REPORT OF THE DOMESTIC VIOLENCE TASK FORCE

EXECUTIVE SUMMARY

On October 18, 1996, the Domestic Violence Task Force released its report entitled "**Increasing Safety for Victims; Increasing Accountability of Offenders**." The report was the product of nearly eighteen months of work that included statewide public hearings; surveys of law enforcement organizations, courts, legal service providers, and medical and social service providers; and consultation with experts who are familiar with domestic violence issues. The final report contains the findings and goals of the Task Force as well as seventy-two recommendations to the Supreme Court of Ohio, the Ohio General Assembly, social service providers, state agencies, law enforcement agencies, and county domestic violence advisory councils. The report findings, goals, and recommendations are highlighted below.

This Executive Summary does not contain every recommendation of the Task Force on Domestic Violence and is not intended to replace the Task Force report itself. To obtain a copy of the Report of the Task Force on Domestic Violence, please contact the Public Information Office of the Supreme Court of Ohio, 30 East Broad Street, 2nd Floor, Columbus, Ohio 43266, (614) 466-0674.

TASK FORCE FINDINGS

- Domestic violence laws are applied inconsistently
- Domestic violence laws and services provide inadequate safety for victims
- Statistical data concerning domestic violence in Ohio is unsatisfactory
- Entities responsible for addressing domestic violence do not properly coordinate their efforts
- Local domestic violence services are often deficient or unavailable
- Domestic violence social service providers are not adequately funded

TASK FORCE GOALS

- Ensure that court procedures, statutes, and services decrease the risk of violence to victims
- Ensure that court procedures, statutes, and services hold perpetrators accountable
- Increase access of domestic violence victims to available legal and social service assistance
- Educate the public and service providers about the realities of domestic violence
- Train domestic violence service providers in methods that better accomplish program goals
- Increase coordination among domestic violence entities at the state and local levels

RECOMMENDATIONS TO THE SUPREME COURT OF OHIO

- Require courts to adopt local rules governing the issuance of protection orders and the management of domestic violence cases
- Mandate domestic violence training for judges and magistrates with jurisdiction over domestic violence matters and encourage the training for attorneys

- Allow courts to fashion visitation orders which require a domestic violence perpetrator to enter a batterer's treatment program or provide a bond for the safe return of the child
- Order courts to develop procedures for the prompt return to court of domestic violence perpetrators who violate the terms of probation
- Encourage courts to utilize reverse electronic monitoring and other technological advances to better ensure the safety of domestic violence victims
- Authorize courts to order that the addresses of domestic violence victims be kept confidential
- Require that all domestic violence protection orders include a cover page with language warning of the criminal penalties for violation of the order
- Amend the definition of the "practice of law" to exclude any assistance provided by court personnel and domestic violence victim advocates in the preparation of forms for obtaining protection orders
- Appoint a committee to analyze the conflicting laws and procedures regarding civil and criminal protection orders
- Study the problems of juvenile courts in dealing with domestic violence statutes

RECOMMENDATIONS TO THE OHIO GENERAL ASSEMBLY

- Create mandatory minimum fines in domestic violence cases and allocate a portion of the fines to domestic violence programs
- Require courts to consider a perpetrator's history of domestic violence in determining custody or visitation
- Require each county to establish supervised visitation centers for children in cases involving domestic violence
- Establish a means for law enforcement authorities to confirm the existence and terms of domestic violence protection orders twenty-four hours per day
- Enact sentencing enhancements for repeat domestic violence perpetrators
- Prevent the sealing of domestic violence convictions
- Allow all former cohabitants, not just those who have lived together in the past year, to obtain protection orders if they otherwise qualify
- Increase funding for domestic violence shelters, legal services, and agencies that play a critical role in providing services for domestic violence victims
- Enact legislation to protect the confidentiality of domestic violence victim advocates' records and statements
- Provide immunity from civil liability to law enforcement officers who, in good faith, enforce facially valid protection orders
- Make aggravated trespass violations and anti-stalking protection orders subject to the statewide preferred arrest policy
- Exclude domestic violence as an acceptable "pre-existing condition" used to deny health insurance coverage
- Require each county to establish a victim advocacy program
- Permit the enforcement of protection orders issued in other states

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RECOMMENDATIONS TO SOCIAL SERVICE PROVIDERS AND STATE AGENCIES

- Prioritize the eligibility of victims of domestic violence for subsidized public housing
- Implement a comprehensive domestic violence protocol in health care institutions
- Educate the aged and the physically challenged on domestic violence
- Educate domestic violence service providers in cultural diversity
- Encourage the Ohio Department of Education to develop and implement domestic violence curricula and training for students K-12
- Encourage the Board of Regents to provide domestic violence education and training for students, faculty, and staff in all colleges and universities
- State licensure boards and/or professional associations should mandate domestic violence training for health care professionals and social service providers
- Promulgate statewide, uniform standards for certifying batterers' intervention programs from the Ohio Department of Human Services
- The Ohio Department of Health should require coroners to indicate domestic violence as the cause of injury on death certificates when appropriate
- The Ohio Department of Human Services should appoint a 3-member panel to assess whether boards of professional services providers have approved continuing education courses in domestic violence as required by House Bill 335

RECOMMENDATIONS TO LAW ENFORCEMENT AGENCIES

- Develop written procedures for screening and charging in domestic violence cases
- Prosecutors should develop statistical domestic violence data collection tools
- Create a template, through the Ohio Attorney General's Office, for a statewide domestic violence brochure which includes a section for county-specific information
- Provide extensive recruit and in-service refresher training in the area of domestic violence
- Request temporary protection orders with the charging document as a pretrial condition of release for perpetrators of domestic violence

RECOMMENDATIONS TO COUNTY DOMESTIC VIOLENCE ADVISORY COUNCILS (DVACs)

Note: The Task Force recommends that each Ohio county establish a DVAC if one is not already in place. DVACs are groups of local individuals who coordinate domestic violence services within the county.

- Develop in-county domestic violence services such as shelters, "safe houses," local or toll free numbers, and transportation services
- Participate in a statewide public information program concerning domestic violence and the services available
- Enhance the coordination among domestic violence shelters and service providers, housing authorities, job training personnel, educators, and child care providers
- Participate in the county's Family and Children First Council