



COUNTY OF SAN MATEO
DOMESTIC VIOLENCE COUNCIL

October 20, 2022
3:00 p.m. – 4:30 p.m.
Remote Meeting via Zoom

MEETING MINUTES

Chair: Supervisor Carole Groom
Vice-Chair: Elisa Kuhl
Staff: Tanya Beat, staff liaison
Caiti Busch, Deputy County Attorney, County Attorney’s Office

Present: Supervisor Carole Groom, Elisa Kuhl, Ruben Abrica (late, no vote), Tanya Beat, Lisa Bergman, Steve Munson (alternate Health), Theresa Dah, Sue Datta (late, no vote), Karen Ferguson, Jenny Horne, Cynthia Hunter, John Munsey, Bob Spencer, Caiti Busch, Stephanie Bilinski, Geri Archibald, Jose Padron-Lemus (Justice at Last), Victoria Chong (alternate HSA), Penelope Stinson, Ryan Teh, Wesley Liu, Michelle Park, Martin Fox, Linda Wolin, Lena Silberman

Absent: CEO Mike Callagy, Noelle Bruton, Sgt Jeffrey Carr, Robert Foucrault, Christine Krolik, Mary McGrath, Rose Mukhar, Selina Toy-Lee, Nicole Reyes

Call to Order	<i>Action</i>	Supervisor Groom
1. Roll Call		Tanya Beat
2. Adopt a resolution finding that, as a result of the continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees. Attachment 2A: Memo Attachment 2B: Resolution	<i>Action</i>	Bob Spencer motions to approve; John Munsey seconds the motion. Approved.
3. Opportunity for Public Comment		
4. Action to Set Agenda & Approve Consent Agenda CONSENT Agenda	<i>Action</i>	John Munsey motions to approve; Bob Spencer seconds the motion. Approved.
5. Approval of July 2022 Minutes		
REGULAR AGENDA		
6. Introduction of Youth Commissioners	<i>Update</i>	<ul style="list-style-type: none"> Penelope Stinson: Senior at Menlo School. Mom is a prosecutor for DV in Santa Clara County and she got me interested. Also volunteer for Women SV in Santa Clara.

		<ul style="list-style-type: none"> • Ryan Teh: Junior at Burlingame HS. He is also on First 5 and wanted to join the DVC to be more active in his community. • Wesley Liu: Junior at Pacific Bay Christian School in Pacifica. Also on the Juvenile Justice & Delinquency Prevention Commission (JJDCP). Mom works for Judicial Council of CA and does work in DV which got him interested.
7. DV Legislative Summary	<i>Update & see additional PPT for detailed information</i>	<p>Elisa Kuhl AB 547: DV Victims Rights AB 2870: Firearms: Gun Violence Restraining Orders AB 2185: Forensic Examinations: Domestic Violence Victims. SMC sent a letter of support for this bill via a request from the Keller Center earlier in 2022. SB 863: Domestic Violence Death Review Teams AB 2369: Domestic Violence Prevention/Attorneys Fees and Costs AB 2391: Civil Actions: Vexatious Litigants SB 1017: Leases: Termination of Tenancy-Abuse or Violence SB 935: Domestic Violence Protective Orders AB 2085: Mandated Reporters/Definition of Neglect</p>
8. Gun Violence Prevention Program	<i>Update</i>	<p>Linda Wolin, Office of Supervisor Pine Lena Silberman, Office of Supervisor Horsley Background provided prior to the GVP Program. <u>Current ordinances:</u> - regulate safe storage of firearms in the home - enhance safety measures for gun dealers in unincorporated County - investment in gun buyback programs <u>Program launched has two parts:</u> - Streamlining process for people to apply for restraining orders - Implementing the restraining order and assisting law enforcement with resources BOS provided resources: - Family Law Facilitators Office: paralegal to focus on orders and Commissioner to focus on restraining orders - District Attorney's Office: 2 detectives FT to focus (from SSF, San Mateo) REQUEST to DVC: continued communication to receive feedback from all DVC members and learn from the progress of this new program.</p>
9. DVC Membership Update	<i>Update</i>	<p>Tanya Beat Categorical: no term limit; alternates can vote if the designated person or representation is not in attendance. Appointed: term limits; alternates can only represent and cannot vote.</p>
10. Moment of Action	<i>Update</i>	<p>Karen Ferguson, ED of CORA Due to two recent murders, both involving domestic violence, wanted to provide: Actions to support victims of domestic violence (document shared with DVC; posted to DVC website)</p>

<p>11. Committee Reports</p> <p>a. <i>Domestic Violence Awareness Committee</i></p> <p>b. <i>Legal Process Committee</i></p>	<p><i>Update</i></p>	<p>Theresa Dah, DVAC</p> <ul style="list-style-type: none"> - DV Awareness table, every Wed in Oct, County Center - Planning a High School Art Contest on healthy relationships in Feb, 2023 - Need prizes for the top 3 winners: would the DVC have anything to donate or donate funds? - the Youth Commission would like to work with DVAC on the art contest <p>Elisa Kuhl, Legal Process Committee</p> <ul style="list-style-type: none"> - Chief DA Inspector Bill Massey: Gun Violence Prevention Program - CORA and DA are working on trainings for law enforcement - Currently updating Work Plan for 2023: <ul style="list-style-type: none"> 1. challenged with obtaining police rpts when minors are listed in the report 2. looking to recruit/invite more law enforcement to be on the cmte to get their feedback and involvement
<p>12. Announcements</p> <p>a. <i>Data Request</i></p> <p>b. <i>Barbara Hammerman Award</i></p> <p>c. <i>Next Meeting: January 12th, 3-4:30pm</i></p>		<p>a. Data Ad-hoc group will be meeting before the next DVC mtg.</p> <p>b. Acknowledgement of Melissa Gibbs from CORA as recipient of the Hammerman Award. Karen Ferguson from CORA also accepted the DVAM proclamation at that same BOS meeting. We appreciate all that CORA does for the County of San Mateo.</p> <p>Lastly, a huge appreciation to Supervisor Carole Groom for her service to San Mateo County and to the Domestic Violence Council.</p>
<p>Adjournment</p>		<p>Supervisor Groom</p>

Public records that relate to any item on the open session agenda for a regular Domestic Violence Council meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Commission. Those public records are available for public inspection at the Human Resources office located at 455 County Center, 5th floor, Redwood City, CA 94063 by appointment. The documents are also available to be sent electronically by emailing tbeat@smcgov.org or calling 650-363-4467.

IN COMPLIANCE WITH THE CALIFORNIA GOVERNMENT CODE AND THE AMERICANS WITH DISABILITIES ACT, auxiliary aids and services for this meeting will be provided upon request when given three days' notice. Please call 650-363-4467 (voice) or email tbeat@smcgov.org.

DV RELATED LEGISLATION

2022

AB 547: Domestic Violence Victims Rights

If the victim has requests, it requires the county probation department to notify a victim of domestic violence or stalking:

- of the perpetrator's current community of residence or proposed community of residence upon release
- when the perpetrator is placed on or released on probation

The District Attorney must advise these victims of their right to request and receive such notification.

AB 2870: Firearms: Gun Violence Restraining Orders

Allows a petition for gun violence restraining orders to be made by:

- an individual who has a child in common with the subject,
- an individual who has a dating relationship with the subject,
- or a roommate of the subject of the petition, as specified.

The law expands the family members who can file a petition to include any person related by consanguinity or affinity within the 4th degree who has had substantial and regular interactions with the subject for at least one year.

AB 2185: Forensic Examinations: Domestic Violence Victims

- Requires that victims of domestic violence have access to medical evidentiary examinations, free of charge, by trained Sexual Assault Response Teams (SART)
- Makes specified changes to forms, including requiring that the forms include information regarding history and evidence of strangulation
- Requires a hospital, clinic, or other emergency medical facility where the medical evidentiary examinations are conducted to develop and implement written policies and procedures for maintaining the confidentiality of medical evidentiary examination reports

SB 863: Domestic Violence Death Review Teams

- Authorizes domestic violence death review teams to assist local agencies in identifying and reviewing domestic violence near-death cases
- Prohibits near-death reviews from occurring before any prosecution has concluded
- Prohibits the compelled participation of any near-death survivors in death review team investigations
- Includes a confidentiality provision that protects statements provided by a survivor in a near-death review case review

AB 2369: Domestic Violence Prevention/ Attorneys Fees and Costs

- After notice and a hearing, *and upon request*, requires a court to issue an order for the payment of attorney's fees and costs for a prevailing petitioner only if the respondent establishes by a preponderance of the evidence that the petition or request is frivolous or solely intended to abuse, intimidate, or cause unnecessary delay.
- Requires the court, before awarding attorney's fees and costs, to first find that the party ordered to pay has, or is reasonably likely to have, the ability to pay.

AB 2391: Civil Actions: Vexatious Litigants

Authorizes a person protected by a restraining order issued after a hearing pursuant to identified provisions to file a petition, without fee, to have the person who is the subject of that order declared a vexatious litigant if, while the restraining order is still in place, they commence, prosecute, or maintain litigation against the person protected by the restraining order that is determined to be meritless and causes the person protected by the order to be harassed or intimidated.

SB 1017: Leases: Termination of Tenancy- Abuse or Violence

Existing law limits the amount of rent for which the tenant is responsible to not more than 14 calendar days after the notice is given and requires the tenant to be released from responsibility for making other rent payments under the lease, as specified. This law makes a landlord or agent liable to the tenant for actual damages and, except as specified, statutory damages of not less than \$100 and not more than \$5,000 in a civil action for violation of these provisions.

Prohibits a landlord from terminating or failing to renew a tenancy based on an act of abuse or violence, as defined, against a:

- tenant,
- a tenant's immediate family member, as defined,
- or a tenant's household member, as specified.

Makes a landlord's violation of those provisions an affirmative defense to a cause of action for unlawful detainer.

SB 935: Domestic Violence Protective Orders

Existing law authorizes protective orders may be renewed, upon the request of either party, for either 5 years or permanently, subject to termination or modification as specified

This law specifies that a party may request a protective order be renewed for 5 *or more* years, or permanently, at the discretion of the court, subject to termination, modification, or subsequent renewal

AB 2791: Sheriffs: Service of Process and Notices

- Requires the sheriff to accept an electronic signature on a document requesting the sheriff to serve court documents, or on a summons, order, or other notice to be served
- Prohibits the sheriff from reviewing the substance of a summons, order, or other notice except for specified criteria
- Requires the Judicial Council to create, on or before January 1, 2024, a form or forms required to be used by litigants in civil actions or proceedings to request service of process or notice by the sheriff
 - The bill requires all requests to the sheriff for service of a notice or other process to be made on the Judicial Council form or forms
 - Would prohibit a sheriff from requiring completion of a form or request other than the Judicial Council form or forms

AB 2791: Sheriffs: Service of Process and Notices

- Beginning on January 1, 2024, and until January 1, 2026, require the sheriff to accept transmission by email, fax, or in-person delivery of the Judicial Council form or forms described above and of a summons, order, or other notice to be served in any case in which a litigant who has been granted a fee waiver by an order on court fee waiver or is otherwise exempt by law from paying fees
 - Prohibit the Sheriff from collecting fees for electronic transmission of the documents.
- Beginning on January 1, 2026, requires the sheriff to accept, in all cases, transmission by email, fax, or in-person delivery of the Judicial Council form or forms described above and of a summons, order, or other notice to be served
 - Authorize the sheriff to charge a fee for the electronic transmission of documents up to the actual cost incurred in processing the transmission, except as specified.

AB 2085: Mandated Reporters/ Definition of Neglect

Limits the definition of general neglect to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness

- Says that general neglect does not include a parent's economic disadvantage