

Board Members

James P. Clark, M.D.,

Chairperson

Chandrika Shankar, M.D.,

Vice-Chairperson

Susan Stevens, Esq.

Paul O'Connell

Michael J. Klemens, Ph.D.



Staff

Jaime L. Shapiro

Executive Director

150 N. 18TH Ave., Suite 410

Phoenix, AZ 85007

602-364-3061

www.azdhs.gov/psrb

Assistant Attorney General

Thomas Raine, Esq.

**State of Arizona
Psychiatric Security
Review Board**

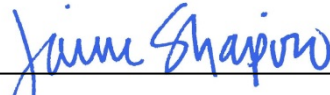
**MEETING NOTICE AND
NOTICE FOR THE PURPOSE OF RATIFYING PAST ACTION
TAKEN IN POTENTIAL VIOLATION OF OPEN MEETING LAW
December 14, 2018 at 1:00 p.m.**

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the Arizona State Psychiatric Security Review Board (Board) and to the general public, that the Board will hold a meeting open to the public on Friday, December 14, 2018, at 1:00 p.m. The meeting will be held in the PSRB Hearing Room, located on the grounds of the Arizona State Hospital at 2500 East Van Buren Street in Phoenix, Arizona.

Pursuant to A.R.S. § 38-431.05, one purpose of the meeting is to ratify an action of the PSRB that may have been taken in violation of Open Meeting Law. This action involved an emergency hearing, pursuant to A.R.S. § 38-431.02(D), added to the November 16, 2018, agenda less than 24 hours prior to the start of the meeting.

One or more members of the Board may participate in the meeting by telephonic communications. The meeting is open to the public. However, during the course of the meeting, the Board, upon a majority vote of a quorum of the members may, when necessary, hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(2),(3) and/or (4) as indicated on the Board agenda. The Executive Session is not open to the public. Information concerning the Board's agenda for the meeting, including a copy of the agenda and any amendments, can be obtained at the Board office, on the Board's website at www.azdhs.gov/psrb, or by calling the Board at 602-364-3061. The agenda is subject to change up to 72 hours prior to the meeting. Agenda items are noted by number and letter for convenience and reference. The Board may address the agenda items in any order within the time frame indicated, and may set over matters to a later time when necessary. The Board reserves the right to change the order of items on the agenda, except for matters set for a specific time. Title 2 of the Americans with Disabilities Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Jaime L. Shapiro, Executive Director at 602-364-3061. Requests should be made as early as possible to allow time to arrange the accommodation.

State of Arizona Psychiatric Security Review Board



Jaime L. Shapiro, Executive Director

Posted at <http://azdhs.gov/psrb>
On December 7, 2018

Board Members

James P. Clark, M.D., Chairperson

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**State of Arizona
Psychiatric Security
Review Board**

Assistant Attorney General

Thomas Raine, Esq.

AGENDA

December 14, 2018 at 1:00 p.m.

PSRB Hearing Room

Arizona State Hospital

2500 East Van Buren Street

Phoenix, AZ 85007

The Psychiatric Security Review Board (PSRB) Chair reserves the right to change the order of items on the Agenda, and may set aside matters to a later time. The PSRB may vote to move into Executive Session for purposes of discussion or consultation for advice with the PSRB's Attorney, or to discuss, review and/or take testimony regarding confidential information pursuant to the Arizona Revised Statutes (A.R.S.) § 38-431.03(A)(2),(3)&(4). At any point of the Agenda, the PSRB may seek legal advice in addition to an anticipated item not so noted. The Agenda is subject to change up to 24 hours prior to the meeting.

I. Call To Order

II. Ratification of Previous Action on November 16, 2018, Pursuant to A.R.S. § 38-431.05

A. Ratification of the emergency hearing, pursuant to A.R.S. § 38-431.02(D), added to the November 16, 2018, agenda less than 24 hours prior to the start of the meeting:

The PSRB added an item the November agenda based on information Board staff received that a law enforcement agency was not able to arrange transport a guilty except insane (GEI) individual in five days allotted. The Board voted to modify its October motion to allow for six days for transport.

III. Statutory Hearings

A. Discussion, consideration, and possible action related to DOLORES RUBY CHAVEZ (01-12) and hearing pursuant to A.R.S. § 13-3994(H).

The outpatient treatment team is recommending a reduction in case management. Rebecca Johnson, Esq., Attorney. Graham County/Community.

B. Discussion, consideration, and possible action related to ZACHARY STUART SUTTON (13-02) and hearing pursuant to A.R.S. § 13-3994(H).

Two-year hearing; there is no recommendation. Kennedy C. Klagge, Esq., Attorney. Yavapai County/Piñon Unit.

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting the PSRB office at 602-364-3061.

- C. Discussion, consideration, and possible action related to **JORGE GARCIA ACEVES (17-01)** and hearing pursuant to A.R.S. § 13-3994(H).
Initial hearing continued from October; there is no recommendation. Raymond Vaca, Esq., Attorney. Yuma County/Sycamore Unit.
- D. Discussion, consideration, and possible action related to **TAMMY LEE BROWN (17-02)** and hearing pursuant to A.R.S. § 13-3994(H).
Initial hearing; there is no recommendation. Raymond Geiser, Esq., Attorney. Gila County/Sago Unit.
- E. Discussion, consideration, and possible action related to **RONALD MICHAEL MOTISKO (14-01)** and hearing pursuant to A.R.S. § 13-3994(H).
ASH is recommending conditional release to ASH, phase one, level two. John W. Blischak, Esq., Attorney. Pima County/Cottonwood Unit.
- F. Discussion, consideration, and possible action related to **BENJAMIN GRIFIIN PIETTE (14-04)** and hearing pursuant to A.R.S. § 13-3994(J).
The PSRB's jurisdiction ends on January 24, 2019; ASH is recommending a court-ordered evaluation for civil commitment. John W. Blischak, Esq., Attorney. Pima County/Piñon Unit.
- G. Discussion, consideration, and possible action related to **CHARLES EDWARD SMITH, JR. (08-05)** and hearing pursuant to A.R.S. § 13-3994(J).
The PSRB's jurisdiction ends January 23, 2019; the outpatient treatment team is recommending expiration with no further action. Tammy Wray, Esq., Attorney. Maricopa County/Community.
- H. Discussion, consideration, and possible action related to **AARON JASON WALLACE (11-07)** and hearing pursuant to A.R.S. § 13-3994(J).
The PSRB's jurisdiction ends February 1, 2019; ASH is recommending a court-ordered evaluation for civil commitment. John W. Blischak, Esq., Attorney. Pima County/Piñon Unit.
- I. Discussion, consideration and possible action related to **ANDREW ROBERT GARCIA (11-01)** and hearing pursuant to A.R.S. § 13-3994(H).
Two-year hearing; there is no recommendation. John W. Blischak, Esq., Attorney. Pima County/Mohave Unit.
- J. Discussion, consideration and possible action related to **TYLER JAY DAVID TALLANT (14-08)** and hearing pursuant to A.R.S. § 13-3994(H).
ASH is recommending an increase in off-grounds work hours. John W. Blischak, Esq., Attorney. Pima County/Community Reintegration Unit.

IV. Discussion, Amendment and Approval of Minutes:

- A. Open session minutes from the November 16, 2018, meeting.
B. Executive session minutes from the November 16, 2018, meeting.

V. Identification of Future Agenda Items

VI. Adjournment