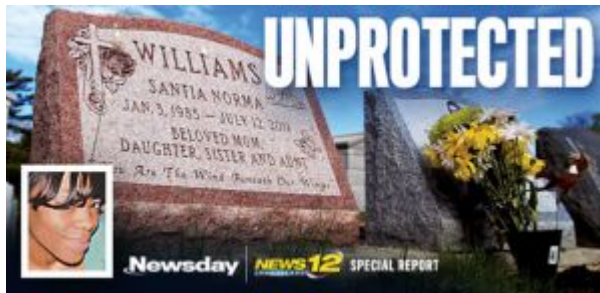


Investigation: Protective-order system failed mother, with deadly results

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Santia Williams needed help.

Her 250-pound ex-boyfriend, Jason Jenkins, had snatched their baby from her arms, violating a judge's order to stay away. After taking off with the girl, Jenkins threatened to kill the 2-month-old and himself.

Williams made at least four calls to Suffolk County police over the next week. Recordings of the July 2011 calls capture Williams' voice, scared and confused about why police would not arrest Jenkins.

The last call for help came from Williams' 12-year-old nephew, who lived in the same Bay Shore apartment as Williams.

"There's a guy with a gun," the boy told the 911 operator. "Please come fast, quickly. Please, please, please."

When police finally did arrive to take Jenkins away, they needed body bags instead of handcuffs.

Long Island judges grant roughly 30,000 orders of protection every year, mostly in cases where a man has harmed or threatened to harm a woman. The orders are supposed to marshal the power and authority of the law enforcement system on behalf of those in danger by placing

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restrictions on individuals who have been deemed a threat.

But the system failed Williams, 26, a mother of two. Despite Williams' repeated pleas that police arrest her abusive ex-boyfriend for violating an order of protection, Jenkins, 27, remained free to kill Williams with a shotgun before turning the gun on himself.

Drawing broad conclusions about the system that protects domestic violence victims is difficult. Access to Family Court records in New York State is limited to respect an individual's privacy, and state agencies proved unwilling to provide even basic information that would not identify individuals, such as dates protective orders were issued and served.

However, in a joint investigation, Newsday and News 12 Long Island reviewed three hours of 911 calls and radio transmissions and more than 300 pages of documents related to the Williams case, including the records from an ongoing wrongful-death lawsuit Williams' mother filed in July 2012 against Suffolk County, its law enforcement agencies and 15 officers. The court file contains a document in which the county admits to specific failures uncovered in an Internal Affairs Bureau investigation, but not the IAB report itself.

Reporters also interviewed 21 people, many with direct involvement in the Williams case or in the system meant to protect women like her.

The examination offers a look at a worst-case scenario of what can happen in a domestic violence case when the system fails to protect someone who turned to it for help.

The records and interviews show:

Suffolk County police neglected to arrest Jenkins despite knowing of the order of protection against him and repeated complaints that he had violated it. Suffolk police rules mandate an arrest in such circumstances.

The Internal Affairs Bureau initiated its investigation into how officers handled the Williams case a year after Williams' death and only after Williams' mother filed a wrongful-death lawsuit in federal court.

This was not a one-time mistake by a lone officer. On at least four occasions, eight police officers violated department rules by failing to take victim statements from Williams or complete domestic incident reports after responding to her 911 calls.

Internal Affairs investigators found that three officers -- John Mercurio, Jason Morge and Miguel Vias -- failed to "adequately investigate" after Williams made at least two 911 calls about Jenkins in one day.

Another four officers -- Nicholas Aspromgos, John Brunkard, Valentin Rosado and Frank Ortiz -- failed in their duty to adequately or properly investigate on at least two occasions when called to deal with Jenkins. Both instances happened after a judge had issued a protective order against him. Also, Officer Luis Ruiz failed to notify the sheriff's office, which serves protective orders, that he'd had contact with Jenkins.

Although Suffolk's Internal Affairs Bureau issued its findings more than a year ago, the department has not disciplined any of the officers involved in the case, according to Frederick K. Brewington, a Hempstead attorney who is representing Santia Williams' family in the lawsuit.

In response to the family's complaint, the county denied "any conduct giving rise to any cause of action" in the Santia Williams case.

Suffolk police officials, citing the ongoing litigation, declined to answer questions for this story and the individual officers named did not respond to messages left with the department or the police union. Police also withheld public records, including the IAB report, in response to Freedom of Information Law requests and did not provide a reason for doing so, although they are required by law to give one.

Williams' mother, Phyllis Coleman, said in an interview that police officers "did not do their job."

"My daughter was in a burning building," Coleman said. "Why didn't they rescue her?"

Brewington said officers displayed a "level of willful neglect" that reminds him of how Nassau County police treated Jo'Anna Bird, another young mother of two killed by her boyfriend, in 2009. Police negligence in that case led to a \$7.7 million settlement by the county with the Bird family, whom Brewington also represented.

Brewington, who has been outspoken about issues of discrimination on Long Island and is an expert in civil rights litigation, alleges that laziness and bias explain some of the failure by Suffolk police in the Williams case. Her pleas would have been treated more seriously had she been white and affluent rather than black and poor, Brewington contends.

However, all women confronting abuse should heed the Williams tragedy, he said.

"Women need to be very concerned when they pick up the phone and they say 'help me,' " Brewington said. "Because in this situation, when the help came, it wasn't worth spit."

}Now he's threatening to burn down, uh, burn down all the stuff and burn down the house that we're living in. . . . Is that a justification for him for being arrested?" -- Santia Williams 911 call,

June 20, 2011

Suffolk County's rules stress decisive action in domestic violence cases and emphasize the importance of officers using their arrest powers.

"Failure to make an arrest leaves one party in the altercation at the mercy of the other and leaves the offender with the impression that he/she can continue to violate the law," the rules state.

Suffolk's "pro-arrest" policy took effect in 1988 when, in his first executive order, newly elected County Executive Patrick Halpin made arrests mandatory in most domestic violence situations, regardless of whether an order of protection has been obtained.

The policy was the first of its kind in the state and was a personal victory for Halpin. One of his boyhood friends grew up in a home where domestic abuse took place, and Halpin learned later in life that his friend battered a woman as an adult.

Halpin said his order was meant to change a police department culture that too often was cavalier in its attitude toward domestic violence.

"The whole idea was to make it clear as day," he said in a recent interview. "If somebody is

being harmed, they must act. They can't just separate the parties and, if the perpetrator takes off, not do anything."

Halpin's order also required police to file domestic incident reports that are relayed to victims advocates, who can intervene to protect those in danger. In the Williams case, a document in the court file shows that police in multiple instances did not complete such reports or take required victim statements from Williams.

Police knew that the court had ordered Jenkins to stay away from Williams. An order of protection is immediately entered into a computer system that makes the information accessible on squad car computers, said Lt. Ed Brummerloh, who commands the Suffolk Sheriff's Domestic Violence Bureau.

It's the job of sheriff's officers to locate the subject and serve the order, but if police arrive at a scene and find someone that has not been served, they give the order verbally -- a process known as an advisement -- and notify the sheriff's office, Brummerloh said.

Although sheriff's deputies will continue to attempt to serve the order, an advisement qualifies as valid service in Suffolk, Brummerloh said. Once a person has been verbally served, police can arrest someone who violates an order of protection, he said.

Suffolk's rules require that when an officer has a reasonable belief that an order has been violated, "an arrest shall be made. There will be no attempts to reconcile or mediate the situation."

Gregory J. Blass, a former Suffolk Family Court judge and county social services commissioner, said officers sometimes use the fact that an order has not been formally served as an "invalid excuse" not to act. Blass, after reviewing the Williams case and 911 calls at Newsday's request, said police missed several opportunities to arrest Jenkins, including before Williams obtained the order of protection.

"If the police encounter a guy who is making threats like that," then it's a domestic violence case and there needs to be an arrest, Blass said. "There's this pattern of giving him a pass."

He stressed that an order of protection is not needed to make an arrest. When domestic abuse is alleged and corroborated, Suffolk's "pro-arrest" policy is supposed to kick in, he said.

Blass said the system works the vast majority of times, but the details of the Williams case raised doubts over whether police training needs to be improved.

"Something has broken down," Blass said.

"I'm trying to get my child out of the house, and her father is keeping me from, he is trying to like snatch the, uh, car seat out of my hands."- Santia Williams 911 call,

June 23, 2011

Authorities had evidence of Jenkins' propensity for violence even before Williams sought their help.

Records show police had arrested him on charges of dealing drugs, menacing and felony robbery. He spent eight months in prison after pleading guilty in June 2006 to robbery. Two men

involved in the case obtained orders of protection against Jenkins, including one that extended into 2011.

Jenkins continued to find trouble after getting released on parole. Aleathia Brown, with whom Jenkins had a baby, wrote in a statement to police that Jenkins went to her Middle Island home late one night in September 2008, backed her into a car and put a knife to her face.

Brown said she broke free, ran back into her house and dialed 911. Jenkins fled.

Police caught and arrested Jenkins, who later faced charges that included second-degree menacing with a weapon, a felony. Jenkins accepted a plea deal that reduced his charge to a noncriminal violation, and a judge issued a two-year order of protection directing Jenkins to stay away from Brown.

The order expired on March 12, 2011. By then, Jenkins was dating Williams.

Coleman described her daughter as quick to laugh but with a temper. In family photos, she wears a sly smile. Williams graduated from Malverne High School and had a daughter, Aniyah, when she was 21. She was fighting to make it as a single parent, Coleman said, and was proud when she graduated from a night course in medical billing and when she got a promotion and 50-cent raise at work.

Coleman said her daughter met Jenkins at the Long Island Rail Road station in Bay Shore. Williams was not impressed with Jenkins, who was overweight, sickly and worked stocking shelves overnight at P.C. Richard & Son in Farmingdale.

But Jenkins' rough upbringing drew Williams' sympathy, Coleman said, and Williams' feelings for him softened.

Court records in one of Jenkins' criminal cases show his parents divorced when he was 3 and his stepfather beat him with bottles and pool sticks. In 1998, when he was 14, Jenkins' mother petitioned for state supervision, and he was sent to a juvenile facility.

Jenkins' biological father went to prison after stabbing Jenkins' stepfather four times in the head. His biological father died of liver failure in 2003, and Jenkins tattooed "POP" and "RIP" on his left arm.

"People love people who are broken," Coleman said of her daughter. "She would say, 'He doesn't have somebody to help him.' "

From the start, Coleman was suspicious of Jenkins. When Coleman saw him for the first time with Williams, Jenkins turned away and refused to get out of the car to be introduced.

Jenkins did not like it when Williams went somewhere without him, Coleman said. He'd follow her to the mall, or Williams would step outside the real estate firm in Ronkonkoma where she worked as a secretary and find him lurking by her car.

Coleman said she begged her daughter to end the relationship, but for a time Williams defended Jenkins: His attachment could feel like love and they were having a child together. Maybe he could be fixed.

}He's been acting like really, like saying creepy things, and being irrational. It's been an ongoing,

you know, problem."- Santia Williams 911 call,

June 25, 2011

On March 13, 2011, the day after Aleathia Brown's order of protection against Jenkins expired, a woman called 911 to report that Jenkins was beating Williams. The woman, Williams' best friend, said Williams was nine months pregnant and that children were in the home.

When police arrived, they arrested Jenkins on outstanding traffic, petty larceny and menacing warrants but not for his treatment of Williams. Jenkins spent three days in jail before he was released after paying \$250 cash bail. It was the one time police arrested Jenkins after a dispute with Williams.

Williams continued to live with Jenkins on Spruce Street in Bay Shore in a tan, two-story apartment building across from an auto shop. In late April 2011, Williams gave birth to their daughter, Arianna.

By the time summer began, Williams pushed to end the relationship with Jenkins. Coleman said her daughter was unsure how to get away from him safely and that she kept pepper spray and a bat in her car.

On June 19, Father's Day, Williams took her kids and went to stay upstairs in an apartment occupied by her sister, Shannah Jordan, and nephew, Darius, 12.

The next day, Jenkins banged on Jordan's door. Then he went downstairs to the apartment that he had shared with Williams and threw some of their belongings into the street, including Arianna's crib.

Jordan called the police. It was the first of at least nine calls that she and Williams would make to police over the next three weeks.

Because police have declined to discuss the case or provide documents, Newsday does not have an official account of how officers handled each call.

At Newsday's request, two retired law enforcement officers who were supervisors listened to recordings of the 911 calls and related police radio coded communications. The retired officers said police responded to the scene after each call but did not arrest Jenkins except after the March 13, 2011, incident.

Court records filed in the family's lawsuit show that an Internal Affairs investigation found that police officers improperly voided at least three of Williams' 911 calls and logged at least one call as related to a complaint from the previous day. The department's admissions do not explain why officers took those actions.

But the retired law enforcement officers told reporters that when multiple 911 calls come in for the same incident, police sometimes void -- or combine -- the calls under one complaint number so they don't need to write a report for each one. Although there is no paper record of each call, an electronic record remains. However, it's considered a dangerous practice because it limits the ability to conduct follow-up investigations, one of the officers said.

When police responded to Williams' June 20 call, they ordered Jenkins to put the belongings he'd thrown out into the street back inside. Then they left.

Shortly after, Williams called 911 to report Jenkins had threatened to burn down the building. She told the operator that police had just gone and that they knew Jenkins was capable of violence. She complained that police had not done more when they first arrived.

"Is that a justification for him for being arrested? Because he's endangering the life of me and my children," Williams said. "He's threatening everybody. I mean, that's not, I don't see how that's OK."

Blass, the former Family Court judge, said police should have arrested Jenkins after he threw the crib and other items into the street. Jenkins' behavior was "clearly designed to put the victim in fear," as evidenced by Williams' repeated calls to 911, Blass said.

Three days later, Williams again called 911, saying Jenkins would not let her leave her apartment and that he kept trying to snatch Arianna's car seat out of her hands. Two days after that, Jenkins was again at the door demanding to see the baby. Williams did not want him inside the apartment and again called police.

"He's been . . . saying creepy things, and being irrational," Williams told the 911 operator. "It's been an ongoing, you know, problem."

The operator asked if she had an order of protection. Not yet, Williams told her.

Williams went to Suffolk Family Court on June 28 and got the order. It directed Jenkins to refrain from harassing, threatening or intimidating Williams and to stay away from her, her workplace and her apartment.

The order said Jenkins was to have no contact with Williams, except to arrange visits and curbside pickup and drop-off of Arianna.

"I have an order of protection against my ex-boyfriend. . . . And when I opened the door, he took the baby from me. He's not giving her back."- Santia Williams 911 call, July 4, 2011

Jenkins knocked on Jordan's apartment door on July 4. Williams answered with Arianna in her arms, and Jenkins grabbed the baby.

Williams called 911.

"I have an order of protection against my ex-boyfriend," she told the 911 operator. "He came up to my sister's door, where, really, he's not supposed to be."

She explained that Jenkins had snatched the baby and would not give her back.

Sheriff's deputies had trouble locating Jenkins and had not yet served him with the protective order, which had been issued six days earlier. When police responded to Williams' call, according to her mother's lawsuit, they said they could do nothing until deputies had served Jenkins.

About 4:30 p.m. on July 4, Police Officer James O'Callaghan telephoned the sheriff's office to say he had verbally served Jenkins with the protective order. It's not clear from court filings whether O'Callaghan spoke with Jenkins in person or over the telephone.

Williams made three panicked calls to police the following day, July 5, and a total of four officers

responded.

The county would later acknowledge violations of department rules, including that two officers failed to properly investigate the incident; two knew Williams had an order of protection but failed to notify the sheriff's department; three officers did not do the required paperwork; and two officers failed to notify their supervisor.

Williams told the officers that Jenkins had their daughter and was threatening to commit suicide. In the last call, Williams told a 911 operator that she had a police report from when Arianna was first taken. Jenkins appears to have been nearby at the time.

"He's sitting here at work at P.C. Richard and he won't tell me where the baby is," Williams said. "He took the baby out of my arms and went downstairs and took her stuff and hopped in a cab, taxicab, up and took her. And the police were saying there's nothing that they can do."

Blass said it was another missed opportunity to arrest Jenkins.

"He kidnapped the child," Blass said. "Coupled with the order of protection, it adds up to the need for some serious response."

Jordan called 911 the next day, July 6. She told the operator that Jenkins was aware of the order of protection and that he'd been verbally served. Jordan said she and Williams had just called "police over in Melville by his job" hoping for help in getting Arianna returned.

She told the operator that Jenkins had given police an address where he claimed the baby would be found. Police had given her and Williams the address, Jordan said, but when they arrived, Arianna was not there. The address police provided was an abandoned building in Brooklyn, Coleman said in a recent interview.

Jordan told the 911 operator that she and Williams wanted to file a missing-person report and a harassment complaint against Jenkins for repeatedly calling them.

"We don't know if the baby is alive or dead," Jordan said. "He's saying that he's going to kill himself and kill the baby."

Jordan said in a recent interview that police told her they could do nothing until the protective order was served. Jenkins became more aggressive, she said, as he saw his conduct draw no sanction from law enforcement.

"It was extremely frustrating," she said. "They definitely could have done more as far as getting him off the streets and making her feel safe, and honoring the order of protection that she went to court and obtained to keep him away from her, but they never did that."

Coleman said when Jenkins finally returned Arianna on the night of July 6, the baby had mites. Williams called police to say that Jenkins had come to her building, and although he had been verbally served two days earlier, Coleman said her daughter again was told nothing could be done until Jenkins had been served.

"It would go on like a revolving door," Coleman said. "It was horrible."

}Um, Spruce Street. Um, there's a guy with a gun. Please come fast, quickly."- Darius Jordan 911 call,

July 12, 2011

A vehicle had damaged a utility pole, so there was no electricity in the Spruce Street building on the night of July 11. Candlelight cast shadows on the walls inside Jordan's apartment, where Williams, her two daughters and nephew Darius stayed.

The sheriff's office had served Jenkins with a copy of the protective order three days earlier, a formality given that the order had already been served verbally. In the street outside the apartment building, Jenkins stood smoking and talking with passersby.

After midnight, Jenkins walked into the building and up to the second-story apartment.

Jordan woke up about 1 a.m. and walked out of her bedroom to the living room. In the darkness, she could make out Jenkins speaking softly to Williams. Jordan said he was "eerily calm" as he told Williams he did not want to go to court over custody of Arianna.

Jordan asked Jenkins to leave, but he refused. Jordan said it was dark, and though she did not see a gun, she was "very scared" and stepped back into her room.

But Jenkins did have a gun.

Jordan said that within seconds of going back into her bedroom, she heard Williams plead for her life. Then she heard a gunshot.

Jenkins had shot Williams in the chest. Her two children were in the room.

As Jenkins tried to kick in the door to her bedroom, Jordan said she leaped from a window, shattering bones in her foot when she hit the ground. Jenkins put the barrel of the shotgun to his head and killed himself.

Darius Jordan called 911 at some point during the encounter. The voice on the recording of the overwhelmed, frightened boy begged the operator to "come fast."

He told the operator he was "on Spruce Street," and the woman repeatedly pressed the boy for an address he either didn't know or was too rattled to remember.

"He has a gun. He has a gun. Right now!" Darius said. "Please hurry!"

The call-taker asked for an address once more before the line went dead.

[< back to article](#)