

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

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the **Arizona Criminal Justice Commission** and to the general public that the **Arizona Criminal Justice Commission** will hold a meeting open to the public on **Thursday, July 17, 2014** beginning at **2:00 p.m.** at the **Little America Hotel, 2515 East Butler Avenue, Ballroom C, Flagstaff, AZ 86004.**

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

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

Agenda for the meeting is as follows:

- |             |  |   |
|-------------|--|---|
| <b>I.</b>   | <b>Call to Order and Roll Call</b>   | <b>Chairperson Bill Montgomery</b>        |
| <b>II.</b>  | <b>Minutes of the May 22, 2014 Meeting</b>   |   |
|             | <ul style="list-style-type: none"><li>• Approval of Minutes</li></ul>  | <b>P-F-T</b>                              |
| <b>III.</b> | <b>Executive Director's Report</b>   | <b>John A. Blackburn, Jr.</b>             |
|             | <b>A. Staff and Program Updates</b>  | <b>Info</b>                               |
|             | <b>B. Legislative Update</b>   | <b>Info</b>                               |
| <b>IV.</b>  | <b>2012-2017 Arizona Records Improvement and Information Sharing Strategy Update</b>   | <b>Pat Nelson</b>                         |
|             | <ul style="list-style-type: none"><li>• Information to be provided on the progress of initiatives and activities supporting the strategic plan.</li></ul>  | <b>Info</b>                               |
| <b>V.</b>   | <b>Arizona Criminal Records Infrastructure Improvement Assessment Report and Budget Request</b>  | <b>Pat Nelson</b><br><b>Aaron Gorrell</b> |
|             | <ul style="list-style-type: none"><li>• Review, discussion, consideration and possible action on the assessment report and funding requirements for proposed solutions to enhance timely and accurate sharing of criminal justice information.</li></ul> | <b>P-F-T</b>                              |

- VI. Gerald Hardt Memorial Criminal Justice Records Improvement Program (CJRIP)** **Pat Nelson**
- Review, discussion, consideration and possible action on the Gerald Hardt Memorial CJRIP grant program allocation for FY15. **P-F-T**
- VII. Full Service Forensic Crime Laboratory Grant Program** **Pat Nelson**
- Review, discussion, consideration and possible action on the FY15 Full Service Forensic Crime Laboratory grant proposal and allocations. **P-F-T**
- VIII. ACJC Budget** **Karen Ziegler**
- Review, discussion, consideration and possible action on the following:
    - A. FY2014/2015 Budget Update** **Info**
    - B. FY2016/2017 Budget Issues Request** **P-F-T**
    - C. CJEF Formula Recommendation** **P-F-T**
- IX. 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.
- X. Date, Time, and Location of Next Meeting**
- The next Commission meeting will be held on **Thursday, September 18, 2014 at 1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.
- XI. Adjournment**

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



**ARIZONA CRIMINAL JUSTICE COMMISSION**

**Request for Commission Action**

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 17, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the May 22, 2014 Meeting

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**TO:** Chairperson and Commission Members

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

**RECOMMENDATION:**

The Commission approve the minutes of the Arizona Criminal Justice Commission meeting held on May 22, 2014.

**DISCUSSION:**

N/A

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

**Arizona Criminal Justice Commission  
Minutes  
May 22, 2014**

A public meeting of the Arizona Criminal Justice Commission was convened on May 22, 2014 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Bill Montgomery, Chairperson, Maricopa County Attorney  
David Byers, Vice Chairperson, Director, Administrative Office of the Courts, Jerry Landau representing  
Joseph Brugman, Chief, Coolidge Police Department, by conference call  
Timothy Dorn, Chief, Gilbert Police Department  
Clarence Dupnik, Pima County Sheriff, Paul Wilson representing  
Chris Gibbs, Mayor, City of Safford, by conference call  
Robert Halliday, Director, Department of Public Safety  
Tom Horne, Attorney General, Andrew Pacheco representing  
Drew John, Graham County Supervisor  
Barbara LaWall, Pima County Attorney, Kathleen Mayer representing by conference call  
Brian Livingston, Chairperson, Board of Executive Clemency  
Sheila Polk, Yavapai County Attorney  
William Pribil, Coconino County Sheriff, Cathy Allen representing by conference call  
Charles Ryan, Director, Department of Corrections  
David Sanders, Pima County Chief Probation Officer, Wendy Islas representing by conference call  
Daniel G. Sharp, Chief, Oro Valley Police Department  
Steven Sheldon, Former Judge  
Mark Spencer, Law Enforcement Leader

Members Absent:

Joseph Arpaio, Maricopa County Sheriff

Staff Participating:

John A. Blackburn, Jr., Executive Director  
Karen Ziegler, Deputy Director  
Andy LeFevre, Public Information Officer  
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 Bill Montgomery at 1:30 p.m. Roll was taken and a quorum was declared present.

**II. Minutes of the March 20, 2014 Meeting**

Chairperson Montgomery called for a motion on the minutes. Commissioner Robert Halliday entered a motion to approve the minutes of the March 20, 2014 meeting. The motion was seconded by Commissioner Brian Livingston and was unanimously approved by the Commission.

**III. Executive Director's Report**

***A. Staff and Program Updates***

Executive Director Blackburn informed the Commission that Larry Grubbs, Program Manager was the recipient of the Attorney General's distinguished service award in public policy at the annual victim rights award luncheon for his work on rewriting the crime victim compensation rules and training for the crime victim services program.

Executive Director Blackburn reinforced the need to seek opportunities to speak out about the outcomes of continual reductions in federal and state funding for our programs, especially in the drug and violent crime program. Staff continues to look beyond the number of arrests and seizure of drugs to highlight the dire consequences of funding reductions as reflected in deaths, overdoses and increased emergency room admissions for drug use. In the fight for

adequate funding for all programs, this message of awareness needs to be shared with our congressional delegation and state legislative policymakers.

Executive Director Blackburn reported that data from the Arizona Youth Survey (AYS) is used by communities throughout Arizona for education, prevention, and grant funding. Recently, AYS data was used by Drug Free AZ in the discussion of legalization of marijuana in Arizona.

**A. Budget Update**

Executive Director Blackburn noted that staff is preparing to closeout FY14 as FY15 begins July 1, 2015. The ACJC agency budget reflects slightly lower expenditures as a result of some vacancy savings. Staff will be presenting budget issues for consideration for the FY16-17 budget submission at the July Commission meeting.

**B. Legislative Update**

Andy LeFevre, Public Information Officer thanked the Commission for reaching out to legislators this session to gain support for the National Instant Criminal Background Check System (NICS) bill that passed.

Mr. LeFevre explained the final version of the bill was to report the mental health ruling up to the NICS. A meeting with liaisons and stakeholders prior to the next legislative cycle will be held to discuss improving access to mental health information, the courts placing conditions on release, and to work on provisions that were taken out of the original bill such as the addition of language granting law enforcement notification of prohibited possessor for some offenses.

Mr. LeFevre noted the legislative summary will be presented at the July Commission meeting. There were 1,205 bills introduced of which 303 passed, 25 were vetoed, and 278 bills were signed into law. ACJC tracked 123 bills that could impact criminal justice issues. The Governor's office has called for a special session on the CPS issue and there may be discussions regarding the public safety retirement system.

**C. Drug Enforcement Account (DEA) Audit**

Karen Ziegler, Deputy Director provided a summary of the audit of the Drug and Gang Enforcement Account Distributions report to the Commission. This report is audited annually by an independent audit firm per ARS 41-2402.

Deputy Director Ziegler reviewed the distribution of state DEA and federal funds for FY13 categorized by approved purpose areas in the Drug, Gang and Violent Crime Control (DGVCC) strategy. Federal distributions totaled \$5,522,173, \$89,600 in federal/ARRA funds, \$4,085,666 in non-federal funds; for a combined total distribution of \$9,697,438 for the year ending June 30, 2013. From the program's inception in August 1987 through June 30, 2013, the total amount of drug and gang enforcement account funds distributed throughout the state equals \$293,178,403. Deputy Director Ziegler thanked Barbara Maxwell, Accountant at ACJC for preparing the financial statement reviewed by the auditors. There were no findings reported in the audit.

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

**IV. Crime Victim Compensation Program**

**A. Designation of Operational Units**

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission designate the 15 County Attorney's offices as operational units for the FY15 Crime Victim Compensation Program.

Designee Andrew Pacheco entered a motion to approve the designation of the 15 County Attorney's offices as the operational units for the FY15 Crime Victim Compensation Program. The motion was seconded by Commissioner Tim Dorn and was unanimously approved by the Commission.

**B. Operational Unit State & Federal Funding Allocation**

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission approve the allocation of \$3,942,500 in state and federal Crime Victim Compensation funds. Mr. Grubbs reviewed Table VS-1 that outlined how the allocation of the funds was derived.

Commissioner Daniel Sharp entered a motion to approve the allocation of \$3,942,500 in state Crime Victim Compensation funds as shown on Table VS 1 on page 14 of the agenda to the operational units for the FY15 Crime Victim Compensation Program. The motion was seconded by Commissioner Robert Halliday and was unanimously approved by the Commission.

**C. Restitution/Subrogation Expenditures**

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission approve operational unit restitution and subrogation fund balances exceeding a one-year reserve amount be spent on compensation benefits by the operational unit during the current fiscal year. If approved, this practice would become effective in FY15.

Mr. Grubbs discussed how FY14 was the first year requiring that the operational unit spend a designated amount of restitution and subrogation funds. Each operational unit has the ability to collect restitution and subrogation on

benefit expenditures made on a crime victim compensation claim. The collected funds are deposited at the county level and must be used on crime victim compensation benefits. Statewide county programs collect an average of \$350,000 a year in restitution and subrogation funds.

Mr. Grubbs described the annual process that would take place beginning in FY15 to manage the expenditure of restitution and subrogation funds. In September of each year, staff would identify county programs with a total restitution and subrogation fund balance exceeding a one year reserve amount; a one year reserve amount is equivalent to the county's three-year annual expenditure average. The next step would be to require the county program with an amount greater than a one-year reserve, to spend that overage on compensation benefits during the current fiscal year.

Commissioner Tim Dorn entered a motion to approve that beginning in FY15 operational unit restitution and subrogation fund balances exceeding a one-year reserve amount, be spent on compensation benefits by the operational unit during the current fiscal year. The motion was seconded by Commissioner Daniel Sharp and was unanimously approved by the Commission.

## **V. Crime Victim Assistance Grant Program**

### ***A. FY15 Crime Victim Assistance Grant Awards: Agencies eligible to serve on the ACJC***

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission approve the Crime Victim Assistance grant awards of \$1,250,000 for FY15. The agenda item contains two funding proposals that require separate votes by the Commission, and addresses awards to criminal justice government agencies eligible to serve on the Commission and non-profit and other government agencies.

Mr. Grubbs referred the Commission to page 17 and 18 of the agenda that provide a detailed summary of the proposal to fund 46 of the 47 current victim service projects for FY15. The recommendation did not include funding the crime victim service project at Wingspan in Pima County. The Wingspan project submission did not fulfill the minimum requirements of the grant application, thus resulting in a lower total score.

Mr. Grubbs also reviewed the guidelines used by staff to develop the funding recommendations. The recommendation not to fund the Wingspan project coupled with the City of Chandler's request of \$7,943 less than the agency's current FY14 award resulted in \$32,943 in available crime victim assistance funds for FY15. The recommendation is to allocate these funds in the following manner; to increase the annual amount of priority funding for the Arizona Victim Assistance Academy from \$20,000 to \$25,000 and to provide funding for one agency not currently receiving a grant award from the crime victim assistance program. The City of Maricopa in Pinal County was chosen based on the content of the application submission and the project's alignment with the requirements of the grant program. Additionally, the recommendation includes increasing funding to Verde Valley Sanctuary in Yavapai County as this agency submitted one of the top performing applications among the currently funding programs. There were two new grant requests from the City of Surprise and Page Regional Domestic Violence Services. The agencies were not recommended due to the limited amount of available funds; however, both programs submitted quality applications.

Mr. Grubbs referred the Commission to the amended funding Table VS-2 that outlines the agency grant requests, staff's proposed awards for FY15 and the amended Table VS-3 funding allocation distribution chart. The correction was to La Paz County Attorney's Office; the original Table VS-2 on page 19 of the agenda referred to \$25,432 as the FY14 grant award and as the proposed FY15 grant award. The grant management system (GMS) revealed the agency's grant request for FY15 was actually \$24,959. Since an award cannot be made for more than the requested amount, the proposed award was reduced by \$473 and the amount reallocated to Verde Valley Sanctuary in Yavapai County.

Chairperson Montgomery asked if any member of the public would like to address the Commission and there were none. Mr. Grubbs explained there was a member of the public that spoke at the Crime Victims Committee from Wingspan and asked the Committee to reconsider their agency grant application. Commissioner Mark Spencer and Commissioner Brian Livingston conveyed the substance of the Committee's discussion.

Commissioner Daniel Sharp entered a motion to approve the award of FY15 Crime Victim Assistance grant funds, in accordance to the amended Table VS-2, to criminal justice government agencies eligible to service on the Commission. The motion was seconded by Commissioner Brian Livingston and was unanimously approved by the Commission.

### ***B. FY15 Crime Victim Assistance Grant Awards: Other government, and non-profit agencies***

Chairperson Montgomery asked the Commission for a motion on Action Item V-B.

Commissioner Steven Sheldon entered a motion to approve the award of FY15 Crime Victim Assistance grant funds, in accordance to the amended Table VS-2, to non-profit agencies and other government agencies. The motion was seconded by Commissioner Daniel Sharp and was approved by the Commission with one opposing.

## **VI. Drug, Gang and Violent Crime Control Program Cycle 28 Grant Awards**

Tony Vidale, Program Manager presented the recommendation of the Drug, Gang and Violent Crime Control Committee to award \$10,307,537 for the FY2015 Drug, Gang and Violent Crime Control Cycle 28 grant program. Eligible

criminal justice agencies will receive the award for the period beginning July 1, 2014 through June 30, 2015, except the Attorney General's Office Medicaid Fraud project, which will begin October 1, 2014 and end September 30, 2015.

Mr. Vidale explained the funding would include \$3.2M from the Byrne/JAG grant, \$4.3M from state DEA funds, \$210,000 of unspent program income from a previous grant year and \$2.6M in local match funds. The Commission was referred to Table DC 2 on page 24 of the agenda that detailed the change in program size and fund source from FY14 to FY15, specifically the program income and match funds.

The funding recommendation would be allocated according to Table DC 4 on page 28 of the agenda awarding \$3,439,148 to drug apprehension projects, \$3,818,100 to drug prosecution projects, \$869,400 to the statewide forfeiture activities, \$503,343 to forensic support projects, and \$1,677,546 to drug adjudication projects with a corresponding match amount.

Lastly, Mr. Vidale referred the Commission to Table DC 5 on page 29 of the agenda that breaks out the total grant awards to each of the 15 counties.

Commissioner Charles Ryan entered a motion to approve the award of the FY15 Drug, Gang and Violent Crime Control Cycle 28 grant funds as shown in Table DC 4 on page 28 of the agenda for the period beginning July 1, 2014 and ending June 30, 2015, except the Attorney General's Office Medicaid Fraud project, which will be funded from October 1, 2014 through September 30, 2015. The motion was seconded by Commissioner Robert Halliday and was unanimously approved by the Commission.

**VII. Call to the Public**

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

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

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, July 17, 2014 at 2:00 p.m.** at Little America Hotel, Flagstaff, AZ.

**IX. Adjournment**

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,



John A. Blackburn, Jr.  
Executive Director

Audio recording is available upon request.

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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Action Requested:	Type of Action Requested:	Subject:
July 17, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

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**TO:** Chairperson and Commission Members

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

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Executive Director Blackburn will update the Commission on staff and program activities.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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Action Requested:	Type of Action Requested:	Subject:
July 17, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

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**TO:** Chairperson and Commission Members

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

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Executive Director Blackburn will update the Commission on current legislative issues at the state and federal level.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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Action Requested:	Type of Action Requested:	Subject:
July 17, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	2012-2017 Arizona Records Improvement and Information Sharing Strategy Update

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**TO:** Chairperson and Commission Members

**FROM:** Pat Nelson, Program Manager  
CJ System Improvements Program

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Information will be provided on the progress of initiatives and activities which support the strategic plan, program funding and records completeness.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
July 17, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Arizona Criminal Records Infrastructure Improvement Assessment Report and Budget Request

**TO:** Chairperson and Commission Members

**FROM:** Pat Nelson, Program Manager  
 CJ System Improvements Program  
 Aaron Gorrell, Waterhole Consulting

**RECOMMENDATION:**

The Commission approve the Arizona Criminal Records Infrastructure Improvement Assessment Report and 2016 budget request in the amount of \$6,137,932 to support development and implementation of technology solutions to enhance timely and accurate sharing of criminal justice information.

**DISCUSSION:**

The Commission approved the 2014 Criminal Justice Records Improvement Program funds be directed to support contractual services to update the Arizona Records Improvement and Information Strategic Plan projects focused on automation and information sharing capabilities. A presentation and budget summary will be provided on the Arizona Criminal Records Infrastructure Improvement Assessment.

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

**FISCAL IMPACT:**

Significant to recipient agencies

**ALTERNATIVES:**

Not Approve - Modify - Table

## ARIZONA CRIMINAL JUSTICE COMMISSION

## Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
July 17, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Gerald Hardt Criminal Justice Records Improvement Plan (CJRIP)

**TO:** Chairperson and Commission Members

**FROM:** Pat Nelson, Program Manager  
CJ System Improvements Program

**RECOMMENDATION:**

The Commission direct FY2015 Byrne/JAG 5% set-aside funding designated for the Gerald Hardt Criminal Justice Records Improvement Program in the amount of \$211,749 to support the initiative for implementing mobile fingerprint devices in each courtroom of the Maricopa County Superior Court.

**DISCUSSION:**

Pursuant to ARS 13-607(B) the "court or a person appointed by the court shall at the time of sentencing and in open court permanently affix the defendant's right index fingerprint to the document or order". Fingerprints for the sentencing order are currently captured manually by courtroom clerks or bailiffs using the ink and roll method. This manual fingerprint process creates challenges to capturing a quality print. A quality print is critical when making determinations of prior convictions for enhanced charges and for establishing a criminal history record if fingerprints were not taken as the individual moved through the judicial process.

Information will be provided on a proposed solution to pilot utilization of mobile fingerprint devices in the courtroom to capture a quality fingerprint image.

Recommendation to direct the FY2015 funding to support implementation of mobile fingerprint devices in each courtroom of the Maricopa County Superior Court will provide a state benefit for criminal justice records improvements and public safety.

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

**FISCAL IMPACT:**

Significant to recipient agencies

**ALTERNATIVES:**

Not Approve - Modify - Table

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
July 17, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Full Service Forensic Crime Laboratory Grant Program

**TO:** Chairperson and Commission Members

**FROM:** Pat Nelson, Program Manager  
CJ System Improvements Program

**RECOMMENDATION:**

The Commission approve the Full Service Forensic Crime Laboratory grant allocations for FY15 in the amount of \$850,000 as outlined in the attached table.

**DISCUSSION:**

Arizona Revised Statute 41-2421, commonly referred to as "Fill the Gap" directs the monies collected pursuant to section 12-116.01, subsection B shall be allocated in part to the Arizona Criminal Justice Commission for distribution to state, county and municipal law enforcement full-service forensic crime laboratories pursuant to rules adopted by the Arizona Criminal Justice Commission.

Full Service Forensic Crime Laboratory grant applications were received from all five laboratories for the grant program cycle of July 1, 2014 through June 30, 2015.

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

**FISCAL IMPACT:**

Significant to recipient agencies

**ALTERNATIVES:**

Not Approve - Modify - Table

**FY 2015  
Full-Service Forensic Crime Laboratory Grant Program  
Funding Proposal**

<b>Funding Recipient</b>	<b>Total FY 2015 Allocation pursuant to ARS 41-2421 (J)(5)</b>	<b>Base Allocation *</b>	<b>Population Percentages</b>	<b>Population Allocation</b>	<b>Proposed Allocation</b>
	<b>\$850,000</b>	<b>\$700,000</b>		<b>\$150,000</b>	<b>\$850,000</b>
AZ Department of Public Safety (3 labs)		\$300,000	55%	\$82,500	\$382,500
Mesa Police Department		\$100,000	7%	\$10,500	\$110,500
Phoenix Police Department		\$100,000	22%	\$33,000	\$133,000
Scottsdale Police Department		\$100,000	4%	\$6,000	\$106,000
Tucson Police Department		\$100,000	12%	\$18,000	\$118,000
<b>Totals:</b>	<b>\$850,000</b>	<b>\$700,000</b>	<b>100%</b>	<b>\$150,000</b>	<b>\$850,000</b>

\* Every full-service forensic crime lab (DPS has 3 labs) gets a base of \$100,000.

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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Action Requested:	Type of Action Requested:	Subject:
July 17, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	ACJC Budget Update FY2014/2015

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**TO:** Chairperson and Commission Members

**FROM:** Karen Ziegler  
Deputy Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Staff will update the Commission on the close of fiscal year 2014 and the current budget process for FY2016/2017.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
July 17, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	ACJC Budget Issues Request FY2016/2017

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**TO:** Chairperson and Commission Members

**FROM:** Karen Ziegler  
Deputy Director

**RECOMMENDATION:**

The Commission identify budget issues for submission in the FY2016/2017 budget proposal.

**DISCUSSION:**

As part of the state budget process, agencies may request funding to address issues that impact the agency. Each budget cycle ACJC submits as its top priority, a General Fund request to fund Criminal Justice Systems Improvement efforts in the state. The attached page summarizes this request along with two additional issues that staff recommend as budget issues for the upcoming budget submittal. Additional issues may be considered by the Commission for submission in the FY2016/2017 budget.

**FISCAL IMPACT:**

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

**ALTERNATIVES:**

Not Approve - Modify - Table

## PROPOSED ACJC BUDGET ISSUES

### ISSUE # 1

#### Criminal Justice Records Integration

Based on the Arizona Criminal Records Infrastructure Improvement Assessment Report and Project Investment Justification submitted to the Arizona Strategic Enterprise Technology Division of the Department of Administration (ASET/DOA), ACJC is requesting funding in the amount of \$6.1 million from the general fund to allow establishment of an integrated computer information system with accurate, complete and timely criminal records data on individuals and events. The ability for the agency to administer funding toward targeted integration projects will allow Arizona to build the infrastructure needed to support a statewide integrated criminal justice information system. The integrated system will facilitate tracking of a criminal case through its various stages involving all criminal justice agencies and allow private sector agencies to obtain accurate, complete and timely information to make critical hiring decisions.

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

### ISSUE # 2

#### Arizona Youth Survey (AYS)/Arizona Prevention Resource Center Fund

Staff proposes to expand the scope of activities for which Resource Center funds can be used, allowing those resources to support all of the research activities of the Arizona Criminal Justice Commission's Statistical Analysis Center.

At the current time, the Resource Center fund is to be used exclusively to support the Arizona Youth Survey (AYS). Because of increased efficiencies in the AYS process (e.g., posting survey materials on a publicly available website instead of sending those materials to each participating school) and the use of new technologies (e.g., the use of a web-based survey tool to reduce reliance on printed materials) introduced into the AYS process, the Resource Center fund contains more resources than is needed for the AYS alone. Because of the recent efficiencies introduced into the AYS process, the resources above and beyond what is needed to fund AYS could be used to support a broader range of SAC activities to continue ACJC and the SACs support for data-driven and evidence-based policymaking and practice, which increases the efficiency and effectiveness of Arizona's criminal justice system. Although federal funding provides much needed resources to Arizona and our research efforts, federal funds continue to decline and should not be the baseline funding for the Statistical Analysis Center.

The budget issue represents an increased appropriation of \$366,400 for a total appropriation request of \$602,200 for FY16.

### ISSUE # 3

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

Since FY 2012, the state legislature redirected the revenue in the State Aid to County Indigent Defense Fund to the Arizona Department of Public Safety and the Arizona Attorney General's Office. The redirected funds were designated to support border enforcement efforts and capital post-conviction prosecutions leaving no funding for indigent defense efforts through FY14. In FY15, the legislature again redirected funds to both DPS and the AGs Office in the amount of \$1.5 million. \$800,000 is appropriated to the AGs Office for capital post-conviction and \$700,000 to DPS for support of operations for the Arizona Counter Terrorism Information Center.

The budget issue request will request authority to spend the available funds on Indigent Defense projects starting in the FY2016 budget year. The request will be approximately \$1 million based on the FY14 revenue received and the FY15 estimated revenue.

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

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July 17, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	CJEF Formula Recommendation

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**TO:** Chairperson and Commission Members

**FROM:** Karen Ziegler  
Deputy Director

**RECOMMENDATION:**

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

**DISCUSSION:**

ARS 41-2405.7 requires the Commission to "Make recommendations to the legislature and the governor regarding the purposes and formula for allocation of fund monies as provided in section 41-2401, subsection D and section 41-2402 through the biennial agency budget request."

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

**FISCAL IMPACT:**

No Impact

**ALTERNATIVES:**

Not Approve - Modify - Table

41-2401. Criminal justice enhancement fund

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41-2402. Drug and gang enforcement account; resource center fund

A. A drug and gang enforcement account is established within the criminal justice enhancement fund consisting of monies appropriated to the account by the legislature and any other monies available from other sources, public or private, to be used for the purpose of enhancing efforts to deter, investigate, prosecute, adjudicate and punish drug offenders and members of criminal street gangs as defined in section 13-105.

B. The Arizona criminal justice commission shall distribute monies from the drug and gang enforcement account in the following manner:

1. Up to fifty per cent to fund law enforcement agencies approved by the commission to enhance both:

(a) The investigation of drug and gang offenses and related criminal activity.

(b) Drug and gang education and prevention programs.

2. Up to fifty per cent to fund programs and agencies approved by the commission to enhance the state, county, city or town prosecution of drug and gang offenses and related criminal activity.

3. Up to thirty per cent to fund programs and agencies approved by the commission for the purpose of enhancing the ability of the courts to process drug and gang offenses and related criminal cases, either through the appointment of judges pro tempore or the establishment of additional divisions of the courts only for the purposes of this section, enhancing defense and probation services, including treatment, and funding the drug testing program.

4. Up to thirty per cent to fund programs by county sheriffs and the state department of corrections, as approved by the commission, to enhance drug offender treatment programs and the jail operations and facilities available to detain and incarcerate drug offenders and members of criminal street gangs as defined in section 13-105.

5. Up to thirty per cent to fund programs and agencies, as approved by the commission, to enhance the integration of criminal justice records relating to drug and gang offenders and their related criminal activity.

C. Any state agency that receives monies allocated from this account shall not include such monies as part of its continuation budget base for the purpose of requesting appropriations for the following fiscal year.

D. All the monies allocated from this account shall be dedicated solely to the purpose of enhancing efforts to deter, investigate, prosecute, adjudicate and punish drug and gang and related criminal offenders, except those monies allocated pursuant to subsection G of this section.

E. Notwithstanding the limitations prescribed in subsection B of this section, any federal monies or matching state monies in the drug and gang enforcement account may only be allocated by the commission pursuant to a plan approved by the federal government.

F. The auditor general shall annually perform a full and complete audit of the fund or the commission shall annually contract with an accounting firm to perform the audit and deliver a report to the governor and the legislature. The audit shall be charged to the drug and gang enforcement account.

G. A resource center fund is established consisting of monies received pursuant to section 12-284.03, subsection A, paragraph 1 and section 41-178 and all monies received from public or private gifts, grants or other sources, excluding federal monies and monies to be passed through to other entities, to be used solely for the purpose of funding the Arizona youth survey. Monies in the fund are subject to legislative appropriation. Any monies unexpended or unencumbered on June 30 of each year shall not be subsequently expended or encumbered unless reappropriated. No monies in the drug and gang enforcement account except those received pursuant to this subsection shall be used to fund the Arizona youth survey. Monies that are expended pursuant to this subsection are subject to the reporting requirements prescribed in section 41-617.01.