

MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL DOMESTIC VIOLENCE COUNCIL
MEETING MINUTES - December 4, 2008

DOMESTIC VIOLENCE COUNCIL MEMBERS

President Diane Enos, Salt River Pima-
Maricopa Indian Community, Chair

Robert Bates, Phoenix Police Dept.

Kristen Scharlau for Kathy Berzins, City of
Tempe

*John A. Blackburn, Jr., AZ Criminal Justice
Commission

Allie Bones, Arizona Coalition Against
Domestic Violence

*Jennifer Casaletto, Maricopa Medical Center

*Chris Christy, Salt River Pima-Maricopa
Indian Community

Suzanne Cohen, Maricopa County Attorney's
Office

*Councilmember William Conner, City of El
Mirage

*JoAnn Del-Colle, Phoenix Family Advocacy
Center

Councilmember Trinity Donovan, City of
Chandler

Laura Guild, Arizona Dept. of Economic
Security

*Cindy Hallman, Marley House

*Diana Hinz, City of Phoenix Prosecutor's
Office

*Councilmember Brenda Holland, City of
Goodyear

*Dan Hughes, City of Surprise

*Cmdr. Kim Humphrey, City of Phoenix
Police Dept., Vice Chair

*Lynette Jelinek, Glendale Fire Dept.

Alice Ghareib for Mary Lynn Kasunic, Area
Agency on Aging

*Patricia Klahr, Chrysalis Shelter Inc.

Kristen Krey for Councilmember Phil
Lieberman, City of Glendale

*Jodi Beckley Liggett, Arizona Foundation for
Women

Betty Lynch, Representative for the City of
Avondale

*JoEllen Lynn, American Express

Maria-Elena Ochoa, Governor's Office

Stephanie Olohan, City of Goodyear

Celeste Adams for Janice Parker, Save the
Family Foundation

Connie Phillips, Sojourner Center

Lynn Potts for John Pombier, City of Mesa

Kerry Ramella, City of Phoenix Fire Dept.

Sarah Youngblood, Community Legal Services

+ Those attending by video/audio conference

* Those not present or represented by proxy

OTHERS PRESENT

Kathy Breen, City of Scottsdale

Cheryl Brunton, City of Phoenix

Tim Cole, City of Phoenix

Donna Crews, Advocates for the Disabled

Esther Emadi, Southwest Behavioral Health

Danielle Fragnito, Chrysalis

Susan Hallett, Arizona Department of
Economic Security

Katie Hobbs, Sojourner Center

Juliet Klobe, Central Arizona Shelter Services

Terri Leveton, Phoenix Rescue Mission

Mike Levy, NOVA Inc.

Stacy Miller, Recovery Innovations of Arizona

Frank Nagy, Homeward Bound

Dottie O'Connell, Chicanos Por La Causa

Carolyn, Olson, City of Mesa

Marlena Pina, The Salvation Army

Vicki Rainey, Recovery Innovations of Arizona

Heather Rennells, City of Scottsdale

Amy Schwabenlender, Valley of the Sun United
Way

Ellen Solowey, The Virginia G. Piper Charitable
Trust

Gary Spedl, St. Anthony on the Desert Church

Mark Lewis, Community Information and Referral
Mattie Lord, Department of Economic Security
Barbara Marshall, County Attorney
Mary Alice McKone, Elim House

Erik Strunk, City of Glendale
Frances Villarreal, City of Scottsdale
John Wall, Central Arizona Shelter Services
Lisa Wilson, City of Mesa

1. Call to Order

Chair Diane Enos, President of the Salt River Pima-Maricopa Indian Community, called the meeting to order at 2:55 p.m. She informed the group the agenda would be shortened due to lack of quorum.

2. Civil Legal Assistance Study

Blake Holub, MAG Intern, thanked Chair Enos and members of the Committee for attending the meeting. Mr. Holub gave an update on the Civil Legal Assistance Study including the purpose and history of the study.

Mr. Holub said the study is being conducted to determine the benefits and/or effects of legal assistance on domestic violence victims and domestic violence court cases. He said a study was first discussed by the MAG Regional Domestic Violence Council two years ago. MAG staff began work on a questionnaire this past summer. Mr. Holub said the questionnaire has been revised several times with assistance from the Morrison Institute, MAG staff and other community partners.

Mr. Holub explained two separate questionnaires were developed. Both questionnaires address legal assistance. One focuses on the perspective of legal professionals and the second focuses on gathering information from domestic violence survivors. The questionnaires were first distributed in late September and have since been distributed two additional times. Members of the community were encouraged to be involved in the study and to participate in the interview process. The questionnaires were distributed through mail and e-mail to the Domestic Violence Council members, judges, attorneys, paralegals, court advocates, several other service providers and nine domestic violence shelters. Mr. Holub said the questionnaires are available in both English and Spanish. He stressed the need to reach out to Spanish speaking victims of domestic violence.

In an effort to draw further awareness to the study, the questionnaires were placed on the Craig's List Web site and advertised in the Arizona Republic with the help of Eugene Scott. Flyers were distributed to domestic violence shelters and providers. Mr. Holub said he has conducted several interviews including five from the professional legal aspect and 16 domestic violence survivors.

To date, Mr. Holub has received a 20 percent response rate resulting in roughly 100 respondents. He said an additional 100 respondents would bring the response rate to 40 percent. He explained the deadline for gathering surveys and conducting interviews

could be extended to the end of the year or possibly into early next year to allow for additional questionnaires to be returned.

Mr. Holub presented the following preliminary findings:

Domestic Violence Survivors

- 61 respondents
- * 67 percent did not feel they needed a lawyer to represent them in their case
- 51 percent did not expect to seek legal assistance for their case
- 61 percent stressed they needed some sort of legal assistance either for a current or in previous cases with 64 percent actually receiving legal assistance
- 70 percent thought the preparatory work as well as the explanation of legal rights was very helpful
- 62 percent did not have enough money to pay for it
- * 62 percent stated it would be very important to have a lawyer represent them in their case

Mr. Holub said at first, the survivor respondents did not think they needed legal assistance but later saw the benefit of having it. He explained how having someone assisting them helps create a sense of empowerment.

Mr. Holub was asked if the questions pertaining to the second and last bullet points(*) (listed above) specifically referred to legal assistance or if they referred to legal representation. Ms. St. Peter said different sections included questions asked about legal representation and legal assistance. She stressed the results being reported are preliminary findings. Mr. Holub added people did not know what was available to them or where to seek services. They did not express a greater interest for either representation or assistance. Questions on the survey addressed both lawyers and legal representation. These questions were separated into distinct sections and definitions were provided.

President Enos asked how effective the victim advocates are and what role they play. Mr. Holub replied many of the open-ended questions addressed the need for legal assistance to be more accessible. Those responses came from the courts and legal advocates. Mr. Holub said he could not make a judgement from study data as to the effectiveness of the victim advocates.

Legal Professionals

- 49 respondents
- 18 judges, seven attorneys, seven court advocates, one paralegal, four victim advocates and 12 other social workers
- Respondents range from El Mirage, Peoria, Surprise, Goodyear, Glendale, Payson, Phoenix, Chandler, Gilbert and Mesa
- 10 percent mention they have come across a domestic violence case where false allegation occurred
- Only 25 percent responded they knew of victims having legal assistance prior to the case

- 86 percent of the respondents stated domestic violence victims could have benefitted from legal assistance prior to court
- 69 percent state victims use either private attorneys or Community Legal Services
- 65 percent stated legal assistance was either not available or somewhat available
- 63 percent stated domestic violence victims were simply not aware or somewhat aware of these services
- 24 percent of alleged domestic violence victims were represented by an attorney at law
- 82 percent commented legal representation could have benefitted domestic violence victims in cases
- 86 percent of the time victims are uninformed about inexpensive representation

Mr. Holub commented both professionals and survivors agree there is a lack of understanding of the legal process and where to seek assistance.

Preliminary recommendations:

- Representation through Court Appoint
- Public Education of Court Proceedings
- Public Education of Victim Rights
- Advertisement Campaign
- Bi-lingual Program
- Development of Legal Assistance Fund

Mr. Holub added the findings suggest a need to have more training for judges and court professionals to better understand the complexities of domestic violence.

Mr. Holub was asked if there was any discussion or feedback about the different kinds of legal needs that exist aside from family court including parental rights, pending bankruptcy or safety. He responded the questionnaires attempted to address these issues by asking about the effects on an individual or court case when legal assistance or representation is not available. He said many of the responses addressed within the questionnaires related to financial difficulties.

President Enos asked what the predominant types of civil cases are that victims find themselves in. Mr. Holub replied females seeking an order of protection. He said the survey respondents report seeking legal assistance or representation for obtaining the order of protection and they have an average of two children. Mr. Holub added there are usually custody battle concerns. He said although the victim may win the case, they end up having joint custody with the abuser.

Mr. Holub was asked if women talked about feeling any pressure discussing their case due to economic concerns. He said many victims stated they could not leave their abuser or talk about their cases because they were financially crippled. Mr. Holub said in most cases victims are not represented and this is an issue that still needs to be addressed. Mr. Holub expressed his personal opinion that economic abuse is a huge factor. Mr. Holub concluded his presentation and thanked the Committee for their time.

Ms. St. Peter asked the Committee for feedback on the next steps. She said survey responses are still being received. She asked the Committee if they thought it would be best to wait until enough surveys are returned to allow staff to extrapolate data, or if surveys should be collected only through the end of the year. Staff could move forward with data collected at that point.

Betty Lynch, Representative for the City of Avondale, asked if any barriers in completing the survey had been identified. She said she did not believe enough responses would be received between now and the end of the year. Ms. St. Peter said one person felt she was not the right person to complete the professional questionnaire. Ms. St. Peter added certain professions do not feel comfortable weighing in on the questionnaire. Allie Bones, Arizona Coalition Against Domestic Violence, stated the findings are a confirmation of what was already known. She felt it was not necessary to continue gathering data and suggested moving forward with the information already received.

Barbara Marshall, County Attorney, noted cities have tried very hard to make the process for obtaining an order of protection easier. She commented her office would be interested in learning from the study if their changes have been beneficial. She inquired if the study would include specifics on the types of court cases. Ms. St. Peter said this information can be taken from the study data even though it was not included in the preliminary findings presented at the meeting.

A meeting attendee asked if people who previously completed the questionnaires need to complete the most recently emailed versions. Ms. St. Peter clarified the questionnaires only need to be completed once. She stated the most recent revisions were minor wording changes.

Ms. St. Peter asked the Committee for their input on the next steps for the study. She said one option would be to gather data until the end of the year and use that information along with what has already been received for moving forward. Another option would be to open up the distribution and extend the time period into next year. Ms. Bones and Ms. Lynch both shared their opinions that the end of the year should mark the close of the data collection stage of the study.

President Enos expressed her appreciation for the ongoing work. She advised there was a quorum for the Domestic Violence Council. She officially called the meeting to order at 3:34 p.m. Introductions ensued.

President Enos asked for a motion to approve the study design and next steps for the Civil Legal Assistance Study. The study's next steps include completion of data collection by the end of the year. A report will be written as a snapshot or data extrapolation as determined by the response rate at that time. Ms. Lynch made a motion to approve the study design and next steps. Ms. Bones seconded the motion. The motion passed unanimously.

3. Call to the Audience

No comments were made at this time.

4. Approval of the October 2, 2008 Meeting Minutes

Chair Enos called for approval of the October 2, 2008 meeting minutes. Ms. Lynch made a motion to approve the meeting minutes as presented. Laura Guild, Arizona Department of Security, seconded the motion. The meeting minutes passed unanimously with no further discussion.

5. Committee Evaluation and Goal Planning

The Committee evaluated the work accomplishments to date as well as areas for improvement. They were given an opportunity to identify areas of concentration for FY 2010. Goals developed will be reviewed by the Committee at the next meeting with possible recommendation for approval.

Ms. St. Peter led the discussion for planning the goals for next year. She said the goals will be presented at the next meeting for review and possible approval. She asked Committee members to share their ideas in the following areas:

What has gone well over the past year?

- Engaging others involved in issues outside of domestic violence
- Collaborative efforts
- Youth Empowerment Project (YEP)
- Civil Legal Assistance Study
- Regional Human Services Summit
- Annual Domestic Violence Walk
- Domestic violence press conference and smart dating exercise with high school youth

What is not going well? / Things that can be done better:

- Need strategic direction
- Helping abusers recognize they are abusers
 - Creating an abuser assessment and obtaining copies of best practice models
- Celebrate successes
 - The number of beds available in Maricopa County has doubled
- Expansion of diversity through community action program and by involving other stakeholders not represented on Council
- Obtain more feedback from domestic violence survivors as well as general public
- Improve services to undocumented women
- Have more community based events and efforts to raise awareness

Goals for next year:

- Look at existing resources, and what is in place right now. See how they can be improved.

- New domestic violence plan
- Maximizing the existing resources through shared capacity
- Re-do shelter study to include homeless shelters
- Study the reason why individuals are being turned away from shelters given the number of beds has increased. Possible reasons may include substance abuse, increased Serious Mental Illness or behavioral health.

Ms. St. Peter thanked the Committee for their participation. She said the goals would be written out and presented for approval at the next meeting in February.

6. 2009 Meeting Calendar

The Committee briefly discussed the meeting dates for next year. The meetings will continue on the first Thursday of every other month. A joint meeting between the Regional Domestic Violence Council and the Continuum of Care Regional Committee on Homelessness will be held on December 3, 2009.

Ms. Bones made a motion to approve the 2009 meeting calendar as presented. Lynn Potts, City of Mesa, seconded the motion. The motion passed unanimously with no further discussion.

7. Comments from the Council

Ms. Bones informed the Committee the Arizona Coalition Against Domestic Violence (AzCADV) is developing a message about the impact the economy is having on domestic violence. She said the severity of domestic violence increases when there is a downturn in the economy. Perpetrators who are laid off from work have greater access to their victims and where abuse is already occurring, it tends to get worse. The number of felony cases going to Superior Court also increases. Ms. Bones said domestic violence shelters are not seeing large increases in numbers like other service providers have been seeing. She said fear of losing jobs or houses is playing a role in keeping victims with their perpetrators. However, she suggested domestic violence providers brace themselves as there will be an increase in domestic violence cases as the economy continues on a downturn. Ms Bones said the AzCADV will meet next week to develop a message around this issue and to discuss the transition in the Executive Branch.

President Enos asked if there is a method for tracking the increased number of domestic violence cases. Ms. Bones said there is no mechanism to track the increase in domestic violence crimes. She said the Coalition gets anecdotal information by talking to the prosecutor's office and the courts.

Ms. Bones said registration has begun for the 2009 Intimate Partner Violence conference. The conference will be held January 14-15, 2009. Anyone interested in a scholarship to attend the conference may contact the AzCADV.

Sarah Youngblood, Community Legal Services, said funding pledged to the firm in the amount of \$300,000 was not received. As a result of this budget loss, they have laid off ten people which included five attorneys whose focus was helping custody cases. Ms.

Youngblood said the local office lost an attorney dedicated to working on domestic violence cases, which leaves four attorneys to cover all of Maricopa County. She said the firm lost important resources and they are not able to hire any more lawyers at this time.

President Enos thanked Ms. Bones and Ms. Youngblood for the information. She said although the information is bleak, this is the kind of information the Committee can expect to hear more of in the future. She suggested reaching out to the legal community for pro-bono work and to good outreach programs to help fill the gaps.

8. Adjourn

The meeting adjourned at 4:05 p.m. The next MAG Regional Domestic Violence Council meeting is scheduled for February 5, 2009 from 1:00-2:30 p.m. in the Saguaro Room at the MAG offices.