

Arizona Criminal Justice Commission
Minutes
November 17, 2016

A public meeting of the Arizona Criminal Justice Commission was convened on November 17, 2016, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Sean Duggan, Chairperson, Chief, Chandler Police Department
David Byers, Director, Administrative Office of the Courts, Jerry Landau representing
Joe Arpaio, Maricopa County Sheriff, Miryam Gutier-Elm representing
Mark Brnovich, Attorney General, Paul Ahler representing
Joe Brugman, Chief, Safford Police Department
Dave Cole, Retired Judge
Chris Gibbs, Mayor, City of Safford, by conference call
Drew John, Graham County Supervisor
Ellen Kirschbaum, Chairperson, Board of Executive Clemency
Barbara LaWall, Pima County Attorney, Kathleen Mayer representing
Bill Montgomery, Maricopa County Attorney
Charles Ryan, Director, Department of Corrections
David Sanders, Pima County Chief Probation Officer

Members Absent:

K.C. Clark, Navajo County Sheriff
Frank Milstead, Director, Department of Public Safety
Sheila Polk, Vice Chairperson, Yavapai County Attorney
Heston Silbert, Law Enforcement Leader
Daniel Sharp, Chief, Oro Valley Police Department

Guests Participating:

Stacy Crabtree, Bureau Administrator, Department of Corrections

Staff Participating:

Andrew T. LeFevre, Executive Director
Tony Vidale, Deputy Director
Teresa Eierdam, Finance Manager
Jaime Watson, Public Information Officer/Legislative Liaison
Larry Grubbs, Program Manager
Anna Haney, Grant Coordinator
Wendy Boyle, Executive Secretary

I & II. Call to Order, Roll Call and Pledge of Allegiance

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. Immediately after, the reciting of the Pledge of Allegiance took place.

III. Approval of the Minutes of the September 22, 2016, Meeting

Chairperson Duggan called for a motion on the minutes. Commissioner Bill Montgomery entered a motion to approve the minutes of the meeting held on September 22, 2016. The motion was seconded by Commissioner Joe Brugman and was unanimously approved by the Commission.

IV. Executive Director's Report *Andrew T. LeFevre, Executive Director*

- Catie Clark is the new Director of the Statistical Analysis Center (SAC). Recent promotions include Tony Vidale as the Deputy Director and Jaime Watson as the Public Information Officer/Legislative Liaison. There are vacancies for the Research Analyst I and II positions in SAC, Accounting Specialist I in Finance and the Program Project Specialist I position in Victim Services.
- The scheduled November 22, 2017, ACJC sunset public hearing is at 1 p.m. in the Senate Building. Chief Duggan has agreed to speak on behalf of the Commission.
- Victim services initiated the rules revision process for the crime victim compensation program that will result in rule changes for both the victim compensation and victim assistance. There will be opportunities for providers, staff, and stakeholders to provide comments, recommendations, and feedback.
- Arizona Youth Survey is in the final stages of editing and ACJC hopes to have the survey out to the schools by the first or second week of December.
- For the budget update, Teresa Eierdam provided a snapshot of the ACJC budget from July 2017 to October 2017 as a quarterly appropriation, cash balance and revenue to date. The Commission asked if staff could provide a reflection of any decline or escalation in the CJEF funding in the future.
- For the legislative update, Jaime Watson reviewed the new leadership changes in the 53rd state legislature.

V. Working Group Updates

A. State Cost for Housing DOC Inmates in County Jails *Charles Ryan, Director, and Stacy Crabtree, Bureau Administrator, Department of Corrections*

- The Pilot program will be launched on December 5, 2016. All counties are participating except Maricopa County. The two processes are through the Polycam conferencing ability and transporting inmates that need to be present in court to the closest prison and a detention center for the inmate.
- The pilot program is for one year, and the goal is to bring costs down for the state. Also, reduced costs will be seen by the counties through the cost avoidance of not having to travel distances to transport inmates to and from the court.

B. Decline in Criminal Justice Enhancement Fund Revenues – Other Funding Sources *Andrew T. LeFevre, Executive Director*

- The funding workgroup met on November 11, 2016, to discuss why the CJEF fund is declining. The group discussed alternative funding such as offset charges for vanity plates. Other alternative funding sources include fees that go into a cell phone, 911 calls and fees for auto or homeowner insurance. The Chairperson of the Committee requested the group to report back before the January Commission meeting.

VI. Committee Reports

Legislative Committee *David Sanders, Committee Chairperson, Chief Probation Officer*

- The legislative committee met on November 4, 2016, to consider possible ACJC sponsored legislation for the 2017 session. The first is A.R.S. 13-607 by adding 13-1802 for the theft piece, and 13-1805 for shoplifting. The reason for the modification is a technical fix, so the prosecutor is informed of the defendant's background when fingerprints take place upon sentencing. Designee Kathleen Mayer entered a motion to approve the ACJC legislation, A.R.S. 13-607 with the amendments. The motion was seconded by Commissioner Bill Montgomery and was unanimously approved by the Commission.

- The second legislative initiative is the Victim Compensation and Assistance Fund under A.R.S. 41-2407. The amendment would require medical providers to accept the full allowable payment from the fund in full; precluding them from going after the victim for additional payment and create a stay on any debt collection as soon as the victim files a claim with the program.

- The Commission asked if there was feedback from the stakeholders and the result of the meeting with the hospital association. Initially, the discussion from that group was about the rate of pay rather than the provisions in the bill. ACJC will conduct stakeholder meetings again to help others understand the legislation. Commissioner David Sanders entered a motion to approve ACJC legislation Victim Compensation and Assistance Fund, A.R.S. 41-2407 with the amendments that include paragraphs E, F, G, and H. The motion was seconded by Designee Kathleen Mayer and was unanimously approved by the Commission.

A. Drug, Gang And Violent Crime Control *Joe Brugman, Committee Chairperson, Chief, Safford Police Department*

- Tony Vidale presented the staff recommendation for the CY2017 Residential Substance Abuse Treatment Program (RSAT) grant awards as shown on page 16 of the agenda. Mr. Vidale stated the recommendation would fund projects totaling \$357,158 from the Arizona Department of Corrections, Arizona Department of Juvenile Corrections, Chicanos Por La Causa, Coconino County Sheriff's Office, and the Maricopa County Sheriff's Office. Commissioner Bill Montgomery asked how many individuals use the programs for treatment, and how does it assess the overall impact on the incarcerated population. Mr. Vidale responded that agencies are required to report performance data on a quarterly basis on the number of people treated, as well as outcome measures. However, he did not have current figures available but would provide that information to members. ACJC staff was asked to provide the data on the ACJC website, highlighting this type of program, as well as the success rate to help recidivism reduction. Mr. Vidale responded that staff would post-program data on the ACJC website. Commissioner Joe Brugman entered a motion to approve the award of \$357,138 in federal and local cash match funds for the 2017 RSAT grant program beginning January 1, 2017, and ending December 31, 2017. The motion was seconded by Commissioner Bill Montgomery and was unanimously approved by the Commission.

2016 Enhanced Drug & Gang Enforcement (EDGE) Report *Joe Brugman, Committee Chairperson, Chief, Safford Police Department*

- Anna Haney presented highlights from the FY 2016 Enhanced Drug and Gang Enforcement Report. The report contains activity data reported to ACJC by projects funded out of the Drug and Gang Enforcement Account and the Criminal Justice Enhancement Fund that relate to illicit drugs and drug-related gang activity. The report must be submitted to the Governor, President of the Senate, and Speaker of the House by October 31 of each year.

B. Crime Victims *Larry Grubbs, Crime Victims Services Program Manager*

- Mr. Grubbs presented a summary of the data and recommendations included in the 2016 Crime Victim Service Funding Overview. Following the summary, Commissioners suggested including in future versions of the report qualitative, or evidence-based data, on funded program performance to better inform grant awards and coordinate funding.

VII. Strategic Planning Session Review and Approval of New ACJC Mission Statement *Andrew T. LeFevre, Executive Director*

- A follow up on the redrafted mission statement for the Arizona Criminal Justice Commission was cited and read as: Our mission is to continuously address, improve, sustain and enhance public safety in the State of Arizona through the coordination, cohesiveness, and the effectiveness of the criminal justice system. Designee Kathleen Mayer entered a motion to approve the mission statement for the Arizona Criminal Justice Commission. The motion was seconded by Commissioner Joe Brugman and was unanimously approved by the Commission.

VIII. Committee Structure and Appointments for 2017 *Andrew T. LeFevre, Executive Director*

- There will be a changeover in commission membership starting January 2017. There will be replacements for the Maricopa County and Pima County Sheriffs, the county supervisor and mayor positions are open, and a new chairperson for the Executive Board of Clemency will be named. ACJC has notified the Governor's Office of Boards and Commissions. For the current commissioners, staff will send out information requesting the commissioners to list their top two to three choices of committees to serve.

- The Commission discussed the frequency of the legislative committee meetings during the legislative session guiding staff in the position of bills. The consensus was to have the Executive Committee and Legislative Committee meet by conference call early in the session bi-weekly to determine if that is feasible.

IX. Commission Membership Discussion *Andrew T. LeFevre, Executive Director*

- The Commission discussed the current membership of the commission as well as looking at the future on current topics such as forfeitures and recidivism reduction with the help of the expansion of members. Designee Kathleen Mayer entered a motion to approve the current makeup of the commission and to re-assess every year at the Commission meeting in September if the membership should be modified depending on the emerging issues. The motion was seconded by Commissioner Drew John and was unanimously approved by the Commission.

X. Commission Members Issues of Concern *Andrew T. LeFevre, Executive Director*

There were no issues of concern to discuss.

XI. Call to the Public

Chairperson Duggan made a call to the public, and no members of the audience addressed the Commission. Chairperson Duggan acknowledged Sheriff Joe Arpaio, Mayor Chris Gibbs, and County Supervisor Drew John for their service and dedication to the Commission.

XII. Date, Time and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting takes place on **Thursday, January 26, 2017**, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

XIII. Adjournment

The meeting was adjourned at 3:11 p.m.

Respectfully submitted,



Andrew T. LeFevre
Executive Director