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# Women's Justice Center Centro de Justicia Para Mujeres

Tel. (707) 575-3150 ✻ [www.justicewomen.com](http://www.justicewomen.com)  
PO Box 7510, Santa Rosa, CA 95407



1 of 5 pages

January 30, 2014

**Re: Santa Rosa Police Department and District Attorney mishandling of a kidnap, domestic violence, and rape case**

Santa Rosa Police Chief Hank Schreeder, District Attorney Jill Ravitch, and Santa Rosa City Council Members,

We're writing along with Daria (not her real name), a Santa Rosa mother of three small children, to express our concern for the gross misconduct, deliberate indifference, and denial of justice by multiple Santa Rosa Police officers and at least one DA investigator in responding to Daria's case of kidnap, domestic violence, and rape.

We ask your help in reversing these injustices by, one, ordering an immediate proper investigation of the crimes against Daria, and, two, by carrying out an immediate investigation of each officer involved in this case, and holding them accountable for any part they have in all the wrongs done.

The following account provides yet another example in a staggering picture of our local law enforcement's ongoing intentional and institutionalized denial of women's constitutional rights to equal protection of the law in cases of gender based violence, especially to women of color, as is this victim.

The facts of the case also indicate that a number of the involved officers should also be investigated for the criminal acts of dissuading a witness and obstructing justice.

This is by no means an isolated incident. It follows closely on the heels of two separate child rape cases which SRPD also attempted to ditch in a similar manner. It follows also on the department's own 2011 statistics showing over 75% of sex crimes reported to the department and over 80% of domestic violence calls for service never result in a case even being sent to the district attorney for review.

And it follows on two decades of SRPD's defiant refusals to properly respond to violence against women and children despite ongoing community pressure do so, and the department's defiant refusals to integrate women onto the police force, despite numerous sex discrimination lawsuits. As of March, 2012, female officers make up only 8% of the SRPD force, far below the national average of 14%, and only one female held rank above patrol, while 28 males held rank above patrol.

## **Daria's Case**

**On October 16, 2013,**

On the evening of October 16, at least two people in a Santa Rosa neighborhood were simultaneously dialing 911 as they were suddenly alarmed by witnessing a woman in her nightgown and robe fighting and screaming to keep from being forced into a car by multiple abductors.

By the time police arrived on the scene, the car the woman had been forced into had left. The victim's husband had gotten their 3 children into a second car and had also left or was about to leave.

According to the police dispatch report (CAD), the officers were informed the husband claimed that they (the husband and the other abductors) were taking Daria to rehab. Without any further investigation, the officers walked away from the scene of the crime and canceled the call.

And that was the end of it!

Despite credible witnesses to an in-progress forced abduction of a woman fighting and screaming to get away, none of the responding officers opened an investigation. None of the officers wrote up a crime report, nor an incident report, nor any kind of report at all. None of the officers even issued a BOLO on the cars. None of the officers did anything except walk away.

How, in any conceivable notion of even the most backwater policing, could these officers have walked away accepting the husband's story? And even if it were true Daria was being kidnaped to rehab, (and it's not), a forced abduction in that circumstance would still be a violent felony criminal act of kidnaping, with independent eye witnesses, that urgently needed to be acted on immediately and with full investigative follow-up.

Daria states she has never used drugs and never been diagnosed with mental illness. Having worked closely with Daria for about a month, we at Women's Justice Center know Daria to be fully sane, educated, honest, forthright, and drug free.

If your officers had done even the most minimal investigating they would have easily been able to prove that the day before the kidnaping Daria had applied to and been accepted into the Santa Rosa YWCA battered women's shelter and planned to leave her violent and abusive husband the next day with her children.

Further, they would have found there is clear and convincing evidence that on learning of Daria's plans to leave the marriage and enter a shelter, the husband quickly hatched a plan with family members to undertake the kidnaping...if only SRPD had cared enough to have done the most minimal investigation.

### **October 17, 2013**

Daria was beaten up, injured, and physically restrained in the car drive from Santa Rosa to Bakersfield in the abductors' efforts to thwart Daria's repeated attempts to escape from the car. Daria's husband was following with the children in a second car. When Daria and the children arrived in Bakersfield, Daria once again attempted to escape, this time successfully. She ran to a neighbor's home, and used the neighbor's phone to dial 911.

Kern County Sheriff Department responded - almost as poorly as the SRPD, though they did take Daria's statement. Kern County District Attorney's Office did take photographs of Daria's injuries from the beatings. However, both agencies recognized the obvious, that the jurisdiction and responsibility for this case is Santa Rosa, California, as the jurisdiction for any crime is where the crime initiates.

Daria entered a battered woman's shelter in Bakersfield, which shelter would later transfer Daria to the Santa Rosa YWCA battered women's shelter on October 20, 2013.

### **October 18, 2013**

Before leaving the Bakersfield shelter, Daria spoke by phone with the chief investigator at the Sonoma County DA's Office. After Daria recounted the details of the kidnap, the DA investigator, though

admitting on the phone that Santa Rosa Police had mishandled the case, advised Daria to deal with this in Kern County.

This is outrageous, since, the Sonoma County DA investigator knew the jurisdiction of the case was Santa Rosa.

**October 22, 2013**

After arriving at the Santa Rosa battered woman's shelter, Daria went to Santa Rosa Police Station to report the kidnap herself. The responding officer opened a **criminal kidnap case # 13-0013106**. He wrote a report adequately describing Daria's account of the kidnap, an account that matched that of the witnesses who had called 911 at the time of the kidnap.

The officer did not, however, include in his report the husband's history of domestic and sexual violence against Daria, including the attacks that occurred two days before the kidnaping, the attacks that had prompted Daria's decision to apply to the YWCA shelter. Daria told this history to this officer, including the fact that she had a video of her husband attacking her, and other evidence of his violence.

As per SRPD protocol, this case was sent to the head of SRPD domestic violence/sexual assault unit Sgt. Terri Anderson. There the case was assigned to a detective.

**On or about October 29, 2013**

Daria receives a phone call from the detective assigned to the case. The detective told Daria to take a few days to think about if she wanted to go forward with the case at which time the detective would call back to see if Daria wanted to continue.

**November 5, 2013**

When Daria hadn't heard back from the detective by November 5, Daria called and left a message on the detective's phone saying she wants to go forward with the case.

**November 14, 2013**

By November 14, when Daria still hasn't heard back from the detective, she has a shelter advocate attempt to get hold of the detective by phone. A message is left for the detective.

**November 18, 2013**

The detective calls the shelter advocate to ask if Daria wants her abductors held accountable. Daria is present and again tells the detective "yes" through the advocate.

Instead of badgering Daria over the phone about whether Daria is sure she wants to go forward with the case, the detective should have right away set up an in-person, in-depth interview with Daria, especially given it's now nearly a month since Daria herself has reported the kidnap, and more than a month since eye witnesses reported the crime at the time it occurred.

**November 19, 2013**

The next day, Daria herself calls the detective to leave a message on the detective's phone again confirming she wants the abductors held accountable.

**November 22, 2013**

When Daria still doesn't hear back from the detective, she again calls the detective to find out what was happening regarding her case. In this or an earlier conversation, Daria has also informed the detective of the domestic and sexual violence history perpetrated by her husband. The detective states that Daria should file a separate police report regarding the history of violence.

Clearly, this detective and her boss, Sgt. Terri Anderson are doing everything they can to obstruct justice and discourage Daria from going forward on the kidnap case, and to get Daria and her case to go away. The detective still hasn't set up an interview with Daria.

**November 29, 2013**

Despite this unnecessary step, Daria was trying to cooperate. She went into the police station, as instructed, and filed a police report with Santa Rosa P.D. regarding the history of verbal and physical abuse and rape by her husband. The case # of that rape/domestic violence report is 13-14776

**November 30, 2013**

Daria dropped off video footage at SRPD which provides clear evidence of her husband's domestic violence. The officer tells Daria he has contacted her husband to get a statement.

Given that there is now a rape case and kidnap case, with no investigation as yet, contacting the husband for a statement is the last thing the officer should be doing.

**December 5, 2013**

The detective informs Daria that since most of the abuse took place in Kern county, she will be forwarding the report filed with officer to either Bakersfield police department or the Kern county sheriff's office.

The rape occurred in Penngrove and should have been forwarded to the Sonoma County Sheriff's Department. The detective knew this. Most significantly, the detective continues to avoid initiating any investigation of the kidnaping, while sending the victim off on one wild goose chase after another.

**December 13, 2013**

The detective questions Daria again about whether she wants to go forward with the kidnaping case, trying to make her feel guilty for wanting to prosecute family members and additionally claiming that Daria's husband had little to do with the kidnaping itself.

First, there is easy to obtain, clear and convincing evidence that Daria's husband was the intellectual author of the kidnaping as well as a full participant in the kidnaping.

Second, this detective has now badgered Daria at least five times about going forward or not with the kidnaping case, despite the fact that each and every time Daria has said very clearly that she wants to pursue the case. Both the detective and the head of the DVSA unit, Sgt. Terri Anderson, should be charged with the criminal acts of dissuading a witness and obstructing justice.

**December 23, 2013**

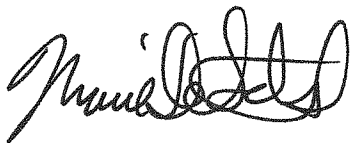
The detective leaves a message with Daria stating that Kern county now has the (kidnap) case to be

reviewed by the Kern County D.A. The Kern County District Attorney's Office has made clear to us that they are not taking the case, for the obvious reason that jurisdiction for the case is Santa Rosa, California.

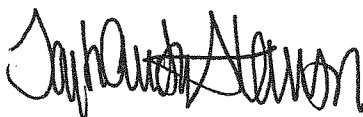
Having failed to discourage Daria by SRPD's usual means of dragging their feet, repeatedly badgering the victim about going forward, making her feel guilty for wanting to prosecute her husband and family members, misinforming her, and making her jump through unnecessary hoops, SRPD now tries a last ditch maneuver to get rid of Daria by telling her completely incorrectly the kidnap case is being handled by Kern County.

As a result of SRPD's failures and gross misconduct in responding to the crime's against Daria, Daria's husband was able to quickly go into Kern County family court and get an ex parte order giving him custody of her three children.

Thank you for your attention.



Marie De Santis  
Director



Taylor Anderson-Stevenson  
Advocate



Case Victim

c:

Kern County Deputy DA, David Wilson

Kern County DA Investigation asst., Diana Kadel

California Police Chief's Association

California Attorney General, Kamala Harris

FBI Field Office, San Francisco

UN Special Rapporteur on Violence Against Women, Ms. Rashida Manjoo

Sonoma County National Organization of Women

Soroptomist International of Santa Rosa

Santa Rosa American Association of University Women

Sonoma County Men Evolving Non-Violently

Sonoma County American Civil Liberties Union

Sonoma County Peace and Justice Center

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