

Domestic Violence Coordinating Council
Quarterly Meeting Minutes
December 9, 2019

Call to Order: The Chair, Chief Judge Michael Newell called the DVCC Quarterly meeting to order at 1:15PM.

Introductions: In attendance were the following DVCC members and designated representatives: Chief Judge Michael Newell (Chair, Family Court), Secretary Rob Coupe (Vice-Chair, DSHS), Chief Defender Brendan O’Neill (ODS), Judge Carl Danberg (CCP), Secretary Josette Manning (DSCYF), Representative Michael Smith (General Assembly), Professor Dana Harrington Conner, Dr. Margaret Chou, Laura Graham, Esq., (CLASI), Cpl./3 Adrienne Owen (DSP), Professor Jennifer Naccarelli (University of DE), Ariana Langford, Commissioner Claire DeMatteis (DOC), Linda Carmichael (representing President Judge Jurden, Superior Court)

DVCC Staff: Maureen Monagle, Amanda Alcaraz, Dayna Belfiore, Natasha Smith

Also in attendance were: Ellie Torres (Family Court), Ava Carcirieri (Family Court), DAG Jenna Milecki (DOJ), Terica Jones (CJC), Mariann Kenville-Moore (DCADV), Lori Sitler (CHILD, Inc.), and Anne Altemus (CHILD, Inc.)

Minutes: Maureen stated that Family Court staff submitted minor edits via email. A motion was made to approve the minutes with Family Court’s changes, motion was seconded, and the minutes were approved.

Open Nomination Period for At-Large Member:

- Diane Glenn submitted her resignation as an At-Large Member of the DVCC. The Governor’s Office and General Assembly created written tributes for Diane’s honoring her work as a Council member. Chief Judge Newell opened the nomination period to fill the vacancy. Council members were asked to submit nominees to Moe Monagle. The Council will vote on the vacancy during the meeting scheduled for March 9th.

VAWA Implementation Committee Funding Recommendations

Terica Jones sought approval from the Council for the following federal grant programs:

- **FFY2019 Sexual Assault Service Program (SASP)- voting on \$377,493.00:**
 - The purpose of the SASP grant program is to support rape crisis centers and other non-profit/non-governmental organizations to assist them in supporting rape crisis centers and other nonprofit, nongovernmental organizations or tribal programs that provide services, direct intervention, and related assistance to victims of sexual assault. The VAWA Implementation Committee has recommended two programs for continuation funding. 5% is designated to the CJC for administration costs. A motion was made to approve; motion was seconded. The recommendations were approved.
- **FFY2019 S.T.O.P. Violence Against Women Formula Grant Program- voting on \$178,089.00**
 - Delaware was awarded \$951,079.00 for the FFY2019 S.T.O.P. VAWA Formula Grant. \$755,277.00 was previously obligated when ten programs were approved for continuation funding during the September 9, 2019 Council meeting, leaving an unobligated balance of funds of \$195,802.00. The VAWA Implementation Committee is seeking approval for \$178,089.00 for two continuation programs and one new program. The recommended programs are as follows:
 - Continuation funding for the Capitol Police “PFA Hearing Presence” in Family Court (\$32,055.00)
 - Continuation funding for the Capitol Police “Domestic Violence Risk Analyst” program (\$53,054.00)
 - New funding for SOAR, Inc’s “Incarcerated Victims of Trafficking/Exploitation” program (\$92,980.00)

A motion was made to approve; motion was seconded. The funding recommendations were approved. An unobligated balance of \$17,713.00 remains in the Discretionary category of the FFY2019 award.

Domestic Violence Pretrial Risk Assessment Project

Maureen received a call from Dr. Jill Messing, with Arizona State University, with an opportunity to potentially partner with Delaware in a research study to assess the impact of domestic violence-specific risk assessment tools on pretrial decision making, case outcomes and victim safety. As part of the partnership, ASU is requesting a letter of support of the application for funding through the Laura and John Arnold Foundation. Council members received a project summary and example letter for consideration. Judge Danberg requested more information about the role of law enforcement, type of data ASU is looking to gather, whether deidentified information would be used, the parameters of confidentiality. Professor Naccarelli asked of clarification if the Delaware's partners are bound to ASU's approach to victim recruitment. Secretary Coupe also noted that a DELJIS agreement and MOU's would be needed in order to partner. At this time, the Committee reserves a letter of support until clarity can be provided on the questions posed.

Dana Harrington Conner revisited the use of the lethality assessment as a risk assessment for determining bail.

Chief Defender Brendan O'Neill raised a concern with the Department of Justice looking at modifying the Code which addresses the Domestic Violence First Offenders Program (DVFOP) and Probation Before Judgement (PBJ) noting that defendants whose cases involve domestic violence often receive a PBJ disposition versus a DVFOP, the former requiring only anger management classes. DOJ would like the code to be modified to require completion of a DVCC certified domestic violence class when cases involve domestic violence.

Approval for Revised "Rules & Procedures" for DVCC Certification Panel

The Treatment Committee sought approval for revision to the DVCC Certification Panel "Rules & Procedures." Notable changes include; adding parameters for the Certification Panel to hold a desk review in the absence of a quorum, adding a mechanism for confirming and updating panel members and/or agency designees, and extending the due date for agencies to submit initial applications and recertification documents from January 5th to February 1st. The Committee unanimously approved the revisions.

Domestic Violence High Risk Team (DVHRT)- Approval of "Rules & Procedures"

Maureen informed the Council that Galen Purcell has accepted a position with Capitol Police. He began his new position in November. Tim Valeski, retired DSP, has been hired as the new DV High Risk Team Coordinator and will officially start in the position on December 16th. Tim will be on board when the first DVHRT review takes place in December 2019. Galen Purcell and Tim Valeski will overlap for one week to assist with a transition.

Prior to this meeting, the Council members received a draft of the Domestic Violence High Risk Team (DVHRT) Rules and Procedures. These were reviewed by the DVCC's Civil Deputy Attorney General, Rae Mims. DVCC staff is seeking approval of the Rules & Procedures. If approved, these will be in effect for the Team review scheduled for December. The Council approved the rules and procedures as written. No abstentions.

Fatal Incident Review Team (FIRT) Update

Natasha stated that the Fatal Incident Review Team had three fatality reviews in 2019 and plans to have three fatality reviews in 2020 as well. In addition, calendar year 2019 data and review recommendations will be gathered for the 2020 Fatal Incident Review Team Report that will be published in advance of the March 2020 Quarterly Meeting.

Maureen shared that the DVCC worked with the Government Information Center (GIC) who has been updating the State of Delaware's website (delaware.gov). On the "Moving to Delaware" page, GIC created a link to the DVCC's website for those moving to Delaware and in need of services. GIC may also help with links on the Division of Motor Vehicles webpage. This work is being done to fulfill a FIRT Recommendation of a large-scale public awareness campaign for those who are new to the State. GIC has been a very helpful partner.

Maureen reminded the Council that changes made to the FIRT statute added a medical professional who is well versed in domestic violence issues to be an official member of FIRT. This member is to be elected by the Council. Kathryn Keating Hudson, BSN, RN, SANE-A, SANE-P has been participating as an Ad Hoc subject matter expert on the Fatal Incident Review Team for the past few years. Prior to this meeting, Council members received Ms. Hudson's information. The DVCC Staff has recommended that Ms. Hudson be appointed by the Council as the official medical professional member of FIRT. There was a motion to approve staffs' recommendation, the motion was seconded. Ms. Hudson was approved as a member of FIRT.

DV Related Fatalities

Maureen reported that there were no domestic violence related fatalities for September, 1 gunshot fatality in October and there were no domestic violence related fatalities in November 2019 for New Castle and Sussex Counties (there was no immediate response for Kent County regarding any domestic violence fatalities). Moving forward, the Council Members have requested a year to date domestic violence related fatality number be reported during the meetings.

Council Member Report

Center for Study & Prevention of Gender-Based Violence- Professor Jennifer Naccarelli presented information about the Center for the Study and Prevention of Gender-Based Violence housed in the Department of Women & Gender Studies in the University of Delaware. The center is dedicated to the study, prevention and support for survivors of domestic violence, sexual harassment, stalking, human trafficking, and other forms of gender-based violence. The Center offers a combined focus that will include the following:

- scholarships and training to support students and to create a trauma informed and safe workforce in the area of domestic violence (benefitting the public, private and non-profit sectors)
- continuing education opportunities to professionals in the fields of health care, mental health, primary and secondary education and counseling, and law enforcement.
- have data and research component which will advance the scientific understanding of the causes, consequences and implications of gender-based violence
- plans to host a national conference every 5 years
- plans partners with national and local organizations to provide students with practicum placement opportunities

The Center developed a program for undergraduates which provides advocate certification through DCADV. They will be posting employment opportunities and are looking to partner with various agencies.

DVCC Committee Updates

- *Children and Domestic Violence:* Natasha reported that the Children and Domestic Violence Committee met on December 2, 2019. The committee received an update on the Separating and Divorcing Parents Education (SDPE) workgroup meetings. This update included discussion of possible barriers to attending an in-person class, such not currently having Spanish speaking classes available. In addition, some of the standing agenda items of the workgroup such are:

Is there a need for online parenting classes?

What kind of data is available regarding feedback from the SDPE classes?

What are the requirements for those providing the SDPE classes?

The committee also received an update on the House Resolution 12 workgroup. The workgroup has met twice since the last quarterly meeting and will continue to meet monthly until April 2020. One of the issues currently being discussed in the workgroup is what services are available to teens with or without parental consent.

- *Criminal Justice*: Chief Defender Brendan O’Neill reported that the Criminal Justice Committee met on November 19, 2019. The committee discussed Interim Rule 55 and the language that allows for the lethality assessment protocol (LAP) to be used as the assessment tool determining bail conditions in domestic violence cases.
- *Elderly & DV*: Dayna Belfiore reported the Elderly and Domestic Violence Committee held its first meeting on November 13, 2019 under the direction of Deputy Secretary Kimberly Chandler, serving as the designee chair for Secretary Coupe. The first meeting was used to begin strategic planning. The committee looks forward to creating and distributing a survey, to be completed by providers who serve the elderly population, in order to identify and target areas of need for elderly persons impacted by domestic violence. The committee is actively recruiting interested committee members and partners.
- *Medical*: Dr. Margaret Chou reported the Medical Committee met on October 9, 2019. The Committee will be sending out a Healthcare Provider Survey to capture feedback and suggestions from providers on ways the resource manual can be revised to be more helpful to providers. A Resource Manual Revision Workgroup, which meets monthly, has been created with the goal of completing manual revisions by November 2020. The committee is dedicated to making the revised manual available electronically.
- *Treatment*: Brendan O’Neill reported the Treatment committee met on October 16, 2019. The Committee created a workgroup, which is meeting monthly, to begin revisions of the Delaware Batterers Intervention Standards. In addition, the Committee revised the existing DVCC Certification Panel Rules and Procedures, which were approved earlier in the meeting.
- *Immigration*: Laura Graham reported the Immigration committee met on September 3, 2019. The committee is focused on understanding changing Immigration laws and policies in the federal government and how those changes impact non-Citizen survivors in Delaware. The committee continues to digest information and advise both advocates and victims of domestic violence as to best practices. In addition, the Committee will be discussing the possibility of surveying the Latinx community to identify and target the unique needs of victim and survivor Latinx community members.
- *Legislative*: Representative Krista Griffith reported that the Legislative Committee met on October 23rd and December 4th. Committee was asked to review a draft bill to amend Title 13 by establishing Parenting Coordination in Delaware. Per the concept, parenting coordination “*is an alternative dispute resolution process combining assessment, education, case management, conflict resolution and, sometimes, decision-making functions.*” This is modeled after a concept from the Association of Family Court and Conciliation Courts (AFCC). After a preliminary review, the Committee felt it was premature to take a position absent the Sponsor’s discussion with the Family Court and others in the domestic violence community. This was reported back to the Sponsor.

DOJ raised concerns with the First Offenders Domestic Violence Diversion Program (10 *Del. C* §1024) and Probation Before Judgment (11 *Del. C* §4218). The FOPDV is a more intensive probationary DV program but restricted to less serious DV Crimes. The Committee discussed potentially expanding the offenses to allow for Assault 3rd and Terroristic Threatening; and removing Domestic Violence from PBJ in CCP and Family Court. Members reviewed proposed changes prepared by the DOJ. More discussion will be needed with the Courts, ODS, possibly DV Treatment providers, etc. The group continued the discussion a

The next Committee meeting is scheduled for February. They will continue discussions about DVFOP and PBJ; the felony classification of strangulation; and will be working to address concerns related to the Advocate Privilege Bill (HB215).

- *Training:* Ellie Torres reported that the Committee did not meet during the past quarter with the transition DVCC staff, Amanda Alcaraz. Ellie and Ava Carcirieri reported that training is being developed for Family Court Intake, Records, and Security Units. This initiative is being created in partnership with The Center for Court Innovation (CCI) and focuses on trauma-informed approaches to interacting with litigants in Family Court. In the upcoming quarter, DVCC staff will train Housing Alliance Delaware, the Office of Prevention and Behavioral Health, the Family Division of the Department of Justice, and Delaware Law Clinic. The committee continues to explore options and opportunities for web-based training. They plan to develop a survey to assess training needs in various departments or agencies. And will be working on developing a statewide calendar that can promote training opportunities. Meetings have been scheduled for 2020.
- *Public Awareness & Education:* Judge Danberg reported that the Committee did not meet during the past quarter with the transition DVCC staff, Amanda Alcaraz. He and DVCC staff were able to meet to discuss plans for this group moving forward. He invited Amanda Alcaraz to present ideas for a social media plan. The hope is to utilize social media platforms to raise awareness and increase engagement in issues related to domestic violence. The committee will identify audiences, create and social media content, create specific awareness campaigns, and use social media to promote resources and services for survivors, as well as promote professional and community events. The committee will resume regular meetings for 2020.

Executive Director's Report and Announcements

Maureen reintroduced Amanda Alcaraz, the DVCC's Trainer/Educator II. Amanda started with the DVCC on October 28, 2019. She will be staffing the Public Awareness & Education Committee and the Training Committee. Amanda has already reached out the schools and will continue the educational workgroups with the Ministry of Caring's Hope House I and the Career Team.

Tracie Dixon-Stanley, the Administrative Specialist III, accepted a job opportunity outside of state government. Her last day with the DVCC was December 3, 2019. The Admin Specialist III is an exempt position. Maureen will be seeking to fill that position within the next few months.

Timothy Valeski is being on-boarded by Goodwill Staffing Services. Once their hiring process is complete, he will be the new HRDVT Coordinator. The DVCC continues to have the workspace in the Capitol Police's Dover office.

The DVCC's Budget Hearing was held on November 21, 2019. The agency is seeking an increase of \$27,000.00 for the State Fiscal Year 2021. The Joint Finance Committee hearing is scheduled for February 11, 2020.

A conference call was held with Dr. Jacqueline Campbell, Chief Judge Newell, Ellie Torres, and Maureen on October 31, 2019. The purpose of the call was to seek guidance, and possible technical assistance, on the Pretrial Risk Assessment for DV. Dr. Campbell felt that there may be an opportunity to recalibrate the LAP, so that it could be used for pretrial. Maryland Network Against Domestic Violence (MNADV) operates the Lethality Assessment Program, there may be potential to provide TA to Delaware. This conversation led to the invitation from ASU that was discussed earlier. Maureen will provide an update to the Council for the next meeting.

The Council received a status update of the 2018-2021 Strategic Plan. This has also been posted on the DVCC's website. Maureen will provide the Council with a progress report every six-months.

Maureen reminded the Council that February is Teen Dating Violence Awareness Month. A request was submitted to the Governor's office for a proclamation signing. Staff will inform the Council once the date and location are confirmed.

Public Comment

Mariann Kenville-Moore (DCADV)- Ms. Kenville-Moore distributed the DCADV's Annual Report to the Council and thanked everyone for the collaboration throughout the year. She wanted to share that the Coalition is working on the development of Community Health Workers, they are hoping to expand the efforts downstate. The Coalition will be focusing efforts on advocacy with the state budget. They are fully supportive of the need for a new Family Courthouse in Kent and Sussex Counties. They have plans to work with Representative Griffith on the advocacy privilege and on issues to protect victim confidentiality. She addressed the concerns with the Pre-Trial Bail issues and the risk assessment, and the challenges involved with holding offenders accountable while providing the support that is needed.

With no other public comments, the meeting adjourned at 2:51 p.m.

Next Meeting Date: Monday, March 9, 2020 @ 1:00 p.m., Buena Vista – Buck Library