

# Advisory Committee on Sexual and Domestic Violence

Patrick Henry Building, West Reading Room

Tuesday, March 26, 2019

10:30am – 12:30pm

**DRAFT MINUTES**

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## Members Present

Kathy Anderson, Empowerhouse

Teresa Berry, Sexual Assault Response and Awareness (SARA), Inc. - Roanoke

Heather Board, Virginia Department of Health (VDH)

The Honorable Barbara Favola, Senate of Virginia

Thomas Fitzpatrick, Virginia Department of Criminal Justice Services (DCJS)

Nancy Fowler, Virginia Department of Social Services (VDSS)

Kristen Howard, Virginia State Crime Commission (VSCC)

Autumn Jones, Arlington County Victim Witness Program

Melissa McMenemy, Office of the Attorney General (OAG)

Kathy Robertson, Virginia Department of Housing and Community Development

The Honorable Roxann Robinson, Virginia House of Delegates

Warren Rodgers, Southside Survivor Response Center

Mindy Stell, Virginia Victim Assistance Network

Kristi VanAudenhove, Virginia Sexual and Domestic Violence Action Alliance

## Members Absent

Chana Ramsey, James House

## Welcome & Remarks

- Vice Chair Teresa Berry called meeting to order at 10:32am with a quorum present.
- Introductions were made.
- The Honorable Roxann Robinson made a motion to approve the minutes from the December 5, 2018 meeting. Melissa McMenemy seconded the motion. The minutes were adopted by unanimous vote.

## State Sexual and Domestic Violence Prevention Plan Update

- Heather Board, VDH, provided an update of the development of the State Sexual and Domestic Violence Prevention Plan. The group has created an initial draft. Their next meeting is April 2,

2019 at the Virginia Sexual and Domestic Violence Action Alliance. Heather will share a draft of the plan with the Committee once it is more refined.

- The discussion turned to prevention funding. Heather Board noted that there is a scarcity of prevention funding available and this plan will help organizations make the best use of resources. Senator Favola asked why there are scarce prevention dollars. Heather Board replied prevention efforts are all federally funded as there are no state funds for this type of work. Additionally, it is difficult to demonstrate hard outcomes of prevention programs as opposed to direct services; so resources often go to the crisis needing addressing rather than prevention.
- Kristi VanAudenhove stated that due to an urgency for funding of public safety initiatives, safety services have been funded first, with prevention as secondary. Across the state there is a wide scope of services suggesting that agencies are better resourced now to be able to pursue prevention efforts. Senator Favola state she would like to see the Committee pursue prevention funding.

### **2019 Legislative Session Update**

- Senator Favola introduced Delegate Roxann Robinson. Delegate Robinson summarized a bill that was introduced by Delegate Mark Levine. The bill provided for increased penalty for those who abuse pets. The bill made a connection between pet abuse and family abuse. The bill was incorporated into another bill, and it lost its domestic violence connection, although it could still result in a useful tool for law enforcement and prosecutors in handling domestic violence cases.
- Senator Favola described two other bills that she and other Committee members worked on during the session:
  - The first was a piece of legislation that would require that the protective order be continued on the same date as the criminal hearing. This bill did not leave the Courts of Justice Committee. A representative from the Supreme Court of Virginia was present and explained that the Supreme Court will work with the patron to address concerns.
  - The second bill was to add Class 1 misdemeanors, such as violation of protection order, into the crime victims' bill of rights Code section. Autumn Jones explained that one concern was wanting to make sure the bill was capturing the right misdemeanors. Another concern was that by broadening the definition of "victim" and adding more misdemeanor crimes, it could create a financial burden for the Virginia Victims Fund (compensation). Some Commonwealth's Attorneys were in support of it, but others expressed concerns about a lack of resources. Mindy Stell added that some localities are not prosecuting misdemeanors at all due to funding issues and it becomes problematic for victim/witness to provide services as required by law when the case is not being prosecuted. Senator Favola asked Kristin Howard whether this is something that has come up with the Crime Commission. Kristin Howard replied it has not been addressed

in recent years. Senator Favola asked for a draft letter requesting that the Crime Commission study this issue and have the draft ready for the June meeting.

### **Sexual and Domestic Violence Program Professional Standards Committee Update & Appointment**

- Senator Favola introduced Cathy Easter, Executive Director of Safe Harbor, who provided an update of the work done by the Professional Standards Committee (PSC). Cathy reported that the Committee received over twenty pages of comments/suggestions from the field to help inform their work. Many of the suggestions have been incorporated into their draft documents. The Committee will soon complete a final version of standards and measures. The Committee is on track to complete and roll out the standards by the fall of 2019.
- Kristina Vadas, DCJS, reported that due to the resignation of PSC member Regina Eller, there is a vacancy. DCJS has a name of interest, Laura Beth Weaver, Assistant Director at the Women's Resource Center of the New River Valley.
- Tom Fitzpatrick made motion to appoint Ms. Weaver. Warren Rodgers seconded the motion. The motion passed unanimously.

### **Batterer Intervention Programs in Virginia**

- Senator Favola introduced Nancy Fowler, VDSS, to speak on batterer intervention programs in Virginia. Nancy introduced Sam Bachman, a community member present representing the Fairfax County Human Services Department. Nancy, Mr. Bachman, and Gretchen Soto, also from Fairfax County Human Services, provided some information about batterer intervention to the Committee. The following concerns were discussed:
  - Virginia Code (9.1-977.1) concerning batterer intervention services information-sharing is broad and allows for varying interpretation. As a result, information sharing is often very limited and providers are often left with having to depend on the client for disclosure of important information. Without better information sharing, risk assessment and treatment is compromised.
  - Batter intervention programs are certified by the Batterer Intervention Board. Many years ago, the Batterer Intervention Board provided a well-rounded perspective and good framework for batterer intervention. The Action Alliance was a partner to the Batterer Intervention Board, which added a balanced approach that included victim issues in batterer intervention standards. The Board is not currently active, and there is now limited funding and oversight for batterer intervention. Nancy suggested it may benefit the Commonwealth for the Committee to develop a subcommittee, which could work to propose recommendations for batterer intervention programs.
  - Senator Favola asked that Tom and Nancy come back to the Committee in June with a proposed framework and process for a subcommittee to start work on these issues.

## **Unfinished Business:**

### **1. Crime Commission Needs Assessment Survey**

- Kristen Howard, VSCC, distributed a draft of the needs assessment for consideration. A previous large matrix that included survey questions was replaced by a smaller matrix concerning the overall grant process. Kristin stated that by shortening the survey, she believed they would get a better response from service providers. She asked for feedback on this decision and the Committee members concurred. Kristen asked for feedback from the group of what they would like to see added and whether terminology used in the survey was clear. Kristi VanAudenrove suggested the survey include an inquiry into unmet needs. Senator Favola asked the Committee to send feedback and edits to Kristen Howard by April 15, 2019. Tom Fitzpatrick will distribute the final draft that Kristen creates after receiving edits.
- Tom Fitzpatrick made a motion to approve the survey to go out pending the Committee's edits. Teresa Berry second the motion. The motion passed unanimously.

### **2. DCJS VOCA Victims Services Grant Program Application Process**

- Senator Favola introduced Kristina Vadas from DCJS. Kristina provided an update on the Victims Services Grant Program (VSGP). The VSGP guidelines were released mid-January 2019. The applications were due March 4, 2019. DCJS staff and external review partners are currently reviewing applications and will have funding recommendations completed by mid-April, which will be provided to the Criminal Justice Services Board for their May 9, 2019 meeting. The Board will vote on recommended awards and agencies will then be notified of awards.
- Kristina and Tom Fitzpatrick explained that the VSGP guidelines allowed for both existing and new programs to apply for funds. Reviewers are using a comprehensive scoring process.
- Kathy Anderson said the application was challenging, but well structured, and a good opportunity to combine grants. Ms. Soto (non-member) said uploading documents was problematic due to attachment size restrictions. Tom Fitzpatrick informed the group that DCJS is looking at a new grant management system that would have an online upload capacity that would address this issue.

## **New Business:**

### **1. Committee Member Terms**

- Senator Favola explained that there are six members who are appointed by the Governor whose terms end in July. These members are eligible to serve a second term, but they will need to apply for reappointment.
- Tom Fitzpatrick asked that the six members let Kristina Vadas know whether or not they plan to reapply. Kristina will send interested candidates the information needed to reapply.

- If such members choose not to reapply, the Committee will have to find interested individuals. Nancy Fowler suggested members bring a list to our June meeting of interested individuals, recognizing racial, cultural, and geographic diversity. Tom reminded the members that in the past, the Committee has spoken with the Secretary of the Commonwealth's Office and provided suggestions on applicants; however, the decision ultimately rests with the Governor.

## 2. Elections for Chair and Vice-Chair

- Senator Favola stated that the Chair and Vice-Chair are elected for one-year terms. The next terms will begin in July. Chairs are selected by the Committee. Selection of the next Chair and Vice-Chair will occur at the June meeting. There was a suggestion that state agency representatives not serve as Chair or Vice-Chair.
- Senator Favola asked that Kristi, Nancy, and Tom work as a nominating committee and come to the June meeting with names of Chair and Vice-Chair candidates.

## 3. Threat/Risk Assessments

- Senator Favola stated that she had been working on some legislation and became aware of a threat assessment tool that law enforcement uses on domestic violence calls. Kristi VanAudenhove suggested that this tool may be the Lethality Assessment Program (LAP) tool. Kristi gave a brief description of LAP as an evidence-based survey that is used to connect victims to services. Melissa McMenemy added there is a statewide team comprised of the Action Alliance, DCJS, and the OAG, that provides LAP training.
- Senator Favola asked for a briefing on LAP at the June meeting. Delegate Robinson suggested the Committee invite others to the June meeting to hear about LAP.
- Kristi added there is a gap in Virginia law concerning the surrender of guns pursuant to permanent protective orders, and there is currently no accountability or monitoring of compliance with this provision. Senator Favola agreed and asked that this be a part of LAP presentation.

Senator Favola confirmed the following plans for the June Committee meeting:

1. Recommendations for potential new members, if all six Committee members do not reapply.
2. Nominations for Chair and Vice-Chair positions.
3. A suggested process for a batterer intervention subcommittee.
4. A letter drafted requesting that the Crime Commission study non-prosecution of misdemeanors.
5. A presentation about the Lethality Assessment Program.

**Public Comment:** Senator Favola invited public comment. None was received.

**Next Meeting Location:** Tom Fitzpatrick suggested that the next meeting be at a place more easily accessed by members. This will likely be at a Greater Richmond-area library. The Committee concurred.

A motion to adjourn was made by Autumn Jones, with a second by Kristen Howard. Senator Favola adjourned the meeting at 12:15pm.

**Next Meeting:** June 26, 2019, 10:30am-12:30pm