

Bill No. 23-05
Concerning: Domestic Violence
Coordinating Council – Establishment
Revised: 12/6/05 Draft No. 6
Introduced: July 26, 2005
Enacted: December 6, 2005
Executive: December 16, 2005
Effective: March 17, 2006
Sunset Date: None
Ch. 31, Laws of Mont. Co. 2005

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Silverman, Subin, Floreen, Praisner, and Denis

AN ACT to:

- (1) establish a Domestic Violence Coordinating Council with certain requirements regarding composition, terms, duties, voting, meetings, and staffing; and
- (2) generally amend the law governing coordination of County, State, federal, and community efforts relating to domestic violence, including prevention, intervention, treatment, law enforcement, prosecution, correctional, and advocacy efforts.

By adding

Montgomery County Code
Chapter 2, Administration
Section 2-59, Domestic Violence Coordinating Council

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Section 1. Sec. 2-59 is added as follows:**

2 **2-59. Domestic Violence Coordinating Council.**

3 (a) Definition. In this section “Coordinating Council” means the Domestic
4 Violence Coordinating Council.

5 (b) Established. There is a Domestic Violence Coordinating Council.

6 (c) Composition and terms of members.

7 (1) The Coordinating Council has 15 members.

8 (2) The County Council requests the following individuals to serve
9 as ex officio members of the Coordinating Council:

10 (A) The Administrative Judge for District 6 of the Maryland
11 District Court or designee of the Administrative Judge;

12 (B) The Administrative Judge for the Montgomery County
13 Circuit Court or designee of the Administrative Judge;

14 (C) The State’s Attorney for Montgomery County or designee
15 of the State’s Attorney;

16 (D) The Regional Director of the Division of Parole and
17 Probation, Maryland Department of Public Safety and
18 Corrections or designee of the Regional Director; and

19 (E) The County Sheriff or designee of the County Sheriff.

20 (3) Subject to confirmation by the County Council, the County
21 Executive should appoint the following individuals to serve as ex
22 officio members of the Coordinating Council:

23 (A) A member or designee of the County Council, selected by
24 the Council President;

25 (B) The Chief of Police or designee of the Chief of Police;

26 (C) The Director of the Department of Health and Human
27 Services or designee of the Director;

28 (D) The Executive Director of the Commission for Women or
29 designee of the Executive Director; and

30 (E) The Director of the Department of Correction and
31 Rehabilitation or designee of the Director.

32 (4) Subject to confirmation by the County Council, the County
33 Executive must appoint the following individuals to serve 3-year
34 terms on the Coordinating Council:

35 (A) ~~[[An]]~~ 1 attorney with experience representing victims of
36 domestic violence; and

37 (B) ~~[[3]]~~ 4 members of the public with [[professional
38 experience dealing with domestic violence issues; and]] a
39 demonstrated interest in domestic violence issues,
40 including at least one individual who is a former victim of
41 domestic violence.

42 ~~[[C)]~~ A member of the public who is either a current or former
43 victim of domestic violence.]]

44 (d) Voting, officers, meetings, and compensation.

45 (1) All members of the Coordinating Council are voting members.

46 (2) The Coordinating Council must elect a chair and vice-chair from
47 among its members to serve 1-year terms.

48 (3) The Coordinating Council must meet at least 4 times each year.

49 (4) Section 2-148 does not apply to members appointed under
50 subsection (c)(2) and (3).

51 (5) Except as provided in paragraph (6), a member must serve
52 without compensation.

53 (6) A member may request reimbursement for mileage and
54 dependent care costs at rates established by the County.

55 (e) Duties. The Coordinating Council must:

- 56 (1) Advise the County Executive, County Council, and [[department
57 directors]] Criminal Justice Coordinating Commission and its
58 members on policies, programs, and legislation necessary to
59 prevent domestic violence and help victims and their families;
- 60 (2) Promote and facilitate an effective community-wide response to
61 domestic violence, including a well-coordinated, multi-
62 disciplinary approach to all programs serving victims of domestic
63 violence and their families;
- 64 (3) Coordinate with the Maryland Network Against Domestic
65 Violence and all other County, State, federal, and non-
66 governmental agencies, committees, boards, commissions, and
67 organizations that operate, monitor, or coordinate domestic
68 violence programs or services in the County to maximize the
69 effectiveness of these programs and services;
- 70 (4) Develop recommendations to improve the coordination and
71 effectiveness of County, State, federal, and non-governmental
72 efforts regarding domestic violence, including prevention,
73 intervention, treatment, law enforcement, prosecution,
74 correctional, and advocacy efforts;
- 75 (5) Cooperate with the [[Victim Assistance and Sexual Assault
76 Program (VASAP)]] Abused Persons Program administered by
77 the Department of Health and Human Services and any other
78 relevant departments, agencies, committees, boards,
79 commissions, and organizations to periodically review the quality
80 and sufficiency of programs and facilities available to domestic
81 violence victims, offenders, and their children throughout the
82 County;

83 (6) Obtain and evaluate the findings and recommendations of the
84 County's Domestic Violence Fatality Review Team established
85 under Title 4, Subtitle 7 of the Family Law Article;

86 ~~[(6)]~~ (7) Obtain and evaluate statistical data, reports, and other
87 information related to domestic violence, including information
88 regarding innovative efforts by other governmental and non-
89 governmental entities, as necessary to implement the
90 requirements of this section; and

91 ~~[(7)]~~ (8) Subject to subsection (f), advocate for policies or legislation
92 at the County, State, and federal levels that would improve efforts
93 to address domestic violence issues, including prevention,
94 intervention, treatment, law enforcement, prosecution,
95 correctional, and advocacy efforts.

96 (f) Advocacy. [[When engaging]] The Coordinating Council may not
97 engage in any advocacy [[work]] efforts at the State or federal levels[[,
98 the Coordinating Council must coordinate and cooperate with]] unless
99 these efforts are approved by the Office of Intergovernmental Relations.

100 (g) Annual Report. [[The]] By September 15 each year, the Coordinating
101 Council must submit to the County Executive and the County Council
102 an annual report on its activities, findings, and recommendations.

103 (h) Staff.

104 (1) (A) If the County Sheriff agrees, the County Sheriff must
105 provide the primary staff for the Coordinating Council.

106 (B) At the request of the County Sheriff, the State courts and
107 agencies listed in subsection (c)(2) and the County
108 agencies listed in subsection (c)(3) may provide
109 additional staff assistance to the Coordinating Council.

110 (2) (A) [[Subject to paragraphs (2) and (3),]] If the County
111 Sheriff does not agree to provide the primary staff for the
112 Coordinating Council, the Chief Administrative Officer
113 must provide appropriate staff to the Coordinating
114 Council.

115 [[2]] (B) The Chief Administrative Officer must consult with the
116 individuals identified in subsection (c)(2) and (3) to
117 determine the staffing needs of the Coordinating Council.

118 [[3]] (C) The Chief Administrative Officer may authorize an
119 individual identified in subsection (c)(2) to provide staff
120 to the Coordinating Council.

121 **Sec. 2. Transition.** The County Executive may stagger the initial terms of the
122 members appointed under Section 2-59(c)(4) so that approximately one-third of the
123 terms of these members expire each year.

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125 *Approved:*

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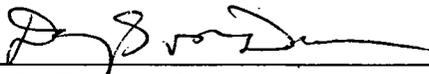
Dec. 8, 2005

128 George L. Leventhal, President, County Council

Date

129 *Approved:*

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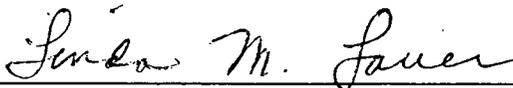
12/16/05

Douglas M. Duncan, County Executive

Date

131 *This is a correct copy of Council action.*

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12/19/05

Linda M. Lauer, Clerk of the Council

Date