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**NOTICE OF PUBLIC MEETING  
OF THE  
NICS TASK FORCE  
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 **NICS Task Force** of the Arizona Criminal Justice Commission and to the general public that the **NICS Task Force** will hold a meeting open to the public on **Tuesday, January 8, 2019**, beginning at **8:30 a.m.** at the **University of Phoenix, 4035 S. Riverpoint Parkway, Rooms 101-103, Phoenix, Arizona 85040-0723**. Individuals may attend in person.

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:



# TASK FORCE MEETING AGENDA

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PHOENIX, ARIZONA

JANUARY 8, 2019

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## **OVERALL ARIZONA NICS IMPROVEMENT ACT PURPOSE STATEMENT**

On January 8, 2011, a horrific act of violence committed in Tucson left six people dead and 14 injured, including former United States Representatives Gabrielle Giffords and Ron Barber. The shooter suffering from mental health and substance abuse issues exhibited observable behaviors prior to the shooting. Arizona stakeholders, led by the Arizona Criminal Justice Commission (ACJC), had been working to address the issue of improving records submitted to the National Instant Criminal Background Check System (NICS), and this horrific event was a catalyst for Arizona policy makers to dedicate additional attention to the improvement to mental health and criminal history information reporting to NICS.

In March 2013, the Arizona NICS Task Force published the Arizona NICS Act Reporting Improvement Plan (NARIP) with a total of 30 Recommendations. Since the release, nine additional recommendations were provided by the Commission and have been adopted by the Task Force. Action Steps and Performance Measures have been developed to ensure continued progress on all NICS Categories, specifically focused on legislation, executive policy and court rule changes to improve criminal history and enhanced reporting to NICS.

## **GOALS**

1. Discuss Misdemeanor Convictions of Domestic Violence submissions to III and NICS.
2. Update the Order of Protection system improvement project.
3. Discuss vulnerabilities of Federal Firearms License (FFL) point-of-sale transactions with Prohibited Possessors.
4. Discuss submissions of Juvenile Felony Delinquency to III or NICS.
5. Update the status of the Conditions of Release Project.
6. Discuss Next Steps on the Disclosure of Indictments to Criminal Justice Agencies.
7. Update existing projects on Felony Convictions to NICS, E-Warrants, and Mobile Fingerprinting.
8. Review Revised NARIP, Action Steps and Performance Measures.



**TUESDAY, JANUARY 8, 2019**

**University of Phoenix  
4035 S. Riverpoint Parkway, Rooms 101-103, Phoenix, Arizona 85040-0723**

<b>TIME</b>	<b>SUBJECT</b>	<b>REC</b>
<b>8:30 AM</b>	<b>WELCOME/ADMINISTRATIVE/AGENDA</b>	
	<b>Andy LeFevre – ACJC Director Marc Peoples – ACJC Systems Improvement Manager</b>	
	Administration <ul style="list-style-type: none"> <li>- Introductions</li> <li>- New ACJC Staff – Kyle Walraven and Molly Edwards</li> <li>- New Meeting Space</li> </ul> Commission Updates Agenda	
<b>8:50 AM</b>	<b>FBI NICS</b>	
	<b>Teresa Henderson – FBI NICS Representative</b>	
	NICS Updates	
<b>9:15 AM</b>	<b>MISDEMEANOR CONVICTIONS OF DOMESTIC VIOLENCE</b>	<b>7.2</b>
	<b>Judge Elizabeth Finn – Glendale Municipal Court Judge Wendy Million – Tucson City Court Kay Radwanski - AOC</b>	
	ARS 13-3601 Relationships v. 18 USC 922(g)(9) Relationships <ul style="list-style-type: none"> <li>- Pregnant (3601) = State Prohibitor &gt; III and NICS</li> <li>- Romantic/Sexual (3601) = State Prohibitor &gt; III and NICS</li> <li>- Judicial Determination and Documentation on FDR &gt; ADRS</li> <li>- Similarly Situated (922) – Issue?</li> </ul> ARS 13-1203 <ul style="list-style-type: none"> <li>- Judicial determination constituting use, attempted use, threaten</li> <li>- FDR &gt; ADRS &gt; ACCH &gt; III/NICS</li> <li>- Lights Out – AOC &gt; NICS</li> </ul> State Ex Rel McDougall v. Strohson <ul style="list-style-type: none"> <li>- No Jury Trial impact on MCDV Prohibition – FBI Legal</li> </ul>	
<b>9:45 AM</b>	<b>ORDER OF PROTECTION</b>	<b>6.1 6.2</b>
	<b>Michele Gillich/Robert Roll – AOC Marc Peoples - ACJC</b>	
	System Design Update <ul style="list-style-type: none"> <li>- AOC - Implementation Timeline Status</li> <li>- NCIC Hit Confirmation and Validation – Automated</li> <li>- Interim Process - Pilot</li> </ul> Court Survey – Service Agencies <ul style="list-style-type: none"> <li>- ACJC/AOC Goals</li> </ul>	
<b>10:00 AM</b>	<b>BREAK</b>	
<b>10:15 AM</b>	<b>E-WARRANT</b>	<b>3.1</b>
	<b>Judge Elizabeth Finn – Glendale City Court</b>	



<b>TIME</b>	<b>SUBJECT</b>	<b>REC</b>
	Operational in Glendale JWI Agencies Active Warrants to NCIC	
<b>10:30 AM</b>	<b>CONCEALED CARRY WEAPONS PERMIT GAP</b>	<b>1.x</b>
	<b>Anthony Coulson – NTH Consulting</b>	<b>2.x</b>
	Suspended or Revoked not Seized or Surrendered - Deputy US Marshal Chase White FFL NICS-like System DPS	<b>3.x</b>
<b>11:00 AM</b>	<b>JUVENILE FELONY DELINQUENT REPORTING</b>	<b>1.x</b>
	<b>Joseph Kelroy – AOC</b> <b>Anthony Coulson – NTH Consulting</b>	
	Arizona Judicial Council Approval - PCATF Discussions - Eligible Records Accomplishment Timeline - AOC Projected Start Date	
<b>11:15 AM</b>	<b>CONDITIONS OF RELEASE</b>	<b>2.4</b>
	<b>Marc Peoples - ACJC</b>	
	Status - January 2019 Kick-off	
<b>11:30 PM</b>	<b>LUNCH</b>	
<b>1:00 PM</b>	<b>INDICTMENT, COMPLAINT, INFORMATION DISCLOSURE TO FBI NICS</b>	<b>2.1</b>
	<b>Marc Peoples - ACJC</b>	
	ARS 13-2813 - Legal opinion on “...proper discharge of official duties” Prosecutor as the contact for NICS - How to notify of process? - ACJC to County Attorneys	
<b>1:15 PM</b>	<b>FDR/ADRS/MISSING DISPOSITIONS</b>	<b>1.2</b>
	<b>Marc Peoples - ACJC</b>	<b>1.8</b>
	Technical Assistance 2019 – ACJC/DPS/AOC Disposition Task Forces or Working Groups - Best Practice – Mohave County - Notification/Advisory Prosecutor Process	<b>1.9</b>
<b>1:25 PM</b>	<b>FELONY CONVICTIONS TO NICS</b>	<b>1.3</b>
	<b>Michele Gillich - AOC</b>	
	AOC Status Report	
<b>1:35 PM</b>	<b>MOBILE FINGERPRINTING</b>	<b>1.6</b>
	<b>Tina Knezovich-Hladik - AOC</b> <b>Marc Peoples – ACJC</b>	



<b>TIME</b>	<b>SUBJECT</b>	<b>REC</b>
	Mobile Fingerprinting Update Phase I – Complete	
<b>1:45 PM</b>	<b>NARIP 2019-2024</b>  <b>Marc Peoples - ACJC</b>  Status on Publication TF Review	
<b>ADMINISTRATIVE</b>		
<b>2:15 PM</b>	<b>ARIZONA NICS TASK FORCE (2012-2018)</b> <ul style="list-style-type: none"><li>• Recommendations – NICS Category - Modifications</li><li>• Performance Measures</li><li>• Accomplishments</li></ul>	
<b>2:30 PM</b>	<b>WHAT HAVE WE MISSED – NEW PROJECTS</b>	
<b>2:45 PM</b>	<b>FUTURE PLAN – APRIL 2019 MEETING AGENDA ITEMS</b>  <b>Anthony Coulson – NTH Consulting</b> <b>Marc Peoples – ACJC</b>	
<b>2:55 PM</b>	Those wishing to address the NICS Task Force 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.	
<b>3:00 PM</b>	<b>MEETING CLOSED</b>	
<b>NEXT MEETING IS IN TUCSON ON APRIL 9, 2019</b>		

A copy of the agenda background material provided to NICS Task Force 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.