

**NOTICE OF PUBLIC MEETING
OF THE
DRUG, GANG AND VIOLENT CRIME COMMITTEE
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 **Drug, Gang and Violent Crime Committee** of the Arizona Criminal Justice Commission and to the general public that the **Drug, Gang and Violent Crime Committee** will hold a meeting open to the public on **Thursday, May 20, 2010** beginning at **11:00 a.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.

Agenda for the meeting is as follows:

- I. Call to Order and Roll Call** **Chairperson Ralph Ogden**
Drug, Gang and Violent Crime Committee Members:
Ralph Ogden, Chairperson
Joseph Arpaio
Clarence Dupnik
Terry Goddard
Richard Romley
Charles Ryan
Daniel Sharp
- II. Minutes of the May 21, 2009 Meeting**
- Approval of Minutes **P-F-T**

III. Drug, Gang and Violent Crime Control Program Grant Awards

Tony Vidale

- Review, discussion, consideration and possible action on the following:
 - A.** FY11 Drug, Gang, and Violent Crime Control Grant Renewal projects **P-F-T**
 - B.** FY11 Drug, Gang, and Violent Crime Control Grant Awards for Priority 5 projects (Cycle 24) **P-F-T**

IV. Call to the Public

Those wishing to address the Committee 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.

V. Date, Time, and Location of Next Meeting

- The next Drug, Gang and Violent Crime Committee meeting will be at the call of the Chairperson.

VI. Adjournment

A copy of the agenda background material provided to Committee 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.



**DRUG, GANG AND VIOLENT CRIME COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION**

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
May 20, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the May 21, 2009 Meeting

TO: Chairperson and Committee Members

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

RECOMMENDATION:

The Committee approve the minutes of the Drug, Gang and Violent Crime Committee Meeting held on May 21, 2009.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

Drug, Gang and Violent Crime Committee
Minutes
May 21, 2009

A public meeting of the Drug, Gang and Violent Crime Committee of the Arizona Criminal Justice Commission was convened on May 21, 2009 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

Members Present:

Dan Hughes, Chairperson, Chief, Surprise Police Department
Joseph Arpaio, Maricopa County Sheriff, Jesse Locksa representing
Clarence Dupnick, Pima County Sheriff, Warren Alter representing
Terry Goddard, Attorney General, Steven Lepley representing
Charles Ryan, Director, Department of Corrections
Daniel Sharp, Chief, Oro Valley Police Department
Andrew Thomas, Maricopa County Attorney, Phil MacDonnell representing

Staff Participating:

John A. Blackburn, Jr., Executive Director
Kathy Karam, Program Manager
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Dan Hughes at 12:00 p.m. Roll was taken and a quorum was declared present.

II. Minutes of the March 19, 2009 Meeting

Chairperson Hughes called for a motion on the minutes. Designee Jesse Locksa entered a motion to approve the minutes of the March 19, 2009 meeting. The motion seconded by Designee Warren Alter passed unanimously.

III. 2009-2010 Budget Review

Executive Director Blackburn gave a brief overview of the 2009-2010 state budget funding proposals and the impact to ACJC funding. Due to the state's current fiscal condition, staff is anticipating a \$2.7M funding reduction in FY09. A total of \$16M in funds over the past three budget cycles have been swept. Director Blackburn stated that there was a sixty-seven percent reduction in federal funding last year; however, ACJC is expecting \$25.3M from the American Recovery and Reinvestment Act (ARRA). These funds will save the drug task forces and other programs that could have been cut in half. Director Blackburn explained that the FY09 budget has been cut twice and the FY10 budget should be determined in the next few weeks. On the federal side, the state of Arizona received encouraging support from Congress on the importance of law enforcement programs and stakeholders are optimistic that the Byrne/JAG program will continue at an effective level.

This agenda item was presented for information purposes and did not require Committee action.

IV. Drug, Gang and Violent Crime Control Program-FY10 Cycle 23 Awards

Kathy Karam, Program Manager reported that fifty-two agencies applied for funding in the amount of \$30,371,009 from the Drug, Gang and Violent Crime Control grant funds for Cycle 23. Ms. Karam referred the Committee to a handout that summarized the funding projects under the Cycle 23 Drug, Gang and Violent Crime Control proposed grant awards; and further stated that the amount recommended for distribution is \$15,545,303. Staff has proposed funding projects at the FY09 level without a required match. The absence of the match will result in a twenty-one percent increase over the last funding cycle. Additionally, nine top scorers were given a five percent increase in their respective awards. The Cycle 23 proposal also outlines a planned program size and three funding sources to sustain the program over the next five years from FY10 through FY14. Ms. Karam explained the Cycle 23 proposal recommends using ARRA funds for the first two years for task forces and their tandem prosecution projects and funding other projects with regular Byrne/JAG funds. Drug and Gang Enforcement Account (DEA) state funds would be utilized in FY10 and FY11 to fund the Administrative Office of the Courts (AOC) court automation system

and the Attorney General's Office Medicaid fraud project. Ms. Karam stated that the match requirement might have to be reinstated in the third year to sustain the program size at the higher level.

Chairperson Hughes made a call to the public for comment and no members addressed the Committee on this agenda item. Chairperson Hughes then said he would entertain a motion.

After review and discussion, Designee Steve Lepley entered a motion to recommend to the Commission the award of Cycle 23 Arizona Drug, Gang and Violent Crime Control grant funds in the amount of \$15,545,303 to eligible criminal justice agencies as reflected on the amended table for the period beginning July 1, 2009 and ending June 30, 2010. The motion seconded by Commission Daniel Sharp passed unanimously.

V. Call to the Public

Chairperson Hughes made a call to the public. No members of the audience addressed the Committee.

VI. Date, Time, and Location of Next Meeting

The next Drug, Gang and Violent Crime Committee meeting will be held at the call of the Chairperson.

VII. Adjournment

The meeting was adjourned at 12:22 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Blackburn, Jr.", written in a cursive style.

John A. Blackburn, Jr.
Executive Director

Audio recording is available upon request.

**DRUG, GANG AND VIOLENT CRIME COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION**

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
May 20, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	FY11 Drug, Gang, and Violent Crime Control Grant Renewal projects

TO: Chairperson and Committee Members

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

RECOMMENDATION:

The Drug, Gang, and Violent Crime Committee recommend to the Commission approval of grant renewals in FY 2011 for drug task forces, their tandem prosecution programs, forensic support projects, and adjudication/probation enhancement projects according to *Table 4* on page 8 of the agenda. The renewal grants would expire on June 30, 2011.

DISCUSSION:

See Attached

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

Background

At the May 2009 meeting, the Commission awarded funds to priority area 1 projects (drug task forces, tandem prosecution projects) and priority area 3 projects (forensic support projects, adjudication/probation enhancement projects) for a one-year period with an option to renew for a second year if all grant requirements were met and upon approval by the Commission. The decision was intended to provide some funding stability for projects supporting core priorities of the State Drug, Gang, and Violent Crime Control Program Strategy and ease some of the administrative burden related to grant management. Match requirements were also set aside to assist state and local agencies struggling during the economic downturn.

These projects were supported by two primary funding streams: Byrne Justice Assistance Grant/American Recovery and Reinvestment Act (ARRA) and the state Drug and Gang Enforcement Account (DEA). Arizona received a one-time award of \$25,306,956 in Byrne/JAG ARRA funds in 2009.

In FY 2010, the Commission approved funding in the amounts of \$4,443,921 for Drug Apprehension projects, \$5,231,505 in Drug Prosecution projects, \$595,280 in Drug Forensic projects, and \$2,261,628 (excluding one time funding for an AOC court automation project) in Drug Adjudication projects. Of these amounts, \$10,177,041 in ARRA funds were allocated to support Drug Task Force, Tandem Prosecution projects, and Drug Forensic projects and \$2,261,628 in DEA funds supported Drug Adjudication projects.

To date, all of these projects have met ACJC grant requirements. In April, agencies submitted expenditure plans, detailing how funds would be spent under the renewal.

Recommendation

Staff recommends the Commission approve the renewal of grants in FY 2011 for drug task forces, their tandem prosecution projects, forensic support projects, and adjudication/probation enhancement projects according to *Table 4* on page 8 of the agenda. The table reflects the expenditure plans submitted by grantees and reviewed by staff. Effectively, these agencies do not apply for 2011 grant funds to support the listed projects. The current FY 2010 grants (Cycle 23) will be extended into the next fiscal year at the same funding level, expiring on June 30, 2011. Upon approval by the Commission, staff will request agencies update performance measure estimates and give an opportunity to adjust the program income formula before the grant year begins.

The drug task force projects, tandem prosecution projects, and forensic support projects totaling \$10,270,706 will be funded using ARRA monies. The Drug Adjudication projects totaling \$2,261,628 will be funded with DEA monies.

Table 4 FY 2011 Drug, Gang, & Violent Crime Control Grant Renewal Detail							
	Total Personnel Costs	Prof./ Outside Svs	In-State Travel	Out of State Travel	Operating Expense	Equipment	Total FY11 Recommended
Priority 1: Drug Apprehension							
Apache County S.O. (ACCENT)	280,840	0	0	0	0	0	280,840
Cochise County S.O. (BAG)	176,245	0	6,000	0	29,959	0	212,204
Flagstaff P.D. (NAZ METRO)	298,117	0	0	0	27753	0	325,870
Gila County S.O.	344,288	0	0	0	0	0	344,288
Graham County S.O. (SE AZ)	29,152	0	0	0	0	0	29,152
Greenlee County S.D.	32,560	0	0	0	0	0	32,560
Kingman P.D. (MAGNET)	387,845	0	0	0	0	0	387,845
La Paz County S.O.	131,776	0	0	0	0	0	131,776
Maricopa County S.O.(MCNET)	412,000	0	0	0	0	0	412,000
Navajo County S.O.	283,080	0	0	0	0	0	283,080
Pinal County S.O.	166,228	0	0	0	26,537	0	192,765
Santa Cruz Co. S.O. (METRO)	226,620	0	0	0	0	0	226,620
Sedona P.D (PANT)	513,626	0	0	0	0	0	513,626
Tucson P.D. (CNA)	816,976	0	0	0	0	0	816,976
Yuma SO. (YCNTF)	254,319	0	0	0	0	0	254,319
Sub-Total	\$ 4,353,672	\$ -	\$ 6,000	\$ -	\$ 84,249	\$ -	\$ 4,443,921
Priority 1: Drug Prosecution							
Apache County Attorney	96,152	0	0	0	0	0	96,152
Attorney General's Office	1,109,606	0	0	0	0	0	1,109,606
Cochise County Attorney	167,425	0	0	0	0	0	167,425
Coconino County Attorney	146,080	0	0	0	0	0	146,080
Gila County Attorney	72,063	0	0	0	0	0	72,063
La Paz County Attorney	77,435	0	0	0	0	0	77,435
Maricopa County Attorney	1,573,656	0	0	0	0	0	1,573,656
Mohave County Attorney	214,085	0	0	0	0	0	214,085
Navajo County Attorney	117,040	0	0	0	0	0	117,040
Pima County Attorney	586,176	0	0	0	0	0	586,176
Pinal County Attorney	198,598	0	0	0	0	0	198,598
Santa Cruz County Attorney	52,838	0	0	0	0	0	52,838
Tucson City Prosecutor	360,064	0	0	0	0	0	360,064
Yavapai County Attorney	134,115	0	0	0	0	0	134,115
Yuma County Attorney	326,172	0	0	0	0	0	326,172
Sub-Total	\$ 5,231,505	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,231,505
Priority 3 Drug Forensics							
Dept. of Public Safety	544,344	0	0	0	3,416	0	547,760
Tucson P.D.	47,520	0	0	0	0	0	47,520
Sub-Total	\$ 591,864	\$ -	\$ -	\$ -	\$ 3,416	\$ -	\$ 595,280
Priorty 3: Drug Adjudication							
Administrative Office of the Courts	2,261,628	0	0	0	0	0	2,261,628
TOTAL	\$ 12,438,669	\$ -	\$ 6,000	\$ -	\$ 87,665	\$ -	\$ 12,532,334

**DRUG, GANG AND VIOLENT CRIME COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION**

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
May 20, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	FY11 Drug, Gang, and Violent Crime Control Grant Awards for Priority 5 projects (Cycle 24)

TO: Chairperson and Committee Members

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

RECOMMENDATION:

The Drug, Gang, and Violent Crime Committee recommend to the Commission the award of Cycle 24 Arizona Drug, Gang and Violent Crime Control grant funds to the priority 5 projects listed in *Table 3* on page 12 for the period beginning July 1, 2010 and ending June 30, 2011.

DISCUSSION:

See Attached

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

Background

ACJC opened up the Drug, Gang and Violent Crime Control grant as a limited competitive grant for FY 2011, for priority 5 projects. Priority 5 projects are essentially any project that does not fit under the definitions of priority 1 through 4 projects as outlined in the *2008-2011 State Strategy* for the Drug, Gang and Violent Crime Control program. The strategy lists priority 5 projects as:

State and local initiatives including technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as criminal justice-related research and evaluation activities that will enhance:

- Law enforcement
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, technology improvement programs
- Crime victim and witness programs (other than compensation)

The solicitation opened March 12, 2010 with a closing date of April 9, 2010. Thirty-one applications were received requesting a total of \$4,327,452. *Table 1* on page 11 provides a summary of Priority 5 FY 2010 awards, FY 2011 grant requests, and FY 2011 recommended awards. Staff estimated that approximately \$1.2 million in regular Byrne Justice Assistance Grant (Byrne/JAG) funds would be available for priority 5 projects. An evaluation team consisting of ACJC staff and one outside evaluator reviewed all applications. The projects were scored based on the criteria published in the solicitation with an emphasis on the statewide strategy. The scoring criteria also considered an agency's ability to monitor and evaluate performance, past performance with grant projects, and the ability to manage the grant properly.

Recommendation

Staff recommends total grant funding of \$1,362,066 for priority five projects in FY 2011 consisting of \$1,261,250 in Byrne/JAG funding and \$100,816 in Drug Enforcement Account (DEA) funds. No ARRA funds would be utilized on these projects. State DEA funds would support the Attorney General's Medicaid Fraud project because the agency receives a federal match for each state dollar spent on the project. The agency types funded would include law enforcement, prosecution, probation, and a drug court. *Table 3* on page 12 shows the recommendation detail broken out by line item.

Several applications scored well but were not recommended for funding. The Yavapai County Sheriff's Office submitted an excellent application but the requested activities were viewed as a duplication of effort with the drug task force in that county. Also of particular note were the Navajo Nation Judicial Branch, State Capital Post Conviction Public Defender, the Graham County Sheriff's Office, and Phoenix Police Department projects. The amount of available grant funds could not be stretched to these worthy projects.

It is also important to emphasize that the Drug, Gang, and Violent Crime Control Program likely will not be able to support priority 5-type projects in FY 2012. Based on estimated funding for next year's Byrne/JAG award and projected DEA revenue, reductions in the program size will occur. This assumption does not include future fund reductions that may be enacted by the Legislature.

Table 1 Summary of FY 2011 Grant Requests & Proposed Awards - Priority 5					
APPLICANT AGENCY	FY10 Grant Awards	FY10 Funded FTE Positions	FY11 Grant Request	FY11 Proposed Grant Awards	FY11 Proposed FTE Positions
DRUG, GANG, & VIOLENT CRIME CONTROL PROGRAM					
Apache County Attorney's Office	0	0.0	83,401	0	0.0
Arizona Attorney General's Office - Gang Prosecution	111,234	1.3	113,362	86,043	1.0
Arizona Attorney General's Office (Medicaid Fraud)	100,816	1.3	133,775	100,816	1.3
Arizona Department of Corrections	0	0.0	83,370	0	0.0
Arizona Department of Public Safety - DNA	323,488	4.0	875,979	253,231	2.0
Arizona Department of Public Safety - So. AZ Tox.	246,437	2.0	375,591	246,437	2.0
Cochise County Adult Probation Department	0	0.0	107,949	52,325	1.0
Cochise County Public Defender's Office	10,706	0.3	10,501	0	0.0
Coconino County Attorney's Office	13,065	0.0	59,086	0	0.0
Coconino County Public Defender's Office	12,435	0.3	12,435	0	0.0
Fedonia Marshall's Office	0	0.0	33,200	0	0.0
Gila County Attorney's Office	6,958	0.2	11,262	0	0.0
Graham County Attorney's Office	4,428	0.2	31,381	0	0.0
Graham County Sheriff's Office	0	0.0	66,827	0	0.0
Greenlee County Attorney's Office	18,750	0.5	35,625	0	0.0
Maricopa County Attorney's Office	334,933	0.0	404,608	261,250	2.0
Mohave County Juvenile Drug Court	0	0.0	101,542	45,765	1.0
Navajo County Sheriff's Office	0	0.0	56,433	0	0.0
Navajo Nation Judicial Branch	0	0.0	252,167	0	0.0
Peoria Police Department	0	0.0	15,560	0	0.0
Phoenix Police Department - GEU	0	0.0	80,994	0	0.0
Phoenix Police Department - NIBN	0	0.0	138,012	57,300	1.0
Phoenix Police Department (Maryvale Crime Suppression)	0	0.0	74,954	0	0.0
Pima County Attorney's Office - Gang Prosecution	164,885	2.1	236,578	128,206	1.5
Pima County Sheriff's Office	37,500	0.0	187,500	0	0.0
Pima County Superior Court (Probation) - Quick Start	158,585	1.0	211,715	130,693	1.0
Scottsdale Police Department	0	0.0	10,800	0	0.0
South Tucson Police Department	0	0.0	112,000	0	0.0
State Capital Post Conviction Public Defender	136,766	1.0	171,729	0	0.0
Yavapai County Sheriff's Office	0	0.0	67,595	0	0.0
Yuma County Public Defender's Office	18,387	0.5	171,521	0	0.0
Total	\$ 1,699,373	14.5	\$ 4,327,452	\$ 1,362,066	13.8

Table 3 FY 2011 Drug, Gang, & Violent Crime Control Grant Proposed Awards Detail - Priority 5

Applicant Agency	Total Personnel Costs	Prof./ Outside Svs	In-State Travel	Out of State Travel	Operating Expense	Equipment	Total FY11 Recommended
Apache County Attorney's Office	0	0	0	0	0	0	0
Arizona Attorney General's Office - Gang Prosecution	86,043	0	0	0	0	0	86,043
Arizona Attorney General's Office (Medicaid Fraud)	100,816	0	0	0	0	0	*100,816
Arizona Department of Corrections	0	0	0	0	0	0	0
Arizona Department of Public Safety - DNA	253,231	0	0	0	0	0	253,231
Arizona Department of Public Safety - So. AZ Tox.	233,248	0	0	0	13,189	0	246,437
Cochise County Adult Probation Department	52,325	0	0	0	0	0	52,325
Cochise County Public Defender's Office	0	0	0	0	0	0	0
Coconino County Attorney's Office	0	0	0	0	0	0	0
Coconino County Public Defender's Office	0	0	0	0	0	0	0
Fedonia Marshall's Office	0	0	0	0	0	0	0
Gila County Attorney's Office	0	0	0	0	0	0	0
Graham County Attorney's Office	0	0	0	0	0	0	0
Graham County Sheriff's Office	0	0	0	0	0	0	0
Greenlee County Attorney's Office	0	0	0	0	0	0	0
Maricopa County Attorney's Office	261,250	0	0	0	0	0	261,250
Mohave County Juvenile Drug Court	42,685	3,080	0	0	0	0	45,765
Navajo County Sheriff's Office	0	0	0	0	0	0	0
Navajo Nation Judicial Branch	0	0	0	0	0	0	0
Peoria Police Department	0	0	0	0	0	0	0
Phoenix Police Department - GEU	0	0	0	0	0	0	0
Phoenix Police Department - NIBN	57,300	0	0	0	0	0	57,300
Phoenix Police Department (Maryvale Crime Suppression)	0	0	0	0	0	0	0
Pima County Attorney's Office - Gang Prosecution	128,206	0	0	0	0	0	128,206
Pima County Sheriff's Office	0	0	0	0	0	0	0
Pima County Superior Court (Probation) - Quick Start	0	0	0	0	130,693	0	130,693
Scottsdale Police Department	0	0	0	0	0	0	0
South Tucson Police Department	0	0	0	0	0	0	0
State Capital Post Conviction Public Defender	0	0	0	0	0	0	0
Yavapai County Sheriff's Office	0	0	0	0	0	0	0
Yuma County Public Defender's Office	0	0	0	0	0	0	0
TOTAL	\$ 1,215,104	\$ 3,080	\$ -	\$ -	\$ 143,882	\$ -	\$ 1,362,066

*Funding for the AG Medicaid Fraud project will come from the *Drug Enforcement Account*. All other projects are funded through the regular *Byrne Justice Assistance Grant*. No ARRA funds are used for these priority 5 projects.