

**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** and **Executive 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, February 15, 2019** beginning at **1:30 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 230, Phoenix, Arizona 85007**. Members of the committee 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. Call to Order and Roll Call

David Sanders

Executive Committee Members:

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

Legislative Committee Members:

David Sanders, Chairperson
David Byers
Barbara LaWall
Frank Milstead
Mark Napier
Danny Sharp
Steve Williams

- II. Minutes of March 2, 2018, January 18, 2019, And February 1, 2019 Meetings** **David Sanders**
• Approval of Minutes **P-F-T**

III. Review Introduced Criminal Justice Legislation **Molly Edwards**

- Review, discussion, consideration and possible action regarding ACJC **supported** legislation:
 1. HB 2052 (Juveniles; Detention Centers; Dangerous Offenses)
 2. HB 2171 (Indigent Defense Fund; Distribution; Purpose)
 3. HB 2266 (Prisoners; Transition Program; Eligibility)
 4. HB 2267 (Prisoner Accounts; use; ADOT Credentialing)
 5. HB 2277 (Indigent Defense Fund; Distribution; Purpose)
 6. SB 1092 (Prisoners; Transition Program; Eligibility)
 7. SB 1093 (Prisoner Accounts; use; ADOT Credentialing)
- Review, discussion, consideration and possible action regarding ACJC **opposition** legislation:
 1. SB 1380 (Criminal Justice Commission; Membership Report)
 2. SB 1422 (Criminal Justice Commission; Membership Report)
- Review, discussion, consideration and possible action regarding ACJC **monitored** legislation:

We are monitoring approximately 135 bills this session. Next week, all bills need to have been heard in their house of origin. After next week, we will eliminate those bills from our list that did not receive hearings and provide a more comprehensive list to the committee.

IV. 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.

V. Date, Time, and Location of Next Meeting

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

VI. 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.

II

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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
February 15, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the March 2, 2018, January 18, 2019, February 1, 2019 Meetings

TO: Chairperson and Committee Members

FROM: David Sanders, Chairperson

RECOMMENDATION:

The Committee approve the minutes of the Legislative Committee meeting held on March 2, 2018, January 18, 2019, and February 1, 2019 Meetings.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Legislative Committee of the Arizona Criminal Justice Commission
Minutes
March 2, 2018**

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Friday, March 2, 2018 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members Present:

Joe Brugman, ACJC Vice-Chairperson, Safford Police Department Chief
David Byers, Director of Administrative Office of the Courts, by conference call
Charles Ryan, Director of Department of Corrections, Greg Lauchner representing
David Sanders, Chairperson, Pima County Chief Probation Officer, by conference call
Sean Duggan, Chandler Police Chief, by conference call
K.C. Clark, Navajo County Sheriff, Randy McFfitt, representing by conference call
Frank Milstead, Director of Department of Public Safety, Courtney Coolidge representing by conference call
Mark Napier, Pima County Sheriff, by conference call
Danny Sharp, Chief, Oro Valley Police Department, Aaron Lesuer representing by conference call

Members Absent:

Sheila Polk, ACJC Chairperson, Yavapai County Attorney
Barbara LaWall, Pima County Attorney

ACJC Staff Present:

Jaime Watson, Public Information Officer/Legislative Liaison
Andy LeFevre, ACJC Executive Director

Guests Participating:

Jerry Landau, Administrative Office of the Courts
Ben Alteneeder, Arizona Department of Corrections

I. Call to Order and Roll Call

The meeting was called to order by Chief David Sanders at 1:32 pm. Roll was taken and a quorum was declared present.

II. Minutes of the February 9, 2018 Meeting

Chief Sanders called for a motion on the minutes. Joe Brugman entered a motion to approve the minutes of the meeting held on February 9, 2018. The motion was seconded by Mark Napier and was unanimously approved by the Committee.

III. ACJC Legislative Priorities

Jaime Watson, Public Information Officer/Legislative Liaison discussed ACJC's legislative priorities regarding Protective Orders, HB 2249 and Criminal Justice Commission; Reporting Requirements, HB 2247.

HB 2249 passed the House of Representatives with a vote of 57-0 on February 15, 2018. HB 2249 will be heard in Senate Judiciary on Thursday, March 8, 2018 at 9:00 am.

HB2247 passed the House of Representatives with a vote of 58-0 on February 8, 2018. HB 2247 will be heard in Senate Judiciary on Thursday, March 8, 2018 at 9:00 am.

IV. Review ACJC Legislative Positions

Jaime Watson provided a status update on ACJC supported bills, including HB 2001 (Indigent Defense Fund; Distribution; Purpose) and SB 1350 (Indigent Defense Fund; Distribution; Purpose). HB 2001 passed the House of Representatives with a vote of 42-16 and was referred to Senate Judiciary and Appropriations. There is no update on SB 1350 and was not heard in committee by the deadline and will be removed from future agendas.

Jaime Watson provided a status update on ACJC opposed bills, including SB 1078 (Arizona Criminal Justice Commission; Membership), SB 1244 (Membership; Arizona Criminal Justice Commission), SB 1345 (Criminal Justice Commission; Legislative Recommendations), and HB 2511 (Criminal Justice Commission; Membership; Report). There is no update on ACJC's opposed bills and each bill was not heard in committee by the deadline and they will be removed from future agendas.

Jaime Watson provided a status update on ACJC monitor bills, including SB 1035 (Municipal Courts; Maximum Revenue; Transfer), SB 1061 (Medical Marijuana Fund; Appropriation), HB 2069 (Private Prisons; Contracts; Termination), HB 2313 (Sentencing; Monetary Obligations; Fine Mitigation), HB 2415 (Juvenile Dependency Proceedings Fund), SB 1186 (Injunction Against Harassment; Petition; Hearing), SB 1400 (Aggravated DUI; Sentence; County Jail), SB 1496 (Prisoners; Drug Sentences; Out-of-Custody Treatment), and HB 2640 (Sexual Assault Victims; Study Committee). SB 1035 was not heard in committee by deadline and will be removed from future agendas. SB 1061 came back as a strike everything amendment added to SB 1282. HB 2069 was not heard in committee by deadline and will be removed from future agendas. HB 2313 passed the House of Representatives with a vote of 56-0 and referred to Senate Judiciary. ACJC will continue to monitor. HB 2415 passed the House of Representatives with a vote of 51-7 and referred to Senate Appropriations and Judiciary Committee. ACJC will continue to monitor. SB 1186 was used as a vehicle for an unrelated strike everything amendment, which failed to pass the Senate with a vote of 18-12. The bill will be removed from future agendas. SB 1400 passed the Senate 30-0 and will be heard in House Judiciary and Public Safety. A floor amendment in the sponsor's name was adopted which would require a sheriff who establishes a DUI program to report the necessary data to the ACJC for the required recidivism report. SB 1496 passed the Senate with a vote of 30-0, as amended and referred to House Appropriations and House Military, Veterans and Regulatory Affairs. Joe Brugman motioned to oppose SB 1496 as written with ability to move to neutral, if amended and Mark Napier seconded the motion. The motion carries. HB 2640 was not heard in committee by deadline and will be removed from future agendas.

V. Review Introduced Criminal Justice Legislation

Jaime Watson presented the following criminal justice legislation to the Committee for review, discussion, consideration and possible action on support of various criminal justice legislation:

1) **SB 1282 (Technical Correction; Bingo License; Transfer)**

A strike everything amendment, had been introduced which would appropriate \$5,000,000 from the Medical Marijuana Fund to the ACJC in FY 2019 to administer as drug control grants. The bill has not gone before the Committee of the Whole and will need $\frac{3}{4}$ vote to pass due to Prop 105 regulations.

Joe Brugman motioned to monitor and Mark Napier seconded the motion. The motion carried.

VI. Call to the Public

Chief 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 on the call of the chairperson.

VIII. Adjournment

The meeting was adjourned at 1:54 pm.

Respectfully submitted,



Andrew T. LeFevre

**Legislative and Executive Committees of the Arizona Criminal Justice Commission
Minutes
January 18, 2019**

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Friday, January 18, 2019 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members Present: David Byers, Director of Administrative Office of the Courts, by conference call
David Sanders, Chairperson, Pima County Chief Probation Officer, by conference call
Sean Duggan, Chandler Police Chief, by conference call
Mark Napier, Pima County Sheriff, James Muphy representing, by conference call
Danny Sharp, Chief, Oro Valley Police Department, by conference call
Steve Williams, Supervisor, Navajo County, by conference call

Members Absent: Joe Brugman, ACJC Vice-Chairperson, Safford Police Department Chief
Sheila Polk, ACJC Chairperson, Yavapai County Attorney
Charles Ryan, Director of Department of Corrections
Barbara LaWall, Pima County Attorney
K.C. Clark, Navajo County Sheriff
Frank Milstead, Director of Department of Public Safety

ACJC Staff Present: Andy LeFevre, ACJC Executive Director
Molly Edwards, Public Information Officer/Legislative Liaison
Anjelica Miller, ACJC Legislative Intern

I. Call to Order and Roll Call

The meeting was called to order by Chief David Sanders at 1:34 pm. Roll was taken and the requirements for a quorum were not met. Without the presence of a quorum of members of the two committees being present, Chairman Sanders indicated that the joint committees would take no formal action, but would hear an update on introduced legislation of interest to ACJC and the criminal justice community.

II. Review Introduced Criminal Justice Legislation

Executive Director LeFevre provided an update on how many bills had been introduced as of the 10th day of the legislative session and covered several bill that may impact the criminal justice system.

VI. Call to the Public

Chief 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 on the call of the chairperson.

VIII. Adjournment

The meeting was adjourned at 1:54 pm.

Respectfully submitted,



Andrew T. LeFevre
Executive Director

Audio recording is available upon request.

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

February 1, 2019

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Friday, February 1, 2019 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 of Administrative Office of the Courts, by conference call
Charles Ryan, Director of Department of Corrections, by conference call
Sean Duggan, Chandler Police Chief, by conference call
Danny Sharp, Chief, Oro Valley Police Department, Jason Larter representing by conference call

Members Absent:

Sheila Polk, ACJC Chairperson, Yavapai County Attorney
Barbara LaWall, Pima County Attorney
Joe Brugman, ACJC Vice-Chairperson, Safford Police Department Chief
Frank Milstead, Director of Department of Public Safety
Mark Napier, Pima County Sheriff, by conference call
Danny Sharp, Chief, Oro Valley Police Department

ACJC Staff Present: Molly E. Edwards, Public Information Officer/Legislative Liaison
Andy LeFevre, ACJC Executive Director
Anjelica Miller, Legislative Intern

Guests Participating: None

I. Call to Order and Roll Call

The meeting was called to order by Chief David Sanders at 1:37 pm. Roll was taken and a quorum was not declared present.

II. Minutes of the March 2, 2018 Meeting

Due to a lack of a quorum, vote to approve could not be completed.

III. Review of Introduced Criminal Justice Legislation

Director Andy LeFevre stated we were in day 18 of the legislative session with a total of 964 bills being introduced.

Director LeFevre discussed the bills that would place a requirement on ACJC, these bill include HB2206 Sexual Assault Victims; Study Committee (not assigned) and HB 2245 Mandatory Minimum Sentences; Judicial Discretion (1/28 assigned to House Judiciary). Director LeFevre discussed HB 2171 Indigent Defense Fund; Distribution; Purpose (1/28 assigned to House Judiciary and House Appropriations) and HB 2277 Indigent Defense Fund; Distribution; Purpose (1/28 assigned to House Judiciary and House Appropriations).

Director LeFevre brought SB 1380 Criminal Justice Commission; Membership; Report to the committee's attention. This bill seeks to add one public defender, one crime victim advocate, and one representative from a nonprofit organization that provides services to former prison inmates, and remove one law enforcement leader, one mayor, and one member of a county board of supervisors. This bill has not been assigned to a committee at the current time, but staff will keep the commission apprised of the status of this bill.

Staff will continue to monitor all Title 13 bills being introduced.

Director Byers discussed HB 2052 Juveniles; Detention Centers; Dangerous Offenses. This bill addresses a juvenile who is charged with or arrested for a "dangerous offense" (defined elsewhere in statute) is no longer prohibited from being detained in a juvenile detention center. Director Byers indicated that when the joint committees are able to take formal action that he requests that it vote to support HB2052.

Director Ryan discussed HB 2266 Prisoners; Transition Program; Eligibility. This is a cleanup bill from last year's SB 1496. Director Ryan also raised concerns about SB 1358 Prisoners; Visitation; Healthcare; Ombudsman and the requirements that it would place on the Department of Corrections by way of micromanaging the internal operations of the facilities.

Due to a lack of a quorum, Director LeFevre will solicit the joint committee members' input on various bill positions via email and report back the vote count.

VI. Call to the Public

Chief 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 February 15, 2019 at 1:30 PM.

VIII. Adjournment

The meeting was adjourned at 2:00 pm.

Respectfully submitted,



Andrew T. LeFevre
Executive Director

Audio recording is available upon request.

Executive Director

Audio recording is available upon request.

III

**JOINT EXECUTIVE COMMITTEE AND LEGISLATIVE COMMITTEE
OF THE**

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
February 15, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Review Introduced Criminal Justice Legislation

TO: Chairperson and Committee Members

FROM: Molly E. Edwards, Public Information Officer/Legislative Liaison

RECOMMENDATION:

To Committee Members will provide staff with positions on the discussed introduced legislation.

DISCUSSION:

•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

- Support
- Oppose
- Neutral
- Monitor

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table