

# Advisory Committee on Sexual and Domestic Violence

## Virtual Meeting via Zoom Final Minutes

Wednesday, December 16, 2020

10:30 a.m. – 12:00 p.m.

1:00 p.m. – 2:30 p.m.

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**Members Present:** Kathy Anderson, Teresa Berry, Heather Board, Nichele Carver, Autumn Edmond, Senator Barbara Favola, Thomas Fitzpatrick, Nancy Fowler, Delegate Mark Levine, Ashley Marshall, Melissa McMenemy, Kristi VanAudenhove, and Toni Zollicoffer

**Members Absent:** Kristen Howard and Mindy Stell

**Guests:**

Elvira de la Cruz, Latinos in Virginia Empowerment Center

Marva Dunn

Eileen Longenecker, Office of the Executive Secretary, Supreme Court of VA

Jennifer MacArthur, DCJS

Tisha Skinner, DCJS

Gretchen Soto, Fairfax County Domestic and Sexual Violence Services

Jonathan Yglesias, VA Sexual and Domestic Violence Action Alliance

Ruth Anne Young, VA Center on Aging

**Welcome and Introductions**

Teresa Berry, Committee Chairperson, called the meeting to order at 10:35 am. After a roll call, it was determined the committee had a quorum. The committee welcomed its newest member, Ashley Reynolds Marshall from the YWCA of Central Virginia.

**Approval of September 23, 2020 Meeting Minutes**

Autumn Edmond made a motion to approve the minutes from the September 23, 2020 meeting. Nichele Carver seconded the motion. The motion passed. (yes-10, no-0, abstained-3)

**Changes to *Code of Virginia* § 9.1-116.2**

Tom Fitzpatrick, Division Director, Virginia Department of Criminal Justice Services, shared with the committee proposed changes to the statute defining the charge and membership of committee. The goal of these changes is to increase the pool of membership in order to increase diversity and representation on the committee. The proposed changes would increase the number of appointed

members from six to nine. The proposed changes also include streamlining the committee's duties and responsibilities.

Senator Favola and Delegate Levine are unable to introduce legislation with these changes due to having met their bill limit. Delegate Roxanne Robinson is considering sponsoring the bill.

The committee workgroup suggested that the committee amend the bylaws with the same lens toward diversity and representation in 2021.

### **Impact of COVID-19 on Agencies and Services**

Chair Teresa Berry led a discussion about the impact of COVID-19 on services. The committee discussed the pros and cons of prioritizing shelter residents for the vaccine and the history of medical mistreatment of vulnerable and/or marginalized people by government agencies and the medical field.

### **Domestic Violence Awareness Month Activities**

Chair Teresa Berry led a discussion on Domestic Violence Awareness Month (October) activities. Agency representatives shared the following events: virtual walk; social media campaign; educational displays at events with social distancing; outdoor, social distanced candlelight vigil; and online opportunities for education.

Meeting guest Elvira de la Cruz shared that Latinos in Virginia Empowerment Center created videos in Spanish to inform victims of availability of services. They also held a celebration of life event for those who lost their lives to domestic violence, and they held educational programs in Spanish via Facebook Live. Ms. de la Cruz also shared that starting January 4, 2021, Latinos in Virginia Empowerment Center will launch a 24-7 statewide bilingual helpline for victims of violence staffed by bilingual victim advocates.

### **Professional Standards Application Process**

Kristina Vadas, Victims Services Manager, Virginia Department of Criminal Justice Services, presented on the Professional Standards Application Process. In the fall of 2019, the Professional Standards Committee (PSC) released the Professional Standards Manual. Last spring the PSC, through DCJS, distributed an organizational self-assessment for agencies to gauge their readiness to apply for accreditation. After completing the self-assessment, agencies submitted a summary of their assessment and interest/intent to apply for accreditation. The PSC finalized and released the on-line application for accreditation this fall. The PSC anticipates having three rounds of accreditation. The first round, which is happening now, has fifteen applicants. Round two may start later in 2021, and round three in 2022. After these three rounds, the PSC hopes to have accredited all interested and eligible agencies. DCJS hosted an orientation webinar on December 15, 2020 for the current 15 applicants. Round one applications are due February 1, 2021.

## **Planning for 2021 Meetings**

After reviewing the Doodle poll sent out by DCJS, the following dates were chosen for 2021 meetings. All meetings will be held from 10:30 a.m. - 12:30 p.m.

- March 24, 2021
- June 16, 2021
- September 29, 2021
- December 15, 2021

Chair Teresa Berry led a discussion of what the committee would like to focus on in 2021. The committee identified the following:

1. Batterer Intervention Programs (BIPs) – How can this committee work to improve accountability of batterers while promoting compassion and equitable treatment of all parties in and out of the criminal justice system?
2. Reauthorization of VAWA under a new federal administration.
3. How can the committee support the provision of services in a way that best meets the needs of individuals, through flexibility and recognizing the intersections of needs?
4. How can the committee support a focus on infrastructure and support for local programs, including equitable allocations of funding and staffing?
5. Review of committee bylaws in order to enhance the committee’s commitment to inclusion and diversity.

In an effort to better understand the needs of programs across Virginia, the committee would like to consider sending a survey to sexual and domestic violence service providers.

## **Other Member Announcements**

- DCJS has an open grant solicitation, called Victim Services Grant Program (VSGP). It is the largest of DCJS’s VOCA-supported grant programs. Applications are due January 26, 2021.

## **Work Session: Batterer Intervention Programs (BIPs) in Virginia**

- Toni Zollicoffer facilitated a discussion on BIPs in Virginia. The committee heard from Tisha Skinner, DCJS Adult Justice Programs, and Gretchen Soto, Fairfax County Domestic and Sexual Violence Services, on the history and current functioning of BIPs and the BIP Certification Board.
- Ms. Skinner described current BIP processes, upcoming changes, and ideas for improving processes. She has been on the BIP Board since early 2000s. The bulk of referrals during that time were court-ordered, and there was a balance between advocates and offender providers on the Board.
- Kristi VanAudenhove shared that, years ago, the Commission on Family Violence and Prevention laid the foundation for BIPs and the Board, which included a small grant to the state coalition (Virginians Against Domestic Violence at the time) to staff the initial board and certification process.

- Current challenges identified with the BIP Board:
  - It is a volunteer board whose members have full time jobs and obligations. Thus, there is much ebb and flow with membership. Volunteer opportunities for Board membership are generally shared through word of mouth.
  - There is no legislative support or backing for the Board by Code. As a result, there is no funding to maintain the Board, including no staff support. The Board could increase fees to support itself but there is no current incentive for BIPs to be members of the Board because there is not enough direct support for the programs by the Board.
  - Physical site visits for programs have been challenging. As a result, quality assurance and program fidelity have been difficult to maintain.
  - Programs currently are directed to focus on cognitive behavioral treatment and trauma informed care, beyond education and intervention. Some years back the Board expanded language in the standards to recognize programs as offering treatment, which also led to requiring licensed facilitators. Some programs do provide therapeutic services. Licensure verification is required and proof is provided. The Board is able to ensure appropriate licensure and it helps to better verify who is facilitating the BIPs.
  - Programs need more outreach from the Board including one-on-one technical support and trainings.
  - There are approximately 18-21 certified programs in the state but they do not span evenly across Virginia.
  - There is a review process for BIP standards and standards are adjusted often. The Board welcomes feedback and the best point of contact is either Keith Bender or Chairperson Cynthia Plummer.
  - Due to local prosecution decisions to have some felony charges, such as malicious wounding or strangulation, amended down to misdemeanors offenses, some local probation officers are seeing more violent offenders on their caseloads. Changes have been noted in the types/range of offenders on probation.
  - In most programs, groups are separated by gender. It would be beneficial to see more population-specific groups; however, there is not a good referral base to support this.
- Strengths of the BIP Board:
  - Board members are very invested, passionate, and care about all those involved, especially victims and children.
  - Board members want collaborative relationships.
  - Longevity of the Board and support by local courts. The bulk of the referral base comes from local probation programs.
- The committee discussed possible means to increase funding support for the Board, including increasing membership fees or an appropriation through the General Assembly.
- The committee agreed that a committee workgroup should pursue crafting recommendations, with the Board, for the Board. These recommendations should be presented to the committee at the September 29, 2021 meeting. This timeframe will allow for the possibility of proposed

legislation for the 2022 General Assembly Session. The following members volunteered for this workgroup: Kathy Anderson, Tom Fitzpatrick (or DCJS representative), Nancy Fowler (or VDSS representative), Kristi VanAudenhove, and Toni Zollicoffer. Additionally, the following committee meeting guests volunteered to participate on the workgroup: Elvira de la Cruz and Gretchen Soto. The workgroup will be chaired by Kristi and Toni, and they will provide an update to the committee at the June 2021 Committee meeting.

- Senator Favola made a motion that members of this committee workgroup meet with appropriate stakeholders to develop recommendations to improve operations and oversight of batterer intervention programs, and report back to the committee at the June 2021 meeting. Chair Teresa Berry shall designate members of the committee to the workgroup. This motion was seconded by Delegate Levine. The motion passed unanimously (yes-13, no-0).
- Delegate Levine reported that he met with Gretchen Soto (Fairfax County) and Jonathan Yglesias (VSDVAA) concerning legislation aimed at clarifying confidentiality of certain records that pertain to BIP service providers and the supervising agency. The goal of this legislation would make clear that services providers and supervising agencies may share information pertaining to the client being served. The goal is to standardize how information is exchanged; including when it is and is not appropriate to share information. There will not be proposed legislation in the 2021 session, rather possibly the 2022 session. VSDVAA staff will draft proposed language regarding information sharing as it relates to BIP and bring it to the committee in 2021.

#### **Public Comment**

- Marva Dunn thanked the committee for its efforts to be more diverse and inclusive.

#### **Closing**

- Next meeting: Wednesday, March 24, 2021, 10:30 a.m. (likely via Zoom)
- Chair Berry adjourned the meeting at 2:22 p.m.