

**NOTICE OF PUBLIC MEETING
OF THE
DRUG, GANG AND VIOLENT CRIME CONTROL 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 Control Committee** of the Arizona Criminal Justice Commission and to the general public that the **Drug, Gang and Violent Crime Control Committee** will hold a meeting open to the public on **Thursday, March 24, 2016** beginning at **10:00 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 Joe Brugman**

Drug, Gang and Violent Crime Control Committee Members:

Joe Brugman, Chairperson
Joseph Arpaio
Mark Brnovich
Bill Montgomery
Sheila Polk
Charles Ryan

II. Minutes of the November 5, 2015 Meeting

- Approval of Minutes **P-F-T**

III. FY 2017 Drug, Gang, and Violent Crime Control Grant Funding Reduction **Tony Vidale**

- Presentation addressing possible funding allocation options to address the reduction in the FY 2017 Drug, Gang, and Violent Crime Control Grant Program. **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 Control Committee meeting will be held on **Thursday, May 19, 2016** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

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 CONTROL COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION****Request for Committee Action**

| Action Requested: | Type of Action Requested: | Subject: |
|--------------------------|---|---|
| March 24, 2016 | <input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other | Minutes of the November 5, 2015 Meeting |

TO: Chairperson and Committee Members**FROM:** Tony Vidale, Program Manager
Drug, Gang and Violent Crime Control**RECOMMENDATION:**

The Committee approve the minutes of the Drug, Gang and Violent Crime Control Committee Meeting held on November 5, 2015.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Drug, Gang and Violent Crime Control Committee
Minutes
November 5, 2015**

A public meeting of the Drug, Gang and Violent Crime Control Committee of the Arizona Criminal Justice Commission was convened on November 5, 2015 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Joe Brugman, Chairperson, Chief, Safford Police Department
Joseph Arpaio, Maricopa County Sheriff, Pat Lopez representing
Mark Brnovich, Attorney General, Paula Alleman representing
Sean Duggan, Chief, Chandler Police Department
Sheila Polk, Yavapai County Attorney
Charles Ryan, Director, Department of Corrections, Jeff Hood representing

Staff Participating:

Tony Vidale, Program Manager
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Joe Brugman at 9:01 a.m. Roll was taken and a quorum was declared present.

II. Minutes of the May 21, 2015 Meeting

Chairperson Brugman called for a motion on the minutes. Commissioner Sheila Polk entered a motion to approve the minutes of the May 21, 2015 meeting. The motion was seconded by Designee Jeff Hood and was unanimously approved by the Committee.

III. CY2016 Residential Substance Abuse Treatment Program (RSAT) Grant Awards

Tony Vidale, Program Manager, presented the recommendation by staff to award \$366,508 in federal and local cash and/or in-kind match funds for the 2016 Residential Substance Abuse Treatment (RSAT) grant program.

Mr. Vidale explained the purpose of the RSAT program is to assist 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 services for offenders. The RSAT program is structured into three areas: 1) residential, 2) jail-based and 3) post-release treatment. There are two funding requirements for the RSAT program; ten percent of the federal award must be made available to local correctional or detention facilities, and funds cannot be awarded for post-release treatment services that exceed one year after release.

Mr. Vidale stated ACJC was awarded \$249,027 for the FFY 2015 grant; of which the agency was allocated ten percent for administrative costs totaling \$24,903. A total of \$366,508 is available to fund the CY2016 projects. The funding breakdown contains \$274,881 in federal funds (including \$50,757 in unexpended prior year grand funds) and \$91,627 in required matching funds. The RSAT grant solicitation opened on August 31, 2015 and closed on October 9, 2015. Table DC2 on page 10 of the agenda showed the

requested amount of \$610,766 from five agencies with a breakdown of \$458,075 in federal monies and \$152,691 in match funds. The staff recommendation would be to fund the Coconino County Sheriff's Office, Arizona Department of Corrections, Maricopa County Sheriff's Office, Arizona Department of Juvenile Corrections, and Chicanos Por La Causa.

Commissioner Sheila Polk asked about the future of the RSAT program funding. Mr. Vidale responded that the outlook is troubling. The past federal budget included funding for RSAT; though not at as high an amount as the previous fiscal year. The current budget plan offered by the House provides no funding for RSAT, however, this has happened in past budget plans and Congress has ended up providing some level of funding. Staff anticipates the RSAT program at or slightly less than current funding and Congress will continue to support the treatment of individuals who are incarcerated.

Mr. Vidale reported a research survey was being developed by the National Institute of Justice (NIJ). The research study focus will be on the effectiveness of the RSAT program and the reasons the program should receive continued support.

Commissioner Sean Duggan entered a motion to recommend to the Commission the award of \$366,508 in federal and local cash and/or in-kind match funds for the 2016 RSAT grant program beginning January 1, 2016 and ending December 31, 2016. The motion was seconded by Designee Pat Lopez and was unanimously approved by the Committee.

IV. 2016-2019 Drug, Gang & Violent Crime Control (DGVCC) Strategy

Tony Vidale, Program Manager, presented the 2016-2019 Arizona Drug, Gang and Violent Crime Control (DGVCC) Strategy. Mr. Vidale reviewed the process that was used to develop the DGVCC strategy. The current strategy focuses on projects that enforce and prosecute drug offenders and trafficking violators, as well as, projects that support forensic testing, court programs, treatment/drug education, and prevention programs. The DGVCC strategy takes a balanced approach to a statewide, system-wide program that supports drug control efforts in the state. In developing the strategy, a public hearing was held at ACJC on October 14, 2015, in addition to participation by web-conferencing. Also, the recording of the presentation was posted on the ACJC website and comments were accepted from the public.

Mr. Vidale discussed the purpose and background of the strategy, its use as a primary decision making tool to direct funds to achieve the goals of the program.

Mr. Vidale reviewed some of the content in the strategy that consisted of: 1) the nature and extent of the problem; 2) current and coordinated efforts; 3) program analysis of strengths, weaknesses, opportunities and challenges; 4) goals and purpose areas; 5) strategic principles; and 6) program performance monitoring and evaluation.

Commissioner Sheila Polk referred to some questions on the draft DGVCC strategy:

On page 22, under Drug-Related Crime and Incarceration, *the percentage from 2014 was 30.9 percent of drug offenders making up the inmates.* Commissioner Polk asked staff if they could clarify the information about the Department of Correction's population number, so it shows an accurate picture for the reader.

On page 25, under the Drug-Related Health Consequences, *the Arizona Department of Health Services estimated that hospitalizations for non-fatal drug poisoning cost Arizona nearly \$213 million in 2013 alone.* Commissioner Polk asked if this includes or excludes emergency visits; and, if staff could clarify the language on the \$213M from the Department of Health Services.

Shana Malone, Director, Statistical Analysis Center responded that the data is a combination of emergency and hospital non-fatal poisonings.

On page 32, under chart 22, the Drug Conviction FY 2011-FY 2014 shows reporting of possessions and the convictions. Commissioner Polk had concerns that the difference of what individuals are being *arrested for* and what they are *convicted of* is missing from the report. Due to agreements and diversion programs, a clarifying explanation should be provided.

Mr. Vidale agreed that staff can include that comment under the chart.

Lastly, Commissioner Polk referred to page 50, on the Purpose Area: Prevention and Education, and asked staff to explain how to improve pro-social behaviors.

Ms. Malone explained these as opportunities that youth have to engage specifically in healthy activities that would reduce the likelihood of engaging in delinquent activities including drug use and abuse.

Chairperson Brugman facilitated discussion on whether to approve the strategy with the following changes discussed, or table the item and have staff update the document with the enhancements discussed and present to the Committee in January 2016. The Committee agreed to table the item.

Commissioner Sheila Polk entered a motion to table the recommendation of the 2016-2019 Drug, Gang and Violent Control Strategy to the Commission. The motion was seconded by Commissioner Sean Duggan and passed unanimously.

V. 2015 Enhanced Drug & Gang Enforcement (EDGE) Report

Tony Vidale, Program Manager presented the 2015 Enhanced Drug & Gang Enforcement (EDGE) Report.

Mr. Vidale explained the report meets the statutory requirement for ACJC to submit a report on law enforcement activities related to illicit drugs and drug-related gang activity.

Mr. Vidale reviewed the highlights of the report with the Committee. In 2015, ACJC awarded a combined total of \$10,518,946. Of this amount, \$3,623,283 was awarded in federal funds, \$4,344,068 in state funds, and \$2,551,595 in local matching funds.

The projects included: 14 drug task forces under the drug apprehension program, 16 prosecution projects, one statewide forfeiture project, two drug forensic projects, one adjudication project at the Administrative Office of the Courts, one Medicaid Fraud project at the Attorney General's office, and one criminal records improvement project.

Under the Purpose Areas, on page 39, the following allocations were funded: 1) \$3,439,148 for apprehension programs; 2) \$3,719,944 for prosecution program activities; 3) \$503,343 for Forensic Drug Analysis Programs; 4) \$1,677,546 for Arizona Supreme Court Anti-Drug Adjudication project; 5) \$211,749 for Criminal Justice Records Improvement Program (CJRIP); 6) \$100,816 for Arizona Attorney General's Office Medicaid Fraud project.

Mr. Vidale summarized the results of the programs and projects. There were 4,900 arrests by the funded task forces, with marijuana as the number one drug involving arrests, followed by methamphetamine and heroin. The most common arrestee was male, Caucasian and over 18. 439 weapons were seized of which 237 were handguns. There were 212 drug trafficking organizations dismantled and 186 were disrupted. Drug seizures totaled 84,000 pounds of marijuana, 752 pounds of cocaine, 2,000 pounds of methamphetamine, and 197 pounds of heroin. On the prosecution side, there were over

30,451 drug prosecutions: 77 percent resulted in convictions, 15.2 percent were dismissed, and 0.1 percent resulted in acquittal.

Mr. Vidale reported the most common type of drug offense was for possession or concealment of drugs; 86 percent of drug offenses were prosecuted as felony charges and 14 percent were misdemeanors. Marijuana was the drug most often involved in prosecutions. The report indicated 15,533 offenders received sentences. The most common sentence was probation, followed by a prison sentence. On the smaller projects, the civil forfeiture project under the Attorney General's office reported that there were close to \$26.5M in forfeited assets that included 283 weapons. The forensic support project performed over 13,000 analyses on various types of drugs. Forensic staff testified 203 times in court and the project trained 497 officers on drug field testing. The adjudication project supported 12 drug courts that served 2,059 participants and 4,495 probationers. Probation officers produced 1,924 pre-sentence investigation reports, and 1,090 indigent defendants were provided services.

Commissioner Sheila Polk questioned the language in the EDGE report that stated *the most common drug offense type was for possession* and asked if it meant conviction or prosecution. The report lists 55.3 percent of arrests for possession and 78 percent of convictions are for possession; which, would be a reflection of the drug courts and diversion programs.

Mr. Vidale responded that the focus of the EDGE report are the activities that are reported to ACJC through the funded agencies. Staff would like to provide more analysis; however, that would require agencies to provide the information, and there may be inefficiencies that exist by providing the general explanations without the help of all agencies. Commissioner Polk offered to provide assistance to staff for future reporting so the specifics can be captured.

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

VI. Call to the Public

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

VII. Date, Time, and Location of Next Meeting

The next Drug, Gang and Violent Crime Committee meeting will be held on **Thursday, January 21, 2016** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

VIII. Adjournment

The meeting was adjourned at 12:03 p.m.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

Audio recording available upon request.

III

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

Request for Committee Action

| Action Requested: | Type of Action Requested: | Subject: |
|--------------------------|---|--|
| March 24, 2016 | <input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other | FY17 Drug, Gang and Violent Crime Control Program Funding Reduction |

TO: Chairperson and Committee Members

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

RECOMMENDATION:

The Committee will direct staff on the preferred option to allocate funding for the FY 2017 Drug, Gang, and Violent Crime Control Grant Program.

DISCUSSION:

Staff will present information on the current funding status and identify for the Committee funding allocation options to address the reduction in funding for the FY 2017 Drug, Gang, and Violent Crime Control Grant Program.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table