

**Arizona Criminal Justice Commission  
Minutes  
November 16, 2017**

A public meeting of the Arizona Criminal Justice Commission convened on November 16, 2017, at Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

**Members Present**

Sean Duggan, Chairperson, Chief, Chandler Police Department  
Sheila Polk, Vice Chairperson, Yavapai County Attorney  
Mark Brnovich, Attorney General, Paul Ahler 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  
Barbara LaWall, Pima County Attorney, Kathleen Mayer representing  
Frank Milstead, Director, Department of Public Safety, by conference call  
Bill Montgomery, Maricopa County Attorney, Mike McVey representing  
Mark Napier, Pima County Sheriff, by conference call  
Paul Penzone, Maricopa County Sheriff, Matt Giordano representing  
Charles Ryan, Director, Department of Corrections  
Daniel Sharp, Chief, Oro Valley Police Department  
David Sanders, Pima County Chief Probation Officer  
Steve Williams, Navajo County Supervisor  
C.T. Wright, Chairperson, Board of Executive Clemency

**Staff Present**

Andrew T. LeFevre Executive Director  
Tony Vidale, Deputy Director  
Anna Haney, Grant Coordinator  
Jaime Watson, Public Information Officer  
Larry Grubbs, Program Manager  
Marc Peoples, Program Manager  
Wendy Boyle, Program Project Specialist

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

The meeting was called to order by Chairperson Sean Duggan at 1:30 p.m. There was a roll call, and a quorum was declared present. Steve Williams, Navajo County Supervisor, was introduced to the Commission as a new commission member.

**II. Pledge of Allegiance**

Chairperson Duggan led the Pledge of Allegiance.

**III. Approval of the Minutes of the September 28, 2017, Meeting**

Chairperson Duggan called for a motion on the minutes. Commissioner Sheila Polk entered a motion to approve the minutes of the meeting held on September 28, 2017. The motion was seconded by Commissioner Joe Brugman and was unanimously approved by the Commission.

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

Executive Director LeFevre explained the nominating process for the position of Chairperson and Vice Chairperson. The nominations would remain open until January 2018. Interested Commission members should contact the Executive Director with the nominations. The announcement and voting of the nominees take place at the Commission meeting on January 18, 2018.

**V. Executive Director's Report**

**A. Staff and Program Updates**

ACJC has posted an Accounting Specialist II position in Finance and expects to interview in early December for a start date the first of the year. Also, an Applications Developer position has been finalized to build out the database and reporting system created for the Byrne/JAG program.

**B. Finance Update**

Executive Director LeFevre presented the FY18 budget for the 1<sup>st</sup> quarter. The report showed detailed state funds for the Crime Labs and Pre-Trial Intervention. Also, included was the income for NICS, NCHIP, RSAT, SJS and VOCA funding.

**VI. Committee Reports**

**A. Executive**

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

Chairperson Duggan stated there were no items to report.

**2. Discussion on the Commission Membership**

The Commission approved last year to re-assess every year to see if the membership should be modified and to have a discussion on the makeup of the Commission. Commissioner Daniel Sharp entered a motion to approve the current makeup of the commission and to assess and re-evaluate next year at this time. The motion was seconded by Designee Kathleen Mayer and was unanimously approved by the Commission.

**3. Discussion on Commission Approval of ACJC Reports**

At the Drug Committee, Commissioner Sheila Polk asked about the approval process on various reports required by statute and to discuss reviewing and approving ACJC reports before distribution. Commissioner Polk expressed her concerns and suggested that the timelines change so reports can come to the Commission for discussion, review and possible approval before the reports become public. ACJC staff will look at the dates, review the process and report back on January 18, 2018, Commission meeting.

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

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

Commissioner Joe Brugman reported the Committee met on November 2, 2017, and was given an overview of the RSAT program, funding history, trends, funding process, SAC's evaluation of RSAT program and the strategic planning process statewide for the Arizona Drug, Gang and Violent Crime Control Strategy 2020. The Committee also reviewed the CY2018 Residential Substance Abuse Treatment Program (RSAT) Grant Awards and the Edge report.

## **2. CY2018 Residential Substance Abuse Treatment Program (RSAT) Grant Awards**

Tony Vidale, Deputy Director, presented the staff recommendation for the CY2018 Residential Substance Abuse Treatment Program (RSAT) grant awards as shown on page 19 of the agenda. Mr. Vidale stated the recommendation would fund projects totaling \$306,953 from federal funds and \$102,317 from local match funds to the Arizona Department of Corrections, Arizona Department of Juvenile Corrections, Chicanos Por La Causa, Coconino County Sheriff's Office, and the Yavapai County Sheriff's Office. Commissioner Joe Brugman entered a motion to approve the award of \$409,270 in federal and local cash match funds for the 2018 RSAT grant program beginning January 1, 2018, and ending December 31, 2018. The motion was seconded by Designee Paul Ahler and was unanimously approved by the Commission.

## **3. 2017 Enhanced Drug & Gang Enforcement (EDGE) Report**

Anna Haney, Grant Coordinator, presented highlights from the FY 2017 Enhanced Drug and Gang Enforcement Report. The report contains activity data reported to ACJC by projects funded out of the Drug and Gang Enforcement Account and the Criminal Justice Enhancement Fund that relate to illicit drugs and drug-related gang activity.

### **C. Crime Victims**

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

Commissioner Charles Ryan reported the Crime Victims Committee met on November 1, 2017. Items included a discussion of funding priorities for FY19 Crime Victims Assistance grant program, and the Committee provided guidance to narrow possible funding priorities for the next committee meeting on January 9, 2018, and to finalize recommendations for the Victim Assistance program size and funding. The Committee also heard information on the medical billing review pilot project from the Victim Compensation Program scheduled for January through March 2018. The partnership is with county victim compensation program operational units to explore the medical costs and administrative workload savings related to establishing medical payment rates and crime victim compensation medical benefit payments.

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

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

Commissioner David Byers reported on the activities of the Information Technology Systems Improvement Committee.

#### **2. Protection Order (PO)/Injunction Against Harassment (IAH) Project**

Marc Peoples, Program Manager presented the recommendations from the policy and technology work groups that reviewed the process of how best to improve Orders of Protection. The five guiding principles are: 1) to improve the Orders of Protection process by using an electronic or automated system, 2) initiate service through the court, 3) to make the court the holder of the record, 4) implement the victim notification system; and 5) allow service on incidental contact. Another purpose of improving the process is to increase safety, access, and efficiency. The proposed delayed effective date for completion of the project is August 2019. The costs associated with the project are \$405,000 to AOC for the cost to port the information to the new platform, \$130,000 estimated for DPS integration and \$200,000 to build the web services from grant funds.

### **E. Legislative**

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

Commissioner David Sanders reported the Legislative Committee met on October 24, 2017. The Committee studied the five statutes subject to the modification that included having to do with injunctions against harassment, orders of protection, and sexual assault record. The Committee agreed to the legislation in concept.

#### **2. (PO) (IAH) Draft Legislation Review**

Commissioner David Byers entered a motion to adopt the draft legislation in concept and authorize staff to continue to work with stakeholders to make reasonable changes consistent with the concept in order to move the proposal through the legislative process. Commissioner David Sanders seconded the motion. Commissioner David Byers then amended the motion to not change plaintiff to petitioner and defendant to respondent to each of the bills. Commissioner Daniel Sharp seconded the motion. After review and discussion, the motion was unanimously approved by the Commission. Next, Commissioner David Byers entered a motion to accept the four draft legislative bills: 12-1809 Injunction against harassment, 12-1810 Injunction against workplace harassment, 13-3602 Order of Protection, and 13-3624 Emergency order of protection in concept. The motion was seconded by Designee Kathleen Mayer and was unanimously approved by the Commission.

#### **3. Sexual Assault Records Draft Legislation Review**

Jaime Watson, PIO reviewed the 12-2406 Sexual assault records; reports legislation that requires ACJC to report records that are not collected and reported to law enforcement and subsequent information available in the state case criminal history repository. Staff recommends amending to remove the requirements and clean up the language to make certain ACJC is compliant with the reporting requirements. Commissioner David Sanders entered a motion to support the draft legislation for the Sexual Assault Records; Reports. The motion was seconded by Commissioner Daniel Sharp and was unanimously approved by the Commission.

## **VII. CJEF Working Group Update**

Commissioner Daniel Sharp reported the CJEF working group met on November 6, 2017. The discussion stemmed from the intercept to the tax reform bill, and the staff is working on some language to provide to U.S. House Representative David Schweikert. The group discussed the need and the target for a sustainable source to the CJEF funding such as a dollar surcharge per policy for homeowners insurance, vehicle insurance, and any additional funds that would augment the revenue.

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

Commissioner Sheila Polk announced that a community report by Matforce, the Yavapai County Abuse Coalition is to be released. In the report, there are recommendations for two legislative proposals to include the formation of local overdose fatality review boards to allow un-redacted access to police reports and strengthening mandatory sentencing laws for traffickers of heroin and other opioids.

## **IX. Call to the Public**

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

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

The next Arizona Criminal Justice Commission meeting takes place on **Thursday, January 18, 2018**, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

## **XI. Adjournment**

The meeting adjourned at 3:55 p.m.

Respectfully submitted,



Andrew T. LeFevre  
Executive Director