

DOMESTIC VIOLENCE COORDINATING COUNCIL OF MONTEREY COUNTY

MINUTES

DATE: June 24, 2020

TIME: 3:30 - 5:00 P.M.

PLACE: Zoom Meeting

Present:

Voting Members: Linda McGlone, Elaine McCleaf, Christine Duncan, Deneen Guss, Joan Crenshaw, Mariela Arreola, Lauren DaSilva, Ashley Walden, Kathy Palazzolo, Al Vicent, Warren Hoy, Jeff Hoyne, Kelsey Hansen, Marlene Ramirez, Dr. Valerie Barnes

Alternate: Pam Patterson

Subbing in: for Aging and Adult Services - Becky Pimentel

Excused absence: Sheree Goldman

Unexcused absence: Kenya Burton, Rodrigo Torres, Karlette Anderson, Sharon Gold, Patricia Ortega, Sorangel Tinajero

1. Opening 3:30 - 3:40

- a. Call to order and Introductions – 3:33pm
- b. Quorum is 9.5 members – MET
- c. Approval of minutes for May 27, 2020 - Motion Kelsey, Second Deneen
- d. Treasurer’s Report – Nothing new
- e. Public comments and oral communications - None

2. Updates and Announcements 3:40 - 3:45

Lauren – Online workshop series MCRCC, July, Aug, Sept

3. Education and Information 3:45 – 4:15

Presentation by Elaine McCleaf on DV and animal abuse. Open discussion on case.

Case concluded during shelter in place. This couple had been seeing each other ~3 years, they never lived together, the victim was living w/ her parents. Victim indicated prior DV with no reports. In December of 2018 at 5am the victim was in a detached room w/ her

friend. defendant had texted and called her and she had not responded. He showed up at the home, kicked open the door and began to argue with the victim. He punched her in the head, followed the girls into the house, and the parents began pushing him out of their home. The defendant broke their windows, mom pushed him away and he grabbed a 6in blade swinging it at the mother. Her 1 year old pit bull dog lunged at the suspect and he stabbed the dog in the chest. The dog died on the spot. Dad came in and the man would not leave, here forward there is a gap in details. Somehow the dad subdued the defendant in the bedroom until the police came, defendant had a gushing head wound.

Elain McCleaf described the released 911 tape:

The victims friend calmly stated "We have an assault."

911 operator: "Where are you? "

Hear clearly people screaming "...put the gun down, put the gun down..."

Caller: "...he has a gun..."

911: "...who is it?"

Caller: "Someone's been shot!"

911: "Where are you? Who has shot who?"

Caller: "...somebody's been shot... the dog has been shot..."

911: "... no person has been shot? Officers are on their way..."

Officers arrive 5:20am, shown on the officer body cameras and their testimony: Girls are in the yard and they lead the officer down the side yard with guns out. They tell victim and her friend to stay in the front; they don't listen running back to where the suspect is. Officers trying to control the women, other officers go back with guns drawn. They see that the victims dad is on top of the defendant, a deceased dog, and blood. They ask the individuals for the gun, "...we don't have a gun...". The dad is angry "...you killed my dog..." The officers do a search and can't find a gun. Officers talk to the suspect and he is slurring his words and he took cocaine prior to this event. The officers lead him out of the yard. The Mother has a head wound. Victim says "...let mom fuck him up..." The defendant was taken to Natividad in custody. Officers continue their investigation. They ask if Mom wants to press charges on the attack against the dog, but in order to do so the officers say they must take the body to which mom declines. Officers didn't fully explain the process. (They do not need her permission to take the body nor do they explain that the body can have an autopsy done and the remains can be cremated and given back to the mom). The dog was stabbed in the heart and died quickly based on the investigation. The officers asked the friend why she said there was a gun? " I never saw,

my friend said there was.” They then asked the victim “Did you see a gun?” Victim: “I never saw one but he always has one or it’s in his car.”

An emergency protective order was granted for the victim at 820a. At 9a Natividad alerts officers that the defendant has a brain injury that needs surgery and he is released from custody due to hospitalization. The officers submit a warrant request for re-arrest once he’s released from the hospital so officers can be released from the hospital and return to regular duty. The police can ask the hospital to notify when the defendant is released, but that did not happen so he was free and at large after being released from Natividad.

January 31st, 45 days later, Soledad sends the District Attorney’s office an arrest warrant. The office files charges April 2nd.

In March the defendant sees the victim in a car with another man and he rams their car with his. He was arrested for assault with a deadly weapon and bails out. This case was filed with the previous case to which he was charged with 1 felony charge of animal cruelty and misdemeanor domestic violence.

He was arrested July 11th. A criminal protective order was granted at his arraignment for the victim only, not the parents. The district attorneys office victim advocate department tries several times to get in contact with the family in regards to the case. The report numbers for all the cases were not up to date causing confusion for the advocates, the advocate called Soledad PD to get current numbers. At this point the victim refuses to testify at all and the mother will only testify against the animal abuse, but can’t because she didn’t see what happened.

August 1st the defendant was denied release on his own recognizance. The case was then given to ADA McCleaf who upped his charges to felonies and added breaking and entering.

August 12th he made bail and was required to attend NA/AA meetings weekly while at large. During this time the victims mother continued to see him drive past their house regularly. She called the police. The police look up in CLETS (filing system) for the criminal protective order put in place back in July. The officers state they can’t find any record of the order and are unable to arrest the defendant for violating the order since the mother was not able to present her copy either.

In October McCleaf offers the defendant a 3 year 8 month sentence, but is unable to contact the victim at all during December and January to get her input.

In January the defendant gets a new attorney that states that the client has a traumatic brain injury due to the incident and he lacks the understanding of the criminal justice system. If this defense were to pass his charges would be suspended.

On March 10th the defendant pleads guilty and the advocates are able to speak with the mother who stated that she wished for a steeper sentence because he killed her dog. The advocate explained that she may write a letter to present at sentencing.

June 1st and June 2nd the advocates left messages with the mother, she replied that they will not attend the sentencing, but they will write letters. On June 11th the mother emails her statement that states "... he hit JD (the father) in the face, scraped my face, stabbed and killed my pet... she's (the victim) going through a lot of changes... trust issues... he keeps passing by our house and my job... reported restraining order violation but they let him go... I am asking for 15 years.... our lives will never be the same..." Judge Hood remanded him and ordered 365 days w/ 50% credit = 180 days followed by the remaining time on probation. He faces 3 years and 8 months in prison if he violates any of his probation terms.

Discussion:

Kathy: County becomes liable for bill if defendant is in the hospital while in custody. Sometimes they will hire security companies to watch the patient depending on case.

Jeff: Default is that the officers will not sit on someone in the hospital unless they are an extreme risk; they will arrest at a later time

Christine: There has been a correlation between animal abuse and DV

Pam: The advocates continually call victims before each court date to alert them of the status

Elaine: This case is an example of how each agency needs to cooperate

For lawyer and potential sliding scale services for representation of the victims:

Monterey County Bar Association Lawyer referral Service

2620 Colonel Durham Dr Seaside 93955

831-582-5600 lrs@montereycountybar.org

4. Policy/Advocacy.

4:15 – 4:25

Christine Duncan - Housing First approach

The YWCA offers 2 housing options, shelter and transitional housing. Housing 1st is being noticed internationally in the DV sector. Funding prevents intensive work meaning they do not mandate therapy in order to receive services.

5 tenets: Survivor driven, trauma informed, mobile advocacy, community engagement, flexible financial assistance (funded by HUD, DOJ, etc.)

Looking how to implement a similar approach in the shelter

5. New Business

4:25 – 4:40

a. COVID Updates and Challenges

1300 cases, quadrupled in month and half, steep curve, no signs of slowing, 6% positivity rate, highest rates in ages 20-25, 80% in the Latino population, 40% of those agriculture, mostly 93905-06 zip codes in Salinas, some King City some Greenfield cases

b. Resolution to Board of Supervisors to update membership

Waiting for update on status w/ military services, associate membership (allow agencies to participate but not vote)?

6. Old Business

4:40 – 5:00

a. 2020 DVCC Virtual Conference Report – See attachment.

DVCC Conference 2020 Planning Meeting, held on 6/10/2020 at 1:00 PM, via zoom:

Will meet the same day of the week at the same time, for example, every Thursday in October from 12:00 PM to 1:15 PM

Content and potential collaborators or speakers:

Week 1- An Introduction to Domestic Violence by a survivor speaker
Priscilla will look into speakers

Week 2 - Principles of Intimate Partner Violence Prevention
Lauren will look into speakers

Week 3 - Systemic and Community Responses to Domestic Violence
Christine will look into speakers

Week 4 - Community Engagement and Healing

Everyone will contribute ideas to this section. Some ideas include:

Other related activities: Silhouette displays in various locations in Monterey County, Art displays, A virtual art tour video for participants to view during the webinar (Joan offered video help), A place at the table, Clothesline project

Next steps:

Everyone will do a deep dive in potential speakers

We will meet On **July 8, 2020 at 1:15 PM on Zoom** to discuss what we have researched.

b. 2020 DVCC Goals - Postponed

7. Adjourn

5:02

Next Meeting is scheduled for **July 22, 2020 through Zoom at 3:30 p.m.**

FYI: Quorum: Fifty (50%) plus one of the seated Council members, in attendance, shall constitute a quorum, but in no case shall a legally constituted meeting be held without a quorum.

Missing meetings: Three unexcused absences within a twelve-month period will constitute an automatic resignation.