

GOVERNOR'S FAMILY VIOLENCE COUNCIL MEETING MINUTES

Monday, April 29, 2013

Heritage Office Complex – Chesapeake Room

ATTENDEES

COUNCIL MEMBERS PRESENT: Attorney General Douglas F. Gansler, Chair, Patricia E. Arriaza, Richard Barth, L. Tracey Brown, Tammy Brown, Diana Cheng on behalf of Secretary Joshua Sharfstein, Michael Cohen, Jeanne Cooper on behalf of Secretary Theodore Dallas, Jessica Dickerson on behalf of Secretary Sam Abed, Julie Drake, Jodi Finkelstein, Debra Gonzalez on behalf of Secretary Gary Maynard, Dorothy Lennig, Brady Michael for Brian Reider on behalf of Colonel Marcus L. Brown, John McGinnis on behalf of Lillian Lowery, Scott Patterson, Adam Rosenberg, Anne Sheridan, Joan Stine, and Jeanne Yeager

COUNCIL MEMBERS NOT PRESENT: G. Antonio Arenas, Lt. Governor Anthony Brown, Lisa Nitsch, Vicki A. Sadehvandi, Anne Sheridan, David Shultie, Senator Bryan Simonaire, Delegate Kriselda Valderrama, and Delegate Cathy Vitale

STAFF: Nakita Long, Bill Harper, and Justice Schisler

GUESTS: Peter Fosselman and Karen Payne

WELCOME/INTRODUCTIONS: Attorney General Douglas F. Gansler, Chair, began the meeting at approximately 10:15 a.m. Introductions were made.

APPROVAL OF MINUTES:

- ❖ Minutes of January 29, 2013 meeting were approved as read.

PRESENTATION

- ❖ Guest speaker, Karen Payne is a Health Educator for Prince George's County Health Department and works with individuals on domestic violence, relationship and substance abuse issues.
- ❖ The Health Education Program has been in existence for two years and individuals are presented to Ms. Payne by way of Prince George's County's Children and Parent Program (CAP), Intensive Outpatient for Men (IOP) and the Division of Correction (DOC).
- ❖ The curriculum involves four classes.
 - In the first class, individuals are tasked with identifying celebrity couples in a healthy relationship and the characteristics exhibited that make the relationship healthy.
 - In the second class, individuals identify celebrity couples in unhealthy relationships and the characteristics that make them unhealthy.
 - In the third class, Ms. Payne leads a discussion on different types of abuse.
 - In the fourth class, there is a final review and a true/false quiz administered.

LEGISLATION

- ❖ 2013 Legislative Session Update
 - Bills supported by the FVC that passed this session
 - HB 294/SB 281 – Firearm Safety Act of 2013
 - HB 838/SB 640 – Civil Cases – Maryland Legal Services Fund – Surcharges – Repeal of Termination
 - HB 1303/SB 809 – Maryland Legal Services Corporation Funding – Abandoned Property Funds
 - SB 1001 – Family Law – Protective Orders – Notification of Service – Sunset Extension

- Bills supported by the FVC that did not pass this session
 - HB 200 – Criminal Law – First Degree Assault – Strangulation
 - HB 478/SB 861 – Crimes – Committing a Crime of Violence in the Presence of a Minor
 - ✓ This bill received a 138:0 vote in the House Judiciary and 46:1 vote in the Senate
 - ✓ Victim was great and presented great testimony
 - ✓ Did not come out of Conference Committee and was never voted on.
 - ✓ Bring back next year
 - HB 853/SB 417 – Family Law – Domestic Violence – Permanent Final Protective Orders
 - ✓ Amendments were made in the House and Senate.
 - ✓ Conference Committee would not meet to talk
 - ✓ Put bill in next year in amended form
 - HB 892/SB 731 – Family Law – Protective Orders – Additional Relief
 - HB 1037/SB 630 – Evidence – Testimony by Spouse – Violation of Protective Order
 - HB 1230/SB 490 – Domestic Violence – Persons Eligible for Relief and Orders to Vacate Home
 - ✓ Bill was heavily amended
 - ✓ Bring back next year in simpler, more amended form
- ❖ Legislative Session Next Year
 - Reevaluate strategy
 - Develop better grassroots strategy
 - Solicit sponsors and develop coalitions
 - Diffusion of information – Could the FVC aid in public education about the legislative process and results?
- ❖ Organizations Advocating for Legislation Pertinent to Victims, Women and Families
 - Maryland Network Against Domestic Violence (MNADV)
 - Maryland Legislative Agenda for Women
 - Women’s Law Center

WORKGROUP

- ❖ Domestic Violence in the Presence of a Child
 - School Subgroup
 - Initially looked at the children who witness the death of a parent
 - Realized that children who witness domestic violence, and not just the death of a parent, are lost in the “system” and later resurface in juvenile services
 - Divided workgroup into two subgroups; Schools and Criminal Justice System, to more effectively focus on gaps in services and develop recommendations and best practices
 - Met to discuss school policies
 - Identified key people from the Department of Education to assist with identifying school policies
 - Criminal Justice System Subgroup
 - As a reference, the subgroup reviewed Baltimore City’s Fatality Review Protocol
 - Develop recommendations based on what to do when a law enforcement officer arrives at a scene for domestic violence and a child is present
 - Due to the number of children impacted, develop differential response approach for children who witness domestic violence
 - ✓ Focusing on evidence based programs
 - ✓ Made contact with researchers at the University of Maryland School of Social Work to train providers to provide appropriate services
 - Subgroup members contacted law enforcement agencies to determine if any policies are in place

- ✓ There were no policies identified for addressing children who witness domestic violence.
 - ✓ According to police on the Eastern Shore, there is a difference between being exposed to domestic violence and witnessing domestic violence.
 - Exposed – children are physically injured as a result of being the domestic violence action.
 - Witness – the act of just seeing the domestic violence action
 - ✓ Police have no requirement to refer children to the Department of Social Services (DSS) if child is purely a witness to domestic violence.
 - The next Criminal Justice System Subgroup meeting will be held on Thursday, May 2, 2013 at 11:00 AM at GOCCP.
- ❖ VINE Protective Order (VPO)
- VPO Quarterly Report
 - While Maryland has the 2nd highest registration rate in the nation and there has been an increase in the number of VPO registrations when comparing the 1st quarter of 2012 with the 1st quarter of 2013, the numbers of registrations remain low.
 - Maryland averaged 282 registrations and 1,015 notifications during the first quarter of 2013.
 - In January 2013, only 9% of the total number of protective orders issued had related VPO registrations.
 - In February 2013, only 14% of the total number of protective orders issued had related VPO registrations.
 - In March 2013, only 11% of the total number of protective orders issued had related VPO registrations.
 - Court Requirements
 - The Family Violence Council Coordinator visited several District Courts and spoke with the Court Clerks to discuss their procedures for disseminating VPO brochures.
 - Some Courts were only providing the brochures when a Waiver for Appearance was filed, some courts were not giving them out at all, and other courts had new staff and were unaware that they were supposed to be providing brochures.
 - A letter was forwarded to District and Circuit Clerks of the Court with a carbon copy to the Administrative Judge to remind Clerks of their requirement to provide the VPO brochures as mandated by law.
 - ✓ The FVC Coordinator is following up on this letter with additional information and site visits to the Courts.
 - Training
 - There will be a VINE Protective Order training at the Maryland Police and Correctional Training Commissions (PCTC) next month for victim service providers and law enforcement officials.
 - The training for victim service providers will be held on Wednesday, May 15, 2013, from 9:00 am – 11:30 am and Thursday, May 16, 2013, from 1:30 pm – 4:00 pm.
 - The training for law enforcement personnel will be held on Wednesday, May 15, 2013 from 1:30 pm – 4:00 pm and Thursday, May 16, 2013 from 9:00 am – 11:30 am.
 - All are encouraged to attend. Anyone wishing to register may contact Nakita via email at nlong@goccp.state.md.us.
 - Nakita Long will be holding a one-day training at the Mid Shore Council on Family Violence (MSCFV) on Tuesday, May 28, 2013 at 10:00 am for persons on the Eastern Shore who are unable to attend the training at PCTC on May 15th and/or May 16th
 - Issues/Problems
 - Appriss received a data alarm on April 24, 2013, which alerted that they had not received data from Maryland.
 - Further investigation showed that Appriss had stopped receiving data on April 21, 2013.

- After looking at the interface from which data is received and discovering that there was no data to import, Appriss began to troubleshoot potential causes.
- In the afternoon of April 24th, Appriss received a large file from Maryland and imported and processed all data.
- Appriss is working to tighten the threshold for the amount of time that lapses before triggering an alarm when data is not received

OLD/NEW BUSINESS:

❖ **Statewide Gun Turn-In Event**

- Attorney General Doug Gansler's 1st Annual Statewide Gun Turn-In Day is Saturday, May 11, 2013.
 - In Montgomery County, for each gun turned in, a donation will be made to the R. Adams Cowley Shock Trauma Center.

❖ **Lethality Assessment Program (LAP)**

- The LAP, developed by the MNADV, is an evidenced based screening tool and protocol for first responders to use in domestic violence cases to determine if victims are at high risk for injury or death.
 - Prior to LAP, only 4 percent of domestic violence murder victims nationwide had ever sought services from domestic violence program services
 - Since that time, there has been an increase in the average number of victims that screen high and go into services. Maryland jurisdictions are averaging approximately 30% of victims who screen as high risk using the LAP tool are receiving services.
 - 100% of Maryland's jurisdictions have committed to using LAP, with the vast majority implementing this tool. The exception is a few municipalities in Prince George's County who are currently training on LAP and will begin implementing this year.
 - Victims are given information on where to get services. With the MNADV LAP model, the first responder puts victims that screen high risk in immediate contact with a victim service provider.
 - Follow up by the victim service provider is extremely important as high risk victims often wait two to three weeks.
- The MNADV is reaching out to state agencies (Department of Juvenile Services, Department of Public Safety and Correctional Services, the Department of Health and Mental Hygiene, and the Department of Social Services), to implement LAP.
 - There was expressed concern that victims who do not screen high danger for lethality will fall through the cracks and or receive a slower or different response.
- An inquiry was made about providing parole and probation agents with a copy of the lethality assessment screen to assist agents in making a determination about providing GPS tracking device to domestic violence offenders on mandatory release.
 - It was suggested that agents utilize other tools to make their determination including police reports, trial information, employment history, if strangulation occurred during the assault and if a gun was involved.

MEETING ADJOURNED: 11:41 AM

**The next Council meeting will be held
July 19, 2013
Heritage Office Complex, Chesapeake Room
Annapolis, Maryland**