



Highlights of 2018
Arizona Town Hall
Sessions

CRIMINAL JUSTICE IN ARIZONA



Since 1962, Arizona Town Hall has created solutions to complex problems by educating, engaging, connecting and empowering Arizonans.

In 2017, Arizona Town Hall initiated a new method for accomplishing its mission—a series of Community Town Halls held around the state prior to the statewide Town Hall.

Community Town Halls and Future Leaders Town Halls (events held for high school and college students) allow a greater number of Arizonans to experience positive civic engagement. These programs also incubate solutions for statewide issues and develop a grassroots network of informed citizens ready to work together to maximize Arizona’s potential.

To ensure informed discussion, Town Hall participants review background information developed by the Arizona Town Hall Research Committee.

Participants at the statewide Town Hall consider the information in the Background Report as well as recommendations from the various Community and Future Leaders Town Halls.

This publication is a summary of key points from the Background Report, the Community and Future Leaders Town Halls and the Report of Recommendations developed at the statewide Town Hall held November 8-10, 2018.

Completed Town Hall reports are published and made available to Arizona Town Hall members, elected officials (including the Arizona Legislature), public libraries and the general public. Download digital copies for free online at www.aztownhall.org or call (602) 252-9600 to request a printed copy.



Participants of Panel Ocotillo at the 111th statewide Town Hall

Top to Bottom: Participants Stella Carr, Pauline Hechler, Khalil Rushdan, Jeff Roseberry, Mary Grier and Rochelle Walker during panel discussions at the 111th statewide Town Hall.

KEY POINTS FROM THE BACKGROUND REPORT

Read or download the complete background report at www.aztownhall.org

SIZE AND SCOPE

- For years, the number of crimes committed has been declining as the population has increased, while at the same time, incarceration rates have gone up exponentially.
- The vast majority of cases heard by the courts are relatively minor traffic and civil cases.
- Total costs of the municipal, county and statewide criminal justice system vary according to location, but average approximately \$525 per year for every man, woman and child in Arizona.

POLICE

- Arizona has over 140 different police agencies at all levels of government, employing about 15,000 sworn officers, including federal officers.
- Research suggests that when citizens view police actions as legitimate and procedurally just, they are more likely to obey the law and cooperate with police.
- The public has shown increased interest in policing practices in recent years.

BAIL, JAIL, FINES AND FEES

- Low-income people often have difficulty paying bail forcing them to await trial in jail.
- Research indicates that bail does little to ensure that defendants return for trial.
- Reforms are being implemented to make the imposition of bail more equitable and to reduce the population awaiting trial in jail.

CHARGING

- Prosecutors have wide discretion in deciding what charges to press against a defendant.
- Although the initial charges filed may not be the ones that are eventually brought to trial, they influence key decisions on bail, plea bargaining and sentencing.

SENTENCING AND INCARCERATION

- Most jurisdictions now have some sort of “determinate sentencing,” including mandatory minimum sentences. This has resulted in a transfer of power from judges to prosecutors, as the charges filed by the prosecutor now largely determine the sentence.
- Sentencing guidelines are based on whether the conviction is for a felony and the offender’s prior criminal record.
- The rate of imprisonment in the U.S. has increased from 96 per 100,000 population in 1975 to 500 per 100,000.
- This increase is the result of changes in sentencing policy, not changes in crime.
- Arizona has the fourth highest incarceration rate in the country at 585 per 100,000 population.

VULNERABLE POPULATIONS

- One in ten prisoners in Arizona is over age 54.
- More than a quarter of inmates suffer from mental illness.

- Ninety percent of female inmates experienced physical or sexual violence prior to prison.
- Offenders with developmental disabilities, chronic illnesses and substance abuse issues present special difficulties both while in prison and when making the transition back to society upon release.

RE-ENTRY AND RECIDIVISM

- Eighteen percent of those released return to prison within six months.
- Those returning to society after prison often lack the resources to establish themselves in the outside world.

NATIVE AMERICAN ISSUES

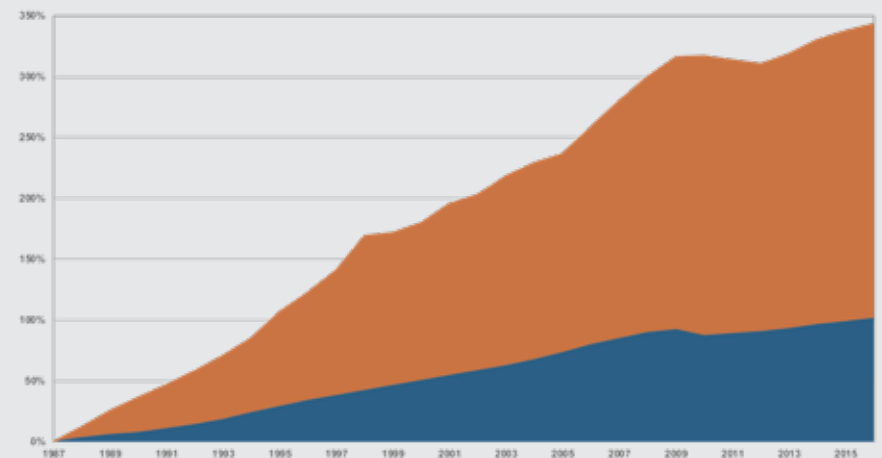
- Crime on tribal land involves a complex web of overlapping jurisdictions that change with the severity of the crime and the ethnicity of both victim and offender.
- In recent years, the Tribal Law and Order Act and the Violence Against Women Act have given tribes increased sentencing and jurisdiction over domestic violence.

TOTAL POPULATION AND PRISONER POPULATION CHANGE SINCE 1987

Incarceration has gone up as the crime rate has gone down.

Arizona population change since 1987

Arizona prison inmates changes since 1987



Source: Census Bureau and Arizona Department of Corrections

CRIMINAL JUSTICE IN ARIZONA

This report highlights consensus findings from a diverse group of Arizonans that included professionals involved in all aspects of the criminal justice system, victims, incarcerated and formerly incarcerated individuals, family members of people in prison or jail, advocates for justice reform and regular citizens with an interest in the topic. Over 20 Town Halls (16 Community Town Halls, 6 Future Leader Town Halls and 1 three-day statewide Town Hall) were held across the state to capture urban, rural, tribal and border cities perspectives. In total, over 1,700 Arizonans participated and expressed their ideas on how to improve Arizona's criminal justice system.

Despite the broad range of backgrounds, perspectives and locations, certain themes resonated across all the Town Halls.

GOALS FOR ARIZONA'S CRIMINAL JUSTICE SYSTEM

- Make the best use of all available resources to ensure community safety.
- Ensure that there are consequences for criminal behavior and that they are proportional to the crimes committed, as well as applied fairly and equitably regardless of race, ethnicity or economic status.
- Focus on the key areas of prevention, rehabilitation and reducing recidivism to ensure community safety.
- Community involvement, collaboration across agencies and community groups, and adequate funding for education, mental health services and substance abuse treatment are required.
- Acknowledge victims and their families and their need to overcome the trauma they have experienced during all aspects of the criminal justice system.
- Allocate resources to rural communities to improve the availability of qualified individuals with the training and expertise to address the needs of all aspects of the criminal justice system.

PRIOR TO INCARCERATION

- Invest in programs to prevent crime such as early childhood education and support for families, outreach programs for at-risk youth, substance abuse treatment and support and mental health services.
- Provide increased training for police, first responders, judges and prosecutors to recognize and handle mental health, substance abuse and child trauma issues. Support for community policing initiatives will help build trust within communities.
- Revise mandatory sentencing requirements to ensure that sentences are in line with the crimes and to give judges greater discretion, especially for non-violent crimes.
- Expand diversion programs, specialty courts and alternatives to incarceration such as medication-assisted treatment, drug court, veteran's court, homeless court, community service and electronic monitoring.
- Reduce or eliminate bail-bond requirements and replace with systems that assist defendants getting to their hearings like text reminder alerts and transportation vouchers.



Top: Participants at the Sierra Vista Community Town Hall.

Middle: Officer James Edelstein presents recommendations from table discussions at the Prescott Community Town Hall.

Bottom: Arizona Department of Corrections Director Chuck Ryan shakes hands with an inmate participant during discussions at the Whetstone Unit Community Town Hall.



Top to Bottom: Student participants from Prescott, Phoenix and Tucson gathered at Future leaders Town Halls to discuss the challenges facing Arizona's criminal justice system.

Arizona needs to stop condemning people to a lifetime of collateral consequences that extend beyond completion of sentence.

- from the 111th Arizona Town Hall Report of Recommendations

- Improve coordination and collaboration between agencies and support organizations to reduce red tape, simplify processes and improve communication to better utilize available resources.

DURING INCARCERATION

- Begin the re-entry process upon incarceration to enable the best possible rehabilitation and outcome for society.
- Screen inmates for mental health and substance abuse issues and provide ongoing treatment. Offer access to discussion and training related to inmate safety, health and wellness.
- Provide resources and programs to enable achievement of goals such as literacy, completing a GED or post-secondary education and vocational and job training.
- Facilitate and encourage access for inmates to their families.
- Expand in-captivity jobs with higher wages that can be saved for transitioning after release.
- Provide community-based inmate work programs.
- Expand re-entry programs like the Second Chance Centers that coordinate communication with support agencies, provide job training and jobs and clarify requirements of release.

AFTER INCARCERATION

- Provide training and support to families to assist with successful reintegration of ex-offenders.

- Keep victims and their families informed and facilitate their inclusion in the re-entry process where appropriate.
- Provide safe half-way houses for transitioning from prison to free society.
- Make probation and parole more of a support system.
- Provide mentors, including previously incarcerated individuals who have successfully navigated back into productive society.
- Provide assistance with housing or access to housing to newly-released individuals.
- Offer transportation vouchers for public transportation or Uber/Lyft services to assist getting to jobs, probation check-ins and treatment programs.
- Reduce the legal and administrative barriers to re-entry such as the boxes on applications for employment and housing that ask about felony convictions.
- Consider restoring the right to vote after being released and expand opportunities for expungement or restoration of rights.
- Use tax incentives to encourage hiring people who were incarcerated.
- Recognize the burden that criminal fines place on people who are convicted and consider alternatives such as community service, while still being respectful of victims of crime.
- Consider standards, benchmarks and other incentives that encourage stakeholders running the system to be more accountable for the success of inmates once released.
- Educate the public through the stories of ex-offenders so they can better understand what works to ensure safety and allow ex-offenders to become productive members of society.



Keynote speaker Felicity Rose, Director, Research and Policy for Criminal Justice Reform, FWD.us presenting information about Arizona's criminal justice system.

Arizona has failed to adequately address substance abuse and mental health issues in the public health arena. Often, these issues fall by default to the criminal justice system.

- from the 111th Arizona Town Hall Report of Recommendations

SPECIFIC RECOMMENDATIONS FROM THE STATEWIDE TOWN HALL

- Focus on evidence-based, data-driven decision making.
- Prior to entering the criminal justice system, utilize tools to divert at-risk individuals from engaging in criminal activity and provide them with appropriate early interventions.
- Call on the Arizona Legislature to establish a committee to coordinate with the Arizona Criminal Justice Commission, Arizona Attorneys for Criminal Justice and the Arizona Supreme Court's Fair Justice for All Taskforce to produce annual reports on the strengths and weaknesses of Arizona's criminal justice system.
- Require Arizona's elected officials to attend training on the criminal justice system sponsored by the Arizona Supreme Court.
- Ensure that prosecutorial and defense agencies, as well as victim rights groups, receive sufficient funding and access to the Legislature to ensure fairness in any criminal justice reform measures.
- Establish a statewide taskforce to determine the best practices, both evidence-based and data-driven, with regard to diversion, problem-solving courts and re-entry programs.
- Give judges greater discretion to terminate sex offender registration.
- Increase innovative solutions for dispatching appropriate emergency services, including crisis services, for people experiencing a behavioral health crisis.
- Encourage the Legislature to reinstate laws requiring cost comparisons between private prisons and the Arizona Department of Corrections prisons, including information on infractions, such as positive drug tests.
- Create and fund an adequate number of quality inpatient treatment facilities and new community-based outpatient treatment facilities with varying levels of security to give judges alternatives to pre- and post-trial incarceration. Consider electronic monitoring as one security option.
- Ensure that probation, parole and community supervision is fully funded and held accountable for the successful re-entry of ex-offenders into society through proactive case management.

COMMUNITY TOWN HALLS	FUTURE LEADERS TOWN HALLS
<ul style="list-style-type: none"> • Downtown Phoenix (ASU) • St. Vincent de Paul (Phoenix) • White Mountains - Lakeside • Prescott • Department of Corrections - Whetstone Unit • Marana • Mesa • Department of Corrections - Lewis Facility 	<ul style="list-style-type: none"> • Avondale • Tucson - YWCA Conference Center • Sierra Vista • Yuma - Southwest Arizona Town Hall • South Phoenix • Tucson - Affected Populations • Phoenix - Soroptimist • Flagstaff
<ul style="list-style-type: none"> • Mesa Community College • City of Phoenix - Burton Barr Central Library • Arizona State University - Downtown Phoenix Campus • University of Arizona - Tucson Campus • Arizona Western College - Yuma Campus • Yavapai College - Prescott Campus 	

CRIMINAL JUSTICE LINKS

Arizona Department of Corrections
 Arizona Department of Juvenile Corrections
 Arizona Courts
 Arizona Department of Public Safety
 Arizona Peace Officer Standards and Training Board
 ACLU of Arizona
 Arizona Prosecuting Attorneys' Advisory Council
 Arizona Criminal Justice Commission
 Arizona Transformation Project
 Reforming Criminal Justice
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 The Sentencing Project
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thenasc.org
www.sentencingproject.org
www.brennancenter.org
cebcp.org



Top: Friday Lunch Panel Presentation on *Reducing Recidivism* speakers: Sheila Polk, Yavapai County Attorney, Yavapai County; Karen Hellman, Division Director, Inmate Programs and Reentry, Arizona Department of Corrections; Sarah Douthit, Chief Probation Officer, Coconino County Adult Probation; and Frantz Beasley, President & Co-Founder, AZ Common Ground.

Bottom: Friday Dinner Panel Presentation on *Community Town Halls: Sharing Ideas and Leveraging Efforts* speakers: Ray Newton, Professor Emeritus, Northern Arizona University; Chuck Ryan, Director, Arizona Department of Corrections; John Kitagawa, Retired Rector, St. Phillip's in the Hills; John Burton, Owner, JP Burton Group.

When releasing inmates back into society, Arizona and its communities must be responsible for ensuring a focus on quantifiably successful rehabilitation and reintegration.

- from the 111th Arizona Town Hall Report of Recommendations



Participants gather to discuss an amendment to the recommendations report during the Plenary Session.



John Peck and PJ Longoni of Panel Saguardo during panel discussions.



Amy Devins presenting an amendment to the recommendations report during the Plenary Session.



We welcome your involvement,
questions and perspectives.

2400 W Dunlap Ave, Ste 200
Phoenix, AZ 85021

602-252-9600
www.aztownhall.org



Special Thanks

ASU Morrison Institute
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Arizona State University

*and Dan Hunting in particular for serving
as Editor of the Background Report*

Town Hall recommendations are a valuable resource for policymakers because they do not represent the agenda of a particular group or political perspective. Instead, Arizona Town Hall reports contain the informed consensus of Arizonans from different political parties, professions, socioeconomic status and geographic areas of the state. A private, nonprofit civic organization, Arizona Town Hall serves as a catalyst for conversations and recommendations that create significant changes in Arizona's public policy. Countless local, state and national leaders cite Arizona Town Hall as an important factor in educating people about complex issues and fostering the development of civic and community leaders.

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