

**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, January 19, 2012** beginning at **1:30 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.**

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:

- | | | |
|-------------|--|---|
| I. | Call to Order and Roll Call | Chairperson Ralph Ogden |
| II. | Minutes of the November 10, 2011 Meeting | |
| | <ul style="list-style-type: none">• Approval of Minutes | P-F-T |
| III. | Election of a Chairperson and Vice Chairperson | |
| | <ul style="list-style-type: none">• Review, discussion, consideration and possible action on the election of a Chairperson and Vice Chairperson for the Arizona Criminal Justice Commission. | John A. Blackburn, Jr.
P-F-T |
| IV. | Executive Director's Report | John A. Blackburn, Jr. |
| | A. Staff and Program Updates | Info |
| | B. Budget Update | Info |
| | C. Legislative Update | Info |

- V. Criminal Justice Enhancement Fund (CJEF) Guidelines** **John A. Blackburn, Jr.**
- Review, discussion, consideration and possible action on the Criminal Justice Enhancement Fund guidelines. **P-F-T**
- VI. Crime Victim Assistance Program** **Larry Grubbs**
- Review, discussion, consideration and possible action on the following:
 - A. FY13 Crime Victim Assistance Program Funding Level** **P-F-T**
 - B. Implementation of Crime Victim Assistance Funding Priorities** **Info**
 - C. FY13 Crime Victim Assistance Emerging Issue Funding Priority** **P-F-T**
- VII. FY12 Crime Victim Compensation Fund Reallocation** **Larry Grubbs**
- Review, discussion, consideration and possible action on proposed changes to the FY12 compensation fund allocation. **P-F-T**
- VIII. Crime Victim Assistance and Crime Victim Compensation Rulemaking Dockets** **Larry Grubbs**
- Review, discussion, consideration and possible action on opening rule making dockets for the Crime Victim Assistance and Crime Victim Compensation programs. **P-F-T**
- IX. Arizona Victimization Survey Funding** **Larry Grubbs**
- Review, discussion, consideration and possible action on providing funding to support the Arizona Victimization Survey. **P-F-T**
- X. Funding Priorities for FY 2013 Drug, Gang and Violent Crime Control Grant** **Tony Vidale**
- Review, discussion, consideration and possible action on the funding priorities for the FY13 Drug, Gang and Violent Crime Control Grant. **P-F-T**

XI. 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.

XII. Date, Time, and Location of Next Meeting

- The next Commission meeting will be held on **Thursday, March 22, 2012** at **1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

XIII. 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

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the November 10, 2011 Meeting

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 November 10, 2011.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Arizona Criminal Justice Commission
Minutes
November 10, 2011**

A public meeting of the Arizona Criminal Justice Commission was convened on November 10, 2011 at the 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

Members Present:

Daniel Sharp, Vice Chairperson, Chief, Oro Valley Police Department
Ralph Ogden, Chairperson, Yuma County Sheriff, Pamela Kurtz representing
John Armer, Gila County Sheriff, Claudia DalMolin representing
Joseph Arpaio, Maricopa County Sheriff, Ray Churay representing
Duane Belcher, Chairperson, Board of Executive Clemency
Dave Byers, Director, Administrative Office of the Courts
Clarence Dupnik, Pima County Sheriff, Warren Alter representing
Robert Halliday, Director, Department of Public Safety
Tom Horne, Attorney General, Andrew Pacheco representing
Barbara LaWall, Pima County Attorney
Bill Montgomery, Maricopa County Attorney
Charles Ryan, Director, Department of Corrections
David Sanders, Pima County Chief Probation Officer
Linda Scott, Former Judge
George Silva, Santa Cruz County Attorney, by conference call
Carl Taylor, Coconino County Supervisor, Cathy Allen representing

Members Absent:

Robert Huddleston, Chief, Casa Grande Police Department

Staff Participating:

John A. Blackburn, Jr., Executive Director
Larry Grubbs, Program Manager
Tony Vidale, Program Manager
Phil Stevenson, Director, Statistical Analysis Center
Janice Simpson, Grant Coordinator
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Vice Chairperson Daniel Sharp at 1:35 p.m.

II. Minutes of the July 21, 2011 Meeting

Vice Chairperson Sharp called for a motion on the minutes. Designee Warren Alter entered a motion to approve the minutes of the July 21, 2011 meeting. The motion was seconded by Commissioner Dave Byers and was unanimously approved by the Commission.

III. Open process for Election of a Chairperson and a Vice Chairperson

Executive Director Blackburn stated the current terms of the Chairperson and Vice Chairperson will expire January 2012. According to ACJC policy, the process to nominate members for these positions needs to be announced in open public meeting. Current Vice-Chairperson Daniel Sharp has expressed interest in succeeding to the Chairperson position; he may succeed the position unless a commission member opposes and asks for a waiver of the rules. Executive Director Blackburn asked if there was a motion to waive the rules and there were none. Vice Chairperson Sharp will be voted in as Chairperson at the January 19, 2012 Commission meeting. An explanation of the nominating process for the position of Vice Chairperson was explained as the following: 1) nominations will remain open until January 5, 2012; 2) interested commission members should call or email the Executive Director with the nominations; 3) the names of the nominees would be announced at the Commission meeting on January 19, 2012; and 4) the Vice Chairperson position would be elected by vote.

Vice Chairperson Sharp called for a motion on the nominating process. Commissioner Bill Montgomery entered a motion to approve the nominating process for the position of Vice Chairperson. The motion was seconded by Designee Warren Alter and was unanimously approved by the Commission.

IV. Executive Director's Report

A. Staff and Program Updates

Executive Director Blackburn reported that Mary Marshall, Public Information Officer has taken a position with the Arizona Department of Juvenile Corrections as Chief of Legislation/Media Affairs. ACJC will contract out for assistance during the legislative session. Executive Director Blackburn will continue to address the federal/state issues and Deputy Director Karen Ziegler will take over the media/public affairs as well as technical editing.

Executive Director Blackburn explained that ACJC is looking to fill the Public Information Officer (PIO) position; however, in the meantime ACJC will continue to focus on the agency's core functions to ensure that requirements are being met, reassessing the criminal justice programs, and effectively utilizing the committee meetings.

B. Legislative Update

Executive Director Blackburn gave an overview of the federal and state legislation. On the federal front, he is monitoring the Byrne Justice Assistance Grant funding to insure there is necessary support for the program. The Senate voted out the limited budget and the federal budget is on a continuing resolution. The CJS (Commerce, Justice, Science and Related Agencies) budget was sent out and the Byrne Justice Assistance Grant program was voted out at \$380 million after reductions. On the state front, Arizona was penalized ten percent for non-compliance with the Sex Offender Registration and Notification Act (SORNA) at \$450,000. ACJC has had discussions with the Department of Public Safety (DPS) and the Governor's Office about resubmitting the grant packet for compliance to SORNA, and requesting that penalty monies be directed towards

records improvement or equipment in the state. Executive Director Blackburn stated that severe reduction of federal funding and previous sweeps at the state level are affecting some criminal justice programs that are at risk and cannot sustain further cuts.

C. 2012 Meeting Schedule

Executive Director Blackburn presented the 2012 public meeting schedule and asked the Commission members to review and contact ACJC staff in case there were any conflicts with the meeting dates.

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

V. Victim Assistance Program Funding Priorities

Larry Grubbs, Program Manager provided the current and proposed Victim Assistance Program Funding Priorities to the Commission for review. Mr. Grubbs stated ACJC Program staff began analyzing the priorities in May 2011 and distributed an online survey in September to victim services providers in Arizona. The survey response group included 79 individuals representing law enforcement, prosecution and non-profit agencies. The purpose of the survey was to solicit feedback on the proposed and existing funding priorities for the Crime Victim Assistance Program. Staff analyzed the existing and proposed priorities against the following objectives: 1) clarity of the original intention of the priorities; 2) whether or not the priorities support the mission of the Arizona Criminal Justice Commission; 3) whether or not the priorities address the urgent needs of the victim services community; 4) whether or not the existing priorities justly represent all funding considerations.

After review and discussion, Commissioner Linda Scott entered a motion to accept the recommendation from the Crime Victims Committee for approval of the revised funding priorities for the Victim Assistance Program shown on Table VS2 on page 15 of the agenda. The motion was seconded by Commissioner Barbara LaWall and was unanimously approved by the Commission.

VI. Victim Compensation Program Morrison Institute Study

Larry Grubbs, Program Manager gave an overview of the Victim Compensation Program study that was conducted by the ASU Morrison Institute for Public Policy. The presentation included information on the program summary, hypotheses, and recommendations from the survey. The survey confirmed that, over the past 10 years, statewide the number of claims received and the amount of money paid out by the program has been decreasing. The study compared the Arizona Crime Victim Compensation program to the other states and highlighted the following: Arizona and Colorado having the only decentralized compensation programs; the majority of state compensation programs do not use boards as primary decision makers; and nationally compensation programs are serving increasing number of victims with increasing benefits.

The discussion in the study presented eight hypotheses to explain the decrease in claims and payouts: 1) claims and payouts are down because crime is down; 2) recession has reduced applications and payouts by reducing eligibility; 3) most of the population of Arizona are unaware that the compensation program exists; 4) the growing anti-illegal-immigrant environment has reduced the number of claimants by discouraging victims who are undocumented from seeking compensation; 5) payouts are reduced because of strict interpretations of contributory conduct rules; 6) location of county programs in prosecutors' offices could result in fewer claims submitted because victims may be reluctant to visit such offices; 7) claims and payouts have declined because recession has driven people out of Arizona; and 8) total payouts are reduced because many board members place higher value on preserving rather than spending funds.

Mr. Grubbs explained researchers collected data through surveys and interviews with the County Compensation Coordinators, Compensation Board Members, and Victim Advocates.

Recommendations from the study are presented in two tiers: TIER 1 - 1) increase program awareness and outreach; 2) emphasize law enforcement's role in informing victims; 3) provide more training for board members; 4) professionalize the county compensation boards; and 5) modify the compensation program rules. TIER 2 - 1) alter the appeal process; 2) establish a statewide provider fee schedule; 3) combine small county compensation boards into one regional one; 4) address undocumented immigrants; 5) abolish county boards; and 6) centralize and professionalize the system.

Mr. Grubbs also discussed areas for further research identified by the study, including: 1) how crime victims view the program; 2) how many crime victims do not seek compensation because the crimes are not prosecuted; 3) cost benefits toward moving to a paperless system; and 4) cost effective ways to alter payout caps or eligibility criteria.

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

VII. Arizona Victimization Survey Funding

Larry Grubbs, Program Manager explained the Arizona Statistical Analysis Center (AZSAC) has been awarded a grant from the FFY2011 State Justice Statistics (SJS) grant program to conduct an Arizona Victimization Survey. The grant includes \$70,000 to administer the survey to a sample size in Maricopa and Pima counties as well as a statewide representative sample. This would be the first survey of its kind in Arizona. Arizona has an opportunity to expand the survey to include a representative sample of the remaining thirteen counties as part of the project. The total cost is estimated to be \$250,000. AZSAC, partnering with ACJC Crime Victim Assistance staff is requesting funding of up to \$180,000 from the Crime Victim Compensation and Assistance Fund to support the Arizona Victimization Survey. The requested amount is available due to reversions of unspent compensation and assistance funds allocated for FY 2011.

Phil Stevenson, Director, Arizona Statistical Analysis Center stated that the survey will be modeled after the National Crime Victimization Survey (NCVS). The survey will provide Arizona with estimates of total victimizations in the state, regardless of whether respondents reported their victimization to the police. Further information will be collected on the reasons why they did, or did not, choose to report. The additional funding will expand the sample size to include representative data from all 15 counties. The results will provide good quality estimates for the victim service community, practitioners, and policy makers at the county and state level aiding the improvement of services to crime victims.

Mr. Grubbs mentioned that the survey appeared to offer an opportunity to incorporate questions and receive feedback from victims on the compensation program as this was one of the critical components missing from the results of the Morrison Study. The Department of Public Safety and the Governor's Office have been approached to assist in providing funding for the survey.

After review and discussion, Designee Warren Alter entered a motion to support the recommendation of the Crime Victims Committee to table Action Item VII so staff can provide at a later date the justification for the statewide survey; confirm participation from other funding sources; and demonstrate how the survey will impact the victim compensation program. The motion was seconded by Commissioner Dave Byers and was unanimously approved by the Commission.

VIII. 2012-2015 Drug, Gang & Violent Crime Control (DGVCC) Strategy

Tony Vidale, Program Manager presented the 2012-2015 Arizona Drug, Gang and Violent Crime Control (DGVCC) Strategy. Mr. Vidale reviewed the process that was used to develop the DGVCC strategy. Program staff reviewed strategies developed at the national level and other state strategies. A draft of the strategy was presented at the Commission meeting in July to obtain feedback. During that meeting, staff presented an overview of the problem statement and the following draft goals: 1) to curtail the flow of illicit drugs, drug proceeds, and instruments used to perpetuate violence across Arizona; and 2) to reduce violent crime and illicit drug use, and deter repeat offenders in Arizona. The goals were used

as a starting point to develop the strategic response to the drug, gang, and violent crime problem in the state. In developing the strategy, public hearings were held in October in Tucson, Phoenix, Flagstaff, and Yuma. An informative PowerPoint presentation was shared at each public meeting and comments were accepted from the public. In addition, the presentation was posted on the ACJC website and sent out to all stakeholders with instructions to submit comments by email. One of the most significant aspects of the strategy is the importance of continuing to move in the direction of supporting evidence-based programming.

Mr. Vidale reviewed some of the content in the strategy that consisted of: 1) the nature and extent of the problem; 2) current and coordinated efforts; 3) program analysis of strengths, weaknesses, opportunities and challenges; 4) goals and purpose areas; 5) strategic principles; and 6) program performance monitoring and evaluation. Once the strategy is ratified, funding priorities will be presented to the Commission at the January 2012 meeting.

Designee Ray Churay entered a motion to accept the recommendation of the Drug, Gang and Violent Crime Committee for approval of the 2012-2015 DGVCC Strategy. The motion was seconded by Commissioner Charles Ryan and was unanimously approved by the Commission.

IX. CY2012 Residential Substance Abuse Treatment Program (RSAT)

Tony Vidale, Program Manager presented the proposal by staff to award \$674,903 in federal and local cash and/or in-kind match funds for the 2012 Residential Substance Abuse Treatment (RSAT) grant program.

Mr. Vidale stated the purpose of the RSAT program is to assist governments in developing and implementing substance abuse treatment programs in state and local correctional and detention facilities, and to create and maintain community-based post release services for offenders. The RSAT program is structured into three treatment plans that consist of residential, jail-based and post-release. There are two funding requirements for the RSAT program; ten percent of the federal award must be made available to local correctional or detention facilities, and ten percent can be awarded for post-release treatment services.

Mr. Vidale explained that ACJC was awarded \$606,226 for the FFY 2011 grant of which the agency was allocated ten percent for administrative costs. A total of \$1,027,901 is available to fund the CY12 projects. The funding breakdown contains \$770,926 in federal funds, which includes unexpended FFY2010 funds, and \$256,975 in required twenty-five percent matching funds. The grant solicitation opened on August 29, 2011 and closed on October 7, 2011. Table 3 on page 12 of the agenda showed the requested amount of \$741,280 from six agencies. . The recommendation would fund the Coconino County Sheriff's Office, Arizona Department of Corrections, Maricopa County Sheriff's Office, Arizona Department of Juvenile Corrections, and Chicanos Por La Causa. The Navajo County Sheriff's Office project did not meet the requirements of the grant program.

After review and discussion, Designee Warren Alter entered a motion to accept the recommendation of the Drug, Gang and Violent Crime Committee to award \$674,903 in federal and local cash and/or in-kind match funds for the 2012 RSAT grant program beginning January 1, 2012 and ending December 31, 2012 for the five designated agencies listed on page 26 of the agenda. The motion was seconded by Commissioner Bill Montgomery and was unanimously approved by the Commission.

X. Medicaid Fraud Program Funding Request

Tony Vidale, Program Manager gave an overview of the Medicaid Fraud Program, a program that is meant to address the growing problem of prescription drug crime occurring in the state. This project received funding in 2009 and 2010 with state funds utilized as a match for federal funds through the Attorney General's Office. The Arizona Attorney General's Office is requesting the amount of \$100,816 from the state Drug Enforcement Account (DEA) to fund the Medicaid Fraud Program.

The Commission was referred to pages 28-30 of the agenda that contained a memo from the Attorney General's office that commented on the success of the Medicaid Fraud Leverage grant previously awarded to the Attorney General's Medicaid Fraud Section.

Commissioner Duane Belcher entered a motion to accept the recommendation of the Drug, Gang and Violent Crime Committee on the approval of the request for \$100,816 from the state DEA to fund the Medicaid Fraud Program. The motion was seconded by Designee Ray Churay and was unanimously approved by the Commission.

XI. Enhance Drug & Gang Enforcement (EDGE) Report

Janice Simpson, Grant Coordinator presented the Enhanced Drug & Gang (EDGE) Report. Ms. Simpson explained the report serves two purposes: 1) meets the statutory requirement for ACJC to report on the activities related to illicit drugs and drug related gang activity; and 2) provides a response to a statutory requirement on how funds are distributed and managed, and how the various programs coordinate activities toward the goal of combating drug crime and related criminal activity. The report also offers an avenue for the programs to highlight the results of their efforts.

The EDGE report was summarized by sections. The report includes information on: 1) priority 5 projects which are any project that supports the program that does not fit other purpose areas; 2) the apprehension task force activities; 3) prosecution task force project activities; 4) forensic support for task forces and drug evidence analysis activities; 5) court adjudication project activities managed by the Administrative Office of the Courts (AOC); and 6) Records Improvement under the Gerald Hardt Memorial Criminal Justice Records Improvement Program (CJRI) activities managed under the ACJC Systems Improvement unit.

Ms. Simpson also reviewed implementation changes to the EDGE report. The first featured standard benchmark measures that identify by purpose area an estimate of the agencies progress in FY11. The second modification was the inclusion of an innovative section that highlights agency activities.

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

XII. Legislative Proposals

Executive Director Blackburn presented two legislative proposals from the Pima County Attorney's Office.

The first proposed legislation A.R.S. § 13-4401 amends the definition of criminal offense to read: **"Criminal Offense" means conduct that gives a peace officer or prosecutor probable cause to believe that a felony, misdemeanor, petty offense, or violation of a local ordinance has occurred.** Executive Director Blackburn stated the current definition was declared unconstitutional by case law. Currently, the statute limits the definition to felonies and misdemeanors involving physical injury, the threat thereof or a sexual offense. The proposed language reinstates much of the original language from the first implementation statutes.

Commissioner Bill Montgomery entered a motion to support the first proposal by the Pima County Attorney's Office in concept. The motion was seconded by Commissioner Barbara LaWall and was unanimously approved by the Commission.

The second legislative proposal deals with **"scrap"** metal anomalies and amends A.R.S. § 13-1801 (15) and A.R.S. § 13-1802 (1). The proposal relates the sentencing classification disparities resulting from describing all metal as **"scrap"**. In the current statutes, it devalues the amount of monetary losses suffered by the victims of metal theft, including jewelry. Under the current definition of value, no victim can ever recover the actual replacement value of the metal stolen.

Commissioner Barbara LaWall entered a motion to support the second proposal by the Pima County Attorney's Office in concept. The motion was seconded by Commissioner Bill Montgomery and was unanimously approved by the Commission.

XIII. Call to the Public

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

XIV. Date, Time, and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, January 19, 2012** at **1:30 p.m.** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

XV. Adjournment

The meeting was adjourned at 3:15 p.m.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

Audio recording is available upon request.



ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Election of a Chairperson and Vice Chairperson

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

The Commission elect a Chairperson and Vice Chairperson to fulfill the regular term through January 2014.

DISCUSSION:

The names of the nominees will be announced and recommended to the full Commission. The Commission will then vote to fill the positions.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table



ARIZONA CRIMINAL JUSTICE COMMISSION Policy and Procedure

Subject

**SELECTION OF CHAIRPERSON & VICE
CHAIRPERSON**

Policy Number
CJC-115

Effective Date
01/20/2011

Supersedes: 11/19/09

INTRODUCTION

This policy establishes the procedures for the formal selection of a Chairperson and Vice Chairperson from within the ranks of the appointed and ex-officio members of the Arizona Criminal Justice Commission (as outlined in ARS §41-2404). These procedures allow for smooth transition of leadership and insure orderly succession. This policy may be waived, as deemed appropriate by a vote of the Commission as a standing body.

POLICY AND PROCEDURES

1. Definitions: The following terms used in this policy may also be found in CJC 101 of the Arizona Criminal Justice Commission policy manual and, where appropriate, in ARS §41-2404.
 - A. "Chairman" (Chair or Chairperson) is the person selected by the members of the Commission (as outlined in ARS §41-2404) to provide general oversight and consultation to the Executive Director, assure that the Commission meets as required by mission and statute, chair and conduct Commission regular and special meetings, approve meeting agendas and any and all other functions deemed appropriate by the Commission as a body or outlined in ARS §41-2404.
 - B. "Vice Chairman" (Vice Chairperson) is the person who, in the absence of the Chairperson (or when asked by the Chairperson), exercises the authority of the Chair on behalf of the Commission and its members as outlined in ARS §41-2404.
 - C. "Term of Chairperson and Vice Chairperson" is the term of office in which members selected from within the ranks of the appointed and ex-officio members of the Arizona Criminal Justice Commission hold these two positions. Terms shall run from the first regular meeting of the Commission in a calendar year for a period not to exceed 24 months. The Vice Chair may normally succeed the outgoing Chairperson, unless this policy is waived by vote of the Commission or other circumstances dictate.
 - D. "Nominations for Chair and/or Vice Chair" shall be announced in open, public meeting(s), seconded and voted upon by the entire Commission. Those members interested in being considered for either of these two positions will notify the Executive Director during the period of time deemed necessary by the Commission or announce their interest during the open, public meeting and shall follow the normal selection process.

Procedure:

2. Normal Selection

A. Calls for nominations for Chairperson and Vice Chairperson.

- 1.** During the remaining 90 days of a currently seated Chairperson's term in their position, the Commission shall formally announce the time frame for the formal nomination process during an open, public meeting of the Commission.
- 2.** The Commission may accept nominations at the time of the vote if deemed necessary during an open public meeting. Commission members are reminded that pursuant to the Open meeting Law, they may not communicate in any manner with other commission members regarding the nomination or election process.
- 3.** All names of those members nominated shall be read in the next open, public meeting of the Commission.
- 4.** A vote on the nominees shall be taken at an open, public meeting of the Commission and a new Chair/Vice Chair shall be elected.

Procedure:

3. Special Selection

A. Requests to waive the policy/nominations from the floor.

- 1.** In the event that a seated Chair and/or Vice Chair cannot fulfill the term of these positions or in the event the Commission as a body wishes to waive this policy for a specific election, the following procedures will take place:

- a.** If both the Chairperson and Vice Chairperson are unable to fulfill their positions, the most senior Commissioner shall assume the role of Chair pro tem. The Chair pro tem shall instruct the Executive Director to post on either a special or regularly scheduled Commission meeting agenda a notice for open floor nominations for the Chairperson and Vice Chair. The Chair pro tem shall preside over all duties, as outlined in ARS §41-2404 until replaced by popular vote of the Commission in an open meeting.

- 2.** The Chair, for reason of excused absence, may ask any seated member of the Commission to act as Chair for a meeting (in the event of conflict or absence of the Vice Chair). During these meetings the Acting Chair has the full authority of the Chair or Vice Chair.

B. If a member of the Commission wishes to petition this body to waive this policy for a specific election, he/she shall notify the Chairperson in writing no later than 36 hours before the time and date of the posted meeting.

- 1.** The Chairperson shall instruct the Executive Director to publish and post an amended agenda with an action item for consideration by the Commission as a body, first to waive the process and then to formally accept nominations with a popular vote.

- 2.** As in all Commission business, Robert's Rules of Order shall provide guidance as to procedure.

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

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

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

Information Only

DISCUSSION:

Executive Director Blackburn will discuss staff and program updates.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

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

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

Information Only

DISCUSSION:

Executive Director Blackburn will update the Commission on the Commission budget and the legislative budget hearings.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

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

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

Information Only

DISCUSSION:

Executive Director Blackburn will update the Commission on the 2012 legislative session.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Criminal Justice Enhancement Fund (CJEF) Guidelines

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

The Commission approve the guidelines for the Criminal Justice Enhancement Fund (CJEF) under A.R.S. § 41-2401.

DISCUSSION:

See attached

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

OFFICE OF THE ATTORNEY GENERAL
CRIMINAL JUSTICE ENHANCEMENT FUND (CJEF)
FUND GUIDELINES
October 14, 2011

1. The procedure for handling Fund monies received by the Treasurer's Office until they are allocated:
 - By the 10th of each month, the Treasurer's office deposits monies into the AGO (CJEF) PCA 23620. This is a non-interest bearing account.
 - These deposits are made via wire transfer and represent 9.35% of monies collected pursuant to A.R.S. 12-116.01(H) and A.R.S. 41-2401(D)7.
 - These funds remain in PCA 23620 until that quarter's distribution has been made to the County Attorneys.

2. The procedure used to allocate Fund monies received by the Treasurer's Office:
 - The funds are distributed to the County Attorneys after the last month's quarterly deposit has been received.
 - The quarterly distribution is based on the following formula:
 - All counties are to receive an equal share of the first \$1.5 million in revenue collected. If less than \$1.5 million is received, all monies will be distributed equally among the 15 counties.
 - Monies will be distributed less any Legislative Fund Sweeps. Upon notification of any fund sweep, monies will be reduced from the following quarter distribution.
 - Revenue collected beyond \$1.5 million (less any fund sweep) is distributed based on that county's population as a percentage of the state's total population from the 2010 census.
 - \$6,000 is retained from each quarter's revenue to cover the indirect costs of the Attorney General's Office.

3. The procedure used to ensure that Fund monies are expended as specified in A.R.S. 41-2401(D)7:
 - All distributions are made to elected County Attorneys to be spent for the purpose of enhancing prosecutorial efforts.
 - A letter will be mailed to each County Attorney requesting a spending plan for their funding distributions. If that office changes their plan anytime during the year, a spending plan amendment is required.
 - This spending plan requirement will include a program narrative how these expenditures will enhance prosecutorial efforts.
 - Each County Attorney's Office will be required to submit an expenditure report within 30 days after the end of each quarter.
 - This quarterly report will also require a program narrative. This narrative will provide specific information supporting the expenditures stating how the funds enhanced their prosecutorial efforts. The narratives may include, but are not limited to: types of cases, number of cases, increase of case from prior year. This narrative is to state what the County Attorney has done to enhance their program.

- This quarterly report will provide actual activity from the prior quarter spending.
4. The procedure used to assess the impact of the Fund monies on enhancing criminal justice:
- The Attorney General's Office will monitor these reports quarterly for stated spending purposes.
 - At the end of each fiscal year the AGO will monitor the County Attorney reports to ensure they reflect year to date expenditures showing that the funds were spent in accordance with their initial or amended spending plan.

Case Processing Assistance Fund (CPAF) Guidelines

A. Statutory Authority

The Case Processing Assistance Fund (CPAF) is established pursuant to A.R.S. § 41-2401.D.8 “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....” A.R.S. § 41-2401.D.8 further provides for the payment of the salary of superior court judges pro tempore appointed for the purposes of processing the cases specified.

B. Project Priority

Priority is given to statewide strategic initiatives which address the following:

1. Enhancing the court’s ability to process existing criminal and delinquency caseloads and backlogs through research to identify the causes of backlog, development of systems and programs to reengineer the business processes and caseflow management, provision of judicial officers and other court personnel, implementation of projects to help process cases needing special attention such as the death penalty law clerk assistance project, providing tools to assist judges in processing cases such as online legal support, improving case processing with enhanced automated case management systems, and by providing education and training for judges and court personnel in case management methods and techniques, victim’s rights and domestic violence;
2. Improving the processing of domestic violence cases (e.g., development of rules of procedure specific to these cases, education, and statewide standardized forms);
3. Processing complaints by investigating persons or entities licensed or certified by the supreme court, including fiduciaries; and
4. Processing judicial discipline cases.

C. Fund Administration

1. Monthly, the State Treasurer’s Office deposits fund monies into the Supreme Courts’ fund 2075; PCA 02628, established for CPAF. The financial and program administration of these funds is delegated to the administrative director or designee. The Chief Financial Officer of the Administrative Office of the Courts provides monthly reports of revenue and expenditure, and yearly program budgets to the administrative director and the program division director.

D. Allocation of Funds

1. Case processing assistance funds are available for statewide strategic programs and local initiatives consistent with statute, the Arizona Judiciary’s Strategic Agenda and project priorities.

2. The Arizona Judiciary's Strategic Agenda is developed and approved by the Chief Justice with input of the Arizona Judicial Council. Statewide strategic project budgets are approved by the Chief Financial Officer, Division Director, AOC Director/Deputy Director and the Chief Justice. Budgets are reviewed for demonstrated need, likelihood of success, adherence to the applicable program goals and consistency with the Arizona Judiciary's Strategic Agenda. Statewide strategic initiatives are presented to the Arizona Judicial Council for review prior to final approval by the Chief Justice.
3. When disbursed funds are available, courts may submit applications to the AOC for approval. Applications are evaluated on a competitive basis for the upcoming fiscal year. Applications are reviewed for demonstrated need, likelihood of success, adherence to the applicable program goals and consistency with the Arizona Judiciary's Strategic Agenda.
4. Project summaries and funding recommendations are provided to the Chief Justice for approval. Applicants shall be notified in writing of the funding decision.

E. Program Oversight

Statewide Projects

1. Statewide strategic initiative outcomes are reported to the Arizona Judicial Council and case processing outcomes are reported in the Arizona Master List of State Government Programs.

Local Court Projects

1. Approved court applications receive funding for a period of one year and funds are disbursed in compliance with AOC procedures.
2. The administrative director or designee enters into a written funding agreement with the court for expenditure of the allocated funds upon approval of the application and the availability of funds. Funding agreements are for one fiscal year.
3. The administrative director amends or terminates funding agreement when necessary, if, in his judgment, there is a lack of funds, failure to comply with the applicable statutes, rules, orders, policies or approved plan or other reasonable circumstances.
4. Each participating court maintains and provides to the AOC reports, data and statistics required by AOC procedures, and is required to retain all financial records, applicable program records, and data related to each approved application for at least five years from the close of each funding period.
5. Court participants prepare and submit a final status report to the AOC no later than 45 days following the end of the project on a form provided by the AOC and in compliance with AOC procedures. The final status report is reviewed to determine success of the program.

JAIL ENHANCEMENT FUND GUIDELINES

The following is a summary of the procedures utilized in distributing, accounting, and reporting the Jail Enhancement Fund (JEF) for county jails and county jail operations as required by R10-4-301.

1. Each month the Arizona State Treasurer, using the following formula prescribed by the rules adopted by the Arizona criminal justice commission in conjunction with the Arizona sheriff's association, allocates a set percentage of the Criminal Justice Enhancement Fund (A.R.S. §41-2401 D9) to county Sheriffs for the purpose of enhancing county jail facilities and operations, including county jails under the jurisdiction of county jail districts:
 - a. Fifty percent (50%) of the jail enhancement fund collected for the county sheriffs shall be divided equally among the fifteen (15) counties.
 - b. The remaining fifty percent (50%) shall be apportioned amongst the fifteen (15) counties based on the ratio of each county's number of authorized jail and detention employees.
2. The funds shall be used in the following manner:
 - a. At least twenty-five percent (25%) of the jail enhancement funds are recommended to be used to ensure adequate training and provide training related costs for jail and detention purposes.
 - b. Remaining funds shall be used to enhance county jail facilities and operations, including county jails under the jurisdiction of a county jail district.
 - c. The sheriff has absolute and final authority for the allocation of jail enhancement funds for their intended purpose and these funds cannot be used to supplant or replace budgeted funds or expenses that should otherwise be budgeted by the respective county or jail district.
3. Jail enhancement funds are to be used to enhance jails, jail operations and jail training programs beyond the Sheriff's normally budgeted programs. JEF money is not intended to offset their budget. Joint use of equipment or programs funded by JEF money shall only be authorized if the program or equipment is more than fifty per cent (50%) committed to jail operations.
4. The County Sheriff is the only person in each county authorized to spend jail enhancement funds.
5. All County Jail Enhancement monies shall be deposited with the County Treasurer as required by A.R.S. §11-492. In addition, the Sheriff shall follow county procurement and travel policies, and record financial activity on the County's accounting and reporting system.
6. County Jail Enhancement Fund monies and the administration of County JEF accounts are subject to inspection by the Arizona Sheriffs Association, the Arizona Criminal Justice Commission and audit by the State Auditor General.
7. At the beginning of the fiscal year, the Arizona Sheriffs Association shall update and revise the distribution formula for the purpose of apportioning the monthly fifty per cent (50%) share of the jail enhancement funds. Therefore, annually by July 1, Sheriffs shall declare the total number of jail/detention employees working in the jail, to the State Treasurer's Office for that purpose.

8. Each year no later than November 1, each Sheriff shall submit annual reports to the Arizona Criminal Justice Commission utilizing a format developed pursuant to A.R.S. § 41--2401 B.
9. Monies distributed pursuant to this subsection constitute a continuing appropriation (A.R.S. §41-2401 E) and may be carried over into the next fiscal year.

- Attachment one –Definitions
- Attachment two – Procedures for Clarifying Expenditures

JAIL ENHANCEMENT FUND

Guideline Definitions

Annual Report

Pursuant to A.R.S. §41-240I.B on or before November 1 of each year, the sheriffs shall provide the Arizona Criminal Justice Commission a financial activity report for the preceding fiscal year on all expenditures. The report shall not include any identifying information about specific investigations. The reporting formats are prescribed by the Arizona Criminal Justice Commission and must be utilized for reporting JEF financial activity.

Enhancement

Jail Enhancement Funds (JEF) are to be used to increase or improve the value, quality, desirability or attractiveness of county jail services or operations. The Legislature, in its wisdom, used the term "enhancement" thereby deferring to the expertise of those who run the jails to determine what they need to improve or enhance their jail operations. JEF allocations are intended to enhance jail operations. In order to enhance, JEF funds must not be used to supplant or replace general fund or jail district fund budget monies, but must be viewed as additional to the county Sheriffs general fund budget.

Jail/Detention Employee

The definition of a Jail/Detention Employee will follow the "designated position" definition from the Corrections Officer Retirement Plan for a county. (Title 38, Chapter 5, Article 6). For purposes of the distribution formula, credits are as follows:

- One credit for each County Detention Officer. (Half credit may be given to uniform detention personnel working in the jail without inmate contact or part-time detention officers).
- One credit for each non-uniform employees of the Sheriffs' department whose primary duties require direct contact with inmates. Examples would be nurses, dental assistants, therapists, teachers etc.

Supplanting

The deliberate use of Jail Enhancement Funds to reduce County funds because of the existence of "Jail Enhancement Funds." An example would be: when County funds are appropriated for a stated purpose and Jail Enhancement Funds are then spent for that same purpose, the County replaces its County funds with State funds, thereby reducing the total amount for the stated purpose. However, if goods or services were first obtained by using the Jail Enhancement monies and not through the County budget, then these expenditures are considered to be for the purpose of enhancing Jail Operations and are not considered supplanting,

Training

The Jail Enhancement Guidelines were developed with the philosophy that at least 25% of the JEF collected by the County are recommended be used for the primary purpose of ensuring adequate training and providing training related costs for jail and detention purposes. Training expenditures

could include but are not limited to, Arizona Detention Academy classes, in- service training, and other training that would enhance the job efficiency of detention personnel. The sheriff has final authority to determine what constitutes appropriate training for their employees.

PROCEDURES FOR CLARIFYING EXPENDITURES

A jail enhancement fund committee (JEF committee) shall be established consisting of the president and vice president of the Arizona Sheriffs Association, a staff member from an association of counties, and a representative of the Arizona Criminal Justice Commission and shall:

1. Provide oversight of the establishment and revising of jail enhancement fund guidelines
2. Hear and investigate written complaints involving the improper use of jail enhancement funds

On those occasions when written complaints have been submitted to the JEF committee via the Arizona Sheriff's Association that there may have been expenditures of Jail Enhancement Funds outside of the JEF Guidelines, the following procedure shall be followed:

1. The JEF committee, upon the review of, Annual Reports, or site visits finds an expenditure that appears outside of approved Guidelines, shall ask the Sheriff for an explanation and request a clarification consistent with approved Guidelines. The JEF committee will set forth in writing the questioned expenditure with details that include the date, amount, and type of expenditure and why the committee feels the expenditure is outside approved Guidelines. The Sheriff would then have thirty (30) days to respond in writing to the JEF committee.
2. If the JEF committee does not receive a response from the Sheriff within thirty (30) days, or the committee feels that the expenditure is still questionable, the committee shall send a letter of explanation, including all supporting documentation, to the Arizona Sheriffs Association.
3. The Arizona Sheriff's Association shall take action as deemed appropriate and provide the JEF committee with its findings.
4. The JEF committee may refer the matter to the State Auditor General or Arizona Attorney General if recommended by the Arizona Sheriffs Association or Director of the Arizona Criminal Justice Commission.



ARIZONA DEPARTMENT OF PUBLIC SAFETY

2102 WEST ENCANTO BLVD. P.O. BOX 6638 PHOENIX, ARIZONA 85005-6638 (602) 223-2000

"Courteous Vigilance"

JANICE K. BREWER ROBERT C. HALLIDAY
Governor Director

November 22, 2011

John A. Blackburn Jr.
Executive Director
AZ Criminal Justice Commission
1110 W. Washington Ste#230
Phoenix, AZ 85007

Dear Director Blackburn:

Attached are the guidelines the Department of Public Safety has established to administer the award of CJEF funds distributed under ASRS§41-2401 D.6.a. These guidelines are submitted for Arizona Criminal Justice Commission approval pursuant the authority established under ASRS§41-2405.

The Department of Public Safety has not awarded funding pursuant to this legislation since FY06. We have not done so based on our assessment that insufficient funding was available to justify a process. Over the past several years, this fund has absorbed numerous legislative fund sweeps and annual appropriations in support of sections b. (Support of the Automated Fingerprint Identification System) and c. (Operational Costs of the Criminal Justice Information System) of ASRS§41-2401 D.6.

As we begin FY12, the fund has a balance of approximately \$372,000 and projections indicate we should receive new revenues totaling \$2,954,300. That would result in \$3,326,300 in available funding. In FY12, the fund must support sweeps totaling \$468,200 and legislative appropriations totaling \$2,952,200. This puts total obligations of the fund at \$3,420,400 and would result in a projected shortfall of \$94,100. Needless to say, we do not plan to solicit applications for funding in FY12.

If you have any suggestions regarding our proposed guidelines or need any additional information concerning fund activity, please contact me at 602.223.2480 or via email at cleblanc@azdps.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck LeBlanc".

Chuck LeBlanc
Financial Services Manager

DPS CJEF GRANT APPLICATION GUIDELINES

Introduction

The Criminal Justice Enhancement Fund (CJEF) is established by A.R.S. 41-2401. The Department of Public Safety (DPS) may receive an allocation of CJEF to distribute among state and local law enforcement authorities for the purpose of enhancing projects designed to prevent residential and commercial burglaries, control street crime, including the activities of criminal street gangs, and locate missing children. (A.R.S. 41-2401.D).

All state, county, tribal and local law enforcement agencies, which employ Arizona Peace Officer Standards and Training (POST) board, certified officers are eligible to apply for CJEF funds.

DPS will determine when sufficient funds are available in the fund to warrant an application process.

Project Eligibility

CJEF funds are to be used for projects. *They are not intended to be used for the nonspecific purchase of equipment or overtime. "Upgrades" of equipment utilized in normal operations (such as radio consoles or towers) are not recognized as "enhancements"*.

To be eligible for CJEF funding, a project must be designed to do one, or more, of the following:

- Prevent Residential and/or Commercial Burglaries
- Control Street Crime (including the activities of criminal street gangs)
- Locate Missing Children

Multiple Agency/Task Force Applications:

Multi-agency or task force projects are eligible for CJEF funding. However, one agency must be designated as the lead agency for purposes of applying for the CJEF grant and administering the funds.

Funding Guidelines

Most expenses incurred in support of a project that meets the criteria set forth in A.R.S. 41-2401 are eligible for funding. Examples of items that have been funded in the past include:

- Body bugs, surveillance cameras, video/audio camera equipment, digital cameras
- Night vision equipment
- Portable alarm systems, motion/voice activated alarm systems
- Overtime and ERE (Project Specific)
- Printing costs associated with public education and information
- Supplies in support of neighborhood watch programs and child identification programs
- Laptops, computers, software and printers
- Power point presentation equipment, projectors, screens, TV/DVD equipment
- Patrol bicycles and related equipment
- Radios

Items not eligible for funding include:

- Indirect/administrative costs
- Vehicles
- Salaries/ERE
- Uniforms
- Training

Individual grant awards will not exceed \$50,000.00 per project and this funding cannot be used to supplant other available funding.

Application Cycle:

The application cycle for these grants normally begins in January, with an application deadline in March. Contracts resulting from an award process will begin the following July 1st.

Announcement of an open application process will be made to all eligible law enforcement agencies in the State.

Application Format:

All applications must be submitted in the following format and must be limited to no more than ten (10), double-spaced pages, including attachments.

1. **AGENCY:** *Requesting agency name & address*
2. **AGENCY HEAD:** *Name and title of individual in charge of the requesting agency, i.e., Director, Chief, Sheriff.*
3. **CONTACT NAME:** *Name and telephone number(s) of the individual designated as the Project Manager (an individual who has a working knowledge of the project).*
4. **PROJECT NAME:** *Name given to the project by the requesting agency.*
5. **CJEF PROJECT GOAL:** *Overall goal of this project, i.e., "prevent residential or commercial burglaries"; "control street crime"; or "locate missing children".*
6. **PROBLEM STATEMENT:** *Clearly define a problem to be addressed by the proposed project and how this problem is related to the CJEF goal identified in the application.*
7. **PROPOSED SOLUTION:** *Clearly outline the proposed project and its projected impact on the problem (stated above). Include the following:*
 - *how the project will be conducted,*
 - *how the project will help achieve the CJEF goal,*
 - *how CJEF monies will enhance the project,*
 - *what the requesting agency will contribute to the project (funding, staff, equipment etc).*
8. **OBJECTIVES TO BE ACHIEVED BY THE PROJECT:** *Identify expected results that are specific, measurable, time bound and are directed toward the fulfillment of a goal. Items listed here become the basis for reporting the projects impact on a quarterly basis. Include how the success of the project is to be evaluated.*
9. **BUDGET:** *Clearly outline how the grant funds will be expended. Provide as much detail as possible, i.e., overtime monies should include the number of hours and the rate of pay per hour.*

All applications must be accompanied by a signed letter of support from the **HEAD** of the requesting agency.

Multiple Grant Applications:

Although submission of two or more applications/proposals by one agency for CJEF grants is acceptable, funding of more than one project per agency may not be possible based on the amount of funding available. If an agency submits more than one application in a funding cycle – the cover letter must prioritize the applications, i.e., list the projects in order of significance to the agency.

Proposal Scoring:

The scoring range per section is 0 to 18 points. The sections are:

- **Problem Statement** - Does the application identify the problem adequately and does the problem fall under one or more of the CJEF statutory purposes?
- **Proposed Solution** - Does the application identify an adequate, realistic and attainable solution to the problem?
- **Objectives** - Does the application identify objectives that are specific, measurable and directed toward the fulfillment of the identified CJEF goal.
- **Budget** - Does the application identify planned expenditures and does it include adequate detail, i.e., ranking budget items by need and justification for each item requested?

In addition to the total score given to the proposals, the following factors will be considered in the final ranking of applications:

- The population of the jurisdiction.
- The previous funding levels for the agency.
- The felony violent crime per 1,000 population of the jurisdiction.

Evaluation Process:

- All applications that were submitted timely are reviewed by staff to establish preliminary scores and funding recommendations
- All applications, along with preliminary scores and funding recommendations, are sent to each member of the CJEF Advisory Committee for review
- The CJEF Advisory Committee meets to agree on final scores and funding recommendations
- CJEF Advisory Committee funding recommendations are sent to the DPS Director for final approval

Applicant agencies will be notified 30-45 days after the award process close date.

CJEF Advisory Committee:

The committee is comprised of one Arizona County Sheriff and one Arizona Chief of Police and a DPS Executive Staff member.

Reporting Requirements

All grantees are required to submit quarterly financial and operational status reports throughout the term of their grant. The quarterly report forms are sent to all grantees during the last month of each quarter and are required to be returned within 30 days of the end of each quarter.

QUARTERLY CJEF FINANCIAL & OPERATIONAL REPORTS	
Forms Sent to Grantees	Reports Due at Grants Administration
September 15 th	October 30 th
December 15 th	January 30 th
March 15 th	April 30 th
June 15 th	July 30 th

Budget Amendments:

During the project, budget variances (modifications) may become necessary. These modifications must be consistent with the original intent of the grant project and must be approved in writing by the DPS Grants Administrator.

Grant Extensions:

The grant effective dates may be extended up to 360 days. Requests for extensions must be received **prior** to the end of the grant term. The request must list the causes for project delay and the measures to be implemented to ensure successful completion of the project. All project extensions must be approved in writing by the DPS Grants Administrator.

Project Revenues:

Monies generated by the grant project must be tracked and must be used to enhance the grant project. This revenue includes interest earned on CJEF monies, recovered CJEF currency, CJEF funded case expense reimbursements and proceeds from the liquidation of CJEF funded equipment that occur within the grant term.

Project revenue can be used to increase the budgeted amount for any approved expenditure or a budget variance can be requested to allow for the expenditure of these monies on unfunded items that would be consistent with the original intent of the project.

Ending Balances:

All unexpended monies, including unexpended revenue, i.e, interest earned, must be returned to DPS Grants Administration no later than 30 days after the end of the grant term.

Procurement:

CJEF monies are State of Arizona funds and are subject to the same accounting and expenditure restrictions as other public funds. CJEF monies should not be used to circumvent other city, county, or state regulations regarding the uses of public funds.

Equipment purchased with these funds becomes the property of the grantee at the conclusion of the project.

Audit:

All agencies receiving funds provided through the Criminal Justice Enhancement Fund (CJEF) program will maintain and account for monies in accordance with sound business practices and generally accepted accounting principles. All project files and associated documents may be audited by the Arizona Department of Public Safety with a 24-hour notice.

A representative of DPS may visit grantee agencies to review records for compliance with the terms of the inter-agency contract. If the audit reveals unauthorized expenditures, the grantee agency shall reimburse DPS for the unauthorized expenditures.

All documentation regarding CJEF monies must be made available to an authorized DPS representative upon request.

Additional Information:

Additional information concerning Criminal Justice Enhancement Funds can be obtained by contacting the DPS Grants Administrator at (602) 223-2480.

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	FY13 Crime Victim Assistance Program Funding Level

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve the funding level for the Crime Victim Assistance Program for FY2013 be set at \$1,020,000.

DISCUSSION:

The Crime Victim Assistance Program funding level in FY 2012 was \$1,020,000. Based on revenue projections and contingent on legislative approval, staff proposes to set the program level at \$1,020,000 for FY 2013. Table VS1 on the following page reflects the financial status of the Crime Victim Compensation and Assistance Fund.

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

FISCAL IMPACT:

The program size will determine the amount of funding available for victim assistance projects in FY 2013; making the potential impact significant for recipient agencies.

ALTERNATIVES:

Not Approve - Modify - Table

**ARIZONA CRIMINAL JUSTICE COMMISSION
CRIME VICTIM COMPENSATION AND ASSISTANCE FUND**

	ASSISTANCE PROGRAM		COMPENSATION PROGRAM	FUND TOTAL
FY12 BEGINNING BALANCE	\$ 314,696		FY12 BEGINNING BALANCE	\$ 2,566,820
FY12 PROJECTED REVENUE			FY12 PROJECTED REVENUE	
Community Supervision Fees	\$ 805,000		CJEF	\$ 1,972,000
			DOC Inmate Work Fees	\$ 16,000
			Unclaimed Restitution	\$ 100,000
			AG Settlement	\$ 282,000
REVERSIONS RECEIVED (AS OF 12/14/11)	\$ 19,257		REVERSIONS RECEIVED	\$ 88,541
				\$ 107,798
FY12 TOTAL AVAILABLE	<u>\$ 1,138,953</u>		FY12 TOTAL AVAILABLE	<u>\$ 5,025,361</u>
FY12 PROGRAM SIZE	\$ 1,020,000		FY12 PROJECTED PROGRAM EXPENDITURES	\$ 2,450,000
			FUND SWEEPS	\$ 307,500
PROJECTED AVAILABLE PROGRAM FUNDS FOR FY13	<u><u>\$ 118,953</u></u>		PROJECTED AVAILABLE PROGRAM FUNDS FOR FY13	<u><u>\$ 2,267,861</u></u>
FY13 PROJECTED REVENUE			FY13 PROJECTED REVENUE	
Community Supervision Fees	\$ 805,000		CJEF	\$ 1,972,000
			DOC Inmate Work Fees	\$ 16,000
			Unclaimed Restitution	\$ 100,000
FY13 ESTIMATED AVAILABLE	\$ 923,953		FY13 ESTIMATED AVAILABLE	<u>\$ 4,355,861</u>
FY13 APPROPRIATION REQUEST	\$ 1,020,000		FY13 APPROPRIATION REQUEST	\$ 2,772,500
			FUND SWEEPS	\$ 307,500
	\$ (96,047)			\$ 1,275,861
				\$ 1,179,814
			FY14 PROJECTED AVAILABLE PROGRAM FUNDS	<u><u>\$ 1,179,814</u></u>
FY14 PROJECTED REVENUE			FY14 PROJECTED REVENUE	
Community Supervision Fees	\$ 850,000		CJEF	\$ 1,991,720
			DOC Inmate Work Fees	\$ 16,000
			Unclaimed Restitution	\$ 100,000
FY14 ESTIMATED AVAILABLE	\$ 753,953		FY14 ESTIMATED AVAILABLE	<u>\$ 3,383,581</u>
FY14 APPROPRIATION REQUEST	\$ 1,020,000		FY14 APPROPRIATION REQUEST	\$ 2,772,500
	\$ (266,047)			\$ 611,081
				\$ 345,034
			PROJECTED AVAILABLE PROGRAM FUNDS FOR FY15	\$ 345,034

FY14 budget request not submitted

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Implementation of Crime Victim Assistance Funding Priorities

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

Information Only

DISCUSSION:

At the November 2011 meeting, the Commission approved the funding priorities for the ACJC Crime Victim Assistance Grant Program. Staff will provide a brief overview of how the approved priorities have been implemented throughout the victim assistance program application process and the grant funding process.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

TABLE VS2

<p style="text-align: center;">Approved Crime Victim Assistance Program Funding Priorities</p>
<p>Continue funding from one grant period to the next for programs with a strong performance history, who meet the minimum required application score.</p>
<p>Funding programs that demonstrate a strong collaborative effort with law enforcement, prosecution, service providers, community organizations, and other social service agencies.</p>
<p>Funding programs that provide multiple service types to a diverse range of <i>victimization</i> types.</p>
<p>Funding programs that demonstrate strong support of established goals and objectives and clearly identify how the success of the program will be measured.</p>
<p>Funding at least one program in each county in the State provided that the program meets eligibility requirements and the minimum required application score.</p>
<p>Funding programs operating in counties with the highest crime per capita rate based on the latest Uniform Crime Report.</p>
<p>Funding programs that demonstrate a strong component of assisting crime victims in filing victim compensation claims.</p>
<p>Annually providing \$20,000 directly to the Arizona Victim Assistance Academy.</p>
<p>Funding programs providing services to address an emerging victim issue, or to an underserved victim population, as designated annually by the ACJC.</p>

TABLE VS3

Category	Description	Valuation	Current Max	Revised Max
Submission	The application was complete and accurate. All requested information was provided.	Factual	50	50
Compensation Claim Assistance	Program assists victims in seeking available Victim Compensation benefits.	Factual	50	100
Volunteers	Program uses volunteers to effectively and efficiently provide victim services.	Factual	50	25
Problem Statement	The problem statement identifies the need for services in the community and is supported by statistical data that supports the identified problem.	Judgment	150	100
Program Description	The program adequately addresses the problem in the community.	Judgment	200	150
Coordination Efforts	The program coordinates victim service activities with other service providers.	Judgment	50	100
Goals and Objectives	The measurable outcomes selected are appropriate for the program and numbers and percentages provided are reasonable and achievable.	Judgment	100	125
Evaluation	Mechanisms to evaluate the program are identified and are appropriate.	Judgment	150	125
Budget	Budget costs are reasonable and allowable. Matching funds are clearly identified and available to the program.	Judgment and Factual	100	100
Internal Controls	The applicant has appropriate internal controls to adequately administer the award.	Judgment	50	25
Program Performance History	Programs previously funded have met the requirements of the grant including timely, accurate submission of reports and no reportable deficiencies during site visits.	Factual	50	100
Emerging Issue Funding Priority	Points will be given if applicant program demonstrates strong emphasis within the designated emerging issue funding priority area.	Factual/ Judgment	80	80
Total:			1080	1080

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	FY13 Crime Victim Assistance Emerging Issue Funding Priority

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve a designated funding priority for the FY 2013 grant period.

DISCUSSION:

At the November 2011 meeting the Commission approved as a priority, funding programs providing services to address an emerging victim issue, or to an underserved victim population, as designated annually by the ACJC. A recent focus in Arizona has been around child safety as recommended by the Child Safety Task Force. Other areas for consideration could include human trafficking, other emerging victim issues or an underserved victim population. Staff will facilitate a discussion on possible areas for consideration under this priority.

Applicant programs demonstrating a strong emphasis supporting the designated emerging issue funding priority for FY 2013 would receive additional points during application scoring and priority consideration during the funding allocation process.

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

FISCAL IMPACT:

There could be a significant fiscal impact for recipient agencies.

ALTERNATIVES:

Not Approve - Modify - Table

VII

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	FY12 Crime Victim Compensation Fund Reallocation

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve available compensation funds for the current FY 2012 be reallocated among operational units in accordance with Table VS4 of the agenda; with the stipulation that the reserve amount be distributed to operational units as needed for the remainder of the fiscal year.

DISCUSSION:

In May 2011, the Commission approved transitioning operational unit compensation fund distributions to a monthly reimbursement process. The new reimbursement process gives ACJC program staff the ability to more closely monitor county expenditures, and request adjustments to the original allocation as needed. The purpose of these adjustments is to reallocate compensation funding to those counties with enough demand to expend additional compensation funds by the end of the fiscal year.

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

FISCAL IMPACT:

Significant – Reallocation of \$410,000 in Crime Victim Compensation funds to county compensation programs for the remainder of FY 2012.

ALTERNATIVES:

Not Approve - Modify - Table

TABLE VS4

CRIME VICTIM COMPENSATION PROGRAM FY 2012 PROPOSED CRIME VICTIM COMPENSATION REALLOCATION								
COUNTY	ORIGINAL TOTAL ALLOCATION*	EXPENDITURES AS OF 1/3/12*	PERCENTAGE EXPENDED	REMAINING ALLOCATION	PROPOSED REDISTRIBUTION	REVISED REMAINING ALLOCATION	REVISED TOTAL ALLOCATION	PRIOR YEAR TOTAL EXPENDITURES*
APACHE	54,473	\$ 16,863	30.96%	37,610		\$ 37,610	\$ 54,473	\$ 20,437
COCHISE	88,933	18,801	21.14%	70,132		70,132	88,933	59,754
COCONINO	90,488	45,609	50.40%	44,879	75,000	119,879	165,488	153,706
GILA	44,109	26,815	60.79%	17,294		17,294	44,109	46,277
GRAHAM	34,525	16,303	47.22%	18,222		18,222	34,525	24,386
GREENLEE	17,967	8,795	48.95%	9,172		9,172	17,967	13,182
LA PAZ	24,963	14,349	57.48%	10,614		10,614	24,963	30,665
MARICOPA	2,197,550	821,279	37.37%	1,376,271	(340,000)	1,036,271	1,857,550	1,307,842
MOHAVE	127,352	95,153	74.72%	32,199	75,000	107,199	202,352	165,097
NAVAJO	75,246	14,916	19.82%	60,330		60,330	75,246	100,070
PIMA	576,004	240,108	41.69%	335,896		335,896	576,004	614,067
PINAL	218,960	15,028	6.86%	203,932	(70,000)	133,932	148,960	114,088
SANTA CRUZ	40,184	844	2.10%	39,340		39,340	40,184	46,353
YAVAPAI	134,038	122,526	91.41%	11,512	102,000	113,512	236,038	146,314
YUMA	125,208	52,340	41.80%	72,868		72,868	125,208	120,247
RESERVE					158,000	158,000	158,000	
TOTAL	\$ 3,850,000	\$ 1,509,729	39.21%	\$ 2,340,271	\$ -	\$ 2,340,271	\$ 3,850,000	\$ 2,962,485

*includes administrative expenditures

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Crime Victim Assistance and Crime Victim Compensation Rulemaking Dockets

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve rulemaking dockets be opened for the Crime Victim Assistance Program and the Crime Victim Compensation Program.

DISCUSSION:

A.R.S. §41-1056 requires agencies to review their rules every five years to determine whether the rules need to be amended or repealed. This process is scheduled to be completed during the 2012 calendar year for both the crime victim compensation and the crime victim assistance programs. While the victim assistance rules should require only minor revisions, the victim compensation rules may need more extensive changes. Rules promulgation can take up to one year and the timeline in Table VS5 describes the process.

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

FISCAL IMPACT:

Significant – Changes could affect applicant eligibility criteria and compensation award limits; impacting victims, service providers and operational units.

ALTERNATIVES:

Not Approve - Modify - Table

TABLE VS5

Time Frame	Rulemaking Activity
Jan. 2012	Commission approves opening rulemaking dockets for victim compensation and victim assistance programs.
Mar. 2012	Rulemaking dockets opened with the Secretary of State.
Apr. – May 2012	ACJC program staff solicits feedback for proposed rule changes at stakeholder meetings held in Phoenix, Flagstaff, and Tucson.
Jul. 2012	Commission approves drafts of proposed rules for both the compensation program and the assistance program.
Aug. 2012	Notice of proposed rulemaking filed with the Secretary of State in the Arizona Administrative Register.
Sep. 2012	Public comment / oral proceeding / Submit rules to Governor's Regulatory Review Council (GRRC)
Dec. 2012	Rules on agenda for GRRC meeting.
Feb. 2013	New rules for compensation program and assistance program take effect.

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Arizona Victimization Survey Funding

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve using funding from the Crime Victim Compensation and Assistance Fund to support the Arizona Victimization Survey.

DISCUSSION:

The Arizona Statistical Analysis Center (AZSAC) has been awarded a grant from the Federal Fiscal Year 2011 State Justice Statistics (SJS) grant program to conduct, for the first time, an Arizona Victimization Survey. The grant includes \$70,000 to administer the survey to a sample size in Maricopa and Pima counties as well as a statewide representative sample. The total cost of conducting a statewide victimization survey that would include a representative sample from each of the 15 counties is projected to be \$250,000.

At the November 2011 meeting the Commission tabled this agenda item, directing staff to provide additional information to address the following concerns related to funding the survey:

- Provide further justification of the need for a statewide survey;
- Confirm the participation of other fund sources;
- Demonstrate how this survey will impact the victim compensation program, victim service providers, and the criminal justice system.

ACJC staff is prepared to present the requested additional information at this meeting.

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

FISCAL IMPACT:

Significant – Requested funds are available through reversions of unspent compensation and assistance funds allocated for FY 2011.

ALTERNATIVES:

Not Approve - Modify - Table



ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 19, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Funding Priorities for FY 2013 Drug, Gang and Violent Crime Control Grant

TO: Chairperson and Commission Members

FROM: Tony Vidale, Program Manager
Drug Control and Systems Improvement

RECOMMENDATION:

Staff recommends the use of a tiered system to establish funding priorities for the FY 2013 Drug, Gang and Violent Crime Control Grant. Each purpose area will be categorized as a Tier I, Tier II, or Tier III project. Tier I projects would receive the primary focus in allocating funding. Although Tier I projects would receive priority consideration, the funding recommendation should recognize to the extent possible the workload impact one part of the criminal justice system has on other parts. The funding recommendation offered by staff will also reflect general strategic principles outlined in the strategy and consider the specific tier the project falls into. Projects will not need to include all of these strategic principles but strong projects will reflect as many of these qualities as possible.

DISCUSSION:

See attached

The Drug, Gang and Violent Crime Committee will meet and make a recommendation to the Commission.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

Background

At the November 2011 meeting, the Commission approved the *Arizona 2012-2015 Drug, Gang, and Violent Crime Control Strategy*. This strategy is the Commission's primary decision-making tool for the allocation of funds and guides project activity for the program. The strategy includes goals, purpose areas, and strategic principles that assist in allocation decisions. Each year the Commission has the opportunity to set funding priorities before the grant solicitation is opened. These funding priorities should reflect the strategic principles laid out in the strategy document. The funding priorities will be communicated to grant applicants through the grant announcement published before the grant period is opened.

The strategy aims to achieve two goals:

- Curtail the flow of illicit drugs, drug proceeds and instruments used to perpetuate violence across Arizona, and
- Reduce violent crime and illicit drug use and deter repeat offenders

The strategy also outlined purpose areas as a guide to funding projects meant to address the drug, gang, and violent crime problem in the state. These purpose areas and definitions are as follows:

Apprehension: The apprehension purpose area may include, but is not limited to, efforts promoting enhanced information sharing and intelligence exchange, approaches to address locally distinct drug, gang and violent crime related challenges, and proactive policing strategies to address drug, gang, and violent crime such as multi-agency, multijurisdictional task forces.

Prosecution: The prosecution purpose area may include, but is not limited to, prosecutorial efforts in tandem with multi-agency, multi-jurisdictional drug, gang and violent crime task forces, efforts to deny criminal currency, property and drug such as statewide civil forfeiture efforts, and other effective prosecution strategies to address drug, gang and violent crime.

Forensic Support Services: The forensic support services area includes activities such as evidence examination and analysis, development of investigative leads, training, providing expert courtroom testimony and other forensic support services as they pertain to drug, gang and violent crime related cases.

Adjudication & Sentencing: The adjudication and sentencing purpose area may encompass a range of activities associated with court processes. Such activities include, but are not limited to, pre-trial services, improved criminal court case processing, supporting specialty courts and public defender services.

Corrections & Community Corrections: This purpose area includes projects responding to the needs of prison and jail facilities and corrections practitioners to providing secure care for offenders of drug, gang and violent crime. Projects could include, but are not limited to, safety and security improvements, inmate programming, corrections equipment and technology, and contraband control and detection. For community corrections, projects may include, but are not limited to, pre-release planning, coordinated reentry services, and supporting probation and parole services for offenders of drug, gang and violent crime.

Substance Abuse Treatment for Corrections-Involved Individuals: This purpose area includes, but is not limited to, providing residential substance abuse treatment for inmates, preparing offenders for reentry into the community, and supporting community-based treatment and other broad-based aftercare services upon release.

Prevention and Education: This purpose area encompasses evidence-based interventions and environmental prevention strategies. Efforts should involve multiple sectors of the community and

focus on reducing access and opportunity, enforcing consequences and decreasing the likelihood of engaging in drug, gang and/or violent crime by addressing risk and protective factors.

Recommendation

Staff is recommending the use of a tiered system to establish funding priorities. Each purpose area is categorized as a Tier I, Tier II, or Tier III project. Tier I projects would receive the primary focus in allocating funding. Although Tier I projects would receive priority consideration, the funding recommendation should recognize to the extent possible the workload impact one part of the criminal justice system has on other parts.

Tiers

In accordance with the approved strategy, the response to the drug, gang, and violent crime problem is primarily through apprehension and prosecution efforts. Other areas such as adjudication, forensic support, corrections, and treatment, education and prevention serve in a support capacity. Staff is recommending the following tiered structure by purpose areas:

TIER I:

Apprehension
Prosecution

TIER II:

Forensic Support Services
Adjudication and Sentencing
Corrections and Community Corrections

TIER III:

Substance Abuse Treatment for Corrections-Involved Individuals
Prevention and Education

Strategic Principles

The funding recommendation offered by staff will also reflect general strategic principles outlined in the strategy and consider the specific tier the project falls into. Projects do not need to include all of these strategic principles but strong projects will reflect as many of these qualities as possible. The general strategic principles included in the prioritization are projects that:

- Resemble proactive strategies to address the drug, gang, and violent crime problem
- Include a collaborative strategy
- Use specialized personnel or specialized processes to address the drug, gang, and violent crime problem
- To the extent possible, diversify funding to promote balance in the criminal justice system
- Consider gaps in services
- Place a focus on intelligence and information sharing
- Include resource or cost sharing
- Build and maintain partnerships at the federal, state, and local levels
- Support evidence-based and/or innovative approaches
- Include evaluation processes that allows for assessing effectiveness and includes sound and reliable data