

The 2004 Annual Report of the

KNOX COUNTY DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE

Developed by:

Angela Hill, Knoxville Police Department, KCDVFRC Chairperson

MISSION

To reduce domestic violence related fatalities through a systematic, multi-disciplinary review of domestic violence fatalities in Knox County.

BACKGROUND

On August 29th 2000, an agreement was entered into between The Community Coalition on Family Violence, Knox County District Attorney's Office, Knox County Circuit Court, Knox County Criminal Court, Knoxville Police Department, Knox County Medical Examiner's Office, Knox County Health Department, Tennessee Department of Children Services, Tennessee Department of Human Services, Tennessee Board of Probation and Parole, Child & Family Tennessee, University of Tennessee Medical Center, St. Mary's Health System, Baptist Health System, Fort Sanders Regional Medical Center, East Tennessee Children's Hospital, TWCA, Knox Area Rescue Ministries, Salvation Army, Rural/Metro EMS, Knoxville's Community Development Corporation, University of Tennessee College of Social Work, Police Advisory And Review Committee and Knoxville Legal Aid Society. (The Knox County Sheriff's Department was invited to participate, however, to date the Sheriff's department has not signed the cooperative agreement.) These participants, acknowledging their role in promoting and protecting the well being of children, families, and the public health, sought to review domestic related fatalities in order to make future recommendations for intervention and prevention. This cooperative agreement was made possible through legislation effective on May 22, 2000. Tenn. Code Ann. 36-3-624.

GOALS

The agreed objectives of the Knox County Domestic Violence Fatality Review Committee, hereinafter KCDVFRC, were as follows:

To describe trends and patterns of domestic violence deaths in Tennessee.

To identify and investigate the prevalence of a number of risks and potential risk factors in the population of domestic violence descendents.

To evaluate the service and system responses to families who are considered at risk, and to offer recommendations for improvement in those responses.

To characterize high-risk groups in terms that are compatible with the development of public policy.

To improve the sources of data collection by developing protocols for autopsies, death investigations, and complete recording of cause of death on the death certificates.

GUIDELINES

The KCDVFRC established its own operating guidelines. Before each scheduled meeting face sheets containing pertinent information about the cases to be reviewed were forwarded to each participant.

Using the information from this sheet, participants gathered any records they might have in their possession to bring to the scheduled meeting. Of utmost concern to the KCDVFRC was confidentiality.

Each participant signed a sheet setting forth the confidentiality agreement before every case reviewed.

These sheets were witnessed and collected at every meeting. All face sheets were also collected and destroyed at the end of every meeting.

At each meeting, the KCDVFRC sought answers to the following questions:

Do all criminal justice system and social service agencies in the City of Knoxville have specific policies and procedures related to domestic violence?

Which agencies had contact with the victim and perpetrator in the identified case?

What services were provided to each?

Were all current policies and procedures followed in the handling of criminal/civil matters involving this case?

Did any criminal justice and/or civil system agency have contact with the victim and/or perpetrator related to an Order of Protection or Restraining Order?

Are the current protocols adequate for the handling of domestic violence cases?

If not, what recommendations could be made to improve the response of the system agencies?

What other local, state, or federal agencies had direct contact with the victim and/or perpetrator related to prior domestic violence?

What was the involvement of the Knox County Criminal and Civil Court Judges in the cases up for review?

Is there sufficient information sharing among all agencies involved in domestic violence cases?

What information was available to each agency involved with the parties in the case?

How accessible is available information to interested agencies?

The purpose of this review was not to assign blame or to challenge difficult decisions made by any participant. The review was intended to refine, improve and coordinate a response toward intervention and prevention in domestic violence cases.

SUMMARY OF CASES REVIEWED

During the year 2004, the KCDVFRC completed analysis of two homicides committed between July 2001 and February 2002. Meetings were held quarterly on the first Wednesday of the month. Two suspects and two direct victims were identified. One of the cases was a murder/suicide; the other was a murder. Both cases were males against females. In one case, the couple had lived together previously, but the victim moved into her own place shortly before the murder. In the other case, the parties were living together, but there was not an established romantic relationship between the parties.

One suspect had an extensive criminal history of violent offenses. The other suspect only had traffic offenses. Neither victim had criminal backgrounds and neither had an order of protection at the time of the murder or in the past. One victim had three daughters. All three were in the residence at the time of the murder, and two witnessed it. The other victim had one daughter, and she did not witness the murder, but she was the one who found her mother and the perpetrator (who had shot himself).

Age of Victim and Perpetrator

The victims and perpetrators were close in age. One victim was 53 and the perpetrator was 54. The other victim was 31 and the perpetrator was 35 at the time of the murder.

Gender of Victim and Perpetrator

Both victims were female and both of the perpetrators were male.

Race of Victim and Perpetrator

All of the perpetrators and victims were Caucasian.

Relationship between Victim and Perpetrator

In one of the cases, the victim and perpetrator were had been dating and living together, but the victim had recently moved into a new house without the perpetrator. In the other case, there had been no known romantic relationship between the parties, but the perpetrator had talked the victim into letting him live at her place for a while thus they were considered roommates.

Location of Homicides/Suicides

Both homicides that were reviewed occurred within the city of Knoxville, Tennessee. One was committed in the East District and one was committed in the West District. Both occurred in the home of the victim.

Cause or Manner of Death

One of the deaths involved the use of a firearm and one of the deaths involved the use of a knife.

2004 FATALITY REVIEW CASES – Chart Form

<i>VICTIM PROFILES</i>		Number of Victims	Percent of Victims
RACE	Caucasian	2	100%
	African American	0	0%
SEX	Male	0	0%
	Female	2	100%
AGE	10 or under	0	0%
	11-17	0	0%
	18-20	0	0%
	21-30	0	0%
	31-40	1	50%
	41-50	0	0%
	51-60	1	50%
	61 and over	0	0%

<i>SUSPECT PROFILES</i>		Number of Victims	Percent of Victims
RACE	Caucasian	2	100%
	African American	0	0%
SEX	Male	2	100%
	Female	0	0%
AGE	10 or under	0	0%
	11-17	0	0%
	18-20	0	0%
	21-30	0	0%
	31-40	1	50%
	41-50	0	0%
	51-60	1	50%
	61 and over	0	0%

RECOMMENDATIONS FOR 2004 CASES

Recommendation: When the Family Justice Center is established, recommend that they identify cases of high lethality and work together to increase safety to the victim and hold perpetrators accountable.

Follow-up: When the Program Manager for the Family Justice Center is hired, they will be made aware of this recommendation.

Recommendation: Increase penalties for domestic violence offenses (i.e. three misdemeanor convictions is a felony, making strangulation a felony, assaulting a pregnant woman a felony, etc).

Follow-up:

General Randy Nichols will draft a bill and invite Jamie Hagood and Tim Burchett to the January 5th meeting to discuss how this can be done.

Angela Hill will contact Dr. Rocha with the UT College of Social Work to ask for assistance in researching applicable laws in TN and other states.

Recommendation: Recommend for the Knoxville Police Department and the Knox County Sheriff's Office to develop policies/procedures for child witnesses of serious domestic violence offenses, particularly children who have witnessed a homicide. Children at scene need to get counseling if parent if kill/severely injured – need assessment and referral perhaps by an agency such as Child & Family TN

Follow-up: Letter was sent to Knoxville Police Department Police Chief and Knox County Sheriff's Office Sheriff with recommendation. See attached letter.

Recommendation: Develop record-keeping system for animal abuse in the home.

Follow-up: This recommendation needs a follow-up plan.

RECOMMENDATIONS FOR 2003 CASES

Recommendation: Recommend and encourage local assisted living centers and nursing homes screen for depression and grief from separation. When depression and grief are found recommend and encourage these facilities to provide grief counseling to those individuals.

Follow-up: Sent recommendation letter to East TN Elder Abuse Coalition. See attached letter.

Recommendation: Recommend and encourage planning to minimize the stress of separation (i.e. transportation for visitation between separated spouses).

Follow-up: Sent recommendation letter to East TN Elder Abuse Coalition. See attached letter.

Recommendation: Raise funds to increase awareness of the systemic problem of separation at the end of life (recognizing that resources individually are scarce and budget issues / profit margins might keep individual facilities from acting alone).

Follow-up: Sent recommendation letter to East TN Elder Abuse Coalition. See attached letter.

Recommendation: Recommend and encourage the use of case managers to minimize duration of separation. Make resource packets available along with a directory of services.

Follow-up: Sent recommendation letter to East TN Elder Abuse Coalition. See attached letter.

Recommendation: Make this a topic at an upcoming senior summit.

Follow-up: Sent recommendation letter to East TN Elder Abuse Coalition. See attached letter.

Recommendation: Education for mental health workers concerning the duty to warn.

Follow-up: Sent recommendation letter to the Mental Illness Awareness Coalition. See attached letter.

Recommendation: Education for mental health workers and society on threat assessment and taking threats seriously.

Follow-up: Sent recommendation letter to the Mental Illness Awareness Coalition. See attached letter.

Recommendation: Place pamphlets in male and female public restrooms of the city county building.

Follow-Up: Debbie Herron contacted the Public Building Authority at the City County Building and they will not allow pamphlets in the public restrooms. No reason as why was given. Sent recommendation letter to the Community Coalition on Family Violence to ascertain if they can accomplish this recommendation. See attached letter.

Recommendation: Have prosecutors consider recommending an alcohol and drug assessment for any defendant with 2 or more conviction of class A misdemeanor or above drug related offenses.

Follow-up: Debbie Herron sent an email to the sessions attorneys regarding alcohol and drug assessments. Sent letter to General Randy Nichols with recommendation. See attached letter.

FOLLOW-UP ON LAST YEAR'S RECOMMENDATIONS

Several cases reviewed were directly linked to child custody disputes. As such, several participants got together to create a sheet listing risk factors and resources. This sheet could then be provided to all parties involved in any child custody dispute. Judge Swann agreed to provide the sheet through his court, with arrangements being made so that the sheet would also be available in Juvenile and Chancery Courts.

Follow-Up: DV Fatality Review Team members created a pamphlet. It is unknown what the status is of this pamphlet. Sent letter to Judge Swann in 4th Circuit Court. See attached letter.

A severe lack of mental health service providers and alcohol and drug resources were also identified. More funding is needed to increase capacity in order to shorten waiting times for patients seeking help.

Follow-Up: Sent recommendation to the Mental Health Association. See attached letter.

The necessity for promptly and accurately entering information in the National Crime Information Center database, hereinafter, NCIC, was also identified. All Knox County NCIC operators receive training in order to effectuate that goal. Furthermore, the Knox County District Attorney's Office has a system in place that allows for the prompt approval of entries for outstanding arresting instruments and extradition requests. Further, it is imperative that the Tennessee Department of Probation and Parole conduct a pre-sentence or post-sentence investigation for all felony pleas in Criminal Court.

Follow-Up: Sent letter to Randy Nichols with the Knox County DA's office. See attached letter.

RECOMMENDATIONS FROM INTERVIEW

Date of Meeting: January 13, 2004

Recommendation: Educate FBI officials, probation and parole officers, and other professionals such as counselors on the dynamics of domestic violence.

Follow-up: Sent letter to FBI and Public Collaborative Project asking what and how often staff is trained on issues of domestic violence. See attached letter.

Recommendation: Educate community on needs of victims.

Follow-up: Although the Community Coalition on Family Violence and other agencies provide training on an ongoing basis to different community groups, we sent this recommendation on to the Community Coalition on Family Violence to emphasize the importance of these efforts. See attached letter.

Recommendation: Educate officers on dynamics and signs – emphasize the dangers of minimizing abuse, and educate on calling DCS when child abuse is present.

Follow-up: Sent letters to KPD, KCSO, and UT Police to find out what type and how often they train their officers and recruits on domestic violence. See attached letter.

Recommendation: Educate hotline workers on key phrases and reassuring words to help victims understand that measures will be taken to increase the safety of the victims and her children.

Follow-up: Sent letter to the Community Coalition on Family Violence, and requested that they conduct training with advocates from shelters and other agencies on this issue. See attached letter.

Recommendation: Educate ministers and church counselors on dynamics of DV.

Follow-up: Although there is currently a large campaign in Knoxville to educate the clergy community, we sent a letter to the CCFV recommending that they be inclusive of church counselors if they are not already. See attached letter.

Recommendation: Educate Juvenile Court workers and judges on domestic violence dynamics and the importance of hiring qualified counselors who understand the dynamics of domestic violence to testify in court.

Follow-up: Sent a letter to Juvenile Court asking how they determine that someone (particularly counselors) are qualified to testify, and that they actually have the experience and/or education to testify on the topic on which they are speaking. In particular, if someone calls themselves a counselor, are their credentials and experience questioned before they give testimony on such big topics as custody, mental stability, trauma, etc. that could permanently impact someone's life? See attached letter.

Recommendation: Educate teens and youth about the signs of dating violence to increase prevention of DV at its inception.

Follow-up: The CCFV has taken steps to educate teens and youth through their Traveling Trunk and Hands are Not for Hitting initiatives. We sent a letter recommending that to further this effort, they contact and work with "Legal Lives" through the Knoxville Bar Association, which is a group that educates teens and youth on various issues. In addition, send a letter to the Dr. Charles Lindsay with Knox County schools to ask what is currently taught to students about teen dating violence, and to request that additional training be implemented if none is currently taught. See attached letter.

Recommendation: Look into possibility of an advocate going on calls with officers in DV situations – one possibility is to ask Karen Sowers about heading up an advocacy/officer on-call or ride-along program by utilizing interns as advocates.

Follow-up: Sent a letter to Dr. Karen Sowers (UT College of Social Work) with this recommendation and request ideas of this possibility from her. See attached letter (page .

Recommendation: Work with hospitals to have an on-call advocate for DV cases that come into the hospital.

Follow-up: Angela Hill set up a meeting with Kathy Hatfield and Kelly Coleman to discuss this possibility and work toward implementing this recommendation.