

**NOTICE OF PUBLIC MEETING
OF THE
OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER
THE INFLUENCE ABATEMENT
AND
AGENDA**

Pursuant to A.R.S § 38-431.02, notice is hereby given to the members of the **Oversight Council on Driving or Operating Under the Influence Abatement** and to the general public that the **Oversight Council on Driving or Operating Under the Influence Abatement** will hold a meeting open to the public on **Friday, August 12, 2011**, beginning at **10:30 a.m.** at **1110 W. Washington, Suite 250, Phoenix, AZ 85007**.

Pursuant to the Americans with Disabilities Act (ADA), the Oversight Council on Driving or Operating Under the Influence Abatement 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 Arizona Criminal Justice Commission Office at (602) 364-1146. Requests should be made as early as possible to allow time to arrange the accommodation.

The Oversight Council on Driving or Operating Under the Influence Abatement 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 Aaron J. Carreon-Ainsa**

- II. Minutes of the November 10, 2009 Meeting**
 - Approval of minutes **P-F-T**

- III. DUI Abatement Fund Update** **Karen Ziegler**
 - Update on the current balance and status of the fund. **Info**

- IV. Administration of the Oversight Council DUI Abatement Funds** **Debby Finkel**
 - Review, discussion, consideration and possible action on directing DUI Abatement funds and administrative responsibilities to the Governor's Office of Highway Safety. **P-F-T**

V. Call to the Public

Those wishing to address the Council 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.

VI. Date, Time, and Location of Next Meeting

- The next Oversight Council on Driving or Operating Under the Influence Abatement meeting will be at the call of the Chairperson.

VII. Adjournment

A copy of the agenda background material provided to Oversight Council 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.



**OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER
THE INFLUENCE ABATEMENT**

Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
August 12, 2011	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the November 10, 2009 Meeting

TO: Oversight Council

FROM: Chairperson Aaron J. Carreon-Ainsa

RECOMMENDATION:

The Council approve the minutes of the November 10, 2009 meeting.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Oversight Council on Driving or Operating Under the Influence Abatement
Minutes
November 10, 2009**

A public meeting of the Oversight Council on Driving or Operating Under the Influence Abatement was convened on November 10, 2009 at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

Members Present:

Aaron J. Carreon-Ainsa, Chairperson, City of Phoenix Prosecutor
Ken Buckland, Senate Appointee
Daisy Flores, Gila County Attorney
Alberto Gutier, Speaker of the House Appointee, Governor's Office of Highway Safety
Stacey Stanton, Assistant Director, Motor Vehicle Division, Jackie Allgood representing
Roger Vanderpool, Director, Department of Public Safety, Jack Lane representing
Steven Tucker, Greenlee County Sheriff

Members Absent:

Gary Johnson, Governor Appointee

Legal Counsel Present:

Brian Schneider, Assistant Attorney General

Staff Participating:

John A. Blackburn, Jr., Arizona Criminal Justice Commission
Debby Finkel, Arizona Criminal Justice Commission
Wendy Boyle, Arizona Criminal Justice Commission

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Aaron J. Carreon-Ainsa at 1:40 PM. Roll was taken and a quorum was declared present.

II. Minutes of the October 5, 2009 Meeting

Chairperson Carreon-Ainsa called for a motion on the minutes. Alberto Gutier made a motion to adopt the minutes of the October 5, 2009 meeting. Following a second to the motion by Ken Buckland, the minutes were unanimously adopted by the Oversight Council.

III. Budget and Funding of Oversight Council

Executive Director John A. Blackburn, Jr., reported on the state budget deficit and its impact to the ACJC budget and programs. The Governor's Office tasked ACJC to reduce its budget by 15 percent and advised of the possible elimination of the Oversight Council DUI Abatement funds. At the request of the Governor's Office, ACJC identified two program areas for elimination of funding; those programs included the Oversight Council and the Fill the Gap Program. Executive Director Blackburn explained that the DUI funds had been targeted in the past and stated that at the last legislative session, the DUI Council and funds were targeted for removal in SB 1024; however, that bill failed to be heard. In addition to the two above named programs, Executive Director Blackburn stated other programs such as the Criminal Justice Enhancement Fund (CJEF) and the Drug Task Forces would also be in jeopardy of losing funding.

After discussion, a motion was made by Ken Buckland and seconded by Alberto Gutier to table this action item and proceed with the decision by the Council to fund the DUI Innovative and Enforcement programs as approved from the last meeting. The motion passed unanimously.

IV. 2010 Grant Application Approval

The Oversight Council were provided spreadsheets outlining funding set at \$200,000 for the Innovative Program and \$500,000 to the Enforcement Program for the period of November 15, 2009 through June 30, 2010.

The Council first discussed the innovative grant funding requests. Applicant grant requests totaled \$337,957 which is in excess of the \$200,000 program size.

The Innovative Program grant applicants included the Department of Public Safety (DPS), Chandler Police Department, Glendale Police Department, Nogales Police Department, Phoenix Police Department, Phoenix Prosecutors Office, Pima County Attorney's Office and Tucson Police Department. Debra Barone-Jay spoke on behalf of the Phoenix Prosecutors Office; she explained that their request included laptop computers and software for the Trial Bureau Prosecutors, as well as the contractor's fees for the interface programming requirements to the Courts Case Management System (CMS).

After review and discussion, a motion was made by Alberto Gutier and seconded by Ken Buckland to approve \$187,957 for the FY10 Innovative Program grants. The motion passed unanimously.

Next, the Council evaluated the 28 Enforcement grant applications in the amount of \$1,440,002; this amount exceeded the established \$500,000 program size.

After review and discussion, a motion was made by Alberto Gutier and seconded by Daisy Flores to approve the FY10 Enforcement Program grants in the amount of \$484,664 designated for the purpose of overtime/ERE only. The motion passed unanimously.

After additional discussion, the Council proposed to award the remaining \$15,336 in Enforcement Program funds to DPS to fund overtime.

Alberto Gutier made a motion to approve the additional award of \$15,336 to DPS in Enforcement grant funds for overtime only; seconded by Steven Tucker, and upon a unanimous vote, the motion carried.

V. Call to the Public

Chairperson Carreon-Ainsa made a call to the public. No members of the audience addressed the Council.

VI. Date, Time, and Location of Next Meeting

The next Oversight Council on Driving or Operating Under the Influence Abatement meeting will be held on **Thursday, February 25, 2010 at 1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

VII. Adjournment

The meeting was adjourned at 2:50 p.m.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

Audio recording available upon request.

DUI INNOVATIVE ALLOCATION 2010		
	TOTAL	REMAINING
	\$ 200,000	\$ 12,043
AGENCY NAME	FY 10 Request	FY 10 Awarded
DPS	\$ 29,088	\$ 29,088
Chandler PD	\$ 32,691	\$ 32,691
Glendale PD	\$ 150,000	\$ -
Nogales PD	\$ 3,010	\$ 3,010
Phoenix PD	\$ 53,560	\$ 53,560
Phoenix Prosecutors Office	\$ 38,000	\$ 38,000
Pima County Attorney	\$ 11,564	\$ 11,564
Tucson PD	\$ 20,044	\$ 20,044
GRAND TOTAL	\$ 337,957	\$ 187,957

DUI ENFORCEMENT ALLOCATION 2010	
	TOTAL
	\$ 500,000
AGENCY NAME	FY 10 Request
Ak-Chin Indian Community	\$ 34,706
AZ DPS	\$ 206,821
Avondale PD	\$ 49,991
Chino Valley PD	\$ 14,294
Cottonwood PD	\$ 34,980
Douglas PD	\$ 25,150
Eagar PD	\$ 13,957
Flagstaff PD	\$ 29,541
Gilbert PD	\$ 39,865
Glendale PD	\$ 31,775
Greenlee County SO	\$ 17,028
Marana PD	\$ 36,085
Maricopa County SO	\$ 50,009
Maricopa City PD	\$ 23,303
Mesa PD	\$ 25,000
Mohave County SO	\$ 13,000
Nogales PD	\$ 60,824
Peoria PD	\$ 54,000
Phoenix PD	\$ 99,995
Pima County Attorney	\$ 9,171
Pima PD	\$ 70,168
Prescott Valley PD	\$ 37,964
Salt River Pima-Maricopa Indian Community PD	\$ 148,995
Snowflake-Taylor PD	\$ 153,000
Tucson PD	\$ 45,506
Williams PD	\$ 53,935
Yavapai County SO	\$ 30,615
Yuma PD	\$ 30,324
GRAND TOTAL	\$ 1,440,002

AGENCY NAME	Overtime/ERE Requested	Overtime/ERE Awarded
Ak-Chin Indian Community	\$ 24,919	\$ 12,460
AZ DPS	\$ 204,980	\$ 117,826
Avondale PD	\$ 49,991	\$ 24,996
Chino Valley PD	\$ 12,094	\$ 6,047
Cottonwood PD	\$ 11,930	\$ 5,965
Douglas PD	\$ 10,000	\$ 5,000
Eagar PD	\$ 13,957	\$ 6,979
Flagstaff PD	\$ 29,541	\$ 14,771
Gilbert PD	\$ 39,865	\$ 19,933
Glendale PD	\$ 31,775	\$ 15,888
Greenlee County SO	\$ 17,028	\$ 8,514
Marana PD	\$ 36,085	\$ 18,043
Maricopa County SO	\$ 50,009	\$ 25,005
Maricopa City PD	\$ 8,839	\$ 4,420
Mesa PD	\$ 25,000	\$ 12,500
Mohave County SO	\$ -	\$ -
Nogales PD	\$ 41,951	\$ 20,976
Peoria PD	\$ 54,000	\$ 27,000
Phoenix PD	\$ 99,995	\$ 49,998
Pima County Attorney	\$ 3,771	\$ 1,886
Pima PD	\$ 32,218	\$ 16,109
Prescott Valley PD	\$ 19,764	\$ 9,882
Salt River Pima-Maricopa Indian Community PD	\$ 49,995	\$ 24,998
Snowflake-Taylor PD	\$ -	\$ -
Tucson PD	\$ 45,506	\$ 22,753
Williams PD	\$ -	\$ -
Yavapai County SO	\$ 25,791	\$ 12,896
Yuma PD	\$ 30,324	\$ 15,162
GRAND TOTAL	\$ 969,328	\$ 500,000



**OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER
THE INFLUENCE ABATEMENT**

Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
August 12, 2011	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	DUI Abatement Fund Update

TO: Oversight Council

FROM: Karen Ziegler, Deputy Director

RECOMMENDATION:

The Council will receive an update on the current balance and status of the fund.

DISCUSSION:

Karen Ziegler will provide the Council with an update on the DUI Abatement fund and the impact of current fund sweeps to the account.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

IV

OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT

Request for Council Action

Action Requested:	Type of Action Requested:	Subject:
August 12, 2011	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Administration of the DUI Abatement funds

TO: Oversight Council

FROM: Debby Finkel, Grants Coordinator

RECOMMENDATION:

The Council approve directing the Oversight Council DUI Abatement funds and administrative responsibilities to the Governor's Office of Highway Safety.

DISCUSSION:

The Governor's Office of Highway Safety (GOHS) is the focal point for highway safety issues in Arizona. GOHS provides leadership by developing, promoting and coordinating programs and increasing public awareness of highway safety. Directing the Oversight Council DUI Abatement funds to the GOHS will allow closer coordination for DUI enforcement programs and leverage the federal funding for DUI highway safety activities currently administered through GOHS.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table