



## COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER  
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C.H. HUCKELBERRY  
County Administrator

June 18, 2018

Michael Racy, President  
Racy Associates, Inc.  
535 Burton Drive  
Tucson, Arizona 85704

Re: **House Bill 2605 Criminal Justice Statistics: Public Information**

Dear Mr. Racy:

As we discussed, House Bill (HB) 2605 was approved in the closing hours of the Legislature as part of a budget compromise. I have asked our Criminal Justice Unit to determine if the data enumerated in HB 2605 is readily available, and, if not, what would be the appropriate cost associated with collection and consolidation of data into one database to allow policy analysis.

As we know, the Criminal Justice System consumes a significant portion of our resources, is antiquated, is fraught with conflicting policies operated by siloed departments and agencies and generally is difficult to navigate. While criminal justice reform is an important and emerging policy goal of the County, I have asked our departments and agencies involved in this system to comment on this Legislation as well as that similarly enacted in Florida to determine costs associated with compliance. No matter the cost, the data needs to be gathered to make factual, intelligent decisions regarding Criminal Justice System policy direction. In fact, I will advocate the Board of Supervisor include, in the next Legislative Session, an item that requires this same information, but pays for it through Criminal Justice System Anti-racketeering Funds.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Huckelberry", is written over a large, sweeping flourish that extends from the bottom right of the signature area.

C.H. Huckelberry  
County Administrator

Enclosure

c: The Honorable Chairman and Members, Pima County Board of Supervisors  
Wendy Petersen, Assistant County Administrator for Justice and Law Enforcement

REFERENCE TITLE: criminal justice statistics; public information

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

## **HB 2605**

Introduced by  
Representatives Stringer: Engel

AN ACT

AMENDING TITLE 41, CHAPTER 17, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; RELATING TO CRIMINAL JUSTICE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 17, Arizona Revised Statutes, is  
3 amended by adding article 2, to read:

4 ARTICLE 2. CRIMINAL JUSTICE STATISTICS

5 41-2221. Criminal case statistics; public website posting;  
6 requirements; definitions

7 A. BEGINNING JANUARY 1, 2019, ON THE FIRST DAY OF EACH MONTH EACH  
8 PROSECUTOR SHALL POST THE FOLLOWING INFORMATION FOR THE PREVIOUS MONTH ON  
9 THE PROSECUTOR'S PUBLIC WEBSITE OR ON THE PUBLIC WEBSITE OF AN AFFILIATED  
10 ASSOCIATION:

11 1. THE RESPECTIVE AGGREGATE NUMBER OF MISDEMEANOR AND FELONY CASES  
12 BY INDIVIDUAL DEFENDANT:

13 (a) THAT ARE INDICTED BY THE PROSECUTOR'S OFFICE.

14 (b) THAT ARE RESOLVED BY THE PROSECUTOR'S OFFICE THROUGH A PLEA  
15 AGREEMENT. IF RESOLVED THROUGH A PLEA AGREEMENT, THE PROSECUTOR SHALL  
16 POST THE AGGREGATE NUMBER OF CASES IN WHICH THE DEFENDANT EITHER:

17 (i) PLED GUILTY.

18 (ii) PLED NO CONTEST.

19 (c) THAT ARE PRESENTED FOR BENCH OR JURY TRIAL CONSIDERATION,  
20 EXCLUDING PRIOR CONVICTION TRIALS.

21 (d) IN WHICH A FIRST TIME FELONY OFFENDER RECEIVED A SENTENCE OF:

22 (i) LESS THAN ONE YEAR IMPRISONMENT.

23 (ii) ONE YEAR OR MORE BUT LESS THAN THREE YEARS IMPRISONMENT.

24 (iii) THREE YEARS OR MORE BUT LESS THAN FIVE YEARS IMPRISONMENT.

25 (iv) FIVE YEARS OR MORE BUT LESS THAN TEN YEARS IMPRISONMENT.

26 (v) TEN YEARS OR MORE IMPRISONMENT.

27 (e) IN WHICH A REPETITIVE OFFENDER RECEIVED A SENTENCE OF:

28 (i) LESS THAN ONE YEAR IMPRISONMENT.

29 (ii) ONE YEAR OR MORE BUT LESS THAN THREE YEARS IMPRISONMENT.

30 (iii) THREE YEARS OR MORE BUT LESS THAN FIVE YEARS IMPRISONMENT.

31 (iv) FIVE YEARS OR MORE BUT LESS THAN TEN YEARS IMPRISONMENT.

32 (v) TEN YEARS OR MORE IMPRISONMENT.

33 2. FOR EACH INDIVIDUAL DEFENDANT'S INDICTED CASE, A BREAKDOWN OF  
34 EACH OFFENSE CHARGED AND WHETHER THAT OFFENSE WAS CHARGED AS A MISDEMEANOR  
35 OR FELONY.

36 3. FOR EACH MISDEMEANOR AND FELONY OFFENSE THAT WAS CHARGED IN EACH  
37 INDIVIDUAL DEFENDANT'S CASE:

38 (a) WHETHER THE OFFENSE WAS RESOLVED BY PLEA AGREEMENT.

39 (b) IF THE OFFENSE WAS RESOLVED BY PLEA AGREEMENT, WHETHER THE  
40 DEFENDANT PLED GUILTY OR NO CONTEST.

41 (c) WHETHER THE OFFENSE WAS PRESENTED FOR BENCH OR JURY TRIAL  
42 CONSIDERATION, EXCLUDING PRIOR CONVICTION TRIALS.

43 (d) THE VERDICT ON EACH MISDEMEANOR AND FELONY CHARGE THAT WAS  
44 SUBMITTED FOR BENCH OR JURY TRIAL CONSIDERATION.

45 (e) THE FINAL SENTENCE ENTERED ON EACH CHARGE.

1 (f) ANY CHANGES THAT WERE MANDATED BY AN APPELLATE COURT TO A FINAL  
2 SENTENCE THAT WAS ENTERED BY A MUNICIPAL, JUSTICE OR SUPERIOR COURT.  
3 4. FOR EACH INDIVIDUAL DEFENDANT'S CASE, WHETHER THE DEFENDANT HAS  
4 PREVIOUSLY BEEN CHARGED WITH A FELONY IN THIS STATE AND, IF THE DEFENDANT  
5 HAS PREVIOUSLY BEEN CHARGED WITH A FELONY IN THIS STATE, HOW MANY PRIOR  
6 FELONY CHARGES IN THIS STATE.  
7 5. FOR EACH INDIVIDUAL DEFENDANT'S CASE WHERE THE DEFENDANT HAS A  
8 PRIOR FELONY CONVICTION, A DESCRIPTION OF EACH PRIOR FELONY CONVICTION.  
9 6. THE AMOUNT, AS RECORDED BY THE ARRESTING OFFICER, THAT WAS THE  
10 BASIS FOR THE FOLLOWING CHARGES:  
11 (a) POSSESSION OR USE OF MARIJUANA OR A DANGEROUS OR NARCOTIC DRUG.  
12 (b) POSSESSION FOR SALE OF MARIJUANA OR A DANGEROUS OR NARCOTIC  
13 DRUG.  
14 (c) POSSESSION OF EQUIPMENT OR CHEMICALS, OR BOTH, FOR THE PURPOSE  
15 OF MANUFACTURING A DANGEROUS OR NARCOTIC DRUG.  
16 (d) MANUFACTURING A DANGEROUS OR NARCOTIC DRUG.  
17 (e) ADMINISTERING A DANGEROUS OR NARCOTIC DRUG TO ANOTHER PERSON.  
18 (f) OBTAINING OR PROCURING THE ADMINISTRATION OF A DANGEROUS OR  
19 NARCOTIC DRUG BY FRAUD, DECEIT, MISREPRESENTATION OR SUBTERFUGE.  
20 (g) TRANSPORTING FOR SALE, IMPORTING INTO THIS STATE OR OFFERING TO  
21 TRANSPORT FOR SALE OR IMPORT INTO THIS STATE, SELLING, TRANSFERRING OR  
22 OFFERING TO SELL OR TRANSFER MARIJUANA OR A DANGEROUS OR NARCOTIC DRUG.  
23 7. FOR EACH MISDEMEANOR AND FELONY CASE, EACH INDIVIDUAL  
24 DEFENDANT'S:  
25 (a) AGE.  
26 (b) RACE OR ETHNICITY.  
27 (c) DECLARED GENDER.  
28 B. THE REPORTS REQUIRED BY THIS SECTION MUST BE ACCESSIBLE BY THE  
29 PUBLIC AND REMAIN ON THE PROSECUTOR'S PUBLIC WEBSITE IN PERPETUITY.  
30 C. FOR THE PURPOSES OF THIS SECTION:  
31 1. "CONSIDERATION" MEANS A JURY WAS EMPANELED AND SWORN IN TO  
32 CONSIDER THE CHARGES OR, IN THE CASE OF A BENCH TRIAL, AT LEAST ONE  
33 WITNESS TESTIFIED.  
34 2. "PROSECUTOR" MEANS THE ATTORNEY GENERAL, A COUNTY ATTORNEY AND A  
35 MUNICIPAL PROSECUTOR.