



THE LEAGUE OF WOMEN VOTERS®
OF THE FAIRFAX AREA

Fairfax VOTER

February 2012

Volume 64, Issue 6

Domestic Violence Takes Front and Center as February Discussion Topic

This month the Domestic Violence Committee, chaired by Barbara Nunes, outlines encouraging information about the changes and improvements in the handling of domestic violence cases. On the federal, state and local levels, new legislation has defined, tightened, clarified, and provided additional training. Page 6 of the study provides an especially helpful chart showing how the process of handling protective orders has been improved. Part II of the study in May will emphasize services for victims and abusers. You may be of help to someone needing this information some day, so please join in the conversation.

Calendar

February

- | | |
|------|---|
| 1 | League Day, Richmond
Women's Roundtable |
| 3 | NCA Board meeting |
| 4 | Briefing/At Large meeting |
| 6 | March <i>VOTER</i> deadline |
| 8 | Women's Roundtable |
| 8-14 | Unit Meetings |
| 14 | Valentine's Day
Last day to register for city/town and
Presidential primary elections |
| 15 | Women's Roundtable
LWVFA Board meeting |
| 20 | Presidents Day |
| 22 | Women's Roundtable |
| 29 | NCA budget meeting
Women's Roundtable |

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Presidents' Message



The New Year has started with much activity by your League volunteers. *Facts for Voters* has been completed in record time, thanks to Maggie Luca and her group of fact checkers and proof readers. We have testified at the Northern Virginia State Delegation public hearing, attended a Fairfax County School Board Budget Roundtable, and monitored activities at the State Legislature. (Don't forget that we have the opportunity to attend the Women's Roundtable in Richmond every Wednesday while the House and Senate are in session.)

Letter From National President MacNamara

Dear League Members,

Instead of the usual New Year's resolutions, the League is putting together a list of **Election Year Resolutions/Hopes** for the upcoming year:

1. Ensure all eligible voters are [registered to vote](#) and can [exercise their right](#) to vote without having to overcome unnecessary and restrictive hurdles.
2. [Educate the electorate](#) on the candidates and issues on their ballots and help them find their polling place.
3. Encourage informative and productive debates between candidates so voters can learn about their elected representatives through more than just sound bites.
4. Fight to make sure election outcomes are decided by voters, [not by special interest money](#).
5. [Promise clean air](#) for children and their families, and change the discussion to the important issues facing Americans in 2012.

We have many challenges ahead of us, but working together with our state and local leagues and all of our supporters, we know we can succeed.

Do you have other Election Year Resolutions or Hopes?
[Share them with us on the comments of the blog.](#)

Wishing you a safe and happy New Year,

Elisabeth MacNamara

President, League of Women Voters

We hope that you attended the January General Meeting and learned about the impact of photo IDs on voting.

There will be many challenges in the coming months in all levels of government – local, state, and national. We are thankful for all of our members who keep us informed on issues and opportunities for our League to make an impact. Still, we need more than this small core of “doers,” and the nominating committee is looking for members who are willing to share their time and expertise. Please consider a Board position, sharing a job, doing a task off-board, monitoring a committee, etc.

We hope that the weather cooperates so that there will be good attendance at our February units on Domestic Violence. The committee, under the leadership of Barbara Nunes, has been working for many months to help us understand this important issue. Because of the wealth of information that they collected, Part I might answer only part of your questions so “stay tuned” for Part II in May.

Julie

LWVFA Fairfax VOTER 2011 - 2012

This newsletter, partially funded by the League of Women Voters of Fairfax Area Education Fund, is published 10 times each year from September to June by:

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Subscriptions to the *Fairfax VOTER* are available to non-Fairfax League members for \$15 per annum. Send your check to the above address and request a subscription.

Please e-mail address corrections to the office
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Jones Presents LWVFA Positions to the Fairfax Delegation to the Virginia General Assembly

The League understands that the weak economy has reduced revenues at all levels of government. However, continuous cutbacks in State funding have jeopardized the future of local core services such as **education** and **transportation**. These services are so basic to the social and economic success of any community that they are a key factor in the County's ability to attract new businesses and to keep the ones it already has. The League of Women Voters particularly supports the County's Legislative Program relating to education, transportation, and the need for the diversification of revenue sources allowed to counties and other local jurisdictions so that property taxes do not make up such a large portion of local revenues.

Education – Despite increasing enrollment and a series of funding cutbacks, our public schools have maintained their high standards, but they cannot continue to do so indefinitely without increased financial support from the Commonwealth. Businesses demand a well-educated workforce. We urge the General Assembly to avoid further cuts in Virginia's support of K-12 public education.

Transportation – We strongly encourage the General Assembly to establish a dedicated, steady, and reliable funding source for all transportation modes. Straightjacketed by the Dillon Rule, localities cannot raise enough revenue to absorb the increased cost of ever-dwindling State support.

Voting -- It should come as no surprise to you that the League is opposed to measures that would restrict the access of citizens to voting and favors those that would facilitate both registration and voting. Thus, we oppose measures such as HB 9, which replaces oaths of affirmation with provisional ballots, in cases where a voter does not have an ID with him/her; SB 1, which not only eliminates the Oath of Affirmation, but disallows the use of voter registration cards as a means of identification; and HB 61, which restricts groups such as the League from providing absentee ballot applications to persons living in assisted living facilities. As we

have in the past, we support measures such as Senator Howell's SB 12, which would provide for no-excuse absentee voting.

We also encourage the use of technology to improve access to registration and voting while, at the same time, saving money. In particular, we urge the adoption of online voting registration for persons who already have a signature on file with a Virginia agency, such as the DMV. And speaking of money, we are concerned that the budget for the State Board of Elections be adequate for managing both central operations and supporting those of local elections offices during the coming election year.

Medicaid –The League opposes further reductions in payouts to poor residents of the Commonwealth; Virginia already ranks 47th in payment of Medicaid benefits,

With regard to other issues, the League:

- ☐ Believes that Virginia's **gun control** laws should be tightened rather than weakened further;
- ☐ Opposes additional limits on a **woman's reproductive rights**; and
- ☐ Asks you to begin now the process of adopting a Constitutional Amendment to require a **nonpartisan redistricting process** by the time of the 2020 Census.

We invite you to attend the Women's Legislative Roundtable, held every Wednesday morning at 8:30 in the General Assembly 7th floor West Conference Room beginning on January 18 and ending on February 29. League members come to Richmond from all over the Commonwealth to attend these meetings. We hope you will join us. Thank you.

[Ed. Note: Presented on January 7, 2012 at the Fairfax County Governmental Center.]

2012 GENERAL ASSEMBLY



General Assembly: A First Look at New Faces

The 2012 General Assembly looks a little younger these days. Members taking their seats for the first time also are more likely to be men and less likely to have been born in Virginia. That's according to a Virginia Public Access Project analysis of how 20 new legislators have changed the overall demographics of each chamber. Get photos, demographic information for each new Delegate and Senator at vpap.org.

Here are some facts about the 2012 General Assembly:

- There are 115 men and 25 women, down from 27 women in the 2011 General Assembly.
- Incoming legislator's average age is 43, compared with 55 for the 2011 General Assembly.
- In the Senate, there is a second 20-20 split between native and non-native Virginians. Over in the House, the number of Virginia-born will remain unchanged: 54 native Virginians and 46 members born outside the state.

Visit vpap.org for a closer look at the new faces of the General Assembly.

2012 LWV-VA Legislative Priorities

- * Voting Issues (such as Election laws, Redistricting, and Restoration of felons' voting rights)
- * Women's Rights
- * Transportation
- * Education
- * Environment

Decoding The "Flack" Attack

By Janey George, Co-President

In the coming months we will be deluged with political ads, some paid for by organizations with names such as "Americans for Freedom" (made up name) and we will have no idea who that PAC is backing but can probably tell if the ad is pro or con a political party. After reading the *Washington Post* January 5, 2012 article titled "Stepping up the Flack Attack" written by Vanessa Williams, I feel there is a light at the end of the tunnel in assessing these ads. The creators of Factcheck.com have started a sister website named Flackcheck.com. "The idea is to use digital dazzle, games such as "They Said What?" and humor to hook people into questioning the political information they consume and encourage them to read journalism from serious news sources." As newspapers and TV news rooms grow smaller, the media's coverage of the political ads – especially fact checking – has become nonexistent or nearly so, and readers/listeners themselves need to perform this function. Between the two websites, people should be able to decode the political ads coming their way.

The project is funded by the Annenberg Foundation and the Omidyar Network, a foundation run by the founder of eBay, Pierre Omidyar.

WRT Scheduled for February 1

HIGHLIGHTS TO CHOOSE FROM

- Come the day before (Tuesday) and meet LWV-VA President Lynn Gordon and Legislative Coordinator Carol Noggle in the General Assembly Building cafeteria for lunch at 11:30 a.m. Hear what is coming up and choose what hearings you would like to attend. (If you miss lunch, call Carol at 571-437-8343 before 3:30 p.m.)
- Participate in the Women's Round Table; 8:30 a.m.-9:30 a.m.; General Assembly Building, 7th Floor West Conference Room. Learn from legislators and other lobbyists what is happening at General Assembly.
- On Wednesday, attend committee hearings before and/or after Round Table
- Meet Lynn and Carol for lunch Wednesday at 11:30 a.m. in the General Assembly Building cafeteria to discuss what went on at the hearing(s) you attended
- Observe either the Senate or House session
- Attend afternoon committee hearings and touch base with Carol and/or Lynn before returning home

Lynn Gordon, President
League of Women Voters of Virginia

Domestic Violence Update (Part 1)

Committee Members: Barbara Nunes (chair), Judy Helein, Sheila Iskra, and Inta Sradars

Introduction

This local study is an informational update of the Domestic Violence study the Fairfax Area League prepared in 2002. That, in turn, was an update of the 1992 League of Women Voters of Virginia study. This local study looks at changes in policy at national and state levels and focuses on programs and practices in the field of domestic violence in Fairfax County. It is presented in two parts. Part One will address major changes in the federal and state areas plus local legal process. Part Two will cover services for victims and abusers.

Federal Role

Congress has expanded the role of the federal government in the national effort to stop domestic violence, sexual assault, and stalking. There are several new laws supporting a variety of efforts to respond to the needs of domestic violence and sexual assault victims.

The Violence Against Women Act (VAWA), first passed in 1994 and administered by the Violence Against Women Office in the Department of Justice, funds formula, competitive, and demonstration grants to states and localities. It includes the Services-Training-Officers-Prosecutors program (STOP). In 2010, 91 law enforcement agencies, prosecutors' offices, courts, and sexual assault crisis center domestic violence programs in Virginia received \$2,594,923 from STOP funds. Also included is the Grants to Encourage Arrest Policies and Enforcement of Protective Orders (GEAP) program, the purpose of which is to encourage communities to adopt a coordinated response to domestic violence as a serious violation of criminal law. In FY 2010 VAWA established the Sexual Assault Services Formula Grant, dedicated to providing assistance to victims of sexual assault. New grants under this program are for healthcare of victims and others. VAWA grants also fund state domestic violence and sexual assault coalitions to coordinate state victims' service activities. Fairfax received \$800,000 from VAWA for the Domestic Violence Action Center.

The Victims of Crime Act (VOCA), through the Office for Victims of Crime in the Justice Department, supports domestic and sexual violence programs, victim-witness services, and programs serving child victims. Services funded include crisis intervention, counseling, transportation, shelter, services for elderly and disabled victims, translators, and volunteer coordinators. It also provides funding for reimbursement of victims of crime. In FY 2010 Virginia received \$9,734,808 in VOCA funding.

The Family Violence Prevention and Services Act (FVPSA) funds shelter or transitional housing, safety planning, legal services, child care, services for children, education, career planning, public awareness, and necessities such as clothing. In FY 2011 Virginia received \$2,096,814, which went to 46 local programs.

Other federal departments grant funds for domestic violence shelters, programs to improve the health of mothers and children, as well as Temporary Assistance to Needy Families (TANF) monies for a variety of services to victims.

State Laws and Programs

During the last ten years there have been significant changes in Virginia laws regarding domestic violence, especially in the protective order statutes. An amendment in 2011 dramatically expands access to protective orders issued by General District Court. Now victims of sexual assault, stalking, and dating violence have access to protective orders without having to get involved in the criminal process—going to a magistrate to get a criminal warrant. It now is possible to start the process for a protective order online by completing properly formatted petitions provided on the Interactive Community Assistance Network (I-CAN), www.courts.state.va.us, which also includes information on court practices and how to prepare for court. The victim may print the completed form and take it to the Court Intake Service Unit or go to the courthouse to get the proper documents. Before a protective order expires, a victim also may petition the court for extension of an existing order for an additional two-year period. District Court clerks now are required to enter information contained in the orders in the Virginia Crime Information Network (VCIN) database by the end of the business day, so the information is immediately accessible to all law enforcement officers for enforcement of the order. Virginia law now requires law enforcement officers to arrest people who commit protective order violations. The Executive Secretary of the Virginia State Supreme Court is coordinating with neighboring states on the content of protective order forms to improve interstate enforcement.

Victims of domestic violence who move to a location unknown to their abuser may now get a free and confidential mail-forwarding service. The Office of the Chief Medical Examiner now works with localities to implement fatality review teams. The goal of these teams is to examine the circumstances associated with domestic violence-related deaths to identify prevention strategies and strengthen community response.

Statewide, one third of homicides are domestic violence related; in Fairfax the percentage is one half. Since 2004 there has been a Virginia Sexual and Domestic Violence Victim Fund, which supports prosecution and victim services. It is funded by court fees and costs collected from convicted offenders.

State Government Action

The issue of domestic and sexual violence has become a priority in Virginia at the highest levels of state government. Since 2003, there has been a Statewide Facilitator for Victims of Domestic Violence in the Office of the Attorney General. The facilitator addresses issues of victim confidentiality, and prepares an annual report on domestic violence services in the Commonwealth including research findings, statistical information, training, education, and public awareness initiatives, funding, and grant programs available. The facilitator also assists other agencies with their domestic violence initiatives. Additionally, the Office of the Attorney General promotes public awareness of domestic and sexual violence issues. Using federal grants, the office produces and distributes resource materials and provides resources, training, and technical assistance to local and state officials, victim service providers, and victims.

In 2007 the Chief Justice of the Supreme Court of Virginia established the Advisory Committee on Domestic Violence Issues in Virginia's Courts to provide advice and guidance in domestic violence-related court cases and on the content and format of training materials for judicial personnel. The 20-member committee has been meeting twice a year and a report is expected in spring 2012. It has no representatives from Alexandria, Arlington, or Fairfax.

In 2010 Governor Robert F. McDonnell established a Domestic Violence Prevention and Response Advisory Board, consisting of designees from 27 state agencies and advocacy organizations, as well as representatives from the Virginia Senate and House of Delegates. The Board has assessed means of improving services to children who witness domestic violence; reviewed Virginia's protective order laws and process, and previous studies on domestic violence; and developed strategies for implementing recommendations from these sources. It has developed recommendations for services to victims who traditionally are underserved and investigated ways to make Virginia college campuses safer. Its 2011 report recommends additional training for judicial, law enforcement, advocates, and allied professionals dealing with protective orders and domestic and sexual violence. The report also recommends continuing studies to develop a best practice model for delivering services to children and youth exposed to domestic violence. It proposes various strategies

for improving services to underserved populations: the elderly, people with mental health issues, and persons with disabilities. The report includes many suggestions for dealing with sexual and other violence on Virginia's campuses and expresses concern that victims of sexual and dating violence seeking protective orders in General District Court may be expected to tell their stories in open court.

Training and Public Information

Compared to ten years ago, there now are more opportunities and requirements for training in dealing with domestic violence and sexual assault. Five state agencies and one nonprofit organization use federal GEAP funds to provide intensive training at the state and local level to enhance victim safety and offender accountability. The *Virginia Family Violence Reference Manual*, prepared by the Office of the Executive Secretary, Supreme Court of Virginia, is routinely given to all new J&DR (Juvenile and Domestic Relations) District Court judges. The Virginia Magistrates Family Abuse Case Management Course and reference materials, also prepared by the Executive Secretary, are posted on the web and magistrates use them in an on-line continuing education course. The Virginia Department of Criminal Justice Services provides training and resources to victim services providers, law enforcement officers, allied professionals, prosecutors, and other local government officials. The Virginia Department of Health provides training and resources to sexual and domestic violence health care providers to encourage universal screening, assessment, and response to patients experiencing intimate partner violence.

There is more public information and general awareness of family violence than there was a decade ago. Multiple state agencies and nonprofits produce informational brochures. The Governor's Commission recommends agencies continue to coordinate to ensure that materials are accurate and

Acronym List

DVPPCC	Domestic Violence Prevention Policy Coordinating Council
EPO	Emergency Protective Order
FVPSA	Family Violence Prevention and Services Act
GEAP	Grants to Encourage Arrest Policies
I-CAN	Interactive Community Assistance Network
J&DR	Juvenile and Domestic Relations District Court
NAFA	Network Against Family Abuse
PO	Protective Order
PPO	Preliminary Protective Order
STOP	Services-Training-Officers-Prosecutors
TANF	Temporary Assistance to Needy Families
VAWA	Violence Against Women Act
VCIN	Virginia Crime Information Network
VOCA	Victims of Crime Act

complementary. This is especially needed for information on protective orders, since there has been significant change in the protective order protocol.

Protective Orders

Protective orders are legal documents issued by a judge or magistrate to protect the health and safety of someone who has been injured or threatened by a family or household member. As the dispute is between two or more people, it is a civil case and the victim may hire legal representation, but the Commonwealth's Attorney's Office cannot assist the victim.

On July 1, 2011, changes in protective order laws became effective to:

- Simplify the protective order process in Virginia;
- Provide equal access to protective orders for victims of sexual assault, stalking, and dating violence; and
- Provide equal protection through court/law enforcement responses to violations of protective orders for victims of sexual assault, stalking, and dating violence.

Under the new legislation, there are two types of protective orders: acts of violence and family abuse. Changes to family abuse protective orders include a revised definition of family abuse that now specifically includes stalking and sexual assault within the definition and changes in the relief provisions.

New Definition of Family Abuse

Family abuse is defined as "any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member. Such act includes, but is not limited to, any forceful detention, stalking, or criminal sexual assault in violation of Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2 or any criminal offense that results in bodily injury or places one in reasonable assault or bodily injury."

Types of Protective Orders

In Virginia, there are three kinds of protective order that can protect an individual and others: the Emergency Protective Order (EPO), the Preliminary Protective Order (PPO), and the "full" Protective Order (PO).

Emergency Protective Order (EPO)

A police officer or the victim may request an EPO. The party requesting the order must establish probable cause before a magistrate. Only a magistrate or judge may issue an EPO. The magistrate will advise the victim to contact the Justice Center, where the victim can meet with a domestic violence advocate. The advocate can help the victim develop a safety plan and give helpful advice. The most dangerous time for victims is when they are planning to leave. The EPO lasts for 72 hours.

Preliminary Protective Order (PPO)

The victim must file for a PPO, which is issued by a judge and does not go into effect until served by the Sheriff's Department. If the respondent/offender leaves the state, this can be a problem. A PPO lasts for 15 days. The victim must file for a "full" PO to obtain protection for a longer period. Last year 900 PPOs were issued. More than half the victims were not English speaking. Between 30 to 40 percent of the time, victims did not go forward with a "full" PO after the PPO was issued.

Protective Order (PO)

The victim must go to a hearing. The victim can represent himself or herself or be represented by an attorney. If the victim meets financial criteria, he or she will be referred to Legal Services. The PO may address possession of the residence and/or car, temporary custody of any children, and other conditions.

In addition, the new protective order law changes to the family abuse EPO, PPO, and PO relief provisions:

- Prohibit acts of family abuse or criminal offenses that result in injury to person or property (includes companion animals); and
- Prohibit such contacts "by the respondent with the petitioner or family or household members of the petitioner" as the court deems "necessary for the health and safety of such persons."

Fairfax County

Many changes have occurred in the area of domestic violence since we prepared our last update in 2002. At that time the Network Against Family Abuse (NAFA) was active and somewhat frustrated by the lack of coordination and attention given to domestic violence concerns. Jewell Mikula, chair of NAFA, worked with the director of Human Services and the Board of Supervisors to create the Domestic Violence Prevention Policy Coordinating Council (DVPPCC). This group has been very active and creative in searching for answers. It hired a staff person and implemented many programs, which we will discuss in the next report in May. A new courthouse has been constructed and the Historic Courthouse, where the J&DR District Court was housed, is now a central location for domestic violence programs.

Police

Police continue to be active in assisting victims and resolving conflicts. The victim in most cases enters the legal system by an emergency or non-emergency call to the police. The victim also may visit the magistrate or, in few cases, go directly to the J&DR District Court intake offices to request a protective order.

If police are called, the call is generally handled by at least two police officers, who separate and question all parties. Children also are separated as appropriate both to shield them from the investigation and, when needed, to ask age-appropriate questions, depending on whether they are witnesses or victims. If a translator is required, police have access to telephone consultation with translators in many languages, including Farsi, Korean, Spanish, Urdu, and Vietnamese. Fairfax County has more than 30 percent foreign-born residents; it is important to note that the Fairfax County Police Department does not routinely check the citizenship status of any person.

The police determine if domestic abuse has occurred and investigate even if the victim does not want to proceed. This is the criminal side of the case. In most cases, if probable cause is established, the police may arrest the abuser for a crime involving domestic violence.

Anyone arrested by the police is transported to the Magistrate's Office, where it is determined if probable cause exists for an arrest warrant and an EPO. If the abuser has fled before police arrive at a scene, either the police officer or the person abused may seek to obtain a warrant and an EPO. If the warrant and/or an EPO are issued, the police will seek to serve them as soon as possible. The information also is placed in the VCIN in the event the offender is later checked by police in Fairfax County or other localities.

The Fairfax County Police Department has general orders that outline procedures and protocol. Each of the eight police district stations has a domestic violence detective and a victim service specialist. They work in alliance to ensure effective services for victims of domestic abuse.

In serious domestic abuse cases, the domestic violence detectives collect evidence, re-interview the parties involved, take photos if necessary, and work with the Commonwealth's Attorney's Office. Along with the arresting officer(s), domestic violence detectives also will attend court and testify as needed in the cases they help investigate. The types of assistance the victim services specialists provide include crisis intervention, on-scene support, safety planning, information and referrals, assistance in applying for victim's compensation, court advocacy and accompaniment, transportation, employee and housing intervention, and links to community-based resources.

The domestic violence detectives and victim service specialists also conduct roll call trainings to train patrol officers and others on any updated in domestic violence policy, as well as other issues pertaining to investigating domestic violence cases.

The Fairfax County Police Department takes domestic violence very seriously. Unfortunately, police officers

investigate thousands of such cases each year, and it is believed many more go unreported. In addition, for the past few years, 40 to 50 percent of the homicides in Fairfax County have been related to domestic violence. The department also treats any allegation of domestic violence by a police officer as a serious matter. If found to be in violation, police officers face the probability of termination of employment.

Magistrates

Other than the police, magistrates are the first connection to the legal system for criminal offenses. All police domestic violence arrests or complaints are brought to a magistrate. After a 911 call, if the alleged abuser has not fled, the police will take him or her to the magistrate to file a criminal charge and EPO. The magistrate determines whether a crime has been committed. If the magistrate determines that it appears that a crime has been committed, the magistrate establishes whether a bond is needed and, if so, how much.

If the alleged abuser is not at the location where the police responded and the magistrate determines that there is reason to grant a warrant, he or she will then order an "in custody" (present in court) or "out of custody" (not in court) warrant and an EPO. The police bring the defendant to the magistrate's office, where after listening to the police and the defendant, the magistrate sets bail and charges. Cases are referred to the courts to schedule an advisement hearing within two weeks. The EPO remains in effect until the J&DR judge hears the case early the next morning or within 72 hours. The judge will issue the PPO, which goes into effect after the defendant is served. The judge may modify the charges and bail after hearing more information. Criminal cases are scheduled on Fridays and usually take up to six weeks to be heard.

In Fairfax County, there are 23 magistrates in two locations: the Mount Vernon Government Center at 2511 Parkers Lane, Alexandria, and the Fairfax County Magistrate at 10520 Judicial Drive, Fairfax. A magistrate is available 24 hours a day. Once being selected, magistrates must go through a nine-month probation period, which includes classes and testing, to become certified. Once certified, they must continue their education with 20 hours of required Continuing Learning Education (CLE) classes every year. These classes may include language classes and seminars in various parts of the state, and may include domestic violence awareness training.

Prior to 2008, magistrates were required to have only a high school education. Some college and some experience in law enforcement were preferred, and magistrates were re-certified every four years. They were paid through state funding, with a county supplement. After 2008, magistrates were required to have a four-year college degree, with a preference for some law knowledge. They no longer have a four-year term, but

serve at the pleasure of the Executive Secretary of the State Supreme Court. Currently their salary is paid by the state with no additional county supplement.

Claude J. Beheler is the Chief Magistrate and has been a magistrate for the past 14 years. He does not believe there has been an increase in domestic violence, but rather an increase in awareness and reporting. Magistrates have become an important source for immediate domestic violence intervention. Magistrate Beheler estimated that 20 percent of the cases before the magistrates are domestic violence.

Commonwealth's Attorneys

Since 2009, there have been two dedicated Commonwealth's attorneys who specifically prosecute the domestic violence criminal cases. The Commonwealth's Attorney's Office is responsible for the prosecution of criminal domestic violence cases. In 2010 a federal grant was obtained for these two full-time domestic violence attorneys. This grant is renewable.

Domestic violence cases in the J&DR District Court are primarily heard three days a week, on Mondays, Wednesdays, and Fridays. On average, each domestic violence prosecutor is involved with 30 domestic violence cases per week. Every week the Circuit Court hears any domestic violence cases that were appealed from the J&DR District Court. The domestic violence prosecutors handle these appeals in the Circuit Court. This allows the victims to have one prosecutor for the entirety of their criminal case, which has proven to be extremely beneficial for the victims.

The presence of two dedicated domestic violence prosecutors in the J&DR District Court has led to an increase in the prosecution of domestic violence criminal cases. Criminal cases usually are heard within six weeks. The majority of defendants who are convicted are put on active probation and ordered to complete the court-approved domestic violence program. There is a one-time only disposition available for first-time offenders, which allows for the case to be continued for two years and ultimately dismissed if the defendant successfully completes the domestic violence program, is of general good behavior, and does not violate any other laws. This disposition is not available if the defendant already has been convicted of a domestic violence crime.

Many of the domestic violence victims and defendants are non-English speaking. The courts provide interpreters for a multitude of languages, either in person or through the language line. Some of the most common languages are Farsi, Korean, Spanish, Urdu, and Vietnamese. There are also sign language interpreters for victims and defendants who are deaf. Domestic violence cases between same-sex partners also are prosecuted.

Court Services

Petitions for PPOs and POs are handled by the Domestic Relations Core Services Unit. The respondent must be served for the EPO to be in effect. If a PPO is issued by the judge, a hearing for the PO will be scheduled. There are 900 PPOs issued every year. The J&DR District Court serves Fairfax County, the City of Fairfax, and the towns of Clifton, Herndon, and Vienna. Fort Belvoir has its own domestic violence personnel, but residents also may be served by Fairfax County courts if the victim requests it through a call to the police.

Cases before the J&DR District Court involving domestic violence are divided into two kinds—civil and criminal. Civil protective orders are EPOs, PPOs, and POs. A victim who wishes to obtain protection first requests an EPO. They are valid for 72 hours and a victim may request a PPO from a judge before it expires. At the hearing the judge will decide whether to grant the PO for two years. At the hearing, the respondent is told by the judge that no contact is permitted with the victim or victim's family.

For a PPO the victim must present the case even if the respondent has an attorney. At the PO hearing victims must present information regarding temporary child custody, use of a car, and housing support if they wish the judge to make a ruling. The judge may, after hearing the information presented, determine temporary arrangements. POs are heard in J&DR District Court, where there are now eight judges.

Fairfax County is now using web cams to allow respondents to communicate with the judges in their courtrooms. It allows the respondents to remain in the jail facility or at the Mount Vernon Government Center until the judge hears the complaint and sets bail if necessary. Instant translations are in place and operate very effectively.

New Courthouse

In 2010, the J&DR District Court moved into the new Judicial Center, which is part of the co-location of the various agencies such as police, jail, Chief Magistrate's Office, Circuit and General District Courts, and the Historic Courthouse. The facility has spacious halls, separate tables and chairs for parties to discuss issues, and courtrooms with individual digital screens for victims, respondents, and observers. Access to the courthouse has security at the entrance to the complex.

Summary

Questions can be asked: Have we stopped domestic violence? What kind of assistance is needed or provided? We will look at these issues in May with Part Two.

Sources

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____. *2008 Annual Report*, December 31, 2008, [http://leg2.state.va.us/dls/h&sdocs.nsf/By+Year/RD4582008/\\$file/RD458.pdf](http://leg2.state.va.us/dls/h&sdocs.nsf/By+Year/RD4582008/$file/RD458.pdf)

Office of the Virginia Secretary of Public Safety, *Domestic Violence Prevention and Response Advisory Board, Report and Recommendations*, November 2011, www.publicsafety.virginia.gov/initiatives/DV/index.cfm

Supreme Court of Virginia, Advisory Committee on Domestic Violence Issues in Virginia Courts, *Meeting Notes*, March 24, 2011, www.courts.state.va.us/courtadmin/aoc/judpln/programs/dvps

U.S. Department on Justice, Office on Violence Against Women, www.ovw.usdoj.gov/

Wikipedia, "Violence Against Women Act," http://en.wikipedia.org/wiki/violence_against_women_act

Interviews

Claude J. Beheler, Chief Magistrate, Fairfax County, February 9, 2011
Jessica Greis Edwardson, Commonwealth's Attorney's Office, Fairfax County, May 26, 2011

Janice Erickson, Director of Programs, National Organization for Women, December 6, 2011

Laura Harris, Director, Juvenile and Domestic Relations Court Intake, May 9, 2011

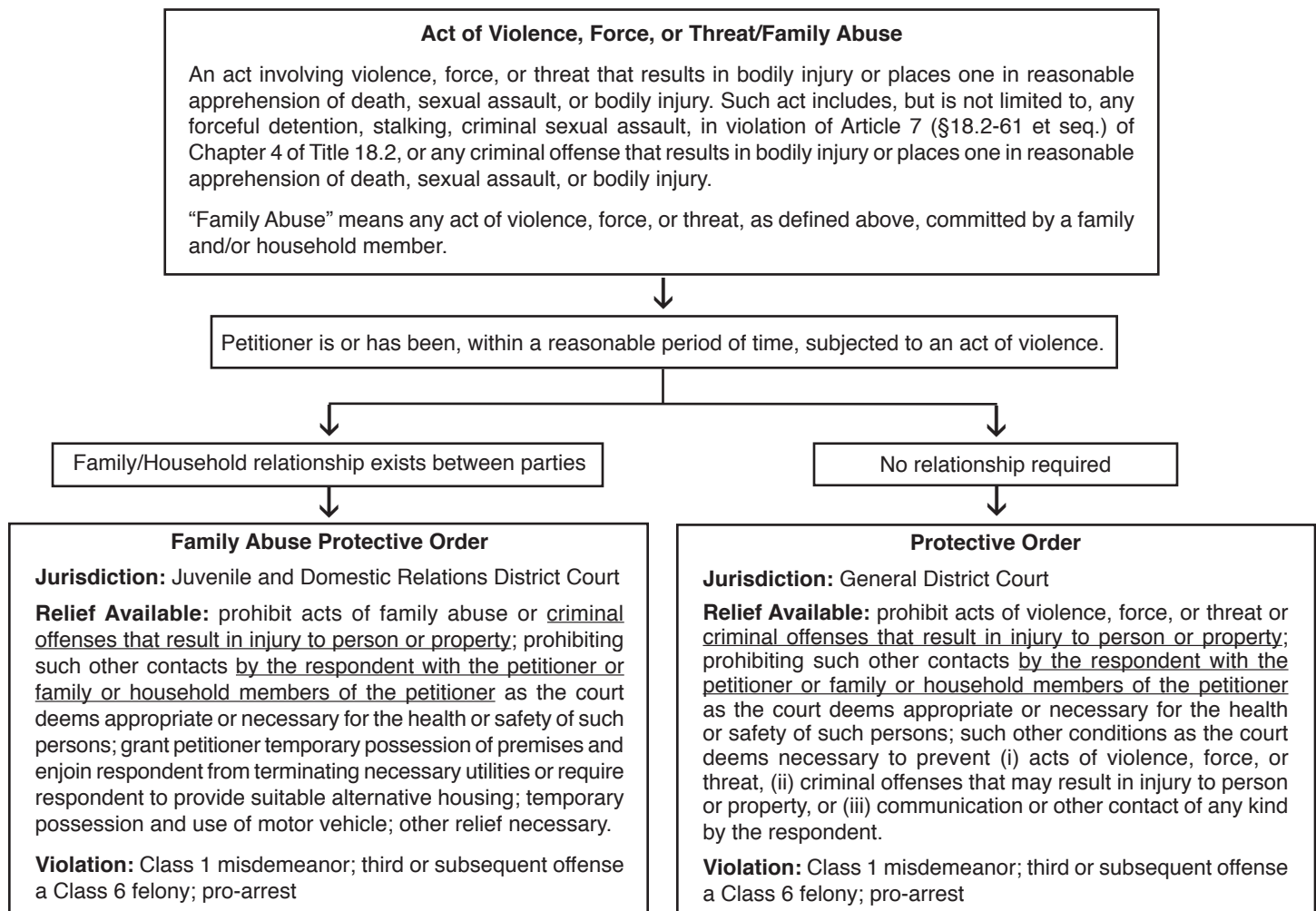
Jewell Mikula, Chair, NAFA, and Executive Director, Shelter House, October 26, 2011

David Rohrer, Chief of Police, Fairfax County, March 24, 2011

Corie E. Tillman, Assistant Attorney General and Statewide Facilitator for Victims of Domestic Violence, November and December 2011

Seem Zeya, Coordinator, Domestic Violence Prevention Policy Coordinating Council, July 12, 2011

Protective Order Process — July 1, 2011



For questions, please email publicpolicy@vsdvalliance.org or call 804-377-0335.

Celebrating Black History Month . . .

“Keep Trying” is Judge’s Mantra

By Bernice Colvard, League Historian

The defining moment of **Cleo Powell’s** career choice occurred in a 1970s group visit to the Emporia, Va., law office of **Samuel L. Tucker**. She was a student at Brunswick County High School. He was a legendary civil rights attorney and a founding partner of Hill, Tucker and Marsh law firm in Richmond. He explained his work and the role of lawyers in our culture.

Powell graduated from the University of Virginia and its law school. She worked at the Richmond law firm of Hunton & Williams, served as senior Assistant Attorney General of Virginia (1986-1989) and then briefly as corporate counsel

and Director of Employee Services for Virginia Power (now Dominion).

In 1993, Powell joined the General District Court for Chesterfield County. Seven years later she moved to the bench of the Chesterfield County’s Circuit Court. She ascended to the Court of Appeals of Virginia in 2008. As an appellate judge, she enjoyed researching cases.

In July 2011, Cleo Powell was elected by the Virginia General Assembly to the Supreme Court of Virginia for a 12-year term, effective August 1, 2011. On each court level Powell has served, she has been the first African American female to do so.

Powell’s motto is: “Try new things. Prod the envelope. Trying is a measure of success.”

Sources:

The Washington Post, “Digest” photo, October 22, 2011.
<http://www.dom.com/about/education/strong/2011/powell.jsp>
http://judgedpedia.org/index.php/Cleo_Powell

Celebrating Black History Month . . .

R&B Singer Ruth Brown Championed Musicians’ Rights; Edna Lewis Wrote Cookbooks

By Bernice Colvard, League Historian

Another of Virginia’s famed R & B singers was **Ruth Brown** (1928-2006) from Portsmouth, Virginia. Her father was a minister, and she was raised in the gospel tradition. According to Brown, she was later rejected by her family for choosing “the devil’s music.” Her 1950s hits, as a top black pop singer, made Atlantic Records “the house that Ruth built.” However, the inequitable methods used by recording companies frequently left musicians destitute. Her career faltered, marriages failed, and she was absent from the music scene for over two decades. Brown was rescued from obscurity by an old friend, **Redd Foxx**, who paid her way to Los Angeles and helped her get acting work in stage musicals and TV. By the 1980s, she was also able to pursue her strong interests as an activist in the musicians’ royalty reform movement with political support from **Jesse Jackson** and others.

Brown later hosted a public radio blues program and was inducted into the Rock & Roll Hall of Fame in 1993. She overcame the effects of a stroke in 2000 and continued an active singing career in Las Vegas until her final illness.

Culinary icon **Edna Lewis** (1916-2006) was an award-winning chef with four cookbooks and two NY restaurants to her credit. These were remarkable achievements, particularly for a black woman from the rural south, Unionville in Virginia’s Orange County. She had however come from enterprising stock—her slave grandmother, for example, was a brick mason, who had been purchased for \$950 to build two brick houses.

Lewis always returned to Virginia for the summer’s highlight, Revival at Bethel Baptist Church, and cooked with family and friends all weekend. She debunked the idea of Southern food as limp, greasy, or fried to death. A 20th anniversary edition of her classic Southern cookbook, *Taste of Country Cooking*, with an intro by fellow acclaimed cook Alice Waters, was published in August 2007.

Sources:

Bernstein, Adam. “Ruth Brown, 78: R & B Singer Championed Musicians’ Rights.” *The Washington Post*, 18Nov2006, B5.
Dykshorn, Neely Barnwell. “Edna Of Freetown.” *Virginia Living*, April 2006.

Information From the Board of Supervisors

FY2013 Budget Process Underway . . .

County staff and the county executive are currently working on developing a balanced budget proposal for Fiscal Year 2013 which begins on July 1, 2012. The county executive and school superintendent provided preliminary forecasts for the FY 2013 budget to the County Board of Supervisors and School Board on Tuesday, Nov. 29, 2011.

You can offer your views on what you see as the biggest issues facing Fairfax County in 2012 by going to the website at <http://www.fairfaxcounty.gov/dmb/> or submitting your feedback

Internship Opportunities . . .

The BOS Chairman's Office is currently accepting applications for unpaid **spring and summer internships**.

We are looking for college students interested in politics or government who would like the opportunity to get first-hand experience with the business of local government in the largest county in Virginia. Intern duties will include constituent service work such as drafting letters and answering phone calls, issue research, and other tasks as needs arise.

Applicants should be interested in the work of local government, and should be enthusiastic, hard-working and reliable. We have full or part-time internships and we are willing to support students seeking course credit for their time.

Interested candidates should send resumes and cover letters to mark.thomas@fairfaxcounty.gov or fax to 703-324-3955. For all faxes and emails related to this internship opportunity, please use the subject line "Internship Application."

BOS Plans Retreats . . .

In early February the Fairfax County Board will be participating in a **two day Strategic Planning Retreat**, which will include discussions of goals and priorities both within the Supervisor districts as well as countywide.

The Retreat will take place at the Lorton Workhouse Arts Center, an active site for revitalization and re-use of an older historic facility. Future growth and development in Fairfax County lies in revitalization and redevelopment of our older commercial and industrial areas and Chairman Bulova is excited about this location (suggested by Supervisor Hyland) for our meeting.

On February 25 the Board will engage in a **first-time Board-to-Board Retreat with members of the School Board**, meeting at Finance Park on the Frost Middle School campus, an example of an impressive public-private partnership which teaches financial literacy to all FCPS eighth graders.

(Adapted from the January Bulova Byline)

In Memoriam

Marion Meader

A member of Reston Day unit, Marion Meader died January 2, 2012. She was a pioneer of early Reston and an active volunteer in St. Anne's Episcopal Church, GRACE, Interfaith, the Reston Garden Club and FISH, as well as the League of Women Voters. She also served as a docent at the children's programs of the National Symphony Orchestra at the Kennedy Center. An accomplished athlete, Marion was also a skilled horse rider and jumper, tennis player and downhill skier.

Carol Snitzer

Greenspring Unit member Carol Snitzer died on January 12. A 50-year member of the League, Carol was active on study committees and as a League lobbyist; she also served on the LWVFA Board. She belonged to the Vienna Day unit before moving to Greenspring.

Think Green . . .

If today is a typical day on planet earth, humans will add 15 million tons of carbon to the atmosphere, destroy 115 square miles of tropical rainforest, create 72 square miles of desert, eliminate between 40 to 100 species, erode 71 million tons of topsoil, add 27 hundred tons of CFCs to the stratosphere, and increase their population by 263,000.

FCPS Superintendent Proposes FY 2013 Budget, Adds Positions to Address Membership Growth

Fairfax County Public Schools (FCPS) Superintendent Jack D. Dale has released the school system's FY 2013 Proposed Budget of \$2.4 billion, an increase of 9 percent, or \$202.3 million, from the FY 2012 Approved Budget. The FY 2013 budget includes 721.3 new positions, most of which are being added to address membership growth--projected to be 181,608 in FY 2013--and student demographic changes. Extended learning time for students and extended time for teachers are included in the budget, as are compensation increases for employees, in alignment with the Fairfax County School Board's budget priorities.

"We have included a 2 percent market scale adjustment and a step increase for all eligible employees as well as a salary adjustment for custodian positions, which are being reclassified to market level," states Dale. "It is imperative for FCPS stay competitive in the marketplace in order to continue to attract the best employees to support student success.

"We continue to dedicate the majority of our budget, 85.9 percent, and the majority of our positions, 94.6 percent, directly to instructional programs," adds Dale.

FCPS is projecting an increase of more than 3,900 students for the 2012-13 school year. Since FY 2008, the district's enrollment has grown by more than 15,000 students. "We are seeing the greatest increases in the numbers of our students with additional needs," the Superintendent explained. "Since FY 2008, the number of students enrolled in English for speakers of other languages (ESOL) has risen 48.3 percent, and the number of students eligible for free or reduced-price meals is up 35.4 percent." This fall, FCPS will open two new schools: a middle school at the South County site and an elementary school at the Lacey site.

The FY 2013 Proposed Budget includes the addition of 26 positions to address large class sizes and 12 positions to support the expansion of the World Languages program in elementary schools. Eight schools will add the Foreign Languages in the Elementary Schools (FLES) program, and two new schools will implement the Foreign Language Immersion program. These schools will be determined in the spring of 2012. Expansion of the program supports the Fairfax County School Board's Student Achievement Goal 1.2.

The budget also includes funds to expand Pathways to the Baccalaureate, part of the College Success program, to four additional schools--Centreville, Chantilly, South County and Westfield High Schools--and to expand the program to 10th and 11th grades at Annandale, Edison, Falls Church, Lee, Mount Vernon, South Lakes, and Stuart High Schools and Hayfield Secondary School. The program works to develop college readiness and provide ongoing support to students who enroll in Northern Virginia Community College with the intent of transferring to a four-year Virginia college to earn a bachelor's degree. Fairfax, Herndon, Marshall, and West Potomac High Schools also offer the College Success program.

The FY 2013 Proposed Budget includes an increase in state funding due to increasing enrollment and the state's update to the Local Composite Index; however, federal revenue is decreasing due to the loss of one-time Federal Education Jobs funding.

FCPS receives the majority of its funding from Fairfax County and this year will request an increase of 8.4 percent over FY 2012. The projected cost per pupil for FY 2013 will be \$13,654, an increase of 6.5 percent over the FY 2012. As determined by the Washington Area Boards of Education (WABE), FCPS ranks fifth among 10 area school systems in cost per pupil and has the lowest percentage of leadership team and management positions in relation to total positions of all Washington area school systems for FY 2012.

The Fairfax County School Board will hold public hearings on the FY 2013 budget on January 30 and 31 at Jackson Middle School, 3020 Gallows Road in the Falls Church area of Fairfax County; the speakers list for those public hearings opens on Friday, January 13, at <http://www.fcps.edu/schlbd/meetings/requestspeak.shtml>. For complete information on the FCPS FY 2013 budget, including the budget calendar, visit <http://www.fcps.edu/fs/budget/index.shtml>

Would You like to See The Capitol Steps Musical Political Satire For Free ??

Saturday, June 9th, at the Hilton Washington Hotel

Be a LWVUS National Convention Volunteer, June 8-12

And you will have a ticket to the fundraiser for the LWNCA

We are looking for volunteers for the 2012 convention to be held at the Hilton Washington Hotel, 1919 Connecticut Avenue, Washington, D.C. Volunteers are needed for many different types of jobs, some behind the scenes and some on the floor of the convention. Don't miss this opportunity to be a part of an exciting League function. It's work, but it's a lot of fun too. Like seeing the Capitol Steps.

Volunteers are needed as follows:

Every day (June 8 – 12)

Registration—staff registration desk; distribute badges and materials

Credentials—certify voting eligibility of delegates; prepare official daily attendance report

Information—staff information desk; provide local tourist information to delegates and visitors

Personnel—staff volunteer room; assist with assignments; provide back-up to other volunteer areas

Teller/Elections—process vote cards; count and record results

Friday through Sunday (June 8-10)

Hospitality—greet delegates and guests; host hospitality suite; assist with information

Dine Around—staff dine around desk—sign-ups, reservations, information

Saturday through Tuesday (June 9-12)

Floor Committee: Doorkeeper—check badges for eligibility to enter; distribute official materials; monitor doors. *Usher*—distribute, collect, deliver motion slips; collect vote cards; usher guests.

Microphone monitor—monitor floor mikes; keep order in lines; assist with vote counts.

Timekeeper—notify speakers when time has expired

Questions? Contact Diane Hibino trihib@verizon.net 301-263-9876 or Anne Kanter akanter@cox.net 703-448-6626

Detach and return form to We'll contact you soon.

Diane Hibino, 5051 Waukesha Rd., Bethesda MD 20816

Name _____ Phone _____ Email _____

Address _____ League _____

Area(s) of Interest: (please mark in order of your preferences – 1, 2, 3, etc.)

Floor Committee: Doorkeepers _____ Ushers _____ Timekeepers _____ Microphone Monitors _____

Other: Registration _____ Credentials _____ Information _____ Personnel _____ Teller/Elections _____

Dine Around _____ Hospitality _____ Whatever else you need _____

Dates: Please choose times and days you are available to work and indicate AM, PM or all day. The number of hours you will be asked to work will depend on the number of volunteers and their areas of interest.

Friday, June 8 (PM and/or Eve) _____ Saturday, June 9 _____ Sunday, June 10 _____

Monday, June 11 _____ Tuesday, June 12 (AM only) _____

If you are willing to work more than one day, please indicate here _____.

This Month's Unit Meeting Locations

Topic: Domestic Violence Update

Members and visitors are encouraged to attend any meeting convenient for them, including the "At Large Meeting" and briefing on Saturdays when a briefing is listed. As of January 10, 2012, the locations were correct; please use phone numbers to verify sites and advise of your intent to attend. Some meetings at restaurants may need reservations.

Saturday, February 4

10 a.m. At-Large Unit and Briefing

Packard Center
4026 Hummer Rd.
Annandale 22003
Contact: Lois, 703-690-0908

Wednesday, February 8

9:30 a.m. Mt. Vernon Day (MVD)
Mt. Vernon Dist. Government Center
2511 Parkers Lane
Alexandria 22300
Contact: Louise, 703-960-0073

10 a.m. McLean (MCL)

Star Nut Gourmet
1445 Laughlin Ave.
McLean 22101
Contact: Peggy, 703-532-4417 or
Sharone, 703-734-1048

10 a.m. Fairfax Station (FXS)

8739 Cuttermille Pl.
Springfield 22153
Contact: Kathleen, 703-644-1555

6:15 p.m. Dinner Unit (DU)

Yen Cheng Restaurant
Main Street Center
9992 Main Street
Fairfax 22030
Contact: Tin, 703-207-4669

7:30 p.m. Reston Evening (RE)
Reston Art Gallery at Heron House
Lake Anne Village Center,
Reston 20190
Contact: Lucy, 703-757-5893

Thursday, February 9

9 a.m. Reston Day (RD)
2615 John Milton Dr.
Herndon 20171
Contact: Rona, 703-476-5758

9:30 a.m. Springfield (SPF)
6009 Denton Ct.
Springfield 22152
Contact: Nancy, 703-256-6470 or
Peg, 703-256-9420

1 p.m. Fairfax City/Vienna (FX-V)
Oakton Regional Library
10304 Lynnhaven Pl.
Oakton 22124
Contact: Anne, 703-938-7304 or
Liz, 703-281-3380

7:45 p.m. Mt. Vernon Evening (MVE)

Paul Spring Retirement Community
Mt. Vernon Room
7116 Fort Hunt Road
Alexandria 22307
Contact: Jane, 703-960-6820

Monday, February 13

1:30 p.m. Greenspring (GSP)
Hunters Crossing Classroom
Spring Village Drive
Springfield 22150
Contact: Kay, 703-644-2670

Tuesday, February 14

10:00 a.m. Centreville-Chantilly (CC)
Sully District Gov. Center
4900 Stonecroft Blvd.
Chantilly, 20151
Contact: Olga, 703-815-1897

March Meetings: Privatization

The purpose of this LWVUS study is to identify those parameters and policy issues to be considered in connection with proposals to transfer federal, state or local government services, assets and/or functions to the private sector. It will review the stated goals and the community impact of such transfers, and identify strategies to ensure transparency, accountability, and preservation of the common good.



The League of Women Voters of the Fairfax Area (LWVFA)
4026 Hummer Road, Annandale, VA 22003-2403
703-658-9150. Web address: www.lwv-fairfax.org

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February, 2012**

**Jane E. George, Co-President
Julie Jones, Co-President
Ron Page, Editor
Liz Brooke, Coordinator**

The League of Women Voters is a nonpartisan political organization that encourages the public to play an informed and active role in government. At the local, state, regional and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a member.

LWVFA MEMBERSHIP APPLICATION

(Dues year is July 1 through June 30. Current dues year ends June 30, 2012.)

Membership Category: Individual \$65 ____; Household (2 persons—1 *VOTER*) \$90 ____; Donation \$ ____
Student \$32.50 ____; (Coll. Attending ____)

Membership is: New ____; Renewal ____; Reinstate ____; Subsidy Requested ____

We value membership. A subsidy fund is available, check block above and include whatever you can afford.

Dues are not tax deductible. Tax-deductible donations must be written on a separate check payable to LWVFA Ed. Fund.

Please Print Clearly!

Name _____ **Unit** _____

Address _____

City _____ **State** _____ **Zip + 4** _____

Phone (H) _____ **(M)** _____ **E-Mail** _____

Thank you for checking off your interests:

<input type="checkbox"/> County Govt	<input type="checkbox"/> Voting Procedures	<input type="checkbox"/> Health Care	<input type="checkbox"/> Schools
<input type="checkbox"/> Fiscal	<input type="checkbox"/> Environmental Quality	<input type="checkbox"/> Human Services	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Public Libraries	<input type="checkbox"/> Land Use Planning	<input type="checkbox"/> Judicial Systems	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Water	<input type="checkbox"/> Juvenile Problems	

Mail to: LWVFA, 4026 Hummer Road, Annandale, VA 22003