

**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, November 13, 2014** 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 Bill Montgomery**
  
- II. Minutes of the July 17, 2014 Meeting**
  - Approval of Minutes **P-F-T**
  
- III. Executive Director's Report** **John A. Blackburn, Jr.**
  - A. Staff and Program Update** **Info**
  - B. 2015 Meeting Schedule** **Info**
  
- IV. Election of a Chairperson and a Vice Chairperson** **John A. Blackburn, Jr.**
  - Review, discussion, consideration and possible action on the process to elect a Chairperson and a Vice Chairperson for the Arizona Criminal Justice Commission. **P-F-T**

- V. Legislative Proposals** **Andy LeFevre**
- Review, discussion, consideration and possible action on support of proposed ACJC legislation. **P-F-T**
- VI. Update on Other Legislative Discussions** **Andy LeFevre**
- Updates will be provided on other legislative discussions that have occurred since the close of the 2014 legislative session. **Info**
- VII. CY2015 Residential Substance Abuse Treatment Program (RSAT) Grant Awards** **Tony Vidale**
- Review, discussion, consideration and possible action on allocation of 2015 RSAT grant awards. **P-F-T**
- VIII. 2014 Enhanced Drug & Gang Enforcement (EDGE) Report** **Tony Vidale**
- Presentation of the report and highlights of the findings. **Info**
- IX. Arizona Youth Survey** **Phil Stevenson**
- Presentation of the 2014 Arizona Youth Survey results. **Info**
- 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, January 15, 2015 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**

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the July 17, 2014 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 July 17, 2014.

**DISCUSSION:**

N/A

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

**Arizona Criminal Justice Commission**  
**Minutes**  
**July 17, 2014**

A public meeting of the Arizona Criminal Justice Commission was convened on July 17, 2014 at the Little America Hotel, 2515 E. Butler Avenue, Flagstaff, AZ.

Members Present:

Bill Montgomery, Chairperson, Maricopa County Attorney  
David Byers, Vice Chairperson, Director, Administrative Office of the Courts  
Joseph Arpaio, Maricopa County Sheriff, John MacIntyre representing  
Joe Brugman, Chief, Safford Police Department  
Timothy Dorn, Chief, Gilbert Police Department  
Clarence Dupnik, Pima County Sheriff, Paul Wilson representing  
Chris Gibbs, Mayor, City of Safford  
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  
Brian Livingston, Chairperson, Board of Executive Clemency  
Sheila Polk, Yavapai County Attorney  
William Pribil, Coconino County Sheriff  
Charles Ryan, Director, Department of Corrections  
David Sanders, Pima County Chief Probation Officer by conference call  
Daniel Sharp, Chief, Oro Valley Police Department  
Steven Sheldon, Former Judge

Members Absent:

Mark Spencer, Law Enforcement Leader

Staff Participating:

John A. Blackburn, Jr., Executive Director  
Karen Ziegler, Deputy Director  
Andy LeFevre, Public Information Officer  
Pat Nelson, Program Manager  
Wendy Boyle, Executive Secretary

Guest Participating:

Aaron Gorrell, Waterhole Consulting

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

The meeting was called to order by Chairperson Bill Montgomery at 2:00 p.m. Roll was taken and a quorum was declared present.

**II. Minutes of the May 22, 2014 Meeting**

Chairperson Montgomery called for a motion on the minutes. Commissioner David Byers entered a motion to approve the minutes of the meeting held on May 22, 2014. The motion was seconded by Commissioner Chris Gibbs and was unanimously approved by the Commission.

**III. Executive Director's Report**

**A. Staff and Program Updates**

Executive Director Blackburn stated staff has been active in processing the grant agreements for the past month. The vacant Program Project Specialist position has been evaluated and revised to better support the agency programs. The position has been advertised and the hiring process will begin shortly. Staff is also preparing for the upcoming retirements to ensure the transfer of program knowledge will be a smooth transition.

Executive Director Blackburn announced this will be the final Law Enforcement Pow Wow for Pat Nelson, Program Manager and Susan Preston, Human Resources Manager, as they will be departing ACJC next year. Director Blackburn thanked them and acknowledged they have been a vital part of the agency.

Executive Director Blackburn reported how the Rx initiative has been very successful and how he has been sharing the message about the value of the drug drop boxes using as examples the accomplishments in Yavapai, Pinal, Greenlee and Graham counties.

**B. Legislative Update**

Andy LeFevre, Public Information Officer reported on the state legislative update. There were 1,205 bills introduced, 303 passed by the legislature, 25 bills were vetoed, and 278 were signed into law.

Mr. LeFevre thanked Representative Justin Pierce for his help in passing HB2322 – National Instant Criminal Background Check System (NICS) bill. The final version of bill outlines the flow of mental health information from the courts, to the Department of Public Safety, then to NICS. Mr. LeFevre noted the Governor's office contacted ACJC for a signing ceremony on HB2322 on July 31, 2014 and encouraged the Commissioners to attend.

The next legislative session will require work on the notification indicator to law enforcement officers, conditions of release, and prohibited possessor language that was removed from the original bill. Other areas ACJC intends to work on are looking at the drug fines in statute and drafting legislation on 2FID for good biometric identifiers on information for sentencing documents. Also, funding associated with the education lawsuit will be addressed in the next session. ACJC will be watching this closely because of the impact to the state budget and ACJC's budget request.

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

#### **IV. 2012-2017 Arizona Records Improvement and Information Sharing Strategy Update**

Pat Nelson, Program Manager gave an update on the federal FY14 grant proposals that were submitted to improve criminal records in Arizona in the amount of \$1,913,448. There were two grant submissions to the Bureau of Justice Statistics (BJS), one in support of NICS projects and the second in support of National Criminal History Improvement Program (NCHIP) projects. The first grant request to BJS for the NICS program in the amount of \$769,332 was recommended for full funding for continuation of the Arizona NICS Task Force projects. BJS awarded funding in the amount of \$644,951 in support of several National Criminal History Improvement Program (NCHIP) projects. Ms. Nelson explained the third grant application to Bureau of Justice Assistance (BJA) for the Justice Information Sharing Solutions in the amount of \$499,165 was submitted to develop the AZ historical warrant repository. There will be five awards made nationwide for this grant solicitation and ACJC has not yet been informed of the status.

Ms. Nelson provided a summary on the activities and highlights that support the strategic integrated justice plan that include initiatives that focus on improving the completeness of criminal history records, combined with strategies derived by the NICS task force, with concentration on improving the Arizona Disposition Reporting System (ADRS). Some of the activities currently underway include mandatory fingerprint compliance for the missing records by utilizing the 2FID in the courts to capture the quality one print for sentencing documents, and continuing to monitor the Department of Corrections (DOC) GAP report for counties. Under the Warrant Repository project, electronic warrants standardization of the design documents and development of a proof of concept model for electronic workflow for warrants is projected to begin October 2014 along with the development of a historical warrant repository. Lastly, under the NICS Task Force Project, the success of HB2322 allowed the additional mental health statute, Rule 11 and Title 14 guardianship to be reported into NICS. Additional NICS legislation will be sought during the 2015 legislative session that would allow law enforcement to receive notification of mental health prohibited possessors.

Ms. Nelson emphasized how the coordinated approach of merging the Criminal History Records Improvement Plan and the NICS Records Improvement Plan as one strategic plan has resulted in several successes such as the effectively managing funding for NCHIP, NICS, Byrne/JAG, Improving Background Checks and Information Sharing Solutions, and ensuring all stakeholders are actively engaged in the goals and objectives contained in the strategy.

Ms. Nelson reviewed the technical visits to the counties that involved measuring performance on NICS completeness of Arizona computerized criminal history records, and the percentage of arrest charges with subsequent case disposition information in the ACCH by county.

In summation, Ms. Nelson stated that funding since 2005 for the Criminal Records Improvement Plan totaled \$8,315,017 and results of records improvement completed dispositions increased a total 14.9 percent from 2005 (57.2 percent) to 2012 (72.1 percent).

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

#### **V. Arizona Criminal Records Infrastructure Improvement Assessment Report and Budget Request**

Aaron Gorrell, Waterhole Consulting provided information that described the overall process of the Records Infrastructure Improvement Assessment Report. The initiatives were identified and recommended, and the overall funding for the budget request was discussed.

Mr. Gorrell reviewed the successes of the Strategic Assessment Project and the intent of the information sharing assessment report. The report identified the underlying problems in the criminal records and the solutions. Two of the initiatives under the Project Investment Justification (PIJ)/Automation Projects Fund will be requesting funding in the upcoming legislative session. Initiative #2 has been approved by Arizona Strategic Enterprise Technology (ASET) for the Automatic Fingerprint Identification System (AFIS) LiveScan/AFIS machines on June 30, 2014 and Initiative #3 is being presented at the Information Technology Authorization Committee (ITAC) on July 30, 2014 for the Statewide Arrest Warrant Project.

Next, Mr. Gorrell reviewed each assessment initiative.

**Initiative #1 Simplify Case Disposition Reporting.** Streamline disposition reporting by a simplified segmented approach (SSA) on the auto add, auto update program that is currently in progress. The Administrative Office of the Courts (AOC), ACJC, and the Department of Public Safety (DPS) are working to have it in place to validate that every charge that has been fingerprinted, adjudicated by the court, and is in the criminal history system.

**Initiative #2 Expand Use of Biometric Identifiers.** Expanded use of biometrically based identifiers to address the issue of missing criminal history. Ink and roll fingerprinting has two implications for not having a criminal history created because the fingerprint was missing and not usable.

Mr. Gorrell explained the first part under initiative #2 is to determine defendant identification by mobile fingerprinting for law enforcement to confirm subject identity, background, provide immediate feedback on the quality of fingerprint and AFIS return within minutes. The information is returned with a mug shot, person name, date of birth, AFIS record number, two fingerprint image and a criminal history indicator. Examples of a fingerprint taken by the mobile fingerprint device were shown.

Mr. Gorrell also reported on the benefits that include biometric based identification for court personnel, electronic capture of fingerprint for sentencing documents, creating a label to Court Case Management System with fingerprints replacing the ink and roll process, and determining the presence of criminal history. The next steps are the proof of concept implementation in Maricopa County Superior Court and applying to the three criminal courtrooms with possible expansion and determining the approach for the other Superior criminal courtrooms and limited jurisdiction courts.

Mr. Gorrell discussed the second part of initiative #2 which is the LiveScan Concept of Operations and expansion of the fingerprint capability through LiveScan/AFIS machines. Lack of accessibility and operating hours were often given as reasons for not getting a fingerprint taken. The projected funding of this project for \$451,519 would deploy eight LiveScan booking devices to be located in the courthouse and keep the same business hours as the court.

Part three is the staffing of eight LiveScan operators for the devices. Funding will come through a special budget request through ACJC in the amount of \$640,000.

**Initiative #3** is the Arizona Statewide Arrest Warrant Project.

The first piece is the Arrest Warrant Standardization that would be one standard or set of arrest warrants that would be used statewide in Arizona by courts. The AOC has been working with the sheriffs, local law enforcement agencies and courts to identify the key issues and business process that is currently across the jurisdictions for issuing or requesting, approving and issuing arrest warrants and processing into Arizona CJIS.

The second part is to develop a statewide arrest warrant system. The issues identified in the study phase are lack of process for arrest warrants, duplicate data entries, manual arrest warrant validation, eliminating local warrants, and obtaining activity notification. The amount needed for the ASAWP/eWarrants project is \$5,046,413.

**Initiative #4** is the **NICS recommendations implementation** and **Initiative #5** is the **expansion of the GAP filler project**. Mr. Gorrell referred to this as a safety net where a person's identity is captured with a fingerprint. This involves working with the probation offices and the Department of Corrections to develop a business process modification in checking the charge level.

Mr. Gorrell concluded the presentation with an overview of the implementation plan that consists of 1.) Phase I – determining to continue with the Microsoft CRM license and to use the off the shelf solution designed to allow the end user to customize implementation; 2) Phase II - rolling out statewide the implementation for the Failure to Appear Warrants and integrate with DPS, law enforcement and court case management systems; 3) Phase III – implement warrants into an interface with the Adult and Juvenile Probation case management system; 4) Phase IV – implement for grand jury, misdemeanor and direct file felony warrants integration in the Maricopa County ICJIS; 5) Phase V – replace Arizona CJIS section with new system.

Chairperson Montgomery addressed the concern of presenting the entire budget amount to the Governor and the legislature. There was discussion on the issue of splitting the recommendations by approving the Arizona Criminal Records Infrastructure Improvement Assessment report with the initiatives first for \$1.2M, and the eWarrant project budget request initiative secondly as a separate issue.

Executive Director Blackburn stated staff was confident about presenting the entire budget package and possibly negotiating the fund amounts in increments if necessary.

Chairperson Montgomery then suggested adding the language "to support the complete development and implementation of technology solutions to enhance timely and accurate sharing of criminal justice information" for the recommendation. This would signify the purpose of the budget request so that all monies appropriated in the 2016 budget would be addressed in all aspects of the initiatives.

After review and discussion, Designee Andrew Pacheco entered a motion that the Commission approve the Arizona Criminal Records Infrastructure Improvement Assessment Report and 2016 budget request in the amount of \$6,137,932 to support the complete development and implementation of technology solutions to enhance timely and accurate sharing of criminal justice information. The motion was seconded by Commissioner Joe Brugman and was unanimously approved by the Commission.

#### **VI. Gerald Hardt Memorial Criminal Justice Records Improvement Program (CJRIP)**

Pat Nelson, Program Manager explained that each year the Commission has set aside 5% of the Byrne/Justice Assistance Grant (JAG) funding to target support of individual agency projects that impact the state's effort in improving criminal justice records. Ms. Nelson presented to the Commission for consideration the CJRIP funding in the amount of \$211,749 to support implementation of mobile fingerprint devices in each criminal courtroom of the Maricopa County Superior Court.

Designee John MacIntyre entered a motion for the Commission to direct FY2015 Byrne/JAG 5% set-aside funding in the amount of \$211,749 to support an initiative for implementing mobile fingerprint devices in each criminal courtroom of the Maricopa County Superior Court. The motion was seconded by Designee Andrew Pacheco and was unanimously approved by the Commission.

#### **VII. Full Service Forensic Crime Laboratory Grant Program**

Pat Nelson, Program Manager reported on the Full Service Forensic Laboratory Grant Program and the allocation of funds in the amount of \$850,000 for FY15. In 2007, the lab directors and chiefs agreed to establish an equitable distribution formula as outlined on page 14 of the agenda. The distribution method includes a base allocation of \$100,000 in grant funds for each full service accredited crime laboratory with the remaining funds distributed by formula based on population.

Commissioner David Byers entered a motion that the Commission approve the Full Service Forensic Crime Laboratory grant allocations for the FY15 grant cycle beginning July 1, 2014 through June 30, 2015. The motion was seconded by Commissioner Chris Gibbs and was unanimously approved by the Commission.

Chairperson Montgomery expressed gratitude in Ms. Nelson's work with ACJC.

**VIII. ACJC Budget**

**A. FY2014/2015 Budget Update**

Deputy Director Karen Ziegler presented the ACJC budget summary for FY14 and FY15 and a handout was given that showed the actuals for the FY14 operating budget and program funds and the approved FY15 operating and program plan. The FY14 fiscal year closed on June 30, 2014 with a cash balance going forward and expenditures below the approved funded plan. Revenues have been declining for the past five to six years; however, staff has cut costs and stretched resources to accommodate the decreased revenue. Under the operating budget, there are 30 full time equivalent positions with 26 of those filled, one vacant position ready to be filled, and the other positions have been left vacant.

Deputy Director Ziegler reviewed the fund sources and other appropriated funds. Ms. Ziegler highlighted that the Victim Compensation and Assistance Fund received additional funding from the Department of Revenue for unclaimed victim restitution in the amount of \$684,000 to the victim compensation and assistance program.

Deputy Director Ziegler stated the FY2016/17 budget submittal and strategic plan is due on September 1, 2014. The budget will be built using figures from the FY15 approved budget and include the addition of any proposed budget issues. The Governor will release a budget recommendation in January 2015 to present to the 2015 Legislature.

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

**B. FY2016/2017 Budget Issues Request**

Deputy Director Karen Ziegler identified four budget issues that will be developed for the agency budget submittal.

The first budget issue relates to the recommendations from 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. 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 second budget issue is the request for funding from the Arizona Prevention Resource Center Fund that currently supports the Arizona Youth Survey. Staff proposes to shift funding of research activities of the Statistical Analysis Center from federal grants to state funding sources. This would provide a stable source of funding for research activities as well as expand the scope of activities for which the resource center funds. The budget issue requests an increased total appropriation of \$602,200 for FY16.

The third budget issue is the Fill the Gap – State Aid to County Indigent Defense - requesting authority to spend the available funds on Indigent Defense projects in the FY16 budget year. The request is estimated to be about \$950,000 based on FY15 revenue.

The final budget issue is to increase appropriation for the Victim Compensation and Assistance Fund. Staff is requesting the amount of \$500,000 be directed to the victim assistance program. It is anticipated that there will be a need for the increased funding based on the FY15 requests from victim assistance agencies at \$1.9M and the Victim Compensation and Assistance program had only \$1.2M to fund these requests.

Commissioner David Byers entered a motion to approve the four budget issues for submission in the FY2016/17 budget. The motion was seconded by Commissioner Chris Gibbs and was unanimously approved by the Commission.

**C. CJEF Formula Recommendation**

Deputy Director Karen Ziegler stated ARS 41-2405.7 requires the Commission as part of the budget submittal process to make a recommendation on the Criminal Justice Enhancement Formula distribution and formula. Staff has recommended no change to the current formula.

Commissioner Daniel Sharp entered a motion to approve the recommendation from staff on the Criminal Justice Enhancement Fund formula pursuant to ARS 41-2405.7. The motion was seconded by Designee Kathleen Mayer and was unanimously approved by the Commission.

**IX. Call to the Public**

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

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

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, September 18, 2014** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

**XI. Adjournment**

The meeting was adjourned at 3:50 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:
November 13, 2014	<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

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<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 2015 meeting schedule.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## 2015 ACJC PUBLIC MEETING SCHEDULE

<i>Date</i>		<i>Meeting</i>	<i>Time</i>	<i>Room</i>
<b>JANUARY</b>	<u>Thu, 01/15</u>	<u>Crime Victims Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Drug, Gang and Violent Crime Control Committee</u>	<u>TBD</u>	
		<u>Commission</u>	<u>1:30 PM</u>	
<b>MARCH</b>	<u>Thu, 03/19</u>	<u>Crime Victims Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Commission</u>	<u>1:30 PM</u>	
<b>MAY</b>	<u>Thu, 05/21</u>	<u>Crime Victims Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Drug, Gang and Violent Crime Control Committee</u>	<u>TBD</u>	
		<u>Commission</u>	<u>1:30 PM</u>	
<b>JULY</b>	<u>Thu, 07/16</u>	<u>Information, Technology and Systems Improvement Committee</u>	<u>10:00 AM</u>	<u>Little America Hotel Flagstaff</u>
		<u>Commission</u>	<u>2:00 PM</u>	
<b>SEPTEMBER</b>	<u>Thu, 09/17 or 09/24</u>	<u>Commission (PENDING)</u>	<u>1:30 PM</u>	<u>250</u>
<b>NOVEMBER</b>	<u>Thu, 11/05</u>	<u>Legislative Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Drug, Gang and Violent Crime Control Committee</u>	<u>TBD</u>	
		<u>Commission</u>	<u>1:30 PM</u>	

# IV

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Election of a Chairperson and a Vice Chairperson

---

**TO:** Chairperson and Commission Members

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

#### **RECOMMENDATION:**

The Commission will vote to open the nomination process for the Chairperson and Vice Chairperson positions or vote to continue with the current Chairperson and Vice Chairperson.

#### **DISCUSSION:**

##### **ACJC Policy and Procedure CJC-115.1.**

C. "Term of Chairperson and Vice Chairperson" is the term of office in which members selected from within the ranks of the appointed and ex-officio members of the Arizona Criminal Justice Commission hold these two positions. Terms shall run from the first regular meeting of the Commission in a calendar year for a period not to exceed 24 months. The Vice Chair may normally succeed the outgoing Chairperson, unless this policy is waived by vote of the Commission or other circumstances dictate.

#### **FISCAL IMPACT:**

N/A

#### **ALTERNATIVES:**

Not Approve - Modify - Table



## ARIZONA CRIMINAL JUSTICE COMMISSION Policy and Procedure

Subject  
**SELECTION OF CHAIRPERSON &  
VICE CHAIRPERSON**

Policy Number  
**CJC-115**

Effective Date  
**01/20/2011**

Supersedes: 11/19/09

### INTRODUCTION

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

### POLICY AND PROCEDURES

1. Definitions: The following terms used in this policy may also be found in CJC 101 of the Arizona Criminal Justice Commission policy manual and, where appropriate, in ARS §41-2404.
  - A. "Chairman" (Chair or Chairperson) is the person selected by the members of the Commission (as outlined in ARS §41-2404) to provide general oversight and consultation to the Executive Director, assure that the Commission meets as required by mission and statute, chair and conduct Commission regular and special meetings, approve meeting agendas and any and all other functions deemed appropriate by the Commission as a body or outlined in ARS §41-2404.
  - B. "Vice Chairman" (Vice Chairperson) is the person who, in the absence of the Chairperson (or when asked by the Chairperson), exercises the authority of the Chair on behalf of the Commission and its members as outlined in ARS §41-2404.
  - C. "Term of Chairperson and Vice Chairperson" is the term of office in which members selected from within the ranks of the appointed and ex-officio members of the Arizona Criminal Justice Commission hold these two positions. Terms shall run from the first regular meeting of the Commission in a calendar year for a period not to exceed 24 months. The Vice Chair may normally succeed the

outgoing Chairperson, unless this policy is waived by vote of the Commission or other circumstances dictate.

D. "Nominations for Chair and/or Vice Chair" shall be announced in open, public meeting(s), seconded and voted upon by the entire Commission. Those members interested in being considered for either of these two positions will notify the Executive Director during the period of time deemed necessary by the Commission or announce their interest during the open, public meeting and shall follow the normal selection process.

**Procedure:**

**2. Normal Selection**

A. Calls for nominations for Chairperson and Vice Chairperson.

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

**Procedure:**

**3. Special Selection**

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

1. In the event that a seated Chair and/or Vice Chair cannot fulfill the term of these positions or in the event the Commission as a body wishes to waive this policy for a specific election, the following procedures will take place:
  - a. If both the Chairperson and Vice Chairperson are unable to fulfill their positions, the most senior Commissioner shall assume the role of Chair pro tem. The Chair pro tem shall instruct the Executive Director to post on either a special or regularly scheduled

Commission meeting agenda a notice for open floor nominations for the Chairperson and Vice Chair. The Chair pro tem shall preside over all duties, as outlined in ARS §41-2404 until replaced by popular vote of the Commission in an open meeting.

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

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

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

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

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

---

Action Requested:	Type of Action Requested:	Subject:
November 13, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Legislative Proposals

---

**TO:** Chairperson and Commission Members

**FROM:** Andy LeFevre, Public Information Officer/Legislative Liaison

**RECOMMENDATION:**

The Commission support the proposed legislation.

**DISCUSSION:**

The following ACJC proposed legislation for the upcoming 2015 legislative session will be presented in an effort to gain support from the Commission.

The Legislative Committee met on October 8, 2014 and will make a recommendation to the Commission.

**FISCAL IMPACT:**

Significant to recipient agencies

**ALTERNATIVES:**

Not Approve - Modify - Table

## 2015 ACJC Proposed Legislation Summaries

*Reviewed and Discussed by the Legislative Committee*

NICS Bills:

### **#1 - Case information; law enforcement**

Creates the authorizing language necessary for DPS to provide law enforcement agencies with mental health ruling case information as reported to NICS to enforce a court order, assist in an investigation or for the purpose of returning property.

### **#2 - Prohibited possessor; mental health**

Adds to the definition of prohibited possessor in Arizona those individuals under court appointed guardianship except if the appointment is due solely to a physical incapacity.

### **#3 - NICS; prohibited possessor; criminal offenses**

Adds to the definition of prohibited possessor in Arizona someone who is under indictment or information for an offense listed in section 13-706, subsection F (these offenses include the most serious crimes such as: murder, manslaughter, aggregated assault, kidnapping, armed robbery, sexual assault, etc.). Authorizes the automatic transmission of this information from the Supreme Court to DPS and from DPS into the National Instant Criminal Background Check system.

Other Bills:

### **#4 - Law enforcement; courts; fingerprinting**

This bill removes language from §41-1750 dealing with fingerprinting requirements and creates a new section of statute 41-1757 that deals specifically with fingerprinting. No other changes are made to statute language.

### **#5 - Judgment of guilt; document**

Requires the court at the time of sentencing to, for certain offenses, permanently affix a defendant's fingerprint to the sentence document or minute order, or record the defendant's two-fingerprint biometric-based identifier in the case file. It also states that if the booking agency cannot determine whether legible ten-print fingerprints were taken from the arrestee the booking agency shall take the ten-print fingerprints.

### **#6 - Failure to appear/ Notice to Appear**

Amends statute from shall to may to give courts discretion in filing a failure to appear complaint. Also creates a one year timeframe for a prosecutor to notify the court of an intent to prosecute the complaint. If no intent is provided by the prosecutor the complaint shall be dismissed.

*Not Reviewed and Discussed by the Legislative Committee*

### **Victim Compensation and Assistance Fund; Payments for Services**

Amends ARS §41-2407 to require a medical provider that accepts the full allowable payment from the Victim Compensation Program to accept such payment as payment in full for those services and may not attempt to collect any further payment from the victim or claimant for those same services.

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

---

Action Requested:	Type of Action Requested:	Subject:
November 13, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Update on Other Legislative Discussions

---

**TO:** Chairperson and Commission Members

**FROM:** Andy LeFevre, Public Information Officer/Legislative Liaison

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Updates will be provided on other legislative discussions that have occurred since the close of the 2014 legislative session.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

# VII

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	CY2015 Residential Substance Abuse Treatment Program (RSAT) Grant Awards

---

**TO:** Chairperson and Commission Members

**FROM:** Tony Vidale, Program Manager  
Drug, Gang and Violent Crime Control

#### **RECOMMENDATION:**

The Commission approve the award of \$428,424 in federal and local cash and/or in-kind match funds for the 2015 RSAT grant program beginning January 1, 2015 and ending December 31, 2015.

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

#### **DISCUSSION:**

See attached

#### **FISCAL IMPACT:**

Significant to recipient agencies

#### **ALTERNATIVES:**

Not Approve - Modify - Table

## 2015 Residential Substance Abuse Treatment Awards

### Program Background

The Residential Substance Abuse Treatment (RSAT) program assists governments in developing and implementing substance abuse treatment programs in state and local correctional and detention facilities, and to create and maintain community-based post release treatment services for offenders. These services allow offenders to overcome substance abuse and prepare for reentry into the community.

The RSAT program is divided into three areas: 1. Residential (6-12 months) program, 2. Jail-based (at least 3 months) program, and 3. Post-release treatment program.

The RSAT program requires that 10 percent of the federal award be made available to local correctional or detention facilities. If applications are not received for this program, these funds can be used by the residential in-correctional setting programs. There was one jail-based application received during this solicitation.

RSAT may fund post-release programs that provide treatment to offenders for a period not to exceed one year after release. For the CY 2015 RSAT grant, ACJC received one post-release treatment application.

Each applicant must meet the federal eligibility requirements for RSAT programs within the correctional residential setting. The requirements include:

- At least six months and no more than 12 months of treatment for Residential programs;
- At least three months for Jail-based programs;
- Participation limited to the last six to 12 months remaining in the inmate's confinement to insure they are released after completing the treatment and not returned to the general population;
- Residential housing and treatment facilities are provided away from the general correctional population;
- Focus on the substance abuse problems of the inmate using effective scientific practices;
- Development of the inmate's cognitive, behavioral, social, vocational and other skills to help solve the substance abuse problem; and
- Implement or continue urinalysis and/or other proven reliable forms of drug testing.

### Funding

Federal funding is provided by the U.S. Department of Justice, Bureau of Justice Assistance. The amount awarded for FFY 2014 was \$238,479. Of this amount, ACJC is allowed a 10% allocation to administer the grant. RSAT funds awarded to ACJC are granted out to sub-recipients on a calendar year basis. There is also \$106,687 in unexpended FFY 2013 grant funds available for the program. *Table DC1* on page 20 provides a breakdown of available funding for the CY 2015 RSAT grant program, which includes \$321,318 in federal funds and \$107,106 in required matching funds for a total of \$428,424. This amount represents a decrease of \$168,881 (28.3 percent) below the CY 2015 program size of \$597,305. With a proposed CY 2015 program size of \$428,424 the RSAT program would have no remaining fund balance for future use.

**Table DC1**

<i>CY 2015 RSAT Grant Program</i>	
FFY 2012 Grant:	
Grant Balance	\$ 150,523
CY13 Grant Obligations	<u>(150,523)</u>
Available for CY15 program	\$ 0
FFY 2013 Grant:	
Grant Award	\$ 288,872
Less: 10% Admin	(28,887)
CY13 Grant Obligations	<u>(153,298)</u>
Available for CY15 program	\$ 106,687
FFY 2014 Grant:	
Grant Award	\$ 238,479
Less: 10% Admin	<u>(23,848)</u>
Available for CY15 program	\$ 214,631
Total Fed. Funds Available	\$ 321,318
Match Requirement	<u>107,106</u>
<b>Available Program Size</b>	<b>\$428,424</b>
<b>Proposed CY15 Awards</b>	<b>\$428,424</b>

**Applications Received**

On August 18, 2014 counties and eligible agencies were notified via electronic mail announcing the availability of the CY 2015 Residential Substance Abuse Treatment program grant and application procedures through ACJC's grant management system. The deadline for submission of applications was Friday, October 3, 2014 at 3:00 p.m. Five applications were submitted by the deadline requesting a total of \$499,549 in federal funds. With the matching funds amount of \$166,517, the total requested program size was \$666,066. The five agencies that submitted applications were the Arizona Department of Corrections (ADC), the Arizona Department of Juvenile Corrections (ADJC), Chicanos Por La Causa, the Coconino County Sheriff's Office, and the Maricopa County Sheriff's Office. Chicanos Por La Causa was the only non-profit to submit a proposal for post-release treatment services. The requested amounts are shown in *Table DC2*, on page 22 of the agenda.

**Evaluation and Scoring**

All grant applications met the minimum requirements established in the RSAT guidelines. Each grant application was reviewed by a team of five individuals and scored based on established criteria contained in the grant announcement.

The applications were evaluated using the following scoring criteria:

- Project falls within the RSAT guidelines
- Submitted on time, all requested information was provided
- The need for services in community
- Program adequately addresses the need for services in the community
- Coordination efforts with other agencies
- Goals and objectives that are reasonable and achievable
- Performance measures clearly identify the success of the program
- Budget costs are reasonable and allowable (matching funds are included in the request)
- Adequate internal financial controls
- Programs previously funded by the Commission have met the requirements of the grant

In addition, priority points were given to projects that had an aftercare component established.

### **Recommendation**

Staff proposes an award of \$428,424 in federal and local cash match funds for CY 2015 RSAT grant awards beginning January 1, 2015 and ending December 31, 2015 as shown in *Table DC2*, on page 22 of the agenda. Of this amount, \$321,318 is from federal funds and \$107,106 is from local match funds. This recommendation would fund the Coconino County Sheriff's Office (EXODUS Program), ADOC (Gemini Program), ADJC (RSAT Program), the Maricopa County Sheriff's Office (Alpha Program) and Chicanos Por La Causa (Corazon Treatment Center). This recommendation would comply with the RSAT program requirement that at least 10% of the award is allocated to local correctional or detention facilities.

Table DC2

**CY 2015 RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT) GRANT  
JANUARY 1, 2015 - DECEMBER 31, 2015**

**Requested**

Applicant Agency	Personnel			Consult./ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2015 REQUESTED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,325	-	-	-	-	-	4,080	-	-	\$75,405	\$56,554	\$18,851
ADJC - RSAT Program	44,000	13,200	18,057	55,540	34,920	30,856	16,380	29,655	-	-	\$242,608	\$181,956	\$60,652
Chicanos Por La Causa	-	-	-	-	-	-	-	-	42,000	-	\$42,000	\$31,500	\$10,500
Coconino County Sheriff's Office - Exodus	171,517	73,538	-	-	-	-	-	-	-	-	\$245,055	\$183,791	\$61,264
Maricopa County Sheriff's Office - Alpha	43,695	17,303	-	-	-	-	-	-	-	-	\$60,998	\$45,748	\$15,250
<b>TOTAL</b>	<b>\$306,212</b>	<b>\$ 128,366</b>	<b>\$ 18,057</b>	<b>\$ 55,540</b>	<b>\$ 34,920</b>	<b>\$ 30,856</b>	<b>\$ 16,380</b>	<b>\$ 33,735</b>	<b>\$ 42,000</b>	<b>\$ -</b>	<b>\$ 666,066</b>	<b>\$ 499,549</b>	<b>\$ 166,517</b>

**Recommended**

Applicant Agency	Personnel			Consult./ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2015 PROPOSED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,325	-	-	-	-	-	-	-	-	\$71,325	\$53,494	\$17,831
ADJC - RSAT Program	44,000	13,200	18,057	37,000	-	-	-	-	-	-	\$112,257	\$84,193	\$28,064
Chicanos Por La Causa	-	-	-	-	-	-	-	-	42,000	-	\$42,000	\$31,500	\$10,500
Coconino County Sheriff's Office - Exodus	94,790	47,054	-	-	-	-	-	-	-	-	\$141,844	\$106,383	\$35,461
Maricopa County Sheriff's Office - Alpha	43,695	17,303	-	-	-	-	-	-	-	-	\$60,998	\$45,748	\$15,250
<b>TOTAL</b>	<b>\$229,485</b>	<b>\$ 101,882</b>	<b>\$ 18,057</b>	<b>\$ 37,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 42,000</b>	<b>\$ -</b>	<b>\$428,424</b>	<b>\$ 321,318</b>	<b>\$ 107,106</b>

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	2014 Enhanced Drug & Gang Enforcement (EDGE) Report

---

**TO:** Chairperson and Commission Members

**FROM:** Tony Vidale, Program Manager  
Drug, Gang and Violent Crime Control

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

The 2014 Enhanced Drug and Gang Enforcement (EDGE) report highlights activities funded by the Drug and Gang Enforcement Account and the Criminal Justice Enhancement Fund that relate to illicit drugs and drug related gang activity. Per A.R.S. § 41-2405 (A) 11, this report shall be submitted to the Governor, the President of the Senate and Speaker of the House of Representatives by October 31 of each year. Staff will present the highlights of this report.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Arizona Youth Survey (AYS)

---

**TO:** Chairperson and Commission Members

**FROM:** Phil Stevenson, Director, Statistical Analysis Center

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Statistical Analysis Center Director Phillip Stevenson will present the results of the 2014 Arizona Youth Survey.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A