

**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, March 21, 2013** beginning at **9:00 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 Bill Montgomery**
Drug, Gang and Violent Crime Committee Members:
Bill Montgomery, Chairperson
Joseph Arpaio
Tim Dorn
Clarence Dupnik
Tom Horne
Sheila Polk
Charles Ryan
Steven Sheldon
- II. Minutes of the May 24, 2012 Meeting** **P-F-T**
- Approval of Minutes. **P-F-T**
- III. Consideration of Match Requirement for FY 2014 Drug, Gang and Violent Crime Control Grant** **Tony Vidale**
- Review, discussion, consideration and possible action on implementing a match requirement for the FY 2014 Drug, Gang and Violent Crime Control Grant. **P-F-T**

IV. Funding Priorities for the Drug, Gang and Violent Crime Control Grant

Tony Vidale

- Review, discussion, consideration and possible action on approval of funding priorities for the Drug, Gang and Violent Crime Control Grant.

P-F-T

V. 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.

VI. Date, Time, and Location of Next Meeting

- The next Drug, Gang and Violent Crime Committee meeting will be held on **Thursday, May 23, 2013** at the Arizona Criminal Justice Commission at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

VII. 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:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the May 24, 2012 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 24, 2012.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Drug, Gang and Violent Crime Committee
Minutes
May 24, 2012**

A public meeting of the Drug, Gang and Violent Crime Committee of the Arizona Criminal Justice Commission was convened on May 24, 2012 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Ralph Ogden, Yuma County Sheriff
Bill Montgomery, Maricopa County Attorney, Mike Mitchell representing
Joseph Arpaio, Maricopa County Sheriff, Ray Churay representing
Clarence Dupnik, Pima County Sheriff, Warren Alter representing
Tom Horne, Attorney General, Andrew Pacheco representing
Charles Ryan, Director, Department of Corrections, Greg Lauchner 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 Acting Chairperson Ralph Ogden at 11:00 a.m. Roll was taken and a quorum was declared present.

II. Minutes of the March 22, 2012 Meeting

Acting Chairperson Ogden called for a motion on the minutes. Designee Ray Churay entered a motion to approve the minutes of the March 22, 2012 meeting. The motion was seconded by Designee Warren Alter and was unanimously approved by the Committee.

III. Drug, Gang and Violent Crime Control Program Cycle 26 Grant Awards

Tony Vidale, Program Manager reported to the Committee on the proposed Arizona Drug, Gang and Violent Crime Control Cycle 26 grant awards to eligible criminal justice agencies for the period beginning July 1, 2012 and ending June 30, 2013. Mr. Vidale explained that in FY12, \$11.7M was allocated to grant projects that included \$9.3M in Byrne/JAG funds and \$2.4M in DEA funds with no match contribution from agencies. Originally staff projected a decrease in the FY13 program size by \$3.4M from FY12 due to decline in revenue from the Byrne/JAG grant and DEA funds; however, it was later determined the reduction was not as large as anticipated. One reason for a more stable fund balance is that the Legislature did not sweep funds from the DEA Account; thus, making \$489,000 available for grant projects. Additionally, the Maricopa County Attorney's Office decision to expend unbudgeted program revenue instead of project grant funds resulted in unexpended federal funds.

Mr. Vidale referred the Committee to page 8 of the agenda that details staff's proposed program size of \$11,315,000. Contributing to the program budget is \$4,909,038 in federal Byrne/JAG funding, \$4,143,700 in DEA funds and \$2,263,184 in matching funds with a 20 percent match. The match requirement is 5% less than was initially approved; which represents an overall reduction in the match requirement of (\$565,796) and will hopefully ease the burden on programs. An analysis of the funding recommendation is found on page 8 of the agenda and in accompanying tables DC 3 on page 12 of the agenda and the supplemental table DC 6 handout. There are three Tier 1 project areas recommended for funding, they include: (14) apprehension projects in the amount of \$3,852,863; 2) (15) tandem prosecution projects in the amount of \$3,919,604; and (1) statewide forfeiture project in the amount of \$983,862. There are two Tier 2

project areas recommended for funding, they include: (2) forensic support projects in the amount of \$549,284 and (2) drug adjudication projects in the amount of \$2,010,309.

Mr. Vidale reviewed the guidelines used by staff to develop the recommendation: 1) if a project was previously funded the goal was to keep it at the same level; 2) maintain balanced funding between tier one apprehension and prosecution projects; 3) fund at least one tier one project in each county; 4) provide funding to tier two projects impacted by apprehension and prosecution activities; 5) prioritize funding core operations positions; 6) fund a position and associated ERE at the current costs provided by the applicant; 7) fund personal services, ERE and overtime as a priority before considering other budget categories; and 8) avoid funding multiple support positions for any project.

Acting Chairperson Ogden made a call the public for comment and no one from the audience addressed the Committee on this action item.

After review and discussion, Designee Warren Alter entered a motion to recommend staff's proposal to the Commission for the FY13 Drug, Gang and Violent Crime Control Cycle 26 grant allocation with matching funds totaling \$11,315,922 under table DC 6. The motion was seconded by Designee Ray Churay and was unanimously approved by the Committee.

IV. Call to the Public

Acting Chairperson Ogden 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 at the call of the Chairperson.

VI. Adjournment

The meeting was adjourned at 11:25 a.m.

Respectfully submitted,



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:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Consideration of Match Requirement for FY 2014 Drug, Gang and Violent Crime Control Grant

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 whether to require a match for the FY 2014 grant year.

DISCUSSION:

Staff is seeking direction on whether or not to implement a match requirement for the FY 2014 grant year. If the Commission desires to require grantees provide matching funds, it must be determined at what level to set the match. Per program rule, the Commission cannot require a match that exceeds 25 percent of the total project budget. In FY 2013, the Commission approved a match requirement of 20 percent.

See attached for additional information.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

Program Background

The Drug, Gang, and Violent Crime Control Program (DC) allows state, county, local and tribal governments to support activities that combat drugs, gangs, and violent crime. The DC program provides funding to support the components of a statewide, system-wide enhanced drug, gang, and violent crime control program as stated in the *2012-2015 Arizona Drug, Gang, and Violent Crime Control Strategy*.

Several funding streams support the program to carry out the statewide strategy successfully. The Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG) funds awarded to Arizona by the U.S. Department of Justice, Bureau of Justice Assistance (DOJ/BJA) continue to support program activities along with state Drug and Gang Enforcement Account (DEA) funds established under A.R.S. § 41-2402, and matching funds when approved by the Commission.

Issue

Staff is seeking direction on whether or not to implement a match requirement for the FY 2014 grant year. If the Commission desires to require grantees provide matching funds, it must be determined at what level to set the match. Per program rule, the Commission cannot require a match that exceeds 25 percent of the total project budget. In FY 2013, the Commission approved a match requirement of 20 percent.

Issue Background

A match is essentially a cost sharing between the ACJC and the funded project. An agency provides funding equal to a set percentage based on the amount of grant funds allocated. The entire project size is comprised of the grant funds and match funds. With the Drug Program grant, agencies must provide a cash match (also called a 'hard' match) because this is a reimbursement grant. Agencies submit the project's total cost for the month and ACJC reimburses the remaining portion after deducting the match amount.

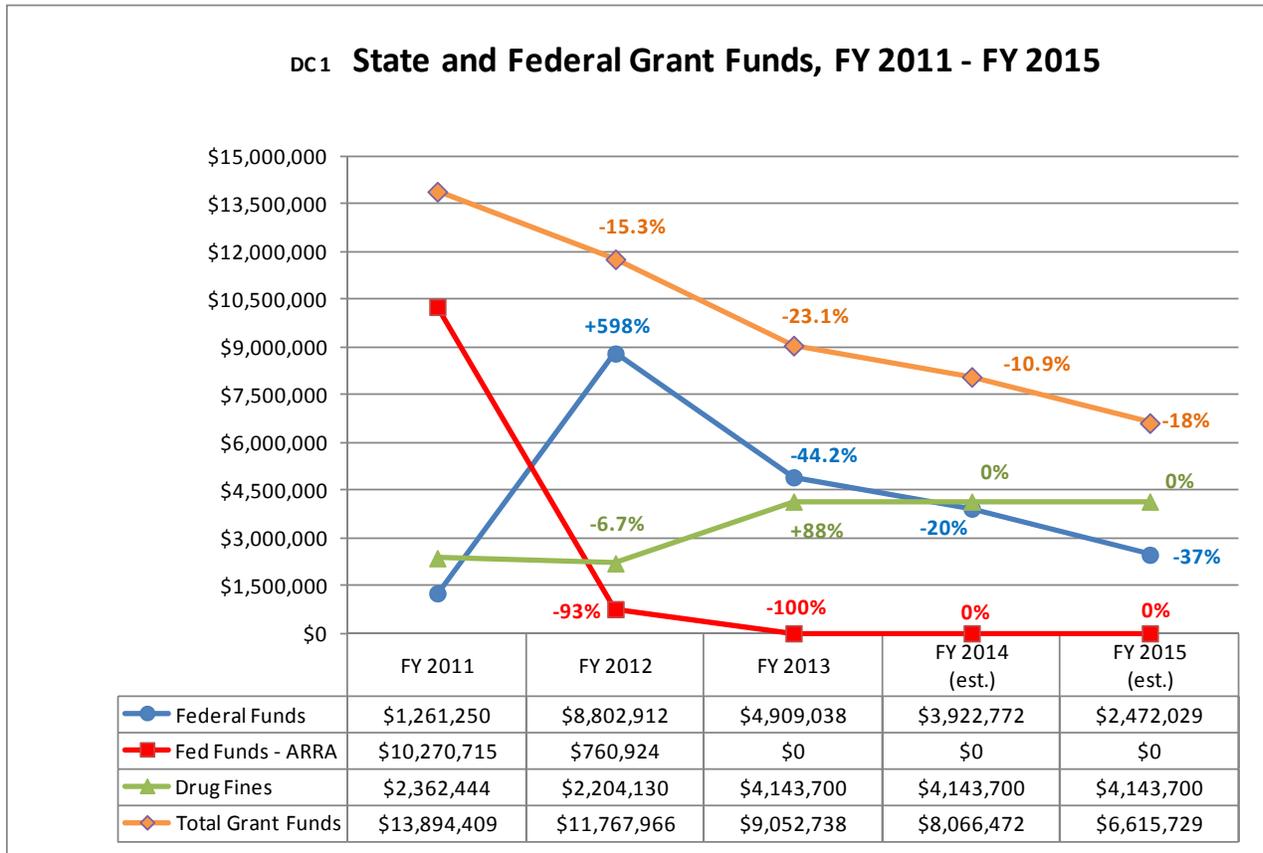
A match may serve many purposes for the overall program. Aside from the previously mentioned cost sharing, these resources help maintain a level of effort dedicated to addressing the drug problem in their communities. Grant recipients would have a stake in knowing they are helping themselves by contributing resources to combat drug-related crime. In addition, some agencies may use the match requirement to secure or protect a funding set-aside for the project from the county or city appropriation authority.

A match can also be problematic for some agencies. Because agencies would be required to come up with a "hard" cash match, they could not utilize non-grant funded project expenses or other in-kind expenditures toward meeting the match. Some agencies may only have the ACJC grant funds and RICO funds earned from seized assets and forfeitures to support the entire project. Others may not be able to secure funding support for projects from their appropriators. In these instances, these agencies may not have any discretionary funds to cover a match requirement and face refusing grant awards or dealing with project reductions.

Unlike other federal grants, DOJ does not mandate a match for the Byrne/JAG program so the Commission is not obligated to require grantees provide match funds. The Commission did not require a match in FY 2010 through 2012 in response to the fiscal crisis most agencies faced which provided the flexibility to use agency funds on the project or in other areas experiencing cuts. Prior to FY 2010, the Drug, Gang, and Violent Crime program required a 25 percent match.

Grant Funding

In FY 2013, the grant funds available for the program totaled just over \$9 million. In FY 2014, staff is estimating grant funds available for the program at just over \$8 million, representing a reduction of about \$1 million. This reduction is due to a drop in Byrne/JAG grant funds. This estimate also assumes that DEA revenue at a minimum will remain level from the previous fiscal year. Staff is projecting in FY 2015 a further reduction in Byrne/JAG grant funds to approximately \$2.5 million. *Graph DC 1* shows the level of federal and state funding for FY 2011 through FY 2015 (estimated), broken out by grant fund source, and the year-to-year percentage change.



Match Options

Staff is presenting three options to consider; no match, a 20 percent match, and a 25 percent match. It is important to note that under any match scenario, there will be some agencies awarded less grant funding than in FY 2013, due to the drop in Byrne/JAG funding. *Table DC 2* isolates the suggested match options for FY 2014, showing the estimated match amount for the program and the program totals. Also, included in the table are the approved amounts for the FY 2013 grant year and the estimated grant funding available for FY 2015.

DC 2 Match Allocation Options for FY 2014 DGVCC Grant					
Fund Source	FY 2013 Approved	FY 2014 No Match	FY 2014 20% Match	FY 2014 25% Match	FY 2015 Estimated
<i>Federal Funds</i>	\$4,909,038	\$3,922,772	\$3,922,772	\$3,922,772	\$2,472,029
<i>State Funds</i>	\$4,143,700	\$4,143,700	\$4,143,700	\$4,143,700	\$4,143,700
<i>Local Match</i>	\$2,263,184	\$0	\$2,016,618	\$2,683,334	TBD*
<i>Program Totals</i>	\$11,315,922	\$8,066,472	\$10,083,090	\$10,749,806	\$6,615,729
<i>*To be determined for FY2015 grant year</i>					

- Program reductions with no match: Projects would be awarded the \$8 million in funds available and grantees would not be obligated to commit any additional funds to the project. Overall, the total program size would be reduced by 28.7 percent. Assuming the same pool of grantees, most would see a reduction in grant funds. However, it is unknown what decisions agencies would make with the monies previously dedicated as match funding. The appropriation authority or agency could continue using these monies on the project or divert them elsewhere to other projects or expenditures.
- Institute a 20 percent match: Programs provide a 20 percent match that would equate to about \$2 million and set the program size at \$10 million. Overall, the total program size would be reduced by 10.9 percent. The 20 percent match represents the same percentage grantees were required to produce for the FY 2013 grant. The total match amount in dollars; however, would drop by \$246,566 due to a lower level of grant funding applied to the match percentage. Assuming the same pool of grantees, most would see a drop in grant funds and a corresponding drop in the match amount from FY 2013.
- Institute a 25 percent match: Programs provide a 25 percent match that would equate to about \$2.7 million and set the program size at \$10.7 million. Overall, the total program size would be reduced by 5 percent. This represents the maximum match percentage the Commission may require under program rule. The total match amount in dollars would increase by \$420,150. Assuming the same pool of grantees, most would see a drop in grant funds and an increase in the match amount from FY 2013.

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

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
March 21, 2013	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Funding Priorities for the Drug, Gang and Violent Crime Control Grant

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 funding priorities for the Drug, Gang and Violent Crime Control Grant program.

DISCUSSION:

Staff recommends the use of a tiered system to establish funding priorities for the Drug, Gang and Violent Crime Control Grant. Each purpose area is categorized as a Tier 1, Tier 2, or Tier 3 project. Tier 1 projects would receive the primary focus in allocating funding. Although Tier 1 projects would receive priority consideration, the funding recommendation should recognize to the extent possible that the workload impact one part of the criminal justice system has on other parts. The funding recommendation offered by staff will also reflect general strategic principles outlined in the strategy and consider the specific tier the project falls.

See attached for additional information.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

Program Background

The Drug, Gang, and Violent Crime Control Program (DC) allows state, county, local and tribal governments to support activities that combat drugs, gangs, and violent crime. The DC program provides funding to support the components of a statewide, system-wide enhanced drug, gang, and violent crime control program as stated in the *2012-2015 Arizona Drug, Gang, and Violent Crime Control Strategy*.

Several funding streams support the program to carry out the statewide strategy successfully. The Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG) funds awarded to Arizona by the U.S. Department of Justice, Bureau of Justice Assistance (DOJ/BJA) continue to support program activities along with state Drug and Gang Enforcement Account (DEA) funds established under A.R.S. §41-2402, and matching funds when approved by the Commission.

Issue Background

At the January 2012 meeting, the Commission approved the use of a tiered system to establish funding priorities for the FY 2013 Drug, Gang and Violent Crime Control Grant. The tiered system uses the purpose areas established and defined in the *Arizona 2012-2015 Drug, Gang, and Violent Crime Control Strategy*. In accordance with the approved strategy, the response to the drug, gang, and violent crime problem is primarily through apprehension and prosecution efforts. Other activities such as adjudication, forensic support, corrections, and treatment, education and prevention serve in support of law enforcement and prosecution efforts. These activities are defined as purpose areas in the strategy.

Each purpose area is categorized as a Tier 1, Tier 2, or Tier 3 project. Tier 1 projects receive primary focus in allocating funding. Funding the remaining tiers is contingent on the objective of the proposed projects and the availability of funding. Although Tier 1 projects receive priority consideration, the funding recommendation recognizes that to the extent possible, the workload impact one part of the criminal justice system has on other parts. The funding recommendation also reflects the goals and general strategic principles outlined in the strategy. Projects may not have included all of these strategic principles, but strong projects reflected as many of these qualities as possible.

Use of a tiered system assists staff in allocating monies for grant projects as part of the funding recommendation. As resources become scarcer for the grant program, it is critical to have clear direction in how to achieve the goals of the statewide strategy when recommending one project or expenditure type over another.

Recommendation

Staff is recommending the continued use of the tiered system to establish funding priorities for the grant program as displayed in *Table DC 3*. Instead of approving these tiers on an annual basis, staff is requesting the tier structure be approved for the grant program. Should the Commission decide to shift funding priorities, this could be accomplished in January, before the grant solicitation is released. Considering the statewide strategy is reviewed and/or revised every four years, the tiered system would also be reviewed to ensure it aligns with the goals of the statewide strategy.

DC 3

Funding Priority	Purpose Area and Description
<i>Tier 1</i>	<p>Apprehension: The apprehension purpose area may include, but is not limited to efforts promoting enhanced information sharing and intelligence exchange, approaches to address locally distinct drug, gang and violent crime related challenges, and proactive policing strategies to address drug, gang, and violent crime such as multi-agency, multijurisdictional task forces.</p> <p>Prosecution: The prosecution purpose area may include, but is not limited to prosecutorial efforts in tandem with multi-agency, multi-jurisdictional drug, gang and violent crime task forces, efforts to deny criminal currency, property and drug such as statewide civil forfeiture efforts, and other effective prosecution strategies to address drug, gang and violent crime.</p>
<i>Tier 2</i>	<p>Adjudication & Sentencing: The adjudication and sentencing purpose area may encompass a range of activities associated with court processes. Such activities include, but are not limited to pre-trial services, improved criminal court case processing, supporting specialty courts and public defender services.</p> <p>Corrections & Community Corrections: This purpose area includes projects responding to the needs of prison and jail facilities and corrections practitioners to providing secure care for offenders of drug, gang and violent crime. Projects could include, but are not limited to safety and security improvements, inmate programming, corrections equipment and technology, and contraband control and detection. For community corrections, projects may include, but are not limited to pre-release planning, coordinated reentry services, and supporting probation and parole services for offenders of drug, gang and violent crime.</p> <p>Forensic Support Services: The forensic support services area includes activities such as evidence examination and analysis, development of investigative leads, training, providing expert courtroom testimony and other forensic support services as they pertain to drug, gang and violent crime related cases.</p>
<i>Tier 3</i>	<p>Prevention and Education: This purpose area encompasses evidence-based interventions and environmental prevention strategies. Efforts should involved multiple sectors of the community and focus on reducing access and opportunity, enforcing consequences and decreasing the likelihood of engaging in drug, gang and/or violent crime by addressing risk and protective factors.</p> <p>Substance Abuse Treatment for Corrections-Involved Individuals: This purpose area includes, but is not limited to providing residential substance abuse treatment for inmates, preparing offenders for reentry into the community, and supporting community-based treatment and other broad-based aftercare services upon release.</p>