

REFERENCE TITLE: criminal justice data collection; system

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2195

Introduced by
Representatives Nguyen: Bliss

AN ACT

AMENDING SECTION 41-2408, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 21, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-2414; APPROPRIATING MONIES; RELATING TO THE ARIZONA CRIMINAL JUSTICE COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 41-2408, Arizona Revised Statutes, is amended to
3 read:

4 41-2408. Criminal justice data collection; reporting
5 requirements; definition

6 A. The Arizona criminal justice commission is designated as the
7 central collection point for criminal justice data collection.

8 B. Unless prohibited by federal or state law, the Arizona criminal
9 justice commission may require any state or local criminal justice agency
10 to submit any necessary information that is currently collected and
11 readily reportable **ELECTRONICALLY** by the agency at the time of the
12 request, including **ALL OF THE FOLLOWING**:

13 1. An agency's compliance with statutorily required reports or
14 mandated federal or state reporting. ~~, or~~

15 2. Any other information that is deemed necessary by a vote of the
16 full commission.

17 C. This section does not authorize the Arizona criminal justice
18 commission to require state or local criminal justice agencies to collect
19 or maintain any new data that is not required under subsection B of this
20 section.

21 D. For the purposes of this section, "criminal justice agency" has
22 the same meaning prescribed in section 41-1750.

23 Sec. 2. Title 41, chapter 21, article 1, Arizona Revised Statutes,
24 is amended by adding section 41-2414, to read:

25 41-2414. State, county and municipal open data system;
26 reporting requirements; definitions

27 A. THE ARIZONA CRIMINAL JUSTICE COMMISSION SHALL IMPLEMENT THE
28 STATE, COUNTY AND MUNICIPAL OPEN DATA SYSTEM. THE DATA SYSTEM SHALL BE
29 PUBLISHED ON THE COMMISSION'S WEBSITE IN A MODERN, OPEN, ELECTRONIC FORMAT
30 THAT IS READILY ACCESSIBLE TO THE PUBLIC. BEGINNING ON JANUARY 1, 2024,
31 AND UNLESS PROHIBITED BY ANY OTHER LAW, THE CRIMINAL JUSTICE AGENCIES IN
32 THIS STATE SHALL SUBMIT DATA INTO THE SYSTEM AS PRESCRIBED BY THIS
33 SECTION.

34 B. LAW ENFORCEMENT AGENCIES SHALL REPORT:

35 1. FOR AN ALLEGED OFFENDER:

36 (a) A UNIQUE IDENTIFIER.

37 (b) THE INDIVIDUAL'S FULL NAME.

38 (c) THE INDIVIDUAL'S ADDRESS.

39 (d) THE UNIQUE AGENCY EVENT IDENTIFIER.

40 (e) THE INDIVIDUAL'S DATE OF BIRTH AND BIRTHPLACE.

41 (f) IF DECEASED, THE DATE THE INDIVIDUAL WAS DECLARED DECEASED.

42 (g) THE INDIVIDUAL'S ETHNICITY.

- 1 (h) THE INDIVIDUAL'S PHYSICAL GENDER AND SEX.
2 (i) ANY ALIAS THE INDIVIDUAL MAY HAVE HAD.
3 (j) THE COUNTRY WHERE THE INDIVIDUAL LIVES OR LIVED, IF DECEASED.
4 (k) THE NAME OF THE TRIBAL NATION IN WHICH THE INDIVIDUAL IS A
5 MEMBER, IF APPLICABLE.
6 (l) IF THE INDIVIDUAL IS CURRENTLY SERVING OR HAS SERVED IN THE
7 ARMED FORCES.
8 (m) ANY LANGUAGES THE INDIVIDUAL SPEAKS AND THE INDIVIDUAL'S
9 PROFICIENCY LEVEL.
10 (n) THE INDIVIDUAL'S GENDER IDENTITY.
11 2. FOR A VICTIM:
12 (a) THE INDIVIDUAL'S DATE OF BIRTH AND BIRTHPLACE.
13 (b) IF DECEASED, THE DATE THE INDIVIDUAL WAS DECLARED DECEASED.
14 (c) THE INDIVIDUAL'S ETHNICITY.
15 (d) THE INDIVIDUAL'S PHYSICAL GENDER AND SEX.
16 (e) THE COUNTRY OF WHICH THE INDIVIDUAL IS A CITIZEN.
17 (f) THE COUNTRY WHERE THE INDIVIDUAL LIVES OR LIVED, IF DECEASED.
18 (g) THE NAME OF THE TRIBAL NATION IN WHICH THE INDIVIDUAL IS A
19 MEMBER, IF APPLICABLE.
20 (h) IF THE INDIVIDUAL IS CURRENTLY SERVING OR HAS SERVED IN THE
21 ARMED FORCES.
22 (i) THE INDIVIDUAL'S DISABILITIES, IF ANY.
23 (j) ANY LANGUAGES THE INDIVIDUAL SPEAKS AND THE INDIVIDUAL'S
24 PROFICIENCY LEVEL.
25 (k) THE INDIVIDUAL'S GENDER IDENTITY.
26 (l) THE UNIQUE AGENCY EVENT IDENTIFIER.
27 3. FOR AN AGENCY OR SERVICE PROVIDER:
28 (a) THE UNIQUE AGENCY IDENTIFIER.
29 (b) THE NAME OF THE AGENCY.
30 (c) THE ADDRESS OF THE AGENCY.
31 (d) THE NAME OF THE FACILITY OR ORGANIZATION.
32 (e) THE ADDRESS AND USAGE FOR THE FACILITY OR ORGANIZATION.
33 4. FOR EVENTS:
34 (a) THE DATE THE EVENT STARTED AND ENDED.
35 (b) THE STATUS OF THE EVENT.
36 (c) THE PHYSICAL LOCATION WHERE THE EVENT TOOK PLACE.
37 (d) THE UNIQUE AGENCY IDENTIFIER.
38 (e) THE UNIQUE AGENCY EVENT IDENTIFIER ASSOCIATED WITH THE EVENT.
39 (f) IF THE EVENT RESTRICTED THE INDIVIDUAL FROM PURCHASING FIREARMS
40 IN THE FUTURE.
41 (g) IF AN INTERPRETER WAS REQUIRED.
42 (h) IF APPLICABLE, THE UNIQUE IDENTIFIER FOR THE PROVIDER
43 ASSOCIATED WITH THE EVENT.
44 (i) THE OFFICIAL NAME OF THE PROVIDER FACILITY ASSIGNED BY THE
45 PROVIDER.

1 (j) THE EVIDENCE OR PROPERTY ITEM UNIQUE IDENTIFIER, SEQUENCE
2 NUMBER AND DESCRIPTION, INCLUDING THE QUANTITY OF THE EVENT PROPERTY
3 COLLECTED AT THE SCENE.

4 (k) THE RECORD NUMBER OF THE EVIDENCE OR PROPERTY ITEM FOR CRIME
5 LABORATORY ANALYSIS.

6 (l) THE DATE THE CRIME LABORATORY ANALYSIS OF THE EVIDENCE OR
7 PROPERTY ITEM WAS REQUESTED, AND THE DATE THE CRIME LABORATORY ANALYSIS
8 WAS COMPLETED.

9 5. FOR RESULTS:

10 (a) THE UNIQUE AGENCY EVENT IDENTIFIER ASSOCIATED WITH THE CHARGE
11 OR ALLEGATION.

12 (b) THE SPECIFIC CHARGE OR ALLEGATION.

13 (c) THE BOOKING AGENCY REPORTING THE CHARGE OR ALLEGATION.

14 (d) THE DATE THE CHARGE OR ALLEGATION WAS REPORTED.

15 (e) THE STATUS OF THE CHARGE OR ALLEGATION.

16 (f) THE DATE THE CRIME LABORATORY ANALYSIS WAS CONDUCTED.

17 (g) THE RESULT OR FINDING OF THE CRIME LABORATORY ANALYSIS.

18 (h) THE RELEASE DATE FROM THE JAIL OR DETENTION CENTER.

19 (i) GANG MEMBER STATUS, IF APPLICABLE.

20 C. PROSECUTING AGENCIES SHALL REPORT:

21 1. FOR A DEFENDANT:

22 (a) THE INDIVIDUAL'S FULL NAME.

23 (b) THE INDIVIDUAL'S ADDRESS.

24 (c) THE INDIVIDUAL'S DATE OF BIRTH AND BIRTHPLACE.

25 (d) IF DECEASED, THE DATE THE INDIVIDUAL WAS DECLARED DECEASED.

26 (e) THE INDIVIDUAL'S ETHNICITY.

27 (f) THE INDIVIDUAL'S PHYSICAL GENDER AND SEX.

28 (g) ANY ALIAS THE INDIVIDUAL MAY HAVE HAD.

29 (h) THE COUNTRY WHERE THE INDIVIDUAL LIVES OR LIVED, IF DECEASED.

30 (i) THE NAME OF THE TRIBAL NATION IN WHICH THE INDIVIDUAL IS A
31 MEMBER, IF APPLICABLE.

32 (j) IF THE INDIVIDUAL IS CURRENTLY SERVING OR HAS SERVED IN THE
33 ARMED FORCES.

34 (k) THE INDIVIDUAL'S DISABILITIES, IF ANY.

35 (l) ANY LANGUAGES THE INDIVIDUAL SPEAKS AND THE INDIVIDUAL'S
36 PROFICIENCY LEVEL.

37 (m) THE INDIVIDUAL'S GENDER IDENTITY.

38 2. FOR A VICTIM:

39 (a) THE INDIVIDUAL'S DATE OF BIRTH AND BIRTHPLACE.

40 (b) THE UNIQUE LAW ENFORCEMENT EVENT IDENTIFIER.

41 (c) IF DECEASED, THE DATE THE INDIVIDUAL WAS DECLARED DECEASED.

42 (d) THE INDIVIDUAL'S ETHNICITY.

43 (e) THE INDIVIDUAL'S PHYSICAL GENDER AND SEX.

44 (f) THE COUNTRY OF WHICH THE INDIVIDUAL IS CITIZEN.

45 (g) THE COUNTRY WHERE THE INDIVIDUAL LIVES OR LIVED, IF DECEASED.

- 1 (h) THE NAME OF THE TRIBAL NATION IN WHICH THE INDIVIDUAL IS A
2 MEMBER, IF APPLICABLE.
3 (i) IF THE INDIVIDUAL IS CURRENTLY SERVING OR HAS SERVED IN THE
4 ARMED FORCES.
5 (j) THE INDIVIDUAL'S DISABILITIES, IF ANY.
6 (k) ANY LANGUAGES THE INDIVIDUAL SPEAKS AND THE INDIVIDUAL'S
7 PROFICIENCY LEVEL.
8 (l) THE INDIVIDUAL'S GENDER IDENTITY.
9 3. FOR AN AGENCY:
10 (a) THE UNIQUE AGENCY IDENTIFIER.
11 (b) THE NAME OF THE AGENCY.
12 (c) THE ADDRESS OF THE AGENCY.
13 4. FOR EVENTS:
14 (a) THE UNIQUE LAW ENFORCEMENT EVENT IDENTIFIER ASSOCIATED WITH THE
15 DEFENDANT.
16 (b) THE UNIQUE AGENCY IDENTIFIER.
17 (c) THE UNIQUE AGENCY EVENT IDENTIFIER ASSOCIATED WITH THE COURT
18 PROCEEDING.
19 (d) THE TYPE AND DATE OF THE MOTION OR FILING FILED WITH THE COURT.
20 (e) THE CHARGES FILED AND ANY AMENDMENTS TO THE CHARGES AT
21 DISPOSITION.
22 5. FOR RESULTS:
23 (a) THE UNIQUE LAW ENFORCEMENT EVENT IDENTIFIER ASSOCIATED WITH THE
24 DEFENDANT.
25 (b) THE COMPENSATION AWARDED TO THE VICTIMS OF THE EVENT.
26 (c) THE DATES THE CHARGES WERE FILED BY THE PROSECUTION.
27 D. COURTS SHALL REPORT:
28 1. FOR A DEFENDANT:
29 (a) THE INDIVIDUAL'S FULL NAME.
30 (b) THE INDIVIDUAL'S ADDRESS.
31 (c) THE INDIVIDUAL'S DATE OF BIRTH AND BIRTHPLACE.
32 (d) THE COURT PROCEEDING UNIQUE IDENTIFIER.
33 (e) IF DECEASED, THE DATE THE INDIVIDUAL WAS DECLARED DECEASED.
34 (f) THE INDIVIDUAL'S ETHNICITY.
35 (g) THE INDIVIDUAL'S PHYSICAL GENDER AND SEX.
36 (h) ANY ALIAS THE INDIVIDUAL MAY HAVE HAD.
37 (i) THE COUNTRY WHERE THE INDIVIDUAL LIVES OR LIVED, IF DECEASED.
38 2. FOR AN AGENCY:
39 (a) THE UNIQUE AGENCY IDENTIFIER.
40 (b) THE NAME OF THE AGENCY.
41 (c) THE ADDRESS OF THE AGENCY.
42 3. FOR EVENTS:
43 (a) THE UNIQUE LAW ENFORCEMENT EVENT IDENTIFIER ASSOCIATED WITH THE
44 COURT PROCEEDING.
45 (b) THE UNIQUE AGENCY IDENTIFIER.

- 1 (c) THE JUDGE OR MAGISTRATE WHO PRESIDED OVER THE PROCEEDING.
2 (d) THE DATE THE COURT PROCEEDING BEGAN.
3 (e) THE COUNTY WHERE THE COURT PROCEEDINGS TOOK PLACE.
4 (f) THE TYPE OF CRIMINAL COURT CASE AND COURT PROCEEDING.
5 (g) THE TYPE AND DATE OF THE MOTION OR FILING FILED WITH THE COURT.
6 (h) THE TYPE AND DATE OF THE HEARING OR EVENT IN THE COURT.
7 (i) THE CHARGES FILED AND ANY AMENDMENTS TO THE CHARGES AT
8 DISPOSITION.
9 (j) IF AN APPEAL WAS FILED.
- 10 4. FOR RESULTS:
11 (a) THE UNIQUE IDENTIFIER ASSOCIATED WITH THE COURT PROCEEDING.
12 (b) THE AGENCY UNIQUE IDENTIFIER.
13 (c) THE PRETRIAL RELEASE DECISION BY THE COURT.
14 (d) THE TYPE OF BOND AND BOND AMOUNT DETERMINED BY THE COURT.
15 (e) THE GRAND JURY INDICTMENT AT THE COURT.
16 (f) THE OUTCOME OF THE COURT PLEADING OR MOTION.
17 (g) THE OUTCOME OF THE COURT HEARING OR EVENT.
18 (h) THE WARRANT ISSUED BY THE COURT.
19 (i) THE DATE THE WARRANT WAS ORDERED.
20 (j) THE REASON FOR THE WARRANT.
21 (k) THE DISPOSITION CATEGORY AND THE DETAIL OF THE COURT CASE.
22 (l) THE DATE OF THE COURT DISPOSITION.
23 (m) THE TYPE OF SENTENCING AND SENTENCING CONDITIONS IMPOSED.
- 24 E. THE STATE DEPARTMENT OF CORRECTIONS SHALL REPORT:
- 25 1. FOR AN INMATE:
26 (a) THE INMATE'S FULL NAME.
27 (b) THE INMATE'S ADDRESS.
28 (c) THE INMATE'S UNIQUE IDENTIFIER.
29 (d) THE INMATE'S DATE OF BIRTH AND BIRTHPLACE.
30 (e) IF DECEASED, THE DATE THE INMATE WAS DECLARED DECEASED.
31 (f) THE INMATE'S ETHNICITY.
32 (g) THE INMATE'S PHYSICAL GENDER AND SEX.
33 (h) ANY ALIAS THE INMATE MAY HAVE HAD.
34 (i) THE COUNTRY WHERE THE INMATE LIVES OR LIVED, IF DECEASED.
35 (j) THE NAME OF THE TRIBAL NATION IN WHICH THE INMATE IS A MEMBER,
36 IF APPLICABLE.
37 (k) IF THE INMATE HAS SERVED IN THE ARMED FORCES.
38 (l) THE INMATE'S DISABILITIES, IF ANY.
39 (m) ANY LANGUAGES THE INMATE SPEAKS AND THE INMATE'S PROFICIENCY
40 LEVEL.
41 (n) THE INMATE'S GENDER IDENTITY.
42 2. FOR AN AGENCY:
43 (a) THE UNIQUE AGENCY IDENTIFIER.
44 (b) THE NAME OF THE AGENCY.
45 (c) THE ADDRESS OF THE AGENCY.

3. FOR A PROVIDER OR FACILITY:
 - (a) A UNIQUE PROVIDER OR FACILITY IDENTIFIER.
 - (b) THE NAME OF THE FACILITY OR ORGANIZATION.
 - (c) THE ADDRESS OF THE FACILITY OR ORGANIZATION.
4. FOR EVENTS OR SERVICES:
 - (a) THE SERVICES PROVIDED.
 - (b) THE SERVICES IDENTIFIED IN THE PRISON OR COMMUNITY CORRECTIONS CASE PLAN.
 - (c) THE UNIQUE AGENCY INMATE IDENTIFIER.
 - (d) THE UNIQUE AGENCY IDENTIFIER.
 - (e) THE UNIQUE PROVIDER OR FACILITY IDENTIFIER.
 - (f) THE UNIQUE IDENTIFIER ASSOCIATED WITH THE COURT PROCEEDING.
 - (g) THE LEVEL OF SECURITY ASSIGNED TO THE INMATE.
 - (h) THE DISCHARGE REQUEST DATE TO THE BOARD OF EXECUTIVE CLEMENCY.
5. FOR RESULTS:
 - (a) THE UNIQUE AGENCY INMATE IDENTIFIER.
 - (b) THE UNIQUE AGENCY IDENTIFIER.
 - (c) THE UNIQUE PROVIDER OR FACILITY IDENTIFIER.
 - (d) THE UNIQUE IDENTIFIER ASSOCIATED WITH THE COURT PROCEEDING.
 - (e) THE NAME AND TYPE OF ASSESSMENT OR ANALYSIS.
 - (f) THE DATE THE ASSESSMENT OR ANALYSIS WAS CONDUCTED.
 - (g) THE RESULTS OR FINDINGS OF THE ASSESSMENT OR ANALYSIS.
 - (h) THE COMMUNITY SUPERVISION VIOLATION TYPE AND OUTCOME.
 - (i) GANG MEMBERSHIP STATUS, IF APPLICABLE.
 - (j) THE CATEGORY AND DATE OF THE DISCIPLINARY VIOLATION.
 - (k) THE TYPE AND LEVEL OF TREATMENTS AND INTERVENTIONS INVOLVING THE INMATE.
 - (l) THE DATES OF THE TREATMENT OR INTERVENTION SESSIONS IN WHICH THE INMATE PARTICIPATED.
 - (m) THE DATE DETERMINED FOR RELEASE OR EARLY RELEASE.
 - (n) THE EMPLOYMENT STATUS OF THE INMATE PLACED ON COMMUNITY SUPERVISION.
 - (o) THE STATUS OF TREATMENTS ASSIGNED TO THE INMATE.
 - (p) THE DATE COMMUNITY SUPERVISION BEGAN AND ENDED.
 - (q) IF APPLICABLE, THE DATE COMMUNITY SUPERVISION WAS TRANSFERRED TO ANOTHER JURISDICTION.
- F. PROBATION SHALL REPORT:
 1. FOR A PROBATIONER:
 - (a) THE PROBATIONER'S FULL NAME.
 - (b) THE PROBATIONER'S ADDRESS.
 - (c) THE PROBATIONER'S UNIQUE IDENTIFIER.
 - (d) THE PROBATIONER'S DATE OF BIRTH AND BIRTHPLACE.
 - (e) IF DECEASED, THE DATE THE PROBATIONER WAS DECLARED DECEASED.
 - (f) THE PROBATIONER'S ETHNICITY.
 - (g) THE PROBATIONER'S PHYSICAL GENDER AND SEX.

(h) ANY ALIAS THE PROBATIONER MAY HAVE HAD.
(i) THE COUNTRY WHERE THE PROBATIONER LIVES OR LIVED, IF DECEASED.

2. FOR AN AGENCY:

- (a) A UNIQUE AGENCY IDENTIFIER.
 - (b) THE NAME OF THE AGENCY.
 - (c) THE ADDRESS OF THE AGENCY.

3. FOR EVENTS:

- (a) THE PROBATIONER'S UNIQUE IDENTIFIER.
 - (b) THE UNIQUE AGENCY IDENTIFIER.

(c) AN INDICATO

- #### **4. FOR RESULTS:**

(a) THE PROBATION

- (a) THE PROBATIONER'S UNIQUE IDENTIFIER.
 - (b) THE UNIQUE AGENCY IDENTIFIER.
 - (c) THE TYPE OF PROBATION VIOLATION AND

G. THE ARIZONA CRIMINAL JUSTICE COMMISSION MAY NOT RELEASE ANY INFORMATION RELATING TO THE TYPE OF PROBATION VICTIM AND THE RESULT.

1. CRIME VICTIMS.
 2. JUDGES.
 3. JUSTICES.
 4. COMMISSIONERS.
 5. PEACE OFFICERS

H. THE ARIZONA CRIMINAL JUSTICE COMMISSION SHALL ESTABLISH POLICIES TO PROTECT CONFIDENTIAL INFORMATION. CRIMINAL JUSTICE DATA MAY NOT BE MADE AVAILABLE BY THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR ANY POLITICAL OR COMMERCIAL PURPOSES.

I. FOR THE PURPOSES OF THIS SECTION:

1. "ALLEGED OFFENDER" MEANS A PERSON WHO IS CHARGED WITH OR ARRESTED FOR A CRIMINAL OFFENSE.

2. "CRIMINAL JUSTICE AGENCY" HAS THE SAME MEANING PRESCRIBED IN SECTION 41-1750.

3. "IDENTIFYING INFORMATION" INCLUDES A PERSON'S NAME, DATE OF BIRTH, SOCIAL SECURITY NUMBER AND OFFICIAL STATE OR GOVERNMENT ISSUED DRIVER LICENSE OR IDENTIFICATION NUMBER.

4. "LOCATING INFORMATION" INCLUDES THE PERSON'S ADDRESS, TELEPHONE NUMBER, EMAIL ADDRESS AND PLACE OF EMPLOYMENT.

5. "PROSECUTING AGENCY" HAS THE SAME MEANING PRESCRIBED IN SECTION
38-1119.

Sec. 3. Appropriations; Arizona criminal justice commission

A. The following amounts in the following fiscal years are appropriated from the state general fund to the Arizona criminal justice commission to implement and maintain the state, county and municipal open data system and to create the necessary reporting mechanisms for criminal justice agencies to report data into the system:

- 1 1. \$4,700,000 in fiscal year 2023-2024.
- 2 2. \$4,800,000 in fiscal year 2024-2025.
- 3 3. \$4,800,000 in fiscal year 2025-2026.

4 B. The appropriations made in subsection A of this section are
5 exempt from the provisions of section 35-190, Arizona Revised Statutes,
6 relating to lapsing of appropriations.