

**NOTICE OF PUBLIC MEETING  
OF THE  
ARIZONA CRIMINAL JUSTICE COMMISSION  
AND  
AGENDA**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the **Arizona Criminal Justice Commission** and to the general public that the **Arizona Criminal Justice Commission** will hold a meeting open to the public on **Thursday, July 19, 2012** beginning at **2:00 p.m.** at the **Little America Hotel, 2515 East Butler Avenue, Ballroom C, Flagstaff, AZ 86004.**

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Criminal Justice Commission endeavors to ensure the accessibility of its meetings to all persons with disabilities. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission Office at (602) 364-1146. Requests should be made as early as possible to allow time to arrange the accommodation.

The Commission may go into Executive Session on any of the following agenda items for the purposes of receiving legal advice pursuant to A.R.S. § 38-431.03(A)(3).

Agenda for the meeting is as follows:

- |   |                                 |
|---|---------------------------------|
| <b>I. Call to Order and Roll Call</b>                                     | <b>Chairperson Daniel Sharp</b> |
| <br>  |                                 |
| <b>II. Minutes of the May 24, 2012 Meeting</b>                            |                                 |
| • Approval of Minutes   | <b>P-F-T</b>                    |
| <br>  |                                 |
| <b>III. Executive Director's Report</b>                                   | <b>John A. Blackburn, Jr.</b>   |
| <b>A. Committee Assignments</b>   | <b>Info</b>                     |
| <b>B. Staff Update</b>  | <b>Info</b>                     |
| <b>C. Legislative Update</b>  | <b>Info</b>                     |
| <br>  |                                 |
| <b>IV. ACJC Budget</b>  | <b>Karen Ziegler</b>            |
| <b>A. Budget Update</b>   | <b>Info</b>                     |
| • Review, discussion, consideration and possible action on the following: |                                 |
| <b>B. Critical Issue Budget Request</b>                                   | <b>P-F-T</b>                    |
| <b>C. CJEF Formula Recommendation</b>                                     | <b>P-F-T</b>                    |

- V. Crime Victim Services Program Rules Revision** **Larry Grubbs**
- Review, discussion, consideration and possible action on the following:
    - A. Approval of Crime Victim Compensation Program Rules** **P-F-T**
    - B. Approval of Crime Victim Assistance Program Rules** **P-F-T**

- VI. Prescription Drug Reduction Initiative** **Shana Malone**
- Presentation on the multi-systemic initiative for addressing Rx misuse in Arizona. **Info**

**VII. Call to the Public**

Those wishing to address the Commission need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

**VIII. Date, Time, and Location of Next Meeting**

- The next Commission meeting will be held on **Thursday, September 20, 2012** at **1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

**IX. Adjournment**

A copy of the agenda background material provided to Commission members is available for public inspection at the Arizona Criminal Justice Commission Office, 1110 West Washington, Suite 230, Phoenix, Arizona 85007, (602) 364-1146. This document is available in alternative formats by contacting the Commission Office.



**ARIZONA CRIMINAL JUSTICE COMMISSION**

**Request for Commission Action**

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the May 24, 2012 Meeting

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**TO:** Chairperson and Commission Members

**FROM:** John A. Blackburn, Jr.  
Executive Director

**RECOMMENDATION:**

The Commission approve the minutes of the Arizona Criminal Justice Commission meeting held on May 24, 2012.

**DISCUSSION:**

N/A

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

**Arizona Criminal Justice Commission  
Minutes  
May 24, 2012**

A public meeting of the Arizona Criminal Justice Commission was convened on May 24, 2012 at the 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Daniel G. Sharp, Chairperson, Chief, Oro Valley Police Department  
Bill Montgomery, Vice Chairperson, Maricopa County Attorney  
John Armer, Gila County Sheriff, Claudia Dalmolin representing  
Joseph Arpaio, Maricopa County Sheriff, Ray Churay representing  
David Byers, Director, Administrative Office of the Courts  
Clarence Dupnik, Pima County Sheriff, Warren Alter representing  
Robert Halliday, Director, Department of Public Safety, Dennis Young representing  
Jesse Hernandez, Chairperson, Board of Executive Clemency, Erin Warzecha representing  
Tom Horne, Attorney General, Andrew Pacheco representing  
Robert Huddleston, Chief, Casa Grande Police Department  
Barbara LaWall, Pima County Attorney  
Ralph Ogden, Yuma County Sheriff  
Charles Ryan, Director, Department of Corrections  
David Sanders, Pima County Chief Probation Officer, by conference call  
Linda Scott, Former Judge  
George Silva, Santa Cruz County Attorney, by conference call  
Carl Taylor, Coconino County Supervisor

Staff Participating:

John A. Blackburn, Jr., Executive Director  
George Diaz, Public Information Officer  
Larry Grubbs, Program Manager  
Tony Vidale, Program Manager  
Pat Nelson, Program Manager  
Wendy Boyle, Executive Secretary

**I. Call to Order and Roll Call**

The meeting was called to order by Chairperson Daniel Sharp at 1:35 p.m. Roll was taken and a quorum was declared present.

**II. Minutes of the March 22, 2012 Meeting**

Chairperson Sharp called for a motion on the minutes. Commissioner Carl Taylor entered a motion to approve the minutes of the March 22, 2012 meeting. The motion was seconded by Commissioner Linda Scott and was unanimously approved by the Commission.

**III. Executive Director's Report**

**A. Staff and Program Updates**

Executive Director Blackburn introduced staff member Raul Holguin as the new Program Compliance Auditor II. He also reported on new job promotions and reassignments that included Michelle Neitch as Grant Coordinator in the Crime Victim Service Program; Steve Irvine as Research Analyst II in the Statistical Analysis Center; and Amanda Zibell as the Grant Coordinator in the Criminal Justice Records Improvement Program. The Governor's Office approved the hiring of the Information Technology Manager and the position will be filled on June 18, 2012. The remaining vacancies are the Research Analyst I and Accountant III positions.

Executive Director Blackburn commented on the upcoming Law Enforcement Pow Wow in Flagstaff in July. He also stated that ACJC had undergone an audit for the Drug and Gang Enforcement Account in which there were no findings.

**B. Budget Update**

Executive Director Blackburn noted that there were no fund sweeps during this legislative session. The money in the Indigent Defense Account will go unused this fiscal year because no agency was given an appropriation to spend the funds. The state budget has been improving only slightly; however, ACJC is not seeing much growth in the other accounts; namely, the Drug Enforcement Account (DEA) and Criminal Justice Enhancement Fund (CJEF).

Executive Director Blackburn reported on the federal side, Arizona was not penalized as severely as anticipated for not complying with the Sex Offender Registration and Notification Act (SORNA). The National Criminal Justice Association (NCJA) worked to keep BJA from imposing a penalty on any state not in compliance with SORNA. They were successful in getting the federal government to only impose a 10 percent penalty on funds that the states retained. The state of Arizona passes through nearly seventy percent of Byrne/Jag funding to local jurisdictions and the remaining thirty percent is directed to state agency projects.

### ***C. Legislative Update***

George Diaz, Public Information Officer summarized the 2<sup>nd</sup> regular session of the 50<sup>th</sup> Legislature which adjourned on May 3, 2012 and lasted 116 days. The general effective date for all passed legislation is August 2, 2012. Mr. Diaz discussed how ACJC tracked 227 bills which will be included in the legislative summary which will be available at the July meeting in Flagstaff.

The Executive Director's Report was presented for informational purposes and did not require Commission action.

### **IV. Criminal Justice Enhancement Fund (CJEF) Guidelines**

Executive Director Blackburn recapped how the CJEF guidelines from the other agencies were approved at the January meeting with the exception of the Attorney General's guidelines. The Commission reviewed the revised CJEF guidelines from the Attorney General's Office.

Commissioner Carl Taylor entered a motion to approve the Attorney General's Office guidelines for the Criminal Justice Enhancement Fund. The motion was seconded by Commissioner Barbara LaWall and was unanimously approved by the Commission.

### **V. Crime Victim Compensation Program**

#### ***A. Designation of Operational Units***

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission designate the fifteen County Attorney Offices as operational units for the FY13 Crime Victim Compensation Program.

Commissioner Linda Scott entered a motion to approve the designation of the fifteen County Attorneys' offices as the operational unit for the FY13 Crime Victim Compensation Program. The motion was seconded by Commissioner Barbara LaWall and was unanimously approved by the Commission.

#### ***B. FY13 Crime Victim Compensation Program Budget***

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission set the budget for the FY13 Crime Victim Compensation Program at \$4,100,000, including \$2,700,000 in state compensation funds and \$1,400,000 in federal VOCA compensation funds.

Commissioner Barbara LaWall entered a motion to approve the \$4,100,000 budget for the FY13 Crime Victim Compensation Program as shown on page 16 of the agenda. The motion was seconded by Commissioner Linda Scott and was unanimously approved by the Commission.

#### ***C. FY13 Crime Victim Compensation Program Funding Allocation***

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission approve the allocation of \$4,100,000 in state and federal Crime Victim Compensation funds.

After discussion, Commissioner Barbara LaWall entered a motion to approve the allocation of \$4,100,000 in state Crime Victim Compensation funds as shown on page 18 of the agenda to the operational units for the FY13 Crime Victim Compensation Program. The motion was seconded by Commissioner Carl Taylor and was unanimously approved by the Commission.

### **VI. Crime Victim Assistance Program**

#### ***A. FY13 Crime Victim Assistance Grant Awards to Commission eligible Criminal Justice Government Programs***

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission accept the award of \$ 1,020,000 for FY13 Crime Victim Assistance funds listed on page 21 of the agenda.

Mr. Grubbs reported that 54 applications were submitted requesting a total of \$2,083,979 in Crime Victim Assistance grant funding for FY13. The funding requests shown on page 14 of the agenda included the requested amounts of \$906,033 for commission eligible criminal justice government programs and \$1,177,946 for non-profit and other government programs. Mr. Grubbs outlined the evaluation and allocation process for the grant applications that was based on the crime victim assistance program rules and priorities approved by the Commission. Also, the support of the revised funding priorities for the Victim Assistance Grant Program in November by the Commission was a critical step for this year's application process.

Mr. Grubbs reviewed how all 44 grant programs funded in FY12 had submitted Victim Assistance grant applications, met the minimum score requirement and based on performance history were eligible to receive funding for FY13. Because of the outcome, no significant increases in funding to current programs or funding to a new program were included in the recommendation for FY13. Mr. Grubbs also pointed out that one agency's requested amount was \$100 less than in FY12; therefore, that amount was added to the Southern Arizona Children's Advocacy Center who had the top scoring application.

Mr. Grubbs spoke of one concern that was addressed by the Crime Victims Committee which was of victim rights. He stated staff will review this issue and possibly consider it as an emerging issue for the Victim Assistance Program Funding Priorities.

After discussion, Commissioner Barbara LaWall entered a motion to approve the award for FY13 Crime Victim Assistance funds to government agencies eligible to serve on the Commission as listed on table VS-3 on page 21 of the agenda. The motion was seconded by Designee Erin Warzecha and was unanimously approved by the Commission.

#### ***B. FY13 Crime Victim Assistance Grant Awards to Nonprofit and other Government Programs***

Chairperson Sharp asked the Commission for a motion on Action Item VI-B.

Commissioner Barbara LaWall entered a motion approve the award for FY13 Crime Victim Assistance funds to other government and non-profit agencies as listed on table VS-3 on page 21 of the agenda. The motion was seconded by Commissioner Ralph Ogden was unanimously approved by the Commission.

## VII. Rules Promulgation Process Update

Larry Grubbs, Program Manager reported on the latest information regarding the crime victim services rules promulgation process. At the January 19, 2012 meeting, the Commission approved the opening rulemaking dockets for the Crime Victim Assistance Grant Program and the Crime Victim Compensation Program. On March 30, 2012 the dockets were opened with the Secretary of State, which gave ACJC one year to complete the rules promulgation for the programs.

Mr. Grubbs explained program staff began to collect feedback from stakeholders on recommendations for the rule changes. In February, county compensation program coordinators formed a workgroup and began monthly meetings with ACJC program staff to review and make suggestions on the compensation program rules. Also, the Arizona Coalition for Victim Services (ACVS) started a sub-committee with the same idea in mind to help draft recommendations on the proposed rule changes, which were approved at their meeting on March 21, 2012 and forwarded to ACJC for consideration.

In addition, ACJC program staff conducted regional meetings in Phoenix, Flagstaff and Tucson to seek feedback. Representatives from nine Arizona counties along with agency members of the crime victim service community attended these sessions.

Mr. Grubbs stated that draft language of the proposed rule changes will be made available for review on the ACJC website by early June.

This agenda item was presented for informational purposes and did not require Commission action.

## VIII. Drug, Gang and Violent Crime Control Program Cycle 26 Grant Awards

Tony Vidale, Program Manager presented the recommendation of the Drug, Gang and Violent Crime Committee that the Commission award the FY13 Drug, Gang and Violent Crime Control Cycle 26 grant allocation. Mr. Vidale explained that in FY12, \$11.7M was allocated to grant projects that included \$9.3M in Byrne/JAG funds and \$2.4M in DEA funds with no match contribution from agencies. Originally staff projected a decrease in the FY13 program size by \$3.4M from FY12 due to the decline in revenue from the Byrne/JAG grant and DEA funds; however, it was later determined the reduction was not as large as anticipated. One reason for a more stable fund balance is that the Legislature did not sweep funds from the DEA account; thus, making \$489,000 available for grant projects. Additionally, the Maricopa County Attorney's Office decision to expend unbudgeted program income instead of project grant funds resulted in unexpended federal funds.

Mr. Vidale reviewed the details of staff's proposed program size of \$11,315,922. Contributing to the program budget is \$4,909,038 in federal Byrne/JAG funding, \$4,143,700 in DEA funds and \$2,263,184 in matching funds at a 20 percent match. The match requirement is 5% less than was initially approved; which represents an overall savings of (\$565,796) to agencies and will hopefully ease the burden on programs. An analysis of funding recommendations is found on page 8 of the agenda and in accompanying tables DC 3 on page 12 of the agenda and the supplemental table DC 6 handout. There are three Tier 1 projects areas recommended for funding, they include: (14) apprehension projects in the amount of \$3,852,863; (15) tandem prosecution projects in the amount of \$3,919,604; and (1) statewide forfeiture project in the amount of \$983,862. There are two Tier 2 project areas recommended for funding, they include: (2) forensic support projects in the amount of \$549,284 and (2) drug adjudication projects in the amount of \$2,010,309.

Mr. Vidale reviewed the guidelines used by staff to develop the recommendation: 1) if a project was previously funded the goal was to keep it at the same level; 2) maintain balance funding between Tier 1 apprehension and prosecution projects; 3) fund at least one Tier 1 project in each county; 4) provide funding to Tier 2 projects impacted by apprehension and prosecution activities; 5) prioritize funding core operations positions; 6) fund a position and associated ERE at the current costs provided by the applicant; 7) fund personal services, ERE and overtime as a priority before considering other budget categories; and 8) avoid funding multiple support positions for any project.

After review and discussion, Commissioner Ralph Ogden entered a motion to approve the award of the Arizona Drug, Gang and Violent Crime Control Cycle 26 grant funds to eligible criminal justice agencies for the period beginning July 1, 2012 and ending June 30, 2013 as listed under table DC 6. The motion was seconded by Designee Ray Churay and was unanimously approved by the Commission.

## IX. AZ Records Improvement and Information Sharing Strategy Priority Recommendations

Karl Heckart, Policy Team Chairperson presented the proposal of the Information Technology and Systems Improvement Committee that the Commission support the strategic priorities and tactical recommendations. Goal 1, Objective 1.2 that reads to promote ongoing records improvement collaboration across the flow of the criminal justice system was first reviewed. Mr. Heckart then continued to explain the five highest priorities for FY13. The first is the **Continuation of the Arizona Disposition Reporting System (ADRS) rollout**. The action steps for this project contain the following: 1) AOC/DPS continued rollout, 2) DPS implementation of enhancements, and 3) ongoing review and analysis for system improvements. The second priority is the **Criminal History Records Clean-up and Completion**. The responsibility for this priority consists of: 1) activities currently funded to support the cleanup of missing records by directing the backlogs and rejected dispositions, and 2) discussion by the Policy team to address the areas in FY13.

Mr. Heckart then directed the Commission to Goal 2 of the strategy which is enhancing information sharing across jurisdictional boundaries. The first undertaking for the **Warrant Repository-eWarrants Process** priority contains the development of improved business model and system specifications for warrant issuance, tracking, reporting and repository. The second step is the analysis of FTA warrant process and improvements. The next priority is the **Support of the NICS Task Force Project**. The direction for this project includes: 1) the analysis of seven reporting categories for NICS to develop recommendations for business process improvements; and 2) automations of court orders being submitted to DPS and then to NICS. The last priority is the **NIEM Standards and Education**. The target proceeding is to have the Technical Team develop a plan for Arizona to adopt the NEIM standard and have educational partnerships with federal resources.

Next, Mr. Heckart reviewed the medium priorities for FY13 that included JWI Data Source Sharing; Failure to Appear; eCitations; and Synchronization of Probation. Lastly, the priorities for FY14 were listed on the following levels of preference: 1) Criminal eFiling as high; 2) JWI Operational Consortium and AZLink as medium; 3) AZLink Enhanced Services as low.

After review, Commissioner David Byers entered a motion to approve the strategic priorities and tactical recommendations for the Arizona Records Improvement and Information Sharing Strategy as listed on pages 36-38 of the agenda. The motion was seconded by Designee Erin Warzecha and was unanimously approved by the Commission.

**X. Gerald Hardt Memorial Criminal Justice Records Improvement Program**

Pat Nelson, Program Manager discussed how the Gerald Hardt Memorial Criminal Justice Records Improvement Program supports the implementation of various projects to improve the quality, completeness and accessibility of the state's criminal justice records systems with an emphasis on criminal history information. Ms. Nelson explained last year the funding level was at \$335,000; however, this year the amount is set at \$200,000.

Next, Ms. Nelson presented staff's recommendation to the Commission for the approval of directing the FY13 Byrne/JAG five percent set aside funding in the amount of \$200,000 for the Gerald Hardt Criminal Justice Records Improvement Program to support the implementation of the electronic transfer capability of Arizona mental health case information to the Department of Public Safety and to support the next phase of the eWarrant Statewide Initiative. In addition, staff is also recommending that no match be required for the FY13 CJRIP allocation due to continuing difficult budget conditions.

Commissioner Bill Montgomery entered a motion to approve directing the FY13 Byrne/Jag five percent set aside funding designated for the Gerald Hardt Criminal Justice Records Improvement Program in the amount of \$200,000 to support the implementation for the electronic transfer capability of Arizona mental health case information to the FBI/national Criminal Background Check System (NICS). Commissioner David Byers proposed amending the motion to include the support of the next phase for the eWarrant Statewide Initiative and approve that no match be required for the FY13 CJRIP awards. The motion was seconded by Commissioner Ralph Ogden. The amendment was accepted and unanimously approved by the Commission.

**XI. Full Forensic Crime Laboratory Grant Program**

Pat Nelson, Program Manager presented the Full Service Forensic Crime Laboratory grant allocations in the amount of \$800,000 for FY13. All five laboratories submitted projects for the grant application through the grant management system (GMS). The funding will be utilized for positions of criminalists, equipment, training overtime and other new positions for the labs. Ms. Nelson directed the Commission to the chart on page 42 of the agenda that showed the funding allocation. The formula for the funding was agreed upon in 2007 by the lab directors.

Commissioner Linda Scott entered a motion to approve the Full Service Forensic Crime Laboratory grant allocations for the cycle of July 1, 2012 through June 30, 2013. The motion was seconded by Commissioner Carl Taylor and was unanimously approved by the Commission.

**XII. Call to the Public**

Chairperson Sharp made a call to the public. No members of the audience addressed the Commission.

**XIII. Date, Time, and Location of Next Meeting**

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, July 19, 2012 at 2:00 p.m.** at the Little America Hotel in Flagstaff, AZ.

**XIV. Adjournment**

The meeting was adjourned at 3:00 p.m.

Respectfully submitted,



John A. Blackburn, Jr.  
Executive Director

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 19, 2012	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

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**TO:** Chairperson and Commission Members

**FROM:** John A. Blackburn, Jr.  
Executive Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Executive Director Blackburn will discuss standing committee assignments.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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July 19, 2012	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

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**TO:** Chairperson and Commission Members

**FROM:** John A. Blackburn, Jr.  
Executive Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Executive Director Blackburn will discuss staff updates and programs.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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Action Requested:	Type of Action Requested:	Subject:
July 19, 2012	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

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**TO:** Chairperson and Commission Members

**FROM:** John A. Blackburn, Jr.  
Executive Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

George Diaz will provide an overview and report on the 2012 state legislative session and current federal legislation.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 19, 2012	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Budget Update

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**TO:** Chairperson and Commission Members

**FROM:** Karen Ziegler  
Deputy Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Staff will update the Commission on the close of fiscal year 2012 and the current budget process for FY2014/2015.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Critical Issue Budget Request

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**TO:** Chairperson and Commission Members

**FROM:** Karen Ziegler  
Deputy Director

**RECOMMENDATION:**

The Commission identify critical issues for submission in the FY2014/2015 budget.

**DISCUSSION:**

As part of the state budget process, agencies may request funding to address critical issues that impact the agency. Each budget cycle ACJC submits as its top priority, a General Fund request to fund the Criminal Justice Systems Improvement efforts in the state. The attached page identifies three issues that staff will develop for the budget submittal. Additional issues may be considered by the Commission for submission in the FY2014/2015 budget.

**FISCAL IMPACT:**

Significant – request could result in increased funding to the agency and stakeholders.

**ALTERNATIVES:**

Not Approve - Modify - Table

## **PROPOSED CRITICAL BUDGET ISSUES**

### **ISSUE # 1**

#### Criminal Justice Records Integration

ACJC is requesting multi-year funding allocation of \$8 million for each year from the general fund to allow establishment of an integrated computer information system with accurate, complete and timely criminal records data on individuals and events. The ability for the agency to administer funding toward targeted integration projects will allow Arizona to build the infrastructure needed to support a statewide integrated criminal justice information system. The integrated system will facilitate tracking of a criminal case through its various stages involving all criminal justice agencies and allow private sector agencies to obtain accurate, complete and timely information to make critical hiring decisions.

The Arizona Criminal Justice Commission (ACJC) will focus on the projects directed at establishing a statewide integrated justice system to link information systems used by federal, state, local and tribal criminal justice entities.

### **ISSUE # 2**

#### Fill the Gap – State Aid to County Indigent Defense

In FY 2012, the state legislature redirected the revenue in the State Aid to County Indigent Defense Fund to the Arizona Department of Public Safety. The funds were designated to support border enforcement efforts leaving no funding for indigent defense efforts in FY12. The legislation was limited to one year and funding was to redirect back to the State Aid to Indigent Defense Fund in FY13. However, in the last legislative session, no appropriation was given to ACJC to spend Indigent Defense Funds. The funds will collect during the year without authority to spend them on Indigent Defense projects.

The critical issue budget request will request authority to spend the available funds on Indigent Defense projects starting in the FY2014 budget year. The request will be approximately \$1 million based on the FY12 revenue received and the FY13 estimated revenue.

### **ISSUE # 3**

#### Crime Victim Compensation and Assistance Fund

The Crime Victim Compensation and Assistance Fund has experienced a healthy carry forward balance over the last couple of years. This carry forward balance is a result of unexpected revenue from unclaimed victim restitution and a settlement from the Arizona Attorney General's Office, as well as lower than anticipated expenditures in the Crime Victim Compensation Program.

With the upcoming rule changes to the Victim Compensation Program, it is anticipated that the need for funding will increase to cover the expanded benefits in the proposed rules. A critical issue budget request will be developed based on available revenue in the fund and estimated costs associated with the rule changes.

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	CJEF Formula Recommendation

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**TO:** Chairperson and Commission Members

**FROM:** Karen Ziegler  
Deputy Director

**RECOMMENDATION:**

The Commission approve a recommendation on the Criminal Justice Enhancement Fund formula pursuant to ARS 41-2405.7.

**DISCUSSION:**

ARS 41-2045.7 requires the Commission to "Make recommendations to the legislature and the governor regarding the purposes and formula for allocation of fund monies as provided in section 41-2401, subsection D and section 41-2402 through the biennial agency budget request."

Staff recommends no change to the current CJEF formula and purposes of the fund monies.

**FISCAL IMPACT:**

No Impact

**ALTERNATIVES:**

Not Approve - Modify - Table

**41-2401. Criminal justice enhancement fund**

A. The criminal justice enhancement fund is established consisting of monies collected pursuant to section 12-116.01 and monies available from any other source. The state treasurer shall administer the fund.

B. On or before November 1 of each year, each department, agency or office that receives monies pursuant to this section shall provide to the Arizona criminal justice commission a report for the preceding fiscal year. The report shall be in a form prescribed by the Arizona criminal justice commission. The report shall set forth the sources of all monies and all expenditures. The report shall not include any identifying information about specific investigations.

C. On or before December 1 of each year, the Arizona criminal justice commission shall compile all reports into a single comprehensive report and shall submit a copy of the comprehensive report to the governor, the president of the senate, the speaker of the house of representatives and the director of the joint legislative budget committee.

D. On the first day of each month, the state treasurer shall distribute or deposit:

1. 6.46 per cent in the Arizona automated fingerprint identification system fund established by section 41-2414.

2. 1.61 per cent to the department of juvenile corrections for the treatment and rehabilitation of youth who have committed drug-related offenses.

3. 16.64 per cent in the peace officers' training fund established by section 41-1825.

4. 3.03 per cent in the prosecuting attorneys' advisory council training fund established by section 41-1830.03.

5. 9.35 per cent to the supreme court for the purpose of reducing juvenile crime.

6. 8.56 per cent to the department of public safety. Fifteen per cent of the monies shall be allocated for deposit in the Arizona deoxyribonucleic acid identification system fund established by section 41-2419. Eighty-five per cent of the monies shall be allocated to state and local law enforcement authorities for the following purposes:

(a) To enhance projects that are designed to prevent residential and commercial burglaries, to control street crime, including the activities of criminal street gangs, and to locate missing children.

(b) To provide support to the Arizona automated fingerprint identification system.

(c) Operational costs of the criminal justice information system.

7. 9.35 per cent to the department of law for allocation to county attorneys for the purpose of enhancing prosecutorial efforts.

8. 6.02 per cent to the supreme court for the purpose of enhancing the ability of the courts to process criminal and delinquency cases, orders of protection, injunctions against harassment and any proceeding relating to domestic violence matters, for auditing and investigating persons or entities licensed or certified by the supreme court and for processing judicial discipline cases. Notwithstanding section 12-143, subsection A, the salary of superior court judges pro tempore who are appointed for the purposes provided in this paragraph shall, and the salary of other superior court judges pro tempore who are appointed pursuant to section 12-141 for the purposes provided in this paragraph may, be paid in full by the monies received pursuant to this paragraph.

9. 11.70 per cent to the county sheriffs for the purpose of enhancing county jail facilities and operations, including county jails under the jurisdiction of county jail districts.

10. 1.57 per cent to the Arizona criminal justice commission.

11. 9.00 per cent in the crime laboratory operations fund established by section 41-1772.

12. 2.30 per cent in the crime laboratory assessment fund established by section 41-2415.

13. 7.68 per cent in the victims' rights fund established by section 41-191.08.

14. 4.60 per cent in the victim compensation and assistance fund established by section 41-2407.

15. 2.13 per cent to the supreme court for the purpose of providing drug treatment services to adult probationers through the community punishment program established in title 12, chapter 2, article 11.

E. Monies distributed pursuant to subsection D, paragraphs 3, 4, 7, 9, 11, 12, 13 and 14 of this section constitute a continuing appropriation. Monies distributed pursuant to subsection D, paragraphs 1, 2, 5, 8, 10 and 15 of this section are subject to legislative appropriation.

F. The portion of the eighty-five per cent of the monies for direct operating expenses of the department of public safety in subsection D, paragraph 6 of this section is subject to legislative appropriation. The remainder of the monies in subsection D, paragraph 6 of this section including the portion of the eighty-five per cent for local law enforcement is continuously appropriated.

G. The allocation of monies pursuant to subsection D, paragraphs 6, 7, 8 and 9 of this section shall be made in accordance with rules adopted by the Arizona criminal justice commission pursuant to section 41-2405.

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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Action Requested:	Type of Action Requested:	Subject:
July 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Crime Victim Compensation Program Rules Revision

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**TO:** Chairperson and Commission Members

**FROM:** Larry Grubbs, Program Manager  
Crime Victims Services

#### RECOMMENDATION:

The Commission approve the draft language of the Crime Victim Compensation Program Rules.

#### DISCUSSION:

In January 2012, the Commission approved opening a rulemaking docket for the Crime Victim Compensation Program Rules, A.A.C. R-10-4-101 through R10-4-111. The "Crime Victim Services Rule Revision 2012" document includes an overview of the rule revision process, a summary of proposed program rule changes, and the draft language of the proposed rules for the Crime Victim Compensation Program.

The Crime Victims Committee will meet and make a recommendation to the Commission.

#### FISCAL IMPACT:

Significant – Compensation Program eligibility criteria, award limits and caps may change impacting victims, service providers, and operational units.

#### ALTERNATIVES:

Not Approve - Modify - Table

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Crime Victim Assistance Program Rules Revision

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**TO:** Chairperson and Commission Members

**FROM:** Larry Grubbs, Program Manager  
Crime Victims Services

**RECOMMENDATION:**

The Commission approve the draft language of the Crime Victim Assistance Program Rules.

**DISCUSSION:**

In January 2012, the Commission approved opening a rulemaking docket for the Crime Victim Assistance Program Rules, A.A.C. R-10-4-201 through R10-4-204. The "Crime Victim Services Rule Revision 2012" document includes an overview of the rule revision process, a summary of proposed program rule changes, and the draft language of the proposed rules for the Crime Victim Assistance Program.

The Crime Victims Committee will meet and make a recommendation to the Commission.

**FISCAL IMPACT:**

No fiscal impact

**ALTERNATIVES:**

Not Approve - Modify - Table

## ARIZONA CRIMINAL JUSTICE COMMISSION

## Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
July 19, 2012	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Prescription Drug Reduction Initiative

**TO:** Chairperson and Commission Members

**FROM:** Shana Malone, Senior Research Analyst  
Statistical Analysis Center

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

The Prescription Drug Reduction Initiative was developed to address the growing concern over Rx drug misuse in Arizona and the related consequences. The initiative is endorsed by the Arizona Substance Abuse Partnership (ASAP) and spearheaded by staff of ACJC and the Governor's Office for Children, Youth and Families.

As a first-step, the Governor's Office for Children, Youth and Families and the Arizona Criminal Justice Commission hosted a Rx Drug Expert Panel in February 2012 that involved local experts from law enforcement, the prevention field, and the medical community. Using the strategies proposed by the National Office of Drug Control Policy (ONDCP) as a starting point, the experts and attendees formulated a set of data-and-research-driven strategies to be used in a multi-systemic, multi-agency approach to reduce prescription drug misuse in Arizona. Three counties were chosen as pilot counties to participate in a feasibility study to monitor success and determine the feasibility of implementing the model on a statewide basis.

Staff will provide an overview of the effort and present on current activities of the Prescription Drug Reduction Initiative.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A