

Unprecedented Million Dollar Settlement: Sheriff Held Accountable in Domestic Violence Homicide

As posted on the Vancouver Rape Relief & Women's Shelter Web Site
(http://www.rapere Reliefshelter.bc.ca/issues/maria_macias.html)

June 18, 2002

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In the first ever monetary award by law enforcement for their failure to protect a domestic violence victim leading up to her homicide, the Sonoma County Sheriff's Department agreed to pay a million dollar settlement in the landmark federal civil rights lawsuit of *Maria Teresa Macias vs. Sonoma County Sheriff Mark Ihde*.

The announcement came mid-trial at the close of dramatic testimony by Sara Rubio Hernandez detailing more than 20 attempts by her daughter, Maria Teresa Macias, to get help with her violent estranged husband, Avelino.

Hernandez outlined her daughter's repeated reports to the Sheriff Dept. of Avelino's multiple felony crimes including his sexual assaults of Teresa and her children, his constant obsessive stalking, repeated threats to kill and restraining order violations. The Sheriff's Department never once arrested or cited Avelino Macias. After deputies ignored more than twenty reports in just the last few months of her life, Avelino fatally shot Teresa, then shot and seriously wounded her mother, Sara, on April 15, 1996.

This landmark federal civil rights lawsuit, filed in October 1996 claimed that Sonoma County Sheriff's Department violated Teresa's constitutional right to equal protection of the laws. A July 2000 9th Circuit Appellate Court decision in the Macias case established for the first time and in the most unambiguous language to date, women's rights to sue law enforcement when they fail to act.

With today's testimony and the historic damages award, Sara Hernandez said, "I have fulfilled my daughter's wish." Shortly before her death, Teresa told her mother, "If I die I want you to tell the world what happened to me. I don't want other women to suffer as I have suffered. I want them to be listened to."

The settlement sends a resounding message to law enforcement around the country that they can no longer ignore domestic violence victims with impunity. And it sends an equally forceful message to women everywhere, that they have a constitutional right to hold law enforcement accountable when law enforcement refuses to act.

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