

SURVEY OF 100 MURDERS OF WOMEN AT THE HANDS OF THEIR MALE INTIMATE PARTNERS

In order to better understand the dynamics that cause women's most intimate relationships to erupt into violence and murder, CWLC's Murder at Home Project conducted a survey of 100 homicide cases in California, occurring from 1998-2002, where a woman was killed by a male intimate partner. The results from our 100-Case Survey reveal disturbing and dangerous similarities in the lives and deaths of women murdered by their intimate partners.

Methodology

CWLC's case study is based on 100 cases where a woman was killed by her male intimate partner in California during a five-year period (1998 through 2002). CWLC identified cases through media searches and interviews with advocates. Data on each case was gathered from media reports, court documents, and interviews with prosecutors and advocates involved with the case.

CWLC then used California Department of Justice statistics to determine the proportionate number of women killed by male intimate partners in each California county during the five-year period. The final 100 cases included in the survey reflect these proportionate numbers. For example, if 5 percent of the total number of murders during the five-year period occurred in Alameda County, CWLC selected 5 of the 100 surveyed cases from Alameda County.

The number of cases from each county was then adjusted slightly to account for geographic and urban/rural diversity among cases. For example, although Yolo County did not have a statistically significant number of intimate femicides during the five-year period, CWLC reduced the number of cases from a heavily represented urban county, such as Los

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Angeles County, in order to include a case from Yolo County. CWLC was unable to track factors such as race and socioeconomic status because there was insufficient information about these factors for all 100 cases.

The 100-Case Survey is an informal study of homicide cases and is not intended to be a scientific examination of intimate femicide in California. However, the results from the 100-Case Survey are nevertheless significant and highlight important similarities and patterns in the circumstances of these murders.

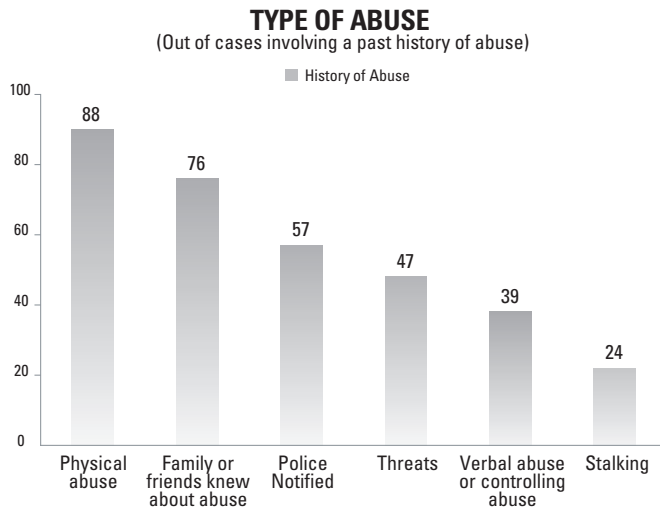
Trends Among Women Murdered by Their Male Partners

History of Abuse

In most cases, the murder of the woman by her intimate partner was not the first episode of abuse in the relationship. In 59% of the surveyed cases, there was a confirmed history of abuse¹ by the perpetrator against the victim prior to the murder. Of the cases with a history of abuse, 88% had a history of physical abuse² in the relationship. A history of threats to the victims' life by the perpetrator was present in 47% of these cases. In 39% of the cases, there was a confirmed history of verbal abuse and/or highly controlling behavior by the perpetrator toward the victim. Twenty-four (24) percent of the cases involved the perpetrator stalking the victim. In 10% of the cases, the perpetrator had previously abused a child of the relationship.

Seeking Help

Most homicide victims who were abused by their partners never directly sought help from legal or community resources for domestic



Nearly 70% of abused murder victims never obtained, or attempted to obtain, a protective order against their abusive partner.

violence. Sixty-eight (68) percent of abused murder victims never obtained, or attempted to obtain, a protective order against their abusive partner, and only 20% had an active restraining order against their abuser at the time of the murder. Further, only 14% of victims who were abused sought domestic violence-related services from hospitals, shelters, and/or community-based organizations prior to their murders. These findings suggest that obtaining a restraining order or simply seeking domestic violence services may significantly increase a victim's safety, and that additional outreach is needed to ensure increased access to such protections and services for domestic violence victims.

Community Awareness of Abuse

Despite the fact that only a few women actively sought domestic violence-related services or restraining orders, there were many cases in which government agencies, community agencies or third parties were aware of abuse in the relationship. In 76% of the cases involving a history of abuse, family members, friends, neighbors and/or co-workers were aware of domestic violence in the relationship. Fourteen (14) percent of the victims had even voiced explicit concerns to third parties that they feared for their safety or thought the perpetrator would try to kill them.

14% of abused victims were killed within a month of leaving, or threatening to leave, their abuser.

In 56% of the cases involving a history of abuse, law enforcement had been called to the house for acts of domestic violence. The victim and/or perpetrator had multiple contacts with law enforcement in 22% of the cases. Moreover, law enforcement was the only agency to have contact with either the victim or perpetrator in 24% of the cases. The perpetrator was actually arrested for domestic violence in 36% of the cases. Further, in 40% of the cases, either the victim or the perpetrator had prior contact with civil and/or criminal courts because of domestic violence in the relationship.

Moreover, as stated above, community systems, such as domestic violence shelters, hospitals and/or advocacy groups were aware of domestic violence occurring in the relationships because of prior contact with the victim in 14% of the cases. Two (2) of the victims were living at domestic violence shelters at the time they were murdered. In total, the parties had prior contact with police, courts or community service providers regarding incidents of domestic violence and/or family and friends had prior knowledge of abuse in the couple's relationship in 92% of cases with a confirmed history of abuse.

Victim's Relationship to the Perpetrator

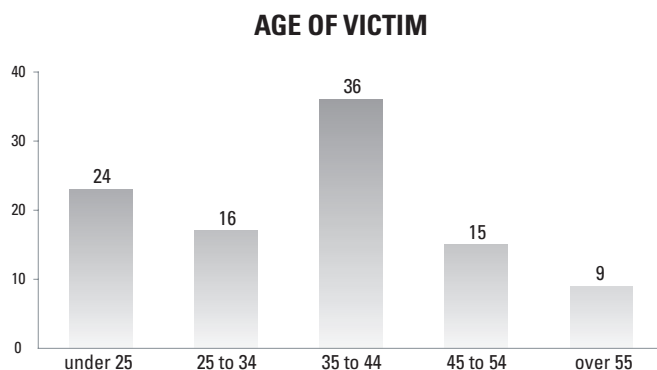
At the time that the murder took place, 29% of the victims were married to the perpetrator; 30% were married to, but separated from, the perpetrator; 4% were divorced; 14% were dating the perpetrator; 9% were dating and living with the perpetrator; and 14% were former girlfriends of the perpetrator. In 4% of the cases, the victim and perpetrator were also co-workers, in addition to having an intimate partner relationship.

Tragically, victims with a history of abuse by the perpetrator were just as likely to be killed after they had taken steps to leave the relationship. Fifty-one (51) percent of the couples with a prior history of abuse were either separated or in the process of separating at the time of the murder. Additionally, regardless

of whether there was a history of abuse against the victim, 45% of the couples in our case study were separated or in the process of separating at the time of the murder. Fourteen (14) percent of the victims were killed within a month of leaving, or threatening to leave, the relationship.

Age of Victim at Death

Our case study indicates that women between the ages of 35 and 44 may face a heightened risk of intimate partner murder. Twenty-four (24) percent of the victims were under 25 years of age when they were murdered; 16% of the victims were between the ages of 25 and 34; 36% of the victims were between 35 and 44 years of age; 15% of the victims were between the ages of 45 and 54; and, 9% of the victims were 55 years old or over. Overall, most victims (76%) were 44 years old or younger at the time the murder took place.



Nearly 60% of perpetrators with prior arrest records had been arrested for domestic violence against the victim they ultimately killed.

Trends Among Men Who Murdered Their Female Partners

Perpetrators' Prior Arrests and Convictions

A significant number of perpetrators had come into contact with the criminal justice system prior to killing their intimate partners. Overall, 41% of the perpetrators had been arrested previously for domestic violence or some other crime. Of that group, 73% had prior arrests for domestic violence, and 80% of these arrests were for domestic violence against the victim the perpetrator later murdered. More specifically, 59% of perpetrators with prior arrest records had been arrested for domestic violence against the victim they ultimately killed. Forty-nine (49) percent had prior arrests for crimes other than domestic violence, and 70% of these arrests were for violent crimes such as murder, manslaughter, rape, molestation, assault, and battery.

Recidivism was also common among perpetrators. Twenty-nine (29) percent of the perpetrators in our survey had been convicted previously for domestic violence or some other crime. Nineteen (19) percent of the perpetrators had a prior conviction for domestic violence, and 84% of these perpetrators had prior convictions for domestic violence against the victim they later murdered. More specifically, 26% of the perpetrators who had prior criminal convictions had been convicted of domestic violence against the woman they ultimately killed. Fifteen (15) percent had prior convictions for other crimes, and 80% of these convictions for other crimes were for violent crimes such as murder, manslaughter, rape, molestation, assault, and battery.

These statistics demonstrate the degree to which perpetrators had contact with law enforcement officers prior to murdering their intimate partners. A large number of perpetrators had been arrested and even convicted for domestic violence or other violent crimes, putting both the courts and law enforcement on notice of the potential risk these perpetrators posed to their intimate partner.

Probation

Twenty-five (25) percent of the perpetrators in our study were either on probation at the time of the murder or had been on probation at some point in the past. Specifically, 15% of the perpetrators were on probation at the time of the murder, and 53% of these perpetrators were on probation for committing domestic violence against the victim they murdered. Thirteen (13) percent of these perpetrators were on probation for domestic violence against a different intimate partner (not the murder victim) and 34% were on probation for a crime other than domestic violence (e.g., drug convictions, child molestation, etc.). Moreover, 8% of the perpetrators were attending a batterer's treatment program at the time of the murder.

CASE STUDY:

On June 29, 2001, Ronnie Martin pulled out a butcher knife and repeatedly stabbed his ex-wife, Dawn Norris, over 40 times in front of Dawn's niece and nephew. The two met in 1992, and, by 1996, Martin had physically abused and threatened Dawn numerous times. Martin threatened to kill Dawn and her two children, kicked in her bedroom and car doors, and vandalized her home and car. In July 1999, Martin was charged with misdemeanor domestic abuse and sentenced to 30 days in custody. In December 1999, Martin punched Dawn in the nose at a night club, and was again sentenced to 30 days in custody, was placed on three years' probation, and was ordered to enroll in a domestic violence batterers program. Again, in March 2001, Martin was convicted of a domestic violence charge against his ex-wife, was placed on probation, and ordered to have no contact with Dawn. Three months later, Dawn was murdered.

1 in 4 perpetrators were either on probation at the time of the murder or had been on probation at some point in the past.

A perpetrator's history of mental illness or substance abuse were contributing factors to many intimate partner homicides.

Perpetrators' History of Mental Illness and Substance

Abuse

A perpetrator's history of mental illness or substance abuse were contributing factors to many intimate partner homicides. One (1) in 5 perpetrators was either suffering from mental illness at the time of the murder, or had a history of mental illness. Common conditions among the perpetrators include depression, suicidal tendencies, paranoia, and psychotic episodes.

Substance abuse was more difficult to uncover, and there was ambiguity in 13 of the cases as to the substance abuse status of the perpetrator at the time of the murder.³ However, 22% of the perpetrators had a confirmed history of substance and/or alcohol abuse. Thirteen (13) percent of the perpetrators were on a substance at the time of the murder. The most common substances abused by perpetrators were alcohol at 68% and methamphetamine at 32%. Sixteen (16) percent of the perpetrators had a history of either crack or cocaine use prior to murdering their intimate partners.

CASE STUDY:

After years of broken noses, bruises, and threats on her life, Tisha Nieto made up her mind to end her relationship with her abusive husband, Norbert Nieto, once and for all. Tisha spent her last nights alive filling out a restraining order that she planned to have served on Nieto. On Christmas Eve, Tisha went out to make copies of holiday photos and agreed to meet up with Nieto. Nieto had told friends he was going to kill his wife for leaving him, and after smoking methamphetamine on December 24, 2001, Nieto met up with Tisha, and strangled her with a shoelace.

Additional Contributing Factors

Child custody and support disputes, financial difficulties and jealousy over new relationships caused rising tensions that contributed to victims' risk of intimate murder. In 8% of the cases, the perpetrator and victim had been engaged in a personal or court-related dispute over child custody and/or child support issues shortly before the murder took place. In 12% of the cases, the perpetrator had been experiencing financial difficulties immediately prior to the murder. The most common financial issues were unemployment, legal concerns, paying rent, and paying for day-to-day needs such as food, clothing, and transportation. In 12% of the cases, the perpetrator either suspected the victim was having an affair or was jealous that she had started a new intimate relationship with someone else at the time the murder took place.

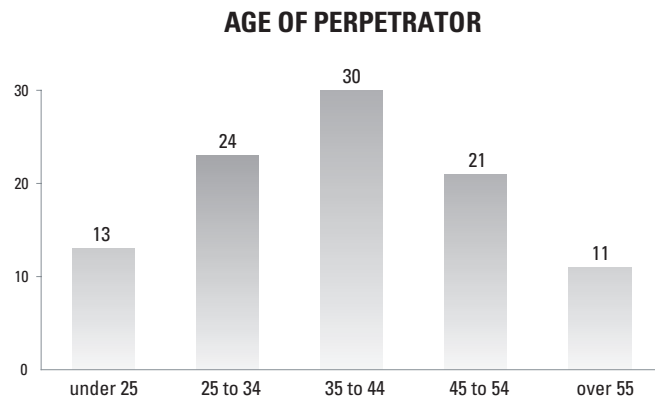
CASE STUDY:

On November 14, 2002, Kam Lee shot his wife, Jenny, their two children, and himself in their family home. After the murders, a family friend said that Jenny had voiced some concern three weeks prior to the murders about their family's finances, her husband's work, and the slumping economy. Another friend mentioned that Kam had been laid off from his previous job, so their family was always worried about the possibility of it happening again. The police never discovered any other possible motive for the multiple murders and suicide, other than financial difficulties.

In 1 out of every 5 cases, a person other than the intended victim was seriously injured or killed at the time that the murder took place.

Age of Perpetrator at Time of Murder

Our study indicates that perpetrators between the ages of 35 and 44 may face a greater propensity to commit intimate partner murder. Thirteen (13) percent of the perpetrators were under the age of 25 when they committed the murder; 24% of the perpetrators were between the ages of 25 and 34; 30% of the perpetrators aged between 35 and 44; 21% of the perpetrators were between 45 and 55 years of age; and 11% of the perpetrators who committed intimate partner murder were over the age of 55.⁴ Most of the perpetrators (67%) were 44 years old or younger at the time they committed murder.



Circumstances of the Murders

Location of Murder

Most typically, intimate partner murders occur at home. Over two-thirds (71%) of the victims in our case study were murdered by their perpetrators in their homes or directly outside their homes. The second most common location was on the street, freeway, or in a car (10%). Other locations where women

were murdered were at a friend, relative, or new boyfriend's home (6%), the victim or perpetrator's workplace (4%), a public place (3%), and one woman was murdered in a hotel room.⁵

Weapons

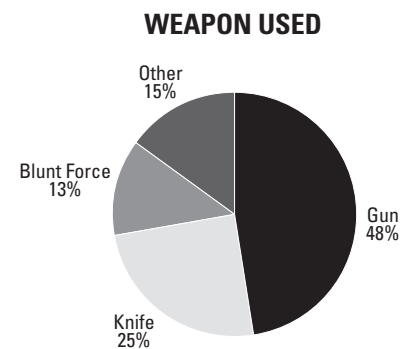
Perpetrators used guns in almost half the cases (48%). In 25% of the cases, knives were used. Blunt force with a baseball bat, a steam iron, an axe, a fire poker, or a screwdriver was used in 13% of the intimate partner murders in our survey. Hanging, smothering, strangling, or suffocation was used in 4% of the cases. Three (3) percent of the cases involved arson.

Multiple Murders

The violence inflicted by perpetrators is often not limited to the intended victim of domestic violence. In one out of every five cases (20%), a person other than the victim was either killed or injured at the time the murder took place. A total of 16 children and 11 adults were killed in addition to the 100 victims in our study. The children ranged from the victim and/or perpetrators' children, to cousins, nieces, and nephews. The adults killed included co-workers, neighbors, family members, new intimate partners, friends, and bystanders. Moreover, children were present at the time of the murder in 29% of the cases – almost one-third of the time.

These statistics demonstrate that, despite the common view that intimate partner murder is an individual "family tragedy," intimate partner murder is in reality a very serious public safety concern. Intimate partner violence and murder threatens the lives of many children and adults who are disconnected from the abusive intimate relationship. Accordingly, law enforcement officers and courts can no longer treat intimate partner violence as a private issue that only affects the targeted victim of the violence.

Most intimate partner murders occur in the home.



A gun was the weapon that was most commonly used by perpetrators to kill their intimate partner.

Perpetrators were significantly more likely to be convicted of first-degree murder if their case went to trial than if they pled guilty to the murder.

CASE STUDY:

When Nina Susu ended her relationship with her boyfriend and co-worker, Joseph Ferguson, in September 2001 he attacked her car with an axe. A week later, Joseph showed up at their workplace and shot and killed Nina and another female co-worker with a 9 mm semiautomatic pistol. He then drove to a nearby marina where he shot and killed another co-worker and a bystander with a semiautomatic rifle. After this incident, Joseph abducted a fourth co-worker who was later found alive. Joseph evaded police and was discovered a few days later, at which time he wounded a California Highway Patrol officer and critically wounded a nearby motorist before shooting and killing himself. When it was all over, Ferguson's uncle stated, "It doesn't surprise me. I full expected him to be one of those snipers on a rooftop someday."

Murder-Suicides

One-third (33%) of the cases in our study were murder-suicides, where the perpetrator killed himself immediately after killing his intimate partner, or within a short time after her murder. Seven (7) percent of the perpetrators died from committing suicide after being chased by the police or being charged with murder. Three (3) percent of the perpetrators unsuccessfully attempted suicide after they murdered their intimate partners. All three perpetrators who failed to commit suicide attempted to stab themselves to death. Overall, considering all post-homicide suicides and attempted suicides, the percentage of perpetrators with suicidal tendencies rose to 43%.

Legal Consequences of the Intimate Partner Murder

Prosecuting the Perpetrators

In our 100-case survey, 58% of the perpetrators were charged with murdering their intimate partners.⁶ Thirty-eight (38) percent of the perpetrators charged with murder pled guilty to the crime. Of those who pled guilty, 38% of the perpetrators were convicted of first-degree murder, 33% were convicted of second-degree murder, and 29% were convicted of manslaughter.

Fifty-seven (57) percent of the perpetrators charged with murdering their intimate partners pled not guilty to the crime. Seven (7) percent of these perpetrators pled not guilty by reason of insanity. Of the cases that went to trial, 62% were convicted of first-degree murder, 28% were convicted of second-degree murder, and 3% were convicted of manslaughter.⁷

Finally, of the 5% of perpetrators charged with murdering their intimate partners pled no contest.

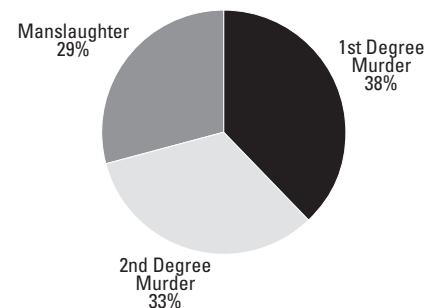
Sentencing

The perpetrators' sentences in our case study generally appeared to follow California sentencing guidelines. Thus, the common sentence for those who committed first-degree murder was a minimum of 25 years to life. Most convicted of second-degree murder received a sentence of 15 years to life, at minimum. Those who were convicted of manslaughter received sentences that ranged between 4 and 21 years.

However, many defendants had time added to their sentences for "special circumstances" because their crimes involved factors warranting the imposition of a sentence enhancement. Out of the 56% of perpetrators who were charged with and convicted of murder, 61% had heightened sentences for special

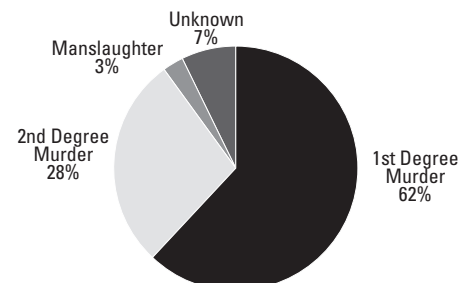
CONVICTIONS OF PERPETRATORS

Who Pled Guilty



CONVICTIONS OF PERPETRATORS

Who Pled Not Guilty



circumstances. The most common special circumstances in our case study were: multiple murders, rape, use of a firearm, use of a knife, torture, lying in wait, murder for financial gain, assault, kidnapping, and child endangerment.

None of the perpetrators who were convicted of murder received the death penalty.

(Footnotes)

1. "Abuse" includes physical abuse, sexual abuse, stalking, threats, and verbal abuse and/or a pattern of highly controlling behavior.
2. "Physical abuse" includes any physical force and contact, whether the incident involved a push or a severe beating, and sexual abuse.
3. Reporting on victims' substance abuse and mental health issues was too inconsistent and ambiguous to develop concrete statistics on these factors in our study. For information on substance abuse and mental health issues for domestic violence victims, see Statewide California Coalition for Battered Women at <http://www.sccbaw.org/links3.htm?qx=34100up1311e19o432> (accessed August 30, 2005) and New York State Office for the Prevention of Domestic Violence at http://www.opdv.state.ny.us/coordination/model_policy/alcohol.html (accessed August 30, 2005).
4. In one case, the age of the perpetrator was unknown.
5. In 6 cases, the exact location of the victim's murder was unknown.
6. Thirty-three (33) percent of the cases in the survey were murder-suicides and, in 9 percent of the cases, the perpetrator either died, committed suicide, or fled prior to criminal charges being filed.
7. Seven (7) percent of those who pled not guilty committed suicide before their trial date.