

**Arizona Supreme Court
Commission on Victims in the Courts**

February 26, 2016 Meeting Agenda

1501 W. Washington St., Phoenix, Arizona, 85007
State Courts Building, Conference Room 119 A/B

(602) 452-3288 or (520) 388-4330 / Access Code: 8924 / [WebEx Link](#)

- | | | |
|------------|---|---|
| 10:00 a.m. | Call to Order / Welcome and Opening Remarks | |
| | Evacuation Plan Announcement | |
| | <i>Approval of Minutes – October 23, 2015**</i> | |
| 10:10 a.m. | <i>Domestic Violence Risk and Lethality Assessments Legislation**</i> | Amelia Cramer, PCAO
Jon Eliason, MCAO |
| 10:40 a.m. | AJC Legislative Package and Updates | Jerry Landau, AOC |
| 11:00 a.m. | When Victims Experience Trauma | Shelly Corzo Shaffer, Member |
| 11:30 a.m. | Start by Believing Campaign | Chief Jerald Monahan,
Prescott Police Department |
| 11:40 a.m. | SAFER and DANY-SAK Grant Updates | Sgt. Jim Markey (Ret.), Member
Karyn Rasile, RN, Member
Jon Eliason, MCAO |
| 11:50 a.m. | Shared Hope Conference Update | Judge Reinstein, Chair
Judge Weiss, Mohave County
Superior Court |
| 12:00 p.m. | Announcements/Call to the Public | |
| | Adjournment | |

Next Meeting:

Friday, June 10, 2016 – 10:00 a.m.

Arizona State Courts Building, Conference Room 345 A/B

****Important Voting Items**

All times are approximate. The Chair reserves the right to set the order of the agenda. For any item on the agenda, the Committee may vote to go into executive session as permitted by Arizona Code of Judicial Administration §1-202. Please contact Denise Lundin at (602) 452-3614 with any questions concerning this agenda. Persons with a disability may request a reasonable accommodation by contacting Kelly Gray at (602) 452-3647. Requests should be made as early as possible to allow time to arrange for the accommodation.

Commission on Victims in the Courts

Meeting Date:	Type of Action Required:	Subject:
February 26, 2016	<input checked="" type="checkbox"/> Formal Action Request <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Implementation of Amendment to ARS Sec. 13-3967 Re: Domestic Violence Risk and Lethality Assessments

FROM: COVIC

PRESENTERS:

Amelia Cramer, Pima County Attorney's Office
Jon Eliason, Maricopa County Attorney's Office
Judge Ron Reinstein, Chair

DISCUSSION & TIME ESTIMATES: The statute now requires that in determining the method of release or the amount of bail, the judicial officer shall take into account the results of a risk or lethality assessment in misdemeanor or felony domestic violence charges. Law Enforcement and Judicial Officers throughout the state have not been provided uniform notice, or training, on this new mandate which went into effect July 3, 2015.

Cramer and Eliason will discuss what is occurring in Pima and Maricopa counties and the issues surrounding implementation. The recommendation is to form a workgroup with members of the Committee on the Impact of Domestic Violence and the Courts (CIDVC) to look at standardization/uniformity, confidentiality and training issues that are arising. 30 minutes.

RECOMMENDED MOTION: To be determined post-discussion.

Lethality Assessment Protocol

Frequently Asked Questions for Victims Services

Q: If a victim declines to complete the LAP do I still need to turn one in with my paperwork?

A: Yes. If the victim declines to complete the screen there is a box at the top to check off indicating the victim declined the LAP. You are still required to fill out the top portion of the LAP completely and fax it to Emerge!. You must submit this with your CCI.

Q: If a victim declines to complete the LAP can I still screen the victim in as high lethality?

A: Yes. There is a box on the LAP at the bottom that allows the advocate to screen a victim in based on the belief of the advocate. Remember the LAP is a tool and should be introduced at the appropriate time. Its purpose is to educate the victim of their potential risks and get them in touch with resources.

Q: If a victim declines to speak with Emerge! after a high screen do I still need to call Emerge!?

A: Yes. Even if the victim declines to speak with Emerge! you must still call Emerge! per protocol to discuss your concern based on the victims situation. The phone call needs to be made in the presence of the victim. After you speak with the hotline worker you can give the victim another opportunity to speak with Emerge! or set an appointment to speak with someone later.

Q: Do I need to put the full LEA number of the LAP?

A: Yes. It is necessary to put the full LEA number according to each agency. It is important that Emerge! receives all information on the LAP form. Emerge! relies on the complete information from a screen to assess the severity of the abusive situation and the best way to provide follow up to each victim.

Q: What if the victim screens in low on the LAP? Do I still need to call Emerge! or fax in the LAP?

A: If a victim screens in low on the LAP you are not required to call Emerge!. You are however required to fax the completed LAP to Emerge! at the end of your shift.

Q: If I am part of a team and I complete the LAP should I put just my name or the entire team's names?

A: Only the name of the person who completed the LAP needs to be listed. Remember to use your full first and last name

Q: If the call starts before midnight but I don't complete the LAP until after midnight with the victim what should I put for the date?

A: You should put the date that you complete the LAP with the victim regardless of the date of the call.

Q: If I am not sure how to spell a victim/defendant's name or I don't hear the name a victim gives should I just guess at what he/she said?

A: No. If you are not sure of a victim's response it is okay to ask him/her to repeat it. Remember to use your listening skills when completing the LAP with a victim (parroting, summarizing, clarifying, active listening, etc.).

Q: What if a victim doesn't want to provide a safe number for the LAP?

A: If a victim declines to provide a safe number for follow up indicate that on the LAP. If you get a number from LE for the CCI you still need to confirm with a victim if he/she wants to provide a safe number for the LAP. Do not assume it is okay to include this on the LAP.

Q: What if there is additional information provided to the advocates by LE that might be important for Emerge! to know?

A: If you have additional information you would like Emerge! to know you can add it to the margin or at the bottom of the LAP. Be sure to indicate that it is information per the LE officer. Do not add any opinions or information not directly stated by the victim to the box after question 11.

Q: What if I forget to write down the name of the Emerge! hotline worker?

A: If you forget to write down the name of the hotline worker, it is okay to call back and ask. It is important for training and follow up purposes that we have the name of the Emerge! hotline worker with whom you spoke.

Q: Do I complete the LAP with a DV victim at IA's?

A: Yes. IA's is the only courtroom setting in which the LAP can be completed with all *Intimate Partner* DV victims (check that they have not already completed the screen with a crisis team or officer on scene). The only caveat for IA's is that the original incident date must be within the last 24 hours. If the original incident happened outside the 24 hour window you cannot complete the LAP with the victim.

Q: What if the Intimate Partner DV incident happens through social media or the telephone? Am I still obligated to complete the LAP?

A: Yes. If the crisis call is Intimate Partner Domestic Violence the protocol requires that the advocates complete the LAP regardless of the facts of the incident (If at IA's the incident must occur within the last 24 hours).

Q: What if the victim states she's already completed the Lap in the past?

A: Situations change and can become more volatile. If a victim has completed the LAP in the past, it is still important that you complete the LAP with the victim for this incident.

Q: Do I need to ask law enforcement if they have completed an LAP when I arrive on scene to work with a victim of intimate partner DV?

A: Yes. All law enforcement agencies in Pima County, excluding Tucson Police Department, do their own LAPs with victims. If the LAP has already been completed it is not necessary to duplicate the LAP with the victim. It is important to educate victims about their risks and safety plan. Thus, you can ask the officer what questions the victim answered "yes" to so that you can tailor your intervention. Please remember, asking law enforcement for the victims answers to the LAP is optional and not a requirement of the protocol.

Form 4: Release Questionnaire/Law Enforcement

Felony Misdemeanor Probable Cause Statement: See Citation or Police Report

Agency: TPD PCSD Marana Sahuarita South Tucson Oro Valley UAPD Pima College Tohono O'odham Other
State of Arizona vs. DOB Case Number:
Offense Location:

VICTIM INFORMATION **VICTIM ADDRESS AND PHONE ARE CONFIDENTIAL PURSUANT TO ARS 13-4434**

1. Victim Name: Relationship to defendant: Minor?
Victim Address: Victim Phone Number:

Victim and defendant reside together Intimate partners (or ex) Child in common Related to each other Roommates
Does victim want contact? Yes No

2. Victim Name: Relationship to defendant: Minor?
Victim Address: Victim Phone Number:

Victim and defendant reside together Intimate partners (or ex) Child in common Related to each other Roommates
Does victim want contact? Yes No

CIRCUMSTANCES OF THE OFFENSE

Defendant used firearm or other weapon. Type of weapon:
Defendant threatened or injured someone: Description of any injuries:
Property was taken or damaged:
Defendant was under the influence of alcohol and/or drugs

CIRCUMSTANCES OF THE ARREST

Defendant attempted to avoid or resist arrest:
Defendant was armed when arrested. Type of weapon:
Defendant made threats against potential witnesses or parties:
Evidence of offense was found in defendant's possession. Type:
Defendant admitted involvement in the offense.

DOMESTIC VIOLENCE LETHALITY

Was a Formal Lethality Assessment completed? Yes No If so, did the victim screen in as high lethality risk: Yes No
Risk Factors (mark all that apply even if a formal Lethality Assessment was not done or was not completed):

Use of or threats with weapons Threats to kill victim or children Victim thinks def might try to kill him/her
Def has a gun or access to one Def has tried to choke/strangle victim Def is violently or constantly jealous or controlling
Victim has left or separated from the def Def is unemployed Def has tried to commit suicide
Victim has a child that isn't defendant's Def follows or spies on victim or leaves threatening messages
Other

OTHER DOMESTIC VIOLENCE ISSUES

Frequency/intensity of domestic violence increasing? Kidnapping or unlawful imprisonment? Prior domestic violence arrests?
Current/prior Orders of Protection between parties? Children present during incident?

OTHER DEFENDANT INFORMATION

Is there any indication of:

Alcohol or substance abuse: Unknown Yes
Mental health issues. Unknown Yes Provider/caseworker:
Defendant is serving or has served in the United States Military Unknown Yes No
Evidence that the accused poses a danger to others in the community:
Any information that indicates defendant may flee if released:

I certify that the information presented is true to the best of my knowledge and belief.

Officer/PR Number: Agency:
Duty Phone Number: Date:



DOMESTIC VIOLENCE LETHALITY SCREEN FOR PCAO VICTIM SERVICES



Advocate:	Date:	Case # and Agency:	
Victim:	Offender:		
Safe Phone Number for Follow-Up:			
<input type="checkbox"/> Check here if victim did not answer any of the questions.			
▶ A "Yes" response to any of Questions #1-3 automatically triggers the protocol referral.			
1. Has he/she ever used a weapon against you or threatened you with a weapon?	Yes	No	Not Ans.
2. Has he/she threatened to kill you or your children?	Yes	No	Not Ans.
3. Do you think he/she might try to kill you?	Yes	No	Not Ans.
▶ Negative responses to Questions #1-3, but positive responses to at least four of Questions #4-11, trigger the protocol referral.			
4. Does he/she have a gun or can he/she get one easily?	Yes	No	Not Ans.
5. Has he/she ever tried to choke you?	Yes	No	Not Ans.
6. Is he/she violently or constantly jealous or does he/she control most of your daily activities?	Yes	No	Not Ans.
7. Have you left him/her or separated after living together or being married?	Yes	No	Not Ans.
8. Is he/she unemployed?	Yes	No	Not Ans.
9. Has he/she ever tried to kill himself/herself?	Yes	No	Not Ans.
10. Do you have a child that he/she knows is not his/hers?	Yes	No	Not Ans.
11. Does he/she follow or spy on you or leave threatening messages?	Yes	No	Not Ans.
▶ An advocate may trigger the protocol referral, if not already triggered above, as a result of the victim's response to the below question, or whenever the officer believes the victim is in a potentially lethal situation.			
Is there anything else that worries you about your safety? (If "yes") What worries you?			
Check one: <input type="checkbox"/> Victim screened in according to the protocol <input type="checkbox"/> Victim screened in based on the belief of the advocate or officer <input type="checkbox"/> Victim did not screen in			
If victim screened in: After advising her/him of a high danger assessment, was Emerge! called?		Yes	No
Did the victim speak with the hotline counselor?		Yes	No

MNADV 08/2005

Note: The questions above and the criteria for determining the level of risk a person faces is based on the best available research on factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence risk for lethal violence that are not captured by this screen. Although most victims who screen "positive" or "high danger" would not be expected to be killed, these victims face much higher risk than that of other victims of intimate partner violence.

**Fax form to Emerge! At 520-881-2595 Attention: Direct Services Manager or email: lethalityassessment@emergecenter.org
24/7Crisis Line (888)-428-0101**

Faxed By: _____ Date: _____ Time: _____

Name of Emerge hotline worker with whom you spoke: _____

updated 01/19/2016 -TS



COURTS "SHALL" TAKE LETHALITY ASSESSMENTS INTO ACCOUNT

13-3967. Release on bailable offenses before trial; definition

A. At his appearance before a judicial officer, any person who is charged with a public offense that is bailable as a matter of right shall be ordered released pending trial on his own recognizance or on the execution of bail in an amount specified by the judicial officer.

B. In determining the method of release or the amount of bail, the judicial officer, on the basis of available information, shall take into account all of the following:

1. The views of the victim.
2. The nature and circumstances of the offense charged.
3. Whether the accused has a prior arrest or conviction for a serious offense or violent or aggravated felony as defined in section 13-706 or an offense in another state that would be a serious offense or violent or aggravated felony as defined in section 13-706 if committed in this state.
4. Evidence that the accused poses a danger to others in the community.
5. **The results of a risk or lethality assessment in a domestic violence charge that is presented to the court.**

PHOENIX PD LETHALITY ASSESSMENTS

FAMILY INVESTIGATIONS BUREAU		
Subject: Domestic Violence Detail		Policy Number C.08
PHOENIX POLICE DEPARTMENT	10/10	ADDENDUM B Page 1

DATE	TIME	SERIAL #	OFFICER NAME	INC. #			
LOCATION OF OCCURRENCE				PHONE-PRIMARY			
LAST NAME		FIRST NAME	M.I.	PHONE-ALTERNATE			
HOME ADDRESS			WORK INFORMATION				
RACE	SEX	WEIGHT	HEIGHT	EYES			
				HAIR			
				DATE OF BIRTH			
				SOCIAL SECURITY NUMBER			
WHO CALLED/WHY/CHILD PRESENT?							
INJURY CHARACTERISTICS	1 ABRASIONS 2 BROKEN BONES 3 BROKEN TEETH 4 BRUISES 5 DISCOLORATION 6 ENDANGER FETUS 7 HOSPITALIZATION 8 LACERATION 9 SCRATCHES 10 SWELLING 11 UNCONSCIOUS	ACTS-PHYSICAL	1 BITE 2 FORCED/COERCED SEX 3 GRAB/TWIST/PINCH 4 HIT W/OBJECT 5 HOLD DOWN 6 KICK/STOMP/TRIP 7 KIDNAP 8 PUNCH/PUSH/SLAP 9 RESTRICT MOVEMENT 10 SEPARATION VIOLENCE 11 STRANGULATION 12 SUFFOCATION	ACTS-NONPHYSICAL	1 BURGLARY 2 DEMANDS W/ASSOC. THREATS 3 HARASS/TAUNT 4 INTIMIDATION TACTICS 5 O.P. VIOLATION 6 RESTRICT USE OF PHONE 7 ESCALATION: E.G. RECENT INCREASE IN CONTROL BEHAVIOR 8 SURVEIL/FOLLOW/MONITOR 9 TERRORIZE: E.G. CHILD/PET AS MECHANISM OF CONTROL 10 THROW OBJECTS 11 VANDALISM	FRAMES OF ACTION	1 INC. DURATION 2 BEYOND HEAT OF THE MOMENT? Y N U 3 OCCUR IN MORE THAN ONE PLACE? Y N U 4 MULTIPLE ACTS-PHYSICAL OR NONPHYSICAL? Y N U 5 MULTIPLE PLANES OF INJURY? Y N U 6 CHILD USED FOR EMPHASIS? Y N U

PHOENIX PD LETHALITY ASSESSMENTS

COURSE-OF-CONDUCT INTERVIEW: Responses identify ongoing patterns of intimidation, isolation, or control - an intentional pattern of action.
The following questions will help us evaluate your situation:

1. HOW FREQUENTLY AND SERIOUSLY DOES YOUR PARTNER INTIMIDATE YOU OR THREATEN YOU? DESCRIBE.
2. HOW FREQUENTLY DOES YOUR PARTNER DEMAND YOU DO THINGS AND VERIFY YOU DID THEM? DESCRIBE.
3. DESCRIBE THE MOST FRIGHTENING OR WORST EVENT INVOLVING YOUR PARTNER.
4. HAVE YOU EVER MADE IT KNOWN TO YOUR PARTNER THAT YOU WANTED TO LEAVE? HOW DID YOUR PARTNER REACT?

***INVESTIGATIVE ASSESSMENT:**
Generally, a group 1 or 2 situation is a man engaging in a course-of-conduct (CC) directed at a woman or family.

GROUP 1

GROUP 2

GROUP 3

TEMPE PD LETHALITY ASSESSMENTS

Tempe Police Department Domestic Violence Lethality Assessment Card

GO#	LOCATION	RELATIONSHIP
DATE	TIME	NAME

HIGH PRIORITY = A "YES" ANSWER TO 1, 2, or 3 OR "YES" TO FOUR QUESTIONS OR MORE

1. HAS YOUR PARTNER EVER THREATENED/USED A WEAPON AGAINST YOU? DESCRIBE.
2. HAS YOUR PARTNER EVER THREATENED TO KILL YOU OR BELIEVE THEM CAPABLE OF KILLING YOU? DESCRIBE.
3. HAS YOUR PARTNER EVER "CHOKED" OR TRIED TO "CHOKE" YOU? DESCRIBE.
4. DOES YOUR PARTNER HAVE A GUN OR CAN THEY GET ONE? YES or NO
5. HAS YOUR PARTNER EVER FORCED YOU TO HAVE SEX WHEN YOU DIDN'T WANT TO? DESCRIBE.
6. DO YOU FEEL LIKE THE VIOLENCE AGAINST YOU IS ESCALATING IN SEVERITY? DESCRIBE.

TEMPE PD LETHALITY ASSESSMENTS

7. HAS ANY OF THE VIOLENCE OCCURRED OUTSIDE OF THE HOME? DESCRIBE
8. DOES YOUR PARTNER MONITOR YOUR PHONE CALLS, TEXT MESSAGES, EMAILS, LETTERS, OR SOCIAL MEDIA?
9. HAVE YOU TRIED TO LEAVE/END YOUR RELATIONSHIP? HOW DID YOUR PARTNER REACT? DESCRIBE.
10. IS YOUR PARTNER DRUNK/HIGH ON A DAILY, OR ALMOST DAILY, BASIS? DESCRIBE
11. CHILDREN IN THE HOME? AGES? SCHOOLS?
12. DESCRIBE THE MOST FRIGHTENING EVENT INVOLVING YOUR PARTNER?

MESA PD LETHALITY ASSESSMENTS

Mesa Police Department Domestic Violence Investigation Card

DR#		CALL TYPE		RELATIONSHIP
DATE	TIME	OFCR/ID#	CONTACT ADDRESS	
<i>Type 1 = "Yes" to questions 1, 2, or 3, OR "Yes" to four or more questions total.</i>				
1. HAS YOUR PARTNER EVER THREATENED/USED A WEAPON AGAINST YOU? DESCRIBE.				
2. HAS YOUR PARTNER EVER THREATENED TO KILL YOU, YOUR CHILDREN, OR PETS? DESCRIBE.				
3. HAS YOUR PARTNER EVER TRIED TO "CHOKE" YOU? DESCRIBE.				
4. DOES YOUR PARTNER HAVE A GUN OR CAN THEY GET ONE? YES or NO		5. IS YOUR PARTNER JEALOUS OR DO THEY TRY TO CONTROL YOU? DESCRIBE.		
6. HAS YOUR PARTNER EVER TRIED TO COMMIT SUICIDE? HOW?		7. HAS YOUR PARTNER EVER FORCED YOU TO HAVE SEX WHEN YOU DIDN'T WANT TO? DESCRIBE.		

MESA PD LETHALITY ASSESSMENTS

8. DO YOU FEEL LIKE THE VIOLENCE AGAINST YOU IS ESCALATING IN SEVERITY? DESCRIBE		9. DO YOU THINK YOUR PARTNER MIGHT TRY TO KILL YOU? WHY?	
10. IS YOUR PARTNER DRUNK/HIGH ON A DAILY, OR ALMOST DAILY, BASIS? DESCRIBE		11. DO YOU HAVE A CHILD THAT IS NOT YOUR PARTNER'S? YES or NO	
12. HAVE YOU TRIED TO LEAVE? HOW DID YOUR PARTNER REACT? DESCRIBE.		13. IS YOUR PARTNER UNEMPLOYED?	
14. DOES YOUR PARTNER MONITOR YOUR PHONE CALLS, TEXT MESSAGES, EMAILS, LETTERS, OR SOCIAL MEDIA?			
15. WHICH OF YOUR FAMILY/FRIENDS KNOWS YOUR PARTNER ABUSES YOU?			
16. DESCRIBE THE MOST FRIGHTENING EVENT INVOLVING YOUR PARTNER?			
		CHILDREN IN THE HOME: AGE(S):	
		SCHOOL(S):	

MPO 507(A)

REVISED 04/13

GLENDALE PD LETHALITY ASSESSMENTS

Lethality Assessment Questions

REPORT #

1. Has the suspect ever used physical violence against you? Yes No Refused
 - a. If yes, have you ever been hospitalized because of the violence? Yes No Refused
(Document past injuries hospitalized for and which hospital victim was at)
2. Has the suspect ever strangled you? Yes No Refused (If yes, document in narrative)
3. Has the suspect ever threatened you with a weapon? Yes No Refused
(If yes, document incident and what weapons suspect has access to in narrative)
4. Has the suspect ever assaulted you with a weapon? Yes No Refused
(If yes, document past incident and what weapons suspect used in narrative)
5. Has the suspect ever threatened to kill you? Yes No Refused (If yes, document in narrative)

GLENDALE PD LETHALITY ASSESSMENTS

6. Has the suspect ever attempted to kill you? Yes No Refused (If yes, document in narrative)
7. Have there been physical assaults or assaults with weapons in the past by the suspect that you did not report to police because you were afraid of violent repercussions or death? Yes No Refused (If yes, document in narrative)
8. Has the suspect ever threatened you, your family or themselves with physical violence or death if you ever left them? Yes No Refused (If yes, document in narrative)
9. Do you feel like the violence against you has been escalating in severity and/or frequency?
 Yes No Refused (If yes, document in narrative)
10. What is the worst incident that has happened between you and the suspect? (Document in narrative)

IMPLEMENTATION

Patrol

- All of Patrol will be issued both the Field Card and Template forms of the Lethality Assessment
- Use of the form and obtaining the listed information is required on **ALL** Intimate Partner Domestic Violence Investigations.
- When writing your reports, the Lethality Assessment Supplement will be completed along with the narrative.

WHAT HAPPENS TO THE ASSESSMENT AFTER PATROL?

Due to doing the Assessment during the booking process, the IA Courts will get copies of the paperwork along with booking paperwork for review in determining increased bonds/holds

CIB will get a copy with the report for use in determining implementation of further safety protocols, use of resources to locate the suspect, and submittal to County Attorney for increased sentencing

CARE7 will get a copy and use it to determine services to provide, assistance in possible relocation, etc. for the victim and children

WHAT NOW?

- **Are the Assessments getting to the courts?**
 - Mandatory for the courts to consider them
 - Need a specific way to get them to the IA court

- Assessments are getting to prosecutors and are used for subsequent release conditions.

- MCAO is seeking to implement a county-wide lethality assessment
- High lethality response – victim advocates, county coordinated response

Commission on Victims in the Courts

Meeting Date:	Type of Action Required:	Subject:
February 26, 2016	<input type="checkbox"/> Formal Action Request <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Legislative Review

FROM: AOC Government Affairs Office

PRESENTER: Jerry Landau

DISCUSSION & TIME ESTIMATES: Review of Victim Rights-related legislation.
10 minutes.

RECOMMENDED MOTION (IF ANY): None.

Commission on Victims in the Courts

Meeting Date:	Type of Action Required:	Subject:
February 26, 2016	<input type="checkbox"/> Formal Action Request <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	When Victims Experience Trauma

FROM: COVIC Member

PRESENTER: Shelly Corzo-Shaffer

DISCUSSION & TIME ESTIMATES: Mrs. Shaffer will discuss the impact that trauma can have on crime victims and share insights from her personal journey. 30 minutes.

RECOMMENDED MOTION (IF ANY): None.

Commission on Victims in the Courts

Meeting Date:

February 26, 2016

**Type of Action
Required: Update**

- Formal Action
Request**
 **Information
Only**
 Other

Subject:

National Start by
Believing Day

FROM: End Violence Against Women International

PRESENTER: Prescott Police Chief Jerald Monahan, EVAWI Board Vice
President

DISCUSSION & TIME ESTIMATES: Update to the Commission on the
National Start by Believing Day movement set for the first Wednesday of April
beginning this year. 10 Minutes.

RECOMMENDED MOTION (IF ANY):

Creating a National Movement

Start by Believing Day

Wednesday, April 6th, 2016

When we launched the *Start by Believing* campaign in 2011, our goal was nothing short of changing the world. We wanted to reach into that moment when a sexual assault victim turns to someone they love and says, "I was raped." All too often, we know what happens in that moment. It turns into a terrible betrayal:

Are you sure that's what happened? Maybe it was just a misunderstanding.

Are you crazy? He wouldn't do that! He's such a nice guy.

Well, what did you think would happen? I told you not to go there!

This type of response has a devastating impact on victims. It also decreases the likelihood they turn to anyone else for help. Why would they? If this is how their loved ones react, why would they expect anything better from professionals?

We can do better. *Start by Believing* was designed to change this reality, by preparing loved ones and professionals to respond supportively to a moment of disclosure:

I'm so sorry. Do you want to tell me what happened?

That's terrible! What can I do to help?

Can I give you a ride to the hospital to make sure you're okay?

Becoming a *Start by Believing* Nation

In 2011, we could not have imagined how broadly the campaign would be adopted, and how creative you would be in your efforts to spread the word. In less than five years, the campaign has been adopted by more than 130 communities here in the U.S. and others around the world. Four states have formally proclaimed their pledge to *Start by Believing*, and we are building momentum toward a national proclamation.



We will become a *Start by Believing* Nation.



EVAW International
P.O. Box 33
Addy, WA 99101-0033
509-684-9800 Phone
509-684-9801 Fax
info@evawintl.org

Join Our Mailing List

Platinum Partner

illumina®

Bronze Partner



For more information on the *Start by Believing* campaign, [visit our website](#) or check us out on [Facebook](#).

#StartByBelieving

Our next step is to join forces, and show the world our power to create change. On April 6th, 2016, we are declaring the first-ever, global [Start by Believing Day](#). Please join us in creating an international message of support for sexual assault survivors.

Why April 6th?

We chose this day to build on the momentum that began last April, when Utah State Representative Angela Romero sponsored a resolution to declare the first Wednesday in April as the first-ever [Start by Believing Day](#) in Utah. While many other communities and states have declared such a day, Utah's resolution took the innovative step of establishing it as an annual event. We can all join them in making this a global event.

Each year, we can join Utah in re-affirming our commitment to *Start by Believing*.



Representative Romero with colleagues after the Utah Resolution passed committee

To get started, please visit the [Start by Believing website](#), particularly the [Start by Believing Day](#) page. In particular, you will want to visit pages offering information to [Build Your Campaign](#), [Campaign Resources](#), [FAQ's](#), and much more. You can also stay tuned, as we will be sending out more bulletins with information, ideas, and inspiration.

Let's make this a reality! Together, we can inspire the world to *Start by Believing*!

Best Practices:
Resources

Best Practices:
FAQ's



amazon smile
You shop. Amazon gives.



Support EVAWI by Shopping
[AmazonSmile](#)



EVAWI CFC Designation
11400



Donate Now



SART Interactive Scenario
[Pre-Conference](#)
Washington DC
March 21, 2015

Learn how to use evidence to work through a sexual assault investigation from the crime scene to the courtroom.



Washington Hilton
Washington DC
March 22-24, 2016
#EVAWI2016

Save the Date for our
[International Conference on
Sexual Assault, Domestic
Violence and Engaging Men
and Boys](#)

End Violence Against Women International

Vision Statement: We envision a world where gender-based violence is unacceptable; where perpetrators are held accountable, and victims receive the compassion, support, and justice they deserve.

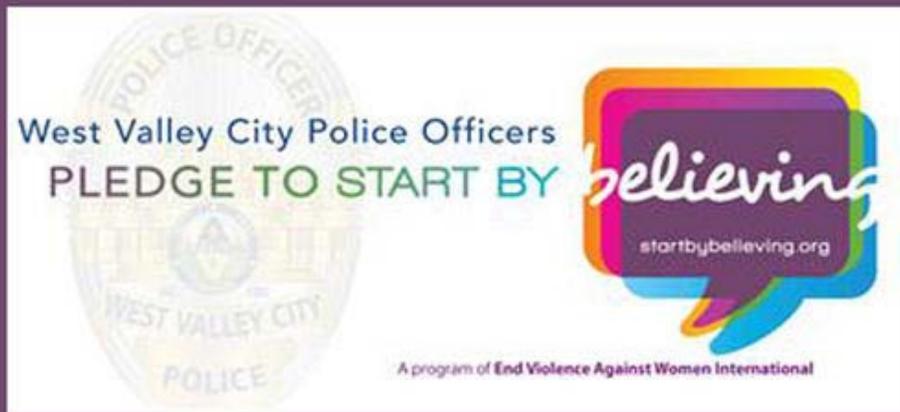
Mission Statement: We inspire and educate those who respond to gender-based violence, equipping them with the knowledge and tools they need to support victims and hold perpetrators accountable. We promote victim-centered, multidisciplinary collaboration, which strengthens the response of the criminal justice system, other professionals, allies, and the general public -- making communities safer.

PLEASE DO NOT REPLY TO THIS EMAIL. Contact EVAWI at: info@evawintl.org

Wednesday First Annual "Start by Believing Day" in Utah

By [WHITTNEY EVANS \(/PEOPLE/WHITTNEY-EVANS\)](#) • APR 1, 2015

Twitter (<http://twitter.com/intent/tweet?url=http%3A%2F%2Fwww.tinyurl.com%2F18kalu8&text=Wednesday%20First%20Annual%20%22Start%20>)



(http://mediad.publicbroadcasting.net/p/kuer/files/styles/x_large/public/201504/untitled_1.jpg)

WEST VALLEY CITY

Wednesday marks the launch of an annual campaign in Utah to change the way people respond to reports of rape and sexual assault. It calls on law enforcement, family and friends to “Start by Believing”.

Here’s the message behind the international “Start by Believing” campaign: If someone confesses they’ve been the victim of sexual assault, don’t question their story. Help them. Democratic State Representative Angelo Romero says Utah has a sexual assault rate higher than the national average, and a report rate lower than the national average.

“Many times people don’t feel like they’re believed,” Romero says. “That’s why you see sexual assault is so underreported not only here in Utah, but nationally as well.”

West Valley City Police Chief Lee Russo says he introduced the concept to his department when it launched the special victims unit earlier this year.

“It’s not necessarily that we’re saying we’re just going to believe outright everything that’s being said,” Russo says. “We’re going to take that story. We’re going to listen and assume that’s the truth. Then we’re going to start following the facts and the evidence in the case.”

Representative Romero sponsored two measures in this year’s legislative session that help support victims of sexual assault. House Bill 74, legally affirmed that sexual intercourse with an unconscious person is rape and concurrent resolution 1 designates the first Wednesday in April as “Start by Believing Day”.

TAGS: [SEXUAL ASSAULT \(/TERM/SEXUAL-ASSAULT\)](#) [RAPE \(/TERM/RAPE\)](#)

[WEST VALLEY CITY \(/TERM/WEST-VALLEY-CITY\)](#)

Commission on Victims in the Courts

Meeting Date:	Type of Action Required:	Subject:
February 26, 2016	<input type="checkbox"/> Formal Action Request <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	SAFER and DANY-SAK Grant Updates

FROM: SAFER and DANY-SAK Grant Team Members

PRESENTERS: Sgt. Jim Markey (Ret.), Karyn Rasile, and Jon Eliason

DISCUSSION & TIME ESTIMATES: Members of the Sexual Assault Forensic Evidence Registry Act Grant and District Attorney/New York Sexual Assault Kit Grant teams will update the commission on recent work. 10 minutes.

RECOMMENDED MOTION (IF ANY): None.

MARICOPA COUNTY SEX ASSAULT KIT PROTOCOL (DANY)



A Multi Disciplinary Approach

Where do these Sex Kits (SAKs) Come From?

- By law, every person sexually assault can get a sex assault exam done (at no cost to the victim).
- In Maricopa County alone forensic nurse examiners have done around 1,000 sexual assault exams each year (last 2-3 years approximate)
- After the exams are done the SAKs are picked up by the police who do the sex assault investigation.

What is a backlog?

- Untested Kits
- Labs versus police departments



- *“Untested or backlogged sexual assault kits:*
 - *“Backlog” and “untested” refer to any SAK connected to a reported sexual assault that has not been tested within 365 days of being booked into law enforcement evidence—regardless of the reason why the SAK was not tested. For example, a SAK that was not tested because the statute of limitations has expired, in cases where identity of the perpetrator is not an issue, or where the offender was convicted without DNA evidence would still be considered backlogged or untested. A tested kit is defined as one that has undergone complete DNA testing by an accredited forensic lab. Only SAKs where the victim did not consent to testing or where evidence exists that no crime was committed (e.g., the victim recants or there is video footage substantiating that no crime was committed) may be excluded from testing.”*

Maricopa County Attorney’s Office Efforts

- Labs versus police departments
- Getting an inventory (SAKI)
- Applying the DANY Grant
- Forming a multi-disciplinary



ADVANCED DNA TECHNOLOGY

- Revolutionized the ability for law enforcement to solve crimes.
- Collective recognition that, when tested, sexual assault kit evidence can identify unknown perpetrators, confirm the presence of known suspects, affirm a victim's account of an attack, connect evidence from an individual crime scene to serial rapists, and exonerate innocent suspects.

Maricopa County SAK's Backlog Elimination Multidisciplinary Team Achievements

- Conducting Inventory
- Awarded nearly \$2,000,000,000 in DANY Grant Funding
 - Approved by Maricopa County BOS on 1/13/16
- Stakeholder meetings to employ a multi-disciplinary strategy
- Defined the scope of the DANY Grant
- Outsourcing Options and Advantages
 - Backlog Reduction
- Drafting of Contracts, MOUs, and cooperative agreements

Maricopa County SAK's Backlog Elimination Multidisciplinary Team Achievements

- **Most Important:**

- Recognition that Maricopa County is missing a Sex Assault Protocol – a guide for nurses, 911 operators, police officers, detectives, Chiefs, crime lab directors, city councils, prosecutors, and victim advocates

NEW YORK CITY

- Between 2000 and 2003, using the “fork lift method” 17,000 SAKs were sent for testing. This testing resulted in over 2,000 DNA matches and 200 cold case prosecutions citywide, 49 from Manhattan alone.
- According to the New York State Division of Criminal Justice Services, 3,121 DNA hits have been generated in New York from the national DNA databank. In cases where a suspect has not yet been identified, biological evidence from the crime scene can be analyzed and compared to offender profiles in DNA databases to help identify the perpetrator.

Wayne County (Detroit Michigan)

- In 2009, 11,000 untested SAKs were discovered in an abandoned law enforcement agency's warehouse.
- Of the initial 2000 SAKs tested, there were 670 DNA matches in the national DNA database, including hits linking crimes committed in 26 other states. To date, Wayne County Prosecutor's Office has identified 188 potential serial rapists, and obtained 15 convictions.

HOUSTON, TEXAS

- 6,663 SAK's were tested.
- Resulting in 850 matches in the federal DNA database and the prosecution of 29 offenders.

ESTABLISHING SEX ASSAULT KIT PROTOCOL

- Goals:
 - 1 – ensure that every agency in Maricopa County is using the best available practice and evidence in every single sex assault case.
 - 2 – this includes victim notification on the older SAKs
 - 3 – this includes capturing and supporting the downstream costs to all of this important work
 - 4– this means making sure that this never happens again.

TAKING THE NEXT STEP

- Submit SAK's for testing
- Tracking/Reporting tested kits and CODIS profile uploads
- How will victims be notified of a CODIS hit
- Services available to victims

Commission on Victims in the Courts

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February 26, 2016	<input type="checkbox"/> Formal Action Request <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Shared Hope Conference Update

FROM: AOC

PRESENTERS: Judges Ron Reinstein and Richard Weiss

DISCUSSION & TIME ESTIMATES: Judges Reinstein and Weiss attended the Shared Hope Conference on preventing Human Sex Trafficking and will share their insights with the commission. 10 minutes.

RECOMMENDED MOTION (IF ANY): None.