

NOTICE OF THE
LEGISLATIVE POLICY COMMITTEE MEETING
OF THE
ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL

AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Prosecuting Attorneys' Advisory Council and to the general public that its Legislative Policy Committee will hold a meeting open to the public on **Thursday, November 19, 2015, at 3:15 p.m.** in the APAAC office located at 1951 W. Camelback Road, Suite 202, in Phoenix, Arizona. The toll-free call-in number to appear telephonically is **1-888-238-5279** and at the voice prompt enter your Meeting ID **9890052100** and the PIN is **1951**. You may also attend the meeting via SCOPIA video-conferencing.

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Prosecuting Attorneys' Advisory Council endeavors to ensure the accessibility of its meetings to all persons with disabilities. If you need an accommodation for a meeting, please contact Elizabeth Iniguez-Reyna at (602) 542-7222 at least 24 hours prior to the meeting so that an accommodation can be arranged.

Legislative Policy Committee members:

Jon Smith, Chair
Brad Beauchamp
David Byers
Brad Carlyon
Vicki Hill
Barbara LaWall
Bill Montgomery
Lando Voyles

The Agenda for this meeting is as follows:

I. Call to Order

Jon Smith

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| II. | Roll Call | Jon Smith |
| III. | Items for Consideration (Attachments) | Kim MacEachern Possible Action |
| | <u>A. Criminal Code Cleanup</u> | Jerry Landau P-F-T |
| | <u>B. Draft Civil Forfeiture Bill- Representative Thorpe</u> | Kim MacEachern Discussion and Possible Action |
| | <u>C. ACJC (For Preliminary Review/ Comment)</u> | Kim MacEachern |
| 1. | <p>Prohibited Possessor; Mental Health <i>Amends ARS 13-3101 to add to the definition of prohibited possessor in Arizona those individuals under court appointed guardianship except if the appointment is due solely to a physical incapacity and authorizes the courts to share information with law enforcement or prosecuting agencies.</i></p> | |
| 2. | <p>Law Enforcement Courts; Fingerprinting <i>Amends ARS 41-1750 to define the county sheriff as the “booking agency” (except if the person is booked into a municipal jail then it means municipal law enforcement) and requires the booking agency to take a legible ten-print fingerprint for all persons arrested for certain crimes. Also requires courts to send individuals summoned into court for certain offenses to the booking agency to obtain a legible ten-print fingerprint.</i></p> | |
| 3. | <p>Failure to Appear Classification <i>Amends the definition of failure to appear in the second degree and sets appropriate penalties.</i></p> | |
| 4. | <p>Arizona Prevention Resource Center Fund Spending Flexibility <i>Amends ARS 41-2402, paragraph G to allow greater flexibility in how the Arizona Criminal Justice Commission’s Statistical Analysis Center can utilize Arizona Prevention Resource Center funds. Currently statute only allows for funds to be used to support the Arizona Youth Survey. Language change would allow unused funds to be spent to conduct research identified by the Commission as important to Arizona’s criminal justice community.</i></p> | |

5. **Victim Compensation and Assistance Fund Spending Flexibility**
Amends ARS 41-2407 to allow greater flexibility in how the Victim Compensation and Assistance Fund can expend funds across both program areas to meet the needs of Arizona's victims of crime and those agencies that provide direct services to victims.

IV. Other Items for Discussion **Kim MacEachern**
Information Only

V. Call to the Public **Jon Smith**

At this time, any member of the public is allowed to address the Legislative Policy Committee on any issue, whether or not on the Agenda. Pursuant to Arizona Open Meeting Law, at the conclusion of the Call to the Public, individual members of the Legislative Policy Committee may respond to criticism made by those who have addressed the Committee; may ask staff to review the matter; or may ask that the matter be placed on a future agenda. However, members of the Legislative Policy Committee shall not discuss or take legal action on matters raised during an open call to the public unless the matters appear on this Agenda and are otherwise properly noticed for discussion and legal action. On items specified for a vote on this Agenda, members of the public may comment after the Legislative Policy Committee discussion and prior to any vote on the matter.

VI. Next LPC Meeting **Jon Smith**
Possible Action

A. Discuss scheduling the next LPC Meeting

VII. Adjournment **Jon Smith**

APAAC MISSION:

Empowering Arizona's prosecutors to administer justice and contribute to public safety through training and advocacy.

CORE VALUES:

Through its constitution, Arizonans prioritized the goals for elected prosecutors: achieving justice, serving victims and balancing the needs of the community. To ensure the independence to reach those goals, prosecutorial discretion must be honored in all legislative and budgetary considerations. As the standard bearers for administering justice and preserving public safety, prosecutors are a most trustworthy resource for making legislative improvements to the criminal justice system.

POLICY STATEMENT:

APAAC, as Arizona's prosecutor coordinator, recognizes that often criminal behaviors arise as the result of substance abuse and behavioral health challenges. We acknowledge that early interventions along with appropriate prevention and treatment measures and educational programs can and do reduce the burden on the criminal justice system. In those cases that result in a chargeable crime by a drug-involved individual APAAC supports intervention options directed to changing those behaviors, such as residential treatment, therapeutic community treatment, wrap-around services and court supervised drug monitoring.

It is crucial that prevention and treatment capacity, whether community or government based, is at a level appropriate to enable implementation of prison alternatives and available in both the urban and rural areas. Assessing and identifying offenders that can substantially benefit and have the capability to turn away from crime will positively impact the community and reduce incarceration. Where appropriate victims should be involved in the process.