

May 20,2004

Honorable Jake Flake
Speaker, Arizona House of Representatives
1700 West Washington
Phoenix, AZ 85007

Re: House Bill 2129: prisoners; temporary removal; probation length

Dear Speaker Flake,

Today I vetoed House Bill 2129 at the request of three offices of Arizona government and a number of the original supporters of that bill.

I support the original intent of House Bill 2129. Unfortunately, the Attorney General's Office, the Department of Corrections, and the Administrative Office of the Courts have all concluded that House Bill 2129 does not provide for temporary release of inmates whose community supervision has been waived under A.R.S.§ 13-603(K).

Instead, House Bill 2129 would have the unintended consequence of expanding the scope and cost of probation by requiring probation departments to supervise all inmates granted temporary release, regardless of whether they were sentenced to a term of probation.

I am hopeful that next year the Legislature will enact a bill that more accurately reflects the original intent of House Bill 2129.

Yours very truly,
Janet Napolitano
Governor

cc: Hon. Ken Bennett
Hon. Carols Hubbs