

NC Domestic Violence Commission Meeting Minutes

February 10, 2023

This Meeting was Conducted at the DEQ Office Building and Remotely by Webex

Ethics Statement: The State Government Ethics Act mandates that, at the beginning of every meeting, the Chair remind all members of their duty to avoid any conflicts of interest and inquire as to whether any member knows of any conflict of interest or potential conflict with respect to matters to come before the Commission. If any member knows of a conflict of interest or potential conflict, please state it for the record.

Members Present: Deborah Weissman, Chair, A.W. Burgess, April Burgess-Johnson, Kriquette Davis, David Elliott, Jessica Englert, Carianne Fisher, LaKiera Grimes, Kathleen Lockwood, Ricky Parks, Krishana Polite, Dr. Angelia Riggsbee, and Caroline Valand were present at the DEQ Office Building in Raleigh. Tiffany Bell, Shelby Benton, Cathy Cloninger, Dr. Kim Eagle, Saira Estrada, Holly Jones, Honorable Nathaniel Knust, TeAndra Miller, Starleen Scott-Robbins, Joetta Shepherd, Honorable Christine Strader, Sheriff Christopher Thomas, and Amy Vaughn-Jones joined remotely by Webex.

Members Absent: Dr. Jada Brooks, Karen Fairley, Regina Gurley, Cheryl Howell, Sarah Kirkman, Denise Mazza, Elizabeth Outten, Sarah Owens Weeks, and Sheriff Greg Seabolt.

DOA NC Council for Women & Youth Involvement Staff Present: Danielle Carman, Charnessa Ridley, Sandra Ross, Deborah Torres, and Deatrice Williams were present at DEQ. Lori Gerber, Candace Settle, Bernetta Thigpen, and Angela Winston-Hill joined remotely.

Guests Present: DOA Secretary Pam Cashwell, Jaylan Harrington, Sarah Michael McNeese, Stephanie Satkowiak, Maggie Slocumb, Calvetta Watlington, and Jayce Williams were present at DEQ. Michael Adams, Donovan Grant, Evin Grant, Angela Harper-King, Judith Johnston-Hostler, Gianna Quilici, and Nisha Williams joined remotely.

Meeting was called to order by Chair Weissman at 11:00 a.m. after a delay due to technical difficulties

Welcome/Member Roll Call: Secretary Cashwell and Chair Weissman welcomed everyone who was present. Weissman stated that the Committee Chairs met the prior week, and complimented the Commission on the work being done by all of the committees. She directed the Commissioners to the current committee assignments in their materials, and said Commissioners should feel free to let her know if they prefer different assignments.

Approval of Minutes: Parks made a motion to amend the minutes of the November 4, 2022 meeting to provide that he was present. Burgess-Johnson moved to approve the minutes as amended and Davis seconded the motion. All members who were present approved the minutes.



Oaths of Office: Knust administered the oaths of office for reappointed members Strader and Vaughn-Jones, and for newly appointed members Grimes and Riggsbee.

CFWYI Executive Director Report – Danielle Carman

Carman directed the Commissioners to a memo from her in their meeting materials. She summarized CFWYI's administration of state domestic violence and sexual assault grants and federal Family Violence Prevention and Services Act (FVPSA) grants. Carman said the division is still developing its new online grants management system. While there have been some challenges with the launch, the staff is working through the issues and establishing new processes and procedures. Ultimately, she said the system will greatly improve grants management for CFWYI and for the grantees/subgrantees who are providing important victim services.

Carman noted that CFWYI is in the process of reconfiguring its regions so that there will be three regions in the state, with each having a dedicated region director and grants administrator. She gave an update on the division's current staffing and vacancies.

Elliott said CFWYI previously relied on paper contracts and Excel spreadsheets to administer its grants, and the team has worked very hard on the implementation of the new online grants management system. He said the system will be a vast improvement once it is complete, and Grimes agreed from the perspective of a victim service provider.

Chair Report – Deborah Weissman

Weissman gave the ethics advisement and directed the Commissioners to a written recitation of conflicts and potential conflicts found by the Ethics Commission. No actual conflicts of interest were noted. Weissman thanked the CFWYI team for their work supporting the Commission.

Weissman described a joint project by DOA and UNC Project RESTART, which is itself a joint project of UNC Law School and the Gillings School of Public Health. Weissman said the UNC team worked with DOA to submit a grant proposal to OSBM to focus on innovative approaches to Domestic Violence Intervention Programs (DVIPs) and ways to evaluate their effectiveness. Weissman said the offender programs are struggling right now with decreased referrals from the courts and with participants' ability to pay fees, and they need new and improved ways to evaluate their effectiveness and demonstrate their value. Weissman said the team has been conducting literature reviews and focus groups with both DVIPs and victim service providers, and both groups want to be more connected to each other. Burgess-Johnson asked if Weissman will present the findings of the project when it is concluded, and Weissman said she would report back before the grant's project period ends in December 2023.

Weissman said she believes it is important to highlight issues of national concern, and raised a recent Fifth Circuit case (*United States v. Rahimi*) addressing a federal statute that bars the possession of firearms for people who are subject to a restraining order. Weissman said the appellant appealed his conviction for violating that statute and the court held that the prohibition against possessing a firearm violated the Second Amendment. Weissman said offenders' access to firearms makes it five times more likely that their intimate partner will be killed.

Committee Reports and Updates

Access to Health Services Committee Report – Starleen Scott-Robbins, Co-Chair

Scott-Robbins stated that the committee goals are to promote increased education about and screening for

intimate partner violence by primary care providers. She said the committee has compiled a list of organizations and hospital systems in North Carolina to survey about their current policies and protocols, and committee members are reaching out to organizations to gather information. Weissman also arranged for UNC law students to assist in that process. Scott-Robbins and Thigpen met with representatives of the North Carolina Community Health Center Association, which supports 43 federally funded health centers across the state. She said they confirmed there are no standard protocols, but there are several initiatives that include screening for intimate partner violence. She added that they are willing to circulate the survey to get more information on practices and screening in individual centers.

Scott-Robbins said Gurley has stepped down as committee co-chair but is remaining a committee member. She thanked Gurley for her service and said she will be seeking a new co-chair at the next committee meeting.

Victim Services Committee – Shelby Benton, Chair

Benton said the committee is continuing to work on increasing awareness and services for victims and offenders, with a particular focus on the Deaf/DeafBlind/Hard of Hearing community. Committee member Olivia Bass is taking the lead on planning the committee's third three-part lunch and learn series for Deaf/DeafBlind/Hard of Hearing providers, which will include webinars on Domestic Violence 101, DVIPs 101, and Resources for the Deaf/DeafBlind/Hard of Hearing community; the committee is in the process of identifying speakers. Benton asked any service providers who know of programs that are particularly strong on serving that community to send her the programs' contact information so the committee can compile helpful resources. Benton added that it is important to make sure any resources/referrals that are shared are real and not just theoretical. The committee will return to looking at model and innovative programs in other states after the lunch and learn series.

Domestic Violence Offender Management Committee – Tiffany Bell, Chair

Bell said North Carolina Providers of Abuser Treatment (NCPAT) is working with Allies for Change to present at its 2023 conference, which uses a trauma-informed curriculum. The NCPAT subcommittee has also started work editing the DVIP Best Practices Guidelines. In addition, DVIP recertifications are due on March 15, 2023, and programs that are already certified that want to expand to additional counties should include the additional county information in their renewal applications.

Bell said the committee looks for opportunities to increase awareness about DVIPs and other offender services. For example, committee members are preparing an article for a prosecutors' training manual, and Bell has been invited to give a DVIP presentation to the magistrates at a School of Government training program in April. Bell said the programs are continuing to struggle with a lack of funding, and added that the Governor's Crime Commission (GCC) is currently funding four DVIPs, which is down from nine programs the prior year.

Legislative and Advocacy Committee – Holly Jones and Kathleen Lockwood, Co-Chairs

Lockwood directed the Commission members to a list of seven proposed legislative recommendations for the 2023 session. She said some of the funding recommendations do not yet have specific dollar amounts but those will be added later in the session after revenue projections are more clear:

1. **Increase funding for domestic violence programs.** Increased funding for domestic violence programs is needed to help programs avoid program cuts and reduced capacity in the wake of continued federal funding cuts, expiring American Rescue Plan Act (ARPA) funding, and increased community need.
2. **Remove "opposite sex" language from the statutory definition of domestic violence relationships.** Current "opposite sex" language in 50B-1 defining domestic violence relationships has been found to

- be unconstitutional and should be amended to avoid confusion and legal inaccuracy.
3. **Enact Extreme Risk Protective Order relief to prevent gun violence.** The Commission supports the enactment of Extreme Risk Protective Orders (ERPOs) to provide additional relief options for survivors at risk of domestic violence homicide and other violence involving firearms.
 4. **Allocate designated funding to support domestic violence intervention programming.** Funding is needed to offset continued federal funding cuts and provide support, training, and programming for domestic violence intervention services to address current violence and prevent future domestic violence perpetration.
 5. **Expand magistrate authority to issue ex parte domestic violence protective orders.** The Commission supports removing the requirement that magistrate-issued ex parte DVPOs be reheard by district court judges upon court reopening, as this requirement often presents an insurmountable barrier to survivors seeking emergency relief.
 6. **Enact paid leave to support domestic violence prevention and response.** Paid leave, including family leave, safe days, kin care, and medical leave, is necessary to prevent domestic violence and provide survivors experiencing violence with the ability to seek relief and supports outside of the workplace.
 7. **Support requests for increased funding for legal services to survivors.** The Commission supports requests to increase funding for legal services to survivors in the wake of continued federal funding cuts to these essential services.

Lockwood added that the Commissioners' materials included a copy of a recently filed bill (Senate Bill 51; Kayla's Act), which the committee will discuss at its meeting the following week.

Parks said, because of his service on the GCC, a city manager from eastern North Carolina contacted him about a DVIP that did not receive funding. He asked if others have heard of any innovative ways for those programs to get funding. Weissman mentioned a program in her area that recently closed down and said Triangle Family Services stepped up to provide the services. Watlington said Triangle Family Services' supporters made that possible, and she encouraged DVIPs to look to their communities for support and partnerships. Davis agreed and suggested that programs look for nonprofits in their areas that want to collaborate.

Burgess-Johnson referred to items #1 and #4 on the legislative proposal, and suggested clarifying that #1 refers to victim services funding and #4 refers to funding for offender programs. She said that distinction needs to be clear so legislators can make informed choices. Burgess-Johnson added that the ERPO resolution is very well drafted, and she would love to see the list of resources that are cited.

Weissman said she believes DVIPs are a mechanism for serving victims, and she wondered whether the Commission could ask the Office on Violence Against Women about the ongoing Victims of Crime Act (VOCA) funding cuts. Valand said VOCA funding comes from white-collar prosecutions and, during the last administration, they kept increasing the cap and awarding more money so the fund was depleted too quickly. She said Congress changed the legislation to direct more money to the fund from settlements, but those can take years. Valand said the VOCA fix passed by large margins but the fund is still not replenishing quickly enough. Lockwood said the VOCA funding model presents an opportunity to speak to federal prosecutors about the value of pretrial settlements.

Weissman turned to the ERPO resolution that the Commission unanimously approved in August 2022, and said there were some technical issues that prevented at least one Commission member from addressing it during the meeting. She asked about taking the individual names off the resolution and publishing it from the Commission as a whole. Lockwood said she believes it is valuable to have the names listed. Parks said he understands that leaving the names would be helpful and he is generally supportive of the resolution, but he

has some concerns about specific language in the House Bill that is included as an example. As a result, he is not comfortable with his name being listed. Elliott said he believes that Commissioners should be able to opt in to having their names listed, rather than opt out. He noted that Commissioners who are state employees may not want their names to be confused with the official positions of their employing agencies. Weissman referred further discussion of the issue to the Legislative and Advocacy Committee, and asked them to inform the full Commission of the resolution.

Burgess-Johnson moved to approve the legislative recommendations as referred by the committee, with an amendment to items #1 and #4 to clarify that they are referring to victim services and offender services, respectively. No Commissioner seconded the motion. All Commission members who were present voted to approve the recommendations as proposed by the Legislative and Advocacy Committee, with Burgess-Johnson dissenting.

Lunch Break

The Commission recessed to allow the Transportation Committee to meet. During lunch, the remaining Commissioners broke into informal small groups to discuss opportunities for the Commission.

Transportation Access Committee – Kriquette Davis and Carianne Fisher, Co-Chairs

Fisher said the committee is currently focused on a transportation and broadband survey and has tabled its planned lunch and learns until after the survey is complete. She said the survey went out to domestic violence, sexual assault, and DVIP providers on Monday, and they have received 21 responses to date. Once the survey is complete, the committee will look at the areas of concern and determine how best to advocate for improvements, such as discounts for car insurance for victim service providers and/or ways to address broadband access without violating confidentiality or safety. The Commission members discussed the Judicial Branch's upcoming launch of eCourts in select pilot counties and the interrelated need for comprehensive broadband access.

Adjournment

The meeting adjourned at 1:40 p.m. The Commission members expressed a preference for continuing with hybrid meetings that allow for in-person attendance and a remote option. After discussion, the Commission members agreed that committees would continue to meet virtually on their current regular schedules and would generally not attempt to hold hybrid meetings on the day of Commission meetings.

Next Meetings

May 12, August 18, and November 3, 2023.