

By His Excellency

**CHARLES D. BAKER
GOVERNOR**

EXECUTIVE ORDER NO. 563

**RE-LAUNCHING THE GOVERNOR'S COUNCIL TO ADDRESS SEXUAL ASSAULT AND DOMESTIC
VIOLENCE**

(Revoking and superseding Executive Order 486)

WHEREAS, previous administrations have established commissions, councils, and other bodies to address the problems of sexual assault and domestic violence in the Commonwealth;

WHEREAS, in Massachusetts, 2,003 unduplicated incidents of sexual assault were reported to Rape Crisis Centers funded by the Massachusetts Department of Public Health in the twelve months from July 1st 2013 to June 30th 2014;

WHEREAS, in Massachusetts, nearly 1 in 2 women and 1 in 4 men have experienced forms of sexual violence other than rape according to the National Intimate Partner and Sexual Violence Survey;

WHEREAS, in Massachusetts, nearly 1 in 6 women and 1 in 21 men report experiencing rape, attempted rape, or physical sexual assault in their lifetimes, according to the Massachusetts Department of Public Health;

WHEREAS, nationally, both men and women are five times more likely to suffer rape by an intimate partner, family member, or acquaintance than by a stranger according to the Centers for Disease Control and Prevention;

WHEREAS, the Surgeon General has declared domestic violence as the leading cause of injury to women between the ages of 15-44;

WHEREAS, sexual assault and domestic violence affect not only individuals but also children, families, and communities;

WHEREAS, in Massachusetts, more than 1 in 10 families entering the Emergency Assistance system cited domestic violence as the immediate cause of their homelessness, and national research shows more than 6 in 10 homeless families have a history of domestic violence;

WHEREAS, recognizing that these are troubling numbers, the Governor's Office also acknowledges that sexual assault and domestic violence often go unreported by many and may be particularly under-reported by certain groups including but not limited to those who are LGBTQ, people with disabilities, the elderly, immigrants, and rural residents;

WHEREAS, all residents should live a life free of sexual assault and domestic violence;

WHEREAS, previous administrations and the Legislature have made progress in addressing issues related to sexual assault and domestic violence, most recently passing Chapter 260 and initiating an Integration Task Force to focus on the intersection between homelessness and sexual assault and domestic violence; and

WHEREAS, acknowledging the progress made by previous administrations, important work remains to be done to improve safety in our homes and throughout the Commonwealth;

NOW, THEREFORE, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § 1, Art. 1, do hereby order as follows:

Section 1. There is hereby established within the Office of the Governor a Governor's Council to Address Sexual Assault and Domestic Violence to advise the Governor on how to help residents of the Commonwealth live a life free of sexual assault and domestic violence by improving prevention for all, enhancing support for individuals and families affected by sexual assault and domestic violence, and insisting on accountability for perpetrators. The Council shall identify current practices that are efficient and effective in advancing these goals and recommend ways of replicating and extending these best practices across all agencies and entities engaged with combatting the problems of sexual assault and domestic violence in the Commonwealth. The Council shall also consider methods of improving awareness of and access to services for those groups that may under-report incidents of sexual assault and domestic violence. The Council shall set annual goals and shall report annually on the progress of the Council, including any findings or recommendations.

Section 2. The Lt. Governor shall chair the Governor's Council to Address Sexual Assault and Domestic Violence. The Council shall consist of up to 30 members from the community, whom the Governor and Lt. Governor shall appoint or re-appoint for specific terms. The Council shall include members drawn from advocacy organizations, direct service providers, criminal justice agencies, and other members from around the state that reflect the state's geographic and cultural diversity. The Secretaries of Health and Human Services, Public Safety and Security, and Housing and Economic Development shall each designate staff members within their respective secretariats for appointment to the Council. Council members shall serve at the pleasure of the Governor and without compensation.

Section 3. There shall be an Executive Director, who shall be appointed by and serve at the pleasure of the Governor and Lt. Governor with compensation. With the approval of the Chair, the Executive Director may carry out the administrative work of the council and organize committees to execute the Council's responsibilities. The Council shall meet at minimum every two months and as often as the Chair directs.

Section 4. As part of the Council's first year goals, the Council shall be charged with assessing the implementation of those parts of Chapter 260 of the Acts of 2014 that establish new programs and introduce training and education targeted at reducing sexual assault and domestic violence in the Commonwealth.

Chapter 260 became effective upon its enactment in August, 2014. By August 2015, the one year anniversary of the legislation's enactment, the Council shall report out to the Governor on the progress made by departments in fulfilling their mandates under Chapter 260. By November 15, 2015, the council shall present recommendations for regulatory, policy, or legislative action to ensure continued prompt and effective implementation of those mandates. In developing these reports, the Council shall:

1. review and advise on those training and educational programs relating to domestic and sexual violence that are required to be implemented or updated by the municipal police training committee, the boards charged with the licensing of medical, mental health, and human services professionals, and the department of elementary and secondary education as required under sections 1, 9, and 42;
2. review and advise on progress made in the formation and operation of the intra-agency state domestic violence fatality review team established under subsection (b) of section 4;
3. review and advise on the efforts of the Commonwealth in identifying and adopting innovative new practices to prevent domestic and sexual violence and to assist those affected by such violence as required under section 6;
4. determine and report on the progress made by the Massachusetts District Attorneys' Association in commencing a course of training on the issues of domestic violence and sexual violence for all district attorneys and assistant district attorneys in the Commonwealth as required under section 5;
5. determine and report on the progress made by the trial court department in implementing a training program on domestic violence and sexual violence for trial court employees, in developing methods for disseminating to the public information on domestic violence and sexual violence prevention services available within each county, and in revising its methods of keeping and producing records of the criminal and civil court history for any individual who may be the subject of a bail hearing, all as required under sections 2, 3, 18, 40, 41, and 48; and
6. report or advise on the implementation of other provisions of chapter 260 as the Council determines may be necessary.

Section 5. Additionally, in the first year, the Council shall review funding, programs and policies serving those affected by sexual assault and domestic violence. In these efforts, the Council shall work with the Interagency Council on Housing and Homelessness, the Integration Task Force, and other appropriate organizations to review programs serving families and individuals who are homeless or at risk of homelessness and who may have experienced sexual assault or domestic violence. The Council shall report initial findings and recommendations to the Governor no later than November 15, 2015.

The Council's evaluation shall include, but shall not be limited to:

1. An immediate review of existing sexual assault and domestic violence funding and programs in Massachusetts, consideration of best practices in other states, and recommendations for funding and programs in FY17 and beyond. The review should identify efforts that are most successful in the areas of prevention, support, and accountability in order to replicate and extend practices that will deliver more effective services in the Commonwealth; and
2. A continuing review of best practices operating at the intersection of economic security, homelessness, domestic violence, and sexual assault in state funded programs, external programs, and programs delivered by other states. On the basis of this review, for FY17 and beyond the Council shall
 - a. recommend common screening and assessment tools, differential response protocols, and improved training procedures for programs at state agencies that serve as entry points for individuals and families affected by sexual and domestic violence in order to improve service delivery;
 - b. recommend ways to better prevent homelessness due to domestic violence and sexual assault and to better serve those who have already been impacted; and
 - c. recommend new programs or structures to help individuals and families affected by sexual assault and domestic violence reach economic security and self-sufficiency.

Section 6. All departments, agencies, boards, commissions or other governmental entities subject to the Governor's control shall provide assistance to the Council by sharing information and expertise as requested.

Section 7. This Executive Order shall continue in effect until amended, superseded or revoked by subsequent Executive Order.

Given at the Executive Chamber in Boston this 27th day of April in the year of our Lord two thousand fifteen and of the Independence of the United States of America two hundred thirty-nine.

CHARLES D. BAKER

GOVERNOR

Commonwealth of Massachusetts

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS