Hello. I'm Dave Thomas, program manager with the ICP. We are here today to discuss a very serious issue, the deadliest calls. What are we doing to prevent the killing of our first responders on domestic violence calls? Today, I'm honored to be joined by one of the foremost experts on this topic. Lieutenant Mark Wynn – retired - from Nashville Metro Police Department.

Mark, would you please take a moment to introduce yourself to our listeners and provide a brief overview of the topic? Thank you, Dave. It’s an honor to be with you as well. Like you said, I’m a retired Lieutenant Detective with the Nashville Metro Police Department. I have worked in law enforcement around 45 years now as an officer and detective and now as a consultant.

I started working with IACP in 1987 around executive training on domestic and sexual violence. I spent 15 years here in Nashville and our SWAT team and in more particular Dave, I've lost four fellow officers killed responding to domestic violence calls, now that's not the total number of friends of mine who were killed in the line of duty: but just on domestics.

And I've got two nephews on duty now, one in Tennessee, one in Texas. So, I’m from a typical cop family, five or six generations. So, this is, this is particularly personal to me as well as I know everybody listening today who works in law enforcement or has a family member in law enforcement. This topic around domestic violence for years has evolved, and we can talk about that, if you like; how we look at it today versus the way my father, when he started policing in 1948, how they looked at it then.

So we can discuss that. But I think that the main objective today is just to start the conversation so we can change the way we are looking at domestic violence because victim safety, which we all should be
offering, cannot be disconnected from officer safety. So, I'll stop there and we can move on to that particular topic.

No, absolutely Mark, I think you hit the nail right on the head. I think the more that we unwrap this and look at it the context, and the more we have a clear view, we see that victim safety and officer safety absolutely are one in the same. And that's part of the importance of today's talk.

So, if you could, what's the history of law enforcement’s understanding, training and really response to the crime of domestic violence? Well, traditionally, I can go back to having conversations with my father about when he started policing and my uncle and my brother and other members of my family. You know, we didn't really start defining domestic violence until the mid to late seventies.

The laws didn't define it. There were no warrantless arrest provisions in any state law. We weren't working with advocacy. There was... and it wasn't that we just were negligent, and didn't understand it, there was just, we just hadn't evolved as a society. Now, the changes came along in the eighties. When I started policing in 77, they were teaching mediation techniques in police academies, and they did in mine as well.

They did the best, but it didn't work. So in the eighties we started looking at definitely. The misdemeanor laws for a warrantless arrest started to happen, which meant we had to arrest people for crimes we didn't witness. Social Change came along from the community. Advocacy started working inside police departments, which gave us a different view of it. Increased liability legally for not responding.
And there's a there's volumes of lawsuits against police for not doing enough. And then research focused on the impact of arrests. You know, starting back and I think it was 88 or 87, the attorney general said the preferred response was arrest. That changed everything for us. That meant we went after offenders. So once we started looking at it differently, we saw all the causes, we saw the motives, we saw the tactics.

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And, you know as well as I do, Dave, you've done this work as long as I have, you know, power and control is who these people are, this is what they do. And the power control tactics used by an offender not only is to create inequality and intended to threaten the victims and manipulate the victims, it's also used by the offender to manipulate, threaten, intimidate and attack law enforcement because they've been killing officers since, you know, we've been registering the death of officers.

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And I often when I talk to cops around the country, I say, look, you've got to understand how long this has been going on. Our first officer killed in the line of duty. The very first officer killed the line of duty on a brand new Nashville City Police Department, 1875, was Robert Frazier, killed on a domestic. So that's a little bit of the history.

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And we have to look forward and look, you know, we weren't negligent. It was just that we were just trying to understand it, like society. Now we know a lot more. Well, and it sounds, Mark, like what you're saying is, you know, we know more what to look for and what to listen for and apply in these situations.

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And, you know, it has been a long learning curve. But, you know, now that we know better, we really need to do better and put the tools in the hands of the men and women out there doing this work so that they can do better. Now, you know, we've worked together. We've had the honor of working together at the National Law Enforcement Leadership Institutes on violence against women crimes.
We've done training all over the country to chiefs, deputy chiefs, sheriffs under sheriffs. What lessons have been learned by our top cops with respect to this issue and to this topic? Well, you know the thing that stands out to me after all these years of talking to thousands of police officers is the long view when you talk to a seasoned police executive. They themselves, this is not something that was brought to us from outside of law enforcement.

They told us that there are common characteristics to these crimes, which means some of these crimes are predictable. That's critical for the safety of a responding patrol officer. They have told us that we miss crimes, and that's an admission that we've missed some of the major felonies, witness intimidation, kidnapping, you know, threats, all kinds of sex assault. We've missed these crimes and then they've told us why we missed these crimes.

Obviously, it's communication and police departments. It's the training that we give our officers. It's some of the attitudes which, you know, are not as bad as they were when I first started policing. And then the last one, they told us what the impacts are. And one of the first things they told us, and Dave you've heard them as well as I have.

When we miss these crimes, everybody's at risk. And there's no excuse for it, because there's instruments today that we can get a pretty good predictor. You know, the old saying the best predictor of future violence is past violence. We've been talking about that for 100 years. We're getting much better at predicting future violence today. We can talk about that as we go on.

Well, and you know, saying that, Mark, I know in our trainings and one thing that we've recognized and we notice is that, you know, one of the changes is, is going from recognizing the co-occurring the co-
occurring nature of the different things that are going on. Like you said, you know, stalking and strangulation and these other co-occurring crimes that if we ask about, we find out about. And treating these calls as course of conduct types of incidents rather than single incidents and recognizing the context so that we can really pull things into focus.

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Can you talk a little bit about the progression of the misdemeanor assault to murder? I mean, you know, some of us when we first started, I know, you know, in 1986 when we started our domestic violence unit in Montgomery County, you know, a little bit I mean, not in 96, I'm sorry. A lot of times domestic violence units were called homicide prevention units.

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So what's been, what's the progression of the misdemeanor assault to murder? And by the way they still are today? More and more, we're seeing police departments start to put together, you know, domestic and sexual violence units, which, by the way, gives you a specialist, people who don't skim past cases. They actually look at the progression. And, you know, forever I would bet that everybody listening to the podcast today has been trained on a cycle of violence.

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You know, we coined it years ago. I use it and try and Lenore Walker gave it to us from a book, The Battered Woman. The cycle of violence is not used anymore because what we see is not just a cyclic crime. We see a crime on a continuum. It just goes on and on and on until there's this horrible event where victims killed and officers killed or a child is killed.

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So we know that this is this is a crime that we can predict. And when we look at our murders, I give an example. We looked at our murders in Nashville. I worked on homicide for years. When we finally drilled down into them into the domestic murders, 80% of our domestic homicides, 25 or 30 every year. There was a stalking element before the murder.
There was some history. There was some context. And context is everything. In these cases, as you know Dave, we have to look at the context. We want our officers to draw a contextual picture of the crime, but they've got to start asking the question, which leads me, you know, to the style of policing that we've done since the beginning of time, which is incident based policing.

This is one of the things that chief’s, you know the chiefs told us that they said we've got to break away from the incident based policing, which, by the way, is necessary when you're working against a crime like a home burglary or auto theft. They don't work on these crimes. You've got to look at it as a course of conduct, because most of these crimes and you know as well as I do, they're interconnected and co-occurring to other crimes.

When you see domestic violence, you often see stalking as he's talking about same sex assault. So we know that now from our analysis, which means we've got to sure that with everybody in the ranks, including our dispatchers, which often don't get training at all, they're saying our young women and men that these calls are so dangerous and they need to understand this well.

I didn’t mean to get off on a other persons involved. But I think it’s really important that we need to start sharing all the data that we have on the wrist. Officers on their first response. Yeah, well and that just that takes us to understanding really. I mean or it seems, I hear you say understanding the precursor and the signs that lead to deaths of citizens, deaths of officers.

And, you know, asking the question and I'll ask it, do we understand the significance of lethality assessments that they are not only for the for the high-risk victim, but for everyone involved? You know
Dave, I do a lot of training around the country and big and small agencies. I spend a lot of time in Pennsylvania, Illinois, Texas, Montana, Tennessee.

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So I'm talking to officers every day and I'm starting to see something interesting. We've now got the attention of officers when it comes to predictability of future violence. As you know, come from Maryland. You know, Dr. Jacqueline Campbell of Johns Hopkins really was the pioneer around lethality assessment, as I remember very well when she first came out with her assessments.

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Unknown

They were for mental health, and law enforcement saw it and said wait a minute, you mean mental health has got some way to gauge the possibility of a homicide? And she said yes. And that led to the LAP, which is used in hundreds, hundreds of police agencies, including mine. I think, and you may know this, every agency in Maryland. Yes, sir.

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Unknown

I think uses it. That's correct. And what it does, you get questions that you wouldn't normally ask on a domestic violence call, like as he threatened to kill you, is he threatening to kill your children. Is he jealous? Is he stalking you, has he strangled you? These are above and beyond. And I think this is great. And the Canadians have one called ODARA, the Ontario Domestic Abuse Risk Assessment.

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The Brits have one call, SAFER. The Australians are using one. I was in Brazil a couple of years ago training police. They've created one there. Moldova, I've trained the Moldovan police. They have their own risk assessment. You see what's happening here. We finally acknowledge after all these years, despite being told that homicide was the only crime you couldn't prevent, we're proving that wrong.

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And so the lethality assessments, and you know Mark, what I found, the more that we're utilizing these lethality assessments; and what agencies; what officers are telling me is; they are now able to have articulable facts and circumstances to tell a victim why they feel that they are in danger and so forth. They have facts and circumstances to be able to articulate to the court why this individual needs a protection order and things of that sort.

So, they, and there are things, you know, when you look at that lethality assessment, some agencies, some officers would say, well, that's just more work. And you know what? It's, it's adding to the depth of knowledge that we have about the incident so that we can more effectively make the law keep its promise. You know Dave, and I agree with 100%.

And to turn away from an instrument or a procedure that offers additional safety to an officer is tombstone mentality. Yeah, the risk, danger, lethality assessment is and is it documents every domestic violence call if you do it right and it gives you valuable intelligence. Yeah. Should a future event escalate into a critical incident. I know from responding to 600 tactical situations over the years, most of those are related to domestic violence.

The FBI has told us, 75- 90% of hostages taken every year, taken during domestics. You talk to any negotiator that’s worked any time on this, and they will tell you this is where we spend most of our time. So, if I were to, you know, walk into any chief’s office in this country and say, look, chief, I'm going to offer you something, I'm going to offer you a skill that will reduce the likelihood of future harm to your officers and victims.

I want to help you recognize and understand and respect us quickly. I'm going to show you how to spread them around other people like prosecutors and probation. And we'll give you a well, you know, worked out case management process. And I'm going to show you how to do intelligence led policing. Why would you not want to do that?
Yeah, that's not a waste of time. And I agree. I've you know, I'm old school. I know we don't have a lot of time. Cops today and we have a lot of time, but this is worth it. One officer's life is worth all of it for the whole country as far as I'm concerned. So we should take a look at it.

And which means not just by the chiefs, all the way down to the sergeants level, I was a patrol sergeant for five years. You know, when you work with these young officers, you mentor them, you instill in them for the rest of their career how important it is not to outrun your headlights. In other words, don't take these calls for granted.

Don't rush in. Make sure that you work out your strategies and never let your guard down, because these offenders are very, very smart. They are very calculating. And if you're offered any kind of service to our victim of domestic violence, you're now problem for the offender. Yeah, well, and speaking of that offender, Mark, you know, what's the profile of this category of offender?

You know, who, why and how does this happen so often? I mean, right now, I think we're up to 16. So far this year, officers killed in the line of duty intervening in and where they intervening in domestics where the perpetrator has a you know, has run ins with the law with respect to intimate partner violence. What's this?

What's this guy or girl look like? And it's mostly men who are these offenders? Right, and Dave you know, in June alone, Mississippi, California, South Carolina, Kentucky, West Virginia, we lost eight officers in one month. This is a lot of officers killed in the line of duty on domestics. I mean, I think a lot of this, obviously, is the weaponry that we see today.
It defeats the standard issue, body armor, these high-powered weapons on the street, their availability. I'm not a gun grabber, but I think, you know, when it comes to these offenders, we have to look at the way we confiscate weapons. We have to look at the way, you know, we train our officers on approach.

But the profile has, you know, has kind of fleshed out this way. This is according to Dr. Richard Johnson. Dr. Johnson is a researcher in Ohio that's taken officer involved domestic shootings and assault to a higher level than the FBI has. And what Dr. Johnson has told us from all of the shootings that he's looked at over the last 20 or 30 years, that it's usually an older, middle class white offender, they're usually intoxicated.

They had prior domestic offenses. The officers are often shot as they arrive on the scene. The offenders usually outside the home. Johnson has worked out a pretty good profile of the offender. Now that doesn't include all of them. But I mean, when you look at the numbers, they, I mean, you can't the numbers of the numbers and you can't ignore them. Of course, you know Dave, this is the most responded to call in the country.

I mean, DV is now, and the FBI, and I've tracked this for years because I've taught it. The FBI traditionally, in their officers killed in the line of duty, has put DV in the top ten, right behind, you know, flying a police aircraft, police pursuits, you know, traffic stops, suspicious persons. But in the last few years, the FBI has now put domestic violence at about 22%.

I think that is the biggest one now. And you can't discount the other cases where officers are killed by an offender who has a long history of domestic violence like what we're seeing in Gerald Fineman. You
know he's a prosecutor who's looked at offenders who have killed their officers there in California. Half of these offenders also have a and a criminal history of strangulation in their jacket.

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So, now that we know much more about domestic violence, we are now, I think, doing sort of an informal fatality review on our officers. But I think it's time we in this country, in national law enforcement, you know, establish a protocol on how to assess and look at the losses that we've had so we can protect the future of policing.

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Excellent. Well, Mark, I really want to thank you for spending time with us today. This has been an excellent conversation and one that I, I believe that that we need to continue to have. So, thank you for your time. We look forward to hopefully having you back again. Let's continue to do work in this area so that we can stem this tide today.

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Unknown

And I appreciate the time and I just want to relate all of our leaders out there. Let's keep a close eye on these young women and men. They've got a much more dangerous job today than we had when we started. So, let's keep an eye on them. All right. Thank you, sir. Be safe. Yes, sir. Thank you. All right.