

Santa Cruz County Domestic Violence Commission

Missing in Action

Summary

The Santa Cruz County Domestic Violence Commission was established in order to improve services for families, educate the public about domestic violence issues, and develop and monitor protocols used by law enforcement agencies and the Court.^[1] There has not been a meeting of the commission since 2013; prior to that, on numerous occasions the lack of a quorum prevented action. The Grand Jury was concerned that the Domestic Violence Commission, mandated in County Code Chapter 2.118,^[2] is no longer functioning.

The Grand Jury met with representatives from both the District Attorney's Office and law enforcement. All agreed that the Domestic Violence Commission was essential and needed to be reconstituted by modifying the membership, bylaws, and structure of the meetings. The District Attorney's Office agreed to take on the project, and a team has already been put in place to move it forward.

Background

On average, 1,000 domestic violence (DV, see [definition](#)) cases were reported each year in the county, according to the Santa Cruz County Women's Commission, and an estimated 60 percent of victims never reported incidents to authorities.^[3]

The currently non-operational Santa Cruz Domestic Violence Commission (DV Commission), an advisory commission to the Santa Cruz County Board of Supervisors, was established in 1994 and has had 24 to 28 members, comprised of agency representatives, at-large appointments, and several members from elected county positions.

The five mandated responsibilities are listed in County Code Chapter 2.118.050^[2] as follows:

- (A) *Help increase coordination between agencies, departments and the courts, and with victims of domestic violence and abuse.*
- (B) *Promote effective and accessible education, prevention, intervention, and treatment techniques which will be developed based upon research and data collection.*
- (C) *Seek to improve the response to domestic violence and abuse so as to reduce incidents of domestic violence.*
- (D) *Examine issues relating to domestic violence and make recommendations in regard to administrative and legislative action*

to be taken by the Board of Supervisors.

(E) Establish a committee from among its membership, with the addition of a representative from the Office of the Santa Cruz County Counsel, as specified by Penal Code Section [853.6\(a\)](#), to develop protocols for use by law enforcement officers and recommend the adoption of said protocols to the Board of Supervisors. [Ord. 4329 § 1, 1994]

In addition, the DV Commission published annual reports to the community that provided information about local services, statistics, and responses of law enforcement.

Investigation

The Grand Jury's concern that Santa Cruz County no longer had an operational DV Commission was shared by all the individuals interviewed. There was agreement that the membership originally formulated by the County Code was appropriate for the first several years, but was too broadly inclusive and thus not sustainable over time. The extensive membership was initially needed to ensure that the protocols established included all aspects and communities involved with domestic violence, but after the first annual report in 2003 interest diminished, and numerous failed quorums rendered the commission nonfunctional.

The Grand Jury was informed that the DV Commission started out very well and came up with an "awesome" protocol for law enforcement and the domestic violence agencies. It was reported that in addition to having an unwieldy membership, the DV Commission became bogged down in politics and several mandated members did not want to participate.

Many we talked to thought the DV Commission was essential and needed to be reconstituted after modifying the membership, bylaws, and structure of the meetings. These changes would better address the County Code objectives for the DV Commission: coordinating interventions and research, reducing occurrences of DV, increasing agency responsiveness, and recommending multi-agency protocols.

In the past a Domestic Violence Court (see [definition](#)) existed in the county. This Court brought together key participants to streamline the process of both civil and criminal cases within a single courtroom. Again, everyone emphasized that the Domestic Violence Court had been very valuable and hoped to see it reinstated.

Our investigation yielded several new potential goals for the future DV Commission. These included:

1. Review and update the county Domestic Violence Protocols (see [definition](#)).
2. Develop a subcommittee to receive, investigate, and resolve complaints.
3. Organize support services for victim and perpetrator, such as supervised visitation.
4. Encourage and assist in reconstituting the Domestic Violence Court.

The lack of agendas and minutes for the past three years confirmed the DV Commission did not meet; attendance had dwindled, and quorums were unattainable. Nothing was accomplished.

Approximately two years ago, the DA’s Office planned to reinstitute the DV Commission, but the momentum was halted when the DA, Bob Lee, died. The Grand Jury has learned that the District Attorney’s Office is moving forward and has appointed a lead person with a team in place to establish a modern DV Commission that can function efficiently. The first meeting was scheduled for May 4, 2016.

Findings

- F1.** The Domestic Violence Commission has not met since 2013.
- F2.** A quorum was not reached at the majority of the 2013 meetings.
- F3.** The mandated 24–28 person membership is too large.
- F4.** The District Attorney’s Office has appointed a leader to organize the new Domestic Violence Commission.
- F5.** There was universal concern that the dedicated Domestic Violence Court had been abandoned.

Recommendations

- R1.** Domestic Violence Commission meetings should be held monthly during the first six months with the commission determining the ongoing meeting times and schedule. (F1)
- R2.** The Board of Supervisors should reduce the Domestic Violence Commission membership from 28 to a workable number. (F2, F3)
- R3.** The District Attorney (or their designee) should be the Domestic Violence Commission’s chair for at least the first year. (F4)
- R4.** The Domestic Violence Commission should report to the Board of Supervisors quarterly for the first year and annually thereafter. (F1)
- R5.** The Board of Supervisors should direct the Domestic Violence Commission to investigate the re-establishment of the Domestic Violence Court. (F5)

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F5	R1–R5	90 Days August 22, 2016

Definitions

- **Domestic Violence Court:** A court that the criminal cases and resolutions run concurrently with family law cases. Includes probation, Child Protective Services, county council, Public defenders, The District Attorney and family court services.
- **Domestic Violence Protocols:** The *Domestic Violence Protocols* are the mutually agreed-upon methods that the agencies involved in domestic violence cases use to communicate and coordinate their actions.
- **DV:** *Domestic violence* and emotional abuse are behaviors used by one person in a relationship to control the other. Partners may be married or not married; living together, separated, or dating. As defined in California Penal Code § 13700:^[4]
 - (a) "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.
 - (b) "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.
- **DV Commission:** the *Domestic Violence Commission* is a Santa Cruz County advisory commission to the Board of Supervisors.

Sources

References

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2. Santa Cruz County Code. Chapter 2.118. "Domestic Violence Commission." Accessed April 13, 2016. <http://www.codepublishing.com/CA/SantaCruzCounty/?SantaCruzCounty02/SantaCruzCounty02118.html>
3. Jessica M. Pasko. 2011. "Santa Cruz Commission for Prevention of Violence

Against Women marks three decades of work.” Santa Cruz Sentinel, 10/5/2011. Accessed 4/20/2016.

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4. California Penal Code § 13700. Accessed April 16, 2016.

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