



DOMESTIC VIOLENCE COORDINATING COUNCIL
Legislative Subcommittee
Summary Minutes
December 4, 2019
10:30AM-11:30AM

11th Floor Conference Room
House/Senate Offices
Carvel State Office Building
820 N. French Street
Wilmington, DE 19801

Committee Members Present: Representative Krista Griffith (Chair); AJ Roop (DOJ); Jenna Milecki (DOJ); Abby Layton (DOJ); Lauren Vella (DOJ); Jon Offredo (ODS); Lisa Minutola (ODS); Meredith Seitz (DSCYF); Addie Asay (Family Court); Mariann Kennville-Moore (DCADV)

Participating via phone: Rep. Michael Smith (DVCC Member); Linda Carmichael (Superior Court); Janine Howard O'Rangers (DVLS)

DVCC Staff: Maureen Monagle; Amanda Alcaraz

House Staff: Jen Jankowski

Public Attendees: No members of the public were present.
Blanche Creech (People's Place II, Inc.)- *participated via phone.*

- I. Welcome and Introductions
- II. Possible legislative initiatives to consider:
 - **DRAFT BILL:** Parenting Coordination (draft bill to amend Title 13):
Representative Lynn has a draft bill to create a Parenting Coordination program. Parenting Coordination is "an alternative dispute resolution process combining assessment, education, case management, conflict resolution, and sometimes decision-making functions." The Committee received the draft with received the draft bill that included the comments/notes. Concerns were raised that this program does not factor in power dynamics of intimate partner violence. There were questions about staffing and the limited training. After discussion, the Committee felt they could not take a position on the draft. The group felt it was premature to do so- absent the Sponsor's discussion with the Family Court and others in the domestic violence

community. Maureen will follow-up with Rep. Lynn and his staff, the group welcomes the opportunity to engage in future discussions about this bill.

- *Classification of Strangulation - DOJ Update*
Lauren Vella shared that DOJ continued to have internal discussion on the crime of strangulation. Having the initial report from SAC (dated 4/16/2019), DOJ has requested SAC do further analysis. They hope to have that information for the next meeting.
- *First Offender DV Diversion Program / Probation Before Judgement- DOJ Update*
DOJ prepared a preliminary draft with possible amendments to DE Title 10 §1024 (First Offender Domestic Violence Diversion Program) and DE Title 11 §4218 (Probation Before Judgement). As described, the amendments would add some higher offenses (assault in the third degree and terroristic threatening) to the DVFOP and would eliminate PBJ for domestic violence in Family Court and CCP. These drafts have not been shared with the Courts as of the date of this meeting. ODS expressed concern that if changes are made, resulting in more cases being mandated to the DVFOP there may be more cases that go unresolved. Concerns were raised about the challenges some Offenders have experienced with completing the Certified Treatment Programs due to costs, time, etc. Would this change make it harder for clients to complete program, which could result in more violations? The group was made aware the DVCC Certified DV Intervention Programs are dropping down. Catholic Charities will not be certified as of March 2020. Knowing the number of certified programs is dropping, would the existing programs be able to handle the prospective increase in court mandated referrals resulting from an expansion of the charges under the DVFOP? ODS also expressed concern that mandating the offenses to go to DVFOP takes away any discretion from attorneys to negotiate on behalf of their clients. Maureen will get information from CHILD Inc and Turning Point at People's Place II, Inc. on the length of program, costs, sliding scale, etc. DOJ will discuss with Family Court and CCP. This item will be followed-up for the next meeting.

III. Committee Member Agency Updates or Initiatives:
No updates or announcements were made.

IV. Public Comment:
None.

The Committee set the next meeting for 10:30 on February 4th at the same location.

Respectfully submitted,
Maureen Monagle