

Douglas A. Ducey
GOVERNOR



C.T. Wright
CHAIRMAN

ARIZONA
BOARD OF EXECUTIVE CLEMENCY

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BUSINESS MEETING MINUTES FOR May 15, 2017
Unapproved

Board Members Present

Dr. C. T. Wright, Chairman
Louis Quinonez
Michael Johnson

Board Members Absent

I. CALL TO ORDER

Chairman Wright called the meeting to order at 8:30 a.m.

II. APPROVAL OF JANUARY 31, 2017 BUSINESS MEETING MINUTES

Dr. C.T. Wright moved to approve minutes, Mr. Johnson seconded, Mr. Quinonez agreed. Motion carried. Mr. Johnson noted that he and Mr. Quinonez were not in attendance at the January 31, 2017 Business Meeting.

III. FINANCIAL REPORT

Ellen Kirschbaum, Executive Director presented the agency financial report.

Ms. Kirschbaum advised that the Governor had approved the FY18 budget and the Board was again allocated \$952,600 for the next fiscal year. Projections for FY18 included in Board Members paperwork.

The \$898,000 in operating expenditures includes the \$82,000 paid in rent and \$30,000 paid to ADOA for shared services related to procurement, personnel, budget and computer support services. Ms. Kirschbaum advised that the Board plans to revert 5% of the FY17 budget per Governor Ducey's request.

Referencing the FY17 Cash Flow report Ms. Kirschbaum advised that of the \$500,000 allocated for the first 6 months of FY17, 84% have been expended. To date in the second 6 months of the FY17 budget we have expended 50% of the remaining \$457,248 in the months from January through April 2017. We currently have \$153,150 remaining in the FY17 budget. Total expenditures to date is \$645,641, which accounts for 70% of the budget allocation. The largest percentage of our budget allocation for personnel services

amounts to \$330,000 and employee related expenses (ERE) amount to \$112,586. Total appropriated and expended was \$605,140. Review of this year's budget indicated that the amount allocated for personnel services and ERE were under estimated for the remainder of the fiscal year. This has been adjusted and will be reported on future budget reports. The Board had significant vacancy savings in FY17 resulting from resignations at the commutation desk, the front desk and the Executive Director's position. The vacancy at the Victim Notification desk is currently filled by Ms. Michele Clifton on a part-time basis and does not affect our budget because it is a federal grant position.

The ASET Project billing approved in January 2017 projected at \$11,500. However the first report we received was billed at \$5,000. In consultation with the Chairman, the decision was made not to move forward with the rest of the management review. The first priority is the Boardroom and determining what technology is needed right now. We are going to table the file management project for now.

The Board will be purchasing ergonomic chairs for Board members and some staff. The old Boardroom chairs will be replaced as well with the sample chair at the back of the room. The new chairs are vinyl and easy to clean. Consideration was given to wood benches, but there was concern about marring of the wood.

Mr. Johnson noted that salaries of Board members were not as indicated by the Governor's office. Dr. Wright so noted his comment. Ms. Kirschbaum advised that for the budget for FY19, a decision package would include a request for a pay increase to Board members.

IV. BOARD POLICIES

A. Commutation of Sentence Policy-300.14

Provision 1: Phase I hearings will continue to be open to the public due to the open meeting law. The revision proposes that there would be no call to the public. Any submitted and necessary documentation would be provided to the Board for their perusal. This will ensure a fair and balanced hearing for all applicants.

Provision 2: Excludes inmates who are serving three (3) years or less from the Commutation process. Commutation is intended to address inmates who were serving longer sentences.

Provision 3: Proposes to consider consecutive sentences within the same case number, **not just the current term** for commutation. It is proposed that the consecutive sentences must add up to 50 years or more in total to be considered for commutation.

Mr. Johnson inquired if the Board had any means to translate letters submitted in Spanish. Mr. Johnson was advised that the Board does not do translate letters.

Dr. Wright made the motion to approve the policy with revisions. Mr. Quinonez seconded and Mr. Johnson agreed. The motion carried.

B. Employee/Member Work Schedule-Policy 206:

This is a new policy in the 200 series, which addresses Administrative issues. Policy sets the Board Members hours at 10 hours per day from Monday through Thursday. Staff will to be available Monday through Friday.

Mr. Johnson made a motion to hold the decision in abeyance until the next meeting. Dr. Wright seconded and Mr. Quinonez agreed. Motion carried.

C. Safety and Security-Policy 407:

Policy establishes guidance regarding the safety and security of the Board and staff. It outlines procedures and guidelines for both the Board and staff. There are post orders in place for contracted security and policy outlines procedures for incident actions and evacuation. Ms. Kirschbaum advised that moveable panic buttons were being installed for each board member.

Mr. Johnson made the motion to approve the policy as written. Dr. Wright seconded and Mr. Quinonez agreed. The motion carried.

V. BOARD NEWS

Ms. Kirschbaum advised that we are undergoing a website review and changes to policies will be available to the public on our website.

Sunset Audit:

Ms. Kirschbaum advised that the initial sunset audit continued the Board for two years. Recently the judicial committee and Governor has extended the term to 8 years. The auditor general has postponed their review until October on recommendations made in 2015, such as our participation in the Structured Decision Making (SDM) through the National Institute of Corrections (NIC). We are on track and the NIC approved working with us in the process. Due to changes in the chairman's position and the turn over with the board, reapplication had to be made for acceptance. The NIC is requiring that the new members complete the NIC orientation training first.

Mr. Johnson would like to review the audit report made in 2015. Ms. Kirschbaum stated that she would supply the audit report to all members. Mr. Johnson acknowledged that he and Mr. Quinonez would be attending the NIC training at the end of the month.

VI. MEMBER ISSUES:

Dr. Wright complimented the Board in that he feels that the Board has been successful in their endeavors to make this board the best in the nation. New Board members have made a difference. A new Board member has been appointed who replaces Brian Livingston on the Board and they should have five members by this summer. Dr. Wright acknowledged his appreciation for the contribution and commitment Ms. Lines during her tenure on the Board. NIC training commences next week for new board members and he is confident that they will be a positive representation for the Board. He requests that they provide feedback regarding SDM upon their return.

Dr. Wright complimented the Executive Director and staff for the work that they do, emphasizing on how hard their job would be without the staff support. Staff is doing a timely and outstanding job in preparing the board for hearings. He emphasized that we are a team, there is no "I" in team, with no divisions. He congratulated our legal counsel, Ms. Gibson, in her ongoing efforts to advise the board and deal with any legal issues. He acknowledged the assistance of the DOC parole division. The Board has been through difficulties, which should be viewed as opportunities to educate the public and make this Board great. Teamwork and professionalism are paramount to our success.

Mr. Johnson and Mr. Quinonez agreed with Dr. Wright's comments. Both members stated it has been a smooth transition, an excellent work atmosphere and they are honored to serve in a meaningful position and have much to learn.

VII. CALL TO THE PUBIC

There was a call to the public and comments provided by Ms. Donna Hamm of Middle Ground Prison Reform regarding the revised Commutation of Sentence policy were noted. Ms. Kirschbaum addressed questions and observations from Ms. Hamm regarding the new Commutation of Sentence policy. Ms. Kirschbaum advised that any necessary revisions would be made to the proposed policy. Ms. Hamm commended the Board for their professionalism and dedication to the tasks before them. There were no other comments from the public.

VIII. ADJOURNMENT

Mr. Quinonez motioned to adjourn the meeting and Mr. Johnson seconded the motion. Dr. Wright agreed. The motion carried. Chairman C.T. Wright adjourned the meeting at 10:03 a.m.

Dr. C.T. Wright, Chairman

Ellen Kirschbaum, Executive Director

Dated this 18th day of May, 2017

EK/dk