

NOTICE OF PUBLIC MEETING

ARIZONA CRIMINAL JUSTICE COMMISSION

JOINT EXECUTIVE AND LEGISLATIVE COMMITTEE

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the **Joint Executive and Legislative Committee** and to the general public that the **Joint Executive and Legislative Committee** will hold a meeting open to the public on **Friday, February 5, 2021**, beginning at **1:30 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 230, Phoenix, Arizona 85007**. Members of the Commission may attend either in person or by telephone, video or internet conferencing.

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>Agenda Items</i>	<i>Presenter</i>
I.	Call to Order and Roll Call	David Sanders
II.	Approval of Previous Meeting Minutes	David Sanders
		P-F-T
III.	Special Action Item	Andrew LeFevre
		P-F-T
IV.	Review Introduced Criminal Justice Legislation	Molly Edwards
		P-F-T
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.	Next Meeting	
	The next Committee meeting is at the Call of the Chairperson	

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 , Phoenix, Arizona 85007, (602) 364-1146. This document is available in alternative formats by contacting the Commission Office.

**ARIZONA CRIMINAL JUSTICE COMMISSION
LEGISLATIVE COMMITTEE
ACTION-MOTION/ INFORMATION ITEM**

Presenter	<i>David Sanders</i>	
Agenda Title	<i>Approval of Previous Meeting Minutes</i>	

Recommended Action	The Committee will consider approval of the minutes of its October 26, 2020 and January 29, 2021 meetings.
Details/Discussion	None
Fiscal Impact	None
Alternatives Considered	Not Approve-Modify-Table

**ARIZONA CRIMINAL JUSTICE COMMISSION
LEGISLATIVE COMMITTEE
ACTION-MOTION/ INFORMATION ITEM**

Presenter	<i>Andrew LeFevre</i>
Agenda Title	<i>Special Action Item</i>

Recommended Action	Move that the Members ratify the decision to oppose Senate Bill 1290 that was voted on at the meeting held on Friday, January 29th that occurred in violation of Arizona Open Meeting Law.
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Details/Discussion

The meeting of the Arizona Criminal Justice Commission held on Friday, January 29th at 1:30 PM was held in violation of Arizona's Open Meeting Law. Specifically the agenda for the meeting was not posted at least 24 hours in advance of the meeting start time.

As such the action taken by the Members to vote to oppose Senate Bill 1290 was not a valid action by the Commission.

A public body may ratify an action previously taken in violation of the Open Meeting Law via A.R.S. §38--431.05(B). That procedure is as follows:

1. The decision to ratify must take place at a public meeting held in accordance with the Open Meeting Law.
2. The decision to ratify must be taken within 30 days after discovery of the violation or after such discovery should have been made by the exercise of reasonable diligence.
3. The public notice of the meeting at which ratification is to take place must include (a) a description of the action to be ratified, (b) a clear statement that the public body proposed to ratify a prior action, and (c) information on how the public may obtain a written description of the action to be ratified.
4. In addition to the notice and agenda of the meeting, the public body must make available to the public a detailed written description of the action to be ratified and a description of all prior deliberations, consultations, and decisions by members of the public related to the action to be ratified.
5. The description required under paragraph 4 must be included as part of the minutes of the meeting at which the decision to ratify was made.
6. The public notice, agenda, and written description must be made available to the public at least 72 hours prior to the public meeting.

At the meeting held on Friday, January 29, 2021 the Members discussed Senate Bill 1290, Criminal Case Statistics; Report; Appropriation, introduced by Senator Engle. This bill would take \$150,000 from the Drug and Gang Enforcement Resource Center Fund in FYs 2021-2022 and 2022-2023 to be distributed to county attorney offices to cover the cost associated with preparing the criminal case statistics report required in the bill.

ACJC Director, Andrew LeFevre, explained that the fund is roughly in balance and that the use of any funds from this source would extremely detrimental to the work of the agency to conduct the Arizona Youth Survey and the work of the Statistical Analysis Center - especially given the focus on data collection and reporting.

ACJC Chairperson Sheila Polk made a motion that the Commission oppose SB 1290. The motion was seconded by Joe Grossman, designee for Director David Shinn. Mr. Grossman asked a question about the source of the funding for the Drug and Gang Enforcement Resource Center Fund. Director LeFevre explained that it is a special revenue stream that is derived from a percentage of court filing fees.

Legislative Committee Chairperson, David Sanders called for a vote on the motion and it passed unanimously.

Fiscal Impact	None
Alternatives Considered	Not Approve-Modify-Table

**ARIZONA CRIMINAL JUSTICE COMMISSION
LEGISLATIVE COMMITTEE
ACTION-MOTION/ INFORMATION ITEM**

Presenter	<i>Molly Edwards</i>
Agenda Title	<i>Review Introduced Criminal Justice Legislation</i>

Recommended Action	Committee Members will provide staff with positions on the discussed introduced legislation.
Details/Discussion	<p>Review, discussion, consideration and possible action on ACJC positions of various criminal justice legislation: Committee Members may take the following positions on the discussed legislation</p> <ul style="list-style-type: none"> - Support - Oppose - Neutral - Monitor
Fiscal Impact	None
Alternatives Considered	Not Approve-Modify-Table