



Justice for Victims of Child Sexual Abuse Task Force

October 1, 2019, 1:00 p.m.

Governor's 3rd Floor Conference Room
1700 W. Washington, Phoenix, Arizona 85007

A general meeting of the Justice for Victims of Child Sexual Abuse Task Force was convened on October 1, 2019 at the Governor's 3rd Floor Conference Room at 1700 W. Washington, Phoenix, Arizona 85007, notice having been duly given.

I. Call to Order

- **Ms. Rachel Mitchell, Co-Chair**, called the Justice for Victims of Child Sexual Abuse Task Force meeting to order at 1:03 p.m. with 16 members and 11 staff and guests present.

II. Introductions and Attendance

- **Ms. Mitchell, Co-Chair**, welcomed everyone and requested a roll call. The following members were present: **Ms. Rachel Mitchell, Co-Chair**, and Chief Deputy, Maricopa County Attorney Office; **The Honorable Paul Boyer, Co-Chair** and Arizona State Senator; **Ms. Tasha Menaker**, Co-Chief Executive Officer, Arizona Coalition to End Sexual and Domestic Violence; **Ms. Jennifer Pinnow**, Major, Arizona Department of Public Safety; **Mr. Keith Moffitt**, Detective, Arizona Department of Child Safety; **The Honorable Victoria Steele**, Arizona State Senator; **The Honorable Sine Kerr**, Arizona State Senator; **Ms. Anni Foster**, General Counsel, Office of Governor Doug Ducey; **Ms. Maria Fuentes**, Director, Governor's Office of Youth, Faith and Family; **Ms. Meghaen Dell'Artino**, Owner, Public Policy Partners; **Ms. Dianne Umphress**, Executive Director, Amberly's Place; **Ms. Christina Corieri**, Senior Policy Advisor, Office of Governor Doug Ducey; and **Ms. Annette Schuster**, Kids Need to Know, Inc.
- The following members introduced themselves via telephone: **Mr. Greg Kelly**, Survivor Advocate; **The Honorable Regina Cobb**, Arizona State Representative; and **Mr. Kevin Treadway**, Chief of Police, Flagstaff Police Department.
- The following members were excused from the meeting: **The Honorable Heather Carter**, Arizona State Senator; **The Honorable Jennifer Longdon**, Arizona State Representative; **Mr. Timothy Chavez**, Chief of Police, Gila River Police Department; **The Honorable Shawna Bolick**, Arizona State Representative; **The Honorable TJ Shope**, Arizona State Representative; **Ms. Shawn Cox**, Victim Services Division Chief, Maricopa County Attorney Office; and **Ms. Colleen Clase**, Chief Counsel, Arizona Voice for Crime Victims.

III. Approval of Minutes

September 24, 2019

- **Sen. Paul Boyer, Co-Chair**, requested a motion to approve the September 24, 2019, meeting minutes.
 - **Ms. Pinnow** motioned to accept the minutes as drafted, **Ms. Fuentes** seconded the motion, and the motion passed with no dissenting votes.

- IV. Presenter:** Rachel Mitchell, Chief Deputy, Maricopa County Attorney's Office
Presentation: Potential improvements in criminal law
- **Ms. Mitchell, Co-Chair & Chief Deputy at the Maricopa County Attorney's Office (MCAO)** gave an overview on the potential improvements in criminal law. The first potential change would be the inclusion of child sex trafficking (A.R.S. 13-3212) in A.R.S. 13-107(A) where it states the types of felonies for which prosecution can be commenced at any time. Another proposed change would be the addition of more "positions of trust" including other relatives, employers/bosses, and people who are less than 10-15 years older than the victim. The two main impacts of utilizing positions of trusts are: 1) in the case of sexual abuse, it is not required to show lack of consent for victims 15-17, and 2) in the case of sexual conduct with a minor, sex with a 15-17-year-old can be elevated from a class 6 felony to a class 2 felony. Ms. Mitchell then went on to question whether Pro Se defendants should be allowed to question victims on the stand. There is one exception that exists in A.R.S. 13-4253 in which the state sustains its burden of proving by an individualized showing to the trial court that face-to-face testimony would so traumatize a child witness as to prevent the child from reasonably communicating. Ms. Mitchell continued to explain how the court currently utilizes a short circuit broadcast while the child remains in the jury room. The final proposed change was to include sex trafficking in the current special probation terms, which currently exists for white collar, sex, gang, and computer crimes. Some of these sex trafficking probation terms included all sex offender and computer usage terms, report any contact with law enforcement to the APD within 24 hours, abide by a curfew imposed by the APD, not enter any school grounds unless registered as a student at that school, not go to a hotel or motel without the prior written approval of APD, not contact or attempt to contacts the victim(s) or the family of the victim(s), etc. (all potential probation terms can be found in the presentation slides).
 - **Ms. Pinnow** proposed the idea to pass legislation that would require pro per questions to be presented ahead of time, but this has been proposed before. This process is still unpredictable and there could be additional triggers, other than the questions, that could affect the victims (the sound of the defendant's voice, the defendant's odor, etc.).
- V. Presenter:** Dr. Shefali Gandhi, Clinical Director, Childhelp Children's Center of Arizona
Presentation: Victim mental health needs and long-term impact
- **Dr. Shefali Gandhi, Clinical Director at the Childhelp Children's Center of Arizona** presented on the mental health needs of victims and the long-term impacts that can occur in child victim cases. Childhelp's advocacy centers are child and family appropriate facilities that support victims and families as well as decrease traumatization associated with investigation and improve healing. These six (6) advocacy centers are one-stop shops for coordinated investigations efforts, forensic interviews, medical exams, forensically-sensitive therapy and victim advocacy. These advocacy centers need additional funding sources, but currently receive limited funding from the Victims of Crime Act (VOCA), the Office for Victims Crime, State Medicaid / CMDP (only for therapy, not family services), and contracts with MCAO and Victim's Compensation. Dr. Gandhi highlighted the importance of not only victim advocacy services, but also family advocacy. Advocates are critical in the initial stage when the victim comes to the clinic, and the first interactions can determine how the victim functions in the future. Childhelp also provides clinical services, such as forensically-sensitive clinical services, trauma and healing-informed care, and integrated mental health services (sensory modulation, in-home family therapy, and on-site individual and family therapy). The involvement of

the family during treatment and therapy is highly important because a large number of victims have parents who were also child victims. Also, about 40% of the child victims seen in the Clinical Services at Childhelp were victimized as a result of parental/caregiver substance abuse; 15% of these children live with grandparents; and about 40% of these children are in the Department of Child Safety (DCS) custody. Dr. Gandhi also spoke about the risk of long term challenges that a child victim can face. These include, but are not limited to, mental illness, previous victimization, decreased cognitive abilities, different abilities or developmental delays, violence and lack of community support, poor access to housing, healthcare, resources, food, education, and finally, legal involvement. The best way to approach child victim cases is by understanding that “early intervention is prevention” in order to mitigate the impact of trauma. Other long-term impacts on children and adults are alcoholism, abuse, drug use, intimate partner violence, eating disorders, suicide attempts, depression, ischemic heart disease (IHD), liver disease, sexually transmitted diseases (STDs), obesity, and more. There are also social implications that can affect a child victim including poverty, homelessness, domestic violence, substance abuse, child abuse (perpetration), and more. Dr. Gandhi expressed that child abuse can create a cycle of chronic social wellness challenges that are passed on from generation to generation, both socially and biologically. Childhood trauma causes neuro-deregulation and can affect future parenting and is passed along through DNA. Finally, Dr. Gandhi touched on the importance of collaboration with other advocacy centers across the state. Childhelp advocacy centers are partnering with 12 other centers statewide to collect adult ACEs and PCEs for parents of victims and adult victims. This information will help Childhelp and other centers to gain insight into the cyclical nature of family violence and social determinants of health.

- **Sen. Steele** asked for confirmation that other counties, other than Maricopa, have similar services available and asked if Childhelp is able to meet the number of clients that come to them. Dr. Gandhi confirmed that other counties have similar services available, but Childhelp has a waitlist due to lack of additional funding and resources.
- **Ms. Corieri** inquired about the waitlist process and why there is a need for one. Dr. Gandhi said there are two reasons for the waitlist: 1) a need to find therapists with appropriate training, and 2) a need more funding for more therapists and counseling services.
- **Ms. Dell’Artino** asked if Childhelp works with adult victims. Dr. Gandhi confirmed that Childhelp only works with children (and their parents) up until the age of 18, but adult victims will be directed to other providers if they call into Childhelp asking for assistance.
- **Ms. Mitchell** brought up the attrition of therapists, and what happens to a caseload when a therapist leaves. Dr. Gandhi walked through the “warm handoff” process by which a victim meets with the new and old therapists together for a few sessions. Childhelp is very cognizant of these relationships, and ensure that victims are comfortable with their new therapist if attrition occurs.
- **Ms. Foster** asked if there was a mechanism in place for clients to participate in Childhelp’s services if they have not yet reported the incident(s) to law enforcement. Dr. Gandhi said that there is an entire community of services and programs that exist, and it is crucial that we take advantage of the opportunities to collaborate and provide the best services possible to victims.
- **Ms. Umphress** highlighted the case in which a victim must file a report with law enforcement in order to receive paid long-term services.

VI. Presenter: Daphne Young, Chief Communications Officer, Childhelp Children's Center of Arizona

Presentation: Speak Up Be Safe education program and Child Abuse Prevention education program

- **Ms. Daphne Young, Chief Communications Officer at the Childhelp Children's Center of Arizona** presented on their Speak Up Be Safe education program. Speak Up Be Safe includes curriculum that is aimed at ending the child abuse epidemic, educating on prevention, and keeping children safe. Every year more than 3 million reports of child abuse are made in the United States, and an average of five children die every day from abuse or neglect. The common phrase "stranger danger" is no longer relevant because 90% of offenders are known and trusted by the victim and their families. Childhelp operates the Childhelp National Child Abuse Hotline with resources to aid in every child abuse situation. This hotline is open 24-7 and all calls are anonymous and confidential. Call 1-800-4-A-CHILD for help. The Speak Up Be Safe prevention education program is evidence-informed, developmentally appropriate, includes comprehensive Pre-K through 12th grade curriculum, incorporates clear evaluation standard, and includes two lessons per grade level (30-40 minutes each). The curriculum contains Five (5) Big Ideas: 1) safety, 2) you deserve to be safe, 3) child safety is an adult responsibility, 4) there are safe adults, and 5) five Childhelp Speak Up Be Safe safety rules. The five (5) Childhelp Speak Up Be Safe safety rules are 1) It's My Body, 2) Ask an adult if I'm safe, 3) I have choices, 4) Tell someone, and 5) It's NEVER my fault. Childhelp has also partnered with ASU to measure the impact of prevention education.
- **Ms. Pinnow** asked how many school districts have participated in the Speak Up Be Safe program. Ms. Young confirmed that the program has been presented to seven thousand (7,000) children statewide, but there is some resistance from schools about having the program in their school. This prevention education program is often mistaken for sex education. There is also a required opt-in by parents, but children exposed to the program have been receptive and educate fellow students.
- **Ms. Umphress** brought attention to the issue of parents being aware of child abuse, but not reporting or disclosing it. Childhelp handles these cases very delicately in order to empower the parents to be a future advocate for the child victim. **Ms. Mitchell** confirmed that MCAO handles these incidences case-by-case, but in some cases, they do prosecute the parents for failing to report or allowing the abuse to continue.
- **Sen. Steele** stressed the importance of educating teachers, coaches, etc. on how to handle a situation when a child reports a case of abuse. Every teacher or educator should experience some type of training on how to be a mandated reporter.

VII. Discussion between task force members

- **Sen. Boyer, Co-Chair**, opened up the discussion between task force members.
- **Ms. Pinnow** suggested looking at A.R.S 13-1314. This statute addresses the form of payment for forensic interviews. We should ensure that a victim is never burdened with having to pay for a forensic exam or interview. **Ms. Mitchell** noted that MCAO pays for a forensic interview if necessary, but they do not pay for child physical abuse interviews - DCS pays for those. **Ms. Pinnow** stated that there needs to be a funding source for counties to pay for these forensic interviews. **Ms. Umphress** confirmed that some counties will pay for a forensic exam, but the majority will not pay for the forensic interview. This is an issue because the forensic interviews can serve as the foundation for a case.
- **Sen. Boyer** highlighted the topic of foster care. He expressed an interest in the task force looking into the foster care system, and what resources/programming is being provided to these children about prevention. Speak Up Be Safe is a great example of the

type of programming that could be delivered to children in foster care. **Mr. Moffitt** suggested that someone from DCS come to the task force and present on this topic.

- **Ms. Foster** circled back to the Executive Order that formed this task force and the two tasks assigned to the group: 1) develop and conduct a collaborative statewide review of Arizona's laws for protecting children victimized by sexual abuse, and 2) provide legislative recommendations to reform Arizona's laws for protecting children victimized by sexual abuse. The task force discussed the timeline for drafting these legislative recommendations given the remainder of only three (3) meetings.

VIII. Upcoming Meeting Dates

- **Sen. Boyer, Co-Chair**, announced the following meeting dates for the coming year:
 - Thursday, October 24, 2019 at 1:00 p.m. at 1700 W. Washington Street, 3rd Floor Conference Room
 - Thursday, November 7, 2019 at 1:00 p.m. at 1700 W. Washington Street, 2nd Floor Conference Room
 - Thursday, November 21, 2019 at 1:00 p.m. at 1700 W. Washington Street, 2nd Floor Conference Room

IX. Call to the Public

- **Sen. Boyer, Co-Chair**, made a call to the public. No comments from public members were made.

X. Adjourn

- **Ms. Mitchell, Co-Chair**, called for adjournment at 2:57 p.m.
 - **Sen. Kerr** motioned to adjourn, **Sen. Boyer** seconded the motion, and the task force voted unanimously to adjourn.

Dated October 4, 2019
Justice for Victims of Child Sexual Abuse Task Force
Submitted by Grace Appelbe
Policy Assistant, Office of Governor Doug Ducey