

MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL DOMESTIC VIOLENCE COUNCIL
MEETING MINUTES – JUNE 16, 2011

MEMBERS ATTENDING

*Celeste Adams, Save the Family
Christina Avila, City of Avondale
*Lt. Robert Bates, Phoenix Police Dept.
John Belatti, City of Chandler
John A. Blackburn, Jr., AZ 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.
*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

Linda Melendez for City of Surprise
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

Owen Black, Wickenburg Police Department
Cheryl Brunton, City of Phoenix
Kristina Bunch, City of Goodyear
Monalou Callery, Avon Program for Women
and Justice
Anna DanKowski, UMOM
Irene Diaz, Phoenix Union High School
District
Sarah Grumbley, Salt River Pima-Maricopa
Indian Community
Patricia George, City of Phoenix
Frankie Grimsman, Maricopa County
Attorney's Office
Martina Longoria, City of Glendale
Carl Mangold, Citizen
Mary Alice McKone, Elim House
Elizabeth Ortiz, Arizona Prosecuting
Attorneys' Advisory Council
Sandra Robertson, A New Leaf
Wendy Shepherd, Voices Empowered
Parrish Spisz, City of Goodyear

Rachel Brito, MAG
Amy St. Peter, MAG
Rena Tenney, MAG

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

1. Call to Order
Vice Chair Barbara Marshall, Office of the Maricopa County Attorney, called the meeting to order at 1:41 p.m. Introductions ensued. She expressed thanks to Sojourner Center for allowing use of their meeting space while the MAG offices are under construction. Renae Tenney, MAG, advised the meeting will be filmed as part of the public service announcement video that is being developed.
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 April 7, 2011, Meeting Minutes
Chair Humphrey called for approval of the April 7, 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. Serving Orders of Protection Task Force Update
Chair Humphrey invited Irene Jacobs, Avon Program for Women and Justice at the O'Connor House, to present on the work of the Serving Orders of Protection Task Force. Ms. Jacobs stated that Justice Sandra Day O'Connor founded the O'Connor House as a place where civic talk leads to civic action. The Avon Program for Women and Justice, funded by a grant from the Avon Foundation, focuses on bringing people together to form partnerships and discuss solutions to empower domestic violence victims. Through this program, a group of stakeholders were convened to discuss key domestic violence related issues and to develop a set of priorities.

The group identified three priority areas. They include convening the community to create solutions to empower victims and improve the systems that assist them, leveraging leadership and resources to enhance knowledge and build capacity, and raising awareness about domestic violence myths and facts. Key objectives included removing victims from the process of serving orders of protection, outline features of victim advocacy programs and recruiting volunteer attorneys, co-hosting the Avon International Non-Governmental Organization (NGO) Mentoring Program, and implementing the Speak Out Against Domestic Violence poster campaign.

Ms. Jacobs noted protective orders were identified as an area for improvement. Studies have shown when protective orders are issued by courts and successfully enforced by law enforcement, they deter further abuse. Analysis of the process identified gaps among different systems and different jurisdictions. Former Tempe Presiding Judge Louraine Arkfeld agreed to chair a committee that would address barriers to service and address gaps in a strategic manner. Ms. Jacobs shared a purpose statement designed to guide future work on these issues. Five specific systemic barriers to serving protective orders were identified:

1. Limited completion of Defendant Information Sheets.
Ms. Jacobs noted issues related to the transfer of information, efficiency of orders and

the victim's ability to find out if the order of protection has been served in a timely manner. Additionally, some defendant information sheets refer to a fee that is required for some plaintiff's which is not allowable for victims of domestic violence. Charging this fee is in violation of the Violence Against Women Act (VAWA).

2. Incomplete information on the Plaintiff Request for Service Form.
3. Issues regarding the transfer of orders and information. The committee addressing this issue is overseen by the Sheriff's office. Ms. Jacobs discussed a 120-day trial period to accept faxed protective orders. In jurisdictions that accept this method of transferring data, it is estimated 1,765 victims are no longer required to travel long distances to have the order of protection served. Currently, domestic violence victims physically take the protective order to the jurisdiction in which it will be served.
4. Lack of efficiency in serving protective orders.
5. Inability of victims to quickly verify if service has occurred.

Four working groups were formed to address the issues surrounding protective orders. Ms. Jacobs provided an overview of each barrier identified and the progress working groups have made to date. Details are available in the *Serving Orders of Protection Task Force Interim Report – Spring 2011*. Ms. Jacobs advised the goal of the task force is to bring different stakeholders together to research processes for small but much-needed improvements.

John Belatti, City of Chandler, inquired if the ultimate goal is to submit recommendations to the Administrative Office of the Courts for state-wide implementation. Ms. Jacobs confirmed recommendations for the Defendant Information Sheet were taken to the Committee on the Impact of Domestic Violence and the Courts. She said Chief Jerald Monahan, Apache Junction and Vice Chair of the Arizona Association of Chiefs of Police, offered to seek input on the recommendations from other chiefs of police. Ms. Jacobs noted the stakeholder group is implementing changes to the Plaintiff Guide Sheet as well.

Allie Bones, Arizona Coalition Against Domestic Violence, noted the Attorney General's Victims' Rights Advocacy Council has recommended researching multiple ways for notifying victims when protective orders have been served. These methods may include text messages and emails. Ms. Jacobs noted the working group is looking into a similar process being piloted in Indianapolis.

Chair Humphrey thanked Ms. Jacobs and the Committee for their input. He congratulated Ms. Jacobs on her new role as Chief Executive Officer for the O'Connor House.

5. Teen Dating Violence Curriculum

Chair Humphrey invited Irene M. Diaz, Supervisor for Discipline and Security at the Phoenix Union High School District, to present on how the district is incorporating teen dating violence education into their curriculum and school climate. Ms. Diaz said she is passionate about the issue of domestic violence. She shared her personal experience of growing up in a home with domestic violence and the death of her sister who was killed by her estranged husband.

Ms. Diaz shared that she and Will Gonzalez, City of Phoenix Prosecutor's Office, have partnered on a "Healthy Relationships" presentation to groups of youth on a volunteer basis for the past eight years. Mr. Gonzalez provides a statistical overview, Ms. Diaz shares her experience, and a third participant shares her story of experiencing teen dating violence. She noted youth counselors are always available at the presentations.

The "Healthy Relationships" presentation has been shared at several conferences and local schools. They have presented at the Latino Institute, the Latino Institute Youth Conference, the Isaac School District, and other venues. The presentation has been shared with school administrators, security leads, social workers, prevention specialists, and community liaisons. She mentioned that Maryvale High School piloted a program for athletes that included dating violence as one component. The program is being considered for implementation district-wide. Ms. Diaz noted students at another high school approached their school principal asking how they could start a school club focused on preventing dating violence.

Ms. Diaz said there are 26,000 students in the Phoenix Union High School District. Twelve resource officers within the district are responsible for presenting dating violence as part of their curriculum. District-wide, students are participating in a contest to develop a flyer about dating violence. The winning flyer design will be posted in restrooms in the district's 16 schools. Ms. Diaz had proposed adding dating violence to the student handbook last year, but this recommendation was declined. Ms. Diaz will be presenting the recommendation to the school board again at their June meeting.

Ms. Diaz thanked the Committee for their efforts to prevent domestic violence. She shared a photo of her brother-in-law who was sentenced to 30 years in prison for the death of her sister. Mary Murphy, Governor's Office for Children, Youth and Families, thanked Ms. Diaz for speaking out against domestic violence. She inquired whether or not Ms. Diaz' brother-in-law experienced abuse as a child. Ms. Diaz confirmed there was domestic violence in his home.

6. MAG Domestic Violence Protocol Evaluation Project

Chair Humphrey invited Renae Tenney, MAG, to provide a progress report on implementation of the Protocol Evaluation Project to include development of a draft model policy for arrest and prosecution protocols developed from stakeholder input. Ms. Tenney gave a brief overview of the purpose of the project. She thanked the Governor's Office and STOP Violence Against Women Grant funding for supporting the project.

Since April, there has been tremendous participation in affinity group meetings and great information received from participants. Ms. Tenney and presented the project at the MAG Management Committee and MAG Regional Council meetings in May. Ms. Marshall assisted with the presentation to the MAG Regional Council. Both committees were very receptive. The presentations provided an important opportunity to ask city leaders to encourage their staff to continue participation. Ms. Tenney stated MAG staff is developing a public service announcement video to gain community support for the project. She noted the regional arrest and prosecution protocol inventory is undergoing further refinement. The inventory will be brought to the Committee at the August

meeting. Ms. Tenney thanked everyone who assisted in providing information for development of the inventory.

Ms. Tenney reported affinity group meetings were held to engage stakeholders in discussion and a dot voting process to inform development of a model policy. The 106 protocols gathered for the inventory were reviewed by stakeholders. They were asked to provide input, clarifying language, and recommendations for best practice protocols. Ms. Tenney referenced the MAG Protocol Evaluation Project DRAFT Misdemeanor Domestic Violence Model Policy (6/16/11) as the result of these efforts. She noted the draft includes input received from the stakeholder meetings but is considered a work in progress. Ms. Tenney welcomed feedback from the Committee.

JoAnn Del-Colle, Phoenix Family Advocacy Center, asked for clarification on Section A, number 2. Chair Humphrey stated the dispatcher “determines” whether to dispatch a call as domestic violence. They do not “ask” if the call should be dispatched as domestic violence. Ms. Tenney noted this change. He also noted that the term dispatcher should be replaced with communications operator. Sarah Youngblood, Community Legal Services, referred to the Phoenix Police Department’s new process for identifying coercive control. She noted the draft model policy does not include information about investigating coercive control and inquired if this will be included. Ms. Del-Colle commented the Phoenix Police Department has nearly completed training all squad members on every shift. Training should be finalized within one week. She noted there have been two incidents with very good feedback and the department is happy to share their process. Ms. Del-Colle noted it is too soon for the process to be considered a best practice.

Ms. Youngblood asked whether or not questions about coercive control will be included as part of future training. She noted coercive control is a high indicator of lethality. Amy St. Peter, MAG, said coercive control could be addressed through training but it has not been vetted enough to include in the draft protocol model. An additional component of the project will include best practices information. She noted several samples of tools and forms have been identified as best practices. She commented the Phoenix Police Department’s 3x5 card can be included as a sample, if it is deemed appropriate.

John Belatti, City of Chandler, referenced Section B, number 12 (E). He recommended changing “interviewing” to “talking” to children. He noted there are regulations around interviewing children experiencing trauma or abuse that may lead to officers not speaking with children. Mr. Belatti also suggested obtaining names and numbers of a victim’s relatives. Ms. Tenney acknowledged these suggestions.

Wendy Shepherd, Voices Empowered, addressed the Committee regarding child witnesses. She noted if a child is young, officers tend not to talk to them. In many situations, the adults will tell the officer the child was in another room. She noted the draft policy does not include language encouraging officers to speak with all witnesses including children. Chair Humphrey said there is some confusion among officers about interviewing a child as a victim versus a witness. He noted the recommendation is for officers to talk with children as witnesses. Ms. Murphy said witnessing domestic violence victimizes and traumatizes children. Ms. Tenney advised law enforcement has requested training on how to talk to children as witnesses. This will be included in the

December training. Another suggestion was made to add notification of the proper agency, such as Child Protective Services, when children are involved.

Ms. Bones commented on Section D, number 32 (B). She recommended including a reference to Arizona Revised Statute 13-3601(J) on assisting victims with locating housing. Clarification was requested on whether or not Section D, number 33 refers back to Section D, number 32. Ms. Tenney confirmed and noted this change.

Kristen Scharlau, City of Tempe, addressed the Committee regarding Section D, number 32 (H). She noted the City of Tempe does not generally issue emergency orders of protection. The Crisis Response Unit works with victims to ensure they are in a safe location until the following morning when the court opens. She suggested the draft policy may allow for both options if other cities frequently issue emergency protective orders. John Blackburn, Jr., Arizona Criminal Justice Commission, noted smaller jurisdictions do not have a judge on call for issuing emergency orders. This information led to the decision to have the draft policy direct officers to contact the appropriate agency for protective orders.

The Honorable Judge Elizabeth Finn, City of Glendale, noted she had emailed recommendations to Ms. Tenney prior to the meeting. She stated her suggestion to replace the term “orders of protection” with “protective orders” to ensure that Injunctions Against Harassment are included. She recommended changing Section B, number 19 to state the probable cause statement is used for determining the charge, not if they should be held on bond. Judge Finn also noted changes to Section C, numbers 21 and 22 to align them with Arizona Revised Statute. Ms. Tenney acknowledged receipt of Judge Finn’s email and the language for revisions to the model. Mr. Blackburn commented on Section C, number 21. He recommended citing the Arizona Revised Statute.

The Committee further discussed clarification of Section C, numbers 21, 22, and 23. Ms. Tenney asked for input on how best to draft the language of Section C, number 23. Mr. Belatti commented that if there is evidence both parties committed crimes, officers should arrest one and complete a long form on the other. Judge Finn reiterated that Section C, number 23 should align with the Arizona Revised Statute. She recommended using the language as written in statute. She noted arrest is mandatory unless the officer has reasonable grounds to believe the victim will be protected from further injury. Ms. Bones noted the need to include this in the project’s training topics Arizona Revised Statute does not include language on completion of a long form.

Chair Humphrey asked for a motion to approve the draft policy with the Committee’s feedback incorporated as well as approval to forward the draft policy onto project partners for additional feedback. Ms. Tenney advised the policy would be forwarded to the Arizona Association of Chiefs of Police, Arizona Peace Officers Standards and Training Board, and the Arizona Prosecuting Attorney’s Advisory Council for their review and comment.

Lynn Potts, City of Mesa Prosecutor’s Office, made a motion to approve the draft model policy with amendments for distribution and feedback from project partners and stakeholders. Ms. Bones seconded the motion. Laura Guild, Department of Economic

Security, made a suggestion to spell out acronyms within the document. The motion passed.

7. Transportation Coordination Project

Chair Humphrey invited Amy St. Peter, MAG, to present on a potential opportunity to support transportation coordination with homeless and domestic violence shelters. Ms. St. Peter advised staff is working to coordinate transportation for people experiencing homelessness and victims of domestic violence in shelters. Discussions have been held with clients, case managers, and shelter staff. Ms. St. Peter noted the Transportation Coordination survey has received a very low response rate. She asked for assistance with completing the survey to help develop an inventory of assets and needs.

Ms. St. Peter reported meetings have been held with the Arizona Department of Transportation and the City of Phoenix to discuss a possible federal funding source. The next opportunity to apply for this federal grant funding is in February 2012. Ms. St. Peter advised staff is seeking input as well as a lead applicant for the grant application process. Ms. Bones offered to share information about the project at the next Coalition meeting and to distribute the survey to the Maricopa Executive Directors meeting.

Ms. Guild inquired what type of organization is being sought as the lead applicant for the grant application. Ms. St. Peter suggested a shelter, or an agency that works with shelters. She noted the program is intended as a region-wide process, but could also be a state-wide process.

8. Court Watch Program and Legislative Update

Chair Humphrey invited Allie Bones, Arizona Coalition Against Domestic Violence, to provide an update on development of a Court Watch Program as well as domestic violence related legislation. Ms. Bones advised the Court Watch Program is a collaborative project between the Coalition and the ASU Sandra Day O'Connor College of Law. Together, they have developed a collaborative court monitoring form that focuses on criminal cases, family court cases, and protective orders. Many judges have provided feedback that has been incorporated into the form. The training of volunteers is underway. Pending issues relate to who will collect the data and how it will be analyzed. The Coalition is researching options for an electronic format. Ms. Bones said she is excited the project is moving forward.

Ms. Bones distributed the Arizona Coalition Against Domestic Violence Legislative Summary for June 2011. She advised the Secretary of State is moving ahead with implementing House Bill 2302, the Confidentiality Program. House Bill 2658 passed which allows for domestic violence fatality review teams to analyze near deaths. Senate Bill 1187 was signed by the Governor. This bill allows one party to petition the court for an extended waiting period when the case is in conciliation court. Ms. Bones advised an amendment was added that denies the request for an extended waiting period if domestic violence is present. She noted it requires the victim to prove there is domestic violence.

9. 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.

Kerry Ramella, Phoenix Fire Department, asked about the Committee's interest in having a presentation on a mobile infant immunization program offered by the fire department. She noted the opportunity to coordinate services at domestic violence shelters. JoAnn Del-Colle stated she has struggled with obtaining clearance from the City of Phoenix's law department for bringing in outside services for clients at the Phoenix Family Advocacy Center. Ms. Bones offered to have the program present to domestic violence shelter directors at the next Maricopa Executive Directors meeting.

Chris Christy, Salt River Pima-Maricopa Indian Community, advised the Senior Behavioral Health Counselor is developing a batterers' intervention program. The program is seeking a male behavioral health counselor. She requested sharing this information with anyone interested in applying for the position.

Ms. Del-Colle advised the Arizona State University Diane Halle Center directed by Sarah Buel will be moving into the same building as the Phoenix Family Advocacy Center. The Center will offer a legal clinic, the Avon Empowerment Program, a medical clinic, and an office for the Attorney General's human trafficking program.

Ms. Bones announced Domestic Violence Awareness Night at the Ballpark will be August 5, 2011. The Diamondbacks will host the Los Angeles Dodgers.

Laura Guild, Arizona Department of Economic Security, requested Ms. Diaz and Mr. Gonzalez return to share the "Healthy Relationships" presentation with the Committee.

10. Adjourn:

The meeting adjourned at 3:16 p.m. The next MAG Regional Domestic Violence Council meeting is scheduled for August 4, 2011 at 1:30 p.m. The meeting location has not yet been determined.