

**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 14, 2013** beginning at **1:30 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.**

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

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

Agenda for the meeting is as follows:

- I. Call to Order and Roll Call** **Chairperson Daniel Sharp**
  
- II. Minutes of the September 19, 2013 Meeting**
  - Approval of Minutes **P-F-T**
  
- III. 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**
  
- IV. Executive Director's Report** **John A. Blackburn, Jr.**
  - A. Staff and Program Update** **Info**
  - B. 2014 Meeting Schedule** **Info**

**V. National Instant Criminal Background Check System (NICS) Legislation** **John A. Blackburn, Jr.**

- Review, discussion, consideration and possible action on the NICS Task Force recommendations for legislation to support improvements to Arizona's reporting to NICS. **P-F-T**

**VI. CY 2014 Residential Substance Abuse Treatment Program (RSAT)** **Tony Vidale**

- Review, discussion, consideration and possible action on allocation of 2014 RSAT grant awards. **P-F-T**

**VII. Enhanced Drug & Gang Enforcement (EDGE) Report** **Tony Vidale**

- Presentation of report and highlights of the findings. **Info**

**VIII. 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.

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

- The next Commission meeting will be held on **Thursday, January 23, 2014 at 1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

**X. 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>
November 14, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the September 19, 2013 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 September 19, 2013.

**DISCUSSION:**

N/A

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

**Arizona Criminal Justice Commission  
Minutes  
September 19, 2013**

A public meeting of the Arizona Criminal Justice Commission was convened on September 19, 2013 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Daniel G. Sharp, Chairperson, Chief, Oro Valley Police Department  
Bill Montgomery, Vice Chairperson, Maricopa County Attorney  
Joseph Arpaio, Maricopa County Sheriff, John MacIntyre representing  
Joseph Brugman, Chief, Coolidge Police Department  
David Byers, Director, Administrative Office of the Courts  
Timothy Dorn, Chief, Gilbert Police Department  
Clarence Dupnik, Pima County Sheriff, 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  
Brian Livingston, Chairperson, Board of Executive Clemency  
Barbara LaWall, Pima County Attorney, Kathleen Mayer representing  
Sheila Polk, Yavapai County Attorney  
William Pribil, Coconino County Sheriff  
Charles Ryan, Director, Department of Corrections, Jeff Hood representing  
David Sanders, Pima County Chief Probation Officer, Wendy Islas representing by conference call

Members Absent:

Steven Sheldon, Former Judge  
Mark Spencer, Law Enforcement Leader

Staff Participating:

John A. Blackburn, Jr, Executive Director  
Karen Ziegler, Deputy Director  
George Diaz, Public Information Officer  
Amanda Zibell, Grant Coordinator  
Phil Stevenson, Director, Statistical Analysis Center  
Shana Malone, Senior Research Analyst, Statistical Analysis Center  
Wendy Boyle, Executive Secretary

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

The meeting was called to order by Chairperson Daniel Sharp at 1:30 p.m. Roll was taken and a quorum was declared present. Chairperson Sharp welcomed the newest member of the commission, Brian Livingston, Chairperson, Board of Executive Clemency and announced that Director Charles Ryan would serve as chairperson of the Crime Victims Committee.

**II. A. Minutes of the July 18, 2013 Meeting**

Chairperson Sharp called for a motion on the minutes. Commissioner Joseph Brugman entered a motion to approve the minutes of the July 18, 2013 meeting. The motion was seconded by Commissioner Bill Montgomery and was unanimously approved by the Commission.

**B. Minutes of the July 29, 2013 Meeting**

Chairperson Sharp called for a motion on the minutes. Commissioner Bill Montgomery entered a motion to approve the minutes of the July 29, 2013 meeting. The motion was seconded by Designee John MacIntyre and was unanimously approved by the Commission.

**III. Executive Director's Report**

**A. Staff Update**

Executive Director Blackburn presented the status of staff recruitments. Two vacant positions have been posted that include the Research Analyst I that will report to the Statistical Analysis Center (SAC) and Compliance

Auditor that will report to the finance department. Staff expects the positions to be filled by November 12, 2013. Also, three interns have been placed in the SAC. Vanessa Jones was introduced to the Commission as one of the interns who was present. ACJC will have 26 full time positions including two part time staff.

Executive Director Blackburn also recognized Debby Finkel, Jennifer Hawkins, Nina Clifford and Larry Grubbs for the work done in the civil rights compliance training for sub-grantees which is required by the Bureau of Justice Assistance. In addition, Dr. Phil Stevenson, SAC Director accepted the National Criminal Justice Association (NCJA) 2013 Western Regional Outstanding Criminal Justice Program award for the Prescription Drug Misuse and Abuse Initiative on behalf of ACJC in August of this year.

### ***B. Budget Update***

Karen Ziegler, Deputy Director reported ACJC submitted the FY14/15 budget to the Governor's Office on September 3, 2013. The purpose of the budget submittal is to update the FY13 actual figures and address any legislative changes that would need to be included for the FY15 budget year.

Ms. Ziegler explained the budget issues that were requested last year were continued in the submitted document with the exception of the Crime Victim Compensation and Assistance Fund request. ACJC received an increased appropriation in the victim compensation and assistance fund for FY14; therefore, that was not included in the current budget request. Ms. Ziegler informed the Commission that budget issues will be presented again in July 2014 for the FY16/17 budget submittal. Ms. Ziegler continued by stating the Criminal Justice Enhancement Fund (CJEF) revenues continue to decline. CJEF revenue projections were developed in partnership with the budget staffs of the Department of Public Safety (DPS) and Governor's office. The projected decline is 2.5% for FY14/15. In addition, the Drug Enforcement Account (DEA) is projected to decline by 2%. The Statistical Analysis Center is reviewing the data for these funds to better understand the reason for the revenue decline.

The FY14/15 budget submittal include requests for \$8M in general fund monies, \$8.1M in state appropriated spending that consists of CJEF, the Arizona Prevention Resource Center Fund for the Arizona Youth Survey, and the Fill the Gap – State Aid to County Attorneys Program; \$6M in non-appropriated funding which includes DEA monies, as well as the full service crime labs; and \$7M in federal funds.

Ms. Ziegler stated ACJC is looking to stabilize the agency operations with state funding sources and to decrease the dependency on federal grants. The budget plan from the Governor's office will be released January 2014, and ACJC will work with the budget staffs of the state legislature and the Governor's office to answer any questions, clarify issues and encourage them to include the agency requests in the Governor's proposal.

### ***C. Legislative Update***

Executive Director Blackburn gave an overview of the federal legislation. As reported at the July Commission meeting, there are conflicting budgets where the House is working under the guidelines of the sequestration cutting more funding from the non-defense programs. The Byrne/JAG program has an increase from \$352M to \$368M in the House bill, with the hope of the bill moving to the Senate. The expectations are the bill will be either rejected or modified. There is anticipation there will be a continuing resolution; however, the budget fight would not affect the upcoming grant cycle because the funding for the federal FY13 grants were received in August and September of this year. In addition, if there were a government shutdown, we anticipate the projects would not be affected for several months. Executive Director Blackburn stated the processing for the federal FY14 budget would occur in August 2014 with the probabilities of penalties and reductions at that time.

At the NCJA conference, caution was specified that besides the 10% Sex Offender Registration and Notification Act (SORNA) penalty for not being compliant; there also will be a 5% penalty for non-compliance to the Prison Rape Elimination Act (PREA). This would affect four grants that include the Byrne/JAG program at ACJC, two juvenile funds and a victims program.

Executive Director Blackburn explained the problem with the penalty is that the rules are new and unclear. The fines/fees are conditional to the Governor signing off and certifying that the state of Arizona is in compliance. There is one auditor qualified and certified to audit the program in Arizona. If not compliant, \$189,000 could be reduced from the Byrne/JAG program which funds the drug task forces.

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

## **IV. NICS Mental Health Legislation**

George Diaz, Public Information Officer informed the Commission on the mental health legislation as it relates to the delay or timeliness of updating information for prohibited indicators; specifically to Category 2: Information and Indictments. The specific question put forward by the Commission was how much time would lapse between an indictment being either adjudicated or not filed if there was a formal no file. Mr. Diaz answered that the time is 24 hours which is consistent across all categories.

Mr. Diaz stated the legislative liaisons will meet on October 4, 2013 to discuss the legislation before a final draft is written.

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

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

Amanda Zibell, Grant Coordinator presented the recommendation to direct FY2015 Byrne/JAG 5% set-aside funding designated for the Gerald Hardt Memorial Criminal Justice Records Improvement Program (CJRIP) in the amount of \$110,000 to continue supporting the Records Improvement Program legal assistance previously funded under the FY2012 CJRIP award.

Ms. Zibell explained due to the limited funding available, staff recommends continuing a grant that was awarded previously to the Attorney General's Office for a dedicated attorney to provide legal support which has been critical in assisting ACJC and stakeholders in meeting the goals of the Records Improvement and Information Sharing Strategic Plan. The award would be used to cover the salary and fringe benefits of the attorney housed at the Attorney General's Office. Under the previous grant, legal guidance has provided review, analysis and recommendation for legislative drafts to support the improvement of Arizona's records transmitted to the National Instant Criminal Background System (NICS) including the mental health legislation, analysis of Arizona Revised Statutes for criminal justice code table for consistency, federal and state law research for the electronic warrant project and assisting Information Sharing Memorandum of Understandings for law enforcement consortiums.

Ms. Zibell further stated that without this grant award, the duties and legal analysis would fall back on the stakeholders and be funded through the individual agency budgets. The Commissioners were directed to the funding allocation worksheet that broke down the federal FY13 Byrne/JAG 5% set aside. The award of \$110,000 from the available funds of \$188,928 will allow for approximately \$79,000 to be carried forward and be utilized for the FY2016 CJRIP grant. Another option would be to open the grant for competitive solicitation for the entire allocation of \$188,928.

Commissioner David Byers entered a motion to approve directing \$110,000 under state FY15 Byrne/JAG 5% set-aside funding to continue support for the Records Improvement legal services/assistance to the Attorney General's Office. The motion was seconded by Commissioner Timothy Dorn and was unanimously approved by the Commission.

#### **VI. Prescription Drug Misuse and Abuse Initiative**

Phil Stevenson, Director, Statistical Analysis Center followed up with the questions asked earlier about the reason for decline in the DEA revenues. The SAC unit compiled data that suggest from 2008-2012 there was an 8.5% reduction in sworn officers, and in 2007 the superior court had a 14% reduction in force and the municipal courts had an 18% reduction in hiring.

Shana Malone, Senior Research Analyst presented on the Prescription Drug Misuse and Abuse Initiative. The four pilot counties involved in the Initiative are Pinal, Graham, Greenlee and Yavapai.

Ms. Malone explained the conceptual framework is comprised of experts in the treatment, prescriber, pharmacist, and law enforcement/prevention arenas to develop strategies to reduce prescription drug misuse and abuse as well as the consequences. Some of the strategies include use of the prescription drug monitoring program by promoting sign up and use of the system housed at the Board of Pharmacy; encourage proper storage and disposal methods such as permanent drop boxes and take-back events; endorse responsible prescribing through a partnership with the Department of Health Services and the Arizona Pharmacy Association; enhance law enforcement practices by educating law enforcement personnel (Rx Drug Crimes Curriculum), increase public awareness and patient education (Rx360 Curriculum), and improve assessment and referral to treatment.

Dr. Stevenson reviewed the process evaluation being conducted in the pilot counties. Currently, there are 34 drop boxes that are operational in the pilot programs and two take-back events were held in each site with a collection of 5,783 pounds of medication. This includes prescription and over the counter medications that are not in the supply chain and at risk in our water supply. Also, there are over 1,100 prescribers now receiving quarterly report cards that allow them to self monitor their prescribing in relation to other prescribers in their field.

Dr. Stevenson then covered the Yavapai County Impact Evaluation results. The first is the Rx360 Awareness and Education Curriculum that resulted in making adults more aware that Rx drug misuse is a problem, information of the risks of Rx drug misuse have increased, facts of proper disposal methods have grown, and adults understand the importance of communicating to children about Rx drug misuse. The second is the Rx Drug Crime Curriculum that consists of law enforcement becoming heightened to Rx drug misuse as a problem in their jurisdictions, law enforcement identifies the importance of their role in Rx drug diversion investigations, and the information of Rx fraud investigation procedures have increased. The third is the Prescription Drug Monitoring Program (PDMP) where the sign up has increased 115% for law enforcement, 53% for prescribers and 149% for pharmacists in the pilot sites. The PDMP use has increased 60% for prescribers in Yavapai County. Dr. Stevenson presented charts that showed the

controlled substance prescriptions/percent change; and the controlled substance prescription pills/percent change from May 2012 to June 2013.

Ms. Malone continued with the lessons learned from the Initiative. They include: 1) PDMP needing improvement through online sign-up and physicians asking for the capability of a designee to run the drug queries; 2) reimbursement/patient satisfaction issue; 3) misconceptions about the Arizona Healthcare Cost Containment System (AHCCS) formula; 4) report cards with the need for more rigorous methods of establishing "outliers", 5) RMS systems presenting challenges for systematic Rx crimes flagging system; 6) difficulty reaching adults with Rx360 curriculum.

Ms. Malone discussed the next steps which addresses the following approach: 1) patient education; 2) PCP and community prescriber guidelines; 3) prescriber training modules; 4) referral to treatment process; 5) addressing the unintended consequences (i.e. pharmacy/prescriber communication, desperation, shift to heroin); 6) curriculum piece for pharmacy and medical student training (i.e. Arizona Pharmacy Association, Midwestern University, University of Arizona); 7) legislation for office designee, good Samaritan law; and 8) new counties and intended statewide implementation plan.

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

**VII. Call to the Public**

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

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

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, November 14, 2013** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

**IX. Adjournment**

The meeting was adjourned at 3:05 p.m.

Respectfully submitted,



John A. Blackburn, Jr.  
Executive Director

Audio recording is available upon request.



**ARIZONA CRIMINAL JUSTICE COMMISSION**

**Request for Commission Action**

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 14, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Election of a Chairperson and a Vice Chairperson

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**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**

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<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 14, 2013	<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 discuss staff and program updates.

**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>
November 14, 2013	<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 the 2014 meeting schedule.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

# 2014 ACJC Public Meeting Schedule

<i>Date</i>		<i>Meeting</i>	<i>Time</i>	<i>Room</i>
<b>JANUARY</b>	<u>Thu, 01/23</u>	<u>Crime Victims Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Drug, Gang and Violent Crime Committee</u>		
		<u>Commission</u>	<u>1:30 PM</u>	
<b>MARCH</b>	<u>Thu, 03/20</u>	<u>Crime Victims Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Drug, Gang and Violent Crime Committee</u>		
		<u>Commission</u>	<u>1:30 PM</u>	
<b>MAY</b>	<u>Thu, 05/22</u>	<u>Crime Victims Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Drug, Gang and Violent Crime Committee</u>		
		<u>Commission</u>	<u>1:30 PM</u>	
<b>JULY</b>	<u>Thu, 07/17</u>	<u>Information, Technology and Systems Improvement Committee</u>	<u>TBD</u>	<u>Little America Hotel Flagstaff</u>
		<u>Commission</u>	<u>2:00 PM</u>	
<b>SEPTEMBER</b>	<u>Thu, 09/18 or 09/25</u>	<u>Commission</u>	<u>1:30 PM</u>	<u>250</u>
<b>NOVEMBER</b>	<u>Thu, 11/06 or 11/13</u>	<u>Legislative Committee</u>	<u>TBD</u>	<u>250</u>
		<u>Commission</u>	<u>1:30 PM</u>	<u>250</u>

## ARIZONA CRIMINAL JUSTICE COMMISSION

## Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
November 14, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	National Instant Criminal Background Check System (NICS) Legislation

**TO:** Chairperson and Commission Members

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

**RECOMMENDATION:**

The Commission support legislation to improve the reporting of Arizona's mental health and criminal justice records to the National Instant Criminal Background Check (NICS) System.

**DISCUSSION:**

Information will be presented on the NICS Task Force recommendations for proposed legislative changes to Arizona Revised Statutes Titles 13, 14, 32 and 36 in regards to the rulings, reporting, controlling shared information and restoration of rights for prohibited possessors.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

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Action Requested:	Type of Action Requested:	Subject:
November 14, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	CY 2014 Residential Substance Abuse Treatment Program (RSAT)

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**TO:** Chairperson and Commission Members

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

**RECOMMENDATION:**

The Commission award \$597,305 in federal and local cash match funds for the 2014 RSAT grant program beginning January 1, 2014 and ending December 31, 2014.

**DISCUSSION:**

See attached

**FISCAL IMPACT:**

Significant to recipient agencies

**ALTERNATIVES:**

Not Approve - Modify - Table

## 2014 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.

In the past, RSAT guidelines provided that no more than 10 percent of the total award could be used for post-release treatment services. For CY 2014, this cap is no longer in place according to the most recent RSAT guidelines from the Department of Justice. RSAT may fund post-release programs that provide treatment to offenders for a period not to exceed one year after release. For the CY 2014 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 2013 was \$288,872. 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 \$224,351 in unexpended FFY 2011 and FFY 2012 grant funds available for the program. *Table DC1* provides a breakdown of available funding for the CY 2014 RSAT grant program, which includes \$484,336 in federal funds and \$161,445 in required matching funds for a total of \$645,781. With a proposed CY 2014 program size of \$597,305 the RSAT program would have \$48,476 available for the CY 2015 program, in addition to any new federal award.

**Table DC1**

<i>CY 2014 RSAT Grant Program</i>	
FFY 2011 Grant:	
Grant Balance	\$ 285,216
CY13 Grant Obligations	<u>(242,196)</u>
Available for CY14 program	\$ 43,020
FFY 2012 Grant:	
Grant Award	\$ 226,423
Less: 10% Admin	(22,642)
CY13 Grant Obligations	<u>(22,450)</u>
Available for CY14 program	\$ 181,331
FFY 2013 Grant:	
Grant Award	\$ 288,872
Less: 10% Admin	<u>(28,887)</u>
Available for CY13 program	\$ 259,985
Total Fed. Funds Available	\$ 484,336
Match Requirement	<u>161,445</u>
<b>Available Program Size</b>	<b>\$645,781</b>
<b>Proposed CY14 Awards</b>	<b>\$597,305</b>
Balance Available for CY15:	
Federal	\$ 36,357
Match	<u>\$ 12,119</u>
<b>Total</b>	<b>\$ 48,476</b>

**Applications Received**

On August 20, 2013 counties were notified via electronic mail announcing the availability of the CY 2014 Residential Substance Abuse Treatment program grant and application procedures through ACJC's grant management system. The deadline for submission of applications was Friday, October 4, at 3:00 p.m. Four applications were submitted by the deadline requesting a total of \$447,978 in federal funds. With the matching funds amount of \$149,327, the total requested program size was \$597,305. The four agencies that submitted applications were the Arizona Department of Corrections (ADC), the Arizona Department of Juvenile Corrections (ADJC), the Coconino County Sheriff's Office, and Chicanos Por La Causa. Chicanos Por La Causa was the only non-profit to submit a proposal for post-release treatment services. All four projects submitting applications were RSAT grantees in CY 2013. The requested amounts are shown in *Table DC2*, on page 19 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 \$597,305 in federal and local cash match funds for CY 2014 RSAT grant awards beginning January 1, 2014 and ending December 31, 2014 as shown in *Table DC2*, on page 19 of the agenda. Of this amount, \$447,978 is from federal funds and \$149,327 is from local match funds. This recommendation would fund the Coconino County Sheriff's Office (EXODUS Program), ADOC (Gemini Program), ADJC (RSAT 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 2014 RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT) GRANT**  
**JANUARY 1, 2014 - DECEMBER 31, 2014**

<b>Requested</b>													
Applicant Agency	Personnel			Consult/ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2014 REQUESTED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,334	-	-	-	-	-	4,080	-	-	<b>\$75,414</b>	\$56,560	\$18,854
ADJC - RSAT Program	48,300	14,490	33,892	44,725	30,000	-	15,000	20,000	-	-	<b>\$206,407</b>	\$154,805	\$51,602
Chicanos Por La Causa	-	-	-	-	-	-	-	-	96,000	-	<b>\$96,000</b>	\$72,000	\$24,000
Coconino County Sheriff's Office - Exodus	142,971	62,612	-	10,163	-	-	-	3,738	-	-	<b>\$219,484</b>	\$164,613	\$54,871
<b>TOTAL</b>	<b>\$238,271</b>	<b>\$101,436</b>	<b>\$33,892</b>	<b>\$54,888</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$15,000</b>	<b>\$27,818</b>	<b>\$96,000</b>	<b>\$0</b>	<b>\$597,305</b>	<b>\$447,978</b>	<b>\$149,327</b>
<b>Proposed</b>													
Applicant Agency	Personnel			Consult/ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2014 PROPOSED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,334	-	-	-	-	-	4,080	-	-	<b>\$75,414</b>	\$56,560	\$18,854
ADJC - RSAT Program	48,300	14,490	33,892	44,725	30,000	-	15,000	20,000	-	-	<b>\$206,407</b>	\$154,805	\$51,602
Chicanos Por La Causa	-	-	-	-	-	-	-	-	96,000	-	<b>\$96,000</b>	\$72,000	\$24,000
Coconino County Sheriff's Office - Exodus	142,971	62,612	-	10,163	-	-	-	3,738	-	-	<b>\$219,484</b>	\$164,613	\$54,871
<b>TOTAL</b>	<b>\$238,271</b>	<b>\$101,436</b>	<b>\$33,892</b>	<b>\$54,888</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$15,000</b>	<b>\$27,818</b>	<b>\$96,000</b>	<b>\$0</b>	<b>\$597,305</b>	<b>\$447,978</b>	<b>\$149,327</b>

## 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>
November 14, 2013	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Enhanced Drug & Gang Enforcement (EDGE) Report

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**TO:** Chairperson and Commission Members

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

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

The 2013 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