recognized the importance of understanding the barriers faced by all victims of domestic violence, especially those in minority and special populations. The Team also recognized the need for community outreach to victims from law enforcement, social services, and other related victim services agencies to ensure that victims of domestic violence are aware of sources of help and support.

Recommendation: Increase public education, outreach, and awareness for special populations, including immigrant populations, about their rights and the many resources available to victims of domestic violence from government agencies and non-government organizations.

Finding: In one of the cases, the victim's social circle of friends, family, and neighbors were aware of domestic issues between the victim and offender. The Team noted the importance of not only increasing bystander education, but also the need to address gaps in current community outreach efforts and to create strategies to expand domestic violence prevention and bystander education throughout Montgomery County.

Recommendation: The DVCC Education and Outreach Committee should work with County agencies and other organizations to identify gaps in current outreach strategies and to close those gaps.

Responding to Children Exposed to Domestic Violence

Finding: The Team discovered that both cases reviewed this year involved children who witnessed ongoing abusive behavior or incidents of abuse in the home. In one of the cases, the victim's children

were aware that the victim was afraid for her life. The Team learned that the victim's children received minimal follow-up and services after their parent's death. The Team discussed the impact of witnessing domestic violence on children. Children exposed to domestic violence are susceptible to lasting psychological and physical effects, including anxiety, depression, aggression, difficulty concentrating, and high levels of separation anxiety. They are also at a greater risk of various adult health problems and are more likely than their peers to be in an abusive relationship in the future, either as victims or perpetrators.²

In Montgomery County, programs such as Safe Start are available to provide psychoeducation and counseling to encourage healing in youth who have witnessed domestic violence. The DVCC's Choose Respect Montgomery Initiative, in partnership with County and community agencies, has made great strides to educate youth about domestic violence and healthy dating relationships.

Recommendation: In addition to continuing youth education and outreach efforts, the DVCC Education and Outreach Committee should work with schools and other community organizations to educate teachers, coaches, school counselors, and other trusted adults about ways to identify and support children who witness domestic violence at home. The DVCC should familiarize schools and other youth facing organizations with programs such as Safe Start and should ensure that they have referral protocols in place for children and families.

Recommendation: Leverage existing services and systems to implement a follow-up protocol for children when their parent is killed in a domestic violence incident.

Recommendation: County agencies should continue to educate service providers, schools, and law enforcement about the importance of reporting domestic violence cases involving children to Child Welfare Services to ensure that the children are safe and that they receive the services and support that they need.

Victim Safety and Engagement

Finding: One of the victims indicated that they faced barriers to filing a Protective Order, even after receiving a referral to file for one. Upon further review, the Team discovered that despite the referral, the victim was not connected with services. The Team discussed current efforts by various service providers in Montgomery County to reach out to victims of domestic violence, including those who choose to file for a Protective Order. Agencies such as the Department Health and Human Services' Abused Persons Program, the House of Ruth Maryland, and DVS Legal Services, have court and legal advocates at the courthouses daily to not only assist domestic violence victims with filing Protective Orders, but to directly connect victims to additional services such as counseling and safety planning. The Montgomery County Sheriff's Office Client Assistance Specialist staff at the Montgomery County Family Center makes outreach calls to Petitioners of domestic violence related Protective Orders so victims are not burdened with initiating the connection to victim services on their own. The Team noted the importance of continuing these modes of service outreach to victims and providing the most up-to-date and accurate information of resources available in the County.

The Team also learned that one of the cases under review predated the establishment of existing services, including the Lethality Assessment Program (LAP) and the FJC referral system. Conducting Lethality Assessments not only helps to identify victims of domestic violence who are at high risk of being seriously injured or killed by their intimate partner, but also facilitates a referral to appropriate resources in the County. Montgomery County Police Officers are trained to conduct Lethality

Assessments with victims and provide resources when responding to domestic violence related 911 calls. At the Commissioner's Office, Montgomery County Sheriff's Office Deputies are also trained to conduct Lethality Assessments with victims and provide resources to all Petitioners filing a domestic violence related Interim Protective Order.

Recommendation: County agencies and organizations should maintain and increase modes of service outreach to victims.

Recommendation: County agencies and organizations should work with law enforcement and the courts to ensure that information about relevant services is readily available to victims.

Recommendation: County law enforcement and community agencies and organizations should continue to use the current LAP protocol to assess the lethality risk of victims and connect victims to services.

References

1. The Oregon Coalition Against Domestic and Sexual Violence: Barriers faced by survivors of color. Retrieved from: https://www.ocadsv.org/resources/node-270-resource_public/
2. National Coalition Against Domestic Violence: Domestic Violence and Children. Retrieved from: https://assets.speakcdn.com/assets/2497/children_and_dv.pdf