

Legislative Committee of the Arizona Criminal Justice Commission
Minutes
February 9, 2018

A public meeting of the Joint Executive and Legislative Committees of the Arizona Criminal Justice Commission was convened on Friday, February 9, 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, by conference call
Danny Sharp, Chief, Oro Valley Police Department, by conference call
Sheila Polk, ACJC Chairperson, Yavapai County Attorney, by conference call
Joe Brugman, ACJC Vice-Chairperson, Safford Police Chief, by conference call
Charles Ryan, Director of Department of Corrections, by conference call
Sean Duggan, Chandler Police Chief, by conference call
K.C. Clark, Navajo County Sheriff, Randy McFitt, representing by conference call
Frank Milstead, Director of Department of Public Safety, Courtney Coolidge representing by conference call
Mark Napier, Pima County Sheriff, Byron Gwaltney representing by conference call
David Byers, Director of Administrative Office of the Courts, Amy Love representing

ACJC Staff Present:

Jaime Watson, Public Information Officer/Legislative Liaison
Andy LeFevre, ACJC Executive Director

I. Call to Order and Roll Call

The meeting was called to order by David Sanders at 1:03 pm. Roll was taken and a quorum was declared present.

II. Minutes of the January 26, 2018 Meeting

Sheila Polk entered a motion to approve the minutes of the meeting held on January 26, 2018. The motion was seconded by Danny Sharp and was unanimously approved by the Committee.

III. ACJC Legislative Priorities

Jaime Watson, Public Information Officer/Legislative Liaison discussed ACJC's legislative priorities regarding Order of Protection HB 2249 and Criminal Justice Commission; Reporting Requirements HB 2247.

HB 2249 received a do-pass recommendation from the House Judiciary and Public Safety Committee on February 7, 2018 with a vote of 8-1. An amendment was adopted with conforming changes that require Court to maintain IAWH in the central repository, makes clarifying changes to the service process for Orders of Protection and removes the mandate for law enforcement agency to request a prosecutor to file charges for a violation of an order and removes the prohibition on adjudicating an order if the complaint is not filed by the prosecutor.

HB 2247 passed the House of Representatives on February 8, 2018 with a vote of 58-0 and will be transmitted to the Senate. Bill was amended to ACJC to report on the number of police reports that are filed, if available.

IV. Review ACJC Legislative Positions

Jaime Watson provided a status update on ACJC supported bills, including HB 2001 (Indigent Defense Fund; Distribution; Purpose) and SB 1350 (Indigent Defense Fund; Distribution; Purpose). HB 2001 needs to be heard in House Appropriations to move forward and is not currently on agenda. SB 1350 needs to be heard in Senate Judiciary to move forward.

Jaime Watson provided a status update on ACJC opposed bills, including SB 1078 (ACJC Membership), SB 1244 (Membership; Arizona Criminal Justice Commission), and SB 1345 (Criminal Justice Commission; Legislative Recommendations). SB 1078 will be heard in Senate Judiciary on February 15, 2018. SB 1244 needs to be heard in Senate Judiciary next week to move forward. SB 1345 was assigned to Senate Commerce and Public Safety but has not been placed on the agenda and is unlikely to move forward.

ACJC will continue to monitor SB 1035 (Municipal Courts; Maximum Revenue Transfer), SB 1061 (Medical Marijuana Fund; Appropriation), HB 2069 (Private Prisons; Contracts; Termination), HB 2313 (Sentencing; Monetary Obligations; Fine Mitigation), HB 2415 (Juvenile Dependency Proceedings Fund), and SB 1186 (Injunction Against Harassment; Petition; Hearing). SB 1035 needs to be heard in Senate Judiciary to move forward. SB 1061 needs to be heard in Senate Commerce and Public Safety to move forward and is not on agenda. HB 2069 needs to be heard in House Judiciary and Public Safety and is not on agenda. HB 2313 will be heard in House Judiciary and Public Safety on February 14, 2018. HB 2415 will be heard in House Appropriations on February 14, 2018. SB 1186 has not been assigned to a committee and there are no actions on this bill.

V. Review Introduced Criminal Justice Legislation

Jaime Watson presented the following criminal justice legislation to the Committee for review, discussion, consideration and possible action on support of various criminal justice legislation:

1) SB 1400 (Aggravated DUI; Sentence; County Jail)

Staff recommended to monitor the legislation. Charles Ryan would like to maintain a neutral position on SB 1400. Danny Sharp moved to monitor and Sheila Polk seconded the motion. The motion carried.

2) HB 2511 (Criminal Justice Commission; Membership; Report)

HB 2511 will need to be heard in House Judiciary and Public Safety to move forward but the bill is not on the agenda. Danny Sharp motioned to oppose and Sheila Polk seconded the motion. The motion carried.

3) SB 1496 (Prisoners; Drug Sentences; Out-of-Custody Treatment)

Staff recommend to monitor SB 1496. Charles Ryan asked to take monitoring position but sees problems with the language. Charles Ryan and David Sanders questioned the fiscal impact of the bill. Sheila Polk motioned to monitor with concerns and Danny Sharp seconded the motion. The motion carries.

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

HB 2640 needs to be heard in House Judiciary and Public Safety. The bill is not on the agenda and is unlikely to move forward. Jaime Watson informed committee that staff will continue to monitor the legislation.

VI. Call to the Public

David 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 23, 2018 at 1:30 pm.

VIII. Adjournment

The meeting was adjourned at 1:45 pm.

Respectfully submitted,



Andrew T. LeFevre
Executive Director

Audio recording is available upon request.