

REFERENCE TITLE: corrections oversight committee; ombudsman; duties

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2069

Introduced by
Representative Blackman

AN ACT

AMENDING TITLE 41, CHAPTER 11, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-1610.02; RELATING TO THE STATE DEPARTMENT OF
CORRECTIONS.

(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 11, article 1, Arizona Revised
3 Statutes, is amended by adding section 41-1610.02, to read:

4 41-1610.02. Corrections oversight committee; corrections
5 ombudsman; violation; classification

6 A. THE CORRECTIONS OVERSIGHT COMMITTEE IS ESTABLISHED CONSISTING OF
7 THE FOLLOWING MEMBERS:

8 1. TWO MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF
9 THE SENATE AND WHO ARE NOT MEMBERS OF THE SAME POLITICAL PARTY. THE
10 PRESIDENT SHALL SELECT ONE OF THESE MEMBERS TO SERVE AS COCHAIRPERSON.

11 2. TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY
12 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND WHO ARE NOT MEMBERS OF THE
13 SAME POLITICAL PARTY. THE SPEAKER SHALL SELECT ONE OF THESE MEMBERS TO
14 SERVE AS COCHAIRPERSON.

15 3. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE.

16 4. THE FOLLOWING MEMBERS WHO ARE APPOINTED BY THE GOVERNOR:

17 (a) ONE REPRESENTATIVE OF A PRISONER ADVOCACY ORGANIZATION.

18 (b) ONE REPRESENTATIVE OF AN ORGANIZATION THAT PROVIDES TRAINING OR
19 REHABILITATION PROGRAMS FOR INCARCERATED INMATES.

20 (c) ONE REPRESENTATIVE OF AN ORGANIZATION THAT PROVIDES TRAINING OR
21 EMPLOYMENT PLACEMENT SERVICES TO INMATES AFTER THEIR RELEASE FROM
22 CONFINEMENT.

23 (d) ONE PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13
24 OR 17 AND WHO SPECIALIZES IN FAMILY MEDICINE OR INTERNAL MEDICINE.

25 (e) ONE REPRESENTATIVE OF A VICTIMS' ADVOCACY ORGANIZATION.

26 B. THE MEMBER WHO SERVES PURSUANT TO SUBSECTION A, PARAGRAPH 3 IS A
27 NONVOTING MEMBER AND IS NOT A MEMBER FOR THE PURPOSES OF DETERMINING A
28 QUORUM.

29 C. MEMBERS WHO ARE APPOINTED PURSUANT TO SUBSECTION A, PARAGRAPH 4
30 SERVE THREE YEAR TERMS AND MAY NOT BE CURRENT EMPLOYEES OF THE DEPARTMENT.

31 D. THE COMMITTEE SHALL MEET AS THE COCHAIRPERSONS DEEM NECESSARY OR
32 ON THE CALL OF THE MAJORITY OF THE VOTING MEMBERS.

33 E. COMMITTEE MEMBERS ARE NOT ELIGIBLE TO RECEIVE COMPENSATION BUT
34 ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38, CHAPTER
35 4, ARTICLE 2.

36 F. THE COMMITTEE SHALL MONITOR, STUDY AND MAKE EFFORTS TO IMPROVE
37 TRANSPARENCY, FAIRNESS, IMPARTIALITY AND ACCOUNTABILITY IN CORRECTIONAL
38 INSTITUTIONS AND FACILITIES IN THIS STATE.

39 G. THE COMMITTEE SHALL APPOINT A CORRECTIONS OMBUDSMAN. THE
40 CORRECTIONS OMBUDSMAN IS RESPONSIBLE FOR THE CONTEMPORANEOUS PUBLIC
41 OVERSIGHT OF THE DEPARTMENT'S INTERNAL AFFAIRS AND DISCIPLINARY PROCESSES.
42 THE CORRECTIONS OMBUDSMAN MAY PROVIDE OVERSIGHT OF ANY DEPARTMENT
43 INVESTIGATION RELATING TO THE WELL-BEING, TREATMENT, DISCIPLINE, SAFETY OR
44 OTHER MATTER THAT CONCERNS A PERSON WHO IS UNDER THE JURISDICTION OF THE
45 DEPARTMENT, INCLUDING PERSONNEL INVESTIGATIONS.

1 H. A PERSON WHO OBSTRUCTS AN INVESTIGATION THAT IS BEING CONDUCTED
2 BY THE CORRECTIONS OMBUDSMAN IS GUILTY OF A CLASS 1 MISDEMEANOR.

3 Sec. 2. Initial terms of members of the corrections oversight
4 committee

5 A. Notwithstanding section 41-1610.02, Arizona Revised Statutes, as
6 added by this act, the initial terms of members who are appointed pursuant
7 to section 41-1610.02, subsection A, paragraph 4, Arizona Revised
8 Statutes, as added by this act, are:

- 9 1. One term ending January 1, 2022.
10 2. Two terms ending January 1, 2023.
11 3. Two terms ending January 1, 2024.

12 B. The governor shall make all subsequent appointments as
13 prescribed by statute.