

**DOMESTIC VIOLENCE PREVENTION COMMISSION MEETING MINUTES**

January 24, 2023

Capitol Press Room

**Members in Attendance**

Rutha Chatwood

Tommy Clark Jr.

Amy Dupuy

Mariah Wineski

Jane Herwehe (Proxy Kristen Sanderson)

Wanjennia Atkins (Proxy Rutha Chatwood)

Sunny D. Funk (via zoom) (Proxy Mariah Wineski)

Sen. Gary L. Smith Jr

**Guests in Attendance:**

In person:

Virtually:

**Staff in Attendance:**

Renee Antoine, Executive Director, Governor’s office of Women’s Policy

**Call to Order:**

Chair Mariah Wineski called the meeting to order at 1:05 p.m. and conducted roll call. A quorum was met.

**New staff updates and Introduction:**

* We introduced four new members
  + Amanda Larkin
  + Karen Webb
  + Rep. Denise Marcelle

**Approval of Minutes**

* January 2022
* May 2022
* July 2022
* November 2022

**Approval of 2022 Annual Report**

* + Chair Mariah Wineski incorporated suggestions from subcommittees and sent out the final draft of the 2022 Annual Report
  + Report Structure
    - Executive Summary of Recommendations in the front
    - Summary of the work that has been completed by each subcommittee
    - The added addendum – 5 years retrospective, incorporated the recommendations each subcommittee has made over the past five years and a summary of the work that each entity has accomplished toward implementing the suggested recommendations
  + Moved to approve the report with the proposed change of adding the summary of progress on the recommendations of inserting a uniform definition for Domestic Violence and Abuse to the report
  + Motion was approved

**Shared of Learning (Francis Robinson Presenting)**

* Shared learning is an opportunity for members and guests to highlight the focus of work that is being completed around the state on various issues regarding domestic violence.
* Mariah Wineski introduced Francis Robinson as the shared learning presenter. Francis is a part of the Louisiana Supreme Court Protective Order Registry and serves as the Technical Program Assistant. His focuses are on the registry, its purposes, access, order types, and 2022 data from the registry.
* LPOR, is a statewide centralized computer data-based, implemented by a Legislative act. Its purpose is to enhance court-ordered protections for victims, and their children to aid law enforcement, prosecutors, and courts
* LPOR is granting order protections in response to, Domestic violence, Dating Violence, Stalking, and Sexual Assault.
* The registry receives **Civil orders** of protection delivered to them in the form of Temporary Restraining Orders, Protective Orders, and Preliminary & Permanente Injunctions
* The registry receives **Criminal orders** of protection delivered to them in the form of Bail restrictions, Probation conditions, Sentencing orders, and Conditions of parole
* Civil orders of protection originate from the petition that is filed by victims seeking protection. Within the petition, the victim specifies the alleged behavior that has been committed to support the request for granting a protection order, and no criminal charges are required to obtain protection.
* After the court reviews the victim's petition and determines the allegations meet the requirements of granting a TRO, the court can grant the order, and the court will move forward with a hearing between the victim and the suspect.
* If the courts find sufficient evidence to grant the petition a final Protective order will be issued after the hearing
* After all of the specific filings are issued in response to domestic violence, there will be no cost associated with the filings.
* There is a wide range of relief when requesting protective orders, victims can request for use of the property and temporary custody of children.
* Access to the registry data is detailed by statute **(La.R.S. 46:2136.2):** Courts, DA’s offices, State & local law enforcement, AG’s office, and certain governmental agencies are granted access.
  + LPOR is not a public database
* Users who have access to the registry are provided with active order summary, active order images, archives orders, service information available, and fax-back copies of the actual order
* January through December 2022, the registry received 30,806 orders of protection. Of the order 60 percent were civil, and 40 percent were criminal orders
* Louisiana Courts, have reached 100 percent of civil orders sent to LPOR, and 90 percent of criminal orders sent to LPOR. Reasoning for 90 percent, was due to specific parishes not granting criminal orders.
* From the years 2013 to 2022, the number of criminal court orders LPOR has received has doubled, going from 6,000 to approximately 12,000 court orders
* 26,642 protective orders were entered in LPOR within the year 2022 and were eligible for inclusion in the National Protective Order File and transported to NCIC.
* LPOR also offers multidisciplinary training, that involves Judicial legal seminars, that have the goal of reaching out to domestic violence victims and assisting with implementing orders and helping them to get processed.
* LPOR also offers Judicial Education for judges, hearing officers, and magistrates. Their proposed curriculum assists in handling domestic violence cases that come before them
* LPOR offers access assistance, in term of how to file a petition, and is now included in Spanish, Arabic, Vietnamese, and Mandarin.
* The language Access Office within LPOR, have coordinated an ASL video, sharing information about LPOR, and the steps to file petitions
* LPOR offers a quick reference guide that provides the bodies of Law under Louisiana that an individual can seek protection under (Civil, Criminal, and Firearm.)

**Subcommittee Reports**

1. ***Law Implementation and Training*** *( Sunny Funk Presenting )*

*This subcommittee focuses on improving implementation of existing laws, in furtherance of Purpose area 6: Develop a plan that ensures state laws on domestic violence are properly implemented and provides training to law enforcement and the judiciary.*

Current Commission members on subcommittee:

1. Tammy Jump
2. Chief Tommy Clark
3. Ramona Harris

* The video and PowerPoints for the subcommittee have been transferred, However, they need internal approval to submit the documents for statewide presentation.

1. ***Victimization Data (****Kristen Sanderson presenting presenting (proxy for Jane))*

*This subcommittee was established to identify and address areas for improvement in data collection and reporting related to domestic violence in Louisiana. This subcommittee’s work typically addresses purpose area 7: Develop a framework to collect and integrate data and measure outcomes.*

Current Commission members on subcommittee:

1. Karen Webb
2. Mariah Wineski
3. Mary Claire Landry
4. Rutha Chatwood

* The subcommittee has been focused on getting the Domestic Abuse and Fatality review Implemented.
* They held their second case review meeting and reviewed cases from 2022, and held discussion and participation. Discussed common risk factors of cases, and identified gaps and responses, as well as recommendations
* Next Meeting will be held in March and will place focus on the next steps of the committee with DAFAR excelling.

1. ***Legal Issues*** *( Lila T. Hogan Presenting)*
   * She touched bases on the imperative need for a Uniform definition Of Domestic Abuse and Violence within Civil Cases. It failed within the 2021 Legislative session, even with the assistance of amendments that were prompted by them.
   * The law institute committee, brought it to the council to inevitably push it to the Legislature, However, the council opposed it due to their issues already being addressed during the previous session.
   * The proposed and agreed-upon definition was changed, and the entire 60 pages were placed in Legislative Hopper of 2022 without Law Institute approval which enabled it to get tabled.
   * As of now, they have no plans on submitting any legislation this year regarding the definition Of Domestic Abuse and Violence

**LCLE Firearm Transfer Data Collection Form Update**

* House Bill 585, required LCLE to create a standardized process and form to receive the specific data.
* Rutha began presenting explain that the online form was created, and is now available online.
* She explained the instructions that the sheriff shall submit the previous year no later than January 31st of each calendar, all of the information requested within the form.
* A letter and email were sent out to each Louisiana Sherriff’s Association, explaining the reporting requirements for 2023, along with a link and survey to the online form.

**2023 Commission Priorities & Subcommittee Structure**

* The subcommittees have entered a transition point within their work
* The innovative practices subcommittee working group has conducted research into an intervention to enable the commission to make recommendations similar to those that were made within the annual report
* The Victimization Data subcommittee focused on implementing the fatality Review, and Mariah suggested that there are still numerous data points to be studied and place imperative focus on.
* Mariah Wineksi suggested that we need to place great focus on commission responsibility number four, regarding needs assessment.

**Bylaws Committee & Leadership Structure**

* Chair Mariah Wineksi suggested that the creation of bylaws will assist in stabilizing the commission.
* She moved to ask for participants to join a subcommittee focusing on the creating of Bylaws for the commission.
* Motion was approved

**Public Comments**

No public Comments were made

**Adjournment**

There being no additional business, the meeting was adjourned at 3: 09 p.m.