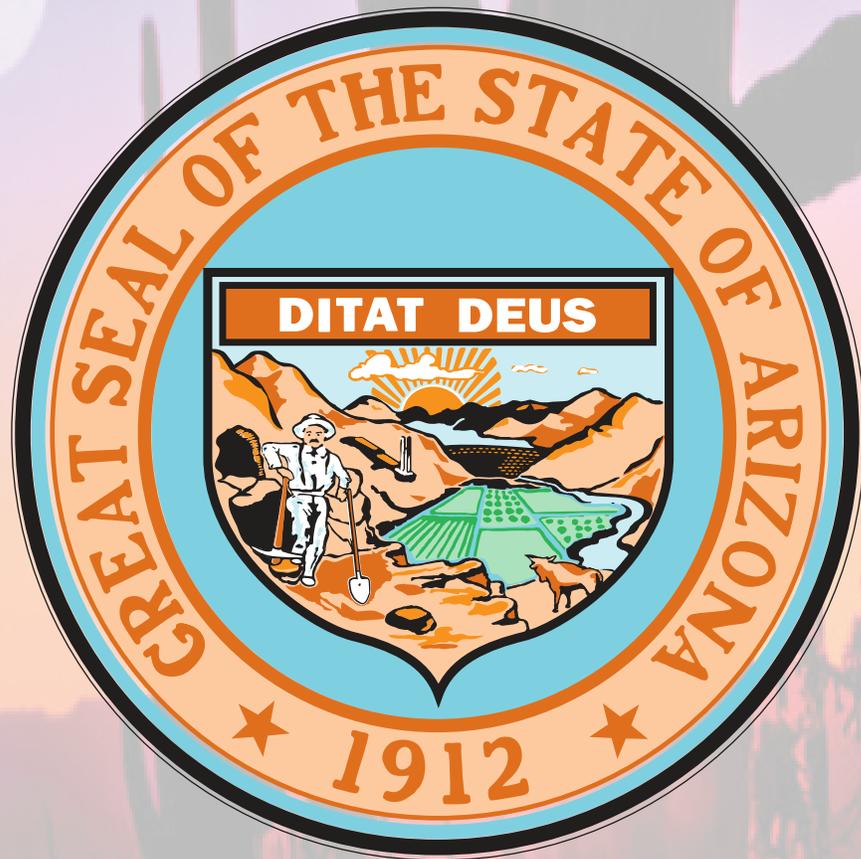


ARIZONA



BOARD OF EXECUTIVE CLEMENCY

Arizona Board of Executive Clemency

Annual Report Fiscal Year 2016

CHAIRMAN OF THE BOARD ELLEN KIRSCHBAUM

BOARD MEMBER SANDRA LINES

BOARD MEMBER BRIAN LIVINGSTON

BOARD MEMBER LAURA STEELE

BOARD MEMBER C.T. WRIGHT



Photo Courtesy of Buzz Parker

TABLE OF CONTENTS

i.	Message from the Chairman.....	4
ii.	Our Mission Statement, Values, and Ethics	5
iii.	Board Organization	7
	A. Board Members	7-9
	B. Staff	10-11
	C. Organizational Structure.....	12
iv.	Financial State of the Board.....	13
v.	Statistical Activity	14
vi.	Structured Decision Making (SDM) Initiative.....	26
vii.	LEAN Project Partnership	30
viii.	Victim Notification	31
viii.	Conclusion	34

LETTER FROM THE CHAIRMAN

Dear Governor Ducey:

The Arizona Board of Executive Clemency is pleased once again to present for your review its fiscal year 2016 annual report.

We are honored to serve your administration and see the Board's work as a critical component to keeping our communities safe. Public safety is at the forefront of everything we do. You and the residents of Arizona are entitled to live in your communities knowing that their State officials are working toward making the State of Arizona a safe place to live, work and play. One of the Board's objectives is to develop strategies, policies and procedures to ensure that the Board is making decisions that release only those inmates that can safely return to their communities. Within the last year this Board has begun the journey to explore new programs and strategies to assist the criminal justice partners in the reduction of recidivism. One of our most notable efforts is being part of your LEAN initiative through a partnership with the Arizona Department of Corrections (ADC). This project is reducing the number of days from ADC's service of a warrant on an offender to the time they are heard by the Board for a revocation hearing. ADC has been an important part of the Board's progress this past fiscal year in helping to improve some of the Board's operations.

Always working within our financial and logistical limitations, we attempt to be a part of the criminal justice system's efforts to not only be hard on crime, but smart on crime as well. We know that by doing this we are fulfilling your vision of ensuring that offenders who are granted release are prepared and ready to be productive residents of Arizona. As you review this report, you will see the Board's mission and strategic goals are at the forefront of its work.

As part of the recent sunset audit recommendations presented to the Board, members have been introduced to the structured decision making (SDM) model. Today, the Board of Executive Clemency has been accepted as one of a few states to become part of the National Institute of Corrections SDM four-phase implementation and research project. With this project, we see the Board working closely with the Arizona Department of Corrections' Community Corrections Division to enhance the Board's decision making in parole and revocation hearings. We pledge to emphasize and enhance our efforts to make a positive impact on our criminal justice system and to work closely with one of our vital stakeholders, the Arizona Department of Corrections, to help reduce recidivism.

Finally, we are most grateful and appreciative for your support to Senate Bill 1132. Your enactment of this bill provided holiday pay as well as personal leave time to members. Your leadership recognized the important contributions and full-time work of the Board's members.

Sincerely,
Ellen Kirschbaum, Chairman

OUR MISSION, VALUES AND ETHICS

The Arizona Board of Executive Clemency is a five member board with each member appointed by the Governor. The Board is statutorily empowered to make decisions regarding:

- *Discretionary release of those inmates who are parole and/or home arrest eligible; (inmates whose crimes were committed on or before December 31, 1993);*
- *Revocation of parole (or community supervision for crimes committed on or after January 01, 1994) for those found to be in violation of the terms and conditions of their release;*
- *Absolute discharge from parole; and*
- *Modification of release conditions and release rescissions.*

The Board also makes clemency recommendations to the Governor on requests for:

- *Commutation of sentence, including death penalty sentences;*
- *Reprieves in matters related to death penalty cases; and*
- *Pardons.*

The Board's **mission** is:

To protect public safety and contribute to a fair and effective justice system by ensuring that persons who remain a threat to society remain incarcerated and those who no longer present a risk are released to become productive citizens.

The Board's **vision** is:

To make parole and related decisions in a timely manner consistent with public safety, victim concerns, inmate rights and the wise use of state resources. We envision the Arizona Board of Executive Clemency as a vital part of the Arizona Criminal Justice System because it

- *Makes fair, consistent and impartial parole decisions and clemency recommendations in a timely manner;*
- *Considers public protection, victim concerns and offender circumstances; and,*
- *Makes wise use of state resources.*

The Board **values:**

Public Safety: *Our decisions focus on safety for Arizona citizens.*

Integrity: *We are truthful and trustworthy conducting ourselves honorably and ethically.*

Service: *We serve and are responsible to the public.*

Respect: *We treat each other and everyone with courtesy, dignity and consideration.*

Excellence: *We strive to do our best and more.*

Accountability: *We are responsible to ourselves and others for our decisions and actions.*

Leadership: *We are positive role models.*



(Board members from left to right-Laura Steele, Sandra Lines, Ellen Kirschbaum, Dr. C.T. Wright and Brian Livingston)

BOARD ORGANIZATION

Board Members

The Board of Executive Clemency is a five member board and each member is appointed by the Governor and confirmed by the State Senate. The Governor appoints the Chair for a two year term. They are paid as full time state employees. A board member earns approximately \$46,000 per year. Members conduct hearings throughout the day and prepare later for the following day's hearings. We are pleased to introduce the Board's current member structure.

Board Member Ellen Kirschbaum, Chairman – term expiration: 1/20/2020



Ms. Kirschbaum was originally appointed to the Board by Governor Janice Brewer in December, 2010 and later appointed as Chairman in October, 2014. In January, 2015, Governor Douglas Ducey appointed her to a second term and she was then confirmed by the Arizona Senate. She remains as Chairman working to bring about the Board's mission to conduct prompt, fair and impartial hearings based on public safety. Ms. Kirschbaum's experience spans over 36 years in Arizona's criminal justice system including nearly 20 years in the field of corrections. She is involved in a number of community activities and serves on several boards. She holds a Bachelor of Science in Business Administration from Arizona State University and a Masters of Public Administration from Western International University. Ms. Kirschbaum has been a resident of Arizona since 1968.

Board Member Brian L. Livingston – term expiration: 1/16/17



Mr. Livingston was appointed to the Board of Executive Clemency in 2012 by Governor Brewer and in August 2013 was appointed the Board's Executive Director/Chairman of the Board. He left this position in October 2014 following a legislative change to his position. Prior to his original appointment to the Board, Mr. Livingston served two terms as the Executive Director of the Arizona Police Association, and over four years as an Assistant Director at the Arizona Registrar of Contractors. Mr. Livingston is a retired Phoenix Police Officer who was shot in the line of duty in 1999 and medically retired from his position due to the injuries he sustained. He is a Vietnam era veteran of the United States Air Force.

Board Member Sandra Lines – term expiration: 1/16/2017



Sandra Ramsey Lines was appointed to the Board by Governor Ducey in January, 2016. She began her career in law enforcement as a patrol officer with the Cleveland, Ohio Police Department in 1973. Later, she worked as a detective in general duty and homicide before being promoted to sergeant. In 1991, while working as a special agent for the Arizona Office of the Attorney General, she began a two-year training program as a forensic document examiner. In 1996, Sandra began working as a Senior Document Analyst for the Bureau of Alcohol, Tobacco and Firearms. Since retiring from the Federal Government in 2003, Sandra has devoted herself to private practice as a forensic document examiner working both civil and criminal cases. She has testified for the prosecution and defense as a expert witness in state and federal courts and in regulatory hearings. Sandra has a Bachelor of Arts in Management from the University of Phoenix. She has been certified Diplomate of the American Board of Forensic Document Examiners, a Fellow of the American Academy of Forensic Sciences, and a member of the American Society of Questioned Document Examiners. Publications by Sandra have appeared in peer reviewed journals, Journal of Forensic Sciences, the International Journal of Forensic Document Examiners, and in the Journal of the American Society of Questioned Document Examiners. She is currently on the Board of Young Arts Arizona.

Board Member Laura Steele – term expiration: 1/18/2016



After graduating from Grand Canyon University, Ms. Steele worked as a Surveillance Officer and Probation Officer with the Maricopa County Adult Probation Department for 27 years. During her tenure with the department, she excelled in several areas to include Presentence Investigation; Intensive Probation; Standard Supervision; Unsupervised Probation; and Reach Out Coordinator for the Maricopa County Jail system. Ms. Steele worked closely with numerous treatment agencies throughout the Valley in order to facilitate substance abuse and mental health programming for her clients. Ms. Steele retired in February 2014 and was appointed to the Board by Governor Brewer. In addition to her work with the Board, Ms. Steele regularly participates in the Family to Family food drive and school supply drives sponsored by her church, as well as gathering women’s business apparel for underprivileged women.

Board Member Dr. C.T. Wright – term expiration: 1/21/2019



Dr. C. T. Wright accepted a gubernatorial appointment to the Arizona Board of Executive Clemency in May 2014. As a citizen appointee, he brings a unique perspective to the Board. In criminal justice, he has developed and supervised training programs for law enforcement officers in Atlanta, Georgia; Miami Dade County in Florida; Talladega Federal Prison in Alabama, as well as an education program for inmates in Florida. This change agent has had a diverse background including that of a day laborer in the Georgia cotton fields, elementary school teacher, college professor and

administrator, university president, executive director and founder of development programs, faith leader, delegate to three national political conventions and member of the Arizona Electoral College, among others. Since leaving the cotton fields, Wright has had the opportunity of meeting with five United States presidents, scores of government and private sector leaders from throughout the world, and thousands of grassroots individuals. He holds a Bachelor of Science degree from Fort Valley State University, Master of Arts degree from Clark Atlanta University, PhD degree from Boston University and L.H.D. honorary degree from Mary Holmes College. In addition to serving on the Arizona Board of Executive Clemency, Dr. Wright is a member of the Governor’s Advisory Council on Aging; Fountain Hills Unified School District Governing Board; Arizona National Day of Prayer; The Light of Hope Institute; and ASU’s Center for Political Thought and Leadership, to cite a few examples.

Board Member Suzanne Osolin was appointed to the Board in May, 2015 and resigned from the Board for personal reasons in January, 2016.

Board Staff



Executive Director *Ms. Terry Adriance held this position from October 6, 2014 until her retirement July 6, 2016. Presently the position is vacant.*

Pursuant to Arizona Revised Statutes 31-402, the Executive Director serves at the pleasure of the Board and reports to the Board through the Chairman. This position is responsible for meeting the needs of the Board through oversight of all administrative, operational and financial functions for the Board including implementing and directing all policies and procedures, personnel matters such as hiring, training, discipline and performance evaluations of all administrative staff members. The Executive Director also interacts in budget preparation, forecasts and expenditures.

Administrative Support Staff

Project Specialist II (1)

Hannah Milnes AUN4463

Administrative Assistant III (1)

Daisy Kirkpatrick AUN1152

Administrative Assistant II (3)

Kaitlin Stiffler AUN06609

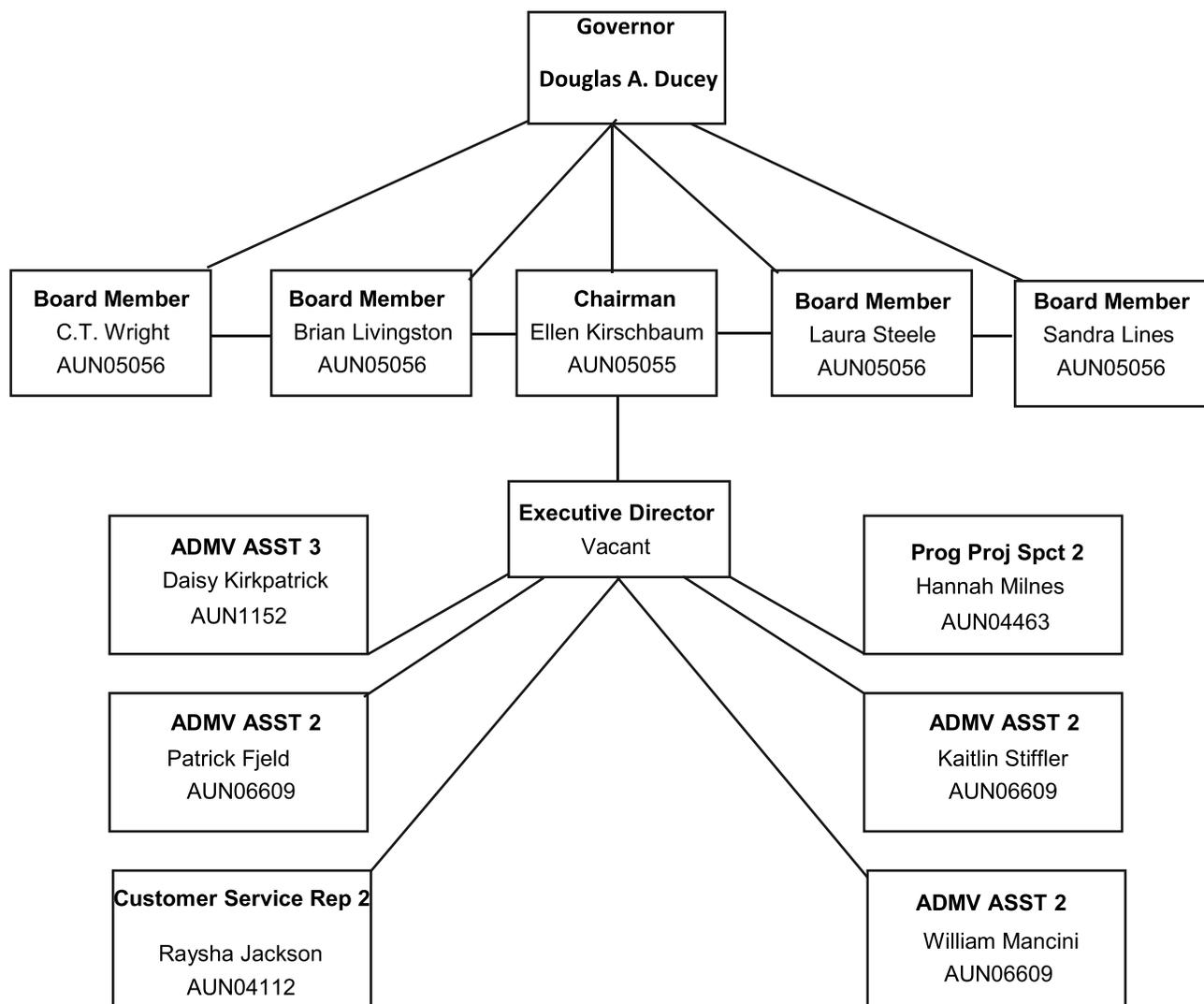
Patrick Fjeld AUN06609

Hank Mancini AUN06609

The Project Specialist and Administrative Assistants have technical, complex duties and responsibilities that require a specific knowledge and skill set. Each of these staff members are aligned with specific hearing types. They gather and maintain statistical information as related to their assigned areas. Each day, they interact with other agencies, victims and members of the public. They acquire court documents and comply along with other information to create a packet for the Board members perusal. This process is particularly critical as board members review the packets which are utilized in their decision making. They also process and complete public record requests process according to law and Board policy and taking on special projects as directed by the Executive Director in meeting agency goals.

This position is a federally funded grant. The Customer Service Representative's job function is to provide statutorily mandated notifications to victims, officials, other concerned individuals and entities. This individual also provides customer service to incoming phone inquiries specific to hearings for which victims have officially opted in to participate in related hearings.

During fiscal year 2016, the administrative leadership determined a need to restructure the former Information Processing Specialist to Administrative Assistant II so that the majority of positions in the Board were consistent and allowed for cross-training of staff and the performance of expanded duties.



Rev. 8/03/16

BUDGET INFORMATION

The GF budget for the Board of Executive Clemency for FY15 was \$958,600. The GF budget for the Board of Executive Clemency for FY16 was \$956,000. The appropriation includes the salaries of 14 employees.

Arizona Board of Executive Clemency

	FY 2015	FY2016
<u>GF Operating Budget</u>		
Full Time Equivalent Positions	14.0	14.0
Board Members	5.0	5.0
Staff	9.0	9.0
Personnel Services Subtotal	446,458.13	484,584.25
Employee Related Expenditures	186,202.78	184,960.07
Total Personnel Expenditures	632,660.91	669,544.32
Professional and Outside Services	40,436.10	38,783.97
Travel	88.33	1,312.78
Equipment	58,066.48	6,569.02
Other Operating Expenses	170,537.12	176,446.37
Cost Allocation Transfers	4,319.25	
Admin Adjustments	16,409.58	
Total Expenditures	922,517.77	892,656.46*

In addition to GF monies, the agency also received a Victims Services grant in FY15 in the amount of \$46,200 and expended \$20,968.25. The agency also received a Victims Services Grant in FY16 in the amount of \$43,688 and expended \$35,769.58.

*FY16 Totals are through June reports including 13th month period.

BOARD ACTIVITY AND STATISTICAL SUMMARY

The Board is statutorily authorized to conduct hearings for clemency and non-clemency matters. Non-clemency hearings do not require a recommendation to the Governor but instead the Board makes decisions on its own. These are Parole (412A), Parole (412B), Home Arrest, Absolute Discharge, Work Furlough, Modification, Rescission and Revocation matters for parole, "TIS" (truth in sentencing), and home arrest revocation hearings.

Clemency is where the Board recommends individuals to the Governor seeking pardons, reprieves, and commutations. These are referred to as clemency. Clemency under the criminal justice system is the act by an executive member of government of extending mercy to a convicted individual. In the United States, clemency is granted by a governor for state crimes and by a president for federal crimes. Clemency can take one of three forms: a reprieve, a commutation of sentence, or a pardon.

The Board is the only place in the criminal justice system where the victim, the inmate and the families can come together since the law enforcement contact and have a chance to tell their stories. For the very tiny percentage of those cases that may not have gotten justice, the system offers a mechanism to correct itself.

All hearings conducted by the Board are done in accordance with the Open Meeting Law.

Board Decisions

Prior to January 01, 1994, offenders sentenced by the Court were eligible for parole. After completing a certain amount of their sentence, they were deemed eligible by the Arizona Department of Corrections and referred to the Arizona Board of Pardons and Paroles to be scheduled for a parole hearing. Parole was abolished by the Legislature in 1993 and the Board became known as the Board of Executive Clemency. Therefore, on and after January 01, 1994, those that have committed an offense are sentenced under strict sentencing guidelines known as "Truth in Sentencing (TIS)." Unless statutorily mandated otherwise, most offenders serve approximately 85% of their sentence and are then released to the community for supervision of the rest of their sentence.

While the number of classic parole cases has decreased in recent years, the Board still conducts a notable number of these hearings. They may involve the potential release of an inmate or the ability to move forward to a consecutive sentence.

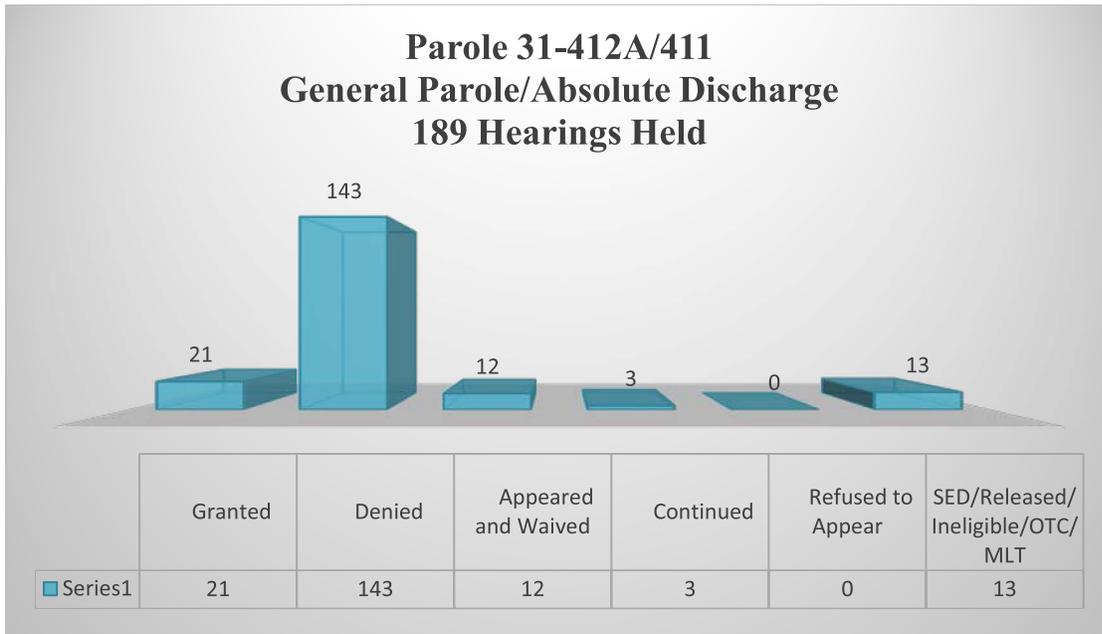
Parole is considered an early release with supervision prior to the expiration of a sentence of incarceration. It is a privilege not a right. Clear conduct and addressing the issues that got them sent to prison are just some of the factors considered. The only right an offender has is to be released upon completion of the sentence that was handed down by the court. Every offender sentenced to the Arizona Department of Corrections is given a parole eligibility date if the offense date occurred prior to January 01, 1994.

The Board directly interacts with the inmate or offender and these hearings can sometimes last for several hours as many cases reflect aged, high-profile matters that can include testimony from various individuals including inmate supporters, victims of crimes, the inmate’s counsel and/or prosecutors. Additionally, the Board also conducts absolute discharge hearings where a parolee on supervision is seeking the release from all forms of supervision.

However, a significant amount of time employed by members is a dramatically larger docket of parole and TIS revocation hearings. These consist of technical and new sentence revocations. These hearings can be complex, fact-finding affairs sometimes involving attorneys on both sides of the questions, witness testimony, cross-examinations, and volumes of documentary evidence.

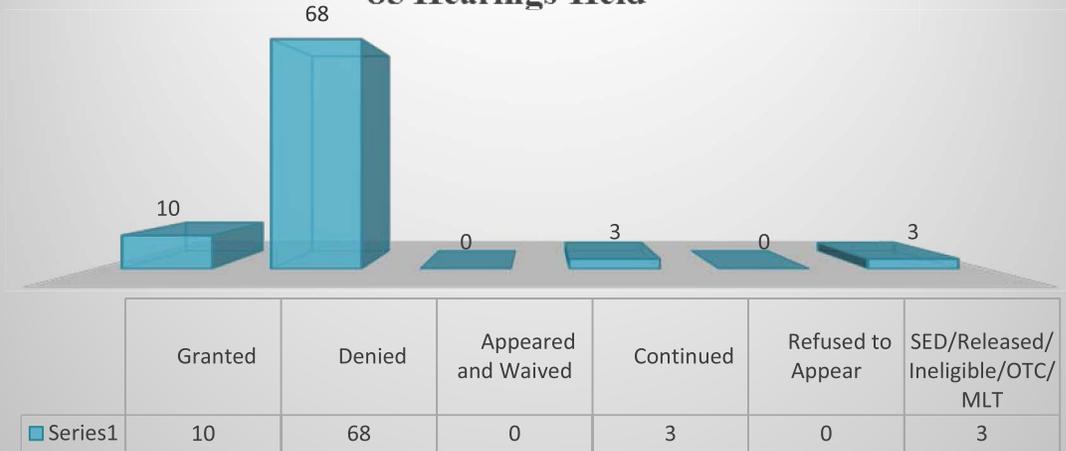
All graphs reflect numbers between July 1, 2015 through June 30, 2016

Parole Actions:

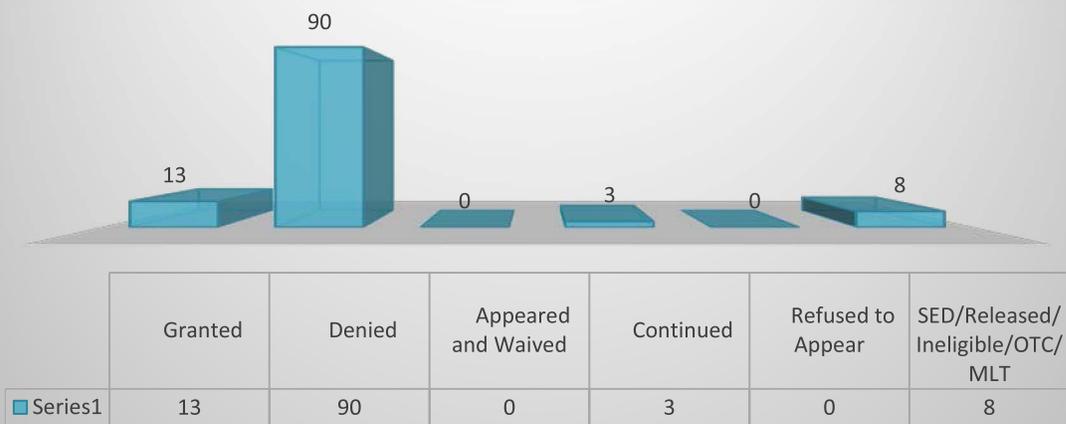


***Refused to Appear are not actively tracked, being that the Board still conducts hearing.**

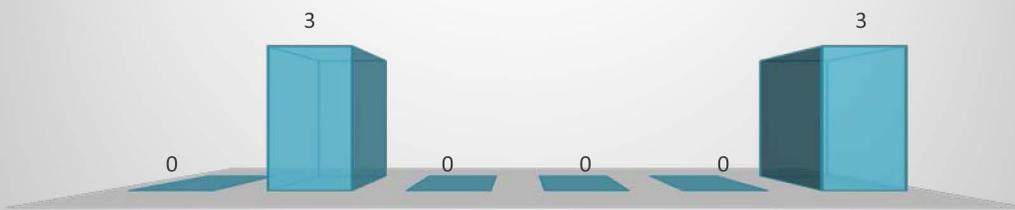
**Parole 31-412A/411/HA
General Parole/ Absolute Discharge/Home Arrest
85 Hearings Held**



**Parole 31-412B/411
Parole to Consecutive/Absolute Discharge
114 Hearings Held**



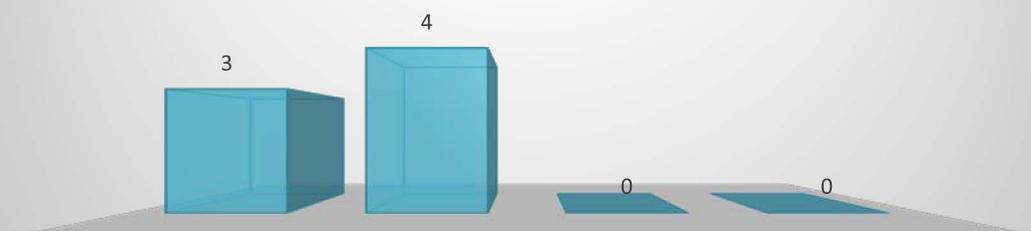
**Parole 31-412B(Det)/411
Parole to Detainer/Absolute Discharge
6 Hearings Held**



	Granted	Denied	Appeared and Waived	Continued	Refused to Appear	SED/Released/Ineligible/OTC/MLT
Series1	0	3	0	0	0	3

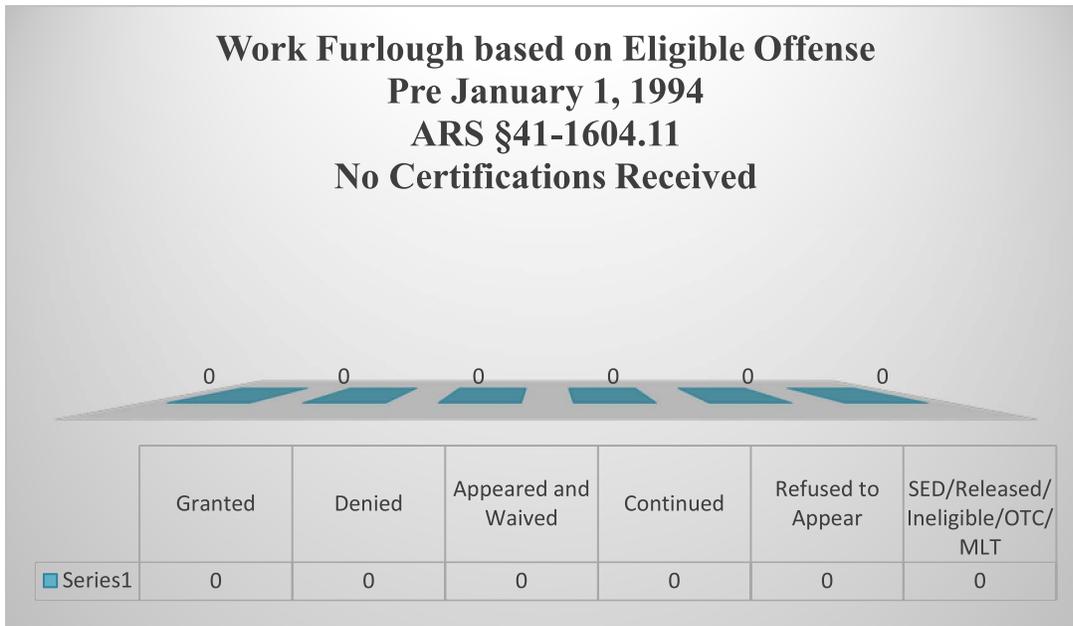
Absolute Discharge

**Absolute Discharges
ARS §31-414
7 Hearings Held**

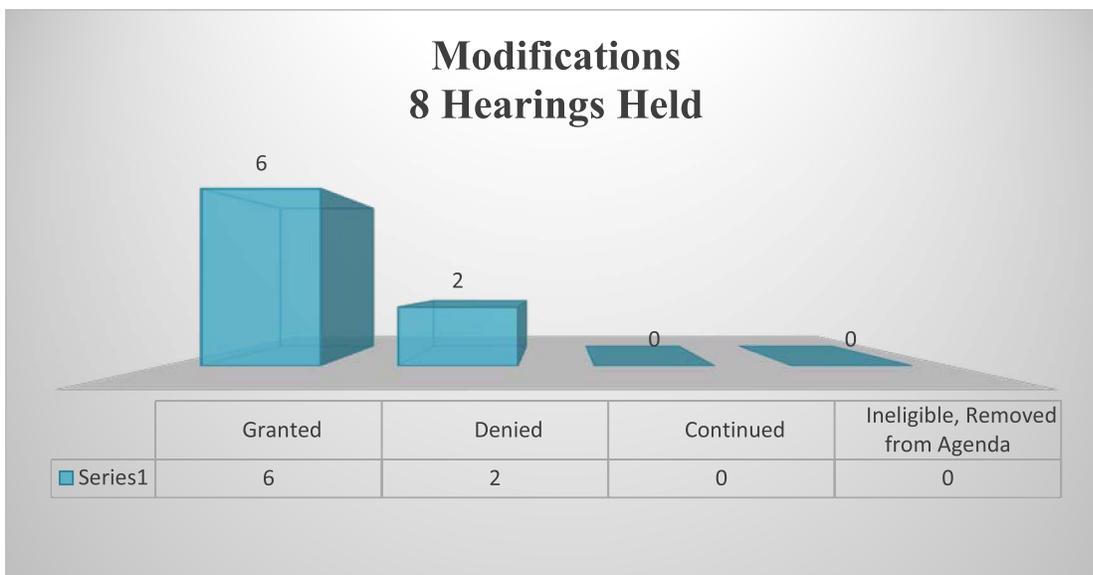


	Granted	Denied	Continued	Ineligible, Removed from Agenda
Series1	3	4	0	0

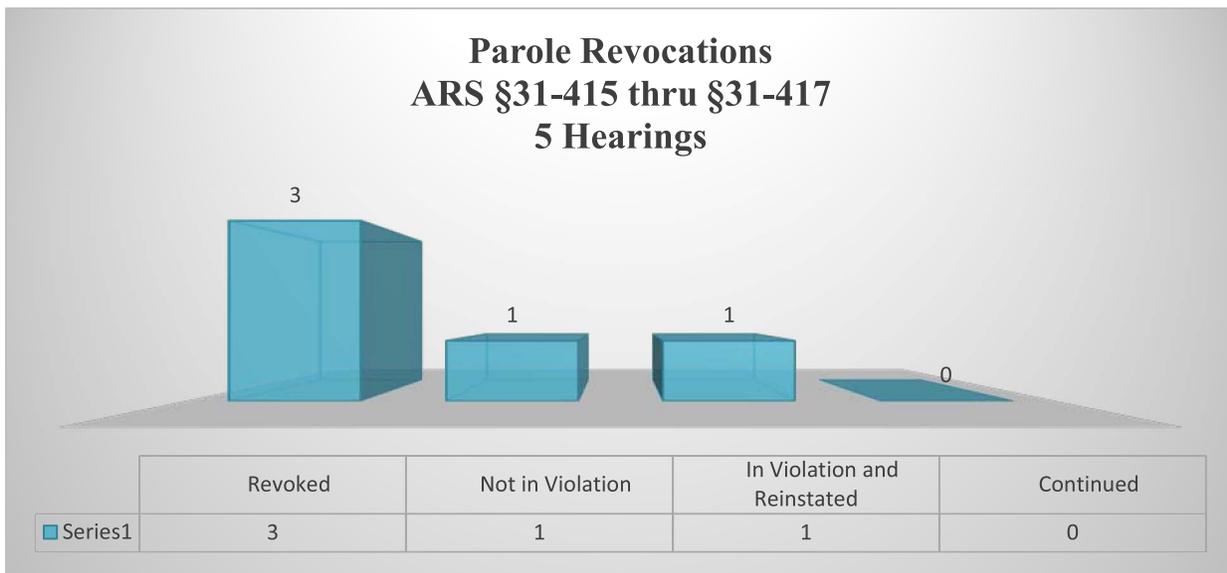
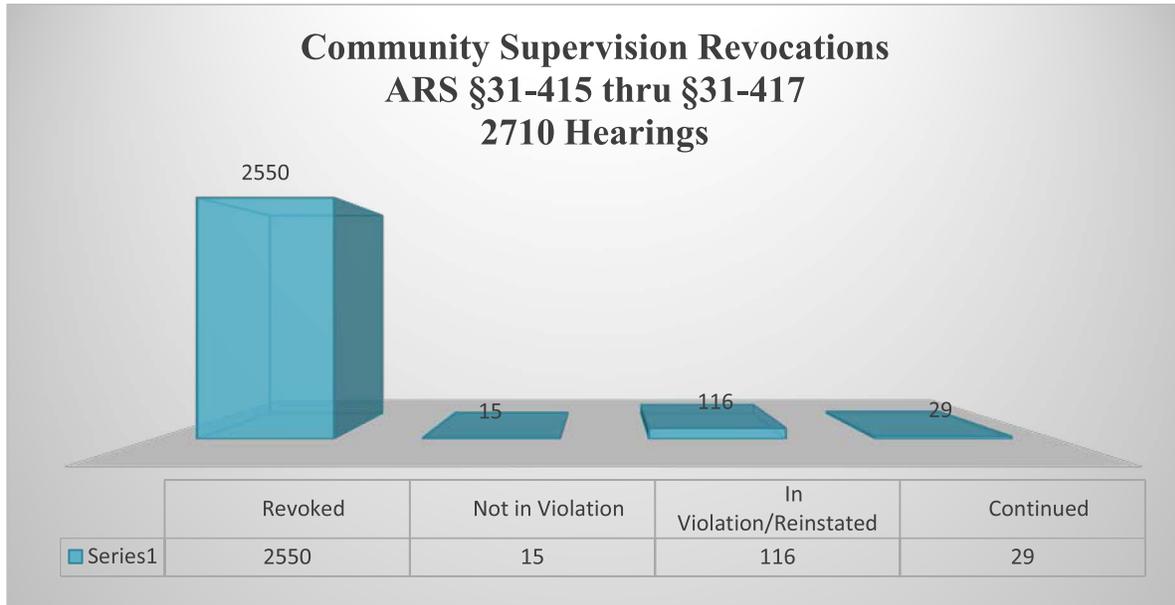
Work Furlough



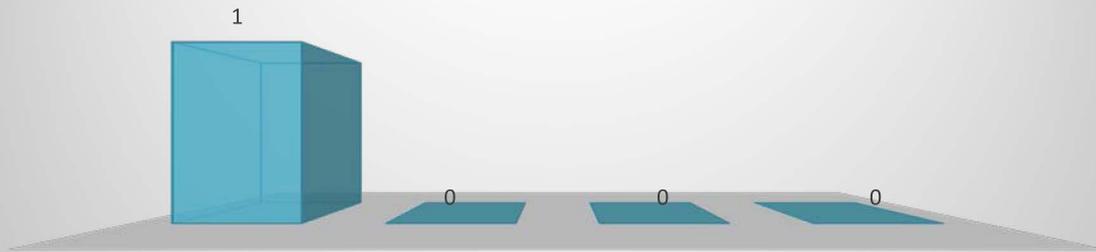
Modification to Release Conditions



Revocations

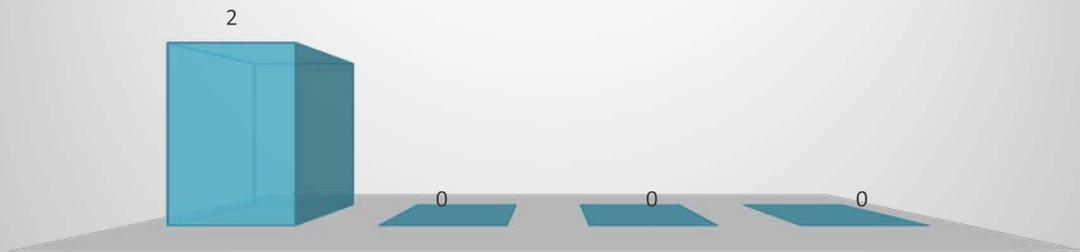


**Home Arrest Revocations
ARS§ 41-1604.13
1 Hearing**



	Revoked	Not in Violation	In Violation and Reinstated	Continued
Series1	1	0	0	0

**Work Furlough Revocations
ARS §31-415 through 31-447
2 Hearings**



	Revoked	Not in Violation	In Violation/Reinstated	Continued
Series1	2	0	0	0

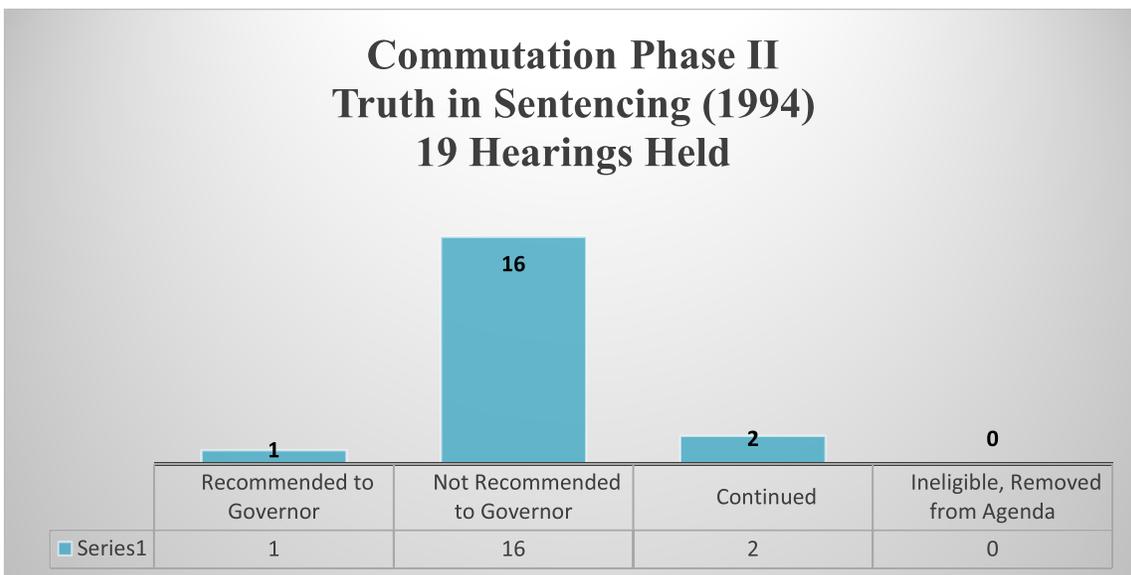
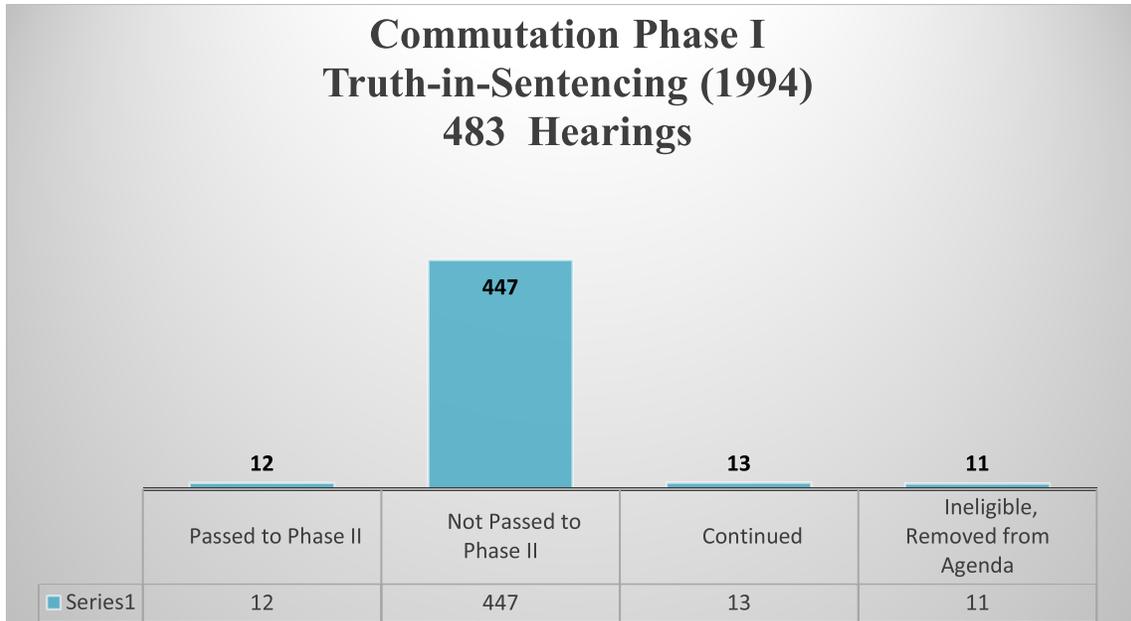


(Board member Laura Steele with Parole Officer Michael Osborn participating in a revocation hearing)

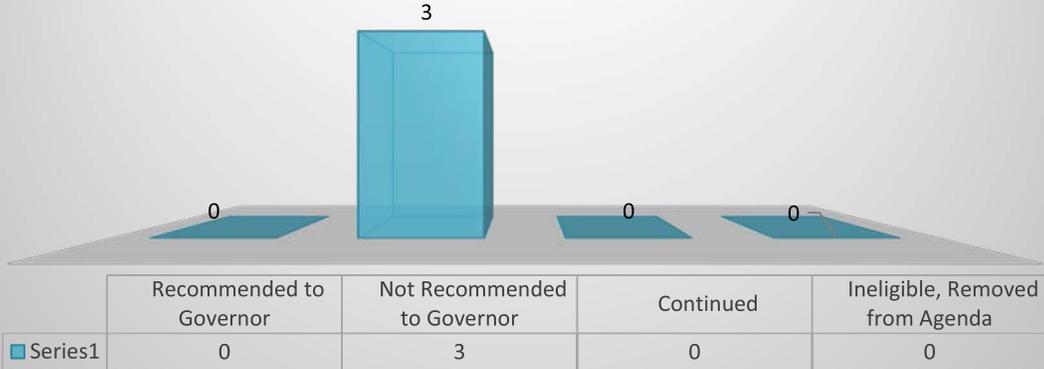
Executive Clemency

Perhaps the most visible work of the Board involves executive clemency proceedings, which are petitions from individuals seeking clemency in the form of a commutation of sentence including death penalty matters, reprieves as well as pardons. These matters require a majority vote in order to be recommended to the Governor for that action. After these hearings are held, the Board's staff prepares the Board's submittal and hand-delivers it to the Executive Office for a final determination by the Governor.

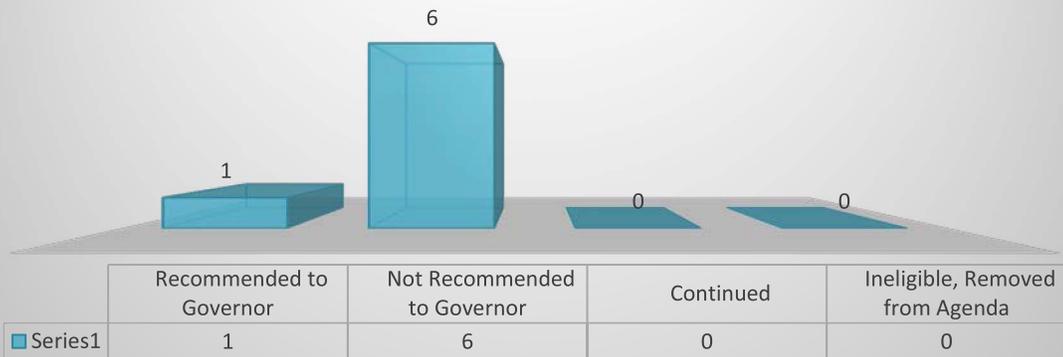
Commutation of Sentence



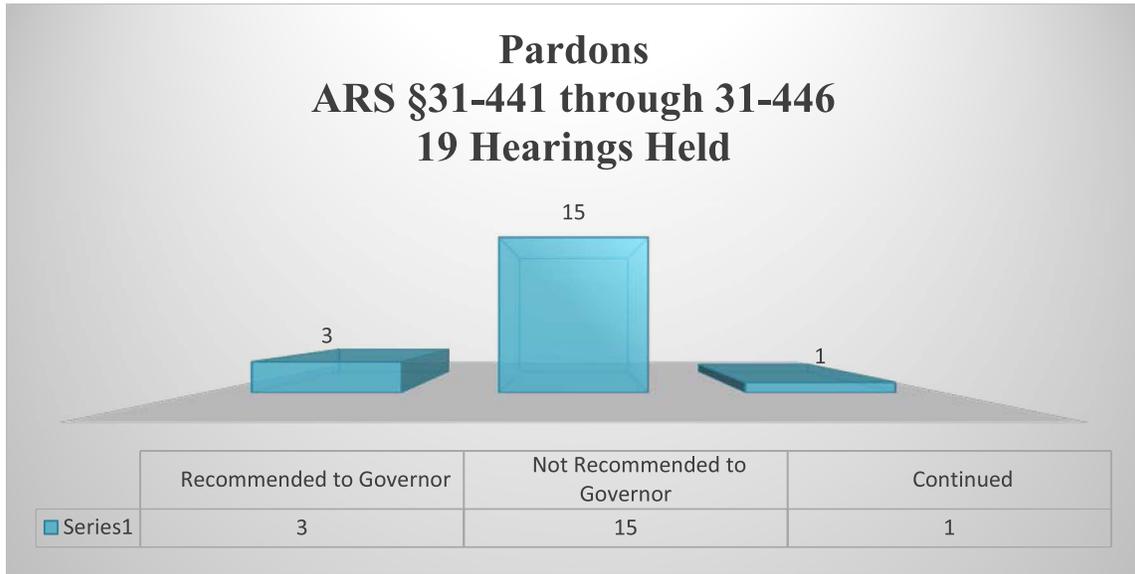
**Commutation Phase II
ARS §13-603(L) Special Orders
3 Hearings Held**



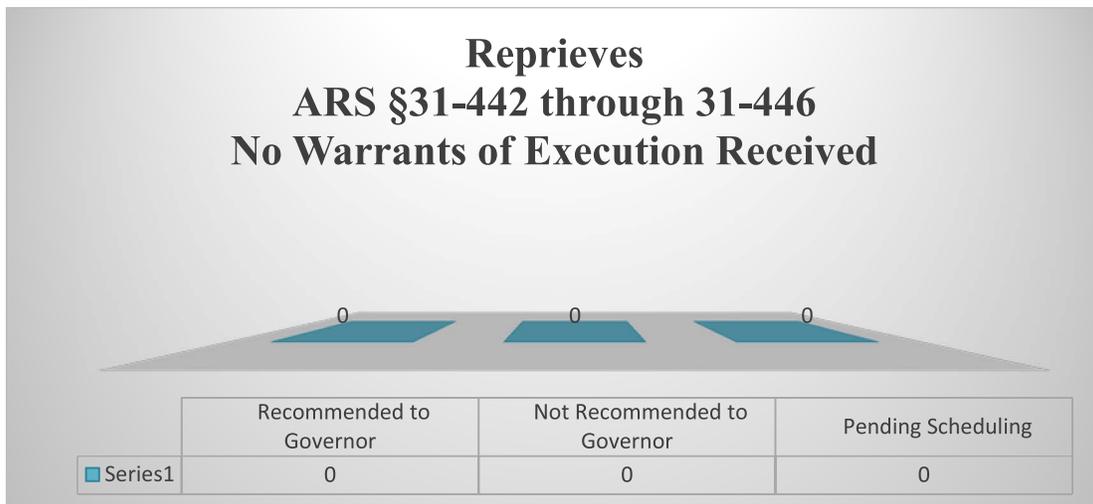
**Commutation Phase II
ARS §31-403(D) Imminent Danger
7 Hearings Held**



Pardons

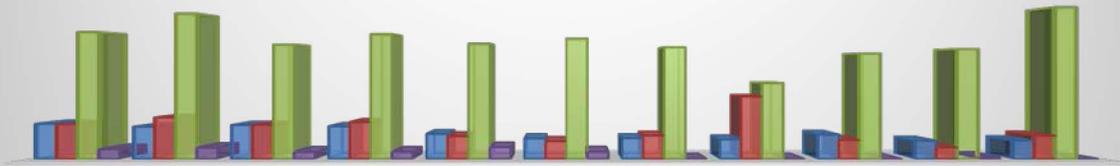


Reprieves



Yearly Comparisons

**Yearly Comparison FY 2006 to FY 2016
Hearings Scheduled**



	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Parole Hearings	757	693	728	701	539	442	447	418	522	390	397
Clemency Hearings	750	891	733	793	489	381	504	1341	408	251	502
Revocation Hearings	2708	3106	2443	2667	2463	2570	2388	1630	2253	2347	3241
Probable Cause	209	243	153	157	255	161	0	0	0	35	4

**Yearly Comparison FY 2006 to FY 2016
Hearings Conducted**



	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Parole Hearings	485	427	458	472	439	313	329	355	370	390	397
Clemency Hearings	716	839	703	766	472	379	501	1324	406	241	483
Revocation Hearings	2518	2866	2335	2627	2463	2406	2220	1627	2232	2347	3241
Probable Cause	113	137	93	107	209	107	0	0	0	31	4

STRUCTURED DECISION MAKING

General Parole 412A & 412B, Home Arrest and Absolute Discharge are discretionary decisions. Even after serving the minimum sentence, an inmate may not be granted parole until the Board has reasonable assurance, after consideration of all of the facts and circumstances, that the inmate will not be a menace or risk to society. The Board's ultimate goal is community safety. Board members keep in mind the primary question at hand "Is it better for the welfare of society to keep an individual incarcerated until his/her sentence is completed, or to use some portion of that sentenced time for parole, as a managed, supervised reintegration of that person back into society?"

In making a decision as to whether or not to grant parole, Arizona State Statutes 31-412(A) states the Board of Executive Clemency shall authorize the release of the applicant on parole "if the applicant has reached the applicant's earliest parole eligibility date pursuant to section 41-1604.09, subsection D and it appears to the board, in its sole discretion, that there is a substantial probability that the applicant will remain at liberty without violating the law and that the release is in the best interests of the state." However, this language is only applied to inmates who committed their offenses between the current version of ARS 31-412A (1993) through December 31, 1993. Otherwise, the previous statute calls for only a substantial probability that the applicant will remain at liberty without violating the law. Board members must be cautious in using the language "best interests of the state" for offenses committed prior to 1993.

The decision to parole an inmate is a difficult one. Board members may grant parole knowing that some could commit crimes of violence and some members may deny parole knowing that spending additional time in the prison could make the inmates' eventual release to society even riskier.

In making their decision, Board members are bound by the duty to act fairly. They must carefully review all the material available to them to assist in their deliberation and decision making. This information is primarily furnished by the Arizona Department of Corrections, offenders and their families, victims and their families, other interested citizens, and individuals who may have pertinent information for the Board. Parole Board members should not grant any type of parole eligibility (412A, 412B, Home Arrest or Absolute Discharge) merely as a reward for good institutional behavior. Assessment tools used for inmate screening by the Arizona Department of Corrections may also be considered in a Board member's decision making.

Board members are trained to consider the following factors which fall within four main categories: Instant Offense, Prior Criminal History, Incarceration and Hearing Conduct. These

categories reflect a number of factors that assist in considering parole eligibility (412A & 412B, Home Arrest or Absolute Discharge.

Instant Offense

- Seriousness of the crime committed;
- The circumstances surrounding the crime;
- Danger to the public
- Whether there is a reasonable probability the offender will not violate the law if paroled;
- Any input given by the victim, including, but not limited to, the emotional damage done to the victims and the victim's family or current fears of safety if released.
- The offender's physical, mental, and moral qualifications
- Comments from the prosecutor's office, the Office of the Attorney General, the judiciary or other criminal justice agency
- Whether the offender's parole would be compatible with the welfare of society;

Prior Criminal History

- Prior criminal and juvenile record
- Prior history on probation, parole, or other form of supervised release. Did the inmate commit the offense while on supervision?
- History of drugs or alcohol abuse
- Attitude toward authority - before and during incarceration
- History of deviant or violent behavior

Incarceration

- Institutional adjustment including disciplinary record
- Abuse of drugs and/or alcohol
- Gang involvement and violent tendencies. Are there assaultive tendencies toward other inmates or staff?
- Success or failure of treatment
- Education and job skills
- Employment history
- Efforts to pay restitution if ordered by the Court
- Program participation
- Mental status (Capacity and Stability)
- Physical health Information

In assessing these criteria, Board members are asked to also consider other relevant information relating to hearing conduct:

- Attitude and motivation conveyed during hearing
- Inmate's preparation for hearing
- Inmate remorse
- Understanding of victim impact
- The strength of the offender's parole plan - including housing, employment, need for community treatment and follow-up resources
- Community and family support evidenced by documentation or telephonic/physical presence at hearing
- Inmate preparation for release, i.e. inmate fund balance, job applications,
- Other factors involved that relate to public safety or the offender's needs
- Inmate's risk factors, risk levels and correlations to length of supervision.
- Official and community attitudes toward accepting an inmate back into the community

Ultimately, Board members must consider the potential likelihood of an inmate's success in the community, the risk they may pose to individuals in the community and how the general welfare of society may be impacted by Board's decision.

In 2013, the Arizona Auditor General began a sunset review audit with the Board of Executive Clemency. One of the key findings noted by the auditors was that the Board should work to develop and implement a structured decision making model that is appropriate for use in Arizona to guide its decisions and help to ensure transparency, consistency, and accuracy in its decision making. This finding is a reflection of the growing national interest in higher-quality parole decision making. Parole authorities, like the Arizona Board of Executive Clemency, are under considerable pressure and subject to substantial public scrutiny as they strive to reach high-quality parole decisions that ensure public safety. Through its technical assistance program, the National Institute of Corrections facilitated opportunities for three states—Ohio, Connecticut, and Kansas—to examine the use of the Structured Decision Making (SMD) Framework in their jurisdictions. This framework was based on a validated model developed in Canada by the Legal Decision-Making Lab at Carleton University. This endeavor commenced a few years ago and each state participated in a small-scale exercise aiming to provide preliminary validation results specific to their jurisdiction. This framework acts as a road map or guideline to help decision makers reach consistent, transparent, and defensible high-quality conditional release decisions. It acknowledges the professional expertise and extensive experience of parole decision makers by using a structured approach that guides paroling authorities through the process of making parole decisions by considering offender information demonstrated to be closely linked to post-release performance. Given this grounding, the Framework helps paroling authorities incorporate or enhance the use of evidence-based practice in their decision making.

Through its technical assistance program, the National Institute of Corrections is now embarking on a second round to add a few more states to the project. Arizona has been

selected as one of those states to begin a four-phase endeavor to implement the SDM framework.

Earlier in the year, the Chairman applied for technical assistance from the National Parole Resource Center (NPRC) to help the Board gain knowledge and information about SDM. The Center provided a subject matter expert, Mr. Richard P. Stroker, Director (NPRC) to help the Board understand SDM, outline other state's approaches to the Framework and open dialogue to further action. All five members, Chairman Ellen Kirschbaum, Dr. C.T. Wright, Brian Livingston, Sandra Lines and Laura Steele were in attendance. This opportunity helped to dispel the concern that members would lose their discretion in the decision making process.

LEAN PROJECT

The Board of Executive Clemency must work closely and cooperatively with the Arizona Department of Corrections (ADC) on a regular basis. Much of the work accomplished by the Board is initiated by various areas within the Arizona Department of Corrections. The entire Board is appreciative for the outstanding service and assistance the Arizona Department of Corrections' leadership provides to the Board on a regular basis.

During this year, an area of concern was identified by both agencies regarding delays in conducting revocation hearings due to a backlog of cases at Arizona Board of Executive Clemency. Extended time frames were occurring due to correction loops, hand offs, and over processing throughout the lifecycle of the warrant to Board hearing process. It was causing a financial and resource burden on the Arizona Department of Corrections due to bedspace usage. Open dialogue between ADC Director, Charles Ryan and Chairman Ellen Kirschbaum initiated the participation in the Governor's Initiative called "LEAN" designed to improve government's efficiency. This was the first time that two agencies in state government partnered together in a LEAN project. The goal is set to improve and reduce the process time from the date ADC serves the revocation warrant to the offender to the date on which the revocation hearing is heard by the Board.

The project addressed the revocation process from the issuance of the warrant by ADC through the conduct of the revocation hearing by the Board. It did not include the review of the number of warrants served or the outcome of the hearings.

One of the main benefits of this project is providing phased automation utilizing the current stand-alone PC databases and the Automated Inmate Management system (AIMS) to capture and auto-populate various forms and related fields. This auto-population provides accuracy and consistency with the data being transmitted between the two agencies and will replace the current paper assembly and tracking of the necessary documents. The result will be a more efficient system that reduces staff time as well as the cost of materials and resources.

The same concept is planned to be extended to include other functions of the Board. This collaboration between the Board and the Arizona Department of Corrections will enhance the assembly and scheduling of other hearings and help to increase the efficiency of the Board even more,

As a very small agency, the Board of Executive Clemency could not accomplish this work nor the extensive IT undertaking without ADC Director, Charles Ryan's assistance and provision of staff and their time. We are most grateful for this project partnership. It is anticipated all projected outcomes will be completed in early FY17.

VICTIM NOTIFICATION

The Board is mandated to provide hearing notification within specific timeframes and is dedicated in its efforts to provide notification and information to victims. This is set by:

A.R.S. §13-4417(A) Request for notice; forms; notice system

(A) The victim shall provide to and maintain with the agency that is responsible for providing notice to the victim a request for notice on a form that is provided by that agency. The form shall include a telephone number and address. If the victim fails to keep the victim's telephone number and address current, their victim's request for notice is withdrawn. At any time the victim may request notice of subsequent proceedings by filing on a request form provided by the agency the victim's current telephone number and address.

Based on the Victims' Bill of Rights, victims have the right to be notified by "opt in" to notification at the time of post-conviction. In Arizona, the County Attorney will provide the victim a Post-Conviction Notice Request (PCNR) which the victim can return to the County Attorney. Notification is set up with the designated agencies, i.e. Arizona Department of Corrections and the Arizona Board of Executive Clemency.

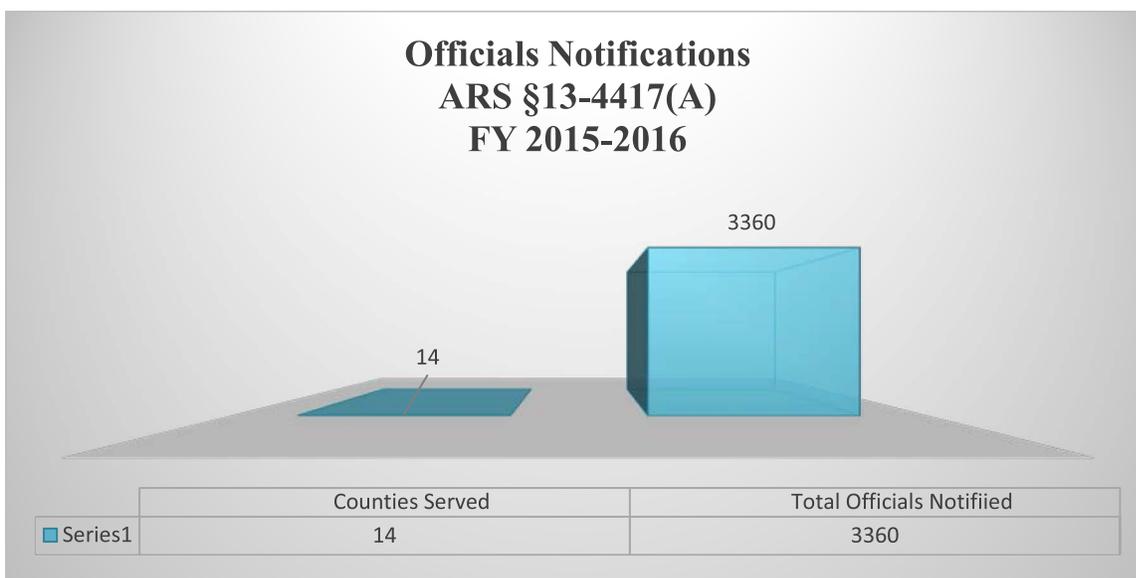
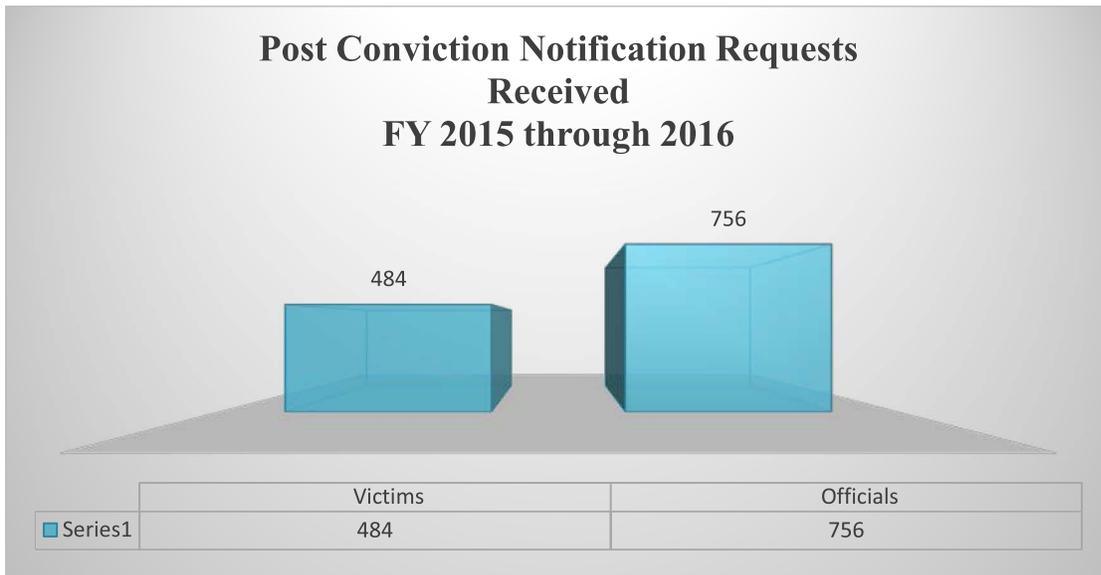
With these notifications, the Board provides notification to victims of any action scheduled by the Board regarding the defendant (inmate/offender) in their matter. In November, 2014, the Board sought grant funding through the Victims' Rights Program grant administered by the Arizona Attorney General's Office of Victim Services. The Board was awarded in FY15 \$46,200 to hire a full-time Victim Rights Compliance Specialist for fiscal year 2015. This staff person answers questions and provides hearing information to victims and witnesses on a daily basis. Victims who want to know how they can be involved in any hearing process are provided information and made aware of the Victim Services Unit located in the Arizona Department of Corrections (ADC). This ADC unit ensures victim information is located in the ADC's victim information database and when requested, ADC's victim advocates will provide assistance.

The Board's victim notification staff person advises victims that they are invited to submit their opinions to the Board concerning any upcoming hearing. Victims may at any time express their opinions by being present at the hearing, participating by phone or expressing themselves in writing. ADC's victim advocates may also speak on their behalf. It is not uncommon for some victims to request certain conditions and restrictions be imposed on the offender if released into supervision. The victim notification staff person is primarily responsible for advising the Board when a victim wishes to participate.

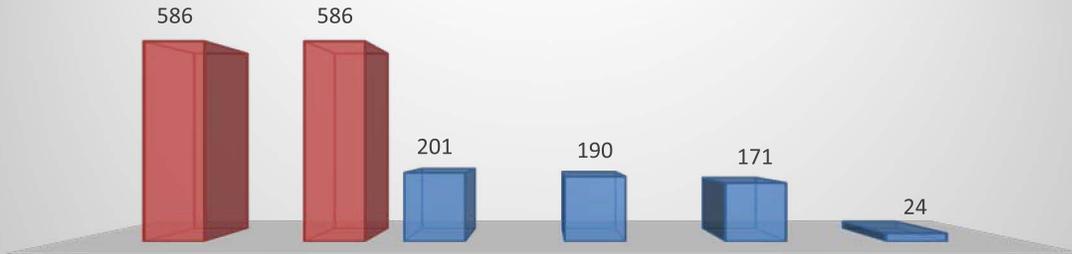
In fiscal year 2016, the Board applied and received renewed grant funds in the amount of \$43,688.00. These funds allowed the Board to further customize victim notification correspondence through assistance of the Arizona Department of Corrections IT staff working in ADC's Automated Inmate Information System (AIMS).

Once again, the Board anticipates continued funding in FY2017 and will focus its efforts to expand communications between the Arizona Department of Corrections Victim Services Unit and the Board's victim notification staff.

Victim Notification Activity



**Victim Notifications
ARS §13-4417(A)
FY 2015-2016**



	Victim Letters Sent	Outgoing Calls	Personal Contact Made	Messages Left	Incomplete/No Phone	No-English Spoken
Series1			201	190	171	24
Series2	586	586				

***Incomplete/No Calls were the result of invalid or no contact information provided on PCNR.**

Conclusion

We at the Arizona Board of Executive Clemency are grateful to Governor D. Ducey and his staff's support during this past fiscal year. The Board is committed to accomplishing its mission and goals directed by sound fiscal and managerial responsibility. Over the past fiscal year, the Board has focused on the recommendations that were set-forth in the recent Auditor General Sunset Review Report. The areas highlighted in this annual report has demonstrated a commitment to continued improvement. We look forward to the upcoming fiscal year driven by the goal to make Arizona one of the recognized leaders in this field.

