

**STATE OF ALASKA
COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT**

**MINUTES OF THIRD QUARTER FY2010 MEETING
March 4, 2010**

**Location
Commissioner's Conference Room, 2nd Floor
Department of Public Safety Building
450 Whittier Street
Juneau, Alaska**

CALL TO ORDER & ROLL CALL

Chair Ann House called the Council on Domestic Violence and Sexual Assault (CDVSA) meeting to order at 10:00 a.m. on Thursday, March 4, 2010. Six Council members were present at roll call to form a quorum. Stephanie McFadden arrived at 10:20 a.m., and Commissioner Sam Edwards joined the meeting by teleconference later in the morning.

Council members present: Ann House (public member/chair); Stephanie McFadden (public member/vice chair); Colonel Audie Holloway (Department of Public Safety, Alaska State Troopers); Richard Svobodny (Department of Law); Sam Edwards (Department of Corrections); Cynthia Curran (Department of Education & Early Development); Melissa Stone (Department of Health & Social Services); Susan Cushing (public member)

Council members absent: Kristine Norbert (public member), excused.

Council staff present: Sandy Samaniego, (Executive Director); Joanne Griggs (Administrative Officer); Ella Nierra (Administrative Assistant); Lauree Morton (Program Coordinator); Ann Rausch (Program Coordinator)

Others present (in person or by telephone): Peggy Brown (ANDVSA); Robin Bronen Alaska Immigration Justice Project; Cheri Smith (The LeeShore Center, Kenai); Brenda Stanfill (IAC, Fairbanks); Beth Adams (Alaska Court System); Ginger Baim (Safe and Fear-Free Environment, Dillingham); Chris Bauman (Sitkans Against Family Violence)

COUNCIL CONFLICT INQUIRY

Chair House gave Council members an opportunity to disclose any potential conflicts of interest related to the items on this meeting's agenda.

There were no conflict-of-interest disclosures.

AGENDA ADDITIONS OR CHANGES

The agenda was approved as submitted.

APPROVAL OF MINUTES - December 14, 2009

COLONEL HOLLOWAY MOVED THAT THE COUNCIL APPROVE THE MINUTES OF THE DECEMBER 14, 2009 MEETING. RICK SVOBODNY SECONDED. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

CDVSA Executive Director Sandy Samaniego indicated that Council members had been sent a copy of her written report in advance of the meeting (*on file at the CDVSA offices*). She spent some time reviewing highlights, as follows:

- Four commercials are airing statewide for the public awareness and social norms media campaigns spearheaded by the Alaska Network on Domestic Violence and Sexual Assault ("Network") and CDVSA. The commercials are also running on the Network's web site and on YouTube.

Mr. Svobodny said the commercials are great, and he wondered if the audiences could be expanded to include schools and other web sites. Ms. Samaniego indicated that staff could explore that.

- The Rape Prevention and Education (RPE) primary prevention project is federally funded through the Centers for Disease Control via the Alaska Department of Health & Social Services (\$15,000).
- All five Rural Domestic Violence and Child Victimization subgrantees received continuation funding in January/February 2010, since there was remaining funds in the RDVCV grant.
- CDVSA staff continues to participate in statewide prevention planning as members of the DELTA project steering committee and the Rape Prevention Education steering committee.
- Most of the S*T*O*P funds from the STOP Violence Against Women Act Grant have been expended. The money was specifically to address the backlog of sexual assault of a minor cases awaiting biological screening at the State Crime Laboratory. The crime lab reported that screenings for 80 backlogged cases have been completed. They expect to clear all 2007 cases DNA analysis by July 1, 2010. In total, 43 profiles have been obtained and uploaded to CODIS (national registry of DNA profiles), resulting in 16 matches.
- CDVSA continues to wait for the Grants to Encourage Arrest earmark award.
- The Office of Violence Against Women (OVW) is funding a project to improve the Office of Children's Services and statewide domestic violence and sexual assault programs working together collaboratively to better serve Alaskan families directly impacted by domestic violence, sexual violence and child sexual abuse. The committee is scheduled to meet in Anchorage on April 8-9, 2010.

- The Victims For Justice, Alaska Victims Assistance Academy provides basic courses in victim response for first responders. The academy is scheduled for May 23-28, 2010 in Anchorage. The Council supported this project in writing but did not provide any funds.
- The supervised visitation and supervised exchange program is to open a center in Fairbanks, with a target date of March 2010.
- Evaluating the effectiveness of batterers intervention programs was a recommendation of the 2008 Legislative CDVSA Task Force. The 12-member BIP task force met in Anchorage in January, and the next meeting will be in March.
- A list of grant applications submitted during the quarter was provided in the written report.

Ms. Samaniego stated that she attended many meetings in February. Her priorities were to meet with the Finance Subcommittee for Department of Public Safety members, the Judiciary Committee members, and the State Affairs Committee members. She attended hearings on bills relating to domestic violence and sexual assault, and she testified on a few of those. Col. Holloway and she presented to the Legislature's Joint Health Caucus. She also attended with Col. Holloway a meeting regarding SART/SANE (sexual assault response team/sexual assault nurse examiner) and the cooperative effort with the Division of Public Health. She went to a hearing of the Victims of Violent Crimes Compensation Board. She met with Public Health's Jayne Andreen regarding prevention efforts, and with the Alaska Immigration Justice Project executive director, Robin Bronen, to learn about their program and to discuss possible future cooperative efforts.

Ms. Samaniego reported that the office assistant she had hired for the CDVSA office subsequently resigned.

NETWORK REPORT

Executive Director Peggy Brown of the Alaska Network on Domestic Violence and Sexual Assault referred to a packet of Network news and information that she provided to each Council member *[on file at the CDVSA offices.]* She mentioned in particular the "Community Snapshots" document dated March 2010, which contained a description of most of the funded victim services programs and the activities in primary and secondary prevention, along with lessons learned and the next steps. She indicated that the document will be significant in the coming year in light of the Governor's prevention initiative, as people figure out what they are going to do and what the funding will be. The current prevention activities are not CDVSA-funded, and she asked the Council, over the summer and fall, to look at whether to fund prevention and make a recommendation.

Ms. Brown stated that the Network would be meeting in Juneau on March 9-11, 2010, and Ms. Samaniego was scheduled to speak. She referred to her written report in the aforementioned packet and highlighted several items: the 2010 continuing legal education (CLE) training in February; an update on federal grants; the public awareness ad campaign; progress on the social norms campaign ads focused on youth; legislative priorities of the Network's Policy Program; the Legal Advocacy Project; the federally funded Pro Bono Program; and various trainings

happening around the state.

Ms. Brown reported that on March 3 a few victim services programs testified in the House Finance Committee in support of the Governor's budget. The Network was pleased that the fiscal year request for additional village public safety officers stayed in the FY 2011 budget, and was disappointed that the \$125,000 increment to the victim services programs was cut, as were some requests for law enforcement. With the attention from the Governor's initiative to end sexual and domestic violence in Alaska, the programs are getting a lot more calls and requests for services and referrals. The initiative has been very positive so far, and the Network expects the numbers will go up in terms of need.

Ms. Brown mentioned the Network's concern that the Legislative Budget & Audit Committee bill requirement for the audit of non-profits would butt up against some of the confidentiality provisions that are required by the Violence Against Women Act (VAWA) grants. The Network will be following that bill once it gets moving.

PUBLIC COMMENT

At the scheduled time on the agenda Chair House inquired if there was anyone present in Juneau or listening by telephone who wished to address the Council.

Brenda Stanfill, executive director of Interior Alaska Center for Non-Violent Living (IAC) in Fairbanks, spoke by teleconference. *[her comments were ongoing when the recording picked up]* ...dealing with the direction that things are going, it looks like prevention is being directed somewhere different than the programs. She has not heard a lot of the in-depth conversations, but she hoped that as time goes on it will trickle down and people will realize that victim services are already geared to do this. The programs have the components in place in their communities but have never had the funding to do actual intensive prevention in most of the communities. The places that have had the funding for prevention through the DELTA Project have done incredible jobs, with the victim services programs being the primary parties behind that prevention push. It has been mentioned that the prevention efforts can be taken off the backs of the programs so they don't have to worry about prevention --she stressed to the Council that programs want to do prevention. They see the end results of what happens because there haven't been adequate efforts on the prevention front, and they would love the opportunity to be funded to do prevention. She asked the Council members who are on the work committees, or as they are interacting with legislative bodies or other people involved, to remind them that victim services programs are the experts in the field and would love to do prevention.

Ms. Stanfill stated that victim services programs are going to be under funded this year, at a lower level of funding than last year (not including the stimulus). When the earmarks are going away, the victim services are losing earmarks also. She has heard there is another earmark coming in, but in the CDVSA notes from December the programs were already told that the earmark was going to legal services. Programs have been waiting for a year to get some relief in their legal advocacy. Legal advocacy is the absolute service that is requested because women are

overwhelmed by the legal system. It is incredibly bad what happens when the batterer is represented [by legal counsel] and the woman is not. It is crucial to be able to offer those legal advocacy services. So unless the Council shifts the emphasis of where that next earmark is going, it would not pay for the services the programs are losing.

Ms. Stanfill said the CDVSA funded two full-time positions at IAC in Fairbanks through federal earmarks. So with the current budget request, even including the \$381,000 requested increment, it does not cover the grants that are expiring in September 2010. IAC will lose two full-time positions, which is going to be an incredible hit that they will have to try to figure out how to continue to offer the services. In a year when the state has a domestic violence initiative, she felt like victim services should be front and center to get adequately funded to handle what is going to come from this initiative. The programs are so supportive of the initiative, but they want to make sure it is not assumed that victim services are okay -- because they are not.

Speaking by teleconference, Robin Bronen with the Alaska Immigration Justice Project (AIJP) thanked the Council for its support in making sure that immigrant domestic violence, sexual assault, and human trafficking victims get the services that they need. The state's demographics are changing: the recent census from 2007 showed that the immigrant population in Alaska is 7.2%. In Anchorage, one in ten residents is foreign born. It means more immigrants are seeking the services of not only the domestic violence and sexual assault programs but also the legal services necessary for them to be free from the violence. She said she looked forward to AIJP being able to provide the services that nobody else in the state provides. AIJP also has a language interpreter center where they have partnered with the Alaska Court System, the Anchorage School District, and the Anchorage New Bird Health Clinic to make sure that the interpreters working in the domestic violence and sexual assault programs, the court system, and medical clinics have the appropriate qualifications. AIJP is waiting to hear on a grant request submitted by the University of Alaska Bristol Bay campus, where they will be offering a medical interpreter training program for Yupik interpreters in Dillingham.

Beth Adams of the Alaska Court System in Anchorage addressed the Council by telephone. She followed up on Ms. Stanfill's comments in saying that she has been traveling all over the state with the Network's Patti Bland training clerks on domestic violence. At every training they have had the advocate from the local shelter talk about what they do and what services the programs have to offer to victims. She said she could not emphasize enough how critical the advocates are as a link for victims to the Court System. No matter how much is done to simplify the process for victims coming into the Court System, it is daunting for anybody who is not familiar with the statutes and the legal jargon. It is hard to imagine how victims get services from the Court System on their own, without an attorney and without an advocate. The work the Network, the shelters, and the Alaska State Troopers do is tremendous. But when it comes down to a victim coming in to get protection, legal advocacy is the most critical link there is, because it is not a service that the Court System can provide. The courts are so dependent upon advocates to guide victims. Even though court clerks are being trained, legal advocates get a lot more training on how to deal with the circumstances and the whole person of the victim. Many people who work for the Court System have been victims of domestic violence and have taken advantage of the

legal advocacy services, because that link with the advocate was critical to their getting out of horrible situations. She said she wanted to express her support for Ms. Stanfill's comments on how critical the funding for legal advocates is.

Cheri Smith, executive director of the LeeShore Center in Kenai, stated that for a couple of years they have had funding through the Grants To Encourage Arrest to employ a legal advocate who was actually located in the courthouse itself. It was extremely helpful for the advocate to meet with clients there and help them to [inaudible] and protective orders. LeeShore lost that funding, and they do not have the luxury of continuing that service. She has one of the shelter advocates go to the courthouse to function in that role. LeeShore lost an advocate position a few years ago and has not been able to replace it. In actuality, the agency is down a couple of positions, so it is really, really tight. The amount of legal advocacy they are seeing victims need at this point is huge. The center is running at or just below capacity at all times. It has eight direct service advocates for a 32-bed shelter, but one person goes to the courthouse to be the legal advocate because the need is so great. They are seeing a drastic increase in people using the services, which she thought was probably attributable to the Governor's initiative.

FINANCIAL REPORT

CDVSA Administrative Officer Jo Griggs reported that CDVSA has experienced no huge surprises not budgeted for. Any revisions coming toward the end of the fiscal year will be typical. At this point, only four programs have not submitted their third quarter requests for funding. There are no programs delinquent with their reporting.

Ms. Griggs reminded the Council that at the August 4, 2009 meeting they had approved \$55,000 to pay the salary of the criminal justice technician position at the Department of Corrections (DOC) that works with the victim notification system (VINE) there. *[Typist Note: The complete motion had also included a request that DOC Commissioner Edwards gather information on the DOC side so the Council could revisit this action later, if necessary.]* At that time Mr. Svobodny had recommended that DOC consider putting the funding for the criminal justice technician position in its budget, as opposed to relying on the CDVSA's budget. Ms. Griggs said she did not know if that had happened, and she asked if it would be appropriate for her to email Commissioner Edwards and ask him about the status so she could plan.

Mr. Svobodny indicate he was fine with that.

Ms. Griggs stated that she and Ms. Samaniego had been discussing that FY 2011 is the second year of the two-year grant cycle to the CDVSA-funded programs. In the past, the second year funding has not been distributed through a request for proposal (RFP). One year the Council asked for an abbreviated RFP form and then allocated funding with a 3% increase over the previous year's grant amounts, which did not go over particularly well. Another year the Council spread the second year funding by percentage according to what the programs received in the first year of the grant cycle. That process appeared to be more equitable. The CDVSA funding meeting for the second year of the grant cycle will be in May, and staff is seeking feedback on

how the Council would like to distribute the FY 2011 funding.

Ms. Griggs confirmed for Mr. Svobodny that the RFP last year asked the programs to provide a proposal for provision of services for fiscal years 2010 and 2011.

Ms. Stone stated that she did not support a new RFP because they are onerous and she did not see the merit. However, if the Council does something other than what is fairly routine, it is not fair to do it without an RFP. She said she understood that there is a problem with giving a percentage out, but doing it by virtue of a percentage of the pot assumes that the existing distribution is what the Council thinks it should be, as opposed to some program maybe being under funded. She added that having represented a small program for many years small programs have a very big problem doing an entire range of services with a very small budget because there is no economy of scale. A consideration that the Division of Behavioral Health made was that all small programs have a certain minimum amount of funding for that reason. Her preference was to go with a percentage of the total pot.

Col. Holloway said he basically agreed with Ms. Stone's comments. He said the Council has to first determine what to do for next year. Then, as has been brought up several times in the past, the Council has to figure out a way to codify the funding distribution process into the rules. It is not right that the Council has to discuss what to do every time the second-year funding distribution comes around. If the process has to be modified in the future, at least it could be done after a good discussion, but the Council needs to quit avoiding this and figure out how to do it right. All the programs should have an opportunity to weigh in on how to do it, and the Council should try to pick the best way -- although no process will be perfect.

Chair House asked Ms. Griggs what the FY 2011 funding level would be. Ms. Griggs replied that \$381,900 was the requested increase over the FY 2010 funding level (\$9.7 million), bringing the total to \$10.8 million.

Ms. McFadden asked how the second-year funding process accounted for situations like a program that was heard from earlier that was experiencing funding cuts for positions, etc., versus a program that was not losing any of its other grants. Ms. Griggs said the Council would not have that information until the two-year RFP process came around. Ms. McFadden asked how that was fair. Ms. Griggs said she was just trying to find out how the Council wanted to distribute the FY 2011 funding. She added that the Council could decide to ask for particular pieces of information from the programs.

Ms. Cushing recalled that staff had mentioned a short-form RFP, so she wondered if the form could ask if programs have experienced any huge economic upheavals in the last six months. Ms. Griggs said the Council could ask for that information if it wished.

Col. Holloway commented that after the Council had the report on what it was dealing with now it ought to get into the bigger discussions.

Chair House tabled the discussion for later in the meeting.

Referring to the financial reports in the meeting packet, Col. Holloway observed that it looked like there was a lot of money leftover from various funding sources, unless there was going to be a lot of spending in the fourth quarter of the year.

Ms. Griggs explained that the financial reports were done before the third quarter advance requests from the programs and before third quarter expenses were recorded. Since then, another \$2.0+ million have been expended in third quarter requests. Also, in the last month the CDVSA received the batterers intervention program funding. What appear to be large remaining balances are not really excess, and things are basically on track.

Ms. Stone requested that the financial reports include the date on which staff pulled the numbers so Council members could have a better idea of how much of any quarter's numbers were included. Ms. Griggs indicated she could do that.

Responding to Col. Holloway, Ms. Griggs explained that CDVSA carries several years of VAWA funding at a time. She said the expiration date for VAWA federal fiscal year 2007 was extended to 4/2011. That will give the Court System time to use all of their funding this year. If any funding is approaching a deadline, she lets the people affected know six months ahead. Another factor is that the Court System does its billing at the end of the year, so all year long the unspent balance remains static. She assured the Council that in her tenure with the agency the CDVSA has never turned back any grant funding.

Ms. Brown mentioned that it is becoming a national policy when reauthorizing S*T*O*P VAWA funding that if a department does not spend its money within a certain period of time they are trying to make it so the money goes back into the pot within the state to be reallocated to the other departments.

Chair House said that in her five or so years on the Council she has never seen any funding go back to its source.

Chair House called a short break at 11:15 a.m., after which the Council moved on to hear departmental updates from the members who represent departments in state government.

DEPARTMENTAL UPDATES

Department of Health and Social Services - Melissa Stone

The Public Health Division's prevention area was awarded a federal grant on strategic prevention framework planning, approximately \$11.5 million over five years. The grants are meant to fund infrastructure that can fulfill prevention needs. A steering committee (that will include people in the dv/sa field) is being formed to guide the process through the grant years. Because of the relationship between substance abuse and domestic violence, the project should build capacity for domestic violence prevention as well as the specific target of substance abuse. There will be

people involved who will be able to bring information back to the Council.

She said she spoke to the Behavioral Health providers at their monthly teleconference today about all the activity that is happening with domestic violence and the relationship to behavioral health. She thought there were opportunities for increased collaboration and communication, to leverage funds and purpose, to see some mutual benefits. That intersection between behavioral health, domestic violence, substance abuse, trauma, and victims being able to access services in a timely way was evident in Representative Fairclough's roundtable meetings and Jeff Jessee's meetings (Alaska Mental Health Authority). Those are not just about funding but about how to do things better right now today. She has asked her providers to reach out to the shelters, and she will be following up to see what happens with that. Some of them have good relationships, and in other places it is lacking. She has also challenged the behavioral health providers, who have a planning requirement as part of their RFP grant process, to talk with the dv/sa services providers about how that is happening. That planning is currently happening in separate places in communities, which is particularly crazy in small communities. Those do not have to be the same planning processes, but they certainly should be cross-pollinating those processes so that they are going in a similar direction and minimizing duplication.

Ms. Stone said she urged the behavioral health system to support the Governor's "Real Alaskan Men Choose Respect" focus on domestic violence in the month of March. She expected that the dv shelters and the Network are looking at activities, and she hoped the behavioral health service system was joining in support of the different community activities. Lastly, she is watching the department's budget as it moves through the legislative process.

Department of Public Safety/Alaska State Troopers - Colonel Audie Holloway

Col. Holloway indicated that he too was tracking the department's budget to see what was being cut or left in: roughly \$700,000 has cut that they are hoping will get put back in. That included three domestic violence investigator positions. Currently, unless it is a serious crime, it is difficult to do follow up on dv assaults. AST is hoping to be able to hire people to do that. Also in the amount that was cut was a \$40,000 request for child interviewing training. If it is not added back into the budget, DPS is also asking for federal funding for that training. They have been having great success in partnering some of the investigators, especially the sexual assault/child abuse investigators, with child advocacy centers. That model brings everybody together in one place, and DPS is trying to support that success.

Col. Holloway reported receipt of the new sexual assault kits. AST is gathering the old kits from police departments and distributing the new kits throughout the state. Training on use of the new kits will start immediately. Each kit is for an examination, and different parts of the kit can be used for a suspect or a victim.

Col. Holloway stated that, in addition to Behavioral Health, Public Health is becoming a big partner with law enforcement. AST has been having meetings with the director of Public Health, who is going to be an advocate in writing letters to medical directors at hospitals around the state in order to get the SANE programs back up and going and working through any issues related to

evidence and relationships with hospital administrations. The Public Health director can explain it to hospital administrations in terms that they understand so that law enforcement can get more interplay with those hospitals that has not been happening. It is a big deal to have Public Health as a partner at the table working on sexual assault issues and not just as a supportive partner in the background. Studies by the Centers for Disease Control have shown that sexual assault is a public health issue.

Col. Holloway said the effort is still going forward in the Legislature to get the new State Crime Lab. The lab is really needed for sexual assault and DNA processing but also for many other reasons. So far, it is going forward, although there are different ideas about how to get the funding.

Ms. Stone asked who were receiving the SART kit training. Col. Holloway said they were inviting anybody in a community that may be called to use a sexual assault forensic kit, which includes public health aides, public health nurses, sexual assault nurse examiners, emergency room doctors and nurses, etc. The groups differ depending on the community.

Ms. Stone said her experience is that there is lack of clarity and disagreement in the community about what kit is being used at any given time. She thought it would be helpful for the shelter system to make sure that their community gets the right people to the training. If the training misses key people, there will be disagreement about what to do.

Col. Holloway said the new kit is all there is now. People will be trained on the new kits by June 1, and then the old kits will not be accepted. AST will contact anyone sending in an old kit to remind them. Eventually there will be an adult kit and a juvenile kit.

Responding to Ms. Cushing, Col. Holloway said AST is sending out a questionnaire to communities asking them how many kits they need and also how many sexual assault investigations they did last year.

Department of Law - Rick Svobodny

Mr. Svobodny said most of Law's efforts have been in the area of legislation. Three bills that the Governor introduced all relate in some way to sexual assault or domestic violence: aggravating factors for some sexual assaults, providing pornography to children, and revision of a bail bill that has several provisions that relate to domestic violence and sexual assault. There is a provision prohibiting offenders charged with a domestic violence crime from returning to the residence where the victim is that the Alaska Court of Appeals found unconstitutional. The revised bill says that a bail provision prohibits the offender from returning to the residence for at least 20 days, and the bill sets criteria for allowing the offender to return to the home. *[tape change]* ...gets a lot of play as a bill that deals mostly with DNA really has other provisions that deal with sexual assault by mandating that police retain biological fluids for a certain period of time so they can be tested in the future if there is an allegation that it was not a good conviction, but also retains the evidence materials if no one is charged right away.

Regarding the Department of Law's budget, Mr. Svobodny said they were trying to fill a hole left by federal funding for sexual assault prosecutors that amounted to about \$2 million. The money has been cut out, but they are hoping that it will be restored as the budget process moves along. The budget also included money for a sexual assault coordinator position, which has also been cut for now. However, it will be up to the Finance Committee to determine which department that position will end up in. Part of the Governor's initiative was that there ought to be a high level position responsible statewide for making the departments do what they are supposed to do, to initiate and follow through on prevention programs, make legislative suggestions, etc.

Council members had a brief discussion on the 20-day provision in the bail bill and how shelter advocates would be involved in thinking ahead for their clients. That led to a related topic about the difficulty of enforcing conditions of release or bail conditions and how the bail law will update so that an officer can make an arrest on probable cause on site.

Chair House asked if the Court System had an advocate at the courthouse to help people and perhaps direct them to a shelter. She added that she has found that people do not know how to find help.

Mr. Svobodny replied that the Court System has people who often can help in filling out forms and giving people directions on what they have to do with those forms. The Court System is reluctant to be an advocate for one side or the other because it is supposed to be a neutral third party. So there is no office in the state where people can go with their problems. The shelters provide advocacy for some people, and they are the safety net. There is also Alaska Legal Services (ALS), but that is more about who [the perpetrator or the victim] gets to ALS first in a situation.

LUNCH BREAK

Chair House called a lunch break at around 12:30 p.m., and the meeting came back to order at 1:05 p.m. She also added an executive session and a discussion on funding to the afternoon's agenda.

DEPARTMENTAL UPDATES (Continued)

Department of Education & Early Development - Cynthia Curran

Several working groups have met as part of the education plan, and the one germane to CDVSA is the Health, Safety and Physical Education Working Group. The group will be taking the whole plan to the State Board of Education in late March, and they have some action things related to student health and safety and making good choices.

Ms. Curran said DEED has requested funding in the FY 2011 budget for a coordinator position that would be devoted to student health and safety, which is a statutory requirement. However, the position has not been funded to date and thus has not been filled.

Ms. Curran explained that most of the Division of Teaching and Learning Support is funded by the federal government. So the requirements of all the federal funding has to be done, and the state does not put a lot of money toward teaching and learning support.

Chair House commented that this was the first time the Council has heard reports of what is happening in each department represented on the Council, and it was quite helpful to her.

Department of Corrections - Sam Edwards

Mr. Edwards stated that budget-wise it looked like the Department of Corrections (DOC) was going to come out pretty well with basically a maintenance budget -- no real increase but nothing significant being deleted either.

He was able to listen to Dr. Bennett speak yesterday about batterer intervention programs: part of what he said makes a difference on recidivism (that DOC is aware of and is working in that direction). Part of that is basic skills, jobs, and dealing with underlying problems that might contribute to substance abuse. Most of the money that DOC has received over three years has been either in substance abuse programs or the sex offender treatment programs. The department does not have enough funding to deal with the issue, but it certainly has far more than it had in the past. As Dr. Bennett said, it is not just important to have the right program but to make sure the right people are going into a program. In addition to anything having to do with domestic violence, DOC is looking at an assessment that would put the right person in the right program, whether it is substance abuse, sex offender treatment, anger management, etc. They will also be addressing the mental health needs, because a large segment of the mental health community lives with Corrections every day, and the department has a self-interest in being able to identify a specific need and route the person to the right source of help. All these everyday operations should impact domestic violence and sexual assault.

Regarding the earlier discussion about a bill to change the conditions of bail, Mr. Edwards stated that DOC is on the receiving end of that. Regarding putting a fiscal note on that, the department was not able to say that increasing the safety for the victim (by making it more difficult for the perpetrator to get out immediately on bail) would have an impact on DOC. The initial thought was that absolutely it would, however, when you take it through to the end it probably is not going to impact whether a person ultimately does more jail time or not. What the bill will do is determine where the perpetrator will do that time. DOC expects the impact from that to be more people spending more time in the outlying areas, and the department will have to figure out how to accommodate that. While DOC does not have an ultimate solution to any of this, it is all in line with what the department has been trying to do. That is to identify individual risk of the people it has and what their needs are, and then to put them in a position where they can receive help in whatever program there is that might address that need. Ultimately, that is all geared toward public safety.

Ms. Stone said she appreciated Mr. Edwards's responses to Dr. Bennett's presentation yesterday. Dr. Bennett presented a lot of information that, if incorporated back in, can make a difference. She agreed with Mr. Edwards that getting the right people to the right program is really a

significant piece of what Dr. Bennett had to say. It is something that everyone can learn from, because there is probably more than one program that is right for different kinds of people. Dr. Bennett's acknowledgement that there is a certain population characteristic that is effective at batterer intervention programs raised the question of why not be screening for that. It is a no-brainer.

Mr. Edwards stated that the other piece that goes along with that is if agencies looked at the people who are being referred to those programs by the courts it is not simply the ones that Dr. Bennett said it would be effective for, which is the first-time offender. He suspected that the ones that the courts are really looking for something to make a difference are the ones who are the repeat offenders, which is the very ones that Dr. Bennett said, "Don't waste your time."

Ms. Stone said that just the fact that there is interest in screening, assessing and evaluating differences should help the outcome in the end, help differentiate who something works best with, and improve the overall outcomes. Right now, the outcomes do not look good. But if we are mixing in a population that batterers intervention does not work for, get them out of there and find out what we should be doing with that population, instead of doing the same thing over and over again.

LEGISLATIVE UPDATE

Ms. Samaniego indicated that she had covered this topic under the Executive Director's Report.

When asked by Col. Holloway if there was any person or area where Council members should be focused when speaking with legislators, she said it is exciting to see so much talk among the legislators about domestic violence and sexual assault. However, she is also finding a lot of misunderstanding about the dynamics, especially about substance abuse and domestic violence and sexual assault. All the victim services programs are focused on promoting the safety of victims, but that focus seems to change with the different conversations. Sometimes some of the conversations even intimate that the victim is to blame - if the victim had not acted a certain way or made a poor decision, then something bad would not have happened.

Col. Holloway requested that Ms. Samaniego let Council members know if they can help educate legislators on different aspects of domestic violence and sexual assault, because Council members have diverse information on things that could be helpful if a legislative person is stuck on an idea. The relationship between substance abuse and domestic violence is very complicated. It is important for legislators to make an informed vote when the time comes.

Ms. Samaniego said she would check her notes because she has visited with so many different people at the Capitol. She would get back to the Council about any areas where she needed help.

Col. Holloway said he hoped there would be a chance to talk later about the need to change the focus of the Council, not away from the core functions but taking on a broader scope and getting the message out better. One way is to connect with decision-makers who do not understand

something or who are asking questions. *[tape change]* ...fairly cheap way of getting information to people who Council members can directly see who are not understanding something.

Ms. Samaniego said she had questions she did not know where to go for the answers. For instance, Mr. Svobodny had spoken earlier about a sexual assault coordinator position in the Department of Law. The Council has a statutory mandate to coordinate the intervention, prevention, etc. efforts for issues involving domestic violence and sexual assault. So she did not understand how the various state agencies work together and how the coordinator position was considered for an agency other than the CDVSA.

Col. Holloway remarked that there are not a lot of rules on those things. The CDVSA is not there to give qualified, professional-type direction, so the position is liable to go anywhere. The Legislature has the whole of government to look at, and based on what type of logic they come up with, a coordinator position can end up in a lot of different places. That is why the CDVSA has to be on top of this and offer its expert advice on where that position should be.

Chair House said she and the executive director had talked about it and thought the coordinator position should be at the CDVSA.

Ms. Curran mentioned that during legislative hearings most agencies have someone in the audience writing down questions that committee members ask that may be off topic and so are not addressed at that particular hearing. She asked if CDVSA had a staff member taking notes on those questions to address with committee members later, because those are opportunities to get more information back to the Legislature.

Ms. Samaniego replied that she tries to follow up on any questions for which she does not know the answer on the spot, but the CDVSA staff already put in more time than they are supposed to.

Ms. Curran stated that it was a pretty important thing to prioritize because it is one more opportunity to clarify in writing what you want them to hear, as opposed to what you can deliver in the verbal report.

Chair House requested that if other agencies can be automatically included in the email response, then the CDVSA should be as well. She asked someone to check with the House, and any place that (they?) are talking to, to please put the CDVSA on their email list. That way the CDVSA should automatically get it and not have to have someone sitting in the audience taking notes.

Ms. Curran opined that she did not think (the committees) would do that for the CDVSA. It is an agency's own business. If an agency is interested, it has to take a staff person who listens when there is an unanswered question and later sends the context of it in an email to the person testifying to say that it needs a response.

Col. Holloway added that the staff person can watch everybody else there, and if they visually can discern that somebody is not understanding something they can make a note of that, because

it is an opportunity to go back to that legislator and clarify something. These people are busy during session and often get off on some other tangent and don't follow up themselves. Getting back to them would show that the CDVSA is even more than responsive.

Ms. Curran remarked that the Network is at almost every committee hearing where issues impacting domestic violence and sexual assault are taken up, so perhaps Ms. Samaniego could ask the Network for what they pick up during the meetings.

NEXT THREE-YEAR VAWA S*T*O*P PLAN

CDVSA Program Coordinator Lauree Morton said she sent Council members an email a couple of weeks ago about the grant application for the 2010 VAWA S*T*O*P funding. This is the third year of the CDVSA's three-year plan that the Office of Violence Against Women (OVW) requires the states to submit. When the 2010 grant application is approved, the CDVSA will have 120 days to submit the new three-year plan.

Ms. Morton said her recommendation was to form a subcommittee that would involve the required stakeholders of the S*T*O*P funding -- victim services, tribes, and under-served populations -- so it will be easier to develop the comprehensive plan. Drafting the plan has been done several different ways in previous years, and there is no one right way to write the new three-year plan. A helpful way would be forming a subcommittee to get started, and she had provided a suggested timeline to get an initial plan drafted by July to send out for public comment. She asked the Council for direction on how to proceed.

Ms. Morton answered several questions about the makeup and size of the S*T*O*P grant subcommittee in the past and the proposed timeline for the new three-year plan.

MOTION BY COL. HOLLOWAY THAT CHAIR HOUSE WORK WITH THE EXECUTIVE DIRECTOR TO PICK A SUBCOMMITTEE OF TEN PEOPLE, WITH TWO ALTERNATES, TO COME UP WITH A S*T*O*P GRANT THREE-YEAR PLAN AND COME BACK AND PRESENT IT TO THE COUNCIL. MS. STONE SECONDED.

Mr. Svobodny asked what he meant by two alternates. Col. Holloway said that many times it is difficult to get ten people who are going to make it to a meeting. He added that that part of the motion could be modified without any concern, and just making the number of people 12 or 10 would be fine too.

Chair House said 10 was fine because 12 was getting a little big.

The motion passed unanimously on an outcry vote, with eight Council members present.

Ms. Morton reported that for the last year the CDVSA has been waiting on Recovery Act S*T*O*P funds to become available. The CDVSA Office received notice that the funds are now available for expenditure. She will be developing a simple RFP over the next two weeks to

distribute those funds, and the money will be available for the whole of next year. The CDVSA has until May 2012 to expend the grant. She noted that the Council had decided when all the VOCA Recovery Act funds were not allocated to roll the \$56,000 remaining into the S*T*O*P grant RFP.

Ms. Stone inquired about the amount of the Recovery Act S*T*O*P grant. Ms. Morton said it was \$803,624, and the amount available for distribution to the programs was \$325,467. Of the remainder, about \$180,815 will go the Department of Law, about \$180,815 will go to Public Safety, about \$36,163 will go to the Court System, and about \$80,000 will be retained for administrative expenses.

Ms. Stone asked if all the agencies had S*T*O*P funds now. Ms. Morton said no, that it is a competitive proposal so that if they want to apply they can, and then the Council makes the decisions about who gets how much. Ms. Stone inquired about the focus for the Recovery Act S*T*O*P grant. Ms. Morton said it was creating or retaining jobs or stimulating the economy. In the S*T*O*P Recovery Act plan most of the verbiage for the victim services portion talks about retaining jobs.

GOVERNOR'S DV INITIATIVE

Ms. Samaniego reported that so far today Council members Holloway, Svobodny, and Stone have addressed different parts of the Governor's initiative to end domestic violence and sexual assault in Alaska. Most of the initiative has been moving forward. There has been a response from others about how to fill out parts of the initiative, particularly to do with prevention. Rep. Anna Fairclough, with the Governor, has brought together a group of people who are either experts in domestic violence and sexual assault or prevention efforts to put together a prevention plan. One of the thoughts was to establish a model program, but she had not heard much more about it. She asked if the Network had more information.

Ms. Brown stated that at the last meeting they were asked to look at primary prevention, secondary prevention, and tertiary prevention or intervention, and they were asked to prioritize short-term, one- to three-year goals, and three- to 10-year goals for each of those categories. Everyone submitted that information. She has heard that in the House Finance Committee Rep. Hawker and Rep. Fairclough will be presenting amendments next week having to do with prevention funding.

Ms. Stone said she thought there has been quite a bit of support for rounding out the Governor's initiative with a prevention/intervention component up to this point, however, it is not being presented as a package but as two different pieces.

Ms. Brown noted that it has not been tied to the CDVSA Strategic Plan, which includes a lot of things, and it has not been tied to the Statewide Primary Prevention Plan that has not been released yet. She agreed with Ms. Stone that there is a lot of uncertainty at this point.

Ms. Stone said she sensed that there was an attempt to get some funds in the FY 2011 budget to look more carefully at what pieces need to be further recommended and developed over the next ten years. Whatever is happening now is just to begin acknowledging a broader scope. She thought the coordinators would have a big job of looking at the many pieces of many plans that are out there to pull them together to design the outcomes and get at what the Governor is wanting to see in stopping violence.

Ms. Brown stated that if the Council is going to access any kind of prevention funding it should be prepared and know already what it needs over this summer, in particular the victim services agencies.

Ms. McFadden asked how much input or buy-in the Council had in the Governor's initiative. She said the Network was sponsoring the march at the end of the month, and she wondered why the CDVSA was not a sponsor or co-sponsor.

Ms. Samaniego stated that it was the Governor's initiative and the Governor's march, and the CDVSA was doing what it could within its limited sphere to assist the Governor.

Col. Holloway commented that Ms. McFadden's question was part of the bigger discussion that the Chair placed on the agenda for later.

H. PETERS EMAIL RE: SEX OFFENDER REGISTRY

Ms. Samaniego conveyed Ms. Norbert's request to hold this item over to the next meeting when she could be present.

SPEAKER'S BUREAU

Mr. Svobodny suggested that this item be rolled into the bigger discussion about the Council's role, etc. because it has to do with staffing and whether the CDVSA should be expanding some of the things that are done.

DISCUSSION ABOUT ROLE OF CDVSA, ETC.

Chair House commented that the CDVSA is never out front of anything and does not seem to have the carriage to carry things.

Ms. Stone said she has been struggling with how the structure for domestic violence and the Council is so different from the world that she lives in. The structure seems to have weakened and confused the process. The governor-appointed councils she works with are very much advisory to something that does not exist here. Another piece that is different is that her behavioral health providers have a provider membership group (similar to the Network). The difference is that the Network does a lot of the work that her division would do in her world.

Ms. Stone said that as a new Council member she has been reading a lot of material in order to become informed about the CDVSA, and she frequently sees documents that question the difference between the CDVSA and the Network. She stressed that she was not meaning to be critical but was just pointing things out, and she thought that confusion between the two entities was part of the issue. The other piece she wanted more discussion about because she was uncomfortable with it was the grant funding piece. She did not understand why the Council itself does the grant funding, as opposed to doing planning and direction.

Mr. Svobodny said his view of creation of the CDVSA was that the VAWA funding was coming from the federal government, and the State had to distribute it. The CDVSA was created basically as a distribution function for getting the money out into the communities without going through the appropriation process, and to some extent the distribution process needs some planning. Then the statute contains some language about other things the CDVSA should be doing. The CDVSA Office has only one staff person whose existence does not deal with either auditing the federal grants or distributing federal funding. The CDVSA does not have anybody to do the types of things that Ms. Stone indicated the councils she interacts with do, so it is different than those councils. That is not to say that the Council should not be stepping up to the Legislature to request a position to do planning or prevention, but he did not think the entity was created to do that. The Council wrote a strategic plan because Rep. Fairclough said to do it, but he did not see that plan going anywhere unless the Legislature is willing to say it will do that. He said this was his perspective from being on the Council for a while and seeing that not a dime has been spent on adding one person to the CDVSA staff to do any of the things that the Council talks about -- other than grant awards, distribution, reporting, monitoring compliance with federal and state requirements, and audits.

Having a long history of working first with the Network and then as a CDVSA staff member, Ms. Morton offered to answer questions about the beginning of the CDVSA. She said the CDVSA was formed through state legislation in 1981. The Network had formed in the late 1970s and had initially received some federal funding through an LEAA (Law Enforcement Alliance of America) grant. When the grant became over \$1 million, the Legislature became a little concerned that a group of agencies not in state government was dividing up this money. There were about a year's worth of legislative hearings across the state and extensive conversations about domestic violence and sexual assault being crimes. The discussions included why the CDVSA should be placed in the Department of Public Safety. What came out of the hearings was authorizing legislation for the CDVSA.

Ms. Morton explained that the Violence Against Women Act (VAWA) did not pass Congress until 1994, so this is the 15th year of the S*T*O*P Program. When the S*T*O*P funds came into the state it changed the amount of funding that was available and what could be done, so that changed some of the CDVSA's focus. Many of the CDVSA's statutory requirements predated the VAWA federal influx of money.

Mr. Svobodny observed that it sounded like even at its beginning CDVSA was a funding entity created because the Network was starting to get over a million dollars.

Ms. Morton said it was funding but it was more than that. She always understood that the planning and coordination was always the core duty of what the Council would be doing. Over the years, the Council has developed papers on topics, and it has brought people and departments together and created working documents for how people should respond, particularly to child sexual abuse. The Council has done training efforts and has worked with different departments on the issues. Over the last few years the CDVSA has narrowed in scope, but she did not think that was its original intent, and she did not think that over the life of the CDVSA that has always been true.

Mr. Svobodny asked if there was a time when the CDVSA had staff that dealt with issues that were other than funding. Ms. Morton replied that she thought the staff always dealt with funding AND other things, and there weren't staff that just dealt with funding.

Ms. McFadden inquired how much of an impact the Network has had, because it seems like the Network has escalated to be doing some of the things that the CDVSA should be doing. She asked if the CDVSA ever did those things and then the vision changed toward more of a budgetary function so that now the Network does more of the different aspects of domestic violence.

Ms. Morton said the different programs and pots of money that the state coalitions were able to apply for began to expand in the 1990s, and nationally there was an effort to support the coalitions in doing more programming and work. And there has been more emphasis placed on some leadership activities for coalitions to do. The Network has been successful in taking advantage of those opportunities at a national level and has monetary support now that several years ago was not available to it. She said it is important to have a strong Network and a strong Council, and both can work together to really strengthen the response in the state.

Mr. Svobodny said he did not know how it developed in other communities, but, for example, AWARE is a women's shelter in Juneau that was a grassroots effort in around 1975-1977. AWARE took the bull by the horns and starting going into the schools with programs, started a shelter, and then went to the Legislature and got money directly from the state to acquire the shelter that they have now. Somewhere along the lines, other communities were doing the same thing -- they banded together into this network. It's not that there was a top-down force to say do it this way or do it that way; they built up. He said if he understood Ms. Morton earlier, that happened and it became the Network, and that is when the Legislature said a council was needed.

Ms. Cushing stated that the amounts of the money that come down through the government need a distributing conduit that is neutral versus the network of nonprofits. That may be the sole purpose for the Council's existence.

Mr. Svobodny said that Ms. Morton indicated there was more to it but that the purpose narrowed to that.

Col. Holloway stated that if the Council is going to be effective and accurate in what the public thinks the CDVSA is supposed to be doing -- The public and the politicians all seem to be confused about the Council's role. The Council cannot be effective if it is schizophrenic about itself: it has to say that X is the only thing that it will be doing and for people not to expect anything else, or it has to say it is going to take on these other things that it has not been doing that as well as it should because it has gotten stuck in a fund-distribution role. He said the Council needs to pick one or the other, because it will not be successful if it is trying to go down both paths. People are always going to be confused about what the CDVSA will be doing. It may be that there is not much choice because of what the statute says, but the Council needs to talk about it and decide whether to keep doing what it is doing or whether it is going to be doing more of other things. Now is the time to decide, because the CDVSA should be like a relay runner running along side to do the things that the Governor's initiative has got going and to try and keep them going. Otherwise, the CDVSA will be relegated back to the fund distribution role because the Council did not take the initiative to do these things. If the Council does not define itself, it could be looked upon as ineffective.

Ms. Stone read aloud the statute wording for the purpose of CDVSA, "...is to provide for planning and coordination of services to victims of domestic violence and sexual assault or to their families and to perpetrators of domestic violence and sexual assault, and to provide for crisis intervention and prevention programs." She noted that the statutory purpose of the CDVSA does not mention funding.

Ms. Stone also read aloud the duties of the Council, as well, where funding was listed as a duty.

Ms. Cushing mentioned that she read the CDVSA Strategic Plan and had the impression that the Council now has much more active members than there had been in the past, and that it was coming back into its own. She asked for comment on that.

Mr. Svobodny explained that the CDVSA Strategic Plan came out of legislation spearheaded by Rep. Fairclough that created that Legislative CDVSA Task Force. The Task Force held meetings around the state that were a functional audit of what the Council did and what the Task Force thought the Council should do. In response to that, the Council developed the CDVSA Strategic Plan. He added that he agreed with about 90% of what Col. Holloway said, but he thought the Council could be both a leader/planner in the area of domestic violence and sexual assault and fulfill the function of distributing funding.

Col. Holloway clarified that he agreed with that as well, and his point was to tell people what the CDVSA is going to do.

Ms. Cushing said the Network seemed to be picking up the planning function, and perhaps the CDVSA needed more staff to take that on.

Mr. Svobodny said the Network has the staff to do planning, while Ms. Samaniego has stated

that she does not have the staff to do any of that.

Referring to the legislative audit and the Task Force report, Ms. Stone asked what the Council has done with it since it was published in March 2008. She had a lot of questions in reading the report that did not seem to be answered.

Chair House responded that the Council held meetings and answered each of the points in the Task Force report.

Ms. Stone said there would be value in revisiting the Task Force report relative to the Council's discussion now.

Mr. Svobodny explained that the Council held several meetings on the Task Force report, and at the conclusion of those he had volunteered to draft the response but had not gotten to it. *[Typist's Note: minutes on file for meetings held on March 13, 2008, March 28, 2008, and April 10, 2008]*. However, the Council held a series of meetings following that to develop the CDVSA Strategic Plan, which encompassed many of the points that were discussed in coming up with a response to the Legislative CDVSA Task Force report.

Ms. Stone said that not everything is about a plan, and so she did not know if the CDVSA Strategic Plan addressed all the recommendations of the CDVSA Task Force report or if there were items that fall outside of the plan.

Mr. Svobodny stated that the Council took action on the question of CDVSA staff moving from exempt status to classified service, and they dealt with whether the CDVSA should be moved to the Governor's Office or remain part of Public Safety. However, he agreed that it would not hurt to go over the Task Force report recommendations again.

Ms. McFadden said there are four new Council members since the previous Council developed its response to the Task Force report. Reviewing the Task Force report recommendations again would bring a different perspective and possibly some new ideas for actions.

Col. Holloway summarized the process so far: the Council developed the CDVSA Strategic Plan and laid out how to measure the progress. The next part is the action steps to reach those goals and objectives and what the Council needs to do to comply with what is in the law. He thought things had changed since the legislation passed in 1981 that created the CDVSA. Back then there was not such a large chunk of money for the Council to manage. CDVSA staff have become money managers, and good things have been happening. Shelters are located in many communities, and more and more people are using those shelters and taking advantage of the various advocacy services out there. Things were going along fairly well until the Council started falling behind the curve because of the amount of services it is providing. Things are to the point where the Council should say that it is not doing all of its job because the amount of work has overtaken the agency, and the number of staff needed to do the tasks the CDVSA is supposed to be doing is not here. The staff is now administering a much bigger pot of money and

serving a whole lot more people.

Col. Holloway continued, saying that the Council has gotten lulled into its role of distributing funding, and this needs to be revisited every once in a while. The Legislative CDVSA Task Force was a wakeup call from someone on the outside saying the CDVSA is supposed to be doing a lot of other things that it is not doing and that it needs to get back on track. The Council has to say that the action items to get back on track require some more staff. If it does not do that, then shame on the Council, even if it gets told no. If the Council is told no, then the first priority is to make sure that distribution of the various funding coming in is done correctly, because that money goes to victim services. If the CDVSA does not have enough staff to do anything else, and the Council has asked for other staff, then it will have done as much as it can. He suggested that the next step is to follow up and go back and say that the Task Force said to do this, and the Council is doing it, and here is why we are behind.

Chair House said she brought this discussion up because she has been watching the Governor's Office working diligently on an initiative to end domestic violence and sexual assault in Alaska. The Governor did not call upon the CDVSA for information to help him make any decisions. She strongly believes that the CDVSA has to be first on the list of people giving the Governor information about what is going on out there because it has the statistics. She also supported hiring a prevention person in CDVSA who would be going out to work with the shelters on prevention. The coordinator position in the Governor's legislation will be tasked with making sure there is coordination among the departments.

Ms. Stone mentioned that the Legislature is not growing government, and full-time positions are the lowest thing on the list in budget requests. However, she agreed with Col. Holloway that a strategy to ask for adequate staff is important. She added that in her three years in Behavioral Health she has seen a keener awareness about the necessity for that division to work across not just the Department of Health and Social Services (with the Office of Children's Services, the Division of Juvenile Justice, and Public Health) but beyond to the Department of Corrections and to the Department of Public Safety. So it is not all about the CDVSA getting things; it is partly about how all the entities partner together. That is not an easy thing to accomplish, but fortunately Alaska is a small state and people can talk to each other. As a strategy, it is important for the CDVSA to demonstrate its collaborative nature, and, in looking at the statute, she did not think the Council had maximized that. She personally did not think that CDVSA has maximized its relationship with Behavioral Health, nor has Behavioral Health maximized its relationship with the CDVSA. Doing that could make each entity stronger, without either taking over anything of the other.

Col. Holloway indicated he agreed with Ms. Stone's comments about the approach the Council has to take as far as strategy. He said he meant that before asking for new positions the Council has to look at the current positions to make sure that they are doing what they have to do, or if there are some work that can be given to somebody else who is already doing it in other departments - maximizing the relationships. Then the Council can have the current positions do some of the mandates that have fallen behind because the people have been doing other things.

So maximizing the current positions first before asking for any more staff is important. If the Council does not have a strategy for getting the neglected mandates accomplished, then it will not get anywhere requesting more staff.

Ms. Stone mentioned that she encountered references in the reading materials she was given about Council subcommittees, and she wondered if there were any existing subcommittees. She thought the subcommittee structure could be beneficial to the Council.

Chair House responded that there were none right now but the Council has had subcommittees in the past.

Mr. Edwards said he was currently on a domestic violence batterer intervention program subcommittee, along with a judge, representatives from the Network and a couple of shelters, the DOC's sex offender expert, and others.

Col. Holloway said the CDVSA subcommittees he has experience with are ones where Council members were appointed to review and grade funding proposals and present the results to the full Council. So the subcommittees have been ad hoc, as needed.

Ms. Stone suggested considering regular subcommittees because perhaps through subcommittees the Council might be able to differentiate some of the problems and work on them.

Chair House had a copy of AWAIC's quarterly newsletter, and she noted that entities like AWARE, United Way, and ANDVSA were mentioned, but she thought the CDVSA was probably funding the program with more money than some of the entities that were acknowledged in the newsletter. She felt the CDVSA is ignored all over the state, but it important to let people know that the CDVSA is part of the funding and the system. This has bothered her since she came on the Council, but now is the time to do something about it.

Ms. Morton stated that previous Councils have had subcommittees when there have been issues of interest, so it is not something that would be out of the ordinary for this Council to do. These subcommittees worked on specific issues that needed to be fleshed out or on projects that needed to be done. The subcommittees then reported back to the Council to take formal action on at subsequent meetings.

Ms. McFadden remarked that the Council needs strong leadership at the top in order to be effective. This entails challenging the norm, like maybe the Governor might not want the CDVSA to be part of the march. But if the Network is a visible presence, then there is a way the CDVSA can push its way in there to get its name on the march too, so people can learn what the CDVSA is. She said the Network got money to make banners, and the CDVSA could have received that money and made the banners.

Ms. Svobodny reflected that the problem is that the CDVSA does not have the staff to do that and the Network does.

Col. Holloway made it clear that the Governor has not been disrespecting the CDVSA in any way, but like a lot of people his office does not believe that the CDVSA can do any more than it is already doing. The Council has a practical limitation to get around first.

Ms. Samaniego indicated there are seven positions in the CDVSA office, but the office assistant position is often vacant because it does not pay enough for Juneau.

Ms. Cushing said she was concerned about the classified salary situation for the existing staff and keeping the good people who are there. The Council has talked about this at previous meetings and did the best it could to address the frozen-salary situation, but it is the "elephant in the room" as well.

When solicited for her view of the office assistant position, Ella Nierra, the administrative assistant, said that people start in the range 8 position and get a little experience and move to a higher position elsewhere because there is no opportunity to move up at CDVSA. If an office assistant could get training and move up to a higher pay range after successfully completing the six-month probation requirement, it would be an incentive to stay. The person could then receive more advanced training and move up again in a year's time. Another important factor is being able to cross-train with the other staff.

Ms. Stone asked what kind of support the CDVSA gets from Human Resources within the Department of Public Safety, because if the office assistant position at CDVSA warrants a different job description and an upgrade then maybe HR could provide that type of assistance. A career ladder that Ms. Nierra just described might work, but maybe the office assistant position should be a different pay level.

Ms. Svobodny requested a short executive session to discuss personnel issues that connected to this discussion.

Staff members were excused from the meeting, and the Council met in executive session.

[Typist's note: no times noted for the start and finish of the executive session, and the Council did not make a motion on the record.]

A Council discussion was ongoing when the recording equipment was restarted.

Ms. Stone ...the RFP process, the oversight process, the reporting process. She said DHSS partnered with the Rasmusen Foundation several years ago because the foundation had heard so much from the DHSS grantees about their dissatisfaction with the onerous tasks relative to grants. The Rasmusen Foundation provided funding to help DHSS economize in its system and reduce the burden. She noted that the Legislative CDVSA Task Force report recommended that CDVSA talk to Rasmusen. It might be a way for the Council to get some assistance on how to streamline processes without it being too much of a burden, because Rasmusen is already providing that type of assistance.

Ms. Stone stated that the narratives in the current quarterly reports from the CDVSA-funded programs jumped out at her. She thought the Council needed to ask what outcomes are expected of the grantees and to get information in the quarterly reports that relates to those outcomes and not have the narrative process. As a sample, she brought with her quarterly report forms that DHSS changed to. It was relevant to this discussion in terms of moving the CDVSA forward relative to the expectations of the grantees, and also looking at how the staff are spending their time. Maybe with different information, the CDVSA would look only at information that is necessary to know that the grantees, who are doing the business of the Council, are providing quality services. For example, in Behavioral Health, they have plenty of things to do besides micro-manage the grantees.

MS. STONE MOVED THAT THE COUNCIL DIRECT THE EXECUTIVE DIRECTOR TO CONTACT THE RASMUSEN FOUNDATION TO SEE IF THEY CAN PROVIDE SIMILAR ASSISTANCE TO THE COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT RELATIVE TO GRANTS MANAGEMENT THAT THEY HAVE PROVIDED TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

MS. CUSHING SECONDED.

Ms. Svobodny indicated he supported the motion for the reasons that Ms. Stone stated and for the reasons that the Council talked about in executive session. The Rasmusen Foundation ought to also look at the workload of the staff who are doing the grant management now to see if it should be adjusted in some way, or if additional staff are needed, or if functions should be moved from one position to another.

Ms. Stone said she would certainly add that to the motion, and she expected that would be part of the process. What came out of the DHSS process is that they know how many grants every grant manager handles in the entire department.

Ms. Cushing said she agreed there should be a better way of reporting the status of the different groups because the statistics are going up, and the reports should show outcomes.

Ms. Stone remarked that the way the quarterly reports exist now the agencies are rewarded for higher statistics, and maybe the Council is basing merit on those statistics. That is not necessarily what the Council should be doing if it is really looking at prevention.

The motion was approved unanimously, 7-0.

For the record, Ms. Svobodny reported that the Council came out of executive session a few minutes ago in which they discussed personnel issues and staffing issues.

Chair House expressed her desire to form a committee to review the Council's purpose and its actions for the last five years and make a determination if it wants to stay as it is or make recommendations on how to move forward.

Col. Holloway voiced his skepticism that forming a committee to do that was the best way to move forward. He favored continuing the discussion at the next meeting to either stick with what is here and try to do the best with that, or decide that the CDVSA can only do the fund dispersal type of function.

Ms. Stone suggested assigning each Council member the task of reviewing the CDVSA statute and regulations and to come back with their thoughts on those and how they might be changed. The Council has the ability to make recommendations for regulation changes and put them out for public comments.

Chair House said she supported that idea, and the topic would be on the next meeting agenda.

FUNDING STANDARDS FOR FY 2011 GRANTS

Col. Holloway commented that it would take a whole meeting to discuss how the Council is going to standardize the process for dispersing funds in the future, if that is the Council's wish. If the Council is going to wait and do something else, then a meeting is not necessary.

Ms. Stone said the more immediate issue is how to distribute the \$381,900 [increment requested in the FY 2011 budget]. She thought it would be fair and sensible not to do a mini RFP, since these funds are already distributed with an expectation of how they are to be utilized. Her suggestion was to distribute the FY 2011 funds proportional to the overall current distribution of funds.

Mr. Svobodny said he agreed with Ms. Stone's assessment of how to dispense the next year's funding because it was a two-year funding cycle for the CDVSA grantees, and FY 2011 is the second year.

Regarding the concern that Ms. McFadden raised earlier about some programs possibly needing more funding this year because they are in crisis, Mr. Svobodny suggested that programs could submit an addendum to what they submitted last year saying why they have moved from where they were last year into a crisis. If there truly is a program out there with an emergency, maybe the Council would want to give them some extra but still use the proportional method for distributing incremental funds to the other programs. It would be a type of request for proposal, but it needs to be clear that the Council would think about a proposal if it is an emergency.

Col. Holloway said it sounded like the Council would solicit the programs to submit a request for any emergency needs, and the Council would decide whether it was truly something the CDVSA wanted to give them the money for, and then go with the proportion method. In that case, it could be done basically via email to the executive director, who would forward the information to the Council members. The members could vote by calling in to say whether they agree that funding should be used for a particular emergency, and then the remaining funds would be distributed proportionately.

Ms. Stone stated that to do that the Council needs to define an emergency, otherwise it will be a problem to make the decisions. For example, if the emergency is related to a facility, not every program has a building, so that would leave them out. Maybe an emergency could be defined as a health and safety issue. Also, it could be by priority relative to the service components that programs respond to in their RFP. Or the focus could be just on the issue that was brought up in public testimony about the need for a victim advocate. She expected the CDVSA to receive a lot of requests that would make it hard to make a fair decision unless the Council did some clarifying up front.

Mr. Svobodny said he did not want to limit the requests because ultimately a lot of this is discretionary and subjective. But the more the Council can define what an emergency is, the easier the job will be. He suggested limiting the request from any grantee to 250 words or half a page, because it should be easy to concisely state an emergency need.

Col. Holloway expressed his view that an emergency should be something to do with life or death and not about having legal issues that need resolved, for example. While important, the latter does not fall into his definition of an emergency. An emergency is the roof blowing off, the water not working, and non-functioning bathrooms. Even shelter over-crowding is not an emergency, because every program is experiencing that.

Mr. Svobodny asked Ms. Samaniego if she could take the input and write a definition of an emergency that stressed health and safety issues. She indicated she could.

Ms. Brown of the Network had some comment that was inaudible.

Col. Holloway said there should still be some parameters because otherwise some programs are going to put in for the extra funding in the hopes that they might get it.

Ms. Stone remarked that at DHSS an agency still has to request funds, even in non-competitive years, in order to determine that the grantee is still complying with the grant agreement. DHSS requires the agency to make a statement about the continuing need for services, which just makes sense. Aside from the emergency request part, the CDVSA should require programs who are getting a portion of the \$381,900 to tell the Council, as stewards of the money, how they are going to use it.

Mr. Svobodny maintained that the programs submitted a two-year plan last year, and in the second year of the funding all they need to do is say the two-year plan is still in effect.

Ms. Stone clarified that she was not saying the Council would make a decision based on the statement of continuing need for services, but for accountability purposes she wanted the programs to say what they were going to do with those funds.

Ms. Morton explained that the CDVSA does that at the beginning of the second year when the

amount of funding available is known. The CDVSA issues a notification of grant award, and the programs then complete and submit a new budget, along with any changes in goals and objectives. As long as it is within the scope of the program's original two-year proposal, CDVSA works with them to accept those budgets and revised goals and objectives.

Chair House felt the CDVSA would get so many emergency requests that it would be almost impossible, but she was willing for the Council to accept the requests and make a judgment on what was an emergency.

Mr. Svobodny reiterated his wish that programs keep the emergency requests to 250 words. If the Council grants any emergency funding it would come off the top, and the remainder would be divided proportionately among all the programs. Col. Holloway added that it should be along the lines of money needed to keep the shelter open or something like that.

[Typist note: From the beginning of this discussion, there were some loose references to there being a motion made. I was unable to detect anyone making or seconding a motion, except for Chair House seconding a statement made by Ms. Stone. No vote was taken, and staff's notes do not indicate there was a formal motion.]

A conversation ensued about the source of the funding being talked about. Some Council members thought it was VAWA grant funding. Ms. Morton said she thought the Council was talking about the \$381,900 that was a possibility in regular grants from state general funds, which is not VAWA funds. She stressed that the budget request is currently in the House budget, which will be going through the amendment process and the bill getting on the floor and going over to the Senate. The budget request is now in the Senate subcommittee. Currently, CDVSA does not know what the final appropriation will be. That should be known April 18.

2010 ELECTION OF CHAIR AND VICE CHAIR

MS. CUSHING NOMINATED STEPHANIE McFADDEN AS CHAIR OF THE COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT FOR A ONE-YEAR TERM. CHAIR HOUSE SECONDED.

There were no other nominations, and nominations were closed.

Nominations were opened for the position of vice chair.

CHAIR HOUSE NOMINATED SUSAN CUSHING AS VICE CHAIR OF THE COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT FOR A TERM OF ONE YEAR.

There were no other nominations, and the vote was unanimous on both motions. Ms. McFadden and Ms. Cushing were present and accepted the positions to which they had been elected.

COUNCIL COMMENTS & FOLLOW-UP

Travel Advance for Public Members:

Ms. McFadden suggested that staff ask public members on the Council who are attending meetings if they want a travel advance, especially if they are coming from rural areas. Travel is expensive when prepaying the airfare, one or two nights lodging, meals, and taxis -- and it can take a long time to get reimbursement from the State. She herself would generally decline an advance, but it should be offered.

Chair House said she thought that was already the practice. Ms. McFadden said it might have been at one time but it was not the case for the December 2009 meeting.

Rural Meeting in 2010:

Ms. McFadden inquired if the Council was planning to hold a meeting at a rural location in 2010. She noted that the December meeting in Kodiak was relocated to Anchorage because inclement weather affected air travel. She asked to put that on the next agenda.

Collaborating on Agenda:

Ms. McFadden also suggested that the Council Chair and the executive director work together in developing the quarterly meeting agendas. Ms. Samaniego indicated that was fine with her.

Periodic Review of CDVSA Strategic Plan:

Ms. McFadden recommended looking at the CDVSA Strategic Plan periodically to see what goals and objectives have been met. This was a document the Council produced and presented to the public, so the Council should be prepared to answer questions about any progress made.

Ms. Samaniego stated that, per the Council's request, she has been referencing the Strategic Plan goals and objectives for each item in her executive director's report.

Ms. McFadden suggested that the Council discuss how the activities Ms. Samaniego reports on are advancing the goals and objectives of the Strategic Plan, besides just reading about it in the ED reports. She said it was an energizing period and people worked hard on the plan, so it would be good to continue the communication.

Future Briefings / Administrative Funding for Training:

Ms. McFadden requested a briefing on the Legal Advocacy Project and the Alaska Immigration Justice Program in the future. Lastly, she proposed that enough administrative funding be kept back to ensure that public Council members can go to a minimum of two or three statewide trainings. She thought the state department representatives had enough funding to keep up on training. All the ideas she mentioned could be brought up at future meetings.

Follow-up on HB 63 - Staff Salary Issue:

Mr. Svobodny inquired about the status of a legislative fix for the HB 63 issue that left CDVSA staff salaries frozen for a time in the change-over to classified status. He recalled the Council's action at the December 14 meeting to send a letter to every legislator who was on the CDVSA

Task Force in 2007 from which HB 63 arose explaining the problem and asking that there be a legislative fix. The last he heard was that Rep. Fairclough was not going to put in the fix.

Ms. Samaniego said she did not have anything beyond that, and she had missed the direction to write the letter to the legislators on the CDVSA Task Force.

Mr. Svobodny said he felt terrible about the situation and wondered what the Council could do at this point.

Col. Holloway stated that the Department of Administration is saying that it cannot do anything about it, so it has to be some kind of legislative fix. Since Rep. Fairclough has said she is not doing it, he could not think of anything the Council could do except to send a letter to the other legislators who were on the Task Force in 2007 to see if any of them wanted to take it up.

Mr. Svobodny remarked that the cutoff to introduce individual legislation passed about two weeks ago. If he were to try to do something he would have to go through the Office of Budget and Management.

Chair House stated that after Ms. Samaniego's report of speaking with Rep. Fairclough it would be sort of an embarrassment for the Council to take it up right now. The only opening would be the next session of the Legislature.

Follow-up to Andre Rosay's Presentation on Sexual Assault in AK:

Mr. Svobodny inquired if the CDVSA had prepared a summary of the results of the UAA Justice Center studies that Dr. Rosay presented at the September 17, 2009 meeting and forwarded a report to the commissioner of the Department of Public Safety. He was asking because the Council had passed a motion to that effect at the September meeting.

Ms. Samaniego distributed a handout she had prepared in response to the Council's request [*on file at the CDVSA office*].

Follow-up re: RSA to Department of Corrections for \$55,000:

Mr. Svobodny reminded everyone of a discussion [at the August 4, 2009 meeting] when he had recommended that the Department of Corrections consider putting the funding for the criminal justice technician position in its budget as opposed to relying on the CDVSA's budget. At that meeting, the Council took action to help fund the position with \$55,000 out of the FY 2010 budget. He said that in talking to Jo Griggs earlier in the day he understood that the funding request was not in the Corrections FY 2011 budget, meaning the department did not take the CDVSA up on its request for DOC to take over paying for the criminal justice technician position. For that reason he was bringing back to the table the question of whether the CDVSA should be paying for an employee that the Council does not know what they are doing. In light of the Council's earlier discussion about staffing, the \$55,000 could pay for another CDVSA employee, if the CDVSA could get another PCN (position control number).

Chair House said she understood Ms. Griggs to say she would follow up on the Council's request to the Department of Corrections made at the August 4 meeting.

Mr. Svobodny said one choice is to tell Corrections that CDVSA is not going to fund the criminal justice tech as of July 1, 2010 and DOC will have to lay that person off, and that CDVSA will not be funding the position in the future.

Batterers Intervention Program Reports and BIP Task Force:

Ms. Stone mentioned that the reading materials she was provided contained batterers regulations, where she noticed that an approved program must submit no later than February 1 a written report evaluating its services for the previous calendar year in a format specified by the department. She had expected to see those annual reports as part of this meeting and wondered if that was something CDVSA normally gets from the batterers intervention programs (BIPs).

Ms. Morton stated that the CDVSA office has those reports: staff sends a copy to Rose Munafo at the Department of Corrections and reviews and places a copy in the CDVSA files. The BIP reports historically have not gone to the Council, but staff would make them available to any member who wished to read them.

Ms. Stone asked if the BIPs are not the Council's responsibility but it is just interested in what happens with them.

Ms. Morton explained that the BIP programs are in two categories: programs that are approved that receive no CDVSA funding, and programs that are approved and that do receive CDVSA funding. The Council does not have any authority over the approved programs, and the interaction is mostly with DOC. The CDVSA monitors the funded programs, provides technical assistance, and engages with them in a similar manner to the victim services grantees. The CDVSA distributes the funds to each of the three prison BIPs, and the Department of Corrections provides the funding to the CDVSA for those through a reimbursable service agreement (RSA).

Ms. Morton stated that during the last year the Batterers Intervention Task Force -- which included Rose Munafo and Sam Edwards at DOC, Chris Ashenbrenner, Jo Griggs, Linda Hoven, herself and several others -- talked through the process and whether or not the prison-based programs currently being funded are actually programs where the people are getting the most benefit from the service.

Ms. Stone asked if the Council receives reports from the Batterers Intervention Task Force. Ms. Samaniego said she includes it in her executive director's report: it has all been process up until now, and there are no outcomes yet.

Ms. Stone commented that she was just mulling around questions about the Council's relationship to the prison-based BIPs, the Council's interest in those programs, how much the Council should be at least reviewing what DOC concludes, etc. She thought the Council should

be interested in the ongoing outcomes.

Ms. Morton mentioned that the CDVSA distributes the BIP funding during the two-year grant cycle.

Ms. Stone said she thought the Council would be interested all year long in how the BIP programs are functioning, the same as it is interested in the other funded programs.

Ms. Morton stated that part of the quarterly reports on BIPs include the prison-based BIPs.

Ms. Stone pointed out that the CDVSA Task Force requested an evaluation of the BIPs, and she wondered if the Batterers Intervention Task Force was going to have an independent audit. Ms. Samaniego replied that the BIP Task Force is independent in that it is not controlled by the Council. The group is doing an evaluation of the regulations and what is needed to ensure the efficacy of the batterers intervention programs. Ms. Stone said she would like to hear more about that at a future meeting.

Ms. Stone suggested adding "Other Business" to the agenda, since there seemed to be so much other business.

Alaska Family Services - Information to Judges:

Col. Holloway stated that some programs, in particular Alaska Family Services (Palmer), had reported that they were having problems getting information to judges about the programs available, and that the judges were saying that they cannot listen to the programs because judges have to be impartial. He posed the question of whether it is appropriate for the Council to suggest to AFS and the other programs about how to get on the training council, or if the Council should tell the Court System that the information the programs are trying to show judges is not to sway them one way or another but to inform them about what is available in terms of programs.

Mr. Svobodny explained that what the judges are saying is wrong, because they set up their own training groups to meet periodically and discuss things like where they can get release programs, etc.

Col. Holloway suggested that Ms. Samaniego write a letter to the Court System (Suzanne DiPietro) on behalf of Alaska Family Services to explain that both their batterers program and their victim services program have been trying to explain to the judges in the Mat-Su Valley what programs are available, and AFS has not been able to break through and are frustrated about that. He thought this information did not even have to be reserved for the judges' annual training, because they have periodic meetings in the Palmer Court. AFS has to be clear that they are not trying to say anything to sway the judges one way or the other but are offering information about an available program.

Clarify Addressing Process to Distribute Funds:

Col. Holloway said he was still unclear if the Council was going to hold a separate meeting to

decide how to distribute funds, or if it was going to be addressed at the next meeting.

Chair House responded that it would be on the agenda at the next meeting.

Col. Holloway remarked that it would take up a big portion of the meeting, and he wanted to be able to ask questions of some experts in this field instead of coming up with something organically.

Ms. Curran mentioned that the Department of Education runs grant competitions all the time for a variety of different things, and they have different scoring guides, depending on what they are looking for. DEED could offer some of its expertise for running clean competitions and distributing funds without getting into appeals and protests. Their program staff are the ones who run the grant competitions, not the grants and contract people, so that differs from the DHSS process. She could arrange to provide some material and perhaps have someone speak to the Council by teleconference.

Chair House said that was a great idea, and she wanted to see information from both DHSS and DEED.

Ms. Curran commented that by looking at both types of competitive grant processes the Council should be able to pick the best features of each one to create its own funding distribution rules.

Chair House ascertained from Ms. Stone and Ms. Curran that they would provide CDVSA staff with information that staff would distribute to Council members in time to review before the next meeting.

NEXT MEETING DATE

The next quarterly meeting was scheduled for May 13-14, 2010, in Anchorage.

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

Note: An outside contractor prepared the summary minutes from staff's tape recording of the meeting. For further details, please refer to tapes of the meeting and staff reports on file at the CDVSA office.

Confidential Office Services
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