



# Arizona Coalition for Victim Services (ACVS)

Meeting Minutes

November 16, 2016

2120 N Central Avenue, Phoenix, AZ

- I. **Call to Order:** Debbie Olsen, Chair, called the meeting to order at 10:04 a.m.
- II. **Welcome and Introductions:** Debbie Olsen welcomed everyone and reminded them to please sign the sign-in sheet and utilize the tent cards.

## Present

Amy Bocks, AZ Attorney General	Jaquel Moody, AZ DOC
Amy Palmisano, EMPACT	Kennesha Jackson, AZ Attorney General
Angela Rose, City of Scottsdale	Larry Grubbs, ACJC
Beckie Miller, POMC	Marc Tetzlaff, Homeland Security
Brian Bylbie, AZ DOC	Melissa Brickhouse-Thomas, Glendale Police
Candice Hewitt, Phx. FAC	Mimi Kaplan, JCFS Shelter
Carolee Holbrook, POMC	Patty Abeyta-Young, MADD
Connie Chapman, AVAA	Shannon Rich, ACESDV
Deann Jensen, City of Phoenix	Stephanie Smith, Peoria Police Dept.
Debbie Olsen, Yavapai County Atty.	Sheri Doll, AZ Dept. of Public Safety
Donna Pickering, Public	Tony Bidone, Maricopa Adult Probation
Iva Rody, El Mirage Police Dept.	

### III. Presentation by Elliot Glicksman and Sara Powell, Arizona Crime Victim Attorneys

Elliott Glicksman is the President of Homicide Survivors and is a member of the National Crime Victim Bar Association. Sara Powell is also a member of the National Crime Victim Bar Association, as is Noah Van Amburg, who was not able to make the presentation. Together they focus on civil justice for victims of crime in Arizona.

Although he wishes he could help all crime victims, Elliott advised that his practice is small, taking approximately 6 cases per year. He is very involved with the victim's criminal case, accompanying them to court hearings, advocating for them in plea negotiations, and assisting with restitution claims.

Elliot also shared the following:

- If he cannot take a case he will refer the victim to a lawyer who will assist them. He is also willing to work with other attorneys who are not as familiar with issues surrounding civil justice for crime victims.
- He recommends that Civil Attorneys speak to defendants to obtain additional information regarding the offense (e.g., why they chose that specific location to

commit the crime, why they chose that specific victim, etc.). This type of information helps identify entities that may be held civilly liable.

- Dram Shop Law allows victims of drunk driving crashes (or their families) to hold bars and alcohol retailers accountable for the death, injury, or any other damages caused by an intoxicated customer.
- Negligent Entrustment is when one party (the trustee) is held liable for negligence because they negligently provided another party (the trustee) with a dangerous instrument and the entrusted party caused injury to a third party with that instrument.
- Social Host liability laws, where adults can be held responsible for allowing underage people access to alcohol.

Sarah Powell stated that she handles a lot of sexual assault, child molestation, drunk driving, homicide and physical assault cases. She, too, will assist other attorneys with issues surrounding civil justice for crime victims.

She also shared the following:

- As a general rule the statute of limitations in Arizona is usually two years from the date of the incident/crime which means that the civil lawsuit must be filed within two years. In the event that a public entity or public employee in Arizona may be legally responsible for damages, an administrative claim must be filed within 180 days from the date of the incident/crime, and a lawsuit must be filed within one year from the date of the incident/crime.
- If the matter involves a minor, the above statute of limitation on the *child's* claim does not begin to run until the child's 18<sup>th</sup> birthday. With regard to a minor's claim for injuries, the general rule is that the statute of limitations in Arizona is usually two years from the date of the minor's 18<sup>th</sup> birthday. In the event that a public entity or public employee in Arizona may be legally responsible for your child's damages, a minor is required to file an administrative claim within 180 days from the date of his/her 18<sup>th</sup> birthday, and a lawsuit must be filed within one year from the date of his/her 18<sup>th</sup> birthday.

Questions from the group:

- Marc Tetzlaff with Homeland Security asked about sex trafficking victim cases. Elliot said that he has dealt with those cases with the FBI.
- Amy Bocks with the Attorney General's Office asked about white collar crime, identity theft and elder crime. Elliot stated they are aware. Seminar with Jeff will be in January and members from the bar association will attend.
- Tony Bidone from Maricopa Adult Probation asked if he gave victims the contact number to bar association would Elliot and Sarah's name be on the list. Yes, Elliot and Sarah are members of the National Crime Victim Bar Association.

**IV. Approval of September Minutes.** Debbie Olsen apologized for not having the September Minutes out to members earlier so everyone would have a chance to review. She also advised that the Sign-up sheet from the September meeting has been misplaced. The September Meeting Minutes were unanimously approved, with two minor grammatical corrections.

**V. Election of Chair and Secretary.** Debbie Olsen announced that pursuant to the By-

Laws, the offices of Chair and Secretary must be voted on at today's meeting. Debbie would like to continue as Chair and Patty Abeyta-Young would like to continue as Secretary. Terms are for two years. Debbie asked if anyone present was interested in either office; no one responded. Ballots were distributed to voting members and both Debbie and Patty were unanimously selected to serve another term. Debbie informed the Membership that next year the offices of Vice-Chair and Treasurer are up for a vote and if there is any interest in serving in either capacity, you can contact any member of the Executive Committee.

#### **VI. 2016 Legislation Priorities.**

- **Kennesha Jackson** reported that there is no legislative update. Kennesha advised that anyone having legislative proposals they want the Attorney General's Office to review or assist with should contact Kirstin Flores or Kennesha.
- **Shannon Rich** advised there is no legislative update at this time. However, if there are any suggestions for potential legislation that you want ACESDV to support, please contact Shannon.

#### **VII. Updates from the Arizona Coalition to End Sexual and Domestic Violence.**

**Shannon Rich** reported:

- They are focusing on the Federal Budget.
- Alona Del Rosario has moved to DC to take another position.
- Alex, their trainer, has also taken another position.
- They are looking for a bi-lingual Advocate for the hotline.
- 2017 Training Catalog will be distributed soon.

#### **VIII. Grant Source Updates.**

**a. VOCA. Sheri Doll** reported the following:

- DPS/VOCA awarded approximately \$27 million for FFY2017; nearly 200 projects and 13 new agencies.
- FFY 2017 contracts for approved applications and modified applications are being processed and mailed out this week.
- They are busy closing out the FFY 2016 Grants.
- Two Grant Coordinators have left the agency and have not been replaced. That leaves only four Grant Coordinators to handle all of the work; please be patient if your telephone call or email message is not returned as promptly as in the past.
- A financial audit of DPS was recently conducted by the Department of Justice. It was very detailed, with DOJ wanting to review DPS and sub-grantee transactions. Although everything was scrutinized, there were no Findings.
- DPS is expecting to undergo a Programmatic Audit by OVC in March 2017. Visits to sub-grantees may occur.
- An audit by the Inspector General may also be forthcoming.
- WAGS is 10 years old and a new grant management system is expected to be in place for the FFY 2018 application process. The new system may allow for up to a 3 year budget plan and should be more user-friendly.

**b. ACJC. Larry Grubbs** reported the following:

- ACJC is looking to make some additional changes to Victim Assistance Grant

funding priorities based upon a survey of available crime victim services funding. The focus is on gaps in services. A presentation will be made to ACJC tomorrow, and the results of the survey released thereafter.

- ACJC is entering the review of rules for the Victim Compensation Fund and the Victim Assistance Grant. Changes are expected to be implemented in February 2018. In terms of Victim Compensation, the County Coordinators have already been contacted for input, and input from other agencies/providers/victims will be solicited between January and March 2017.

**c. VRP. Kennesha Jackson** reported the following:

- FY17 VRP second installment will be disbursed in January 2017. They are currently preparing for FY18 grant period. FY18 Performance reviews will be issued in January. If your agency is in the VRP Program and your agency anticipates vacancy savings for FY17, please submit a budget modification request form. Agencies are encouraged to spend their full award amount.
- The FY16 Annual Report reviews are completed. In FY16 participants in the VRP Program served 504,583 victims and provided 3,636,367 victim rights services.
- Please refer to the Victims' Rights Training schedule online for a list of dates. The next Basic and Advanced training will be held December 6, 2016 and December 7, 2016 in Sierra Vista, AZ. To request training in your area please visit <https://www.azag.gov/victim-services/request-ovs-training>.
- A minimum of 15 people is needed for all trainings. If you would like to request training you can combine agencies. It is a requirement for the VOCA grant to attend one Basic training and Advanced training annually.

**IX. Arizona Victim Assistance Academy (AVAA). Connie Chapman** reported the following:

- Still awaiting the outcome of the VOCA Training Grant application.
- Arizona Prosecuting Attorney's Advisory Council (APAAC) training for Advocates in prosecutorial agencies is scheduled for March 10, 2017 in Phoenix; registration has not been open yet by APAAC. Topics will include Exculpatory Evidence, Why Women Stay (in DV relationships), Tech Safety, and the Role of the Advocate.
- The next week-long Basic Academy will be held in June 2017 in Phoenix; exact dates not determined yet.

**X. Committee Reports.**

**a. Executive Board Report. Debbie Olsen** advised that the Executive Committee has the obligation to periodically review/update the ACVS Operational Guidelines. A review has been completed and proposed changes identified; a copy is provided. The Membership is asked to review the draft changes and provide any additional suggestions to the Executive Committee. The final version will be approved at the January ACVS meeting. Debbie also reminded everyone to be sure to pick up the handout listing the meeting dates for 2017.

**b. Treasurer's Report. Angela Rose** provided a copy of the Treasurer's Report and indicated the following account balances: ACVS, \$15,980.31; AVAA, \$35,246.67; Relocation, \$563.21, which includes recent deposits from cell phone recycling

(\$78.50), Amazon Smile (\$11.10), and Fry's Rewards Program (\$36.08).

**c. Membership Committee.** Amy Bocks reported that there are currently 42 active memberships (new and renewal). Emails were sent to long-time active members and non-active members, inquiring about their renewal. She informed members to contact her if their agency needs a receipt. Furthermore, the Membership Brochure is current.

**d. Relocation Committee.** No update provided.

**e. Website Committee.** Amy Bocks asked that anyone with suggestions on what to add to the front pages of the website contact her. Amy would like to add the Amazon Smile and Fry's Program to the website.

**XI. New Business/Open Forum.** Marc Tetzlaff informed the group that they are now using the same notification system at the U.S. Attorney's Office, FBI and Homeland Security. U nonimmigrant status (or U visa) offers immigration protection for victims and is also a tool for law enforcement. To obtain U status, the victim must obtain a certification from law enforcement, however, law enforcement officials should note that providing a certification does not grant a benefit—only USCIS has the authority to grant or deny this benefit. There was Human Training in the Yavapai County area (AZ POST certified) and Marc is available to provide additional trainings upon request.

**XII. Next Meeting.** The next meeting will be held January 18, 2017 at 10:00 a.m. at the Phoenix Family Advocacy Center, 2120 N. Central Avenue, #250, Phoenix, AZ.

**XIII. Adjournment:** The meeting was adjourned at 11:13 a.m.