

## **Killing shows that ‘nobody’s immune to this’**

A woman slain by an ex-boyfriend had aided domestic violence victims  
By David Klepper, The Star’s Topeka Correspondent

### **LAWRENCE**

Sometime in the afternoon of July 2, Jana Mackey ceased being an advocate for women. Instead, she became another statistic in a cause she spent years fighting. Mackey, 25, a University of Kansas law student, had lobbied state legislators for gay and lesbian, and women’s groups. She assisted victims of rape and domestic violence.

She was killed by her ex-boyfriend, police say, a Cuban artist who went by the name Fito Garche. After the slaying, Garche, 46, was arrested in New Jersey, where he hanged himself in his cell.

The bitter fact that Mackey was the state’s newest domestic violence victim shocked many in this college town. Friends and experts say Mackey’s death serves as a reminder: If it could happen to her, it could happen to anybody. “Nobody’s immune to this,” said Sandy Barnett, director of the Kansas Coalition Against Sexual and Domestic Violence. “There is no better way to honor her, and all the other Janas across the state, than to see this as a call to action.”

Mackey had dated Garche for a year. An anti-Castro artist who told people he left Cuba on a raft, Garche cut a dashing figure. He also had a dark side: He had served time in prison for attacking a previous ex-girlfriend with a knife.

Mackey and Garche broke up last month after Garche became possessive, friends said. Mackey moved on, looking forward to a summer of classes, cookouts and waterskiing.

On a lazy Sunday, three days before her death, she sat on her porch and talked with close friend Kelli Brandt.

“The world is my playground,” Mackey told her.

### **Everyone was welcome**

When Mackey graduated from Hays High School in Kansas, her stepfather gave her a book by civil rights icon John Lewis, *Walking With the Wind*. On the first page he wrote, “Jana, find the courage to change the world.”

At KU, Mackey won election to the student Senate, directed campus plays and sang in choirs, bands and karaoke bars. Patsy Cline was a favorite.

Her calling came to her in a women's studies course. Christie Brungardt recalls her daughter's breathless phone call one day after class: "Mom, I've found my thing."

She started volunteering at a women's shelter. Worked a rape crisis hot line. Soon she was organizing marches and protests. Volunteering on political campaigns.

Her wraparound porch often hosted dozens of friends, old and new. She told friends it was a place where everyone was equal, everyone welcome. Gay and straight, old and young, American and foreign. "It was like the United Nations," her mother said.

After graduating, Mackey worked as a lobbyist in Topeka for the National Organization for Women and the Kansas Equality Coalition. She fought against new abortion restrictions and the gay marriage ban – and for tougher laws on domestic violence.

She was often on the losing side, but she never lost heart, friends said. And she was imposing, this tall young woman chasing down legislators in high, black leather boots.

"Jana gave a voice to those in our society too often ignored," said state Sen. Laura Kelly, a Topeka Democrat. "Not for civil rights. Not for women's rights, not for gay rights. But for human rights."

She saw law school as a way to expand her reach. Dean Gail Agrawal called Mackey "every law dean's dream candidate," more interested in what the law could do than how much it might pay. At a eulogy this week, Agrawal wiped tears. "I regret more than I can say that we will not come to know the lawyer Jana would have been," she said.

### **An artist with a past**

Mackey and Garche met while salsa dancing at a local Mexican restaurant. Garche was a good dancer, a great cook and, friends said, a charmer.

His real name was Adolfo Garcia-Nunez, though everyone called him Fito. He left Cuba in 1994 after police beat him and destroyed artwork critical of Fidel Castro. His colorful, sometimes melancholy art was marked with religious images and depictions of Cuba.

The pairing didn't surprise Mackey's family. Mackey often picked unusual friends and liked the depth of older men. More than once Garche joined the family at their lake house, and Brungardt said he was generous. Attentive. "We weren't crazy about the age difference, but he treated her so well," she said.

Mackey's family didn't know that in 2004 Garche broke into an ex-girlfriend's home and attacked her in the dark with a knife. After a violent struggle, the woman escaped.

Garche served a year in prison. Upon his release he vowed to stay sober and start again. Friends in the art community helped him find gallery space.

Garche lived in a small home north of campus. His son, 18, and daughter, 19, recently emigrated from Cuba and joined him in Lawrence a few months ago.

Neighbor Tara Lewis, a 25 year-old KU student, said Garche often entertained in his backyard. When Lewis moved in, Garche carried a Futon up a flight of stairs.

"I wouldn't have figured him for anything like this," she said.

Garche's first victim left Kansas for fear he would attack again. She declined to comment for this article, but her friend, Erin Adamson of Lawrence, said Garche never hurt the woman while they dated.

"You wouldn't know he was dangerous until you broke up with him,"

Adamson said. "He was really charming on one hand and really manipulative and dangerous on the other."

Mackey's family and friends don't think Garche mistreated Jana while they dated, either. "She wouldn't put up with being a victim," said Christie Brungardt. "No way. Not her."

Friends said Mackey knew of Garche's past but thought he got a bum rap in court.

Adamson said she wanted to warn Mackey when she heard Garche had found a new girlfriend. But since his release from prison, Garche had flashed dangerous looks at any friends of his first victim.

Adamson, who was pregnant at the time, feared he might come after her if she got involved.

Now Adamson wishes she had said something.

Friends of Mackey struggle to understand how Garche could be so warm and yet so violent.

"You see the couple that we knew," Brandt said. "Not the killer and a dead girl."

### **A fearful search**

Mackey was supposed to spend the July 4 weekend at the family lake house in Council Grove, Kan.

She never made it.

Mackey was last seen alive in class at 2:30 p.m. July 2. When friends and family couldn't reach her the next day, they reported her missing. Family members drove in to help look.

Mackey's car was found on the night of July 3 in the parking lot of a Lawrence hospital. The lot was near Garche's home, and when he couldn't be found, Mackey's relatives began to fear the worst.

"I found myself actually hoping that he'd kidnapped her," said Mackey's stepfather, Curt Brungardt.

Instead, Lawrence police found Mackey's body inside the home. Garche was last seen at a convenience store on July 2, shortly after police think he killed Mackey,

He and his children then drove 20 hours to Elizabeth N.J., where the mother of the children lives. Police do not think he told them why they were departing so abruptly.

Lawrence police put out Garche's description, and early on July 4 his pickup was located by New Jersey police.

Garche was arrested on a second-degree murder warrant. He was taken to a cell where, 12 hours later, he was found dead.

Christie Brungardt called Garche's suicide "the biggest favor" because it spared the family a painful trial and allowed them instead to focus on grieving for their lost daughter.

Police had not released the exact cause of Mackey's death in accordance with family wishes. But they say Garche was bruised and bloodied when they found him.

"She went down fighting," said Curt Brungardt. "You wouldn't expect anything else."

### **A call to action**

Every spring the Kansas Coalition Against sexual and Domestic Violence holds a rally in Topeka. Often, the group releases stark statistics on the number of women killed by former or current partners.

Mackey was a regular at those rallies. Next year she'll be another number and another name.

At her memorial service Wednesday, family and friends called on mourners to take on Mackey's fight for social justice. Her stepfather said it was the only solace he could find.

"Why would God take her away – why now – when she was only 25? She had so much work to do," Curt Brungardt said. "Maybe through her death she can touch more lives."

That book on civil rights he gave her? When the family collected Mackey's belongings, Curt Brungardt found it on a shelf, well-read.

The service was in Liberty Hall, a film and concert venue Mackey frequented. Several lawmakers and lobbyists attended. Gov. Kathleen Sebelius sent a state flag that had flown at the statehouse in Mackey's honor. A projector flashed pictures of Mackey while Patsy Cline played in the background. A little girl from Hays. A gawky teen clad in black. KU student and volunteer. Friend. The leader of 200 KU students marching on Washington.

The family had hoped a few hundred people would come. Eleven hundred did.