

Maryland Network Against Domestic Violence

Community Partners Committee Meeting

Friday, May 31, 2013

Meeting Minutes

**New location! BECO Conference Center** (in same business complex as MNADV) **4425 Forbes Blvd., Lanham, MD 20706** (On Forbes Ave., turn left at the large blue BECO sign and building is on the left).

**Next meeting dates:**

**Friday, June 28, 2013 (9:30am-11:30am)** (faith focus; Scott Beard from CICB as guest)

**No meeting in July**

**Friday, August 16, 2013 (9:30am-11:30am)**

**Friday, September 27, 2013 (9:30am-11:30am)**

**Friday, October 25, 2013 (9:30am-11:30am)**

**Friday, November 22, 2013 (9:30am-11:30am)**

**Friday, December 20, 2013 (9:30am-11:30am)**

In attendance: Suzanne Bailey (co-chair), Erin Boguski (staff), Dorothy Lennig, Norberto Martinez, Karalyn Mulligan, Kathy Barakat (phone), Lisa Smith (phone), Linda Eggbeer (phone)

1. **Immigration:** Dorothy Lennig from House of Ruth Maryland was present to share her knowledge of the commissioner's role. She has trained commissioners previously, advocates with the legal system to deal with commissioner issues, and sits on a committee, all of which helps to inform her view. She shared that much of the commissioners' role is statutory (not policy) and that they can only look at the "four corners of document" in order to determine what actions to take. She noted that the head commissioner Dave Weissert has been helpful.
  - a. **Warrant vs. Summons:** In an effort to prevent immigrant victims from being arrested, fingerprinted, and deported, the Committee has discussed how to advocate for a summons to be issued instead of a warrant when an abuser files a report for false criminal charges at a commissioner's office. In general, commissioners do not want to issue a warrant. The issues they have to consider are whether the whereabouts of the perpetrator are unknown, whether perp is in custody and the perp's danger to victim or others safety issues and if they have a history of failing to appear for court hearings. There has been talk over the years of no longer allowing citizens to initiate charges themselves, which could help with the issue of abusers trying to get files charged on victims, but it would ultimately hurt victims who want to report crimes committed against them by an abuser. From a historical view, this access to the criminal system is important for victims to have because law enforcement officers often didn't initiate charges for victims. Another idea to address this issue has been to only issue a warrant if there is an accompanying police report. The conclusion was that victims' access to criminal charges outweighs the few abusers who will file charges on a victim.

Also, that the warrant vs. summons issue is a statutory issue, not a policy issue that can easily be changed.

- b. **Other commissioner issues:** Several additional commissioner issues were raised. Dorothy noted that detailed information about these cases can be sent to her for her review. For individual and system-wide issues, she can advocate with the courts. Her email is [dlennig@hruthmd.org](mailto:dlennig@hruthmd.org). Information should include: victim's name, information release from victim, date/time, commissioner's name, and any evidence (actual or transcribed tapes, forms, etc.). There was discussion on how MNADV could help facilitate or streamline these requests if needed.
  - i. In Cecil County, a commissioner discouraged a petitioner from filing charges.
  - ii. In some areas, non-English speaking petitioners are told to go home and get English speaking person to help them fill out paperwork.
  - iii. There was discussion about whether forms should be completed in English with language line. Language line is required to be used by commissioners.
  - iv. There was discussion about using children and family members to interpret. There was agreement that children should not be used.
  - v. In Salisbury, a victim could not file for a protective order because of lack of a Maryland state ID.
  - vi. In some areas, advocates are or are not allowed to be in the room with the victim, to help fill out forms, etc.
- c. **Language Access:** Dorothy thought about using Lethality Assessment Program in Prince George's County to promote language access, by requiring officers who are responding to a non-English speaking victim to call a language line. There is a concern that law enforcement is not communicating with victims who do not speak English.
- d. **Discussed Commissioners' requirements** – currently a college degree but in the past, it was a high school diploma. Those with high school diploma but no college degree were “grandfathered in”.
- e. **Follow-up** – Since several language access issues were raised, this is a barrier for immigrant victims that is a policy issue that the Committee could help to address. Since it is a policy that commissioners shall use language line, perhaps a reminder could be sent out to commissioners about language line, while the Committee develops a tip sheet for advocates to be aware of immigrant victims' rights to language access at the commissioners' offices. There was discussion about the process of where to direct complaints. It is important to distinguish between the case did not go my way and a real issue with the Commissioners.