



COMMISSION VIEWS AND NEWS

ARIZONA CRIMINAL JUSTICE COMMISSION

APRIL 2019

Letter from our Chairwoman

“Honoring Our Past. Creating Hope for the Future” ~ the theme for National Victims’ Rights Week

In April, we recognize both Sexual Assault Awareness month and Victims’ Rights Week across the nation. As we honor both of these critical issues at the Arizona Criminal Justice Commission, we are working to provide more inclusivity, accessibility, and provide information and resources for all victims.

Assisting victims of crime continues to be a major legislative priority for the Arizona Criminal Justice Commission (ACJC) and the Arizona State Legislature. In 2018, the Commission approved HB2249, which reformed Arizona’s Order of Protection and Injunctions Against Harassment process. ACJC’s Systems Improvement Team has been working diligently on the Order of Protection/Injunctions against Harassment (OP/IAH) to improve the process for all victims. As part of this ongoing effort, in 2019 ACJC has partnered with the Arizona Coalition to End Sexual and Domestic Violence, Senator Victoria Steele and Senate Judiciary Committee Chair Eddie Farnsworth to introduce SB1250 (Injunction Against Harassment; Sexual Violence) to accomplish the goal of providing greater protections for victims of sexual assault in the injunctions against harassment process. The proposed fix to the existing law will require one instance of sexual violence (instead of two) to seek protection from the courts in the form of an injunction against harassment. Additionally, ACJC is supporting SB1315 (Victims’ Rights, previously HB2466), which will ensure the right of the victim to be present and heard at any proceeding in which the defendant has filed an application to have a judgment of guilt set aside.

In 1965, the first crime victim compensation program was established in California. ACJC administers Arizona’s Crime Victim Compensation and the Crime Victim Assistance programs. The Crime Victim Assistance program provides grants to private non-profit or government agencies that deliver direct services to crime victims. The Crime Victim Compensation program provides financial assistance to victims who may have experienced a financial loss as a direct result of a crime. In FY2018, the Victim Compensation Program provided program assistance to 1,794 victims and 2,540 individuals (relatives and/or associated individuals). For FY2019, the program has been allocated approximately \$4.5M from both state and federal funds to assist victims statewide.

ACJC works in partnership with many agencies statewide to protect victims and their rights. As we look to the future, the Commission will continue to advocate for all victims.

Yavapai County Attorney, Sheila Polk



Honoring Our Past.

Creating Hope for the Future.

National Crime Victims' Rights Week APRIL 7-13 2019

Success Stories for Victims

ACJC Victims' Compensation Program

In FY2018
2,540 individuals and
1,794 victims
received compensation

ACJC Victims' Compensation Program

Provided the following funding in
FY 2018:

Crime Scene Clean-up \$2,800

Economic Support (Lost wages)
\$691,773

Funeral/Burial \$850,650

Medical/Dental \$797,979

Mental Health: \$492,646

Travel \$161,786

The Arizona Criminal Justice Commission

The Arizona Criminal Justice Commission works daily to fight for victims' rights through our Crime Victim Compensation program, the Crime Victim Assistance program, and our Criminal Justice Systems Improvement program area.

The Crime Victim Services area oversees and administers two key programs: **The Crime Victim Compensation** and the **Crime Victim Assistance** programs. The Crime Victim Assistance program provides grants to private non-profit or government agencies that deliver direct services to crime victims. The Crime Victim Compensation program is administered through ACJC but resides locally in each of Arizona's 15 county attorney's offices.

For more information on these programs,
visit www.azcjc.gov



NEW ORDER OF PROTECTION SYSTEM PROVIDES GREATER ACCESS AND A STREAMLINED PROCESS FOR VICTIMS'



ACJC's Criminal Justice Systems Improvement program area just reinvented the Order of Protection and Injunction Against Harassment (OP/IAH) process to Improve Safety, Access, and Efficiency for victims (HB2249, 2018 year). The following improvements were made:

- Make all petitioner addresses and contact information collected by the court confidential.
- Emergency Order of Protection will expire within 72 hours previously it was 24 hours.
- Implementing an electronic Protection Order System that allows petitioners to complete a petition remotely and come to court when they are ready for their ex-parte issuance hearing.
- The Court shall initiate service and transfer the Protective Order to the service agency through the Protection Order System.
- Makes the Court the holder of the Order of Protection Record.
- Allow for a victim notification system that can give petitioners real-time information on their order.
- Servicing Agency has 72 hours to file an affidavit, declaration, acceptance or return of service with the court previously it was seven (7) days.

Contact Us

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Phone: 602-364-1147

www.azcjc.gov



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<https://www.facebook.com/acjcpio>

<https://twitter.com/azcjc>

"Our mission 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."

VICTIM RESOURCES

Arizona Coalition to end Sexual & Domestic Violence – 1-800-782-6400

Domestic Shelters – DomesticShelters.org

National Domestic Violence HOTLINE – 1-800-799-7233

LoveIsRespect.org – 1-866-331-9474

Victims' Rights Week Events Across the State – April 7-13

Wednesday, April 3, from 12:00pm – 1:00pm Sexual Assault Awareness Brown Bag Session.

Arizona Department of Economic Security. 1789 W. Jefferson Street, 2nd floor. Hosted by the Governor's Commission to Prevent Violence Against Women.

Monday, April 8, from 12:00pm – 1:00pm Sexual Assault Awareness Brown Bag Session. Arizona State Capitol Executive Tower. 1700 W. Washington Street. Grand Canyon Conference Room. Hosted by the Governor's Commission to Prevent Violence Against Women.

Tuesday, April 9, from 12:00pm – 1:00pm Maricopa County Attorney's Office NCVRW Ceremony.
205 W. Jefferson Street, Phoenix, Arizona 85009

Thursday, April 11, from 9:00am – 3:30pm The First Annual Faith Community Sexual Assault Awareness Roundtable. St. Patricks Catholic Community Church. 10815 N. 84th Street. Scottsdale, Arizona. Hosted by the Governor's Office of Youth, Faith and Family.

Friday, April 12, from 9:00am – 4:00pm Navajo County 9th Annual Victims' Rights Symposium. NPC Performing Arts Center, 1611 S. Main Street, Snowflake, Arizona. To pre-register, visit Eventbrite.com and search Navajo County Symposium.

Wednesday, April 17, from 12:00pm – 1:00pm Sexual Assault Awareness Brown Bag Session.
Arizona Department of Health Services. 150 N. 18th Ave. Room 300B. Hosted by the Governor's Commission to Prevent Violence Against Women.

Thursday, April 18, from 9:00am – 4:00pm Sexual Assault Response Symposium. ADOT Human Resource Development Center. 1130 N. 22nd Ave. This event is geared towards all individuals and organizations providing sexual assault services, including victim advocates, law enforcement, prosecutors, medical personnel, & mental health providers. Hosted by the Governor's Office of Youth, Faith and Family.

* Visit your local County Attorneys Offices for more events.

Did You Know.....

Outdated Fingerprint System gets a Major Upgrade

Prior to 2017, approximately 10% of Arizona's felons had been adjudicated without proper fingerprints (tens prints) documented in the Arizona Computerized Criminal History (ACCH) system. Statewide, this means that every year over 5,000 convictions were not recorded in any statewide or federal biometrically based criminal database. This was a significant problem and one that the ACJC Systems Improvement Team tackled.



Another significant problem the ACJC Systems Improvement Team identified, in Arizona, pursuant to ARS § 41-1750, a defendant must be fingerprinted if they are charged with any felony offense or if they are charged with one of three misdemeanor offenses: DUI, domestic violence, or a sex-related offense such as public sexual indecency or indecent exposure. There are 36 statutes that identify over 400 different protected professions, which require a fingerprint-based criminal background check. However, these statutes are only as effective as the system that is used to check for prohibiting convictions. Stated another way, missing fingerprints means that an applicant with multiple unrecorded convictions could potentially become employed in one of the 400 protected professions.

The solution, in July 2016, ACJC provided funding to the Arizona Administrative Office of the Courts (AOC) to deploy mobile fingerprinting devices to each of Arizona's Superior Court criminal courtrooms. These devices have the ability to capture a digital fingerprint for the sentencing order, check the Department of Public Safety Automated Fingerprint Identification System (AFIS) and return a Process Control Number (PCN) which indicates the individual has been correctly fingerprinted to create a criminal history. If a PCN is not returned, then there is a high likelihood that the defendant was never fingerprinted on the presenting charges, so the court now knows to send the individual to get fingerprinted before sentencing. Prior to adding the mobile fingerprinting devices to the courtroom, the "ink and roll" method was used throughout the court system.

The goal of putting the devices in the Superior Court courtrooms is to reduce the approximately 10 percent of felony cases are adjudicated without fingerprints. The full roll out of the program will become live in courtrooms statewide January 2020.

Marc Peoples is the Program Manager for the ACJC's Criminal Justice Systems Improvement Division.

SAVE THE DATES



39th Annual Law Enforcement Summit July 16-18, 2019

It's time for the 39th Annual Law Enforcement Summit held on July 16-18, 2019 at the Little America Hotel in Flagstaff, Arizona. The Law Enforcement Summit continues to be designed to foster a harmonious working relationship between all criminal justice organizations within the State of Arizona.

Join your fellow Arizona law enforcement colleagues from federal, state, county and local agencies for up to three (3) days of: agency/organizational/committee meetings training sessions and presentations.



18th Annual Arizona Peace Officers Memorial Charity, Inc. Golf Tournament May 4, 2018

Check-in at 6:30 am, with 7:30 am shot-gun.
Silverado Golf Club
7605 E. Indian Bend Road

Four person scramble, \$340 per foursome,
includes lunch.

For more information:

Connie Drushel, cdrushel@bonneville.com

Teri Barnes, terib918@gmail.com

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April 9—NICS Task Force Meeting
8:30 AM University of Phoenix

**April 25—Drug, Gang, & Violent
Control Meeting**
1:00 PM, 1110 W. Washington

May 8— Crime Victims' Committee
1:00 PM, 1110 W. Washington

May 23—Full Commission Meeting
1:30 PM, 1110 W. Washington

June 4— AJCJ Policy Team Meeting
10:00 AM, 1110 W. Washington

June 20—ACJC Info Tech Meeting
1:30 PM, 1110 W. Washington

July 16—NICS Task Force Meeting
8:30 AM University of Phoenix

July 17- Full Commission Meeting
Little America Hotel, Flagstaff

Sept. 19—Full Commission Meeting
1:30 PM, 1110 W. Washington

Oct 3—ACJC Policy Team Meeting
10:00 AM, 1110 W. Washington

Oct 7—ACJC Info Tech Meeting
1:30 PM, 1110 W. Washington

Oct 8—NICS Task Force Meeting
8:30 AM, University of Phoenix



Legislative Updates

The 54th Legislature, First Regular Session kicked off on January 14 with a total of 1,289 bills introduced as of the publishing of this newsletter– 47 of those bills have passed and 36 bills signed by the Governor. We are pleased to see great movement on a number of bills we are tracking.

To help organize all of the bills we are monitoring, we have organized them by primary main themes:

Assisting Victims of Crimes

SB1250 (Injunction Against Harassment; Sexual Violence) was introduced this session to provide greater protections for victims of sexual assaults in the injunctions against harassment process. The current statute states, “Instances” (plural) meaning they would have to be a victim of sexual violence more than once to be able to seek protection from the court. The proposed fix to the existing law would only require one instance (instead of two) to seek protection from the courts for that matter. To date, this bill has passed out of the Senate and received a do pass in House Judiciary on 3/20.

Additionally, there is movement with **SB1315** (Victims’ Rights, previously HB2466). The new title of the bill is Victims’ Rights; Refusal of Interviews. This bill has passed out of the Senate and had a hearing in House Judiciary on 3/28.

Enhancing Court Processes

In response to the need to improve overall Criminal Justice in the courts, there have been a number of bills introduced this session. **HB2053** (Competency Evaluation; reports) passed the house and has passed Senate Judiciary and Senate Rules. **HB2055** (Juvenile Court; Jurisdiction; Undesignated Felony) has also passed the house and Senate Judiciary. **HB2191** (Criminal Justice Records; Prohibited Uses) passed out of the House and Senate and is now awaiting for the Governor. **HB2361** (Sentencing Repetitive Offenders; Sentence Records) passed out of the House and was withdrawn from Senate Judiciary, now has been reassigned to Senate Appropriations with a hearing on 4/2. **SB1307** (DUI; License Reinstatement; Evaluation Requirements) passed out of the Senate and received a do pass in House Transportation on 3/14. **SB1311** (Material Witnesses; Contempt; Detention; Bond) passed out of the Senate and failed in House Judiciary but was reconsidered on 3/27 and received a do pass.

Enhancing Prison Programs

HB2266 (Prisoners; Transition Program; Eligibility) passed out of the House and on 3/12 was okay in Senate Rules. **SB1092** (Prisoners; Transition Program; Eligibility) was moved to a striker now known as **AZPOST Rulemaking Exemption (new short title)**, it passed out of the Senate and passed in House Cow with an amendment #4660 on 3/21. **HB2267** (Prisoner Accounts; Use; ADOT Credentialing) has moved into the Senate House and received a do pass in Senate Transportation & Public Safety with an amendment #4818 on 3/21. The following bills have passed out of the House and are currently assigned to Senate Judiciary: **HB2062** (Juvenile Disposition; Probation Terms; Notice) **HB2480** (Setting Aside Judgement Felony Offense) & **HB2080** (Civil Rights Restoration; Felonies) will both received a due pass in the Senate Judiciary 3/28. **SB1068** (Detention Officers; Arrest Warrant; Custody) has been assigned to House Public Safety and received a do pass on 3/20 and **SB1314** (Death Penalty; Aggravating Circumstances) was approved on House COW on 3/21. **SB1093** (Prisoner Accounts; Use: ADOT Credentialing) has passed out of the House and Senate, it was signed by the Governor on 3/22 and was put into Chapter 16, Laws 2019.

Regulating Distracted Driving/Traffic Violations Consequences

This session bills that regulate distracted driving have been gaining a lot of traction and has led to bipartisan bills to be introduced to help solve the public safety concern. With the increased amount of traffic violations it brought attention to the consequences and how to handle them fairly. **SB1165** (Wireless Communication Device; Driving; Prohibition) passed out of the House Transportation Committee with an amendment #4770 on 3/14. **HB2069** (Text Messaging While Driving; Prohibition) received a do pass in the House Public Safety committee on 2/21 but has stalled. **HB2005** (Moving Violations; Defensive Driving School) was referred to Senate Transportation and Public Safety received a do pass and an amendment. **HB2264** (Traffic Violations; Traffic Survival School) was referred to House Public Safety and received an amendment #4301. **HB2265** (Defensive Driving Schools; Course Curriculum) has received a lot of traction and currently received a do pass in the Senate Transportation and Public Safety Committee with an amendment.

Important Grant Announcements

[STOP Violence Against Women Formula Grant Program- Governors Office of Youth, Faith and Family](#)

Awarded to states and territories, enhances the capacity of local communities to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women and to develop and strengthen victim services in cases involving violent crimes against women. Each state and territory must allocate 25 percent for law enforcement, 25 percent for prosecutors, 30 percent for victim services (of which at least 10 percent must be distributed to culturally specific community-based organizations), 5 percent to state and local courts, and 15 percent for discretionary distribution. To apply for this grant, you must register with ProcureAZ. To access ProcureAZ for information and help regarding registration, please visit <https://procure.az.gov/bsol/>. The GOYFF does not maintain or service the ProcureAZ system.

[Rural Sexual Assault, Domestic Violence, Dating Violence and Stalking Assistance Program- Governors Office of Youth, Faith and Family](#)

Enhances the safety of rural victims of sexual assault, domestic violence, dating violence and stalking, and supports projects uniquely designed to address and prevent these crimes in rural areas. Eligible applicants are states, territories, Indian tribes, local governments, and nonprofit entities, including tribal nonprofit organizations. To apply for this grant, you must register with ProcureAZ. To access ProcureAZ for information and help regarding registration, please visit <https://procure.az.gov/bsol/>. The GOYFF does not maintain or service the ProcureAZ system.

[Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program- Governors Office of Youth, Faith and Family](#)

Encourages state, local, and tribal governments and state, local, and tribal courts to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law requiring the coordinated involvement of the entire criminal justice system. Eligible applicants are states and territories, units of local government, Indian tribal governments, and state, local, tribal, and territorial courts. To apply for this grant, you must register with ProcureAZ. To access ProcureAZ for information and help regarding registration, please visit <https://procure.az.gov/bsol/>. The GOYFF does not maintain or service the ProcureAZ system.

[Department of Gaming "Problem Gambling Prevention Grant Program"](#)

The Arizona Department of Gaming is excited to announce our *New Problem Gambling Prevention Grant program. Our Division of Problem Gambling is offering \$250,000 in grant funding to qualified individuals, non-profit organizations, and State, county, local, and tribal agencies in Arizona to develop and implement problem gambling prevention strategies through existing programs targeting youth and older adults. Projects funded under this program will be for 12 consecutive months starting July 1, 2019, and ending June 30, 2020. Click the story for the press release and see details: Open Date: Applications may be started in the Arizona Criminal Justice Commission (ACJC) Grants Management System beginning Monday, March 11, 2019,

Open Date: Applications may be started in the Arizona Criminal Justice Commission (ACJC) Grants Management System beginning Monday, March 11, 2019, <https://lnkd.in/q2uEgPk>

Deadline: Applications are due by 3:00 p.m., Friday, April 19, 2019

Contacts: Grant solicitation or eligibility – Kathy Donner DPG: 602-255-3889 or kdonner@problemgambling.az.gov

Grant application process/system – Simone Courter, ACJC: 602-364-1186 or scourter@azcjc.gov