

MARICOPA ASSOCIATION OF GOVERNMENTS
 REGIONAL DOMESTIC VIOLENCE COUNCIL
 MEETING MINUTES – AUGUST 25, 2011

MEMBERS ATTENDING

Malissa Perez for Celeste Adams, Save the Family
 Christina Avila, City of Avondale
 Sgt. Marc Rivers for Lt. Robert Bates, Phoenix Police Dept.
 *John Belatti, City of Chandler Prosecutor's Office
 *John A. Blackburn, Jr., Arizona Criminal Justice Commission
 Allie Bones, Arizona Coalition Against Domestic Violence
 Town Manager Rick Buss, Town of Gila Bend
 Chris Christy, Salt River Pima-Maricopa Indian Community
 JoAnn Del-Colle, Phoenix Family Advocacy Center
 *Councilmember Roy Delgado, City of El Mirage
 *President Diane Enos, Salt River Pima-Maricopa Indian Community
 Kristen Scharlau for Naomi Farrell, City of Tempe
 Will Gonzalez, City of Phoenix Prosecutor's Office
 *Laura Guild, Arizona Dept. of Economic Security
 Cmdr. Kim Humphrey, City of Phoenix Police Dept., Chair
 *Lynette Jelinek, Glendale Fire Dept.
 Alice Ghareib for Mary Lynn Kasunic, Area Agency on Aging
 Patricia Klahr, Chrysalis Shelter Inc.
 Councilmember Suzanne Klapp, City of Scottsdale
 *Councilmember Sheri Lauritano, City of Goodyear
 Councilmember Phil Lieberman, City of Glendale
 Jodi Beckley Liggett, Arizona Foundation for Women
 Barbara Marshall, Maricopa County Attorney's Office, Vice Chair

Mary Murphy, Governor's Office for Children, Youth, and Families
 *Dottie O'Connell, Chicanos Por la Causa
 Connie Phillips, Sojourner Center
 Lynn Potts for John Pombier, City of Mesa Prosecutor's Office
 Kerry Ramella, City of Phoenix Fire Dept.
 *Sarah Youngblood, Community Legal Services

OTHERS PRESENT

Zach Altman, Gilbert Prosecutor's Office
 Patrick Beumler, Glendale Police Department
 Catrina Boppart, Sojourner Center
 Kristina Bunch, Goodyear Police Department
 Jon Eliason, Maricopa County Attorney's Office
 Judge Elizabeth Finn, City of Glendale
 Patricia George, City of Phoenix Prosecutor's Office
 Dulce Hidalgo, Chicanos por la Causa
 Nadia Kassongo, Area Agency on Aging
 Jennifer Lewis, O'Connor House
 Carl Mangold, Citizen
 Leah Meyers, Governor's Office for Children, Youth and Families
 Cindi Nannetti, Maricopa County Attorney's Office
 Vurlene Notsinneh-Bowekaty, Salt River Pima-Maricopa Indian Community
 Lisa Olivas-Cook, Sojourner Center
 Sandra Robertson, A New Leaf
 Lorie Simms, Chrysalis
 Amy Spriggs, Chrysalis
 Laura Templer, O'Connor House
 Thomas Taylor, Gilbert Police Department
 Rachel Brito, MAG
 Amy St. Peter, MAG
 Renae Tenney, MAG

+Those attending by video/audio conference
 * Those not present or represented by proxy

1. Call to Order
Commander Kim Humphrey, Phoenix Police Department, called the meeting to order at 1:39 p.m. Introductions ensued. He expressed gratitude to Sojourner Center for allowing use of their meeting space while the MAG offices are under construction.
2. Call to the Audience
An opportunity was provided for members of the audience to address the Council on non-agenda items that fall under the jurisdiction of MAG, or agenda items for discussion but not for action. No comments were made.
3. Approval of the June 16, 2011, Meeting Minutes
Chair Humphrey called for approval of the June 16, 2011, MAG Regional Domestic Violence Council meeting minutes. Lynn Potts, City of Mesa Prosecutor's Office, motioned to approve the minutes. Will Gonzalez, City of Phoenix Prosecutor's Office, seconded the motion. The motion passed unanimously.
4. MAG Misdemeanor Domestic Violence Protocol Model
Chair Humphrey invited Renae Tenney, MAG, to report on the Domestic Violence Protocol Model. Ms. Tenney acknowledged the Governor's Office for their support of the project. She recalled the draft protocol model was brought before the Council for discussion in June. The Council provided feedback and approved forwarding the revised draft to outside agencies for further review. The revised draft was then distributed to Arizona Association of Chiefs of Police (AACOP), Arizona Peace Officers Standards and Training Board (AZ POST), Arizona Prosecuting Attorney's Advisory Council (APAAC), and Arizona Criminal Justice Commission (ACJC).

Ms. Tenney reported a presentation was given at ACJC's annual meeting on July 21, 2011. The Commission approved support of the concept of a statewide model. The model was also well-received by AZ POST and APAAC. Minor suggestions were received and have been incorporated into the current draft. Additional presentations are scheduled with APAAC on October 6, and AACOP on September 16 to present the model and seek input on how best to expand to a statewide model. Chief Campbell, El Mirage Police Department, will co-present with Ms. Tenney at the AACOP conference.

The protocol model will be on the MAG Management Committee and Regional Council meeting agendas for approval in September. Ms. Tenney noted the MAG Misdemeanor Domestic Violence Protocol Model will be housed at MAG. With ongoing support of the project, the model will be updated on an annual basis to include emerging best practices.

Ms. Tenney concluded her update and asked for input from the Committee. Judge Elizabeth Finn, City of Glendale, noted that, as a Presiding Judge, she is unable to endorse the MAG Misdemeanor Domestic Violence Protocol Model, however, in an effort to assist with administration of justice, she provided feedback on Section D: Arrest Decision, #20. She recommended replacing paraphrased language with text directly from Arizona Revised Statute 13-3601(B). Discussion ensued. Judge Finn recommended revising Section E: Complete Reports, #33 to include additional examples of comments officers should include in Form IV narratives. These included threats to kill, access to

weapons, and whether the victim is seeking or has a protective order against the suspect. She noted these types of comments help bring heightened awareness to the situation when a judge is considering release. Additionally, Judge Finn recommended adding a section addressing witness intimidation and prosecution using Forfeiture by Wrongdoing. She noted not addressing this in the model would be a huge oversight. Committee members were in agreement with the recommendation.

Allie Bones, Arizona Coalition Against Domestic Violence, raised the question of why Section E., #29 was highlighted as a best practice. Ms. Tenney noted report writing guidelines are considered a best practice. Ms. Bones asked if it was appropriate to highlight the Maricopa County Attorney's Office protocol as a best practice. Discussion ensued. Committee members decided to remove #29 from the model.

Ms. St. Peter summarized the following recommendations based on discussion:

Section A:

- A-11: Add "or offender" after victim in the last sentence.

Section D:

- D-17: Remove protocol from the model.
- D-18: Remove first sentence.
- D-20: Cite statute language.
- D-21: Define predominant aggressor.
- D-22: Add reference to Arizona Revised Statute 13-3601(J).
- D-26: Change the word "Daily" to "Departmental" throughout the document.
- D-29: Remove until a best practice report writing guide is identified or developed.
- D-33: Remove language "defendant should not return to residence" and include additional examples as recommended.

Ms. St. Peter asked the Committee for clarification about incorporating the Forfeiture by Wrongdoing information. She asked for input on whether this should be added in a new section or included in various sections within the model. Discussion ensued. The Committee agreed to incorporate language about Forfeiture by Wrongdoing in the existing sections of the model.

The Committee discussed next steps for taking action on the recommended changes. Ms. St. Peter recommended three options. The first option was recommending approval with a motion to include the changes discussed at the meeting. The second option was recommending approval with a motion to include staff making the changes discussed at the meeting, sending the document back to the Committee for review, and scheduling a conference call to take action. Ms. St. Peter advised staff will be seeking approval on the model from the MAG Management Committee and Regional Council in September. This option will allow for approval of the model for release at the Protocol Evaluation Project Training Event on October 20, 2011. The third option postponed addressing changes until the next MAG Regional Domestic Violence Council meeting on October 27, 2011. Due to time constraints, the Committee agreed to pursue the second option.

Patricia Klahr, Chrysalis Shelter, Inc., made a motion to accept the proposed changes, create new language regarding Forfeiture by Wrongdoing, and schedule a follow-up conference call for Committee action on the revised document. Rick Buss, Town of Gila Bend, seconded the motion. The motion passed unanimously. Ms. St. Peter commented anyone interested in reviewing the document before it is distributed to the Committee should contact staff.

5. MAG Protocol Evaluation Project Outreach Video

Chair Humphrey asked Ms. Tenney to offer an update on the outreach video. Ms. Tenney noted another component of the MAG Domestic Violence Protocol Evaluation Project is development of an outreach video. The purpose of the video is to gain community support for the project while providing information on how to get help. She said the video will be distributed to municipal public access stations, placed on the MAG website, and on YouTube. She commented the video will be an important tool in furthering the work of the Protocol Evaluation Project.

Ms. Tenney acknowledged the support and participation of the Governor's Office, the domestic violence survivors included in the video, community partners, and MAG staff. The Committee viewed the two-minute video trailer. An opportunity was offered to view the 30-minute video after the meeting. Ms. St. Peter advised the video contains some graphic content. She noted it is anticipated programming on local stations will be later in the evening as a result. Copies of the video will soon be made available upon request.

Kerry Ramella, Phoenix Fire Department, inquired where staff obtained the victim pictures used in the video. Ms. Tenney noted photos were obtained from several community partners including Dena Salter, the Phoenix Police Department, and the survivors themselves. Ms. St. Peter noted release forms were obtained for all photos. Councilmember Suzanne Klapp strongly recommended using social media and the website to distribute the video. She requested a link to the YouTube video be sent directly to her. Chair Humphrey acknowledged MAG staff for their efforts.

6. MAG Protocol Evaluation Project Training Event

Vice Chair Barbara Marshall, Office of the Maricopa County Attorney, invited Ms. Tenney to lead discussion on plans for the MAG Domestic Violence Protocol Evaluation Project Training Event. Ms. Tenney advised the purpose of the event is to feature the new misdemeanor protocol model and provide additional training on best practices to help with implementation. The training event is scheduled for Thursday, October 20, 2011, at the Wyndham Phoenix Hotel. Registration materials were emailed out last week and are included in the meeting materials. Ms. Tenney noted the event is free of charge, but registration is required as space is limited. The training has been offered statewide and has drawn participation from Navajo, Pima, Pinal, and Yavapai Counties.

Ms. Tenney referred to the draft outline for the training event included in the handouts. In developing the program, staff incorporated training topics suggested by participants during affinity group meetings. These topics include maintaining the crime scene, effective report writing and evidence collection, talking with child witnesses, and looking into the use of lethality assessments.

Ms. Tenney provided an overview of speakers and requested input on specific aspects of the training. Discussion ensued. Recommendations were made to include training on witness intimidation and stalking and to offer a pamphlet that includes a description of each training session. Allie Bones, Arizona Coalition Against Domestic Violence, made a motion to approve next steps in planning the MAG Protocol Evaluation Project Training Event. Lynn Potts, City of Mesa Prosecutor's Office, seconded the motion. The motion passed.

7. MAG Protocol Evaluation Project Training Materials

Ms. Tenney addressed the Committee about development of a training video and webinar to help with implementation of the protocol model. She noted these tools will provide easily accessible training materials to law enforcement and prosecutors across the state to help with enhancements to the great work already being done. Staff will again collaborate with the MAG Communications staff and Gary Stafford who created the outreach video. While the outreach video is geared toward the general public, the training video's primary audience will be members of law enforcement and prosecutors.

Ms. Tenney referred to the draft outline for the training video included in the meeting materials. She provided a brief overview noting the outline is a work in progress. Input was requested on what key elements should be featured in the training video. Once developed, the training materials will be distributed to law enforcement agencies across the region and made available on the MAG website.

Vice Chair Marshall suggested including elements from the training event scheduled for October 20th. Judge Finn recommended training on Forfeiture by Wrongdoing. Judge Finn provided a brief overview of two legal cases that define Forfeiture by Wrongdoing. She noted that the Forfeiture by Wrongdoing doctrine, which is when a defendant forfeits his/her right to confront the accuser by threatening or harming the witness, is one way to get in hearsay or other evidence that would otherwise be inadmissible. A recommendation was also made to include a section on stalking.

JoAnn Del-Colle, Phoenix Family Advocacy Center, made a motion to approve the next steps and areas of focus for the MAG Protocol Evaluation Project training materials. Christina Avila, City of Avondale, seconded the motion. The motion passed.

8. Request for Future Agenda Items

Committee members were given an opportunity to suggest topics or issues of interest they would like to have considered for discussion at a future meeting. Staff advised they would be checking on availability of the Committee to participate in a special meeting to take action on the revised protocol model.

Connie Phillips, Sojourner Center, requested a presentation on Forfeiture by Wrongdoing. She asked that the presentation include information about the concept and how prosecutors are using this locally. John Eliason, Maricopa County Attorney's Office, offered to present on this issue. He discussed a video that addresses a crime scene investigation. He noted the video reflects different scenarios and how Forfeiture by Wrongdoing can be addressed.

9. Comments from the Council

Committee members were given an opportunity to suggest topics or issues of interest they would like to have considered for discussion at a future meeting. It was noted the terms of the current Chair and Vice Chair positions will expire in December. The Vice Chair will ascend to the Chair position and staff will be seeking interest from Committee members for the Vice Chair position. Additional information will be offered at the October meeting.

The City of Glendale is hosting the Arizona Crimes Against Women and Children Conference on October 6-7, 2011 at the Glendale Civic Center. This two-day, four-track conference is funded by a STOP grant. Early bird registration ends August 31, 2011.

The National Network to End Domestic Violence will be holding its annual roundtable meeting locally. On November 2, 2011, a community engagement day will address immigration issues for victims of domestic violence.

10. Adjourn:

The meeting adjourned at 2:48 p.m. The next MAG Regional Domestic Violence Council meeting is scheduled for October 27, 2011 at 1:30 p.m. in the Ironwood Room of the MAG offices.