



# Governor's Commission on Domestic Violence, Sexual Assault and Stalking

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### DRAFT Meeting Minutes

March 15, 2024

**Members Present:** Alyssa Kuehne, Bradley Osgood, Danielle Snook, Dianne Martin, John Semertgakis, Lyn Schollett, Mary Krueger, Robert Quinn, and Scott Hampton.

**Members Absent:** Abbey Simon, Andrea Bonito, Andrew Livernois, Ann Landry, Jodi Nelson, John Formella, and Sharon Carson.

**Others in Attendance:** Lisa Lamphere (DOJ, Director of Grants Management) and Anthony Lindsey (Administrative Office of the Courts, the Justice and Data Statistics Manager)

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- 1) Welcome and Introductions.
- 2) Adopt Meeting Minutes from November 17, 2023, meeting.
  - The Department of Justice asked for a correction regarding the minutes: the Courts received Statistical Analysis Center federal funding in 2021, 2022 and 2023, not "Maine Statistical Grant."
  - The minutes were adopted with that change and changes to scrivener errors for punctuation and spelling. Lyn Schollett made the motion, Dr. Scott Hampton, seconded and the minutes were approved unanimously.
- 3) Updates from the Chair:
  - Current upcoming 2024 meeting schedule: May 17<sup>th</sup>, September 20<sup>th</sup>, and November 15<sup>th</sup>. The meetings will take place from 9-10:30 at the NH Supreme Court. The Steering Committee and other committees will meet in between. Reminder that a remote option is available only in special circumstances.
  - We are considering whether to shift to quarterly meetings starting in 2025. No comments made; the commission will think about it.

#### 4) Update on Data Gathering Project (Dianne Martin, Anthony Lindsey and Lisa Lamphere)

- The newly hired Justice and Data Statistics manager presented to the Commission about the work currently underway. Various data gaps have been identified already for certain case types - particularly in the court system. The Judicial Branch worked with the Department of Justice Bureau of Justice Statistics to obtain funding for this work. The work to improve data collection and reporting will address two areas: domestic violence data and diversity, equity and inclusion data. The first steps will include to inventory what data is gathered and to identify gaps in existing data. Next steps will be to refine the data capturing capabilities and to make the data more publicly available in the form of a repository.
- The project will also work with the Department of Safety as they gather data relating to crime statistics.
- This Commission is encouraged to identify any data system gaps for the Justice and Data Statistics manager as this first phase begins.

#### 5) Court Update on Task Force Initiatives

- The Court Domestic Violence Committee is continuing its work to update the Domestic Violence Protocols. Last year they completed chapters 1-5. The goal this year is to collaborate with stakeholders during the update process for ongoing feedback about any proposed revisions. Historically, this approach was more successful.

#### 6) Legislative Subcommittee Update

- The subcommittee has concluded their research on the Wiretapping Statute and begun researching issues surrounding the definition of domestic violence. Currently, there has been a brief pause on the definition of domestic violence, but the subcommittee continues to meet informally as a working group.
- There are two bills of interest:
  - HB 1097-FN: An act replacing two-party recording of conversations with one-party recording of conversations. It was voted inexpedient to legislate (ITL) on the house floor, which means it is not moving forward.
  - SB 579: Relative to court-ordered Batterers Intervention Programs. The focus was to assess the efficiency of the Court's protocols by the end of 2025. On March 7<sup>th</sup>, it was referred to an interim study, which means there will be a long pause – this is mainly due to this Commission's work on the same issue.

- They are currently waiting for the opinion from the U.S. Supreme Court case, *The United States v. Rahimi (2023)*. The focus is on the federal law that prohibits individuals with a protective order against them from owning/possessing firearms; Rahimi argued the violation of his Second Amendment rights. The State of NH may be affected by the written opinion, and they are planning next steps depending on what is decided - which could consist of considerable work.

#### 7) Offender Accountability Programs Committee Update

- The committee reports it is tracking the work of a national network in almost all 50 states who are focused on the following:
  - The guiding principles for how the Batterers Intervention Program works. As stated, the SB 579 would look at how the programs are operating, the curriculum utilized, the recidivism rates, virtual programs etc.; and is searching to update the basic principal standards. There is acknowledgment that existing programs are not addressing specific populations, e.g. teens, post-separation abuse, women who use force, etc. SB 579 significantly overlaps with the work of this subcommittee.
  - A main focus is the question over how to evaluate and monitor BIP programs in a way to allow for reflection on effectiveness.
  - There is discussion of how to standardize a data collection tool. There are questions over what data to collect - and what questions should be asked. Who would fill out the questionnaire, i.e. the provider, participants or the survivors? To whom would the results/data be sent to, i.e. the Courts?
- The Concord Police Department's Chief Osgood will join the committee.
- The Committee is looking for input from this group on what kind of data we should collect about Offender Accountability Programs in New Hampshire; what questions should we ask; who would be surveyed; what would we do with that data (reporting)? The sub-committee chair will circulate materials. Input is encouraged.

#### 8) Civil Protection Order Committee Update

- Angelika Wilkerson took another job and had to resign this Commission. The Chair nominated Warren Police Chief John Semertgakis to replace her as co-Chair to this committee. We did not have a quorum of Commission members to approve this appointment.

- We will organize the first meeting of this Committee soon.

#### 9) New Group Updates

- The Partnering for a Future Without Violence is scheduled for September 4<sup>th</sup> (Wednesday) and September 5<sup>th</sup> (Thursday) of this year – please mark your calendars. The Nashua Police Department’s prosecutor is working with the Program Administrator of the Office of the Victim/Witness Assistance to have a Circuit Court training pertaining to when a victim’s goals may not align with the prosecutorial goals, and monitoring in sentencing as there is a goal to see more consistency throughout the State of NH.
- The commission expressed interest in beginning a conversation regarding how the Criminal Bail Protective Order (CBPO) and DVPO may intersect, contradict and what to do about that. The group also discussed the utilization of an Expert Witness Program and training on how to use expert witnesses at a bench trial.

#### 10) Agenda Items and Actions Steps for Next Meeting

- Data ideas will be relayed to the Administrative Office of the Courts.
- The group will provide input to the Offender Accountability Program regarding building an evaluation and monitoring tool.

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On motion by Alyssa Kuehne, Esq., and second by Lyn Schollett, the meeting was adjourned at 10:13 a.m.

Reviewed and submitted by Mary Krueger, Chair