

National Crime Victims' Rights Week Celebration

April 9, 2014

Victim Advocacy Excellence Award Nominees

First	Last	Title	Nominating Office
Tori	Bourguignon	Crisis Response Coordinator	Amberly's Place - Yuma County Attorney's Office
Melody	Capps	Legal Secretary III	Apache County Attorney's Office
Jesse	Delaney	Assistant Attorney General	Office of the Attorney General
Keli	Luther	Deputy County Attorney	Maricopa County Attorney's Office
Betty	Munyon	Victims' Rights Advocate	Mohave County Attorney
Gwendolyn	Ruiz	Victim Advocate	City of Phoenix Prosecutor's Office
Elizabeth	Shelton	Associate Prosecuting City Attorney	Tucson City Prosecutor's Office
Dimple	Smith	Lead Advocate	Pima County Attorney's Office
Laura	Tebaqui-Soto	Director, Victim Services	Pinal County Attorney's Office
Patrick	Zinicola	Deputy Navajo County Attorney	Navajo County Attorney's Office

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Tori Bourguignon
Crisis Response Coordinator

Title of Nominee: _____

Agency/Organization: Amberly's Place

Years as Prosecutor/Victim Advocate: Over 6

Address: 1350 West Colorado Street; Yuma AZ 85364

Telephone: 928-373-0849 Fax: 928-373-0852

E-mail: ToriB@amberlysplace.com

Nominated by:

Nominator's Name: Karolyn Kaczorowski
Deputy County Attorney

Title of Nominator: _____

Agency/Organization: Yuma County Attorney's Office

Address: 250 West Second Street; Yuma AZ 85364

Telephone: 928-817-4300 Fax: 928-817-4301

E-mail: Karolyn.Kaczorowski@yumacountyaz.gov

Nominator Signature: /s/ 
2-6-14

Date: _____

JUSTIFICATION

It is with great enthusiasm that I nominate Tori Bourguignon for the inaugural APAAC Victim Advocacy Excellence Award. There is no person who deserves it more than she does. Since 2007, Ms. Bourguignon has been the Crisis Response Coordinator for Yuma County's victim advocacy center, Amberly's Place. She consistently goes above and beyond for the crime victims of our community. Ms. Bourguignon is compassionate, empathetic, and highly effective at providing services to our victims.

The advocates of Amberly's Place respond to crime scenes and provide crisis intervention day or night. They specialize in domestic violence, child abuse and elder abuse victims. The center provides a location to conduct recorded, forensic interviews as well as medical examinations of victims. If a case is going to be prosecuted, Amberly's Place personnel ensure a smooth transition for the victims from their services to those of the Yuma County Attorney's Office. I have worked with many dedicated, hardworking people from Amberly's Place throughout my years as a prosecutor, many of whom look to Ms. Bourguignon as an example.

In addition to her everyday dedication and service, Ms. Bourguignon has demonstrated her exceptional compassion on at least two occasions with which I am familiar. On one occasion, Yuma County suffered the wrath of a spree shooter who then killed himself. Despite having crime scenes in multiple areas of the county, Ms. Bourguignon coordinated the crisis intervention and on-going care of the victims. On another occasion, a man committed suicide by shooting himself in the family vehicle. Because it was a suicide, resources from programs like that of victim compensation were not available to help the family pay for services to clean the scene. Ms. Bourguignon took it upon herself to seek the assistance of volunteers and arranged for the vehicle to be cleaned in a timely and professional manner so the family did not have to perform that horrific task. These are just a few examples of Ms. Bourguignon's dedication to all victims of crime and our community. However, it is very important to note that Ms. Bourguignon works quietly and does not seek recognition for her acts. It is for this reason also, that I feel she deserves this award.

Lastly, Tori has committed herself to making our community a more informed, better place to live. She takes time to do community outreach, teacher education, mandated reporting seminars, and even recently participated in a training for the prosecutors. While we are fortunate in Yuma County to have many individuals who give their heart and soul to the victims of this community, Ms. Bourguignon really stands out. She is consistently hard-working, pleasant, and dedicated. Please give serious consideration to this nominee.

Arizona Prosecuting Attorneys' Advisory Council

**Nomination Form
2014 Victims' Rights Week Celebration
Victim Advocacy Excellence Award**

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Melody Capps
Title of Nominee: Legal Secretary III
Agency/Organization: Apache County Attorney's Office
Years as Prosecutor/Victim Advocate: 5
Address: P.O. Box 637, St. Johns, AZ 85936
Telephone: 928-337-7560 Fax: 928-337-2427
E-mail: mcapps@apachelaw.net

Nominated by:

Nominator's Name: Stephanie McCarthy
Title of Nominator: Chief of Staff
Agency/Organization: Apache County Attorney's Office
Address: P.O. Box 637, St. Johns, AZ 85936
Telephone: 928-337-7560 Fax: 928-337-2427
E-mail: smccarthy@apachelaw.net
Nominator Signature: Stephanie McCarthy
Date: 2/25/14

2014 Nomination of Melody Capps for the 2014 Victim Advocacy Excellence Award

Melody Capps is the cornerstone of the Apache County Attorney's Office's victims' services¹. Melody handles victims of crime with care, respect and empathy. Everyone who works in our office comments on Melody's ability to assist, assure, and console the victims she speaks with. Without her as part of our team, we would be dead-in-the-water.

When considering Melody for the victim advocacy award, I can recall many instances where Melody has gone above and beyond with victims she deals with on a daily basis. She ensures they understand the compensation program and get the best service possible. But, one recent situation in particular comes to mind.

Melody received a Victims' Compensation Program application from a domestic violence advocate, late in the day on a Thursday afternoon (our office closed Fridays). The case involved a violent domestic assault against a pregnant woman resulting in the woman's baby being prematurely (6 weeks) delivered by caesarian section due to severe injuries it sustained in the womb. The baby lived for four days. By the time Melody received the application the baby's body had been held by the mortuary for ten days for lack of payment.

Melody immediately attempted to contact the mortuary to discuss the matter of releasing the infant boy's body to his mother for burial. Unfortunately, due to the time difference in New Mexico, the mortuary was already closed for the day. Most people would have waited until Monday to address the situation; however, Melody was not willing to let the issue go unaddressed. She came into the office on her day off, on her own time, and made many phone calls in an attempt to ensure the mother would be able to bury her son as planned the following Monday morning.

She was discouraged at every turn as multiple people told her they would not release the body of the child without payment up front. Melody finally spoke with the owner of the mortuary and explained the situation. He told Melody it was their policy not to conduct a funeral without prepayment. Melody spoke for a long time explaining to the owner that this was a unique situation and through the Victims' Compensation Program, his mortuary would likely be paid using state funds once it was reviewed and approved by the Board. Melody also reminded the owner no one plans to be a victim of crime, and there is no way to prepare for such situations.

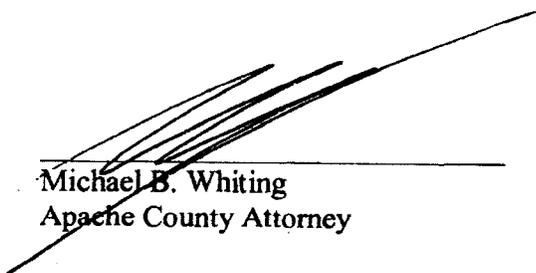
Melody's words reached the mortuary owner. He agreed to release the baby's body and conduct the funeral on Monday. Melody explained the scheduling of the Board meeting and timeframe for payment. The owner was cooperative and understanding, even when the scheduled Board

¹ Melody has been assigned to work the Apache County Attorney's Office Victims' Compensation program since early 2012. Melody is also responsible for attending court with victims of major crimes during trials. During her time working with the victims assistance program she has assisted and we have spent our budgeted program funds, and even had to request additional funding from the Arizona Criminal Justice Commission both fiscal years.

2014 Nomination of Melody Capps for the 2014 Victim Advocacy Excellence Award

meeting was postponed due to hazardous road conditions preventing Board member travel. He never complained due to Melody's reassurances. Melody's determination and passion assisted a victim with closure of a traumatic experience by merely not giving up or taking no for an answer. When Melody spoke with me about the situation afterwards she said, "If I had just given up who knows how long that baby's body would have stayed in that mortuary and a young mother further traumatized by this horrible crime." She went on to say, "Usually with this job it's not about instant gratification, it usually comes in drops. This felt like I got a big bucketful all at once."

I have never worked with a more loving and caring individual. What Melody does each day is an art, a talent possessed by few. She puts part of herself into each victim case she works. We are fortunate to have her as part of our team and the victims of Apache County are blessed to have her willing hands to help them through their toughest times. I could go on for pages with examples of Melody's interaction with victims, but the word limit won't allow it to all fit. She touches the hearts of victims on a daily basis and fights for them when necessary. She is hands down the best victim advocate I have had the opportunity of working with.



Michael B. Whiting
Apache County Attorney



Stephanie McCarthy
Chief of Staff

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Jesse Delaney

Title of Nominee: Assistant Attorney General

Agency/Organization: Office of the Attorney General

Years as Prosecutor/Victim Advocate: Eight years total as a Prosecutor

Address: 400 W. Congress Street, Suite 315, South Bldg Tucson, AZ 85701

Telephone: 520-628-6362 Fax: 520-628-6613

E-mail: Jesse.Delaney@azag.gov

Nominated by:

Nominator's Name: Richard Valencia

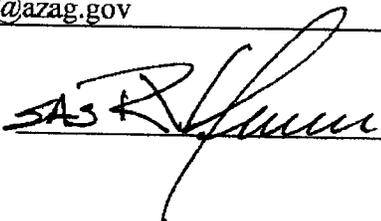
Title of Nominator: Special Agent Supervisor

Agency/Organization: Office of the Attorney General/Health Care Fraud Section

Address: 400 W. Congress Street, Suite 315, South Bldg Tucson, AZ 85701

Telephone: 520-628-6655 Fax: 520-628-6613

E-mail: Richard.Valencia@azag.gov

Nominator Signature: 

Date: February 24, 2014

It is difficult to encapsulate the exceptional advocacy Jesse Delaney demonstrates on behalf of crime victims in 750 words!

I requested input from two individuals who interact with Jesse on a regular basis and a summary of their comments follow:

My first encounter with Jesse was during a 10-hour training regarding Vulnerable Adult Abuse and Jesse was a member of the panel answering questions. I will never forget the care Jesse took in fully addressing the questions, but what will always stand out is Jesse's passion and motivation to stand up for those who can't protect themselves. As a detective in the Vulnerable Adult Abuse unit, having Jesse available to assist and guide me ensures the victim's voice is heard and they are safe. Jesse has on countless occasions responded with me for victim interviews, present during the service of search warrants and even attends autopsies involving suspicious vulnerable adult deaths. Jesse never hesitates to call victims or family members to answer questions and alleviate their concerns or fears.

Two examples of Jesse's dedication to service on behalf of victims:

Case #1 involved an 87 year old female, afflicted with Alzheimer's and living in an apartment with a caregiver/suspect. We received a report the caregiver had struck the victim. During the course of the investigation, Jesse assisted by speaking with the victim's husband and was present during the service of a search warrant. The victim had to be moved to the hospital once probable cause was developed and the caregiver was arrested. Jesse didn't hesitate to respond with me to the hospital to notify staff of the circumstances that brought the victim to the hospital. Jesse assisted in coordinating with the husband to have his wife moved back in the care facility to be closer to him. Jesse assisted in moving the victim's essential items as her husband was 90 years old and unable to do it himself. Jesse went a step further by assisting the husband to retrieve additional items on a weekend so he would not continue to be charged for storage of his wife's belongings. The victim's husband considers Jesse an angel who reunited him with his wife just before she passed away.

Case #2 involved a lock down group home that was run by a woman who employed her adult sons to assist with cleaning and cooking. We received a report the woman and her son were verbally and physically abusive with the residents. All the residents suffered from some type of dementia or mental illness and over the age of 65. Jesse assisted with interviewing numerous victims and potential witnesses. I was able to develop probable cause to arrest the group home owner/caregiver and her son. On the day of the arrest, Jesse assisted in moving all the residents. Jesse recognized many of the residents were hungry and she took it upon herself to make meals for them. Jesse took the time to demonstrate care and consideration to each of the victims by reassuring them and keeping them calm during a very stressful and fearful situation.

Detective Ericka D. Stropka
Vulnerable Adult Abuse Unit
Tucson Police Department

I have been fortunate to work with Jesse Delaney on some Adult Protective Services cases. Jesse demonstrates her tenacity and dedication to prosecuting those who abuse, neglect or exploit vulnerable adults. But even more than that is her commitment and genuine care for those individuals needing protection. It's no longer a surprise for me to learn Jesse does things like make sandwiches and popcorn for the residents of a facility whose owners are being arrested in order to help ease the residents stress in the midst of turmoil; or that Jesse visited a victim of neglect and exploitation in the hospital regularly to check on her and make sure she knew someone was in her corner fighting for her. One of my staff recently commented, "I've never met another person, serving in her capacity that is so incredibly involved; she's quite amazing." Jesse expends endless energy and passion to protect those who cannot protect themselves. It's a privilege to work with her.

Rae K. Vermeal
District Program Manager
Adult Protective Services
Tucson

To summarize, I've been assigned to the Health Care Fraud and Abuse Unit since August 2013. I appreciate Jesse's commitment working side by side with law enforcement, not only with the Agents in our office but with other law enforcement partners. There is an immense amount of positive things I can say about Jesse but the bottom line is she is dedicated, passionate, aggressive and a highly motivated individual who cares about her victims. Jesse brings a lot of positive energy that is second to none. I feel strongly Jesse is very deserving of this nomination and award.

Richard Valencia
Special Agent Supervisor
Office of the Attorney General
Health Care Fraud and Abuse
Tucson

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Keli Luther

Title of Nominee: Deputy County Attorney – Victim Rights Attorney

Agency/Organization: Maricopa County Attorney's Office

Years as Prosecutor/Victim Advocate: 1 – ½ years/11 years (Victim Representation)

Address: 301 W. Jefferson, Ste. 200, Phoenix, AZ 85003

Telephone: 602-506-8457 Fax: 602-506-7530

E-mail: lutherk@mcao.maricopa.gov

Nominated by:

Nominator's Name: Bill Montgomery

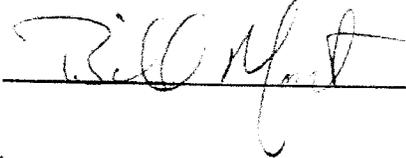
Title of Nominator: Maricopa County Attorney

Agency/Organization: Maricopa County Attorney's Office

Address: 301 W. Jefferson, Ste. 800, Phoenix, AZ 85003

Telephone: 602-506-1260 Fax: 602-506-8102

E-mail: montgomw@mcao.maricopa.gov

Nominator Signature: 

Date: 2-28-14

NOMINATION JUSTIFICATION

Keli Luther's passion for Victim Rights advocacy work is inspiring and she is known beyond the State of Arizona for her work in the field. While this nomination will only focus on her work over the past year, it bears noting that she was at the forefront of providing pro bono legal representation for victims of crime in Arizona dating back to circa 2002. It was in large measure her passion and the reputation she has earned for effective advocacy that led the Maricopa County Attorney's Office (MCAO) to create a specific position within the Appeals Bureau for a Victim rights Attorney to provide technical assistance to other prosecutors on victim rights issues and engage in direct trial and appellate advocacy. It was then rather fitting that Keli be the first attorney to serve in this position.

In the past year, Keli Luther, as the Victim Rights Attorney for MCAO, has engaged in significant trial and appellate advocacy work for Victims of Crime. In the area of appellate advocacy, Keli is responsible for successfully protecting the privacy of victims, which, because these cases were decided by the Court of Appeals, work to protect the privacy interest of victims throughout Arizona.

In the case of *State ex rel. Montgomery v. Welty*, 233 Ariz. 8 (2013) (App.), Keli was able to protect crime victims' dates of birth from disclosure to the defendant, as well as protecting the disclosure of a homicide victim's financial records, including banking records. In the case of *State ex rel Montgomery v. Hegyi*, Keli successfully protected a crime victim's right to refuse a defense interview. Similarly, in terms of upholding a Victim's right to refuse a defense discovery request, in the matter of *State ex rel. Montgomery v. Hegyi*, Keli secured an order from the Court of Appeals overturning a trial court's order compelling a minor crime victim to provide DNA to the Defendant. And, in the case of *Aaron v. Cohen*, Keli once again succeeded in protecting the disclosure of the date of birth of a witness. Lastly, Keli has been able to successfully challenge trial court restitution rulings involving funeral expenses and delays in ordering restitution.

At the trial level through motion work and in court advocacy, Keli has litigated numerous areas to include protecting the disclosure of a child victim's counseling and school records and protecting a homicide victim's medical records and legal records. Keli also co-chairs or second chairs complex victim cases to ensure successful prosecutions without compromising asserting and protecting the rights of victims of crime. She is able, through personal example, illustrate the manner in which a prosecutor can effectively represent the entire community on behalf of the State without foregoing the need to protect the rights of the victim.

In addition to courtroom advocacy, Keli has also been instrumental in assisting with victim policy issues in MCAO. Reformed office policy to ensure the protection of victim privacy during the discovery process, as well as reviewing and updating office policy to protect the identities of child victims.

Keli is also a member of the Arizona Supreme Court: Commission on Victims in the Courts (COVIC) and regularly participates in conducting specialized victims' rights training to all new employees as well as to all new deputy county attorneys and deputy

county attorneys moving into major crimes bureaus. She is a ready resource for the office to answer any victims' rights question, review motions and responses as well as available to argue the issue in court.

Finally, and as evidence of the impact Keli has had in Crime Victim Rights Advocacy beyond Arizona, she has testified before Congress and presented to the California District Attorney's Association (CDAA) on Victim Rights issues. Specifically, Keli testified before Congress to assist the Department of Defense's efforts to address issues with Sexual Assault Victims in our nation's military. For the CDAA, Keli was invited to present on the Victim Rights Attorney model implemented by MCAO and the complimentary nature of engaging in victim rights advocacy by prosecutors without compromising their duty to seek justice and hold offenders accountable. There is a coherent synergy for prosecutors pursuing just results while protecting the rights of all involved in a criminal case.

Given the scope and impact of Keli's advocacy work on behalf of crime victims, she is an exemplary candidate for APAAC's inaugural Victim Advocacy Excellence Award.

NOMINATION SUMMARY

This past year, Keli successfully defended the privacy rights of victims of crime, protecting their dates of birth and financial records, and their right to refuse discovery requests. Keli also litigated restitution issues and co-chaired complex victim rights cases to ensure successful prosecutions without foregoing asserting and protecting the rights of crime victims. Lastly, her expertise has assisted our nation's military in dealing with Sex Assault Victims and informed fellow prosecutors in California on the synergy between seeking justice and advocating for crime victims. From trial to appellate courts, to Congress to western shores, Keli Luther champions crime victim advocacy.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Betty Munyon

Title of Nominee: Victims' Rights Advocate

Agency/Organization: Mohave County Attorney Victim/Witness Program

Years as Prosecutor/Victim Advocate: 13 years

Address: P.O. Box 7000, Kingman, AZ 86402-7000

Telephone: 928-718-4967 Fax: 928-718-4966

E-mail: Betty.Munyon@mohavecounty.us

Nominated by:

Nominator's Name: Jace Zack

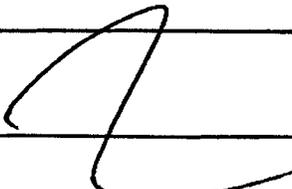
Title of Nominator: Chief Deputy County Attorney

Agency/Organization: Mohave County Attorney's Office

Address: P.O. Box 7000

Telephone: 928-753-0719 Fax: 928-753-2669

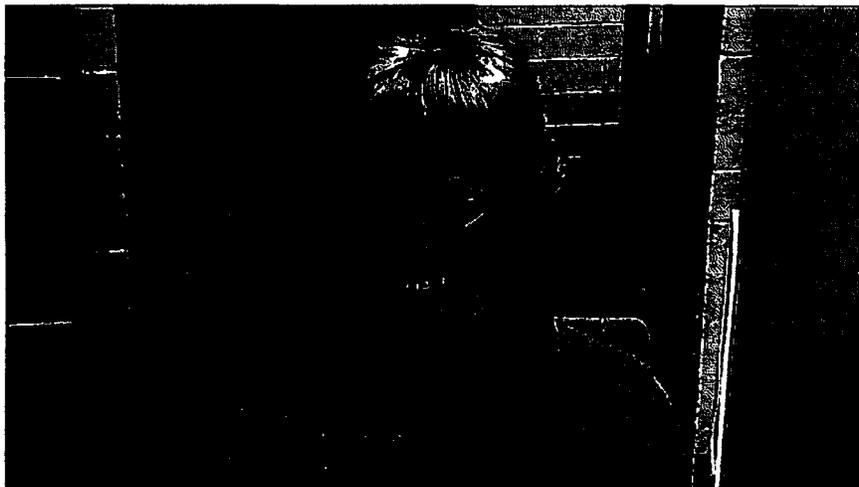
E-mail: Jace.Zack@mohavecounty.us

Nominator Signature: 

Date: 2/6/14

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award



Betty Munyon, Victims' Rights Advocate
Mohave County Attorney's Office

NOMINATION JUSTIFICATION

It is with great pleasure that I nominate, Betty Munyon, for the *2014 Attorney Prosecuting Attorneys' Advisory Council's 2014 Victim Advocacy Excellence Award*. Betty is a Victims' Rights Advocate at the Mohave County Attorney Victim/Witness Program. Betty has dedicated more than 13-years of her life to assisting victims of crime within Mohave County. Even at age 78, Betty brings boundless energy to not just her job, but to her passion. Betty's length and level of involvement is shown by the undertaking and improvements she has made to the Mohave County Crisis Response Team and Court Advocacy Program.

Betty has established a Crisis Response Team made up of dedicated volunteers trained to assist law enforcement, firefighters, and medical providers. Betty completes trainings and arranges specialized training for the volunteers to become compassionate and professional during a time of need to those experiencing crisis. Betty responds 24-hours, seven days a week to provide immediate crisis intervention and referrals to victims, families and witnesses after a traumatic event, as well as to guide citizens in the right direction after the event.

One example of Betty's devotion to crime victims started with her response to a home where a 15-year old female was babysitting two young children when a suspect came into the house and stabbed three adults, who had just returned home. The sitter was able to get her and the children to the neighbor's home to safety. Betty responded on this call and assisted the sitter, the victims and their families with guidance while at the hospital, referrals for follow-up assistance, and support through the Criminal Justice System. Betty has continued services to these families for the past two-years. Now, Betty is assisting these victims with preparing to testify in court at a jury trial. She is providing guidance through the court proceedings, transportation to and from

court, and a shoulder to lean on during these trying times. These victims continue to express their gratitude toward Betty.

Another example of Betty's continued commitment to crime victims occurred when a 14-year old victim was molested and then murdered by her uncle. Betty responded to this crisis call, and initially assisted the victim's brother who was present during the crime. Betty later assisted the victim's mother and brother throughout the Criminal Justice System. She made frequent phone calls to the victims, met with them on numerous occasions, and attended court on a regular basis. Betty's devotion to this case doesn't stop there. Betty also responded the day the victim's mother committed suicide. Betty's caring and familiar face was a relief, during this horrifying time, to the brother/son of these victims. Her caring approach gave him a sense of security and well-being.

Betty's values and beliefs offer guidance to the victims and their families. Betty provides services to victims, including case management, which assist them in assessing their needs and setting their own goals. By doing so, her empowerment of the victims, allows them to achieve realistic goals. Betty is committed to helping victims through the Criminal Justice System and supporting them through outreach programs within the different communities of Mohave County. Betty's determination and actions provide exemplary and beneficial support to crime victims.

Betty's devotion to assisting victims and putting their needs first extends even beyond her employment and service in the Victim/Witness Program. Betty makes it a priority to provide exemplary services to each victim no matter what their circumstances. Betty is well recognized and respected in her profession and our community. She understands the impact of crimes against victims, their families and the community. Betty continues to get involved, stand-up and voice opposition to crime. Her unique passion and commitment has changed the lives of crime victims throughout Mohave County. Betty truly cares for the victims that she assists on a daily basis. Her passion to assist families is above and beyond the normal call of duty.

NOMINATION SUMMARY

It is with pleasure that I nominate, Betty Munyon, for the *Arizona Prosecuting Attorneys' Advisory Council's 2014 Victim Advocacy Excellence Award*. Betty is a Victims' Rights Advocate for the Mohave County Attorney Victim/Witness Program. Betty has dedicated 13-years to assisting crime victims. Betty's extent and level of involvement is shown by the undertaking and improvements of our Crisis Response Team and Court Advocacy Programs. Betty's devotion to these programs has greatly improved victim assistance to law enforcement, firefighters, and medical providers at the time of the crime, and victim assistance to the Prosecuting Attorney's before, during, and after court proceedings.

Jace Zack
Chief Deputy County Attorney
Mohave County Attorney's Office

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Gwendolyn Ruiz

Title of Nominee: Victim Advocate

Agency/Organization: City of Phoenix Prosecutor's Office/ Victim Services Unit

Years as Prosecutor/Nictim Advocate: 10 years, 2 months

Address: P.O. Box 4600 Phoenix, AZ 85030

Telephone: 602-261-8192

Fax: 602-534-4540

E-mail: gwendolyn.ruiz@phoenix.gov

Nominated by:

Nominator's Name: Michael Noyd

Title of Nominator: Administrative Assistant I/ Supervisor

Agency/Organization: City of Phoenix Prosecutor's Office/ Victim Services

Unit Address: P.O. Box 4600 Phoenix, AZ 85030

Telephone: 602-261-8192

Fax: 602-534-4540

E-mail: michael.noyd@phoenix.gov

Nominator Signature:

Submitted by Aaron Carreon-Ainsa electronically

Date:

2014 Victim Advocacy Excellence Award Nomination

Gwendolyn Ruiz
Victim Advocate
City of Phoenix Prosecutor's Office
Victim Services Unit
(Employed from 12/2003 to Present)

During her tenure with the City of Phoenix Prosecutor's Office Victim Services Unit, Gwendolyn Ruiz has consistently demonstrated and provided exceptional support and service on behalf of crime victims. Gwen is clearly deserving of the Victim Advocacy Excellence Award. For the past year, Gwen has zealously advocated for crime victims not only during the criminal justice process but also in the community at large. She routinely goes above and beyond the call of duty to meet the needs of crime victims and assist prosecutors.

As a Spanish-speaking Advocate, Gwen provides an invaluable service in the administration of victim rights for Spanish-speaking victims for the City of Phoenix Prosecutor's Office. With kindness and compassion, Gwen assists these victims in exercising their rights and making sure that they are not marginalized by the process. She serves as an effective liaison with prosecutors, working collaboratively to ensure that victims receive justice. Although she manages an extremely large caseload, she is able to serve each crime victim with the requisite level of care, concern, and attention to detail. She escorts victims to court, explains each judicial proceeding, informs victims about their rights and updates them regarding the status of their case. She provides support and care for victims in crisis, develops safety plans, and makes appropriate community referrals. She assists victims in obtaining Orders of Protection and applying for U-Visas.

In the courtroom, Gwen is an invaluable asset to the Prosecutor's Office. Prosecutors routinely express their appreciation for Gwen's assistance with victims in the courtroom. One prosecutor wrote,

"I wanted to compliment and thank Gwen for an awesome job she did a few weeks ago. Gwen came down and let me know that the victim was in the court and wanted to address the judge. When I told Gwen that I did not have the file and needed information about the case, she went out of her way to back up to the 8th floor and track down the file. Then, she came back down to court and spent a good amount of time talking to the victim, going through the file, and giving me a synopsis of the case and what happened to that point. It was helpful that Gwen was able to quickly tell me what had happened in the case. I was able to address the victim based on the information that Gwen provided. After I was done, Gwen spent even more time patiently explaining the situation to the victim."

She also provides assistance to prosecutors with restitution issues as well as with any other victim-related matter. For example, a prosecutor called upon Gwen when he was preparing for a presentation on Rule 11.

Going above and beyond the call of duty, in 2013, Gwen co-chaired the Victims' Rights Week Committee for the Prosecutor's Office. Each year this committee is instrumental in enlightening both fellow advocates and prosecutors about victimization and how the office can continue to strive to both help and serve these victims. Gwen, along with her committee members, brought in a speaker to explain the impact of domestic violence on children. Relatedly, the committee organized a shoe drive for women and children affected by domestic violence and gave the collected items to local shelters.

Outside of the Prosecutor's Office, Gwen works tirelessly to advance the voice of crime victims and address their needs in the community at large. She serves on the Domestic Violence Youth & Education Task Force Committee designed to "Increase Community Awareness and Advocacy," which is the first pillar of the city's "A Roadmap to Excellence: Making the City of Phoenix a National Leader in Preventing and Addressing Domestic Violence." This committee reaches out to the underserved youth within Phoenix city limits, raising DV awareness through various mediums that encourage youth participation and expression. In addition to this committee, Gwen has worked collaboratively with the John F. Long Family Services Center, Human Services Division, and the Maryvale Partnership in Action (MPIA) in presenting some DV education/awareness sessions for Spanish-speakers. Gwen has also facilitated DV support groups at the Fresh Start Women's Resource Center, providing a safe place for domestic violence victims to share their experiences and learn from others.

For over ten years, Gwen has provided extraordinary service to crime victims. She has repeatedly acted above and beyond her call of duty as a victim advocate by not only meeting the needs of crime victims in the courtroom but also advancing the voice of crime victims in the community at large. Gwen is clearly deserving of the Victim Advocacy Excellence Award.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Elizabeth Shelton

Title of Nominee: Associate Prosecuting City Attorney

Agency/Organization: Tucson City Prosecutor's Office

Years as Prosecutor/Victim Advocate: 7 years

Address: 103 E. Alameda, Suite 501, Tucson, Arizona 85701

Telephone: (520) 837-3420 Fax: (520) 791-5509

E-mail: Elizabeth.Shelton@tucsonaz.gov

Nominated by:

Nominator's Name: Baird S. Greene

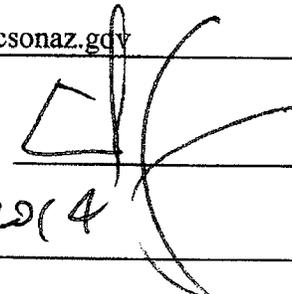
Title of Nominator: Chief Prosecutor, Deputy City Attorney, Criminal Division

Agency/Organization: Tucson City Prosecutor's Office

Address: 103 E. Alameda, Suite 501

Telephone: (520) 837-3352 Fax: (520) 791-5509

E-mail: Baird.Greene@tucsonaz.gov

Nominator Signature: 

Date: 02 28 2014

2014 APAAC VICTIM ADVOCACY EXCELLENCE NOMINATION

Elizabeth (“Libby”) Shelton is the Tucson City Prosecutor’s Nominee for the 2014 Arizona Prosecuting Attorneys Advisory Council’s (APAAC) award for Victim Advocacy Excellence. In a field of outstanding candidates, Libby’s particular commitment to address the Domestic Violence (DV) caseload in the recently created Tucson City Court Domestic Violence Specialty Court with an eye to seeking the safety of DV victims is unmatched.

Libby was interested in helping DV victims before she was a prosecutor. As a third year law student when doing her Rule 38D assignments, she enrolled in the nationally recognized Crisis Intervention/Victimology Training through the Pima County Attorney’s Office (PCAO). Libby said this was, by far, one of the best training experiences she had as it formed a terrific foundation in “how to” listen to DV victims. She was a prosecutor for PCAO for two years doing DV cases, followed by private practice in family law. Her love of prosecution brought her to the Tucson City Prosecutor’s Office in 2008.

When City Court downsized by two judges and the Tucson City Prosecutor’s Office (CPO) downsized by one DV prosecutor, Libby formed a group known as Creative Solutions for handling DV Caseloads (CSDVC) unit. Unwilling to compromise her commitment to help DV victims, Libby initiated voluntary lunchtime sessions to provide solutions to continue to look at lethality and DV victims. One included a partnership with the EMERGE! Center to use volunteer intern advocates (from the University of Arizona and community colleges) to work with the DV victims through the CPO.

The partnership with EMERGE! evolved into a more coordinated effort with the establishment of the **Tucson City Court Domestic Violence Specialty Court** which worked closely with EMERGE!, the City Prosecutor’s Office, the Tucson Police Department (TPD), the Tucson City Public Defender’s Office, the Pima County Adult Probation Department (APO) to prevent the onset of Domestic Violence in intimate partner situations where lethality was an issue (which includes a large number of DV cases).

That program which involved funding for a victim advocate and a DV court coordinator (both funded through STOP block grant) is running well today due in a large part to Libby’s firm commitment to her role as DV prosecutor. She set up CPO procedures which ensured that the over 5000 yearly DV cases annually charged in Tucson City Court, were assigned to prosecutors early on and the Victim Advocate would have contact with the DV victim within days of the occurrence of the DV charges.

Libby implemented new DV pleas, coordinated disclosure, victim notice procedures, and case ordering to be more efficient. She attended weekly issuing appointments with TPD and arranged a systematic approach to DV walk through cases and victim notice. In reviewing these cases at early stages, Libby was able to submit 10 cases to the PCAO which were accepted for felony treatment.

Libby was selected for PCAO’s Fatality Review Panel. She worked with law enforcement, county attorneys, providers, probation officers, medical personnel, victim advocates who all looked at things that could be done better in preventing a DV victim’s death. Libby said that her participation on the panel was a constant reminder that we can always do more but at least you did the most of which you were capable.

Libby participated in APAAC’s Introduction to Trial Advocacy, where she presented a power point from a DV perspective. 90 percent of her reviews stated her presentation was either “useful” or “very useful.”

Libby has initiated a one page trial sheet overview for use at trial in DV cases, shared her call return template to accurately address victims’ messages and created a confidential “purple sheet” with victim information. Libby conducted a power point seminar educating the CPO staff about the procedures and policies concerning DV court. Libby stressed the success involved in handling these cases at the earliest stages, in getting DV victim input quickly, and in securing pleas in which the DV defendants are supervised by APO. This month, Libby presented a comprehensive training to new prosecutors in handling DV cases and attention to DV victims and lethality factors.

Libby’s actions have acknowledged that protecting DV victims has to start with the members of the system. Libby’s approach and unflagging commitment to DV victims remains something for all prosecutors and advocates to emulate. That is why I have nominated Libby whom, I believe, so richly deserves this award.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Dimple A. Smith

Title of Nominee: Lead Advocate

Agency/Organization: Pima County Attorney's Office

Years as Prosecutor/Victim Advocate: 8 years

Address: 32 N. Stone Ave. Ste. 1400 Tucson, AZ 85701

Telephone: 520-740-4126 Fax: 520-628-7306

E-mail: Dimple.Smith@pcao.pima.gov

Nominated by:

Nominator's Name: Barbara LaWall

Title of Nominator: Pima County Attorney

Agency/Organization: Pima County Attorney's Office

Address: 32 N. Stone Ave. Ste. 1900 Tucson, AZ 85701

Telephone: 520-740-5622 Fax: 520-791-3946

E-mail: Barbara.LaWall@pcao.pima.gov

Nominator Signature: *Barbara LaWall*

Date: 2/25/14

Arizona Prosecuting Attorneys Advisory Council (APAAC)
2014 Victim Advocacy Excellence Award

Summary (100 word max)

Dimple Smith is a Lead Advocate with the Pima County Attorney's Office (PCAO) and advocates on the Office's most complex cases. Ms. Smith embodies the ideal in victim advocacy. She is deeply compassionate and a fierce champion of the rights of victims. Ms. Smith was the PCAO advocate for victims of the January 8th Tucson Tragedy, providing them with invaluable comfort and support. The truest testament to her advocacy comes from those she has served: *"God placed Dimple there for me... she is part of my family now."* and *"She was definitely our angel in a time of need."*

Justification (750 word max)

As Pima County Attorney, it is my distinct pleasure to nominate Dimple A. Smith for the 2014 Victim Advocacy Excellence Award. Ms. Smith is one of my Lead Advocates. She is a seasoned and experienced advocate who handles the most difficult cases in our office. Ms. Smith also manages and mentors other advocates to ensure that they receive the support needed to be highly effective in their roles. This responsibility is entrusted to only a few advocates, like Ms. Smith, who have demonstrated a high level of mastery and who have worked a variety of challenging cases.

Ms. Smith's area of expertise is working with victims and survivors of aggravated assault and homicide. She routinely advocates on high profile and extremely complex cases, including capital cases. Ms. Smith is very skilled at handling challenging situations with complex interpersonal and challenging family dynamics. She builds strong rapport and trust with victims and is instrumental in preparing them for what to expect at different stages in the criminal justice system.

Ms. Smith is a consummate professional who embodies the ideal in victim advocacy. She consistently strikes the right balance between deep care and compassion for victims and survivors, while maintaining appropriate boundaries and objectivity that enable her to advocate effectively for others. She is a fierce champion for the rights of victims and survivors and ensures that their voices are heard throughout the process.

Ms. Smith was the lead advocate from my office for the January 8, 2011 Tucson Tragedy. She worked side-by-side her counterparts with the F.B.I. and U.S. Attorney's Office, providing invaluable emotional support and assistance to the victims. Ms. Smith met individually with the victims and families, providing them comfort and solace, assisting them with financial compensation, answering their questions, and helping them access resources. Mavy Stoddard, who was injured and whose husband was killed, said "Dimple was always available to answer any question or concern that I had. She always let me know what was happening with the case and was very patient when explaining things to me - even when I would often forget what she had already told me! She was a great comfort to me."

In another case, Ms. Smith was the advocate for Gina Gonzales, the sole survivor of the deadly home invasion committed by Shawna Forde, Jason Bush and Albert Gaxiola. The defendants entered the Gonzales home in the middle of the night, shooting Gina and killing Gina's husband and nine-year old daughter right in front of her. Because of Ms. Smith's assistance, Ms. Gonzalez was able to endure three separate, consecutive death penalty trials lasting nearly six months. Day after day, Ms. Smith was with the victim, supporting her through her testimony as she relived the night her family was murdered and protecting her from national and international media. Ms. Gonzalez said, "God placed Dimple there for me. She was exactly what I needed and she got me through it. She is a part of my family now."

In addition, Ms. Smith advocated for the family of Rebecca Ramsey, an innocent 16-year old girl who was shot in a random drive-by shooting in front of her house in 2000. Rebecca literally died on her doorstep in the arms of her mother, Lorie Artery. The defendant, Louie Machado, was identified in 2001 but wasn't charged until 2006. The family had to endure two homicide trials after the first 2008 guilty verdict was set aside. Ms. Smith was by the family's side throughout both trials. Rebecca's mom says, "Dimple went above and beyond in dealing with me and my family during the process from start to finish.... She truly made each day of my ordeal more bearable. In reality, I cannot express my appreciation for her enough...there are no words. She was definitely our angel in time of need."

In recognition of her outstanding advocacy skills, last year Ms. Smith was asked to serve on the Arizona Supreme Court's Commission on Victims in the Court (COVIC). Ms. Smith also periodically represents my office at the Arizona Attorney General's Victims' Rights Advisory Council and other state-level meetings. Ms. Smith has helped teach at the Arizona Victim Assistance Academies, including training on advanced courtroom advocacy skills and advocacy with survivors of homicide. She is a leader in the field of victims' rights and the finest exemplar of highly trained and professional victim advocacy in the state. I can think of no one more qualified and well-suited for the *2014 Victim Advocacy Excellence Award* than Dimple Smith.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Laura Tebagni - Soto

Title of Nominee: Director, Victim Services

Agency/Organization: Pinal County Attorney's Office

Years as Prosecutor/Victim Advocate: 6

Address: P.O. Box 887, Florence, AZ 85132

Telephone: 520-866-6271 Fax: 520-866-6423

E-mail: laura.tebagni-soto@pinalcountyaz.gov

Nominated by:

Nominator's Name: Shawn Jensvold

Title of Nominator: Bureau Chief, Special Victims Bureau

Agency/Organization: Pinal Co. Attorney's Office

Address: see above

Telephone: see above Fax: see above

E-mail: shawn.jensvold@pinalcountyaz.gov

Nominator Signature: 

Date: 2-26-14

Brief Summary

Laura Tebaqui-Soto has been a great asset to victims of crime in Pinal County and the Pinal County Attorney's Office (PCAO). Laura has literally been the voice to and for the most abused and vulnerable victims and has earned their trust and gained their availability to make justice possible. Laura has worked since 2008 as a Victim Advocate. In 2013, she assumed the additional responsibility of Community Liaison, where she works to build relationships between PCAO and outside victim-oriented organizations together with neighborhood and community groups in an effort to support Mr. Voyles' overall vision of community outreach and strong support for crime victims inside and outside of the courtroom. Laura was recently promoted to Director of PCAO's Victim's Services Division. Laura's strong efforts as a Victim Advocate and Community Liaison made her a natural choice to assume the Director position.

Written Justification

Laura has been instrumental in forging strong relationships with victims early on in the case process. In *State v. Danny Davis*, the victims were attacked simply because of the color of their skin, the defendant shot at the victims, blaming "illegals for taking their jobs" the victims were terrified by the crime and the process. Laura immediately reached out to the Spanish-speaking victims to answer their questions, help them understand the court process, and help them with their paperwork that would allow them to remain in the United States as victims of a violent crime, a fitting response to the defendant's crime.

Likewise, in *State v. Enrique Morales, et al.*, the victims were being smuggled from Southern Arizona towards Phoenix in the back of a U-Haul moving truck in the month of July. When the heat became unbearable, the victims began pounding on the truck to get the drivers to stop, but the drivers ignored their cries for help. By the time the drivers stopped and opened the back of the U-Haul truck it was too late, several victims were in critical condition and one eventually died from his heat-related injuries. Laura quickly contacted the victims of this horrific crime and began helping them through this tragedy. She visited them at the hospital, obtained food and clothing for them, and found them places to stay until they had the strength to continue on their journey to other parts of the United States. To this day, she continues to have regular contact with the victims, informing them of the court process and helping them to complete their paperwork that allows them to remain in the United States as victims of violent crime.

Finally, in *State v. Dakota Williams*, Laura built a relationship with an adult, Spanish-speaking woman who had been sexually assaulted in March 2013 by the defendant after she accepted a ride from him in Casa Grande. The victim had just left a domestic violence shelter in Casa Grande after her ex-boyfriend had assaulted her and stolen her truck and was looking for a ride to a friend's house in Phoenix. The defendant had agreed to take the victim to her friend's house, but he instead drove her to a remote desert area and raped her.

Laura's connection with the victim played a crucial role in the trial. In October 2013, as the November trial date was fast approaching, PCAO lost contact with the victim; her cell phone number was disconnected and all other attempts to locate her for a pre-trial meeting with the prosecutors were unsuccessful. The Pinal County Sheriff's Office enlisted the help of the U.S. Marshall's Office to assist in locating the victim, but this was also unfruitful. Two weeks before trial, however, the victim called Laura to let her know she had moved and wanted to make sure the trial was still going. Laura arranged the meeting between the victim and the prosecutors and provided invaluable encouragement for the victim during her trial testimony where she confronted the defendant for the first time since the attack. The defendant was convicted on 7 out of 8 counts and faces decades in prison. Without the victim's testimony, the outcome would assuredly been different and Laura deserves a large amount of credit for her part in fostering a relationship with the victim and encouraging her through the trial.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2014 Victims' Rights Week Celebration Victim Advocacy Excellence Award

I nominate the following prosecutor/victim advocate for the *Victim Advocacy Excellence Award*:

Name of Nominee: Patrick Zinicola

Title of Nominee: Deputy Navajo County Attorney

Agency/Organization: Navajo County Attorney's Office

Years as Prosecutor/Victim Advocate: 12

Address: P.O. Box 668, Holbrook, AZ 86025

Telephone: (928) 524-4026 Fax: (928) 524-4019

E-mail: Patrick.Zinicola@navajocountyaz.gov

Nominated by:

Nominator's Name: Brad Carlyon & Roxanne Padilla

Title of Nominator: Navajo County Attorney & Navajo County Victim Services Director

Agency/Organization: Navajo County Attorney's Office

Address: P.O. Box 668, Holbrook, AZ 86025

Telephone: (928) 524-4019 Fax: (928) 524-4019

E-mail: Brad.carlyon@navajocountyaz.gov Roxanne.padilla@navajocountyaz.gov

Nominator Signature: Brad Carlyon

Date:
02/28
/2014 _____

NOMINATION JUSTIFICATION

In an era when the phrase “prosecutorial misconduct” is tossed around so frequently as to cause alarming levels of jaded contempt for this time-honored profession, it is refreshing to advance a prosecutor the caliber of Patrick Zinicola for the Victim Advocacy Excellence Award, and call attention to the singular impact his work on behalf of victims has made in Navajo County.

Patrick Zinicola came to work in Navajo County as a Homicide Prosecutor in 2012, arriving at a time when a number of cases were delayed, including some that had already been continued several months. Undaunted by assuming an already overflowing workload, Patrick set to work immediately in cooperation with the victim advocate and witnesses to swiftly bring the stale cases to rest.

In one case pending trial, the victim had handicaps that impaired his ability to fully participate in the court proceedings. Patrick went above and beyond to make sure the victim’s limitations didn’t limit his access to justice. He made a home visit to the victim to help build trust and a personal relationship, and fulfilled his commitment to make himself personally available to answers all of the victim’s questions and concerns that arose throughout the complex court proceedings. Patrick ensured appropriate accommodations were made to allow the victim to testify comfortably, effectively and with dignity at trial. Because he committed to thoughtfully and painstakingly preparing this victim for trial in the midst of a high-stakes, pressure-filled new environment, Patrick moved this case from one where it was questionable whether the victim could aid in the prosecution to *any* significant degree, to garnering such strong victim involvement that he secured a 1st degree murder conviction of the defendant.

As County Attorney and Victim Advocate, we associate with prosecutors with varying levels of concern for, and ability to work effectively with, victims. Patrick’s rapport and effectiveness interacting with victims is exceptional, and matched only by his determination to win justice on their behalf. He is dogged in his determination to search out and gather evidence that will allow a case to proceed to prosecution.

Patrick assisted a victim on a case that had been pending 2 years when he came to the county. The victims in the case were requesting a large amount of money in restitution, with limited documentation. The victim was 77 years old and frequently hospitalized, causing extensive delays to her case. The previous prosecutor felt strongly that there wasn’t sufficient information to prove the amount of restitution the victim was requesting. Patrick evaluated the evidence and available information, then met with and carefully interviewed the victim in a manner which elicited critical information that strengthened the victim’s case. In a reverse of the previous prosecutor’s conclusion, Patrick deemed the case strong enough to proceed and the victim was allowed her day in court to testify and prove her restitution to the Judge. The victim saw justice served that day when the judge indeed ordered the restitution figure and placed the defendant on a payment plan that has been successful. The victim expressed her gratitude for Patrick’s determined optimism and persistence in seeking fair treatment for her circumstance, and for reclaiming her opportunity – when it had previously seemed unlikely – to prove her case before a judge.

These are just a couple of examples among the numerous cases we have worked cooperatively on with Patrick where his devotion to justice for victims has shined. He has volunteered to assist with two additional jury trials in his short tenure here; neither case was his nor did he have any incentive or payoff for assisting. Still, he volunteered his time to meet with victims, participate in

interviews, and keep victims apprised regarding the status of their cases, regardless of how busy he was with his own caseload.

Patrick reaches out to Victim Services to ensure his victims have full input and cooperation on all of his cases. He treats victims with dignity and respect, and considers their input regarding plea negotiations. He works with his victims personally, rather than relegating them to work primarily with victim advocates.

Patrick has demonstrated he has a solid understanding that Criminal Justice and Victims' Rights work hand in hand to better the community where we live. His personal approach to victims and determination to ensure they receive the full measure of justice warranted them is an exemplary standard that sets him apart from other prosecutors and merits his receipt of the Victim Advocacy Excellence Award.

NOMINATION SUMMARY

Undaunted by the backlog of delayed cases awaiting his arrival as a homicide prosecutor in Navajo County in 2012, Patrick Zinicola set to work immediately to bring stale cases to justice and make a singular impact on behalf of victims in Navajo County.

Through establishing personal rapport and trust with victims, and employing careful interviewing techniques, Patrick is able to elicit information that strengthens victims' cases, allowing them to proceed to trial, where others believed a trial wasn't feasible. Patrick is committed to engaging victims in participating with dignity in their cases, ensuring they secure a full measure of justice.