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Cops who abuse their wives rarely pay the price

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SEATTLE POST-INTELLIGENCER REPORTERS

Their wedding cake shimmered with pearls, symbolizing marital bliss. Armfuls of roses, in shades of lavender and cream, scented the hall.

During the June 2000 ceremony, Phil Rees vowed to "love and cherish" his bride.

Less than two months later, the Seattle police officer found himself under investigation for domestic violence.

That night at their Burien home, Jenifer Rees watched in disbelief as King County sheriff's deputies handed her intoxicated husband back his gun and let him drive away -- so he wouldn't miss work in the morning.

"It was like, 'You're one of us, so you can leave,' " Jenifer Rees, 34, recalled. "He could have come back and blown my head off."

He'd flown into a rage and slammed her into a wall, she told deputies, according to the police report. She showed them a scrape on the side of her head and said he had hurled a dresser drawer at her. But rather than further incite his wrath, she refused to cooperate in the investigation.

Phil Rees denied the allegations. No charges were filed. The Seattle Police Department didn't discipline the veteran officer, who had been accused of domestic violence before, in 1998 and 1999.

Today, it could be Officer Rees who arrives at the door when a battered woman calls 911 in the city's Southwest Precinct.

It's a scenario being repeated every day in Western Washington.

Over the past five years, 41 officers in King and Pierce counties alone have been accused of assaulting, stalking, threatening or harassing their wives, girlfriends or children, a five-month investigation by the Seattle Post-Intelligencer has found.

The officers, employed at 12 police agencies running the gamut from metropolitan to rural, were identified through searches of civil and criminal records, and public disclosure requests for internal investigations.

Most have paid little, if any, professional price. Only half faced charges.

The reasons for that sometimes have little to do with guilt or innocence.

Victims may refuse to pursue charges, fearing further violence or financial ruin if an



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Paul Joseph
Brown / P-I

Jenifer Rees says she was the victim of abuse at the hands of her former husband, Seattle police Officer Phil Rees. She is shown with her 7-year old daughter. Jenifer said she knew her husband was armed and could track her down anywhere.

abuser loses his job. Some police departments don't bother to take abuse allegations seriously.

The most horrifying reminder of that came on April 26 when Tacoma police Chief David Brame shot his wife, Crystal, in a Gig Harbor parking lot, then killed himself moments later. The murder-suicide has exposed serious concerns about how city officials minimized signs of Brame's violent nature.

Top city officials promoted the veteran officer up through the ranks, handing him the top job in January 2002 -- even though they knew he'd been accused of raping a woman in 1988.

They defended Brame and refused to take action after his wife filed for divorce in February and accused him of pointing a gun at her and choking her four times in the previous year.

Seeking answers to what went wrong, Crystal Brame's family filed a \$75 million claim against the city last month. Criminal and civil investigations are under way as the fallout continues: Acting police Chief Catherine Woodard was put on leave after being accused of misconduct related to the Brame divorce, and City Manager Ray Corpuz, who appointed Brame to chief, has been fired.

Puget Sound-area police officials want the public to believe that Brame was an aberration, that those entrusted with a gun and badge are held to a higher standard of conduct than civilians, following a strict moral code on and off duty.

But the P-I found that most police departments are falling short on a number of fronts in the way they handle domestic violence allegations against officers. The departments are:

- Creating a double standard by not immediately arresting officers accused of domestic violence. Ordinary citizens facing such allegations are routinely jailed.
- Putting victims at greater risk by not taking away the officers' guns. During the investigation, officers suspected of abuse should be taken off patrol and not allowed to carry weapons, according to model policies drafted by national experts.
- Failing to conduct thorough internal investigations of the incidents -- or, in some cases, not bothering with any review. That's how officers escape disciplinary action, experts say.
- Rarely determining there was wrongdoing in domestic violence complaints against officers, and meting out minimal discipline in the vast majority of those cases.
- Lacking specific policies on how to deal with officers accused of abuse.

Only one of the officers identified by the P-I was convicted of a domestic violence-related crime, and prosecutors and police officials in King and Pierce counties could not recall any other cases in recent years.

DOMESTIC VIOLENCE AMONG POLICE OFFICERS					
Puget Sound-area police officers accused of domestic violence are rarely found to be at fault by internal investigations. Here's how a sampling of law enforcement agencies have handled complaints during the past five years:					
	TOTAL OFFICERS	TOTAL DV COMPLAINTS*	SUSTAINED	UNSUSTAINED	UNDER INVESTIGATION
Seattle PD	1,236	18	3	15	0
King Co. SO	705	13	1	11	1
Pierce Co. SD	365	N/A	2	N/A	0
Tacoma PD	352	13	9	2	2
Bellevue PD	180	3	1	1	1
Kent PD	125	4	2	1	1
Redmond PD	71	1	0	1	N/A
Duvall PD	10	0	0	0	N/A

*There may be more than one complaint per officer.
Source: Law enforcement agencies

SEATTLE POST-INTELLIGENCER

The officer who was convicted pleaded guilty in 1998 to telephone harassment of his former wife. The Redmond patrolman kept his job, a fact that is now being investigated by federal authorities.

Officers who are charged with domestic violence crimes usually negotiate deals typically offered to first-time offenders in which charges are dismissed if court-ordered conditions are met.

"I don't see police officers being held accountable," said Linda Olsen, executive director of the Eastside Domestic Violence Program. "Domestic violence is minimized and denied already. It's minimized even more among police officers."

There are signs that the problem plagues law enforcement agencies across the state, from Yakima to Aberdeen.

Late last year, a veteran Washington State Patrol trooper from the Yakima District was charged with assault after he allegedly punched his wife in the head. He agreed to comply with court-ordered conditions that will lead to a dismissal of the charge.

In the wake of the Brame tragedy, a rash of other cases have come to light, including that of an Aberdeen police captain who pleaded not guilty last month to assaulting his wife.

A domestic violence-related conviction is a career-ender for police because federal law bans gun use for anyone who commits such a crime.

That means the stakes are high for everyone involved -- from the victim whose safety and family income could be jeopardized by reporting abuse, to the officer whose livelihood is on the line to the police agency entrusted with protecting the public.

'Unprotected by the police'

To Jenifer Rees, her husband was the law.

At first, his badge meant stability and loyalty -- a man she could trust. A stepfather

for her two children.

But as their marriage soured, his job was another reason to fear him. She knew he could track her down anywhere and was always armed.

His bosses suspended him for four days and he forfeited two vacation days in 1999 for using a police computer to find a former girlfriend who had obtained a one-year protection order against him. Phil Rees was charged with assaulting that woman in 1998 after he allegedly hit her with a door and pushed her down on a bed. The charge was dismissed because the victim refused to cooperate after getting the protection order.

An internal investigation into the 1998 incident didn't result in any disciplinary action, mainly because the alleged victim could not be reached and the evidence was considered "very weak."

But police officials were also clearly reluctant to get involved in a domestic situation.

"... Absent a provable assault, the actions of the parties occurred in a private social setting into which the department has little interest in imposing rules of conduct," they wrote in the investigative report.

Phil Rees, 46, has refused to comment on any of the allegations.

That night in August 2000, it wasn't Jenifer Rees who called 911. She knew better than that.

A friend just happened to call the couple's home and heard Phil Rees shouting angrily in the background.

"Jenifer was crying," said the friend, Tammy Town. "He was screaming and yelling for her to come upstairs. I said, 'Do you want me to call (911)?' I was worried."

The police report says deputies let the officer leave because the couple said it was a verbal argument. Once Phil Rees was gone, his wife said she was afraid and accused him of assaulting her when she tried to intervene in a dispute between her husband and her son, deputies wrote.

A month after the incident, Jenifer Rees denied many of her initial allegations during a police interview. She said she didn't want her husband to lose his job.

It didn't help when Seattle police officers who knew her husband stopped her car for no reason.

"They'd pull me over and say, 'How are you today?' and snicker," said Jennifer Rees, who moved out of the city to escape such harassment.

On Oct. 23, 2000, she got a temporary protection order after her husband stopped by her home and raged about her "ruining his career."

"In a drunken stupor he has threatened my life," Rees wrote in the petition for the order. "I am unprotected by the Police Department due to the fact my husband is an officer himself."



Family Photo
Jenifer and Phil Rees were married in June 2000. At first, his badge meant stability and loyalty. But the marriage soured. "You have some walking time bombs out there," she warned. "And that's exactly what Phil was."

But she soon decided getting out was her priority. She dropped the protection order and got a divorce instead.

"I would have continued to be hounded," she said. "It wasn't to my benefit to pursue it."

Few sustained complaints

Victims are up against a police culture that has viewed officer-involved domestic violence as a private matter, experts say.

"Rather than protecting our own, we need to do a better job of weeding them out," said Capt. Dottie Davis, director of the Fort Wayne, Ind., police academy and a specialist in police abuse.

"Most (departments) would rather keep their heads in the sand."

It's not surprising that domestic violence afflicts police as it does everybody else.

At least 10 to 15 percent of families are torn by abuse. Victims typically don't seek help until the fifth or sixth incident.

Police officers may be more prone to mistreating their families than others, partly because some attracted to such work are more authoritarian and liable to misuse their training, experts say. Although more in-depth research is needed, two informal studies report rates of physical violence in law-enforcement homes of up to 40 percent. One study was done by Arizona State University family-studies professor Leonor Boulin Johnson in the late 1980s, while the other was published in the *Police Studies* journal in 1992.

That estimate is in sharp contrast to the handful of domestic violence complaints involving officers disclosed by Puget Sound-area law enforcement agencies. When an officer is accused of violating that code, internal investigations mete out discipline if a "preponderance of evidence" points to misconduct. That's a lower standard than the criminal measure of "beyond a reasonable doubt."

Despite that, few domestic violence complaints against officers in this region have been sustained, or found to have merit, by Internal Affairs investigators.

The 1,236-officer Seattle Police Department initially reported sustaining two out of 13 abuse complaints against its officers since 1998. Neither of those officers was fired.

One of the sustained complaints involved an officer whose name was withheld. He was charged with assaulting his wife in 1999, then quit. In the other case, Sgt. Peter Pieper was docked two vacation days for using the police computer to track down a girlfriend. An allegation that he'd also restrained and sexually assaulted the woman, which he denied, was not sustained.

After the P-I investigation turned up several other SPD officers accused of domestic violence, the department released documents detailing another sustained complaint and four more allegations that were not sustained.

There's no way to tell whether there are others, because Internal Affairs has not tracked domestic violence complaints until now, according to Seattle police Capt. Mark Evenson.

Seattle police Chief Gil Kerlikowske, appointed in August 2000, said every allegation of

abuse involving an officer is taken seriously.

"I think police officers are held to a higher standard of conduct and that they should be," Kerlikowske said, adding that must be balanced against officers' rights to a fair hearing.

He called the suspension meted out to Phil Rees "pretty severe" discipline.

To have investigated almost 20 abuse-related complaints involving officers since 1998, and sustained three of them, is a "very reasonable" number given the size of his department, he said. It likely reflects the quality of his force, and their recognition that domestic violence is a crime, he said.



Kerlikowske

"There's a very real possibility that officers understand this and don't engage in domestic violence," Kerlikowske said.

In one recent case, however, even a high-profile cop wasn't taken seriously.

Monica Hunter, 41, the spokeswoman for the Washington State Patrol, contacted Internal Affairs in September 2000 to report that her ex-husband, Seattle police Officer Clayton Powell, had harassed and threatened her.

Hunter said Powell drove by her house repeatedly, even after Hunter moved to escape him, according to documents filed in their child-custody case.

She accused him of leaving "threatening messages" on her answering machine, including one that he "was going to get me." She described her ex-husband as "abusive," "demanding and controlling" and "demeaning toward women."

SPD internal investigators interviewed her, then referred the complaint to Powell's supervisor, deciding it was a minor dispute. Powell was not disciplined.

Powell, 42, refused to comment on the allegations. Hunter also would not be interviewed, citing her position as agency spokeswoman. She now has a permanent restraining order against Powell.

Asked by the P-I about the department's handling of the complaint, Evenson agreed to review the file.

Evenson then contacted Hunter, telling her he believed the matter had not been properly investigated.

"I don't think I would have made a supervisory referral," Evenson said. "Unfortunately, domestic violence is just recently surfacing as a serious crime. I think departments are becoming more serious about it."

Other police agencies also reported sustaining few domestic violence complaints against officers.

The King County Sheriff's Office has sustained one complaint out of 12 in the past five years. The agency is quick to point out, however, that it's fired three deputies in the past two years for domestic-violence-related problems, including the one with a sustained complaint (for assaulting his daughter in 2000).

Sheriff's officials fired the other two deputies only after they were forced to do so because alleged victims obtained protection orders banning the men from carrying weapons. An internal investigation found one of

those complaints "not sustained;" the other investigation is pending.

The lack of sustained complaints by the Sheriff's Office and other police agencies troubles Margaret Moore, director of the National Center for Women & Policing in Arlington, Va., a group that lobbies for reforms in law enforcement that benefit women.

"Regardless of criminal outcome, police departments can impose sanctions," Moore said.

King County Sheriff Dave Reichert said domestic violence is a "firing offense" for any officer, regardless of whether the accused is found guilty in the courts.

"I don't want a bad cop," he said. "If it's sustained, I'll fire them."

But there isn't always enough corroborating evidence to fire an officer accused of abuse, especially if a victim recants, he said.

"Sometimes you have what you need and sometimes you don't," Reichert said.



Paul Joseph
Brown / P-I

Reichert

'Police hold' on wife

The argument began when Joshua Johnson berated his wife for her lack of skill at patching his uniform.

When she tried to leave their Kent home, he reached through the car window, yanked the keys from the ignition and threw her purse out of reach, breaking off the side-view mirror, according to police reports.

The King County sheriff's deputy then pulled her hair and squeezed her face, ripping out an earring.

"She said he is always telling her that he is the police, and that when he is on duty he and other officers always sweep these kinds of cases under the rug because another police officer is involved, and that would be the same thing that would happen if she ever tried to report it," investigators wrote in the police report.

As he stood on the stairway, she threw a box with two 8-pound exercise weights in it -- missing him but scuffing the wall. That infuriated her husband, who did a "police hold" on her, dragged her up two flights of stairs to their bedroom and shoved her in the closet.

Terrified that he'd use his police-issue pepper spray on her, she grabbed a plastic hanger and struck him on the right ear.

He responded by throwing her against the wall, kneeling her in the stomach and pressing his thumbs into her eyes, she told police.

"I can't breathe, I can't breathe," she gasped, according to a police interview.

When he released her, she called 911. It was 1:39 p.m. on Dec. 3, 2000. Their 3-year-old son had slept through it all.

Johnson's wife was crying when Kent police arrived at her door. She recounted previous assaults, including being punched in the face and pepper-sprayed.

Her 26-year-old husband, a former Marine who had been a police officer about two years, told investigators he was forced to restrain her after she hit him with the hanger.

Unable to determine the truth, Kent police asked Johnson's wife to leave for 30 minutes so he could collect his service weapon and uniform -- and go to work that evening. They warned the officer he'd have to tell his sergeant what happened.

Prosecutors later filed assault and malicious mischief charges against Joshua Johnson. Five months later at the trial, the couple was trying to reconcile. Johnson's wife contradicted herself on the witness stand.

The jury could not reach a verdict, and the charges were dismissed.

King County sheriff's officials put Johnson on paid administrative leave and then fired him, according to a court document. After the trial, Johnson successfully sought reinstatement. He is currently assigned to patrol duty in Burien.

The couple wound up divorcing. Johnson's wife declined comment for this story. He did not respond to several requests for an interview.

Brotherhood in Blue

Police officers can be among the most sophisticated, manipulative batterers, armed with an insider's knowledge of the legal system.

They know how to restrain and intimidate without leaving marks, experts say. They undermine the credibility of their victims, portraying them as mentally unstable and vindictive. They call 911 first and claim to be the victim. They know what to say on the witness stand.

Fellow officers may gather incomplete evidence at the scene by failing to take photos or witness statements, or by writing up an incident as "mutual combat" rather than determining the primary aggressor, said Davis, the Indiana expert.

"They can control the investigation the whole way through the system," she said.

And they can often count on other officers to back them up. Victims of abusive cops say the "Brotherhood in Blue" is one more reason to be afraid.

One woman who was living with a police officer didn't believe that -- until last November.

The daughter of an Irish cop, she grew up believing that officers were "higher in society." She clung to that ideal as her relationship with Glenn Woods, a Kent police lieutenant, began crumbling last year.

He'd lean over her bed, screaming until she woke up, according to a victim's advocate report. He interrogated her in front of friends if she talked to the wrong man or took too long in the bathroom.

After the humiliation, flowers and cards arrived. Sometimes several times a week.

But she stayed. She believed in their "perfect love," and wanted her 20-month-old son to know his dad. She

stayed even though she felt like "a caged bird."

Then, during a heated argument last Nov. 8, Woods blocked the bedroom doorway in their Puyallup apartment, according to court documents. He taunted her, telling her to go ahead and hit him.

When she slapped Woods, he punched her so hard he knocked her to the floor. Their toddler huddled at his mother's feet.

She tried to call 911, but Woods pulled out the phone, according to investigative reports.

"He asked her who she thought police would believe -- him with (a) 23-year career as an officer, or her with no job," investigators wrote in the police report.

Woods then called 911 himself to report he was the victim of a "domestic." He told the dispatcher there were no guns in the house, although police later found his service weapon there. Unable to sort out who was at fault, police arrested both for assault.

The next day, as his girlfriend's face turned black and blue, Puyallup City Attorney Gary McLean charged only Woods. He was arrested on suspicion of fourth-degree assault and interfering with reporting of domestic abuse. His duty weapon was seized.

His girlfriend suffered nightmares that Woods would shoot her and take their son. "I loved Glenn with all of my heart, now I fear him," she wrote when applying for a protection order Nov. 12.

Two weeks later, Kent police Chief Ed Crawford pleaded for Woods' gun to be returned so his officer could get back to work responding to "tragic events."

"This document is not designed to ask for lenience but only to ask that your consider the job function that his position must fulfill," Crawford wrote in a letter to the judge. The request was granted, putting Woods back on the job.

By then, his girlfriend, in the country on a visitor's visa, had fled with their son to Australia, where she'd lived before. The 41-year-old alleged victim could not be reached for comment.

In January, Woods agreed to court-ordered conditions that will result in dismissal of charges in one year if he complies. The 47-year-old officer, who refused to be interviewed through his attorney, wasn't disciplined. After the P-I raised questions about his case, he resigned last month for "personal reasons," according to a police official.

"I could not prove the officer disobeyed the rules of conduct of this department," said Crawford, who believed Woods acted in self-defense.

"Not everything in the world is a David Brame case," he said.

"And some people want to make it that."

Different standards

Some police agencies seem to be more concerned with retaining officers accused of domestic violence than getting rid of them.

Bellevue police Officer Michael Elliott was charged in February 2002 with assaulting his teenage daughter. He's now complying with court-ordered conditions that will result in the dismissal of the charge in October.

After the charge was filed, the veteran officer was reassigned to a desk job, but his gun and badge were not removed.

Police officials have different standards for when a service weapon is removed, depending on the seriousness of the allegation. On the other hand, experts say it should be automatic if an officer is under investigation for domestic violence.

After psychological testing found Elliott fit for duty, he returned to patrol.



Montgomery

The internal complaint against him was sustained and he was suspended for two weeks last year, a punishment Police Chief Jim Montgomery called "fairly significant."

What Montgomery didn't know is that over the past decade Elliott had been accused of abusing his child twice before, and assaulting his second wife, Christine, and her son, according to divorce-related court documents.

In January 1998, King County sheriff's deputies arrested Elliott and charged him with assaulting his wife in their Issaquah home. Elliott denied it, and the charge was dismissed at arraignment, according to court documents.

However, he did enroll in specialized counseling for batterers. In those sessions, he confessed to the counselor that he had "head-butted" his wife.

The counselor noted Elliott "has a long pattern of abusive behavior" and had not successfully completed treatment, according to a 2001 parenting assessment filed in family court. The couple divorced that year.

A few days after the P-I raised those issues with Bellevue police officials, they suspended Elliott in early June, seized his gun and badge and launched an internal investigation.

Three weeks later, Elliott returned to work as a traffic officer after the allegations were deemed "not sustained." Elliott had reported the 1998 charge to his supervisor, the investigation found. No formal investigation was done at the time.

Elliott, 46, declined to comment.

During an interview last month, Montgomery said the Elliott investigation was the only domestic violence case he could recall since taking charge of the 180-officer department in 1997. One other domestic violence complaint against an officer in 2000 was not sustained.

"It happens on a very rare occasion," Montgomery said.

Two weeks ago, though, another Bellevue officer, Jamie Collins, was charged with fourth-degree assault after

he was accused of straddling his wife and threatening to kill her in January, according to court papers. He has denied the allegations and is scheduled to be arraigned Tuesday.

'Walking time bombs'

As the former spouse of a cop, Jenifer Rees believes there are many silent victims.

Law enforcement agencies have closed their eyes to the problems facing police families, from alcoholism to abuse, she said.

In an effort to save her crumbling marriage, she sought help from the police chaplain, her husband's captain and other officers.

He was drinking heavily and had gotten "mean," she said she told them. He "acted like a cop" at home, too. She didn't want to get her husband in trouble. She wanted his bosses to take it seriously.

"You have some walking time bombs out there," Jenifer Rees warned. "And that's exactly what Phil was."

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