

Snohomish County to pay \$1M in lawsuit over domestic-violence slaying

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By **Mike Carter**
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Dayna Marie Fure was killed in 2004 by her estranged boyfriend, who then killed himself.



Mainor Valentin

Snohomish County will pay more than \$1 million to settle a civil-rights lawsuit in the slaying of an 18-year-old Stanwood woman stalked and killed by her estranged boyfriend in a 2004 murder-suicide.

In the settlement reached Monday, Snohomish County also agreed to expand domestic-violence training for sheriff's deputies, according to court documents and county officials.

The lawsuit alleged that the Stanwood Police Department — a contract agency staffed and operated by the county sheriff's office — failed to protect Dayna Marie Fure from her 23-year-old estranged boyfriend. Officers should have arrested him, the lawsuit claimed, but instead downplayed or ignored the threat he posed.

Fure and Mainor Valentin had been dating nearly two years when she broke off the relationship that spring. Valentin began harassing her and, on May 13, 2004, drove from Seattle to a Stanwood nail salon,

where he tearfully confronted Fure, showed her and one of her friends a gun, and said he was going to kill himself.

The incident was reported to a Stanwood police detective, who did not take a report at the time nor dispatch a patrol car to try to find the armed man, according to court records.

For the next 11 days, Valentin stalked Fure, and on May 24, shot and killed her at her father's home before turning the gun on himself. The bodies were found by Fure's father, Ben Robert Fure, when he came home from work that day.

Two years ago, Fure's mother, Melody Hafner-Cottrell, and father sued, alleging the police failed to protect their daughter from the time Valentin confronted her at the nail salon until she was slain.

Monday's settlement came just weeks before the case was to go to trial in U.S. District Court.

The suit revealed that the Snohomish County Sheriff's Office had no domestic-violence enforcement at the time, even though the horrific murder-suicide involving Tacoma Police Chief David Brame had brought national attention to the issue just a year before.

"I didn't follow up on that. That's my responsibility," said Rick Bart, who was Snohomish County sheriff at the time and is now a candidate for Congress.

"Would it have saved [Dayna Fure's] life? I don't know. But I know it's a cross I will bear for the rest of mine."

Records show the sheriff's office implemented a policy in 2007, just before Bart's deposition in the Fure lawsuit. "I had to ram it through," Bart said.

Settled in mediation

Assistant Snohomish County Prosecutor Michael Held said the lawsuit was settled at a mediation conference and that the specifics are still being ironed out.

"It was in the best interest of everybody to be able to have some closure and start the healing process," Held said.

At trial, Fure's parents would have called as their key expert witness former Seattle Police Chief Norm Stamper, who reviewed the incident and, in a scathing 39-page report, concluded that the sheriff's efforts to protect domestic-violence victims and its lack of domestic-violence policy and procedures in general were "not consistent with either Washington state law or accepted law-enforcement practices."

"Specifically, it is my professional opinion that the defendants failed to protect Dayna Marie Fure and, through their actions and inactions, contributed to her violent death," Stamper concluded.

"The defendants minimized or failed to recognize the dangerous, continuing series of crimes committed by Dayna Fure's domestic violence stalker," wrote Stamper, who was a founding member of the National Advisory Board on the Violence Against Women Act. "If anything, they tended to side with the stalker." As a result, the officers who were supposed to protect Fure "needlessly endangered" her life.

The officers did not arrest Valentin under the state's mandatory arrest law for domestic-violence assailants and did not provide Fure with a packet of information for domestic-violence victims that is required by law, according to court documents.

Bart was contemptuous of Stamper's role as a "hired hit man for defense lawyers," but did not address the specifics of the report, which he said he had not read.

"Negligence"

Stamper said the failure of the Stanwood police detective to take a report and send a patrol car to find Valentin on the day he accosted Fure at the nail salon was evidence of "institutional negligence and deliberate indifference."

The detective, Stanley Breda, did not file a report on the incident until the day after Fure's murder.

The same night as the incident at the nail salon, Valentin showed up at Fure's workplace, Merrill Gardens Nursery, but left after her boss called 911. The responding police sergeant tried to persuade Fure, against

her will, to talk to her stalker on his cellphone, an act considered unwise and even dangerous by domestic-violence counselors, crime-victim advocates and most law-enforcement agencies, according to court documents.

Stamper said the proper police role would have been to shield Fure from her stalker.

The sergeant returned to the station to fill out an "officer safety bulletin" about a potentially armed suspect who might be a danger to police, but made no effort to find him or the weapon or to ensure Fure's safety, according to court documents.

Valentin returned to Merrill Gardens later that evening, forced his way into Fure's car and again, armed with a handgun, threatened to kill himself. Witnesses said he was clearly angry at Fure.

Police returned and, after a brief standoff, convinced Valentin to surrender.

One officer, Gary Chaney, in a move termed by Stamper as "contrary to the most fundamental law-enforcement procedures in domestic violence," promised Valentin a face-to-face meeting with Fure, according to court pleadings and depositions.

Once they were face-to-face, the officer stepped back and Valentin reportedly told Fure, "I'm going to get you." Witnesses said Fure "crumpled and began shaking and sobbing," according to the court file.

Valentin was then taken to a hospital for a mental-health evaluation and released. He was never charged with a crime, and Chaney did not report the threat until after Fure was killed.

Fure obtained a protective order the next day. Family and friends say Valentin was spotted several times — all in violation of that order — but those incidents were not all reported to police.

One that was, by Fure's stepfather, was never investigated, according to court documents.

"They were more concerned about him," said Andrea Brenneke, the parents' attorney.

"They completely missed — or overlooked — the whole domestic-violence component."

She said Dayna Fure's parents intend to use some of the settlement money to help fund a domestic-violence awareness program for teens.

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