

**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 22, 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 Daniel Sharp |
| II. | Minutes of the January 19, 2012 Meeting | |
| | <ul style="list-style-type: none">• Approval of Minutes | P-F-T |
| III. | Executive Director's Report | John A. Blackburn, Jr. |
| | A. Staff and Program Update | Info |
| | B. Budget Update | Info |
| | C. Legislative Update | Info |
| | D. Commission Member Appointments | Info |
| IV. | Drug, Gang and Violent Crime Control Program Cycle 26 Grant Fund Reductions | Tony Vidale |
| | <ul style="list-style-type: none">• Review, discussion, consideration and possible action on recommended funding options for the Arizona Drug, Gang and Violent Crime Control Cycle 26 grant. | P-F-T |

V. Arizona Records Improvement & Information Sharing Strategic Plan **Pat Nelson**

- Review, discussion, consideration and possible action on the updated vision, goals and objectives in support of the Arizona Records Improvement and Information Sharing Strategic Plan. **P-F-T**

VI. Arizona Identity Theft and Domestic Violence Criminal History Records Information **Matt Bileski**

Phillip Stevenson

- Presentation on findings from the analysis of criminal history records as it pertains to the arrest and subsequent criminal justice system processing of individuals arrested for domestic violence and identity theft in Arizona. **Info**

VII. Call to the Public

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

VIII. Date, Time, and Location of Next Meeting

- The next Commission meeting will be held on **Thursday, May 24, 2012** at **1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

IX. Adjournment

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



ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 22, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the January 19, 2012 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 19, 2012.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

Arizona Criminal Justice Commission
Minutes
January 19, 2012

A public meeting of the Arizona Criminal Justice Commission was convened on January 19, 2012 at the 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Ralph Ogden, Chairperson, Yuma County Sheriff
Daniel G. Sharp, Chief, Oro Valley Police Department
John Armer, Gila County Sheriff, Claudia Dalmolin representing
Joseph Arpaio, Maricopa County Sheriff, Jesse Locksa representing
David 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, Jim Keppel representing
Robert Huddleston, Chief, Casa Grande Police Department
Barbara LaWall, Pima County Attorney by conference call
Bill Montgomery, Maricopa County Attorney
Charles Ryan, Director, Department of Corrections
David Sanders, Pima County Chief Probation Officer, Errol Dimenstein representing by conference call
Linda Scott, Former Judge
George Silva, Santa Cruz County Attorney, by conference call
Carl Taylor, Coconino County Supervisor, by conference call

Members Absent:

Duane Belcher, Chairperson, Board of Executive Clemency

Staff Participating:

John A. Blackburn, Jr., Executive Director
Larry Grubbs, Program Manager
Tony Vidale, Program Manager
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Ralph Ogden at 1:40 p.m. Roll was taken and a quorum was declared present.

II. Minutes of the November 10, 2011 Meeting

Chairperson Ogden called for a motion on the minutes. Commissioner David Byers entered a motion to approve the minutes of the November 10, 2011 meeting. The motion was seconded by Designee Jim Keppel and was unanimously approved by the Commission.

III. Election of a Chairperson and Vice Chairperson

Executive Director Blackburn stated that at the November 2011 meeting the nomination for the position of Chairperson and Vice Chairperson was opened. Vice-Chairperson Daniel Sharp had expressed interest in serving as Chairperson of the Commission and there were no other nominations given. Executive Director Blackburn advised a formal vote on the Chairperson position was required.

Designee Warren Alter entered a motion to elect Commissioner Daniel Sharp as Chairperson of the Commission. The motion was seconded by Commissioner Robert Huddleston and was unanimously approved by the Commission.

Executive Director Blackburn reported that Commissioner Bill Montgomery was nominated for the position of Vice Chairperson of the Commission. Executive Director Blackburn stated the Commission would need a motion and a vote to elect the Vice Chairperson position. There were no other nominations made. Newly elected Chairperson Sharp then asked for a motion.

Commissioner Robert Huddleston entered a motion to elect Commissioner Bill Montgomery as Vice-Chairperson of the Commission. The motion was seconded by Commissioner Charles Ryan and was unanimously approved by the Commission.

IV. Executive Director's Report

A. Staff and Program Updates

Executive Director Blackburn reported that Wendy Kasprzyk-Roberts, Grants Coordinator accepted a position with Coconino County. Staff is recruiting for the Public Information Officer opening and will start interviewing applicants the first week in February. After the job posting is filled, staff will focus attention on filling the vacant grants coordinator position. In the meantime, Janice Simpson is assisting with the Crime Victim Services program and Joe Easton who is on contract with ACJC is helping out with legislative matters.

ACJC welcomed four new interns to the agency. Jeremy Jack, Jennifer Chambers, Katie Grzybowski will be assisting the Statistical Analysis Center and Avangelina Rogut will be working with Mr. Easton on legislative issues.

Executive Director Blackburn explained there are signs that the private sector is improving, this makes it difficult for the state to offer competitive salaries to applicants. There is also a hiring freeze; however, ACJC is able to post the vacancies since there is a critical need and the agency is below staffing levels.

B. Budget Update

Executive Director Blackburn stated that ACJC received the baseline budget which remains the same as last fiscal year. Staff will be monitoring a continuation of last year's budget activity that included fund reduction and transfers (FRATS) as well as budget sweeps in the legislature. There are no scheduled hearings for ACJC; however, staff will schedule meetings with legislators to discuss the direction the government will take this year.

On the federal side, the Byrne/JAG funding has been cut by fifty percent since 2010. The program is up for reauthorization this year; however, because of the election season there may not be reauthorization of programs or bills. ACJC is reaching out to educate the congressional delegation on the negative impact the cuts have on Arizona. Executive Director Blackburn discussed the 10 percent penalty that Arizona received for not meeting the guidelines of the Sex Offender Registry Notification Act (SORNA). Arizona was one of three states (California and Texas) that did not apply for the penalty money to come back to the state.

C. Legislative Update

Executive Director Blackburn provided the state and federal legislative review.

On the state front, there are 833 bills and 70 resolutions posted currently. Executive Director Blackburn reported ACJC is tracking 81 bills in the House and 30 bills in the Senate.

On the federal front, the National Justice Criminal Association, (NCJA) designated the tax intercept bill as a priority. There were objections to the negative impact to other programs; however, lawmakers were able to show the information was inaccurate so the bill has a chance to move next year.

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

V. Criminal Justice Enhancement Fund (CJEF) Guidelines

Executive Director Blackburn gave a historical recap on the Criminal Justice Enhancement Fund (CJEF) rules. ACJC's authority to make rules over CJEF had been removed in 1994 under A.R.S. § 41-2405 (A) (8) in HB 2113. The rules were repealed in 1996 by ACJC; however, the bill neglected to remove references to ACJC rulemaking which brought confusion as to who had rules in place to govern allegations and reporting requirements. In 2009, HB 2010 removed the Department of Corrections from A.R.S. § 41-2401 (D) (9) and those state monies now go directly to the county sheriffs. There were no state rules guiding funding disbursements or use of funds only annual reporting to ACJC.

Executive Director Blackburn stated that the legislature amended A.R.S. § 41-2405(A) (8) which indicates ACJC is to make rules regarding allocation of monies in CJEF. The Governor's Regulatory Review Council (GRRC) approved a rulemaking process for handling and allocating fund monies directly to the Department of Law, Department of Public Safety, Supreme Court, and County Sheriffs. The administrative rules process took over a year and became effective in September 2011. All agencies required to submit guidelines for the Commission approval complied; the Attorney General's Office, the Administrative Office of the Courts, the Arizona Sheriffs Association, and the Department of Public Safety.

The Commission review the guidelines submitted by the Attorney General's Office for handling the CJEF monies to county prosecutors. After review and discussion, Commissioner Bill Montgomery entered a motion to return the Attorney General's CJEF guidelines for redrafting and to have the Commissioners meet with the Attorney General's Office staff to help assist in writing the procedures. The motion was seconded by Designee Jim Keppel and was unanimously approved by the Commission.

The Commission reviewed the guidelines submitted by the Administrative Office of the Courts for the Case Processing Assistance Fund (CPAF). After review and discussion, Commissioner Ralph Ogden entered a motion to accept the program guidelines for the Case Processing Assistance Fund procedures as presented. The motion was seconded by Commissioner Robert Huddleston and was unanimously approved by the Commission.

The Commission reviewed the guidelines submitted by the Arizona Sheriffs Association for the Jail Enhancement Funds process.

After review and discussion, Commissioner Ralph Ogden entered a motion to accept the Jail Enhancement Funds guidelines as presented. The motion was seconded by Commissioner Bill Montgomery and was approved by the Commission with Commissioner Carl Taylor opposing.

The Commission reviewed the guidelines submitted by the Department of Public Safety for the allocation of the CJEF monies to law enforcement authorities for the purpose of enhancing projects designed to prevent residential/commercial burglaries and to control street crime.

Commissioner Ralph Ogden entered a motion to accept the CJEF guidelines as presented by the Department of Public Safety. The motion was seconded by Designee Warren Alter and was unanimously approved by the Commission.

VI. Crime Victim Assistance Program

A. FY13 Crime Victim Assistance Program Funding Level

Larry Grubbs, Program Manager presented the recommendation from the Crime Victims Committee to set the program level for the Crime Victim Assistance Grant Program for FY 2013 at \$1,020,000. Mr. Grubbs explained the recommended funding level is the same amount allocated to the program for the current fiscal year. The Commission was referred to Table VS1 on page 33 of the agenda that reflects the financial status of the Crime Victim Compensation and Assistance Fund.

Mr. Grubbs reviewed how a \$96,047 shortfall is projected for the Victim Assistance Program at the end of FY 2013; however, there is a chance the \$307,500 fund sweep included under the FY 2013 Victim Compensation Program could be eliminated so funds could cover the Victim Assistance Program shortfall. Mr. Grubbs explained that as the difference between revenue and the program level continues to spread, staff and the commission will need to take action this year to address the shortfall.

Commissioner Linda Scott entered a motion to approve the funding level at \$1,020,000 for the FY 2013 Crime Victim Assistance Grant Program. The motion was seconded by Commissioner Bill Montgomery and was unanimously approved by the Commission.

B. Implementation of Crime Victim Assistance Funding Priorities

Larry Grubbs, Program Manager provided an overview of the Victim Assistance Grant Program funding priorities that were approved at the November 2011 Commission meeting; the priorities are outlined in Table VS2 on page 35 of the agenda. Table VS3 on page 36 of the agenda depicts the revised scorecard for the Victim Assistance Grant application. This version shows increased scoring opportunities in areas such as Compensation Claims Assistance, Coordination Efforts, Goals and Objectives, Program Performance History; additionally, the Emerging Issue funding priority is listed as well. Mr. Grubbs stated that ACJC staff will host a public orientation meeting for the Crime Victim Assistance Program on January 23, 2012; attendees will have the opportunity to ask questions regarding the impact the priorities this associated scoring may have on the process.

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

C. FY13 Crime Victim Assistance Emerging Issue Funding Priority

Larry Grubbs, Program Manager presented the recommendation from the Crime Victims Committee to not designate an emerging issue or underserved victim population as a funding priority for the FY 2013 Crime Victim Assistance grant program. Mr. Grubbs stated there was discussion at the Crime Victims Committee meeting and the committee members expressed concern over the point value assigned and whether or not a single emerging issue or population could be successfully identified for the state victim assistance program. There was also discussion to have the Commission possibly revisit the funding priorities.

Commissioner Bill Montgomery motioned to approve a designated funding priority for the FY 2013 grant period. After discussion, the motion was withdrawn.

Next, Commissioner Barbara LaWall entered a motion to not support designating an emerging issue as a funding priority for the FY 2013 grant period. The motion was seconded by Commissioner Bill Montgomery and was unanimously approved by the Commission.

VII. FY12 Crime Victim Compensation Fund Reallocation

Larry Grubbs, Program Manager acknowledged that the Commission approved in May 2011 transitioning operational unit compensation fund distributions to a monthly reimbursement process. The capability of program staff to closely observe the statewide expenditures and ask for an adjustment towards the initial allocation on an as needed basis is an advantage to the process. Mr. Grubbs explained the purpose of the adjustment is to reallocate compensation funding to counties with the high demand to expend the additional compensations funds by the end of the fiscal year. The Committee was directed to Table VS4 on page 39 of the agenda that showed the proposed FY 2012 figures for each county based on the expenditures for the first six months of the fiscal year and total expenditures for the prior fiscal year that were provided by the county programs.

Commissioner Linda Scott entered a motion to approve the compensation funds for the current FY 2012 to be reallocated 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. The motion was seconded by Commissioner Robert Huddleston and was unanimously approved by the Commission.

VIII. Crime Victim Assistance and Crime Victim Compensation Rulemaking Dockets

Larry Grubbs, Program Manager reported that A.R.S. § 41-1056 requires each agency to review its rules every five years to determine whether any rule should be amended or repealed. Mr. Grubbs stated the victim assistance rules should require minor revisions; however, the victim compensation rules may need more extensive changes. The Commission reviewed and discussed the timeline found on page 41 of the agenda; the process is scheduled to be completed by the end of 2012. A workgroup of county compensation program coordinators will meet on a monthly basis between January and May to address the proposed changes within the compensation program rules; additionally, feedback on the proposed rule changes will be gathered from the county board members as well.

Commissioner Linda Scott entered a motion to approve rulemaking dockets be opened for the Crime Victim Assistance Program and the Crime Victim Compensation Program. The motion was seconded by Designee Warren Alter and was unanimously approved by the Commission.

IX. Arizona Victimization Survey Funding

Larry Grubbs, Program Manager reviewed that ACJC staff presented information on the Arizona Victimization Survey to the Commission in November 2011 and requested that the Commission consider providing additional funding support to expand the survey to include a representative sample from each of the 15 Arizona counties. The Arizona Statistical Analysis Center was awarded a grant from the FFY 2011 State Justice Statistics Program to conduct an Arizona Victimization Survey. It includes \$70,000 to administer the survey to Maricopa and Pima counties as well as a statewide sample. The total cost is projected to be \$250,000. The Commission tabled the action item and directed ACJC staff to provide additional information addressing concerns related to funding for the Arizona Victimization Survey which included: 1) Providing justification of the need for a statewide survey; 2) Confirming the participation of other fund sources; and 3) Demonstrating how the survey will impact the victim compensation program, victim service providers, and the criminal justice system.

Mr. Grubbs covered the first item of information by addressing how the federal government as well as ACJC is moving the program towards a model of evidence based practices and data driven decisions. Addressing participation by other fund sources, Mr. Grubbs stated that ACJC staff met with the Department of Public Safety (DPS). The agency indicated that the information could be valuable; however, they could not commit to funding at this time. DPS would like to see the results of the survey and if useful, would consider funding a second Arizona Victimization Survey. ACJC staff also contacted the Governor's Office of Children, Youth and Families; however, the attempt was unsuccessful. Based on the feedback received by the Committee and Commission at the November 2011 meeting and the outcome of the meeting with DPS, Mr. Grubbs recommended that the Arizona Victimization Survey proceed as originally intended under the federal award.

Commissioner Ralph Ogden entered a motion to not approve using additional funding from the Crime Victim Compensation and Assistance Fund to support the Arizona Victimization Study. The motion was seconded by Designee Warren Alter and was unanimously approved by the Commission.

X. Funding Priorities for FY 2013 Drug, Gang and Violent Crime Control Grant

Tony Vidale, Program Manager stated that at the November 2011 Commission meeting, the Commission approved the Arizona 2012-2015 Drug, Gang and Violent Crime Control Strategy. The strategy includes goals, purpose areas, and strategic principles that assist in making allocation decisions. The Commission has the opportunity each year to set the funding priorities before the grant solicitation is opened.

Mr. Vidale presented the recommendation of the Drug, Gang and Violent Crime Committee of using a tiered system to establish the funding priorities. Each purpose area would be structured under three tiers: 1) Tier I Project: Apprehension and Prosecution; 2) Tier II Project: Forensic Support Services, Adjudication and Sentencing, Corrections and Community Corrections; or 3) Tier III Project: Substance Abuse Treatment for Corrections-Involved Individuals, Prevention and Education. The purpose areas and definitions were outlined for the Commission as well as the strategic principles for the projects.

Mr. Vidale explained that Tier I projects would receive the primary focus in the allocation of funding. The funding recommendation reflects the general strategic principles outlined in the strategy. Projects do not have to include all of the strategic principles; however, the stronger projects will reflect as many of these qualities as possible.

Designee Jesse Locksa entered a motion to approve the use of a tiered system for the funding priorities for the FY13 Drug, Gang and Violent Crime Control Grant as listed on page 45 of the agenda. The motion was seconded by Designee Jim Keppel and was unanimously approved by the Commission.

XI. Call to the Public

Chairperson Sharp made a call to the public. Lt. John Bailey, Maricopa County Sheriff's Office and Assistant Chief Kevin Robinson, Phoenix Police Department spoke about the transition of the AZ Link project from ACJC to another law enforcement agency and how the group has developed as an information sharing tool. Designee Jesse Locksa also gave a historical recap of how AZ Link began.

XII. Date, Time, and Location of Next Meeting

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

XIII. Adjournment

The meeting was adjourned at 3:05 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 22, 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:
March 22, 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 budget.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 22, 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 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 22, 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 provide and update on Commission member appointments.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 22, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Drug, Gang & Violent Crime Control Program Cycle 26 Grant Fund Reductions

TO: Chairperson and Commission Members

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

RECOMMENDATION:

The Commission approve options to address significant reductions in the Arizona Drug, Gang and Violent Crime Control Cycle 26 grant funds to eligible criminal justice agencies for the period beginning July 1, 2012 and ending June 30, 2013.

DISCUSSION:

See attached.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

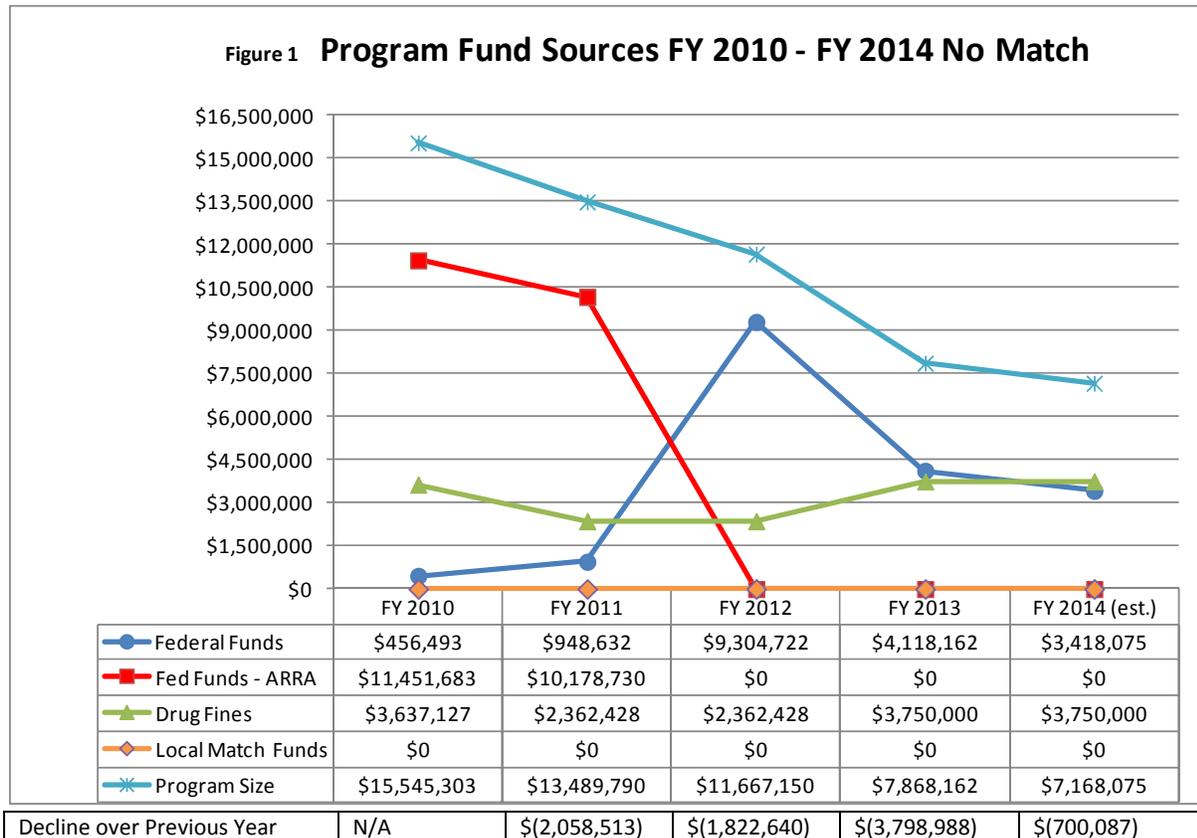
Program Background

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*.

The program is supported by several funding streams to successfully carry out the statewide strategy. 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.

Funding

In FY 2012, the grant program size was \$11.7 million. It is estimated that the reduction in funds for the FY 2013 grant will be approximately \$3.8 million, leaving a \$7.9 million program. Staff has projected that in FY 2014 there may be an additional \$700,000 decrease caused primarily by a reduction in the Byrne/JAG grant. *Figure 1* shows the level of funding, by fund source, for FY 2010 through FY 2014 (estimated). Program totals assume no match funds for FY 2013 or FY 2014. Over the next two fiscal years significant reductions are projected for Byrne/JAG grant funds, while DEA revenue is projected to be relatively flat.



Significant program reduction can be addressed using several methods, as a single solution or in combination. It is important to note that some options listed below may not have an impact on the grant program this fiscal year but could address longer term funding challenges. It is also likely that no matter what options or combination of options are pursued, some level of reductions must occur.

- Program reductions with no match: Projects would be awarded the \$7.9 million in funds available, creating reductions that may exceed 50 percent for some agencies. Across the board cuts would not be utilized and a similar allocation methodology would be employed as was used in FY 2012.
- Institute a 25 percent match: Programs could be required to provide a 25 percent match that would set the program size at \$10.5 million. But there may be agencies that cannot cover a match because all available funding is allocated to the project and no other fund sources are available. The match, however, would not cover the entire reduction in funds available, so some cuts would be necessary.
- Utilize program income on the project and require non-budgeted program income be spent before grant funds: This would not have an immediate impact on FY13. Agencies would be required to expend program income funds on the project instead of on any Byrne/JAG eligible expense. In addition, grantees would be required to expend program income monies not budgeted for current operating expenses before requesting any reimbursement of grant funds. This has the potential to save current year grant funds that can be allocated in the next fiscal year.
- Coordinate outside funding sources: This would not have an immediate impact on FY13. ACJC staff would coordinate with agencies that co-fund drug projects and corresponding stakeholders to determine how to better fund drug eradication efforts.

Project Reduction with No Match

If the preferred solution to address the reduction is to allocate the \$7.9 million among qualified projects with no match funding, staff would establish a similar methodology that was used in the FY 2012 grant year. The overall program size would shrink by approximately 33 percent and it would be expected that the overall effectiveness of most projects would also diminish. Staff would not apply across-the-board reductions but build project budgets from the ground up. The following guidelines were used in allocating funds in FY 2012:

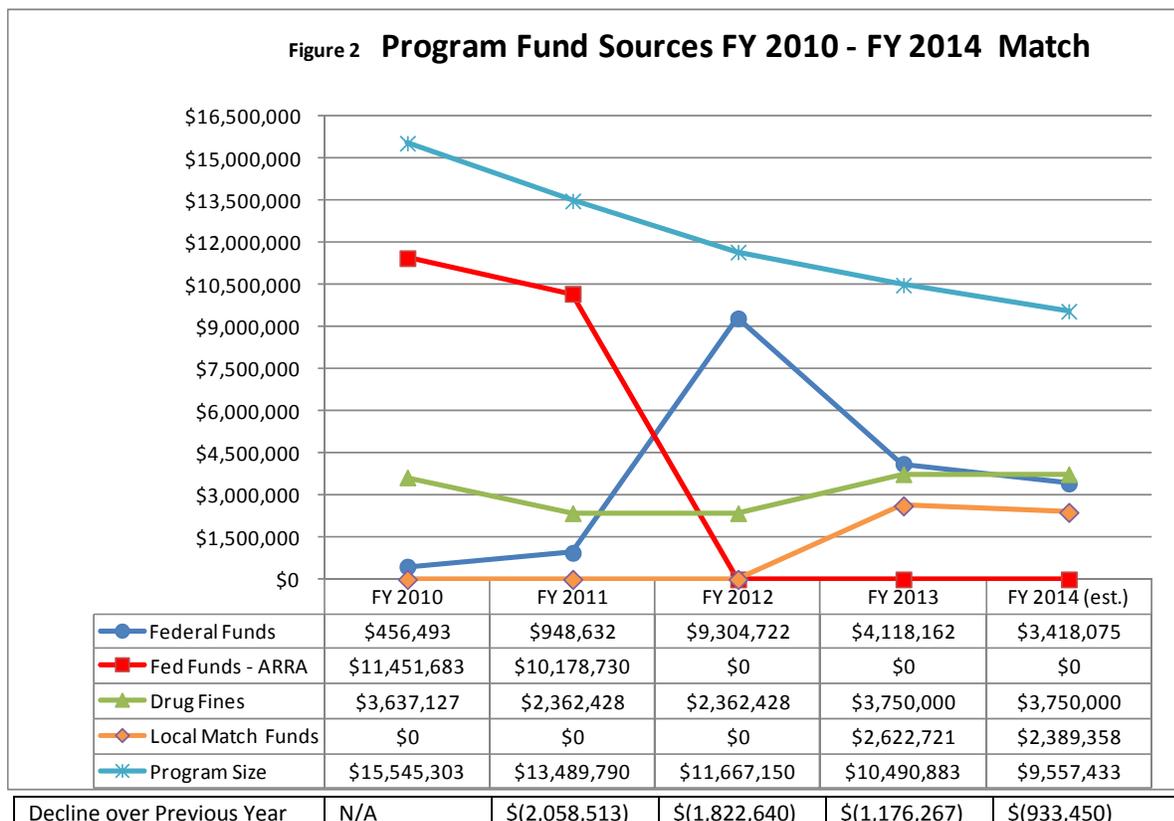
- Prioritize funding core operations positions. Core operations positions were those considered most critical in meeting the purposes of the strategy (i.e. task force officers, attorneys, criminalists).
- Fully fund a position and the associated ERE costs.
- Avoid funding multiple-type support positions for any project.
- Attempt to fund at least one FTE position for each Tier 1 project.
- Provide no salary or ERE increase for any position previously funded under the program.
- Take into consideration a project's ability to cover any reduction with program income in FY13.
- Attempt to fund a similar number of FTE positions for similar sized programs in each purpose area.

Due to the size of the fund reduction, however, some additional criteria must be considered.

- Should only Tier 1 projects be funded? If this is the case, all forensic support projects and adjudication projects currently supported would receive no funding. In FY 2012, \$2,652,598 was allocated for these projects. Elimination of these projects means placing focus on apprehension and prosecution of drug offenders and not addressing the resulting workload on other parts of the criminal justice system. In addition, it would still require about \$1.1 million in reductions for the remaining projects.
- Should the program continue to pursue a statewide approach funding projects in every county? In this scenario, a minimum level of effort must be established for each project (example: fund at least one FTE in each project). Some agencies currently are funded at one FTE and would not experience a reduction. This results in agencies with larger projects experiencing a greater portion of reductions.
- Should projects be entirely eliminated? If so, a criteria needs to be established to determine the types of projects that would be eliminated. Examples of criteria would be workload output, size of project, or under-performing projects.

Projects Provide a Match

A match is essentially a cost sharing between the ACJC and the funded project. An agency would provide funding equal to a set percentage based on the amount of grant they were allocated. The entire project size would be comprised of the grant funds and the match funds. Prior to FY 2010, the Drug, Gang, and Violent Crime program required a 25% match. This match was suspended beginning in FY 2010 in response to the fiscal crisis that most agencies faced and provided for the flexibility to use agency funds on the project or in other areas where cuts were made. *Figure 2* shows the level of funding, by fund source, for FY 2010 through FY 2014 (estimated), assuming a match is required. The overall program size still declines but not as steeply as without match funds.



A match may serve many purposes for the overall program. Aside from the previous mentioned cost sharing, some agencies may secure or protect a funding set-aside for the project from the county or city appropriation authority. Even though funding from the grant is less, the overall program size may remain close to the previous year thereby maintaining the level of effort dedicated to addressing the drug problem. Also, the impact of reductions caused by less funding may be more evenly distributed among all funded agencies.

A match can also be problematic for some agencies. Agencies would be required to come up with a “hard” cash match. Monies covering other non-grant funded positions could not be credited toward meeting the match and an in-kind match would not apply. Some agencies only have the ACJC grant and RICO funds earned from seized assets and forfeitures to support the entire project. In these instances, they may not have any discretionary funds to cover a match requirement and could be faced with not accepting grant monies or dealing with a significant cut. In these instances, the Commission may consider a match for some agencies and waive the match for those that cannot secure additional funding.

ACJC staff did reach out to current grantees to get input on whether they would prefer to deal with a smaller program size and significant reductions or to maintain a level of effort similar to FY 2012 by the use of a match. Of the 35 grantees, 22 preferred a match, 5 did not desire a match, one was unsure, and seven did not respond.

Better Utilize Program Income

All income generated as a direct result of an agency-funded project is deemed program income. Program income may be used to supplement the grant program, reduce project costs, or may be refunded to the Federal government. Reducing project costs means reducing an agency's grant by the amount of program income earned. In 2005, the Commission decided to use program income to supplement the grant program. Specifically, program income can be used as earned by the recipient/sub-recipient for any purpose that furthers the broad objectives of the legislation under which it was made. Under this policy, agencies can spend program income monies on any activity that the Byrne/JAG grant program will allow regardless of whether these activities are directly related to the specific grant-funded project. Program income monies must be expended in the grant year it is earned, unless an extension is granted.

Agencies earn program income through seized and forfeited property under RICO statutes. Of the 35 grantees in FY 2012, 21 of these have earned some level of program income over the last three years. Program income, however, is very volatile. Many agencies have resorted to covering on-going operating expenses with RICO or program income. On occasion there is program income earned that is not budgeted for the fiscal year.

One option for consideration is to require agencies to expend program income on direct project activities and require any non-budgeted program income be spent before grant funds are expended. Agencies would be required to submit a budget at the beginning of the grant period showing how program income funds will be expended on the project. Program income earned in excess of this budgeted amount will need to be expended prior to any grant reimbursement.

This option would not have an impact on the grant program in FY 2013 but may create a savings at the end of the fiscal year. These grant fund savings would be allocated the following fiscal year.

Coordinate Outside Funding Sources

The DC Program grant supports projects that are also supported by other federal funds, such as High Intensity Drug Trafficking Area (HIDTA) and Southwest Border Prosecution Initiative (SWBPI) funding. Currently, there are no coordination efforts taking place before allocation recommendations are brought before the Commission. Of the 15 Task Forces funded, in part, by the DC Program grant, eight also receive HIDTA monies. Of the 16 Tandem Prosecution projects funded, four also receive HIDTA funding. Bringing stakeholders together to examine how these sources are used may provide opportunities of efficiency in funding. For example, there may be types of projects that are better funded through HIDTA than the DC Program grant and vice versa. This option would allow time to communicate with stakeholders and not have an impact on the grant program in FY 2013. It may provide the opportunity to better utilize grant funds in the future.

ARIZONA CRIMINAL JUSTICE COMMISSION**Request for Commission Action**

Action Requested:	Type of Action Requested:	Subject:
March 22, 2012	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Arizona Records Improvement & Information Sharing Strategic Plan

TO: Chairperson and Commission Members

FROM: Pat Nelson, Program Manager
CJ System Improvements Program

RECOMMENDATION:

The Commission approve and support the recommendations of the Information Technology and Systems Improvement Committee for the updated vision, goals and objectives of the Arizona Records Improvement and Information Sharing Strategic Plan (2012-2017).

DISCUSSION:

As a follow-up from the July 2011 Information Technology and Systems Improvement Committee meeting; Pat Nelson, Program Manager will provide historical and updated information on tactical projects presently supporting the plan. Additional information will be provided for recommended changes to the goals and objectives and tactical direction in support of the plan.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

Updated Vision, Goals & Objectives:

VISION – ENHANCE PUBLIC SAFETY AND SECURITY FOR ARIZONA CITIZENS THROUGH A COLLABORATIVE JUSTICE INFORMATION SHARING ENVIRONMENT WHILE PROTECTING THE PRIVACY OF CITIZENS AND CONFIDENTIALITY OF INFORMATION.

GOAL 1 - Improve criminal records quality by increasing the timeliness, accuracy, completeness and accessibility of record information.

Objective 1.1 – Identify opportunities to enhance the automation of information delivery, the effectiveness of programs, and the efficiency of operations.

Objective 1.2 – Promote ongoing records improvement collaboration across the flow of the criminal justice system.

GOAL 2 – Enhance information sharing across jurisdictional boundaries.

Objective 2.1 – Develop a conceptual framework that supports information sharing and leverages initiatives and opportunities.

Objective 2.2 – Pursue avenues that enhance the connectivity of disparate components, systems and databases to promote seamless information delivery.

Supporting Activities & Performance Measures:

- Extend the availability of electronic disposition information entry (via ADRS) statewide by 12/31/12 **Supports Obj. 1.1, 1.2, 2.2**
- Expand XML data transfer ability to ADRS pilot agencies (MCAO, Maricopa County Clerk of the Court, and Pinal County) by June 30, 2012. **Supports Obj. 1.1, 2.2**
- Increase the completeness of criminal history records in Arizona by 10 percent by 12/31/17 **Supports Obj. 1.1, 1.2, 2.1**
- Extend JWI functionality and data sources available to JWI through collaboration with stakeholders and DPS. **Supports Obj. 1.1, 2.1, 2.2**
- Continue to provide information and support regarding the availability and utility of AZLINK as a law enforcement investigative and analysis tool. **Supports Obj. 1.1, 2.1 and 2.2**
- Continue to support through facilitation, participation and information sharing the warrant reengineering initiative focused on business process improvements, information exchange and record retention of warrants. **Supports Obj. 1.1, 1.2, 2.1**
- Continue support through facilitation and participation of executive and stakeholder workgroups and subcommittees allowing stakeholders to discuss, analyze and recommend changes to business processes, legislation, and administrative policy. **Supports Obj. 1.2, 2.2**
- Facilitate the National Instant Criminal Background Check System (NICS) project awarded to the ACJC from the Bureau of Justice Statistics in October 2011. Improve the reporting of mental health adjudications and completed dispositions for offenses used by the NICS unit for

making determinations regarding firearm purchases. Offenses included are all felonies, domestic violence and drug offenses. Deliverables of grant include Arizona NICS Record Improvement Plan. **Supports Obj. 1.1, 1.2, 2.1, and 2.2**

- Improve completeness of failure to appear (FTA) (13-2506 and 13-2507) charges currently existing in the state repository through coordinated efforts with county and municipal prosecution offices. Evaluate with stakeholders direction for warrant process improvements / reengineering. Suggested changes to be vetted through policy, technical, legislative committees and Commission as required. **Supports Obj. 1.1, 1.2**
- Be attentive to federal records improvement and information sharing priorities and leverage opportunities to align with federal initiatives. **Supports Obj. 2.1**
- Continue partnerships with Judicial Branch to encourage standardized business processes for electronic filing. **Supports Obj. 1.1, 1.2**
- Provide information regarding the benefits of E-citation to law enforcement and courts. **Supports Obj. 2.1**

TECHNOLOGY STANDARDS

- Continue to educate stakeholders on federal information exchange standards (such as NIEM) and support global initiatives through training and informational resources. **Supports Obj. 1.1, 2.1 and 2.2**
- Educate stakeholders regarding the capability of querying across multiple informational sources through JWI. **Supports Obj. 1.1, 2.1 and 2.2**
- Adopt NIEM compliant exchange standards for E-filing and E-citation information sharing. **Supports Obj. 1.1, 2.1 and 2.2**

FUNDING

- Identify funding opportunities (federal, state, local, private, other) to further the priorities of the state strategy and coordinate efforts to leverage the greatest benefit. **Supports Obj. 2.1**
- Continue to encourage national and state legislative appropriations for public safety records and information exchange efforts. **Supports Obj. 2.2**

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
March 22, 2012	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Arizona Identity Theft and Domestic Violence Criminal History Records Information

TO: Chairperson and Commission Members

FROM: Matt Bileski, Research Analyst
Phillip Stevenson, Director
Statistical Analysis Center (SAC)

RECOMMENDATION:

Information Only

DISCUSSION:

Staff will provide a presentation from SAC and discuss findings from an analysis of criminal history records information as it pertains to the arrest and subsequent criminal justice system processing of individuals arrested for domestic violence and identity theft.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A