

**NOTICE OF PUBLIC MEETING
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 **Arizona Criminal Justice Commission** and to the general public that the **Arizona Criminal Justice Commission** will hold a meeting open to the public on **Thursday, January 21, 2010** beginning at **1:30 p.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.

The Commission 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 Ralph Ogden**

- II. Minutes of the November 19, 2009 Meeting**
 - Approval of Minutes

- III. Election of a Chairperson and Vice Chairperson** **John A. Blackburn, Jr.**
 - Review, discussion, consideration and possible action on the election of a Chairperson and Vice Chairperson for the Arizona Criminal Justice Commission. **P-F-T**

- IV. Executive Director's Report** **John A. Blackburn, Jr.**
 - A. Staff and Program Updates** **Info**
 - B. Budget Update** **Info**
 - C. Legislative Update** **Info**

- V. 2010/2011 Budget Options** **John A. Blackburn, Jr.**
 - Review, discussion, consideration and possible action on the 2010 budget reductions in SB1001; additional anticipated cuts; and proposed 2011 budget. **P-F-T**

- VI. Reduction of FY 2010 Victim Services Program Allocation** **Larry Grubbs**
- Review, discussion, consideration and possible action on the Crime Victim Assistance Program and Crime Victim Compensation Program funding levels for FY 2010. **P-F-T**
- VII. Crime Victim Assistance Program Funding Level FY 2011** **Larry Grubbs**
- Review, discussion, consideration and possible action on the FY 2011 Crime Victim Assistance Program funding level. **P-F-T**
- VIII. Victim Compensation Claim Management System Update** **Larry Grubbs**
- A status update will be provided on the Victim Compensation Claim Management System (VCCMS). **Info**
- IX. Call to the Public**
- Those wishing to address the Commission 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.
- X. Date, Time, and Location of Next Meeting**
- The next Commission meeting will be held on **Thursday, March 25, 2010** at **1:30 p.m.** at 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.
- XI. Adjournment**

A copy of the agenda background material provided to Commission 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.



ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the November 19, 2009 Meeting

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

The Commission approve the minutes of the Arizona Criminal Justice Commission meeting held on November 19, 2009.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

Arizona Criminal Justice Commission
Minutes
November 19, 2009

A public meeting of the Arizona Criminal Justice Commission was convened on November 19, 2009 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

Members Present:

Ralph Ogden, Chairperson, Yuma County Sheriff
Dan Hughes, Vice-Chairperson, Chief, Surprise Police Department
John Armer, Gila County Sheriff
Joseph Arpaio, Maricopa County Sheriff, Jesse Locksa representing
Duane Belcher, Chairperson, Board of Executive Clemency, Erin Warzecha representing
Dave Byers, Director, Administrative Office of the Courts, Jerry Landau representing
Clarence Dupnik, Pima County Sheriff, Warren Alter representing
Terry Goddard, Attorney General, Cameron Holmes representing
Robert Huddleston, Chief, Casa Grande Police Department
Barbara LaWall, Pima County Attorney by conference call
David Sanders, Pima County Chief Probation Officer, Carl Sheets representing
Charles Ryan, Director, Department of Corrections, Charles Flanagan representing
Linda Scott, Former Judge by conference call
Daniel G. Sharp, Chief, Oro Valley Police Department, Larry Stevens representing
Andrew Thomas, Maricopa County Attorney, Phil MacDonnell representing
Roger Vanderpool, Department of Public Safety, Georgene Ramming representing

Members Absent:

Carl Taylor, Coconino County Supervisor
George Silva, Santa Cruz County Attorney

Staff Participating:

John A. Blackburn, Jr., Executive Director
Karen Ziegler, Deputy Director
Mary Marshall, Public Information Officer
Tony Vidale, Program Manager
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Ralph Ogden at 1:33 PM. Roll was taken and a quorum was declared present.

II. Minutes of the September 24, 2009 Meeting

Chairperson Ogden called for a motion to adopt the minutes. On a motion by Designee Jesse Locksa, seconded by Commissioner Dan Hughes, the minutes of the September 24, 2009 meeting were unanimously adopted as written.

III. Executive Director's Report

A. 2010 Meeting Schedule

Executive Director Blackburn introduced Christine Payne, Program Compliance Auditor and Shana Malone, Senior Research Analyst as new staff to ACJC. Currently, ACJC is seeking to fill two Grant Coordinator positions. Executive Director Blackburn then directed attention to the following ACJC staff for recent accomplishments. Michelle Neitch, Research Analyst, Statistical Analysis Center was appointed to the Parents Commission; Phil Stevenson, Director, Statistical Analysis Center was appointed as Vice Chairperson to the Justice Research and Statistics Association; Mary Marshall, Public Information Officer was appointed to the Board of Directors of the National Criminal Justice Association (NCJA); and Executive Director Blackburn was appointed to the NCJA Executive Board of Directors, and as the NCJA Western Region Chairperson. The 2010 proposed public meeting schedule was presented and Executive Director Blackburn noted that commissioners will be notified if there are any changes to the meeting schedule.

B. Legislative Update

Executive Director Blackburn moved on to the legislative update. On the state side, the legislature was in special session addressing the \$486 million shortfall of the \$2 billion budget deficit for this fiscal year. On the federal side, there is a continuing resolution in place for the current fiscal year. Items of concern, public defenders plan to seek funding through a carve out of the Byrne/JAG funding and Arizona is opposing this at a national level. Executive Director Blackburn explained that three public defenders are funded through the Byrne grant and ACJC has used state/federal monies to fund the shortfall of the Fill the Gap funds swept at the last legislative session. In addition, public defender capital case litigation incentives have been funded. Also of concern are potential Byrne/JAG funding penalties for non-compliance that include: 1) Adam Walsh Act - sex offender registry and notification act that became law in 2006; 2) Juvenile Justice Accountability and Improvement Act of 2009 which would require states to establish an opportunity for parole to child offenders sentenced to life in prison; 3) Death in Custody Reporting Act of 2009 requiring states to report information on deaths of individuals in custody; and 4) Managing Arson through Criminal History Act of 2009 which would require states and territories to manage criminal arsonists and criminal bomber registry. Executive Director Blackburn cautioned that monies coming in for Byrne/JAG funding could be reduced by ten percent as well as carry penalties for each non-compliance. Discussions are taking place with the Department of Justice and Congress by Arizona stakeholders concerning this matter.

The Executive Director's Report was presented for informational purposes and did not require Commission action.

IV. Nominating Committee for Vice Chairperson

Executive Director Blackburn reviewed the Policy and Procedures for the Selection of Chairperson and Vice Chairperson document which had been modified to comply with the open public meeting laws. Currently, Chairperson Ogden has served as chairperson of the Commission for nineteen months and per policy is not eligible to serve next year. Vice Chairperson Dan Hughes has expressed an interest in serving as Chairperson. Executive Director Blackburn explained the nomination process for the position of Vice Chairperson. The process would consist of: 1) open nominations until December 18,

2009; 2) interested commission members would email the Executive Director and those nominations would be forwarded to the Chairperson and Chairperson-Elect; 3) the names of nominees would be announced at the Commission meeting on January 21, 2009; and 4) the Chairperson and Vice Chairperson position would be elected by voice vote. Chairperson Ogden called for a motion on Item IV.

Designee Jerry Landau moved to approve the nominating process for the position of Vice Chairperson and formation of the nominating committee, seconded by Commissioner John Armer, and upon a unanimous vote, the motion carried.

V. Budget Update and Proposals

Executive Director Blackburn presented the draft budget reduction option that was requested by the Governor's Office on September 18, 2009 and submitted to the Office of Strategic Planning & Budgeting on October 9, 2009. ACJC was instructed to review programs that could be cut or eliminated to achieve a sustained reduction in the amount of \$2.1M for FY10. In its review of programs to achieve this mandate, ACJC sought programs that would have the least impact on ACJC, stakeholders and the public. ACJC staff selected funding for the DUI Council and Fill the Gap program as the best option for review and consideration. The following reasons factored in the decision: 1) DUI Council and Fill the Gap are stand alone programs that operate under specific statute; 2) funding for DUI and Fill the Gap has been swept since 2008; and 3) DUI funding was targeted for removal in SB 1024 at the last legislative session. Executive Director Blackburn commented that ACJC has no authority under the Fill the Gap program to mandate grant recipients to perform in order to receive funding. In addition, ACJC as an agency cannot ask for disclosure on how monies are spent nor withhold funds for non-compliance to reporting according to the statute established for the Fill the Gap program. Furthermore, Executive Director Blackburn stated that the Byrne/JAG purpose areas are broad enough to allow the Commission to fund activities that support the strategy. The Commissioners were also reminded that last year many projects were merged into the Byrne/JAG program that would have been eliminated by the budget reductions such as Fill the Gap. Executive Director Blackburn reported that the legislators have been contacted and indicated they will work with and allow ACJC to determine how the reductions will be handled and what amounts would be reasonable without disabling the criminal justice programs.

Chairperson Ogden asked if anyone from the public would like to address the Commission regarding Item V. John Garcia, Maricopa County Attorney's Office; Dana Halvaac, Mohave County Criminal Services; and Paul Ahler, Arizona Prosecuting Attorneys' Advisory Council spoke in regards to the Fill the Gap monies that would affect staff positions in the Arizona counties.

The Commission reviewed and discussed the drafted budget option from ACJC staff.

Designee Jerry Landau then moved to direct ACJC staff to continue working with the legislature and the Governor's office towards an agreeable resolution for the FY10-11 budget, seconded by Designee Carl Sheets. After additional discussion, Designee Jerry Landau amended the original motion requesting ACJC staff to: 1) continue working with the legislature on the FY10-11 budget; and 2) compile and provide all available options for review by the Commission. Chairperson Ogden called for a vote on the motion. The motion was unanimously adopted by the Commission. Chairperson Ogden also asked if Commissioner Dan Hughes and Designees Phil MacDonnell, Jerry Landau and Jesse Locksa would work with staff on any additional changes to the budget options.

VI. Prescription Drug Monitoring Program

Karen Ziegler, Deputy Director discussed how the Governor's Office of Children, Youth and Families and the State of Arizona Pharmacy Board contacted ACJC in search of funding to continue operations of the Prescription Drug Monitoring Program (PDMP). Ms. Ziegler reported that the misuse of prescription drugs is considered an emerging issue by the Arizona Substance Abuse Partnership in review of data reported by the Arizona Youth Survey. The program is used by law enforcement personnel and others to access information on prescription records. Ms. Ziegler explained there were several attempts to seek funding including a federal grant to the Bureau of Justice that was unsuccessful. ACJC staff reviewed the proposal and found it fit the funding guidelines of the Drug and Gang Enforcement Account. The funding proposal was shown on pages 20-22 of the agenda. Also, Briana Kreibich, Governor's Office of Children, Youth and Families, Division of Substance Abuse Policy and Dean Wright, Board of Pharmacy, Prescription Monitoring Program Director spoke about the program.

Designee Jesse Locksa made a motion to approve the request from the Arizona Board of Pharmacy in the amount of \$90,000 from the Drug and Gang Enforcement Account to fund the Prescription Drug Monitoring Program, seconded by Commissioner John Armer, and upon a unanimous vote, the motion carried.

VII. Legislative Proposals

Mary Marshall, Public Information Officer summarized the five drafted legislative proposals that were approved by the Legislative Committee.

The first legislative item from the Department of Corrections covered inmate burials. The authority of DOC to bury the unclaimed remains of inmates was not clearly defined in the statute and the proposal would change that issue. The second piece of legislation would add "wireless communication device" and "multimedia storage device" to the definition of Prison Contraband.

The proposal from the Mohave County Criminal Justice Services included draft language on a technical correction for one of the marijuana drug sections. Two different classifications listed marijuana at exactly four pounds and would be modified to state up to four pounds and over four pounds.

Next, the Pima County Attorney's Office item on Meth Offenses and Sentencing was presented. The Meth Offenses and Sentencing section would allow for any felony conviction to be considered for sentence enhancement.

The Maricopa County Attorney's Office proposal pertained to amending the theft statute to include theft from an incapacitated or vulnerable adult pursuant to A.R.S. § 13-1802(B) in the amount of \$100,000 or greater as a mandatory DOC offense.

Chairperson Ogden entertained a motion for the two DOC proposals.

Designee Phil MacDonnell moved and Commissioner Dan Hughes seconded the motion to support the two proposed draft items from DOC. The motion passed with Designee Charles Flanagan abstaining.

Following that, Chairperson Ogden entertained a motion on the Mohave County proposal.

Designee Phil MacDonnell made a motion to support the Mohave County Criminal Justice Services legislative item as presented, seconded by Designee Jerry Landau, and upon a unanimous vote, the motion carried.

Chairperson Ogden moved on asking for a motion on the proposal by the Pima County Attorney's Office.

Designee Phil MacDonnell moved and Designee Georgene Ramming seconded the motion to support the drafted legislative item from the Pima County Attorney's Office under Meth Offenses and Meth Sentencing as found on page 29 of the agenda. The motion passed with Designee Jerry Landau abstaining.

Lastly, Chairperson Ogden asked for a motion on the drafted item from the Maricopa County Attorney's Office.

Designee Phil MacDonnell moved and Designee Cameron Homes seconded the motion to support the Maricopa County Attorney's Office legislative item concerning theft from an incapacitated or vulnerable adult. The motion passed with Designee Jerry Landau abstaining.

Next, Ms. Marshall presented the five legislative proposals that were approved by the Legislative Committee in concept and stated that the stakeholders agreed to continue working on the drafted items. They included the following: 1) DOC - Sexually Violent Persons; 2) DOC - Community Supervision Fees; 3) Pima County Attorney's Office - Aggravated Domestic Violence; 4) Pima County Attorney's Office - Public Records law to reduce the amount of minor requests; and 5) Maricopa County Attorney's Office - Assault with a physical injury, suspension of sentence ineligibility.

Chairperson Ogden entertained a motion on the two DOC proposals recommended by the Legislative Committee.

Designee Phil MacDonnell moved and Designee Jerry Landau seconded the motion to support the concept of the DOC legislative items under Community Supervision Fees and Sexually Violent Persons. The motion passed with Designee Charles Flanagan abstaining.

Chairperson Ogden proceeded to the two Pima County Attorney's Office legislative items.

Designee Phil MacDonnell moved and Designee Warren Alter seconded the motion to support the concept of the proposed legislation under Aggravated Domestic Violence and Public Records. The Commission had more discussion on the proposed items. The Commission then decided to vote for each item separately. Chairperson Ogden called for a vote to support the concept of the Public Records legislative item. A vote of the Commission was unanimously in favor of the motion. Chairperson Ogden then called for a vote to support the concept of the Aggravated Domestic Violence legislative item. A vote of the Commission was in favor of the motion with Designee Jerry Landau abstaining.

The Commission then moved on to the last legislative item from the Maricopa County Attorney's Office.

Designee Phil MacDonnell moved and Commissioner Dan Hughes seconded the motion to support the concept of the legislative item pertaining to assault, serious physical injury; suspension of sentence ineligibility. Designee Phil MacDonnell explained the motion on the table to the Commissioners. Chairperson Ogden called for a vote on the item. A motion to support in concept this item was favorable with Designee Jerry Landau abstaining.

Ms. Marshall then discussed three legislative proposals that were held and not considered by the Legislative Committee.

The Transition Program proposal by DOC was tabled for further details and the DOC legislative liaison would continue working on this item. Ms. Marshall explained there were questions on who would be eligible, what the population would look like, and what the cost savings would be in the aid of services to participants during the transition between incarceration and 90-day early release to the community.

The second legislative item from the City of Phoenix raised the threshold of generating accident police reports from estimated property damages of \$1,000 to \$2,500. Ms. Marshall explained there were questions on how this would impact citizens and noted that the City of Phoenix had not yet made a decision on whether to pursue the legislative change; therefore, the Legislative Committee voted to take no action. Ms. Marshall then reported that the third proposal presented by Mike Durham, former member of the Cold Case Task Force involved civil remedies for cold case victims. No action was taken by the Legislative Committee on this item.

VIII. Residential Substance Abuse Treatment Grant Award

Tony Vidale, Program Manager addressed how the Residential Substance Abuse Treatment (RSAT) program assists governments in developing and implementing substance abuse treatment programs in state, local, correctional and detention facilities. It also would allow offenders to overcome substance abuse and prepare for reentry into the community. Mr. Vidale explained the program was divided into three areas comprised of residential, jail-based, and post-release treatment programs. A funding breakdown was provided for the Commissioners on page 35 of the agenda that included \$13,680 in unexpended funds from FFY 2008, \$223,869 in federal funding and \$79,183 in required matching funds for a total of \$316,732. Mr. Vidale explained the Department of Juvenile Corrections, Maricopa County Sheriff's Office, Department of Corrections and Greenlee County Sheriff's Office submitted applications for funding.

After review and discussion, a motion was made by Commissioner John Armer, seconded by Designee Jesse Locksa, and unanimously approved to award \$316,732 in federal and local cash and/or in-kind match funds for the 2010 RSAT Cycle XIV grant period beginning January 1, 2010 and ending December 31, 2010 according to table 4 on page 37 of the agenda.

IX. 2009 Enhanced Drug & Gang Enforcement Report

Tony Vidale, Program Manager presented the expenditures of the Drug and Gang Enforcement Account (DEA) as required by A.R.S. § 41-2405. The added features to the 2009 Enhanced Drug and Gang Enforcement report included the following: 1) funding section covering the DEA, federal and local matching funds; 2) expenditure section reporting on agency expenses by line item and purpose area; 3) personnel section showing the 229 funded criminal justice positions; and 4) activity data reported by funded agencies. Mr. Vidale also covered information on arrest, conviction and seizure activities for the Commission.

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

X. Call to the Public

Chairperson Ogden made a call to the public. No members of the audience addressed the Commission.

XI. Date, Time, and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, January 21, 2010 at 1:30 PM** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

XII. Adjournment

The meeting was adjourned at 3:10 PM.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

Audio recording is available upon request.



ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Election of a Chairperson and Vice Chairperson for the Commission

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

The Commission elect a Chairperson and Vice Chairperson to fill the term until the first regular meeting of the Commission in January 2011.

DISCUSSION:

The current Vice Chairperson has expressed the intent to become Chairperson and one nomination was received for the position of Vice Chairperson. The Commission will make separate nominations for the Chair and Vice Chair positions and then vote to fill these positions.

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table



ARIZONA CRIMINAL JUSTICE COMMISSION Policy and Procedure

Subject
**SELECTION OF CHAIRPERSON & VICE
CHAIRPERSON**

Policy Number
CJC-115

Effective Date
11/19/2009

Supersedes: 01/23/03

INTRODUCTION

This policy establishes the procedures for the formal selection of a Chairperson and Vice Chairperson from within the ranks of the appointed and ex-officio members of the Arizona Criminal Justice Commission (as outlined in ARS §41-2404). These procedures allow for smooth transition of leadership and insure orderly succession. This policy may be waived, as deemed appropriate by a vote of the Commission as a standing body.

POLICY AND PROCEDURES

1. Definitions: The following terms used in this policy may also be found in CJC 101 of the Arizona Criminal Justice Commission policy manual and, where appropriate, in ARS §41-2404.
 - A. "Chairman" (Chair or Chairperson) is the person selected by the members of the Commission (as outlined in ARS §41-2404) to provide general oversight and consultation to the Executive Director, assure that the Commission meets as required by mission and statute, chair and conduct Commission regular and special meetings, approve meeting agendas and any and all other functions deemed appropriate by the Commission as a body or outlined in ARS §41-2404.
 - B. "Vice Chairman" (Vice Chairperson) is the person who, in the absence of the Chairperson (or when asked by the Chairperson), exercises the authority of the Chair on behalf of the Commission and its members as outlined in ARS §41-2404.
 - C. "Term of Chairperson and Vice Chairperson" is the term of office in which members selected from within the ranks of the appointed and ex-officio members of the Arizona Criminal Justice Commission hold these two positions. Terms shall run from the first regular meeting of the Commission in a calendar year for a period not to exceed 24 months. The Vice Chair may normally succeed the outgoing Chairperson, unless this policy is waived by vote of the Commission or other circumstances dictate.
 - D. "Nominations for Chair and/or Vice Chair" shall be announced in open, public meeting(s), seconded and voted upon by the entire Commission. Those members interested in being considered for either of these two positions will formally notify the Chairperson in writing during the period of time deemed necessary by the committee and shall follow the normal selection process.

Procedure:

2. Normal Selection
 - A. Calls for nominations for Chairperson and Vice Chairperson.
 1. During the remaining 90 days of a currently seated Chairperson's term in their position, the Commission shall formally announce the time frame for the formal nomination

process during an open, public meeting of the Commission. If in the process the seated Vice Chair expresses the intent to become the Chair–elect, then the focus shall shift to selection of a Vice Chair–elect.

2. All nominations shall be submitted to the Chairperson during the period of time designated. The Chairperson may designate the executive director to receive e-mail nominations and may accept nominations at the time of the vote if deemed necessary.

3. All names of those members nominated shall be read in the next open, public meeting of the Commission.

4. A vote on the nominees shall be taken at an open, public meeting of the Commission and a new Chair/Vice Chair shall be elected.

Procedure:

3. Special Selection

A. Requests to waive the policy/nominations from the floor.

1. In the event that a seated Chair and/or Vice Chair cannot fulfill the term of these positions or in the event the Commission as a body wishes to waive this policy for a specific election, the following procedures will take place:

a. If both the Chairperson and Vice Chairperson are unable to fulfill their positions, the most senior Commissioner shall assume the role of Chair pro tem. The Chair pro tem shall instruct the Executive Director to post on either a special or regularly scheduled Commission meeting a notice for open floor nominations for the Chairperson and Vice Chair. The Chair pro tem shall preside over all duties, as outlined in ARS §41-2404 until replaced by popular vote of the Commission in an open meeting.

2. The Chair, for reason of excused absence, may ask any seated member of the Commission to act as Chair for a meeting (in the event of conflict or absence of the Vice Chair). During these meetings the Acting Chair has the full authority of the Chair or Vice Chair.

B. If a member of the Commission wishes to petition this body to waive this policy for a specific election, he/she shall notify the Chairperson in writing of this decision no later than 36 hours before the time and date of the posted meeting.

1. The Chairperson shall instruct the Executive Director to publish and post an amended agenda with an action item for consideration by the Commission as a body, first to waive the process and then to formally accept nominations with a popular vote.

2. When this item comes before the Commission, the Chair will call on the member to explain the request and then call for movement of the request and a second. As in all Commission business, Robert's Rules of Order shall prevail.

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

Information Only

DISCUSSION:

Executive Director Blackburn will discuss staff and program updates.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

Information Only

DISCUSSION:

Executive Director Blackburn will update on the Arizona Criminal Justice Commission budget and the legislative budget hearings.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

Information Only

DISCUSSION:

Executive Director Blackburn will update the Commission on the 2010 Legislative session.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ARIZONA CRIMINAL JUSTICE COMMISSION**Request for Commission Action**

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	2010/2011 Budget Options

TO: Chairperson and Commission Members

FROM: John A. Blackburn, Jr.
Executive Director

RECOMMENDATION:

The Commission approve the cuts pursuant to SB1001 in the amount of \$2,892,500. The Commission will also review and discuss the strategy for the proposed budget dealing with current and anticipated cuts to ACJC programs.

DISCUSSION:

Since FY08 the ACJC budget has been reduced a total of \$18,887,800, severely impacting most program areas. SB1001 cuts an additional \$2,892,500 and allows only limited latitude in applying these cuts. ACJC staff has proposed an alternative plan that will have less of an impact on certain programs. An alternative plan must equal the same amount as the original bill and be reviewed by the Joint Legislative Budget Committee. ACJC staff requests Commission approval for the proposed alternative budget reduction plan.

The Administrative Committee will meet and make a recommendation to the Commission.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

Arizona Criminal Justice Commission

FY08, FY09 & FY10

Budget Reductions and Fund Transfers

	FY08 Actual	FY09		FY10				Total Reduction	Purpose
		HB2209	SB1001	HB2643		SB2001			
				EBT	FRAT	EBT	FRAT		
CJEF Operating	15,800	115,800	20,400		48,600		55,500	256,100	1.57% of CJEF to fund ACJC agency operations
DEA Account/Full Svc Lab	-	-	1,801,700	400,000	59,200	856,300	430,300	3,547,500	Funds drug taskforces and full service crime labs
Victim Comp & Assist Fund	2,000,000	-	-	-		678,400	307,500	2,985,900	Funds direct compensation to victims of crime and grants to agencies that provide victim services
DUI Abatement Fund	1,200,500	500	774,200	500,000		121,500	112,500	2,709,200	Funds DUI enforcement and innovative programs
GF Special Prosecution Programs	100,000	130,000	117,200		747,000			1,094,200	Gang, Aggravated DV, Obscenity and Child Exploitation prosecution grants. Eliminated in FY10
Fill the Gap - Rural County Attorneys General Fund	-		-		157,700			157,700	Funds are allocated to provide state aid to county attorneys to improve the processing of criminal cases in Superior and Justice Courts. GF program eliminated in FY10.
Fill the Gap - County Attorneys Special Revenue		1,550,000		100,000		40,700	78,900	1,769,600	
Fill the Gap - Rural Indigent Defense General Fund	-				150,100			150,100	Funds are allocated to provide state aid to public defenders, legal defenders and contract indigent counsel for the processing of criminal cases in Superior and Justice Courts. GF program eliminated in FY10.
Fill the Gap - Indigent Defense Special Revenue		1,550,000	49,600	209,100			74,900	1,883,600	
ADRS	900,000	800,000	-	-				1,700,000	Az Disposition Reporting System project under the ACJC CJRIP Program
County Meth Appropriation	-	2,000,000	-	-				2,000,000	Funds distributed to counties to combat Meth
Drug Prevention Resource Center			224,400	206,300	67,200	136,000		633,900	Funds are passed through to the Arizona Prevention Resource Center located at the Arizona State University to support the activities of the center.
TOTAL	4,216,300	6,146,300	2,987,500	1,415,400	1,229,800	1,832,900	1,059,600	18,887,800	

EBT - Excess Balance Transfer
FRAT - Fund Reduction and Transfer

Arizona Criminal Justice Commission

Alternative Budget Reduction Submission
 2009, 49th Legislature, 5th Special Session, Chapter 1 (SB1001), Section 1

FY10 Sweep \$2,892,500

EBT	SB1001	Proposed
DUI Abatement Fund	\$ 121,500	\$ 727,500
Drug & Gang Res Ctr	\$ 136,000	\$ 480,000
DEA Account	\$ 856,300	\$ 325,000
Victim Comp & Asst Fund	\$ 678,400	\$ 300,400
State Aid to CA	\$ 40,700	\$ -
	\$ 1,832,900	\$ 1,832,900
FRAT		
CJEF Operating	\$ 55,500	\$ 55,500
DUI Abatement	\$ 112,500	\$ 112,500
DEA Account	\$ 430,300	\$ 430,300
State Aid to CA	\$ 78,900	\$ 78,900
State Aid to ID	\$ 74,900	\$ 74,900
Victims Fund	\$ 307,500	\$ 307,500
	\$ 1,059,600	\$ 1,059,600
TOTAL	\$ 2,892,500	\$ 2,892,500

Total DEA Account	\$ 1,286,600	\$ 755,300
Total DUI Abatement	\$ 234,000	\$ 840,000
Total Victims Fund	\$ 985,900	\$ 607,900

*Appropriation Reduction amounts (FRATs) can not be changed

EBT Excess Balance Transfer
FRAT Fund Reduction and Transfer

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Reduction of FY 2010 Victim Services Program Allocation

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve a reduction of \$307,500 in state funding for the Crime Victim Compensation Program for state fiscal year 2010, as detailed in the chart on page 17 of the agenda.

DISCUSSION:

On December 19, 2009 the Arizona State Legislature passed a FY 2010 budget reduction bill totaling \$194 million. Included in the bill were cuts to the Crime Victim Compensation and Assistance Fund. Identified cuts include an excess balance transfer (EBT) of \$678,400 and a fund reduction and transfer (FRAT) of \$307,500. The impact to the Victim Compensation and Assistance Fund balance totals \$985,900. The Commission has some latitude on where the excess balance transfers can be deducted; however, FRATs can not be changed. The Administrative Sub Committee of the Commission will meet on January 15, 2010 and make a recommendation to the Commission on proposed alternatives to the excess balance transfers included in the senate bill.

ACJC staff recommends taking the FRAT amount of \$307,500 from state funds allocated to the Crime Victim Compensation Program. This would reduce the state fund allocation to the compensation program from \$2,800,000 to \$2,492,500. The reduction would impact the 4th quarter allotment in FY10.

The proposed reductions to each county compensation program, included on page 17 of the agenda, were calculated using the same population data as the original allocation of state funds approved by the Commission at the May 2009 meeting.

The Crime Victims Committee will meet and make a recommendation to the Commission.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

CRIME VICTIM COMPENSATION PROGRAM
FY 2010 PROPOSED STATE CRIME VICTIM COMPENSATION ALLOCATION REDUCTION
\$2,800,000 PROGRAM

COUNTY	POPULATION	% POPULATION	ORIGINAL ALLOTMENT	REDUCED ALLOTMENT	ALLOTMENT REDUCTION
ACJC			\$50,000	\$50,000	
APACHE	76,156	1.15%	\$41,892	\$38,360	\$3,532
COCHISE	139,434	2.10%	\$66,609	\$60,142	\$6,467
COCONINO	135,613	2.05%	\$65,370	\$59,080	\$6,290
GILA	57,361	0.87%	\$34,498	\$31,838	\$2,661
GRAHAM	38,633	0.58%	\$27,126	\$25,334	\$1,792
GREENLEE	8,950	0.14%	\$15,502	\$15,087	\$415
LA PAZ	21,544	0.32%	\$20,485	\$19,486	\$999
MARICOPA	3,987,942	60.15%	\$1,558,830	\$1,373,853	\$184,976
MOHAVE	205,862	3.11%	\$91,748	\$82,199	\$9,549
NAVAJO	114,780	1.73%	\$57,016	\$51,692	\$5,324
PIMA	1,014,023	15.30%	\$407,882	\$360,847	\$47,034
PINAL	350,558	5.29%	\$141,463	\$125,203	\$16,260
SANTA CRUZ	47,471	0.72%	\$30,492	\$28,290	\$2,202
YAVAPAI	227,348	3.43%	\$99,914	\$89,369	\$10,545
YUMA	203,779	3.07%	\$91,172	\$81,720	\$9,452
TOTAL	6,629,454	100.00%	\$2,800,000	\$2,492,500	\$307,500

Note: Total budget is \$2,800,000 with \$50,000 held in reserve as required by Program Rule R10-4-102.D

Source: Population Statistics Unit, Arizona Department of Commerce, July 1, 2008

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Crime Victim Assistance Program Funding Level FY 2011

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

The Commission approve the funding level for the Crime Victim Assistance Program for FY 2011 be set at \$1,000,000.

DISCUSSION:

The Crime Victim Assistance Program funding level in FY 2010 was \$1,300,000. Based on budget cuts, revenue projections, and contingent on legislative approval, staff proposes to set the program level at \$1,000,000 for FY 2011. On page 19 is a table reflecting the financial status of the Crime Victim Assistance Program.

The Crime Victims Committee will meet and make a recommendation to the Commission.

FISCAL IMPACT:

Significant to recipient agencies

ALTERNATIVES:

Not Approve - Modify - Table

CRIME VICTIM ASSISTANCE PROGRAM

FY11 PROGRAM BUDGET

FY10 BEGINNING BALANCE	\$	682,071
FY10 PROJECTED REVENUE		
Community Supervision Fees	\$	821,500
REVERSIONS RECEIVED (AS OF 12/31/09)	\$	32,168
TOTAL AVAILABLE FOR FY10 PROGRAM	\$	<u>1,535,739</u>
FY10 PROGRAM SIZE	\$	1,300,000
PROJECTED AVAILABLE FOR FY11 PROGRAM	\$	<u><u>235,739</u></u>
FY11 PROJECTED REVENUE		
Community Supervision Fees	\$	821,500
ESTIMATED AVAILABLE FOR FY11 PROGRAM	\$	1,057,239
FY11 PROPOSED PROGRAM SIZE <i>(pending legislative approval)</i>	\$	1,000,000
PROJECTED AVAILABLE FOR FY12 PROGRAM	\$	<u><u>57,239</u></u>

ARIZONA CRIMINAL JUSTICE COMMISSION

Request for Commission Action

Action Requested:	Type of Action Requested:	Subject:
January 21, 2010	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Victim Compensation Claim Management System Update

TO: Chairperson and Commission Members

FROM: Larry Grubbs, Program Manager
Crime Victims Services

RECOMMENDATION:

Information Only

DISCUSSION:

Staff will provide an update on the Victim Compensation Claim Management System (VCCMS). This system will assist county programs in tracking and reporting victim compensation claims and provide greater service and access to victims of crime. The anticipated completion date for this project is the end of FY 2010.

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A