

**Arizona Criminal Justice Commission**  
**Minutes**  
**September 22, 2016**

A public meeting of the Arizona Criminal Justice Commission was convened on September 22, 2016, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

**Members Present:**

Sheila Polk, Vice Chairperson, Yavapai County Attorney  
David Byers, Director, Administrative Office of the Courts, Jerry Landau representing  
Joe Arpaio, Maricopa County Sheriff  
Mark Brnovich, Attorney General, Paul Ahler representing  
Joe Brugman, Chief, Safford Police Department, by conference call  
K.C. Clark, Navajo County Sheriff  
Dave Cole, Retired Judge  
Chris Gibbs, Mayor, City of Safford, by conference call  
Drew John, Graham County Supervisor  
Barbara LaWall, Pima County Attorney  
Frank Milstead, Director, Department of Public Safety  
Bill Montgomery, Maricopa County Attorney  
Charles Ryan, Director, Department of Corrections  
Daniel Sharp, Chief, Oro Valley Police Department  
Heston Silbert, Law Enforcement Leader

**Members Absent:**

Sean Duggan, Chairperson, Chief, Chandler Police Department  
Ellen Kirschbaum, Chairperson, Board of Executive Clemency  
David Sanders, Pima County Chief Probation Officer

**Staff Participating:**

Andrew T. LeFevre, Executive Director  
Larry Grubbs, Program Manager  
Audrey Richardson, Statistical Analysis Center  
Wendy Boyle, Executive Secretary

**I. Call to Order and Roll Call**

- The meeting was called to order by Vice Chairperson Sheila Polk at 10:00 a.m. The meeting began with reciting the Pledge of Allegiance. The roll was taken, and a quorum was declared present.

**II. Approval of the Minutes for the July 14, 2016, Meeting**

- Vice Chairperson Polk called for a motion on the minutes. Commissioner Bill Montgomery entered a motion to approve the minutes of the meeting held on July 14, 2016. The motion was seconded by Commissioner Daniel Sharp and was unanimously approved by the Commission.

**III. Executive Director's Report**

*Andrew T. LeFevre, Executive Director*

- New staff recently hired were Teresa Eierdam as Finance Manager, Mohammed R. Rahman as the Auditor 2, and Paola Matson as the Accounting Specialist 2. Recent promotions include Carlena Orosco as the Senior Research Analyst in the Statistical Analysis Center (SAC), Samantha Faltermeier as the Grant Coordinator for the Drug, Gang & Violent Crime Control Program, and Criminal Justice Systems Improvement Program. Anna Haney was reassigned to be the primary Grant Coordinator for the Drug, Gang & Violent Crime Control Program. Intern assignments include Jordan Hatleberg who will be helping with the Enhanced Drug and Gang Enforcement (EDGE) Report, and Jonnilyn Scott will be assisting in legislative/public relations. Rosa Sosa and Tom Valente will be supporting the SAC unit. There are vacancies open for the Research Analyst II and Program Project Specialist I positions in SAC, and staff plans to recruit and interview for the SAC Program Manager and Public Information Officer/Legislative Liaison positions.
- ACJC provided a response to the request by the Joint Legislative Budget Committee (JLBC) about the yearly comprehensive RICO report that was due to JLBC by August 31, 2016. ACJC was reporting quarterly; however, the reporting submission of the RICO funds is due at the end of October and every year after.
- ACJC responded to questions from the Committee of Reference before the agency sunset review. There will be an update to the Commission on the process at the November meeting.
- A Criminal Code Review sheet outlined the ARS codes that have any criminal penalty attached. ACJC researched the last 15, 10 and five years; and cleaned up the sections. There are 4,137 statutes that have a misdemeanor or felony attached in the ARS codes. The ARS Criminal Codes is a piece of legislature that could be reviewed.
- ACJC staff is also working on completing the EDGE report due on October 31, 2016. ACJC was awarded the NICS grant for 2016 that will allow us to host 15 focus groups to explore and determine the best way to make served and unserved orders of protection available to law enforcement.
- There has been no discussion with the Governor's Office of Strategic Planning for the ACJC Budget submittal for FY2018.

**IV. Working Group Update – State Cost for Housing DOC Inmates in County Jails**

*Charles Ryan, Director, Department of Corrections*

- Commissioner Charles Ryan summarized the outcomes of the two working group meetings on August 11, 2016, and August 25, 2016. The discussion from the meetings occurred on the issues of costs to the Department of Corrections (DOC) on expenses to the prosecution of an inmate and possible solutions to the unnecessary assignment to the county jail and house offenders in prison until a required court appearance. The solutions discussed were technology/video conferencing capabilities and transportations through DOC to closest prison as cost savings to the county.
- Commissioner Ryan explained a one-year pilot program directed for Pima, Navajo, Apache, Yuma, Cochise and Mohave counties could proceed. DOC has eight Polycom devices in the seven prisons. There will be an expansion of 14 Polycom pilot devices operational by October 31, 2016, for attorneys to have a video-telephonic conversation with an inmate on a scheduled basis at a prison complex.

- Additional information included that the software will be for use on desktops and laptops for attorneys and courts who do not have the Polycom system. A statewide transportation through DOC will transport charged and page 2 inmates to the closest prison complex and housed in a detention center or secure housing unit. The county will retrieve the inmates and transport them to the county jail for arraignment or sentencing for the least amount of time and returned to the DOC prison (3-5 days). Requests to set up hearings will be sent seven workdays in advance to DOC's central classification administrator so the inmate can be scheduled and transferred to the prison within the county jurisdiction.
- Commissioner Drew Johns was concerned about the personnel costs passed down to the counties.

**V. Working Group Update – Decline in Criminal Justice Enhancement Fund Revenues – Other Funding Sources**

*Daniel Sharp, Chief of Police, Oro Valley Police Department*

- Commissioner Daniel Sharp stated the working group would meet and put together background and historical information for the committee to review and look at best practices from other states.
- Commissioner Sharp will meet with Executive Director LeFevre to talk about how to format the information, start the discussion specific to CJEF and look at areas where there are declines in funding. Also, other funding mechanisms and allocation formulas are other areas to discuss.

**VI. Assessment of the makeup of the Commission's Membership and Its Representation of the Its Membership of the Entire State**

*Andrew T. LeFevre, Executive Director*

- As part of the audit from the Auditor General's office, their recommendation was to have the Commission in a public meeting, evaluate its membership to determine if it should be modified to fulfill its mission more fully and to serve the state better.
- Commissioner Bill Montgomery entered a motion to table the item so the Commission can engage in the strategic planning session first before the Commission reviews the membership makeup. The motion was seconded by Commissioner Drew John and was unanimously approved by the Commission.

**VII. Crime victim assistance funding coordination efforts**

*Larry Grubbs, Crime Victims Services Program Manager*

- In the audit report from the Auditor General's office, a recommendation was written to have ACJC formalize the coordination efforts in grant source funding for victim service, and ACJC has since partnered with the State Agency Coordinating Team (SACT). This working group of state agencies provides victim service funding for victim service activities in the state and discusses issues related to funding. The ACJC SAC unit has provided assistance in developing an annual survey of state and federal funding by a state agency. The draft survey sent to the coordinating team members for review, and there will be outreach to the victim service community to hear from stakeholders at the sub-grantee level about any identify any gaps in victim service funding.
- Audrey Richardson from the SAC unit summarized the work she has completed by referring to a chart that illustrates the amount of funding available for sub-grantees awards by administrating agency and reviewed the information that will be in the final report to the Commissioners.

**VIII. Update on the Fair Justice for All Task Force**

*Jerry Landau, Administrative Office of the Courts (AOC)*

- The Task Force on Fair Justice for All originated on March 3, 2016, by Chief Justice Scott Bales who issued Administrative Order No. 2016-16. The task force was to study and make recommendations for court-ordered fines, penalties, fees, and pretrial release policies. The preliminary report distributed to all branches of government contained eleven principles and 65 recommendations. The recommendations result in statutory, rule, and possible code changes.
- The court will consider a petition to amend the rules of criminal procedure regarding pretrial release filed. The next task force meeting scheduled for November 5, 2016, at AOC is open to the public.

**IX. Call to the Public**

- Vice Chairperson Polk made a call to the public. Jeremy Mussman, Maricopa County Public Defender, spoke about having a public defender and victim rights advocate seated on the Commission. Citizen Eric Thompson stated his concerns about the Maricopa Reentry Center at the Adobe Mountain facility in north Phoenix. He would like to see published evidence of the recidivism rate for the offenders and the funding tied to local, county and state. Citizens Kristine Burnett and Ann O'Brien commented they did not have a problem with the adult reentry program but were concerned about the offenders housed at the location near schools, parks, neighborhoods, and sports facilities.

**X. Date, Time, and Location of Next Meeting**

- The next Arizona Criminal Justice Commission meeting will be held on **Thursday, November 17, 2016**, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

**XI. Strategic Planning Session**

- Executive Director LeFevre and Vice Chairperson Polk led a discussion on the Commission's purpose and the revision of the mission statement. The Commission reviewed that the mission of the agency is to continuously address, improve, sustain and enhance public safety in the state of Arizona through the coordination, cohesiveness, and effectiveness of the criminal justice system. The Commissioners and staff addressed ACJC's strengths and weaknesses; as well as laying out what ACJC is doing, the reasons for doing and what the agency hopes to achieve. ACJC addressed long and short term goals for the future of the agency. There was a discussion centered around ACJC as the leading research agency that would be able to identify issues provide in-depth research around the issues that would create recommendations and to facilitate the results for reducing crime rates.
- Vice Chairperson Polk recalled Item VI for discussion and examining the Commission structure and membership. The Commission talked about a best practices committee that could bring emerging and policy issues to the table. The Commissioners discussed the pros and cons of having a public defender, victim rights advocate, and juvenile corrections probation spot on the Commission.

**XII. Adjournment**

- The meeting was adjourned at 1:40 p.m.

Respectfully submitted,



Andrew T. LeFevre  
Executive Director