

**Joint Executive Committee and Legislative Committee
of the Arizona Criminal Justice Commission
Minutes
February 28, 2020**

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Friday, February 28, 2020 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members Present:

David Sanders, Chairperson, Pima County Chief Probation Officer
Sheila Polk, ACJC Chairperson, Yavapai County Attorney
Steve Stahl, ACJC Vice Chairman, Maricopa Chief of Police
Jerry Landau on behalf David Byers, Director of Administrative Office of the Courts
Timothy Chung on behalf of Frank Milstead of the Department of Public Safety
Barbara LaWall, Pima County Attorney
Mark Napier, Pima County Sheriff

ACJC Staff Present:

Molly E. Edwards, Public Information Officer/Legislative Liaison
Andy LeFevre, ACJC Executive Director
Dorothy Davis, Legislative Intern
Wendy Boyle, Project Specialist

Guests Participating:

Abbie James, Pima County Attorney's Office

I. Call to Order and Roll Call

The meeting was called to order by Chief David Sanders at 1:30 pm. Roll was taken and a quorum was present.

II. Approval of Minutes

Minutes of the January 31, 2020 Meeting

Chief Sanders called for a motion on the minutes. Barbara LaWall entered a motion to approve the minutes of the meeting held on January 31, 2020. The motion was seconded by Chief Steve Stahl and was unanimously approved by the Committee.

Minutes of the February 2, 2020 Meeting

Chief Sanders called for a motion on the minutes. Barbara LaWall entered a motion to approve the minutes of the meeting held on February 2, 2020. The motion was seconded by Chief Steve Stahl and was unanimously approved by the Committee.

Minutes of the February 14, 2020 Meeting

Chief Sanders called for a motion on the minutes. Barbara LaWall entered a motion to approve the minutes of the meeting held on February 14, 2020. The motion was seconded by Chief Steve Stahl and was unanimously approved by the Committee.

III. Legislative Overview

Molly Edwards, Public Information Officer/Legislative Liaison stated that legislative session has been in session for 47 days with a total of 1581 bills introduced.

Last year (as a comparison) there were a total of 1318 bills introduced. Last year's session ran 134 days.

Ms. Edwards provided a summary report for the Commissions use. Staff will be starting to send out weekly reports with updates on the critical bills that directly impact ACJC, as well as some other bills that this committee feels is critical to watch.

Ms. Edwards provided an overview of bills that impact projects the Systems Improvement division has implemented. SB 1504: Fingerprinting; Vital records bill (AKA Rap Back Bill) was brought forward by DPS has passed out of the Senate on 2/27 and is now ready for the House. ACJC has been supportive of this bill in concept because it will help AZ to have a more comprehensive Criminal History database.

Director LeFevre provided an overview of the bill – when a background check is completed on someone’s criminal history for a fingerprint card, they are checked against the system at that ONE time to determine if they have any criminal history that could preclude them from getting a card. What this program would do is create a process that would happen more regularly throughout the lifecycle of someone who has a background card not just against AZ’s database, but other databases nationwide. Col. Chung confirmed this. Director LeFevre stated that ACJC has supported efforts to make sure we have criminal history completeness in the state. He asked the Committee to consider taking a position of support for this bill to allow staff to take a more active role in supporting it through the rest of the process.

A motion was made by Chairperson Polk to have ACJC support SB1504. Barbara LaWall seconded the motion. Unanimously approved.

Ms. Edwards provided an overview of the databills impacting ACJC. As previously noted, ACJC has been written into a number of data reporting bills this session. ACJC’s HB2227 and was held in committee. After HB2227 was held, ACJC was asked to participate in another data bill, which is SB1171 and is sponsored by JD Mesnard. ACJC has participated in a few stakeholder group meetings. SB1171 was assigned to Senate Jud, an amendment was added on 2/20 which included the Commissions “original” language. If the bill passes, ACJC would be the designated central collection point for Criminal Justice data, it will require ACJC to do a data survey of all criminal justice agencies in the state, and that we would report this information in a comprehensive list by November 2021 to the legislature.

Director LeFevre stated that we participated in a stakeholder group which included the County Attorneys offices and Ms. Polk. ACJC is happy to provide language that would help create a strategic plan. The language that passed out of committee was different than what we have originally proposed but we will be working with Senator Mesnard to be getting that language back in the bill once it’s in the House. Director LeFevre asked if we could get a motion to approve the language that staff had proposed.

Barbara LaWall asked why the \$300,000 appropriation was removed by Farnsworth? Director LeFevre stated that Senator Farnsworth does not want “money bills” moving through a committee as opposed to the appropriations committee. Senator Mesnard has agreed to put that money back in at a later time in the process.

Sheila Polk asked if whether the committee wanted to vote to remain neutral or not or to support it? Noted it was not our bill to start with. It was originally a bill to collect a lot larger amount of data. ACJC got involved just to urge the legislature to become more strategic in a statewide data collection system. Is it ACJC’s role to support it or remain neutral?

Barbara LaWall stated we should remain neutral. Her concern is the language could change again. We should stand back and if it changes to anything adversarial we should jump in to indicate the problems and oppose it.

Jerry Landau stated that we are trying to get the amendment, the language that this commission proposed and supported. While he agrees that being neutral on this bill is the correct path, but if the amendment is

added, we are going to have to support the amendment since it was the language the commission approved. Molly can register comments in that regard.

Director LeFevre stated that in the past we've signed in neutral but provided comments on our ability to do the work. We may be asked to make a more upfront position because of the amendment.

Sheila Polk made a motion to for ACJC to remain neutral but also have ACJC become more upfront as the bill moves through the amendment process.

Jerry Landau asked if the ACJC recommended amended language is already in the bill? Director LeFevre stated that the language is not currently in the bill, but Mesnard was going to try and get the language introduced back into the process as we originally had recommended. We are working to get the "readily reportable" language back in. But everything we want is in the amendment. But we will be adding the funding back in at some point in the future.

Chairman Sanders asked for a vote on the motion on the floor to remain neutral on the bill with some flexibility with regard to the amendment. Jerry Landau seconded. Motion passed unanimously.

Molly Edwards stated that staff has been actively involved in HB2411 which is the financial fix for the \$9 court assessment that goes directly to Victims' Rights Fund and the Victim Compensation and Assistance Fund. She noted that we have been in discussions with the State Treasurers Office and what we are working on going forward

Director LeFevre asked for the commission to allow us to support this bill since it does impact us directly and our victims funding.

Sheila Polk asked if this technical fix include an appropriation for the victims' fund? Director LeFevre stated not at this time but we may attempt it through the budget process.

Sheila Polk made a motion for ACJC to support HB2411. Barbara LaWall seconded. Motion passed unanimously.

HB2414 and HB2422 are both bills that ACJC will be the fiduciary administrators of funds. Both passed out of the House unanimously. HB2422 has been assigned to Senate Transportation and Public Safety.

This concluded our legislative report

IV. Call to the Public

Chief Sanders made a call to the public. No members of the public addressed the Committee.

V. Date, Time, and Location of Next Meeting

The next legislative update will be March 13, 2020 at 1:30 PM.

VI. Adjournment

The meeting was adjourned at 1:56 pm.

Respectfully submitted,



Andrew T. LeFevre, Executive Director

Audio recording is available upon request.