

## DVC: COMMITTEE ON SYSTEMS IMPROVEMENT

### JANUARY 2024 MEETING MINUTES

- I. Call to order, welcome & Introductions
- II. Priorities for 2024
  - a. Working with law enforcement:
    - i. Continuing to build relationship with LASD under Luna: Lan has requested a follow-up meeting in February
    - ii. Priorities for law enforcement partners:
      1. Training issues, including cultural competency;
      2. Removing obstacles to service of process – discussion of Det. Strnad's efforts with Field Operations Support regarding implementation of electronic submissions; LAPD now also required to serve when requested
  - b. Working with prosecution:
    - i. Discussion of need to prioritize repeat offenders and those in high risk categories, such as strangulation – discussion of how those high risks are identified, from initial field report through DA/CA review; development of strangulation protocols are in the works
    - ii. Discussion of need to address intersectionality when an abuser is arrested on multiple charges, and DV tends to be the one that is dropped in plea bargain; discussion of how survivors often aren't brought in by the prosecution until the case looks like it will go to trial, which may be after plea negotiations occur affecting CPO protections
    - iii. BEST PRACTICES: agreed amongst the group that when possible, survivors should be encouraged to reach out to the DA handling their case to make sure they have all the information and Marsy's Law rights are invoked
- III. Electronic monitoring policy in DV cases: discussion of WA State program and possibility of implementing something similar in CA; Lan and Pallavi both have connections to this issue and will report back, but group expresses skepticism over efficacy (can be easily tampered with, and private monitoring is both expensive and unreliable), and the resulting false sense of security it would give survivors
- IV. AB 467: MODIFICATION OF CRIMINAL PROTECTIVE ORDERS – extensive discussion about this area of law that many judicial officers have misunderstood in the past, that the court continues to have jurisdiction to modify a CPO throughout the duration of the order's term, even if the underlying sentence has already expired.
  - a. Possible benefit: this may include extension of time, which has previously been understood to be unavailable (unlike DVROs, survivor cannot petition to "renew" a CPO), as well as enhance protections that may have been omitted or too weak in the initial order

- b. Possible risks: could be used by defendants wanting to reduce the scope or terminate early a CPO after they complete probation
- c. General concern: legislation did not explain how this should be accomplished, nor provide guidance for judges on implementation; likely start by contacting prosecutor → call Pallavi for City Attorney Case and Nancy for District Attorney case in which survivor does not know who the assigned prosecutor is
- d. NOTICE ISSUE: as with initial CPOs, survivors may not get adequate notice of a modification process, because mail is sent to the address listed on the police report, where they may no longer live; both law enforcement and prosecution representatives agree there should be a push for officers to collect alternative contact info, including phone and email; on the flip side, defendants may also be hard to track down after probation is over  
  
→ would alternative service be appropriate? There is potential for legislation to address this for both CPOs and GVROs
- e. BEST PRACTICES: as noted above regarding case facts and charges, survivors should be encouraged to stay in contact with the prosecutor

V. Other new laws to watch in 2024

- a. SB 290: educate survivors about their new right to receive photographs and 911 recordings in addition to the incident report in a DV case on an expedited basis
- b. SB 599: encourage survivors to request virtual visitation or exchanges at the courthouse when appropriate to increase safety