

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL
MINUTES

October 6, 2011

The meeting of the Arizona Prosecuting Attorneys' Advisory Council was called to order by the Chairman, Derek Rapier, on Thursday, October 6, 2011, at 10:00 a.m., at the APAAC Office which is located at 1951 W. Camelback Rd., Ste 202, in Phoenix.

COUNCIL MEMBERS PRESENT

Ed Rheinheimer	Cochise County Attorney (telephonic)
Daisy Flores	Gila County Attorney (telephonic)
Derek Rapier	Greenlee County Attorney
William Montgomery	Maricopa County Attorney (telephonic)
Matthew Smith	Mohave County Attorney (telephonic)
Brad Carlyon	Navajo County Attorney
Barbara LaWall	Pima County Attorney (telephonic)
James Walsh	Pinal County Attorney (telephonic)
Sheila Polk	Yavapai County Attorney (telephonic)
Jon Smith	Yuma County Attorney (telephonic)
Tom Horne	Arizona Attorney General
Baird Greene	Tucson City Prosecutor (telephonic)
Tobin Sidles	Oro Valley Town Prosecutor (telephonic)

PROXIES

David Rozema	Coconino County Attorney Proxy Mike Lessler
Tom Horne	Arizona Attorney General Proxy Steve Duplissis (part of mtg)
David Byers	Arizona Supreme Court Proxy Jerry Landau
Aaron Carreon-Ainsa	Phoenix City Prosecutor (telephonic) Proxy Jessica Breedlove

STAFF PRESENT

Elizabeth Ortiz	Executive Director
Denise Helm	Executive Assistant

Mr. James Walsh made a motion, seconded by Mr. Tobin Sidles, to accept the consent agenda. Motion carried.

MARICOPA ASSOCIATION OF GOVERNMENT (MAG) DOMESTIC VIOLENCE PROTOCOL

Ms. Amy St. Peter from MAG, gave a presentation regarding the proposed protocol for the investigation of domestic violence cases. She stated that her office has been working closely

with law enforcement, prosecutors, victim advocates and survivors of domestic violence to address ways to enhance the regional response to domestic violence through the criminal justice system. The product of this will be a protocol model for domestic violence at the misdemeanor level. MAG is also looking to expand the protocol to the felony level in cooperation with Maricopa County. Ms. St. Peter asked for feedback on the protocol model itself, the process, and possible statewide applications. Further detail was discussed.

ATTORNEY GENERAL PRESCOTT OFFICE

Mr. Steve Duplissis, section chief of the healthcare fraud and abuse section of the criminal division of the Attorney General's office introduced himself and gave some background on his tenure at the AG's office. He informed the Council about the new satellite office in Prescott. Mr. Duplissis stated that they are planning on having a prosecutor, two police officers and a support staff person at the new office. They already have a sub-office handling child and family protection cases in Prescott. Mr. Duplissis stated that they plan on servicing and assisting the northern Arizona county attorney offices which consist of Yavapai, Coconino, Mohave, Navajo and Apache Counties. Cases that they specialize in are frauds that occur in Medicaid funded facilities. They will prosecute provider fraud cases, schemes, thefts, forgeries, prescription drug diversion cases and abuse and neglect of elders or developmentally disabled children in Medicaid funded facilities. Ms. Elizabeth Ortiz offered the new APAAC website for posting information on this.

LEGISLATIVE POLICY COMMITTEE REPORT

Mr. Walsh gave a report on the Legislative Policy Committee. He requested that the Council submit legislative proposals or draft bills by October 28, 2011. Mr. Walsh stated that at the last meeting, the Council authorized moving forward on the sentencing project. Several CIO's from the county attorney offices and the Attorney General's Office are working at putting together a website with a domain name and templates on sentencing. The website name will be azsentencing.com. Mr. Walsh gave more background on this.

Mr. Walsh also provided information about the prisoner shift issue. A discussion was held.

Mr. Jerry Landau gave an update on the bail bondsmen issue.

TRAINING COMMITTEE REPORT

Ms. Ortiz reviewed the 2011 Summer Conference Evaluation Data Summary. She informed the Council about the new timeline for our presenters to get their materials submitted to APAAC so they can be put on the website and be available ahead of time for download before the conference. Ms. Ortiz elaborated on the comments from the evaluation data. She also gave an update on the Training Committee meeting that was held prior to the Council meeting. Ms. Ortiz stated that the committee wanted direction from the Council as to whether or not, at the 2012 Summer Conference, APAAC should conduct seven breakout sessions on Friday morning, and then repeat them to give the attendees a chance to see two different sessions. Discussion was held and it was a consensus to repeat the sessions. Discussion was also held on conducting a survey monkey to find out what topics prosecutors would like to hear.

Ms. Ortiz also discussed the Executive Leadership Training and the examples that were used from the 12:00 High movie that dealt with different types of leadership styles. Discussion was held on showing this movie in conjunction with a training debriefing. Due to scheduling conflicts, it was determined that the debriefing could not be held adjacent to the November Council meeting. The Council directed Ms. Ortiz to research alternative options for the debriefing session.

SUMMER CONFERENCE AWARDS

Ms. Ortiz presented the idea of adding a new award for Appellate Prosecutor of the Year to the Summer Conference awards. Discussion was held.

Ms. Sheila Polk made a motion, seconded by Mr. Walsh, to establish an award for Appellate Prosecutor of the Year. Motion carried.

Ms. Ortiz discussed a proposed change to the timeline for voting on the Summer Conference awards. She recommended that the Council vote at its' June meeting, rather than the August meeting.

Ms. Polk made a motion, seconded by Mr. Michael Lessler, to adopt the Executive Director's proposed time line for selection of the Summer Conference 2012 award recipients. Discussion was held. Motion carried.

UPDATED DEFERRED PROSECUTION GUIDELINES

Ms. Ortiz discussed the Deferred Prosecution Guidelines and incorporating any recommendations from the Council for changes. It was decided to make October 21, 2011, the deadline for changes to the August 2, 2011, draft. The final product will be submitted for approval at the next council meeting.

INFORMATIONAL ITEMS

Ms. Ortiz presented the APAAC organizational chart. She then informed the Council that she hired a new Legal Secretary, Diana Cooney.

Ms. Ortiz informed the Council that the NDAA Capital Conference is scheduled for February 2-5, 2012.

NEXT COUNCIL MEETING

The next Council Meeting will be held November 17, 2011 at 9:00 a.m. in conjunction with the AACo Conference.

ADJOURNMENT

Mr. Landau made a motion, seconded by Mr. Sidles to adjourn the meeting at 11:35 a.m.