



COMMISSION VIEWS AND NEWS

ARIZONA CRIMINAL JUSTICE COMMISSION

MARCH 2019

Letter from our Chairwoman

Welcome to a new year and the start of another legislative session at the state Capitol. The Arizona Criminal Justice Commission (ACJC) is excited to be once again working with our elected leaders to help shape criminal justice policy that will make Arizona a safer place for all of our residents.

Through the work of our Commission Members and dedicated staff, ACJC plays a leading role in Arizona's criminal justice community. We do this by enhancing public safety through an effective criminal justice system.

There is a lot of discussion about criminal justice reform in the halls of the legislature this year. But criminal justice reform can mean a lot of different things depending on who is asking the questions.

If Arizona wants to have a productive dialog on criminal justice reform, we first need to make sure we are asking the right questions. Then we need to make sure we are using the right data to arrive at an answer.

And that is where ACJC is uniquely situated to be a leading resource to our policymakers asking those questions. ACJC houses the state's criminal justice Statistical Analysis Center (SAC) which is funded by the legislature to collect and analyze criminal justice data. This dedicated SAC team specializes in criminal justice research and produces a number of statutorily required reports that deal with youth substance abuse and risky behaviors, gangs, and sexual assaults; as well as conducting research that helps inform other programs dealing with criminal history completeness, use of criminal codes, and the effectiveness of victim services funding.

So let's make sure we are asking the right questions about criminal justice reform before we attempt to change established policy. Let's work to effectively bring together data and practice to create informed public policy recommendations around the topic of criminal justice reform.

The Arizona Criminal Justice Commission and our SAC team are ready to assist that process by providing balanced, non-partisan, data-based answers to our policymakers' questions.

Yavapai County Attorney and ACJC Commission Chairwoman, Sheila Polk





Did You Know.....

Orders of Protection and Injunctions Against Harassment

Editor: How did the ACJC's Order of Protection/Injunction Against Harassment (OP/IAH) project get started?

Marc Peoples: The Arizona National Instant Criminal Background Check System (NICS) Task Force has been looking at numerous issues surrounding OP/IAH for quite some time. In addition to numerous practitioner concerns, the ACJC examined data collected for orders issued in 2015 and 2016.

In 2015, Arizona courts issued over 42,000 OP/IAHs. However, almost half of these orders were never served and therefore were never enforceable.

A further examination of this information also revealed that on average it took 13 days for an Order to be served and then an **additional** 9.5 days for it to be entered into National Crime Information Center (NCIC) and thereby enforceable throughout the state.

Editor: What are the biggest changes Arizona will see in the system?

Marc: In April 2018, Governor Ducey signed Arizona HB 2249 into law. This statute made a number of changes to the system including changing the holder of record to the issuing court, extending the expiration timeline for an emergency order of protection, and shifts the burden for initiating service of the OP/IAH from the plaintiff to the issuing court.

On January 1, 2020, the legislation is expected to take full effect and will include a new streamlined system that will accomplish the following:

- Allow plaintiffs to submit a petition electronically through the courts website. This new process will reduce service time that currently takes 13 days and ensure Orders of Protection will be entered into the NCIC sooner than the current 9.5 days.
- Plaintiffs can apply online anywhere in the State.
- The Courts will now forward the Order of Protection directly to the service agency, whereas before the Plaintiff was responsible for finding a serving agency to serve the Order.
- Emergency Orders of Protection will now expire within 72 hours, whereas before it was within 24 hours.
- Allows the victim to receive notification electronically in real time on the status of their order.

Editor: How can we find out more about these changes?

Marc: The full OP/IAH report detailing the 58 recommendations will be posted on the ACJC website www.AZCJC.gov in the coming months. Additionally, the ACJC will continue to use forums such as this newsletter and online webinars to keep the Arizona Justice community informed.

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

Thank you For Your Service



Sheriff K.C. Clark
Navajo County served
on the Commission
from 3/12/15 through
1/31/19 (Retired).
Sheriff Clark served on
the ACJC Legislative
Committee.



Judge Dave Cole
Served on the
Commission from
2/16/16 through
1/31/19. (He is
currently with the
Attorney
General's office).
Judge Cole served on
the Crime Victims
Committee.



Photo Caption

Arizona Youth Survey Results

The Arizona Criminal Justice Commission, in collaboration with Arizona State University's School of Criminology & Criminal Justice conducted the 2018 Arizona Youth Survey (AYS) to assess health risk behavior and measure the prevalence of substance abuse—including alcohol, tobacco and other dangerous drugs among 8th, 10th and 12th graders. Additionally, the AYS assesses the prevalence and frequency of youth gang involvement, gambling, violence, bullying and other risky behaviors in Arizona, and helps stakeholders to better understand the risk and protective factors that are correlated with these behaviors.

The most glaring figures from the 2018 survey show that more youth are reporting regular use of marijuana across all grade levels, with nearly a quarter of 12th graders indicating regular use over the past 30 days, and 18 percent reporting regular use of marijuana concentrates in the same period. The good news, the report showed a steady decline with youth use rates of alcohol and cigarettes. However, the report showed a dramatic rise in youth use of E-cigarettes, which are now the most abused substance for 8th and 10th graders.

Armed with this information, state and local policymakers can work to make better-informed decisions in developing effective strategies to combat youth substance abuse and improve communities throughout Arizona.

For a full copy of the report, visit: http://www.azcjc.gov/sites/default/files/pubs/2018_AYS_State_Report_FINAL.pdf

For data requests, please visit http://www.azcjc.gov/sites/default/files/pubs/AYSReports/Data_Request_Form_Fillable.pdf

ANNOUNCEMENTS



Congratulations to Commissioner and Sherriff Mark Napier. The Arizona Sheriff's Association and the Southwest Border Sheriff's Coalition are extremely proud to announce Sheriff Mark Napier of the [Pima County Sheriff's Department](#) has been elected to serve as Chair of the Border Security and Immigration Committee for Major County Sheriffs of America.



Congratulations to Commissioner and Chandler Chief Sean Duggan for being named "**Chief of the Year**" by the Arizona Association of Chiefs of Police. Chief Duggan was appointed as the Chief of Police for the City of Chandler on January 13, 2014, after serving 27 years with the Scottsdale Police Department. He brought with him a wealth of knowledge and experience, having worked assignments in patrol, investigations, SWAT, and other specialties at levels from Officer to Assistant Chief. Under Chief Duggan's leadership, the Chandler Police Department has made great strides towards becoming a world-class leader in 21st century policing by engaging the best trained, equipped, and committed professionals and by employing the best practices in policing.

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JUNE	CALENDAR 2019		JULY
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AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
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- March 5—Crime Victims Meeting**
1:00 PM, 1110 W. Washington
- March 21—Full Commission Meeting**
1:30 PM, 1110 W. Washington
- 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 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



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. This is a slight increase in the number of bills introduced in years past, despite Governor Ducey's State of the State where he asked legislators to reduce the number of bills being introduced.

For the first regular session, the ACJC Legislative team is tracking 172 bills that deal with various criminal justice themes. Some of the main themes include:

Assisting Victims of Crimes

Assisting victims of crime continues to be a major legislative priority for both the Arizona Criminal Justice Commission and the Arizona State Legislature. In 2018, the Commission approved HB2249, which reformed the States Orders of Protection and Injunctions Against Harassment process. ACJC's Systems Improvement Team has been working diligently on the Orders of Protection/Injunctions against Harassment (OP/IAH) to improve the processes for victims. As part of this on-going effort, ACJC partnered with the Arizona Coalition to End Sexual and Domestic Violence, along with Senator Victoria Steele and Senate Judiciary Committee Chair Eddie Farnsworth to amend **SB1250 (Sexual Assault Protective Order)** to accomplish the goal of providing 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.

There are two additional bills of interest **HB2466 (Victims' Rights)** and **SB1315 (Victims' Rights; Refusal of Interviews)** that ACJC is monitoring.

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 that are making their way through the legislature. **HB2053** (Competency Evaluation; reports), **HB2055** (Juvenile Court; Jurisdiction; Undesignated Felony), **HB2191** (Criminal Justice Records; Prohibited Uses), **HB2361** (Sentencing Repetitive Offenders; Sentence Records), **SB1307** (DUI; License Reinstatement; Evaluation Requirements), **SB1311** (Material Witnesses; Contempt; Detention; Bond), **SB1317** (Bodily Fluids Exposure; Testing).

Enhancing Prison Programs

HB2266/SB1092 (Prisoners; Transition Program; Eligibility), **HB2267/SB1093** (Prisoner Accounts; Use: ADOT Credentialing); **HB2062** (Juvenile Disposition; Probation Terms; Notice), **HB2080** (Civil Rights Restoration; Felonies), **HB2480** (Setting Aside Judgement Felony Offense), **SB1068** (Detention Officers; Arrest Warrant; Custody), **SB1314** (Death Penalty; Aggravating Circumstances).

Important Grant Announcements

GRANTS TRAINING OPPORTUNITY— Deadline to Register is closes soon National Criminal Justice Association Grants Management Training

SPOTS AVAILABLE FOR MARCH 6-7 TRAINING

The National Criminal Justice Association (NCJA) will offer two separate two-day grants management trainings in Phoenix. NCJA is an organization dedicated to assisting criminal justice agencies in the development and implementation of effective criminal justice policy. As part of this effort NCJA staff offers training and technical assistance with extensive experience in statewide strategic planning and strategy implementation, stakeholder engagement, federal grants management and administration, and data management and information sharing. The grants management trainings will take place on **March 4-5 and 6-7**, hosted by ACJC. The training covers grants management and administration, including pre-and post-award processes, principles, functions, 2 CFR Part 200 Uniform Administrative Requirements, cost principles and audit requirements for federal awards. Visit http://www.azcjc.gov/sites/default/files/pubs/NCJA_Grants_Training_Phoenix_Flyer.pdf

Victims Assistance Program Grant closes March 22

The Crime Victim Assistance program grant is a competitive grant established to help fund victim service projects providing direct services to crime victims in Arizona. Grant proposals are considered from public agencies, tribal agencies, and private non-profit organizations. Grant applications must be completed and submitted through the ACJC Grant Management System. For more information on the Victims Assistance Program Grant go to <http://www.azcjc.gov/grants> and look for "Victim Assistance".

FY 2020 Drug, Gang, and Violent Crime Control Grant

The application period for the FY 2020 Drug, Gang, and Violent Crime Control Grant closed March 1. Even though this grant will be closed by the time of this newsletter distribution, we wanted to include deadlines going forward for those who qualified for this grant. This grant seeks to curtail the flow of illicit drugs, drug proceeds and instruments used to perpetuate violence across Arizona and reduce violent crime and illicit drug use and deter repeat offenders in Arizona. Applications will be reviewed and scored by a team of evaluators and staff will produce a recommended funding allocation plan. The staff funding recommendation will be presented to the Drug, Gang and Violent Crime Committee on **April 25, 2019**. The Committee will approve a recommendation that will be presented to the full Commission at the **May 23, 2019** meeting. Visit <http://www.azcjc.gov/node/841> for more information.

Contact Us

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"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."