From: Jordan Hennessy <jjhennessy23@gmail.com>
Sent: 5/15/2020 6:55:18 PM -0400
To: Rep. Perrin Jones <Perrin.Jones@ncleg.net>
CC: Marion Warren <judgemarionwarren@yahoo.com>; Judson Whitehurst <judson.ejerecycling@gmail.com>
Subject: Re: Re: Follow-up: Domestic Violence Initiative

Hi Rep. Jones:

Below is the language that Judge Warren and I put together. Recognizing that it's budgetary related, it might be something to consider just inserting in the budget. If you have a moment tomorrow or whenever it's most convenient, Judge Warren and I have a few suggestions that might be helpful. Again, thank you for your support and time, we greatly appreciate it.

Thanks!
JJH

DOMESTIC VIOLENCE PILOT PROGRAM

SECTION XX.(a) The General Assembly finds that the COVID-19 pandemic has exacerbated isolation, uncertainty, and economic instability, which has led to an increase in domestic violence, and due to the stay-at-home orders in effect, victims are more at risk and vulnerable than ever before. It further finds that in order to combat the rising rate of domestic violence due to the COVID-19 pandemic, victims need access to technology that provides instantaneous notification if the offender is within close proximity.

SECTION XX.(b) To that end, funds in the amount of XXX XXX dollars ($XXX) in nonrecurring funds from the federal XX and XXX Grant funds shall be allocated to the Department of Health and Human Services, Division of Public Health, and designated to Caitlyn's Courage, Inc., a domestic violence non-profit, to conduct a pilot program in….. judicial districts…. to do the following:

(1) Provide the use of global positioning system (GPS) tracking devices as a condition of pre-trial release on offenders of stalking, sexual assault, domestic abuse, and violations of protective orders.
(2) Establish in each participating judicial district a local implementation team with consideration to include, but not limited to: judges, prosecutors, public defenders, court clerks, law enforcement, victim advocates, court support staff, and the department of correction.

SECTION XX.(c) The funds appropriated in this act shall only be used for actual project expenses and shall not be used to pay for lobbying the North Carolina General Assembly, salaries, travel, or other administrative costs.

SECTION XX.(d) The electronic monitoring devices and pilot program shall consist of all the following components:
(1) Capability to automatically switch cellular networks, thus, not dependent upon one particular network provider.
(2) Include GPS shielding technology, for the capability of the device to detect, record, and report the deliberate shielding of receiving GPS signals.
(3) Due to social distancing and sanitary reasons, the device shall incorporate a disposable strap.
(4) Battery life shall be a minimum single charge 48 hour capacity via an inaccessible battery with the option of a fixed and, or, mobile charger.
(5) Capability to detect and store the time and date of any level of impact that may cause malfunction.
(6) Capable of recording the offender's immediate location at all times.
(7) Automatic notification to the victim if the offender is within close proximity pursuant to the court order.
(8) A 24-hour monitoring center that must contact the victim if the offender violates the court order.
(9) Training provided to all participants, especially the victims and offenders, about the GPS monitoring program.

SECTION XX.(e) In consultation with participating judicial districts, Caitlyn's Courage shall report to the Joint Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division on the effectiveness of the pilot program by April 1, 2022. The report shall include collaboration with East Carolina University's Department of Criminal Justice, and shall include any recommendations regarding the continuation, any recommendations regarding the continuation expansion, or elimination of the pilot program, as well as costs associated with implementing the program or any recommended legislation.

On Fri, May 15, 2020 at 2:53 PM Rep. Perrin Jones <Perrin.Jones@ncleg.net> wrote:

> Jordan -

I appreciate your time earlier this week as well and thank you for the articles.

It would be great to language sooner rather than later. The drafting deadline has been extended but I would like to get a bill on the books.

Thank you.

Perrin

Perrin Jones, MD
Representative
NCGA House District 9
(919) 733 -5757

Sent from my iPhone

On May 14, 2020, at 3:45 PM, Jordan Hennessy <jjhennessy23@gmail.com> wrote:

Good afternoon Rep. Jones:

Thank you so much for taking time out of your busy schedule earlier in the week to discuss the domestic violence initiative, project with Judge Warren and myself.

As a follow-up and recap, below are articles illuminating how domestic violence is on the uptick in North Carolina due to the COVID-19 pandemic, but not limited to:

"In the past month, the Domestic Violence Shelter and Services in Wilmington has gotten more than twice as many calls as it did this time last year. Between March 16 and April 14, Direct Services & Outreach Director Mandy Houvouras says they've seen a 116% jump in the number of calls they've received from the same time in 2019."

Article Link: https://www.wwaytv3.com/2020/04/16/domestic-violence-shelter-services-sees-116-jump-in-calls-in-last-month-from-2019/ <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.wwaytv3.com%2F2020%2F04%2F16%2Fdomestic-violence-shelter-services-sees-116-jump-in-calls-in-last-month-from-2019%2F&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157401739&sdata=8gMltm%2BoqGczLuKmxyupsGEAXcxEtauYSh6o75dk59U%3D&reserved=0>

"The coronavirus (COVID-19) has directly and indirectly had an impact on many aspects of everyday life, among them a hike in domestic violence incidents around the world as couples are forced to stay at home under the orders of world leaders. Sampson County is no exception. 'It's escalated,' said Pamela Gonzalez, director of U Care, Inc., a nonprofit organization dedicated to helping people escape domestic violence.

Article Link: https://www.clintonnc.com/news/48400/domestic-violence-hikes-locally<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.clintonnc.com%2Fnews%2F48400%2Fdomestic-violence-hikes-locally&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157401739&sdata=q6LzMyluh4dTcz8vf%2BkB4EO5cUWjFQSbgBhMuxQldh8%3D&reserved=0>

"A heartbreaking trend that has been seen during the stay-at-home order is a spike in domestic violence cases. Charlotte-Mecklenburg police released troubling new data -- since March 26, domestic calls have jumped about 20 percent. This is about 350 more calls than the same time period last year. In Gaston County, police said since the beginning of March, the number of domestic violence calls are up 33 percent over the same time last year. 'Take the combination of the stress of more time together and the stress of unemployment and the stress of COVID-19,' said Chief Joe Ramey, at the Gaston County Police Department."

Article Link: https://www.google.com/amp/s/www.wsoctv.com/news/local/cmpd-reports-spike-domestic-violence-cases-during-stay-at-home-order/XJ5YBJEG3ZAWTK3FD4Z5CPAU3M/%3foutputType=amp<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.google.com%2Famp%2Fs%2Fwww.wsoctv.com%2Fnews%2Flocal%2Fcmpd-reports-spike-domestic-violence-cases-during-stay-at-home-order%2FXJ5YBJEG3ZAWTK3FD4Z5CPAU3M%2F%253foutputType%3Damp&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157401739&sdata=zczbz9cwY94QdEWiE8gv8Qw7yiAcEB1Oq0AUoWxFZCg%3D&reserved=0>

"Domestic violence cases on the rise in Robeson County because of COVID-19. With stay-at-home orders prompted by the COVID-19 pandemic keeping families at home, domestic violence has been on the rise, but there are many resources available to victims, says a local district court judge."

Article Link: https://www.google.com/amp/s/www.robesonian.com/news/134236/domestic-violence-cases-on-the-rise-in-robeson-county-because-of-covid-19/amp<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.google.com%2Famp%2Fs%2Fwww.robesonian.com%2Fnews%2F134236%2Fdomestic-violence-cases-on-the-rise-in-robeson-county-because-of-covid-19%2Famp&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157411689&sdata=96ubnK1XzTSwKRXh1BoQTq2AhFxw1Ce1fshGmJ20Sfk%3D&reserved=0>

"Unsafe conditions for children in wake of COVID-19. Child abuse and neglect are expected to rise in the wake of the COVID-19 pandemic, with children unable to escape to the safety of schools and struggling families experience unprecedented levels of stress."

Article Link: https://www.northcarolinahealthnews.org/2020/04/28/covid-19-child-abuse/<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.northcarolinahealthnews.org%2F2020%2F04%2F28%2Fcovid-19-child-abuse%2F&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157411689&sdata=Vah8HgMguBFmnmq9e3NvLtesRNzgXqageO65AZnrxiI%3D&reserved=0>

"For some domestic violence victims, 'stay at home' means being trapped with an abuser. 'In times of crisis, domestic violence increases, and this particular situation is almost like the most perfect tsunami you can ever imagine,' said Alice Lutz, the CEO of Triangle Family Services. 'We have almost created a hostage situation because with COVID-19 and with shelter-in-place, the victims are now in many instances trapped with the offenders.'

Article Link:
https://www.google.com/amp/s/amp.newsobserver.com/news/coronavirus/article241648446.html<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.google.com%2Famp%2Fs%2Famp.newsobserver.com%2Fnews%2Fcoronavirus%2Farticle241648446.html&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157421647&sdata=uqAODOj628imMa%2FCwQKxWtmZtjLDBLE83DWRYuDnND4%3D&reserved=0>

"Domestic violence has skyrocketed since the start of the coronavirus pandemic and one of the biggest challenges victims face in leaving is the cost of moving. College Hunks Hauling Junk and Moving in Leland is a national moving company is moving that issue off the table."

Article Link: https://www.google.com/amp/s/www.wect.com/2020/05/05/moving-company-helping-domestic-violence-victims/%3foutputType=amp<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.google.com%2Famp%2Fs%2Fwww.wect.com%2F2020%2F05%2F05%2Fmoving-company-helping-domestic-violence-victims%2F%253foutputType%3Damp&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157421647&sdata=ahtIyuW%2FsmLuyRAX8g%2FbCHcGdvrlbBoJWSrdM3Y%2BeRM%3D&reserved=0>

Alcohol sales are booming at ABC Stores, which indicates more drinking at home, which we all know, increases domestic violence. "At area liquor stores, it feels like New Year's Eve. 'Today it's settled down some, but it's been holiday-ish,' Kelly Brockwell, store manager of the ABC store on Sweeten Creek Road in Arden, said of their sales pace on March 18. 'Up until today, we've had huge amounts of crowds in here.'

Article Link: https://www.citizen-times.com/story/news/local/2020/03/18/asheville-coronavirus-liquor-sales-booming-store-hours/2868035001/?ac_cid=DM155639&ac_bid=182530593<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.citizen-times.com%2Fstory%2Fnews%2Flocal%2F2020%2F03%2F18%2Fasheville-coronavirus-liquor-sales-booming-store-hours%2F2868035001%2F%3Fac_cid%3DDM155639%26ac_bid%3D182530593&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157431601&sdata=Kc4DWdUIW4S8yzZ1XmKX98Ba61tkeMPHBmuCwUYsVEk%3D&reserved=0>

Although the following article link below was published in January before the COVID-19 pandemic, it illuminates how in some cases a protective order is nothing more than a piece of paper.

"When domestic violence protective orders don't protect. Is North Carolina doing enough?"

Article Link:
https://amp.newsobserver.com/news/local/crime/article237578909.html<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Famp.newsobserver.com%2Fnews%2Flocal%2Fcrime%2Farticle237578909.html&data=02%7C01%7CPerrin.Jones%40ncleg.net%7C51cca7a4f78744202d8c08d7f83f51d9%7Ccdb33c844db840fbb92401791d2b9e5b%7C0%7C0%7C637250823157431601&sdata=GM%2F2UlQqoKN1P2%2B%2B60L5XUnvRvJAxOylDBz14tJbAVw%3D&reserved=0>

More than 40 states allow for GPS tracking to protect victims of domestic violence, including North Carolina, and the United States Supreme Court has found the policy falls within the scope of the Fourth Amendment as a search and seizure. A person is entitled to due process. The courts have satisfied this requirement with either a conviction for domestic violence violations or a pre-trial hearing in which the threat potential is assessed.

Judge Warren and myself are working on language, and are still double checking a few general statutes, we'll send the language over for your consideration, review as soon as it's completed.

In the meantime, please don't hesitate to reach out to Judson, Judge Warren, or myself, if you have any questions. Again, thank you for your time and support. Look forward to meeting you in person sometime soon!

Best,
Jordan

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