

**Arizona Criminal Justice Commission  
Minutes  
January 18, 2018**

A public meeting of the Arizona Criminal Justice Commission convened on January 18, 2018, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

**Members Present**

Mark Brnovich, Attorney General, Tom Rankin representing  
Joe Brugman, Chief, Safford Police Department  
David Byers, Director, Administrative Office of the Courts  
K.C. Clark, Navajo County Sheriff  
Dave Cole, Retired Judge, by conference call  
Barbara LaWall, Pima County Attorney, Kathleen Mayer representing  
Frank Milstead, Director, Department of Public Safety, Timothy Chung representing  
Bill Montgomery, Maricopa County Attorney, Mark Faull representing  
Mark Napier, Pima County Sheriff, Byron Gwaltney representing  
Charles Ryan, Director, Department of Corrections  
Daniel Sharp, Chief, Oro Valley Police Department, Kara Riley representing  
David Sanders, Pima County Chief Probation Officer  
Steve Williams, Navajo County Supervisor

**Staff Present**

Andrew T. LeFevre Executive Director  
Tony Vidale, Deputy Director  
Patty Hatvick, Finance Manager  
Jaime Watson, Public Information Officer  
Larry Grubbs, Program Manager  
Marc Peoples, Program Manager  
Wendy Boyle, Program Project Specialist

**Members Absent**

Sean Duggan, Chairperson, Chief, Chandler Police Department  
Sheila Polk, Vice Chairperson, Yavapai County Attorney  
Paul Penzone, Maricopa County Sheriff  
C.T. Wright, Chairperson, Board of Executive Clemency

**I. Call to Order and Roll Call**

The meeting was called to order by Acting Chairperson Joe Brugman at 1:30 p.m. There was a roll call, and a quorum was declared present.

**II. Pledge of Allegiance**

Acting Chairperson Brugman led the Pledge of Allegiance.

**III. Approval of the Minutes of the November 16, 2017, Meeting**

Acting Chairperson Brugman called for a motion on the minutes. Commissioner David Sanders entered a motion to approve the minutes, seconded by Commissioner K.C. Clark and was unanimously approved by the Commission.

**IV. Election of a Chairperson and a Vice Chairperson**

Executive Director Andrew LeFevre reviewed that at the last Commission meeting, the nomination for the position of Chairperson and Vice Chairperson opened.

Acting Chairperson Brugman called for the motion of the Chairperson nominations. Commissioner David Byers entered a motion to nominate Commissioner Sheila Polk as Chairperson of the Commission. Designee Kathleen Mayer seconded the motion. Acting Chairperson Brugman called for additional nominations, and there were none. Acting Chairperson Brugman called for a motion to close the nominations for Chairperson. The Commission unanimously approved the motion made by Designee Kathleen Mayer, seconded by Commissioner K.C. Clark to close the nominations for Chairperson.

Acting Chairperson Brugman called for a motion to elect Commissioner Sheila Polk as Chairperson. Commissioner David Byers entered a motion to elect Commissioner Sheila Polk as Chairperson of the Commission, seconded by Designee Kathleen Mayer and was unanimously approved by the Commission. Acting Chairperson Brugman congratulated Commissioner Sheila Polk on being newly elected as Chairperson.

Acting Chairperson Brugman called for a motion on the Vice Chairperson nominations. Commissioner Charles Ryan entered a motion to nominate Commissioner Joe Brugman as Vice Chairperson of the Commission. Designee Kathleen Mayer seconded the motion. Acting Chairperson Brugman called for additional nominations, and there were none.

Acting Chairperson Brugman called for a motion to close the nominations for Vice-Chairperson. The Commission unanimously approved the motion made by Commissioner David Byers, seconded by Designee Kathleen Mayer to close the nominations for Vice-Chairperson.

Commissioner David Byers entered a motion to elect Commissioner Joe Brugman as Vice-Chairperson of the Commission, seconded by Designee Kathleen Mayer and was unanimously approved by the Commission.

**V. Executive Director's Report**

**A. Staff and Program Updates**

ACJC recently hired Rosemary Armenta as the Accounting Specialist 2 in Finance and chose Bianca Carbonaro as the legislative intern this semester. A recent promotion included Matt Bileski as the Applications Developer position. There are vacancies for two Senior Research Analysts and Researcher 2 positions in the Statistical Analysis Center, an Accounting Technician in Finance, and a Crime Victim Program Project Specialist. For the Commission, there are two vacancies for mayor and law enforcement leader in the Commission, and there is interest from the Mayor of Surprise and the Chief of Police in Maricopa. ACJC is expecting news from the Governor's Office of Boards and Commissions on their appointments. ACJC staff continues to work on the Governor's recidivism reduction project; Executive Director LeFevre accepted the role as western region chairperson for the National Criminal Justice Association, and ACJC continues to work with the Auditor General's office on the 18 months of the sunset review. From the Governor's state budget, ACJC requested \$100,000 for the buildout of the reporting system and \$350,000 from the APRC fund for the recidivism study which ACJC did not receive it. Staff will work with the appropriations chair for further guidance. Arizona Youth Survey (AYS) has 161 schools enrolled; however, in Cochise, Gila, Greenlee, La Paz and Navajo counties, some schools have not signed up. A video produced by AZ POST presented to the Commission was shown as a recruitment tool.

**B. Finance Update**

Finance Manager Patty Hatvick presented the FY18 six-month budget from July 1, 2017, through December 31, 2017, showing the detailed state and federal funds. An analysis prepared for the budgeted ACJC positions track the cost centers and a time study completed on where each employee's time charged for each grant.

**VI. Committee Reports**

**A. Executive**

**1. Update on the activities of the Executive Committee**

Executive Director LeFevre stated there were no items to present.

## **2. Discussion on Commission Approval of ACJC Reports**

Executive Director LeFevre reported on the listing of reports generated by ACJC and the due dates. In reviewing an approval mechanism, a consideration would be for the Executive Committee to be the pass-through for review and the Committee can decide if the reports need a broader review by the Commission which will require staff to adjust internal time frames. Executive Director LeFevre stated that 80-85 percent of the reports could be ready for review. The Commission would like staff to compile a list of reports before their due date for review for the March meeting. Another solution would be to look at changing the due dates and combining some reports.

### **B. Drug, Gang & Violent Crime Control**

#### **1. Update on the activities of the Drug, Gang & Violent Crime Control Committee**

Acting Chairperson Brugman deferred updates to Deputy Director Tony Vidale. Mr. Vidale reported the Drug Committee is scheduled to meet on February 6, 2018. Mr. Vidale also reported an issue with the federal Byrne/JAG grant for Federal FY17 concerning delayed release of the grant funds due to a lawsuit that the Department of Justice (DOJ) is involved in with two jurisdictions. The grant solicitation for Federal FY17 included a few requirements that relate to immigration policies. The Governor and the Attorney General were required to certify compliance with these policies. Some jurisdictions did not comply, and the DOJ policy was to withhold funds from agencies that did not submit the certifications as part of the application or before drawing down the funds. Two jurisdictions sued the DOJ because of this policy. The DOJ has decided to delay releasing the funds to all states until there is a decision on the court cases. The effect on ACJC is fine now because there are prior-year Byrne/JAG funds and DEA funds to support project costs for this current fiscal year. There are concerns with the state FY19 grant that around October, not having the Federal FY17 grant funds will present challenges to reimbursing costs. Another issue reported to the Commission was the program size for the state fiscal year 2019 grant, which staff is projecting a \$500,000 reduction in grant funds. This projection is a conservative estimate of the worst-case scenario.

### **C. Crime Victims**

#### **1. Update on the activities of the Crime Victims Committee**

Commissioner Charles Ryan referred to Program Manager Larry Grubbs for the presentation of agenda items.

### **Crime Victim Assistance Grant Program**

#### **2. FY 2019 Grant Program Funding Level**

Program Manager Larry Grubbs reported that based on revenue projections, the proposal is to make the available funding level set at \$500,000 for FY 2019 contingent upon legislative approval. Mr. Grubbs directed the Commission to Table VS-1 in the agenda that showed revenue and expenditure estimates associated with the Crime Victim Compensation and Assistance Fund for FY 2018 and FY 2019. Designee Kathleen Mayer entered a motion to approve the funding for the Crime Victims Assistance Grant Program for FY 2019 set at \$500,000, seconded by Designee Mark Faulk and was unanimously approved by the Commission.

#### **3. FY 2019 Grant Program Funding Priorities**

Program Manager Larry Grubbs presented the recommendation for funding of the FY 2019 Crime Victim Assistance Grant Program by the funding tier structure under Table VS-2. Designee Kathleen Mayer entered a motion to approve the funding for the Crime Victim Assistance Grant Program for FY 2019 awarded under the funding tier structure detailed in Table VS-2 of the agenda, seconded by Commissioner K.C. Clark and was unanimously approved by the Commission.

### **D. Information Technology Systems Improvement**

#### **1. Update on the activities of the Information Technology Systems Improvement Committee**

Commissioner David Byers referred to Program Manager Marc Peoples for updates to the Information Technology Systems Improvement Committee. Mr. Peoples reported the Committee is scheduled to meet on March 15, 2018, to discuss the proposed Protective Order bill and the technology part needed to implement the system. Staff is currently looking at grants that could fund the other components of the automation of the Protection Orders process.

### **E. Legislative**

#### **1. Update on the activities of the Legislative Committee**

Commissioner David Sanders reported a joint meeting of the Executive and Legislative Committees met on January 12, 2018, and agreed to meet every other Friday by phone. There was a briefing on two bills sponsored by the Commission and other bills of interest. The Commission delegated to the joint committees the authority to support, monitor or oppose the bills.

Public Information Officer Jaime Watson reported there were 700 bills introduced with a large focus on the opioid crisis, criminal justice reform and reducing recidivism. ACJC has two sponsored bills introduced by the Chairman of the Judiciary Committee Representative Farnsworth. HB 2249 (Protective Orders; Filing Requirements) will increase access to Orders of Protection, to increase efficiencies on applying for Orders of Protection and increase safety for those applying. HB 2247 (Criminal Justice Commission; Reporting Requirements), will modify ACJC reporting requirements for the annual sexual assault report so that statute reflects what ACJC is able to report. The joint committees had expressed concerns on the report mainly that the reporting from police on sexual assaults are not in the criminal justice repository. Therefore, there might be a requested amendment added to the bill. Also, SB 1078 alters the Commission membership by adding a person representing an indigent defense agency, a private-non-profit criminal justice agency and a licensed psychiatrist or psychologist with experience in criminal justice.

## **VII. Commission Member Discussion of New Issues**

Commissioner David Byers met recently with the Probation Chiefs at a meeting, and the group briefed on the justice initiatives. He suggested in the future to have this same information presented to the Commission. Commissioner Charles Ryan offered an Arizona Health Care Costs Containment System (AHCCS) contact to obtain the information.

## **VIII. Call to the Public**

Acting Chairperson Brugman made a call to the public. No members of the audience addressed the Commission.

## **IX. Date, Time and Location of Next Meeting**

The next Arizona Criminal Justice Commission meeting takes place on **Thursday, March 29, 2018**, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

## **X. Adjournment**

The meeting adjourned at 2:44 p.m.

Respectfully submitted,



Andrew T. LeFevre  
Executive Director