

**Collection of Articles  
Subject: DV, children,  
restraining orders  
violated, how do I  
protect myself?**

Subj: [Fwd: Requested  
NewsBank Article]  
Date: 6/27/02 11:22:09  
PM Mountain Daylight Time  
From:  
infoweb@newsbank.com  
Date: 2002/06/28 Fri AM  
01:06:39 EDT  
Subject: Requested  
NewsBank Article

NewsBank InfoWeb  
NewsBank Full-  
Text Newspapers

The Denver Post  
June 9, 2002

Ex-boyfriend violated past  
restraint orders Red flags  
were raised, victim's friend  
says

Author: Arthur Kane Denver  
Post Staff Writer

HUDSON - Tamra White's  
life was starting to turn  
around after a series of  
misfortunes that nearly killed  
her.

There was the accident with  
the semi truck several years  
ago that left her with  
countless surgeries and  
persistent pain. Then her  
husband left her last year, a  
friend says. After that, she  
was sexually assaulted by an  
on-and-off boyfriend, who,  
police and friends say,  
stalked and abused her.

But on Monday she received  
a huge promotion at the  
collections business where  
she had worked for seven  
years. The 33-year-old  
mother of three would be  
moving to Boulder from  
Hudson, a town that is little  
more than a railroad track, a  
handful of paved and gravel  
roads and a gas station.

In Boulder, she would head  
the Central Credit Corp.'s  
new office, receiving a large  
raise and part of the office's  
profits.

"Everyone said she was on  
cloud nine," said Central  
Credit owner Steve Zeinfeld,  
who broke the news to her  
Monday with a hug and  
bottle of champagne. "Now  
she could do something more  
for her children."

White never got a chance to  
enjoy her new life because

the boyfriend, Rick Forte,  
burst into her house four days  
after she was promoted and  
shot her, police said.

Upon hearing the first shot,  
her 13-year-old son ran up  
from the basement to see his  
mother lying dead on the  
floor outside the front door  
of the little brown house. She  
had one .357-magnum pistol  
wound to her chest.

The teen grabbed a phone,  
hid in a closet and called  
police.

Then he heard a second shot.  
Forte had fatally shot himself  
in the head.

Forte's family was stunned  
Saturday by the apparent  
murder-suicide.

"We don't know why it  
happened," said Belinda  
Forte, Rick's sister-in-law  
who lives near Brighton. "He  
would do anything for  
anybody if asked." But  
Zeinfeld said Rick Forte's  
history should have prompted  
authorities to act. "They  
should have done something  
more, given his background,  
to protect her," Zeinfeld said.  
"They should have put on an  
ankle bracelet or something.  
It's not like it happened in a  
vacuum."

Police and the judge who oversaw most of Forte's cases said Saturday he was complying with court orders, and they had no idea he would kill.

But Forte twice violated restraining orders, police conceded.

Forte, 41, and White had a volatile relationship, one that started even before her husband left, according to his sister-in-law. The husband could not be reached for comment Saturday.

In November, Forte was charged with sexual assault for attacking White, said Margie Martinez, spokeswoman for the Weld County Sheriff's office. The next month he was charged with violating a restraining order.

In April, he violated a second restraining order, attacking White, police said.

Like in many such cases, the victim also, at times, expressed love for her attacker, according to Forte's relatives. "After the restraining order, she kept calling him to say she loved him and wrote him a letter," Belinda Forte said.

Rick Forte plead guilty on a lesser charge so he was not convicted of the sexual assault.

The case was then transferred from district court to Weld County Judge Carol Haller, who sentenced him to 30 days in work release for the domestic violence and restraining order violations.

Haller said Saturday that without the sex assault conviction on his record, the sentence seemed justified.

"I can't speculate anything else I could have done," said Haller, adding that she, prosecutors and police will review the case to see if they missed any "red flags."

"What kind of person submits himself to the courts, does his probation and then goes home and kills himself and another person," Haller said.

This is the second fatal domestic assault case in Weld County in the past six months, and maybe the area needs a dedicated domestic violence court, Haller said.

Forte did appear in court and at jail when he was required to. On Wednesday, he attended an orientation for his work release program. He was to start serving his sentence June 14.

The next day, he apparently started drinking, though Weld County Coroner Scott Anthony won't be able to say for sure until blood work comes back.

Anthony said he hasn't officially ruled it a murder-suicide, but he is investigating it as such.

Original Source:

Fort Collins ColoradoanFort Collins Coloradoan (CO)

May 24, 2002

Topic: House Bill 1410

Section: Opinion

Soapbox

Page: A13

Estimated printed pages: 3

Article Text:

Common sense gun bill remains elusive

As I listen to the people of Colorado, they are increasingly fed up with the politics of extremism on many issues.

Single-issue partisans on the left and right push issues that serve only their narrow self-interests. Real, everyday issues that affect Coloradoans go wanting for common-sense solutions. The current system for issuing concealed weapons affects all Coloradoans and is one that has resisted a common sense, compromise solution for years.

There are an estimated 15,000 concealed weapons permits in Colorado. These permits have been issued over time under a system that allows county sheriffs and police chiefs absolute authority and discretion to grant concealed weapons permits. In some areas, few permits are issued, but in others permits are issued to all applicants without background checks or certified gun safety training.

Once issued in any county or jurisdiction, concealed weapon permits are effective in all areas of the state. Because of the desire of some issuers to protect the privacy of permit holders and the general inefficiency of the system, little is known or can be discovered about who holds these concealed weapon permits.

When people interact with their government, they should have a fair expectation to work within a system that has equal standards for all citizens. People in like circumstances should be given equal treatment.

When I signed on as a sponsor of House Bill 1410, my goal was to create a system for the issuance of concealed weapon permits that had uniform standards and treated all applicants equally.

Under the proposed HB 1410, applicants for concealed weapons permits would have had to undergo background checks and be required to receive certified safety training. No permits would have been issued to people with any history of drug or alcohol abuse, assaults or domestic violence. Sheriffs could have denied a permit to anyone who posed a threat to themselves or others. Record keeping would have been uniform and available to law enforcement agencies and the public.

To move this common-sense solution forward, strongly held beliefs had to be addressed. As it turns out, one of these beliefs - the desire for local control over where concealed weapons can be carried - proved the undoing of HB 1410.

Like most Coloradoans, I strongly support local control as the best way to protect local customs and standards from being overrun by state or federal regulations. The state should not have the right to tell a council member in Longmont that the city cannot ban weapons from city hall or public arenas.

Once again, an effort to standardize the concealed weapons application process has failed. HB 1410, known as the "gun grabber bill" to the right because of a provision that would have required the old permits go through a re-permitting process, died in Senate Appropriations Committee. Those on the left have vilified supporters of HB 1410, even though many of the supporters (like me) have never taken a campaign contribution from the gun lobby and have received "F" ratings from the National Rifle Association.

Leadership in the legislative process is about taking on tough issues that afflict people's everyday lives. Solutions to difficult issues and catering to narrow single-issue interest groups might be good politics to some, but leaves the vast majority of the people of Colorado without the government they deserve.

Sen. Stan Matsunaka, D-Loveland, represents state Senate District 15. He is seeking the Democratic nomination for the 4th Congressional District in the November election.

NewsBank InfoWeb  
NewsBank Full-Text Newspapers

The Denver Post  
May 22, 2002

Officer admits hitting his wife Dispute revealed in recorded call

Author: Kit Miniclier Denver Post Staff Writer

Edition: WED1

Section: DTW

Page: B-03

Estimated printed pages:

Article Text:

HUGO - Admitting that he hit his wife, a wheelchair-bound quadriplegic, former Lincoln County Undersheriff Alan Yowell pleaded guilty Tuesday to disorderly conduct related to domestic violence as part of an elaborate plea-bargain agreement.

His wife, Janette Yowell, never pressed charges and was not in court but consented to the agreement, according to chief deputy district attorney John Topolnicki.

The prosecutor said that before Yowell struck his wife on the morning of March 30, he had an argument with a teenage son, who helps care for his mother, and attempted to hit the youth, who blocked the blow with his arm.

Yowell, 42, yanked the youth up and his wife intervened verbally and said she felt like hitting her husband, Topolnicki said.

Tauntingly, the deputy bent over his wife, who was still in bed, and allowed her to strike him and then asked her if she felt better, the prosecutor told County Judge Kevin Siedel, who was brought in from neighboring Elbert County.

She didn't feel better because she knew she was too feeble to hurt him, he said.

Later, once she was seated in her motorized wheelchair, she backed him into a corner and he forcibly freed himself, he said.

Shortly afterward he called a woman at the Sheriff's Office "with whom he has a romantic relationship with, and lives with," and gave an account that was taped, as are all calls to that agency, Topolnicki said.

"He makes it sound as if he punched his wife ... and told the woman if his wife ever does that again, he says he will kill her," the prosecutor said.

Later Yowell called a deputy about the incident, who reported it to Sheriff Leroy Yowell, his father.

While in court Tuesday, Yowell did not dispute the prosecutor's account of what happened.

Under the plea agreement, Yowell is on probation for two years and must undergo extensive domestic violence counseling and alcohol treatment if deemed appropriate by the probation office.

He is barred from owning or possessing any type of firearm under the agreement for two years. If he obeys all the restrictions, then his guilty plea will be withdrawn and the original charges dismissed at the end of two years, the judge said.

If Yowell violates the agreement, the guilty plea will become part of his permanent record and he would then face six months in jail and a \$750 fine. Federal law would bar him from access to firearms if his domestic violence confession becomes part of his permanent record.

Copyright 2002 The Denver Post Corp.

➤ Record Number: 1101127

Rocky Mountain News (CO)

May 28, 2002

OLD RELIGION V. MODERN DIVORCE

RABBI AND EX-WIFE DUEL OVER 12 KIDS, MONEY, ABUSE CHARGES

CASE HEADS TO JEWISH COURT

Author: Sue Lindsay

News Staff Writer

Edition: Final

Section: City Desk/Local

Page: 5A

Estimated printed pages: 5

Article Text:

The legal saga of Elka Popack, an Orthodox Jewish woman whose divorce has been bouncing between secular and rabbinical courts since 1996, is heading back to New York and the rabbinical court she believes is stacked against her.

Denver District Judge Sheila Rappaport in January threw out all previous orders in the divorce case - including those awarding custody of the couple's 12 children to Elka Popack and giving her the family home - and sent Popack and her husband, Rabbi Yisroel Meir Popack, to the New York rabbinical court, or beth din.

At issue is an agreement Elka Popack signed in 1996 that allowed the beth din to arbitrate her marital disputes. She later asked to be released from the agreement, saying her husband had coerced her into signing it by appealing to her Orthodox Jewish beliefs.

"What has happened to this case is very, very scary for the rights of women throughout the state," said Alexandra Wyman, Elka Popack's attorney.

"I think this case is really crucial on a much grander scale than what happens to this mother and this case," Wyman said. "The issues go to the heart of what justice means and to what extent justice is dependent on money and finances."

The rabbi's attorney, Dan Smith, said the court order shows the judge concluded that Elka Popack knew what she was doing when she signed the 1996 agreement binding the couple to the rabbinical court.

He said Elka Popack will have the chance to keep custody of her children and the home in the rabbinical court.

Wyman contends that the case has been handled unfairly because the rabbi, assisted by his wealthy New York relatives, has limitless funds, while Elka has almost none.

“This case has a chilling effect on all unempowered spouses, including battered and unemployed spouses, from coming forward for help,” Wyman said. “It has a particularly chilling effect on Orthodox women and their willingness to go against religious tradition. It has been shown that the courts will not protect them.”

The Popacks declined to be interviewed.

Sympathetic members of Denver's Jewish community have rallied to Elka Popack's support.

Last month a group placed an advertisement in the Intermountain Jewish News asking for financial help for Popack. The ad said that she cannot afford to appeal and stands to lose her home and children.

The Popack case grabbed headlines five years ago, in the fall of 1996, when Elka Popack and her physician sought restraining orders against the rabbi. They both claimed he had threatened to kill them.

Elka Popack, now 51, told judges that her husband hit her, threatened to kill her, locked her out of the house and pulled wires from her car to disable it. She said after she underwent outpatient surgery, he poured water on her bed so she would be unable to rest.

The rabbi, in turn, blamed his marital problems on Elka Popack's physician, who had supported her desire to use birth control and helped her go to a safehouse in California with some of their 12 children, then aged 2 to 23.

Rabbi Popack, 54, denied being abusive or violent, instead accusing his wife of being out of control and abusive toward him.

From the start, the New York beth din discounted Elka Popack's claims of domestic violence, despite findings by three Denver judges that she had been abused.

The Popacks tried to reconcile but separated again in 1997.

Their relationship continued to deteriorate, and on Feb. 2, 1998, Elka Popack obtained another temporary restraining order against her husband.

That led to an emergency session of the rabbinical court in New York, which Elka Popack refused to attend. The court gave the rabbi possession of the family home and custody of the children.

Denver District Judge William Meyer refused to adopt that order, and Elka Popack continued to live in the home with their children.

Meanwhile, the Popack divorce went before the Denver District Court. When it was granted in the summer of 1999, District Judge Robert McMullen concluded that Elka Popack suffered from post traumatic stress disorder as a result of years of physical, emotional and financial abuse.

The judge also said the rabbi had been evasive and untruthful about his income.

He ordered Rabbi Popack to pay \$3,500 a month in child support and maintenance, and 80 percent of his wife's attorney's fees.

Meanwhile, Wyman challenged the beth din orders in the case.

Rabbi Popack's attorneys, however, pointed out that Elka Popack had asked her Denver attorney to review the original beth din document, which she then signed over his objections.

But Wyman contended that Elka Popack felt intimidated into signing the agreement.

Her brother, Rabbi Yosef Levin, who served as her toyen, or advisor, at the beth din, told her that she was obligated to submit to the beth din as an orthodox Jew, court documents said.

The rabbi "deliberately used the beth din as a weapon" to force her back under his control, Wyman said.

"Failure to appear before a beth din can lead to a wife being ostracized from her entire community and being excommunicated from her religion," Wyman said.

The Colorado Court of Appeals ruled two years ago that the beth din agreement was valid, but sent the matter back to the district court to determine whether the agreement was "conscionable" - whether Elka Popack was pressured to sign it.

After a trial, Judge Rappaport upheld the rabbinical court agreement and sent the Popacks back to the beth din. She also vacated all child support and custody orders Elka Popack had won in Denver courts.

"Her order undoes everything that was done in this case by two other district judges, two county judges and a magistrate," Wyman said. "I cannot conceive that this could be the result of this case."

Wyman said that Elka Popack will lose her home and her children because of that order because she is now subject to a beth din ruling that gave the rabbi custody of the children and home.

Rabbi Popack's attorney said the beth din orders were temporary.

They "have no force or effect now at all," said Dan Smith.

Until the beth din has a hearing and makes a decision, he said, the existing custody and residency arrangements will continue along with the rabbi's financial support.

No hearing date has been set.

Wyman said she hasn't been paid since 1998 and she can't afford to pursue an appeal in district court.

"After all of this," Wyman said, "Mrs. Popack has been sent back to the same beth din that entered the order taking away her home and children."

#### INFOBOX

##### THE WIFE'S POSITION

Elka Popack has told judges that her husband hit her, threatened to kill her, locked her out of the house and pulled wires from her car to disable it. She has pursued various temporary restraining orders against him.

##### THE RABBINAL COURT

Beth Din is a Jewish court of three rabbis convened to resolve disputes. Each party selects a rabbi for the beth din. Those two rabbis select a third member of the beth din. Each party also is permitted to have an adviser, called a toyen, who serves like a lawyer in civil courts.

#### WHAT'S NEXT

The beth din will hold a hearing and make a decision. Until then, the Elka Popack will maintain custody of her children and residency arrangements will continue along with the rabbi's financial support. No hearing date has been set.

The Denver Post

June 2, 2002

Woman sentenced in husband's death Manuela Garcia receives 16 years; some feel wrong message was sent

Author: Kirk Mitchell Denver Post Staff Writer

Edition: SUN1

Section: DTW

Page: B-01

Estimated printed pages:

3

#### Article Text:

A woman who killed her husband with an ax after she said he raped and physically abused her for several years was sentenced to 16 years in prison Friday.

"Yes," screamed Manuela Soraja Garcia, 38, as Judge Thomas Woodford gave her the minimum sentence allowed in a plea agreement in which she pleaded guilty to second-degree murder. She was facing up to 22 years in prison.

"Thank you, judge. Thank you," she said as she was being handcuffed and led out of the Jefferson County District Courtroom after a two-day sentencing hearing that had the feel of a trial.

Garcia, who is a German citizen, will be eligible for parole in January after getting credit for serving six years in prison, Deputy District Attorney Scott Storey said. When she completes her sentence, she will be deported to Germany.

Garcia, who entered a guilty plea in April, laced her husband Henry Anthony Garcia's beer with sleep medication and smashed him in the head 23 times with an ax on July 25, 1996. Manuela Garcia was originally convicted of second-degree murder in 1997, but the Colorado Supreme Court overturned her conviction last June and ordered a new trial.

Family members of Henry and Manuela Garcia had mixed reactions to her sentence.

"I definitely don't agree," said Christiana Ludi, Henry Garcia's foster sister. The sentence sends a message to domestic violence victims that it is OK to kill their husbands, Ludi said.

"I feel like Manuela committed a crime and got away with it," she said.

But Daniel Garcia, 17, Manuela and Henry Garcia's son, said the sentence made him happy.

"I love my mom and I would like her to go free," Daniel Garcia said.

District Attorney Dave Thomas said he can accept the judgment, but added there was no reason for anyone to celebrate.

"Everybody in this case is a loser," he said.

The sentence came at the end of a day in which prosecutors used Manuela Garcia's own words against her and defense attorneys used one of the prosecution's expert witnesses against the state.

Janet Kerr, who has counseled more than 500 victims of domestic violence, was originally hired by Thomas' office last year to evaluate Manuela Garcia.

"When she does what they ask and gives her expert opinion, they refuse to use it," deputy public defender Bridget Klauber said.

The reason was that Kerr's opinion disputed their theory about the extent of abuse Manuela received, Klauber said.

"My opinion was that Manuela Garcia was the victim of ongoing domestic violence by Mr. Garcia," Kerr testified. "It was very clear to me."

Kerr said she relied on more than 5,000 pages of trial transcripts, police and psychological reports and witness statements.

Several witnesses had corroborated Manuela Garcia's contention that she was persistently abused physically, verbally, sexually and emotionally, Kerr said.

Neighbors, family members and her husband's Army associates had reported watching violent outbursts that included death threats, she said.

An 11-year-old neighbor had seen Henry Garcia beat Manuela Garcia on their bed; two soldiers had seen him shout obscenities and pound the windows of her car after she drove it into a ditch; and Daniel Garcia had heard his father throw his mother against the walls of their bedroom.

"Threats made in public are usually the tip of the iceberg, and the threats made in private are much more threatening and frightening," Kerr said. Several witnesses had seen bruises on Manuela Garcia, she said.

Though Storey conceded that Manuela Garcia was likely physically and emotionally abused, he said 90 percent of the claims came from Manuela Garcia herself and he had proof that she exaggerated or lied about the abuse.

Storey played a video Friday of Manuela Garcia's original confession to an investigator, and then read her testimony from the first trial to show how her story had changed.

In the confession, she claimed her husband had cursed and slapped her before she "snapped" and killed him. At trial, she claimed she only hit him in self-defense after he woke her and began raping her.

But her own daughter, Loriann, gave a third version, in which she said her mother had showed her the ax two weeks before the murder and said she planned on killing her father with it, Storey said.

Manuela Garcia checked out a book in the jail library called "Justifiable Homicide" to help her mold a story that could get her off, he said. That story turned Henry Garcia into a villain to justify her actions, he said.

"The victim in this case isn't in the courtroom," Storey said. "The victim is in the ground."

The Denver Post

April 8, 2002

Weld deputies wound suspect after two slain Frantic victim called 911

Author: Sean Kelly Denver Post Staff Writer

Edition: MON1

Section: DTW

Page: B-01

Estimated printed pages:

1

Article Text:

A Loveland woman who called 911 to report her boyfriend had just been killed was shot to death just as Weld County deputies arrived to investigate early Sunday.



Allen Bergerud, 48, of Johnstown, who now faces charges of two counts of murder, then exchanged fire with police who shot him in the left hand. He was in fair condition Sunday at North Colorado Medical Center in Greeley.

The 46-year-old male victim and 39-year-old woman were not identified.

"It appears it was probably domestic-related," sheriff's spokeswoman Margie Martinez said. She said Bergerud and the female victim "used to have a relationship."

According to television reports, police believe Bergerud lured the victims to a field by telling the woman she needed to check on her horses.

Bergerud apparently approached the pair shortly before 1 a.m. as they sat parked in a pickup in the field just west of Interstate 25 at Colorado 56. He shot the man in the pickup and fled in his own pickup, Martinez said.

The woman frantically called 911 on a cellphone and told dispatchers the gunman had fled. Before deputies could reach the area, Bergerud came back, according to a second 911 call from the woman.

She stayed on the line as officers arrived. But they were slowed by poor driving conditions in the field, Martinez said. They arrived just as Bergerud opened fire a second time, she said.

"Both of those things happened simultaneously. Deputies were right there when the gunfire was taking place," she said.

➤ The woman was shot and killed just outside the pickup, where the man lay dead from the earlier shooting.

Rocky Mountain News (CO)

April 9, 2002

EXPLOSION OF TEMPERS'

MURDER-SUICIDE FUELED BY MONEY, MARITAL PROBLEMS, POLICE SAY

Author: Owen S. Good

News Staff Writer

Edition: Final

Section: Local

Page: 16A

Dateline: BOULDER

Estimated printed pages: 2

Article Text:

The murder-suicide that left a Boulder couple dead in their upscale home Saturday was the culmination of financial and marital problems for the husband, who apparently bludgeoned his wife to death before hanging himself, police said.

"This guy had a number of issues heaping up on him, in his relationships and finances, and eventually it culminated in an explosion of tempers," said Joe Pelle, commander of detectives for the Boulder police.

Barry J. Lamb, 65, is suspected of beating to death his wife, Charlotte, 63, possibly with a broken wine bottle found at the southwest Boulder home, or with a didgeridoo, an aboriginal Australian musical instrument made of petrified wood, Pelle said.

Barry Lamb hanged himself from a beam in the bedroom of the home at 2410 Cragmoor Road; his wife's body was found in the kitchen.

The incident was a case of domestic violence, Pelle said, although there was no history of that in the relationship. Neither had a criminal record, according to the Colorado Department of Public Safety.

Pelle said he was not authorized to discuss the personal stresses that led Lamb to kill his wife and then himself.

The murder-suicide happened between 3 p.m. Friday and Saturday morning, Pelle said.

➤ Neighbors said Barry Lamb worked at IBM until retiring about five years ago. The couple are survived by two sons, who live in California, Pelle said.

From: infoweb@newsbank.com  
Date: 2002/06/28 Fri AM 01:14:15 EDT  
To: Logan\_Clark@brown.edu  
Subject: Requested NewsBank Article

NewsBank InfoWeb  
NewsBank Full-Text Newspapers  
The Denver Post  
April 16, 2002

Suspect held in beating death of toddler  
Author: Kirk Mitchell Denver Post Staff Writer  
Edition: TUE1  
Section: DTW  
Page: B-01  
Estimated printed pages:

2

Article Text:

Police have accused a man of beating his girlfriend's 18-month-old son to death with his bare hands.

Ernie Calbart Jr., 19, of Denver on Monday was in Denver City Jail, where he was being held without bail on suspicion of killing Isaiah Beckett a day earlier, police Lt. Jon Priest said.

Calbart, who is also wanted on an unrelated assault case, was babysitting his girlfriend's son at her apartment in the 2400 block of South Gaylord Street when he allegedly beat the child, Priest said.

"It appears he just became angry with the child," Priest said. The boy died of unspecified injuries to his head, Priest said.

Calbart could be charged with manslaughter to first-degree murder.

Colorado had the third-highest rate of child-abuse deaths in the nation in 1999, according to the National Child Abuse and Neglect Data System. That year, 32 children died from abuse or neglect.

Former Denver pediatrician Carole Jenny, who has done analysis on boyfriend-related abuse in Colorado and Providence, R.I., said studies have found that an infant is more likely to be killed by the mother's boyfriend or husband than by the biological father.

"They're not connected," Jenny said. "They have no investment."

Isaiah Beckett's mother, who was not identified, returned to her apartment Sunday afternoon and immediately took her child to Porter Hospital, where doctors sent him to Children's Hospital, police spokeswoman Virginia Lopez said.

Officers went to the apartment at 1:25 p.m. Sunday and arrested Calbart.

A warrant for Calbart's arrest was filed in November after he failed to comply with conditions of his probation, including attending anger management classes, according to court records.

On May 20, Calbart knocked on the door of a home in the 1200 block of Dahlia Street in Denver and pointed a gun at the resident's face.

The resident slammed the door and jumped out a window. Prosecutors originally charged Calbart with menacing, but the charge was reduced to assault.

On June 26, Calbart was sentenced to 50 days in jail, 60 days of home detention and one year of probation.

"As far as I know, he is a good person," said Calbart's grandmother, Erma Delaney, who said he played football and basketball in high school.

Copyright 2002 The Denver Post Corp.

Record Number: 1097926

Rocky Mountain News (CO)

April 23, 2002

POLICE ANSWER CALLS FOR TWO MURDER-SUICIDES

DOMESTIC VIOLENCE CASES ARE REPORTED IN LAKEWOOD, AURORA

Author: John C. Ensslin

and Brian D. Crecente

News Staff Writers

Edition: Final

Section: Local

Page: 5A

Estimated printed pages: 2

Article Text:

Sobbing "baby don't die" to the man she had just killed with a rifle, a Lakewood woman turned the gun on herself and died while on the line with a 911 operator, police said Monday.

The shooting Sunday came during a grim overnight shift for police in which they investigated an unrelated pair of domestic violence murder-suicides in Lakewood and Aurora.

The first shooting occurred in a townhome at 7309 W. Hampden Ave. around 8:30 p.m., said Lakewood police spokeswoman Stacie Oulton.

Police withheld the names of the victims in that case until relatives could be notified.

There were no witnesses to the shooting. However, based on statements the woman gave to the 911 operator, police believe the man gave her a rifle. She shot him and turned the weapon on herself, Oulton said.

On the tape recording of the call, the woman can be heard crying and repeatedly saying "Baby, don't die" and "Baby, I love you."

The woman then said she would kill herself if the man died.

The second murder-suicide came less than six hours later in a parking lot across from the Stampede night club.

After spending Sunday night dancing at the club in Aurora, Octavio Alfonso Rascon, 34, walked to the parking lot with his 19-year-old girlfriend, Araceli Suarez Quinones, and killed her, police say.

Another couple, who went to the club with Rascon and Quinones, said they were just in front of the two when the shooting happened but didn't see a thing.

The man told police that they were walking to the car when Rascon and Quinones got into an argument about 1:15 a.m. Monday. A few moments later, the man said he heard gunshots and turned around to find Rascon and Quinones on the ground.

>

He later told police that he crouched over Rascon, who was wounded in the neck, and asked him why he shot Quinones. Rascon didn't reply, the witness told police. He just raised the gun to his own head and fired.

"Nobody really knows what the disagreement or argument was about," said police spokesman Rudy Herrera. Rascon "never talked about guns, never talked about any violence."

The deaths in Aurora were the fifth set of murder-suicides in the metro area within the past three months. Despite the spurt of domestic violence slayings, however, one victims' advocacy group said domestic violence deaths do not appear to be on the increase so far this year.

Project Safeguard, which tracks domestic violence-related fatalities statewide, has counted 22 deaths this year stemming from 15 incidents.

That's the same level as last year at this time, said Mindy Abel, who oversees a program that has tracked fatalities since 1999. In that time, the number of fatalities has decreased from 69 in 1999 to 50 last year.

Rather than focus on numbers, Abel said she hopes people in abusive relationships will focus instead on taking basic safety precautions.

Abel advises such people to keep a bag packed in case of trouble and to plan a route out of their home.

She also suggests they devise a code word that would alert a friend or relative to trouble.

Rocky Mountain News (CO)

April 30, 2002

KILLER OF WIFE GETS 30 YEARS

DEAD WOMAN'S KIN GO TO GREAT LENGTHS TO EXPRESS THEIR HATE

Author: Deborah Frazier

News Staff Writer

Edition: Final

Section: Local

Page: 7A

Dateline: BRECKENRIDGE

Estimated printed pages: 3

Article Text:

Charles Garrison was sentenced to 30 years in prison Monday for the beating death of his wife, Sharon Garrison, after her family said he deserved to burn in hell.

The prison term followed three hours of testimony by Sharon's three daughters, two sisters, her mother and other relatives about Charles Garrison's greed, lies, and verbal abuse of their mother by calling her "butterball" and "sweathog."

"It is the kind of thing you wish you could go out on the street and into the schools and say don't let this happen to you because it can, if you persist in putting your own ego . . . before people you are supposed to love," District Court Judge Terry Ruckriegle said, referring to the domestic violence that led to the murder.

During a fight over money on Sept. 26, 2000, Garrison crushed his wife's larynx, beat her and punched a hole in her skull. He then trussed the body into a square, wrapped the bleeding bundle in tarps and buried her by the driveway.

The fight ended a stormy 10-year marriage marked by divorce filings and assault charges each of the Garrisons filed, then dropped. The jury last month opted for second-degree murder in the heat of passion, not first-degree murder.

Ruckriegle said Garrison showed no remorse in his lies to the family and police during the 21 days after the murder but before Sharon's body was found. Garrison, 59, will be eligible for parole in 15 to 20 years.

Throughout the morning-long hearing, Ruckriegle repeatedly chided Sharon's family against criticizing the jury and the legal process. Finally, he threatened to find them in contempt if they persisted in venting their hatred against Garrison.

Mark Johnson, Garrison's attorney, said there will be an appeal on either the sentencing hearing or procedural matters during the trial.

Despite the warnings, Sharon's relatives persisted, saying that this was their time to speak. They lined a railing with 17 pictures of Sharon Garrison with her relatives and condemned Charles in poems, prayers and tirades.

Carla Robbins, Sharon's sister, read a poem that started with "Sister. Such a simple word that means so much," and ended with:

“Charles Garrison took all that away and now he will pay. . . . When you die you will really pay and burn in hell for all eternity.”

Audra Johnson, Sharon's daughter, said that when she graduated from college, her mother asked all three of her daughters to have a grandchild. She said Charles Garrison took Sharon away before the birth of the first grandchild.

Lacie Dissler, Sharon's youngest daughter, looked Charles Garrison in the eye and recited a list of reasons that she hated him. When defense attorney Mark Johnson objected, Sharon Garrison's father, Walter Goss, said: “Shut up and sit down.”

“I find it shocking that you think I should take hate into consideration in sentencing,” said Ruckriegle.

“You have to take victim impact into consideration, shocking or not,” said District Attorney Michael Goodbee.

Donnetta Guthrie, Sharon's other sister, spoke of Charles Garrison's last motorcycle ride the day the body was found.

“It's the last ride you will ever take,” she said. When Johnson objected, her father said, again, “Shut up and sit down.” Ruckriegle ordered him removed from the courtroom.

“I've never seen anything like this in my 17 years on the bench. It is not acceptable to, even understanding all of your grief, to make statements that approach a taunting nature,” said Ruckriegle.

Charles Garrison, ashen and thinner after more than a year in jail, spoke briefly before sentencing after listening to a friend of 40 years and his son talk of his kindness, hard work and generosity.

“I certainly owe everyone here an apology for being here, but I did not murder my wife,” said Garrison, in a barely audible voice, referring to his stance that it was a terrible accident, not a murder. “I'm sorry we're here.”

And as Charles Garrison was handcuffed, a member of Sharon Garrison's family shouted, “have fun Chuckie.”

>

Rocky Mountain News (CO)

May 11, 2002

#### 'SENSELESS BRUTALITY' LANDS MAN IN PRISON FOR 31 YEARS

Author: Lynn Bartels

News Staff Writer

Edition: Final

Section: Local

Page: 25A

Estimated printed pages: 3

Article Text:

A Denver man was sentenced to 31 years in prison Friday in the brutal beating of his pregnant girlfriend that prosecutors said was the worst they had ever seen where the victim survived.

Reed Gulley, 21, had been released from jail for domestic violence the day before he again beat Christina Collins so badly Sept. 20 that police thought she had been stabbed.

Collins, 19, was 23 weeks pregnant with a girl they had named Nevaeh, backward for heaven. She lost the baby.

Gulley knocked her teeth out by the roots, nearly tore off her ear, and broke her jaw and eye socket - injuries that will require four more years of corrective surgery, prosecutor Kerri Lombardi said.

She sustained a brain injury so severe that she had to learn again how to speak, read, write and walk. Her father Rob Collins said she now functions at the level of a 14-year-old.

“The young woman that was my daughter is not with us today,” he said. “She has been changed.”

Collins and her family asked the judge to put Gulley behind bars for as long as possible.

“The independence that I once had is now completely gone,” she told the judge. “I am not able to do the things that most people my age can do. I am not even able to take a shower standing up or on my own.”

Rob Collins asked for a maximum sentence on behalf of the granddaughter he will never know.

“This willful, insane act of drug and alcohol overindulgence and out of control anger cost her everything,” he said.

Defense attorney John Ventura asked for a reduced sentence because of Gulley's mental and drug problems. Gulley was on medication for schizophrenia, but frequently refused to take the medication, turning instead to methamphetamine, cocaine and alcohol.

Gulley apologized to his victim and her family.

“I am sorry for what happened. There is no justification for what I did. I take full responsibility for my actions.”

Denver District Judge Gloria Rivera was unsympathetic.

“Mr. Gulley is asking for leniency from the court on the day his unborn child would have been 5 months old. I find that highly ironic,” she said.

She chastised Gulley for the “senseless brutality” inflicted on the defenseless mother of his child.

“I have heard no reason why I should show mercy to you,” she said.

Lombardi said Christina Collins became involved with Gulley when she was 17.

“She was as very kind and goodhearted woman. She was trying to be Mr. Gulley's savior.”

But he repaid her with repeated beatings, she said.

He was jailed after a beating Sept. 17 provoked because she was packing to move out. Gulley told her, “If you're going to leave me, I'm going to kill you,” Collins told police.

He kicked, punched and choked her, beat her head on the floor and tried to break her neck.

He pleaded guilty to assault and other charges were dismissed at a Sept. 18 hearing.

He returned to finish the job on Sept. 20, inflicting a beating so severe that Collins has no memory of what happened, Lombardi said.

Police responding to a neighbor's 911 call found Collins unconscious and bleeding in a tub full of water.

Gulley refused to let police in the house, and fought with officers, who pulled him out of a window after macing him.

Gulley told police that Collins hurt herself when she fell and hit her head on a coffee table.