



Commission
to Prevent Violence
Against Women

Arizona Commission to Prevent Violence Against Women

November 21, 2019, 10:00 a.m.

Governor's 2nd Floor Conference Room

1700 W. Washington, PHOENIX, ARIZONA 85007

A general meeting of the Commission to Prevent Violence Against Women was convened on November 21, 2019, at the Governor's 2nd Floor Conference Room at 1700 W. Washington, Phoenix, Arizona 85007, notice having been duly given.

Members Present (15)	
Diane Umphress, Chair	
Kate Brophy McGee, Co-Chair	
Jon Eliason	
Laura Guild	
Gwendolyn Ruiz (Proxy for Patricia George)	
Doreen Nicholas (Proxy for Tasha Menaker)	
Monica Yelin	
Jon Smith	
Kristin Flores	
Mark Perkovich (Proxy for Neil Websdale)	
Susan Smith	
Even Scarff (phone)	
Beth Hoel (phone)	
Ed Mercurio-Sakwa (phone)	
Elizabeth Ortiz (phone)	
Staff/Guests Present	Members Absent (5)
Sonia Pierce-Johnson	Kay Radwanski
Gaelyn Davis	Patricia Klahr
Marc Peoples	Nicole Bidwill
Kate Lyon	Steve Stahl
Abbey Schroeder	Daniel Rincon
Tonya Hamilton	
Marina Montemayor	
Kathryn Wickersham	
Erin Galloway	
Trevor Umphress	
Shef Gandhi	

Call to Order

- **Diane Umphress, Chair**, called the Commission to Prevent Violence Against Women meeting to order at 10:07AM with 15 members present.

Welcome/Introductions

- **Diane Umphress, Chair**, welcomed everyone and asked all members to introduce themselves, including those that had called in.

Approval of Minutes

- **Diane Umphress, Chair**, requested a review of the **August 15, 2019** meeting minutes.
 - **Laura Guild motioned** to accept the **August 15, 2019** minutes. **Jon Smith** seconded the motion.
 - The motion passed with no dissenting votes.

Electronic Orders of Protection

- **Marc Peoples**, Improvement Administrator at the Arizona Criminal Justice Commission (ACJC), was introduced by **Diane Umphress, Chair**.
- **Marc Peoples** presented on AZPoint, the Statewide Protective Order Project. **Marc Peoples** discussed that the HB2249 will be effective January 1, 2020.
- **Marc Peoples** stated that 42,000 orders of protection were issued between 2014 and 2015 but only 21,000 were actually served. He explained that the reasons for half of protection orders not being served is largely due to policy and legislation issues. To overcome these issues, **Marc Peoples** held meetings across the state, which generated 58 recommendations to improve the process.
- The first substantial change reported was that the Court will transmit petition and Orders of Protection (OPs) to law enforcement or constable for services via the Administrative Office of the Courts (AOC). The service portal will create a change in the current procedure and the plaintiff will no longer be responsible to deliver OP for service. The second change mentioned is that county sheriffs are currently the holders of records. Through implementation, the AOC will become the central repository and transmit issued orders to the National Crime Information Center (NCIC).
- **Marc Peoples** discussed the partnerships that were instrumental in the Arizona Statewide Protective Order Project. It was stated that the Arizona Criminal Justice Commission (ACJC) drafted legislation in collaboration with stakeholders, established goals of automating the protective order system, increased the number of served Ops, enlarged the number of Ops reported to NCIC, and obtained grant funds to support the technology project. AZ Point was reported to be the central location for the petition portal used for filling out paperwork, the clerk portal for case management, the service portal for tracking and documenting service, and feeding data to the Court Protective Order Repository.
- **Marc Peoples** reviewed the petition portal process, including the staging area, the guided interview process, and documentation completion stressing that the only requirement to access AZPoint is internet. Documentation completion consists of the Plaintiff Information Sheet, the Petition, and Service of Process form. To file, the plaintiff needs to go to the court of choice, unless there is a family court case pending. The Court will then download forms from the web portal at which point the portal will be locked. The

Plaintiff can file on paper, but the petition portal is preferred. It was stated that if a location has the resources, they can set up an area with a computer or laptop where the plaintiff can access the portal. If these resources are unavailable, the plaintiff can complete the paperwork from a smartphone, their own device, or on paper. In addition to this, AZ Point has the plaintiff partner with a victim advocate agency so the plaintiff can be counseled on a safety plan and decide whether the OP should be part of the safety plan. The plaintiff will be allowed to decide whether to proceed to file, consult with an advocate, or come back another day.

- **Marc Peoples** discussed the features of the new system, including how the plaintiff can create more than 1 petition. The portal also generates a petition number for filing, has a floating safety button, computer safety information, information on how to obtain a new email address, contact information for Arizona Coalition to End Sexual and Domestic Violence and legal services, and is accessible on multiple devices. **Marc Peoples** talked about how advocates can help by explaining the changes in the service process for OPs, assist with preparation of a safety plan, talk about when the OP should be part of the safety plan, and conduct an assessment. **Marc Peoples** went over what to do if a person wants to apply for an OP, how to assist the client with the guided interview in the AZPoint petition portal, help the client obtain a new email address if necessary, and discuss computer safety, notifications, or other involved risks. Additionally, **Marc Peoples** suggested talking about the allegations with the client to provide information and explain the court process.
- **Marc Peoples** stated that Rule 31 regarding the Arizona Rules of Protective Order Procedure will allow courts to transmit OP to law enforcement for service on the same day issues, unless judge makes finding on the record of extenuating circumstances. The process of this will then require that the court transmit for service no later than 72 hours from date of issuance.
- **Senator Kate Brophy McGee** asked whether or not the plaintiff needs to go to court once they have filled out the petition on AZPoint. **Marc Peoples** clarified that AZPoint gets the plaintiff court-ready. Once they have filled out the necessary information on AZPoint, the plaintiff just needs to go in for their hearing. There is no extra paperwork or waiting required. The aim of AZPoint is to make the process safer, more efficient, and more effective.
- **Marc Peoples** stated that over 600 advocates and law enforcement personnel have received trained on the platform in a total of 8 counties and that trainings in the remaining 7 counties will be completed by December 15, 2019.
- **Jon Eliason** asked if anything has changed in regards to the defendant. **Marc Peoples** responded that nothing has changed in regards to the defendant. They still have 1 year to contest.
- **Senator Kate Brophy McGee** voiced concerns about disseminating information out to rural areas, particularly noting victims in tribal lands who may not have the appropriate resources or struggle with the English language. **Marc Peoples** pointed out that as it relates to indigenous peoples, the plaintiff must reside on Arizona state land, not on tribal lands. Furthermore, each court and advocacy center should have a linguistic line to assist individuals with filling out the petition on AZPoint. **Marc Peoples** further clarified that a victim can go to victim service centers such as **Diane Umphress'**, organization, Amberly's Place, or any police station to fill out the AZPoint petition.

- **Senator Kate Brophy McGee** expressed concern about how to communicate this new system to lay people in communities, such as her district, who encounter domestic violence situations. **Marc Peoples** affirmed that money has been devoted to spreading awareness. Posters, business cards, and brochures have been made and will be dispersed throughout the state through funding from Department of Public Safety (DPS).

Justice for Victims of Child Sexual Abuse Task Force & Arizona Child Protection Act

- **Rachel Mitchell**, Deputy Chief of the Maricopa County Attorney's Criminal Section, presented on the progress of the Justice for Victims of Child Sexual Abuse Task Force Recommendations. **Rachel Mitchell** stated that the recommendations regarding the civil side of cases will be to: Assist the Governor's Office of Youth, Faith, and Family (GOYFF) in spreading awareness of new law lifting civil Statutes of Limitations, fund competitive grants for organizations- including Family Advocacy Centers (FACs) to provide services for victims of sexual abuse and sex trafficking, help develop funding for a 24-hour hotline to report abuse, and require courts to report the number of cases filed and age of each plaintiff since the new law began to determine appropriate age for Statute of Limitations. Recommendations regarding education were stated to be: assign the Department of Education (DOE) to create statewide training and additional resources for students and parents, determine the best practices for social media/cell phone use between students and workers at educational institutions, expand DOE jurisdiction to uncertified educators, and fund additional DOE investigators to lower the caseload from 120-150 to 50. **Rachel Mitchell** further discussed that the Taskforce is recommending that it be required of the Department of Child Safety (DCS) and DOE to come up with program for schools to teach prevention and awareness to teachers and students, spread awareness in schools of 24-hour hotline, and require DCS to provide age-appropriate children with info on preventing and reporting abuse before being placed in foster or group homes.
- **Rachel Mitchell** reviewed the criminal recommendations that the Taskforce has discussed, including removing the Statute of Limitation for child sex trafficking and expanding the definition of "Position of Trust." **Rachel Mitchell** discussed the current definition of a "Position of Trust" to be the minor's parent, stepparent, adoptive parent, legal guardian or foster parent, the minor's teacher, coach or instructor, regardless of if the coach or instructor is an employee or volunteer, the minor's clergyman or priest, or anyone who has engaged in a sexual or romantic relationship with the minor's parent, adoptive parent, legal guardian, foster parent or stepparent. **Rachel Mitchell** examined the impacts of this current definition, including that lack of consent does not need to be shown for victims 15-17.
- **Rachel Mitchell** mentioned other possible positions of trust that need to be included, such as other relatives, employers, and people 10 year older than the victim.
- Other recommendations were stated including: create statute to allow judges to disallow pro se defendants from questioning their victims in court under certain circumstances.
- **Rachel Mitchell** discussed that under ARS 13-4253, an exception exists. Under both the state and federal constitutions, where the state sustains its burden of proving by an individualized showing to the trial court that face-to-face testimony would traumatize a child witness as to prevent the child from reasonably communicating.
- Special probation terms were also included in the recommendation discussion, including the altering of special probation terms. These probation terms include: Not allowed to enter any school grounds unless registered as a student at that school, obtain prior written

approval of the Advance Planning Document (APD) before going within 500 feet of any shelter, safe house, group home or similar facility, not being able to go to a hotel or motel without the prior written approval of APD, and no loitering in the area of 27th Ave between Indian School Road and Northern Avenue.

- **Rachel Mitchell** gave an overview of the Crosby-Garbotz case in which a judge decided that DCS did not prove their case in a dependency to severance case and bars the State from prosecuting the case based on the same issues.
- **Rachel Mitchell** included final recommendation to include funding mechanism for forensic interviews, cold cases units, and having a DPS study creation of statewide database for Law Enforcement.
- **Diane Umphress** thanked **Rachel Mitchell** for highlighting the recommendations put forth by the Taskforce, as well as their expertise and effectiveness considering the short timeframe set by Governor Doug Ducey.

ACFAN & Childhelp: Statewide Study ACEs, PCEs, and Advocacy Centers

- **Trevor Umphress**, Executive Director of the Arizona Child and Family Advocacy Network, and **Dr. Shefali Gandhi** were introduced by **Senator Kate Brophy McGee, Co-Chair**.
- **Trevor Umphress** discussed the Arizona Child and Family Advocacy Network (ACFAN). ACFAN is a membership organization that works on coordinating standards, facilitating training, and providing resources and support through the National Children's Alliance. **Trevor Umphress** stated that the ACFAN mission is to have success when a coordinated multidisciplinary response to victims of child abuse, sexual assault and family violence are made standard throughout Arizona.
- **Trevor Umphress** defined that an advocacy center was a comprehensive victim focused program based in a facility that allows law enforcement, child protection professionals, prosecutors, victim advocates, forensic interviewers, medical professionals, and mental health providers to work together when intervening and investigating violent crimes against children and adults. **Trevor Umphress** explained the change that has occurred in the child abuse system, highlighting what used to happen when kids needed help for abuse versus what happens today.
- **Trevor Umphress** discussed who was included in the multidisciplinary team, including prosecution, family advocacy, mental health forensic interview, medical professionals, education, law enforcement, and protective services. **Trevor Umphress** also discussed that there is often collaboration with the community partners and Child Advocacy Centers (CAC) professionals.
- **Trevor Umphress** reviewed the ACFAN history, starting in 1974 when US Congress passed the Child Abuse Prevention and Treatment Act (CAPTA). In 1988, Congress amended CAPTA to include the Children's Justice Act (CJA) and in 1989, Arizona received the CJA grant which created the CJ Task Force. **Trevor Umphress** reviewed the Children's Advocacy Centers that are located in Arizona, including those that have accredited members of the National Children's Alliance Membership Status and those that have an affiliate member. 60% of counties were reported to be covered by NCA member CACs. **Trevor Umphress** also reviewed the membership status, congressional districts, and populations by county. In 2018, the majority of the 17,189 victims served at Family Advocacy Centers (FACs) were from adult domestic violence/strangulation, child sexual

abuse, or child physical abuse and neglect cases. **Trevor Umphress** discussed that mental health service delivery through CACs is growing, specifically from evidence-based treatments and assessments. **Trevor Umphress** reviewed data of the improved outcome for children who receive evidence-based treatments. **Trevor Umphress** discussed that abuse carries a large financial cost also, with the lifetime cost for each victim is estimated to be \$210,012.

- **Trevor Umphress** reported that centers have seen improvements in the lives of the victims with Evidence-Based treatments (EBTs). For example, after receiving EBTs, 75% of children were able to subvert PTSD after treatment. **Mr. Trevor Umphress** stressed the importance of EBTs because both abuse and financial rates are high. Implementing EBTs will reduce the financial burden, reduce the number of cases, and improve outcomes for victims.
- **Dr. Shefali Gandhi** presented on Adverse Childhood Experiences (ACEs) and Positive Childhood Experiences (PCEs). **Dr. Shefali Gandhi** explained that ACEs are potentially traumatic events that can have negative, lasting effects on health and well-being. These experiences range from physical, emotional, or sexual abuse to parental divorce or the incarceration of a parent or guardian. ACEs are negative experiences or events children are exposed to within their family or household and can negatively affect development in children. PCEs are factors that increase the likelihood of successful development and are based entirely on secure attachment and relationships in early childhood. Children with ACEs are at risk for observable changes in brain anatomy gene expression, and delays in social, emotional, physical, and cognitive development lasting into adulthood. However, PCEs provide important factors for optimal development that can give resiliency.
- **Dr. Shefali Gandhi** discussed the current ACEs and PCEs study in which she examines the strong relationship between ACEs and reduced health and well-being throughout life. **Dr. Shefali Gandhi** provided data on the prevalence of ACEs in Arizona adults and data from youth aged 0-17 that has been collected so far from ACFAN. **Dr. Shefali Gandhi** reported that often times parents who have experienced trauma have their own ACEs which can lead to generational trauma and further ACEs in children.
- **Dr. Shefali Gandhi** discussed ACE data from Advocacy Centers which have a higher risk population than the general public, higher average ACE scores, and help create targeted referrals and resources in the victim advocacy programs. With this study, **Dr. Shefali Gandhi** hopes to screen for risks of future problems and challenges in order to best provide intervention and prevention and build PCEs.
- **Dr. Shefali Gandhi** reviewed the study design that includes providing an adult ACEs questionnaire, adult focused resilience questions, and providing appointed advocacates for resources and referrals. From this information, the score and data are used to help the adults understand their own risks, needs, and strengths. The data is use to screen for specificity in the referral process, document the level of risk and resiliency factors, and communicate to victims and caregivers the importance of seeking holistic services like those provided at FACs. Immediate goals of the study focus on having warm hand-offs to develop relationships and connect with all local community partners to create opportunities which will improve outcomes for victims.
- **Dr. Shefali Gandhi** identified long-term goals of data use as identifying additional funding, changing policy and legislation, and publication of the study to aid in building awareness. **Dr. Shefali Gandhi** clarified that no identifying information will be collected from the data and agencies and clients are given the option to opt out of reporting. The data

output is created monthly and then an overall report at the end of the year. **Dr. Shefali Gandhi** discussed that these reports are for the agencies to assess needs in victims and provide guidelines. Additionally, the study aims to explain ACEs to parents in order for parents to learn how their own ACEs impact their behavior and how to build resiliency. **Dr. Shefali Gandhi** highlighted how protective and resiliency factors decrease the impact of negative events.

- **Diane Umphress, Chair**, thanked **Dr. Shefali Gandhi** for presenting and for giving victims hope- further noting that at the end of the study there should be an understanding of Arizona's ACE score, which can help resiliency rise and ultimately stop generational trauma.
- **Susan Smith** agreed that focusing on positive experiences is the most inexpensive approach to healing generational trauma, as building protective factors can only be pushed so far. Furthermore, it is important for victims to be left with hope.
- **Diane Umphress, Chair**, stressed that Arizona is the first state to do research on determining the whole state's ACE score, and that this information would be informative for legislation and future progress.

Subcommittee Reports

- **Outreach and Awareness Committee**
 - **Gaelyn Davis** reported on the October 1, 2019 Lighting Arizona Purple (LAP) event as well as events held throughout the State for Domestic Violence (DV) Awareness month. Both PetSmart Charities and Home Depot were recognized for sponsoring the event and engaging staff throughout the month. **Gaelyn Davis** stated that the LAP kick-off event had over 250 attendees. **Gaelyn Davis** reported that letters were sent to 525 legislators, mayors, police chiefs, service providers, tribal governments, and state agencies inviting organizations to attend the kick-off event, light their buildings purple, provide ideas and discussion on DV issues and resources in Arizona. **Gaelyn Davis** also reported on the social media impressions and statewide engagement that occurred throughout the month including: resource fairs, kick off events, training, proclamation readings, participating in Wear Purple Day, donation drives, and social media posts. There were 15 events throughout the month of October in 5 different counties: Gila, Maricopa, Mohave, Pima, and Pinal.
- **Victim Services Committee**
 - **Doreen Nicholas** reported that there were no new reports for the subcommittee.
- **Training and Prevention Committee**
 - **Jon Eliason** informed the Commission that the Training and Prevention Committee has been focusing on the Arizona intimate Partner Risk Assessment Instrument System (APRAIS). **Jon Eliason** commented on how well and how quickly the model has been adopted and informed the Commission that more updates on APRAIS would come.
 - **Jon Eliason** also informed the Commission that the Training and Prevention Committee recently added a new member, **Elizabeth Feldman**.

Request for Future Presentation Topics

- **Diane Umphress, Chair**, stated that the Commission will now be accepting public comment via written submission through the GOYFF website.
- **Diane Umphress, Chair**, opened the conversation to discuss possible future topics to bring to the Commission meetings.
- **Jon Smith** voiced concerns that victims in rural areas are in need of resources. Therefore, he noted that he would like to hear more about how available resources can be made accessible in rural areas.
- **Diane Umphress, Chair**, commented that it would be helpful to have **Trevor Umphress** and **Dr. Shefali Gandhi** return and give an update on their research. She proposed the November 2020 meeting.
- **Doreen Nicholas** stated that she would like the procedure on the transfer of firearms once a protection order has been served to be explored in more depth. **Doreen Nicholas** also brought up that ACESDV has developed a new training on victim blaming, based on current research and surveys of 150 survivors, which could be presented to the Commission. **Diane Umphress, Chair**, expressed that education on victim blaming is necessary.
- **Monica Yelin** proposed learning more about the intersection of domestic violence and Indian Reservations. She informed the Commission that the police can not intervene, but rather it is the Federal Bureau of Investigation (FBI) that are assigned to investigate. **Monica Yelin** noted that she has professor at the FBI Academy that has expertise on the subject and could present on the situation along with new efforts that are being pursued. **Laura Guild** agreed that it would be beneficial to have an update on the subcommittee of Missing and Murdered Indigenous Women.
- **Jon Eliason** proposed that the Commission hears updates from previous presentations. **Diane Umphress, Chair**, agreed and asked **Gaelyn Davis** to compile a list of all past presentations and send the list to Commission members to decide which ones are of interest.

Future Meeting Dates

- **Diane Umphress, Chair** announced the following meeting dates:
 - Thursday, February 20, 2020
 - Tuesday, May 19, 2020
 - Thursday, August 20, 2020
 - Tuesday, November 17, 2020

Adjourn

- **Diane Umphress, Chair** called for adjournment at 11:47 AM.
 - **Kristin Flores** motioned to adjourn. **Monica Yelin** seconded the motion.
- Motion to adjourn was approved unanimously.

Dated the 22nd of November 2019
Commission to Prevent Violence Against Women
Respectfully Submitted By:

Gaelyn Davis
Executive Assistant, GOYFF