

BIPSOC: AD HOC LEGISLATIVE SUBCOMMITTEE

Meeting of October 5th, 2006 DRAFT

MINUTES

Present: (10) Maureen Keough, Attorney General's Office/Chair; Laura Jaworski, BIPSOC; Ed Degnan, Kent House; Sage Bauer, RICADV; Michael DiLauro, Public Defender's Office; Lola Lange, Public Defender's Office; Dr. Kathleen Carty, Vantage Point; Jennifer Fiore, Vantage Point; Sisan Smallman, BIPSOC/Probation & Parole; Stephen King, RI Supreme Court.

Materials Distributed:

- Agenda for October 5th, 2006 meeting.**
- Minutes from August 24th, 2006 meeting.**
- Handout: "Standards Issues"**

Laura called the meeting to order at 2:15pm and requested all Subcommittee members to introduce themselves. Members reviewed and approved the minutes from the August 24th, 2006 meeting.

Subcommittee members reviewed the handout entitled "Standards Issues" which discussed various areas of the Comprehensive Standards that would be affected by the proposed legislation. This handout includes the feedback from discussion at the last regularly scheduled Oversight Committee meeting on October 3rd, 2006. The

issues that are outlined can be forwarded to the Rules & Standards Subcommittee for development. Steve King questioned whether inmates will be required to pay group fees while attending the prison program. Sisan stated that in accordance with the current statute, inmates will be required to pay group fees while enrolled in a community program, but not while enrolled in the prison program.

Mike DiLauro asked Subcommittee members what the linkage was between the proposed legislation and the Standards issues. Sisan stated that if the Oversight Committee enacts these proposed Standards, then the prison program could be implemented under the current legislation. However, the Public Defender's Office is committed to enacting legislation on this issue. Therefore, an alternative proposal has been offered as a compromise for inclusion in RIGL §12-29-5.2 as subsection "iv" to read as follows:

"...(iv) Provisions shall be established defining the circumstances under which defendants who have attended a batterers program while incarcerated, and/or a batterers program in another jurisdiction which is certified under that jurisdiction's standards or not subject to standards in that jurisdiction, may request that their documented participation in such program be accepted in satisfaction of some portion of their obligation to attend forty (40) hours of a certified batterers intervention program as described in §12-29-5.2 (ii)."

Mike reported that he feels the alternative proposal is fundamentally adequate, and still remains adamant that legislation is necessary in order to move forward in this issue. From a historical perspective,

Sisan stated that the Oversight Committee has never signed onto a piece of legislation. Steve reminded members that the legislation proposal does not need to be submitted until January 2007; therefore it could be presented to the Oversight Committee at the next regularly scheduled meeting on December 4th, 2006. Sisan reminded members that the alternative legislation proposal she authored, along with the “Standards Issues” handout was on the agenda and discussed at the last regularly scheduled Oversight Committee meeting on October 3rd, 2006. Kathy Carty was concerned that various stakeholders are made aware of the issues that were discussed. Sisan reported that the alternative proposed legislation was distributed to members before the meeting. Steve reported that the importance of multiple programs/agencies/parties working on these issues is significant when the time comes to submit the legislation.

Maureen reviewed the possible “next steps” for the Subcommittee. Sisan reminded members that this Subcommittee cannot work on the development of Standards due to representation of batterers intervention programs and the potential conflict of interest. However, suggestions on the issues can be forwarded to the Rules and Standards Subcommittee, a group where batterers intervention program representation is encouraged, for development. Mike reported that his understanding was the Oversight Committee has the authority to promulgate Standards; therefore it is important primarily enact supportive legislation and establish agreement on the proposed Standards. Further, his understanding of this

Subcommittee was to make recommendations to the Oversight Committee and/or the Rules and Standards Subcommittee. Maureen stated that the Subcommittee has make a recommendation to the Oversight Committee regarding the proposed legislation. Sisan reported that the Rules and Standards Subcommittee has been working on the revision to the Comprehensive Standards, but the Administrative Procedures Act is a lengthy process (review by the Attorney General's Office, public hearings, submission to the Secretary of State, etc.). Mike reported that then a possible next step would be to determine a mechanism to submit the proposed alternative legislation. Maureen suggested approaching the original sponsor, Senator Charles Levesque, as he is already invested in the concept. Mike reported concerns regarding which agency will sponsor the legislation as the Public Defender's Office is unable to do so. Sisan reported that the Oversight Committee cannot be a sponsor, but as a representative of the Department of Corrections, she will discuss the issue with Director Wall and Legal Counsel. Sage reported she would discuss the issue with her Executive Director at the RICADV. Maureen would consider sponsorship through the Attorney General's Office, and requested that for the next Subcommittee, members be prepared to report the possibility of sponsorship from their respective agencies/Departments, as well feedback on the "Standards Issues" handout.

Before adjourning Sisan informed members that Laura Jaworski, Project Services Coordinator for the BIPSOC, has a short period of

time remaining under the current grant that funds her position. Sisan thanked Laura for all her work for the BIPSOC and its Subcommittees. Mike and Maureen both offered their gratitude for the work Laura has done for this Subcommittee in particular.

Meeting adjourned at 3:15 p.m.

UPCOMING SUBCOMMITTEE MEETING:

Friday, November 17th, 2006 at 1pm

(Location Tentative)

Rhode Island Coalition Against Domestic Violence

422 Post Road Warwick, RI 02888

Minutes Prepared by Laura Jaworski