

NOTICE OF PUBLIC MEETING

ARIZONA CRIMINAL JUSTICE COMMISSION

JOINT EXECUTIVE/LEGISLATIVE COMMITTEE

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the **Executive and Legislative Committee** and to the general public that the **Joint Executive/Legislative Committee** will hold a meeting open to the public on **March 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 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.

The agenda for the meeting is as follows:

<i>Agenda Items</i>	<i>Presenter</i>
I. Call to Order and Roll Call	Dave Sanders
II. Approval of Previous Meeting Minutes	David Sanders P-F-T
III. Review Introduced Criminal Justice Legislation	Molly Edwards P-F-T
IV. Call to the Public	
<p>Those wishing to address the Commission/Committee need not request permission in advance.</p> <p>Members of the public wishing to attend the meeting in person must follow all federal and state Covid-19 safety protocols including wearing a mask and maintaining acceptable social distancing. In order to facilitate virtual participation in the meeting, members of the public wishing to address the Commission/Committee will need to email Molly Edwards at medwards@azcjc.gov in <u>advance</u> of the meeting and provide the phone number where you can be reached. Staff will email you an acknowledgment of your request and call you during the Call to the Public for your comment.</p> <p>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.</p>	

V.	Next Meeting
	The next Committee meeting is at the Call of the Chairperson
<p>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.</p>	

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

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

Recommended Action	The Committee will consider approval of the minutes of its February 19, 2021 meeting.
Details/Discussion	None
Fiscal Impact	None
Alternatives Considered	Not Approve-Modify-Table

**Joint Executive Committee and Legislative Committee
of the Arizona Criminal Justice Commission
Minutes
February 19, 2021**

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Friday, February 19, 2021 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members Present via Google Meets:

David Sanders, Chairperson, Pima County Chief Probation Officer
David Sander on behalf of ACJC Chairwoman Sheila Polk
Steve Stahl, ACJC Vice Chairman
Ken Vick on behalf of Maricopa County Attorney Allister Adel
Edith LeFevre on behalf of Attorney General Mark Brnovich
Liana Garcia, on behalf Director Byers, Administrative Office of the Courts
Tommy McKone on behalf of Sheriff Paul Penzone
Lt. Jon Brambila on behalf of Mayor Greg Mengarelli

Members Absent

Laura Conover, Pima County Attorney
Chris Nanos, Pima County Sheriff
David Shinn, Director Department of Corrections
Col. Heston Silbert, Department of Public Safety
Mina Mendez, Board of Clemency

ACJC Staff Present in person:

Molly E. Edwards, Public Information Officer/Legislative Liaison
Jesus Emiliano Galvin, Legislative Intern
Wendy Boyle, Program Project Specialist
Matt Bileski, Information Technology

Guests via Google Meets:

Rebecca Baker, Arizona Attorney General's Office

I. Call to Order and Roll Call

The meeting was called to order by Chief David Sanders at 1:04 pm. Roll was taken and a quorum was present.

II. Approval of Minutes from February 12, 2021

Tommy McKone made the motion to approve the minutes. Liana Garcia seconded the motion. Motion passed unanimously.

III. Legislative Overview

Molly Edwards, Public Information Officer/Legislative Liaison stated the legislature is in its 40th day and that 1,708 bills had been introduced to date. Today is the final day for bills to be heard in their house of origin. Next week is cross over week for bills from the House to the Senate and the Senate to the House.

Ms. Edwards did an overview of bills that directly impact ACJC. HB2166 Criminal Justice Commission; Data Collection Bill, went to House COW on 2/17 with approved amendment removing the appropriation. Next step is 3rd read.

SB1290 - Criminal Case Statistics; report; appropriation, has been assigned to Senate Judiciary on 1/25, but there has been no movement.

HB 2260 Arizona Criminal Justice Membership bill, this bill did pass out of the House unanimously with the two additional members that were not approved by the ACJC Commission. ACJC staff will continue to work with the Senate to remove the members that were not approved by the Commission.

HB2158: The Protective Orders; Central Repository- Heard in House Judiciary on 2/10 and received pass unanimously. Director Andy LeFevre is meeting with stakeholders on 3/5. It is ACJC's goal to add an amendment in the Senate that officially moves the holder of record to law enforcement.

HB2190: Criminal Justice Case Information- Passed House Criminal Justice Reform on 2/18 with amendment #4319. The date for data collection has been moved to 2023. Discussion occurred about whether the AG's office could support this bill.

Ms. Edwards explained there are four bills that list ACJC as the fiscal agent. Of the four bills, three are moving. Of the three, one had an amendment on it.

HB2141 – Appropriations; Alternative Prosecution; Division program- Hearing in House Appropriations on 2/10- 11 yam, 1 no, Passed House Rules on 2/16. Passed House COW on 2/18 with Amendment 4187. This amendment by Representative Cobb reduced the financial allocation from \$11.3M to \$9.4M and \$4.3M to \$2.4M. ACJC is only the fiscal agent on this bill and therefore are neutral on the bill.

There are a number of membership bills aside from HB2260, none of those bills are currently moving. ACJC will continue to monitor.

Ms. Edwards went over the bills that list ACJC. HB2168, Use of Force bill, ACJC is neutral on this bill. The bill sponsor amended the language to move the date of data collection to July 1, 2022.

HB2673 Mandatory Sentences and Judicial Discretion bill – has passed the House and is assigned to Senate Judiciary. There was an amendment about age, gender and race requirements. Ms. Garcia stated that the courts support the bill.

SB1171 – Victims' Rights Enforcement Fund. ACJC has been monitoring this bill because there had been discussion to add a provision to have ACJC report out on restitution data. It does not appear this language has been amended onto the bill.

HB 2320 – Sealing Arrest Records, passed out of the Criminal Justice Reform Committee with an amendment. The bill then passed the house on 2/18. A few members on the Commission have expressed concerns about this bill. ACJC is neutral on this bill.

HB2295 – The Brady bill- passed House Cow on 2/16. Law Enforcement has expressed concern about this bill.

HB 2810- Civil Asset Forfeiture bill – this bill passed out the Criminal Justice Reform Committee on 2/18. There has been a lot of concern from law enforcement. Chairman Sanders inquired, "If assets are abandoned after a police chase or during a search and the perpetrator escapes arrest and they leave assets behind, if they aren't forfeited then what would the disposition be?" Steve Stahl stated that they would be considered "found property" and a normal process would occur to re-advertise and for anyone who can identify and claim it. If it's not claimed, it gets turned over to the agency that finds it.

HB2189 – Coordinated Re-Entry Planning Services Programs- House Appropriations on 2/10- 11 yes, 0 no's, 2 no voting. Passed House Rules 2/16.

HB2401 - juvenile dependency; state aid; appropriation- Heard in House Judiciary on 2/10 and passed unanimously. Passed House Appropriations on 2/18 unanimously. This bill could be problematic because a number of counties don't have public defenders offices and use contract attorneys, so this bill could leave some counties out. Dave Byers.

This concludes the legislative report.

IV. Call to the Public

Chief Sanders made a call to the public. No members of the public were present.

V. Date, Time, and Location of Next Meeting

The next legislative update is scheduled to occur on March 5, 2021 at 1:30 PM.

V. Adjournment

The meeting was adjourned at 1:23 pm.

Respectfully submitted,



Andrew T. LeFevre, Executive Director

Audio recording available upon request.

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

Presenter	<i>Molly Edwards</i>	<i>Legislative Liaison/Public Information Officer</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	<ul style="list-style-type: none"> ● Review, discussion, consideration, and possible action on the support of various criminal justice legislation. Positions that can be taken on bills include: <ul style="list-style-type: none"> ❖ Support ❖ Oppose ❖ Neutral ❖ Monitor
Fiscal Impact	None
Alternatives Considered	Not Approve-Modify-Table