

Lethality Assessment Workgroup Meeting

November 8, 2024, 2:00pm EST (start time)

Roll Call:

Bureau Chief Brett Kirkland roll call of Executive Board.

Name	Agency	11/8/2024
Amanda Price (Vice Chair)	Florida Partnership to End Domestic Violence	Not Present
Tanisha McDonald	Florida Partnership to End Domestic Violence	Present
Jenna White	Peaceful Paths Domestic Abuse Network	Present
Joe Petito (Chair)	Gabby Petito Foundation	Present
Tammy Taylor	Hubbard House	Present
Jennifer Rodriguez	Department of Children and Families	Not Present
Chief Todd Garrison	North Port PD	Present
Deputy Chief Ruth Cate	Tampa PD	Present
Chief Antoine Sheppard	High Springs PD	Not Present
Chief Robert Bage	Ft Walton PD	Not Present
Chief Richard Jones	Gulf Stream PD	Not Present
Sheriff Bob Gualtieri	Pinellas County Sheriff's Office	Present
Sheriff Vent Crawford	Hardee County Sheriff's Office	Present
Sheriff Bill Prummell	Charlotte County Sheriff's Office	Present
Sheriff Mike Adkinson	Walton County Sheriff's Office	Present

FDLE Staff Present: Deputy Commissioner David Binder, Director of Criminal Justice Professionalism

Chad Brown, Deputy Director of Criminal Justice Professionalism Melissa Bujeda, Bureau Chief of Policy & Special Programs Brett Kirkland, Research and Statistics Consultant Matthew Sharp, Post Basic Curriculum Training & Research Manager Rob Bates, Bureau Chief of Training Ashley Pennington, Regional Legal Advisor Audra Thomas-Eth, Legislative Affairs Administrator Bobbie Smith.

Deputy Director Bujeda stated that members of the public invited to attend the Workgroup meeting and public members will be allowed to comment to the Workgroup with a three-minute time limit.

Old Business:

Motion to approve the prior meeting minutes were approved. First motion: Mr. Petito, Second: Miss Jenna White.

Deputy Director Bujeda reminded the group of the barriers to implement the Maryland Network Against Domestic Violence Lethality Assessment Program (MNADV-LAP), which are:

- 1) The questions on the MNADV-LAP are subject to copyright law and cannot be used in any form without consent from the MNADV.
- 2) The cost for statewide implementation of the MNADV-LAP is more than \$30,000 and incurs an annual fee. There is also an annual fee in perpetuity that is estimated (not confirmed) to be less than \$500. This cost does not include the per diem charges of travels for the LAP trainers.

- 3) Each law enforcement agency must sign a memorandum of understanding (MOU) with the DV center in its community.
- 4) No funding was presented in the statute; hence, this is an unfunded mandate.

Deputy Director Bujeda presented a lethality assessment from the Department of Children and Families (DCF) for consideration by the Workgroup.

Bureau Chief Brett Kirkland read the questions and officer instructions from the DCF assessment:

- 1) Has the perpetrator ever used a weapon against you or threaten you with a weapon?
- 2) Has the perpetrator threatened to kill you or your children?
- 3) Do you think the perpetrator is capable of killing you?

Instructions for the law enforcement officer: If the answer is “yes” to any of the questions, there may be a heightened risk of homicide, the officer is to inform the victim of the services available at the local certified domestic violence center and will offer to connect them to the center’s hotline.

New Business

Mr. Petito clarified that the \$30,000 fee is for the state, not individual department. Mr. Petito indicated that the language in SB 1224 states that by January 1, 2025, the department must adopt a statewide lethality assessment instrument and form and that the adopted instrument and form must be evidence-based, and that the Workgroup voted to adopt the MNADV-LAP. Mr. Petito stated from this point, the Workgroup is tasked with devising policies, procedures, training, and implementation for the MNADV-LAP for the state of Florida.

Sheriff Crawford and Sheriff Gualtieri indicated that the barriers of the MNADV-LAP impede implementation. Sheriff Crawford indicated that the group voted prior to the knowledge of barriers for the MNADV-LAP implementation.

Sheriff Gualtieri motioned to rescind the previous vote to use the Maryland Network Against Domestic Violence Lethality Assessment Program (MNADV-LAP). Sheriff Crawford seconded the motion.

Attorney Audra Thomas-Eth clarified in the motion discussion that the questions that the Workgroup adopts do not need to be approved by the Office of Violence Against Women.

The language in SB 1224 does not say that questions that currently exist must use an evidence-based set of questions. If a question listed in paragraph E of SB 1224 is eliminated from the assessment, FDLE must ensure that the altered questions constitute an evidence-based lethality assessment. If questions are not removed in paragraph E, then questions stand as written.

The motion to rescind passes: Yay = 9, Nay = 1. The Workgroup returns to use of the original writing of the questions in SB 1224.

Attorney Audra Thomas-Eth addressed comment from Sheriff Prummell and Sheriff Crawford about using similar wording to make the questions less rigid and more conversational. An example discussed was using “he” or “she” rather than using “aggressor”. Attorney Audra Thomas-Eth said this wording would not trigger an additional legislative review and that the use of similar wording can be guided through the training process for implementing the questions.

Sheriff Gualtieri presented a motion for using the terms “he” or “she” or the specific name of the aggressor in place of the literal term “aggressor”. Mr. Petito seconded the motion. The motion carried (Yay = 10, Nay = 0).

Mr. Petito indicated that the next task for the group is to develop a form (paper and online versions) that can be in the hands of law enforcement by January 1st, 2025. Deputy Director Bujeda stated that FDLE will draft a form and online form for the Workgroup’s next meeting. Deputy Director Bujeda stated that the FDLE Bureau of Training will be responsible for creating the online training for law enforcement. The Workgroup will work on creating policies and procedures for implementation. Once created and approved by the Workgroup, FDLE will implement training strategies.

Joe Petito proposed a motion for an implementation procedure to include that a copy of the lethality assessment in domestic violence cases be sent over to the State Prosecutor’s Office. Sheriff Prummell seconded the motion. The motion carried (Yay = 10, Nay = 0).

Line 3070 of SB 1224 states that policies, procedures, and training must establish how to determine whether a victim and aggressor are intimate partners. FDLE will examine the existing statutes to provide sufficient definitions of what constitutes an intimate relationship. Miss Jenna White stated that DCF has existing definitions for intimate partner relationships that may be useful for adoption in this scenario.

Public Comment

Cathryn Webb: Introduced herself as a licensed mental counselor, licensed family counselor, and retired police sergeant. She is interested in question #12 on the assessment that it is an all-inclusive question, in extension of this question, will there be any question regarding false imprisonment. She stated that it is a common outcome in many domestic violence cases that she has worked.

Mr. Petito clarified first with Attorney Audra Thomas-Eth that a question can be added without going through legislation. This is only need if a question is eliminated. Mr. Petito stated that he will check with his resources on the idea of including a false imprisonment question. Miss Jenna White commented that victims that do visit the domestic violence shelters receive a comprehensive screening that goes beyond the questions on the lethality assessment. Miss Tanesha McDonald suggested that this can be a topic of discussion between domestic violence advocates and the victim so that the incidence of false imprisonment is not disregarded for the victim even if it does not make it to the lethality assessment.

Joe Petito motioned to adjourn the meeting; Miss Jenna White seconded. Meeting adjourned.

Next meeting set for December 5th at 2pm EST.