

For Immediate Release

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Parents of slain Stanwood teen will contribute \$100,000 for domestic violence prevention and medical relief following \$1.75 million settlement with Snohomish County

Seattle—Melody Hafner-Cottrell, the mother of a Stanwood teen who was killed by her ex-boyfriend, today announced an \$80,000 gift to the Washington State Coalition Against Domestic Violence (WSCADV) and a \$20,000 donation to Waterfund International in Kirkland. The donations will come from proceeds of a civil lawsuit she and her ex-husband settled with Snohomish County. The settlement was finalized on October 14, 2008.

Snohomish County agreed to pay \$1.75 million to the parents of Dayna Fure just weeks before the trial of the lawsuit. The suit claimed that Stanwood police increased the danger to Fure and failed to protect her despite repeated warnings to police that her ex-boyfriend was upset about her break-up with him, threatened her life, and stalked her with a gun. The lawsuit—filed against Snohomish County, the City of Stanwood and three police officers—also claimed that police downplayed the importance of domestic violence against women.

“Our goal for funding the Coalition is simply this...not to invest, but to reinvest in as many lives as possible. We want to help create something significant, a direct result of our experience and loss,” said Hafner-Cottrell.

“We are pleased with the resolution of the case. We also believe new policy changes in Snohomish County Sheriff’s Office will protect women in the county and ensure that police will recognize and respond to domestic violence when they are called,” said Andrea Brenneke, attorney for Fure’s mother.

Background on the case

On May 24, 2004, Fure was just 18 when she was murdered by her ex-boyfriend, 23-year-old Mario Valentin.

Fure’s murder came just two months after she broke up with Valentin, whom she dated for two years. After Fure broke up with him, Valentin engaged in classic “separation” domestic violence, in a desperate effort to regain control over Fure.

The lawsuit alleged that the Snohomish County Sheriff’s Department and Stanwood police officers did not take reasonable or legally mandated steps to protect Fure and affirmatively acted in ways that harmed her.

The suit hinged on incidents that occurred on May 13, 2004. That day Valentin drove from Seattle and located Fure at a Stanwood nail salon, where he intimidated and coerced her, expressed how upset he was about the break up, showed her a gun, and threatened to kill himself in her car if she would not take him back. Fure and her friend attempted to calm him down until Fure got away and drove to the assisted living facility where she worked. Fure’s friend reported Valentin’s behavior and his gun to the Stanwood police.

Shortly thereafter, Valentin followed Fure to her work. Fure called 911. Sgt. William Bachand responded. He took written statements from Fure and her friend, but downplayed the danger to Fure, saying “don’t worry, honey, I’ve seen this thing a hundred times, the guys, they never do anything, they’re all talk, there’s no action . . .” Sgt. Bachand then made contact with Valentin on his cell phone and notified him that “friends” had reported his behavior to the police. Sgt. Bachand learned that Valentin had supposedly

disposed of his gun and was headed back to Seattle, but failed to attempt to locate Valentin or the gun or hold him accountable in any way.

Hours later, Valentin returned, still armed. He entered Fure's car and remained in it without permission. An employee called 911. The police responded and engaged in an armed standoff with Valentin. During the standoff, Valentin repeatedly requested contact with Fure. Officer Gary Chaney led Valentin to believe that he would be able to talk to Fure. Officer Chaney asked Fure and her supervisor whether there was any chance that the couple could get back together or whether Fure would give Valentin a second chance. She said no and that she didn't want any contact with him. According to the lawsuit and witnesses, after Valentin surrendered, Officer Chaney pressured Fure to speak in person with Valentin against her will. During their interaction, Valentin verbally threatened to get Fure; she shrieked, collapsed, and immediately reported the threat to Officer Chaney. Officer Chaney notified Valentin of Fure's report, but did not arrest Valentin, who denied threatening her. Nor did Officer Chaney report the verbal threat in his incident report or in reports to the hospital where he delivered Valentin for evaluation. The officers also never searched Fure's or Valentin's car following the standoff, which would have revealed disturbing notes and letters written by Valentin. The police did not follow state domestic violence (DV) law that requires mandatory arrest within four hours of an assault, including threatened bodily harm. State law also requires distribution of DV information including community, safety-planning resources.

The police recommended Fure get a protection order, but did not give her the required DV information that would have led Fure to benefit from safety planning to protect her during this dangerous period of separation. Fure sought and received a protection order the next day, May 14, 2004. Valentin immediately violated the terms of the order by driving and parking next to her car outside a store where Fure was a customer. Although the police were called, they did not locate him or arrest him. In all of Valentin's contacts with police, he was emboldened to continue his pursuit of Fure. On May 24, 2004, Valentin crept into Fure's bedroom in her father's home, shot Fure and then shot himself.

Donation will expand training about teen dating violence

The \$80,000 donation will be used to develop a training program to teach teens about dating violence, including DV, sexual assault and stalking. The program expands on an adult training entitled "In Her Shoes," and will include curriculum for faculty, school counselors, youth-services professionals and others who teach the program. It will also include community-oriented implementation planning.

Teens will learn about "separation violence" and how dangerous the time of separation can be when a person seeks to end the relationship or leave an abusive partner. According to WSCADV, in nearly half (47 percent) of the homicides committed by an abuser in Washington State, the victim had separated from the abuser or was attempting to end the relationship at the time of the murder.

"It's critical to connect a victim to a domestic violence program to develop an action plan for if and when the abuse escalates," said Nan Stoops, executive director of WSCADV.

"In Her Shoes" will also emphasize the need for people to take homicide/suicide threats seriously. According to WSCADV, nearly a third (32 percent) of abusers who committed DV-related homicides in Washington State between January 1997 and June 2006, killed their victim and then themselves.

"Fure's murder highlights how critical it is for law enforcement and other professionals to recognize the increased risk of homicide when a domestic violence abuser is suicidal," said Stoops.

In the program, teens will role-play scenarios and learn skills to advocate for themselves, sometimes in the face of unhelpful parents, teachers, police officers, counselors, coaches and other adults.

The WSCADV plans to offer "In Her Shoes" first to the Stanwood/Snohomish County community in 2009, in partnership with other Snohomish County agencies. The program will also be available as a tool for statewide and national distribution.

Lawsuit results in new county DV policy and police training

While litigating the case, attorney Andrea Brenneke also pushed for reforms within the Snohomish County Sheriff's Department on behalf of her client. The County—which provides contract police services to the City of Stanwood—had not implemented DV policies and procedures to guide police response; however, it did after the lawsuit was filed and on the eve of the Sheriff's deposition. As part of the settlement, the Snohomish County Sheriff's Office will further revise its DV policy, integrate City of Stanwood operations with its DV detectives, and expand DV training for officers.

"The police officers involved in Dayna Fure's case focused on the well-being of the stalker, who was threatening suicide, instead of protecting the domestic violence victim, as our state law requires. The police failed to recognize armed stalking and threats of suicide as classic techniques of power and control and likely signs of lethal separation violence," said Brenneke. "Instead of protecting Fure, they forced her to have unwanted face-to-face contact with Valentin and protected him. They took his word over hers. Instead of arresting Valentin, they let him go with no legal accountability. Then, they failed to enforce a protection order she had filed at their suggestion. They also failed to give her basic DV information, which would have helped her understand the seriousness of the danger she was in, plan for and protect her safety."

"The changes we effected in Snohomish County are essential to enforcing the domestic violence laws. The teen training will empower young people with knowledge and tools to protect themselves. In addition to those changes, Dayna's parents and I are committed to working at the state level to strengthen domestic-violence laws to prevent future, avoidable violence against women." Brenneke added.

Individuals needing to protect themselves from an abuser can get confidential counseling and develop a safety plan by calling the Washington State Domestic Violence Hotline at 1-800-562-6025 (voice/TTY). Phone lines are open 24 hours a day.

Additional \$20,000 to Waterfund International

From the settlement proceeds, Fure's parents are also contributing \$20,000 to Kirkland-based Waterfund International, an organization that provides medical relief to communities in Mexico and Central America. Dayna Fure traveled to a community near Puerto Vallarta, Mexico in 2002 to build a medical clinic and school for children living in poverty.

About MacDonald Hoague & Bayless

MacDonald Hoague & Bayless (www.mhb.com) is a Seattle law firm that advances equality, justice and freedom. Its practice areas include civil rights/discrimination, immigration, litigation, criminal defense, personal injury and employment law. Attorneys for the Fure litigation were Andrea Brenneke, Tim Ford, Jay Brown and David Whedbee.

About Washington State Coalition Against Domestic Violence

Based in Seattle and Olympia, the Washington State Coalition Against Domestic Violence (www.wscadv.org) is the leading voice to end domestic violence in Washington. Founded in 1990 by survivors and their allies, WSCADV is a non-profit network of domestic violence programs that serve survivors all over the state with resources for survivors, professional training, legal advocacy and research.

About Waterfund International

Based in Kirkland, Wash., Waterfund International is a charitable organization that deploys medical professionals, volunteers and resources to provide medical relief to communities around the globe.

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Editors: Andrea Brenneke, civil rights and employment attorney for MacDonald Hoague & Bayless, is available for interview about the case and settlement. Photos of Dayna Fure are available upon request. The Washington State Coalition Against Domestic Violence (WSCADV) can provide local, state and national statistics on domestic violence. The coalition's staff can assist journalists in accurately reflecting the context of domestic violence crimes and provide information on local resources available for victims and abusers. Waterfund International can provide information about its programs and the contributions made by Dayna Fure while she volunteered with the organization.

Public statement by Dayna Fure's parents

November 19, 2008

Melody Hafner-Cottrell, Mother:

Our goal for funding the Washington Coalition Against Domestic Violence is simply this... not to invest, but to reinvest in as many lives as possible. We want to help create something significant, a direct result of our experience and loss.

As a family, we would like to channel our daughter's love for education and people into something rich, productive, and full of life that will save others. By reinvesting in this project, we know that even when our loss has trampled our hearts and shattered our spirits, it is possible to rise from the ashes to embrace another life. This is what Dayna was all about: hope, love, and opportunity.

We are confident that the Coalition's "In Her Shoes" teen program will educate and allow people to experience the power of becoming stronger in our broken places, and find opportunity in a crisis. Dayna's memory, love, and spirit will make a lifelong impact because of this meaningful organization.

Ben Robert Fure, Father:

Our state's domestic-violence laws must be enforced. This means police must give citizens who ask for help good information about domestic violence to help keep them safe. They must also promptly arrest the people who harm their partners or threaten physical violence. When a protection order is filed against a suspect, the police should require that person to wear a monitoring bracelet that will sound an alarm when they are in close proximity to their victim. I am asking police departments to take this next step in protecting victims of dating and domestic violence.