

Policy Team of the Information Technology and Systems Improvement Committee
Minutes
February 5, 2015

A public meeting of the Policy Team of the Information Technology and Systems Improvement Committee of the Arizona Criminal Justice Commission was convened on February 5, 2015 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Karl Heckart, Chairperson, Administrative Office of the Courts
Cathy Allen, Coconino County Sheriff's Office
Steve Ballance, Maricopa ICJIS
Cathy Clarich, Maricopa County Superior Court
Cheryl Harris, Navajo County Attorney's Office, by conference call
Nancy McKay-Hills, Tucson Police Department
Michael Kearns, Department of Corrections
Julio Marroquin, Yavapai County Attorney's Office, by conference call
Barbara Marshall, Maricopa County Attorney's Office
Jeff Raynor, Department of Public Safety

Members Absent:

Allister Adel, Department of Child Safety
Deanna Johnson, Pima County Sheriff's Department
Michael Keran, Scottsdale Police Department
Mark Marino, Gilbert Police Department
John Merritt, Pima County Attorney's Office

Guests Participating:

Patrick Scott, Administrative Office of the Courts
Aaron Gorrell, Waterhole Consulting
Heather Cotter, Waterhole Consulting

Staff Participating:

Marc Peoples, Program Manager
Andy LeFevre, Public Information Officer
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Karl Heckart at 1:30 p.m. Roll was taken and a quorum was declared present.

II. Minutes of the October 2, 2014 Meeting

Chairperson Heckart called for a motion on the minutes. Cathy Clarich entered a motion to approve the Joint Policy Team and Technical Team minutes of the October 2, 2014 meeting. The motion was seconded by Jeff Raynor and was unanimously approved by the Policy Team.

III. Warrant Standardization Project

Patrick Scott, Administrative Office of the Courts (AOC) gave an update on the Warrant Standardization Project. Mr. Scott explained there had been discussions over the past several years through the National Instant Criminal Background Check System (NICS) task force and other groups on the difficulty in processing warrants on a statewide basis. The warrants in the rules of the criminal procedure were amended in 2008, which expanded to numerous warrant forms that had no continuity leading to poor bookings, incomplete criminal history and dispositions.

The Warrant Standardization Project group decided to go to one standardized warrant. The Warrant Standardization Project group consisted of representatives from AOC, Maricopa County Sheriff's Office, Maricopa County Superior Court, Yuma County Superior Court, Department of Public Safety (DPS) and the Arizona Prosecuting Attorneys' Advisory Council. A rule petition was filed for comments on the Arizona Supreme Court website – Rule Petition R-15-0024 until March 1. Comments will be taken and an amended petition will be filed that will be out for additional comments until May 20. The rule proposes to eliminate the existing eight warrant forms and pare down to one standard warrant form. The warrant form will be simplified for the issuance of a warrant, the underlying changes and the signature of the judge.

This agenda item was presented for informational purposes and did not require Policy Team action.

IV. Rule 37/Simplified Segmented Approach (SSA) for ADRS and Missing Fingerprint Workgroup Update

Jeff Raynor, DPS summarized how the Rule 37/Simplified Segmented Approach (SSA) is a group among stakeholders to address the liability of changing the business rules and the process where court dispositions come to DPS in one of three formats: a yellow sheet, a web interface, or an XML feed. The processes were implemented but the business rules were outdated.

Mr. Raynor reported the group looked at adding the additional charges; so, if the charge did not appear in the arrest segment and was added by the prosecutor filed by the court, the Process Control Number (PCN) was issued and matched if it was the same case. The second step was disposing the charges, and the third step was using the auto add which was created by the missing fingerprint workgroup. Those efforts addressed people who never obtained an arrest fingerprint. There is a pilot project occurring in Maricopa and Pinal Counties, using the 2-FID devices that will notify the court, at sentencing, that the person has not been fingerprinted.

Aaron Gorrell, Waterhole Consulting shared that progress has been made on the auto-add feature. Mr. Gorrell explained the two components: technology and education. The technology approach can only be adopted once the courts have agreed to implement the philosophy based on a fundamental belief that criminal history should always include the final findings and disposition of the Superior Court. The AOC has adopted the Auto-Add philosophy and is currently modifying the Arizona Judicial Automated Case System (AJACS) planned for roll out by February 28, 2015. The education process will require a change to policy modifying the training and culture of the disposition clerks. Jerry Landau and Aaron Gorrell met with the Pima County Superior Court Court Clerk on January 20 who expressed interest in the SSA Auto-Add method; and will be meeting with Michael Jeanes from the Maricopa County Superior Court on March 10 to discuss the SSA Auto-Add approach and philosophy.

This agenda item was presented for informational purposes and did not require Policy Team action.

V. 2-FID Pilot Project Update

Heather Cotter, Waterhole Consulting updated the Policy Team on the mobile fingerprinting pilot in the two jurisdictions of Pinal County and Maricopa County.

Ms. Cotter addressed the purpose of the project is to test the feasibility of using biometric-based technology to capture fingerprints in the court room. The reason for exploring the option is a biometric-based fingerprint produces a better quality print than the current ink-based print, reduces errors, and lessens the risk of a smudged print. In October 2014, the pilot project was started in Pinal County Superior Court and Maricopa County Superior Court. The planning phase used two technology solutions called MorphoTrak and Cross Match: the biometric mobile fingerprint devices.

Ms. Cotter explained the planning phase revealed lessons learned including: allowing 60-90 days for multiple Memorandum of Understanding (MOU) and Non-Disclosure Agreement (NDA); 90-120 days for a new vendor to connect to the AZ Automated Fingerprint Identification System (AFIS); and 30-60 days for jurisdictions to test for connectivity to AFIS. The next steps include Cross Match technology, which was cleared of the background check through DPS, and is ready to interface with AFIS. On site demonstrations for the rollout pilot are planned for Pinal and Maricopa County Superior Courts. The pilot will run simultaneously with the testing phase beginning on March 2 for four weeks with Pinal County using the MorphoTrak solution; and Maricopa County using the Cross Match technology. A week after the close of the first testing period, both counties will switch vendors using the corresponding technologies. During the testing process, an assessment tool will be created to engage regularly with the stakeholders and evaluate the following factors: feasibility of using the technology, gauging the downtime, successful return of the fingerprint and general customer service. An assessment final report will be presented to ACJC by May-June 2015.

This agenda item was presented for informational purposes and did not require Policy Team action.

VI. Legislation Update

Andy LeFevre, Public Information Officer provided an update on the six drafted legislative proposals that were approved at the Commission meeting in November 2014. Mr. LeFevre summarized three bills that furthered the work on the passage of the NICS bill which transmitted the information from the courts through DPS up to the NICS system.

The first bill authorizes language to allow DPS to provide law enforcement agencies with mental health ruling case information as reported to NICS.

The second piece of legislation, Prohibited Possessor; Mental Health consists of adding to the definition of prohibited possessor in Arizona, "as those individuals under court appointed guardianship; except, if the appointment is due solely to a physical incapacity."

The third item of legislation, NICS; Prohibited Possessor; Criminal Offenses adds to the definition of prohibited possessor in Arizona, "as someone who is under indictment or information for an offense listed in Section 13-706, subsection F. The offenses include the most serious crimes or where a judicial officer imposes a condition of release that the person not possess a firearm."

The fourth piece of legislation removes language from Section 1. 41-1750 Central state repository; department of public safety; duties, funds, accounts, definitions that involves fingerprint requirements and creates a new section of statute 41-1757 specifically with fingerprinting for clarity.

The fifth item of legislation, Judgment of guilt; document would, at the time of sentencing for certain offenses, require the court to permanently place a defendant's fingerprint to the sentencing document/minute order, or record the defendant's two-fingerprint biometric-based identifier in the criminal case file. Also, if the booking agency cannot determine whether a legible ten-print fingerprint was taken from the arrestee, the booking agency shall take the ten-print.

The final bill concerns victim protection where the victim compensation program negotiates payment on behalf of a victim where the hospital or provider cannot collect monies over and above the agreed settlement.

Mr. LeFevre stated three of the bills have been introduced to the legislature. The NICS case information for law enforcement officers – SB1373 was introduced by Senator John Kavanagh. The second amendment groups had concerns with the other two NICS bills and were hesitant to have the bills introduced. They objected to some of the language in the draft legislation; namely, that someone could lose their right to possess a firearm even though they had not been convicted of a crime. The judgment of guilt legislation - SB1295 and the Victims Protection bill - SB1294 were introduced by Senator/Chairman Steve Smith of the Senate Public Safety Committee.

Mr. LeFevre stated he would keep the Policy Team informed of hearings on the legislative calendar that may require the need of a subject expert from the Policy Team to educate the legislators about the process and how information is transmitted to NICS.

This agenda item was presented for informational purposes and did not require Policy Team action.

VII. Call to the Public

Chairperson Heckart made a call to the public. No members of the public addressed the Policy Team.

VIII. Date, Time, and Location of Next Meeting

The next Policy Team meeting will be held on **Thursday, June 4, 2015 at 1:30 p.m.** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, and Phoenix, Arizona 85007.

IX. Adjournment

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

Audio recording is available upon request.