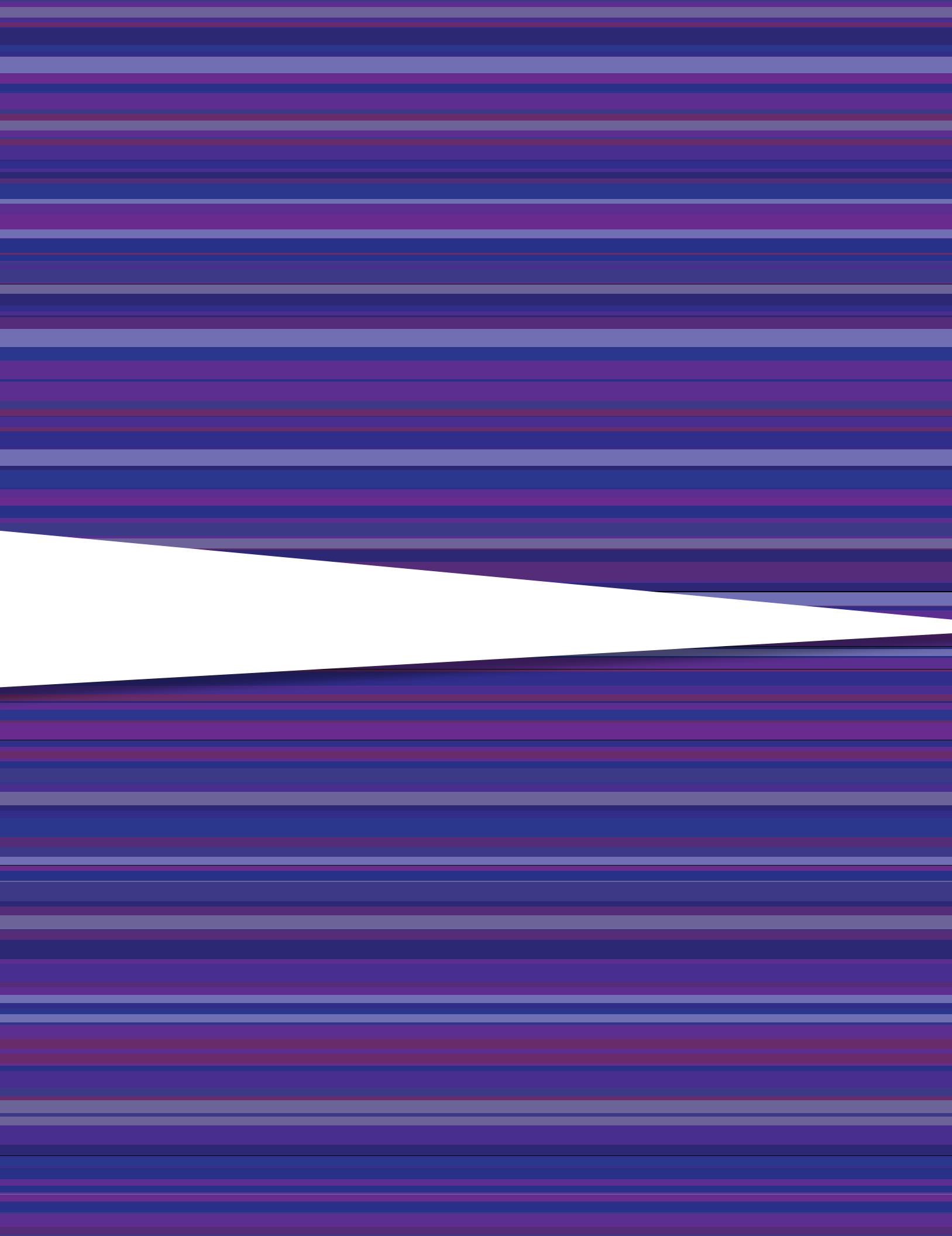


# Closing Safety Gaps for Domestic Violence Victims

Nashville-Davidson County  
Domestic Violence Safety and  
Accountability Assessment



# **Nashville-Davidson County Domestic Violence Safety and Accountability Assessment**

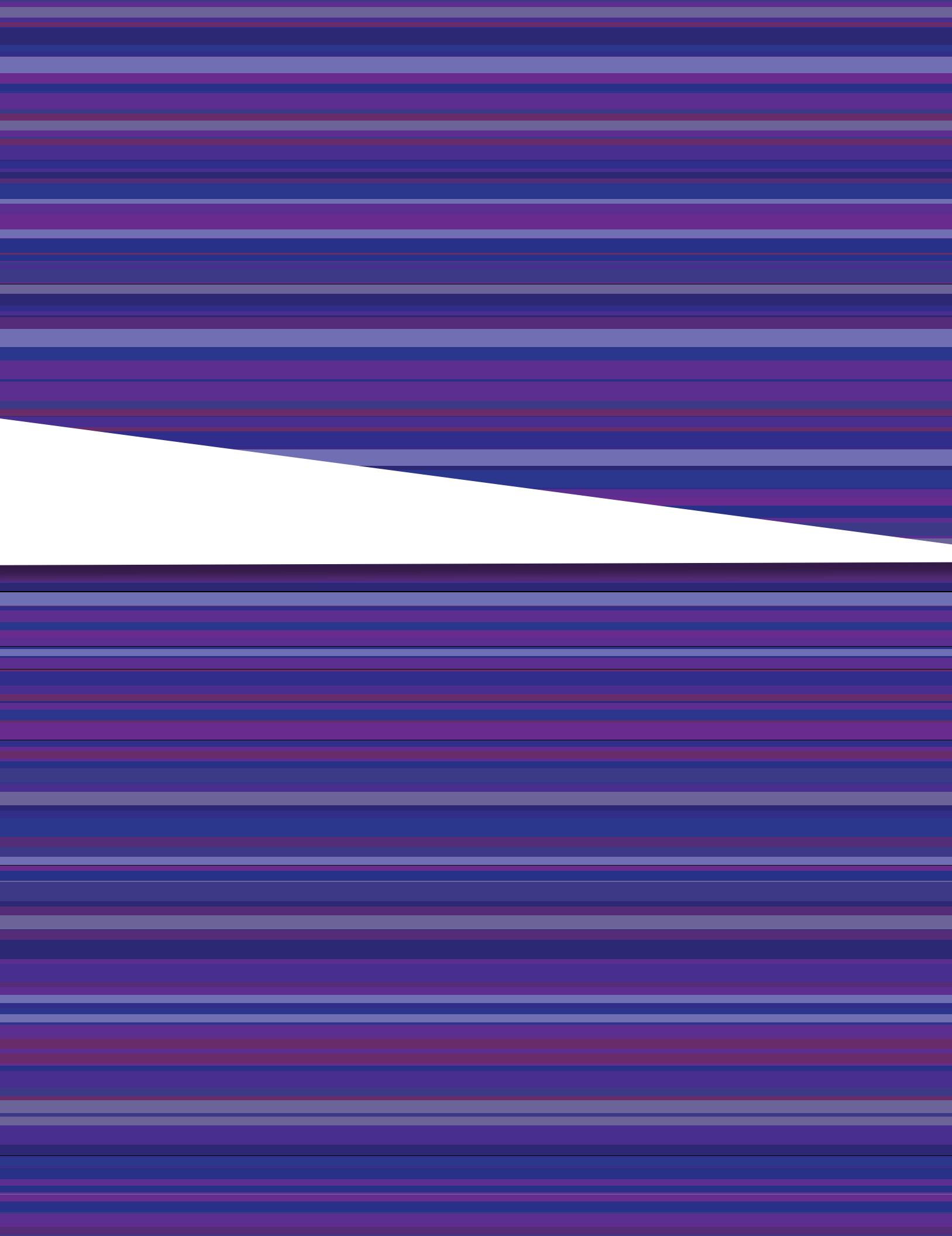
## **Recommendations Report**

September 2013

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**Office of the Mayor**

100 Metro Courthouse  
Nashville, Tennessee 37201



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# Acknowledgements

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The leadership, vision, and participation of many agencies and individuals in Davidson County contributed to the Domestic Violence Safety and Accountability Assessment. The support and cooperation of key public safety and community based agencies made this work possible. They contributed staff time to the Assessment Team and arranged for interviews, observations and access to other critical information.

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## A special thank you to ...

- The many victims who generously shared their experiences with battering.
- The many police officers and sheriff deputies encountered on "ride-alongs," who took the time to answer questions and describe the work that they do.
- The many detectives, counselors, advocates, 911 call takers and dispatchers, assistant district attorneys, victim-witness coordinators and probation officers who participated in interviews, surveys and/or job shadowing by Assessment Team members.
- The judges, commissioners and court personnel who welcomed Team members into court to observe and to conduct victim interviews.
- The Criminal Court Clerk's office, Circuit Court Clerk's office, MNPD, Emergency Communications Center, Probation and Criminal Justice Planning Department who accommodated all requests for data and sample pools.
- The shelters who welcomed Team members to their facilities to conduct victim interviews.

# Message from the Assessment Team

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This report contains a large number of specific steps that can be taken to improve victim safety and offender accountability as it relates to domestic violence cases handled by the Metropolitan Government of Nashville and Davidson County. This report was not designed to capture the many ways in which the domestic violence response system in Nashville does work well, especially through the dedication and hard work of countless Metro employees and non-profit organizations in the city who have committed themselves to protecting and bettering people's lives.

It is a bold step for a city to put itself under the microscope and examine where gaps in processes and systems exist. This assessment would not have been possible without the full cooperation of those Metro departments and agencies that were being assessed. At every point in the assessment process, departmental leadership and staff were helpful, eager, open and cooperative. Leadership from each of these Metro departments or agencies generously permitted numerous staff members to serve on the Assessment Team.

The Assessment Team has great faith in all the levels of Metro leadership in the area of domestic violence and looks forward to a system that displays greater expertise, collaboration and linkages among practitioners as well as increased victim advocacy and offender accountability as a result of this report.

# Introduction

**Domestic violence** deeply affects a significant portion of the U.S. population. Nashville's experience in domestic violence is a reflection of the general state of domestic violence in our nation. The following list is a quick snapshot of some pertinent facts about domestic violence:

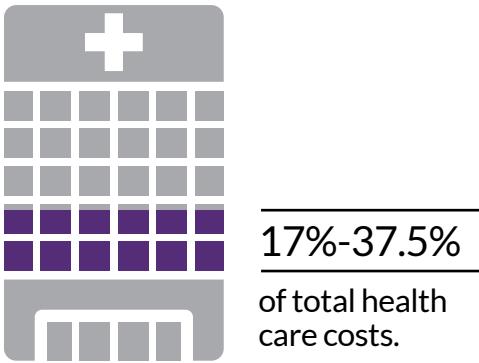
## United States:

- In 2010, it was estimated that a third of all people—33% of women and 28% of men—in the United States have, at a point in their life, experienced some form of physical violence at the hands of an intimate partner.
- Researchers estimate that as many as half of all domestic violence victims never report the incident to the police.

### Domestic Violence

A case is considered a domestic violence case when the victim is the former or current spouse of the abuser, lives with or has lived with the abuser, is dating or has dated the abuser, is or has been in a sexual relationship with the abuser, or is an adult/minor related by blood or adoption, or the child of anyone in any of the above named relationships.

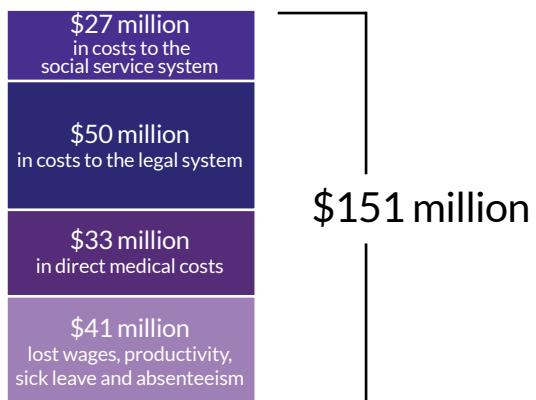
The additional cost to the health care system of those who experience abuse ranges between \$333 billion and \$750 billion annually.



- Those who experience abuse access health care 2 to 2.5 times more frequently than those without that history, and those additional costs to the health care system ranges between \$333 billion and \$750 billion annually, or nearly 17% to 37.5% of total health care costs.

## Tennessee:

The tangible costs of domestic violence annually in Tennessee have been estimated to be as much as \$151 million.

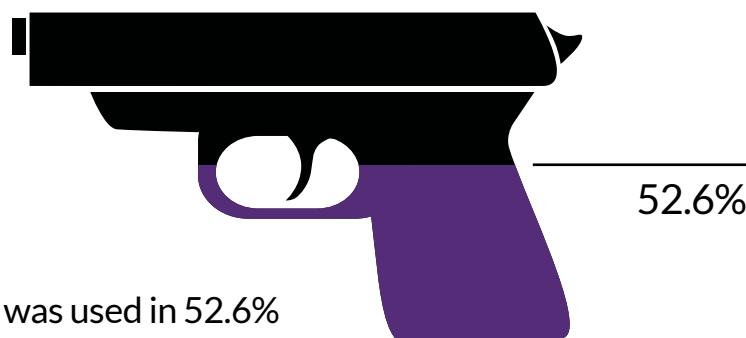


- The tangible costs of domestic violence annually in Tennessee have been estimated to be as much as \$151 million. This figure includes more than \$41 million in lost wages, productivity, sick leave and absenteeism; almost \$33 million in direct medical costs; almost \$50 million in costs to the legal system; and almost \$27 million in costs to the social service system, among other costs. These estimates are conservative, given that incidents often go unreported.

- In 2012 (the most recent year with complete information), there were 82,382 reported incidents of domestic violence across the state.
- In 2012, domestic violence accounted for 14.5% of all crimes committed and for 51% of all crimes committed against a person.
- From 2009-2011, there were 254,903 reported incidents of domestic violence; 72% of those involved female victims..

## *Davidson County:*

- In 2012 there were 11,895 reported incidents of domestic violence crimes, representing 47% of all crimes against persons reported in Davidson County.
- Of all police incident reports filed in Davidson County in 2012, roughly one fourth of those reports were domestic violence related.
- In Davidson County's General Sessions Court, 6,831 criminal domestic violence cases were filed during the fiscal year 2012, representing a total of 4,849 unique domestic violence offenders. Those 4,849 defendants accounted for 5,449 domestic violence arrests during that year.
- In 2012, 21% of criminal defendants in General Sessions Court were charged with domestic violence crimes.
- In 2012, 4,612 Orders of Protection were granted to victims of domestic violence.
- Over a six month period beginning on May 1, 2012, 65% of all domestic violence cases heard in General Sessions Court were dismissed, retired or otherwise not prosecuted.
- On any given date, there are approximately 650 defendants on probation in Davidson County for a domestic violence crime.
- From 2008-2012, homicides related to domestic violence constituted 15% of all homicides committed. Over the course of that five year period, there were 50 domestic violence homicides, averaging 10 per year. Of these domestic violence homicides, half were of intimate partners.



A handgun was used in 52.6%  
of the domestic violence  
homicides in 2011-12.

- A handgun was used in 52.6% of the domestic violence homicides in 2011-12.

While these numbers are concerning, what Mayor Karl Dean found most unsettling was how consistent these numbers were from year-to-year. While other crime rates often fluctuate, including the city's homicide rate, the domestic violence homicide rate remains relatively the same each year.

Domestic violence is a unique criminal behavior. While most repeat perpetrators commit similar offenses against different victims, domestic abuse perpetrators often commit escalating violent offenses against the same victim. Because domestic abuse cases often involve a pattern of abusive behavior against the same victim, the law enforcement and judicial system have specialized policies and procedures that best promote victim safety and offender accountability.

With the specific goal of reducing the number of domestic violence homicides each year, Mayor Dean decided to explore how the Metropolitan Government of Nashville and Davidson County can do more to prevent domestic violence incidents from occurring and do a better job of protecting victims and their children. To assist in identifying areas of needed improvement, Mayor Dean assembled a team of more than 100 community members and Metro employees to find gaps in current processes and systems related to domestic violence and to make recommendations on how those processes can be improved.

# The Assessment Process

In order to determine what gaps exist in the protection of victims and their children through Metro government's response to domestic violence, the Assessment Team looked at all of Metro's institutional processes and systems related to domestic violence cases and at each of the Metro departments responsible for them, including 911 emergency response, Metro Police, District Attorney, the courts and the Sheriff's Office. Team members gathered data through a variety of methods, including observations, interviews, document analysis, statistical data and case studies.

Working parallel with the Assessment Team was a Specialized Case Analysis Team. This Case Analysis Team reviewed two particularly problematic cases that involved either near death injuries or an escalating pattern of violence on the part of the defendant while on bond. Members of that Team were asked to independently identify the gaps in victim safety and offender accountability that were present in those two cases. By reviewing these cases specifically, the Case Assessment Team, comprised only of attorneys with criminal defense expertise, were able to provide a deeper insight into policies and practices that may inadvertently increase victim risk.

## Explanation of Recommendations

The Assessment Team's recommendations have been divided into two sections: First, this report outlines central goals and recommendations that touch on many parts of the domestic violence system. These central recommendations are general in nature and are key to arriving at an improved system of domestic violence. Included in this section are the recommendations of the Specialized Case Analysis Team.

Next, this report explains each stage of the domestic violence system, starting with the initial call made by a victim, through arrest, prosecution, court and post-court, and makes specific recommendations for improvement at each stage. Often, these specific recommendations are grounded in the central goals and recommendations of the Assessment Team.

NOTE: As per common practice, the term domestic violence is often referenced in this report simply as "DV."

# Central Goals and Recommendations

---

The Assessment Team identified nine central goals and recommendation categories:

## **Delay and Inconvenience:**

At every opportunity, delay and inconvenience to the victim should be dramatically reduced or eliminated.

## **Shifting the Burden:**

The burden of successful prosecution should rest on the investigative work of the police department and prosecution strategies of the District Attorney's Office rather than on the appearance of the victim in court. Victims should not be referred to as the "prosecutor" on any domestic violence case.

## **Training:**

All participants in the domestic violence response process should receive significant annual Metro-sponsored domestic violence training and certification. Initial trainings should focus on improving understanding of victim and offender behavior, community resources, cultural and language barriers and the way Metro's law enforcement and judicial systems work and interact together.

## **Advocacy:**

Metro should prioritize the use of paid **advocates** to assist victims at each critical juncture of the process. The work of these advocates should be standardized across departments and include the use of risk/lethality assessments.

## **Integrated Data:**

Metro should better share domestic violence data across departments in a way that will more effectively ensure offender accountability and enhance victim safety.

## **Risk/Lethality Assessments:**

Metro should have a standardized and comprehensive domestic violence **risk/lethality assessment tool**. When appropriate, this tool should be utilized at each point that a victim interacts with Metro in its provision of services to domestic violence victims.

## **Removing Language Barriers:**

Metro should greatly expand its ability to serve the needs of non-English speaking domestic violence victims.

## **Coordinated Community Response:**

Metro should have a coordinated community response to domestic violence that includes Metro departments and non-profit partners that serve domestic violence victims. Following the **Family Justice Center** model, this coordinated community response should focus on providing a single place for victims to receive police, prosecutor and civil legal assistance, talk to an advocate, plan for their safety and receive referral services.

## **Advocates and Victim Witness Coordinators**

Professionals that are trained to support victims of domestic and sexual violence by assisting with paperwork, providing emotional support, locating needed resources, navigating the judicial system, and accompanying the victim to court. Similar assistance is provided by victim witness coordinators employed with the District Attorney's Office.

## **Risk/Lethality Assessment**

A type of checklist that can be used by police, advocates and other practitioners to assess a victim's risk of lethal danger in domestic violence situations. Prior use (or threatened use) of a weapon against the victim, prior strangulation or attempted strangulation of the victim, prior threats to kill the victim or the victim's children, and recent separation are some of the indicators contained in the Risk/Lethality Assessment.

## **Family Justice Center**

Is the co-location of a multi-disciplinary team of professionals who work together to provide coordinated services to victims of family violence. This multi-disciplinary team includes those governmental departments and nonprofit agencies that serve victims of family violence.

**DV Coordinator:**

Metro should employ a domestic violence coordinator to implement a coordinated community response to domestic violence and oversee progress made on the goals and recommendations contained in this report.

The recommendations developed by the Specialized Case Analysis Team are similar to and further support the central goals and recommendations developed by the Assessment Team. The Case Analysis Team recommended the following:

- (1) There should be a prompt resolution and a fast track system for domestic violence cases, especially in situations where the defendant has become emboldened by delay in prosecution and is acting at a faster rate than the system can react.
- (2) There should be an improved and objective method to identify cases in the judicial system with a high risk of death or serious bodily injury and the ability to incorporate additional safety mechanisms for such cases, including expedited court dates, GPS monitoring and house arrest.

# Stage-By-Stage Goals and Recommendations

## Stage 1: Initial Response

Metro's first engagement in a domestic violence incident often occurs when the victim or a witness calls 911. During the call, the call taker relays critical information (e.g., name and location of the victim, whether medical attention is needed, location and description of suspect). 911 then dispatches a patrol officer to that location.

When a patrol officer arrives, the officer establishes control by separating the parties, assessing the need for medical attention and protecting the crime scene. After establishing control, the responding officer interviews all parties separately, including children. If an officer has probable cause to believe that a person has committed a crime involving domestic violence, the officer arrests the primary aggressor. Officers are trained on guidelines to help make a primary aggressor determination.

When an arrest is made at the scene, the officer transports the offender to Night Court in order to obtain an arrest warrant. A second officer provides victim assistance by offering to help the victim file an arrest warrant and obtain an order of protection, as well as offer to provide transportation to a safe place and a referral to counseling services.

At the conclusion of the call, the responding officer completes an **incident report** and provides the victim with a citizen information sheet that contains the complaint number and other information designed to be useful to crime victims.

After observing 911 call takers and dispatchers at work, listening to 911 recordings, interviewing and surveying 911 employees, observing patrol officers in "ride-along" experiences, reviewing police incident reports and interviewing officers in the field and victims at court and in shelters, Team members made the following recommendations:

- Establish an enhanced DV protocol for 911 call takers that consistently elicits all pertinent information from victims, such as the nature of the injury, victim safety status, current domestic violence court orders, whether children are present, and whether the victim has been strangled.
- Establish an enhanced DV protocol for 911 call takers that standardizes the manner in which questions are asked in a variety of common and dangerous domestic violence circumstances, such as (1) when it is unsafe for the caller to speak freely or to stay on the line; (2) when the caller has been a victim of **strangulation**; or (3) when caller needs safety-oriented instructions.
- Allow 911 to have greater access to domestic violence criminal background information and court orders, such as orders of protection, whether the offender is currently facing criminal charges, if the offender's behavior is restricted by any **bond** conditions (e.g., an order to stay away from the victim) and the offender's probation/parole status.
- Dramatically increase the number of domestic violence victims entering their safety profile information into the **Smart 911** system. Victims should be educated routinely on the advantages of registering with Smart 911 and assisted with inputting their safety profile information whenever possible.
- Explore possible ways to improve the coding priority structure for 911 calls.
- Increase and improve the on-scene investigative work of patrol officers. Suggestions

### Incident Report

A form used to document incidents where officers have been called or to document other matters within the jurisdiction of the police department. The incident report form, along with specialized supplemental forms, contains questions that prompt officers to fill in pertinent information regarding the incident and the people involved.

### Strangulation

Strangulation incidents are considered the most significant predictor of lethality in abusive relationships. An additional concern is that after surviving such an incident, victims may not realize that they need medical attention.

### Bond

Allows an arrested person (the defendant) to be released from jail until the conclusion of the criminal case. A bond (e.g., cash or property) is posted to help ensure that the defendant will attend all court appearances.

### Smart 911

A free service that allows people to create a safety profile for their household that includes information that they want 911 to have in the event of an emergency. For domestic violence victims, Smart 911 is especially helpful because users can store information on any history of domestic violence, weapons in the home, emergency contacts, existence of an order of protection and ages of children in the home.

include revising the incident report in a way that prompts more detailed investigative activity, equipping patrol officers with cameras that can take high quality photographs of injuries and damages, and improved training on how to investigate and document a domestic violence case in a way that will lead to effective prosecution.

- Increase and improve the on-scene data collection done by patrol officers. Suggestions include more detailed victim contact information, improved documentation of whether children were present at the scene, and the use of risk/lethality assessments.
- Make swift response to domestic violence calls for service the goal and expectation of all patrol officers.
- Improve officer effectiveness with victims in the following ways: (1) Provide victims with a specific informational packet for domestic violence that includes referral and safety planning information and risk/lethality indicators; (2) Provide a more detailed verbal explanation of the resources available to domestic violence victims, such as access to counseling services, orders of protection, prosecution and transportation to a safe place to stay; and (3) Provide a consistent response to victims that reflects an understanding of victim and offender behavioral dynamics.

## Stage 2: Offender is Charged

When there is probable cause for an arrest, the responding officer goes to Night Court to take out an **arrest warrant** for each criminal offense that was committed against the victim. Oftentimes, victims accompany officers to Night Court in order to take out an **order of protection** and/or sign the criminal warrant(s). Additionally Night Court is the processing center for booking all defendants after they have been arrested. Once a defendant has been booked on the warrant(s), a bond is set and, in the case of domestic violence defendants, a **12-hour hold** determination is made.

In addition to Night Court serving as the primary starting point for a criminal case, it is also the starting point for all orders of protection. Presiding over Night Court are five rotating judicial commissioners appointed by the court, each possessing the qualifications of a judge.

For many victims, Night Court is the first experience and impression that victims get of the court system. It is truly a “door to the justice system” that often sets the tone for the rest of their court experience.

After many Night Court observations and interviews with victims and Night Court commissioners, Team members made the following recommendations:

- Establish a victim-friendly location for victims to obtain an order of protection and/or take out an arrest warrant in a facility that is separate and apart from where offenders are booked to avoid victims unexpectedly encountering their offenders. Any such location should (1) have adequate staff and resources to accommodate demand; and (2) better ensure the safety and comfort of victims and their children.
- Establish a system where any Night Court commissioner that is making bond and other similar “hold” determinations is electronically alerted if a defendant has a history of domestic violence, if the offender is being re-arrested while on bond or parole, or is subject to an order of protection. This same system should allow the commissioner on duty at the time a warrant is issued, but prior to arrest, to create an electronic bond recommendation message that must be acknowledged by the commissioner that is on duty when the offender is arrested and bond is set.
- Commissioners should consistently set higher bonds for defendants who are already on bond for a domestic violence charge in accordance with Tennessee law.
- Have court advocates available 24/7 to all victims who wish to obtain an order of protection. These advocates can (1) assist victims in completing necessary paperwork to file for an order of protection; (2) perform risk/lethality assessments; and (3) provide appropriate nonprofit referral information and safety planning.
- Make available an easy-to-understand, self-help guide for victims who want to obtain an order of protection independent of an advocate.
- Provide an online order of protection form that victims can complete electronically with auto-fill functionality.
- Ensure that commissioners have the necessary resources to more expeditiously handle the cases before them and a support system to reduce and better manage “bottlenecks” that can cause significant delay in processing warrants and orders of protection.

### Arrest Warrant

A legal document issued by a Night Court Commissioner on behalf of the state that authorizes the arrest and detention of an individual.

### Order of Protection

An order issued by a court prohibiting the offender from doing or attempting to do any of the following behaviors for up to one year: Abusing, hurting, frightening, contacting, stalking, coming about or contacting the victim and any children covered in the order of protection. The order can also require the offender to vacate the home, provide housing, financial support and prevent disconnection of utilities.

### 12-Hour Hold

Under state law, a commissioner can “hold” a domestic assault or stalking defendant for a period up to 12 hours. During that time period, the defendant is not permitted to post bond. This holding period allows a victim the time to relocate to a safe place or take other safety precautions. It also provides the offender a “cooling off period” to lessen the likelihood of retaliatory behavior.

## Stage 3: Time Between Arrest and Court

### **Ex Parte Order of Protection**

A temporary order of protection issued by a Night Court Commissioner that is in effect until a hearing is held to grant or deny the order of protection.

### **Bond Docket**

A docket is a group of cases set for court on a given date. Numerous defendants, witnesses and victims are scheduled to appear on each day's docket. Cases set on the General Sessions docket are continued, dismissed, pled, tried, bound over or otherwise disposed of by the end of the docket. Defendants that make bond will be scheduled on the "bond docket" (a court date where all defendants are out on bond). Those who do not make bond will be scheduled on a "jail docket" (a court date where all defendants are still in jail). Occasionally, for various reasons, those in jail could be scheduled on a bond docket and those on bond could be scheduled on a jail docket (i.e., to avoid co-defendants from being separated).

Once a warrant has been taken out or an order of protection is issued, there may be a delay in locating the defendant. Until the defendant is arrested on the warrant or served with the **ex parte order of protection**, a court date cannot be set. Once arrest or service has been accomplished, the case is assigned a court date and the victim is notified. On average, it takes 49 days after arrest for criminal cases to have a "first setting" on a **bond docket**, meaning the time between the domestic violence incident and the offender's first appearance in court while out on bond is typically well over one month.

During the period of time that victims are waiting for the first court date, they receive a phone call from either a detective in the Police Department's Domestic Violence Division or a victim witness coordinator at the District Attorney's Office. Detectives are tasked with calling victims in those instances when an arrest has not been made, typically because the offender was not present upon police arrival, or there was not sufficient evidence to necessitate an arrest. Victim witness coordinators are tasked with calling victims in those instances when an arrest has been made.

The waiting period for court or a follow-up phone call is a high-risk time for many victims and was identified by Team members as needing significantly-increased, proactive victim services. The following recommendations were made:

- Improve the method used to notify victims of upcoming court dates in a manner that ensures that offenders cannot intercept notifications.
- Reduce the amount of work done by detectives that does not require the expertise of a detective in order to provide additional time for case investigation.
- Reduce the amount of clerical work performed by victim witness coordinators at the District Attorney's Office to give them sufficient time to call victims within 24-48 hours of an incident.
- Coordinate and share the use of advocates by the Sheriff's Office, Police Department and District Attorney's Office to improve the speed, quality and quantity of contact with victims after an incident of domestic violence.
- Explore and resolve any potential safety gaps that exist between the authority of the Sheriff's Office to enforce orders to vacate the residence and the Police Department's authority to arrest and serve outstanding warrants.
- Develop and formalize a multi-disciplinary Domestic Violence High Risk Case Review Team. This Team should be tasked with systematically identifying and reviewing domestic violence cases with a high risk of death or serious bodily injury based on established criteria. This multi-disciplinary team should focus on responding to escalating domestic violence situations, especially when the offender continues to threaten and/or harm the victim while on bond or pending arrest.
- Routinely monitor the recurring criminal behavior of domestic violence offenders. Motions to revoke or increase bond should be consistently and promptly filed when a defendant has violated bond conditions or an order of protection.

## *Stage 4: Court*

If a defendant makes bond on a domestic violence criminal case, the case is heard on a General Sessions bond docket. That bond docket will most likely be a domestic violence bond docket that is presided over by a judge that specializes in domestic violence . If the defendant does not make bond, the criminal case will be heard on the jail docket. Jail docket domestic violence cases are set on any General Sessions court jail docket, without regard to judge specialization.

In addition to criminal warrants, orders of protection are also scheduled for court hearing. At the conclusion of that hearing, a judge will either grant an order of protection for one year or deny the request for an order. Oftentimes, an order of protection is based on the same facts as the criminal warrant.

When a victim is not married to the defendant or does not share children with the defendant, the order of protection will be set on the same day and in the same court as the criminal warrant. When a victim is married to the defendant or does share children with the defendant, the order of protection will not be set on the same day or in the same court as the criminal warrant. Instead, in those circumstances, the order of protection will be heard in Circuit Court where determinations of financial support can also be made.

When victims arrive to court, they are directed to the proper courtroom and are instructed to wait in the gallery. Especially in the case of a domestic violence bond docket, the courtroom is often very crowded and victims are sitting alongside many other victims and defendants, including the defendant in their case.

In connection with improving the courtroom experience and case dispositions for victims, Team members made the following recommendations:

- Increase and improve security and safety in and around the courthouses, including the parking garage. A recommended starting point would be to increase the feeling of a watchful police presence in the courtroom, the courthouse and the surrounding area.
- Prominently post in the courthouse relevant signage instructing victims about how to respond if they are threatened or intimidated while they are there. Judges should announce those same instructions at the call of the docket.
- Provide a separate and secure courthouse entrance and waiting area for victims that is outside the presence of offenders. Separate meeting space should also be provided for victims to meet with the District Attorney's Office—outside the presence of offenders, police and defense attorneys.
- Provide physical space in the courtroom that ensures sufficient separation of victims and offenders.
- Designate specialized General Sessions judges and assistant district attorneys for all domestic violence cases on the jail and bond dockets.
- Improve consistency in dockets by assigning a single clerk's office to assume clerical responsibility for all aspects of a domestic violence case.
- Explore the feasibility of having an exclusive domestic violence court that handles all domestic violence cases.
- Provide a consistent presence of advocates on behalf of domestic violence victims for order of protection hearings, motions and all criminal proceedings.
- Reduce the time between arrest and first court date.
- Ensure that assistant district attorneys and victim witness coordinators have adequate training and sufficient out-of-court time to effectively prosecute domestic

**Firearms Possession Laws**

*Federal and Tennessee law both prohibit possession of firearms and/or ammunition while subject to a qualifying order of protection or following a conviction for a qualifying misdemeanor crime of domestic violence. 18 U.S.C. §922(g)(8) and (9); T.C.A. §§36-3-625(a) and 39-13-111(3).*

violence cases and support victims, including working collaboratively with the police department and other professional partners.

- Prosecute cases even without the presence of the victim. Use 911 recordings, jail call recordings and medical records to do so.
- Evaluate whether having morning and afternoon court dockets and scheduling related cases (i.e., order of protection and criminal case involving the same victim and offender) on the same day would help reduce in-court wait time for victims.
- Adjust the amount of time allotted for the General Sessions order of protection docket to allow judges to effectively attend to each case. Victims should be provided with a copy of the order of protection prior to the hearing to ensure they are prepared to give clear and effective testimony.
- Assign offenders on probation to domestic violence probation officers only.
- When statutorily mandated, remove **firearms** from offenders and ensure offender compliance. All reasonable steps should be taken to ensure that firearms are not forfeited to others such as family or friends or returned to offenders prohibited from receiving them.
- Practitioners within the system (police, assistant district attorneys, advocates and counselors) should take every opportunity to ask about the presence and/or possession of weapons in the home and make that information electronically accessible to other practitioners in the system.
- Establish a protocol to govern the return of firearms following the expiration of orders of protection. This protocol should involve notification to victims when a request is made by an offender to have a firearm returned and also when the firearm is actually returned.

## *Stage 5: Post-Court*

Currently, victims are not routinely provided a primary post-court point of contact. It is typically up to the victim to decide who to call if he/she is being further harmed or threatened by the offender. Often, this decision is based on the victim's relationship with various practitioners within the system. For this reason, some victims will notify an assistant district attorney, a victim witness coordinator, a detective, a counselor or a probation officer. This type of disjointed process creates a disjointed response.

In the aftermath of the extremely unfortunate cases where a domestic violence homicide occurs, Davidson County's Domestic Assault Death Review Team (DADRT) performs a case review. The mission of DADRT is to (1) investigate the circumstances of each adult domestic violence fatality occurring in Davidson County and (2) identify potential improvements to the County's response system that could decrease morbidity and mortality related to domestic violence.

Regarding the post-court experience for victims and DADRT, the Team made the following recommendations:

- For probation officers to have ongoing contact with the victims of the offenders they are supervising, beginning with obtaining a full history of abuse and risk assessment information from the District Attorney's Office and the victim.
- For the probation department to have domestic violence specific protocols and specialized/trained domestic violence probation officers.
- For victims to systematically receive the name, phone number and e-mail address of the offender's probation officer before leaving court. For those victims who were not present in court, victims should be provided this contact information by other means.
- For victims, especially in high-risk cases, to have a post-court point of contact assigned who will proactively contact victims post-court. This point of contact should have the capacity to initiate a coordinated community response to a victim's safety concerns.
- For the Domestic Violence Coordinator to improve DADRT's case review methodology. The Domestic Violence Coordinator should oversee the entire case review process, as well as the production and distribution of annual reports.
- For DADRT's focus to shift from a cursory review of each domestic violence death in Davidson County to an in-depth review of one or two domestic violence deaths or near death cases per year.

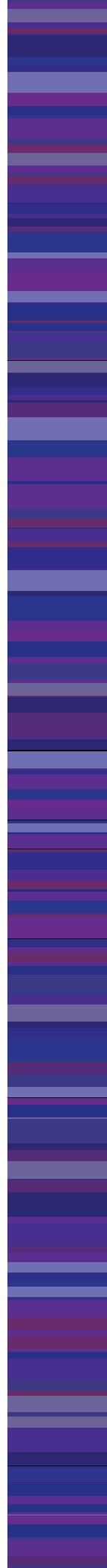
# Conclusion

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This report should be viewed as a guide for where to begin changing policy, administrative procedures, professional practices and linkages within and across agencies in order to better serve domestic violence victims, and by doing so, ultimately reduce the occurrence of domestic violence homicides in Nashville-Davidson County.

The Assessment Team recognizes that with a large number of goals and recommendations spanning numerous government departments that it will take time to implement and see the effects of the changes outlined in this report. Some of the recommendations can be addressed quickly and easily, while others will require a significant amount of resources and planning, and will therefore take longer to see realized.

However, with Mayor Dean's leadership on the issue of domestic violence and the desire of related Metro departments to better collaborate, which is already happening as a result of this assessment, Metro Government is now well positioned to strategically and systematically improve its response to domestic violence and become a safer city for women and children.





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