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May 5, 2014

Via Email and Certified Mail

Dominique E. Roe-Sepowitz, M.S.W., Ph.D.
Associate Professor
School of Social Work, College of Public Programs
Arizona State University
411 North Central Avenue, Suite 800,
Phoenix, AZ 85004-0689

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Steven R. Anderson
Director
School of Social Work, College of Public Programs
Arizona State University
411 North Central, Suite 800
Phoenix AZ 85004-0689

*Re: Public Records Act Request Concerning Policies and Procedures and Other
Information Concerning Project ROSE*

Dear Professor Dominique Roe-Sepowitz and Director Steven Anderson:

Pursuant to Arizona's Public Records Law, A.R.S. § 15-1638 *et seq.*, the ACLU of Arizona ("ACLU") hereby requests the right to examine and copy, or to be furnished with copies, of certain public records in the possession of Project ROSE and the A.S.U. School of Social Work

Arizona Public Records Law carries with it a presumption that all records are "open to the public for inspection as public records." *Carlson v. Pima County*, 141 Ariz. 487, 490, 687 P.2d 1242 (1984). If the request is denied in part or in whole, please justify this or any redactions by referencing the specific grounds on which information is withheld under the Public Records Law. All segregable portions of otherwise exempt material must be produced. We reserve the right to appeal your decision to withhold any information. A failure to provide the requested materials within 30 days will be deemed non-compliance with the law.

These records are not sought for any commercial purpose. Nevertheless, we agree to reimburse you for reasonable costs associated with producing the

requested information. If that amount will exceed \$50, please let me know what it will be before you incur the costs. If the Project or School does not maintain any of the records below, please advise who does and include the proper custodian's name and address when possible

We seek the following records (including in written, electronic, audio, video, CD or other format) in the possession of Project ROSE and the A.S.U. School of Social Work.

A. Project ROSE - Planning

1. Beginning January 1, 2010, all documents, including proposals, memoranda, and communications, concerning the plans for and development of Project ROSE (including any that originally used a different name for or reference to the project that later became Project ROSE), including but not limited to: documents from or to Prof. Dominique Roe-Sepowitz, the Phoenix Police Department including Lt. James Gallagher and the Vice Enforcement Unit, the Phoenix Prosecutors Office including Martha Perez-Loubert and John Tutelman, Catholic Charities DIGNITY Programs including Tamara Harman, Healthcare for the Homeless, Bethany Baptist Bible Church including Brad Pellish, Community Bridges including Rhonda Meacham, ALERT including Katie Resendiz, any Arizona State University ("ASU") division or school, faculty member, staff or student, including the School of Social Work, the ASU Institute Review Board and the Morrison Institute.

2. Any Memoranda of Understanding or agreements, and all communications, concerning any aspect of Project ROSE, between Project ROSE or its representative, and any of the above named persons and entities, or with any other persons or entities, including but not limited to: any shared operations manuals, protocols, curricula, instructions, and guidelines for potential clients.

B. Funding

1. All applications for tax exempt or non-profit status for Project ROSE or any aspect of its operation;

2. Beginning for year 2010, all Tax information and returns for Project ROSE including but not limited to the Project's IRS Form-990, and any communications with the IRS or other federal agency or official, or state agency or official, or any other person or entity, about these;

3. All private and public sources of funding for Project ROSE, including any applications made for funding from a private or public source, all communications concerning any such applications, the amount,

if any, of monies received each year starting Jan. 1, 2010, broken down by the source and the specific amount, and all communications with any potential or actual funders before or after an application was made;

4. Any reports made as part of requests for funding that document Project ROSE's implementation and progress, any evaluations or communications after receipt of funding with the source including but not limited to interim progress reports, compliance letters, renewal applications, or other project narratives;

5. Any reports, evaluations, statistical analyses or assessments about any aspect of Project ROSE made by persons or entities that have provided any services or assistance to Project ROSE from Jan. 1, 2011 to date, and all communications to or by these persons or entities about any aspect of Project ROSE, including but not limited to: a person or entity associated with ASU including the School of Social Work, the Institute Review Board, and the Morrison Institute; Catholic Charities including the DIGNITY programs; the Phoenix Prosecutors Office, the Phoenix Police Department including the Vice Enforcement Unit, Healthcare for the Homeless, Bethany Bible Church, Community Bridges and ALERT;

6. Any reports, evaluations, statistical analyses or assessments about any aspect of Project ROSE since Jan. 1, 2011, from any source or body including governmental officials or entities and private persons or groups,, including peer groups and social work practitioners, and any communications and requests to or from these persons or groups. All such reports, evaluations, statistical analyses, and assessments made by Project ROSE personnel, staff and representatives, whether paid or not and whether released publicly or not.

C. Project ROSE Practice

1. Documents concerning the history, description and mission of Project ROSE;

2. A list of staff members employed by, volunteering with, or contracting with Project ROSE including, for all staff, biographies, resumes, and job descriptions;

3. Any curriculum, instructions and materials distributed to the clients by Project ROSE including but not limited to the program run by Catholic Charities DIGNITY for the clients – including all written and taped materials and lesson plans used for the sessions, the number of days and hours for each session, the remuneration or food provided for the clients on these days, the location(s) for the sessions, the names and biographies of

the instructors, and copies of any spiritual or religious teachings, readings or prayers provided to the clients or used by the instructors.

4. Any document that Project ROSE participants are furnished or expected to sign for any reason including, but not limited to, releases of liability, releases to share information with the Phoenix Police Department, the Maricopa County Attorney's Office or any other federal, state, or local government official or entity;

5. Any documents that state the rules, expectations, or obligations of participants in Project ROSE, including but not limited to the ability of a client to see an appointed attorney, or to see a retained attorney, upon being taken to the location for the first contact with Project ROSE personnel, and before deciding whether to accept entry into the Project or return to the criminal system.

6. Any documents regarding the clinical methodology used by Project ROSE including but not limited to any evidence-based therapeutic methods;

7. Any documents concerning the requirements for successful completion of Project ROSE by participants.

D. Training

1. A full description of the training received by all Project ROSE staff and volunteers, and partner organizations including the Phoenix Police Department, the Phoenix Prosecutors Office and Catholic Charities DIGNITY programs.

2. All materials, instructions and communications used to train Project ROSE staff, volunteers and partner organizations, on:

- a. Working with transgender, gender non-conforming and/or intersex individuals;
- b. Working with survivors of trauma;
- c. Working with people living with HIV;
- d. Working with and identifying victims of human trafficking;
- e. Working with sex workers.

E. Policies

1. Any document pertaining to a policy or practice concerning dress codes for staff, participants, contractors, and/or volunteers;

2. Any document pertaining to a policy or practice concerning bathroom access for participants, staff, contractors and/or volunteers;

F. Data/Statistics

1. All the below records, reports or other documents identifying the number of Project ROSE potential clients and participants each year since Jan. 1, 2011:

- a. That have been brought to Project ROSE through joint operations with the Phoenix Police Department for each year beginning 2011;
- b. That have been brought to Project ROSE through another source, with the name of the source and the number of potential clients involved for each year beginning 2011;
- c. The total number of persons brought to Project ROSE as potential clients each year starting in 2011;
- d. For each year, the total number of the persons brought to Project ROSE who were charged with prostitution, the total charged with manifesting prostitution, and the total charged with escorting without a license, and the total charged with more than one of these and what the crimes were, and the supporting documents;
- e. The breakdown of the total number in (c) above by age, race, sex, and trans gender status, and documents and instructions to staff and volunteers who check persons including how the gender of persons brought in is determined;
- f. The total number of persons brought in each year who have not been accepted into the program and the reason for each rejection or decision to refuse, and the supporting documents [All client names should be redacted from any response];
- g. Of the number of participants referred to Project ROSE through joint operations with the Phoenix Police Department, the number of participants that have completed the program and supporting documents;
- h. From 2011, the total number of participants in Project ROSE
- i. The total number of participants that have completed Project ROSE, and the supporting documents;
- j. The total number of persons brought in each year who did not start or complete the program and were convicted of the charged crime upon returning to the criminal system, and the documents supporting these numbers;
- k. The total number of persons for each year starting in 2011 who completed the program who have not been rearrested for any crime, and the total who have not been rearrested for one of the crimes listed in ¶f(d) above, and the documents supporting these numbers;

1. The total number of persons for each year starting in 2011 who were not accepted into the program or who did not complete the program, who have not been rearrested for any crime, and the total who have not been rearrested for one of the crimes listed in (d) above, and the documents supporting these numbers.

G. Phoenix Police Department Joint or “Sting” Operations

1. Beginning Jan. 1, 2011, separately for each Phoenix Police Department sting or operation set up or implemented for the purpose of bringing potential clients to Project ROSE:

- a. All documents, directives, communications and instructions prior to any operation, including on the day(s) of the operation, specifying the location, the reason(s) for the location selected and for the operation, the plans and methodology for carrying out including the crimes being targeted and any indicators of such criminal activity to watch for, the location to bring those picked up, the number of personnel involved from each of the participating entities, and the dates and times;
- b. All documents, directives, communications and instructions, about any or all such operations, before, during or after the operation, including any evaluations or assessments of the completed operation, to or from a representative of Project ROSE and any of the persons or entities listed in A(1) above, or with any other person or entity, including public officials and ASU employees or offices;
- c. For each operation, starting Jan. 1, 2011: the dates and times, the location, the number of police and prosecutor personnel involved, the number of persons brought into Project ROSE, the number of these persons charged with prostitution, the number charged with manifesting prostitution, and the number charged with escorting without a license. The age, race, sex and gender identity of each person brought into Project ROSE.

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OF ARIZONA

Thank you for your prompt attention. Should you have any questions, you may contact me by phone at (602) 773-6003 or by email at dpochoda@acluaz.org.

Sincerely,



Daniel J. Pochoda
Legal Director

Copy to President Michael Crow, Arizona State University