

**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, March 21, 2013** beginning at **2:00 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:

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| I. Call to Order and Roll Call | Chairperson Daniel Sharp |
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| II. Minutes of the January 24, 2013 Meeting | |
| • Approval of Minutes. | P-F-T |
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| III. Executive Director's Report | John A. Blackburn, Jr. |
| A. Staff and Program Update | Info |
| B. Budget Update | Info |
| C. Legislative Update | Info |
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| IV. Consideration of Match Requirement for FY 2014 Drug, Gang and Violent Crime Control Grant | Tony Vidale |
| • Review, discussion, consideration and possible action on implementing a match requirement for the FY 2014 Drug, Gang and Violent Crime Control Grant. | P-F-T |
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| V. Funding Priorities for the Drug, Gang and Violent Crime Control Grant | Tony Vidale |
| • Review, discussion, consideration and possible action on approval of funding priorities for the Drug, Gang and Violent Crime Control Grant. | P-F-T |

- VI. Victim Compensation FY13 Funding Reallocation** **Larry Grubbs**
- Review, discussion, consideration and possible action on reallocating available FY13 victim compensation funds. **P-F-T**
- VII. ACJC Victim Services Administrative Funds** **Larry Grubbs**
- Review, discussion, consideration and possible action on designating annual administrative funding to ACJC Victim Services from the Crime Victim Compensation and Assistance Fund. **P-F-T**
- VIII. Victim Compensation Funding Allocation Formula** **Larry Grubbs**
- Review, discussion, consideration and possible action on the FY14 victim compensation funding allocation formula. **P-F-T**
- IX. Arizona National Instant Criminal Background Check System (NICS) Initiative** **Pat Nelson**
- Review, discussion, consideration and possible action on support of the AZ NICS Task Force report and recommendations. **P-F-T**
- X. 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.
- XI. Date, Time, and Location of Next Meeting**
- The next Commission meeting will be held on **Thursday, May 23, 2013** at **1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.
- XII. 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:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the January 24, 2013 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 January 24, 2013.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

Arizona Criminal Justice Commission
Minutes
January 24, 2013

A public meeting of the Arizona Criminal Justice Commission was convened on January 24, 2013 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
Joseph Brugman, Chief, Coolidge Police Department
David Byers, Director, Administrative Office of the Courts
Timothy Dorn, Chief, Gilbert Police Department
Clarence Dupnik, Pima County Sheriff, Warren Alter representing
Chris Gibbs, Mayor, City of Safford, by conference call
Robert Halliday, Director, Department of Public Safety
Jesse Hernandez, Chairperson, Board of Executive Clemency
Tom Horne, Attorney General, Andrew Pacheco representing
Barbara LaWall, Pima County Attorney, Amelia Cramer representing
William Pribil, Coconino County Sheriff
Sheila Polk, Yavapai County Attorney
David Sanders, Pima County Chief Probation Officer, Carl Sheets representing
Steven Sheldon, Former Judge

Members Absent:

Joseph Arpaio, Maricopa County Sheriff
Charles Ryan, Director, Department of Corrections
Mark Spencer, Law Enforcement Leader

Staff Participating:

Karen Ziegler, Deputy Director
George Diaz, Public Information Officer
Larry Grubbs, Program Manager
Steve Irvine, Research Analyst, Statistical Analysis Center
Shana Malone, Senior Research Analyst, Statistical Analysis Center
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Daniel Sharp at 1:30 p.m. Roll was taken and a quorum was declared present.

II. Minutes of the November 8, 2012 Meeting

Chairperson Sharp called for a motion on the minutes. Commissioner Bill Montgomery entered a motion to approve the minutes of the November 8, 2012 meeting. The motion was seconded by Commissioner Robert Halliday and was unanimously approved by the Commission.

III. Executive Director's Report

A. Budget Update

Karen Ziegler, Deputy Director reported that the Governor released the state budget recommendations for FY14 and FY15. The priorities of health, education and child safety were emphasized as was stated in the Governor's State of the State address. ACJC submitted several critical issue requests of which none were recommended for funding by the Governor's office. The four requests included, 1) funding for the criminal justice records improvement program; 2) increase in the appropriation for the victim compensation and assistance fund; 3) increase in the appropriation for the state aid to county attorneys and state aid to indigent defense Fill the Gap programs; and 4) an agency operating request to fund ACJC research services.

Deputy Director Ziegler explained that the money requested for the state aid to indigent defense and research funding services requests are recommended to be swept and sent to the Department of Public Safety for the public

safety equipment fund. For the other requests, the Governor's office reported that they would like revenues to stabilize before recommendations are made to increase appropriations.

Deputy Director Ziegler reported the legislative process is in progress and Executive Director Blackburn and George Diaz, Public Information Officer, will continue to work with legislators to include ACJC budget request in the final budget bill.

B. Legislative Update

George Diaz, Public Information Officer provided information on the state and federal legislative sessions.

Mr. Diaz also reported the Arizona Youth Survey state report was released in December 2012; following the release there were numerous inquiries regarding data related to marijuana usage and the sources used to acquire the marijuana.

Mr. Diaz discussed the current interest in criminal records, background checks, and the purchasing of guns as hot topics for the legislature. There have been 678 bills filed. One bill of interest to ACJC is the proposal related to victim compensation; by making the distribution of the county crime victim compensation funds less restrictive, the proposal intends to expand the availability of funding to ensure crime victim's needs are met.

On the federal front, the federal debt limit debate and pending sequestration will significantly impact grants. Mr. Diaz explained the limit has been raised temporarily until May 18, 2013. A sample copy of a support letter speaking out on the proven success of the Byrne JAG grants in the past was given to the Commissioners to use as a guide to reach out to the Arizona congressional delegation.

C. Staff and Program Update

Karen Ziegler, Deputy Director welcomed Angela Abolhassani as the new ACJC legislative intern assisting George Diaz, Public Information Officer on legislative issues.

Deputy Director Ziegler also discussed how ACJC received federal funding in 2011 and 2012 to fund the National Instant Criminal Background Check System (NICS) Task Force. This project guides the development and implementation of a long range records improvement plan for Arizona to improve records for background checks on firearms. Arizona was one of a few states that received this grant and the only state to receive a full funding request in 2012 in the amount of \$1,012,166. The NICS task force is finalizing their recommendations for improvements to the system. Those recommendations will also be presented to the Commission in March.

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

IV. Crime Victim Services Program Rules

Larry Grubbs, Program Manager updated the Commission on the rules process for the Crime Victim Services program area. Mr. Grubbs explained the rules package was approved by the Governor's Regulatory Review Council in December 2012 and will take effect on February 4, 2013. Staff prepared a compensation rules desk manual and provided training on the new rules to the compensation coordinators and board members who will use the information to administer the Crime Victim Compensation program at the county level. The training was also given to other victim organizations including the Arizona Coalition for Victims Services and the Attorney General's Victim Rights Council.

Mr. Grubbs addressed that staff updated the crime victim compensation application to reflect the rule changes; additionally, staff is in the process of developing a training curriculum for county board members as required under the new rules.

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

V. Crime Victim Assistance Grant Program

A. FY 2014 Grant Program Funding Level

Larry Grubbs, Program Manager presented the recommendation from the Crime Victims Committee to set the funding for the FY14 Crime Victim Assistance Program at \$1,250,000.

Mr. Grubbs reported the amount of \$1,250,000 is based on the revenue projections listed on page 12 of the agenda. The projection is an increase of over \$200,000 and is contingent upon legislative approval.

Mr. Grubbs explained the increased funding level called for a critical budget issue that if approved, gives ACJC the authority to spend the funds. Funding for the critical budget issue was not recommended in the Governor's budget; therefore, ACJC will make a case to the legislature to include funding for the budget issue in the final appropriation bill.

Commissioner Sheila Polk entered a motion to approve the funding level at \$1,250,000 not to exceed the funding amount for the Crime Victim Assistance Grant Program for FY14 pending legislation approval. The motion was seconded by Commissioner David Byers and was unanimously approved by the Commission.

B. Grant Program Emerging Issue Funding Priority

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee to not designate an emerging victim issue or underserved victim population for the FY14 Crime Victim Assistance grant program. Instead, the focus would be on available supplementary funds for increasing awards to high performing grantees and/or made additional awards to crime victim service programs not currently funded.

Commissioner Steven Sheldon entered a motion to accept the recommendation of the Crime Victims Committee to not designate an emerging issue or underserved victim population as a funding priority for the FY14 grant period; instead to use the funds for increasing awards to high performing grantees or crime victim service programs not currently funded. The motion was seconded by Commissioner Jesse Hernandez and was unanimously approved by the Commission.

VI. Crime Victim Compensation Program

A. FY 2013 Crime Victim Compensation Fund Reallocation

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that available crime victim compensation funds for the current FY13 be reallocated to the operational units in accordance with Table VS2 on page 16 of the agenda.

Mr. Grubbs explained how staff monitors the county victim compensation expenditures throughout the fiscal year and the disparities of the current allocation formula. The purpose of the adjustment is to reallocate compensation funding to counties with a higher demand for funds and who can expend the additional compensation funds by the end of the fiscal year.

Mr. Grubbs explained that during FY12, the process facilitated an additional \$410,000 in victim compensation benefit expenditures. The Commission was directed to a flowchart on page 15 of the agenda that outlines the eligibility criteria for the reallocation process.

Designee Andrew Pacheco entered a motion to accept the recommendation of the Crime Victims Committee to approve the reallocation of current FY13 compensation funds to the operational units listed in Table VS2 that meet the allocation criteria in accordance with the Victim Compensation Reallocation Eligibility flowchart. The motion was seconded by Commissioner Jesse Hernandez and was unanimously approved by the Commission.

B. Crime Victim Board Member Training Requirements

Larry Grubbs, Program Manager stated that beginning February 4, 2013, crime victim compensation program rules require that newly appointed crime victim compensation board members and reappointed crime victim compensation board members must meet all training requirements established by the Commission within six months of appointment or reappointment dates. The Commission was directed to the proposed curriculum for the crime victim compensation board member training as shown in Table VS3 on page 18 of the agenda.

Mr. Grubbs explained the body of coursework covers three broad subject areas. The first is a crime victim compensation program overview that includes the rules and the updated version of the desk manual as the primary resource for the course. The second lesson covers Arizona open meeting law focusing on the role of the individual board member as part of a public body, and participation in open public meetings. The third area includes a body of coursework associated with the dynamics of domestic violence and sexual assault. The goal of this lesson is to help board members understand the complexity of these victimization types and to increase their awareness of the challenges faced when making claim decisions related to these victimization types.

Mr. Grubbs stated the primary delivery method for the coursework is through computer based online training with alternate methods of delivery available as needed.

Commissioner Bill Montgomery entered a motion to approve the required training curriculum for crime victim compensation board members as outlined in Table VS3. The motion was seconded by Designee Amelia Cramer and was unanimously approved by the Commission.

VII. 2012 Arizona Youth Survey

Steven Irvine, Research Analyst gave a brief introduction to Arizona Youth Survey. Mr. Irvine discussed how the Arizona Criminal Justice Commission is mandated to measure the attitudes and prevalence of substance abuse and gang activity among Arizona youth. The Arizona Youth Survey (AYS) is administered every two years to 8th, 10th, and 12th grade students. The survey measures youth risk factors such as: 1) lifetime, 30-day, and age of onset of alcohol, tobacco, and other drugs; 2) antisocial behavior; 3) school safety; and 4) gambling. The 2012 AYS results included 62,817 valid results from 349 schools.

Shana Malone, Senior Research Analyst reported on the overall results of 2012 AYS report. The presentation focused on four factors, consumption, emerging trends, consequences and contextual factors. Ms. Malone stated that consumption identifies the severity of the problem. Since the 2008 AYS survey, each grade level has seen significant reductions in all risk factors; however, alcohol, marijuana and cigarette use continue to remain consistent. The survey

tracked 30-day use of synthetic and club drugs and showed these substances could be emerging trends among teens. Consequences are identified by the costs of substance use and markers of return on investment for prevention as defined by heavy drinking and drunk driving behavior, and reported antisocial behavior. These factors continue to decline as more youth targeted prevention programs address this behavior.

Ms. Malone discussed contextual factors that identify what can be changed which included: 1) where Arizona youth obtained alcohol; 2) where Arizona youth obtained Rx drugs; 3) where Arizona youth obtained marijuana; 4) risk factors in Arizona; 5) age of first use by substance; 6) percentage of Arizona youth who perceived substance use as risky; and 7) reasons Arizona youth gave for using substance in the past 30 days.

In conclusion, Ms. Malone stated Arizona has done a remarkable job at reducing youth substance use although marijuana trends may prove to be the exception. The next steps suggests the focus include: 1) limiting access to gateway substances; 2) delaying early onset of substance use; 3) increasing the awareness about the risks of substance use; 4) getting parents and other adults communicating to children; and 5) giving children alternatives and coping strategies.

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

VIII. Call to the Public

Chairperson Sharp made a call to the public.

Commissioner Sheila Polk spoke about three legislative proposals surrounding marijuana currently pursued through the Arizona Prosecuting Attorneys' Advisory Council.

The first proposal deals with the support of the cannabis and the agricultural exemption in the law.

Commissioner Polk discussed how a recent court of appeals case upholding a Yuma County Superior Court Judge ruling to return marijuana to the person who had it because the individual had a valid medical marijuana card. This is related to the second piece of legislation that has law enforcement lawfully seizing marijuana in the course of an investigation. This proposal would direct law enforcement to not return marijuana because it would be a federal violation.

The last proposal is the deterrence of placing medical marijuana into edible foods to prevent the substance from being attractive to children.

IX. Date, Time, and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, March 21, 2013 at 1:30 p.m.** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

X. Adjournment

The meeting was adjourned at 2:56 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:
March 21, 2013	<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

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March 21, 2013	<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 budget.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<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 2013 state legislative session and current federal legislation.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Consideration of Match Requirement for FY 2014 Drug, Gang and Violent Crime Control Grant

TO: Chairperson and Commission Members

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

RECOMMENDATION:

The Commission approve whether to require a match for the FY2014 grant year.

DISCUSSION:

Staff is seeking direction on whether or not to implement a match requirement for the FY 2014 grant year. If the Commission desires to require grantees provide matching funds, it must be determined at what level to set the match. Per program rule, the Commission cannot require a match that exceeds 25 percent of the total project budget. In FY 2013, the Commission approved a match requirement of 20 percent.

See attached for additional information.

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

Program Background

The Drug, Gang, and Violent Crime Control Program (DC) allows state, county, local and tribal governments to support activities that combat drugs, gangs, and violent crime. The DC program provides funding to support the components of a statewide, system-wide enhanced drug, gang, and violent crime control program as stated in the *2012-2015 Arizona Drug, Gang, and Violent Crime Control Strategy*.

Several funding streams support the program to carry out the statewide strategy successfully. The Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG) funds awarded to Arizona by the U.S. Department of Justice, Bureau of Justice Assistance (DOJ/BJA) continue to support program activities along with state Drug and Gang Enforcement Account (DEA) funds established under A.R.S. §41-2402, and matching funds when approved by the Commission.

Issue

Staff is seeking direction on whether or not to implement a match requirement for the FY 2014 grant year. If the Commission desires to require grantees provide matching funds, it must be determined at what level to set the match. Per program rule, the Commission cannot require a match that exceeds 25 percent of the total project budget. In FY 2013, the Commission approved a match requirement of 20 percent.

Issue Background

A match is essentially a cost sharing between the ACJC and the funded project. An agency provides funding equal to a set percentage based on the amount of grant funds allocated. The entire project size is comprised of the grant funds and match funds. With the Drug Program grant, agencies must provide a cash match (also called a 'hard' match) because this is a reimbursement grant. Agencies submit the project's total cost for the month and ACJC reimburses the remaining portion after deducting the match amount.

A match may serve many purposes for the overall program. Aside from the previously mentioned cost sharing, these resources help maintain a level of effort dedicated to addressing the drug problem in their communities. Grant recipients would have a stake in knowing they are helping themselves by contributing resources to combat drug-related crime. In addition, some agencies may use the match requirement to secure or protect a funding set-aside for the project from the county or city appropriation authority.

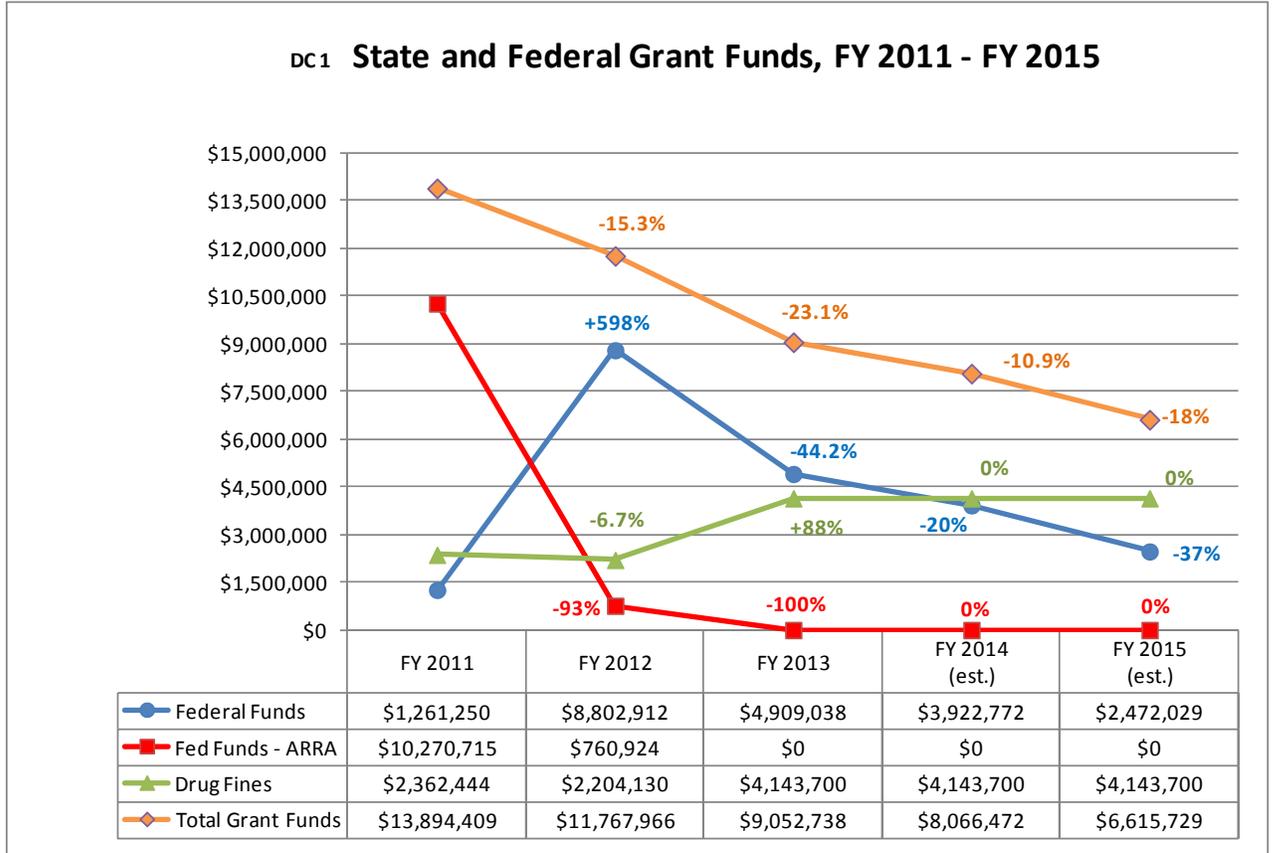
A match can also be problematic for some agencies. Because agencies would be required to come up with a "hard" cash match, they could not utilize non-grant funded project expenses or other in-kind expenditures toward meeting the match. Some agencies may only have the ACJC grant funds and RICO funds earned from seized assets and forfeitures to support the entire project. Others may not be able to secure funding support for projects from their appropriators. In these instances, these agencies may not have any discretionary funds to cover a match requirement and face refusing grant awards or dealing with project reductions.

Unlike other federal grants, DOJ does not mandate a match for the Byrne/JAG program so the Commission is not obligated to require grantees provide match funds. The Commission did not require a match in FY 2010 through 2012 in response to the fiscal crisis most agencies faced which provided the flexibility to use agency funds on the project or in other areas experiencing cuts. Prior to FY 2010, the Drug, Gang, and Violent Crime program required a 25 percent match.

Grant Funding

In FY 2013, the grant funds available for the program totaled just over \$9 million. In FY 2014, staff is estimating grant funds available for the program at just over \$8 million, representing a reduction of about \$1 million. This reduction is due to a drop in Byrne/JAG

grant funds. This estimate also assumes that DEA revenue, at a minimum, will remain level from the previous fiscal year. Staff is projecting in FY 2015 a further reduction in Byrne/JAG grant funds to approximately \$2.5 million. *Graph DC 1* shows the level of federal and state funding for FY 2011 through FY 2015 (estimated), broken out by grant fund source, and the year-to-year percentage change.



Match Options

Staff is presenting three options to consider, no match, a 20 percent match, and a 25 percent match. It is important to note that under any match scenario, there will be some agencies awarded less grant funding than in FY 2013 due to the drop in Byrne/JAG funding. *Table DC 2* isolates the suggested match options for FY 2014, showing the estimated match amount for the program and the program totals. Also included in the table are the approved amounts for the FY 2013 grant year and the estimated grant funding available for FY 2015.

DC 2 Match Allocation Options for FY 2014 DGVCC Grant					
Fund Source	FY 2013 Approved	FY 2014 No Match	FY 2014 20% Match	FY 2014 25% Match	FY 2015 Estimated
<i>Federal Funds</i>	\$4,909,038	\$3,922,772	\$3,922,772	\$3,922,772	\$2,472,029
<i>State Funds</i>	\$4,143,700	\$4,143,700	\$4,143,700	\$4,143,700	\$4,143,700
<i>Local Match</i>	\$2,263,184	\$0	\$2,016,618	\$2,683,334	TBD*
<i>Program Totals</i>	\$11,315,922	\$8,066,472	\$10,083,090	\$10,749,806	\$6,615,729
<i>*To be determined for FY2015 grant year</i>					

- Program reductions with no match: Projects would be awarded the \$8 million in funds available and grantees would not be obligated to commit any additional funds to the project. Overall, the total program size would be reduced by 28.7 percent. Assuming the same pool of grantees, most would see a reduction in grant funds. However, it is unknown what decisions agencies would make with monies previously dedicated as match funding. The appropriation authority or agency could continue using these monies on the project or divert them elsewhere to other projects or expenditures.
- Institute a 20 percent match: Programs provide a 20 percent match that would equate to about \$2 million and set the program size at \$10 million. Overall, the total program size would be reduced by 10.9 percent. The 20 percent match represents the same percentage grantees were required to produce for the FY 2013 grant. The total match amount in dollars however, would drop by \$246,566 due to a lower level of grant funding applied to the match percentage. Assuming the same pool of grantees, most would see a drop in grant funds and a corresponding drop in the match amount from FY 2013.
- Institute a 25 percent match: Programs provide a 25 percent match that would equate to about \$2.7 million and set the program size at \$10.7 million. Overall, the total program size would be reduced by 5 percent. This represents the maximum match percentage the Commission may require under program rule. The total match amount in dollars would increase by \$420,150. Assuming the same pool of grantees, most would see a drop in grant funds and an increase in the match amount from FY 2013.

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Funding Priorities for the Drug, Gang and Violent Crime Control Grant

TO: Chairperson and Commission Members

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

RECOMMENDATION:

The Commission approve funding priorities for the Drug, Gang and Violent Crime Control Grant program.

DISCUSSION:

Staff recommends the use of a tiered system to establish funding priorities for the Drug, Gang and Violent Crime Control Grant. Each purpose area is categorized as a Tier 1, Tier 2, or Tier 3 project. Tier 1 projects would receive the primary focus in allocating funding. Although Tier 1 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.

See attached for additional information.

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

Program Background

The Drug, Gang, and Violent Crime Control Program (DC) allows state, county, local and tribal governments to support activities that combat drugs, gangs, and violent crime. The DC program provides funding to support the components of a statewide, system-wide enhanced drug, gang, and violent crime control program as stated in the *2012-2015 Arizona Drug, Gang, and Violent Crime Control Strategy*.

Several funding streams support the program to carry out the statewide strategy successfully. The Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG) funds awarded to Arizona by the U.S. Department of Justice, Bureau of Justice Assistance (DOJ/BJA) continue to support program activities along with state Drug and Gang Enforcement Account (DEA) funds established under A.R.S. §41-2402, and matching funds when approved by the Commission.

Issue Background

At the January 2012 meeting, the Commission approved the use of a tiered system to establish funding priorities for the FY 2013 Drug, Gang and Violent Crime Control Grant. The tiered system uses the purpose areas established and defined in the *Arizona 2012-2015 Drug, Gang, and Violent Crime Control Strategy*. In accordance with the approved strategy, the response to the drug, gang, and violent crime problem is primarily through apprehension and prosecution efforts. Other activities such as adjudication, forensic support, corrections, and treatment, education and prevention serve in support of law enforcement and prosecution efforts. These activities are defined as purpose areas in the strategy.

Each purpose area is categorized as a Tier 1, Tier 2, or Tier 3 project. Tier 1 projects receive primary focus in allocating funding. Funding the remaining tiers is contingent on the objective of the proposed projects and the availability of funding. Although Tier 1 projects receive priority consideration, the funding recommendation recognizes, to the extent possible, the workload impact one part of the criminal justice system has on other parts. The funding recommendation also reflects the goals and general strategic principles outlined in the strategy. Projects may not have included all of these strategic principles but strong projects reflected as many of these qualities as possible.

Use of a tiered system assist staff in allocating monies for grant projects as part of the funding recommendation. As resources become scarcer for the grant program, it is critical to have clear direction in how to achieve the goals of the statewide strategy when recommending one project or expenditure type over another.

Recommendation

Staff is recommending the continued use of the tiered system to establish funding priorities for the grant program as displayed in *Table DC 3*. Instead of approving these tiers on an annual basis, staff is requesting the tier structure be approved for the grant program. Should the Commission decide to shift funding priorities, this could be accomplished in January, before the grant solicitation is released. Considering the statewide strategy is reviewed and/or revised every four years, the tiered system would also be reviewed to ensure it aligns with the goals of the statewide strategy.

DC 3

Funding Priority	Purpose Area and Description
<i>Tier 1</i>	<p>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.</p> <p>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.</p>
<i>Tier 2</i>	<p>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.</p> <p>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.</p> <p>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.</p>
<i>Tier 3</i>	<p>Prevention and Education: This purpose area encompasses evidence-based interventions and environmental prevention strategies. Efforts should involved 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.</p> <p>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.</p>

VI

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Victim Compensation FY13 Funding Reallocation

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve available compensation funds for the current FY13 year be reallocated to operational units in accordance with Table VS1 of the agenda.

DISCUSSION:

ACJC compensation program staff closely monitors county victim compensation expenditures throughout the fiscal year. Periodically it is necessary to adjust the original allocation to meet demand for compensation benefits statewide. 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 \$25,000 in FY13 crime victim compensation funds to county programs, and requiring the expenditure of \$11,500 of subrogation and restitution funds.

ALTERNATIVES:

Not Approve - Modify - Table

TABLE VS1

CRIME VICTIM COMPENSATION PROGRAM FY 2013 PROPOSED CRIME VICTIM COMPENSATION REALLOCATION												
COUNTY	REQUESTED AMOUNT	REVISED TOTAL ALLOCATION* AS OF 1/24/13	EXPENDITURES REIMBURSED AS OF 2/25/13*	PERCENTAGE EXPENDED AS OF 2/25/13	RESTITUTION / SUBROGATION BALANCE	SIX MONTH EXPENDITURE RESERVE*	RESERVE OVERAGE >\$1,000	ALLOCATION ADJUSTMENT	REVISED REMAINING ALLOCATION	REVISED TOTAL ALLOCATION	PRIOR YEAR TOTAL EXPENDITURES*	
APACHE	\$ 10,000	\$ 54,939	\$ 16,468	29.98%	\$ 57,107	\$ 18,227	\$ 38,880	\$ -	\$ 38,471	\$ 54,939	\$ 74,817	
COCHISE	-	89,500	24,738	27.64%	96,010	30,537	65,473	-	64,762	89,500	52,621	
COCONINO	-	126,826	86,806	68.44%	122,458	79,769	42,690	-	40,020	126,826	208,867	
GILA	-	43,849	33,045	75.36%	53,934	29,828	24,106	-	10,804	43,849	81,622	
GRAHAM	-	34,516	15,689	45.45%	55,902	14,452	41,450	-	18,827	34,516	39,974	
GREENLEE	1,500	17,671	11,737	66.42%	17,401	7,495	9,906	-	5,934	17,671	12,839	
LA PAZ	-	34,765	21,563	62.02%	11,891	16,510	-	-	13,202	34,765	44,922	
MARICOPA	-	2,249,438	1,128,847	50.18%	1,299,729	779,701	520,028	(25,000)	1,095,591	2,224,438	1,746,828	
MOHAVE	-	186,005	118,458	63.69%	41,330	85,623	-	-	67,547	186,005	210,198	
NAVAJO	-	79,184	52,674	66.52%	90,902	44,584	46,318	-	26,510	79,184	86,803	
PIMA	25,000	608,380	388,541	63.86%	310,235	311,708	-	25,000	244,839	633,380	623,114	
PINAL	-	220,011	142,156	64.61%	196,530	69,904	126,626	-	77,855	220,011	91,034	
SANTA CRUZ	-	38,678	16,112	41.66%	15,366	19,889	-	-	22,566	38,678	32,327	
YAVAPAI	-	137,902	137,902	100.00%	175,986	89,737	86,249	-	0	137,902	231,859	
YUMA	-	128,336	110,257	85.91%	265,358	77,017	188,341	-	18,079	128,336	142,751	
TOTAL	\$ 36,500	\$ 4,050,000	\$ 2,304,993	56.91%	\$ 2,810,139	\$ 1,674,980	\$ 1,190,066	\$ -	\$ 1,745,008	\$ 4,050,000	\$ 3,680,575	

*includes administrative expenditures

VII

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	ACJC Victim Services Administrative Funds

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve the amount of \$99,645 from the Crime Victim Compensation and Assistance Fund be allocated annually to ACJC to fund the Crime Victim Services Program Manager position and employee related expenses.

DISCUSSION:

In an effort to support the effective management of ACJC programs, staff is requesting a portion of the State Crime Victim Compensation and Assistance Fund to pay for the salary and fringe benefits of the ACJC Victim Services Program Manager position. Currently this position is paid from the Criminal Justice Enhancement Fund (CJEF). The expenditure shift to the Crime Victim Compensation and Assistance Fund will free up CJEF funds in FY14 to help backfill the loss of federal funds used to support other ACJC positions. The overall impact to the Fund is minimal at 2.9% of the estimated annual revenue as shown in the attached fund summary.

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

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

TABLE VS2

ARIZONA CRIMINAL JUSTICE COMMISSION						
CRIME VICTIM COMPENSATION AND ASSISTANCE FUND						
ASSISTANCE PROGRAM			COMPENSATION PROGRAM			FUND TOTAL
FY13 BEGINNING BALANCE	\$	563,802	FY13 BEGINNING BALANCE	\$	2,536,778	\$ 3,100,580
FY13 PROJECTED REVENUE			FY13 PROJECTED REVENUE			
			CJEF	\$	1,988,200	\$ 3,350,700
Community Supervision Fees	\$	1,250,000	DOC Inmate Work Fees	\$	12,500	
			Unclaimed Restitution	\$	100,000	
REVERSIONS RECEIVED (AS OF 12/31/12)	\$	40,032	REVERSIONS RECEIVED (AS OF 12/31/1	\$	4,328	\$ 44,360
FY13 TOTAL AVAILABLE	\$	1,853,834	FY13 TOTAL AVAILABLE	\$	4,641,805	\$ 6,495,639
FY13 PROGRAM SIZE	\$	1,020,000	FY13 PROJECTED PROGRAM EXPENDITURES	\$	2,650,000	\$ 3,670,000
PROJECTED AVAILABLE PROGRAM FUNDS FOR FY14	\$	833,834	PROJECTED AVAILABLE PROGRAM FUNDS FOR FY14	\$	1,991,805	\$ 2,825,639
FY14 PROJECTED REVENUE			FY14 PROJECTED REVENUE			
			CJEF	\$	1,988,200	\$ 3,363,200
Community Supervision Fees	\$	1,262,500	DOC Inmate Work Fees	\$	12,500	
			Unclaimed Restitution	\$	100,000	
FY14 ESTIMATED AVAILABLE	\$	2,096,334	FY14 ESTIMATED AVAILABLE	\$	4,092,505	\$ 6,188,839
FY14 APPROPRIATION REQUEST	\$	1,250,000	FY14 APPROPRIATION REQUEST	\$	2,872,500	\$ 4,122,500
FY14 ESTIMATED BALANCE	\$	846,334	FY14 ESTIMATED BALANCE	\$	1,220,005	\$ 2,066,339
			PROPOSED ACJC ADMINISTRATIVE EXPENSE			\$ 99,645
			FY15 PROJECTED AVAILABLE PROGRAM FUNDS			\$ 1,966,694
FY15 PROJECTED REVENUE			FY15 PROJECTED REVENUE			
			CJEF	\$	1,988,200	\$ 3,375,800
Community Supervision Fees	\$	1,275,100	DOC Inmate Work Fees	\$	12,500	
			Unclaimed Restitution	\$	100,000	
FY15 ESTIMATED AVAILABLE	\$	2,121,434	FY15 ESTIMATED AVAILABLE	\$	3,320,705	\$ 5,342,494
FY15 APPROPRIATION REQUEST	\$	1,250,000	FY15 APPROPRIATION REQUEST	\$	2,872,500	\$ 4,122,500
FY15 ESTIMATED BALANCE	\$	871,434	FY15 ESTIMATED BALANCE	\$	448,205	\$ 1,319,639
			PROPOSED ACJC ADMINISTRATIVE EXPENSE			\$ 99,645
			PROJECTED AVAILABLE PROGRAM FUNDS FOR FY16			\$ 1,219,994

VIII

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Victim Compensation Funding Allocation Formula

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve the FY14 crime victim compensation program funding allocation formula.

DISCUSSION:

The funding allocation formula used in past years does not accurately reflect annual average compensation program expenditures at the operational unit level. This requires significant adjustment to the original allocation throughout the fiscal year to maximize the expenditure of available state and federal compensation funds.

Proposed changes to the victim compensation program allocation formula should bring the allocation formula into compliance with the requirements of recently revised program rules; fairly consider the influence of variable program criteria; and bring county compensation allocation amounts closer to the actual county expenditure rates.

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

FISCAL IMPACT:

Significant to victim compensation program operational units.

ALTERNATIVES:

Not Approve - Modify - Table

**CRIME VICTIM COMPENSATION PROGRAM
FUNDING ALLOCATION FORMULA**

The proposed victim compensation allocation formula includes the following:

- o \$50,000 of the state funds retained in emergency reserve (R10-4-102.D);
- o Five percent of most recent federal VOCA award allocated to ACJC for administrative costs;
- o A fixed administrative allocation from state funds to each county program (R10-4-102.I);
- o A base allotment of \$25,000 to each county program (R10-4-102.C.1);
- o A 60% reimbursement to county programs spending other local funds on compensation benefits during the previous fiscal year (R10-4-102.H);
- o The remaining balance is distributed as follows:
 - 50% based on prior years' program benefit expenditure average (R10-4-102.C.2);
 - 30% based on average share of crime (R10-4-102.C.4);
 - 20% based on population (R10-4-102.C.3).

ALLOCATION FORMULA DETAIL

The following table illustrates how total funding is divided among the fixed and variable formula criteria based on the total state and federal allocation amount of \$4,100,000. This equals the total allocated program size for FY 2013.

CRIME VICTIM COMPENSATION PROGRAM		
PROPOSED FUNDING ALLOCATION FORMULA		
PROGRAM SIZE		\$ 4,100,000
Less		
	Emergency Reserve	\$ 50,000
	VOCA Admin	\$ 61,700
	Fixed County Admin Allocation	\$ 450,500
	Base Allotment -\$25k to each County	\$ 375,000
	Reimbursment for local funds use	\$ -
		\$ 3,162,800
BALANCE DISTRIBUTED BY:		
	Prior Year Benefit Expenditures (50%)	\$ 1,581,400
	Average Share of Crime (30%)	\$ 948,840
	Population (20%)	\$ 632,560
		\$ 3,162,800

TABLE VS3

CRIME VICTIM COMPENSATION PROGRAM COUNTY ALLOCATION COMPARISON FY 2013			
COUNTY	FY 2013 ALLOCATION (OLD FORMULA)	FY 2013 ALLOCATION (NEW FORMULA)	AVG TOTAL EXPENDITURES FY 10-12
APACHE	\$ 54,939	\$ 65,094	\$ 45,635
COCHISE	89,500	95,114	63,155
COCONINO	89,832	143,361	136,643
GILA	43,849	69,009	49,654
GRAHAM	34,516	49,595	26,179
GREENLEE	17,671	38,751	18,213
LA PAZ	24,765	53,342	32,911
MARICOPA	2,356,432	2,009,045	1,532,510
MOHAVE	126,005	184,123	173,208
NAVAJO	79,184	93,054	71,096
PIMA	608,380	690,011	593,353
PINAL	220,011	182,005	113,637
SANTA CRUZ	38,678	54,991	31,677
YAVAPAI	137,902	164,658	155,678
YUMA	128,336	157,847	137,225
TOTAL	\$ 4,050,000	\$ 4,050,000	\$ 3,180,776

IX

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Arizona National Instant Criminal Background Check System (NICS) Initiative

TO: Chairperson and Commission Members

FROM: Pat Nelson, Program Manager
CJ System Improvements Program

RECOMMENDATION:

The Commission support the AZ NICS Task Force report and recommendations focused on improving the completeness, automation and transmittal of records and mental health information to the NICS.

DISCUSSION:

The Arizona Criminal Justice Commission was awarded funding in FY 2011 and 2012 from the Department of Justice, Bureau of Justice Statistics for the Arizona NICS Records Improvement Initiative. The grants provide funding to support the following two major goals:

- Improve Arizona's record for completeness, automation and transmittal of records and mental health information to the National Instant Criminal Background Check System (NICS).
- Improve completeness of criminal history records used by the National Criminal Background Check System by addressing disposition backlogs and rejects.

A short summary will be provided on the activities of the AZ NICS Task Force and highlights provided on the recommendations for the AZ NICS Record Improvement Plan.

The Information, Technology and Systems Improvement Committee will meet and make a recommendation to the Commission.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve – Modify – Table