

# The Chronicle

MAY/JUNE 2005

NEWSLETTER OF THE  
MARICOPA COUNTY ADULT PROBATION DEPARTMENT

VOLUME XV, ISSUE 1

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## The Chronicle

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## Chiefly Speaking "We Can't Do This Alone"

Many of our Department's greatest achievements have come about through collaboration. No part of the community or criminal justice system exists in a vacuum -- we can increase our opportunities for success by working together. Collaboration requires significant time, resources, a common vision and sustained momentum. It's not easy, but collaboration will greatly enhance our Department's efforts to implement evidence-based practices and reduce recidivism. We are fortunate to have some wonderful role models within our Department.

It is one of the more pleasurable aspects of my job to recognize and celebrate our successes. I am pleased and proud to announce that two *Arizona Judicial Branch Achievement Awards* have recently been bestowed on MCAPD staff for their outstanding collaborative work in the community.

**Marilynn Windust** was selected as an individual for recognition in the category, *Connecting with the Community*.

The **Garfield Community Probation Center** was chosen as a program for its achievements in *Connecting with the Community*.

Awards were given at the Arizona Judicial Conference Luncheon on June 22<sup>nd</sup> at the Camelback Inn in Phoenix.

Marilynn has formed an amazing number of relationships and partnerships in Phoenix's South Mountain Village, including multiple block watch groups, Phoenix Police, Phoenix Neighborhood Services,

schools, employers, the faith community, and local politicians. She is an active member of the South Mountain Clean and Beautiful Board of Directors and a former board member of the South Mountain Chamber of Commerce.



Marilynn Windust & Chief Justice  
Ruth McGregor



Lolita Rathburn, Brian Burrer, Lynn Williams, Yvonne West, Chief Broderick, Marilynn Windust, Jessica Saenz, & Stacey Lanenga

## The Chronicle

Marilynn has played a key role in numerous community events including "Literacy Days" at Rose Linda School, "Healthy Days" at the local YMCA, the Title One Annual Block Party, the annual GAIN (Getting Arizona Involved in Neighborhoods) event, and local job fairs. Marilynn and her staff coordinated probationers' community service to support the events and distributed informational brochures at the local events. In partnership with Neighborhood Services, Marilynn assisted with the clean up of numerous properties and the dissemination of information to residents about the restorative effects of a clean community.

As co-chair of Adult Probation's Marketing Committee for the past eight years, Marilynn has extended her outreach to the community

far beyond South Mountain Village. She was instrumental in developing the Department's marketing strategy that included giving away free books to promote literacy and the Department's education centers. A partnership with the U.S. Marines' Toys for Tots organization helped support the effort to promote literacy and prevent crime -- over 250,000 books were given away.

In addition, a variety of information related to the Department and community safety has been disseminated at numerous annual events including the State Fair, the County Fair, Sunday on Central and many local neighborhood festivals throughout the Valley. Marilynn has also worked diligently on a nearly completed "Probation Video" that includes interviews with judges, city officials, and community members.

The Garfield Community Probation Center (also known as "Garfield") has a state-of-the-art education computer lab, temporary housing for homeless and/or mentally ill men on probation, and offices for probation staff. For over 10 years, Garfield staff has been highly involved in the Garfield neighborhood in a meaningful way. On an ongoing basis, probationers perform community service work at the Center and in the neighborhood. The staff at Garfield responds directly to requests from the neighborhood association to clean streets, alleys, vacant lots, and houses in maintaining city code standards.

Garfield hosts and participates in numerous community events. An annual Thanksgiving dinner is served for community members, agency representatives, probation staff and facility residents to enjoy. The Center distributes food boxes to families requesting assistance. Food, food servers and clean-up services are provided to support community events. A few of the events that staff assisted with include Getting Arizona Neighborhoods Involved (GAIN), Kids Day America, Worlds AIDS Day, the Community March Against Drugs, and the annual Garfield Night Out, where neighbors come together to address community needs.

Educational services at Garfield are provided by one of the best adult education programs in the state -- winner



Marialice Haney, Dan Rodgers, Dan Sitzler, Ed Turner, Chief Broderick, Amelia Giordano, Dominick Bueti

of LEARN Lab of the Year on multiple occasions and a Teacher of the Year award in 2001. Programming includes Adult Basic Education, GED preparation, English to Speakers of Other Languages, and Family Literacy. A portion of the education program has concentrated on health issues -- students helped organize three community health fairs and received training from organizations such as Phoenix Children's

Hospital and School District 1. The outstanding teachers at Garfield have brought the children and adults in the community to a higher level of education.

**Congratulations to Marilynn Windust and the staff of Garfield Community Probation Center on your receipt of these honors!**

It is also a tremendous pleasure to recognize outstanding employees through our Department's own award program. Congratulations are in order for this year's *Visions of Excellence* award winners: *Probation Officer of the Year* -- **Tom Weiss**, *Employee of the Year* -- **Amelia Giordano**, and *Supervisor of the Year* -- **Marilynn Windust**. You are all invited to attend the VOE Award Ceremony on July 18<sup>th</sup> at 1:30 p.m. at the Black Canyon Building. This special event will be held during Probation, Parole and Community Supervision Week (July 17-23, 2005).

## National Drug Court Month

By Phyllis Jantz



APO Bricia Zavala with DUI Graduates

In May of this year, Maricopa County Adult Probation participated in the acknowledgement of National Drug Court Month. On May 20, 2005, Maricopa County Adult Probation DUI Court graduated 16 candidates from their program to celebrate the occasion. Additionally, Governor Janet Napolitano signed a proclamation declaring May as Arizona Drug Court Month. The Governor's declaration provided recognition to the practitioners and participants who make drug courts work by reducing drug usage and crime in Arizona communities.

Across the nation, jurisdictions with Drug Courts and DUI Courts planned special graduation ceremonies, although graduations occur throughout the year. However, this show of sheer numbers emphasized the impact Drug Courts and DUI Courts have on reducing recidivism in the areas of drug usage, drinking and driving and related crimes. The National Association of Drug Court Professionals (NADCP) worked with the Congress of State Drug Court Associations to collect the actual number of events and graduates. This information is to be reported to the field at the NADCP Conference in Orlando Florida in June.



Commissioner Wotruba, APO Denise Pine and DUI Graduate

## Richard Rodgers Retires

After 35 years with probation, Richard Rodgers will be retiring. Richard's last day with the Department was on June 17, 2005. He began his probation career at the Maricopa County Juvenile Court Center in 1970. After eight years, he transferred to Adult Probation. His first assignment was in the original Report Only Caseload (ROC), where he managed a caseload of 550 probationers. Additional assignments included PSI, Standard, and supervisor.

In 1984, Richard was selected to do a special project in returning ROC cases, sex offender cases to field officer supervision, and to organize the Warrant cases. During his service as supervisor, Richard began developing what is now the Warrants Unit. In 1991, Richard headed back to PSI. After two years in PSI, he then transferred to Warrants, where he spent the next 12 years of service as a Warrants Officer. His most memorable case in the Warrants Unit, was the individual who had hid from the system for 22 years. Throughout his service, Richard has worked on numerous committees; his most memorable was the establishment of F.A.R.E. Probation.

During his retirement, Richard plans on continuing with the Boy Scout Program, and teaching at South Mountain Community College. Additionally, he'll keep busy with his church, friends, fishing, and family. Wood turning and welding are some of the hobbies to which he plans on devoting more time.

Richard's final words to the department are, "I wish each of you much success in your chosen area of expertise. Many of you have skills and talents that the rest of us, especially me, wish we had. You can and do make a difference. I will miss many good friends I have made with our staff. I will miss seeing many of my students from the college become POs, SOs, attorneys, and officers in law enforcement everywhere."

Congratulations Richard on your retirement. We wish you well. Thank you for the 35 years of service in probation.





## Managing for Results Report 3rd Quarter

By Maria Aguilar-Amaya



Every quarter for the past several years, over 100 measures have been reported for MFR. The information reported is available to the public via the County's MFR website: <http://www.maricopa.gov/cio/mfr>. By making this information available to the public, the citizens of Maricopa County are able to see the results of their tax dollars. Following are some noteworthy outcomes to report for the third quarter of the fiscal year (January through March).

**Standard Probation** had a 67% successful completion rate for the third quarter. This is 2 percentage points higher than the second quarter and 1 percentage point higher than the first quarter.

**Intensive Probation** had a 44% successful completion rate for the third quarter. This is 3 percentage points higher than the second quarter and 10 percentage points higher than the first quarter.

**Warrants** cleared 2,250 cases during the quarter. Compared to new cases coming in, Warrants had a 90% clearance rate.

**Indirect Services** has reached its all time low, cost-wise. It operated at 12 cents per probationer per day during the third quarter.

**Presentence** had 4,054 PSI reports due during the third quarter. All were delivered on time, with PSI maintaining its on time rate of 100 % for close to two years.

**Transition and Treatment**, which includes Drug Court, DTEF, Cognitive Intervention, Conditional Community Release Program, and Sex Offender Treatment, had a 60% successful completion rate for the quarter.

**Education** had a successful program completion rate of 50%.

**Pretrial Services** had a successful completion rate of 80%.

### Black Canyon Open House Big Success!

On May 5<sup>th</sup> 2005, MCAPD's newest location, Black Canyon Building, had an Open House. A variety of refreshments were served. Some of the attendees included staff from: Arizona Water Company (building next door), AOC, Trial Courts, Ryan Company (the property management), 4 or 5 different treatment facilities, Juvenile Probation and of course, APD.

Tours guides took groups through the building, with coordinated stops made for small speeches given by area experts. The areas toured included Standard Probation, Intensive Probation, SMI, Collections, Drug Court/Cognitive Intervention, DV, Sex Offender, Community Work Service and OOC/Indirect Services. Each tour lasted anywhere from 45 minutes to 1 hour with the last stop being in the Training Room, where the refreshments were served.



Open House Tour Guides

The feedback from the community as well as management was very positive. AZ Water Company were pleased to learn more about what APD does. They were apprehensive at first, but learning about supervision seemed to put them at ease.

What made the open house a success was the participation from staff through the entire building, it truly was a group effort and it showed!

## A “FROSTY” Week in June

**D**uring the week of June 6-9, 2005, the Eastern Field Division had a very special visitor. Frosty the Snowman braved the June heat to help officially kick off the implementation of the FROST. Along with Frosty, there were “frosted” doughnuts, Frosted Flakes cereal bars, and some new mottos including “Get Frosted” and “May the FROST be with you.”

Along with the special FROST references, the Eastern Field Division received some very significant training. Officers and supervisors were trained how to administer and score a FROST and how to complete the FROST in APETS. They were also provided training on how to develop a case plan based upon the FROST and the principles of Evidence-Based Practice and how to complete the case plan in APETS. An introduction to motivational interviewing was also provided.

The Eastern Field Division is the pilot site for the implementation of the FROST, Case Plan and Evidence-Based Practice. As they put these tools into practice, they will be providing feedback to Planning & Research and Management about the process, about the impact on workload, and about policies. They will also be providing suggestions about how things can be modified to make implementation easier for the field. The feedback that will be provided will be very important so we can learn from our mistakes and make improvements as the FROST, Case Plan and Evidence-Based Practice are implemented in other divisions throughout the department.

Input from staff is taken very seriously and is resulting in some changes already. For example, during the pilot training a request was made for the field to have a Remote Access Tool (RAT) for completing the FROST, similar to the jail application that presentence screeners and officers use when they complete the OST on offenders in jail. This would allow field officers to complete the FROST in APETS in a satellite office without being connected to the network. After the training, a request was made to the Administrative Office of the Courts (AOC) to have this tool developed. That request has been approved.

The Eastern Field Division enthusiastically began completing FROSTs and Case Plans and the first FROST was completed on June 14, 2005. Thank you and keep up the good work! Please keep the comments/suggestions coming and remember the FROST will be coming soon to a division near you.



## Dr. Chris Lowenkamp Provides Evidence-Based Practice Training

On April 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup>, Dr. Chris Lowenkamp from the University of Cincinnati provided a training for all officers, counselors and managers on Evidence-Based Practice. During the training, Dr. Lowenkamp shared the key principles of research. He also provided some examples of research conducted in Ohio that shows that when the key principles are followed, reductions in recidivism can be achieved.

After the training, some officers and supervisors were asked what they took away from the training or what stood out for them. Their answers reveal that the department understands the key principles of the evidence-based practice research. Here is what they found to be the key points of the presentation:



Chief Broderick and Dr. Chris Lowenkamp

🔑 Spend less time with low risk offenders and more time with high risk offenders

🔑 Targeting high risk offenders can reduce recidivism

🔑 Treatment should match the offender's risk level

🔑 Overtreatment can be harmful

🔑 Treatment should focus on criminogenic factors

🔑 Match the offender with the appropriate treatment of high quality

🔑 Cognitive treatment is best

🔑 There should be emphasis on the behavioral aspect of treatment – role playing



EBP Training Participants

Please keep these key points in mind as you supervise your clients and as your division gets ready to implement the FROST and the new Case Plan.

## Check It Out: Community Resources You Can Use

**S**t. Mary's Food Bank ([www.smfb.org](http://www.smfb.org)) has numerous services including the Community Kitchen, where your clients can get food service training! Currently, there are 4 probationers in training there. Information from their website about this program states:



*“The purpose of the Community Kitchen program is to provide training and job placement to low-income adults in the foodservice industry, while feeding the hungry. The training program helps people struggling with unemployment and poverty gain the skills they need for jobs that offer a living wage, benefits and opportunity for advancement. While training, students help their community by turning donated surplus food into prepared meals for agencies that serve people in need.”*

*The Community Kitchen organizes three classes every year with each running for 14 weeks. Each class has 15 to 20 students. Students learn foodservice skills through hands-on cooking. Students also spend part of their day in the classroom learning life skills and the tools needed to hold a job. Two of the 14 weeks are set aside for internships, where students work in the kitchens of local businesses, including some of the Valley's resorts and fine restaurants.”*

For more information on this program, call, (602) 322-0161 ext. 1122.

In addition, there are services for low income folks including “Baby Boxes”(diapers/food), Emergency Food boxes, B.R.E.A.D.(food program for seniors), etc. Their Horn of Plenty newsletter can be accessed on their website and can be received via email.

## IT'S ONLY A TECHNICALITY

By Erinn Kaus

A few months ago, staff from Planning and Research and Probation Officers from Drug Court looked at the files of over one-hundred probationers who committed technical violations and were revoked on all causes and counts to the Department of Corrections (DOC).

The majority of probationers revoked to DOC for technical violations had the following characteristics:

- ◆ Probationers were on average 34 years old, male, and of white ethnicity.
- ◆ 69% of probationers were on Standard probation at the time of revocation.
- ◆ On average, probationers were assessed upon initial sentencing as having a medium level of risk to re-offend.
- ◆ 98% of probationers were under active supervision for a felony offense.
- ◆ 83% of probationers were under active supervision for one count.
- ◆ 76% of probationers were under active supervision for one cause number.
- ◆ The most common offense types for which probationers were under active supervision were drug and alcohol crimes, representing 42% of the sample.
- ◆ 65% of probationers were under active supervision for Class 6 felonies, designated or undesignated.
- ◆ 66% of probationers did not have a previous felony conviction.
- ◆ 22% of probationers had a previous probation revocation, not for the current offense.
- ◆ 56% of probationers had never been reinstated to probation on the current probation grant.
- ◆ For probationers with a previous petition to revoke for the current offense, 37% were reinstated to Standard probation with jail.
- ◆ An average of three different types of interventions / sanctions were used per probationer before the petition to revoke was filed.
- ◆ 48% of probationers received verbal counseling / warning as the most common intervention before the petition to revoke was filed.
- ◆ An average of six violations were alleged per probationer.
- ◆ 95% of probationers were alleged as violating the condition of probation involving fugitive absconding.
- ◆ 86% of probationers had prison recommended as the disposition of the petition to revoke.
- ◆ 37% of probationers were found in violation of probation or admitted to violation(s) of the conditions of their probation.
- ◆ 63% of probationers rejected probation.
- ◆ 58% of the probationers who rejected probation had at least one previous petition to revoke on the current probation grant.

\*\*\*\*Do you have clients needing some education?\*\*\*\*

[www.mundusinstitute.com](http://www.mundusinstitute.com)

is a school with courses in golf course maintenance and turf management.  
Check it out!



## Education Program

By: Lindell Rhodes

Wow, what a program! When you enter the education centers you observe a disciplined, orderly learning environment. APD's education program has overcome financial, bureaucratic and cultural obstacles to achieve greatness. Maricopa County Adult Probation Department's (MCAPD) program has initiated some of the best innovative and creative educational programming in the state. The support and collaborations with the local judiciary and community partners have made possible many educational services and scholarships which would not otherwise be available.

The teachers and education support staff at the LEARN program have over 239 combined years of experience educating adults. They take an innovative approach in presenting Basic Education, GED and ESOL classes. The program has been proving that your clients can be successful in a comprehensive, academically oriented curriculum, irrespective of their criminal background. Since MCAPD joined LEARN in 1989, the teachers have been ensuring that students receive the highest quality and creative educational services. MCAPD's education program won the AOC, LEARN Lab/Program of the year three times: 1999, 2003 and this year 2005. We also won teacher of the year in 2002.



MCAPD's innovative and creative program involves teaching some at-risk clients who have learning difficulties. The teachers can determine what *teaching* style works best with each of the students. After one mentally impaired student went through our LEARN program, she obtained her first job in over 8 years (which surprised her PO!) The client graduated off probation, received a college scholarship and is presently attending college.

MCAPD's education program manager has worked hard to obtain support from the local Judiciary, colleges, universities, school districts, Sheriffs office, community organizations, churches, hospitals and St. Mary's food bank. A few examples of their support are: college and career counseling, up to a year of free college classes, scholarships, health classes, DES job lists of employers of probationers, food baskets and donated classroom items.

Judges make it a point to refer clients to classes and show continued support while their clients are in the system (which includes all the way to GED graduation and beyond.) Judge Kimbal Rose funds a college scholarship every year. Below is a segment from a letter of Judiciary support from Judge Carey Hyatt:

Maricopa County Adult Probation Department's Education Programs are forward-thinking and innovative, and strives for excellence in its profession and service to the community. The agency has earned appreciation and recognition from citizens, treatment professionals, policy makers, victims and probationers. The Education Program serves a very diverse and rapidly growing county. It has successfully developed and managed projects, which promote community safety and supports education.

The Maricopa County Adult Probation Department's Education Program was highlighted during the National Literacy Awards at the White House by President Bush SR., was nationally recognized by the National Association of Counties, was chosen as a national model at the "A Partnership For Safe Communities at the National Judicial College.

The Program had the honor of having had the highest GED exam success rate for two years. In October of 1997, Her Royal Highness, Princess Ann of England, selected Probation's Education Program as a visitation site to gather information on Adult Education in the inner cities. The City of Phoenix recognized the education centers for contributing to breaking the cycle of crime in the Garfield Community. Arizona Department of Education presented an award and recognized the education program's innovative leadership in the area of Learning Disabilities during their 2002 Director's Conference.

Working with other local (City of Phoenix Police) and community partners (Garfield Community) contributed to the winning of the National Met-Life Community-police Partnership Award May 2002 Kansas. The award was presented for innovative programs, which not only contribute to community safety but also transform the lives of its residents.



MCAPD's success is illustrated in a letter from the Arizona Dept. of Education, Adult Education Director, Karen Liersch. Karen states that MCAPD's adult education program is among the best adult education programs in the state and provides extraordinary educational services to clients and students in Maricopa County.

MCAPD LEARN surpassed the AZ State Performance goals in ALL (100%) of the State and Federal Department of Education's Core Goals. The End of Year data revealed that 99% of student looking for jobs were successful and 83% retained or advanced on their job. 97.9% of students with the goal of getting into post-secondary schooling were accepted into a Community College or Vo-Tec program. Ninety-eight percent of the GED students were successful and received their GED.



## Showcase in Excellence

As part of its quest for continuous improvement and performance excellence, Adult Probation is applying for an Arizona State Quality Award. Through the awards program, organizations are evaluated on established national performance criteria for organizational processes. The evaluation includes review of the organization's application as well as on-site visits by trained examiners. Written feedback from the examiner team provides new insights and opportunities to improve performance. Organizations that score well on the criteria are recognized with awards and lots of positive publicity. These awards are highly regarded in both the private and public sectors.

The Arizona State Quality Awards program has two levels. The State Quality Awards are based on an evaluation of the entire organization. A Showcase in Excellence Award is also available, based on a specific organizational process. Adult Probation is submitting its management of sex offenders for a Showcase in Excellence Award. Applications are due in late June, examiners are expected on-site in August or September, and award winners will be announced October 30th.

County Administrator David Smith has encouraged all county departments to identify processes for evaluation and improvement and has supported participation in the Arizona State Quality Awards program. Two departments plan to submit applications for their entire organization – Parks and Recreation and the Library Department. Eleven other county departments plan to submit Showcase in Excellence Award applications.

For further information, contact Erin Cacciatore, Rebecca Loftus, or Cathy Wyse.

## National Award Received for Technology Project

The National Association of Counties has given a 2005 NACOA Achievement Award for MCAPD's sex offender residential density application. This technology was quickly developed at Chief Broderick's request early in 2004, after the community expressed concerns about the number of sex offenders residing in some locations. Questions were raised regarding the potential risk associated with multiple sex offenders living in close proximity and about probation's process for pre-approving residences for this population.

In order to develop the application, the sex offender officers verified the density of each address for sex offenders already under supervision, Jodi Fisher developed a geographic information map, and Mark Hendershot and Vernon Holmes developed a program to help officers manage residential density on an ongoing basis. The application has enabled staff to research residential addresses during the pre-approval process, to ensure that sex offenders under probation supervision occupy no more than 15% of the unit capacity of apartment complexes. While the Department initially set the 15% figure on a voluntary basis, the application will assist the Department in complying with a 10% limit established in recently passed legislation effective August 2005.



Vernon Holmes, Jodi Fisher, Mark Hendershot & Chief Barbara Broderick

The web-based application also helps officers and supervisors track address verifications on sex offenders. The program provides sex offender officers with an alpha listing of their caseload and information regarding whether each address has been verified, along with the date and the person who verified the data.

The sex offender residential density application responds to safety concerns of the community and the legislature. It enables the department to manage residential density on an ongoing basis and to produce quantifiable measurements for internal use and in response to stakeholders.

## Habitat for Humanity

By Cindy Goyette

On April 23, 2005, members of the Arizona Probation Officers Association (AZPOA) met at the Habitat for Humanity Valley of the Sun's South Phoenix location and worked together with community members to help the Deng family realize their dream of becoming homeowners.



Left to Right: Connie Sherman, Ms. Deng, John Stair, Ayak Deng, Lou Ebratt, Jennifer Manes, Paul Anderson, and Irene Ayala



Ayak Deng and her seven children, who range in age from fourteen to twenty-eight, came to the United States five years ago as Sudanese refugees. The Deng family has been living in an overcrowded

three-bedroom apartment while awaiting the construction of their home through Habitat for Humanity. AZPOA members worked side by side with the Deng family both inside the house and out.

*"It was a great team building experience and rewarding to help build the Habitat community."*  
Cindy Goyette

Habitat for Humanity is a non-profit or-

Julia Harkins

ganization whose goal is to eliminate poverty housing and homelessness from the world. Millard and Linda Fuller founded the organization in 1976. Habitat homes are sold to qualifying families at no profit and families are given interest free loans. The money gained from monthly mortgage payments is used to build additional Habitat homes. Through volunteer labor and donations for construction materials, the program has built more than 175,000 houses around the world.



Top: Lou Ebratt  
Left: Rebekah Trexler and Irene Ayala



## Legislative Update 2005



The Forty-seventh regular legislative session ended with new laws that include enhanced restrictions regarding sex offenders, amending “community service” to “community restitution,” extension of redaction eligibility to badged staff statewide and to victims of stalking and domestic violence, as well as new victims’ rights notification standards. Some of the bills APD followed this session include:

HB2070 (notice of release; referral): Effective 08/12/2005, this law requires any agency with jurisdiction to determine if a person might be a sexually violent person based on specific criteria (convicted of a sexually violent offense, found guilty except insane of a sexually violent offense, charged with a sexually violent offense and was determined to be incompetent to stand trial) and that notification must be made to the county attorney’s office within 30 days prior to the person’s anticipated release date. The effect on APD staff appears to be limited to when a probationer is released from custody and was convicted at any time of a sexually violent offense.

HB2337 (victim notification; dismissed counts): Effective 08/12/2005, this law grants victims rights status to victims of criminal offenses if the counts are dismissed as a result of a plea agreement to other charges.

HB2620 (funding; drug court programs): Effective 08/12/2005, this law appropriates \$1 Million from the state general fund to AOC to fund drug court programs statewide.

HB2713 (sentencing; offenses; registration; stun guns): Effective 08/12/2005, this law adds the use of a stun gun during the commission of an offense to the list of aggravating factors for sentencing purposes, expands the definition of aggravated assault to include taking or attempting to take a peace officer’s firearm or other weapon.

SB1047 (community restitution): Effective 12/31/05, this legislation replaces the term “community service” with “community restitution” but would allow APD and other court departments to continue using forms with “community service” wording until the forms run out.

SB1086 (records access; victims of violence): Effective 08/12/2005, this law adds victims of domestic violence or stalking to those persons who may request to have information maintained by the county recorder, assessor, treasurer, and within voter registration records prohibited from public access.

SB1303 (probation officers; compensation; associations; discipline): Effective 08/12/2005, this law requires payment of overtime to probation and surveillance officers after working 80 hours within a 2-week pay period. The legislation also allows POs and SOs to join employee associations, and gives POs and SOs the right to representation during an interview with the employer if the interview could result in formal discipline.

SB1338 (sex offender registration; residence; address): Effective 08/12/2005, this law applies only to sex offenders on probation in Maricopa County. It clarifies when a person subject to registration as a sex offender must provide an address or place of residence to law enforcement, places specific restrictions on the number of sex offenders on probation in Maricopa County who can reside in a multi-family dwelling (no more than 10% and no more than one Level 3 offender), allows MCAPD to prohibit a sex offender from residing in any multi-family dwelling, provides a penalty for sex trafficking of a person under 15 years of age and adds sex trafficking of a minor to the list of offenses that require a person to register as a sex offender.

SB1382 (sex offenders; registration): Effective 08/12/2005, this law requires persons required to register as a sex offender by their convicting jurisdiction to register in Arizona within 10 days of moving to the state.

SB1384 (sex offenders; registration; lifetime probation): Effective 08/12/2005, this law gives the Court discretion to impose lifetime probation for failure to register as a sex offender offenses when the Court imposes probation provided the underlying sex offense was a felony.

SB1433 (victims rights omnibus): Effective 12/31/05, this law expands a victim's ability to participate at the appellate level and limits when an offender may request commutation of sentence. There are several new provisions where APD staff would be required to contact victims including:

- Any hearing on a proposed modification of probation and the victim's right to be heard at any modification hearing
- Any proposed modification that would affect restitution, incarceration status or the probationer's contact with or safety of the victim
- Any probation violation that results in a Petition to Revoke
- Any PTR in which the probationer has absconded

Any conduct by the probationer that raises a substantial concern for the victim's safety.

SB2500 (county records; redacting residential information): Effective 06/30/2006, this law extends badged staff's ability to request that the public be prohibited from accessing that person's residential information and telephone number through the county assessor, the county treasurer and the county recorder in all Arizona counties (whereas the previous law only allowed for record redaction in Maricopa and Pima counties).

## Policy Updates

Several new policy revisions have gone into effect since April 2005. These include updates to the Equipment/Supplies Control policy, Peer Support/CISM, Drug Court and DUI Court policies. Some of the policy changes include the following:

### **12.004: Equipment/Supplies Control** (located in the Finance Section)

Emphasis that if an employee's badge or firearm are lost or stolen, that a police report must be made and that the unit supervisor must check ACJIS to ensure the information has been entered (see II.K and III.M). This has always been required, but the former version of the policy was not as clear.

Addition of II.J which states that employees are responsible for securing department-issued equipment in the office and may be required to reimburse the department for replacement costs for any lost or stolen item that was not properly secured.

Revisions to the Equipment Inventory form (which includes reference to the automated APD Equipment Inventory for specific items).

### **11.028: Peer Support/CISM** (located in the Personnel Section):

The 24-hour basic training program requirement in Section III.B.4 has been replaced with basic training at the direction of the program coordinator. Also, in Section IV.A, the requirement of being an active peer support member in order to be a member of the Critical Incident Stress Management Team has been removed. The 24-hour basic and 40-hour advanced training requirements have been amended to read "department approved training at the direction of the program coordinator."

### **30[2].830: Drug Court** and **30[2].831: DUI Court** (located in the Community Supervision Section):

Both policies have had extensive revisions and now include staff training requirements and updated contact standards.

All department policies are posted in the APD Manual on the APD website at:

<http://courts.maricopa.gov/apd/administration/policy/index.asp>



**25 Year Anniversary with MCAPD**

|                        |                 |
|------------------------|-----------------|
| <b>Mary Walensa</b>    | <b>03/15/05</b> |
| <b>Martin Soto</b>     | <b>06/30/05</b> |
| <b>James Baribault</b> | <b>06/16/05</b> |

**20 Year Anniversary with MCAPD**

|                  |                 |
|------------------|-----------------|
| <b>Jerry Ott</b> | <b>06/10/05</b> |
|------------------|-----------------|

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### \*\*\*\*Correction\*\*\*\*

In the last edition of the Chronicle the article “Community Work Service Program” was written by John Ettari. The Chronicle would like to thank him for his contribution.

## Access *The Chronicle* on-line at:

<http://www.superiorcourt.maricopa.gov/adultPro/pdf/chronicle.pdf>



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