

**NOTICE OF PUBLIC MEETING OF THE
JOINT EXECUTIVE COMMITTEE AND LEGISLATIVE COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION
AND
AGENDA**

Pursuant to A.R.S § 38-431.02, notice is hereby given to the members of the **Legislative Committee** of the Arizona Criminal Justice Commission and to the general public that the **Joint Executive Committee** and **Legislative Committee** will hold a meeting open to the public on **Friday, January 12, 2018** beginning at **1:30 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 230, Phoenix, Arizona 85007.**

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Criminal Justice Commission endeavors to ensure the accessibility of its meetings to all persons with disabilities. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission Office at (602) 364-1146. Requests should be made as early as possible to allow time to arrange the accommodation.

Agenda for the meeting is as follows:

I. Call to Order and Roll Call **Chairperson David Sanders**

Executive Committee Members:

Sean Duggan, Chairperson
Sheila Polk, Vice Chairperson
David Byers
Joe Brugman
Charles Ryan
David Sanders

Legislative Committee Members:

David Sanders, Chairperson
David Byers
K.C. Clark
Barbara LaWall
Frank Milstead
Mark Napier
Danny Sharp

II. Minutes of October 24, 2017 Meeting

- Approval of Minutes

P-F-T

III. ACJC Legislation

Jaime Watson

- Review and discussion of ACJC priority legislation
 1. Protective Order Improvement Bills
 2. Sexual Assault Report Clean Up

IV. Review Introduced Criminal Justice Legislation

Jaime Watson

- Review, discussion, consideration and possible action on support of various criminal justice legislation:

V. Call to the Public

Those wishing to address the Committee need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

VI. Date, Time, and Location of Next Meeting

- The next Legislative Committee meeting will be held at the call of the Chairperson

VII. Adjournment

A copy of the agenda background material provided to Committee members is available for public inspection at the Arizona Criminal Justice Commission Office, 1110 West Washington, Suite 230, Phoenix, Arizona 85007, (602) 364-1146. This document is available in alternative formats by contacting the Commission Office.



**JOINT EXECUTIVE COMMITTEE AND LEGISLATIVE COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION**

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
January 12, 2018	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the October 24, 2017 Meeting

TO: Chairperson and Committee Members

FROM: David Sanders, Chairperson

RECOMMENDATION:

The Committee approve the minutes of the Legislative Committee meeting held on October 24, 2017.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Legislative Committee of the Arizona Criminal Justice Commission
Minutes**

October 24, 2017

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Tuesday, October 24, 2017 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members Present:

David Sanders, Chairperson, Pima County Chief Probation Officer, by conference call
David Byers, Director, Administrative Office of the Courts, by conference call
K.C. Clark, Navajo County Sheriff, by conference call
Mark Napier, Pima County Sheriff, by conference call
Danny Sharp, Chief, Oro Valley Police Department, Aaron Lesuer representing by conference call

ACJC Staff Present:

Jaime Watson, Public Information Officer/Legislative Liaison
Marc Peoples, Program Manager
Peter Henning, Program Manager

Other Meeting Participants:

Elizabeth Ortiz, Executive Director, Arizona Prosecuting Attorney's Advisory Council
Jerry Landau, Director of Government Affairs, Arizona Supreme Court

I. Call to Order and Roll Call

The meeting was called to order by Chairperson David Sanders at 10:08am. Roll was taken and a quorum was declared present.

II. Minutes of the April 7, 2017 Meeting

Chairperson Sanders called for a motion on the minutes. David Byers entered a motion to approve the minutes of the meeting held on April 7, 2017. The motion was seconded by Aaron Lesuer and was unanimously approved by the Committee.

III. Protection Order (PO)/ Injunction Against Harassment (IAH) Project

Jaime Watson, Public Information Officer/Legislative Liaison presented a summary of the Protection Order/Injunction Against Harassment Project Assessment Project. As a part of the project, ACJC staff met with local practitioners around the state to discuss local business processes with practitioners representing Victim Advocates, Courts, Law Enforcement and Constables. From these focus groups, ACJC developed recommendations and legislative proposals to improve the Protective Order Process in Arizona. Ms. Watson reported that through this process ACJC learned that about half of Orders of Protections issued in Arizona are unserved and the average time from issuance to NCIC entry is about 21 days. It was reported that in order to decrease the amount of time between issuance and entry into NCIC and to increase the numbers of Orders of Protection served, ACJC recommends the following proposals: 1) A terminology change of plaintiff/defendant to petitioner/respondent to mirror national practices, 2) implement an electronic order of protection system that allows petitioners to complete a petition remotely 3) court initiate service and transfer protective order to the serving agency, 4) make court the holder of the order of protection record, 5) allow for a victim notification system that can give petitioners real time information on their case, 6) allow for service of protection orders during incidental contact.

A video was shown to the committee about the protective order process in Indiana.

Marc Peoples, Program Manager presented the proposed new process for Protective Orders.

IV. (PO)/ (IAH) Draft Legislation Review

Jaime Watson, Public Information Officer/Legislative Liaison presented the draft legislative proposals for the Protection Order/Injunction Against Harassment Project: 12-1809 Injunction against harassment, 12-1810 Injunction against workplace harassment, 13-3602 Order of Protection, and 13-3624 Emergency order of protection. The Committee studied the draft proposals.

David Byers motioned to support the concept with direction that ACJC staff continue to work on the draft language for 13-3602. The motion was seconded by Mark Napier and unanimously passed by the Committee.

David Byers motioned to support the concept of 13-3624 with direction that ACJC staff continue to work on the draft language. Mark Napier seconded the motion and the motion was unanimously passed by the Committee.

David Byers motioned to support the concept of 12-1809 with direction that ACJC staff continue to work on the draft language. Mark Napier seconded the motion and the motion was unanimously passed by the Committee.

David Byers motioned to support the concept of 12-1810 with direction that ACJC staff continue to work on the draft language. Mark Napier seconded the motion and the motion was unanimously passed by the Committee.

V. Sexual Assault Records Draft Legislation Review

Jaime Watson presented the proposed draft legislation to amend A.R.S. §41-2406, Sexual Assault Records; Reports. A.R.S. §41-2406 requires ACJC to annually report on the total number of sexual assaults reported to law enforcement and subsequent case information available in the state criminal history record repository. State statute also requires that the total number of sexual assaults involving a spouse be reported. It was reported that ACJC is not able to track spousal relationships (including estranged relationships) in sexual assault cases due to the repealing of the statute of A.R.S. §13-1406.01, titled *Sexual Assault of a Spouse*, as well as lack of victim-offender relationship identifier information in the criminal history record repository. A.R.S. §41-2406 also mandates ACJC to provide the total number of false reports of sexual assault involving a spouse. Ms. Watson reported that false reporting of sexual assault involving a spouse (i.e., A.R.S. §13-2907.03) is a misdemeanor offense and is not a fingerprintable offense based on A.R.S. §41-1750 criminal history record requirements. Thus, ACJC cannot verify all A.R.S. §13-2907.03 charges are entered into the criminal history record repository. The Committee studied the draft proposal.

Mark Napier moved to support the deletions from the current statute. David Byers seconded the motion and the Committee unanimously passed the motion.

VI. Call to the Public

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

VII. Date, Time, and Location of Next Meeting

The next legislative update will be scheduled at a later date if needed.

VII. Adjournment

The meeting was adjourned at 11:03 pm.

Respectfully submitted,



Andrew T. LeFevre
Executive Director

Audio recording is available upon request.



**JOINT EXECUTIVE COMMITTEE AND LEGISLATIVE COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION**

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
January 12, 2018	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Review and discussion of ACJC priority legislation

TO: Chairperson and Committee Members

FROM: Jaime Watson, Public Information Officer/Legislative Liaison

RECOMMENDATION:

N/A

DISCUSSION:

The Executive Committee and Legislative Committee shall discuss and review ACJC priority legislation.

1. Order of Protection Improvement Bill
2. Sexual Assault Report

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

IV

JOINT EXECUTIVE COMMITTEE AND LEGISLATIVE COMMITTEE OF THE ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
January 12, 2018	<input type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Other	Review Introduced Criminal Justice Legislation

TO: Chairperson and Committee Members

FROM: Jaime Watson, Public Information Officer/Legislative Liaison

RECOMMENDATION:

N/A

DISCUSSION:

Review, discussion, consideration and possible action on support or opposition of various criminal justice legislation.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table