

Senate Engrossed

independent corrections ombudsman; auditor general

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

# SENATE BILL 1507

AN ACT

AMENDING TITLE 41, CHAPTER 8, ARTICLE 5, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 41-1384; AMENDING SECTION 41-1604, ARIZONA REVISED  
STATUTES; REPEALING SECTION 41-1610.02, ARIZONA REVISED STATUTES;  
APPROPRIATING MONIES; RELATING TO THE AUDITOR GENERAL.

(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 8, article 5, Arizona Revised  
3 Statutes, is amended by adding section 41-1384, to read:

4 41-1384. Office of the independent corrections ombudsman;  
5 powers and duties; confidential communications;  
6 authority to investigate complaints; reporting  
7 requirements; definitions

8 A. THE OFFICE OF THE INDEPENDENT CORRECTIONS OMBUDSMAN IS  
9 ESTABLISHED WITHIN THE OFFICE OF THE OMBUDSMAN-CITIZENS AIDE. THE  
10 GOVERNOR SHALL APPOINT A QUALIFIED PERSON PURSUANT TO SECTION 38-211 OF  
11 SOUND JUDGMENT, OBJECTIVITY AND INTEGRITY WHO HAS EXPERIENCE IN  
12 CORRECTIONS-RELATED LAW AND POLICY TO SERVE AS THE DIRECTOR OF THE OFFICE  
13 OF THE INDEPENDENT CORRECTIONS OMBUDSMAN. THE DIRECTOR SHALL SERVE FOR A  
14 TERM OF FIVE YEARS. THE LEGISLATURE, BY CONCURRENT RESOLUTION RECEIVING A  
15 MAJORITY OF THE MEMBERS OF EACH HOUSE, OR THE GOVERNOR MAY REMOVE THE  
16 DIRECTOR ONLY FOR NEGLECT OF DUTY, MISCONDUCT OR THE INABILITY TO PERFORM  
17 DUTIES. ANY VACANCY MUST BE FILLED BY SIMILAR APPOINTMENT PURSUANT TO  
18 THIS SUBSECTION FOR THE REMAINDER OF THE UNEXPIRED TERM.

19 B. A PERSON IS NOT ELIGIBLE FOR APPOINTMENT TO THE OFFICE PURSUANT  
20 TO SUBSECTION A OF THIS SECTION IF THE PERSON OR THE PERSON'S SPOUSE MEETS  
21 ANY OF THE FOLLOWING CRITERIA:

22 1. IS OR HAS BEEN EMPLOYED BY OR PARTICIPATES IN THE MANAGEMENT OF  
23 A BUSINESS OR OTHER ORGANIZATION THAT RECEIVED MONIES FROM THE DEPARTMENT  
24 WITHIN THE PREVIOUS TEN YEARS.

25 2. OWNS OR CONTROLS, DIRECTLY OR INDIRECTLY, ANY INTEREST IN A  
26 BUSINESS OR OTHER ORGANIZATION THAT RECEIVED MONIES FROM THE DEPARTMENT  
27 WITHIN THE PREVIOUS FIVE YEARS.

28 3. USES OR RECEIVES ANY AMOUNT OF TANGIBLE GOODS, SERVICES OR  
29 MONIES FROM THE DEPARTMENT.

30 4. IS REQUIRED TO REGISTER AS A LOBBYIST ON BEHALF OF A PROFESSION  
31 RELATED TO THE OPERATION OF THE DEPARTMENT.

32 C. THE OFFICE SHALL:

33 1. MONITOR THE CONDITIONS OF CONFINEMENT AND ASSESS THE  
34 DEPARTMENT'S COMPLIANCE WITH ANY APPLICABLE FEDERAL AND STATE RULES,  
35 POLICIES AND BEST PRACTICES THAT RELATE TO INMATE HEALTH, SAFETY, WELFARE  
36 AND REHABILITATION.

37 2. PROVIDE INFORMATION, AS APPROPRIATE, TO INMATES, INMATES' FAMILY  
38 MEMBERS, INMATE REPRESENTATIVES, DEPARTMENT EMPLOYEES AND CONTRACTORS AND  
39 OTHER PERSONS REGARDING THE RIGHTS OF INMATES.

40 3. PROMOTE PUBLIC AWARENESS AND UNDERSTANDING OF THE RIGHTS AND  
41 RESPONSIBILITIES OF INMATES.

42 4. CREATE A SECURE TELEPHONE HOTLINE THAT IS AVAILABLE TO ALL  
43 DEPARTMENT EMPLOYEES, CONTRACTORS AND INMATES TO FILE COMPLAINTS AND MAKE  
44 INQUIRIES REGARDING ISSUES ON THEIR BEHALF.

1        5. CREATE SECURE ONLINE FORMS FOR ALL DEPARTMENT EMPLOYEES, INMATES  
2 AND INMATES' FAMILY MEMBERS TO SUBMIT COMPLAINTS ELECTRONICALLY ON THE  
3 OFFICE'S WEBSITE.

4        6. ESTABLISH PRIORITIES FOR THE USE OF THE OFFICE'S LIMITED  
5 RESOURCES.

6        7. MONITOR AND PARTICIPATE IN ANY LEGISLATIVE AND POLICY  
7 DEVELOPMENTS AFFECTING CORRECTIONAL FACILITIES IN THIS STATE.

8        8. ESTABLISH A STATEWIDE UNIFORM REPORTING SYSTEM TO COLLECT AND  
9 ANALYZE DATA RELATED TO COMPLAINTS RECEIVED BY THE DEPARTMENT.

10       9. INSPECT EACH CORRECTIONAL FACILITY AT LEAST ONCE EVERY TWO  
11 YEARS.

12       10. ADOPT ANY RULES NECESSARY TO IMPLEMENT THIS SECTION.

13       11. ESTABLISH PROCEDURES TO GATHER STAKEHOLDER INPUT INTO THE  
14 OFFICE'S ACTIVITIES AND PRIORITIES, INCLUDING SCHEDULING QUARTERLY  
15 STAKEHOLDER MEETINGS.

16       12. ON OR BEFORE DECEMBER 31 OF EACH YEAR, SUBMIT A REPORT TO THE  
17 PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE  
18 MINORITY LEADER OF THE SENATE, THE MINORITY LEADER OF THE HOUSE OF  
19 REPRESENTATIVES, THE CHAIRPERSON OF THE SENATE JUDICIARY AND ELECTIONS  
20 COMMITTEE, OR ITS SUCCESSOR COMMITTEE, AND THE CHAIRPERSON OF THE HOUSE OF  
21 REPRESENTATIVES JUDICIARY COMMITTEE, OR ITS SUCCESSOR COMMITTEE, THAT  
22 INCLUDES ALL OF THE FOLLOWING:

23       (a) THE BUDGET AND EXPENDITURES OF THE OFFICE.

24       (b) THE NUMBER OF COMPLAINTS RECEIVED AND RESOLVED BY THE OFFICE.

25       (c) A DESCRIPTION OF SIGNIFICANT SYSTEMIC OR INDIVIDUAL  
26 INVESTIGATIONS OR OUTCOMES ACHIEVED BY THE OFFICE DURING THE PREVIOUS  
27 YEAR.

28       (d) THE NUMBER OF INMATE DEATHS WHILE THE INMATE WAS IN CUSTODY,  
29 INCLUDING SUICIDES AND THE NUMBER OF SUICIDE ATTEMPTS WHILE THE INMATE WAS  
30 IN CUSTODY.

31       (e) ANY OUTSTANDING OR UNRESOLVED CONCERNS OR RECOMMENDATIONS OF THE  
32 OFFICE.

33       (f) ALL OF THE FOLLOWING INFORMATION FROM THE DEPARTMENT:

34       (i) THE NUMBER OF PHYSICAL AND SEXUAL ASSAULTS IN CUSTODY.

35       (ii) THE NUMBER OF INMATES WHO WERE PLACED IN ADMINISTRATIVE  
36 SEGREGATION OR SOLITARY CONFINEMENT AND THE DURATION OF STAY IN  
37 SEGREGATION OR SOLITARY CONFINEMENT.

38       (iii) THE NUMBER OF FACILITY LOCKDOWNS THAT LASTED LONGER THAN  
39 TWENTY-FOUR HOURS.

40       (iv) THE NUMBER OF STAFF, THE TENURE OF EACH STAFF MEMBER, THE STAFF  
41 TURNOVER RATE, STAFF VACANCIES AND STAFF COMPENSATION AT EACH FACILITY.

42       (v) THE NUMBER OF INMATES AT EACH FACILITY.

43       (vi) THE INMATE-TO-STAFF RATIO AT EACH FACILITY.

44       (vii) THE NUMBER OF IN-PERSON VISITS THAT WERE MADE FOR EACH INMATE  
45 AT EACH FACILITY.

1 (viii) THE NUMBER OF IN-PERSON VISITS THAT WERE DENIED FOR EACH  
2 INMATE AT EACH FACILITY.

3 (ix) THE NUMBER OF INMATE COMPLAINTS OR GRIEVANCES THAT WERE  
4 SUBMITTED TO THE DEPARTMENT, THE DEPARTMENT'S RESOLUTION OF THE COMPLAINT  
5 OR GRIEVANCE PURSUANT TO THE ADMINISTRATIVE REMEDIES PROCESS AND THE  
6 AMOUNT OF TIME IT TOOK THE DEPARTMENT TO RESOLVE EACH COMPLAINT OR  
7 GRIEVANCE.

8 (g) THE DEPARTMENT'S COMPLIANCE WITH ALL OF THE FOLLOWING:

9 (i) THE TRANSITION PROGRAM ESTABLISHED PURSUANT TO SECTION 31-281.

10 (ii) THE RELEASE AND REPORTING PROVISIONS PRESCRIBED IN SECTION  
11 31-285.

12 (iii) THE REQUIREMENT AS PRESCRIBED IN SECTION 41-1602 TO PROVIDE  
13 REHABILITATION, AND THE NUMBER OF INMATES WHO ENROLL, PARTICIPATE IN AND  
14 COMPLETE THE DEPARTMENT'S REHABILITATIVE SELF-IMPROVEMENT AND TREATMENT  
15 PROGRAMS BY INSTITUTION AND A DESCRIPTION OF EACH PROGRAM.

16 (iv) THE EARNED RELEASE CREDIT PROGRAM PURSUANT TO SECTIONS  
17 41-1604.06, 41-1604.07 AND 41-1604.10.

18 (v) THE REPORTING REQUIREMENT PURSUANT TO SECTION 41-1604.14.

19 (vi) THE DEPARTMENT'S OWN POLICIES REGARDING INDUSTRY-RECOMMENDED  
20 REPORTING GUIDELINES.

21 D. THE OFFICE MAY INITIATE AND ATTEMPT TO RESOLVE AN INVESTIGATION  
22 ON ITS OWN INITIATIVE OR AFTER RECEIVING A COMPLAINT FROM AN INMATE,  
23 INMATES' FAMILY MEMBER, INMATE REPRESENTATIVE, DEPARTMENT EMPLOYEE OR  
24 CONTRACTOR OR ANY OTHER PERSON REGARDING ANY OF THE FOLLOWING THAT MAY  
25 ADVERSELY AFFECT INMATE HEALTH, SAFETY, WELFARE AND RIGHTS:

26 1. ABUSE OR NEGLECT.

27 2. CONDITIONS OF CONFINEMENT.

28 3. DEPARTMENT DECISIONS OR ADMINISTRATIVE ACTIONS.

29 4. DEPARTMENT INACTIONS OR OMISSIONS.

30 5. DEPARTMENT POLICIES, RULES OR PROCEDURES.

31 6. ALLEGED VIOLATIONS OF LAW BY DEPARTMENT STAFF.

32 E. THE OFFICE MAY DECLINE TO INVESTIGATE ANY COMPLAINT. IF THE  
33 OFFICE DOES NOT INVESTIGATE A COMPLAINT, THE OFFICE SHALL NOTIFY THE  
34 COMPLAINANT IN WRITING OF THE DECISION NOT TO INVESTIGATE AND THE REASONS  
35 FOR THE DECISION.

36 F. THE OFFICE MAY NOT INVESTIGATE EITHER OF THE FOLLOWING  
37 COMPLAINTS:

38 1. A COMPLAINT THAT RELATES TO AN INMATE'S UNDERLYING CRIMINAL  
39 CONVICTION.

40 2. A COMPLAINT FROM A DEPARTMENT EMPLOYEE OR CONTRACTOR THAT  
41 RELATES TO THE EMPLOYEE'S OR CONTRACTOR'S EMPLOYMENT RELATIONSHIP WITH THE  
42 DEPARTMENT UNLESS THE COMPLAINT RELATES TO INMATE HEALTH, SAFETY, WELFARE  
43 OR REHABILITATION.

44 G. THE OFFICE MAY REFER THE COMPLAINANT AND OTHERS TO APPROPRIATE  
45 RESOURCES OR STATE, TRIBAL OR FEDERAL AGENCIES.

1 H. THE OFFICE MAY NOT LEVY ANY FEES FOR THE SUBMISSION OR  
2 INVESTIGATION OF COMPLAINTS.

3 I. THE OFFICE SHALL REMAIN NEUTRAL AND IMPARTIAL AND MAY NOT ACT AS  
4 AN ADVOCATE FOR THE COMPLAINANT OR THE DEPARTMENT.

5 J. AFTER INVESTIGATING A COMPLAINT, THE OFFICE SHALL RENDER A  
6 PUBLIC DECISION ON THE MERITS OF EACH COMPLAINT, EXCEPT THAT THE DOCUMENTS  
7 SUPPORTING THE DECISION ARE SUBJECT TO THE CONFIDENTIALITY PROVISIONS OF  
8 SUBSECTIONS N AND O OF THIS SECTION. THE OFFICE SHALL INFORM THE INMATE  
9 AND THE DEPARTMENT OF THE DECISION. THE OFFICE SHALL STATE THE OFFICE'S  
10 RECOMMENDATIONS AND REASONING IF, IN THE OFFICE'S OPINION, THE DEPARTMENT  
11 OR ANY DEPARTMENT EMPLOYEE OR CONTRACTOR SHOULD DO ANY OF THE FOLLOWING:

12 1. CONSIDER THE MATTER FURTHER.

13 2. MODIFY OR CANCEL ANY ACTION.

14 3. ALTER A RULE, PRACTICE OR RULING.

15 4. EXPLAIN IN DETAIL THE ADMINISTRATIVE ACTION IN QUESTION.

16 5. RECTIFY AN OMISSION.

17 K. ON THE REQUEST OF THE OFFICE, THE DEPARTMENT, WITHIN THE TIME  
18 SPECIFIED, SHALL INFORM THE OFFICE IN WRITING ABOUT ANY ACTION TAKEN ON  
19 THE RECOMMENDATIONS OR THE REASONS FOR NOT COMPLYING WITH THE  
20 RECOMMENDATIONS.

21 L. IF THE OFFICE BELIEVES, BASED ON THE INVESTIGATION, THAT THERE  
22 HAS BEEN OR CONTINUES TO BE A SIGNIFICANT INMATE HEALTH, SAFETY, WELFARE  
23 OR REHABILITATION ISSUE, THE OFFICE SHALL REPORT THE FINDING TO THE  
24 GOVERNOR, THE ATTORNEY GENERAL, THE PRESIDENT OF THE SENATE, THE SPEAKER  
25 OF THE HOUSE OF REPRESENTATIVES AND THE DIRECTOR OF THE DEPARTMENT AND  
26 SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE.

27 M. BEFORE ANNOUNCING A CONCLUSION OR RECOMMENDATION THAT EXPRESSLY  
28 OR IMPLICITLY CRITICIZES A PERSON OR THE DEPARTMENT, THE OFFICE SHALL  
29 CONSULT WITH THAT PERSON OR THE DEPARTMENT. THE OFFICE MAY REQUEST TO BE  
30 NOTIFIED BY THE DEPARTMENT, WITHIN A SPECIFIED TIME, OF ANY ACTION TAKEN  
31 ON ANY RECOMMENDATION PRESENTED.

32 N. ALL CORRESPONDENCE AND COMMUNICATION BETWEEN THE OFFICE AND THE  
33 DEPARTMENT ARE CONFIDENTIAL AND PRIVILEGED.

34 O. THE OFFICE SHALL ESTABLISH CONFIDENTIALITY RULES AND PROCEDURES  
35 FOR ALL INFORMATION MAINTAINED BY THE OFFICE TO ENSURE THAT THE IDENTITY  
36 OF A COMPLAINANT REMAINS CONFIDENTIAL BEFORE, DURING AND AFTER AN  
37 INVESTIGATION TO THE GREATEST EXTENT PRACTICABLE. THE OFFICE MAY DISCLOSE  
38 A COMPLAINANT'S IDENTIFYING INFORMATION FOR THE SOLE PURPOSE OF CARRYING  
39 OUT AN INVESTIGATION.

40 P. TO THE EXTENT THE OFFICE BELIEVES IS REASONABLY NECESSARY, THE  
41 OFFICE:

42 1. SHALL REVEAL INFORMATION OBTAINED IN THE COURSE OF AN  
43 INVESTIGATION TO PREVENT REASONABLY CERTAIN DEATH OR SUBSTANTIAL BODILY  
44 HARM.

1           2. MAY REVEAL INFORMATION OBTAINED IN THE COURSE OF AN  
2 INVESTIGATION TO PREVENT THE COMMISSION OF A CRIME.

3           Q. IF THE OFFICE BELIEVES IT IS NECESSARY TO REVEAL INFORMATION  
4 PURSUANT TO SUBSECTION P OF THIS SECTION, THE OFFICE SHALL PROVIDE A COPY  
5 OF THE INTENDED DISCLOSURE TO THE DEPARTMENT FOR REVIEW BEFORE RELEASING  
6 THE INFORMATION TO ANY OTHER PERSON OR ENTITY. IF THE OFFICE RECEIVES  
7 PERSONALLY IDENTIFYING INFORMATION ABOUT A PERSON DURING THE COURSE OF AN  
8 INVESTIGATION THAT THE OFFICE DETERMINES IS UNRELATED OR UNNECESSARY TO  
9 THE INVESTIGATION, THE OFFICE MAY NOT FURTHER DISCLOSE SUCH INFORMATION.

10          R. THE OFFICE SHALL HAVE ACCESS IN THE SAME MANNER AS THE DIRECTOR  
11 OF THE DEPARTMENT, IN PERSON AND WITH OR WITHOUT PRIOR NOTICE, TO ALL  
12 FACILITIES, INCLUDING ALL AREAS THAT ARE USED BY OR ARE OTHERWISE  
13 ACCESSIBLE TO INMATES, DEPARTMENT STAFF AND CONTRACTORS, TO PROGRAMS FOR  
14 INMATES AT REASONABLE TIMES, INCLUDING ACCESS DURING NORMAL WORKING HOURS  
15 AND VISITING HOURS AND TO ANY INMATE, DEPARTMENT EMPLOYEE OR CONTRACTOR OR  
16 OTHER PERSON TO CONDUCT INTERVIEWS FOR THE PURPOSE OF:

17           1. PROVIDING INFORMATION ABOUT INDIVIDUAL RIGHTS AND THE SERVICES  
18 AVAILABLE FROM THE OFFICE, INCLUDING THE NAME, ADDRESS AND TELEPHONE  
19 NUMBER OF THE OFFICE FACILITIES OR STAFF.

20           2. CONDUCTING OFFICIAL INSPECTIONS.

21          S. THE OFFICE MAY ACCESS, INSPECT AND COPY ALL RELEVANT  
22 INFORMATION, RECORDS OR DOCUMENTS THAT ARE IN THE POSSESSION OR CONTROL OF  
23 THE DEPARTMENT AND THAT THE OFFICE CONSIDERS NECESSARY TO INVESTIGATE A  
24 COMPLAINT. THE DEPARTMENT SHALL ASSIST THE OFFICE IN OBTAINING THE  
25 NECESSARY RELEASES FOR THOSE DOCUMENTS THAT ARE SPECIFICALLY RESTRICTED OR  
26 PRIVILEGED FOR USE BY THE OFFICE.

27          T. FOLLOWING NOTIFICATION FROM THE OFFICE WITH A WRITTEN DEMAND FOR  
28 ACCESS TO DEPARTMENT RECORDS, THE DESIGNATED DEPARTMENT STAFF SHALL  
29 PROVIDE THE OFFICE WITH ACCESS TO THE REQUESTED DOCUMENTATION NOT LATER  
30 THAN TWENTY BUSINESS DAYS AFTER THE OFFICE'S WRITTEN REQUEST FOR THE  
31 RECORDS. IF THE REQUESTED RECORDS PERTAIN TO AN INMATE DEATH, THREATS OF  
32 BODILY HARM, INCLUDING SEXUAL OR PHYSICAL ASSAULTS, OR THE DENIAL OF  
33 NECESSARY MEDICAL TREATMENT, THE DEPARTMENT SHALL PROVIDE THE RECORDS  
34 WITHIN FIVE DAYS, UNLESS THE OFFICE CONSENTS TO AN EXTENSION OF THAT TIME  
35 FRAME.

36          U. THE OFFICE SHALL WORK WITH THE DEPARTMENT TO MINIMIZE DISRUPTION  
37 TO THE OPERATIONS OF THE DEPARTMENT DUE TO OFFICE ACTIVITIES AND SHALL  
38 COMPLY WITH THE DEPARTMENT'S REASONABLE SECURITY CLEARANCE PROCESSES, IF  
39 THESE PROCESSES DO NOT IMPEDE THE ACTIVITIES ALLOWED BY THIS SECTION.

40          V. THE OFFICE MAY ISSUE SUBPOENAS TO THE DEPARTMENT FOR RECORDS,  
41 DOCUMENTS OR DATA IN THE DEPARTMENT'S POSSESSION AND FOR DEPARTMENT STAFF,  
42 CONTRACTORS OR REPRESENTATIVES. A SUBPOENA THAT IS SERVED, ON APPLICATION  
43 TO THE COURT, MAY BE ENFORCED IN THE SAME MANNER PROVIDED BY LAW FOR THE  
44 SERVICE AND ENFORCEMENT OF A SUBPOENA IN A CIVIL ACTION. IF THE  
45 DEPARTMENT FAILS TO COMPLY WITH A SUBPOENA, THE OFFICE MAY PURSUE

1 ENFORCEMENT OF THE SUBPOENA IN A COURT OR REFER THE SUBPOENA TO THE  
2 SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF SENATE OR THE  
3 CHAIRPERSON OF ANY COMMITTEE OF THE LEGISLATURE FOR ENFORCEMENT IN THE  
4 SAME MANNER AND SUBJECT TO THE SAME PENALTIES PRESCRIBED IN ARTICLE 4 OF  
5 THIS CHAPTER.

6 W. THE OFFICE'S ACTION OR LACK OF ACTION ON A COMPLAINT MADE  
7 PURSUANT TO THIS SECTION IS NOT DEEMED AN ADMINISTRATIVE PROCEDURE  
8 REQUIRED FOR EXHAUSTION OF REMEDIES BEFORE BRINGING AN ACTION PURSUANT TO  
9 42 UNITED STATES CODE SECTION 1997e OR FILING A NOTICE OF CLAIM PURSUANT  
10 TO SECTION 12-821.01.

11 X. THE OFFICE SHALL BE INDEPENDENT OF ANY SUPERVISION OR CONTROL BY  
12 THE OFFICE OF THE OMBUDSMAN-CITIZENS AIDE OR BY ANY BOARD OR OFFICER OF  
13 THE OFFICE OF THE OMBUDSMAN-CITIZENS AIDE.

14 Y. FOR THE PURPOSES OF THIS SECTION:

15 1. "DEPARTMENT" MEANS THE STATE DEPARTMENT OF CORRECTIONS.

16 2. "OFFICE" MEANS THE OFFICE OF THE INDEPENDENT CORRECTIONS  
17 OMBUDSMAN.

18 Sec. 2. Section 41-1604, Arizona Revised Statutes, is amended to  
19 read:

20 41-1604. Duties and powers of director

21 A. The director shall:

22 1. Be responsible for the overall operations and policies of the  
23 department.

24 2. Maintain and administer all institutions and programs within the  
25 department, including prisons, reception and diagnostic centers,  
26 conservation camps, community correctional centers and such other  
27 facilities and programs as may be required and established for the  
28 custody, control, correction, treatment and rehabilitation of all adult  
29 offenders who are committed to the department.

30 3. Be responsible for the administration and execution of all  
31 community supervision services, including those for adult offenders who  
32 are released in accordance with law.

33 4. Develop a program to provide uniform statewide community  
34 supervision field services in this state and employ parole or community  
35 supervision officers based on qualifications prescribed by the director,  
36 including physical, psychological and educational qualifications and  
37 practical experience.

38 5. Be responsible for the development of policies and programs that  
39 shall be recommended to the governor and the legislature for the purpose  
40 of improving the various adult correctional programs of this state.

41 6. Develop and establish a uniform statewide method of reporting  
42 statistics as related to this chapter.

43 7. Subject to chapter 4, article 4 of this title, employ deputy  
44 directors and other key personnel based on qualifications prescribed by  
45 the director that require education and practical experience.

1       8. Adopt rules pursuant to chapter 6 of this title for the  
2 development of incentives to encourage good behavior and the faithful  
3 performance of work by prisoners.

4       9. Adopt rules pursuant to chapter 6 of this title to limit inmate  
5 access to the internet through the use of a computer, computer system,  
6 network, computer service provider or remote computing service.

7       10. Cooperate with the Arizona-Mexico commission in the governor's  
8 office and with researchers at universities in this state to collect data  
9 and conduct projects in the United States and Mexico on issues that are  
10 within the scope of the department's duties and that relate to quality of  
11 life, trade and economic development in this state in a manner that will  
12 help the Arizona-Mexico commission to assess and enhance the economic  
13 competitiveness of this state and of the Arizona-Mexico region.

14       ~~11. On or before December 31 of each year, submit a report to the~~  
15 ~~president of the senate, the speaker of the house of representatives, the~~  
16 ~~minority leader of the senate, the minority leader of the house of~~  
17 ~~representatives, the chairperson of the senate judiciary committee, or its~~  
18 ~~successor committee, and the chairperson of the house of representatives~~  
19 ~~judiciary committee, or its successor committee, that includes all of the~~  
20 ~~following:~~

21       ~~(a) The number of inmate deaths while the inmate was in custody,~~  
22 ~~including suicides, and the number of suicide attempts while the inmate~~  
23 ~~was in custody.~~

24       ~~(b) The number of physical and sexual assaults in custody.~~

25       ~~(c) The number of inmates who were placed in administrative~~  
26 ~~segregation or solitary confinement and the duration of stay in~~  
27 ~~segregation or confinement.~~

28       ~~(d) The number of facility lockdowns that lasted longer than~~  
29 ~~twenty-four hours.~~

30       ~~(e) The number of staff, the tenure of each staff member, the staff~~  
31 ~~turnover rate, staff vacancies and staff compensation at each facility.~~

32       ~~(f) The number of inmates at each facility.~~

33       ~~(g) The inmate-to-staff ratio at each facility.~~

34       ~~(h) The number of in-person visits that were made for each inmate at~~  
35 ~~each facility.~~

36       ~~(i) The number of in-person visits that were denied for each inmate~~  
37 ~~at each facility.~~

38       ~~(j) The number of inmate complaints or grievances that were~~  
39 ~~submitted to the department, the department's resolution of the complaint~~  
40 ~~or grievance pursuant to the administrative remedies process and the~~  
41 ~~amount of time it took the department to resolve each complaint or~~  
42 ~~grievance.~~

43       B. The director may:

44       1. Adopt rules to implement the purposes of the department and the  
45 duties and powers of the director.



1           2. Take any administrative action to improve the efficiency of the  
2 department, including the following:

3           (a) Create new divisions or units or consolidate divisions or  
4 units.

5           (b) Subject to chapter 4, article 4 of this title, transfer  
6 employees between the various divisions and units of the department.

7           (c) Shift duties between divisions or units.

8           (d) Delegate to appropriate personnel the administrative functions,  
9 powers or duties that the director believes can be competently,  
10 efficiently and properly performed. The director shall not delegate the  
11 responsibilities in subsection A, paragraphs 1 and 5 of this section.

12           (e) Transfer adult inmates between adult institutions or adult  
13 facilities.

14           (f) Authorize work crews to perform acceptable tasks in any part of  
15 this state.

16           (g) Accept unconvicted persons pursuant to a court order for the  
17 purposes of examination and treatment regarding competency to understand  
18 any stage of a criminal proceeding after indictment or information or  
19 their ability to assist in their own defense.

20           (h) Accept convicted yet unsentenced persons pursuant to a court  
21 order for the purposes of conducting a mental health examination or a  
22 diagnostic evaluation.

23           (i) Subject to chapter 4, article 4 and, as applicable, article 5  
24 of this title, appoint certain employees of the department to peace  
25 officer status for the purposes of guarding, transporting or pursuing  
26 persons who are under the jurisdiction of the department and appoint  
27 certain employees of the department to peace officer status for the  
28 purposes of investigating or arresting persons who commit or attempt to  
29 commit offenses directly relating to the operations of the department.  
30 Peace officers of the department shall not preempt the authority and  
31 jurisdiction of established agencies of this state and political  
32 subdivisions of this state. Such officers shall notify agencies of this  
33 state and political subdivisions of this state before conducting an  
34 investigation within the jurisdiction of the agency and before making an  
35 arrest within the jurisdiction of the agency and shall ask, except in an  
36 emergency, if the agency wishes to participate, perform the investigation  
37 or arrest the person to be arrested before proceeding. Personnel who are  
38 appointed as peace officers by the director shall have the minimum  
39 qualifications established for peace officers pursuant to section 41-1822.  
40 Personnel who are appointed by the director pursuant to this subdivision  
41 are not eligible to participate in the public safety personnel retirement  
42 system except as otherwise provided in title 38, chapter 5, article 4.

43           (j) Operate travel reduction programs that are subsidized by the  
44 department for employees who commute between work and home by vanpools,

1 carpools and buses or in vehicles that are purchased or leased by the  
2 department.

3       3. Establish by rule a onetime fee for conducting background checks  
4 on any person who enters a department facility to visit a prisoner. A fee  
5 shall not be charged for a person who is under eighteen years of age. The  
6 director may adopt rules that waive all or part of the fee. The director  
7 shall deposit, pursuant to sections 35-146 and 35-147, any monies  
8 collected pursuant to this paragraph in the department of corrections  
9 building renewal fund established by section 41-797.

10       Sec. 3. Repeal

11       Section 41-1610.02, Arizona Revised Statutes, is repealed.

12       Sec. 4. Appropriation; office of the independent corrections  
13       ombudsman; intent; exemption

14       A. The sum of \$1,500,000 is appropriated from the state general  
15 fund in fiscal year 2025-2026 to the office of the independent corrections  
16 ombudsman established by section 41-1384, Arizona Revised Statutes, as  
17 added by this act.

18       B. The legislature intends that the appropriation made in  
19 subsection A of this section be considered ongoing funding in future  
20 years.

21       C. The appropriation made in subsection A of this section is exempt  
22 from the provisions of section 35-190, Arizona Revised Statutes, relating  
23 to lapsing of appropriations.