

2020
Annual Report

Domestic Violence Homicide in Nashville

Domestic Abuse Death Review Team
Nashville - Davidson County, TN





The events and incidents described within this report are derived from the following sources: the Metro Nashville Police Department homicide report relating to the homicide in question; interviews with church leadership; and additional police reports related to the victim and/or perpetrator. These details and descriptions do not reflect the opinions of the Domestic Abuse Death Review Team, the Metro Nashville Office of Family Safety, or the City of Nashville.

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Metro Office of Family Safety

Nashville – Davidson County, TN 2020 Annual Report

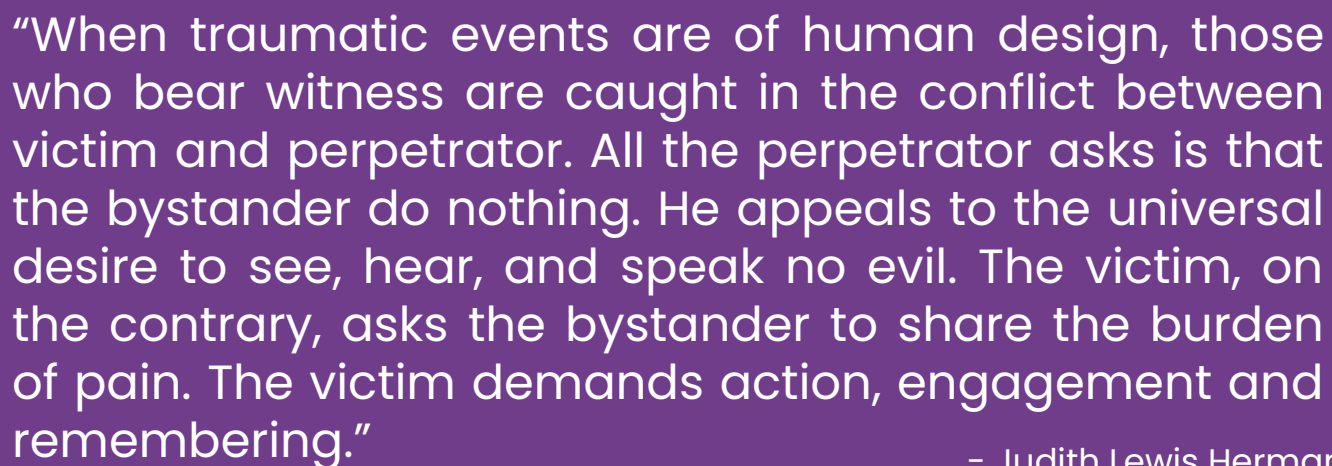
PREPARED FOR

The Honorable Mayor John Cooper,
The Davidson County Metro Council,
& The Metropolitan Government Office of Family Safety
Advisory Committee

PREPARED BY

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**Domestic Abuse
Death Review Team**



“When traumatic events are of human design, those who bear witness are caught in the conflict between victim and perpetrator. All the perpetrator asks is that the bystander do nothing. He appeals to the universal desire to see, hear, and speak no evil. The victim, on the contrary, asks the bystander to share the burden of pain. The victim demands action, engagement and remembering.”

– Judith Lewis Herman

This report is dedicated to the fifteen 2020 victims of domestic violence homicide in Nashville and those who mourn their tragic loss of life. These individuals were family members, neighbors, and friends of our community. We will continue to remember their experiences and learn lessons from their abuse histories that will help others. To those still living in fear, we hope to introduce you to a supportive community dedicated to helping survivors each day.

You are not alone.



Dedication

ACKNOWLEDGEMENTS

The Nashville Domestic Abuse Death Review Team (DADRT or Team) would like to thank Nashville's Mayor John Cooper and Metro's Council members for their support of the Team's work in examining domestic violence fatalities. The Team would also like to express its gratitude to the Metro Government Office of Family Safety's (OFS) Advisory Committee for its guidance and support.

We are incredibly grateful for the many Team members who dedicated time out of their busy schedules to review the selected 2020 case thoughtfully. The dedication and expertise that DADRT members bring to each meeting are invaluable in identifying the gaps in domestic violence homicide prevention.

Finally, we would like to express our sincere gratitude to all individuals that volunteered their time identifying and providing insight into warning signs and possible points of intervention.

Our Team hopes that this report will lead to a better understanding of domestic violence in our community, the strengths and weaknesses in our response systems, and the steps that we must take in the future to improve victim safety and offender accountability.



Meet Us at the Bridge, 2018



Dear Mayor Cooper,

The Nashville-Davidson County Domestic Abuse Death Review Team (DADRT) would like to share our 2020 annual report. DADRT is managed by the Metro Office of Family Safety (OFS) and meets monthly at Nashville's Family Safety Center (FSC) with partners from criminal justice and victim services agencies.

Under the authority of Executive Order 022 (2016) and following National Fatality Review best practices, the Team performed an in-depth review of a domestic violence murder-suicide. In this case, a man murdered his wife with a firearm before taking his own life. The perpetrator was a convicted felon who should not have been in possession of the firearm with which he killed his wife. Thirty-six percent of Nashville's domestic violence killers from 2018 to 2020 who committed their crimes using a firearm had previous domestic violence and/or felony convictions that should have prevented them from owning or possessing a firearm. The killer in this murder-suicide was one of them.

The Team hopes that this report will highlight areas of potential improvement in Nashville's domestic violence response and prevention services. Ultimately, our goal is to identify ways to reduce domestic violence homicides in our community and make Nashville the safest city for women and families.

Sincerely,

Diane Lance

Department Head, Office of Family Safety

Deputy Chief Michelle Richter

DADRT Sub-Chair, Metro Nashville Police Department

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Tennessee Code Establishing Death Reviews

Mission, Responsibility, & Authority of Team

References

Executive Summary

Tennessee currently ranks 10th in the nation for the rate of women killed by men and has been in the top 10 of this ranking for 20 out of the last 24 years. In 2020, Nashville accounted for 14% of domestic violence homicides in Tennessee, according to the Tennessee Bureau of Investigation's 2020 Domestic Violence Report. Nashville's domestic violence crime rate of 1329.6 per 10,000 people is much higher than the estimated national average of 916.9. In 2020, Nashville saw a 22% increase in firearms use as the deadly weapon in domestic violence homicides. In 33% of these domestic violence firearm homicides, the perpetrator was legally prohibited from owning or possessing a firearm.

In 2020, DADRT reviewed a murder-suicide case in which a 53-year-old mother of two was shot to death by her husband, who then turned the gun on himself and died by suicide. The DADRT's research into this case revealed a history of escalating violence that clearly impacted the victim's career and ultimately culminated in her murder.

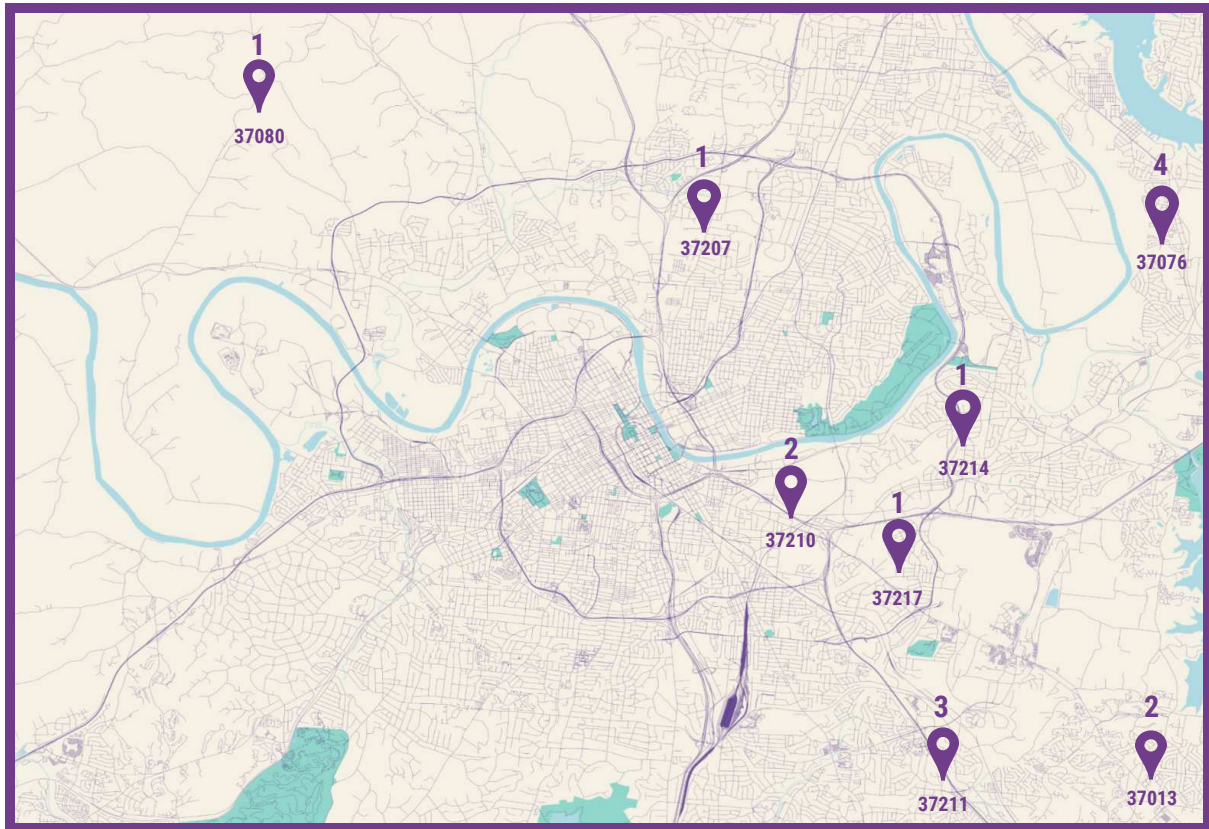
The Domestic Abuse Death Review Team identified three finding areas that may have contributed to the victim's level of risk or impacted the support that she and her family received before her murder:

- 1. Workplace Impact of Domestic Violence: The victim's workplace did not have the proper training to identify employees at risk of domestic violence and opportunities to help.**
- 2. Firearm Dispossession: The perpetrator was a convicted felon and should not have possessed a firearm under state and federal law.**
- 3. Public Awareness: Available services such as police and Nashville's family justice centers were not utilized by the victim, potentially indicating a lack of appropriate public awareness and other related barriers surrounding the multiple resources available in Nashville to assist her .**

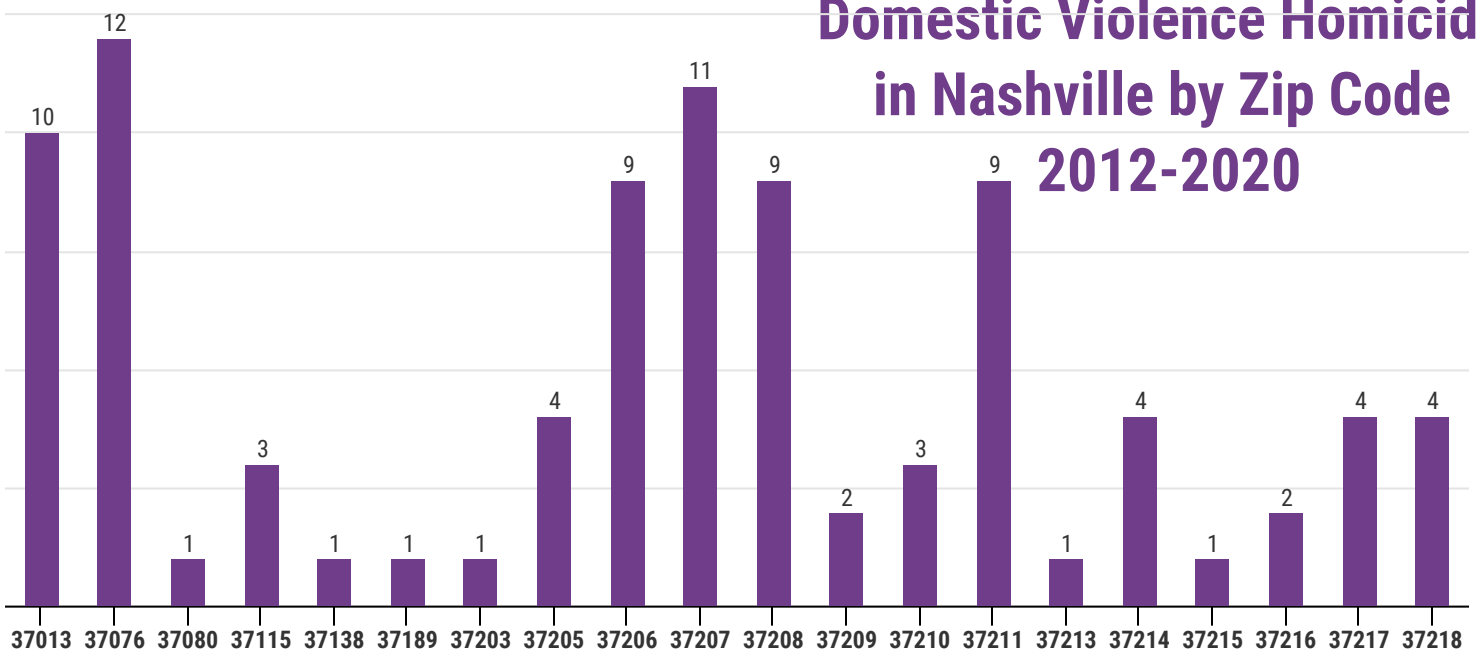
In addition to the case review, the Domestic Abuse Death Review Team examined the unique lessons learned from serving survivors of domestic violence through a global crisis. In the section 'COVID-19 Impacts and Implications' this report will explore the pandemic's immediate effects on victims of domestic violence and long-term implications, both positive and negative, on the domestic violence prevention and response field in Nashville.

Data & Statistics: Location

Map of 2020 Nashville Homicides

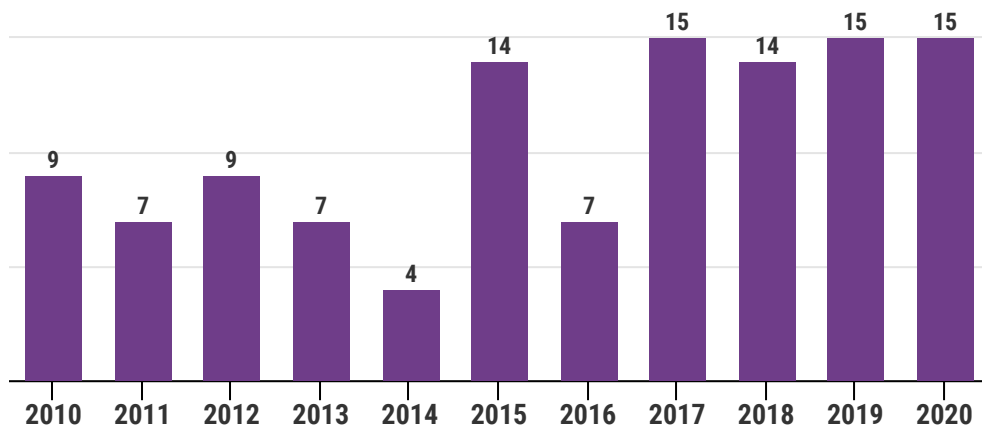


Domestic Violence Homicide in Nashville by Zip Code 2012-2020



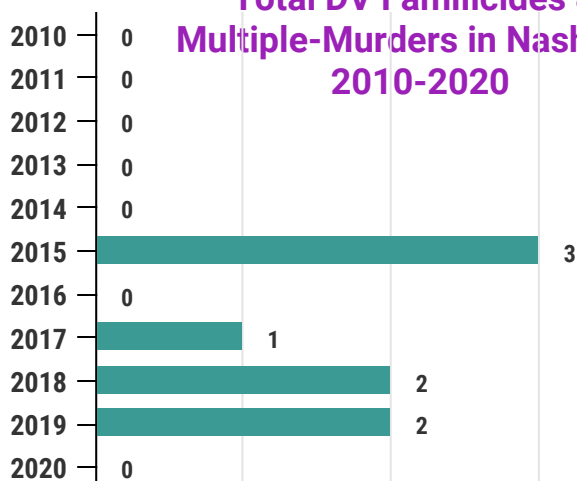
Data & Statistics: Homicide Types & Rates

Total Domestic Violence (DV) Homicides in Nashville 2010-2020

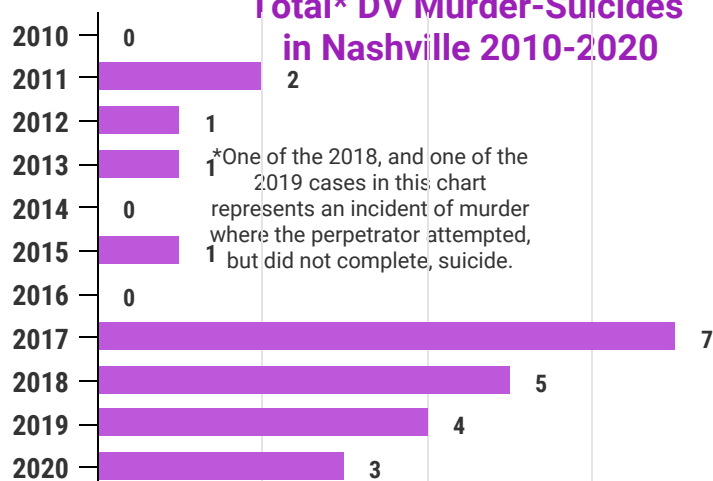


While intimate partner homicides were down in 2020 compared to prior years, familial domestic violence homicides increased by 45% compared to the previous five years.

Total DV Familicides & Multiple-Murders in Nashville 2010-2020

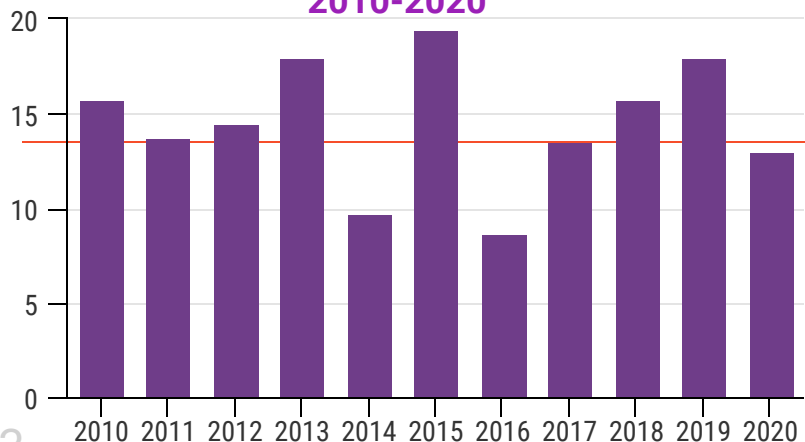


Total* DV Murder-Suicides in Nashville 2010-2020



In spite of the increase in familial homicides in 2020, there were no murders with multiple victims. Murder-suicides maintained their slow but steady downward trend in 2020.

Percent of Nashville's Total Homicides that were Related to DV 2010-2020



The red line in the chart represents the average fourteen percent of Nashville's homicides that were related to domestic violence (DV) across the decade.

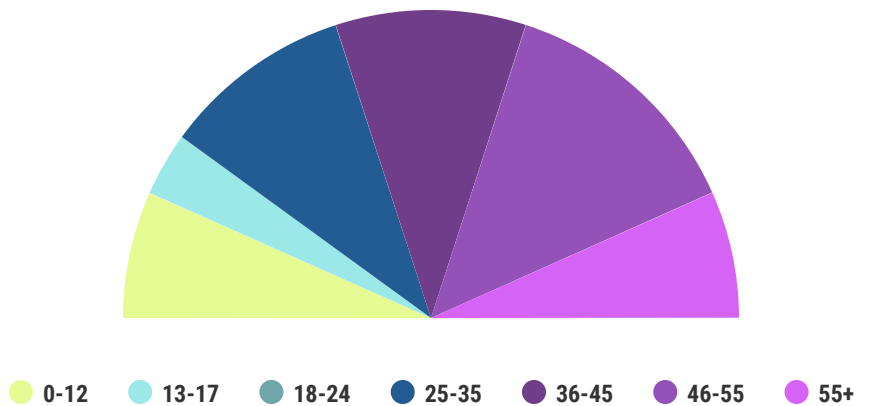
In 2020 the percent of Nashville's homicides that were classified as DV dipped below that average for the first time since 2016.

Data & Statistics: Victims

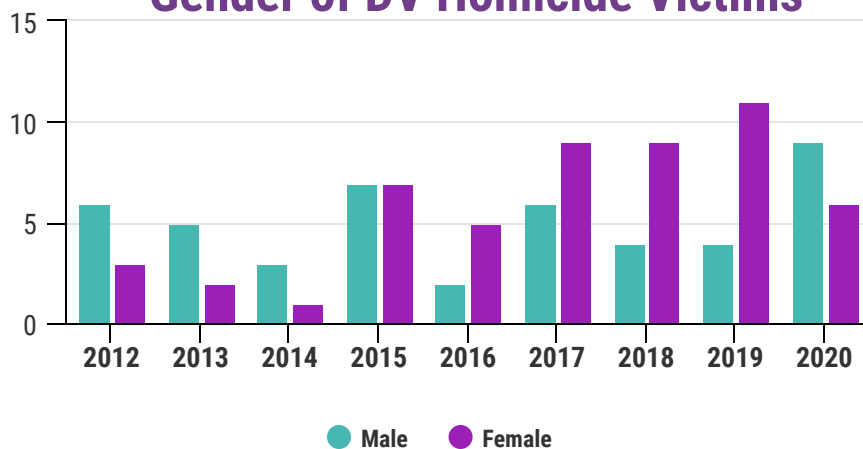
Child Victims



Victim Age 2020



Gender of DV Homicide Victims



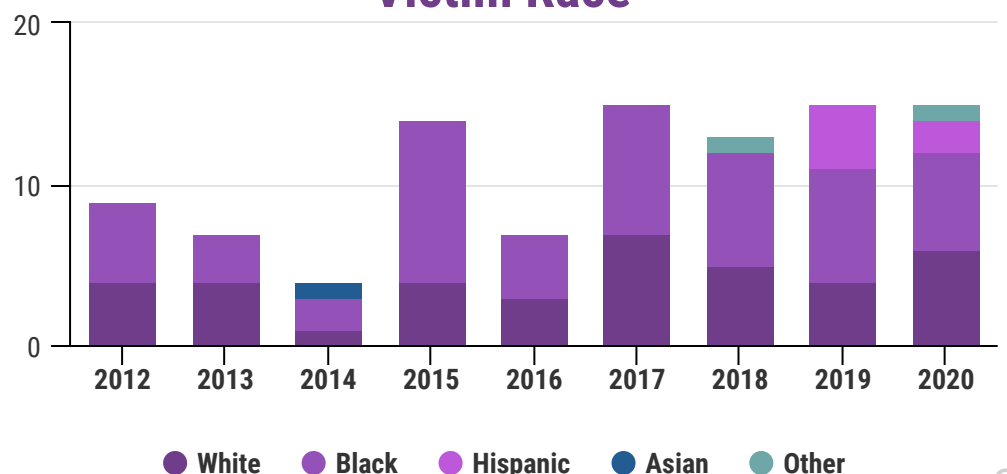
Women are far more likely to be killed by an intimate partner, while men are more likely to be victims of non-intimate domestic violence.

In 2020 60% of all DV homicide victims were men, a reflection of the high levels of non-intimate, familial homicides.

Despite making up only 28% of Nashville's population, black people account for over 50% of Nashville's DV homicide victims.

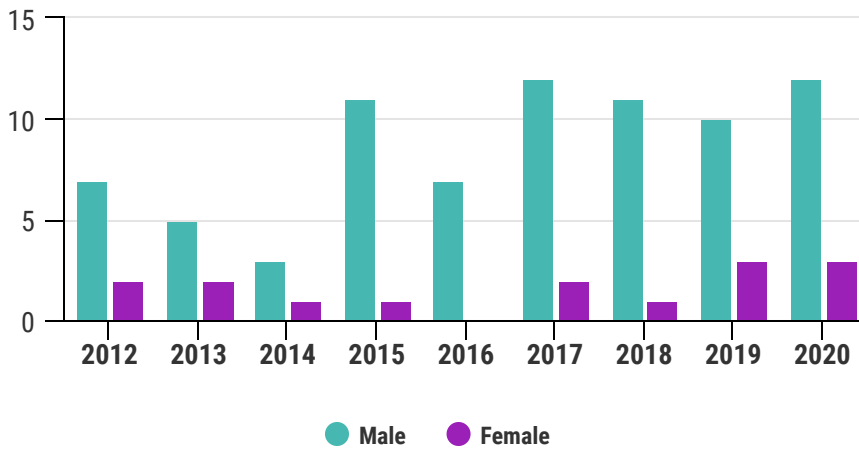
Black women are at a greater risk of DV homicide than any other population in Nashville.

Victim Race



Data & Statistics: Perpetrators

Gender of DV Homicide Perpetrators

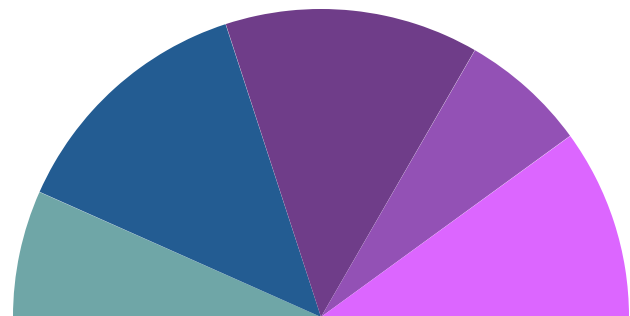


In Nashville, men perpetrate domestic violence homicides at far higher rates than women.

Men have perpetrated 84% of intimate partner homicide cases in Nashville since 2010 and 79% of overall DV homicides.

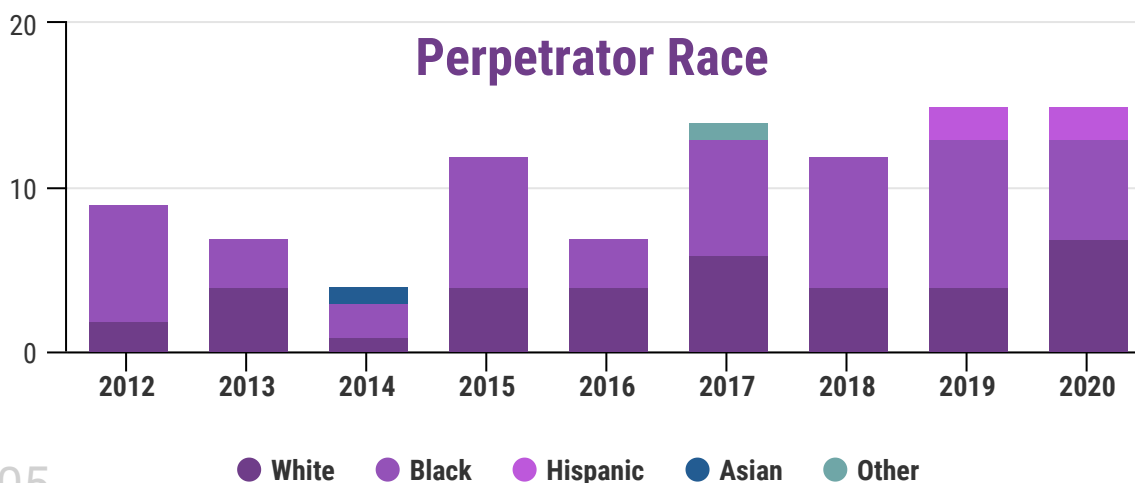
Perpetrator Age 2020

2020 saw an unusually high number of perpetrators over 55.



0-12 13-17 18-24 25-35 36-45 46-55 55+

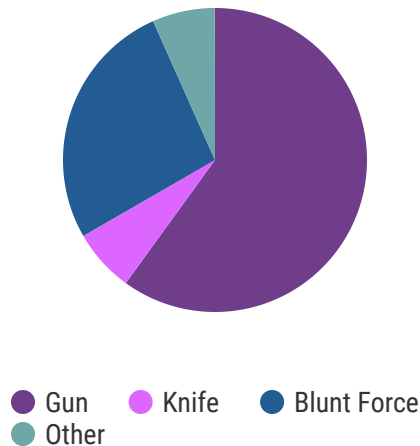
Perpetrator Race



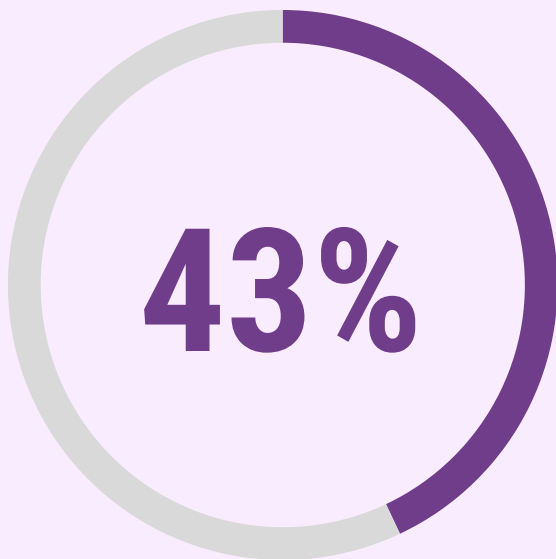
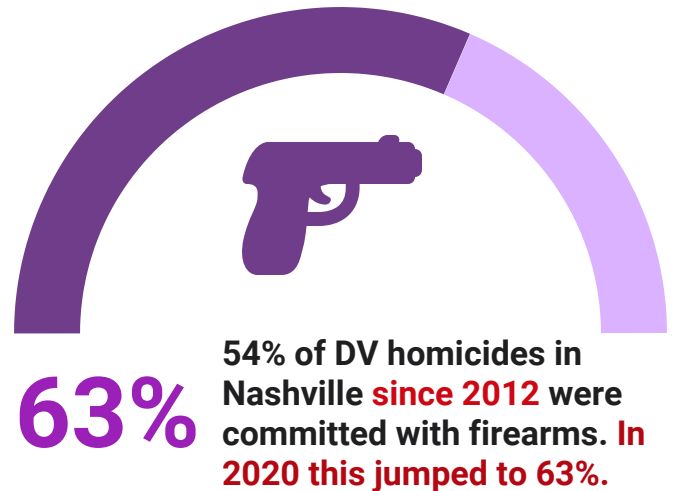
The majority of Nashville's DV homicide perpetrators murder victims of their own race.

Data & Statistics: Nashville DV Homicides

Weapons Used in 2020 DV Homicides



Firearm Use



Should not have had access to firearms

From 2018-2020, 43% of DV homicide perpetrators who used firearms to kill their victims had past domestic violence or felony convictions. These convictions meant that by state and federal law they were barred from owning or possessing a firearm.

OFS Firearms and Strangulation Flagging

Beginning on June 24, 2019, the Office of Family Safety began reviewing the criminal affidavits, LAPs, defendant case histories, and Order of Protection (OP) petitions of all defendants and respondents whose cases were being heard in Nashville's DV or OP Courts. Each case was screened for the use of strangulation and the possession or use of firearms against a victim.

Of the 10,832 cases screened in 2020:

- 5,953, or 55%, were flagged for either strangulation or owning or having used a firearm.
- 4,630, or 43%, were flagged as owning or having used a firearm.
- 3,754, or 35%, were flagged as having strangled the current victim or a past victim.
- 2,431, or 22%, were flagged for both owning or having used a firearm and being stranglers.

Emerging Issues: Nashville DV Homicides

Lethality Assessment Program (LAP)

The Lethality Assessment Protocol (LAP) is a lethality screening tool for intimate partner violence victims. The Metro Nashville Police Department (MNPd) administers the 11 question assessment to victims of each domestic violence report they receive.



100% of the 2020 intimate partner homicide victims who received a LAP screening were screened multiple times, related to multiple domestic violence incidents reported to the MNPd.

The two most common high risk indicators among these victims (with 'yes' answers on the LAP from 67% of these victims) were, "Has [the perpetrator] ever used a weapon against you or threatened you with a weapon?" and "Has [the perpetrator] ever tried to choke you?"

Economic Impact: Domestic Violence & COVID-19



An estimated 2,626 individuals in Nashville had their ability to work impacted or lost their jobs entirely in 2020 due to domestic violence. (Page 15-16)



55%
Of victims said COVID had a negative financial impact on them.



48%
Of victims said COVID made it harder to meet their basic needs (e.g. food and shelter).

Outreach & Seeking Help



Since 2016, 39% of Nashville's intimate partner homicide victims have had no contact with either law enforcement or victim's service agencies. From 2016-2020, 79% of Nashville's intimate partner homicide victims had no contact with victim's services agencies but had some contact with law enforcement or the courts.



Case Review

Although the Domestic Abuse Death Review Team (DADRT) reached out to several of the victim's and perpetrator's family members, the DADRT did not receive a response and could not include them in the background interviews. What is known about the victim and perpetrator has been pieced together from available news reports, government records, employment records, and Metro Nashville Police Department (MNPd) reports.

The perpetrator had a violent thirty-year criminal history, including convictions for robbery and felony drug possession. The victim had no criminal history. The victim and perpetrator were together for over a decade and married for just over two years at the time of the murder-suicide. The victim and perpetrator met during his time in prison for convictions of kidnapping, felony weapons possession, and criminal sexual misconduct. These charges and his imprisonment were in another state, and at the time that they met, the victim was employed by the prison in which the perpetrator was incarcerated.

The victim and perpetrator had no children in common, but the victim had two adult children and at least one grandchild at the time of her murder. In her obituary, the victim was described as "a great friend, a loving mother, the best sister...with amazing confidence and a beautiful smile."

After the homicide, a friend and co-worker of the victim reported to police, "[the perpetrator] had been arguing with [the victim] all week because [the victim] was working with men ." This statement gives insight into the perpetrator's use of common tactics of control over the victim . It is not uncommon for offenders to cause difficulty in every aspect of the victim's life that is separate from that of the offender – such as work. In this case, the perpetrator was jealous of the victim's normal interactions with male coworkers in an office environment. Accusations of infidelity with coworkers are commonly used to create social isolation for the victim. This type of controlling and jealous behavior can escalate into problems in the workplace and may result in the victim being disciplined or fired. If this occurs, the offender has not only increased social control over the victim, but has asserted financial control as well.

The day of the homicide, the victim was standing in the kitchen of their home doing dishes when the perpetrator entered. He shot her through the right cheek and then turned the gun on himself. Several firearms were found in the home, including one under the mattress of their shared bed. The perpetrator had alcohol, THC, and hydrocodone in his system at the time of his death. The victim had no drugs or alcohol in her system. The bodies of the victim and perpetrator were discovered by the victim's daughter and her young grandchild, who arrived for a visit later that afternoon.

On the following page you will find a timeline of the relationship between the perpetrator and the homicide victim. Since the Team was unable to interview people who knew the victim, many specifics of the timeline are unknown.

The timeline you see here is a reflection of those incidents which the Team could place firmly on a specific date based on the evidence presented in the law enforcement homicide report and other official reports.

Therefore, the incidents of abuse presented on this timeline do not reflect a complete picture of the abuse suffered by the victim.

Timeline Key



Births and other significant milestones



Perpetrator's drug arrests



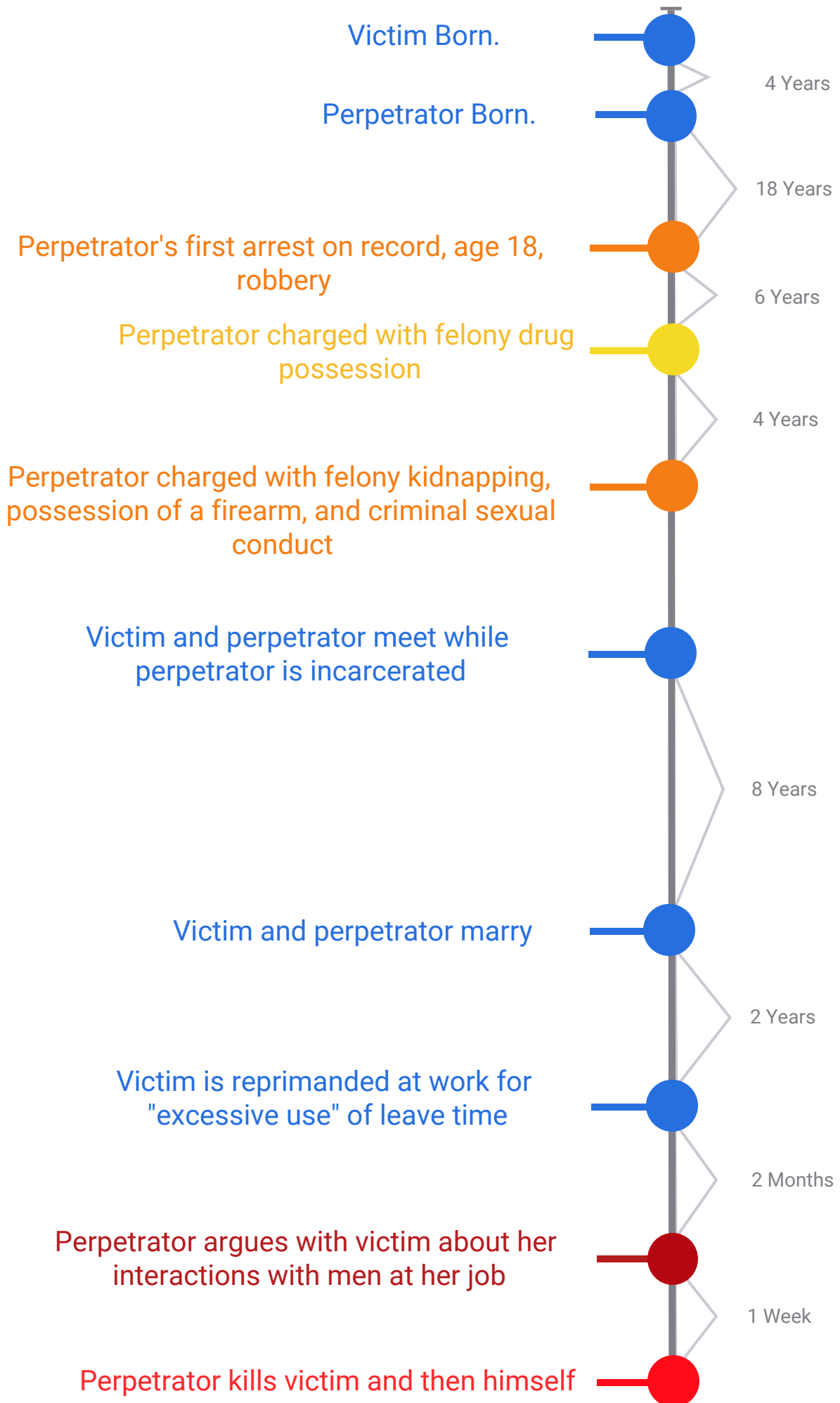
Perpetrator's other arrests and convictions



Known incidents of abuse



The homicide



Nashville's Domestic Abuse Death Review Team (DADRT) identified three Findings during their 2020 case review. The Findings address 1) Workplace Impact of Domestic Violence, 2) Firearms Dispossession, 3) Public Awareness.

The Team has made specific recommendations to address each finding and remove associated barriers to victim safety. The recommendations are assigned to various agencies and organizations in Nashville, both within and outside the Metro government.

Color-coded labels identify what progress that has already been made on each recommendation:

- **No Progress**
- **Some Progress**
- **On Target to Complete**
- **Complete or Active**

SUCCESS/PROGRESS: Items identified as successes or progress made toward goals are coded in teal. These are things already being implemented throughout Nashville that address some aspects of the findings in this report.



Finding: Firearms Dispossession

The perpetrator was a convicted felon and should not have possessed a firearm under state and federal law.

CASE FACTS RELATED TO THIS FINDING

The perpetrator in this case had a history of felony convictions over a period of thirty years across multiple states, including crimes of sexual violence, attempted kidnapping, and weapons violations.

In Tennessee, persons convicted of any "felony involving the use or attempted use of force, violence, or a deadly weapon," or felony drug offenses are prohibited from possessing any firearm per Tenn. Code Ann. § 39-17-1307(b)(1). Possession of firearms by a person convicted of a felony is also prohibited under federal law. Given the perpetrator's use of a firearm to kill the victim and himself, we know that firearms dispossession laws and processes failed in this case.

THIS FINDING'S IMPACT ON NASHVILLE

Fifty-three percent of Nashville's overall domestic violence homicides and 50% of intimate partner homicides have been committed by firearms over the last decade. In 2020, 67% of Nashville's intimate partner homicides were committed using firearms. From 2018 to 2020, in 36% of domestic violence homicide cases where the perpetrator used a firearm, the perpetrator had a previous felony or domestic violence conviction, which legally prohibited them from possessing a firearm.

In June of 2019, the Office of Family Safety (OFS) began reviewing the histories of defendants and respondents with cases in Nashville's two domestic violence criminal court dockets and two order of protection court dockets. Each defendant or respondent in these cases was researched to determine if they have a history of strangling and/or a history of possessing or using a firearm, two risk markers that increase a victim's risk of being killed exponentially. During 2020, OFS screened a total of 10,832 cases and flagged 4,630, or 43%, as owning or having used a firearm against the victim. The presence of a firearm in a household increases a victim's risk of being murdered by their intimate partner by 500%.

RECOMMENDATION: Metro courts, law enforcement, and prosecutors must follow the current laws on firearms dispossession to the fullest extent. Legislation is needed to close safety gaps in the current law.

- A court process needs to be in place to ensure that perpetrators who are not allowed to possess a firearm complete and file the required firearm dispossession forms within the 48 hour legally allowed time period.
- When there is a history of firearm possession and/or threats with a firearm, the courts, prosecutors, and law enforcement need to pursue the truth of whether the perpetrator has a firearm rather than relying only on what the perpetrator says about their access to firearm(s).
- Upon a criminal conviction or granting of an order of protection, courts should inform all defendants/respondents that they are no longer allowed to possess a firearm and question them under oath about whether they own a firearm. The courts should also inform them of their options for dispossession by utilizing the OFS-created informational brochure for respondents/defendants on firearms dispossession.

Finding: Firearms Dispossession

- The option for perpetrators to dispossess their firearm to a third party (e.g., family member or friend) poses the risk that the firearm will be returned to the perpetrator and should be eliminated.
 - If the third-party option for dispossession cannot be eliminated legislatively, courts should require the respondent/defendant to return to court with their proof of dispossession, including a third party. The courts should require the third party to swear under oath, either in person or via affidavit, that they are in receipt of the firearm. This would ensure that the third party is aware of the legal consequences of returning that firearm.
- One barrier to dispossession could be simply not having someone to dispossess to.
 - A clear process for dispossession to a certified firearm dealer or to law enforcement needs to be created.
 - A clear process for procedures for storage, disposal, or return needs to be created.
 - Courts must make perpetrators aware of these dispossession options.
- Follow-up, such as a firearms status hearing, is needed so courts can identify when offenders fail to comply with dispossession laws. Victims should also be allowed to provide their knowledge of the perpetrator's firearm possession and access.
- Nashville-Davidson County should adopt and implement a model dispossession procedure and evaluate the procedure in preparation for state-wide roll-out.
- Appropriate funding should be provided for a designated court staff person responsible for identifying firearms cases, processing dispossession paperwork, facilitating return dockets, retrieving illegal firearms, and other tasks outlined above.



PROGRESS

- Metro's Office of Family Safety (OFS) has coordinated a multidisciplinary domestic violence and firearms task force since 2016.
- OFS researched best practices on firearms dispossession and created a draft dispossession protocol in 2018 for all relevant Nashville agencies in collaboration with a multidisciplinary Firearms Task Force. OFS has continued to edit the protocol over the past several years with input from partner agencies responsible for elements of the dispossession process. It has not been fully implemented.
- Based on the recommendation of the domestic violence and firearms task force, OFS presented legislation to strengthen Tennessee's third-party dispossession procedures with Safe Tennessee Project in 2019. Unfortunately, the bill did not advance beyond Tennessee's state legislature judiciary committee.
- At the end of 2019, OFS brought national technical assistance providers from the National Firearms & Domestic Violence Resource Center to meet with taskforce members and support the implementation of the dispossession protocol.
- At the beginning of 2020, Nashville General Sessions Judges began to make plans to conduct compliance hearings to ensure firearms dispossession for DV misdemeanor offenders and those with full OPs against them. These plans were interrupted by COVID-19.
- In 2022, Nashville General Sessions Judges agreed again to begin firearms dispossession status dockets. These dockets were expected to begin in February of 2022; however these dockets have been delayed due to additional legal concerns.
- In 2020, OFS provided training to Nashville's judges and judges across the state on firearms dispossession and the danger firearms pose to domestic violence victims. OFS also provided Nashville's judges with a bench card detailing current dispossession procedures.
- OFS created and provided a DV Firearms Pocket card for the Metro Nashville Police Department's officers on-scene response to domestic violence.

Finding: Firearms Dispossession

- In 2021, OFS participated in a training with the National Council on Juvenile and Family Court Judges on implementing firearms dispossession compliance hearings for judges and on protocol implementation for the entire taskforce – trainers were national experts from across the country.
- OFS continues to dedicate significant staff time to daily flagging of every OP respondent and DV criminal defendant for firearms evidence. This information is passed on to police, prosecutors, probation, attorneys, and advocates in the hope they will utilize this evidence to counter respondents/defendants who are not truthful about their firearms ownership and seize unlawful firearms. OFS Client Services staff continues to support clients who wish to identify the illegal firearms their abuser possesses through a Firearms Identification Form that is provided to prosecutors and law enforcement with the client's consent.
- In 2018, the Nashville District Attorney's office announced that it would send all crimes committed with firearms before a grand jury rather than resolving them in general sessions court.
- The Attorney General's office has worked in conjunction with MNPd and the ATF and receives OFS flagging information to investigate and prosecute cases of domestic violence offenders that are found to have firearms
- The Mayor's Office is focusing on a new initiative to curb gun violence generally throughout Davidson County through the use of microgrants to community and grassroots organizations working to reduce violence by providing neighborhood-strengthening services and opportunities.

Finding: Workplace Impact of Domestic Violence

The victim's workplace did not have the proper training to identify the impacts of domestic violence on their employees.

CASE FACTS RELATED TO THIS FINDING

The DADRT was able to review the victim's employment record obtained from her employer as part of the review of the homicide. As part of this record, the DADRT pinpointed a pattern of increased absences that coincided with what the Team suspects was an escalating period of violence and control leading up to the homicide. The victim's employment record included an official write-up, dated two months before the homicide, for 'abuse of sick time.' The write up specifies, "You have never accrued so much as three sick days without using them; you have demonstrated a pattern of using accrued sick time almost as quickly as you earn it."

While victims of domestic violence often miss work due to injuries suffered at the hands of their abusers, many times, perpetrators purposefully cause victims to miss work as a tool of both financial abuse and isolation. Abusers may not allow victims to use shared cars to get to work, may threaten suicide if the victim leaves the home, or may even physically prevent them from leaving the house to go to work.

THIS FINDING'S IMPACT ON NASHVILLE

Sixty-four percent of domestic violence victims have had their ability to work impacted by the violence they experienced [1]. Up to 60% of victims have lost their jobs entirely, either by being forced to quit or by being fired due to the abuse [2]. The Office of Family Safety served 4,103 individual victims in 2020. By these metrics alone, an estimated 2,626 individuals in Nashville were less able to work or lost their jobs entirely in 2020 due to domestic violence.

The Department of Labor reports that victims of domestic violence lose nearly 8 million days of paid work per year in the U.S. This is the equivalent of 32,114 full-time jobs each year and results in a \$1.8 billion loss for employers and about \$52,000 in lost wages for each individual victim [3]. According to the Tennessee Economic Council on Women's 2012 report, the economic cost of domestic violence in Tennessee is equivalent to a full year of salary for 20,608 Tennessee residents [4]. Extrapolating from this data, this is an economic loss in Davidson County equivalent to a full year of salary for 2,133 residents.

According to the Journal of Management and Marketing Research, "Domestic violence can no longer be considered by businesses as a 'private' issue that is of little or no concern to employers with no impact on the workplace...it is clear that domestic violence is a major public health problem in the United States and a serious workplace issue that employers cannot afford to ignore." [5]

The American Bar Association's Commission on Domestic and Sexual Violence agrees, "looking at [domestic violence] from a business perspective, employers have financial, in addition to ethical and legal, incentives to proactively address the needs of employee-victims and employee-perpetrators [6]." Yet 65% of companies don't have a formal workplace domestic violence prevention policy, and only 20% offer any training for staff on domestic violence, according to the Society for Human Resource Management [7].

Finding: Workplace Impact of Domestic Violence

RECOMMENDATION: Provide increased education and outreach on domestic violence in the workplace to interested organizations in Nashville to equip employees and employers with the knowledge and resources necessary to access services for themselves and provide help to their co-workers/employees.

- Share and make easily accessible domestic violence policies and curriculum with other Nashville employers.
- Create a brochure, pocket card, or other printable material that includes red flags and best practices for employers, as well as a list of resources in Nashville.



PROGRESS:

- Based on reviews of domestic violence cases in Nashville and across the state, You Have the Power has developed a curriculum for businesses of all sizes to develop and implement a policy to help support domestic violence victims and identify resources. The policy would create a workplace culture where victims feel safe and secure asking for assistance and referrals. A multidisciplinary advisory committee comprised of domestic violence advocates, survivors, business representatives, and human resource representatives guided the development process. The curriculum will help businesses protect their employees and their customers. Training sessions will begin in Summer 2021. The project was supported by Award No 2016-VA-GX-0053 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice through the Tennessee Office of Criminal Justice Programs.
- In October 2018 a comprehensive policy was implemented to address and prevent domestic violence inside Metro Government and for the City's workforce. As part of this new policy, the Metro Office of Family Safety created an HR-approved domestic violence training curriculum for all Metro employees and supervisors that helps them to identify and support domestic violence victims in the workplace and guides them in obtaining supportive services. In 2020, 676 Metro employees were trained in this curriculum.

Finding: Public Awareness

The victim in this case did not reach out to law enforcement or victim service providers for assistance, potentially indicating a lack of public awareness about the multiple resources available in Nashville to assist her

THIS FINDING'S IMPACT ON NASHVILLE

In this case, as in many of Nashville's domestic violence homicides, DADRT found that the victim did not reach out to law enforcement or victim service providers for help with the abuse she was experiencing. Since 2016, 39% of Nashville's intimate partner homicide victims have had no contact with either law enforcement or victim's service agencies prior to their murder. From 2016-2020, 79% of Nashville's intimate partner homicide victims had no contact with victim service providers but had some contact with law enforcement or the courts related to the abuse they experienced.

According to The Urban Institute, victims "benefit from the services of victim service agencies, and the benefit of these services is enhanced when those agencies work in collaboration with the legal system and other relevant agencies in their community." Additionally, the Battered Women's Justice Project reported, "women who had worked with advocates reported they were getting the resources they needed, were experiencing less violence, were less depressed and scored higher on social support and quality of life."

This demonstrates the urgent need to connect Nashville's domestic violence victims with the agencies providing these vital advocacy services.

RECOMMENDATION: City-Wide Awareness Campaign. The campaign should involve:

- Consistent, unified, and collaborative messaging from Nashville's victim service providers. Each service provider currently has its own; consistent messaging across service providers could help victims more clearly see how these agencies work together to provide a full spectrum of services.
- Layered messaging platforms, ie: social media, billboards, and traditional news media that connect with individuals and inform them about services through multiple avenues, increasing the likelihood of message retention.
- Culturally diverse messaging, including a variety of languages and varied representation.
- Focusing messaging on highly marginalized and underserved communities and engaging with community leaders such as pastors.
- Educating social workers and medical providers at hospitals and clinics across the county.
- Partnering with Metro Parks community centers and libraries and their many locations for awareness opportunities and remote advocate assistance.

Emerging Issues: COVID-19 Impacts and Implications

IMPACT ON VICTIMS

The Agape Morning Star Sanctuary (Agape/MSS) is one of the two emergency domestic violence shelters in Davidson County. It also provides advocates to serve victims who come to Nashville's Family Safety Center (FSC) overnight and on weekends. Agape/MSS provided a COVID Impact Survey to victims they served through shelter and the FSC during 2020.



12%

Said COVID negatively impacted their mental health or that of someone in their home.



55%

Said COVID had a negative financial impact on them.



48%

Said COVID made it harder to meet their basic needs (e.g. food and shelter).



48%

Said "Safer at Home" guidelines made them less safe from violence and abuse.



71%

Said the abuse they were experiencing escalated/got worse during COVID.

A study conducted by Georgia State University concluded that:

- The pandemic resulted in a six-to-eightfold increase in rates of intimate partner aggression across the U.S.
- Physical aggression increased from two acts per year before the pandemic to 15 acts per year once shelter-in-place restrictions began.
- Psychological aggression increased from 16 acts per year to 96 acts per year.

One of the ways that Nashville assesses the risks of violence and aggression victims are facing is via the Lethality Assessment Protocol or LAP. The LAP is an 11-question assessment that MNPd officers administer to all intimate partner violence victims to determine their level of risk. When victims are identified as high risk, the officer connects them with a domestic violence advocate with the YWCA.

- In 2020, MNPd administered **7,220 LAPs**, and **2,425**, or **34%**, screened in as high-risk.
- The YWCA's hotline answered **over 800 LAP calls**. **17%** of shelter intakes were from LAPs.

While the number of LAPs administered remains steady over the three years of the program, **the number of victims screening in as "high-risk" and speaking with the YWCA hotline has significantly decreased**. This decrease in high-risk screen-ins and YWCA contact coincides with a continued increase in victims choosing not to answer the LAP questions. OFS trains all MNPd police officers annually on LAP administration and risk indicators at all 24 MNPd Police Roll Calls; however, due to the pandemic, OFS was unable to offer this refresher training in 2020.

To read more about the Office of Family Safety's response to high-risk domestic violence in Nashville, you can find the OFS 2020 Annual report [here](#).

Emerging Issues: COVID-19 Impacts and Implications

FAMILIAL HOMICIDES RISING

Nashville's overall rate of domestic violence homicides (intimate and non-intimate partner) remained steady during the pandemic compared to the previous five years. Domestic violence homicides include the murder of an intimate partner, a roommate, or a family member. Intimate partner homicides (those committed against a romantic partner) decreased by 12% in 2020 compared to the last five years. However, non-intimate partner homicides (primarily familial) increased by 45%. A cursory review of this increase in non-intimate partner homicides suggests that individuals being forced back into toxic family living environments by the pandemic was extremely dangerous. As for the reduction in intimate partner homicides, the Family Safety Center remaining open, increased news coverage on intimate partner violence and COVID, and consistent, coordinated services by Nashville's victim safety organizations may have been strong contributing factors in this decline.

FIREARM USE RISING

2020 saw a 22% increase in firearms used as the deadly weapon in domestic violence homicides compared to the previous five years. In June 2019, OFS began daily flagging of firearms indicators on all Circuit and General Sessions OP dockets as well as Domestic Violence General Sessions Criminal Dockets. OFS flags these cases by reviewing criminal affidavits, OP petitions, defendant case histories, and LAPs. In 2020, OFS reviewed over 10,000 criminal defendants and OP respondents, and flagged 4,630 (or 43%) as having access to firearms. This trend coincides with national reports of gun purchases increasing during the COVID 19 pandemic.

COURT DELAYS AND CHALLENGES

The pandemic caused dramatic delays in court hearings and procedures as domestic violence Bond Dockets were cancelled for long periods of time throughout 2020 to keep victims, defendants, and court personnel safe. Nashville has been unable to implement remote hearings for domestic and family violence cases. Remote hearings for these cases have been successfully implemented in several other states during the pandemic and beyond, including [North Carolina](#), [New Jersey](#), [Maryland](#), [Missouri](#), [Georgia](#), and [Kentucky](#).

The delays caused by these precautions mean that criminal domestic violence cases, such as a familial murder from early 2018, have not yet made it to court. The short-term impact of these delays is the lack of prosecution. Victims may withdraw from the prosecution of their cases due to frustration or disillusionment. These delays also provide more time for perpetrators to manipulate their victims into dropping charges or not attending court. The long-term impact of these delays, which may impact the wait times of criminal trials for years to come, could be victims disengaging with "the system" that they may feel is not treating their case with the urgency it deserves.

Nashville's victim services agencies play an essential role in re-engaging this population by helping them to understand and navigate these complex systems through a trauma-informed and victim-centered lens.

ORDERS OF PROTECTION BACKLOG

Court delays have also resulted in a backlog of Ex-Parte (temporary) Orders of Protection (OP), which require a court hearing to be granted in full. OPs related to criminal cases have been delayed further by being paired with criminal hearings, which in some cases have been delayed by six months or more. These delays leave victims without the protection of a full OP, which requires firearms dispossession and other important safety measures.

Emerging Issues: COVID-19 Impacts and Implications

EXPANSION OF REMOTE SERVICES

With the onset of the pandemic, Nashville's victim services agencies found innovative ways to provide high-quality services remotely to victims and survivors of sexual assault, domestic violence, human trafficking, child abuse, and elder abuse. Even as fewer clients physically met with these agencies on-site, staff were still able to make meaningful contacts with survivors in Nashville, continuing to refer amongst one another to address the vital needs of victims and survivors.

Throughout 2020, the Office of Family Safety (OFS) continued providing orders of protection, danger assessments, safety planning, resource referrals, and court outreach both for on-site walk-ins and fully remote clients. OFS was also able to add a suite of new remote services to increase accessibility for clients. OFS added a live-chat function to their website, created a service request email, added cold-calls to former and recent clients to check for needs during the pandemic and provide information about resources, and began texting with court clients to support them in real time before, during, and after their court dates. OFS advocates sent 4181 texts to those clients in attendance for criminal cases.

OFS logged 7,314 remote client contacts in 2020, a dramatic increase from the year before. These contacts were made via phone and text message, reaching clients who did not have to physically walk into either of Nashville's Family Justice Centers to get the support they needed.

To read more about the Office of Family Safety's expanded services in response to the COVID 19 pandemic, you can find the OFS 2020 Annual report [here](#).

Implementation Plan

On the following pages you will find the collected recommendations listed in the previous findings. Each recommendation has a **suggested "Entity for Implementation"**. Each Entity for Implementation is encouraged to see the pages associated with their recommendations for more details on implementation. Each Entity for Implementation has been color-coded* as follows:

Overall No Progress on Recommendations

Overall Some Progress on Recommendations

Overall On Target to Complete Recommendations

Overall Recommendations are Complete or Active (Such as Training Programs)

*This color code is not intended to "grade" a particular agency but merely to show progress toward implementation.

Implementation Plan

Entity for Implementation – Metro Office of Family Safety (OFS)

- Partner with Metro Nashville Courts, prosecutors, probation, and police through the existing Firearms Taskforce to provide guidance and assistance on firearms dispossession. For a full list of recommendations related to this finding, see pages 12-14.
- Coordinate a City-Wide Awareness Campaign through existing multi-disciplinary teams and committees regarding interpersonal violence with a consistent and unified message. For a full list of recommendations related to this finding, see page 17.

Entity for Implementation – Metro Nashville Courts

Ensure current laws on firearms dispossession are followed to the fullest extent. Implement new policies or legislation to close safety gaps in current dispossession processes.

- Ensure all respondents/defendants are asked under oath if they possess firearms and instructed to sign firearms affidavit of dispossession or dispossess after 48 hours.
- Require respondents/defendants to attend compliance hearings with proof of firearm dispossession including the 3rd party and hold offenders accountable for perjury and failure to dispossess.
- For a full list of recommendations related to this finding, see pages 12-14.

Entity for Implementation – Metro Nashville District Attorney's Office

Ensure current laws on criminal case firearms dispossession are followed to the fullest extent. Implement new policies or legislation to close safety gaps in current dispossession processes.

- Present flagged firearms indicators to the court when respondents/defendants claim no firearms during court proceedings.
- Work with police to take out search warrants when evidence indicates firearms were not dispossessed.
- Charge respondents/defendants with violations of court orders when affidavits of dispossession are not turned in.
- For a full list of recommendations related to this finding, see pages 12-14.

Entity for Implementation – Metro Nashville Probation

Ensure current laws on firearms dispossession are followed to the fullest extent. Implement new policies or legislation to close safety gaps in current dispossession processes.

- Hold abusers accountable to dispossess their firearms.
- Treat all abusers who have been flagged as firearm users as extremely high risk and increase supervision meetings and requirements.
- When evidence exists that firearms have not been dispossessed, consider searching defendant's residence with police as State probation and parole and juvenile probation does.
- For a full list of recommendations related to this finding, see pages 12-14.

Implementation Plan

Entity for Implementation – Metro Nashville Police Department

Ensure current laws on firearms dispossession are followed to the fullest extent. Implement new policies or legislation to close safety gaps in current dispossession processes.

- Have patrol officers ask every intimate partner violence victim if they would consent to a search of the home for any firearms the defendant may have to remove the firearm pursuant to TCA § 36-3-620(a)2.
- Collaborate with prosecutors to take out search warrants when evidence indicates firearms were not dispossessed.
- Notify abusers of the illegality of firearms possession by sending a letter post-conviction.
- For a full list of recommendations related to this finding, see pages 12-14.

Entity for Implementation – Nashville Victim Service Providers

Collaborate on a City-Wide Awareness Campaign regarding interpersonal violence with a consistent and unified message.

- For a full list of recommendations related to this finding, see page 17.

Entity for Implementation – Nashville Employers

- Provide education for employees and supervisors on domestic violence in the workplace.
- Create policies and procedures on domestic violence to better protect employees and organizations.
- For a full list of recommendations related to this finding, see pages 15-16

Conclusion

The findings and recommendations from this report highlight areas for continued growth and improvement in Nashville's domestic violence prevention services and response that can be addressed within our government, non-profit, and for-profit sectors. The Metro Nashville Office of Family Safety (OFS) and the Domestic Abuse Death Review Team (DADRT) are committed to working on the recommendations and implementation plan from this review in conjunction with our partner agencies.

The DADRT will continue to review each domestic violence homicide in Nashville Davidson County and conduct its annual in-depth case review to glean further information on how to improve our work. The OFS will work with partner agencies to implement the report recommendations that we hope will provide solutions to identified gaps and increase community awareness. The OFS Statewide Fatality Review Coordinator will continue to develop domestic violence fatality review teams throughout the state and convene Tennessee's first-ever state-wide Team. This state-wide Team will amplify the impact of Nashville and other jurisdictions' recommendations throughout the state.

The DADRT and Metro Nashville Office of Family Safety (OFS) are incredibly grateful for the support we have received from Metro Nashville-Davidson County Government, the Mayor, the Metropolitan Council, our Advisory Council, our state and federal funders, and our committed partner members for the support they have contributed to this report. Above all, we are grateful to the survivors of domestic violence homicide that shared their experiences and insight with our Team and helped form these recommendations.

Appendix

2010 Tennessee Code

Title 36 - Domestic Relations

Chapter 3 - Marriage

Part 6 - Domestic Abuse

36-3-624 - Death review teams established Protocol Composition of teams Disclosure of communications Authority to subpoena.

- (a) A county may establish an interagency domestic abuse death review team to assist local agencies in identifying and reviewing domestic abuse deaths, including homicides and suicides, and facilitating communication among the various agencies involved in domestic abuse cases.
- (b) For purposes of this section, "domestic abuse" has the meaning set forth in § 36-3-601.
- (c) A county may develop a protocol that may be used as a guideline to assist coroners and other persons who perform autopsies on domestic abuse victims in the identification of domestic abuse, in the determination of whether domestic abuse contributed to death or whether domestic abuse had occurred prior to death but was not the actual cause of death, and in the proper written reporting procedures for domestic abuse, including the designation of the cause and mode of death.
- (d) County domestic abuse death review teams may be comprised of, but not limited to, the following:
- (1) Experts in the field of forensic pathology;
 - (2) Medical personnel with expertise in domestic violence abuse;
 - (3) Coroners and medical examiners;
 - (4) Criminologists;
 - (5) District attorneys general and city attorneys;
 - (6) Domestic abuse shelter staff;
 - (7) Legal aid attorneys who represent victims of abuse;
 - (8) A representative of the local bar association;
 - (9) Law enforcement personnel;
 - (10) Representatives of local agencies that are involved with domestic abuse reporting;
 - (11) County health department staff who deal with domestic abuse victims' health issues;
 - (12) Representatives of local child abuse agencies; and
 - (13) Local professional associations of persons described in subdivisions (d)(1)-(10), inclusive.
- (e) An oral or written communication or a document provided by a third party to a domestic abuse death review team is confidential and not subject to disclosure or discoverable by a third party. Notwithstanding the foregoing, recommendations of a domestic abuse death review team upon the completion of a review may be disclosed at the discretion of a majority of the members of a domestic abuse death review team.
- (f) To complete a review of a domestic abuse death, whether confirmed or suspected, each domestic abuse death review team shall have access to and subpoena power to obtain all records of any nature maintained by any public or private entity that pertain to a death being investigated by the team. Such records include, but are not limited to, police investigations and reports, medical examiner investigative data and reports, and social service agency reports, as well as medical records maintained by a private health care provider or health care agency. Any entity or individual providing such information to the local team shall not be held liable for providing the information.

[Acts 2000, ch. 788, § 1.]

Appendix

Domestic Abuse Death Review Team Mission, Responsibility & Authority

Team Mission

In accordance with Executive Order No. 016 authorized by Tennessee Code Annotated §36-3-624, the Metropolitan Government of Nashville-Davidson County created the Domestic Abuse Death Review Team or DADRT to “establish an interagency domestic abuse death review team to identify and review domestic abuse deaths, including homicides and suicides, and to facilitate communication among the various agencies involved in domestic abuse cases in order to recommend improvements in the system of services to domestic abuse victims and their families, and to provide accurate information related to domestic abuse issues to the community.” Metro Government's Office of Family Safety is tasked with leading this team.

Responsibility and Authority of the Team

It shall be the responsibility of the Team to identify, review, and analyze fatal or near fatal incidents of domestic violence to better understand the dynamics of these fatalities or near fatalities and to facilitate communication among the various agencies involved in domestic abuse cases. It shall also be the responsibility of the Team to conduct an in-depth review of a minimum of one domestic violence fatal or near-fatal incident(s) per year. Selected cases must be considered “closed cases” by both the Police Department and the District Attorney’s Office. A minimum period of six months must have elapsed from the time of death in order to interview family members and other close associations of the victim and/or perpetrator.

Report References:

- [1] Rothman & Hathaway et al, How employment helps female victims of intimate partner violence: A qualitative study, Journal of Occupational Health Psychology, 2007
- [2] Ridley & Riox et al, Domestic Violence Survivors at Work: How Perpetrators Impact Employment, Maine Department of Labor and Family Crisis Services, 2005
- [3] McLean & Bocinski, The Economic Cost of Intimate Partner Violence, Sexual Assault, and Stalking, Institute for Women’s Policy Research, 2017
- [4]<https://www.ojp.gov/ncjrs/virtual-library/abstracts/economic-impact-violence-against-women-tennessee>
- [5] Mollica & Danehower, Domestic violence and the workplace: The employer’s legal responsibilities, Journal of Management and Marketing Research, Volume 17 – October, 2014
- [6] The American Bar Association’s Commission on Domestic and Sexual Violence, Brief on Employer Responsibility, https://www.americanbar.org/content/dam/aba/administrative/domestic_violence1/Workplace/Employers.authcheckdam.pdf
- [7] Maurer, When Domestic Violence Comes to Work & Workplace Violence Prevention and Intervention Standard, Society for Human Resource Management, 2012



If you have any questions about the report, please contact Heather Herrmann (HeatherAHerrmann@jnsnashville.gov), Assistant Director of Education and Strategic Initiatives or Clare Ryan (ClareKRyan@jnsnashville.gov), Statewide Domestic Violence Fatality Review Coordinator at the Metropolitan Government of Nashville-Davidson County Office of Family Safety.

2020 MEMBERS OF THE DOMESTIC ABUSE DEATH REVIEW TEAM (DADRT)

**Bonnie Beneke - TN Dept. of Children Services,
DADRT Chair**

Ashley Cathey - Office of Family Safety

Chris Buford - District Attorney's Office

Becky Bullard - Office of Family Safety, DADRT Staff

Allison Cantway – Office of Family Safety

Nichelle Foster - Metro Public Health Department

Cathy Gurley - You Have The Power

Rachel Herman- AGAPE/Morning Star Sanctuary

Heather Herrmann – Office of Family Safety

Susan Kay – Citizen

Diane Lance - Office of Family Safety

**Melanie Lutenbacher - Vanderbilt University School of
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Peter MacDonald - Citizen

Chandler Means – AGAPE/Morning Star Sanctuary

Megan Lopez – Office of Family Safety

**Michelle Richter – Deputy Chief, MNPd, DADRT Sub-
Chair**

Susan Tucker-Smith – District Attorney's Office

Additional individuals may be invited to attend DADRT Meetings when they had involvement working with any of the parties in the case being reviewed.



Metro Office of Family Safety