



COMMISSION

ON SEXUAL & DOMESTIC VIOLENCE

Inspiring and coordinating community efforts to address sexual and domestic violence

DV Commission Meeting

Thursday, January 27, 2022

9:00 – 10:00 am

virtual via zoom

Members Attending:

Beth Boyd, Chris Roselli, Garret Shelsta, Katie Olvera, Gregory Hansen, Donnell Tanskley, Annie Taylor, Erika Lautenbach, Chris Kobdich, Alan Marriner, Starck Follis, Eric Richey, Darlene Peterson, Bruce Van Glubt, Emily O’ Connor, Rocky Vernola

Guests Present:

Anna Groeschel, Greg Baker, Mia St. Peter, Sonia, Tammy Ho, Doug Chadwick, Amber Icaay Creelman, Flo Simon, Mike Parker, Jessyca Murphy

Staff Present:

Susan Marks, Nikki D’Onofrio

| Agenda Item | Discussion |
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| <p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledge ment of Tribal lands ▪ Introductions | <ul style="list-style-type: none"> ▪ Katie read an acknowledgement of Lummi lands. ▪ Susan was reintroduced as the director of the Commission. ▪ All meeting attendees introduced themselves. |



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| <p>MOTION: Consent agenda</p> <ul style="list-style-type: none"> ▪ Minutes: September 23, 2021 ▪ Minutes: November 18, 2021 ▪ 2022 DV Commission operating budget | <ul style="list-style-type: none"> ▪ Katie Olvera brought a called a consent agenda to accept September and November minutes and 2022 operating budget. ▪ Move to Accept Minutes by: Rocky Vernola ▪ Second by: Chris Roselli ▪ Dissents: None ▪ Minutes and budget are passed. |
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Planning and discussion

- Susan shared the 2018 Strategic planning document. We highlighted specifically what people thought were helpful in the work of the commissions.
- We highlighted the brainstorm of what the commission thought has been doing well, what they would like to see happen to in the upcoming year.
- Susan highlighted the difficulty of doing the commission's work in this environment.
- The Commission was tasked with thinking through these questions and asked to report thoughts back to the group in a few minutes:
 - What do survivors, communities, and systems need from the DV Commission? What should we focus on this year?
 - What do you think works well in virtual meetings? What does not work well?

Commission members shared the following:

- Don't forget about the sexual assault audit that was already done. And look to see the gaps of that already completed audit.
- Look to see what our present support capacity of our own people and agencies in the current landscape.
- Refreshing past messaging, such as health care providers screening for DV/SA.
- Love no commute for remote meetings, can participate in more meetings because of virtual nature.
- Miss the soft collaboration of in person meetings.
- Funding is really important to expand programs.
- Advocacy around state legislative policy.
- How can we be of best use to survivors, connecting to other work in the community on intersecting issues (eg homelessness); amplify work of others in a way that is mutually beneficial.
- Spend more time thinking about the role of the Commission, how to do the work and advocacy.



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- DVSAS's instability for a few years means systems can't work well, need to make referrals to a DVSAS that is resourced and stable, how can we strengthen DVSAS?
- Interactive meetings instead of presentations; presentations lead to drifting to check emails.
- Housing has activated people in this community, we can use intersections with DV/SA.
- Incarceration reduction/prevention task force needs DV input and expertise; talk to them about restorative justice work.
- Big picture, visionary leadership is needed to ID how things can be different, pathways to bringing people and agency together to accomplish that change.
- Breakout groups can be used for connection and relationship building; distraction during virtual meetings is the greatest risk.
- Education and learning is important but members want to contribute and have engaging connection.
- Cameras on helps.
- Input from DV specialists on the ground, doing the work directly, is needed.
- Revitalize restorative justice work.
- Google jamboards for brainstorming, with visuals at the end.
- Love in person meetings and important sidebar conversations are missing from virtual meetings.
- We need enough funding from city and county for service delivery, program development, and connection.
- Zoom can take away the importance of the meeting, so there is a loss, but also there is still a commitment.
- Feel overmasked with in person meetings and events, on zoom we can see full faces.
- Maybe someday we could alternate meetings between virtual and in person, depending on tasks for meetings.
- Need to revisit work on missing and murdered Indigenous women, girls, and two spirit people – what has changed? What still needs to change?



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- Strong interest in continuing conversations on restorative justice and considering how we could do that work.
- Funding because if we do not have it the commission will not happen anymore.

Susan shared that she will continue to meet individually with all Commission members, and then take this input and those one on ones and develop a draft work plan for the year. This will be discussed at our March Commission meeting.



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Adjourn

Katie O. Thanked everyone for coming and closed the meeting.



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Commission Meeting

Thursday, March 24, 2022

9:00 – 10:00 am

Virtual via Zoom

Members Attending: Greg Baker (Bellingham Public Schools); Beth Boyd (PeaceHealth); Greg Hansen (City of Ferndale); Erika Lautenbach (Whatcom County Health Department); Ken Levinson (Nooksack Tribe); Alan Marriner (Bellingham City Attorney); Diane Miltenberger (Bellingham CSO, DSHS); Moonwater (Whatcom Dispute Resolution Center); Jessyca Murphy (Make.Shift Art Space); Katie Olvera (KPO Counseling); Eric Richey (Whatcom County Prosecutor); Chris Roselli (Western Washington University); Garret Shelsta (Christ the King Community Church); Donnell Tanksley (Blaine Police Department); Annie Taylor (DCYF); Bruce Van Glubt (Whatcom County District Court and Probation); Rocky Vernola (Whatcom Community College)

Members Absent: William Elfo (Whatcom County Sheriff’s Office); Starck Follis (Whatcom County Public Defender); Chris Kobdich (Unity Care NW); Jason McGill (Northwest Youth Services); Emily O’Connor (Lydia Place); Darlene Peterson (Bellingham Municipal Court); Dave Reynolds (Whatcom County Superior Court); Katrice Rodriguez (Nooksack Tribe); Flo Simon (Bellingham Police Department); Krista Touros (PeaceHealth)

Guests Present: Doug Chadwick (WCSO); Rodger Funk, (WCSO); Byron Manering (Brigid Collins Family Support Center)

Staff Present: Susan Marks, Director; Nikki D’Onofrio, Administrative & Projects Manager

| Agenda Item | Discussion |
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| <p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledgement of Tribal lands ▪ Please keep video screens turned on, turn off email notifications and other screens, and monotask for the hour-long meeting ▪ Introductions with name, gender pronouns, agency, and opening question: What is something you like about working in person | <ul style="list-style-type: none"> • Katie welcomed attendees at 9:02 and read the acknowledgment of tribal lands • Attendees introduced themselves • Attendees participated in a poll to assess their comfort with in-person meetings. 9 participants said they would be very comfortable meeting in-person (with COVID precautions); 6 said somewhat comfortable; 3 said somewhat uncomfortable; and 1 felt neutral. Concerns included health concerns (7); time away from office/work (10); and commute/parking challenges (4) |



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| <p>(or something you miss about working in person)?</p> <ul style="list-style-type: none"> ▪ Considering in person or virtual meetings: zoom poll | |
| <p>MOTION: Consent agenda</p> <ul style="list-style-type: none"> ▪ Minutes: January 27, 2022 Commission meetings | <ul style="list-style-type: none"> • Rocky Vernola made a Motion to Approve the January 2022 minutes • Donnell Tanksley Seconded • The minutes were approved. |
| <p>2022 – 2023 DV Commission work plan</p> <ul style="list-style-type: none"> ▪ Review work plan ▪ Discussion: Does this reflect community priorities? What is missing? What is superfluous? ▪ Discussion: Where would each member like to contribute their time? | <ul style="list-style-type: none"> • Katie welcomed Susan to discuss the 2022-2023 work plan. • Susan shared that this plan was developed from feedback from the November and January Commission meetings. We know that DV/SA continue to be serious problems and we want to be thinking about this collectively, as a community. DV/SA are a “wicked problem,” meaning they are so complex that there’s no obvious solution, which is why it is long-term and collective work. Right now capacity is limited both for Commission staff and membership—many members’ agencies are short staffed and busy taking into consideration public health concerns. We are trying not to do too many things, but to do a few things well. • Susan invited members to please think about where, when they have time, they would most want to give. We may ask you to serve on an ad hoc work group to meet 3 times over 3 months, to share out a policy, or to provide insight on solutions. Sue will follow up with each member about what’s the right level of involvement for them. This work plan will cover the next 2 years. • Susan reviewed the DV Commission’s Goals: <ul style="list-style-type: none"> ○ Foster justice, autonomy, and well-being for survivors and communities ○ Transform systems to ensure prevention and responses for sexual and domestic violence that support justice, autonomy, and well-being ○ Connect institutions, stakeholders, and communities to collectively increase understanding of sexual and domestic violence, especially the impacts and effectiveness of community responses for survivors • Susan reviewed the work plan activities (see Work Plan document) and asked “Does this reflect community priorities? What is missing? What is superfluous?” |



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- Greg Baker: Our young people, especially middle & high school students, have been highly engaged and advocating. There have been some walkouts. Where would supporting our youth in our community fit in?
- Susan: is that something we want to add to our plan?
- Greg Baker: It might mean connecting with our partners. As we've had students advocating and sharing their voice—who are our community partners? Is that DVSAS? How do we bring community partners together to support our youth?
- Ken echoed the importance of supporting youth. This is an opportunity to talk about our limited resources. In the past, education and getting into the school system has been a focus of the Commission's work. That was the focus of some grant funding. Now, stabilizing funding is very important to what Dr. Baker is talking about, but it takes time and staff time.
- Susan: We've talked about wanting youth involved in RJ, but Dr. Baker is talking about even more than that. Youth are ready and doing some restorative practices, and also are looking for different response and prevention systems in the schools. When our community is ready for change, we want to be there to support them, so I believe we would want to add a specific bullet point to our work plan.
- Erika shared that from a public health perspective, when resources are limited we tend to focus on intervention and treatment instead of prevention. She echoed what Ken said about the importance of stabilizing funding as a building block for us to focus on how to stop intergenerational violence.
- Nikki shared resources that the Commission had already created for schools and thanked Dr. Baker for helping to distribute some of those during Teen Dating Violence Awareness Month last month. Susan added that the resources for schools are something we created. Federal funding meant that the policies and protocols we developed had to be reviewed by the Department of Justice.
- Rocky noted that something that's missing from the work plan is more tangible support for victims. She's been hearing from victims that there wasn't support to apply for a PO, and from others that they were hesitant to reach out to DVSAS because they feared that what they had



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experienced didn't meet the definition of DV/SA. Rocky asked how we can serve as a bridge to services.

- Susan noted that those are a lot of services that our members provide. DVSAS is again hiring an ED, so that position isn't represented here right now, but these meetings can be a way to connect with other systems about what is serving or not serving students/survivors.
- Annie brought us back to the conversation about not overextending ourselves. She wondered about the importance and effectiveness of acting as a resource for media and developing media. Is that something we could let go?
- Susan asked the members to add in their minds a bullet point related to supporting youth advocacy, and that the media content activities is a question. She invited members to share where they would like to be involved.
- Alan: DV/SA & housing, as well as youth.
- Annie had to leave early, but shared in chat: "I would be interested in work in the areas of survivor defendants and case reviews to support community recommendations, both of which overlap significantly with DCYF work."
- Beth: MMIWG2S and homelessness—seeing that from the healthcare side.
- Byron: criminal legal system in response to SA.
- Chris Roselli: RJ/TJ pilot—working with WWU, that's a real interest; Additionally, finding ways to partner with Western and leveraging the institution for funding.
- Diane: overlap between housing and homelessness; Diane also shared that she hopes that sometime we can host meetings on site at DSHS.
- Tank: continued focus on survivor-defendants and coordinating trainings with system partners and referral.
- Doug: Any of the first three bullet points would be appropriate for him to focus on, or anyone from LE (Develop pilot of RJ/TJ responses; set priorities and support implementation of SA Audit recommendations; continue focus on survivor defendants); ensure deputies have trainings and know resources; and being involved in case assessments and case reviews.



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- Eric: A lot of these things look really interesting and would be appropriate, but his main interest is in setting priorities and support implementation of SA Audit Recommendations.
- Erika: Media and media content—The Health Department did an assessment of how COVID has impacted a lot of areas; It would be great to do an assessment and get the word out about the impact COVID has had, create opportunity for community conversation and engagement. Erika is also interested in supporting the stabilization of the Commission’s administrative structures.
- Garret—RJ & Toolkit for Faith Communities; Regarding the media component—if that stays on there, there are some interesting things working with emerging adults, leveraging new forms of media.
- Greg Baker: RJ comes up a lot with us; funding—we have a couple of part-time grant writers, we could maybe help support.
- Jessyca: RJ/TJ work; Annie made a good point, *and* there may be some opportunities to engage art community in creating some of that media content.
- Greg Hansen: RJ/TJ is intriguing to me; support for youth; and stabilizing funding.
- Katie: RJ; also interested in case reviews, particularly looking at supporting survivors and how much of a gap that is; things like therapy and advocacy and how that support can prevent further harm.
- Ken: RJ/TJ; focus on survivor-defendants; from his perspective as Commission Treasurer, he’d like to embrace the help offered to stabilize funding and administrative structures
- Moonwater: RJ/TJ; areas where there’s an intersection with the alternative conflict resolution that could be incorporated.
- Rocky: Case reviews—recognizing those gaps that could be pertinent to my institution; Also, survivor-defendants; One thing that could be a focus on media content would be focus on people not represented; One area that she advocates for focus on is international student communities at WWU, WCC, and BTC.
- Rodger: coordinating cross-training with systems partners; In the past an advocate came to deputy debriefings, providing information about next steps. This was helpful because deputies don’t always understand that process.



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| | <ul style="list-style-type: none"> • Susan expressed appreciation for everyone’s willingness to share and their engagement in this meeting. Knowing that each member has large, full jobs and lives and what comes through is this commitment to wanting to make our community better. • Susan will be in touch throughout the two years of this work plan with each member to connect them to areas they want to be engaged in. • Bruce Van Glubt shared with Susan via email that he is most interested in the activity to “stabilize funding and administrative structures.” |
| Adjourn | <ul style="list-style-type: none"> • Katie invited everyone to give feedback on the meetings to Susan and Nikki. • Meeting adjourned at 9:53 am. |



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Bellingham-Whatcom County Commission on Sexual & Domestic Violence

Annual Meeting

Thursday, May 26, 2022

9:00 – 10:00 am

Virtual via Zoom

Members Attending: Greg Baker (Bellingham Public Schools), Beth Boyd (PeaceHealth St. Joseph Medical Center), Christina Byrne (Western Washington University), Greg Hansen (City of Ferndale), Chris Kobdich (Unity Care NW), Erika Lautenbach (Whatcom County Health Department), Alan Mariner (City of Bellingham), Jason McGill (Northwest Youth Services), Diane Miltenberger (Department of Social & Health Services), Moonwater (Whatcom Dispute Resolution Center), Jessyca Murphy (Make.Shift Art Space), Emily O'Connor (Lydia Place), Darlene Peterson (Bellingham Municipal Court), Katrice Rodriguez (Nooksack Tribe), Chris Roselli (Western Washington University), Garret Shelsta (Christ the King Community Church), Annie Taylor (Department of Children, Youth & Families), Krista Touros (PeaceHealth), Bruce Van Glubt (Whatcom County District Court and Probation), Rocky Vernola (Whatcom Community College), Pamela Wheeler (Opportunity Council)

Members Absent:

Bill Elfo (WCSO), Stark Follis (Whatcom County Public Defender), Katie Olvera (KPO Counseling), Dave Reynolds (Whatcom County Superior Court), Eric Richey (Whatcom County Prosecutor's Office), Flo Simon (Bellingham Police Department), Donnell Tanksley (Blaine Police Department)

Guests Present: Angela Anderson (Whatcom County District Court Judge), Dan Bennett (Community Outreach Officer, Nooksack Tribal Police), Sheryl Cartwright (City of Bellingham Victim Advocate), Doug Chadwick (WCSO), Brooke Eolande (DVSAS), Norma Esperance (DVSAS), Seth Fleetwood (Bellingham Mayor), Rodger Funk (WCSO), Kaylee Galloway (Whatcom County Council), Stephen Gockley (Incarceration Prevention & Reduction Task Force), Kevin Hester (City of Nooksack Mayor), Amanda Hubik (Legislative Assistant to Rep. Ramel, WA State Representative, 40th Legislative District), Kathy Kershner (Whatcom County Council), Michael Lilliquist (Bellingham City Council), Rajeev Majumdar (City of Blaine Prosecutor), Mary Sewright (Mt. Baker School District Superintendent), Hamilton Seymour (Nooksack Tribe), Sharon Shewmake (WA State Representative, 42nd Legislative District), Satpal Sidhu (Whatcom County Executive), Janne Sleeper (Whatcom Dispute Resolution Center), Peggy Souza (Whatcom County District Court Probation), Jake Wiebusch (Whatcom County District Court Probation)

Staff Present: Susan Marks, Nikki D'Onofrio



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| Agenda Item | Discussion |
|--|---|
| <p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledgement of Tribal lands ▪ Recent IPV homicide of Holli Brawley, in Skagit County, employee at Western Washington University ▪ We are recording the meeting for the purpose of our meeting minutes ▪ Please keep video screens turned on, turn off email notifications and other screens, and monotask for the hour-long meeting ▪ Introductions with name, gender pronouns, agency: put in chat | <p>Chris Roselli, Vice-Chair, opened the meeting at 9:01 am. Chris read aloud the Tribal Lands Acknowledgment used by Western Washington University.</p> <p>Chris acknowledged the recent intimate partner homicide of Holli Brawley, a lifelong resident of Skagit County and an employee at Western Washington University in Bellingham. Holli was a fire alarm technician, so many people on campus knew her as she tested fire alarms throughout campus.</p> <p>Chris also acknowledged the recent school shooting in Uvalde, Texas, and its impact on our community and on educators in particular.</p> <p>Chris asked participants to introduce themselves in the chat with their name, organization, pronouns, and favorite childhood breakfast.</p> |
| <p>MOTION: Consent agenda</p> <ul style="list-style-type: none"> ▪ Slate of Officers ▪ Minutes: March 24, 2022 Commission meeting minutes | <p>Beth presented the slate of officers. Erika moved to accept this slate. Darlene seconded.</p> <p>Beth presented the minutes and asked for any questions or comments. There were none. She asked for a motion to accept the minutes. Garret moved to accept the minutes. Rocky seconded.</p> |
| <p>How can restorative & transformative justice address domestic and sexual violence in our communities?</p> <ul style="list-style-type: none"> ▪ Introduction/retrospective ▪ Framing & purpose ▪ Connection to DV/SA ▪ Next steps & pilot project | <p>Chris Roselli transitioned the meeting to the main topic: How can restorative & transformative justice address domestic and sexual violence? In 2019-2020 the DV Commission, the Whatcom Dispute Resolution Center (WDRC), and Lummi Cedar Project co-led a year-long learning series to explore how restorative justice could address DV & SA in Whatcom County. Even through the pandemic there has been continued energy and interest in this topic. There's a real desire to continue this conversation. Because of current levels of interest and commitment, restorative justice has become a primary focus of the Commission's Work Plan for 2022 & 2023.</p> <p>Now, a small group representing WDRC, Lummi Behavioral Health, WWU, and Make.Shift are moving forward on creating a local pilot project.</p> |



What does justice look like for survivors? Chris welcomed Moonwater, the Executive Director of WDRC, and Jessyca Murphy, Executive Director of Make.Shift to help the group answer that question.

Moonwater began by acknowledging that everyone in the Zoom room has a relationship with the concept of justice—perceptions, expectations, hopes, fears, when they think about what it means to experience, offer, receive, or create opportunities for justice. The DV Commission has been thinking intentionally about what justice means to us.

Moonwater invited participants to reflect and share—envision for a moment that if you were to wake up tomorrow morning and the justice system worked exactly how you wanted it to, how would you know that? What would it look like? What would it feel like?

Participants were given a few moments to think individually, then were invited to share, out loud or in the chat.

Peggy Souza shared that as a probation officer with the high-risk DV offender case load, she envisions resources. Connecting offenders with resources and having the support of judges to connect offenders to resources would be an ideal situation.

Emily O'Connor, Lydia Place ED, shared that her news feed would be a source of inspiration and not a source of trauma. Additionally, she wouldn't see the visible aspect of those failures of prevention on her drive to work through downtown. She referenced Dr. Baker's comments in the chat (see below).

Nikki D'Onofrio shared that her vision of justice means that survivors would be believed and would feel confident that when they shared that they would be believed and that the impact of the harm would be taken seriously. Nikki recommended the memoir *Know My Name* by Chanel Miller about the experience as a sexual assault survivor going through a trial.

Rocky Vernola envisioned the restoration of faith and respect for participants and their roles and responsibilities in the justice system. Our focus is trying to support victims, the reality is that the system is broken all



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the way through in society and the roles each of us plays. Rocky would like to feel that there's a respect and understanding again.

From the chat, in response to "envision for a moment that if you were to wake up tomorrow morning and the justice system worked exactly how you wanted it to, how would you know that? What would it look like? What would it feel like?":

Moonwater identified themes from some of the responses from chat: access to resources, support, reimagining system to be a source of inspiration and helpfulness, a positive reframing of the system that many have come to associate with trauma. She also noted helping survivors participate in the system without experiencing blame, efficient and effective service delivery, equal access.

Satpal Sidhu Whatcom Executive: Swift and based on humanity not religious beliefs.

Greg Baker, he/him, Bellingham Public Schools: We'd have invested so much support upstream, with regards to poverty/housing/medical....that we'd have much fewer folks struggling and getting involved in the justice system.

Annie Taylor, she/her, DCYF: How would you know: it would be equitable and free of disproportionality; It would look/feel person centered with a goal of healing the harms done rather than punishing

Diane Miltenberger (she/her) DSHS Bellingham CSO: Non-discrimination, fairness in healthcare, housing...

Sheryl Cartwright: how would I know? I would feel whole/complete - peaceful, restful and calm with no anxiety

Rajeev D. Majumdar: What Sheryl said. :)

Jessyca (she/they), Make.Shift Art Space: For me, I think the biggest thing would be that survivors wouldn't feel like it was their fault.

Doug Chadwick: Efficient and effective delivery of services where all parties sense of safety and security is addressed.



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Christina Byrne (WWU): enough funding to provide interventions/treatment and other resources to reduce recidivism.

Janne (she/her) WDRC Supervised Visitation: Equal access and understanding of the systems and laws.

Beth D. Boyd: Fair and equitable service to ALL people, especially people of color, socioeconomic, and removal of implicit bias.

Pamela Wheeler: The justice system would work first of all...there would be a system based on the golden rule- treat others as you would like to be treated. There would be no home grown shooters- kids who are bullied and abused by their own community and grow-up to hurt others.

susan marks (she/her): there would be healing through the justice system - for survivors from their trauma, and for offenders who would then change their behavior.

Erika Lautenbach: Differentiate between crimes of poverty and crimes of predation and support both accountability and growth/ability to change and re-enter successfully. (broader than DV)

Mary Sewright: Survivors would feel safe and a sense of dignity. Children would not be suffering the impacts of trauma.

Jessyca (she/they), Make.Shift Art Space: Also, all workers in the justice system would feel supported and like they would have resources to heal their own vicarious trauma.

Katrice: missing and murdered native American women would be investigated without jurisdiction being an issue.

Jason McGill (He/Him): First step would be that we changed the name from the justice system to the legal system. In addition, society understands that Justice looks different for each person and situation and it centered the victim. This is my short response.

Nikki D'Onofrio (she/her), DV Commission: Everyone (survivors, people who caused harm), would feel confident that they would be treated fairly-- regardless of race, class, disability, etc.



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Garret Shelsta (he/him): “Justice is what love looks like in public.” - Cornel West

Moonwater noted some very powerful visions shared aloud and via chat. She recognized that aspects of what participants have shared do exist now in our current legal system, and that other aspects we are not seeing now in our legal system. She acknowledged that there are many ways to define, create, and experience justice. A lot of what participants are speaking to is what it would feel like to experience justice in a way that we don’t think people currently are right now. This is affirming why we’re holding space and why we want to continue holding space to have these conversations and bring these concepts and visions forward so we can contribute to re-envisioning and reimagining what justice looks like for our community in Whatcom County.

Moonwater invited participants to refresh and recalibrate together, and to invite curiosity about justice outside of retributive and punitive systems, to challenge and reimagine traditional concepts of justice, with the clear and purposeful intent of having a positive impact on the wellbeing of our justice system, and our fellow community members.

The philosophy and practice of restorative justice has been present for thousands of years. Its roots lay within indigenous communities throughout the world, including right here in Whatcom County with the Lummi Nation, Nooksack Tribe, Semiahmoo and Salish peoples.

Over the years, elements of these powerful concepts have been adopted, adapted, co-opted, and rejected. Whether embraced by grassroots activist communities, integrated by those of us offering impartial services, or applied to various touchpoints of our court systems, the relevancy and the opportunity to apply these conceptual elements to the way in which we help one another remains expansive.

Together, we want to take these concepts and apply them in meaningful ways for survivors to have more options to access justice, and for those that have caused harm, and those otherwise involved and impacted by that harm, to similarly have more opportunities to experience and participate actively in the creation of meaningful justice.



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Transparently, reaching a common understanding of the concept of justice continues to be difficult. Just in our small group alone, we continue to wrestle with common definitions - and with the meaning behind words like restorative justice, transformative justice, and community accountability. We are not alone in that struggle, as it is mirrored in communities throughout the nation and the world.

Here, and within the Commission, we are striving to be both inclusive and expansive, and cautious to not limit what is possible with too narrow or conflicting definitions. So, you may hear that:

- Restorative Justice can be viewed as a framework for addressing and preventing harm, a philosophy, and a way of engaging, to the extent possible, those who have experienced and are responsible for harm and the community, in ways that:
 - Put key decisions into the hands of those most affected by the harm
 - Make justice more healing and, ideally, more transformative
 - Reduce the likelihood of future harm
 - Create opportunities for accountability
 - Use fair processes that work for all
- Restorative Justice can also help design pathways for repair and healing by collectively identifying and addressing harms, needs, and obligations.
- The term *transformative justice* generally carries a particular emphasis on the societal conditions that can be tended to for impactful individual and systemic change.
- The concept of community accountability tends to center around valuing community safety, in which the approaches to justice are rooted in informal, community-based strategies specific to the needs and relationships within a particular community.

Moonwater acknowledged a lot of different definitions, as well as a lot of commonalities, and some differences. She invited participants to remain open to being a part of supporting wellbeing and healing by re-envisioning and reimaging solutions that we have not been providing, to offer more options for moving forward from trauma.



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She recognized that pockets of our communities are offering these practices, and we want to expand those offerings, so we can craft new avenues for achieving some of those visions of justice.

Moonwater observed that the meaning of all the terminology is intertwined, and all have common and divergent considerations, but overall, the overarching commonality, regardless of which label is used for the work, is that all are centered conceptually on reimagining justice outside of a punitive or retributive justice system.

Finally, Moonwater added that these concepts have grown and changed over time, and that they will continue to do so. She invited Jessyca to share more about the application of these concepts specifically to the DV/SA community.

Jessyca Murphy introduced themselves and shared a bit about their background: They've worked in DV/SA work for almost 15 years in many capacities as an advocate, researcher, and at an administrative level when they were working for the Commission, and they are also an artist and musician.

Jessyca is now the ED of an arts nonprofit in downtown Bellingham (Make.Shift Art Space). They often see these two worlds come together and, in the past, acted as an informal consultant and facilitator for conversations around restorative justice and community accountability and how specifically arts and music communities could address situations that did not go through the legal system, or had gone through the legal system, but also needed something else. A lot of this work had been done while Jessyca was a staff member at Make.Shift (in a different role than now) during the emergence of the #MeToo movement. For a lot of smaller communities, it was overwhelming and people didn't know how to address this. Those with experience in the field were called on to share their thoughts—venues and other art galleries were asking Jessyca's opinion.

Jessyca has facilitated a few processes—bringing people together and figuring out what is the root issue and how to center healing for the survivor, communities, and even the person who caused harm. Make.Shift takes a transformative justice lens of all their interactions with harm. So, if staff, volunteers, or a tenant in their space has caused harm, their goal is



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to move away from punishment and towards healing the root cause. The priority is safety and sometimes to the person who caused harm that boundary that we must put in place might look like a punishment, but in terms of how Make.Shift approaches the issue, the purpose is to not be punitive, but rather to prioritize safety and healing.

Make.Shift developed an organizational protocol that is still used as the #MeToo accusations were first coming out. They have been using this protocol with success. Every situation has been different and varied on how involved people want to be and how much they want to prioritize healing. What they were hearing from survivors—their needs—were at the center. The biggest themes that came out in both the processes, as well as from Jessyca’s experiences as an advocate and a person who knows survivors, the punishment of going to jail or being kicked out of the community didn’t feel like it was going to solve the overall problem. It might promote some safety, but it’s not going to address the issues behind why they were causing harm. There was a desire to address these underlying issues. Survivors also wanted to have acknowledgement that harm was done, either public or private. They wanted the community to take responsibility for the harm. They heard repeatedly that survivors wanted the person who caused harm to have their friends say, “what’s going on? What’s happening in your life that’s leading to this? How do we support you doing things differently and making a change in your life?” That was all in service of prevention. There was a big desire to take steps to prevent this from happening again. All of those themes mirror some of the quotes heard in the DV Commission’s SANDA Report (the Audit):

- “I wanted acknowledgment that it happened.”
- “I just didn’t want him to do it to someone else.”
- “I want him to acknowledge that he did what he did and have him deal with that.”
- “Justice for me was this person realizing that what they did was wrong.”
- “I just want him to acknowledge what he did, to say he’s sorry and he understands that it was wrong.”
- “My biggest hope was that there would be some recognition that this happened, largely on the part of the perpetrator.”



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- “I wanted recognition that it happened, some accountability from the offender that he made the choice, and that the system would provide support to make sure it didn’t happen again.”
- “I know that it was messed up, and I wish he’d own up to that, but I also don’t want him to go to jail.”

Jessyca summarized that while there are situations where the legal system makes sense, overall there is a big desire for survivors to see some form of acknowledgment—not just from the person who caused harm, but also from the community, and a commitment from the community to try to prevent this from happening again.

Jessyca shared a story of someone who went through an accountability process with Make.Shift. The details are confidential. Most people went away from this process feeling like it was positive and helpful, and improved people’s ability to be in community with each other.

Make.Shift had become aware of someone within the arts community who was arrested for domestic violence. The survivor in that situation used the legal system, reported the crime and filed a protection order, as well as accessing advocacy services. But she felt like there was a missing component. A need that stood out in their conversations with the survivor was the survivor’s ability to be a part of community events and be a part of the community in general, and still feel safe. Their main priority was that the person who hurt them needed arts and music to stay healthy and to address their underlying issues. The survivor did not want them to be kicked out of community, shunned, or ostracized in any way, and in fact felt that doing so could make the person who harmed them spiral or encourage them to retaliate against the survivor.

Make.Shift wanted to support the survivor and prioritizing their needs. Jessyca noted that the survivor’s needs may not always match what the community wants. The people involved in facilitating the process met with the survivor, had a long conversation to develop a safety plan and gain information about what the survivor wanted to share, so that the facilitators could be safe when talking with the person who hurt them. They got a good sense of what some of the underlying issues and agreed to support the safety plan to the best of their abilities. This meant welcoming the survivor to contact Make.Shift whenever they wanted to attend an



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event so Make.Shift could tell the person who caused harm not to be there.

Next, they met with the person who caused harm. It went incredibly well, at least in part because they tried to enter that space without judgement—recognizing this person’s value and worth as a human being. They had made a decision to do something that was very harmful, and they weren’t a bad person—they did a bad thing.

Jessyca noted that manipulation could be at play, but with strong boundaries you can work with that person and be able to see when they are willing to work with you. In this case, the person admitted what they had done. They expressed remorse. They expressed wanting that to be communicated to the survivor. The survivor did not want direct communication with the person who caused harm, but was willing to have third party communication. The person who caused harm agreed to the safety plan without opposition and understood why it was necessary. Make.Shift was able to implement that safety plan and the person who caused harm also came up with a harm-reduction plan for themselves. So, if Make.Shift community saw concerning behavior they were able to communicate with the sibling of the person who caused harm, who they had identified as someone who had held them accountable in the past.

For Jessyca that felt like the most positive accountability process that they facilitated. There were no recurring issues that they were aware of. A lot of times the person who caused harm was almost waiting for someone to say something. It made a really big difference to have someone say “this isn’t ok. People who are well and healthy don’t make these kinds of decisions. How can we move forward? We’re hearing that these things need to happen. How can you support the things this person you hurt is asking for?” Not every situation goes like that, but to see this situation where someone was so relieved to be held accountable made a huge difference to Jessyca in wanting to dedicate time and energy to this type of work. They have seen these processes create space for something that formal systems weren’t able to provide—the community involvement and systemic response to supporting safety and survivors’ needs.



Jessyca welcomed Susan Marks to talk more about the work being done to start a restorative justice pilot project in our community.

Susan Marks invited participants to share their reflections, thoughts, and comments.

Rocky Vernola thanked the presenters and shared that what she would like to take away are what are the tasks that need to be done to get to the visions. Where would we play a part in that? How would we work to identify partners to play in that? Rocky loves the idea and loves the group's visions, but what are the building blocks to get there?

Susan replied that this is what we'll talk about in a few minutes—where we're going, what we're doing, and how people can be connected.

Annie Taylor thanked Jessyca for her powerful presentation on community accountability and noted that while this wasn't the biggest thing she took away, something that jumped out at her is that our current jail and prison system is so awful that even survivors of sexual assault would not wish that on their assailant.

Seth Fleetwood expressed gratitude for this thoughtful discussion which is giving him a lot of hope. He shared that he spent much of his career doing very difficult public defense work. He saw some discussion around what justice means and what restorative justice should mean. He saw some policies implemented that didn't work and something about this discussion now seems more enlightened. He notices progress and evolution of the cause. Seth appreciated the humanity with which Jessyca described the work they've done. He reflected on how the backdrop of what he saw came down to rampant inequity and the extremely challenging conditions in which people lived. Seth often represented the perpetrators of harm and saw them at very complex, challenging times. They had so much anger. The whole topic is a challenging one, and he is grateful that this group is diving into it.

Susan drew the group's attention to a point that Michael Lilliquist shared in the chat: "Accountability is important for justice, but sometimes 'accountability' ends up too much like punishment. Jessyca is talking about another kind of accountability."



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Garret Shelsta was struck by how the ways Jessyca talked about restorative justice resonate within multitudes of faith traditions. These are resources for us to draw on in a pluralistic community. In the Christian faith that Garret comes from, he recognized in Jessyca’s story the concept of confession—say that this thing they did was wrong, and repentance. Repentance has a term in Greek: “metanoia” which means “change your mind-actions.” Garret observed that this could sound like a new idea, but there are traditions and histories that are well within the experiences of multiple different places in our cities that we can draw on and contextualize them based on whatever micro-communities we might have.

Byron Manering wonders if restorative justice principles are used in faith communities, have they actually served those communities well? He noted that there are a lot of problems with abuse in faith communities as well as other communities. Has that process served those communities well?

Susan thanked Byron and added that this meeting is around adding an additional option, but not taking away other options. What we want is for survivors to have options they need, want, and think will work. Something discussed in the restorative justice planning group is not wanting someone to be able say “sorry” and the other person to say, “I forgive you” and have pressure around that. Susan made the connection to Byron’s work with children at Brigid Collins and noted that there are extra layers of power and control and pressure. These are issues that are on the planning committee’s minds, knowing that abusive people can be manipulative. That’s part of why we’re leaning on the traditions of when it has served people. Susan thinks this is an option that can create increased safety and decreased harm, but it is not a magic solution. Survivors should have all the options they want, including having the current legal system work for them. Some of the other things discussed today to prevent harm—people having housing, for example. That is a topic on the DV Commission’s work plan. Susan will be working with Emily O’Connor and Jason McGill on housing and DV/SA. Susan noted that Katrice Rodriguez had brought up Missing & Murdered Indigenous Women, that jurisdiction shouldn’t matter. That is also an issue on our work plan. Some of the other things that justice would look like are also things we’re working on.



Susan gave an update on the work of the Restorative Justice work group. This group is made up of representatives from DVSAS, Make.Shift, the Dispute Resolution Center, DV Commission staff, Lummi Behavioral Health, and WWU. This group is planning a pilot with the goal of developing a program to implement in systems. The group has not yet determined which system. They are looking at who is ready. A college university, high school, or the arts and music community—whoever is ready, the work group is going to have the tools to support that work in that community. Right now, the group is working on developing a clear program outline, which will be ready in the next month or two. The group is also seeking input over the next couple of months from survivors and community members on what justice, healing, accountability, and support can look like. The group will be doing outreach and developing key partnerships to develop pilot sites and identify outcomes. They are also researching current resources and current practices locally and in other communities. The group will be identifying funding opportunities, providing learning opportunities for restorative justice facilitators, developing ways for survivors and communities to access practices and facilitators (for ex. an information and intake process), and identifying tools for supporting the processes, things like curricula and policies/procedures.

Susan share how participants could be involved. Some options are: assist with sharing opportunities for survivors and community members to give input by sharing on social media, at events, or with people in your circles; receive regular updates on the work group's progress, including outcomes; participate on the work group that is planning the pilot project; explore having a pilot in your system or institution; attend future training opportunities to learn more about restorative and transformative justice; become trained as a facilitator; support efforts to identify and seek funding; or, something else. Susan invited participants to contact her individually if they want to talk more about how they can be involved.

In the chat, participants shared:

Erika Lautenbach: Accountability looks a lot different once some of the relationship entanglements (co-dependency, shame, blame, etc.) can be given time to see clearly. Speaking as a survivor, my thoughts about accountability for my abuser 10 years later looks and feels a lot different



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| | <p>than what I thought I wanted/needed at the time. Interesting to think about an evolving and not time-limited determination of supporting survivors in their recovery and insight.</p> <p>Satpal Sidhu Whatcom Executive: We as society are so obsessed with "Freedoms" while not emphasizing enough on the "Responsibilities". Both are sides of the same coin for living in any civil society.</p> <p>Pamela Wheeler: Currently working at 4 levels- community, law enforcement, legal system, and penal system. All of these except community are reactive. What can we at the community level do proactively to transform systems starting at the community level?</p> <p>Garret Shelsta (he/him): Excellent push back Byron. Totally fair. Communities of faith have much to own and transform for their historic and present inability and falling short of living into their own beliefs and practices.</p> <p>Susan invited Chris Roselli to close the meeting.</p> |
| Adjourn | <p>Chris Roselli thanked Moonwater and Jessyca for their presentations, and everyone in attendance for the work they do and for their dedication to improving systems as providers and advocates for survivors.</p> <p>Chris specifically thanked the elected officials and leaders in attendance. Their presence means a lot because they can implement change.</p> <p>Chris encouraged attendees to bring some joy this weekend by eating that favorite breakfast food shared during introductions and noted that there was probably an environment or person who was part of that. He encouraged attendees to call that person or honor them by doing something for someone else in a way they would have.</p> <p>Meeting adjourned at 10:00 am.</p> |



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Bellingham-Whatcom County Commission on Sexual & Domestic Violence

Commission Meeting

Thursday, July 28, 2022

9:00 – 10:00 am

Virtual via Zoom

Members Attending: Greg Baker (Bellingham Public Schools), Christina Byrne (Western Washington University), Chris Kobdich (Unity Care NW), Ken Levinson (Nooksack Tribe), Jason McGill (Northwest Youth Services), Rebecca Mertzig (Bellingham Police Department), Jessyca Murphy (Make.Shift Art Space), Katie Olvera (KPO Counseling), Darlene Peterson (Bellingham Municipal Court), Adrienne Renz (Domestic Violence & Sexual Assault Services), Chris Roselli (Western Washington University), Garret Shelsta (Stuff You Can Use), Donnell Tanksley (Blaine Police Department), Annie Taylor (Department of Children, Youth & Families), Krista Touros (PeaceHealth), Bruce Van Glubt (Whatcom County District Court and Probation), Rocky Vernola (Whatcom Community College), Pamela Wheeler (Opportunity Council)

Members Absent: Beth Boyd (PeaceHealth St. Joseph Medical Center), Bill Elfo (WCSO), Stark Follis (Whatcom County Public Defender), Greg Hansen (City of Ferndale), Erika Lautenbach (Whatcom County Health Department), Alan Marriner (City of Bellingham), Diane Miltenberger (Department of Social & Health Services), Moonwater (Whatcom Dispute Resolution Center), Emily O’Connor (Lydia Place), Dave Reynolds (Whatcom County Superior Court), Eric Richey (Whatcom County Prosecutor’s Office), Katrice Rodriguez (Nooksack Tribe)

Guests Present: Rodger Funk (WCSO), Byron Manering (Brigid Collins)

Staff Present: Susan Marks, Nikki D’Onofrio

| Agenda Item | Discussion |
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| <p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledgement of Tribal lands ▪ Please keep video screens turned on, turn off email notifications and other screens, and monotask for the hour-long meeting ▪ In chat: introductions with name, gender pronouns, agency, and one fun thing you have | <p>Katie Olvera opened meeting at 9:02 with the Acknowledgement of Tribal Lands.</p> <p>Katie asked participants to keep video on, if possible, and invited everyone to introduce themselves in the chat.</p> |



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| <p>done or will do this summer</p> | |
| <p>MOTION: Consent agenda</p> <ul style="list-style-type: none"> ▪ Minutes: May 26, 2022 Commission meeting | <p>Susan Marks shared her screen to show the May 2022 Meeting Minutes (also previously sent to members via email).</p> <p>Garret Shelsta moved to approve the minutes. Darlene Peterson seconded. The minutes were approved unanimously.</p> |
| <p>Stakeholder Input on Restorative & Transformative Justice Pilot</p> <ul style="list-style-type: none"> ▪ Purpose of meeting today ▪ Instructions for focus groups: facilitators, notetakers, introductions, reporting back ▪ Focus group of stakeholders ▪ Report back one theme/takeaway that emerged from your group | <p>Susan introduced today's topic of restorative and transformative justice. The DV Commission co-hosted a learning series on restorative and transformative justice in 2019-2020. The 2019 and 2022 DV Commission Annual Meetings focused on restorative justice to keep Commission members and the community up to date on our work. A key part of the DV Commission's 2022-2023 work plan is to develop a pilot of restorative and transformative justice responses to domestic and sexual violence. Right now, we are seeking input from survivors. We have had a big response from survivors in our community so far.</p> <p>We also want to get feedback from people working in systems, so today we are going to do a focus group style discussion. Susan asked that once participants were in their Zoom breakout room to introduce themselves and assign a notetaker and a person to report one key takeaway when we return to the larger group. A facilitator will lead each group through these steps.</p> <p>This is our time to hear from all of you. We want you, the people working within systems and representing and working with survivors, offenders, and their children, to give us your feedback on how you think restorative justice and transformative justice could work. You may have heard feedback from your coworkers and/or from the people you serve, and we want to hear this from you. We ask that you participate fully, so that we can really understand our community's views on this topic – this is a safe space to share your thoughts and ideas as we move towards developing a pilot using restorative and transformative justice.</p> <p>Three breakout groups met for about 30 minutes. Groups explored these questions (as time allowed):</p> <ul style="list-style-type: none"> • I think restorative justice means: |



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- Where did you first hear of restorative justice?
 - Follow up: Have you heard of restorative justice in the context of domestic violence and sexual assault?
 - Follow up: Have you had any training on restorative justice?
- Have you heard from survivors/victims about their hopes, expectations, or concerns about using alternatives to the justice system (such as restorative justice) to address domestic and sexual violence? If so, what have you heard?
- When I think about exploring restorative justice to address domestic and sexual violence in our community, my biggest concern is:
 - Follow up: Can you say more about why that is a concern for you?
- When I think about exploring restorative justice to address domestic and sexual violence in our community, I feel excited about:
- Are you aware of any hopes, expectations, or concerns that your colleagues have about restorative justice to address domestic and sexual violence? If so, what are they?
- What questions do you have about using restorative justice as a way to address domestic and sexual violence?

The entire group came back together at 9:40 and Susan asked a representative from each group to share their main takeaway.

Pamela Wheeler: This group defined restorative justice as a process where you repair the harm, acknowledge the damage done (that's the accountability), and focus on learning. The group wondered "How does this process look across the multiple systems that the victim could go through?" and "How can they restore the trust that is necessary for restorative justice to be productive?"

Rocky Vernola: This subject is still a bit intimidating; I'm still trying to get an understanding. We had a good discussion. Restorative justice is still not a clear path. This groups discussion focused on the question "are we helping or hurting the victim as they move through these experiences?" We talked about the best way to do both—the rehabilitative side for the



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| | <p>perpetrator, and how that could be revictimizing or not taking victim into consideration. Rocky said it was a valuable discussion for her.</p> <p>Adrienne Renz: We were in the process of trying to see the potential as a reality, conceptualizing what that could be. Restorative justice is a very individualized experience on all ends. We explored the caution to not “cookie-cutter” it or systemize what is an individual experience. We acknowledge that there were concerns and opportunities—survivors find it useful, survivors are wanting it. In closing, the process could acknowledge that both people [person who experienced harm and person who caused harm] are people and have the opportunity to do some healing on both ends of that—instead of ostracizing the perpetrator, giving them an opportunity.</p> <p>Susan asked the person who took notes in each group to email them to her and Nikki.</p> <p>Susan shared that the RJ/TJ Work Group had read “The Trouble with Peacemaking,” a chapter from <i>The Beginning and End of Rape: Confronting Sexual Violence in Native America</i> by Sarah Deer. That group discussed some of the pitfalls of restorative justice that Deer described. Deer’s book is talking about Native survivors for whom racism in traditional legal systems also present a lot of challenges.</p> <p>The Work Group is creating a written program outline—our roadmap for how we’re implementing a pilot and approach people for funding. Commission Members will be invited to review and give feedback on this when completed.</p> |
| <p>Survivor input promotion</p> <ul style="list-style-type: none"> ▪ Social media, post flyers, webpage, tabling/events | <p>Susan shared that she had emailed members about recruiting survivors to give input. We’ve had a lot of interest so far, so we don’t need to do much additional promotion. However, Commission Members are invited to share this opportunity with anyone they’ve worked with who has mentioned that they’d like an alternative to current systems. Interviewers are also collecting some demographic info, so we may realize that we’re missing certain voices and reach out again to invite Commission Members to help recruit survivor input.</p> |
| <p>Adjourn</p> | <p>Susan shared that Byron Manering is retiring from Brigid Collins after 28 years. She expressed gratitude that he joined us today because his input</p> |



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has been so important on the topic of restorative justice, and thanked him for his work ending abuse against children for so many years.

Byron said that he is grateful for Susan’s comments and grateful to everyone in the community—we take on these projects together. The DV Commission has been a really important part of our community.

Katie thanked everyone for joining and participating; We’re all excited to move forward with this project.



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Bellingham-Whatcom County Commission on Sexual & Domestic Violence

Commission Meeting

Thursday, September 22, 2022

9:00 – 10:00 am

Virtual via Zoom

Members Attending: Greg Baker (Bellingham Public Schools), Christina Byrne (Western Washington University), Chris Kobdich (Unity Care NW), Erika Lautenbach (Whatcom County Health Department), Ken Levinson (Nooksack Tribe), Jason McGill (Northwest Youth Services), Diane Miltenberger (Department of Social & Health Services), Moonwater (Whatcom Dispute Resolution Center), Jessyca Murphy (Make.Shift Art Space), Emily O’Connor (Lydia Place), Katie Olvera (KPO Counseling), Adrienne Renz (Domestic Violence & Sexual Assault Services), Chris Roselli (Western Washington University), Garret Shelsta (Stuff You Can Use), Donnell Tanksley (Blaine Police Department), Annie Taylor (Department of Children, Youth & Families), Krista Touros (PeaceHealth), Rocky Vernola (Whatcom Community College), Pamela Wheeler (Opportunity Council)

Members Absent: Beth Boyd (PeaceHealth St. Joseph Medical Center), Bill Elfo (WCSO), Stark Follis (Whatcom County Public Defender), Greg Hansen (City of Ferndale), Alan Marriner (City of Bellingham), Rebecca Mertzig (Bellingham Police Department), Darlene Peterson (Bellingham Municipal Court), Dave Reynolds (Whatcom County Superior Court), Eric Richey (Whatcom County Prosecutor’s Office), Bruce Van Glubt (Whatcom County District Court and Probation)

Guests Present: Rodger Funk (WCSO), Erik Sigmar, Whatcom Co. Prosecutor’s Office

Staff Present: Susan Marks, Nikki D’Onofrio

| Agenda Item | Discussion |
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| <p>Welcome</p> <ul style="list-style-type: none"> ▪ Acknowledgement of Tribal lands ▪ Please keep video screens turned on, turn off email notifications and other screens, and monotask for the hour-long meeting ▪ Introductions with name, gender pronouns, agency, and show us something interesting that is in your workspace | <p>Katie Olvera welcomed everyone at 9:02 am and shared Acknowledgement of Tribal Lands. She reminded participants to keep video on and to give their undivided attention.</p> <p>Participants took turns introducing themselves, their agency and pronouns, and shared an object from their workspace that was fun, interesting, and/or meaningful.</p> |
| <p>MOTION: Consent agenda</p> | <p>Donnell Tanksley moved to approve the minutes. Chris Roselli seconded</p> |



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| <ul style="list-style-type: none"> ▪ Minutes: July 28, 2022 Commission meeting | <p>July’s minutes were approved unanimously.</p> |
| <p>DV & SA case reviews</p> <ul style="list-style-type: none"> ▪ Work plan activity and September/November Commission meeting plans ▪ Abbreviated case review with mock case ▪ Share out in large group ▪ Summarize themes ▪ Next steps | <p>Susan Marks introduced the case review activity. It’s one of our 2022-2023 work plan activities to “Lead case reviews of local intimate partner homicide cases and sexual assault cases to identify strengths and gaps in community interventions and prevention.”</p> <p>We’ll go over more logistics at our November meeting about how we’ll proceed with case reviews.</p> <p>There are a group of people here who are very familiar with what a law enforcement or prosecution case file looks like, but others are not familiar.</p> <p>Today we’re doing a mock case; we won’t do a real case in a Commission meeting because this is a small community and even if info is redacted, you could recognize someone you know. It could also be triggering.</p> <p>For a case review, you’d usually look at law enforcement files, prosecution files, CPS files, civil protection orders, media reports, and other public records.</p> <p>When there’s a DV Homicide there’s an extremely in depth investigation, so there’s a lot of information, which is why we look at those cases.</p> <p>At today’s meeting we’re going to look at a mock, abbreviated case review. This is written in paragraph form, which isn’t typical of a real case review, but makes for easier reading and contains the same types of information that would be included in case files.</p> <p>Susan asked participants to read the Mock Case Summary and take notes in response to the following questions:</p> <ul style="list-style-type: none"> • What was supportive of the survivor in the responses? • What were gaps for the survivor in the responses? • What questions would you want answered about why or how the response happened? <p>Everyone took a few minutes to do this.</p> |



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Susan shared that this mock case was put together by the Sexual Violence Justice Institute (SVJI). The facts are similar to other real life cases. Susan invited participants to unmute and share their thoughts.

Question 1: What was supportive of the survivor in the responses?

Krista: The first visible support was the roommate, and how supportive it must have felt to have someone take that seriously.

Emily: Great to have SANE nurses take good care of the survivor.

Rodger: Noted that detective started by saying that he believed her.

Diane: Original officer went to dorm to collect sheets for more evidence.

Adrienne: Initial support and response, entry into the system was rather seamless and quick.

Jessyca: My reaction having worked in systems, though the survivor may not have noticed, is a month for a response time is not bad. The fact that the system people answered the phone and are getting back to the person relatively quickly is supportive.

Sue: SANE stands for Sexual Assault Nurse Examiner—they collect evidence, understand dynamics of SA. SANE nurses are not everywhere and not every hospital has full coverage. Having someone trauma informed is very important.

Question 2: What were some of the gaps?

Krista: It was profound that the Prosecutor's office decided not to prosecute without having talked to the victim.

Rocky: After the initial incident and follow up, there's a gap in what the next level of support is for survivor. Coming from a college setting, I'd hope there's ongoing support, protections in the school environment, support for student because there's a change in grades. Sometimes there's a sense of sympathy or empathy for respondent in situation, so I wonder if that influenced prosecutor's decision.

Tank: Was there support from University or school? A lot of schools already have those supports in place, like assigning an advocate to that



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person from day 1 to help them navigate this traumatic process. When the detective later gave Kelly the number for prosecutor’s office, what if she’d had an advocate who could assist her? I think there are a lot of things we have in place that could assist this person.

Moonwater: Echoing what folks have said: gaps in communication; initiative being placed on survivor to inquire about status; lack of inquiry into survivor’s needs, even getting new sheets. This happened in her dorm room, which should be safe. Who’s being curious about that and responding to that? If a seed is planted for the person who has caused this harm, where is the support for that person to digest what has happened, what they’ve been responsible for? They’re left with a sense that they have caused harm, but not an opportunity to process that.

Rodger: To build upon what Tank said, having an advocate who explains the legal system a little bit. There’s a difference between it happened, probable cause, and reasonable doubt—there are checks and balances in system. It may not make it more comforting, but there’s a difference between “these are the thresholds we have to meet” vs. “we don’t care.”

Emily: We have to manage expectations. That didn’t happen at the front end. You’ve been harmed and wronged, and I have the evidence which seems amazing, but having someone who can lovingly manage the expectations. Also thinking while Moonwater was talking—new sheets, and a move, and a support person from the beginning. What is the difference between punishment and accountability? If mechanisms of the justice system can’t create that accountability, how can we?

Nikki: Her friends didn’t have skills/tools to continue to support her.

Question 3: What other questions would you want answered?

Annie: Thinking about our recent conversation about what justice means for survivors—there’s no mention of what justice would look like to her or what outcome she would want to see.

Chris Roselli: As someone who has worked with students, you can notice there are changes in students’ behavior, you can approach them and find ways to support them.



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Katie: I would want to know why prosecution didn't move forward, and have that explained.

Ken: I'd like to learn more about what advocate met with Kelly in the beginning. What system did that advocate come from? Prosecutor/law enforcement? Or community-based? What was offered to her? The advocate disappears from this fact pattern. It could be Kelly didn't want that, but we don't know. Think of all of the needs that could have been identified or met. I would like to see follow up after that initial trauma moment.

Jessyca in chat: It's like what we found in the audit that survivors wanted a follow-up call rather than having the burden to call put on them.

Pamela: There's a lack of perspective—law enforcement are familiar with the elements of a crime, penal code, etc. But survivors aren't coming from that perspective, if that's not discussed with them, they don't have that information.

Susan: Often survivors are left with "call us if you need us." But survivors may not know what they can ask for. It comes up in many systems: take the burden off the survivor.

Rocky: A gap we recognize in our situation for student housing. It's not always simple to move students from one room to another. Some individuals who feel a little more vulnerable still want to stay on as a student, but don't want to continue living on campus. Due to the Whatcom County housing situation, it's not always easy to find housing. We're thinking about hotel vouchers, or other ideas.

Susan: Even though this is much shorter than a real case review, it would be written material. We often put a summary like this at the top of the case review materials. And then we would work our way through cases, getting our questions answered by the multi-disciplinary review team. We would have asked Eric Sigmar "why would a prosecutor not take this case?" We'd ask Adrienne, "did your advocates call her back? What is your practice?" If we see a series of cases where these patterns emerge, we can more clearly identify systemic supports and gaps. How are we continuing to engage this person? How are we identifying their needs and wants? What's happening outside the legal system? How are family and friends



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| | <p>skilled up to support survivors, where can they get support for housing, and what other community supports could be available?</p> <p>Rodger: I want to caution against the power of words. The detective says “I want to help you find justice.” But you may have just made a promise you can’t keep—does that mean they want that person to go away for life? Get kicked out of college? We have to be careful.</p> <p>Moonwater: The value of time, if we take the time to ask these questions. If there was someone who had time and took time to sit in that place of curiosity—what would it look like to rebuild safety in this dorm room? Maybe there’s a spiritual aspect. Curiosity and time to explore options given the limitations. There isn’t an efficiency in that.</p> <p>Susan: A lot of times case reviews are pointed at the legal system, but we want to look more broadly at what happened – with law enforcement and prosecution, but also with advocates, on campus, in the workplace, with students who want to help their friends. We will continue to discuss the case reviews at our next DV Commission meeting, and then will do actual case reviews in 2023.</p> |
| Adjourn | <p>Katie reminded participants of the next meeting: Thursday, November 17th, one week earlier because of Thanksgiving</p> <p>The meeting adjourned at 9:58 am.</p> |



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Bellingham-Whatcom County Commission on Sexual & Domestic Violence

Meeting

Thursday, November 17, 2022

9:00 – 10:00 am

Virtual via Zoom

Members Attending: Beth Boyd (PeaceHealth St. Joseph Medical Center), Christina Byrne (Western Washington University), Erika Lautenbach (Whatcom County Health Department), Ken Levinson (Nooksack Tribe), Alan Marriner (City of Bellingham), Diane Miltenberger (Department of Social & Health Services), Jessyca Murphy (Make.Shift Art Space), Emily O'Connor (Lydia Place), Katie Olvera (KPO Counseling), Darlene Peterson (Bellingham Municipal Court), Adrienne Renz (Domestic Violence & Sexual Assault Services), Chris Roselli (Western Washington University), Annie Taylor (Department of Children, Youth & Families), Krista Touros (PeaceHealth), Pamela Wheeler (Opportunity Council)

Members Absent: Greg Baker (Bellingham Public Schools), Bill Elfo (WCSO), Stark Follis (Whatcom County Public Defender), Greg Hansen (City of Ferndale), Chris Kobdich (Unity Care NW), Jason McGill (Northwest Youth Services), Rebecca Mertzig (Bellingham Police Department), Moonwater (Whatcom Dispute Resolution Center), Dave Reynolds (Whatcom County Superior Court), Eric Richey (Whatcom County Prosecutor's Office), Garret Shelsta (Stuff You Can Use), Donnell Tanksley (Blaine Police Department), Bruce Van Glubt (Whatcom County District Court and Probation), Rocky Vernola (Whatcom Community College),

Guests Present: Rodger Funk (WCSO), Amber Icay-Creelman (DVSAS), Claudia Murphy (Bellingham Police Department)

Staff Present: Susan Marks, Nikki D'Onofrio, Brooke Eolande

Purpose of Meeting

- Increase understanding of case review purpose and process
 - Help with identifying who should participate from Commission member agencies
 - Commission members understand process when we report back with findings and recommendations
- Get feedback from Commission members in advance of case review process

| Agenda Item | Discussion |
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| Welcome <ul style="list-style-type: none"> ▪ Acknowledgement of Tribal lands: we are on the traditional, ancestral | Katie Olvera opened the meeting at 9:03 with an Acknowledgement of Tribal Lands. She invited participants to introduce themselves in the chat. |



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| <p>homelands of the Lummi, Nooksack, and Semiahmoo people</p> <ul style="list-style-type: none"> ▪ Please keep video screens turned on, turn off email notifications and other screens, and monotask for the hour-long meeting ▪ Introductions in chat: name, title/agency, gender pronouns | |
| <p>MOTION: Consent agenda</p> <ul style="list-style-type: none"> ▪ Minutes: September 22, 2022 Commission meeting | <p>Katie Olvera asked for a motion to approve the September 2022 meeting minutes. Emily O’Conner moved to approve. Diane Miltenberger seconded. The minutes were approved unanimously.</p> |
| <p>Overview of 2022</p> <ul style="list-style-type: none"> ▪ One-hour meetings virtually for full DV Commission, Executive Committee meets every other month, RJ/TJ work group meets monthly, other members connect as needed ▪ January & March: identified DV Commission work plan & how to be involved ▪ May & July: learned about restorative & transformative justice, stakeholder focus group ▪ September & November: learning about & preparing for case reviews | <p>S/DV Commission Director Susan Marks reflected on the 2022 S/DV Commission Meetings. We have met for 1 hour meeting every other month, spending about 2 meetings on one topic. During the last meeting we participated in an exercise of a mock case review.</p> |
| <p>IPV & SA Case Review Process</p> | <p>Susan gave an overview the case review process.</p> |



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| <ul style="list-style-type: none">▪ Activity from workplan: <i>Lead case reviews of local intimate partner homicide cases and sexual assault cases to identify strengths and gaps in community interventions and prevention</i>▪ Why do we do case reviews?▪ How do agencies participate?▪ Questions | <p>Case reviews will be an opportunity to be involved outside these full S/DV Commission Meetings.</p> <p>Think about if your agency should be participating in case reviews and who should participate. Sometimes it feels like it's not in your scope for your agency to specifically participate in case reviews, but it's important to ensure that everyone understands clearly how we get to recommendations, which is why we are talking about the process at this full Commission meeting.</p> <p>An activity in our workplan is to lead case reviews on local intimate partner homicide and sexual assault cases to explore strengths and gaps in systems.</p> <p>We're going to start with 2 intimate partner homicide cases. There are very full investigations in homicide cases so there is often a lot of information about the people around that victim and offender. We'll get a better sense of who people were talking to, and what interventions they know about and don't know about. These cases are both challenging to talk about and important.</p> <p>We don't do case reviews to place blame (on the victim/survivor, people around them, or community institutions). We look at the full picture of violence in our community and how it occurs. Are there responses that can decrease harm?</p> <p>Case reviews are different than case consultations (e.g. the weekly Prosecutor meeting that are consultations with law enforcement, advocates, child protection, primarily focused on improving individual cases and strengthening partnerships). Case reviews are a comprehensive process to look deeply into how we can make systemic change and goes beyond the legal system response.</p> <p>Though the primary source of information will be law enforcement files, we don't want to focus solely on that system; those files can provide us with information about other systemic responses as well. How can we help the various people and agencies that victims are reaching out to, so they can be prepared with support? Only 10% of victims seek legal help, so we don't want to be too hyper-focused on only that response. This came up during our last meeting with the mock case review, as we noticed survivor</p> |
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needs that could include new sheets for their bed, re-creating the dorm room as a safe place, teachers who supported the student in their classroom, friends who knew how to support the survivor, a response to the person who caused harm which could help provide understanding and accountability.

There are lots of things to look at in a case review. We might look at employee policies in IPV cases and see what likely would have worked for them. What would not have worked, or was missing? We might look at the family court case and see how the survivor and children were supported in family court and how an offender was held accountable, or not. What worked for the survivor, and what needs to be done differently? We might look at how a sexual assault case was prosecuted in a case with a survivor who was homeless and targeted for their “lack of believability”. What in the investigation and prosecution worked? What supports were provided for the victim in the community to help them be housed and safer, and what supports were not available?

In the past case reviews have led to increased advocacy support for survivors seeking civil protection orders, and the creation of the DV High Risk Team and the Lethality Assessment Program. We’ve changed ways courts are supporting full faith and credit for Protection Orders, implemented trauma-informed response training for BPD, WCSO, and the Whatcom County Prosecutor’s Office.

How can agencies participate? Every agency adheres to their own confidentiality practices, and signs a confidentiality agreement. Advocates will not speak to a specific case, but can talk more generally about what usually happens in similar scenarios. For law enforcement this might mean sharing some information, but redacting names/addresses, or the reviewers might just get a summary that doesn’t include names. Agencies look up their own information and share it with the review team. That information can be shared in advance, or can be shared verbally during the meeting.

Who should participate? Agencies that have been related to the case will be invited, agencies that have specific discipline expertise will be invited; both direct service (know actual response practices) and policy-makers



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| | <p>(can make decisions about changes in practice in their agencies) can attend.</p> <p>Each case review will be carefully facilitated to ensure we share information about specific cases, answer each other’s questions about how our systems generally respond and why, and identify areas for improved or enhanced community interventions.</p> <p>When we identify cases and are ready to set up reviews, Susan will ensure the full membership is aware of how to participate and will also connect with a number of members specifically.</p> <p>Susan asked if there were any questions. There were none.</p> |
| <p>Discipline-based discussions</p> <ul style="list-style-type: none"> ▪ Small groups <ul style="list-style-type: none"> ○ Introduce yourselves ○ Choose someone to take notes and report out ○ Answer 2 questions about your system/discipline: <ul style="list-style-type: none"> ○ How could your system/area be involved in supporting a survivor, during or after an incident? ○ How could your system/area be involved in holding offenders accountable? ▪ Report 1 theme back in large group; email notes to Susan | <p>At 9:19 we moved into small groups to discuss:</p> <ul style="list-style-type: none"> • How could your system/area be involved in supporting a survivor, during or after an incident? • How could your system/area be involved in holding offenders accountable? <p>After 20 minutes in small groups, each group reported back on themes from their discussions:</p> <p>Chris Roselli: Claudia, Darlene, and Katie were also in this group. Court system: support for survivors, allowing victims to testify, victim can share wishes if they’re not able to appear; Whatcom Co. has funding for DV perpetrators—if don’t address that behavior it can lead to repeat offenses; drug addiction support; City & County Council have allotted funding for perpetrator treatment for indigent defendants; BPD maintaining relationship with DVSAS as they go through leadership change, and new officers, ensuring there’s a warm hand-off, differences between how felonies and misdemeanors are handled, ensuring investigator for felonies is working with prosecutors, not treating any case as a “typical case” because for the victim/survivor it’s not ever a typical case. 4 hour mandatory arrest policy in Washington State. Private Practice/Counseling: work with survivor after crisis has evolved, working to ensure counselors have awareness of how systems work so you can be an advocate, e.g. if victim hasn’t received communication, that might be normal and it’s not victims fault, we need to have more psychologists working with</p> |



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perpetrators as well, for example sex offenders; WWU: variety of areas of support, moving students into other living situations, changing academic calendars, Survivor Services at WWU; if there's a PO it's challenging because it's not a huge campus; I like the idea of a ceremony of cleansing, residence hall dorms don't look different—all the same furniture

Annie: child welfare, public health, DVSAS, arts and music were represented in this group. Theme that jumped out was around linkage to appropriate support—having good, comprehensive updated information; offender accountability: lack of available resources, both funding and providers in the community to do that work; Child welfare has ability to pay for services, but there's a lack of services for offenders even when they're willing to do it. Jessyca added that services for offenders that are not connected to legal system would be a key part of that gap.

Amber: Emily, Rodger, Diane, and Christina were also in this group. This group discussed system coordination for survivor—communication about what survivors need. If they have a good support system maybe none of our systems are right, figuring out what they need is key. DVSAS having a continued relationship with a person throughout, with the trauma-informed skills that many systems have, but especially DVSAS. Offender accountability: cultivating environments where we can all be comfortable having hard conversations; how formal punishment might not be right for all perpetrators; for law enforcement talking about how laws are really clear and for prosecution, hearing what survivors really want for accountability.

Brooke: Ken, Beth, Krista, and Alan were also in this group. It's hard to find a theme from their discussion, but they touched on how it's hard to find services after survivors leave emergency department, linking survivors with outpatient counseling and primary care; Krista said she'd like to see that here and she's working on it; going through the criminal legal system there is a victim advocate, but that engagement ends when involvement with criminal legal system ends; how to avoid DV situation leading into failure to protect in child welfare system; Beth was saying that time is a big issue, how much time it takes to identify survivor services when they have a lot of other things to do.



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| Year-end financial update | <p>Rocky was not able to attend this morning, so Susan gave a brief year-end financial update: City of Bellingham, County, and City of Ferndale each gave the S/DV Commission the funding we asked for. This year we've been relying on the reserve which was built from gaps in staffing, but it's not sustainable. We're in pretty good shape for the next year.</p> <p>Darlene: It looks like the City of Bellingham is going to approve \$100,000 per year for DV treatment. Only one provider right now, so if anyone has any influence, please advocate for additional providers.</p> |
| Adjourn | Katie thanked everyone and adjourned the meeting at 9:56. |