



ALERT
ALBERTA LAW ENFORCEMENT RESPONSE TEAMS



I-TRAC Newsletter

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Alberta News: Top Court Strikes Down Jealousy Defence

<http://cnews.canoe.ca/CNEWS/Canada/2010/11/26/16332391.html>

November 26, 2010

The Supreme Court of Canada has upheld a second-degree murder conviction in the case of an Edmonton man who viciously attacked his estranged wife and her boyfriend, stabbing the man to death after he found them in bed together.

Thieu Kham Tran was initially convicted of manslaughter after the trial judge accepted his defence of provocation. The Alberta Court of Appeal allowed the Crown's appeal of the decision and submitted a conviction of second-degree murder.

He appealed the second-degree murder conviction to the Supreme Court of Canada.

In a 7 - 0 decision, the Supreme Court dismissed the appeal and upheld the conviction of second-degree murder.

In the court's decision, Judge Louise Charron said "there is no air of reality to the defence of provocation."

As a partial defence for murder, provocation reduces murder to manslaughter if the person who commits the crimes does so "in the heat of passion caused by sudden provocation."

In the Criminal Code, sudden provocation is defined as "a wrongful act or an insult that is of such a nature as to be sufficient to deprive an ordinary person of the power of self-control." There was no such insult in this case, the court found.

Vengeful Spouse's Rampage Leads to 5 1/2-Year Jail Term

<http://www2.canada.com/calgaryherald/news/city/story.html?id=b2e76713-87b5-4019-a338-c2994357adc6>

December 9, 2010

A man who went on a vengeful rampage, including burning down his former spouse's rented home after she obtained a restraining order against him, has been sent to prison for 5 1/2 years.

The judge said Dean Leonard McClelland exacted "relentless retribution" against Heather MacKenzie and her friends.

"Fortunately, there were no injuries caused to anyone as a result of the house fire, but the potential was there," Judge Terry Semenuk wrote in his decision. "That being said, the house was destroyed, and the approximate loss to the owners of the residence is \$400,000. Unfortunately, the residence was not insured at the time."

"Even after committing the arson offence, the accused's vengeance against the complainant and her friends did not stop." The judge, who accepted a joint sentencing submission from the Crown prosecutor and McClelland's lawyer, said the offender poured acid on three cars, keyed the sides and slashed the tires of a fourth vehicle.

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Lana Wells, the new Brenda Stafford Chair in the Prevention of Domestic Violence at the U of C's faculty of social work.

New U of C Chair Aims to Wipe Out Domestic Violence

<http://www.calgaryherald.com/news/chair+aims+wipe+domestic+violence/3956324/story.html>

December 10, 2010

It's a lofty goal in a city with one of the highest rates of domestic violence in Canada, but a University of Calgary researcher spearheading a project to eliminate domestic violence says its not unrealistic.

"If we have everybody working toward it, we can have substantial progress," said Lana Wells, the newly appointed Brenda Stafford Chair in the Prevention

of Domestic Violence at the U of C's faculty of social work.

Researchers first plan to determine the size and scope of domestic violence, with an aim of then devising ways of changing public attitudes toward the issues.

Education and public awareness have helped reduce societal problems such as smoking and drunk driving, Wells said.

Investigators at the Calgary Police Service, which responds to 13,000 domestic violence complaints a year, lauded Well's plan.

Anything that can be done to understand the root causes would be spectacular," said Sgt. John Guigon of the domestic conflict unit.

Adams said Chomiak "went off the deep end."

Man, 49, Charged in Death of Mother and Daughter

<http://www.edmontonjournal.com/news/Charges+laid+Falher+homicides/3989545/story.html>

December 17, 2010

For relatives of Melody Perry and Jerica Bouchard, it was a tragedy eight years in the making: A violent end after years of what they allege was emotional, physical and verbal abuse by Perry's spouse, Edward Chomiak.

The bodies of Perry, 45, and Bouchard, 20, were found at a house near Fahler at about 8 a.m.

Wednesday, after RCMP went to the home to investigate a disconnected 911 call. Chomiak is a 48-year-old farmer from nearby Nampa.

Chomiak as been charged with two counts of first-degree murder in the women's death. RCMP say they are investigating the murders as "domestic-relationship violence." At the time of the deaths, Chomiak

was bound by a restraining order under the Protection Against Family Violence Act.

Adams, Perry's nephew, said there was abuse throughout the relationship, but the situation worsened after Perry ended the relationship in January. Adams said Chomiak "went off the deep end."

"This was a prolonged assault that conjures up in one's mind the image of a caveman attacking some helpless quarry in a frenzy"

Life Sentence for Morinville 'Monster'

<http://www.edmontonsun.com/news/alberta/2010/12/17/16597506.html>

December 19, 2010

A Morinville "monster" who beat and strangled his wife in front of their three young children was handed a life sentence Friday after a emotional, tear-filled hearing.

Justice Sterling Sanderman told a quietly sobbing Urbaniak that he should be "ashamed" of him-

self for the history of abuse he had inflicted on his wife of 10 years.

"This was a prolonged assault that conjures up in one's mind the image of a caveman attacking some helpless quarry in a frenzy," said Sanderman.

According to agreed facts, the relationship between Martel and

Urbaniak was "volatile" and included multiple incidents of psychological abuse and name-calling. Martel said she was planning to leave him.

Diane Cantrell, Martel's aunt, said there is a plan to set up a Jessica Martel Foundation to help raise money for a shelter for abused women in Morinville.

2 Children Found Dead in Edmonton Home

<http://www.edmontonjournal.com/news/children+found+dead+Edmonton+home/4004201/story.html>

December 20, 2010

A resident of the Edmonton townhouse complex where the bodies of two small children were found late Sunday night says a kindergarten-aged boy and girl lived in the home.

Police confirmed Monday that the bodies of two children were found in the north Edmonton townhouse by police officers

called to assist the Child and Family Services crisis unit at about 11:30 p.m. on Sunday. Forensic investigators and police were at the townhouse complex throughout the day Monday.

A 31-year-old man was treated for non-life-threatening injuries and is in police custody.

Police spokeswoman Clair Seyler has confirmed that the chil-

dren's deaths are the subject of a criminal investigation, but said the cause of the deaths and the identity of the children will not be confirmed until autopsies are completed.

Domestic Violence Calls 'Spike' at Christmas

<http://www.cbc.ca/canada/calgary/story/2010/12/28/calgary-domestic-violence-increase-christmas.html>

December 28, 2010

There was a big jump in domestic violence calls over Christmas this year, Calgary Police say.

"There was a bit of a spike from the two days, the 24th and 25th—a little over 33 per cent rise in calls for service, domestic-related calls for service, over last year," Calgary police Sgt. John Guegon said.

Police expect a jump in calls over Christmas, but this year's increase was bigger than normal, Guegon said.

Over the last four, three or four years, on average, domestic-related calls for service increase about from three to seven per cent, depending on the year," he said. "We expect it's going to happen."

The stress of the holidays in-

creases incidents, Guegon said.

He thinks part of the reason for the increase in calls is that people are more willing to call police than they used to be.

Canadian News:

New Brunswick Woman Not Guilty of Murder

<http://www.cbc.ca/canada/new-brunswick/story/2010/11/23/nb-woman-aquitted-of-murder.html>

November 23, 2010

A Saint John woman has been acquitted of a second-degree murder charge in the killing of her common-law husband.

Crystal Dawn MacKenzie, 28, was accused in the stabbing of Patrick Thomas, 29.

MacKenzie, who testified on her

own behalf Monday, told the court she did not intend to kill Thomas but got the knife to scare him into ending the fight in front of their children. The court had heard from witnesses who said the couple had a violent history.

The court also heard that Thomas had been convicted of as-

saulting Mackenzie in February, 2009, which resulted in a suspended sentence and 9 months probation. Thomas had been ordered not to have contact with MacKenzie, and abstain from alcohol and drugs.

When asked what she would do next, MacKenzie replied, "Go home with my kids."

Pilot Court on Domestic Violence

<http://www.thecapebretoner.ca/?p=6800>

December 4, 2010

The province of Nova Scotia has launched a new Domestic Violence plan yesterday which will include establishing a pilot court in Sydney.

“We care about the health and safety of every Nova Scotian, which is why, as a province and as a society, we will not tolerate domestic violence,” said Premier

Dexter. “This plan was developed to further help those affected by domestic violence.”

A key part of this plan is developing a specialized domestic violence court program to increase support for victims and rehabilitation services for offenders.

The pilot project, in Sydney, will offer victims and their children

much-needed services in a timely and effective way and provide meaningful intervention with abusers. Experts on domestic violence will develop and evaluate a court program that will offer people who commit abuse, opportunities they need to make lasting change.

Alleged Crossbow Killer Asked Governor General to Deport ‘evil’ Father

<http://www.leaderpost.com/news/Accused+crossbow+killer+asked+deport+evil+father/3942666/story.html>

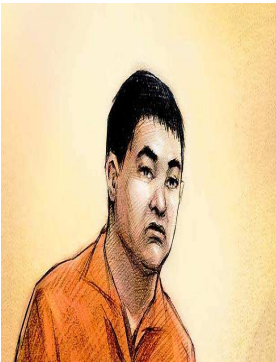
December 7, 2010

Toronto homicide detectives working in the crossbow killing case against Ottawa’s Zhou Fang are executing search warrants across the city this week in the hopes of seizing evidence - including a letter the accused wrote to Gov. Gen. David Johnston saying he feared his father, the victim, was going to kill him and his mother.

In his letter, Fang, 24, chronicles a life of abuse at the hands of his father, who has a conviction for beating his wife Nora Fang, 52, in 2002 while the family was living in Toronto.

The letter documents his struggles of trying to escape his “evil” father, with him and his mother fleeing to different Canadian cities, and once to Australia.

“We are very afraid of Cheng... This evil being has taken everything from me and my mother. Now I am very afraid that there is a very real threat that he may be coming to take our lives,” wrote Fang, accused of hunting down his father at a Toronto library last week.



Twenty-four-year-old Zhou Fang appeared in court on December 7, 2010, charged with first-degree murder.

Peterson told the court his 14-year relationship with his wife has been “sick and twisted.”

Dangerous Offender Label Inaccurate: Abuser

<http://www.cbc.ca/canada/prince-edward-island/story/2010/12/08/pei-peterson-dangerous-584.html#ixzz17ZgJIOV4>

December 8, 2010

A man convicted of assaulting his wife eight times in 10 years told a Charlottetown provincial court Wednesday he doesn't want to be labeled a dangerous offender because he doesn't think he's dangerous.

Kirk Myles Peterson, 47, testified on the third and final day of a hearing into whether he should be named a dangerous offender.

The designation sought by the Crown would allow Judge John Douglas to give the P.E.I. man an indefinite sentence or have him supervised for 10 years after he is released from jail.

Peterson told the court his 14-year relationship with his wife has been “sick and twisted” and “based on alcohol and violence.” He said he tried to stay away from her but she would initiate

contact.

Peterson is in custody waiting to be sentenced after being found guilty in May of assault. He had punched his wife and broken her ankle.

The judge hopes to have a decision in late January.

N.B. Man Sentenced to Life for Murder

<http://www.cbc.ca/canada/new-brunswick/story/2011/01/04/nb-getson-murder-sentence.html>

January 4, 2011

A Saint John, N.B., man was sentenced to life in the stabbing death of his estranged wife.

Jason Getson, 30, pleaded guilty in December to second-degree murder. He attacked Melanie Getson in broad daylight in the parking lot of a tanning salon in Rothesay Avenue last May.

The woman suffered 25 wounds,

including stabs to her neck, heart, lung and liver. She was pronounced dead at hospital.

'An unspeakable tragedy': judge

Judge Hugh McLellan called the case "an unspeakable tragedy" that should get people wondering what else can be done as a society to end domestic violence.

During a previous court hearing,

the court was told that Melanie Getson had left her husband about two weeks before the attack. She told him that their five-year marriage was over and she planned to start dating again.

He told a colleague that if he couldn't have her, nobody else could.

Getson will not be eligible for parole for 20 years.

American News:

Four Dead, Including Gunman, In Bonne Terre Domestic Fight

<http://www.chicagotribune.com/news/nationworld/ktvi-bonne-terre-mass-mo-shooting-113010-story,0,6611210.story>

November 30, 2010

Bonne Terre, MO - The St. Francois County coroner has confirmed four people shot in an apparent domestic dispute are dead. The coroner says the man entered a duplex style home on Boulder Drive in Bonne Terre, MO and shot two people. Authorities say they received a "disturbance in progress" phone call and could hear the suspect

kicking in the front door of the duplex and a woman screaming.

Police say it began when Derek Nash, 32, answered the door and was gunned down. From there the gunman moved inside, finding Nash's girlfriend, 37 year old Christine Snyder on the phone. He shot and killed her next. After that the shooter is believed to have moved outside, where he found his estranged girlfriend,

19 year old Danielle Bement in an SUV with a one year old child in the back seat. Bement, the daughter of the woman killed inside, was also shot, and died later at a local hospital.

The shooting stemmed from an apparent domestic dispute which led to the murder-suicide.

"In March, Pittman was charged with domestic battery for allegedly beating Hannah at his Park Forest home."

Park Forest Man Charged in Morgan Park Triple Slaying

http://www.chicagotribune.com/news/local/ct-met-morgan-park-fatal-charges-20101201_0,7767813.story

December 1, 2010

A rocky relationship between a Park Forest teen and his girlfriend ended in violence when he fatally stabbed her, her mother and younger sister at their apartment on Chicago's South Side, authorities said at an emotional court hearing Wednesday.

Denzel Pittman, 18, nervously licked his lips as a Cook County prosecutor said an argument between Pittman and his girlfriend, Jade Hannah, 17, on Monday night just outside her mother's Morgan Park home ended in the triple slaying.

When her mother, Stacy Cochran-Hill, came to investigate the

disturbance, Pittman attacked her, stabbing her several times, Assistant State's Attorney Jamie Santini said in court. Pittman then went into the apartment and stabbed Hannah's sister, 11 year old Joi Cochran, in the head and the chest, Santini said.

Good Samaritan Recovering From Beating

<http://www.chicagotribune.com/news/ct-met-hero-musician-20101218.0.1702697.story>



With much help from his brother Nathan, Matthew Leone, right, is recovering from being beaten last summer after he intervened in a domestic fight between a man and woman.

December 18, 2010

It was after midnight when Matthew Leone stepped out the front door of his brother's condo's complex and heard the woman's screams.

"He's going to kill me," the woman yelled. "Please, someone help."

In the early-morning hours of Tuesday, June 29, police say Leone saw a man choking and

punching a woman on the side walk. She was lying on the concrete, her face covered in blood.

And so Leone did what he now thinks anyone else would have done. He hurled himself forward like a pint-size cannon ball, hitting the larger man, who police said stood 6 feet and weighed 180 pounds.

For a moment, Leone's running charge was enough to stop the assault. He separated the couple

and tried to calm the situation. But when he turned toward the woman, who was sobbing and begging him not to leave, Leone says the man struck him from behind.

What came next was a barrage of blows, one after another.

"He's a good Samaritan who got the worst end of it," a police officer at the time said.

Anoka County Putting Heat on Domestic Violence

<http://www.startribune.com/local/north/112531204.html?>

December 27, 2010

With domestic violence continuing to be a leading source of police calls statewide, the immediate risk-assessment program used by the Columbia Heights police is part of a new effort to halt the epidemic's growth in Anoka County.

Like Similar programs in Minneapolis, St. Paul and Duluth, the

strategy brings together law enforcement, prosecutors, probation and social service workers to quickly help victims and to build stronger cases against abusers. A \$400,000 federal grant will help pay for training, additional personnel and data analysis.

The county's effort also aims to bring cases to trial faster, because victims are more likely to recant when their cause is dormant for

months. Defendants could receive stricter jail-release conditions, and they will be encouraged to start counseling or chemical dependency treatment before trial.

Strangulation Cases Now Easier to Prosecute

http://azstarnet.com/news/local/crime/article_c0d32b07-8de0-589e-8f27-848d199d0857.html

January 2, 2011

If a woman's boyfriend or husband has ever tried to strangle her, she is 10 times more likely to die from abuse than victims who haven't suffered strangulation.

In violent domestic relationships, strangulation can be a control tactic that sends a message to the

victim. But even though risk statistics from the U.S. Department of Justice show fear inducing behavior has a high propensity to escalate, until this summer Arizona had no specific law dealing with it.

On July 30, it became a Class 4 felony to impede someone's breath or blood by strangling them—which under the law

includes non-lethal choking or obstruction to their mouth or nose.

Since July 30, more than 20 people have been charged under the new statute.

"On July 30, 2010, it became a Class 4 felony to impede someone's breath or blood by strangling them"

International News:

Wales: £4.4m Investment to Tackle Domestic Violence

<http://www.bbc.co.uk/news/uk-wales-11840986>

November 25, 2010

A £4.4m investment is being made to help female victims of domestic violence.

The assembly government announcement comes on the international day for the elimination of violence against women.

The money will be used to address violence against women including sexual assault, domes-

tic abuse, female genital mutilation and forced marriage.

Social Justice Minister, Carl Sargeant said: "More needs to be done to eradicate this heinous crime."

The money has already been put aside by the assembly government but it has been confirmed that the £4.4m sum for 2011/12 will be protected from any spending cuts.

The assembly government launched their 'Right to be Safe' Violence against women strategy in March.

The six-year strategy addresses all forms of violence against women in Wales including rape and sexual assault, domestic abuse, honour based violence, female genital mutilation and forced marriage.

"More needs to be done to eradicate this heinous crime."

Children Hurt as They Try to Stop Domestic Abuse of Their Parents

<http://news.scotsman.com/scotland/Children-hurt-as-they-try.6655919.jp>

December 10, 2010

One in six Scottish adults have been abused by their partners, according to a survey which has highlighted concerns that more children are also becoming entangled in domestic violence.

A third of domestic abuse victims has young children living with them, and three quarters of those witnessed the abuse. In a

fifth of incidents the child tried to stop it and, in three per cent of cases, was hurt in the process.

Lilly Greenan, manager of Scottish Women's Aid, said: "We previously extrapolated the studies available, and estimated 100,000 Scottish children witness domestic abuse in a year. But this is the first time I have seen it in a survey.

"The fact that nearly 20 per cent of children who witness abuse try to do something about it is very significant. It raises questions about how we support children who go through that experience. We have to realize that we are putting a lot on the shoulders of children. It's asking a lot of them to be involved in that kind of intervention."

"In a fifth of incidents the child tried to stop it and, in three per cent of cases, was hurt in the process."

'One-Stop-Shop' Planned for Sexual, Domestic Abuse Victims

<http://www.examiner.ie/ireland/one-stop-shop-planned-for-sexual-domestic-abuse-victims-140429.html>

December 27, 2010

The Government is planning to pilot a "one-stop-shop" for victims of domestic and sexual violence in 2011.

The state's sexual and domestic violence agency, Cosc, said such a premises—most likely to be

located in an anonymous building—would bring all the relevant state and voluntary services under one roof.

Cosc executive director Eimear Fisher said similar facilities abroad, including one in New York, had been "extremely successful."

In an interview with the Irish Examiner, Ms. Fisher said the development was part of the National Strategy on Domestic, Sexual and Gender-based Violence 2010-2014.

Research of Interest

A National Portrait of Domestic Violence Courts

By: Melissa Labriola, Sarah Bradley, Chris S. O'Sullivan, Micheal Rempel & Samantha Moore

http://www.courtinnovation.org/uploads/documents/national_portrait.pdf

With funding from the National Institute of Justice, this study explores how criminal domestic violence courts have evolved, their rationale, and how their operations vary across the U.S. This study does not test whether domestic violence courts reduce recidivism, protect victims, or achieve other specific effects—although we provide a thorough literature review on these points. Rather, our aim is to present a comprehensive national portrait of the field as it exists today, laying the groundwork for future information exchange and research.

Research Design:

The study focused on criminal domestic violence courts only. A mixed methods design was implemented to achieve both scope and understanding. The study unfolded in four steps:

-Court Compendium: Utilizing a variety of investigative methods, we developed a comprehensive list of criminal domestic violence courts nationwide.

-Site Visits: We visited three domestic violence courts in each of five states (California, Florida, Illinois, New York and Washington) to develop in-depth information on 15 courts using semi-structured interview and structured courtroom observations.

-National Surveys: We administered a survey to all potentially qualifying courts in the national compendium and a survey of prosecutors linked to each court.

-Phone Interviews: We conducted phone interviews with a subsample of court survey respondents to explore the meaning of their responses to particular questions and to obtain additional qualitative data on court goals, operation, and challenges.

Major Findings:

We report major findings in four domains:

1. Domestic Violence Court Goals (ie. victim safety and offender accountability).
2. Victim Services and Safety (ie. victim advocacy, advocacy services, orders of protection and courthouse safety).
3. Offender Assessments and Programs (ie. assessments, batterer programs and other programs).
4. Compliance Monitoring (ie. probation monitoring, judicial monitoring and response to non-compliance).
5. Additional Themes (ie. general appraisal, collaboration, consistency, training, victim outreach and resources).

Conclusions:

The number of specialized domestic violence courts is continuing to grow nationwide. We identified 208 courts that have specialized dockets or dedicated judges, an increase of more than 150 courts since the last national study a decade ago identified only 42 domestic violence courts .

We found consensus among court stakeholders with respect to the primary rationales for creating a domestic violence court: increased victim safety, offender accountability, and deterring of future violence. Qualitative data, however, revealed differing expectations of which policies and practices would achieve these aspirations. We also found diversity in the structure of today's domestic violence courts and in the practices adopted across many domains. These domains included the availability of victim services and safety measures (such as safe spaces and escorts in the court), the use of offender assessments and programs, and practices related to offender accountability (such as sanctions for noncompliant offenders).



Engaging Abusive Men in Seeking Community Intervention: A Critical Research & Practice Priority

By: Marcie Campbell, Jenny A. Neil, Peter G. Jaffe & Tim Kelly in the Journal of Family Violence

<http://www.crvawc.ca/documents/Engaging%20Abusive%20Men%20-%20Journal%20of%20Family%20Violence.pdf>

Abstract:

The present study investigated effective strategies for engaging abusive men and preventing the reoccurrence or escalation of violence against women. Seventy-three men solicited from a community program for male batterers completed a questionnaire regarding help-seeking behaviors.

Findings:

- Approximately two-thirds of the participants identified they had sought help regarding the problems in their intimate relationships.
- However, only half of them actually received help that addressed their violent behaviors.
- Furthermore, of those participants who received help, only one-quarter found the help to be useful or effective.

Emerging Themes:

- The overall pattern of results in this study illustrated several important themes which need to be considered when trying to engage and help men who are abusive in their intimate relationship.
- It is hypothesized from the findings that most male perpetrators of domestic violence will not seek out help for their violent behaviors due to inherent male gender role attitudes, in addition to a lack of knowledge on where to find required help.
- When considering with whom a male batterer is more likely to divulge information regarding domestic violence, the findings from the present study indicated that men who engage in abusive behaviors typically feel comfortable talking with someone who is trustworthy, knowledgeable,

and able to hold what is said in confidence.

-In sum, when reviewing both the questionnaire responses and focus group transcripts, several help-seeking themes emerged from the data including numerous missed opportunities to intervene, men's view of masculinity and help-seeking, and the critical role of developing trust, non-judgmental and confidential counseling relationships.