Arizona Criminal Justice Commission Minutes
July 17, 2019

A public meeting of the Arizona Criminal Justice Commission convened on July 17, 2019, at Little America Hotel, 2515 East Butler Avenue, Flagstaff, AZ 86004.

Members Present
Sheila Polk, Chairperson, Yavapai County Attorney
Mark Brnovich, Attorney General, Paul Ahler representing
David Byers, Director, Administrative Office of the Courts, Jerry Landau representing
Sean Duggan, Chief, Chandler Police Department
Barbara LaWall, Pima County Attorney
Greg Mengarelli, Mayor, City of Prescott, Debra Black representing
Frank Milstead, Director, Department of Public Safety, Tim Chung representing
Bill Montgomery, Maricopa County Attorney
Mark Napier, Pima County Sheriff, Bryan Gwaltney representing
Charles Ryan, Director, Department of Corrections
David Sanders, Pima County Chief Probation Officer, by phone
Daniel Sharp, Chief, Oro Valley Police Department, Jason Larter representing
Steve Stahl, Chief, City of Maricopa Police Department, Law Enforcement Leader
Steve Williams, Navajo County Supervisor
C.T. Wright, Chairperson, Board of Executive Clemency

Staff Present
Andy LeFevre, Executive Director
Tony Vidale, Deputy Director
Marc Peoples, Program Manager
Molly Edwards, Public Information Officer
Jillian Ware, Interim SAC Director
Wendy Boyle, Program Project Specialist

Members Absent:
Paul Penzone, Maricopa County Sheriff
Joe Brugman, Vice-Chairperson, Chief, Safford Police Department

I. Call to Order, Roll Call and Pledge of Allegiance
- The meeting was called to order by Chairperson Sheila Polk at 10:30 AM who led the Pledge of Allegiance. Wendy Boyle was asked to take a roll call, and a quorum was declared present.

II. Minutes of the May 23, 2019 Meeting
- Chairperson Polk called for a motion on the minutes of the Commission meeting held on May 23, 2019. Commissioner Stahl entered a motion to approve the minutes. The motion seconded by Commissioner LaWall was unanimously approved by the Commission.

III. Executive Director’s Report
1. Staff and Program Updates
   - ACJC has been interviewing for the vacant Victim Service Program Manager position in hopes to make a decision shortly. ACJC advertised for a vacant Project Manager position, and a newly created shared Grant Coordinator role for the Drug and Criminal Justice programs. There were offers extended to internal staff, Shyala Fordyce for the Project Manager opening and Ashley Mully for the Grant Coordinator spot. The SAC unit hired Saloni Mansuri as a Research Analyst, and there are two vacancies left to fill in the department.
   - ACJC, along with other stakeholders have been on an opioid research group working on 2019 opioid use program grant from BJA that was submitted that could bring $6.5M in the state. ACJC continues to participate in the Governor’s Substance Abuse Partnership meetings and partners with the Governor’s Office of Youth, Faith and Family on the Epidemiology Work Group that is working on compiling a statewide data profile report looking at gaps in data on substance use and trauma.
   - Finalized the 2020 AYS Implementation contract that will create the survey methodology.
   - Phase II completed for the buildout for the Victim Compensation data warehouse to create an online application module.
   - Arizona awarded Phase III of funding for the National Criminal Justice reform project.

2. Finance Update
   - Patty Hatvick reviewed the preliminary FY21 budget report that covered highlights from the CJEF, Victim, APRC funds and presented a copy of the DEA audit report from FY18 as a handout.
   
   A. FY2021 Budget Issue Request
      - Andy LeFevre presented the budget issues for submission in the FY2021 budget proposal. Included is the request of $100,000 for the implementation of new RICO reporting requirements; appropriation from the general fund to support the yearly maintenance cost of a state-wide victim notification system; State Aid to Indigent Defense-Fill the Gap for ACJC to allocate available funds, and the continued decline in CJEF revenue with some possible funding solutions. Commissioner Duggan entered a motion to approve the FY21 budget proposal for submission. The motion seconded by Commissioner LaWall was unanimously approved by the Commission.

   B. CJEF Formula Recommendation
      - Andy LeFevre stated ARS 41-2405.7 requires the Commission as part of the budget submittal process to make a recommendation on the CJEF purposes and formula of the fund monies. Commissioner Duggan entered a motion to consider an in-depth analysis of the existing revenues, expenditures, and fund balances in the Criminal Justice Enhancement Fund to determine to recommend a change in the funding formula for the 2021 fiscal year. The motion seconded by Commissioner Stahl was unanimously approved by the Commission.

IV. Committee Reports
A. Executive
1. Update on the activities of the Executive Committee and Executive Director Performance Review
   - Chairperson Polk reported on two items for the Executive Committee. The first is input from the Commission and staff on the Executive Director evaluation. The proposed schedule will begin in September and due by October 21. The information to be presented at the Commission meeting in November. Secondly, to look at the powers and duties of ACJC by evaluating whether the agency is fulfilling the responsibilities that are in statute, exercising the powers given to the Commission in an appropriate way that makes ACJC a leader in the criminal justice system, with criminal justice reform as a top priority in the legislature.
2. **Update on Statistical Analysis Center Projects**
   - Jillian Ware informed the Commission on the current projects for the SAC unit. For AYS, staff completed five data requests, presented information to HIDTA, and the contract with ASU started on 7/1/19. Other questions added to the AYS survey and finalization made for recruitment materials. Gang Threat Assessment survey went live on June 3. For internal support in the agency, SAC provided data for the grant applications related to the criminal justice system improvement program, finalized annual data sections for the 2023 Drug, Gang and Violent Crime Control Strategy. Continuing work on the EPI project with ACJC contracted along with the ASU's Southwest Interdisciplinary Research Center that is delivering a draft report on the preliminary analysis of AYS and BRFSS findings to ACE's and the relationship to substance abuse. Received the latest extract from DPS to start on the Fill the Gap reporting.

B. **Drug, Gang and Violent Crime Control**
1. **Update on the activities of the Drug, Gang & Violent Crime Committee**
   - Tony Vidale provided information on the Drug Committee. The Commission approved grants for the Cycle 33 Drug, Gang & Violent Crime Control program and the agreements went out for the grantees. The RSAT grant solicitation went out August 1; this is a program for incarcerated individuals receiving drug treatment and the Commission will hear a recommendation in November. The EDGE report for the Drug Control grant is a collection of statistics and activities prepared for the grant year and presented in the November meeting. Staff is developing the statewide strategy due every four years and a requirement for the Byrne Justice Assistance grant, again this item offered at the Commission meeting in November. Lastly, in June this year, ACJC collaborated with APAAC in compiling information for a Juvenile Prosecution grant and are awaiting the results of the award.

C. **Crime Victims**
1. **Update on the activities of the Crime Victims Committee**
   - Tony Vidale provided information on the Crime Victim Committee. Again, the Commission approved the Victim Assistance, and Compensation grants for FY2020 and the grant agreements went out awaiting signatures for processing.

D. **Information Technology Systems Improvement**
1. **Update on the activities of the Information Technology Systems Improvement Committee**
   - Jerry Landau referred to Marc Peoples to update the Commission on the Orders of Protection System.

2. **Demo of Public Portal for the New Orders of Protection System**
   - Mr. Peoples demonstrated the plaintiff portal for Orders of Protection – user testing the platform should begin at the end of July, and looking at a branding process to name the system. The demonstration showed the steps to log into the system, create an account, fill in the orders of protection, an injunction against harassment, or workplace injunctions confirmed, checking off items to be protected and confidential. After the information completed, law enforcement reviews. In August and September, staff will do pieces of training for law enforcement. Pilot programs start in October and participants are Glendale and Scottsdale Police Departments, and Maricopa County Sheriff's Office.

E. **Legislative**
1. **Update on the activities of the Legislative Committee**
   - Commissioner Sanders reported that the Committee met six times during the legislative session and supported SB 1250 that allows victims of sexual assault to seek protection from the courts after a first offense rather than after a second offense.

2. **ACJC Legislative Report**
   - Molly Edwards presented the 2019 ACJC Legislative Summary and provided an overview of legislation relative to the law enforcement community. The legislature ran 134 days, and 1,318 bills introduced, 320 bills signed into law and 11 percent were criminal justice issued. The Governor outlined vital themes, including school safety, protecting public safety/reducing the prison population. Going forward, staff would like to provide the Commission with more analysis for strategic discussion with legislation. Designee Landau entered a motion to approve the release of the 2019 Legislative Summary. The motion seconded by Commissioner Duggan was unanimously approved by the Commission.

V. **Commission Member Summaries of Current Events**
   - Chairperson Polk encouraged the Commissioners to register and attend the 2nd Annual AZ Drug Summit on September 23 and 24 at the Doubletree Hilton in Tempe. Secondly, APAAC has a working group creating a public statewide rule 15 point disclosure, also known as Brady that is formulating models and best practices for prosecuting agencies to process the identifying officers or personnel with a law enforcement agency that should be on the database list; and making the decision to have one statewide list that is publicly available.
   - Designee Landau informed the Commission that the 2019-20 Criminal Code Sentencing Provisions has been distributed and posted on azcourts.gov under publications and legislation.

VI. **Call to the Public**
   - Coconino County Attorney Bill Ring urged the Commissioners to look at the matter of criminal justice reform for legislative work at the next legislative session.

VII. **Date, Time and Location of Next Meeting**
   - The next Arizona Criminal Justice Commission meeting takes place at 1:30 pm on Thursday, November 21, 2019, at 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

VIII. **Adjournment**
   - The meeting adjourned at 11:40 am.

Respectfully submitted,

Andy LeFevre  
Executive Director  
Audio recording is available upon request