

# Advisory Committee on Sexual and Domestic Violence

Patrick Henry Building, West Reading Room

1111 East Broad Street

Richmond, VA 23219

Tuesday, September 10, 2019

10:30 a.m. – 12:30 p.m.

## FINAL MINUTES

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### Members Present

Kathy Anderson, Empowerhouse

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

Nichele Carver, Virginia Department of Housing and Community Development (DHCD)

The Honorable Barbara Favola, Senate of Virginia

Kristen Howard, Virginia State Crime Commission

Autumn Jones, Arlington County Victim Witness Program

Melissa McMenemy, Office of the Attorney General (OAG)

Alyssa Murray (for Nancy Fowler), Virginia Department of Social Services (VDSS)

The Honorable Roxann Robinson, Virginia House of Delegates

Warren Rodgers, Southside Survivor Response Center

Kristi VanAudenhove, Virginia Sexual and Domestic Violence Action Alliance (VSDVAA)

### Members Absent

Heather Board, Virginia Department of Health

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

Mindy Stell, Virginia Victim Assistance Network

### Welcome, Introductions, and Remarks

- Chair Teresa Berry called the meeting to order at 10:37 a.m. and announced that there was a quorum.
- Introductions were made.
- Chair Berry informed the committee that the agenda for the meeting would be to review the Committee's charge, strengths and challenges, and make a plan moving forward.

### Approval of July 22, 2019 Meeting Minutes

- The following two amendments to the previous minutes were requested: Warren Rodgers' name was missing the "d" in Rodgers. Kathy Robertson from the Virginia Department of

Housing and Community Development should not be listed as an “absent member,” because she had retired and was no longer a member at the time of the meeting.

- Warren Rodgers made a motion to approve the minutes as amended. Autumn Jones seconded the motion. The motion was approved unanimously.

### **Committee Member Appointments**

- Chair Berry introduced Kristina Vadas, Victims Services Manager at the Virginia Department of Criminal Justice Services. Ms. Vadas informed the Committee of five members who applied for reappointment by the Governor. Those five members are:
  1. Kathy Anderson
  2. Teresa Berry
  3. Autumn Jones
  4. Warren Rodgers, Jr.
  5. Mindy Stell

Additionally, one new committee member will be announced in the near future.

### **New Business**

- The Committee discussed its seven duties and responsibilities that are statutorily outlined under 9.1-116.2(F) of the *Code of Virginia*. The Committee discussed its efforts to meet these responsibilities and work to do moving forward.

#### ***#1. Provide guidance on appropriate standards for the accreditation of sexual and domestic violence programs;***

The Committee has received reports from the Professional Standards Committee on a regular basis and provided feedback as needed. The Professional Standards Committee may be approving and introducing the standards within the next month. Once the standards are approved and adopted, Professional Standards Committee Members, DCJS staff, and VSDVAA staff will collectively provide ongoing technical assistance support for potential applicants. The Advisory Committee will review the final standards when they are complete and discuss during a future meeting.

#### ***#2. Review statewide plans, conduct studies, and make recommendations on needs and priorities for the development and improvement of local services to victims of sexual and domestic violence in the Commonwealth;***

The Committee has a small workgroup assigned to this issue. In the past year, the Committee discussed data collection for victim/witness programs and how to improve local services. Committee members agreed that smaller workgroups create a more meaningful venue for

thoughtful conversation. The Committee would like to continue small workgroups and allow report-out opportunities in the larger group. The Committee decided to use quarterly meetings for a combination of small workgroup and full Committee meetings. It was discussed that small workgroup meetings should be staffed, and meetings will be posted for public notice.

In 2016, the following four workgroups were established: Data, Grants Administration, Prevention/Intervention, and Services. The Committee decided to create different workgroups that reflect the current needs of the Committee.

The Committee determined the need for the following three new workgroups:

1. Youth services and violence prevention
2. Intersection of criminal justice services/gaps in service
3. Homicide reduction, which may include reducing intimate partner homicides and batterer intervention practices

***#3. Advise on all matters related to federal funds received by the Commonwealth for crime prevention and crime victim assistance related to sexual and domestic violence and recommend such actions on behalf of the Commonwealth as may seem desirable to secure benefits of these federal programs;***

The Committee would like to continue its practice of taking public comment on the benefits of, and need for, federal funding.

Additional ideas discussed include:

- During a meeting in 2020, the Committee may invite members of the public to speak specifically about this topic.
- The Committee may host regional town hall meetings to increase public participation in this discussion.
- The Committee would like to continue the practice of sending letters to the federal funding agencies indicating funding needs in Virginia.

***#4. Promote coordination among state agencies and local service providers to improve the Commonwealth's identification of and response to sexual and domestic violence, including the effective implementation of trauma-informed services, evidence-based homicide reduction strategies, and evidence-based prevention strategies;***

The Committee discussed that the 2016 workgroups addressed this duty in many ways. The three newly-established work groups will continue this work.

***#5. Develop a comprehensive plan for data collection on sexual and domestic violence;***

Much of the data across the state is incomplete because not all law enforcement agencies report into the Virginia State Police data system. At this time, a primary source of data collection on sexual and domestic violence is the Office of Attorney General Annual Report on Sexual and Domestic Violence.

Due to technology constraints, a more comprehensive plan for data collection has not been developed. Kristen Howard with the Virginia State Crime Commission reported that they are building a database program that will track defendants as they move through the criminal justice system. The data points that are being gathered may help meet this goal. The Committee will continue to discuss this as the Crime Commission's project advances.

***#6. Review statewide reports and conduct studies to identify service demands and gaps and make funding recommendations that ensure adequate funding and improve the administration of both state and federal funds to local sexual and domestic violence programs;***

The Committee discussed that it has worked towards accomplishing this task through the public comment and federal grant support discussed under duty #2, and through the work discussed under duty #7. The Committee would like to continue the practice of inviting guest speakers and hearing from the public and criminal justice staff on the needs and gaps in Virginia's criminal justice system.

***#7. Make recommendations on improving efficiencies in the administration of grants of both state and federal funds to local sexual and domestic violence programs.***

The Committee would like to continue to invite guest speakers to meetings to inform members of gaps and where grant funding is most needed.

- **2020 Meeting Schedule**

Ms. Vadas will send out a Doodle Poll to the members to determine meeting dates for 2020. To keep the quarterly schedule, the meetings will most likely occur in March, June, September, and December of 2020. The Committee will rotate meeting locations between the Libbie Mill Library (or other available library location) and the Patrick Henry Building.

**Public Comment**

- Virginia Delegate Mark Levine introduced Misty Russell from Abingdon, Virginia. Ms. Russell explained to the Committee a gap in Virginia law pertaining to child custody hearings. She tried

unsuccessfully to demonstrate to the court in her custody case that there was a pattern of abuse perpetrated by her son's father against other children.

- Delegate Levine added his experience and that of his sister, who was murdered by her husband. This experience demonstrated a gap in law, which does not recognize abuse between intimate partners as domestic violence when they are not sharing a home, have never been married, and don't have a child in common. Delegate Levine is seeking to add and define "intimate partner" in the Commonwealth's domestic violence statute.
- Jonathan Yglesias from VSDVAA reported that the General Assembly requested that VSDVAA work with the Virginia Poverty Law Center and the Virginia Family Law Center to find language that could address loopholes in the current child custody laws. VSDVAA created a report that proposes certain changes to Virginia's child custody section. VSDVAA will share this report with the Committee at a future meeting.
- A representative from the Office of Executive Secretary of the Supreme Court of Virginia (SCV) added that the SCV has provided optional and mandatory statewide training on trauma to juvenile court judges. On another issue, she added that courts are not free to consider inadmissible evidence, which may result in some frustration parties have when seeking to provide evidence of past behavior.
- Kathy Anderson added cases are handled very differently from one jurisdiction to another across the state. The guardian ad litem (GAL) system is particularly challenging due to conflicts of interests between GALs and other actors in the system. Additionally, domestic violence programs operate very differently across the state and services are not always consistent.

Further discussion on these gaps was tabled to the December meeting.

### **Closing**

- Next Meeting: Wednesday, December 4, 2019, 10:30 a.m., Libbie Mill Library
- Chair Berry adjourned the meeting at 12:32 p.m.