

Study Committee on Incompetent, Nonrestorable and Dangerous Defendants 2017

PURPOSE: To research and make recommendations for a program to provide short-term and long-term treatment and supervision of persons who have been charged with crimes involving violent or dangerous behavior and who have been found incompetent and nonrestorable pursuant to Title 13, Chapter 41, Arizona Revised Statutes, including: (1) the legal and administrative framework of such a program; (2) the number of people who might be eligible for such a program; (3) the types of facilities, staffing and treatment services that would be necessary for such a program; (4) the costs associated with the establishment, administration and staffing of such a program; (5) review other state's programs that deal with the population of incompetent, nonrestorable and dangerous defendants and; (6) Arizona specific solutions that are based on the review of programs included in paragraph 5. The Committee shall submit a report regarding the Committee's findings and recommendations on or before December 31, 2017 to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy to the Secretary of State.

MEMBERSHIP:

House Two members of the House of Representatives from different political parties and one appointed as Co-Chair, appointed by the Speaker of the House of Representatives:

Anthony T. Kern (Co-Chair)

Senate Two members of the Senate from different political parties and one appointed as Co-Chair, appointed by the President of the Senate:

Nancy Barto (Co-Chair), Vacant Z-2 Senate

Other One County Attorney or the County Attorney's designee from a county with a population of less than one million two hundred thousand persons, appointed by the Arizona Prosecuting Attorneys' Advisory Council:

Ms. Rebecca Baker, Maricopa County Attorney's Office (6/30/2018)

The Director of the Arizona Health Care Cost Containment System or the Director's designee:

Mr. Tom Betlach, Director, AHCCCS (6/30/2018)

The Chief Executive Officer of the Arizona State Hospital or the Chief Executive Officer's designee:

Dr. Aaron Bowen, AZDHS, Arizona State Hospital, Chief Executive Officer (6/30/2018)

The Director of the Department of Health Services or the Director's designee:

Dr. Cara Christ, Director, Department of Health Services (6/30/2018)

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One member who has experience in health policy, appointed by the Governor:
Ms. Christina Corieri, Office of the Governor (6/30/2018)

The Chief Justice of the Supreme Court or the Chief Justice's designee:
Mr. Jerry Landau, Arizona Supreme Court (6/30/2018)

One County Attorney or the County Attorney's designee from a county with a population of one million two hundred thousand persons or more, appointed by the Arizona Prosecuting Attorneys' Advisory Council:
Ms. Kathleen Mayer, Pima County Attorney's Office (6/30/2018)

One private attorney with experience in behavioral health law, appointed by the President of the Senate:
Mr. Jim McDougall, Frazer Ryan Goldberg & Arnold LLP (6/30/2018)

One member who has experience in policy related to services for persons with developmental disabilities, appointed by the Governor:
Mr. Jon Meyers, Executive Director, The Arc of Arizona (6/30/2018)

One administrator of an in-patient psychiatric facility or the administrator's designee, appointed by the President of the Senate:
Dr. Carol Olson, Desert Vista Behavioral Health (6/30/2018)

One peace officer who has experience with behavioral health programs, appointed by the Speaker of the House of Representatives:
Captain David Rhodes, Yavapai County Sheriff's Office (6/30/2017)

One Arizona licensed psychiatrist or psychologist with experience with court-ordered evaluation and treatment, appointed by the Speaker of the House of Representatives:
Dr. Robert Williamson (6/30/2018)

One administrator of a jail-based restoration to competency program from a county not already represented or the administrator's designee, appointed by the Governor:
Vacant

Notes: The Committee may request information, data and reports from any state agency or political subdivision of this State, including the courts. The Committee may hold hearings, conduct fact-finding tours and take testimony from witnesses, including participants in the criminal justice system, who may assist the Committee in fulfilling the Committee's responsibilities. All of the Committee's

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hearings shall be open to the public. The legislature shall provide staff and support services to the Committee.

CONTACT: Amber Witter, Senate Research Staff; Katy Proctor, House Research Staff

REPORT DATE: 12/31/17

EXPIRATION DATE: 06/30/2018

STATUTORY CITE: Laws 2017, Chapter 103