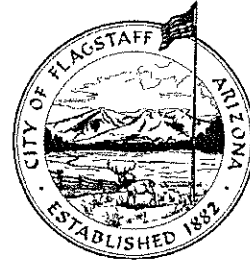


CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Pat Boomsma, City Attorney
Date: August 15, 2009
Meeting Date: September 1, 2009



Title: Resolution No. 2009-42: A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AND THE BOARD OF SUPERVISORS OF COCONINO COUNTY, ARIZONA, ESTABLISHING A DOMESTIC VIOLENCE FATALITY REVIEW TEAM

Recommended Action:

Read Resolution No. 2009-42 by title only
Adopt Resolution No. 2009-42

ACTION SUMMARY:

Creation and participation in a Coconino County Domestic Violence Fatality Review Team will allow in-depth and specific review and analysis of deaths occurring within Coconino County, which are associated with domestic violence.

DISCUSSION:

Background/History:

In 2004 the Governors Commission to Prevent Violence Against Women set forth recommendations for the development of fatality review teams throughout the state of Arizona. These fatality review teams have been employed in a number of other states and foreign countries and have demonstrated great success in the evaluation of service providers and in enhancing effectiveness of service providers who deal with issues of domestic violence. The State of Arizona embraced this concept and enacted Arizona Revised Statute Section 41-198 which authorizes governmental entities to establish domestic violence fatality review teams and codifies confidentiality of proceedings and deliberations of those teams. This statute recommends members for the teams and requires that the fatality review team findings be sent to the Arizona Attorney General's Office for the purpose of improving efforts of prevention of domestic violence and specifically domestic violence related deaths.

The jurisdiction creating the Team establishes its membership. After meeting with the many stakeholders who are either responsible for or impacted by issues of domestic violence within the City and County, the working group of stakeholders felt that a regional team encompassing all of Coconino County would be most effective. At the joint meeting of the Coconino County Board of Supervisory and the Flagstaff City Council on August 10, 2009,

the Board and Council discussed creation of the Board, and directed staff to bring back a Resolution creating the Team.

Key Considerations:

The Coconino County Domestic Violence Fatality Review Team will afford a number of departments within the City of Flagstaff the opportunity to partner with a multitude of stakeholders in combating domestic violence. The communication and networking which is sure to result will be highly valuable in enhancing the performance of these city departments and the services they provide.

As a part of this state-wide effort, the City of Flagstaff and its associated departments will receive reports from other domestic violence fatality review teams from around the state, through the Office of the Attorney General, regarding their findings and recommended best practices.

The product produced by the Coconino County Domestic Violence Fatality Review Team will serve to enhance the services provided to victims of domestic violence throughout Coconino County, prevent domestic violence in general and the deaths associated with domestic violence.

At the direction of the Board and Council, this Resolution provides for the City and County Managers to make the appointments, and includes a termination or re-authorization date of January 31, 2014. In addition, the Resolution gives to the Team the authority to invite persons with specific knowledge about a domestic violence fatality to participate in the confidential review of specific cases.

Community Benefits and Considerations:

The community benefits achieved from the creation of the Coconino County Domestic Violence Fatality Review Team will be to help prevent criminal acts of domestic violence, strengthen services provided to victims of domestic violence, and enhance quality of life for Flagstaff residents.

Community Involvement:

The meetings of the Coconino County Domestic Violence Fatality Review Team are, by statute, closed to the public to ensure confidentiality only when the team is conducting a case review. All other meetings are open to the public and subject to public meeting requirements. Members of the community who possess a required expertise or interest in a given case under review may be asked to take part in the review process on a case by case basis.

Financial Implications:

There will be some costs associated with staff time and administration.

Options and Alternatives:

- 1) Establish the specific membership categories of the Team
- 2) Direct staff to work with County staff to develop an intergovernmental agreement specifying the details of the relationship and responsibilities before creating the Team
- 3) Create a City of Flagstaff Domestic Violence Fatality Review Team.

- 4) Support the creation of a Coconino County Domestic Violence Fatality Review Team and employee participation on that Team.
- 5) Don't approve the creation of the Coconino County Domestic Violence Fatality Review Team.

Attachments/Exhibits:

- Resolution 2009-42



Department Head *(Acknowledgment that all reviews have been completed and required approvals initialed below.)*

INITIALS	RESPONSIBILITY	DATE	INITIALS	RESPONSIBILITY	DATE
_____	BIDS/PURCHASES	_____	_____	FINANCE/BUDGET	_____
_____	GRANTS	_____	_____	CONTRACTS	_____
_____	LEGAL	_____	_____	IGAS	_____

DATE OF COUNCIL APPROVAL: _____

COCONINO COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. _____

FLAGSTAFF CITY COUNCIL
RESOLUTION NO. 2009-42

**A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF,
ARIZONA, AND THE BOARD OF SUPERVISORS OF COCONINO COUNTY,
ARIZONA, ESTABLISHING A DOMESTIC VIOLENCE FATALITY REVIEW
TEAM.**

WHEREAS, the Coconino County Board of Supervisors and the City of Flagstaff City Council have long supported efforts to prevent and reduce domestic violence in Coconino County; and

WHEREAS, domestic violence is a pattern of behavior that includes the use of or threat of violence and intimidation for the purpose of gaining power and control over another person; on average three women are murdered by their partners in the United States every day; in Arizona 95 people were killed in domestic violence related homicides in 2005, 111 people were murdered in 2006 and 126 people in 2007; and

WHEREAS, domestic violence accounts for over 50% of female homicides in the United States; and

WHEREAS, examination of incidents of domestic violence fatalities can help assess how law enforcement, court systems, and social services can be improved to help prevent such incidents; and

WHEREAS, employees of the Coconino County Sheriff's Office, the City of Flagstaff Police Department, and the Coconino County Attorney's Office are highly trained in investigation and prosecution of domestic violence matters; and

WHEREAS, A.R.S. § 41-198 authorizes Coconino County and the City of Flagstaff, political subdivisions of the State of Arizona, to establish a domestic violence review team; and

WHEREAS, the Board of Supervisors and the City Council finds that consideration of the public safety, health, and general welfare of potential domestic violence victims warrants the formation of a domestic violence review team;

NOW, THEREFORE, BE IT RESOLVED BY THE COCONINO COUNTY BOARD OF SUPERVISORS AND THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

Section 1. That the Board and Council hereby authorize the establishment of a domestic violence fatality review team in accordance with Section 41-198 of the Arizona Revised Statutes. The Board delegates to the County Manager and the City Council delegates to the City Manager the authority to appoint members of the team. In addition to the appointed members, the Team, with the concurrence of the County or City Manager, may invite additional persons to review specific cases when those persons have information directly relevant to the case under review. The Team has no subpoena power and no authority to compel attendance at its meetings.

Section 2. That pursuant to subsection 41-198.F, Arizona Revised Statutes, team meetings to review a domestic violence fatality case shall be closed to the public, but all other team meetings shall be open to the public and subject to Title 38, Chapter 3, Article 3.1 of the Arizona Revised Statutes (the Open Meeting Laws of the State of Arizona).

Section 3. That the Board and Council delegate to the County Manager and the County Attorney the authority to assure the meetings and conduct of the team comply with all applicable law.

Section 4. That the Team will submit a report to the Office of the Arizona Attorney General, with copies to the Board and Council, prior to January 31 of each calendar year in which the Team reports its findings and recommendations as to how incidents of domestic violence related fatalities may be prevented and how the system can be improved. The report shall not contain any information that identifies individuals in specific incidents of domestic violence related fatalities.

Section 5. That the authorization for the Team automatically terminates on January 31, 2014, unless re-authorized by the Board and Council prior to that date.

PASSED AND ADOPTED by the Flagstaff City Council on this _____ day of _____, 2009, and by the Coconino County Board of Supervisors on this _____ day of _____, 2009.

CHAIRMAN OF THE BOARD

MAYOR

ATTEST:

ATTEST:

CLERK OF THE BOARD

CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO FORM:

COUNTY ATTORNEY

CITY ATTORNEY