



Roy Cooper | Governor

Pamela B. Cashwell | Secretary

TO: Joint Legislative Oversight Committee on General Government  
FROM: David Elliott, Deputy Secretary, Department of Administration  
DATE: July 11, 2022  
RE: Annual report on North Carolina Domestic Violence Commission

This report is submitted pursuant to G.S. 143B-394.16(b), which directs the North Carolina Domestic Violence Commission to report its findings and recommendations, including any legislative or administrative proposals, to the General Assembly annually.

The Commission accomplishes much of its work through a robust Committee structure. There are five Committees that each meet monthly:

Committee	Purpose
Victim Services	<ul style="list-style-type: none"><li>➤ Conducts public awareness campaigns and enhances access to victim services for marginalized communities. The current focus is on Deaf/DeafBlind/Hard of Hearing communities, including the legal obligations of state government to provide services to victims and offenders who are part of those communities.</li><li>➤ Develops partnerships with other organizations and agencies to provide access to and advocacy for domestic violence services for these communities.</li></ul>
Domestic Violence Offender Management	<ul style="list-style-type: none"><li>➤ Provides input on policy recommendations to improve the process, curriculum, and monitoring capacity of Domestic Violence Intervention Programs (DVIPs), as well as legislative recommendations to support funding of those programs.</li><li>➤ Focuses on retention of programs for offenders in North Carolina and strategies for improving support from judges, including judicial education.</li><li>➤ Provides semi-annual recommendations for approval of DVIPs.</li></ul>

Committee	Purpose
Access to Health Services	<ul style="list-style-type: none"> <li>➤ Promotes increased routine screening by primary care providers, especially in rural areas, for indications of domestic violence or abuse in underserved populations.</li> </ul>
Access to Transportation	<ul style="list-style-type: none"> <li>➤ Identifies partners and collaborates with other organizations to develop assets and funding opportunities to expand transportation access resources for domestic violence victims, beginning with Eastern North Carolina.</li> <li>➤ Explores links with the Governor’s initiative around broadband access in <a href="#">Executive Order No. 91</a>.</li> </ul>
Legislative & Advocacy	<ul style="list-style-type: none"> <li>➤ Supports the work of the various committees through recommendations to improve access to health care, transportation, language services, and Deaf/DeafBlind/Hard of Hearing services for domestic violence survivors and service providers.</li> </ul>

**Accomplishments & Initiatives**

- Scholarships to the 2021 Virtual Women’s Recovery Conference: In collaboration with the North Carolina Department of Health and Human Services, the Commission provided 40 scholarships that allowed victim services agency staff to attend the 2021 Virtual Women’s Recovery conference, *Rising Together through Trauma, Grief and Loss*. This virtual conference was hosted by the Mountain Area Health Education Center in May 2021.
- Best Practices for Language Access for Domestic Violence Survivors: In conjunction with the North Carolina Coalition Against Domestic Violence and the North Carolina Victim Assistance Network, the Domestic Violence Commission developed best practice guidelines for providing language access services to domestic violence survivors who have limited English proficiency. Those guidelines address the obligations of recipients of federal funding under the Civil Rights Act of 1964 and offer a number of practical recommendations to meet those obligations. The Commission formally approved the guidelines on February 25, 2022.
- Legal Obligations of Domestic Violence and Sexual Assault Providers to Deaf, DeafBlind, and Hard of Hearing Survivors: On February 25, 2022, the Commission also approved a document that was prepared by three University of North Carolina School of Law students and reviewed by Disability Rights North Carolina about the legal duties to provide accommodations to members of the Deaf, DeafBlind, and Hard of Hearing community under both North Carolina and federal law. The memo is posted on the Commission’s webpage.

➤ Webinar Series on Serving the Deaf, DeafBlind, and Hard of Hearing Community:

During the spring of 2022, the Victim Services Committee of the Commission sponsored a series of four virtual webinars focusing on the Deaf, DeafBlind, and Hard of Hearing community:

- The first webinar was co-sponsored by Disability Rights North Carolina, and was a primer on ensuring meaningful access to victims and survivors from this marginalized and underserved community.
- The next three webinars were co-sponsored by the Department of Health and Human Services' Division of Services for the Deaf and Hard of Hearing. The focus of this series was on communication equity.

➤ Oversight of Domestic Violence Intervention Programs:

The Commission has continued to play an active role in overseeing DVIPs across North Carolina. For FY22-23, the Commission has approved 39 programs that serve 57 counties. While 43 counties do not have local programs, the Commission approved a change to its program guidelines in April 2020, allowing programs to serve offenders remotely throughout the state of emergency declared by [Executive Order No. 116](#). This remote option has removed a barrier to attendance and ensures that all North Carolinians have greater access to this service, regardless of proximity to an approved provider. CFWYI has received positive feedback about the remote option from both programs and constituents. The Commission is also considering new innovations for DVIPs based on recommendations from national experts and evidence-based data.

➤ DVIP Statistical Briefing: From April 2020 through March 2021, 38 DVIPs serving 63 North Carolina counties received a total of 2,706 referrals, including 1,472 from judges presiding over criminal cases, 508 from probation and parole, 541 from the Department of Social Services, and 108 from civil court. Of those referred, 1,837 people were accepted and enrolled and 1,743 people completed the program.

➤ Additional Training Under Consideration: The Commission is continually exploring potential topics for training programs. Topics under current consideration include programs on domestic violence and intimate partner violence screening for primary health care professionals, including trauma informed policies and practices and protocols to ensure safety and confidentiality, as well as programs for middle and high school students and staff.

## **Recommendations**

➤ Create a DVIP Coordinator Position in the Council for Women & Youth Involvement: This new position is needed to fulfill the Commission's statutory obligations to adopt and enforce rules that establish a consistent level of provider performance, enhance the safety of victims, and hold those who perpetrate acts of domestic violence responsible. Currently, CFWYI is supporting the DVIPs statewide through one of its four Region Directors, in addition to the office's responsibilities to provide programmatic support to

the victim services agencies in that region. These additional responsibilities do not allow CFWYI to provide a consistent and sustainable level of support to the DVIP programs, or to conduct the research that is needed to keep abreast of best practices. Funding for this new position was included in the Governor's budget recommendations for FY22-23.

- Increase Court Access for Domestic Violence Protective Order Filings During Emergency Court Closures: The Commission recommends legislative changes to G.S. 50B-2 that would require Chief District Court Judges to ensure that a judge or magistrate is available to hear requests for emergency *ex parte* domestic violence protective orders when courthouses are unexpectedly closed for inclement weather, COVID-19 exposure, and other emergencies.
  
- Ensure Equal Access to Domestic Violence Protections for all Survivors: The Commission recommends amending the definition of "personal relationship" in G.S. 50B-1 to remove the "opposite sex" requirement for qualifying dating relationships. This change is necessary to ensure that all survivors can access domestic violence protections, regardless of their sex or gender identity, and to conform with the Court of Appeals ruling in *M.E. v. T.J.*, 275 N.C. App. 528, 854 S.E.2d 74 (2020), *aff'd and modified by M.E. v. T.J.*, 869 S.E.2d 624 (2022).