

**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, November 10, 2011** 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 Daniel Sharp**
Drug, Gang and Violent Crime Committee Members:
Daniel Sharp, Chairperson
Joseph Arpaio
Clarence Dupnik
Tom Horne
Bill Montgomery
Charles Ryan
- II. Minutes of the July 21, 2011 Meeting** **P-F-T**
- Approval of Minutes **P-F-T**
- III. 2012-2015 Drug, Gang & Violent Crime Control (DGVCC) Strategy** **Tony Vidale**
- Review, discussion, consideration and possible action on approval of the DGVCC Strategy. **P-F-T**

IV. CY2012 Residential Substance Abuse Treatment Program (RSAT) Grant Awards **Tony Vidale**

- Review, discussion, consideration and possible action on allocation of 2012 RSAT grant awards. **P-F-T**

V. AZ Attorney General's Office Medicaid Fraud Program **Tony Vidale**

- Review, discussion, consideration and possible action on allocation of funds to the Medicaid Fraud Program. **P-F-T**

VI. 2011 Enhanced Drug & Gang Enforcement (EDGE) Report **Janice Simpson**

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

VII. 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.

VIII. Date, Time, and Location of Next Meeting

- The next Drug, Gang and Violent Crime Committee meeting will be held on **Thursday, January 19, 2012** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

IX. 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:
November 10, 2011	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the July 21, 2011 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 July 21, 2011.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

Drug, Gang and Violent Crime Committee
Minutes
July 21, 2011

A public meeting of the Drug, Gang and Violent Crime Committee of the Arizona Criminal Justice Commission was convened on July 21, 2011 at Little America Hotel, 2515 East Butler Avenue, Ballroom C, Flagstaff, AZ.

Members Present:

Daniel Sharp, Chief, Oro Valley Police Department
Joseph Arpaio, Maricopa County Sheriff, Ray Churay representing
Clarence Dupnick, Pima County Sheriff, Warren Alter representing
Tom Horne, Attorney General, Gerald Richard representing
Bill Montgomery, Maricopa County Attorney
Charles Ryan, Director, Department of Corrections

Staff Participating:

Tony Vidale, Program Manager
Phil Stevenson, Director, Statistical Analysis Center
Keri Raichert, Grant Coordinator
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Daniel Sharp at 10:05 AM. Roll was taken and a quorum was declared present.

II. Minutes of the May 19, 2011 Meeting

Chairperson Sharp called for a motion on the minutes. Designee Gerald Richard moved to approve the minutes of the May 19, 2011 meeting. The motion was seconded by Designee Ray Churay and was unanimously approved by the Committee.

III. FY 2012-2015 Drug, Gang and Violent Crime Control Strategy

Tony Vidale, Program Manager presented the preliminary data that will support the update to the Drug, Gang and Violent Crime Control (DGVCC) statewide strategy for FY 2012-2015. The DGVCC strategy was developed to guide policymakers in distributing funds to support Arizona in its efforts to reduce drug, gang and related violent crime. The strategy also focuses on projects that enforce and prosecute drug abuse/trafficking violators and also supports efforts on forensic testing, courts programs, drug treatment, education and prevention.

Phil Stevenson, Director, Statistical Analysis Center provided statistical information surrounding trends in drug, gang and violent crime in Arizona. The data covered statewide information collected from 2000-2009 as well as 2009 data from individual counties.

The Committee suggested that in addition to the data presented at this meeting that staff considers combining UCR, prosecution and incarceration data to formulate county profiles that reflect multiple segments of the criminal justice system. The Committee expressed that this would provide a comprehensive overview of drug, gang and violent crime problems and efforts statewide.

Mr. Vidale covered the strategy history and the current strategy that includes Priorities 1-5. A chart was also shown that depicted the program funding levels from FY 2008-2014.

Next, Keri Raichert, Grant Coordinator presented a draft of the goals for the 2012-2015 DGVCC Strategy. Ms. Raichert explained that staff assessed the funding streams for the Drug Enforcement Account (DEA), Residential Substance Abuse Treatment (RSAT) program, and Byrne/JAG grant in developing the DGVCC strategy. Ms. Raichert stated that a review of the 2011 National Drug Control and 2011 Southwest Border Counternarcotics strategies were consulted in developing goals for Arizona's strategy. The draft DGVCC Strategy goals presented were: 1) curtailing the flow of illicit drugs, drug proceeds and associated instruments of violence across Arizona; and 2) reducing illicit drug use, crime and recidivism in Arizona.

Mr. Vidale informed the Committee that the next steps include: 1) developing more specific objectives by assessing the needs of stakeholders; 2) obtaining community input through public hearings;

3) presenting the final draft to the Committee and Commission; and 4) obtaining Commission approval.

Mr. Vidale commented that staff's goal is to complete and present the draft strategy by the November meeting; however, a presentation of the strategy could also be done at the January meeting.

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

IV. Call to the Public

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

V. 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.

VI. Adjournment

The meeting was adjourned at 11:20 PM.

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 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:
November 10, 2011	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	2012-2015 Drug, Gang & Violent Crime Control Strategy

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 the 2012-2015 Drug, Gang and Violent Crime Control Strategy.

DISCUSSION:

See Attached

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

2012-2015 Arizona Drug, Gang and Violent Crime Control Strategy

The Arizona Drug, Gang and Violent Crime Control (DGVCC) Strategy was developed to guide policymakers in allocating resources to support Arizona's efforts to curtail drug, gang and violent crime in the state. The current strategy focuses on projects that enforce and prosecute drug abuse and trafficking violators as well as projects that support forensic testing, court programs, treatment and drug education and prevention. The DGVCC strategy takes a balanced approach to a statewide, system-wide program that supports drug control efforts in the state.

Arizona's Drug Strategy was first developed in 1987, updated and refined annually, and expanded to include gang and violent crime. The first multi-year strategy was developed in 2004 and guided funding decisions through 2007. The current strategy expires in 2011, and the revised strategy will be in effect for the period of 2012 through 2015.

At the July Commission meeting, ACJC staff presented information about the drug, gang, and violent crime problem in Arizona and offered two goals for Commission input. The goals were developed based on the scope of the problem, parameters of funding sources and review of overarching strategies including the *2011 National Drug Control Strategy* and the *2011 Southwest Border Counternarcotics Strategy*. The Strategy will serve as the Commission's blueprint for directing funds to achieve the following two goals:

- Curtail the flow of illicit drugs, drug proceeds, and instruments used to perpetuate violence across Arizona
- Reduce violent crime and illicit drug use, and deter repeat offenders in Arizona

Staff used these two goals as the starting point to developing the strategic response to the drug, gang, and violent crime problem in the state. The strategy outlines the nature and extent of the problem, including data and analysis, current and coordinated efforts, program analysis including strengths, weaknesses, opportunities, and challenges, goals and purpose areas, strategic principles, and program performance monitoring and evaluation. With the approved strategy, staff will request the Commission establish funding priorities each year that will be published in the grant announcement. These funding priorities will align with the goals and objectives of the statewide strategy.

To develop the 2012-2015 DGVCC Strategy, ACJC conducted public hearings in Tucson, Phoenix, Flagstaff, and Yuma in October 2011. Staff prepared a PowerPoint presentation that was shown at all public hearings, and accepted comments at the conclusion of the presentation. In addition, staff posted the presentation on the ACJC web site and sent out the presentation to all stakeholders with the invitation to submit written comments via e-mail. The following is a summary of the comments received from the public hearings.

- Several agencies expressed support of the *Strategy*. One agency noted that current programming has proved effective in addressing the problem and is in support of the *Strategy* as it provides the opportunity to support programming similar to the current structure. Several representatives of current subrecipients of funding testified to the value of ACJC grant-funded projects.
- Public commentary also included mention of the importance of continuing to move in the direction of supporting evidence-based programming, in alignment with the shift on the federal level. Two agencies relayed challenges associated with data collection.
- Public comment was provided in relation to the Program Performance Monitoring and Evaluation section of the *Strategy*. Per the feedback, Commission Staff incorporated recommended changes to several performance measures.

Staff proposes that the Drug, Gang and Violent Crime Committee recommend to the Commission the adoption of the 2012-2015 Arizona Drug, Gang and Violent Crime Control Strategy.

IV

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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
November 10, 2011	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	CY2012 Residential Substance Abuse Treatment Program (RSAT) Grant Awards

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 \$674,903 in federal and local cash and/or in-kind match funds for the 2012 RSAT grant program beginning January 1, 2012 and ending December 31, 2012.

DISCUSSION:

See Attached

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

2012 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 were three jail-based applications received during this solicitation.

In addition, RSAT guidelines provide that no more than 10 percent of the total award may be used for post-release treatment services. In CY 2011, ACJC was awarded enough grant funds to support post-release treatment services. In CY 2012, ACJC again has grant funds available to continue funding consideration of these program types. RSAT may fund post-release programs that provide treatment to offenders for a period not to exceed one year after release. For the CY 2012 RSAT grant, ACJC received one post-release treatment application.

Each applicant must meet the federal eligibility requirements for Residential Substance Abuse Treatment 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 2011 was \$606,226. 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 \$225,323 in unexpended FFY 2010 grant funds available for the program. *Table 1* provides a breakdown of available funding for the CY

2012 RSAT grant program, which includes \$770,926 in federal funds and \$256,975 in required matching funds for a total of \$1,027,901. With a proposed CY 2012 program size of \$674,903, the RSAT program would have \$352,998 available for the CY 2013 program, in addition to any federal award.

Table 1

<i>CY 2012 RSAT Grant Program</i>	
FFY 2010 Grant:	
Grant Balance	\$ 571,845
CY10 Grant Obligations	<u>(346,522)</u>
Available for CY11 program	\$ 225,323
FFY 2011 Grant:	
Grant Award	\$ 606,226
Less: 10% Admin	<u>(60,623)</u>
Available for CY11 program	\$ 545,603
Total Fed. Funds Available	\$ 770,926
Match Requirement	<u>256,975</u>
Available Program Size	\$ 1,027,901
Proposed CY12 Awards	\$ 674,903
Balance Available for CY13:	
Federal	\$ 264,749
Match	<u>\$ 88,249</u>
Total	\$ 352,998

Applications Received

On August 29, 2011, counties were notified via electronic mail announcing the availability of the CY 2012 Residential Substance Abuse Treatment program grants and application procedures through ACJC's grant management system. The deadline for submission of applications was Friday, October 7, at 3:00 p.m. Six applications were submitted by the deadline requesting a total of \$555,960 in federal funds. With the matching funds amount of \$185,320, the total requested program size was \$741,280. The six agencies that submitted applications were the Arizona Department of Corrections (ADC), the Arizona Department of Juvenile Corrections (ADJC), the Coconino County Sheriff's Office, the Maricopa County Sheriff's Office, Chicanos Por La Causa, and the Navajo 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 3*, on page 12 of the agenda.

Evaluation and Scoring

The average score and ranking of each applicant is shown in *Table 2* on page 11. Each grant application was reviewed by a team of three individuals and scored based on established criteria contained in the grant announcement. The maximum possible score was 110.

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.

Table 2

CY 2011 RSAT Grant Program Scoring			
Rank	Agency	Project	Average Score
1	ADOC	Gemini Program	93.7
2	Coconino SO	EXODUS Program	91.0
3	CPLC	Corazon Ctr.	91.0
4	Maricopa SO	Alpha Program	84.3
5	ADJC	RSAT Program	80.7
6	Navajo SO	NCDC Treatment Prog.	72.3

Recommendation

Staff proposes an award of \$674,903 in federal and local cash and/or in-kind match funds for CY 2012 RSAT grant awards beginning January 1, 2012 and ending December 31, 2012 as shown in *Table 3*, on page 12 of the agenda. Of this amount, \$506,177 is from federal funds and \$168,726 is from local match funds. This recommendation would fund the Coconino County Sheriff’s Office (EXODUS Program), ADOC (Gemini Program), Maricopa County Sheriff’s Office (Alpha Program), ADJC (RSAT Program), and Chicanos Por La Causa (Corazon Treatment Center). The Navajo County Sheriff’s Office project did not fully meet the requirements of the grant program. This recommendation would comply with the RSAT requirement that at least 10% of the award is allocated to local correctional or detention facilities and no more than 10% of the award is provided for treatment of those released from a state facility.

**CY 2012 RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT) GRANT
JANUARY 1, 2012 - DECEMBER 31, 2012**

Requested													
Applicant Agency	Personnel			Consult./ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2012 REQUESTED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,323	0	0	0	0	0	4,080	0	0	\$75,403	\$56,552	\$18,851
ADJC - RSAT Program	57,404	4,227	33,336	76,150	12,000	0	10,000	36,500	0	0	\$229,617	\$172,213	\$57,404
Chicanos Por La Causa	0	0	0	0	0	0	0	0	102,000	0	\$102,000	\$76,500	\$25,500
Coconino County Sheriff's Office - Exodus	131,615	51,508	0	5,625	0	0	0	5,026	0	0	\$193,774	\$145,330	\$48,444
Maricopa County Sheriff's Office - Alpha	56,451	17,658	0	0	0	0	0	0	0	0	\$74,109	\$55,582	\$18,527
Navajo County Sheriff's Office	0	0	0	48,600	0	0	0	17,777	0	0	\$66,377	\$49,783	\$16,594
TOTAL	\$292,470	\$97,716	\$33,336	\$130,375	\$12,000	\$0	\$10,000	\$63,383	\$102,000	\$0	\$741,280	\$555,960	\$185,320
Proposed													
Applicant Agency	Personnel			Consult./ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2012 PROPOSED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,323	0	0	0	0	0	4,080	0	0	\$75,403	\$56,552	\$18,851
ADJC - RSAT Program	57,404	4,227	33,336	76,150	12,000	0	10,000	36,500	0	0	\$229,617	\$172,213	\$57,404
Chicanos Por La Causa	0	0	0	0	0	0	0	0	102,000	0	\$102,000	\$76,500	\$25,500
Coconino County Sheriff's Office - Exodus	131,615	51,508	0	5,625	0	0	0	5,026	0	0	\$193,774	\$145,330	\$48,444
Maricopa County Sheriff's Office - Alpha	56,451	17,658	0	0	0	0	0	0	0	0	\$74,109	\$55,582	\$18,527
Navajo County Sheriff's Office	0	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0
TOTAL	\$292,470	\$97,716	\$33,336	\$81,775	\$12,000	\$0	\$10,000	\$45,606	\$102,000	\$0	\$674,903	\$506,177	\$168,726

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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
November 10, 2011	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Medicaid Fraud Program funding request

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 approval of a request from the Arizona Attorney General's Office in the amount of \$100,816 from the state Drug Enforcement Account to fund the Medicaid Fraud Program.

DISCUSSION:

The Attorney General's Office is requesting funding from the DEA Account to support the Attorney General's Medicaid Fraud project. The requested funds will be used to match a federal grant. Federal funds cannot be used to match other federal funds; therefore, state DEA funds must be used if the project is approved. The Attorney General's Office will receive approximately \$300,000 in federal funds using \$100,816 in matching funds. A memo from the AG's Office is attached.

FISCAL IMPACT:

Significant to the Attorney General's Office.

ALTERNATIVES:

Not Approve - Modify - Table



OFFICE OF ATTORNEY GENERAL TOM HORNE

Criminal Division
Health Care Fraud & Abuse Section

MEMORANDUM

TO: Arizona Criminal Justice Commission

FROM: Steven J. Duplissis, Chief
Health Care Fraud & Abuse Section

DATE: October 14, 2011

RE: Comments on the Success of the ACJC Medicaid Fraud Leverage Grant

I would like to provide the Commission with a brief, written commentary on the very positive developments that followed the Commission's awarding in July, 2009 and July, 2010 of the \$100,000 leverage grant to the Attorney General's Medicaid Fraud Section.

It may be particularly opportune to provide this commentary as the Commission establishes its strategic direction for the allocation of resources for the 2012 – 2015 time period.

Exactly as had been planned, the awarding of the ACJC leverage grant of \$100,000 yielded an annual federal match of \$300,000. The combined total fund increase to the Medicaid Fraud Section was \$400,000 per year which directly brought about the following:

- The hiring in the first year of five (5) new employees (and in the second year we were able to hire a sixth employee with the same \$100,000 grant.)
- The new personnel consisted of three (3) Special Agents, one (1) Prosecutor, and two (2) support personnel.
- The creation of a Medicaid Fraud Section office in Tucson.
- The number of persons indicted for drug diversion related crimes for the two years since the grant was awarded is seventy (70).

Along with the new personnel came the capability to devote substantially more Section resources to addressing the growing problem of prescription drug crime offenses that had been taking place within Arizona's health care industry.

In summary, the \$100,000 leverage grant not only attracted \$300,000 in a federal match, it also was responsible for the informal establishment of de facto drug diversion task forces, first in Tucson and more recently in Phoenix. These informal task forces have melded together the experienced street crime investigators of the DEA and local police agencies with the expert medical fraud and insurance fraud investigators and prosecutors of the Medicaid Fraud Section of the Attorney General's Office.

Several recent cases illustrate the formidable punch the multi-agency approach has yielded.

- State v. Corina Hollander D.P.M., et al – This case was worked through the joint investigative efforts of the DEA's Tucson Tactical Diversion Squad and the AG's Medicaid Fraud Control Unit. The investigation found that Tucson Podiatrist Corina Hollander and her two live-in co-workers had corrupted her podiatry business to the point that the true focus for the business had become the illegal acquisition and abuse of prescription pain medicine by her and the two main accomplices. There were more than 1000 prescription forgeries that were passed by this group. Ultimately, eight persons were found to be involved in the crimes, all successfully prosecuted, including Podiatrist Corina Hollander, who was sentenced to 33 months in prison which will be followed by five (5) years of probation.
- State v. Tyler Deane, et al – This case began in July, 2010, when a Peoria police officer learned of a single fraudulent prescription that had been passed at a local pharmacy. The Peoria officer was aware of the AG's prescription drug crime initiative (ACJC Leverage Grant) and contacted our office when he learned that the crime had been aided by a corrupt medical assistant working at a Medicaid-funded doctor's office. A joint three-month investigation ensued, which resulted in 20 persons being charged for numerous drug diversion crimes. The principal leaders of the crime ring have been sentenced to DOC as follows: Tyler Deane received a sentence of 7.5 years; the corrupt medical assistant was sentenced to 5 years; Kenneth Rump was sentenced to 6.5 years; and Samuel Chung was sentenced to 4 years. The group was responsible for diverting over 5000 Oxycodone #30 pills with a street value that ranged between \$79,000 and \$159,000.
- State v. Albert Yeh, MD - On March 11, 2011, Mohave County medical doctor Albert Yeh was sentenced to 2.5 years in prison, and he agreed to forfeit \$1,707,595 of his seized assets. Of the seized money, \$683,038 was returned to the AHCCCS program, \$170,759.50 was deposited in the State's RICO fund, and the remaining \$853,797.50 was distributed to DEA, which in turn, distributed the money to eight law enforcement agencies in Arizona and Nevada.

The AG's Medicaid Fraud Control Section aided DEA in both the investigation and prosecution of Dr. Yeh. The investigation determined that Dr. Yeh was able to attract over 140 patients a day (his office was only open one day a week in Arizona) by virtue of his well-deserved reputation as a prolific prescriber of prescription pain medicine. The customers who sought him out would leave satisfied following just a two-minute medical exam --if at the end of the "exam" they would be provided the prescription they sought. Dr. Yeh would then bill the patient's insurance company, including Medicaid and Medicare, as if he had provided a 30-minute health care exam.

The massive billing fraud scheme developed by the Medicaid Fraud Control Section was the basis for many of the criminal charges filed against Dr. Yeh, and these were the charges to which Dr. Yeh would plead. It is worthwhile to note that for the past two years, ACJC had awarded a total of \$200,000 to the AG's Medicaid Fraud Control Section, and the Dr. Yeh case resulted in over five times that amount (\$1,024,556) being returned to the State's RICO fund and eight law enforcement agencies.

I will be present at the Commission's November 10, 2011 meeting and would like to provide for you an in-person review of the excellent results that have come from your awarding of this leverage grant.

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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
November 10, 2011	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	2011 Enhanced Drug & Gang Enforcement (EDGE) Report

TO: Chairperson and Committee Members

FROM: Janice Simpson, Grants Coordinator
Drug Control and Systems Improvement

RECOMMENDATION:

Information Only

DISCUSSION:

The 2011 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