Louisiana Domestic Violence Prevention Commission Minutes

Monday, February 15, 2016, 1-3 pm

Meeting location: Iberville Building, 627 N. Fourth St., room 1-127, Baton Rouge, LA.

**I. Meeting Called To Order**

* Commission Chair Kim Sport called the meeting to order at 1:15 pm.

1. **Roll Call**

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| **Members Present**  Valerie Martinez  Darlene Santana  Tracy Dahmer  Michelle Anderson (proxy for Jerry Jones)  Charmaine Caccioppi  Rutha Chatwood  Tommy Clark Jr.  Kim Clement  Beth Meeks  Hon. Pamela Baker  Becki Kondkar  Ramona Harris (telephone)  Karen Webb (telephone)  Amy Zapata (telephone)  Mary Claire Landry  Melanie Fields  Hon. Scott Gardener  Rep. Helena Moreno  Craig Webre  Kim Sport, Chair | **Members Absent**  Dianne Meaux Broussard  Phillip Durham  Hon. Lisa Woodruff-White  Derwyn Bunton |

1. **Introductions**

* Quorum was established.

1. **Approval of the Minutes**

* There were no minutes from the previous meeting available for approval.

1. **2016 Report to Governor and Legislature**

* Kim Sport announced that the new prospective date for completion of the LA DVP Commission’s report is March 1, 2016.

1. **2016 Legislative Agenda –Kim Sport**

* Kim Sport reviewed the 2016 Legislative Checklist with the group to evaluate proposed legislative recommendations. The following is a summary:

DOMESTIC ABUSE BATTERY

* Crime of violence 14:2(B) - NOT APPROVED
* Add dating partners - APPROVED
* Remove opposite sex language - APPROVED
* Must complete DAIP-APPROVED
* Increase penalty - pregnant victims - NOT APPROVED
* Add pattern enhancement - intentional and repeated acts – APPROVED

STALKING

* Misdemeanor stalking added to 14:94.10 firearm prohibition - APPROVED
* IPV stalking = felony - NOT APPROVED

VIOLATION OF PROTECTIVE ORDERS

* 2nd without violent act = felony - WAIT UNTIL 2017
* 1st with violent act = felony - WAIT UNTIL 2017

FIREARMS

* Consistent prohibited possession & supply provisions - APPROVED
* Possession defined - APPROVED
* Divestiture, safekeeping, return procedures - APPROVED

PROTECTIVE ORDERS

* Consistency needed for bail following sexual assault arrest - APPROVED
* No modification of any PO to allow firearm possession - APPROVED
* Children's Code inconsistencies - NEEDS MORE RESEARCH

BAIL

* No bail following IPV conviction - PENDING DJA REVIEW
* No subsequent bail if revoked/forfeited following IPV arrest -PENDING DJA REVIEW

ARRESTS - DAAA - "TRAINING ISSUE" RECOMMENDATION - NO LEGISLATION

* Avoid dual arrests
* Add factors which mandate arrest
* Require offender risk-assessment in arrest police reports
* Require reason for dual arrests in arrest police reports
* Require determination of predominant aggressor in arrest police reports

LPOR REPORTING

* Add 14:95.10 crimes to 13:753 for LPOR reporting to NICS - APPROVED
* Require mandatory reporting from city & parish courts – APPROVED

EVIDENCE

* Allow prior acts in civil DV cases - APPROVED
* Allow prior acts in criminal DV cases – APPROVED

FEES ASSESSED AGAINST VICTIM

* No fees to dismiss TRO/PO petition -PENDING DJA REVIEW
* No fees to dismiss DAB complaints - PENDING DJA REVIEW

CRIME OF DOMESTIC VIOLENCE

* Personal torture statute - APPROVED
* DV crime to capture pattern of DV - APPROVED
* DV crime to admit prior acts evidence - APPROVED
* **Firearm Divestiture – Craig Webre**

Discussion was led by Sheriff Webre for possible firearm divestiture processes**.**

1. **Domestic Violence Data Analysis Project**

**1. Mary Claire Landry**

* Data expert (consultant) was hired to create a template/model for data analysis.
* Orleans and possibly Lafourche will be looked at to create the model.
* This is the first attempt to bring statistical data together in a usable format.
* The goal is to reduce the number of domestic violence homicides and increase the service capacity in the state.
* The analysis will tell us where there are gaps in service.
* Expressed thanks to Chief Justice Johnson who helped in defining the information needed.

1. **Beth Meeks**

* Reviewed the draft of her legislative report, and reiterated the need for resources**.**
* Reported that there is very little state money allocated to domestic violence programs, and approximately $10 million is needed to fill the gaps.
* Stated that there is a big emphasis now on guns and comprehensive background checks.
* Suggested that “boyfriend” or “dating partner” be included in language for definition of domestic abuse.
* Reported DV statistics for 2015: 63 incidents and 72 homicides, 67% were married to the abuser, 56% were committed with guns, and 38% had prior convictions.
* Cited that based on a LSU study (HR 210 summary), in comparison to other coalitions, LCADV is underfunded.

1. **Policies and Procedures for Election and Terms of Officers**

* There have been no previous terms set for officers.
* Representative Moreno stated that the new committee chairmen will make recommendations and appoint members to the Commission.
* The Commission recommends that a schedule be developed for Commission meetings, and that operational guidelines for the Commission be developed.
* Representative Moreno reminded the group that the LA DVP Commission is an advisory-only commission. The purpose of the commission is not to draft bills, but to make recommendations of general positive ways to move forward and make Louisiana a safer place for domestic abuse victims.
* It was suggested that other commissions be researched for a template on how to establish policies, procedures, and terms.

1. **Public Comment**

* There was no additional comment.

1. **Adjourn**

* Meeting adjourned at 3:30 pm.