



COMMISSION

ON SEXUAL & DOMESTIC VIOLENCE

Inspiring and coordinating community efforts to address sexual and domestic violence

DV Commission Meeting

Thursday, January 23, 2020, 8:30 am to 10:00 am

Brigid Collins Family Support Center

Members Attending: Alan Artman, Beth Boyd, Regina Delahunt, Chief David Doll, Chris Kobdich, Ken Levinson, Byron Mannering, Moonwater, Katie Olvera, Mike Parker, Darlene Peterson, Linda Quinn, Mike Riber, Chris Roselli, Peter Ruffatto, Sharon Rutherford, Garret Shelsta, Bruce Van Glubt, Raquel Vernola, Mary Welch, Michele Zlotek

Members Absent: Riannon Bardsley, Sheriff Bill Elfo, Starck Follis, Dave Reynolds, Eric Richey, Katrice Rodriguez

Guests Present: Amber Icaay Creelman (DVSAS), Liz Stuart (WWU), Jake Weibusch (District Court Probation)

Staff Present: Susan Marks, Elizabeth Montoya

Agenda Item	Discussion
<p>Welcome</p> <ul style="list-style-type: none"> • Acknowledgement of Tribal lands • Reminder: Please complete your meeting evaluations • Note: Glossary of terms in your packets for reference • Introductions 	<p>Welcome</p> <ul style="list-style-type: none"> • Chris Kobdich welcomed everyone. • Chris acknowledged that this meeting is taking place on tribal lands, the unceded ancestral territory of the Lummi and Nooksack Tribes. <ul style="list-style-type: none"> ○ She explained that land acknowledgment is the first step in showing gratitude and respect for the resiliency and resistance of Native peoples. It is an invitation for non-Natives to learn the true history of the land and build alliances and relationships within Native communities. ○ Members noted that January 22nd was Treaty Day and acknowledged that Ferndale School District celebrated Treaty Day for this first time this year. • Chris reminded everyone about the evaluations and glossary of terms included in the meeting packets. • Chris noted that this is Regina Delahunt’s last meeting, as she is retiring from the Health Department next month. • Chris asked that everyone go around the room, introduce themselves, their pronouns, and their agencies.
<p>MOTION: Consent agenda</p>	<p>MOTION: Consent agenda</p>



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<ul style="list-style-type: none"> ▪ Minutes November 21, 2019 ▪ 2020 DV Commission Operational Budget ▪ 2020 DV Commission meeting schedule 	<ul style="list-style-type: none"> • Chris introduced the consent agenda and asked for a motion to approve the minutes from November 21, 2019, the 2020 DV Commission Operational Budget, and the 2020 DV Commission meeting schedule. <ul style="list-style-type: none"> ○ Sharon Rutherford motioned to approve. ○ Mike Parker seconded the motion to approve. ○ The consent agenda was approved unanimously.
<p>Local intimate partner homicide debriefing</p>	<p>Local intimate partner homicide debriefing</p> <ul style="list-style-type: none"> • Susan introduced the debrief of the intimate partner homicide, sharing that Stephanie Cresswell Brenner and Lynn Heimsoth were two people who were killed by their intimate partners in the past several months. She noted the importance of our responses being best practice, even if we can't always impact the ultimate outcome, and the importance to family and friends of knowing that systems did everything they could to support, believe, and increase safety. • Sharon noted the barriers to getting help for domestic violence for those who are professionals in the community. She shared the importance of ensuring that services are accessible and confidential for professionals, and that all agencies take measures to support their staff in getting support. • Katie noted the importance of being intentional about the ways that domestic violence is discussed in the community. Katie noted that domestic violence can happen to anyone, and that those who perpetrate domestic violence come from all backgrounds and communities. There is a common narrative that is stemming from recent mass shootings that domestic violence and other acts of violence are a result of mental illness, however it is important that we make it clear that the overwhelming majority of people with mental health issues are not violent and are more likely to be harmed by violence than to commit violence. • Susan shared about her experience on the morning of the memorial service for the recent victim of intimate partner homicide. Her son told her that when someone kills someone who they love or who loves them, it should be someone's job to look at why it happened and to figure out how to stop it. This is our role in the Commission.
<p>Updates on DV Commission Projects</p> <ul style="list-style-type: none"> • DV Perpetrator Treatment 	<p>Updates on DV Commission Projects</p>



- Safe Futures Project
- Restorative Justice and DV/SA Learning Series
- OVW Grant Applications

- Susan explained that today's meeting will be a review of Commission projects from 2019.

DV Perpetrator Treatment (Bruce Van Glubt)

- Susan shared that although DV Perpetrator Treatment is not a current project of the Commission, it is a topic that has come up many times over the past several years, which many Commission members are interested in and involved with. DV Perpetrator Treatment is also aligned with the Commission's goals to promote increased accountability for DV offenders.
- Bruce introduced himself and shared that the topic of DV perpetrator treatment has been a frequent and ongoing conversation over the past 20 years of working with offenders in District Court Probation, particularly the issue of funding.
- In the 2020 budget, the City of Bellingham and Whatcom County have designated funds to support indignant offenders to access DV treatment.
- One of the motivating factors for the City and County was the work and advocacy of the Incarceration Prevention and Reduction Task Force.
- There have been conversations in the community regarding the use of funding to support people who are using violence, experiencing substance abuse, etc. However, the City and County have acknowledged that treatment is a major gap that needs to be filled.
- An Implementation Guide is being created. This is a document that will inform perpetrator treatment agencies and providers of treatment and funding will work.
- Three screening steps must take place before funding can be used.
 - The court case must qualify, cited as a DV offense or flagged in state court database as a DV offense.
 - Defendant must qualify. Primary criteria are that they must be found "indigent" at sentencing or by a court staff member.
 - The treatment provider must meet WAC certification requirements.
 - The "county of residence" requirement has been removed.



- Ken asked if funding would be available for Tribal court cases. Bruce stated that the City and County do not have funding to support cases in Tribal courts. Lummi has their own Tribal court and DV treatment program.
- Chris asked about what constitutes “indigent.” Bruce stated that an offender is considered “indigent” if they are within 175% of the federal poverty guidelines. Additional qualifying factors such as state benefits, veteran status, food benefits, TANF, Medicaid, etc. may be used.
- Moonwater noted that there is some legislation happening currently that may impact the guidelines for qualifying someone as indignant, based on a sliding scale.
- Agencies and treatment providers: Intent is to make it as easy as possible for as many providers as possible to qualify.
 - Providers in other counties can qualify for funding.
 - Must be state certified.
 - Must have ways to document and communicate with courts.
 - Must agree to inform court/probation.
 - Must sign a contract with Whatcom County.
 - Must agree to reimbursement rate. Will pay 300 for complete assessment. Max will be 50 per session for individual or group.
- Ken asked if there is a sense if there are enough qualified treatment providers to provide treatment. Bruce responded that with the funding that is available currently, they won’t have the capacity to reimburse for many providers.
- Susan shared that a role for Commission members could be to reach out and let providers know and other agencies such as UnityCare, SeaMar, and private practices know that this is available.
- Chris noted that Medicaid will not reimburse which is a barrier for most healthcare and behavioral health agencies.
- Byron asked about sustainability. Bruce replied that there is not a specific plan at this point, but sustainability is being considered. This is not intentionally being set up as a one-year program, but the



City and County need more information and data to determine how it will work in the community long term and be sustained.

Safe Futures (Linda Quinn)

- Linda introduced herself and shared that Liz Stuart deserves a great deal of the credit for this work. Liz left the Commission at the conclusion of the Safe Futures funding in October 2019.
- Linda shared about the history of the project. It began in 2011 when the Commission partnered with the Ferndale School District to apply for funding for the STEP grant.
- The STEP grant focused on the Ferndale school district grades 6-12 and required the development of a community resource team. The Commission worked with the schools in developing policies, response protocol, student clubs in secondary schools. Students led a county-wide symposium addressing dating and sexual violence.
- In 2015 we were the only community throughout the nation to be awarded a second grant to continue this work. Liz Stuart was the project manager for this grant. The scope was expanded to Blaine and Mount Baker school district and to K-12. The project ended in 2019.
- Outcomes of the Safe Futures project:
 - Tangible: more and better policy work in all three districts. Improved response protocols. Online training for all staff. In-depth training for key staff. Student education on healthy relationships. Student clubs. Another county-wide youth symposium. Direct services to youth and families. The Ferndale Community Coalition and a similar group at Mount Baker.
 - Intangible outcomes: Connections, invaluable relationships, deepened awareness. Evolving social norms. A collective consensus. An impact that has influenced a more whole-child-focused mission in Ferndale. We are talking about how relationships are the key to everything.
 - Challenges: grant funding has run out. Although some of the work is sustainable, lack of funding makes it difficult. Changes in leadership—changes in superintendent is a loss of continuity. Competing priorities in our public schools.



- Rocky shared that her son went through the sexual harassment assembly at Eagle Rock Elementary School and that it influenced her conversations with him. She noted the importance of making sure that teachers and staff are prepared for those conversations as well. She also shared that she has been hearing about more sexual assaults from the Ferndale School District and was curious as to why that was.
- Linda noted that there have been several reports of sexual assault from students in Ferndale, and last year there was a student organized walk-out and increasing conversation about sexual assault. What looks like an upsurge in reports can be due to youth feeling safer in disclosing and more aware of reporting options.

Restorative Justice Learning Series (Moonwater)

- Moonwater shared about the challenges and complexities of reflecting on the background and history of the restorative justice learning series. She noted that RJ has long been an interest of hers and of the Whatcom Dispute Resolution Center. It began coming up in more conversations with the Commission, particularly as a result of the Sexual Assault Audit, when we were looking at the needs and interests of survivors.
- In early 2019 we began having these conversations in the Law and Justice Committee and reaching out to national leaders to develop the Restorative Justice learning series.
- We had an intention of having an “arc” of learning and arriving at a clear conclusion. We later discovered that our learning was not completely linear and clear.
- Learning series was launched with the intention to:
 - develop a common understanding and definition of RJ framework; explore how an RJ framework can be applied to community response to sexual and domestic violence; and develop shared community values for this exploration.
- What we’ve done:
 - Three sessions and three more to come. Shared understanding; values; a practical application.
 - Nexus of alignment and tension points. Recognized that many participants are eager to hear more about a practical



application and what it looks like, another tension point between building a foundation and getting to logistics.

- What we've learned:
 - RJ is a framework for addressing and preventing harm, it is not a specific program.
 - It is deeply rooted in Indigenous cultures.
 - It is recognized as a powerful opportunity for those who have harmed and been harmed.
 - Survivors of harm here in our own community have expressed interest.
 - Wide variety of applications: circles, panels, dialogue. Numerous considerations: autonomy, integrated approaches, commitment to cultural shifts, a nexus of healing, Valid and significant concerns, Tremendous opportunities
 - RJ values and DV/SA survivor-centered values. There is some alignment and some differences.
- What's next:
 - Three more sessions. Next session is focused on RJ and title IX, with a speaker from the College of New Jersey who will be talking about what they've done on their campus.
 - DRC has applied for a project neighborly grant with the support of the Commission and Shasta to host some RJ circles at the DRC so that Commission members and learning series members can attend.

OVW Grant Updates (Susan Marks)

- Campus prevention and response
 - Partners: Western Washington University and Whatcom Community College
 - Focus: evaluating current prevention efforts, implement mandatory prevention and bystander intervention programming; assessing current response, implement best practices in response and intervention.
- ICJR grant
 - Partners: law enforcement, prosecution, hospital, advocacy
 - Focus: Implementation of SA audit recommendations. DV



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	<p>homicide reviews. We have done DVFR in the past and community partners have requested this again. Part of the impact is the intangible: the process is as impactful as the outcomes.</p>
<p>Adjourn</p>	<p>Adjourn</p> <ul style="list-style-type: none">• Chris thanked Regina for her commitment to the Commission over the past years and presented her with flowers to celebrate her retirement.• Chris reminded everyone to turn in their meeting evaluations.• Meeting adjourned at 10:00 am.• Next Meeting: Thursday, March 26, 2020, 8:30 – 10:00 am at Mount Baker Theatre Encore Room.



COMMISSION ON SEXUAL & DOMESTIC VIOLENCE

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Commission on Sexual & Domestic Violence Annual Meeting

Thursday, May 28, 2020 8:00 – 10:00 am

Virtually via Zoom

Members Attending: Alan Artman (Faithlife), Riannon Bardsley (WA State Department of Commerce), Beth Boyd (PeaceHealth), Chief Dave Doll (Bellingham Police Department), Sheriff Bill Elfo (Whatcom County Sheriff’s Office), Mayor Greg Hansen (City of Ferndale), Chris Kobdish (UnityCare NW), Erika Lautenbach (Whatcom County Health Department), Ken Levinson (Nooksack Indian Tribe), Byron Manering (Brigid Collins), Katie Olvera (KPO Counseling), Darlene Peterson (Bellingham Municipal Court), Linda Quinn (Ferndale School District), Mike Riber (DSHS), Eric Richey (Whatcom County Prosecutor), Katrice Rodriguez (Nooksack Indian Tribe), Chris Roselli (Western Washington University), Sharon Rutherford (PeaceHealth), Garret Shelsta (Christ the King), Rocky Vernola (Whatcom Community College), Mary Welch (Northwest Justice Project)

Members Absent: Starck Follis (Whatcom County Public Defender), Moonwater (Whatcom Dispute Resolution Center), Dave Reynolds (Whatcom County Superior Court), Peter Ruffatto (Bellingham City Attorney), Donnell Tanksley (Blaine Police Department), Bruce Van Glubt (Whatcom County District Court Probation)

Guests Present: Claudia Ackerman (DVSAS), Shoshana Bass (DVSAS), Dan Bennet (Nooksack Tribal Police), Heidi Bode (Lydia Place), Brooke Eolande (DVSAS), Kristen French (Western Washington University), Michael Good (City of Bellingham Prosecutor’s Office), Elizabeth Hart (DVSAS), Jessica Heck (DVSAS), Hollie Huthman (Bellingham City Council), Amber Icay-Creelman (DVSAS), Rajeev Majumdar (City of Blaine Prosecutor’s Office), Emily O’Conner (Lydia Place), Denver Pratt (Bellingham Herald), Maryann Rezni (DVSAS Board of Directors), Executive Satpal Sidhu (Whatcom County), Meghan Tinsley (DVSAS), Krista Touros (PeaceHealth), Bob Wilson (Lummi Tribal Police)

Staff Present: Susan Marks, Nikki D’Onofrio, Elizabeth Montoya

Agenda Item	Discussion
<p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledgement of tribal lands ▪ Practices during this virtual meeting ▪ Break-out (5 – 7 minutes) 	<ul style="list-style-type: none"> ▪ Chris opened the meeting with an acknowledgement of Tribal lands. Chris acknowledged that this meeting is taking place on the unceded ancestral territory of the Lummi and Nooksack Tribes. She explained that land acknowledgment is the first step in showing gratitude and respect for the resiliency and resistance of Native peoples. It is an invitation for non-Natives to learn the true history of the land and build alliances and relationships within Native communities.



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	<ul style="list-style-type: none"> ▪ Chris welcomed Whatcom County Executive Satpal Sidhu, Ferndale Mayor Greg Hansen, and all other guests joining the meeting. ▪ Chris explained the Zoom meeting features, including the use of the “mute” feature, the “hand raise” feature, the “break” feature, the chat, and the different screen view options. ▪ Chris asked participants to type their name, role, and agency into the chat so everyone can get a sense of who is here today. ▪ Chris explained that participants should rename themselves to make sure that their displayed name is correct; unmute themselves when speaking; state their name before speaking; and to use the chat feature if possible, to ask questions. ▪ Chris noted that participants could use the Zoom reactions buttons to give feedback to the presenters. ▪ Chris noted that children, pets, partners, and others who make appearances in your home are welcome. ▪ Chris reminded participants that they received a handout of simple Zoom meeting features and instructions with their confirmation emails yesterday which could be referred to during the meeting for assistance. ▪ Chris invited participants to check-in in small groups. Chris asked participants to share who you are, the gender pronoun you use, and how things are going for you and/or your agency during this time. ▪ Chris noted that Susan would randomly assign all attendees to virtual break-out groups. All attendees will virtually leave this “room” and virtually show up in another room with four to five others. Susan will send time reminders to the small groups. When there is one minute left, attendees will see a countdown on their screen and then will automatically return to the large group room again. ▪ Attendees shared their responses to the check-in question in small groups and then returned to the large group.
MOTION: Consent agenda	<ul style="list-style-type: none"> ▪ Chris asked for a motion to approve the consent agenda which included the DV Commission meeting minutes from the January 23, 2020 meeting.



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	<ul style="list-style-type: none"> ▪ Garret Shelsta motioned to approve the consent agenda. Darlene Peterson seconded the motion. ▪ The consent agenda was approved unanimously.
<p>MOTION: Slate of Officers</p>	<ul style="list-style-type: none"> ▪ Chris introduced the proposed slate of officers as follows: <ul style="list-style-type: none"> Chair: Beth Boyd Vice Chair: Katie Olvera Treasurer: Ken Levinson Secretary: Chris Roselli At large: Garret Shelsta At large: Erika Lautenbach At large: Mike Riber Past Chair: Chris Kobdish ▪ Chris asked for a motion to approve the slate of officers. ▪ Rocky Vernola motioned to approve the slate of officers. Riannon Bardsley seconded the motion. ▪ The slate of officers was approved unanimously.
<p>Thank you to Chris Kobdish & Sharon Rutherford</p>	<ul style="list-style-type: none"> ▪ Chris introduced Beth Boyd, the newly appointed Chair. ▪ Beth thanked Chris for her service as the Commission Chair. Beth also thanked Sharon Rutherford, who is departing the Commission, for her service as the Commission Treasurer.
<p>Presentation: VAWA & Tribal Jurisdiction</p> <ul style="list-style-type: none"> ▪ Introduction to topic by Susan Marks, DV Commission Director ▪ Presentation by Amanda Watson, Program Director, Praxis International ▪ Local context on Tribal jurisdiction ▪ Questions and discussion 	<ul style="list-style-type: none"> ▪ Beth introduced Susan Marks who welcomed presenter Amanda Watson, Program Director at Praxis International, and shared about the context of the presentation. ▪ Susan shared that the issue of Tribal jurisdiction and sexual violence in Native communities surfaced numerous times during the Commission’s Sexual Assault Audit. Some data discovered during the Audit included: <ul style="list-style-type: none"> ○ Nationally, 86% of sexual assaults against Native women are committed by non-Native men; Native women are the only population that is most likely to experience sexual assault by people outside their racial or ethnic group. ○ At times, when Lummi Law and Order detains a non-Native suspect, Whatcom County Sheriff’s Office or Washington State Patrol have a delayed response or decline to arrest.



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- Tribal law enforcement officers are not deputized in Whatcom County.
- Tribal law enforcement officers do not have the inherent authority to pursue a fleeing suspect after the suspect leaves the reservation/Tribal land.
- According to local law enforcement, there are local online message boards that “coach” offenders on how easy it is to rape Native women on reservations and get away with it by taking advantage of the limits on Tribal jurisdiction in sexual assault cases.
- In stakeholder interviews, multiple Native women stated that, “every Native woman I know has been sexually assaulted.” One of those stakeholders noted that despite this fact, she does not know any Native women who have had their case prosecuted.
- In 2019 the Washington State Patrol (WSP) released a report regarding the unique barriers to collecting accurate local numbers of Missing and Murdered Indigenous Women, Girls and Two Spirit Persons, stating that, “jurisdictional issues that make it unclear which law enforcement agency is responsible for investigation.”
- The Sovereign Bodies Institute maintains a MMIWG database for U.S. and Canada and their database contains only 5 recorded cases of MMIWG2 in Whatcom County since 1900.

- Amanda Watson (kanaka maoli, they/them) introduced themselves. Amanda connected with the Commission a few years previously during the data collection phase of the Sexual Assault Audit. Amanda works with several organizations to help address equity issues and root causes of violence. Amanda worked with the Minnesota Indian Women’s Sexual Assault Coalition on several projects regarding sexual violence with Tribes across the country, assessing barriers and discovering what each community needs.
- Amanda noted that it is important to learn about the full historical context concerning the topics we are learning about to help inform where we are now.



- Amanda shared the following quote: *“It seems to me there is no better way to uncover the deepest values of a culture than to observe the operation of that culture’s legal system.”* – Yellow Woman and a Beauty of the Spirit
- Amanda introduced the concept of sovereignty and defined sovereignty as the inherent right to self-governance. Tribes are independent nations who have the right to govern themselves as they see fit. Since colonization, the United States legal system has had a lengthy history of trying to undermine or eliminate tribal sovereignty.
- Riannon asked about Tribes that are not recognized by the federal government and how sovereignty impacts them. Amada shared that there are 573 recognized Tribes and that there are many other Tribes that are not federally recognized. Non-federally recognized Tribes do not have the same legal standing. Employment preference rights and treaty rights do not apply, for example. The federal government stopped making treaties because they did not want to recognize Tribes as being sovereign. This made it much more difficult for Tribes to advocate for themselves.
- Riannon noted that this could also play a role in the gaps that have been identified in data for non-federally recognized Tribes.
- Amanda shared about a case that set a legal precedent impacting Tribal sovereignty and jurisdiction and illustrated the erosion of Tribal rights and authority over what happens on Tribal land: *Oliphant vs Suquamish*.
 - In 1978, a non-Native man committed crimes on Suquamish land and when Tribal courts sought to charge him, he argued that the Tribe should not have jurisdiction over him as a non-Native person because Tribal courts are inherently “inferior” and not comparable to non-Native courts.
 - Supreme court ruled against Tribal courts and said that Tribal courts are indeed inherently inferior, so Tribes do not have authority over non-Native people who commit crimes on Tribal lands.
- Amanda noted Susan’s earlier comments regarding a lack of accountability for people who rape Native people on Tribal land—this is an example of how this lack of accountability has persisted.



There are many documented cases of the government saying Tribal crimes are not a priority.

- Amanda shared that the process of determining jurisdiction involving Tribal lands is complex. There are different processes for different situations and individuals.
 - For Native victims and Native perpetrators, both the federal government and the Tribe have jurisdiction, per the Major Crimes Act.
 - For Native perpetrators and non-Native victims, there is co-current jurisdiction. All crimes would fall under both.
 - For non-Native perpetrators and Native victims, there is federal or state jurisdiction.
- Amanda noted that jurisdictional issues must be sorted out in the moment and it can be very challenging for dispatchers to determine who to send to the scene of a crime. If someone is sent who does not have authority, it can prevent them from holding them accountable. It can be very challenging for law enforcement to navigate this effectively. All sides want accountability for offenders, but in the face of the jurisdictional challenges it's a big challenge for any agency to successfully navigate this on a consistent basis.
- Ken added that the characteristic of the land adds an additional dynamic to jurisdictional issues, depending on what land the crime takes place on and how boundaries are determined. This adds to the on-the-fly determinations being challenging.
- Amanda shared that it is important to note that this did not happen by accident. This is a result of intentional action by the federal government.
- Bill Elfo noted that, regarding Native victims and non-Native perpetrators, he has observed Tribal courts being reluctant to take jurisdiction. Tribal courts take drug charges but do not take other crimes. He stated that it is also challenging when there is a murder and it is not clear if the perpetrator is Native or non-Native
- Amanda shared about advocacy efforts to address tribal jurisdiction challenges, including the Tribal Law and Order Act of 2010 which clarified responsibilities and increased coordination and communication between Tribal and non-Tribal jurisdictions in an



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effort to empower Tribal governments with authority, resources, and information necessary to provide for safety in Indian country and the 2013 reauthorization of the Violence Against Women Act, which included a provision for Tribal jurisdiction over limited cases of domestic violence, dating violence, or Protection Order violations.

- Tribal Law and Order Act – In order to opt in and take advantage of the provisions allowed in this act, Tribes must meet several requirements: the Tribe must provide attorneys; all Tribal judges must be law-trained (traditional knowledge does not apply); Tribal laws must be publicly available; and all court proceedings must be recorded.
- Amanda explained that the expectation and messaging communicated in these requirements is that there is only one way of achieving justice and that the Western idea of justice is superior.
- Many Tribes have opted in, adopted these requirements, or already had them in place, but it remains a barrier for some.
- Violence Against Women Act – three Tribes piloted the program, including Tulalip Tribe locally. There is a long list of requirements that Tribes must meet to be eligible for this provision.
- Amanda explained that for each pilot site, there was a lot of pressure on the first case that was to be tried under the provision, as it would set a precedent for future cases. Now many more Tribes are working on implementing this limited provision.
- Beth asked about whether these provisions apply when a Native man is the victim and a non-Native woman is the offender. Amanda explained that the provision is not specific to gender—it is inclusive of all genders as victims or offenders.
- Susan thanked Amanda for their time and presentation and introduced Whatcom County Sheriff Bill Elfo to speak about his experience regarding Tribal jurisdiction.
- Bill Elfo echoed Amanda’s comments that Tribal jurisdiction is a very complex maze, and that deputies have had to develop expertise as they respond to crimes on the two reservations in Whatcom County.



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- Bill noted that deputization of Tribal law enforcement has been viewed as in conflict with Tribal sovereignty because Tribal law enforcement would be reporting back to the federal government. A solution that was developed locally was deputizing Tribal law enforcement as Peace Officers. The progress has been impacted by changing leadership at the Lummi Police Department and due to the burden of meeting the insurance and training requirements. The Sheriff's office began working on the agreement again about a year ago and has the support of the Lummi Chief of Police. Currently, the policies are awaiting approval from Lummi Tribal Council, then will go to Whatcom County Council, and then will be enacted into law. This will mean that all Lummi law enforcement will have authority for all crimes on Lummi land and these crimes will go Whatcom County Superior Court.
- Bill noted that he could not recall an instance where the Sheriff's Office has refused to respond to Tribal law enforcement or declined arrest except for enforcing warrants because of booking restrictions in the jail.
- Bill noted that the Sheriff's Office did deputize all Nooksack Tribal officers in 2006, but then the Nooksack Tribal Council did not want to continue with the process. He shared that the Sheriff's Office is open to beginning the process again if Nooksack wants to pursue it.

- Susan thanked Bill for his presentation and noted that she appreciates that we have the DV Commission in our community and our collaboration with each other allows progress to happen more quickly than we would likely see if we were only relying on changes on the federal level.
- Rocky asked if there a different threshold that Tribal courts would use for domestic or sexual violence than non-Tribal courts. Amanda shared that Tribes have their own codes for crimes, and some Tribes mirror their codes to the state or federal ones, and others incorporate more of their traditional beliefs about how to be in relation with each other and how that translates to a legal system. There may be a broader interpretation of what constitutes DV or SA, and what is needed to prove it.



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	<ul style="list-style-type: none">▪ Beth added that there is another dynamic of how family is defined; who is considered family and how that impacts people’s willingness to report and go through the legal process. Family is an element that is always in play in Tribal communities.▪ Katrice thanked Susan for bringing this to the Commission as she is tasked currently with developing a new DV/SA program at Nooksack. Katrice shared that their new Nooksack Victims of Crime advocate is now available 24/7 over cell phone to provide DV/SA support.
Adjourn	<ul style="list-style-type: none">▪ Nikki shared that the Commission is continuing to seek input from survivors to help inform our work. Input can be submitted online or we can do interviews over the phone. We invite you to share your own story as a survivor or to share this opportunity with anyone you know who may be interested.▪ Beth shared that meeting evaluations will be sent out over email and thanked everyone for their attendance.▪ Meeting adjourned at 9:50am.



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Commission Meeting

Thursday, July 23rd, 2020

8:30 – 10:00 am

Virtual via Zoom

Members Attending: Alan Artman (Faithlife), Beth Boyd (PeaceHealth), Chief Dave Doll (Bellingham Police Department), Mayor Greg Hansen (City of Ferndale), Chris Kobdich (UnityCare NW), Ken Levinson (Nooksack Indian Tribe), Byron Manering (Brigid Collins), Emily O’Connor (Lydia Place), Katie Olvera (KPO Counseling), Mike Riber (DSHS), Chris Roselli (Western Washington University), Peter Ruffatto (Bellingham City Attorney), Sharon Rutherford (PeaceHealth), Garret Shelsta (Christ the King), Donnell Tanksley (Blaine Police Department), Rocky Vernola (Whatcom Community College), Mary Welch (Northwest Justice Project)

Members Absent: Riannon Bardsley (WA State Department of Commerce), Starck Follis (Whatcom County Public Defender), Erika Lautenbach (Whatcom County Health Department), Moonwater (Whatcom Dispute Resolution Center), Darlene Peterson (Bellingham Municipal Court), Linda Quinn (Ferndale School District), Eric Richey (Whatcom County Prosecutor), Dave Reynolds (Whatcom County Superior Court), Katrice Rodriguez (Nooksack Indian Tribe), Bruce Van Glubt (Whatcom County District Court Probation)

Guests Present: Amber Icay-Creelman (DVSAS), Kevin Hester on behalf of Sheriff Bill Elfo (Whatcom County Sheriff’s Office), Brielle Lamphier (DSHS), Robert Wilson (Lummi Nation Chief of Police)

Staff Present: Susan Marks, Nikki D’Onofrio, Elizabeth Montoya

Agenda Item	Discussion
<p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledgement of Tribal lands ▪ Reminders: Please complete your meeting evaluations (emailed out after meeting); Glossary of terms in your packets ▪ Introductions with name, gender pronoun, and agency/title ▪ Welcome new members: Chief Donnell Tanksley, 	<ul style="list-style-type: none"> ▪ Beth opened the meeting with an acknowledgement of Tribal lands. Beth acknowledged that this meeting is taking place on the unceded ancestral territory of the Lummi and Nooksack Tribes. She explained that land acknowledgment is the first step in showing gratitude and respect for the resiliency and resistance of Native peoples. It is an invitation for non-Natives to learn the true history of the land and build alliances and relationships within Native communities. ▪ Beth reminded members to complete their meeting evaluations which would be emailed out after the meeting. Beth also reminded members of the glossary of commonly used terms



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Inspiring and coordinating community efforts to address sexual and domestic violence

<p>Blaine Police Department; Mayor Greg Hansen, City of Ferndale; Emily O'Connor, Executive Director, Lydia Place; Krista Touros, Chief Financial Officer, Peace Health</p>	<p>included in the meeting packet which was emailed to all members.</p> <ul style="list-style-type: none"> ▪ Beth welcomed members and guests and asked all meeting attendees to introduce themselves. Attendees shared their name, gender pronoun, and agency/title. ▪ Beth welcomed new Commission members, Chief Donnell Tanksley, Blaine Police Department; Mayor Greg Hansen, City of Ferndale; Emily O'Connor, Executive Director, Lydia Place; and Krista Touros, Chief Financial Officer, Peace Health.
<p>Reflection on racial justice and systems responses to DV/SA</p>	<ul style="list-style-type: none"> ▪ Susan led a reflection on racial justice and systems responses to domestic and sexual violence. Susan noted that since the Commission last met, we have all witnessed and some of us may have participated in nationwide protests in support of Black lives, and the existence and impact of systemic racism has become a trending national topic. ▪ Susan noted that we, as a Commission, as well as many of our staff and community partners, have begun to acknowledge the impacts of institutional racism on our ability as a community and society to present and respond to sexual and domestic violence. ▪ Racism and other forms of oppression are institution-wide and exist in all areas of our work—in each of our systems, agencies, and ourselves. ▪ Our Commission's role is to support and implement institutional practices and policies that foster safety and justice for survivors, which includes survivors of color and survivors holding other marginalized identities. Our movements to end domestic and sexual violence have frequently overlooked the impacts of racism on survivors and have supported efforts such as: <ul style="list-style-type: none"> ○ Implementing practices such as mandated reporting, which has been one of the drivers of mass incarceration ○ Entrenching ourselves so firmly in the concept that we must believe survivors, that we don't leave room to acknowledge the ways that white women have



weaponized false accusations or fears of sexual violence against Black men

- Part of our Commission’s role is to examine the nuances of our focus on domestic violence and sexual assault to ensure that marginalized communities and survivors feel that they can achieve safety, justice, and healing when they reach out for support from our community agencies.
- In the past several years, we have done this work by:
 - Collecting information and reporting on the problematic impact of racial and gender bias and oppression on our community response to sexual assault, particularly for Native survivors.
 - Hosted two trainings at Commission meetings on implicit bias, both presented by Judge Raquel Montoya-Lewis.
 - Working to develop a deeper relationship with the Lummi Nation and Nooksack Tribe, adding permanent roles for Tribal representatives on the DV Commission, and supporting and attending related Tribal events.
- Over the upcoming year, we will continue to center marginalized communities by:
 - Considering options for racial equity impact assessments and an equity advisory board
 - Continue to learn about and host learning opportunities about community-based and grassroots restorative justice options for survivors of domestic and sexual violence
- Susan concluded by reading a quote demonstrating the importance of addressing racial equity as a Commission:
 - *Like the canaries in the coal mine analogy where birds alerted coal-miners to a toxic and dangerous atmosphere, domestic violence and sexual assault are the coal mine, and survivors of color, Native survivors, LGBT survivors, immigrant survivors, and survivors with disabilities are the canaries. When you fix the mine for the canary, you make the mine safer for everyone. When you make the system*



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	<p><i>work for the most marginalized and at risk, you help the system work better for everyone. – Lisalyn Jacobs, National Network to End Domestic Violence</i></p>
<p>MOTION: Consent agenda</p>	<ul style="list-style-type: none"> ▪ Beth advised members to review the minutes from the May 28, 2020 DV Commission Annual Meeting which were emailed out to all members. Beth asked for a motion to approve the consent agenda which consisted of the May 28, 2020 meeting minutes. ▪ Rocky Vernola motioned to approve the consent agenda. Chris Kobdich seconded the motion. ▪ The consent agenda was approved unanimously.
<p>2018 Rape Report Data (pgs 4-8 of annual data report)</p> <ul style="list-style-type: none"> ▪ Shared values for data collection ▪ Presentation on 2018 rape report data ▪ Individual and small group reflection ▪ Report out and discussion in full group on questions 3 or 4 	<ul style="list-style-type: none"> ▪ Mike Riber provided an introduction to the 2018 Rape Report Data presentation. Mike noted that we use data to see if we are being helpful in transforming systems. Mike also noted that there are many challenges in collecting data, such as different data collecting methodology, terminology, and accountability across systems. ▪ Mike shared that we know that we are not at a point where lower reports of sexual assault can be seen as a success or a reduction in incidents of sexual assault—when we see lower report numbers, as we saw in the 2018 data report, it is more likely to be indicative of a reluctance of victims to report. ▪ Mike encouraged members to view the data report and today’s presentation with the intent of finding ways to improve and carry out our mission. ▪ Jessyca Murphy, former Administrative Manager for the Commission, introduced herself. Jessyca compiled the Commission’s 2018 data report and shared a presentation on the rape report findings for 2018. ▪ Jessyca introduced the process for making a rape report in Whatcom County: <ul style="list-style-type: none"> ○ Police at the scene: Survivor choices may be limited; Crime against State vs. individual



- Reporting post-incident: 48-hour critical window; Statute of limitations
- Requesting to report at a forensic exam: Advocate dispatching; Survivor choices determine degree of evidence collection
- Sexual assault advocacy services in Whatcom County: In 2018, DVSAS served 419 survivors of SA or commercial sexual exploitation—people who have sought support for recent and past incidents.
- Forensic exams in Whatcom County: In 2018, St Joseph’s Medical Center completed 120 forensic exams. These happen at the survivor’s request – evidence collected is called a rape kit and it is analyzed at a state crime lab.
- There is a misconception that rape kits will be analyzed and cross-referenced with other kits in database, however there is a prioritization of active cases and often anonymous or non-reported cases are not analyzed or tested for years.
- Whatcom County Sexual Assault National Demonstration Audit (SANDA) recommended multi-disciplinary action to address and prevent repeat offenders. Survivors shared during the Audit that they often do not want to report, but *do* want to prevent the person from harming others.
- It is important to keep these numbers in mind because it shows us that sexual assaults are still happening but are not being reported. We know that when reports decrease, it can often mean a reluctance to report, and when reports increase it should that survivors are trusting in systems to report to them.
- Law enforcement calls for service: WASPC showed in 2018 there were 163 sexual offenses in Whatcom County.
- WASPC’s names of crimes are not consistent with local police department records. Differences in recordkeeping may have contributed to the decreased reports of rape.



- Bellingham Police Department (BPD) does not use the terms “sodomy” or “peeping Tom.” BPD’s records indicate 21 reports of non-consensual voyeurism in 2018 and no reports of sodomy.
- Rape Reports:
 - Washington State Criminal Code defines rape as “any act of sexual contact between persons” without “consent.”
 - Consent is defined as “actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.”
 - The degree of a rape charge is dependent on the use of physical force, damage to property, or other abuses of power by the offender.
 - Of the 75 reports in Whatcom County in 2019, 20 (27%) resulted in arrest.
 - From 2017 to 2018 there was a 36% decrease in reports of rape across Whatcom County jurisdictions.
 - The most significant decrease of rape reports was to BPD, with a 40.7% decrease.
 - In 2017 BPD recorded 59 rape reports; in 2018 they recorded 35.
- There is no evidence that incidents of rape have decreased in Whatcom County.
- At this time, there is no concrete explanation for this rate of change, but there are some identifiable factors.
- State-wide rape reports increased between 2014 and 2018, indicating that Whatcom County’s numbers are not reflective of a larger trend.
- The total number of rape reports across all counties in Washington State increased by 14% between 2017 and 2018. Nationally between the same years, rape reports increased by a smaller margin of 2.8%.
- In May 2018 BPD added a new category to their database called “sex crime investigations.” These reports are not included in the numbers recorded by WASPC.



- This change in recordkeeping may have contributed to the rate of change for BPD’s rape reports in the 2018 WASPC report.
- Between May and Dec 2018, BPD recorded 56 additional sex crime reports.
- According to BPD, this category was created for situations where officers felt they needed more information in order to categorize a report. Anonymous rape kits often received this label.
- 15 of those 56 sex crime investigations were anonymous forensic exams where the survivor chose not to report the incident but requested that the kit be processed by law enforcement.

- Katie asked if any other local police departments made a similar change in rape reports or if this is unique to Bellingham.
- Kevin Hester noted that the Whatcom County Sheriff’s Office uses a “sex crimes investigation” category – this is what WHATCOMM dispatch uses when sex crimes are first reported, then it is up to the deputy or officer to later categorize it in their report.
- Kevin Hester also shared that WASPC gets their numbers from the NEIBERS reporting system which is data that is sent to the FBI by local jurisdictions. The Sheriff’s Office also experiences difficulties with data disparities between their own record keeping and WASPC.
- Dave Doll shared that the inability to know where the report occurred sometimes causes officers not to categorize it.
- Robert Wilson noted that Melanie Campos is taking the lead on this at Lummi Nation Police Department.

- Susan led members in a transition to Breakout Rooms for a small group discussion. Groups of four or five members discussed the following questions:
 - What stands out to you about the data?
 - What do you think explains the data?
 - What suggestions do you have for better data collection?



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- What recommendations do you have for improving processes for survivors?

Garret reported back for group one: Chief Doll suggested a future Commission meeting topic could include discussion and presentation on what reporting looks like for survivors and how data is collected. This data raised more questions than answers. There were questions about what is the reporting like on Western’s campus. Overall, our hope is to create a more equitable system to support survivors.

Chris Roselli reported back for group two: Seeing the data created more questions than answers. One thing that stood out is that we don’t have consistent standards even within our county. It is hard to trust the data with such low numbers. There is a high degree of subjectivity which creates natural inconsistencies. There was a question about whether these were only adult offenders being counted. Colleges and universities follow very different reporting and data tracking guidelines—often doesn’t go to criminal data at all. We are not collecting data from any other disclosures, only law enforcement. Whatcom Community College is considering creating a type of community care center for survivors.

Ken reported back for group three: We want to learn more. Considering impacts of Covid-19 on reporting this year. Restorative justice and where that could provide a different option for survivors to report and access support. Potential for facts to be politicized and some of this reporting/data could be made more consistent and reliable so that we could compare between different localities and states if we had higher leadership supporting it.

Jessyca reported back for group four: These numbers are supposed to be “hard data” but they complicate things further. This raises opportunities to have larger partnerships around data accountability, developing alliances with other agencies trying to have better reliability with data. Disaggregate the data looking at gender and racial disparities.



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	<p>Chris reported back for group five: Data appeared very low. Child rape and molestation are not included and law enforcement typically prioritize these cases. Compiling data across systems is challenging and dependent on how people enter the data and the different categories used. Constant ongoing training. There is also training happening within our systems but need for more training on trauma informed practices. Covid presents a huge challenge for training efforts. Big issue for how to improve processes for survivors is backlog of testing rape kits. Process can be lengthy.</p> <p>Susan thanked members for their participation Jessyca for her presentation. Susan will bring a summary of these questions and discussion notes to the next Education and Data Committee to consider in the development of the next data report.</p>
Adjourn	<ul style="list-style-type: none"> ▪ Beth reminded members to complete their meeting evaluations which will be emailed after the meeting. ▪ Meeting adjourned at 9:55 am.



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Commission Meeting

Thursday, September 24, 2020

8:30 am

Virtual via Zoom

Members Attending: Alan Artman (Faithlife), Beth Boyd (PeaceHealth), Chief Dave Doll (Bellingham Police Department), Greg Hansen (City of Ferndale), Erica Lautenbach (Whatcom County Health Department), Ken Levinson (Nooksack Indian Tribe), Moonwater (Whatcom Dispute Resolution Center), Emily O’Connor (Lydia Place), Katie Olvera (KPO Counseling), Darlene Peterson (Bellingham Municipal Court), Mike Riber (DSHS), Chris Roselli (Western Washington University), Peter Ruffatto (Bellingham City Attorney), Garret Shelsta (Christ the King), Krista Touros (PeaceHealth), Bruce Van Glubt (Whatcom County District Court Probation), Mary Welch (Northwest Justice Project)

Members Absent: Riannon Bardsley (WA State Department of Commerce), Bill Elfo (Whatcom County Sheriff’s Office), Starck Follis (Whatcom County Public Defender), Chris Kobdish (UnityCare NW), Byron Manering (Brigid Collins), Linda Quinn (Ferndale School District), Dave Reynolds (Whatcom County Superior Court), Eric Richey (Whatcom County Prosecutor), Katrice Rodriguez (Nooksack Indian Tribe), Donnell Tanskley (Blaine Police Department), Raquel Vernola (Whatcom Community College)

Guests Present: Kevin Hester on behalf of Sheriff Bill Elfo (Whatcom County Sheriff’s Office), Mike Parker (Opportunity Council), Helena Schlegel (University of Washington MPH Graduate Student, and Victim Advocate at the Whatcom County Prosecutor's Office), Ashley Sonju (Reliatrix)

Staff Present: Nikki D’Onofrio, Susan Marks, Elizabeth Montoya

Agenda Item	Discussion
<p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledgement of Tribal lands ▪ Reminders: Please complete your meeting evaluations (emailed out after meeting); Glossary of terms in your packets ▪ Introductions with name, gender pronoun, agency/title 	<ul style="list-style-type: none"> • Beth opened the meeting with an acknowledgment of Tribal lands. • Members and guests thanked Mike Riber for his service on the Commission. Today’s meeting is his last as he will retire this month. • Members and guests introduced themselves and thanked Commission Director Susan Marks for her leadership of the Commission over the past 10 years



DV & SA Response Toolkit

- Background and presentation
- How/when will you share this toolkit with your colleagues and community partners in October for DVAM?

- Helena Schlegel, creator of the Commission’s new DV & SA Response Toolkit, and recent Master of Public Health graduate, shared an overview of the new Toolkit.
- Helena thanked Commission members and community members who contributed to the Toolkit.
- Helena described the Toolkit as particularly helpful now when traditional resources might not be available due to COVID.
- The Toolkit:
 - contains definitions and descriptions of DV & SA, including myths and facts, info about survivor behavior, and systemic barriers for survivors from marginalized communities
 - provides clear steps that providers can take to respond to DV & SA
 - targets 4 different disciplines: faith communities, healthcare providers, housing providers, K-12 schools
 - Describes expert resources in our community: Domestic Violence & Sexual Assault Services (DVSAS), Lummi Victims of Crime (LVOC), and Nooksack Victims of Crime (NVOC)
- Helena shared that by creating this Toolkit she learned a lot about barriers faced by survivors who are part of historically marginalized communities: systems have a lack of knowledge about racial bias, lack of cultural competency, and language barriers. This is especially important considering that the pandemic is disproportionately impacting people from marginalized communities.
- Helena shared that it was hopeful to read a study that survivors felt comfortable sharing when healthcare providers took the time to listen.
- Susan asked members and guests who they will share the Toolkit with as we approach Domestic Violence Action Month (DVAM) starting in October:
 - Krista Touros will share with Peace Health Community Health Director who works with people experiencing homelessness among others.
 - Mike Riber has already shared Toolkit with DSHS staff and noted that the tips on what to say and what to avoid was very helpful; also already shared with peers across the region (King Co. North).
 - David Doll noted that every teacher in Whatcom Co. needs this Toolkit. Teachers are entering homes in a virtual way; can see indications of what’s going on; they can help kids who are in trouble, just based on that experience; we can use this opportunity to help families who are in crisis.
 - Chris Roselli suggests the Toolkit be shared with WWU’s Prevention and Wellness, CASAS, Dr. Sislina Ledbetter (Director



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of WWU’s Health & Wellness), Melynda Huskey (VP for Enrollment & Student Services), Michael Sledge (Dean of Students), University Residences, L.K. Langley (LGBTQ+ Western), and others.

- Ken Levinson immediately wanted to get this into the schools. Ken asked, “Can I send this to my friend who is a principal or the counselor at my kid’s school? Does it have to be approved?” Susan responded: A personal connection would make a difference when sharing the Toolkit. People have different bandwidth so we can continue to put this on people’s radars. Everyone is worried about families who are stuck at home where there is a lack of safety.
- Mike Parker committed to sharing with Opportunity Council staff. He appreciated the portions of the Toolkit that addressed people who are unhoused. He said staff doing street outreach are very valuable eyes. When those people who have eyes coupled with knowledge, they can respond. Mike also knows a school board member who is influential and can get the Toolkit into Superintendent Baker’s hands. Just like racial equity, there’s no wrong time to talk about these issues.
- Beth Boyd will share with Cancer Center staff. There are so many different roles at the Center and will make sure each have copies of the Toolkit.
- Garret Shelsta has already shared with people in the faith community. He said the Toolkit has been massively helpful as a reference.
- Greg Hanson will share with the Ferndale Police Chief and all the senior staff in the city who interact with the community. He will also share with Community Resource Center volunteers who regularly work with individuals who are struggling.
- Peter Ruffatto committed to sharing the Toolkit with his parish, Sacred Heart Catholic Church.
- Erika Lautenbach committed to sharing with her Health Department colleagues.
- Riannon Bardsley was absent, but emailed these commitments: “If it is FB shareable, I will use that platform to share the toolkit; I will share it with Ruth Taylor, who works in the field and ask her to share it with the OPD attorneys; will share it with NWYS, if they don’t already receive a copy; I will share it with FCCB.”

MOTION: Consent agenda

- Minutes July 23, 2020

- Beth asked if there were any questions or comments on the minutes from the last meeting; no one shared any.
- Beth called for a motion to accept the minutes.



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	<ul style="list-style-type: none"> • Dave Doll motioned to approve the consent agenda. Alan Artman seconded the motion. • The consent agenda was approved unanimously. 															
<p>Agency responses to survivors during COVID-19</p> <ul style="list-style-type: none"> ▪ How has COVID-19 impacted services or resources for survivors? What is different and what is the same? What are challenges or concerns? ▪ Small groups, by related disciplines ▪ Large groups report out 	<p>Susan shared the table below showing changes in DV and SA reports and advocacy services during the same time periods for 2019 and 2020. She asked that members and guests share how COVID-19 has impacted services for survivors in our respective sectors.</p> <table border="1" data-bbox="565 619 1377 961"> <thead> <tr> <th></th> <th>Domestic violence services April 1, 2019 – July 31, 2019</th> <th>Domestic violence services April 1, 2020 – July 31, 2020</th> <th>Sexual assault services April 1, 2019 – July 31, 2019</th> <th>Sexual assault services April 1, 2020 – July 31, 2020</th> </tr> </thead> <tbody> <tr> <td>Bellingham Police Department</td> <td>592 DV reports</td> <td>497 DV reports</td> <td>36 SA reports</td> <td>30 SA reports</td> </tr> <tr> <td>Domestic Violence & Sexual Assault Services (DVSAS)</td> <td>845 clients 5,772 contacts</td> <td>391 clients 2,729 contacts</td> <td>180 clients 733 contacts (27 medical advocacy contacts)</td> <td>78 clients 416 contacts (1 medical advocacy contact)</td> </tr> </tbody> </table> <p>David Doll shared that for BPD all DV reports have gone down except one: misdemeanor assaults have gone up.</p> <p>Susan shared that she is no longer the interim ED of DVSAS and gave an update on their services. It took a while for services to be available virtually. Advocacy by phone was already available 24/7. Advocates are continuing to accompany survivors to court as they feel safe and comfortable. DVSAS is now providing virtual support groups. People do sometimes meet in the office or other locations, as advocates feel safe and comfortable. They are now providing nearly the full spectrum of services, with the exception of regular hospital advocacy during forensic exams due to advocates not feeling comfortable being in the hospital due to COVID risk.</p> <p>Mike Parker shared that Opportunity Council had to adjust too. They had previously had a lot of in person services; now, everything is telephonic. They had to lease a building on Holly Street to do drive-through transactions with people (for signed paperwork, etc.). All Opportunity Council staff were deemed essential workers. Mike has observed that people are not leaving their housing. The system used to have a flow rate, but now people are keeping whatever their housing is longer and longer. This has slowed getting unhoused people into housing. They are trying to use state and federal funding. Staff are seeing more people becoming unhoused, including people who have never had to navigate a benefit</p>		Domestic violence services April 1, 2019 – July 31, 2019	Domestic violence services April 1, 2020 – July 31, 2020	Sexual assault services April 1, 2019 – July 31, 2019	Sexual assault services April 1, 2020 – July 31, 2020	Bellingham Police Department	592 DV reports	497 DV reports	36 SA reports	30 SA reports	Domestic Violence & Sexual Assault Services (DVSAS)	845 clients 5,772 contacts	391 clients 2,729 contacts	180 clients 733 contacts (27 medical advocacy contacts)	78 clients 416 contacts (1 medical advocacy contact)
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system before. Opportunity Council is trying to keep people housed, and stave off evictions. He noted that it has been kind of frenetic. They have big concerns: stress, ongoing trauma, lack of movement, concerned about once the eviction moratorium is lifted. He has heard from case managers that many people are being faithful for tele-case management appointments. Some clients like it better.

Mary Welch shared that the statewide eviction moratorium is going to end at some point. Northwest Justice Project is ramping up for the day the moratorium is lifted. They have hired many more temporary attorneys. Volunteer lawyer programs also received money to hire attorneys to help when moratoriums are lifted. Regarding services to DV survivors, statewide NJP is seeing an increase in cases. Every single county has different rules in the courts, whether you have to be there in person or can appear by Zoom or phone. Most courts are trying to be helpful, but people are falling through the cracks. NJP offices are still closed, including the Bellingham office. In a situation where a client can't use a phone or Zoom call, the NJP attorney will meet with them in person, trying to maintain safe space and requiring that they wear a mask. Attorneys are seeing sad, serious cases and struggling to handle the load of all of those and trying to keep children safe. In the time of COVID, attorneys are trying to figure out all the court orders we need. NJP has not had any layoffs, they have actually hired additional attorneys, some are temporary positions to help with COVID related increases, including housing, public benefits, and family law cases.

Katie Olvera shared about the world of private practice. Private therapy responds not so much for acute crisis, but people healing from long-term impact of trauma. In Bellingham therapists rarely have openings and it's hard to get in. Telehealth increases access because it removes the barrier of physical distance. Insurance companies are waiving copays and deductibles for telehealth, which is really helpful because money is tight or many people due to COVID.

Moonwater reported that at the Whatcom Dispute Resolution Center, all services are virtual: training, conflict coaching, group facilitation, mediation services, supervised visitation. The WDRC deals with DV a lot in supervised visitation as it is often the rational to preclude court from preventing parents having direct access to their kids. Staff are navigating privacy and other challenges. Staying connected has been critical for supporting children and parents. It has been a struggle to navigate court orders preventing parents from seeing each other when virtual services give a



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window into one another’s homes. In mediation, issues are the same, but exacerbated due to COVID. For example, when school is happening in one another’s homes, school can no longer be a place to do pick-up and drop-off of children. WDRC is teaming up with LAW Advocates, NJP, and Opportunity Council and will provide an additional intervention between landlords and tenants, gearing up for when eviction moratorium ends. Finally, the WDRC is offering a new program called Safe Spaces as an alternative venue for people who live, work or engage services in the City of Bellingham and have a complaint or concern due to interaction with COB or COB employees, or some experience they’ve had within the City, and there are barriers to giving complaint directly. WDRC serves as a conduit and support resolution of those concerns.

Darlene Peterson shared that in the school district where her son attends, there have been several families who have had difficult issues where teenagers are not returning to school. They’re giving up, not retuning online, and don’t have the parental support. The district even sent out a bulletin asking people to please come back to school. We want to be really careful for kids who are already in difficult family situations.

Helena Schlegel shared that while the Whatcom County Victim/Witness Unit office is closed for in-person meetings, they can do in person court support (6 feet apart and wearing facial coverings). They have seen an increase in DV survivors asking for No Contact Order modifications.

After the meeting, the Commission received this update from Sheryl Cartwright, Victim Advocate for the City of Bellingham Prosecutor’s Office: “The biggest difference that I have noticed is that because the Bellingham Municipal Court building is closed to the public, the number of victims that stop by without an appointment are not able to do so...them coming in like that may be the only safe time for them to come see/talk to me... my texting and email numbers are up even as my in-person contact with victims is down... Additionally, I am still reaching out telephonically to victims after an Arraignment or First Appearance hearing, and inquire about their email contact information, so that I can email the No Contact Order to the victim; on my signature line in my emails is my contact information, including my cell/text number...The Court has been accommodating victims who want to be heard in cases by adding them in to the conference calls for input at the initial hearing, as well as at resolution, so their rights under the Crime Victim’s Bill of Rights are still



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	<p>being upheld. The victims that have had the opportunity to have their voice heard at these hearings have been quite grateful, as they realize that difficulties we are all facing at this time... We now have a process in place for victims to request modification or rescission of a No Contact Order and having a procedure to follow has made it easier for me to advocate for victims when they want contact with the defendant..."</p>
<p>Adjourn</p> <ul style="list-style-type: none"> ▪ Thank you to Mike Riber, who is retiring this month ▪ Please fill out meeting evaluations, link to be emailed out ▪ Please note the November DV Commission meeting is on the third Thursday of November 	<ul style="list-style-type: none"> • Meeting adjourned at 9:59 am. <p style="text-align: center;">Upcoming DV Commission Meeting Thursday, November 19, 2020 8:30 – 10:00 am via zoom</p>



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Commission Meeting

Thursday, November 19, 2020 from 8:30 to 10:00 am

Virtual via Zoom

Members Attending: Beth Boyd (PeaceHealth), Greg Hansen (City of Ferndale), Chris Kobdich (Unity Care), Erika Lautenbach (Whatcom County Health Department), Ken Levinson (Nooksack Tribe), Moonwater (Whatcom Dispute Resolution Center), Emily O’Connor (Lydia Place), Katie Olvera (KPO Counseling), Darlene Peterson (Bellingham Municipal Court), Chris Roselli (Western Washington University), Garret Shelsta (Christ the King Church), Rocky Vernola (Whatcom Community College)

Members Absent: Riannon Bardsley (Washington State Dept. of Commerce), David Doll (Bellingham Police Department), Bill Elfo (Whatcom County Sheriff’s Office), Starck Follis (Whatcom County Public Defender), Byron Manering (Brigid Collins), Linda Quinn (Ferndale School District), Dave Reynolds (Whatcom County Superior Court), Eric Richey (Whatcom County Prosecutor), Katrice Rodriguez (Nooksack Tribe), Peter Ruffatto (Bellingham City Attorney), Donnell Tanksley (Blaine Police Department), Krista Touros (PeaceHealth), Bruce Van Glubt (Whatcom County District Court Probation), Mary Welch (Northwest Justice Project)

Guests Present: Kevin Hester for Bill Elfo (WCSO), Amber Icaey-Creelman (DVSAS), Gordon Jenkins for Eric Richey (Whatcom Co. Prosecutor’s Office), Mike Parker (Opportunity Council)

Staff Present: Elizabeth Montoya, Nikki D’Onofrio

Agenda Item	Discussion
Welcome	Beth shared a land acknowledgement and encouraged attendees to learn about the Lummi and Nooksack tribes in our region in light of November being Native American Heritage Month. Attendees introduced themselves with their names, pronouns, agency, and a little about how the children in their lives were doing with remote school.
MOTION: Consent Agenda	Beth asked for any changes, comments, edits for the September 2020 Commission meeting minutes. There were none. There was not a quorum present so minutes will be voted on at the next meeting.
DV Commission Director Hiring	Beth shared that the Commission went through hiring process for a new Commission Director. Elizabeth Montoya, who had been the Project



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Inspiring and coordinating community efforts to address sexual and domestic violence

	<p>Manager, shined during the application process and graciously accepted the offer. She has moved into new role and this is the first Commission meeting with Elizabeth as Director.</p> <p>Elizabeth shared that she appreciates the warm welcome into this role. It has been an honor to work with the Commission and she is excited for future together—deepening relationships and figuring out what is important to members, agencies, and systems as we work toward responding to DV/SA. Elizabeth has two kids, a kindergartener and 2nd grader and appreciated Mike Parker sharing that we’ve normalized that we’re in middle of pandemic and lives are upside down. Prior to joining the Commission staff, she was at DVSAS for nine years as an advocacy counselor and as the 24-hour services manager.</p>
<p>Vicarious Trauma: Presentation & Discussion</p>	<p>Dr. Katie Olvera, licensed clinical psychologist and DV Commission vice-chair, introduced herself. Katie has a private therapy practice and specializes in trauma. She also teaches part-time at Western Washington University in the Psychology Department.</p> <p>Katie gave a presentation on vicarious trauma (see attached presentation slides for additional information).</p> <ul style="list-style-type: none"> • Katie outlined the presentation: define terms, give an overview of signs, symptoms, and causes, then discuss prevention & intervention. • Katie noted that it was difficult to find data on police (compared to other professions) regarding vicarious trauma. • There’s nothing “wrong” with someone who experiences trauma. This is the cost of doing the work. We can assume that at some point vicarious trauma is going to show up. • Because of the environment right now—pandemic, election, civil unrest—people are particularly at risk of vicarious trauma, burnout, and/or compassion fatigue. • Burnout is a term that is not specific to trauma. It can be used in many different settings. • Experiencing one (burnout, compassion fatigue, or secondary trauma) can lead into another. • Exposure to trauma can create a Change in Worldview with a Spectrum of Responses:



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- Positive responses: Vicarious Resilience—witness trauma-impacted person grow and change, you get inspired; there is a positive emotional residue; people are really strong and really resilient; Transformation: noticing transformation people can experience; Compassion satisfaction: naming positive experience when we empathize with someone and they take it in and it effects them, reciprocal; Appreciative: noticing privilege to be in safe environment
- Neutral impact: Balance between positive and negative responses
- Negative World View: longer-term; “everyone’s bad”; “we’re never going to end violence”; feelings of wanting to give up
- Wicked Problems: working with complex systems when we don’t know what the solution is can increase risk of burnout and compassion fatigue, contributing to a negative/cynical worldview.
- Individual Risk Factors:
 - prior traumatic experiences: working with trauma can trigger emotions about own trauma; can be emotionally taxing
 - social isolation (both on and off the job): because of COVID we’re all more isolated than we used to be
 - tendency to avoid feelings, withdraw, or assign blame to others: important to practice emotional awareness
 - being newer and less experience: not having boundaries in place, not yet having wisdom that comes w/ experience
 - constant and intense exposure to trauma with little or no variation in work tasks
 - lack of an effective and supportive process for discussing traumatic content of the work: ex: case consultation, peer groups, regular time to debrief with colleagues
- If an organization doesn’t adequately prepare an employee for their role, that’s an organizational risk factor.
- Organizational Risk Factors:
 - not allowing space to talk about impact of work
 - if debrief ONLY focuses on facts of a case; what is more helpful: being about to share impact “this is how I felt”



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	<ul style="list-style-type: none"> ○ toxic masculinity: narrow idea of ‘manhood’: someone might be judged for setting limits/boundaries ○ reliance on people of color, women, gender queer colleagues to be vulnerable and/or to hold others accountable...or those folks feeling the need to protect themselves in the work environment (another version of isolation) ● Moonwater shared that COVID has impacted informal opportunities to check-in with colleagues, for example, routines of checking in as you leave the office. The Whatcom Dispute Resolution Center staff are working one resetting new norm and prioritizing time for debriefing. What was once informal, are now scheduled Zoom debriefs at the end of the day. ● Rocky asked about intervention strategies and shared that she’d lost of her employees who had all of those signs and symptoms. She thought she was doing her best to engage and move forward with that person, but the employee left. Katie said that those interventions will be covered in the next section. ● Garret noticed that signs of vicarious trauma were impacts on productivity. Can organizations incorporate a more holistic set of goals and outputs for our employees that aren’t just about productivity? Are there any studies that have shown that as organizations shift goals, how does that impact vicarious trauma? Katie was not aware of specific studies on this topic. ● Katie reviewed many strategies that individuals and organizations can engage in to prevent and intervene in cases of vicarious trauma. See the attached slides for details. ● Katie left members with the following questions to reflect on their own organizations: What practices mitigate vicarious trauma and/or burnout? What practices contribute to vicarious trauma and/or burnout? How can you confront or change this?
Adjourn	<p>Chris Kobdich closed the meeting and asked everyone to complete an evaluation online. The link to the evaluation was provided in the Zoom chat and by email.</p> <p>Meeting adjourned at 10:00 am.</p>



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