

Arizona Criminal Justice Commission Minutes

November 21, 2019

A public meeting of the Arizona Criminal Justice Commission convened on November 21, 2019, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present

Sheila Polk, Chairperson, Yavapai County Attorney
Allister Adel, Maricopa County Attorney, Ken Vick representing
Mark Brnovich, Attorney General, Paul Ahler representing
David Byers, Director, Administrative Office of the Courts, Kathy Waters representing
Sean Duggan, Chief, Chandler Police Department
Barbara LaWall, Pima County Attorney, Amelia Cramer representing
Greg Mengarelli, Mayor, City of Prescott, by phone
Frank Milstead, Director, Department of Public Safety, Melanie Veilleux representing
Mark Napier, Pima County Sheriff, Byron Gwaltney representing
David Sanders, Pima County Chief Probation Officer
Daniel Sharp, Chief, Oro Valley Police Department
David Shinn, Director, Department of Corrections, Greg Lauchner representing
Steve Stahl, Chief, City of Maricopa Police Department, Law Enforcement Leader
C.T. Wright, Chairperson, Board of Executive Clemency

Members Absent:

Joe Brugman, Vice Chairperson, Chief, Safford Police Department
Paul Penzone, Maricopa County Sheriff

Staff Present

Andy LeFevre, Executive Director
Tony Vidale, Deputy Director
Molly Edwards, Public Information Officer
Heather Bohnet, Program Manager
Patty Hatvick, Finance Manager
Marc Peoples, Program Manager
Wendy Boyle, Program Project Specialist
Jillian Ware, SAC Director
Shayla Fordyce, Project Manager

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

The meeting was called to order by **Chairperson Sheila Polk** at 12:00 pm who led the Pledge of Allegiance. There was a roll call.

II. Presentation of AZPOINT web portal by Marc Peoples, ACJC CJ Systems Improvement Manager. The Commission recessed at 12:30 pm to allow the ACJC Committee on Criminal Justice Reform to meet. The meeting was from 12:30 to 1:30 pm.

III. Minutes of the July 17, 2019 Meeting

The meeting was called to order by **Chairperson Polk** at 1:30 pm, there was roll call again and a quorum was declared present. **Chairperson Polk** called for a motion on the minutes of the Commission meeting held on July 17, 2019. **Commissioner Sean Duggan** entered a motion to approve the minutes. The motion seconded by **Commissioner Daniel Sharp** was unanimously approved by the Commission.

IV. Executive Director's Review and Performance Evaluation

It was moved by **Commissioner Sharp** and seconded by **Designee Kathy Waters** to go into Executive Session for the discussion of the performance evaluation and salary of the Executive Director. The motion carried unanimously. The Commission went into Executive Session at approximately 1:45 PM. The Commission ended the Executive Session at 2:07 PM.

V. Review and consideration of salary of Executive Director

Commissioner Sharp entered a motion to set the Executive Director's annual salary to \$133,321. The motion seconded by **Commissioner Duggan** was unanimously approved by the Commission.

VI. Executive Director's Report

1. Staff and Program Updates

There are three vacancies on the Commission that include a sheriff, judge and county supervisor. Staff is reaching out to the sheriffs association, county supervisor association to identify and gather names to send to the Governor's Office of Boards and Commissions. **Executive Director Andy LeFevre** and **Chairperson Polk** are working to reach out to the Commissioners on standing committee assignments. ACJC recently hired Candice Millsap as the Grant Coordinator for the Criminal Justice Improvement program, Ana Daniels, Research Analyst II for the Statistical Analysis Center and Josh Cutler, Policy Associate.

2. Finance Update

Patty Hatvick reviewed the financials as of October 31, 2019, that includes state and federal funds.

3. Update on staff review of Criminal Justice Enhancement Fund

Deputy Director, Tony Vidale addressed the staff's review of the Criminal Justice Enhancement Fund. Staff reviewed FY14-18 of the CJEF reports, examined each individual agency, the line-item expenditures and compared them to revenue. All the patterns seemed reasonable. The alarming point was the number of agencies that are spending down fund balances. **Mr. Vidale** also mentioned in reviewing CJEF, it makes sense to explore pulling an agency out of the fund formula and having a dedicated reliable funding source for that agency. Reallocated monies to those agencies remaining in CJEF could provide a boost for the time being.

4. Amendment of ACJC Policy Number CJC-115

Mr. LeFevre presented to the Commission an amendment to ACJC's policy on the election of a Chairperson and Vice-Chairperson to allow both seats to serve another additional two-year term. This could permit for flexibility if chosen to do so allowing stability in the leadership role. **Commissioner Sharp** entered a motion to amend ACJC Policy number CJC-115 for the process to elect a Chairperson and Vice-Chairperson. The motion seconded by **Designee Paul Ahler** was unanimously approved by the Commission.

VII. A. Executive Committee

1. Update on the activities of the Executive Committee

Chairperson Polk reported that the Executive Committee went through the process of conducting the performance evaluation of the Executive Director.

2. Update on Statistical Analysis Center Activities

Jillian Ware reported on the recruitment efforts of the 2020 Arizona Youth Survey that includes 116 schools signed up, and presented the drafts of the Sexual Assault and Fill the Gap reports. In the Gang Threat Assessment report, the staff is working on some clarifying items before it is presented. The Epidemiology Workgroup along with ASU's Southwest Interdisciplinary Research Center continues to work on delivering a draft report to include preliminary information of AYS and BRFYSS data.

3. Fill the Gap, Gang Threat Assessment, and Sexual Assault Reports

Chairperson Polk recommended staff work with **Designee Amelia Cramer** on the Fill the Gap report, specifically on the Rule 8.4 Exclusion periods and the Arizona Case Timelines explanations. **Mr. LeFevre** suggested the Executive Committee review and approve the Fill the Gap report. **Commissioner Sharp** entered a motion to approve the Sexual Assault Report for distribution and refer to the Executive Committee for approval of the Fill the Gap report. The motion seconded by **Designee Cramer** was unanimously approved by the Commission.

B. Drug, Gang & Violent Crime Control Program

1. Update on the activities of the Drug, Gang & Violent Crime Control Committee

Mr. Vidale stated the Committee met on October 3, 2019.

2. CY2020 Residential Substance Abuse Treatment Program (RSAT) Grant Award Recommendation

Mr. Vidale explained the CY2020 Residential Substance Abuse Treatment Program (RSAT) grant awards as shown on page 23 of the agenda. The recommendation would fund projects totaling \$412,502 from federal funds and \$137,499 from local match funds to the Coconino County Sheriff's Office-Exodus Program, Arizona Department of Corrections Gemini Program, Arizona Department of Juvenile Corrections RSAT Program, Yavapai County Sheriff's Office Reach Out Program and Chicanos Por La Causa (Corazon Treatment Center). Staff is asking to consider a 6-month grant extension option to align the RSAT program with the state fiscal year. **Commissioner Sharp** entered a motion to approve the award of \$550,001 in federal and local cash match funds for the 2020 RSAT grant program beginning January 1, 2020, and ending December 31, 2020, with the option of the 6-month extension. The motion seconded by **Commissioner Steve Stahl** was unanimously approved by the Commission.

3. FY2019 Enhanced Drug & Gang Enforcement (EDGE) Report

Mr. Vidale reported the highlights from the FY 2019 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, which includes federal and state funding, and reduces illicit drug use and drug-related gang activity throughout the state. **Commissioner Sharp** entered a motion to approve the FY2019 Enhanced Drug and Gang Enforcement Report. The motion seconded by **Commissioner Stahl** was unanimously approved by the Commission.

C. Crime Victims

1. Update on the activities of the Crime Victims Committee

Commissioner Stahl conveyed that the Committee is scheduled to meet on December 12, 2019. **Heather Bohnet** stated the Committee is to review FY21 funding priorities.

D. Information Technology Systems Improvement

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

Shayla Fordyce outlined the timeline for the AZPOINT project. The pilot programs using the petition portal with Glendale Municipal Court and Mohave Superior Court is scheduled for November 25, 2019, and statewide implementation due on January 1, 2020.

E. Legislative

1. Update on the activities of the Legislative Committee

Commissioner Dave Sanders spoke that the Committee decided to meet every other Friday during the legislative session. The group discussed two pieces of legislation, 13-3112 closing the issue on the concealed carry weapon (CCW) loophole and 41-2405 to provide ACJC with a greater ability to collect criminal justice data.

2. ACJC drafted bills for the 2020 legislative session

Molly Edwards delivered the proposed changes to the pieces of legislation for the 2020 session. **Commissioner Stahl** entered a motion to accept the language modifying the three sections of 13-3112 regarding concealed weapons. The motion seconded by **Commissioner Sharp** was unanimously approved by the Commission. **Commissioner Sharp** entered a motion to send the proposed amendments on 41-2405 back to the Legislative Committee to work on the language and refer to the Executive Committee for approval of the modifications. The motion seconded by **Designee Greg Lauchner** was unanimously approved by the Commission.

VIII. Discussion on Commission Membership

Chairperson Polk reminded the Commission that the Auditor General's Office recommended expanded membership. The Commission met in September 2016 and decided the membership was adequate and agreed to revisit the discussion on a yearly basis. The Executive Committee had a discussion on the proposal and requested staff to draft language to amend the membership for legislation. After review and discussion, **Commissioner Stahl** entered a motion to increase the membership of the Commission to one public defender and one victim advocate; expand the membership from fourteen to sixteen members who are appointed by the Governor that includes changing from seven to eight of the members that may be from the same political party. The motion was seconded by **Designee Paul Ahler** passed unanimously with two abstentions.

IX. Commission Member Summaries of Current Events

There were no current events presented.

X. Call to the Public

Chairperson Polk made a call to the public, and no member of the audience addressed the Commission.

XI. Date, Time and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting takes place at 1:30 pm on Thursday, January 23, 2020, at 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

XII. Adjournment

The meeting adjourned at 3:28 pm.

Respectfully submitted,



Andy LeFevre
Executive Director

Audio recording is available upon request.