

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL
MINUTES

June 16, 2015

The meeting of the Arizona Prosecuting Attorneys' Advisory Council was called to order by the Chair, Sheila Polk, on Tuesday, June 16, 2015, at 2:00 p.m. at the J.W. Marriott Starr Pass Resort, 3800 W. Starr Pass Boulevard in Tucson, Arizona.

COUNCIL MEMBERS PRESENT

Sheila Polk	APAAC Chair, Yavapai County Attorney
Jon Smith	APAAC Vice-Chair, Yuma County Attorney
Ken Angle	Graham County Attorney (arrived at 2:53 p.m.)
Brad Beauchamp	Gila County Attorney (arrived at 2:20 p.m.)
John Belatti	Mesa City Prosecutor
Brad Carlyon	Navajo County Attorney
Baird Greene	Tucson City Prosecutor
Vicki Hill	Acting Phoenix City Prosecutor
Barbara LaWall	Pima County Attorney
Brian McIntyre	Interim Cochise County Attorney
Bill Montgomery	Maricopa County Attorney
Derek Rapier	Greenlee County Attorney
Tony Rogers	La Paz County Attorney
Tobin Sidles	Oro Valley Town Prosecutor
Michael Whiting	Apache County Attorney (arrived at 3:05 p.m.)

COUNCIL MEMBERS PRESENT BY PROXY

Mark Brnovich	Arizona Attorney General Proxy Mike Bailey
David Rozema	Coconino County Attorney Proxy Mike Lessler
George Silva	Santa Cruz County Attorney Proxy Liliana Ortega
Lando Voyles	Pinal County Attorney Proxy David Rodriguez
Michael Whiting	Apache County Attorney Proxy Sheila Polk (proxy from 2:00 to 3:05 p.m.)

APAAC STAFF PRESENT

Elizabeth Ortiz	Executive Director
Kim MacEachern	Staff Attorney
Diana Cooney	Office Manager
Luke Coyne	APAAC Fellow
Elizabeth Iniguez-Reyna	Meeting and Technology Coordinator
Bethany Jeffress	Administrative Assistant
Hayley Zimmerman	Administrative Assistant

GUESTS PRESENT

Amelia Cramer
Dr. Joseph Cuffari
Jeremy Ford
Karen Hobbs
Kathleen Mayer

Pima Chief Deputy County Attorney
Public Safety Policy Advisory, Office of the Governor
Greenlee Chief Deputy County Attorney
La Paz Chief Deputy County Attorney
Legislative Liaison, Pima County Attorney's Office

CONSENT AGENDA

Ms. Sheila Polk presented minutes from both the May 15, 2015, and May 28, 2015, Council meetings for consideration and approval by the Council. Mr. Bill Montgomery made a motion, seconded by Mr. Brian McIntyre, to approve the minutes. Motion carried.

CHAIR'S REPORT

As a member of the Governor's Council on Human Sex Trafficking and as Chair of its Victim Services Committee, Ms. Polk provided an update on their progress working on a model protocol of best practices to share with those who may deal with child victims of sex trafficking. Ms. Polk noted that she received Executive Committee approval for APAAC to sponsor and assist in the development of this model protocol to be introduced to stakeholders at a "Solutions Summit" in November or December 2015. Ms. Polk invited potential stakeholders or those interested in this project to contact her.

EXECUTIVE DIRECTOR'S REPORT

Ms. Elizabeth Ortiz asked the Council for input in developing creative and new methods to provide information about APAAC to the prosecution community, with an emphasis on including the electronic material as part of the new hire orientation process. This information will educate both attorneys and support staff on all that APAAC has to offer, including online registration for website access to CLE trainings and other resources.

On behalf of the Council, Ms. Ortiz and Ms. Polk spotlighted each of the APAAC staff in appreciation of their hard work and individual contributions in support of the prosecution community.

Ms. Ortiz, who is also a member of COVIC, reported on their quarterly meeting she attended on June 12, 2015, which included: a presentation on the DNA backlog issue, a legislative update on victim issues, information on standardizing an electronic version of the Sexual Assault Nurse Examiner (SANE) form, and an informational link from the Attorney General's Office that Ms. Ortiz will email to the Council members regarding some potential VOCA funding.

Ms. Ortiz and Ms. Kim MacEachern recently met with several Secret Service Special Agents at the APAAC office to discuss joint training opportunities, such as their filming an APAAC On Demand video. These local agents are also the main contact for Arizona law enforcement officers who want to attend the Secret Service's forensic academy in Alabama. Ms. Ortiz and Ms. MacEachern can assist interested parties in connecting with these special agents for that purpose.

GOVERNOR'S OFFICE UPDATE

Dr. Joseph Cuffari, Public Safety Policy Advisor for the Office of the Governor, briefed the Council on Arizona's recent legislative session and, specifically, its impact on criminal justice. Of the over 1100 bills introduced, 344 bills were eventually sent to the Governor's office to be signed into law and 20 of those were vetoed.

SELECTION OF 2015 APAAC SUPPORT STAFF PERSON OF THE YEAR AWARD

Ms. Ortiz announced the 2015 Support Staff Person of the Year Award nominees. A roll call vote of the Council members was taken to determine the winner, who will be announced at the APAAC Support Staff Conference on July 31, 2015, in Prescott.

FINANCE COMMITTEE REPORT

Mr. Derek Rapier presented APAAC's financial reports for May 2015, as recommended for approval by the Finance Committee. Mr. Rapier made a motion, seconded by Mr. Tobin Sidles, to accept and approve the May 2015 financial reports. Motion carried.

BEST PRACTICES COMMITTEE REPORT

Mr. Sidles referred Council to the seminar report attachment showing the APAAC sponsored trainings in May and their attendance numbers. Mr. Sidles also highlighted the 590 attendees registered for the 2015 Annual Prosecutor Conference in June 2015, a significant increase over prior years.

VULNERABLE ADULT ABUSE PROTOCOL UPDATE

Ms. Ortiz reported on the multi-disciplinary group working to draft a statewide vulnerable adult abuse protocol. Ms. Polk will be part of a general presentation on this topic at the Pow Wow on July 15-17, 2015, in Flagstaff. Ms. Ortiz asked Council members to recommend any staff who can assist the group with reviewing the draft protocol.

NACo / AACo REPORT

Mr. Brad Carlyon plans to attend the 2015 NACo Annual Conference on July 10-13, 2015, in Charlotte, North Carolina, and will provide his report to the Council in August.

NDAA REPORT

Mr. Rapier, together with Mr. Carlyon and Ms. Ortiz, will attend the 2015 NDAA Summer Conference on July 19-21, 2015, in Chicago, Illinois. Discussion ensued concerning: 1) sharing the Fisher report on a national level; 2) recognizing the difference between issues dealing with jails vs. prisons; and, 3) NDAA's goal to be more proactive on creating the dialogue on criminal justice current topics.

BRADY LAW ENFORCEMENT LIST

Mr. Rapier asked for input from the Council on a letter received from State Senator Quezada requesting his office provide their protocol for enforcing the Brady Law in Greenlee County. Discussion followed. Most counties received a similar request. The general consensus was that a uniform statewide process does not currently exist. Ms. Polk suggested APAAC request its chief deputies review the issue and report their findings and recommendations.

EXECUTIVE SESSION

Ms. Polk announced that the performance evaluation of APAAC's Executive Director, Ms. Ortiz, would be discussed in Executive Session. Mr. Sidles made a motion, seconded by Mr. McIntyre, for the Council to go into Executive Session. Motion carried. Non-Council members were excused from the meeting room during this session.

EXECUTIVE DIRECTOR – CONSIDERATION OF SALARY INCREASE

Ms. Polk reminded Council members that the approved APAAC budget for fiscal year 2015-2016 includes a one-step salary increase for the Executive Director. Mr. Rapier made a motion, seconded by Mr. John Belatti, to grant the salary increase for the Executive Director. Motion carried.

CALL TO THE PUBLIC

Ms. Ortiz reviewed the Council members' roles during both the Prosecutor Conference opening remarks and the award luncheon.

Mr. Montgomery recalled from a prior Council meeting the mention of APAAC securing federal funding to update the Fisher report on Prisoners in Arizona and suggested APAAC take a different approach toward a new vs. updated report. Further, he asked that APAAC consider sponsoring a review of the Arizona criminal justice system, with a look at proposing reforms.

Ms. Barbara LaWall requested that APAAC consider updating the statewide salary survey by putting it on the next Council meeting agenda for discussion.

NEXT COUNCIL MEETING

Ms. Polk announced the next Council meeting will be held on Thursday, August 13, 2015, at 1:00 p.m. at the APAAC office. Immediately prior to the August Council meeting, APAAC will offer an Executive Training session for Council members and Chief Deputies (both civil and criminal), featuring Mr. Scott Rhodes, a private practice attorney, on the subject of attorney-client issues, specifically geared toward County Attorneys and other elected officials. APAAC will send out an informational email announcement.

ADJOURNMENT

Ms. Polk declared the meeting adjourned at 3:52 p.m.