

**Arizona Criminal Justice
Commission Minutes
July 20, 2017**

A public meeting of the Arizona Criminal Justice Commission convened on July 20, 2017, at the Little America Hotel, 2515 E. Butler Avenue, Flagstaff, AZ.

Members Present:

Sean Duggan, Chairperson, Chief, Chandler Police Department
Sheila Polk, Vice Chairperson, Yavapai County Attorney
Mark Brnovich, Attorney General, Paul Ahler representing
Joe Brugman, Chief, Safford Police Department
David Byers, Director, Administrative Office of the Courts
K.C. Clark, Navajo County Sheriff
Dave Cole, Retired Judge
Barbara LaWall, Pima County Attorney, Kathleen Mayer representing

Frank Milstead, Director, Department of Public Safety
Bill Montgomery, Maricopa County Attorney
Mark Napier, Pima County Sheriff
Paul Penzone, Maricopa County Sheriff, Tommy McKone representing
Charles Ryan, Director, Department of Corrections
David Sanders, Pima County Chief Probation Officer by phone
Daniel Sharp, Chief, Oro Valley Police Department
C.T. Wright, Chairperson, Board of Executive Clemency

Staff Participating:

Andrew T. LeFevre, Executive Director
Teresa Eierdam, Finance Manager
Jaime Watson, Public Information Officer/Legislative Liaison
Peter Henning, IT Manager

Tony Vidale, Deputy Director, Program Manager
Marc Peoples, Program Manager
Wendy Boyle, Program Project Specialist

Guests Participating:

Tim Roemer, Criminal Justice Policy Advisor – Governor's Office

I. Call to Order, Roll Call

The meeting was called to order by Chairperson Sean Duggan at 1:30 p.m. There was a roll call, and a quorum was declared present.

II. Pledge of Allegiance

Chairperson Duggan led the Pledge of Allegiance, and the Commissioners and the audience introduced themselves.

III. Special Guest Remarks

Tim Roemer, CJ Policy Advisor, spoke briefly on two priorities from the Governor's office as part of public safety that directs to reducing recidivism and tracking the opioid problem in Arizona.

IV. Approval of May 18, 2017, Meeting Minutes

Chairperson Duggan called for a motion on the minutes. Commissioner Daniel Sharp entered a motion to approve the minutes of the meeting held on May 18, 2017. The motion was seconded by Commissioner Joe Brugman and was unanimously approved by the Commission.

V. Executive Director's Report - Andrew T. LeFevre, Executive Director

A. Staff and Program Updates

- Executive Director LeFevre noted the meetings held in Tucson, Phoenix and in Flagstaff regarding the RICO reporting statute that went into law. With the feedback from law enforcement and stakeholders, the goal is to create a workgroup to finalize the forfeiture form and present to the Commission for approval.
- There are three vacancies at ACJC that include a Research Analyst, Fiscal Specialist, and a Crime Victim Program Project Specialist.
- ACJC has finalized the agreement to provide administrative support to the EPI workgroup under ASAP.
- Peter Henning, IT Manager, provided information on the complete update to the agency website and Jaime Watson, PIO showed the social media website section.

B. Finance Update

- Finance Manager Teresa Eierdam reported a clean audit on the state DEA fund and presented the 4th quarter FY17 financials and a detailed spreadsheet of the Criminal Justice Enhancement Fund Revenue from FY06 through FY17.

FY2019 Budget Issue Request

- Executive Director LeFevre presented the budget issues for submission in the FY2019 budget proposal. They included the request of \$100,000 for the implementation of new RICO reporting requirements, an additional appropriation of \$350,000 for the Recidivism Study, Information and Technology Integration and Improvements for \$6.2M, and State Aid to Indigent Defense-Fill the Gap for ACJC to allocate available funds. Commissioner Joe Brugman entered a motion to approve the FY19 budget proposal for submission. The motion was seconded by Commissioner Daniel Sharp and was unanimously approved by the Commission.

CJEF Formula Recommendation

- Executive Director LeFevre reviewed staff's recommendation for no change to the current formula on the Criminal Justice Enhancement Fund. Commissioner Joe Brugman entered a motion to approve the recommendation from staff on the CJEF formula under ARS 41-2405.7. The motion was seconded by Commissioner Daniel Sharp and was unanimously approved by the Commission.

VI. Committee Reports

A. Update on the activities of the Executive Committee –Sean Duggan, Committee Chairperson

- Chairperson Duggan addressed the priority to have SAC research, update and review the current Arizona criminal codes. After SAC reviews, they will report back to the Commission on the outdated codes.

Senate Bill 1278 pretrial intervention programs; appropriation

- Executive Director LeFevre explained the recommendation from the Executive Committee to allocate funds from SB1278 for pretrial intervention programs operated by the county attorney's offices. Commissioner Sheila Polk entered a motion to approve the allocation of funds with a \$25,000 base plus population for pretrial intervention programs as outlined in Table #2 on page 15 of the agenda. The motion was seconded by Commissioner Daniel Sharp and was unanimously approved by the Commission.

ACJC Expense Allocation across Program Areas

- Executive Director LeFevre provided an analysis of the breakdown of operating costs shared by FTE on current operating costs for the victim services unit at \$735 absorbed by CJEF that is difficult to maintain due to the declining revenues. The proposed amount of cost share by FTE proposed for operating costs on the administration to the Victim Compensation and Assistance fund is \$41,336. Commissioner Sheila Polk entered a motion to accept the recommendation of the Executive Committee that staff allocates the administrative costs to operational program areas based on the number of employees that support those program areas. The motion was seconded by Commissioner Daniel Sharp and was unanimously approved by the Commission.

A. Update on the activities of the Drug, Gang and Violent Crime Control Committee

Joe Brugman, Committee Chairperson

Preview of Online Reporting tool for the Byrne JAG program

- Program Manager Tony Vidale gave a preview and demonstration of the new online reporting tool for the Byrne JAG program.

B. Update on the activities of the Crime Victims Committee - Charles Ryan, Committee Chairperson

- The Crime Victims Committee met on July 11, 2017, and discussed the Crime Victims Services program rule revision process for the proposed changes. The committee agreed with the need for additional review of the items for data on the administration and financial impact of the changes. The Committee tabled the item, and the review will take place at the next committee meeting.

C. Update on the activities of the Information, Technology & Systems Improvement Committee

David Byers, Committee Chairperson

ACJC Review of Orders of Protection Process Project

- Program Manager Marc Peoples reviewed the preliminary findings on the Orders of Protection (OP). The first set of findings is the automated OP system that should be created statewide to process, updating the terminology to Petitioner and Respondent, and every plaintiff should provide contact information. Also, have AOC establish policies that a judicial officer, allow plaintiff or defendant to participate in hearing remotely, and have law enforcement permitted to access any system to determine the identity of the defendant. Next, implement a policy for continued service attempt without stipulating some attempts if service not completed; and that the OP should return to the court for further action. Furthermore, a minimum of 12 months should be allowed for judicial officers on the discretion of the OP, and any unserved OP needs to be visible to all justice personnel, and courts implement a system where a court provides a plaintiff with a tablet computer for completing the petition. Also, implement a victim notification system on key events, that OP can transmit into NCIC, and use lethality assessment when determining orders. Lastly, evaluate ARS 13-3602(n) to modify order provide training to law enforcement regarding the application of the law to ensure a conviction does not overturn on appeal.

D. Update on the activities of the Legislative Committee – David Sanders, Committee Chairperson

- The Executive Committee and Legislative Committee met on June 29, 2017, to review the legislative report to the Commission.

2017 ACJC Legislative Report

- Jaime Watson, Public Information Officer, presented the ACJC 2017 Legislative Session Summary Report from January 9, 2017, through May 10, 2017.

VII. Work Group Updates

A. Housing Inmates – Charles Ryan, Department of Corrections

- The Department of Correction started with 42,902 inmates in FY17 and ended with a population of 42,200 with a differential decline of 702. The projected forecast for FY18 is zero growth, and there are no prison beds under construction or authorized for the near future.

B. CJEF Working Group – Daniel Sharp, Chief, Oro Valley Police Department

- The workgroup has not met, but the discussion was made at the last meeting to explore other opportunities for revenue. The group will propose some solid figures and recommendations for the next Commission meeting.

VIII. Commission Member Discussion of New Issues

- There were no new issues to discuss.

IX. Call to the Public

Chairperson Duggan made a call to the public. No members of the public had comments.

X. Date, Time and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting takes place on **Thursday, September 28, 2017**, at 1110 W. Washington, St. 250, Phoenix, AZ 85007.

XI. Adjournment

The meeting adjourned at 3:15 p.m.

Respectfully submitted,



Andrew T. LeFevre
Executive Director