

## Universal Common Code Table Project

- Purpose:** To develop one universal table to be used by DPS (AFIS Live Scan Machines), Law Enforcement, Prosecutors, and the Courts. The use of one table will ensure all parties in the Criminal Justice System are working from the same set of statutes and chargeable offenses.
- Present Process:** The table used by DPS for AFIS was created initially by a workgroup made up of Criminal Justice stakeholders and is maintained by ACJC staff. AOC and MVD both create their agency tables independently. All legislative review and analysis to determine violations for each table are completed by staff that does not have a legal background. Challenges are presented when different interpretations are presented by various jurisdictions and an agreement cannot be made as to the accurate violation code for the tables. There have been attempts to reconcile the tables in the past however, if there was no agreement reached, the tables from each organizations were left indicating different violation code sections as chargeable offenses. Currently each prosecutors' office uses their own tables are which have been created internally.
- Current Project:** The AOC, ACJC (DPS AFIS), MVD and Pima County Attorney's Office Tables have been combined in one pivot table for comparison. An attorney with the Arizona Attorney General's Office currently under grant working with ACJC is conducting the necessary legal analysis and comparison of these different tables. The analysis includes reviewing the statute to determine what code sections are chargeable offenses, the class of the offense, and what statutes should be a part of the universal table. Once this analysis is completed the parties will come together to review this analysis and agree on one final table.
- Once this initial analysis is completed and a universal table is created it will need to be updated yearly upon the passage of new legislation that may alter the chargeable statutes contained in the table. Legal analysis of these statutes would need to be conducted to determine what is a chargeable offense and if any legislation changed the statues in the table.
- Request:** The parties are requesting assistance from APAAC with the legal analysis of the statutes for the creation of the universal table if necessary, but more specifically with the maintenance of the table when new legislation is passed.

**Scope of Project:**

In the pivot table all statutes from each of the four tables are listed together on the one table. Currently under analysis is Title 13 which contains the majority of the chargeable statutes. To be specific for Title 13 there are 3,403 lines of data the remaining titles combined have 6,825 for a total of 10,228 lines of data; 30% of the table is Title 13. Legal analysis has been conducted on 885 of the 3,403 lines of data for Title 13 approximately 38 % of Title 13 from the beginning through most of Chapter 18. It took a little over 16 hours to complete that legal analysis. It is estimated therefore that the entire project may take over one hundred additional hours for the creation of the universal table. The amount of hours needed for yearly updates would depend upon the number statues affected by new legislation in a given year.