

**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 naïve 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,



Andrew T. LeFevre
Executive Director

Audio recording is available upon request.