

LOUISVILLE METRO DOMESTIC VIOLENCE PREVENTION COORDINATING COUNCIL

Meeting Summary Thursday, January 26, 2017

Members Present: Chief Steve Conrad and Ellie Kerstetter, Co-Chairs, Chris Foster, Chris Owens, Samantha Graves, Dr. Linda Bledsoe, Kathy Paulin, Dr. Renee Campbell, Steve Hilton, Lt. David Allen, Marta Miranda, Tamara Reif, and Ingrid Geiser.

Staff and Guests: Jamie Allen, Faith Augustine, and Kim Allen.

I. Welcome/Call to Order/Co-Chair's Report Ellie Kerstetter, Co-Chair

The meeting was called to order by Ellie Kerstetter, Co-Chair, who welcomed members and called for introductions. Ellie welcomed newly appointed member, Dr. Renee Campbell, Wesley House Community Services.

II. Approval of Meeting Summary from October 27, 2016

Chief Conrad called attention to the October 27, 2016 meeting summary included in the agenda packet and noted that the summary was sent to members via email with the meeting reminder. Following a brief review of the summary, a motion was made by Marta Miranda, seconded by Chris Foster, and unanimously approved to adopt the summary as drafted.

III. Project/Committee Updates

A. Community Assessment/Safety Audit

With regard to the proposed Community Assessment/Safety Audit, Lt. David Allen reported that significant progress has been made and he hopes to have the dates scheduled by the next DVPC meeting. Chief Conrad asked whether a vendor has been selected and Lt. Allen reported that Marcia and Kathy have identified a potential vendor and it is his hope that an RFP process will not be required. Chief Conrad reiterated his commitment to cover the cost of the audit. Lt. Allen noted that it has been a long time since the last assessment and he is looking forward to receiving new recommendations for system improvements and adjustments.

B. Lethality Assessment Program

In comparing the total LAP assessments conducted by LMPD in 2015 to 2016, Lt. Allen reported that an additional 13 assessments were conducted in 2016. A total of 2,000 LAP assessments were conducted in 2014; 2,328 in 2015; and 2,341 in 2016. The number of victims identified as "high danger" increased from 1,639 in 2015 to 1,766 in 2016. Tamara Reif added that the Center for Women and Families (CWF) is continuing to see seven to ten referrals from the program coming into the shelter on a monthly basis. These individuals

typically stay in shelter for three to five days. Tamara reported that she was appointed to serve on the National Advisory Committee on LAP and will be participating in monthly conference calls with the LAP Team. She advised that the team is revisiting the screening tool, reviewing training needs, and seeking to expand the program to other settings such as medical and community-based offices. Chief Conrad congratulated Tamara on her recent appointment.

In response to a request from Ellie, Tamara provided a brief overview of LAP noting that the program is in its fifth year. When an officer makes a domestic violence-related run, a screening tool (11 questions) is completed on the scene, the CWF is contacted, and the victim is immediately connected to resources. Tamara added that the Arise to Safety Program involves completion of a screening tool (four questions) at University of Louisville and Jewish Hospitals along with hospital advocacy. Kathy Paulin noted that both programs received Celebrating Solutions Awards from the Mary Byron Project.

Tamara also provided a brief overview of the PACT in Action Program that involves concentrated prevention efforts at the neighborhood level involving teens, schools and community residents in the Park Hill, Algonquin and California neighborhoods. A Community Prevention Specialist has been hired and will work out of the Bridges of Hope Neighborhood Place. Marta added that the goal is to prevent the need for individuals to seek shelter due to domestic violence. Tamara also reported that the Green Dot prevention program will be expanded.

C. Domestic Violence Risk Assessment Working Group

Chief Conrad recalled that Tara Boh Blair, Kentucky Pretrial Services, attended the last meeting and presented information on the ODARA Risk Assessment Tool. As a result, a work group was formed to coordinate the necessary training and next steps for local implementation. Tamara reported that the ODARA training is scheduled for February 8, 2017 from 3 p.m. to 4:30 p.m. in the Mayor's Gallery. The training will include an overview of the program. Invitations were sent to local stakeholders including the judiciary. Additional training will be provided for law enforcement and Pretrial Services personnel on the following day.

Lt. Allen reported that the group is working on how to merge the LAP assessment questions with the ODARA questions. In response to a question from Chief Conrad, he indicated that law enforcement will need to incorporate three additional questions into the screening. At this point, he is unaware of any jurisdiction that has taken this approach. The goal of the effort is to provide the courts with domestic violence-specific risk assessment information for consideration in setting bonds or release options.

D. Legislative Update

Faith Augustine reported that the 2017 session of the Kentucky General Assembly was convened on January 3rd and noted that this will be a short session lasting only 30 days. The legislature is currently in recess until February 7th, when members will reconvene. Faith advised that the last day for a new bill request is February 9th and the last day to file new bills is February 16th in the Senate and February 17th in the House. The session will conclude on March 30th. To date, there have been 102 Senate Bills and 165 House Bills

filed. As in previous years, the Criminal Justice Commission is tracking all criminal justice-related bills. Faith reported that the most recent draft of the tracker, which includes 38 House Bills and 31 Senate Bills, was included in the agenda packet. The tracker is updated weekly and distributed by email.

Faith provided a brief overview of proposed legislation relating to domestic violence, which includes SB 86 related to reporting and four bills related to Marsy's Law. S.B. 86 was filed by Sen. Alvarado and addresses longstanding concerns of the Kentucky Coalition Against Domestic Violence (KCADV) about mandatory reporting for adult victims. The bill amends current statute to repeal mandatory reporting to the Cabinet for Health and Family Services and require mandatory referral to domestic violence services and education. Faith advised that KCADV is seeking support for the proposal.

Kim reported that she had spoken with Sherry Currens who indicated that although Kentucky led the way in 1978 with a mandatory reporting law, it has not had the desired impact. Victims say the law makes them less likely to disclose domestic violence and therapists say it makes their job harder. KCADV believes that the law is out of step with their philosophy of empowering survivors and their belief that survivors know best when to seek help. Kim noted, however, that there is not consensus among advocates regarding the proposal.

Kathy Paulin reported that Marcia Roth has been in contact with KCADV to relay her concerns. Kathy agreed that there have been issues with the Cabinet contacting victims, but questioned whether KCADV has contacted the Cabinet about this. She believes the proposal will add a burden for law enforcement and raised concern that law enforcement has not been consulted. She also questioned how the process is going to work. Based on her experience in working with victims, Kathy advised that although victims may initially refuse services, many kept her name and number and contacted her at a later date.

Kathy emphasized that no one else is doing outreach to victims to explain the available resources. Based on her experience in Family Court, Kathy indicated that victims who received information from APS Social Workers were more likely to follow through. Kathy also shared a personal experience in which a disclosure made to a therapist resulted in mandatory report and she believes that this was the best thing that could have happened.

Marta reported that Tamara Reif serves on the KCADV Board and can relay the questions and concerns. Tamara reported that KCADV has developed a fact sheet on the proposal that she will share with members. Tamara noted that Cabinet data shows that very few domestic violence cases are opened following reporting and Kathy responded that services may be offered even if a case is not opened. Tamara added that it is sometimes difficult to make a report when an agency such as the CWF is already providing services.

Tamara reported that the University of Kentucky conducted a survey of 400 women served by domestic violence programs across the state and found that when asked whether they would disclose their abuse if they knew the case would be reported to the Cabinet: 35.6% of women reported being less likely to contact a DV Program; 50.5% of women said they would be less likely to tell a doctor or nurse; and 47.9% of the women said they would be less likely to tell a therapist. Dr. Bledsoe recalled that a study on mandatory reporting was

conducted years ago by the University of Louisville and the Cabinet and found that only one woman raised a concern about mandatory reporting. She agreed to look for the study, but cautioned that the data may be outdated.

Chris Owens raised concerns about the process and how this will impact county and state counts. She expressed difficulty understanding how the process will work and believes that the onus will be on law enforcement. She questioned how this will benefit victims. Marta emphasized the importance of airing and discussing the concerns related to law enforcement and the overall process. She suggested that Tamara relay the questions and concerns to KCADV. Following discussion, members agreed that in the absence of a consensus, the DVPCC could not take a position on S.B. 86 at this time.

Faith briefly reviewed the four bills related to Marsy's Law. She noted that Ashlea Christensen, Marsy's Law of Kentucky, made a presentation to the DVPCC at its October 27th meeting and is seeking support for the proposal, which would create a new section of the Constitution of Kentucky relating to crime victims' rights. Members briefly discussed current statutory provisions that provide for the Victim's Bill of Rights. Kathy Paulin recalled that approximately 18 states have passed constitutional amendments. Kim recalled that efforts to pass a similar constitutional amendment date back to the 1990's, but have not been successful.

Faith reported that organizations supporting Marsy's Law include the Kentucky FOP, Kentucky State Police Professional Association, University of Kentucky Police Department, Attorney General's Office and the Commonwealth's Attorneys' Association. Faith added that Ashlea is working closely with the County Attorneys' Association to address a few concerns and make necessary language changes to enlist their support.

Following discussion, members agreed that the measure would ultimately strengthen victims' rights. A motion was made by Ellie and seconded by Ingrid to endorse Marsy's Law. The vote was unanimously approved. The Co-Chairs will sign a letter of support for Marsy's Law on behalf of the DVPCC and the letter will be forwarded to Ashlea.

IV. Old Business/New Business

No Old Business was raised for discussion. Under New Business, Ellie asked Kathy to update members on a helmet video recently distributed by DVLEAP, Domestic Violence Legal Empowerment Appeals Program, Washington, D.C. Kathy provided a description of the short video, which involves a football helmet being thrown around a locker room while citing the dangers of head injuries. At the end, the video raises the question of not wearing a helmet and shows a helmet with a picture of a woman and child on the side. Jamie will distribute copies of the video to members for review. Members discussed seeking permission for use of the video and airing it on MetroTV.

Tamara relayed that she is selling raffle tickets for two roundtrip airline tickets to anywhere in the U.S. in connection with the CWF's 30th Annual Celebration of Service and Survival. The event will be held on February 17th and will recognize five women of distinction.

V. Adjourn/Next Meeting

With no further business to discuss, the meeting was adjourned. Members were asked to place the upcoming meetings (listed on the agenda) on their calendars. The next regularly scheduled meeting of the DVPCC will be held on Thursday, April 27th in the Crown Room, 6th Floor, Judicial Center.