

HONORING TEXAS VICTIMS

Family Violence Fatalities in 2020

ANALYSIS REPORT



HONORING TEXAS VICTIMS

ANALYSIS OF FAMILY VIOLENCE FATALITIES IN 2020

*In memory of the Texas women and men killed
by their intimate partners in 2020*

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FORWARD



Gloria Aguilera Terry
CEO, TEXAS COUNCIL
ON FAMILY VIOLENCE

To Community Leaders, Colleagues and Friends:

Honoring Texas Victims is the only comprehensive analysis of intimate partner homicides in the state of Texas. This report plays a pivotal role in informing change to policy, practice, and training and further anchors our dedication to a safer Texas. It is also appropriately named to underscore the unwavering commitment the Texas Council on Family Violence (TCFV) holds to each precious life lost, and their families—that they mattered, that they continue to be remembered, and that they contribute to the demand for change.

We present the 2020 information; 228 intimate partner homicides is the highest number ever recorded since the first publication of the *Honoring Texas Victims* report. Please take a moment to sit in that discomfort. **TWO HUNDRED AND TWENTY-EIGHT** Texans died last year at the very hands of someone who claimed to love them—most in their own homes.

It is woefully inadequate to describe 2020 as an extraordinary year. COVID-19 wreaked havoc in a multitude of ways and left deep indelible impressions on the very fabric of our society. For those most at risk for intimate partner violence, isolation increased their vulnerability and access to safety. The data clearly demonstrates the increase of violence in homes across the state. As experts, we watched the tide rise and survivors were forced to choose between continued exposure to violence in their own home or safety in a communal emergency shelter amid a deadly pandemic. Early in the pandemic, law enforcement anecdotally reported more calls; our review of statewide data and the accompanying increased lethality markers confirmed it. The intersection of COVID-19 and domestic violence is frequently referenced as the “pandemic within a pandemic.”

In examining augmented and compounded vulnerabilities, communities of color are at the epicenter. The COVID-19 pandemic brought health and safety inequities for people of color to the forefront. As such, the bright intersection of the pandemic, physical safety, and social and racial injustice are interwoven as parallels in this report. For example, Houston Health Department data shows that Hispanics, who represent 54% of the population, were hardest hit by COVID-19 deaths. In this year of collective grief and loss, as communities experienced the toll of the coronavirus and wrestled with the roots of state violence against Black, Indigenous and People of Color (BIPOC) communities, there was a staggering increase in domestic violence homicides and devastating tragedies for families and communities across the state. In striving for sexual, gender, and racial equity and justice, TCFV preserves its firm commitment to personal and organizational reflection, having challenging conversations, and turning those reflections and conversations into action.

Lastly, despite dedicated efforts from advocates, judges, law enforcement officers, and prosecutors, Texas has failed to do enough to prevent dangerous domestic violence offenders from unlawfully possessing firearms. Within this report, you will see the unfortunate outcomes of that neglected responsibility and unfulfilled safety promise to these victims. In the past ten years, the number of women killed by a partner or former partner with a firearm has nearly doubled. It is a deeply troubling trend, one that requires quick and firm action. Less than ten of our state's 254 counties have a program in place to enforce the transfer of firearms from convicted abusers **in accordance with the law**. The bottom line is: Texas can prevent tragic family violence homicides by ensuring offenders convicted of a domestic violence crime, and recipients of protective orders, do not have access to their firearms.

Every one of these 228 fatalities was knowable, predictable, and preventable. Texas, we must do better.

In Unity,

A handwritten signature in cursive script, reading "Gloria Aguilera Terry".

SECTION I

Identifying Trends to Inform Domestic Violence Responses: A Review of 2020 Intimate Partner Homicides

228

TEXANS WERE KILLED
BY THEIR INTIMATE
PARTNERS ACROSS
68 COUNTIES IN 2020.

Counties indicated in white had one or more family violence fatalities where a victim was killed by an intimate partner. No fatalities occurred in counties indicated in purple.

In 2020, TCFV recorded the deaths of 183 women killed by their male intimate partners, 40 men killed by their female partners, and one woman and four men killed by same-sex partners across 68 counties.

TCFV publishes the narratives of each fatality as well as an analysis of demographics and risk factors to promote awareness of the dynamics and the impact of domestic violence. This year the narratives are available online in a stand-alone document. The analysis offered on the following pages provides a critical lens that examines domestic violence issues in the state of Texas, as well as tools and strategies for predicting lethality and preventing violence. Most importantly, it is a demonstration of the incredible need for Texans to join their community partners in shaping a safer future for Texas women, men, and children.

In communities across the state, our partners, family violence service providers, law enforcement agencies, prosecutors, community resource programs, and healthcare providers, among others, are mobilizing to improve outcomes for survivors and their families. These efforts increase survivor safety and offender accountability through innovative approaches to prevention and intervention in response to domestic violence. In this year of unimaginable and devastating outcomes, we thank all those who stood with survivors. To join these efforts, connect with us at TCFV.

INDIVIDUALLY WE POWER CHANGE.
TOGETHER WE POWER A MOVEMENT.

FAMILY VIOLENCE IN TEXAS: 2020 STATISTICS

According to the Texas Uniform Crime Reporting (UCR), in 2020, law enforcement officers in Texas responded to 218,950 incidents of family violence, a 10% increase from 198,899 incidents in 2019; approximately 60,000 of these incidents are identified as intimate partner violence. The UCR collects family violence data information based on the following relationship categories: current/former spouses, common-law spouses, and same-sex relationships; however, there is no category for dating violence victims. Dating violence victims may likely be reported as 'Other Family Members,' a category that comprises 48% of the family violence victims. Women and girls comprised 69% of victims of family violence incidents.¹

Family violence incidents increased 10% in 2020.

Fourteen percent of family violence assaults (n=34,249) were classified as aggravated assault, typically involving the use of weapons, strangulation, or other serious and injurious assaults; this represents a 17% increase from 2019 in aggravated assault incidents. From 2019 to 2020, there was an 80% increase in assaults against law enforcement officers while responding to family violence calls.²

The Texas Health and Human Services Commission (HHSC) shows that 1.5 million services were provided through HHSC funded programs in 2020. Family violence agencies received 256,078 emergency hotline calls. Family violence agencies across the state are operating at capacity and, unfortunately, almost half of adult victims 43.7% were denied shelter solely due to lack of space.³

Nearly half of adult victims were denied shelter due to lack of space.

Battering Intervention and Prevention Programs (BIPPs) funded by the Texas Department of Criminal Justice, Community Justice Assistance Division (TDCJ-CJAD) provided abuse intervention services to 5,213 family violence offenders in 2020. Sixty percent of the offenders successfully completed program requirements, exceeding the benchmark of 55% successful completion rate set by TDCJ-CJAD. Approximately half of all referrals to

BIPPs in 2020 came from probation departments; offenders referred by probation have a completion rate of 64%. Offenders referred by pre-trial services have the highest completion rate of 72% and those referred by other sources, including child protective services and voluntary participants, have a completion rate of 60%. Offenders referred by parole have the lowest completion rate of 47%.⁴

WOMEN KILLED BY MEN

Over the last decade alone, TCFV has reported the deaths of 1,414 women at the hands of their intimate partners. In 2020, 183 women were killed by their intimate partners. This represents the highest number of deaths recorded in the last decade. The number of women killed by their male intimate partners increased 22%, from 150 deaths recorded in 2019.

Women are more likely to be killed by their intimate partners than by other family members, non-intimate acquaintances, or persons they do not know.⁵

1 Texas Department of Public Safety. Crime in Texas Online, Family Violence Summary Reports. Retrieved from: <https://txucr.nibrs.com/Report/FamilyViolence>

2 Id.

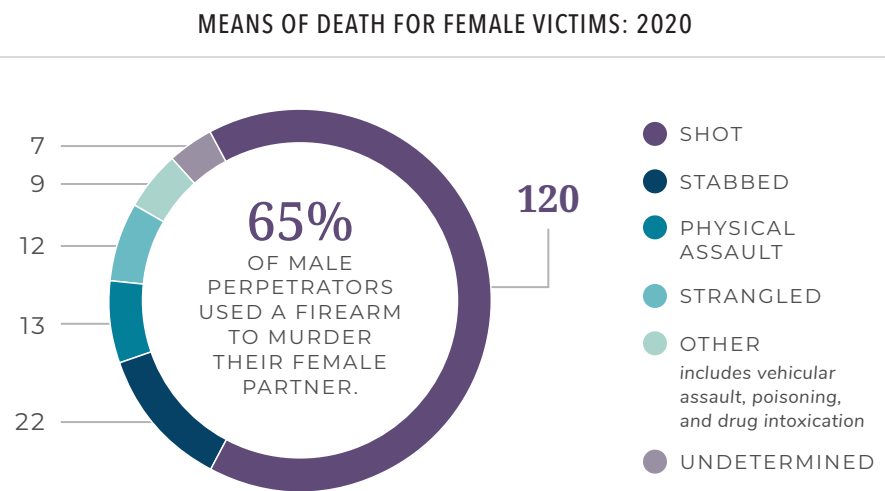
3 Texas Health and Human Services Commission, Family Violence Program, Family Violence Program Statistics. Available upon request.

4 Texas Department of Criminal Justice-Community Justice Assistance Division, Battering Intervention and Prevention Program Data. Available upon request.

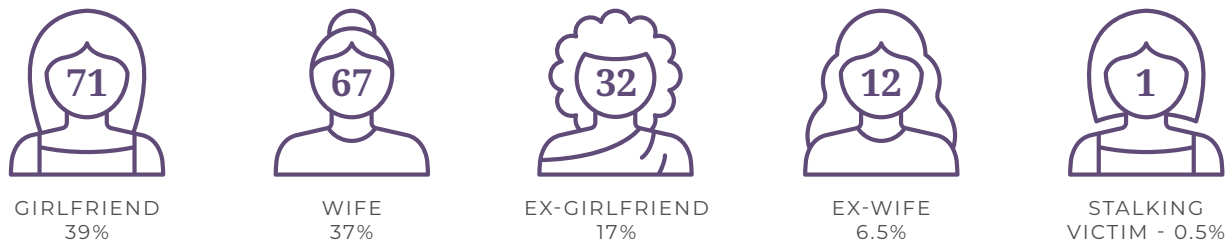
5 Violence Policy Center, (2019). When Men Murder Women: An Analysis of 2017 Homicide Data. Retrieved from <http://vpc.org/studies/wmmw2019.pdf>.

Method of Murder

In 2020, 120 men (65%) shot and killed women who were their current or former intimate partners. Twenty-two men (12%) stabbed and killed their victims, 13 men (7%) physically assaulted and killed victims, 12 men (7%) strangled or asphyxiated and killed their victims, and nine men (5%) used other means, including vehicular assault and poisoning. The manner of death was not released in seven cases.



RELATIONSHIP STATUS OF FEMALE VICTIMS: 2020



183 Texas women were killed by their male intimate partners in 2020.

Understanding Risk and Decision Making

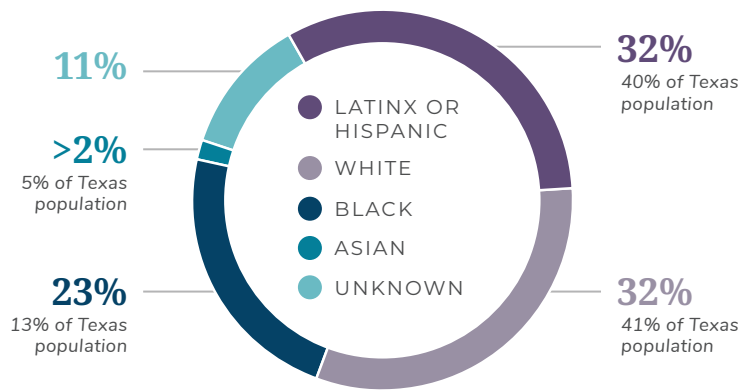
Women in abusive relationships are 3.6 times more likely to be killed in the period immediately after separation than any other time in the relationship.⁶ Understanding this critical period of risk, TCFV documents known attempts victims made to end their relationships, report to law enforcement, or seek protective orders or other criminal or civil remedies. In 2020, TCFV identified that victims in 45% of the homicides had taken steps to either end their relationships or seek some type of intervention to enhance their safety, such as calling law enforcement or seeking protective orders; 39% of victims had made attempts or were planning to end their relationships. History and background information are not available on all reported cases and it is likely that more victims attempted to leave or seek intervention to address abuse than what is known at this time.

In 2020, male perpetrators killed 122 women who were mothers, resulting in 300 adult and minor children losing one or more parents. Of those who lost parents, 59% were minor children. Eleven women were pregnant when they were killed.

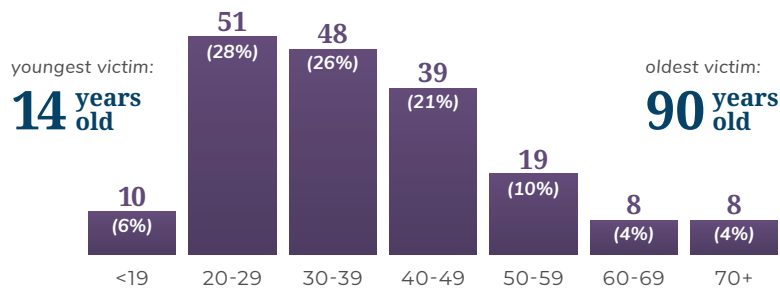
“She had a way of making you feel like the smallest accomplishment was the most important thing in the universe.”

6 Koziol-McLain, J., Webster, D., McFarlane, J., Block, C. R., Ulrich, Y., Glass, N., & Campbell, J. C. (2006). Risk factors for femicide-suicide in abusive relationships: results from a multisite case control study. *Violence and Victims*, 21(1), 3–21. doi: 10.1891/0886-6708.21.1.3

COMPARISON OF ETHNICITY OF FEMALE VICTIMS TO TEXAS POPULATION: 2020



AGE OF FEMALE VICTIMS: 2020

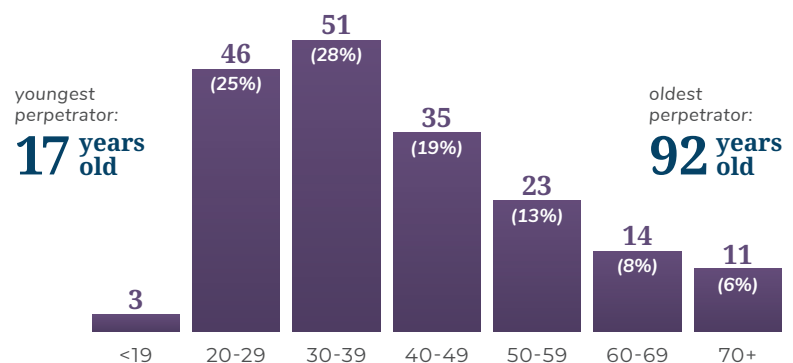


Women and girls experience risk of intimate partner homicide across their lifespans.

Perpetrator Age

The youngest perpetrator of intimate partner homicide in 2020 was 17, and the oldest was 92. Fifty-one men ages 30-39 represent the most prevalent age group, followed by those ages 20-29. The number of perpetrators under the age of 40 increased by 27% from 2019, while the number of perpetrators in all other categories remained relatively level to 2019.

AGE OF MALE PERPETRATORS: 2020



Perpetrator Outcomes

Authorities charged 129 male perpetrators with murder or capital murder and two with manslaughter. Of those charged, four remain at large and three have been sentenced. Two murder suspects died of unrelated causes after their arrests.

Fifty-two perpetrators killed themselves after they murdered their current or former intimate partner, including one perpetrator killed by law enforcement after he threatened officers.

Murder-suicides occur in approximately 30% of intimate partner homicides of women killed by their male partners each year.

MEN AND WOMEN KILLED BY THEIR SAME-SEX PARTNERS

TCFV has identified 17 LGBTQ+ victims killed by intimate partners in the last five years, which includes men and women killed by their same-sex partners, and transgender women killed by male partners.⁷ This statistic does not offer a complete view of intimate partner homicides of LGBTQ+ victims. In media and police reports, sexual orientation and gender identity may not be disclosed accurately, or at all, and intimate partner relationships may be mislabeled as roommates or friends.⁸

The prevalence of partner violence among LGBTQ+ relationships equals and sometimes exceeds the prevalence of violence women experience in heterosexual relationships. Lesbian women and gay and bisexual men experience partner violence at higher rates than heterosexual women and men. Nearly twice as many bisexual women report intimate partner violence as heterosexual women.⁹ Transgender women, especially women from historically oppressed racial

and ethnic communities, are two times more likely to experience threats, intimidation, and harassment within their relationships.¹⁰

“ His presence was always this brimming light of love and laughter. ”

In 2020, TCFV identified five intimate partner homicide victims killed by their same-sex intimate partners, including one woman and four men.¹¹

LGBTQ+ survivors face challenges in reporting violence and accessing services as well as additional risks from bias, stigma, and lack of understanding around sexual orientation or gender identity,¹² and access shelter and legal services at very low rates in Texas.¹³ These factors compounded the risk LGBTQ+ survivors faced during stay-at-home orders.¹⁴

7 Texas Department of Public Safety, Crime in Texas Online, Summary Reports, SRS Summary, Supplemental Homicide Report Queries (2012-2017), Retrieved from: <https://txucr.nibrs.com/SRSReport/AnnualSRSSummary>.

8 National Coalition of Anti-Violence Programs, (2018). Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Hate and Intimate Partner Violence in 2017. Retrieved from: <http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf>

9 Walters, M.L., Chen J., & Breiding, M.J. (2013). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Findings on Victimization by Sexual Orientation. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

10 Chestnut, S., Jindasurat, C., & Varathan, P., (2013). Lesbian, gay, bisexual, transgender, queer and HIV affected intimate partner violence in 2012.

11 TCFV did not locate any records of transgender victims who were killed by a current or former intimate partner.

12 National Coalition of Anti-Violence Programs (2018). Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Hate and Intimate Partner Violence in 2017. Retrieved from: <https://avp.org/reports/>

13 Brereton, A.I., Serrata, J.V., & Hurtado Alvarado, M.G., (2019). Understanding the needs of underserved communities in Texas, Austin, TX: Texas Council on Family Violence.

14 National Coalition of Anti-Violence Programs, (2020). Supporting LGBTQ Survivors During the COVID-19 Pandemic: How Anti-violence Programs around the United States are Adapting. Retrieved from: <https://avp.org/reports/>

Method of Murder

Four perpetrators used firearms to kill their intimate partners. One perpetrator killed her partner through vehicular assault. Three homicides occurred in the victims' homes, one occurred in a vehicle, and one on a public roadway.

Relationship Status

In four of the homicides from 2020, the relationship between the victims and perpetrators was boyfriend or girlfriend. One relationship was categorized as an ex-boyfriend. In that case, the perpetrator had a known history of violence and the victim's landlord had banned the perpetrator from the complex.

Victim Age

The youngest victim was 25 and the oldest victim was 53. Two victims were between the ages of 20-29, and one victim was between the age of 30-39. Two victims were between the ages of 50-59.

Victim Race & Ethnicity

In 2020, three victims killed by their same-sex intimate partners were White, and two victims were Black.

Perpetrator Outcomes

All five perpetrators were arrested and charged, and one has been sentenced.

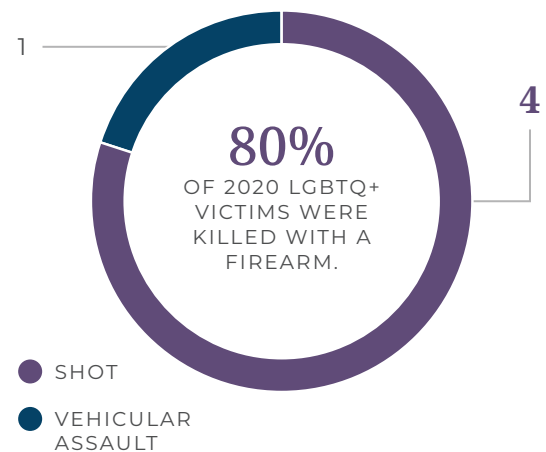
MEN KILLED BY WOMEN

In Texas in 2020, 40 women killed their male intimate partners in 26 counties. This represents a 29% increase in the number of men killed from 2019 and 2018. Since 2018, TCFV has documented 103 men killed by their female intimate partners.

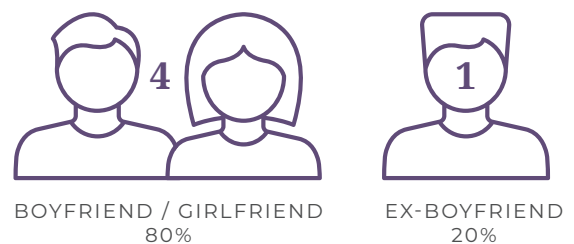
Method of Murder

In 2020, 28 women (70%) used firearms to kill men who were their current or former intimate partners. Seven female perpetrators (17.5%) stabbed and killed their male victims, four women caused their victims' deaths by other means, including physical assault and vehicular assault to kill their partners. The means of death was undetermined in one case.

MEANS OF DEATH FOR LGBTQ+ VICTIMS: 2020



RELATIONSHIP STATUS OF LGBTQ+ VICTIMS: 2020



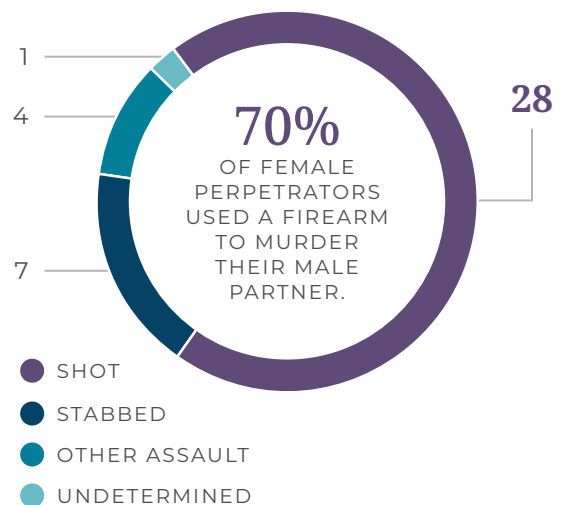
youngest LGBTQ+ victim:

25 years old

oldest LGBTQ+ victim:

53 years old

MEANS OF DEATH FOR MALE VICTIMS: 2020



Victim Relationship to Perpetrator

Husband and wife relationships comprised 47.5% and boyfriend and girlfriend relationships comprised 40% of cases of men killed by female intimate partners. Four women killed their ex-husbands and one woman killed her ex-boyfriend.

Twenty-three men who were victims of intimate partner homicides were fathers, resulting in 37 adult and minor children losing a parent.

Victim Age

The ages of men killed in 2020 range from 22 to 71. In 2020, female perpetrators killed six men between the ages of 20-29, 12 men between the ages of 30-39, six men between the ages of 40-49, seven men between the ages of 50-59, and eight men between the ages of 60-69.

Perpetrator Age

The youngest perpetrator of intimate partner homicide in 2020 was 23 and the oldest was 68. Thirteen female offenders were between the ages of 30-39, representing the most prevalent age group. Eight female offenders between the ages of 40-49 and eight offenders between the ages of 50-59 killed their male intimate partners. One woman's age was not released to TCFV.

Perpetrator Outcomes

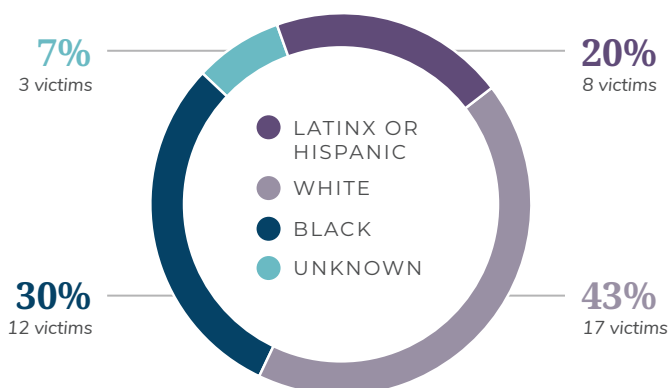
Authorities arrested and charged 39 female perpetrators. One woman killed herself after killing her husband and one female perpetrator was shot and killed by her husband after she shot and injured him and before he died from the injuries.

RELATIONSHIP STATUS OF MALE VICTIMS: 2020

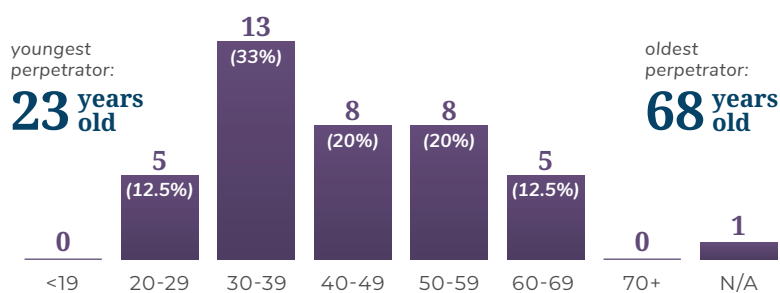


Most men seek help from family, friends, or mental health professionals rather than from family violence service providers or law enforcement; a recent study found men's likelihood of seeking services from family violence agencies increase as they age or if their children witnessed abuse.¹⁵

ETHNICITY OF MALE VICTIMS: 2020



AGE OF FEMALE PERPETRATORS: 2020



¹⁵ Douglas, E. M., Hines, D. A., & McCarthy, S. C., (2012). Men Who sustain female-to-male partner violence: factors associated with where they seek help and how they rate those resources. *Violence and Victims*, 27(6), 871-894. doi: 10.1891/0886-6708.27.6.871

INTIMATE PARTNER RELATED DEATHS NOT INCLUDED IN THE REPORT

TCFV utilizes clear and concise parameters to determine if a case can be included. These parameters are set to ensure that perpetrators suspected, charged, or convicted of intimate partner homicide are included in the report and allow for a comparison of data and trends from year to year. Detailed parameters for inclusion in the *Honoring Texas Victim* report are reviewed in the methodology section.

One critical parameter is the suspected offender must be charged with murder or manslaughter. The report does not include cases when the suspected offender's charges were reduced below murder and manslaughter, as the suspect cannot be identified as killing their partners. TCFV does include cases of murder-suicide, when evidence demonstrates the perpetrator killed the victim, then himself/herself.

In 2020, delays within the criminal legal system resulted in some cases stalling during the investigative process and/or in courts. Additionally, TCFV monitors cases of missing victims with documented histories of intimate partner violence but does not include these cases if the partner has not been formally charged, the victim has not been found, or if the case has not been ruled a murder.

Cases of intimate partner deaths are not included in the *Honoring Texas Victims* report if...

- charges do not include murder or manslaughter
- charges are reduced or dismissed
- the case remains under investigation
- the missing victim has not been found
- deemed accidental death or shooting
- determined to be self-defense or justifiable homicide

2020 VICTIMS NOT INCLUDED IN REPORT¹⁶

Staysha Ruth Lea
SWEENEY, TEXAS

James Faith
DALLAS, TEXAS

Estafany Rojas
PASADENA, TEXAS

Natishia Nicole Grimes
MIDLAND, TEXAS

Ana Martinez
SAN ANTONIO, TEXAS

The year 2020 was not unlike any other year, in that TCFV reviewed and excluded cases involving intimate partners or intimate partner violence that fell outside the research parameters. Examples of cases excluded from this report include Staysha Ruth Lea, who went missing in August 2020, and her remains were eventually located in a densely wooded area in Sweeny, Texas. Her boyfriend, Larry King Jr. and his brother, Matthew King, have been charged with tampering with or fabricating physical evidence, with the intent to impair a human corpse. Larry remains at large. In Dallas, James Faith was shot and killed by Darrin Ruben Lopez. Evidence shows that James' wife, Jennifer Faith, manipulated Lopez to kill James. Jennifer was arrested and charged with obstruction of justice but not charged with murder. Lopez was charged with murder and transporting a firearm in interstate commerce with the intent to commit a felony offense.

In other cases, the suspected offender's charges did not include murder or manslaughter; and at times, murder or manslaughter charges were reduced or dismissed during the investigative or judicial process. In Pasadena, Estafany Rojas was shot by her dating partner, Luis Macias. Macias had a history of violence against Estafany and stated the shooting was an accident. Macias was arrested and charged with aggravated assault. In Midland, Natishia Nicole Grimes died at a hospital after her boyfriend, Tony Green, abused, neglected,

restrained, and starved her at their home. Green locked Natishia in a closet, starved her, and isolated her from her family. Green was originally charged with negligent homicide; the charges were dismissed, and he is currently charged with two third degree felony charges for injury to a child, elderly, or disabled individual with the intent to cause bodily injury. In San Antonio, when Ana Martinez was shot and killed, her boyfriend, Jose Galindo, was arrested and charged with manslaughter. The charges against Galindo were later dropped due to insufficient probable cause. The case is still pending further investigation.

16 This list does not represent all victims identified but not included in the report.

Along with the criminal charges, TCFV considers information from investigations into reports of accidental deaths and shootings, as they can be the result of a struggle or an assault, and suspected offenders can falsely claim accidental shootings. In 2020, two cases of accidental shootings were excluded because the investigation determined that the intent of the behavior related to the shooting was not directed at the intimate partner victim. In both cases, the two young men were recklessly handling a firearm which resulted in the death of their girlfriends.

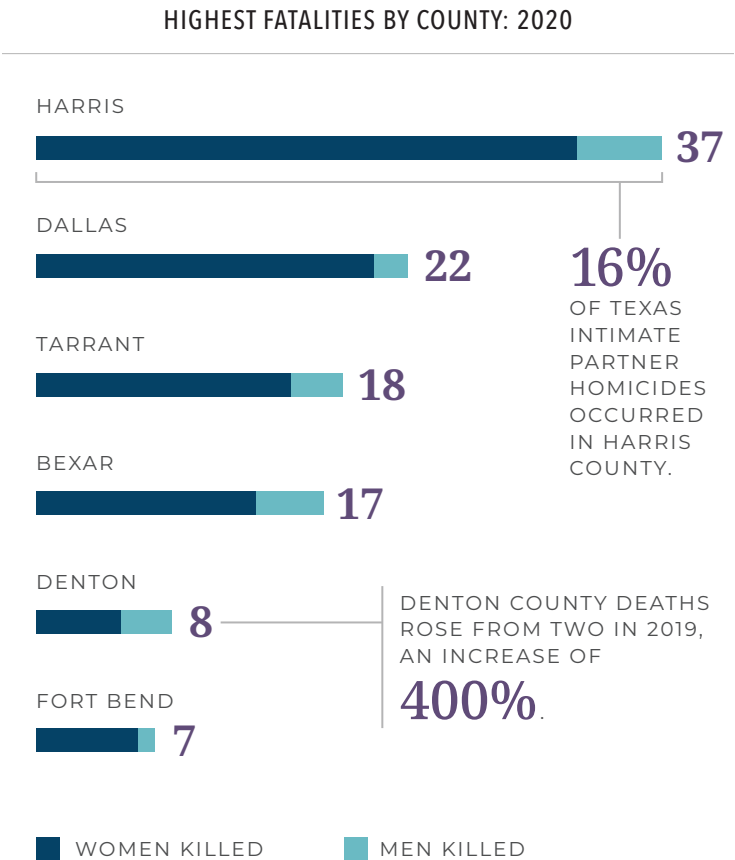
TCFV also tracks cases in which victims of intimate partner violence have been forced to defend themselves or their children. These cases include killing their partner who is often in the process of assaulting or threatening to harm them. In 2020, TCFV identified six cases not included in the report, in which a survivor of intimate partner violence killed their abuser. Five women killed their male partners, and one man killed his female partner. These cases have concluded with charges being dismissed, no billed, or deemed a justifiable homicide. One woman and five men were killed with a firearm and one man was killed with a sharp object. Most cases have documented help-seeking behavior by the victim, including family violence histories of calls for service and outcries to friends and family.

In most cases when victims of intimate partner violence killed their abuser in defense, the victim had engaged in help-seeking behavior, including family violence service calls and outcries to friends and family.

Excluded cases like these have clear connections to intimate partner violence and lethality risk, but due to the research parameters, they are not included in the data presented above or in the narratives. They represent tragically missed opportunities for intervention, support, and screening for lethality indicators. Survivors should not be forced to make impossible decisions about their safety and wellbeing. We hope that their experiences can be considered as communities and service providers continue to serve victims and offenders of family violence.

**INTIMATE PARTNER HOMICIDES
ACROSS TEXAS COMMUNITIES:
COUNTY DATA**

Intimate partner homicides occurred in 68 Texas counties in 2020. The highest number of fatalities are reported in the counties with the largest populations in the state. Thirty-seven fatalities occurred in Harris County, which includes the city of Houston, which represents a six percent increase from 35 homicides in 2019. Twenty-two fatalities occurred in Dallas County, which includes the city of Dallas, a nine percent decrease from 24 deaths in 2019. Eighteen fatalities occurred in Tarrant County, which includes the city of Fort Worth, a 64% increase from 11 deaths in 2019. Seventeen fatalities occurred in Bexar County, which includes the city of San Antonio, a 31% increase from 13 homicides in 2019. Eight fatalities occurred in Denton County, a 400% increase from two deaths in 2019. Seven fatalities occurred in Fort Bend County, a 75% increase from four deaths in 2019.



COUNTY	WOMEN KILLED	MEN KILLED	TOTAL IPV HOMICIDES
ANDERSON	1	1	2
ARANSAS	1	0	1
ATASCOSA	3	1	4
AUSTIN	1	0	1
BELL	2	0	2
BEXAR	13	4	17
BRAZORIA	2	1	3
BRAZOS	2	0	2
BURNET	1	0	1
CALDWELL	1	0	1
CAMERON	3	0	3
CHAMBERS	1	0	1
COLLIN	1	0	1
COMAL	2	0	2
COMANCHE	1	1	2
COOKE	0	1	1
CORYELL	1	0	1
DALLAS	20	2	22
DENTON	5	3	8
EASTLAND	1	0	1
ECTOR	1	0	1
EL PASO	4	2	6
ERATH	1	0	1
FORT BEND	6	1	7
GALVESTON	4	0	4
GRAYSON	2	0	2
GREGG	0	1	1
HALE	1	0	1
HARRIS	32	5	37
HARRISON	0	1	1
HAYS	1	0	1
HENDERSON	3	1	4
HIDALGO	4	1	5
HOPKINS	1	0	1

COUNTY	WOMEN KILLED	MEN KILLED	TOTAL IPV HOMICIDES
HUNT	1	0	1
JEFFERSON	2	2	4
LAMAR	0	1	1
LAMB	1	0	1
LEE	0	1	1
LIBERTY	2	0	2
LIVE OAK	1	0	1
LUBBOCK	3	1	4
MCLENNAN	2	0	2
MEDINA	1	0	1
MIDLAND	3	0	3
MONTGOMERY	2	2	4
NACOGDOCHES	1	0	1
NEWTON	1	0	1
NUECES	4	0	4
PARKER	1	0	1
PECOS	1	0	1
POTTER	1	0	1
RED RIVER	1	0	1
ROBERTSON	1	0	1
RUNNELS	1	0	1
RUSK	1	0	1
SABINE	1	1	2
SMITH	3	2	5
TARRANT	15	3	18
TAYLOR	1	0	1
TOM GREEN	1	1	2
TRAVIS	2	3	5
TRINITY	1	0	1
WALLER	0	1	1
WEBB	4	0	4
WHEELER	1	0	1
WILSON	1	0	1
YOUNG	1	0	1

SECTION II

Impact of COVID-19 on Survivor Safety and Wellbeing

In 2020, the coronavirus pandemic, along with the stay-at-home orders adopted to contain the spread of the virus, had a profound impact on domestic violence victims and survivors across the country. Many were suddenly trapped inside with abusive partners and without the emotional and physical support of community networks, such as workplaces, schools, and other group environments. Routine contact with people outside the home was drastically limited. As a result, domestic violence survivors became even more isolated. As the pandemic lingered, survivors and their abusive partners faced additional compounding stressors stemming from job losses, housing instability, health concerns, and lack of childcare. Isolation and stressors related to the pandemic exacerbated the risk posed by people who abuse their partners and the vulnerabilities of domestic violence survivors and contributed to the highest number of intimate partner homicides recorded by TCFV since the first publication of the *Honoring Texas Victims* report.

Historically, rates of domestic violence rise during and after a widespread crisis, such as a natural disaster. After Hurricane Harvey in 2017, for example, advocates noted a rise in strangulation cases¹⁷ and a spike in intimate partner homicides.¹⁸ One theory, put forward by researcher Andrew Campbell, is that domestic violence offenders are increasingly likely to abuse when victims are at their most vulnerable, and when perpetrator accountability is low, meaning that there is little chance they will be caught or punished.¹⁹ These conditions often exist in the aftermath of a catastrophe as victims are isolated from support systems at the same time community infrastructures, such as police, courts, and social services are strained.

2020 saw the highest number of intimate partner homicides recorded since the first publication of the *Honoring Texas Victims* report.

It is hard to calculate the exact impact of the pandemic on domestic violence perpetration, as some, if not most, abuse goes unreported to authorities.²⁰ The National Commission on COVID-19 and Criminal Justice estimates that domestic violence incidents increased around 8% following the imposition of lockdown orders during the 2020 pandemic, though rates varied by jurisdiction.²¹ In Dallas, for example, researchers found a 12.5% increase in domestic violence incidents in the three weeks after a stay-at-home order went into effect compared to the three weeks before the order took effect.²²

17 Serrata, J. V., & Hurtado, G., (2019). Understanding the impact of hurricane Harvey on family violence survivors in Texas and those who serve them. Austin, TX: Texas Council on Family Violence

18 TCFV, *Honoring Texas Victims* Report, 2018

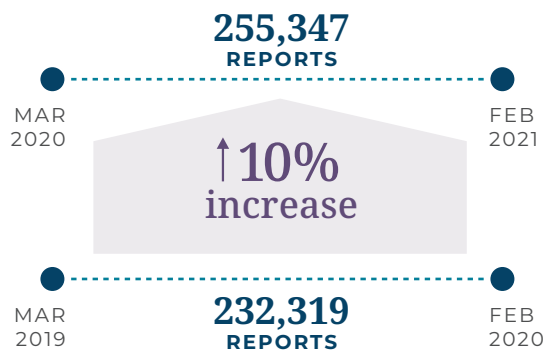
19 Campbell, A. (2021). Improving prevention of family violence during and after disaster; lessons learned from Covid-19 pandemic, Forensic Science International: Reports, available at <https://www.sciencedirect.com/science/article/pii/S2665910721000104>

20 <https://www.ojp.gov/pdffiles1/nij/225722.pdf>

21 <https://build.neoninspire.com/counciloncj/wp-content/uploads/sites/96/2021/07/Press-Release-Domestic-Violence-Report-2.24.2021.pdf>

22 <https://link.springer.com/article/10.1007/s12103-020-09531-7>

DOMESTIC VIOLENCE REPORTS: TEXAS



Overall, Texas saw a 16% increase in victims reporting domestic violence to law enforcement during the first month of stay-at-home orders, and a 10% increase in the full year after the onset of the pandemic compared to the year before. An estimated 232,319 family violence victims contacted the police between March 2019 and February 2020. That number rose to 255,347 between March 2020, when the pandemic started, and February 2021, according to law enforcement incident reports in the Texas Department of Public Safety's Uniform Crime Report. Strikingly, the presence of firearms in these incidents increased by almost 60 percent.²³

In Texas, the coronavirus pandemic appears to have increased both the frequency and severity of domestic abuse experienced by survivors. In one study of Harris County residents impacted by domestic violence, over 50% of respondents reported that the abuse increased during the pandemic.²⁴ Victims reported an average of 16 physical domestic violence incidents in the past year. Nearly 12% said they had been threatened with a firearm by an intimate partner since COVID-19 began. When asked, respondents attributed the rise in domestic violence to job loss, conflict from the stress of stay-at-home orders, and increased substance use.

Challenges with Resources

Victims faced numerous challenges in accessing resources during the pandemic. Some found it difficult to contact domestic violence programs, hotlines, or law enforcement confidentially as lockdowns forced them to remain near their partners. In addition, those seeking help had to consider potential exposure to the virus, deterring some from entering communal shelter environments, finding alternate housing situations, or even calling the police for assistance.

Domestic violence programs across the state adapted to the pandemic. To continue offering essential in-person services, they implemented rigorous safety precautions to protect survivors and employees. Programs also explored new, creative ways of providing services. Many utilized virtual platforms to communicate with survivors, offering chat and text technology to enable participants to communicate privately. Reception of virtual services was mixed, according to the study of Harris County residents impacted by domestic abuse. Some appreciated the flexible scheduling of teleservices. For others, the online offerings were confusing or impersonal. However, programs across the state worked tirelessly to ensure safety and accessibility in services.

Impact on the Courts

The pandemic also interfered with the regular activity of the court system. On average, about 186 jury trials are held in civil and criminal cases every week in Texas. However, jury trials were paused from March 2020 until June 2020, causing a massive backlog. In Bexar County, for example, the number of pending family violence cases rose 55% — from 4,635 to 7,208 during the seven months in 2020. Many courts also went virtual. In the first six months

PENDING FAMILY VIOLENCE CASES: BEXAR COUNTY



²³ Texas Dept. Of Public Safety, Uniform Crime Reports

²⁴ Center for Violence Prevention, The University of Texas Medical Branch, (2021). The Harris County Health and Relationship Study: Brief Report. Retrieved from: https://www.hcdvcc.org/wp-content/uploads/2021/04/HCHR-Study-Brief-Report_March-21-1.pdf

of the pandemic, Texas judges held an estimated 440,000 remote hearings.²⁵ In protective order hearings and other civil cases such as child support, divorce, and custody, remote court proceedings offered survivors a safer way to engage in the process, and advocates have recommended access to virtual hearings in these cases post-pandemic. In other settings, virtual hearings posed unique problems for survivors. In one case in Michigan, a Zoom court hearing went viral after a man accused of assaulting his girlfriend was found to be in the same home as the alleged victim.²⁶ Further, these interactions were often online, or available via YouTube, presenting significant privacy and safety concerns for survivors who may not have been aware or had no other recourse.

Compounding Factors

The coronavirus pandemic intensified several factors associated with domestic violence. It is a common tactic of abusive partners to isolate survivors from their support systems as a form of control. Stay-at-home orders made it even harder for victims to connect with outside help. Survivors also had to contend with their abusers exploiting COVID-19 circumstances to further control their daily activities and intimidate them. Examples include threatening to expose them to the virus, not taking precautions or allowing survivor and their children to take precautions to prevent contracting the disease, interfering with access to testing or treatment, lying about test results, and controlling whether survivors could leave or return to the house or have visitors to the house.²⁷

More than 1.4 million Texans lost their jobs due to the pandemic in March and April 2020. The unemployment rate hit a record high of 12.9%, though it has gone down since. While the stress of job loss is not a cause for violence, it is important to note that it can escalate risk factors of violence for individuals whose partners are abusive. Economic vulnerability and employment instability have been associated with increased domestic abuse perpetration.²⁸ Research has also found that unemployment is an important demographic risk factor for lethal domestic violence,²⁹ which spiked in Texas during the pandemic.

For survivors, the precarious financial climate triggered by the pandemic made it even harder to leave violent relationships. Without job opportunities or reliable childcare, many survivors had to rely on an abusive partner for housing, food, and necessities. For some, however, escalating domestic violence during the pandemic was the final straw that got them to take action. As one survivor reported, COVID-19 was “the breaking point for me to say, ‘We have to get out of this situation.’ It is when I broke from our abuser, and I moved into a domestic violence shelter. I stayed there through quarantine.”³⁰

Vulnerability to domestic violence surged during the COVID-19 pandemic due to...

- increased isolation
- inability to connect with support system or outside help
- abusers exploiting vulnerable circumstances to demonstrate control
- economic instability
- job loss / unemployment
- lack of reliable childcare
- increased dependence on abusive partner

25 Slayton, D., (2020). Office of Court Administration. Jury Trials During the COVID-19 Pandemic: Observations and Recommendations. Retrieved from: <https://www.txcourts.gov/media/1449880/jury-trials-during-covid-19.pdf>

26 Knowles, H., (2021). Washington Post. A Zoom hearing for her domestic violence case went viral. Now people are blaming her, she says. Retrieved from: <https://www.washingtonpost.com/dc-md-va/2021/03/12/mary-lindsey-coby-harris-zoom-hearing/>

27 Battered Women's Justice Project, (2020). Covid-19 Tactics. Retrieved from: <https://www.bwjp.org//news/covid-coercive-control-wheel-combined.pdf>

28 Centers for Disease Control and Prevention. Intimate Partner Violence: Risk and Protective Factors for Perpetration. Retrieved from: <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/riskprotectivefactors.html>

29 Sabri, B., Stockman, J. K., Campbell, J. C., O'Brien, S., Campbell, D., Callwood, G. B., Bertrand, D., Sutton, L. W., & Hart-Hyndman, G., (2014). Factors associated with increased risk for lethal violence in intimate partner relationships among ethnically diverse black women. *Violence and victims*, 29(5), 719–741. Retrieved from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4242409/>

30 Center for Violence Prevention, The University of Texas Medical Branch, (2021). The Harris County Health and Relationship Study: Brief Report. Retrieved from: https://www.hcdvcc.org/wp-content/uploads/2021/04/HCHR-Study-Brief-Report_March-21-1.pdf

SECTION III

Access to Housing for Sustainable Safety

**Leaving ≠ Safety:
39% of victims had
made attempts to or
were planning to end
their relationships.**



67%

OF VICTIMS
WERE KILLED
IN THEIR HOMES.

**In Texas, 90% of survivors
accessing family violence
services will experience
homelessness as a result
of fleeing an abusive
relationship at least once.
Almost half, 45.4%, will
experience homelessness
two or more times and
48% will also experience
additional incidents of
homelessness separate
from the family violence.**

Housing stability was already identified as a critically under met need for Texas survivors, and the economic disruption from the coronavirus pandemic exacerbated housing challenges, and for survivors at risk in their homes, long-term housing options are a vital resource for safety.

In the 87th Legislative Session, 65.3 million dollars were appropriated to fund core services for the 2022-2023 biennium. This funding will be distributed through the Health and Human Services Commission Family Violence Program to Family Violence Centers which collectively serve nearly every county in our state. For the thousands of victims of family violence who seek services every year, these centers represent a safety net of support with services ranging from emergency hotlines to counseling. With the knowledge of a continued capacity crisis in shelter availability, and the impact of the pandemic increasing the risk of violence and decreasing the sense of safety for victims, additional resources were urgently needed. In recognition of this, the 87th Texas Legislature appropriated an additional \$13 million in funding to enhance family violence services and break down barriers to safety with funds targeted to address the capacity crisis, as well as offer legal, mental health, housing, and economic stability services.

Offering a broad spectrum of housing options to survivors fosters increased opportunities to find and maintain safe, stable housing. In Texas, over 90% of survivors have been homeless at least once³¹ and for many, this occurs more than once solely because they are fleeing violence. To support survivor housing stability, TCFV routinely collaborates with family violence centers across the state to utilize both community-based housing options and those offered directly by family violence centers. TCFV promotes awareness and advocacy tools for legal protections at the federal level, such as VAWA's emergency transfer provisions and in our state Property Code, such as lease termination provisions. Combined, these housing resources, education, and advocacy will support thousands of survivors' safe and stable housing in future years.

31 Wood, L., Backes, B.L., McGiffert, M., Wang, A., Thompson, J. & Wasim, A., (2019). Texas State Plan 2018: Availability of Services at Texas Family Violence Programs and Assessment of Unmet Needs of Survivors of Family Violence. Austin, Texas: The University of Texas at Austin Steve Hicks School of Social Work and Texas Council on Family Violence.

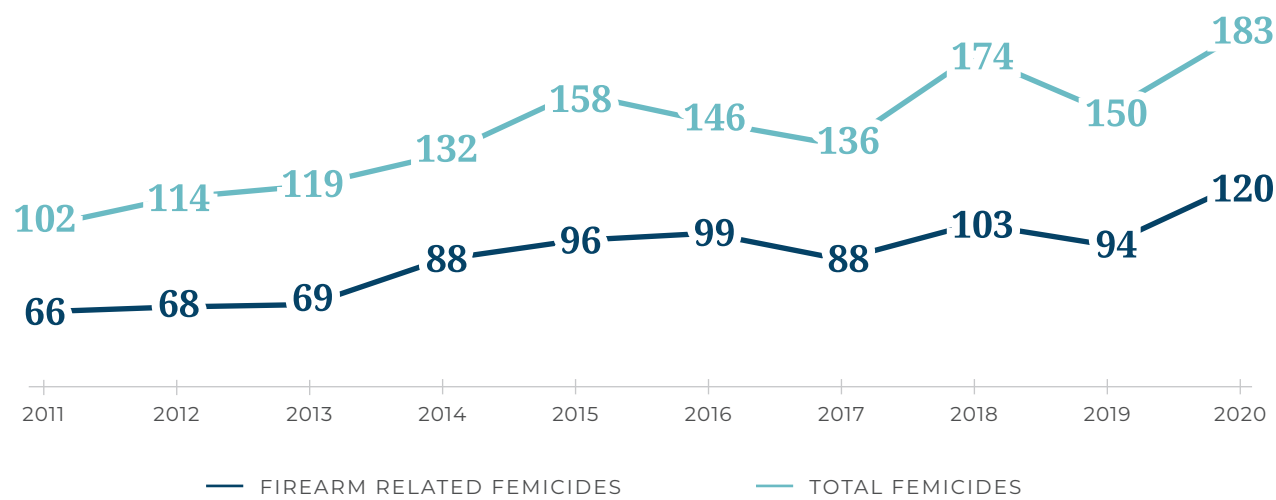
SECTION IV

Firearms and Domestic Violence

Of the 228 intimate partner homicides in Texas in 2020, the majority, 67%, were perpetrated using a firearm. Thirty-two men and 120 women were fatally shot by an intimate partner, a 28% increase from 2019. Firearm-related homicides have increased 76% over the last decade. From 2011 to 2013, the average number of all intimate partner homicides was less than the number of firearms facilitated homicides alone in 2020; this represents a troubling trajectory for Texas.

Twice as many victims were killed by a partner using a firearm than all other weapons combined.

FIREARM RELATED FEMICIDES VS TOTAL FEMICIDES OVER LAST DECADE



Firearms are used by abusive partners in myriad ways: to threaten, intimidate, injure, and in the most extreme cases, to kill their partners. Firearms and domestic abuse are a known deadly combination. Nearly half of all women murdered in the U.S. are killed by a current or former intimate partner using a firearm as the most common weapon of choice.³² Studies have found that people who perpetrate abuse with access to firearms are four times more likely to kill their partners in domestic violence situations than those without access.³³ One victim, Marisela Cadena, a 43-year-old woman, filed for a protective order against her ex-boyfriend, writing that she feared for her life. Two

32 Petrosky E, Blair JM, Betz CJ, Fowler KA, Jack SP, Lyons BH. Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence — United States, 2003–2014. MMWR Morb Mortal Wkly Rep 2017;66:741–746. Retrieved from: https://www.cdc.gov/mmwr/volumes/66/wr/mm6628a1.htm?s_cid=mm6628a1_w

33 Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., Gary, F., Glass, N., McFarlane, J., Sachs, C., Sharps, P., Ulrich, Y., Wilt, S. A., Manganello, J., Xu, X., Schollenberger, J., Frye, V., & Laughon, K. (2003). Risk factors for femicide in abusive relationships: results from a multisite case control study. American journal of public health, 93(7), 1089–1097. Retrieved from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447915/>

The presence of a firearm in domestic violence situations can increase the risk of homicide for women by as much as 500%.³⁴

2020 was a record year for both firearm sales and reports of domestic violence.

Most counties in Texas do not have any process in place for the transfer, storage and return of prohibited firearms.

days later, he ambushed her at the restaurant where she worked in San Antonio, fatally shooting her. He killed himself several days later.

Nationwide, an estimated 53% of female intimate partner homicides are perpetrated with a firearm. In Texas, this number is even higher. In 66% of intimate partner femicides in 2020, the perpetrator used a firearm. Women in Texas were nearly twice as likely to be murdered by a partner with a firearm than by all other means combined.

Firearm-facilitated intimate partner homicides occurred in 53 Texas counties. In Harris County, which had the most intimate partner homicides, perpetrators used firearms in 24 of the 37 intimate partner homicides. In Tarrant County, where intimate partner homicides increased 64% from 2019 to 2020, perpetrators used firearms in 11 of the 18 cases. In 11% of firearm-facilitated intimate partner homicides, perpetrators killed more than one person, most often a child or a bystander.

Domestic Violence and Firearms: A Proven Lethal Mix

Several unique factors played a role in the rise of firearm-facilitated intimate partner homicides in 2020. As the coronavirus pandemic swept the country, forcing people to stay at home and wreaking havoc on individuals, families, and communities, firearm violence spiked nationally. According to data from the Gun Violence Archive, nearly 20,000 Americans died from gun violence in 2020, more than any other year in at least two decades.³⁵ Homicide rates increased nearly 30% across 34 U.S. cities in 2020 from the previous year, according to a study conducted for the Council on Criminal Justice.³⁶ Furthering this is our knowledge that 2020 was a record year for firearm sales. The FBI processed almost 39.7 million firearm background checks through the National Instant Criminal Background Check System (NICS), the highest total since the FBI began reporting the data in 1998.³⁷ In Texas alone, the FBI conducted more than 2.3 million background checks, setting a new annual record and surpassing every state except Illinois and Kentucky.

At the same time Texans stocked up on firearms, many of them for the first time, domestic violence victims reported higher rates of abuse. In the year after the onset of the pandemic, law enforcement recorded a nearly 10 percent increase in victims reaching out for help compared to the year before. Notably, law enforcement reported a dramatic 60% increase in the presence of firearms in family violence calls, a known risk factor for lethality.³⁸

34 Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., Gary, F., Glass, N., McFarlane, J., Sachs, C., Sharps, P., Ulrich, Y., Wilt, S. A., Manganello, J., Xu, X., Schollenberger, J., Frye, V., & Laughon, K. (2003). Risk factors for femicide in abusive relationships: results from a multisite case control study. *American journal of public health*, 93(7), 1089–1097. Retrieved from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447915/>

35 <https://www.washingtonpost.com/nation/2021/03/23/2020-shootings/>

36 <https://www.cbsnews.com/news/perfect-storm-drove-historic-surge-in-2020-homicides-report-says/>

37 <https://www.kgw.com/article/news/local/the-story/fbi-conducted-record-number-of-firearm-background-checks-in-2020/283-e0a7630f-aab3-4ce6-9d05-6c217fed1a05#:~:text=Last%20year%2C%20the%20FBI%20processed,of%2027.5%20million%20in%202016.>

38 Texas Department of Public Safety. Crime in Texas Online, Family Violence Summary Reports. Retrieved from: <https://txucr.nibrs.com/Report/FamilyViolence>

Fatal Gaps in Domestic Violence and Implementation of Firearms Laws

Texas state and federal laws prohibit convicted domestic violence offenders, as well as respondents in protective orders, from possessing firearms. In practice, however, these laws are rarely enforced. Most of the state's 254 counties do not have any process in place for the transfer, storage, and return of firearms for those who are temporarily prohibited from possessing them.³⁹

Without firearm transfer protocols in place and adequate criminal database information, authorities often have no means of disarming offenders, leaving many survivors, as well as law enforcement officers and the surrounding community, at a higher risk for fatalities. Take the case of Marisol Martinez, 33, who had a protective order against her ex-husband Sacramento Martinez, 32, at the time of her death. The court's issuance of the protective order precluded him from possessing a firearm under Texas law. Still, Martinez was armed when he fatally shot Marisol in August 2020. Afterward, he fled to a truck stop where he shot and killed a bystander, Daniel Sieger, 45, while stealing his 18-wheeler.

To ensure that people who are prohibited from possessing firearms relinquish them in a timely fashion at the time of highest risk, firearm transfer protocols must be in place in every court with jurisdiction over cases involving domestic violence and the local criminal system. Funding and resources, including guidance and tools, are necessary to implement protocols across the state. This requires the will and support of state leaders, local elected officials, law enforcement, courts, and community members.

Funding, resources, and support from leaders are necessary to implement firearm transfer protocols across the state.

Other areas of opportunity include accurate reporting of domestic violence convictions to ensure background check systems can identify all individuals who are prohibited from possessing or purchasing firearms and closure of loopholes to these checks such as at gun shows.

In June 2020, Maurice Smith, 28, tried to buy a firearm but was denied due to a background check. Smith then attended a gun show with a friend who purchased a gun and later sold it to Smith. Texas does not require private sellers who are not licensed dealers to initiate a background check when transferring a firearm. The following day, Smith used the gun to kill his girlfriend Darionne Cherelle Burley, 26. He then threatened another woman at gunpoint and stole her car. Darionne was pregnant with twins at the time of her murder.

39 <https://www.khou.com/article/news/deep-dive-texas/texas-law-prohibits-domestic-abusers-protective-orders-having-guns/285-d976056e-c25c-43ea-8856-b65cb69b7438>

SECTION V

Access to Safety & Justice: Racial Equity

Domestic violence is a public health crisis that disproportionately impacts female survivors of color. Yet, racial equity and/or intersectionality are topics infrequently discussed among domestic violence policy leaders, law enforcement, and direct service agencies. As a result, Black, Indigenous, and People of Color (BIPOC) survivors are often left underserved without access to the services they need to heal after experiencing abuse. Statewide homicide statistics corroborate the presupposition that, in some cases, the lack of culturally specific services in a jurisdiction can be directly correlated to the increased likelihood that BIPOC survivors may be revictimized or worse, killed by their abusers.

For decades, the criminal legal system has played a critical role in facilitating the recovery of many, but not all, victims of domestic violence, as some victims indicate the criminal legal system provided little to no assistance in addressing their victimization.⁴⁰ BIPOC survivors, especially Black women, do not often report domestic violence due to an inherent distrust of law enforcement and the remnants of racial discrimination present within the infrastructure of the systems designed to support crime victims. Sadly, the overrepresentation of Black women as victims in the 2020 *Honoring Texas Victims* report proves this theory to be a tragic reality once again.

To remedy this issue, system and community-based providers must first acknowledge that the intersection of race and gender bias causes women of color to be at a higher risk of revictimization and/or homicide. Next, domestic violence advocates must be willing to reflect on and expand their victim service paradigm to embrace the tenets of diversity and inclusion. Offering a more robust menu of culturally relevant services will allow victim service providers to increase their outreach efforts in BIPOC communities, facilitating survivors' access to the critical resources they need to safely escape the cycle of violence. Through innovative practices and progressive methodologies, criminal legal and social service practitioners must collaborate to show survivors of color that they are worthy of care and love and that their murders deserve outrage. Notably, until agencies and practitioners make this shift, BIPOC survivors will continue to experience more risk and vulnerabilities to domestic violence than their white counterparts.

Engaging underserved communities in the planning, implementation, and evaluation of programs is critical to the development of successful, culturally responsive services.⁴¹

40 Alliance for Safety and Justice. *Crime Survivors Speak: The First-Ever National Survey of Victim's Views on Safety and Justice*. Retrieved from: <https://allianceforsafetyandjustice.org/wp-content/uploads/2019/04/Crime-Survivors-Speak-Report-1.pdf>

41 Brereton, A.I., Serrata, J.V., & Hurtado Alvarado, M.G. (2019). *Understanding the needs of underserved communities in Texas*. Austin, TX: Texas Council on Family Violence.

Examining the Intersections of Racial Justice and BIPOC Survivor Safety & Support

Against the national backdrop of high-profile incidents of police violence against Black Americans and disparate impacts of COVID-19 on Black, Indigenous, and People of Color (BIPOC), it is necessary to examine the intersectional and compounding impact

intimate partner violence has on victims and communities of color—in particular, Black Texans. In 2020, this report indicated that even though Black and African American females represented only 13% of the general Texas population, they represented 25% of Texans killed by their intimate partners. Of the 228 Texans killed by their intimate partners in 2020, at least 126 were BIPOC,⁴² continuing the pattern of disproportionate impacts on BIPOC communities.

Because survivor safety is intertwined with systems response, it is not surprising that institutionalized racism within these systems also impacts survivor safety. As stated in the section above, many communities of color are apprehensive to get law enforcement involved and do not necessarily feel safer when law enforcement responds to their calls. This is especially true during a year where police brutality against Black Americans has been a part of the national and statewide conversation. In TCFV's report, "Understanding the Needs of Underserved Communities in Texas," African American, Latinx, and Asian-Pacific Islander stakeholder groups reported their fear of experiencing racial violence, questions regarding immigration status, deportation, and victim blaming by law enforcement.⁴³

The Texas State Plan found that women of color had greater hesitation in contacting law enforcement and more negative interactions if they responded.⁴⁴ In most of the homicide cases reported here, there is limited known historical involvement by law enforcement indicating that victims were not involving law enforcement. When law enforcement was involved, it often occurred on the day of or within weeks of the homicide, consistent with data that shows communities of color are more likely to report incidents of domestic violence to law enforcement when the violence has significantly escalated in severity.⁴⁵

“ [...] I was met with a lot of skepticism. You know, like I'm just playing the victim, or something like that. Because as a minority in America, like, I'm not calling the police unless that's my last recourse. Like, you know, I'm just not. So, for you to come and pretend what I'm telling you is a lie, or I'm wasting your time and I'm already on edge—not cool. ”

– SURVIVOR QUOTE FROM 2019 TEXAS STATE PLAN

BIPOC survivors' lack of trust in law enforcement and the criminal legal system is founded. A 2020 Texas A&M study found that white police officers use force more often than non-white colleagues, especially in majority-Black neighborhoods.⁴⁶ BIPOC communities, especially Black communities, are also disproportionately incarcerated compared to their white counterparts. These lived experiences may lead some BIPOC survivors not to call for help because they do not want their partners incarcerated or harmed by law enforcement. The Empowered Survivor

42 TCFV was unable to identify race and ethnicity in 24 cases.

43 Brereton, A.I., Serrata, J.V., & Hurtado Alvarado, M.G. (2019). Understanding the needs of underserved communities in Texas, Austin, TX: Texas Council on Family Violence.^[2]

44 Cantrell, A., Schroeder, E., & Voyles, M. (2019). Creating A Safer Texas Access to Safety, Justice, & Opportunity. Texas Council on Family Violence

45 Lipsky, S., Caetano, R., & Roy-Byrne, P. (2009). Racial and ethnic disparities in police-reported intimate partner violence and risk of hospitalization among women. *Women's Health Issues*, 19(2), 109-118. DOI:10.1016/j.whi.2008.09.005

46 Hoekstra, M. & Sloan, C., (2020). Does Race matter for Police Use of Force? Evidence from 911 Calls. National Bureau of Economic Research, Working Paper 26774. DOI: 10.3386/w26774

Project in Harris County noted an additional disparity in the rate at which homicide cases are solved: “Black women are three times more likely to be killed than white women, yet homicide clearance rates are far lower for Black women.”⁴⁷ As a result, not only are Black women murdered at higher rates, but those murders are remaining unsolved or unresolved more often than the same crimes committed against white women.

A survivor’s apprehension to seek help extends to family violence service providers as well. While some apprehension may be a cultural stigma or the notion that their experience is a private family matter, some BIPOC survivors fear that working with family violence service providers may prompt involvement with other organizations and systems. For example, immigrant survivors in the 2019 Texas State Plan shared their fear of family violence service providers being connected to immigration enforcement and the possibility of additional risk for deportation.⁴⁸ BIPOC families may also worry that engaging with these agencies may eventually mean engaging with systems like Child Protective Services. Communities impacted by historical oppression also had limited access to services for domestic violence.⁴⁹ BIPOC survivors may not know to connect or may not feel comfortable connecting with programs if they do not see material in their language or that is reflective of their culture.

Racial Microaggressions in the Workplace: Connections to Service Environment & Survivor Experiences

Within family violence service providers, there are at times additional hurdles that BIPOC survivors may face when seeking help or accessing services. There may not be advocates at family violence service providers who look like them, and those who do are frequently experiencing additional stressors based on their experiences as BIPOC advocates.

In 2020, TCFV conducted a statewide survey of BIPOC advocates in member programs to identify racial microaggressions in the workplace. The report found that 42.5% of BIPOC advocates personally experienced microaggressions in their agencies and 37% witnessed client experiences.⁵⁰ Further, family violence service providers and their leadership may not fully commit to working at the intersections between racial justice and intimate partner violence. The BIPOC report indicates BIPOC advocates (and some clients) experience othering of BIPOC cultures, values, or communication styles, unequal treatment due to race, racial stereotypes, denial of microaggression experiences, colorblindness/defensiveness, lack of BIPOC in leadership roles, and an assumption or association of BIPOC to criminality.⁵¹

A commitment to self and organizational reflection and growth contributes to the accessibility and inclusivity of domestic violence services and fosters environments and partnerships that support survivors who are most vulnerable.

“ Even though I’m not entirely safe from discrimination and violence myself, I have privilege. A privilege that would be useless if it weren’t used to help my clients stay safe and feel heard or seen and cared for by someone who knows what it’s like to code switch, to be distrusting of police or (doctors) or really any white person who looks old enough to call you a slur. ”

– BIPOC ADVOCATE

47 Empowered Survivor, Inc. (2020). The Empowered Survivor Project: How COVID-19 Impacted Black Survivors and The Lessons It Taught Us, a report on a project managed by Empowered Survivor, Inc., and funded by the Texas Council on Family Violence.

48 Cantrell, A., Schroeder, E., & Voyles, M. (2019). Creating A Safer Texas Access to Safety, Justice, & Opportunity. Texas Council on Family Violence

49 Brereton, A.I., Serrata, J.V., & Hurtado Alvarado, M.G. (2019). Understanding the needs of underserved communities in Texas, Austin, TX: Texas Council on Family Violence.

50 Moreno, J., Jenkins, E. D. (2020). Racial Microaggressions in the workplace: a summary report of BIPOC advocate experiences in the field. Texas Council on Family Violence.

51 Id.

While the impact of microaggressions on BIPOC clients was not fully explored in the BIPOC survey, when microaggressions continue to go unchecked, they can become normalized individual and organizational behaviors. The result often leads to unconscious bias similar to that experienced in other systems, negatively impacting BIPOC survivors. One respondent indicated that front desk staff treated clients of another race differently, and another reported that white colleagues made “small jokes” about clients of color.⁵² Naturally, these kinds of behaviors can impact a survivors’ sense of safety or comfort when seeking help in domestic violence programs.

There are many things family violence service providers can do to address and interrupt microaggressions in the field and better support survivors of color. Because BIPOC visibility is important for survivors, family violence service providers should recruit, hire, support, and retain diverse staff and ensure that organizational training and policies reflect the value of inclusivity and visibility of BIPOC staff.⁵³ It is important for organizational leadership to reflect the communities it serves and include BIPOC leaders to help make important organizational decisions. Advocates surveyed also call for ongoing dialogue and frequent training on racial equity, bias, and privilege in their work environments as well as in service delivery.

Given the historic and continued trauma experienced by communities of color, it is also important that family violence service providers create space to heal from racial microaggressions. Part of this healing often requires naming microaggressions as they arise, especially when they influence the larger organizational climate. When working with BIPOC clients, family violence service providers can validate BIPOC experiences and fears about engaging in systems and help BIPOC clients navigate these systems when the client chooses.

Advocates must also work to bring other systems along with our partnerships. Family violence service agencies working within coordinated community response teams and who provide important domestic violence training to professionals in other systems have an opportunity to center intersectional stories and incorporate a racial justice lens.

As Texas communities and advocates continue the quest to provide restorative justice to survivors of domestic violence, with the ultimate goal of saving lives and preserving families, Texas and all service providers must continue to explore complex questions in our field, including:

What factors contribute to higher lethality statistics for BIPOC victims, Black victims in particularly, Compared to non-BIPOC victims?

What role do community and systems response play in this dynamic?

What can family violence service providers and advocates do to help mitigate these dynamics and impacts on BIPOC victims/survivors?

How are family violence service providers advocating for the needs of survivors to access culturally relevant services and building relationships with culturally specific service providers?

What kind of help and support do BIPOC survivors want? What are service providers offering within their own organizations?

Service providers can support survivors of color by...

- recruiting, hiring, and retaining diverse staff
- ensuring that training and policies reflect inclusivity
- including BIPOC leaders in organizational decisions
- providing ongoing dialogue and frequent training on racial equity, bias, and privilege
- addressing microaggressions as they arise
- validating BIPOC experiences and fears

52 Moreno, J., Jenkins, E. D. (2020). Racial Microaggressions in the workplace: a summary report of BIPOC advocate experiences in the field. Texas Council on Family Violence.

53 Wood, L., Wachter, K., Wang, A., Kammer-Kerwick, M., Busch-Armendariz, N. (2017). VOICE: Victim Services Occupation, Information, and Compensation Experiences Survey.

The loss of life is the catalyst of change. As Texans mourn the loss of each victim recognized in this report, their murders must serve as the catalyst for systems change in order to develop victim service responses that: 1) acknowledge the unique pain and trauma BIPOC victims experience as a consequence of both structural racism and sexism in society and 2) provide a blueprint for stakeholders to develop inclusive preventive programming and multidisciplinary responses that mitigate the risk of harm caused by domestic violence, especially in historically oppressed communities.

SECTION VI

The Connection Between Strangulation Lethality and Survivors Who Kill Their Abusive Partners

Every year, many of the murders included in this report follow years of abuse, violence, and multiple reports to law enforcement by the victim. The nuanced and complex dynamics surrounding domestic and gender-based violence creates a challenge for a criminal legal system designed to address specific incidents rather than view those acts in the context of a long history or pattern of abuse. As a result, the criminal legal system often fails to protect many survivors and their children from harm. Offenders are put on bond, violate orders, and manipulate the victim as well as the system itself.

Coupled with the abusive partners' efforts to minimize their own responsibility or blame the victim for the abuse, survivors can easily lose faith in the system's ability to keep them safe. As reflected in many of the murders in this report, leaving an abusive relationship is dangerous and can cost the victim's life, the lives of their children, family, and pets. With no other guarantee of safety, many survivors will remain in the relationship, learn to manage their own safety, and take measures to protect themselves without the system. An advocate responding to a homicide case included in the narratives of this report stated, "She trusted his ability to kill her more than she trusted the system's ability to keep her safe."

**Research has shown
that 43% of women
killed by an intimate
partner were murdered
within a year of a
non-fatal strangulation.**

Strangulation as a Key Lethality Indicator

When abusive partners employ strangulation as a method to assault their partner, the offender is now seven times more likely to kill this victim.⁵⁴ When reported, the system should be on notice that abuse is escalating and the potential for murder in the following year is significant. If their history includes multiple strangulations, which is the case in many of the homicides this year, the likelihood is even higher.⁵⁵

54 Glass, N., Laughon, K., Campbell, J., Wolf Chair, A. D., Block, C. R., Hanson, G., . . . Taliaferro, E. (2008). Non-fatal strangulation is an important risk factor for homicide of women. *Journal of Emergency Medicine*, 35(3), 329-335.

55 Messing, J.T., Patch, M., Sullivan Wilson, J., Kelen, G.D., & Campbell, J. (2018). Differentiating among attempted, completed, and multiple nonfatal strangulation in women experiencing intimate partner violence. *Women's Health Issues*, 28(1), 104-111.

Despite the increased risk, Texas law enforcement agencies struggle to properly identify, investigate, or prosecute these predictive cases. Most strangulation assaults, although potentially lethal, often lack obvious signs of external injury, like a bruising to the neck. Without specialized training to better identify these cases or the use of a standardized strangulation supplement to develop additional evidence, many cases get missed entirely or fail to end in a conviction. Many cases included in this year's report include women who were killed by abusers that had recently strangled them and in many cases had strangled previous partners. The imminence of the danger after non-fatal strangulation is significant, and the threat to their life is real.

The lack of accountability a strangulation offender faces after a report combined with the risk the survivor may face as a result of cooperation discourages survivors from reporting in the future. Moreover, because most victims who are strangled believe they are going to die, they often fight back to save their own life.⁵⁶ The superficial injuries on the abusive partner can misguide officers to believe that the victim is the true aggressor. In many cases, victims who are strangled are arrested and charged as the offender.

Over time, some victims will learn that their engagement with the criminal legal system has not improved their safety and has come with agonizing consequences such as a criminal conviction, losing custody of their children, or otherwise being punished as a result of calling the police for help. In a focus group of domestic violence survivors who had been convicted for using violence against their abuser, 75% specifically stated that they would not call the police again in the future, even when they needed help for themselves because of their experience. Most stated that they did not consider the criminal legal system a resource to help keep them safe.⁵⁷

Many victims report that they believed they were going to die during a strangulation assault and as a matter of survival, will scratch or bite the abuser so that they can breathe. Although superficial, the injuries on the abuser and the lack of obvious injuries on the victim are often misunderstood by officers who may determine that the victim should be arrested.⁵⁸

Strangulation victims who have suffered these personal and terrifying attacks often quickly determine they cannot rely on the criminal legal system to protect them against the escalating violence. In some cases, victims will kill their batterer and face re-entering the criminal legal system as a victim-defendant. In many of these cases, the death of the abusive partner is seen as a specific incident of physical violence and identified as an illegal act rather than in response to an on going pattern of abuse.

The rate of women's incarceration outpaces the rate for men.⁵⁹

Women's Use of Force in Context

The number of women getting arrested, convicted, and sentenced has increased dramatically during the last three decades and the rate of women's incarceration continues to outpace the rate for men.⁵⁹ When women use violence against their batterer, the system

Most strangulation assaults lack obvious signs of external injury.

In many cases, victims who are strangled are arrested and charged as the offender.

56 White, C., (2021) Sexual assault and strangulation cases: I thought he was going to kill me, Journal of Forensic and Legal Medicine. AND Brady, P. PhD, (2021). Forfeiting Control: Enhancing the Admissibility of Victim Statements to the Police When Survivors of Nonfatal Strangulation Are Unavailable to Testify.

57 Scaia, M., (2017), National Clearinghouse for the Defense of Battered Women. "In Their Own Words: Victims of Battering Talk About Being Arrested and Convicted. Retrieved from: <https://www.ncdbw.org/in-their-own-words>

58 McKay, K., (2014). "A Closer Look at Strangulation Cases." The Texas Prosecutor.

59 The Sentencing Project, Fact Sheet: Incarcerated Women and Girls (2015)

misunderstands the significance of history, context, and gender. A survivor's criminal liability is considered through a lens that focuses on incidents rather than patterns of coercive control and does not account for inadequacies in evidence collection. Without understanding or consideration of the complex dynamics that surround domestic violence,

these cases often fall outside the bounds of Texas self-defense law, and women are convicted of crimes that may be justified.

“The incident-driven criminal (legal) system was never designed with the patterned nature of battering in mind.”⁶⁰

The law requires that the force a victim uses must be “immediately necessary to protect” them from the abuser.⁶¹ However, most women who are abused have learned that it is not likely that they could win a physical fight against their batterer and might strategically time the killing when the batterer is vulnerable (while the batterer is asleep, or while their back is turned). Feeling hopeless in the face of no protection by the system, a strangulation victim

may arm themselves as they attempt to escape and if confronted by the batterer, they may shoot them out of fear of what may happen next. The law may see the threat in those cases as not being immediate, as required under self-defense law. As demonstrated in the case narratives that accompany this report, abusive partners often escalate to lethal violence following attempts to escape or end the relationship, and a confrontation with an abusive partner after such an attempt may be perceived as an immediate threat to anyone keenly familiar with their violence and abuse.

Especially for a victim who has experienced strangulation, officers who are not trained to collect strangulation evidence thoroughly may not understand that even without obvious injury, the victim had deadly force used against them. Because a victim who kills her abuser will likely use a firearm, knife, or a type of violence that results in obvious trauma, officers may not consider her reaction by deadly force justified.

Unless the officer, prosecutor, or defense attorney handling these cases has domestic violence-informed training, many victim-defendants who use violence against their abusive partners are convicted and given significant prison time. Multiple studies indicate that between 71% and 95% of incarcerated women have experienced physical violence from an intimate partner.⁶² Additionally, women who kill their intimate partners receive lengthier sentences than men receive for killing female partners. On average, men who kill their female partners are sentenced to two to six years, while women who kill their male partners are sentenced to an average of 15 years.⁶³

Moreover, when the criminal legal system is an inconsistent or unreliable source of safety for victims, they are placed in a precarious position to protect and manage the safety of their families outside of the system. The complexity and nuances of victims using violence surround these cases with confusion, particularly when there is a long history of abuse or lesser-known forms of abuse like strangulation or coercive control.

Between 71% and 95% of incarcerated women have experienced physical violence from an intimate partner.⁶²

Without a system-wide change that applies a new lens to the reality of a domestic violence victim's experience and their survival strategies, survivors will continue to be arrested, incarcerated, and be lost in the system designed to protect them. Roll call training and investigation tools are available to support effective response to strangulation to reduce the lethal risk these acts of violence pose to both survivors and their abusive partners.

60 Osthoff, S. and Sadusky, J. (2014). National Clearinghouse for The Defense of Battered Women. A Toolkit for Systems Advocacy on Behalf of Victims of Battering Charged with Crimes. Retrieved from: <https://drive.google.com/file/d/0BxgnKCMmnzJLazY0Z2NWd2stcUk/view?resourcekey=0--e3T2k1wbleg5NryQeox8g>

61 Texas Penal Code Sec 9.31 (a)

62 Dichter & Osthoff, Women's Experiences of Abuse.

63 ACLU. The Link Between Incarceration and Violence. Retrieved from: <https://www.aclu.org/other/words-prison-did-you-know?redirect=words-prison-did-you-know#l>

Honoring Texas Victims Report Methodology

History

TCFV has recorded, honored, and published the names of women killed by their intimate partners each year for over 42 years. For the last twelve years, TCFV has published *Honoring Texas Victims: Family Violence Fatalities* focused on the stories of women killed by their male intimate partners in Texas and offering data analysis on the nature of the femicides as they occurred in the previous year. In 2018, TCFV expanded the scope to include family violence cases where women killed male intimate partners, and where men and women were killed by a same-sex intimate partner.

Parameters for Including a Case

The 2020 Report includes intimate partner violence homicides during the period of January 1, 2020, to December 31, 2020, for cases in which the perpetrators have been charged with murder or manslaughter, or ruled as a murder-suicide by the September 30, 2021, publication date. Cases are included if the homicide victim and perpetrator were previously or currently in an intimate relationship of any length. In addition, cases are included when the victim was killed by a person who stalked or actively pursued a relationship, even if the victim did not consent to the relationship.

Research Process

TCFV conducts key steps to determine which cases meet the parameters. TCFV follows the outlined steps for each case:

- Review the Texas Department of Public Safety's Supplemental Homicide Report of the Uniform Crime Report
- Monitor press media and social media in all 254 Texas counties
- Review law enforcement and County and District Attorneys' communication releases
- Research homicide cases with local and state partners
- Confirm the accuracy of information through law enforcement, County and District Attorneys, the Department of Public Safety, victim advocates, and family violence service providers
- Partner with an attorney with family violence expertise to conduct a legal review of the cases

TCFV acknowledges that some homicides related to family violence go unmentioned in this report. Sadly, each year, family members, particularly children, become homicide victims when perpetrators target their current or former intimate partner. Equally devastating, each year perpetrators kill bystanders. When the intimate partner violence victim survives the attack, this report does not include the children, bystanders, or related homicide victims in the data. Additionally, cases are excluded if criminal charges were not brought against the perpetrator or were dismissed before publication.

Researchers, advocates, and the public use the terms "family violence," "domestic violence," and "intimate partner violence" somewhat interchangeably. This report focuses on 'intimate partner homicides' and 'intimate partner homicide-suicides' and uses the terminology "domestic violence" and "family violence" because they are used more broadly in criminal legal and advocacy services. The State of Texas uses the term "family violence" in criminal legal settings as well as in other statutory frameworks, which is why this report often uses that term to describe the violence that occurs not only between dating or intimate partners but also members of the same household. When referring to people accused of crimes, TCFV uses the terms perpetrator, suspected offender, and offender and when referring to people who harm their partners, TCFV uses the terms "abusive partners" most frequently. When incorporating contributions from external authors, TCFV may allow for additional terminology outside of these terms.

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About TCFV

Texas Council on Family Violence is the only state-wide nonprofit in Texas dedicated solely to creating safer communities and freedom from family violence. With the collective strength of more than 1,300 members, TCFV shapes public policy, equips service providers, and initiates strategic prevention efforts with statewide reach and direct local impact. Since 1978, TCFV has been regarded as the statewide expert, think tank, and training entity for domestic violence programs and intersecting systems, including civil and criminal justice, child support and welfare, economic and workforce organizations, healthcare, and the public.

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TEXAS COUNCIL ON FAMILY VIOLENCE PROMOTES SAFE AND
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OPPORTUNITIES FOR FREEDOM FROM DOMESTIC VIOLENCE.



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