

# Domestic and Sexual Violence Related Homicides in New Mexico:

*The 2008 Annual Report of the  
New Mexico Domestic Violence  
Homicide Review Team and a  
Review of 2005 Homicides*

December 15, 2008



December 15, 2008

The Honorable Bill Richardson  
Governor of the State of New Mexico  
State Capital Building, 4<sup>th</sup> Floor  
Santa Fe, NM 87503

Dear Governor Richardson:

It is a great privilege to submit to you the 2008 Annual Report of the New Mexico Domestic Violence Homicide Review Team. In addition to our 2008 activities, this report outlines findings and recommendations based on our team's review of New Mexico's domestic and sexual violence related homicides that occurred during 2005.

Although an intimate partner death review team has been in existence for over ten years, in 2007 the New Mexico legislature (via statute §31-22-4.1) formalized the existence of a statewide Domestic Violence Homicide Review Team (hereinafter 'Team') under the direction of the New Mexico Crime Victims Reparation Commission.

The Team, comprised of numerous statewide and community organizations, is grateful to you and the New Mexico legislature for the opportunity to continue the important work of reviewing domestic and sexual violence related homicides. In reviewing these deaths, the Team identifies gaps in the responses to domestic and sexual violence at the community and statewide levels as well as creates solutions for positive change for victims of domestic and sexual violence. The Team's ultimate goal is the prevention of all future domestic and sexual violence-related injury and death.

With this report, we honor the men and women whose lives were taken by domestic and sexual violence. If we learn from their stories and implement effective prevention and intervention tools, these people will not have died in vain.

The members of the Team wish to thank you for your commitment to addressing domestic and sexual violence in New Mexico and hope that you and other stakeholders will use this report to implement changes in policy and practice that will result in the successful elimination of this type of violence in New Mexico.

Sincerely,



Sandy Bromley, JD  
Coordinator, New Mexico Domestic Violence Homicide Review Team

cc: New Mexico Legislature  
Justice Edward L. Chávez, Chief Justice of the NM Supreme Court  
John Denko, Secretary of Public Safety  
Dorian Dodson, Secretary of Children, Youth and Families Department  
Alfredo Vigil, MD, Secretary of Health  
Larry Tackman, Crime Victims Reparation Commission  
Gary King, Attorney General

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## EXECUTIVE SUMMARY

In 2008, the New Mexico Domestic Violence Homicide Review Team (hereinafter 'Team') operated its first full year under the statutory authority of N.M. Stat. Ann. §31-22-4.1. Although the team has been working for over a decade prior to the passing of this statute, there is now a distinct authority to continue reviewing domestic and sexual violence related homicides in order to identify gaps in the response to domestic and sexual violence as well as create effective solutions for addressing those gaps.

This year, the Team worked toward the goal of reaching out to rural and tribal areas in the state and visited Española, where the Rio Arriba County Coordinated Community Response Team hosted a successful November meeting. The Team is eager to continue this progress and will conduct at least two remote meetings in 2009.

The Team is also developing techniques to improve the quality of our homicide review process by involving the friends and family members of the homicide victims. The Team believes that gathering information from the people the victim knew best will help to better understand the circumstances surrounding these homicides and help create more effective and practical solutions to preventing domestic and sexual violence related homicides in the future.

Homicides are reviewed by the Team consecutively by calendar year after they are officially determined a 'closed case' (fully investigated and prosecuted). During 2008, the Team reviewed the calendar year 2005 domestic and sexual violence related homicides. The following are the prominent findings and recommendations from the Team:

- **Finding:** *15 of the 21 (71%) homicides occurred while the victim and offender were separated (broken up, breaking up, getting a divorce, etc.).*
- **Recommendation:** *Educate victims and the community at large about the potential lethality of relationship separation. After separating from their offenders, many victims may feel they have escaped the violence. In fact, these victims may be in jeopardy of significant violence, sometimes resulting in death. Educating victims and community members about the seriousness of stalking and other criminal behaviors that offenders engage in following a relationship separation can potentially prevent a homicide from occurring.*
- **Finding:** *12 of the 21 (57%) homicides involve the offender committing the crime of stalking prior to the murder.*
- **Recommendation:** *Improve the criminal justice response to stalking and repeated violations of protective orders. Many victims are stalked prior to their murder. Legislators must ensure that New Mexico has an effective stalking statute for law enforcement to utilize, specifically ensuring that the behaviors stalkers are engaging in are covered under the statute. Additionally, criminal*

justice professionals should understand the significance of repeated violations of protective orders and stalking and work hard to hold offenders accountable for those crimes.

- **Finding:** *9 of the 21 homicides (43%) involve offenders who have at least one prior driving while intoxicated (DWI) charge.*
- **Recommendation:** *Monitor the correlation between domestic violence-related homicides and the offender's DWI charges.*
- **Finding:** *Many domestic and sexual violence related homicides involve co-workers or other bystanders who are affected by the domestic and sexual violence and yet are unsure of how to help or respond to the situation.*
- **Recommendation:** *Implement workplace policies on domestic and sexual violence. Private business and state agencies alike should create and implement effective policies addressing some of the more common issues surrounding these crimes.*
- **Finding:** *Many victims, often women, cannot escape from violent relationships due to their financial dependence on their offenders.*
- **Recommendation:** *Promote the financial independence of domestic violence victims. Supporting these women through education, financial assistance and helpful employment policies can give them a chance for a life free of violence.*

## **ACKNOWLEDGEMENTS**

The New Mexico Domestic Violence Homicide Review Team (hereinafter “Team”) is grateful to Governor Richardson and the New Mexico legislature for affording us the opportunity to continue the imperative work of reviewing domestic and sexual violence-related homicides. With the enactment of N.M. Stat. Ann. §31-22-4.1, the State of New Mexico made clear the importance of the Team and the Team’s work and we thank both the legislative and executive bodies for their direction and authority.

The Team also wishes to thank:

- Larry Tackman, Director, and Sheila Allen, VAWA Grant Manager, of the New Mexico Crime Victims Reparation Commission (CVRC), as well as the entire staff and board of the CVRC, for supporting the work of the Team.
- Quintin McShan, New Mexico State Police, and the Albuquerque Family Advocacy Center for providing our Team with a place to meet each month in Albuquerque.
- Rebecca Montoya and Wayland Davis of the New Mexico Office of the Medical Investigator for assistance in data collection and case review.
- Michael Bauer, the Team’s former coordinator, for his years of work and dedication to the Team and its efforts.

The Team’s coordinator, Sandy Bromley, is grateful for the writing contributions and/or editorial assistance provided by the entire Team for this report. In particular, Ms. Bromley wishes to thank Dr. Laura Banks, Michael Bauer, Gabe Campos, Dr. Cameron Crandall, Tammy Fisher, Dominic Gachupin, Melanie Jacobs, Sharon Pino, and Karen Wyman.

Ms. Bromley also wishes to thank each of the Team’s members and other criminal justice professionals across the state of New Mexico who assisted with the record collection and analysis necessary to conduct effective reviews.

Finally, for the friends, family members, coworkers and community members who lost a loved one to domestic or sexual violence, the Team acknowledges the painful loss you have experienced and expresses our profound sorrow to you. Please know that we are working hard in order to reduce and, ultimately, eliminate domestic and sexual violence in New Mexico so that others will not have to suffer as you have.

**2008 ACTIVITIES OF THE NEW MEXICO**  
**DOMESTIC VIOLENCE HOMICIDE REVIEW TEAM**

*“Domestic violence affects all New Mexicans, and its damage is inflicted not only upon victims, but their children, families, communities and employers,”*

- Gov. Bill Richardson, October 1, 2008.

In 2007, New Mexico formalized the existence of a Domestic Violence Homicide Review Team (hereinafter ‘Team’) when the legislature passed and Governor Richardson signed N.M. Stat. Ann. §31-22-4.1 into law. Although the team had been working for over a decade prior to the passing of this statute, there is now clear direction and statutory authority to continue reviewing domestic and sexual violence related homicides in order to identify gaps in the response to domestic and sexual violence as well as create effective solutions for addressing those gaps.

In N.M. Stat. Ann. §31-22-4.1, the New Mexico legislature tasked the Team with the following:

- (1) Review trends and patterns of domestic violence related homicides and sexual assault related homicides in New Mexico;
- (2) Evaluate the responses of government and nongovernment service delivery systems and other recommendations for improvement of the responses;
- (3) Identify and characterize high-risk groups for the purpose of recommending developments in public policy;
- (4) Collect statistical data in a consistent and uniform manner on the occurrence of domestic violence related homicides and sexual assault related homicides; and
- (5) Improve collaboration between tribal, state and local agencies and organizations to develop initiatives to prevent domestic violence.



This report describes the calendar year 2008 activities of the Team as they coincide with the five legislatively mandated tasks enumerated above.

### **1. Review trends and patterns of domestic violence related homicides and sexual assault related homicides in New Mexico**

The Team meets every month on the third Thursday of the month for approximately two (2) hours. During the meetings, the Team reviews between two to four (2-4) cases, depending on the amount of information available for each case.

The Team reviews cases by calendar year and will not review cases until the case has been completely investigated and prosecuted and is officially determined a closed case. Therefore, the Team reviews cases that are a few years behind the current calendar year. In 2008, the Team reviewed cases from the calendar year 2005.

The case material reviewed includes information from the Office of the Medical Investigator (OMI), police and/or sheriff's reports regarding the death, prior criminal or civil court involvement of either the victim or the offender, prior police and/or sheriff's reports involving the victim or the offender, prior involvement with the Children, Youth and Families Department (CYFD), and prior probation or parole involvement of the offender or the victim. The Team has also reviewed information from various Department of Health programs, local and statewide non-profit and community agencies, schools and other organizations and agencies that may have more information on the domestic or sexual violence related death.

The Team attempts to review all cases from OMI that have been declared either 'homicides' or 'undetermined deaths' in order to ascertain the domestic and sexual violence related deaths in New Mexico. It is likely, however, that there are additional domestic and sexual violence related deaths that may not be reviewed by the Team. For example, the information in drug overdose deaths, mercy killings, and suicides may not reflect an underlying domestic or sexual violence issue that was a cause in the death. Therefore, the total number of domestic and sexual violence related deaths that are reflected in this report may be less than the actual number of deaths that occurred in that year.

Often during the review of these cases, trends and patterns become apparent to the Team. Some common trends in domestic and sexual violence related homicides include: a history of violence between the victim and the offender, a history of violence perpetrated by the offender (with other victims), violence that occurs during a separation in the relationship between the victim and the offender, the presence of stalking prior to the homicide and the use of knives in many cases. In addition, offenders who commit these homicides also often have a history of DWI crimes. These trends and patterns are reflected in the Team's recommendations (see below).

## **2. Evaluate the responses of government and nongovernment service delivery systems and other recommendations for improvement of the responses**

The Team is a multi-disciplinary group of professionals who meet for the purpose of reviewing domestic and sexual violence related homicides in order to improve the responses to domestic and sexual violence victims. The Team operates under the philosophy that no one professional or agency should be blamed or faulted for their response to the victim or the homicide. It is recognized that each case involves many complexities and intricacies that may never be fully understood and therefore, blame of any one person or agency would not be constructive. Instead, the Team reviews each case in order to determine what, if any, changes we all can implement to better serve domestic and sexual violence victims in New Mexico.

When the Team meets to discuss the cases, attention is given to the possible gaps in service delivery or an ineffective response on the part of an agency or organization. Using the case information, the Team discusses positive changes that can be recommended to an agency or organization. Often, these are changes that have worked in other jurisdictions in the state or elsewhere. Many times, Team recommendations are implemented across several agencies or jurisdictions, not just the one featured in the case. Having a group of professionals meeting together in a safe and trusting environment helps facilitate effective change for the improved development and delivery of services to domestic and sexual violence victims.

### **3. Identify and characterize high-risk groups for the purpose of recommending developments in public policy**

The Team regularly identifies trends and patterns that are present in the cases reviewed. These trends and patterns can illustrate high-risk characteristics of the victims and offenders involved in a domestic or sexual violence related homicide. Some of the characteristics include:

- a. Co-occurrence of mental health issues in either the victim or the offender or both parties—with few mental health treatment options and little coordination between victim services and mental health services, these victims and offenders are often at high risk for offending or being victimized.
- b. Low-income, financially dependent victims—these victims, typically women, are a high risk category as they often feel they cannot afford to escape their offenders, even as the violence becomes more serious.
- c. Co-occurrence of substance abuse in either the victim or the offender or both parties—while substance abuse is not a cause of the violence, it can escalate violence to deadly extremes.
- d. Separation violence—victims are at a greater risk when they have recently separated from their offenders.

These are just a few of the most observed high-risk characteristics. These conclusions are also used to formulate the Team's recommendations (see below).

### **4. Collect statistical data in a consistent and uniform manner on the occurrence of domestic violence related homicides and sexual assault related homicides**

The Team attempts to review all sexual and domestic violence related homicides in the state of New Mexico. In order to do this, all homicides and undetermined deaths from OMI are analyzed. The review identifies cases where the victim, either a woman or a man, was killed by a current or former intimate partner or where sexual assault was present before, during or after the homicide. The Team also reviews cases of others who were killed under domestic violence related circumstance, such as children or

bystanders to the incident or cases involving police officers or other first responders killed during a domestic violence incident. The Team usually does not review cases involving a victim under the age of 16, as these cases are reviewed by the New Mexico Child Fatality Review Team. The Team coordinates efforts, when possible, to review these cases.

The Team conducts a systematic review of OMI case information, uses a standard form to collect all case information consistently, and receives supplemental information from the agencies and organizations involved in the investigation of the homicide or with the victim or the offender prior to the homicide.

In addition, the Team is currently developing a protocol to include participation of the victims' surviving family members in the review process. The Team expects to interview the parents, siblings, children and former spouses of both the victim and the offender prior to the review. When possible, the Team would also interview friends, neighbors, coworkers, ministers and others who know the family well. Prior to implementation, the protocol will be vetted by a research review committee to assure questions and concerns about the potential harm of such interviews are adequately addressed. The information learned from friends and family will help the Team collect more complete information and answer questions that are not typically identified in a police report.

#### **5. Improve collaboration between tribal, state and local agencies and organizations to develop initiatives to prevent domestic violence.**

The Team meetings bring together professionals from various disciplines from across New Mexico to meet in Albuquerque. Networking and resource coordination are encouraged at these meetings. It is recognized, however, that people from outside of central New Mexico often find it difficult to travel to and attend Team meetings in Albuquerque and that these homicides do not all occur in central New Mexico. Therefore, the Team has committed to holding at least two (2) meetings per year in a rural location. One such meeting was held in Rio Arriba County in November, 2008 and there are plans for additional rural meetings in 2009.

The Team would particularly like to hold a Team meeting outside of Albuquerque in a community where the reviewed case occurred. This would provide the Team an opportunity to meet and speak with the professionals who actually worked on the case in question. This will provide a more complete picture of the homicide and, in turn, will allow the Team to make more accurate and appropriate recommendations for improved intervention and prevention of domestic and sexual violence in that community.

The Team, through its American Indian Committee, also plans to expand the reviews to include domestic and sexual violence related homicides in Indian communities. Currently, cases on tribal lands are reviewed only if the necessary information can be gathered by the Team. With the appropriate tribal members included in the review process, and the development of suitable protocols, the Team hopes to begin working with the tribes of New Mexico to prevent domestic and sexual violence against Indian people.

**RECOMMENDATIONS OF THE NEW MEXICO**  
**DOMESTIC VIOLENCE HOMICIDE REVIEW TEAM**

*[Domestic violence] knows no boundaries. I mean, really, in terms of economics, education, sophistication, culture.”*

- 2<sup>nd</sup> Judicial District Attorney Kari Brandenburg, Murder Suicide Suspected by APD, *Albuquerque Journal*, August 14, 2005.

The review process stimulates discussion about specific case facts and associated system responses. Each Team member submits detailed recommendations following the reviews. These comments are collected, compiled and separated into legislative, policy and professional recommendations. The following are the Team’s recommendations after reviewing New Mexico’s 2005 domestic and sexual violence related homicides:

***I. Legislative Recommendations***

- **Promote the financial independence of domestic violence victims.** Many victims, often women, cannot escape from violent relationships due to their financial dependence on their offenders. Supporting these women through education, financial assistance and helpful employment policies can give them a chance for a life free of violence.
  - Legislators should work to enact legislation that allows victims to take time from work, without penalty, to attend legal proceedings or access victim services.

- **Improve the criminal justice response to stalking and repeated violations of protective orders.** Many victims are stalked prior to their murder. Legislators must ensure that New Mexico has an effective stalking statute for law enforcement to utilize.
  - In particular, legislators should amend New Mexico's existing stalking statute to more accurately reflect the behaviors that offenders are utilizing to place their victims in fear.

## ***II. Policy Recommendations***

- **Educate victims and the community at large about the potential lethality of relationship separation.** After separating from their offenders, many victims may feel they have escaped the violence. In fact, these victims are in jeopardy of significant violence, sometimes resulting in death. Teaching victims and community members about the seriousness of stalking and other criminal behaviors that offenders engage in following a relationship separation can potentially prevent a homicide from occurring.
  - One 2005 case involving a 15 year old victim of teen dating violence and stalking pointed out the importance of educating victims under the age of 18. The Team recommends implementing a curriculum in public schools on dating violence and sexual assault in order to educate young men and women about the dangers and potential lethality involved in these unhealthy relationships.
- **Promote the financial independence of domestic violence victims.** Many victims, often women, cannot escape from violent relationships due to their financial dependence on their offenders. Supporting these women through education, financial assistance and helpful employment policies can give them a chance for a life free of violence.

- Policymakers should work to create or expand financial and educational opportunities for victims of violence.
- **Implement workplace policies on domestic and sexual violence.** Many domestic violence related homicides involve co-workers or other bystanders affected by the domestic and sexual violence and yet unsure of how to help or respond to the situation. Private business and state agencies alike should create and implement effective policies addressing some of the more common issues surrounding these crimes.
  - In 2008, Governor Bill Richardson signed an executive order requiring state agencies to implement workplace policies providing victims of domestic violence, sexual violence and stalking with safe and supportive work environments. The private sector should follow the Governor’s lead and enact similar policies for their organizations.
- **Monitor the correlation between domestic violence-related homicides and the offender’s driving while intoxicated (DWI) charges.**
  - In our reviews, the Team observes many domestic and sexual violence offenders who also have a history of DWI charges. A study can be funded to explore whether a meaningful correlation exists between domestic and sexual violence and DWI that can be addressed to reduce or eliminate homicides.

### ***III. Professional Recommendations***

#### **Law Enforcement**

- **Improve the criminal justice response to stalking and repeated violations of protective orders.** Many victims are stalked prior to their murder. Criminal justice professionals should understand the significance of repeated violations of protective orders and stalking and work hard to hold offenders accountable for those crimes.



## **Victim Serving Agencies**

- **Advocate and intervene for children who witness domestic violence in their homes.** The Children, Youth and Families Department (CYFD) plays an important role in keeping children safe in New Mexico. CYFD should increase their education of case workers and social workers regarding domestic and sexual violence and the effects of violence on children. They should also maintain more intensive and prolonged contact with families experiencing domestic or sexual violence.
- **Educate victims and the community at large about the potential lethality of relationship separation.** After separating from their offenders, many victims may feel they have escaped the violence. In fact, these victims are in jeopardy of significant violence, sometimes resulting in death. Teaching victims and community members about the seriousness of stalking and other criminal behaviors that offenders engage in following a relationship separation can potentially prevent a homicide from occurring.
- **Coordinate and cross-train with community mental health and substance abuse agencies to ensure victims have access to all appropriate services available to them.** Learning about all the available services in our communities help service agencies provide more comprehensive and supportive assistance for victims of violence.

## **Prosecution**

- **Expand the number of specialized prosecution units that focus on misdemeanor level domestic violence cases.** The specialized prosecution units can focus on pre-prosecution diversion programs, repeat offender programs as well as work to minimize the number of prosecutions that are dismissed or dropped. These units should have full-time

investigators and victim advocates to assist with moving a case along quickly and efficiently.

## **Courts**

- **Reduce the caseloads of the Domestic Violence Special Commissioners.** Increasing the number of available Commissioners will reduce their caseloads and give each Commissioner more time to fully respond to the case presented to them.
- **Offer applications for protective orders in both English and Spanish.** New Mexico is a culturally diverse state and the court forms should reflect that diversity by providing documents in at least two of the predominant languages used in the state.
- **Post domestic and sexual violence community resource information in clerk's offices.** People petitioning for protective orders can learn where to go for additional assistance and services.

## **Judicial**

- **Provide incentives for family and juvenile court judges to receive additional education on domestic and sexual violence and the effects of violence on children.** Judges can learn how to uncover the history of violence in families and be able to make informed, safety-conscious decisions based on that history.
- **Issue permanent criminal protective orders (as a sentencing condition) against convicted offenders of domestic or sexual violence.** Judges should also ensure that the offender surrenders all firearms to law enforcement immediately upon conviction of a domestic violence charge.

- **Order domestic violence offender treatment consistently for convicted offenders of domestic violence.** Probation officers should also enforce that order and hold offenders who are not following the treatment protocols accountable.

## 2005 NEW MEXICO DOMESTIC AND SEXUAL VIOLENCE RELATED HOMICIDES: FINDINGS

The Team reviewed 21 domestic and sexual violence related homicides in New Mexico from the year 2005. The following are notable findings from those 21 cases:

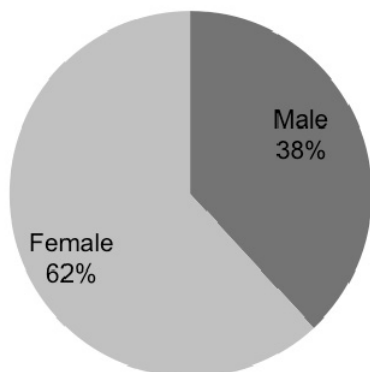
### Case Type

- 20 cases are domestic violence-related
  
- 1 case is sexual assault-related

### Victim Information

- 13 cases (62%) involve female victims
  - 1 case involves a mother killed during a domestic violence incident against her daughter
  - Victims ages ranged from 15 years old through 65 years old
  
- 8 cases involve male victims
  - 4 of those cases involve *male offenders* killed during domestic violence incidents
  - 1 case involves a father killed during a domestic violence incident against his daughter
  - 1 case involves a male victim who was a bystander to a domestic violence and stalking incident
  - 2 cases (9%) involve male domestic violence victims killed by their female partners

### **Victim Demographics: Sex**



### Separation violence

- 15 of the 21 (71%) homicides occurred while the victim and offender were separated (broken up, breaking up, getting a divorce, etc.).

### Stalking

- 12 of the 21 (57%) homicides involve the offender committing the crime of stalking prior to the murder.

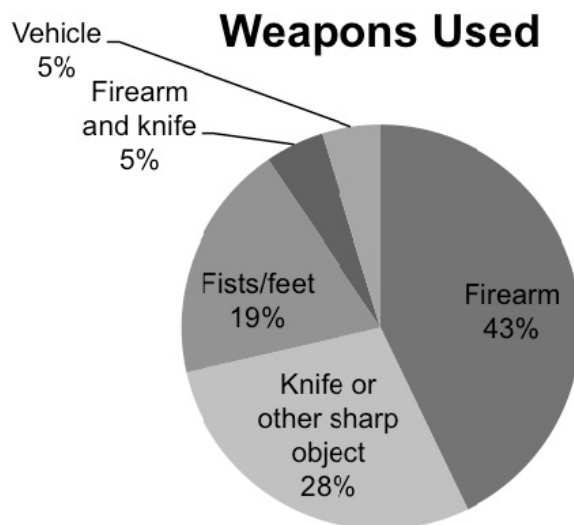
### Murder-Suicides

- 5 cases (24%) involve a male offender committing suicide after killing a female victim.

### Weapons used in Homicide

- Knife: 7 cases\* (33%)
- Firearm: 10 cases\* (47%)
- Fists/feet: 4 cases (19%)
- Vehicle: 1 case (5%)

\*In one case, the offender used both a firearm and knife.

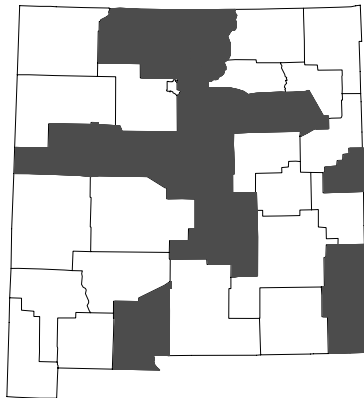


### Prior DWI History of Offender

- 9 of the 21 homicides (43%) involve offenders who have at least one prior Driving While Intoxicated charge.

### Counties where Homicides occurred

- Bernalillo County: 7
- Curry: 1
- Dona Ana County: 1
- Lea County: 2
- Lincoln County: 1
- Rio Arriba County: 2
- San Miguel County: 1
- Santa Fe County: 3
- Taos County: 2
- Valencia County: 1



NM Counties with Domestic or Sexual Violence-Related Homicides

## Statutory Authority

New Mexico Statutes Annotated (N.M. Stat. Ann.)

### **31-22-4.1. Domestic violence homicide review team; creation; membership; duties; confidentiality; civil liability.**

- A. The "domestic violence homicide review team" is created within the commission for the purpose of reviewing the facts and circumstances of domestic violence related homicides and sexual assault related homicides in New Mexico, identifying the causes of the fatalities and their relationship to government and nongovernment service delivery systems and developing methods of domestic violence prevention.
- B. The team shall consist of the following members appointed by the director of the commission:
- (1) medical personnel with expertise in domestic violence;
  - (2) criminologists;
  - (3) representatives from the New Mexico district attorneys association;
  - (4) representatives from the attorney general;
  - (5) victim services providers;
  - (6) civil legal services providers;
  - (7) representatives from the public defender department;
  - (8) members of the judiciary;
  - (9) law enforcement personnel;
  - (10) representatives from the department of health, the aging and long-term services department and the children, youth and families department who deal with domestic violence victims' issues;
  - (11) representatives from tribal organizations who deal with domestic violence; and
  - (12) any other members the director of the commission deems appropriate.
- C. The domestic violence homicide review team shall:
- (1) review trends and patterns of domestic violence related homicides and sexual assault related homicides in New Mexico;
  - (2) evaluate the responses of government and nongovernment service delivery systems and offer recommendations for improvement of the responses;
  - (3) identify and characterize high-risk groups for the purpose of recommending developments in public policy;
  - (4) collect statistical data in a consistent and uniform manner on the occurrence of domestic violence related homicides and sexual assault related homicides; and
  - (5) improve collaboration between tribal, state and local agencies and organizations to develop initiatives to prevent domestic violence.
- D. The following items are confidential:

- (1) all records, reports or other information obtained or created by the domestic violence homicide review team for the purpose of reviewing domestic violence related homicides or sexual assault related homicides pursuant to this section; and
  - (2) all communications made by domestic violence homicide review team members or other persons during a review conducted by the team of a domestic violence related homicide or a sexual assault related homicide.
- E. The following persons shall honor the confidentiality requirements of this section and shall not make disclosure of any matter related to the team's review of a domestic violence related homicide or a sexual assault related homicide, except pursuant to appropriate court orders:
- (1) domestic violence homicide review team members;
  - (2) persons who provide records, reports or other information to the team for the purpose of reviewing domestic violence related homicides and sexual assault related homicides; and
  - (3) persons who participate in a review conducted by the team.
- F. Nothing in this section shall prevent the discovery or admissibility of any evidence that is otherwise discoverable or admissible merely because the evidence was presented during the review of a domestic violence related homicide or a sexual assault related homicide pursuant to this section.
- G. Domestic violence homicide review team members shall not be subject to civil liability for any act related to the review of a domestic violence related homicide or a sexual assault related homicide; provided that the members act in good faith, without malice and in compliance with other state or federal law.
- H. An organization, institution, agency or person who provides testimony, records, reports or other information to the domestic violence homicide review team for the purpose of reviewing domestic violence related homicides or sexual assault related homicides shall not be subject to civil liability for providing the testimony, records, reports or other information to the team; provided that the organization, institution, agency or person acts in good faith, without malice and in compliance with other state or federal law.
- I. At least thirty days prior to the convening of each regular session of the legislature, the domestic violence homicide review team shall transmit a report of its activities pursuant to this section to:
- (1) the governor;
  - (2) the legislative council;
  - (3) the chief justice of the supreme court;
  - (4) the secretary of public safety;
  - (5) the secretary of children, youth and families;
  - (6) the secretary of health; and
  - (7) any other persons the team deems appropriate.



**Participating Members of the Domestic Violence Homicide Review Team**

Edwina Abeyta Evabeyta Consulting, LLC	Betty Caponera NM Interpersonal Violence Data Central Repository	Donald Gallegos 8 <sup>th</sup> Judicial District Attorney's Office
Kim Alaburda NM Coalition of Sexual Assault Programs (NMCSAP)	Frank Casaus New Mexico State Police (NMSP)	Tim Gardner Enlace Comunitario
Sheila Allen NM Crime Victims Reparation Commission (NMCVRC)	Donald Clark Indian Health Services	Elena Giacci Sacred Circle
Jolene Altwies Office of the Attorney General (NMAGO)	Rosemary Cosgrove-Aguilar 2 <sup>nd</sup> Judicial District Court	Beth Gillia UNM Institute of Public Law
Heather Alvarez UNM Hospital (UNMH)	Sandra Clinton Metropolitan Court	Alisa Hadfield 2 <sup>nd</sup> Judicial District Court
Carlos Argueta Albuquerque Police Dept. (APD)	Cameron Crandall UNM-EM	Erin Hagenow Resources Inc.
Ann Badway NMAGO	Angela Daffron Jodi's Law	Ann Henz NMAGO
Doña Baldwin Domestic Unity	Teresa D'Anza ABQ SANE Collaborative	Dana Hernandez Federal Bureau of Investigation (FBI)
Michael Bauer UNM Dept. of Emergency Medicine (UNM-EM)	Michelle Dobro Resources, Inc.	Carol Horwitz Santa Fe Police Department
Mark Benford 2 <sup>nd</sup> Judicial District Attorney's Office (2 <sup>nd</sup> DA)	Shannon Enright-Smith Resources, Inc.	Melanie Jacobs Bernalillo County Sheriff's Department (BCSD)
Peggy Bird Coalition to Stop Violence against Native Women (CSVANW)	Amy Ernst UNM-EM	Teresa Jacobs NM Dept of Health (NMDOH)
Julie Bishop Crum & Associates	Melissa Ewer Catholic Charities	Beth Janello Sandia Pueblo
Mary Ellen Braithwaite NMAGO	Clara Fields 2 <sup>nd</sup> DA	Sondra Jennens Children, Youth & Families Dept. (CYFD)
Lisa Broidy UNM Sociology Department	Joanne Fine United Way	Julie Jessen APD
Gabriel Campos New Mexico Legal Aid (NMLA)	Ella Frank NM Adult Parole Board	Bryan Johnson S.A.F.E. House
	Michelle Fuller S.A.F.E. House	Darlene Reid Jojola Urban Indian Advocacy Program
	Dominic Gachupin Jemez Pueblo Social Services	Jeff Kellywood Office of the Medical Investigator

Anne Keener  
NM Public Defender's Office

Dale Klein-Kennedy  
S.A.F.E. House

Mark Kmatz  
BCSD

John Krebsbach  
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