

Arizona Criminal Justice Commission
Minutes
July 29, 2013

A public meeting of the Arizona Criminal Justice Commission was convened on July 29, 2013 at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members present by Conference Call:

Daniel G. Sharp, Chairperson, Chief, Oro Valley Police Department
Bill Montgomery, Vice Chairperson, Maricopa County Attorney
Joseph Arpaio, Maricopa County Sheriff, David Trombi representing
Joseph Brugman, Chief, Coolidge Police Department
David Byers, Director, Administrative Office of the Courts
Timothy Dorn, Chief, Gilbert Police Department
Clarence Dupnik, Pima County Sheriff, Paul Wilson representing
Chris Gibbs, Mayor, City of Safford
Robert Halliday, Director, Department of Public Safety, Jeff Raynor representing
Jesse Hernandez, Chairperson, Board of Executive Clemency
Tom Horne, Attorney General, Andrew Pacheco representing
Barbara LaWall, Pima County Attorney
William Pribil, Coconino County Sheriff, Cathy Allen representing
Sheila Polk, Yavapai County Attorney
Charles Ryan, Director, Department of Corrections
David Sanders, Pima County Chief Probation Officer
Steven Sheldon, Former Judge

Members Absent:

Mark Spencer, Law Enforcement Leader

Staff Participating:

John A. Blackburn, Jr., Executive Director
Karen Ziegler, Deputy Director
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Daniel Sharp at 2:30 p.m. Roll was taken and a quorum was declared present.

II. Redirection of Supplemental Byrne/JAG Funds to White Mountain Apache Tribe

Executive Director Blackburn provided an overview of the recent funding issues associated with the construction project to renovate the White Mountain Apache Tribal Adult and Juvenile Detention Facility.

Executive Director Blackburn explained ACJC was approached about seeking additional funding for this project as the White Mountain Apache Tribe was at risk of losing federal funding and had been unable to secure other funding sources to complete this project. Staff reached out to other agencies to find funding sources and to consider other innovative solutions but was unsuccessful. The Bureau of Justice Assistance (BJA) was contacted to determine the practicality of redirecting \$50,000 of Arizona's Byrne/JAG allocation to the White Mountain Apache Tribe and to have BJA administer the award. BJA would be responsible for the oversight and compliance of the award. The project is eligible under the federal Byrne/Justice Assistance Grant (JAG) Program guidelines; however, it does not fit the state strategy or priorities for the Arizona Drug, Gang and Violent Crime Control Program. BJA advised that the designated Arizona funding could be transferred to the Tribe by reverting \$50,000 back to BJA and they would administer the funds. ACJC would have to provide justification as to why the funds should go to the White Mountain Apache Tribe. Staff reached out to the White Mountain Apache Tribe to ask for justification for the funding. A letter from the Tribe addressed to ACJC on July 29, 2013 reported on the issues along with the breakdown of the revised

budget. The letter stated funding was received from the Office of Housing and Urban Development, but due to budget constraints, the facility could not be completed as was designed. In 2009, the Tribe applied for and received the American Recovery and Reinvestment Act (ARRA) grant from the Department of Justice, BJA in the amount of \$947,310 for the completion of the renovation. After the award, the Tribe went through government turnover and administrative changes that prevented the Tribe from initiating the project until last year. The ARRA funds expire in 2014 and the current BJA award expires September 2013. BJA has stated that they will grant an extension to 2014 if the Tribe can demonstrate the project will be completed successfully.

Karen Ziegler, Deputy Director reviewed the revised budget and narrative from the White Mountain Apache Tribe that eliminated some of the expenses of the project and added additional costs. The Tribe asked to be released of in-kind contributions because of budget constraints; however, added \$18,000 salary/fringe benefits for a grant coordinator. The total project cost was listed at \$998,312.63, the award amount at \$947,310, with a shortfall of (\$51,002.63). The Commission also reviewed the document from PACE Pacific Corporation that included a budget narrative and breakdown of the federal portion, tribal in-kind contribution and project total. According to PACE, they could complete the project with modifications within budget; however, the White Mountain Apache Tribe did not feel comfortable with the terms of the modification.

Chairperson Sharp asked if there was a representative from the Tribe and there was none. Executive Director Blackburn also stated that the BJA funds had been sent out to the states; and because of internal time constraints award documents had to be sent no later than July 31, 2013.

Commission members discussed the significant impact providing funding to the White Mountain Apache Tribe to complete this project would have on existing criminal justice issues already approved by the Commission especially with the cuts to the Byrne/JAG program. Executive Director Blackburn further stated that if the Commission chose to support this effort, ACJC would have to provide justification to BJA for utilizing these funds for this project in lieu of others that we currently support.

Designee Andrew Pacheco entered a motion to table this item until there is further information and participation from personnel at White Mountain Apache Tribe. The motion was seconded by Commissioner David Byers and passed with one opposition.

III. Call to the Public

Chairperson Sharp made a call to the public. No members addressed the Commission.

IV. Date, Time, and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting will be held on **Thursday, September 19, 2013** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

V. Adjournment

The meeting was adjourned at 2:55 p.m.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

