

NAACP AGENDA MATERIAL
Tucson Branch DATE 6/20/23 ITEM NO RA 31
P.O. Box 50894
Tucson, AZ 85703

June 16, 2023

Pima County Board of Supervisors
c/o Clerk of the Board of Supervisors
130 W. Congress St., 5th Floor
Tucson, AZ 85701

*Re: Intergovernmental Agreement for Initial Appearance Judges and
Pretrial Justice Workgroup Recommendations*

Dear Chair Grijalva and Members of the Board of Supervisors:

The NAACP first contacted you in March 2022 to express our concerns about the proposed renewal of a 10-year "Intergovernmental Agreement Between the Arizona Superior Court in Pima County, Pima County, Pima County Consolidated Justice Court, and the City of Tucson for The Provision of Twice-A-Day Initial Appearances" (IGA for IA Judges).

We appeared and spoke at several of your public meetings addressing this issue and have submitted several letters to you, as well, expressing in detail the specifics of our concerns regarding bail and pretrial conditions of release.

We are most appreciative that you have taken each and every one of our concerns seriously and that you did not merely rubber stamp approval of that 10-year IGA, but you instead called upon the Superior Court to work with other criminal justice system agencies and the City of Tucson on a revised IGA, as well as to develop a plan to gather and report data on a monthly basis reflecting the numbers and race and ethnicity of individuals incarcerated in the jail due to inability to pay bail, and to develop a plan for alternatives to incarceration, including but not limited to electronic monitoring.

We are pleased to see that the Superior Court has now submitted to you a proposed new IGA that would have a duration of just one year, to ensure the issues about which we have expressed concern will not be forgotten. We also are pleased that the new IGA provides that Superior Court judges, in addition to City magistrates, will be handling initial appearances over the course of this year on nights, weekends, and holidays. We anticipate that this will afford the Superior Court an opportunity to compare results and to provide more oversight of IA outcomes in the aggregate. (Obviously, as is appropriate, individual judges will retain judicial autonomy with regards to their individual cases.)

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PIMA COUNTY
TUCSON, AZ

Additionally, we are pleased to see in reports from the County Administrator and the Presiding Judge of Superior Court that the Superior Court established a Pretrial Justice Workgroup that has been operating through committees to address three areas of concern:

1. Release Conditions Matrix and Decision Tree;
2. Electronic Monitoring/New Supervision Options; and
3. Data and Reporting

We have read and reviewed Presiding Judge Bergin's Memorandum to you dated June 15, 2023. We are pleased to learn of the progress that has been made in each of the areas of concern delineated in the County Administrator's January 24, 2023 memorandum to you, which tracked our areas of concern.

We hope that the Board will, at the appropriate time, allocate all the funding necessary to implement each and every one of the services outlined in Judge Bergin's Memorandum. We believe the funding estimates are relatively modest and that the return on investment will be significant in terms of enhanced public safety, reduced recidivism, and justice for pretrial defendants.

We have one suggestion regarding data collection. We hope you will ask the Court to add to the five items listed with bullet points at pages 2 and 3 of Judge Bergin's Memorandum a sixth item to provide monthly or quarterly reporting of bail outcomes for individuals: Arrested for one or more VIOLENT felony charges who have been released with the condition they be monitored by Pretrial Services and are re-arrested for new VIOLENT felony charges which occurred during the time they are supervised by Pretrial Services.

Thank you for your ongoing and gracious consideration with regards to these important issues and to the concerns expressed by the NAACP.

Sincerely,

Dr. Cheree Meeks
President

Amelia Craig Cramer
Vice President, Criminal Justice Committee Chair

Sandy Davenport
Bail Reform Subcommittee Chair

Cc: Hon. Jeffrey Bergin, Presiding Judge, Pima County Superior Court
Hon. Danelle Liwski, Associate Presiding Judge, Pima County Superior Court
Ms. Jan Leshner, Pima County Administrator
Hon. Laura Conover, Pima County Attorney
Mr. Dean Brault, Director, Public Defense Services
Sheriff Chris Nanos
Chief Chad Kasmar, Tucson Police Department

Ms. Kate Vesely, Director, Pima County Justice Services
Hon. Tony Riojas, Presiding Tucson City Court Magistrate
Hon. Regina Romero, Mayor, City of Tucson
Mr. Mike Ortega, Tucson City Manager
Mr. Mike Rankin, Tucson City Attorney
Ms. Mary Trejo, Tucson Public Defender