

**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** 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 9, 2018** beginning at **1:00 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 230, Phoenix, Arizona 85007.**

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
K.C. Clark
Barbara LaWall
Frank Milstead
Mark Napier
Danny Sharp

II. Minutes of January 26, 2018 Meeting

**David Sanders
P-F-T**

- Approval of Minutes

III. ACJC Legislative Priorities

Jaime Watson

- Review, discussion, consideration and possible action regarding ACJC priority legislation
 1. HB 2249 (Protective Orders; Filing Requirements)
 2. HB 2247 (Criminal Justice Commission; Reporting Requirements)

IV. Review ACJC Legislative Positions

Jaime Watson

- Review, discussion, consideration and possible action regarding ACJC supported legislation:
 1. HB 2001 (Indigent Defense Fund; Distribution; Purpose)
 2. SB 1350 (Indigent Defense Fund; Distribution; Purpose)
- Review, discussion, consideration and possible action regarding ACJC opposition legislation:
 1. SB 1078 (Arizona Criminal Justice Commission; Membership)
 2. SB 1244 (Membership; Arizona Criminal Justice Commission)
 3. SB 1345 (Criminal Justice Commission; Legislative Recommendations)
- Review, discussion, consideration and possible action on ACJC monitored legislation:
 1. SB 1035 (Municipal Courts; Maximum Revenue; Transfer)
 2. SB 1061 (Medical Marijuana Fund; Appropriation)
 3. HB 2069 (Private Prisons; Contracts; Termination)
 4. HB 2313 (Sentencing; Monetary Obligations; Fine Mitigation)
 5. HB 2415 (Juvenile Dependency Proceedings Fund)
 6. SB 1186 (Injunction Against Harassment; Petition; Hearing)

V. Review Introduced Criminal Justice Legislation

Jaime Watson

- Review, discussion, consideration and possible action on support of various criminal justice legislation:
 1. SB 1400 (Aggravated DUI; Sentence; County Jail)
S-O-N-M
 2. HB 2511 (Criminal Justice Commission; Membership; Report)
S-O-N-M
 3. SB 1496 (Prisoners; Drug Sentences; Out-of-Custody Treatment)

S-O-N-M

4. HB 2640 (Sexual Assault Victims; Study Committee)

S-O-N-M

VI. 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.

VII. Date, Time, and Location of Next Meeting

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

VIII. 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.



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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
February 9, 2018	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the January 26, 2018 Meeting

TO: Chairperson and Committee Members

FROM: David Sanders, Chairperson

RECOMMENDATION:

The Committee approve the minutes of the Legislative Committee meeting held on January 26, 2018.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Legislative Committee of the Arizona Criminal Justice Commission
Minutes
January 26, 2018**

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Friday, January 26, 2018 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members Present:

David Sanders, Chairperson, Pima County Chief Probation Officer
Mark Napier, Pima County Sheriff, by conference call
Danny Sharp, Chief, Oro Valley Police Department, Aaron Lesuer representing by conference call
Sheila Polk, ACJC Chair, Yavapai County Attorney
K.C. Clark, Navajo County Sheriff

ACJC Staff Present:

Jaime Watson, Public Information Officer/Legislative Liaison
Andrew LeFevre, Executive Director, by conference call

I. Call to Order and Roll Call

The meeting was called to order by Chairperson David Sanders at 1:30 pm. Roll was taken and a quorum was declared present.

II. Minutes of the January 12, 2018 Meeting

Chairperson Sanders called for a motion on the minutes. Sheila Polk entered a motion to approve the minutes of the meeting held on January 12, 2018. The motion was seconded by K.C. Clark and was unanimously approved by the Committee.

III. ACJC Legislative Priorities

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

HB 2249 has been referred to House Judiciary and Public Safety. AACOP has voted to support; presented to the Constables Association but did not take a formal position.

HB 2247 has received do-pass recommendation from House Judiciary and Public Safety.

IV. Review ACJC Legislative Positions

ACJC supports HB 2001 (Indigent Defense Fund; Distribution; Purpose). HB 2001 received a do-pass recommendation from the House Local and International Affairs Committee on January 17, 2018.

ACJC opposes SB 1078 (Arizona Criminal Justice Commission Membership). SB 1078 was pulled from Senate Judiciary committee agenda for a stakeholder meeting and staff expects the bill to be amended. Senator Barto wants to focus on nexus of mental health and criminal justice.

ACJC will continue to monitor SB 1035 (Municipal Courts; Maximum Revenue Transfer), SB 1061 (Medical Marijuana Fund; Appropriation), HB 2069 (Private Prisons; Contracts; Termination), and HB 2313 (Sentencing; Monetary Obligations; Fine Mitigation).

V. Review Introduced Criminal Justice Legislation

Review, discussion, consideration and possible action on support of various criminal justice legislation:

- 1) HB 2415 (Juvenile Dependency Proceedings Fund)
Recommend to monitor. HB 2415 establishes the State Aid for Juvenile Dependency Proceedings Fund, to be administered by ACJC. HB 2415 was assigned to the House Appropriation Committee on January 22, 2018. Sheila Polk motioned to monitor and Sheriff Napier motioned to second. The motion was unanimously approved by the Committee.
- 2) SB 1244 (Membership; Arizona Criminal Justice Commission)

Recommend to oppose. SB 1244 modifies ACJC membership to include an attorney who practices primarily in the area of criminal defense and a representative of a Native American Tribe or Nation who has experience in the criminal justice or indigent defense field. The bill was referred to Senate Judiciary. Sheriff Napier motioned to oppose and K.C. Clark motioned to second. The motion was unanimously approved by the Committee.

- 3) SB 1345 (Criminal Justice Commission; Legislative Recommendations)
Recommend to monitor. SB 1345 requires ACJC to review and make recommendations to the Legislature on changing the calculation of earned release credits to allow nonviolent offenders to obtain earned release credits at a rate of one day for every three days served, reducing mandatory minimum sentence requirements and removing the ability of a judge or the Board of Executive Clemency to order a person's re-incarceration for violation only on a technical term of the person's release conditions. The bill was referred to Senate Commerce and Public Safety. K.C. Clark motions to oppose and Sheila Polk motions to second. The motion unanimously passed.
- 4) SB 1350 (Indigent Defense Fund; Distribution; Purpose)
Recommend to support. SB 1350 mirror language for HB 2001, which requires ACJC to distribute monies in the State Aid to Indigent Defense Fund each fiscal year to each county for the sole purposed of providing state aid to the county public defender and legal defender for the procession of criminal cases. . The bill was referred to Senate Judiciary. Sheila Polk motions to support and Sheriff Napier motions to second. The motion unanimously passed.
- 5) SB 1186 (Injunction Against Harassment; Petition; Hearing)
Recommend to monitor. SB 1186 makes various changes to the Injunction Against Harassment statute which include changing the definition of harassment, increasing the number of acts required in a petition to the court and increasing the burden of proof. ACJC has been involved in stakeholder meetings with sponsor and other parties to address various concerns and amended language has been sent to sponsor. The bill has not been assigned to committee yet. Sheila Polk motions to monitor and K.C. Clark motions to second. The motion unanimously passed.
- 6) HB 2001/SB 1001—Controlled Substances; Regulation; Appropriation
Staff provided update on the bills included in the Special Session for Opioid Epidemic. Legislature voted unanimously Thursday to approve legislation and Governor Ducey signed legislation on January 26, 2018. Various changes include:
 - i) Limit initial pain pills to five days for opioid naive patients
 - ii) Imposes a dosage limit
 - iii) Aims to provide more treatment, including \$10 million to provide rehabilitation for people who cannot afford treatment due to no insurance coverage
 - iv) Portion of bill deemed "Good Samaritan Law"
 - v) Calls for distributing overdose reversal drug naloxone/narcan to county health officials and law enforcement support staff to administer in event of overdose
 - vi) Implements an e-prescription system

VI. Call to the Public

Chairperson 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 February 9, 2018 at 1:00 pm.

VIII. Adjournment

The meeting was adjourned at 2:04 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew T. LeFevre". The signature is fluid and cursive, with the first name being the most prominent.

Andrew T. LeFevre
Executive Director

Audio recording is available upon request.



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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
February 9, 2018	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Review and discussion of ACJC priority legislation

TO: Chairperson and Committee Members

FROM: Jaime Watson, Public Information Officer/Legislative Liaison

RECOMMENDATION:

N/A

DISCUSSION:

1. HB 2249 (Protective Orders; Filing Requirements)
S-O-N-M
2. HB 2247 (Criminal Justice Commission; Reporting Requirements)
S-O-N-M

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

IV

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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
January 26, 2018	<input type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Other	Review ACJC Legislative Positions

TO: Chairperson and Committee Members

FROM: Jaime Watson, Public Information Officer/Legislative Liaison

RECOMMENDATION:

To maintain current legislative positions.

DISCUSSION:

•Review, discussion, consideration and possible action regarding ACJC supported legislation:

1. HB 2001 (Indigent Defense Fund; Distribution; Purpose)
S-O-N-M
2. SB 1350 (Indigent Defense Fund; Distribution; Purpose)
S-O-N-M

•Review, discussion, consideration and possible action regarding ACJC opposition legislation:

1. SB 1078 (Arizona Criminal Justice Commission; Membership)
S-O-N-M
2. SB 1244 (Membership; Arizona Criminal Justice Commission)
S-O-N-M
3. SB 1345 (Criminal Justice Commission; Legislative Recommendations)
S-O-N-M

•Review, discussion, consideration and possible action on ACJC monitored legislation:

1. SB 1035 (Municipal Courts; Maximum Revenue; Transfer)
S-O-N-M
2. SB 1061 (Medical Marijuana Fund; Appropriation)
S-O-N-M
3. HB 2069 (Private Prisons; Contracts; Termination)
S-O-N-M
4. HB 2313 (Sentencing; Monetary Obligations; Fine Mitigation)
S-O-N-M
5. HB 2415 (Juvenile Dependency Proceedings Fund)
S-O-N-M
6. SB 1186 (Injunction Against Harassment; Petition; Hearing)

S-O-N-M

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**JOINT EXECUTIVE COMMITTEE AND LEGISLATIVE COMMITTEE
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Request for Committee Action

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February 9, 2018	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Review Introduced Criminal Justice Legislation

TO: Chairperson and Committee Members

FROM: Jaime Watson, Public Information Officer/Legislative Liaison

RECOMMENDATION:

To monitor the discussed legislation.

DISCUSSION:

•Review, discussion, consideration and possible action on support of various criminal justice legislation:

1. SB 1400 (Aggravated DUI; Sentence; County Jail)
S-O-N-M
2. HB 2511 (Criminal Justice Commission; Membership; Report)
S-O-N-M
3. SB 1496 (Prisoners; Drug Sentences; Out-of-Custody Treatment)
S-O-N-M
4. HB 2640 (Sexual Assault Victims; Study Committee)
S-O-N-M

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table