

**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, November 13, 2014** 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 Joe Brugman**

***Drug, Gang and Violent Crime Control Committee Members:***

Joe Brugman, Chairperson  
Joseph Arpaio  
Tim Dorn  
Clarence Dupnik  
Tom Horne  
Sheila Polk  
Charles Ryan  
Steven Sheldon

**II. Minutes of the May 22, 2014 Meeting**

- Approval of Minutes

**P-F-T**

- III. CY2015 Residential Substance Abuse Treatment Program (RSAT) Grant Awards** **Tony Vidale**
- Review, discussion, consideration and possible action on allocation of 2015 RSAT grant awards. **P-F-T**
- IV. 2014 Enhanced Drug & Gang Enforcement (EDGE) Report** **Tony Vidale**
- Presentation of the report and highlights of the findings. **Info**
- V. Update on Drug Fine Structure** **Tony Vidale**
- Staff will update the Committee on proposed changes to the drug fine structure in A.R.S. Title 13, Chapter 34. **Info**
- VI. 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.
- VII. Date, Time, and Location of Next Meeting**
- The next Drug, Gang and Violent Crime Control Committee meeting will be held at the call of the Chairperson.
- VIII. 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**

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the May 22, 2014 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 May 22, 2014.

**DISCUSSION:**

N/A

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

**Drug, Gang and Violent Crime Control Committee**  
**Minutes**  
**May 22, 2014**

A public meeting of the Drug, Gang and Violent Crime Control Committee of the Arizona Criminal Justice Commission was convened on May 22, 2014 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Joe Brugman, Chief, Coolidge Police Department by conference call  
Joseph Arpaio, John MacIntyre representing  
Timothy Dorn, Chief, Gilbert Police Department  
Tom Horne, Attorney General, Andy Swann representing  
Charles Ryan, Director, Department of Corrections  
Steven Sheldon, Former Judge

Members Absent:

Clarence Dupnik, Pima County Sheriff  
Sheila Polk, Yavapai County Attorney

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 Charles Ryan at 11:15 a.m. Roll was taken and a quorum was declared present.

**II. Minutes of the January 23, 2014 Meeting**

Acting Chairperson Ryan called for a motion on the minutes. Designee John MacIntyre entered a motion to approve the minutes of the January 23, 2014 meeting. The motion was seconded by Commissioner Tim Dorn and was unanimously approved by the Committee.

**III. Drug, Gang and Violent Crime Control Program Cycle 28 Grant Awards**

Tony Vidale, Program Manager presented staff's recommendation to award \$10,307,537 for the FY2015 Drug, Gang and Violent Crime Control Cycle 28 grant program. Eligible criminal justice agencies will receive the award for the period beginning July 1, 2014 and ending June 30, 2015, except the Attorney General's Office Medicaid Fraud project, which will begin October 1, 2014 and end September 30, 2015.

Mr. Vidale explained the funding would include \$3.2M from the Byrne/JAG grant, \$4.3M from state DEA funds, \$210,000 of unspent program income from a previous grant year and \$2.6M in local match funds. The Committee was referred to Table DC 2 on page 9 of the agenda that detailed the change in program size per fund source between FY 2014 and FY 2015, specifically the program income and match funds. The Committee was asked to review Table DC 1 on page 11 of the agenda that displayed a summary of the FY 2014 grant awards, the FY 2015 applicant grant requests, and the FY 2015 proposed grant awards specified by purpose area. The grant solicitation opened February 24, 2014 and closed March 21, 2014. An evaluation team consisted of internal staff and outside evaluators. There were 35 applications received requesting a total of \$14,462,570. Table DC 3 on page 12 of the agenda provides an overview of the grant requests by agency and line item.

Mr. Vidale briefly reviewed the guidelines used by staff to form the funding recommendation. They include prioritizing previously funded projects that demonstrate effectiveness, maintaining as much balance funding between tier one apprehension and prosecution projects, fund at least one apprehension and

prosecution project in each county, provide some level of funding to tier two projects impacted by apprehension and prosecution activities, prioritizing funding core operations positions, funding a position and associated ERE at the current costs reported by the agency in the application, funding personal services, ERE, and overtime before considering any other budget category, and avoid funding multiple support-type positions until core position needs are met.

Mr. Vidale noted two additional items that are significant and challenging when allocating funds for these projects. In complying with the provision in A.R.S. § 41-2402 that guides the drug and gang enforcement account, there are limits placed on funding specific purpose areas. The first limitation is restricted to allocating no more than 50% to law enforcement and prosecution, and no more than 30% to courts, corrections, and criminal justice records. The other control is the Bureau of Justice (BJA) imposes a variable pass through rate for the Byrne/JAG grant to ensure that a certain percentage as calculated, is passed through to county and municipal agencies. The rate for this grant year is 67.54%.

Staff's funding recommendation would be allocated according to Table DC 4 on page 13 of the agenda awarding \$3,439,148 to drug apprehension projects, \$3,818,100 to drug prosecution projects, \$869,400 to the statewide forfeiture activities, \$503,343 to forensic support projects, and \$1,677,546 to drug adjudication projects with corresponding match amounts.

Lastly, Mr. Vidale referred the Committee to Table DC 5 on page 14 of the agenda that breaks out the total grant awards to each of the fifteen counties.

Acting Chairperson Ryan asked if there were any member of the public that would like to address the Committee and there were none.

Commissioner Tim Dorn entered a motion to recommend to the Commission the award of the FY2015 Drug, Gang and Violent Crime Control Cycle 28 grant funds as shown in Table DC 4 on page 13 of the agenda for the period beginning July 1, 2014 and ending June 30, 2015, except the Attorney General's Office Medicaid Fraud project, which will be funded from October 1, 2014 and end September 30, 2015. The motion was seconded by Designee Andy Swann and was unanimously approved by the Committee.

#### **IV. Call to the Public**

Acting Chairperson Ryan made a call to the public. Lieutenant Randy Moffatt, Navajo County Sheriff's Office thanked the Commission and ACJC staff for the hard work in the assistance of the grant process to their agency.

#### **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 11:30 a.m.

Respectfully submitted,



John A. Blackburn, Jr.  
Executive Director

Audio recording available upon request.



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

**Request for Committee Action**

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	CY2015 Residential Substance Abuse Treatment Program (RSAT) Grant Awards

**TO:** Chairperson and Committee Members

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

**RECOMMENDATION:**

The Drug, Gang and Violent Crime Control Committee recommend to the Commission the award of \$428,424 in federal and local cash and/or in-kind match funds for the 2015 RSAT grant program beginning January 1, 2015 and ending December 31, 2015.

**DISCUSSION:**

See attached

**FISCAL IMPACT:**

Significant to recipient agencies

**ALTERNATIVES:**

Not Approve - Modify - Table

## 2015 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 was one jail-based application received during this solicitation.

RSAT may fund post-release programs that provide treatment to offenders for a period not to exceed one year after release. For the CY 2015 RSAT grant, ACJC received one post-release treatment application.

Each applicant must meet the federal eligibility requirements for RSAT 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 2014 was \$238,479. 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 \$106,687 in unexpended FFY 2013 grant funds available for the program. *Table DC1* on page 8 provides a breakdown of available funding for the CY 2015 RSAT grant program, which includes \$321,318 in federal funds and \$107,106 in required matching funds for a total of \$428,424. This amount represents a decrease of \$168,881 (28.3 percent) below the CY 2015 program size of \$597,305. With a proposed CY 2015 program size of \$428,424 the RSAT program would have no remaining fund balance for future use.

**Table DC1**

<i>CY 2015 RSAT Grant Program</i>	
FFY 2012 Grant:	
Grant Balance	\$ 150,523
CY13 Grant Obligations	<u>(150,523)</u>
Available for CY15 program	\$ 0
FFY 2013 Grant:	
Grant Award	\$ 288,872
Less: 10% Admin	(28,887)
CY13 Grant Obligations	<u>(153,298)</u>
Available for CY15 program	\$ 106,687
FFY 2014 Grant:	
Grant Award	\$ 238,479
Less: 10% Admin	<u>(23,848)</u>
Available for CY15 program	\$ 214,631
Total Fed. Funds Available	\$ 321,318
Match Requirement	<u>107,106</u>
<b>Available Program Size</b>	<b>\$428,424</b>
<b>Proposed CY15 Awards</b>	<b>\$428,424</b>

**Applications Received**

On August 18, 2014 counties and eligible agencies were notified via electronic mail announcing the availability of the CY 2015 Residential Substance Abuse Treatment program grant and application procedures through ACJC’s grant management system. The deadline for submission of applications was Friday, October 3, 2014 at 3:00 p.m. Five applications were submitted by the deadline requesting a total of \$499,549 in federal funds. With the matching funds amount of \$166,517, the total requested program size was \$666,066. The five agencies that submitted applications were the Arizona Department of Corrections (ADC), the Arizona Department of Juvenile Corrections (ADJC), Chicanos Por La Causa, the Coconino County Sheriff’s Office, and the Maricopa 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 DC2*, on page 10 of the agenda.

**Evaluation and Scoring**

All grant applications met the minimum requirements established in the RSAT guidelines. Each grant application was reviewed by a team of five individuals and scored based on established criteria contained in the grant announcement.

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.

### **Recommendation**

Staff proposes an award of \$428,424 in federal and local cash match funds for CY 2015 RSAT grant awards beginning January 1, 2015 and ending December 31, 2015 as shown in *Table DC2*, on page 10 of the agenda. Of this amount, \$321,318 is from federal funds and \$107,106 is from local match funds. This recommendation would fund the Coconino County Sheriff's Office (EXODUS Program), ADOC (Gemini Program), ADJC (RSAT Program), the Maricopa County Sheriff's Office (Alpha Program) and Chicanos Por La Causa (Corazon Treatment Center). This recommendation would comply with the RSAT program requirement that at least 10% of the award is allocated to local correctional or detention facilities.

Table DC2

**CY 2015 RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT) GRANT  
JANUARY 1, 2015 - DECEMBER 31, 2015**

**Requested**

Applicant Agency	Personnel			Consult./ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2015 REQUESTED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,325	-	-	-	-	-	4,080	-	-	\$75,405	\$56,554	\$18,851
ADJC - RSAT Program	44,000	13,200	18,057	55,540	34,920	30,856	16,380	29,655	-	-	\$242,608	\$181,956	\$60,652
Chicanos Por La Causa	-	-	-	-	-	-	-	-	42,000	-	\$42,000	\$31,500	\$10,500
Coconino County Sheriff's Office - Exodus	171,517	73,538	-	-	-	-	-	-	-	-	\$245,055	\$183,791	\$61,264
Maricopa County Sheriff's Office - Alpha	43,695	17,303	-	-	-	-	-	-	-	-	\$60,998	\$45,748	\$15,250
<b>TOTAL</b>	<b>\$306,212</b>	<b>\$ 128,366</b>	<b>\$ 18,057</b>	<b>\$ 55,540</b>	<b>\$ 34,920</b>	<b>\$ 30,856</b>	<b>\$ 16,380</b>	<b>\$ 33,735</b>	<b>\$ 42,000</b>	<b>\$ -</b>	<b>\$ 666,066</b>	<b>\$ 499,549</b>	<b>\$ 166,517</b>

**Recommended**

Applicant Agency	Personnel			Consult./ Con- tractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL CY 2015 PROPOSED	Federal	Match Provided
	Salary	Fringe Benefits	Overtime Expense				Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	47,000	24,325	-	-	-	-	-	-	-	-	\$71,325	\$53,494	\$17,831
ADJC - RSAT Program	44,000	13,200	18,057	37,000	-	-	-	-	-	-	\$112,257	\$84,193	\$28,064
Chicanos Por La Causa	-	-	-	-	-	-	-	-	42,000	-	\$42,000	\$31,500	\$10,500
Coconino County Sheriff's Office - Exodus	94,790	47,054	-	-	-	-	-	-	-	-	\$141,844	\$106,383	\$35,461
Maricopa County Sheriff's Office - Alpha	43,695	17,303	-	-	-	-	-	-	-	-	\$60,998	\$45,748	\$15,250
<b>TOTAL</b>	<b>\$ 229,485</b>	<b>\$ 101,882</b>	<b>\$ 18,057</b>	<b>\$ 37,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 42,000</b>	<b>\$ -</b>	<b>\$ 428,424</b>	<b>\$ 321,318</b>	<b>\$ 107,106</b>

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

**Request for Committee Action**

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	2014 Enhanced Drug & Gang Enforcement (EDGE) Report

---

**TO:** Chairperson and Committee Members

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

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

The 2014 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

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

**Request for Committee Action**

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 13, 2014	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Update on Drug Fine Structure in A.R.S. Title 13, Chapter 34

**TO:** Chairperson and Committee Members

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

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Staff will update the Committee on proposed changes to A.R.S. Title 13, Chapter 34 concerning drug fines and sentencing. At the January 2014 meeting, the Commission approved the concept of staff moving forward seeking to simplify the fine structure in statute for drug crime convictions to make the level of the fine more consistent with sentencing by implementing a fine schedule based on the class of offense. Staff met with various criminal justice stakeholders for input and will present the information to the Committee.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A