

Arizona Criminal Justice Commission
Minutes
September 23, 2010

A public meeting of the Arizona Criminal Justice Commission was convened on September 23, 2010 at the 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.

Members Present:

Ralph Ogden, Chairperson, Yuma County Sheriff
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
Terry Goddard, Attorney General, Cameron Holmes representing
Robert Halliday, Director, Department of Public Safety
Robert Huddleston, Chief, Casa Grande Police Department
Barbara LaWall, Pima County Attorney, Dave Smutzer representing by conference call
Richard Romley, Maricopa County Attorney, Jim Keppel representing
Charles Ryan, Director, Department of Corrections
Linda Scott, Former Judge
Daniel G. Sharp, Chief, Oro Valley Police Department, Chris Olson representing
George Silva, Santa Cruz County Attorney by conference call

Members Absent:

Clarence Dupnik, Pima County Sheriff
David Sanders, Pima County Chief Probation Officer
Carl Taylor, Coconino County Supervisor

Staff Participating:

John A. Blackburn, Jr., Executive Director
Karen Ziegler, Deputy Director
Larry Grubbs, 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 1:30 PM. Roll was taken and a quorum was declared present.

II. Minutes of the July 22, 2010 Meeting

Acting Chairperson Ogden called for a motion to approve the minutes. Designee Jerry Landau moved to approve the minutes of the July 22, 2010 meeting. The motion was seconded by Commissioner Robert Halliday and was unanimously adopted by the Commission.

III. Selection of Chairperson

Executive Director Blackburn reported that because of the resignation of Chief Hughes, the Chairperson position was open. Current Vice-Chairperson Ralph Ogden had expressed intent to serve as Chairperson of the Commission completing the remaining term through January and continuing the term for 2011. Executive Director Blackburn then advised a formal vote on the Chairperson position was required.

Commissioner Robert Halliday moved to elect Ralph Ogden as Chairperson of the Arizona Criminal Justice Commission for the remainder of the outgoing Chairperson's term and the next term commencing January 10, 2011 and concluding January 9, 2012. The motion was seconded by Designee Jerry Landau and was unanimously adopted by the Commission.

IV. Nominating Process for Vice Chairperson

Executive Director Blackburn explained the nomination process for the position of Vice Chairperson. The process would consist of: 1) open nominations until October 22, 2010; 2) interested commission members would email the Executive Director with the nominations; 3) the names of nominees would be announced at the Commission meeting on November 18, 2010; and 4) the Vice Chairperson position would be elected by vote. Chairperson Ogden called for a motion on the nominating process.

Designee Chris Olson moved to approve the nominating process for the position of Vice Chairperson. The motion was seconded by Designee Jesse Locksa and was unanimously adopted by the Commission.

V. Executive Director's Report

A. Budget Update

Executive Director Blackburn introduced Steve Irvine, as the new Program Compliance Auditor II with ACJC. ACJC has elected to keep six authorized positions open in an effort to manage current and anticipated budget cuts.

Executive Director Blackburn also advised that the state budget deficit is anticipated to be at \$700M. Issues continue with agencies being left out of the decision making process; however, ACJC will continue to monitor fund sweep activity and to find more effective ways to make the reductions.

Bureau of Justice Assistance (BJA) completed an on-site review of the Byrne/JAG program at ACJC and a report will be issued in the next two months. In addition, the State Auditor General's office will conduct an audit of the American Recovery and Reinvestment Act (ARRA) funds administered by ACJC.

B. Legislative Update

On the state side, Executive Director Blackburn discussed that staff is reviewing several issues that could result in potential changes to Arizona statute in order for the state to meet requirements for a number of federal grant programs.

On the federal side, Executive Director Blackburn explained a piece of legislation called the Tribal Law and Order Act. It includes: 1) resources for the investigation and prosecution of crimes in tribal lands; and 2) expanding tribal court powers. ACJC will start petitioning for legislation to acquire additional funding to undertake survey data collection and assist with information sharing.

C. CJEF Update

Executive Director Blackburn acknowledged that ACJC received permission to open the rulemaking process for the Criminal Justice Enhancement Funds (CJEF). A rulemaking public hearing is set for November 3, 2010 at ACJC; more information will be provided to the Commission during the November meeting.

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

VI. FY11 Agency Budget Submittal

Karen Ziegler, Deputy Director reported that ACJC submitted the FY12/13 budget request and strategic plan to the Governor on September 1, 2010.

The Commissioners were presented with an overview of the FY12/13 budget submission that consisted of two critical issues approved in concept at the July Commission meeting. They consisted of: 1) \$8M from the general fund to support the Criminal Justice Records Integration project; and 2) restoration of state funding to county attorneys and indigent defense through Fill the Gap. Two handouts were given to the Commissioners that included: 1) a summary of the FY10 actual budget, FY11 current budget, and FY12 budget request; and 2) FY08—FY11 Budget reductions and fund transfers.

Deputy Director Ziegler addressed that revenues continue to remain bleak for FY12-13 with declines in the DEA, CJEF and DUI accounts. On a positive note, ACJC received a one-time deposit for the victim services fund from unclaimed victim restitution which will help support the victims program in the FY12-13 budget.

Staff continues to work with the Governor's Office of Strategic Planning and Budgeting (OSPB) and the Joint Legislature Budget Committee (JLBC) educating them on how important the funds are to the criminal justice systems.

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

VII. Federal VOCA Compensation

A. FY11 VOCA Compensation allocation formula

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission approve the allocation formula to be used in the distribution of the FFY 2010 federal VOCA funds to the fifteen operational units.

Commissioner Linda Scott moved to approve the FY11 VOCA Compensation allocation formula as shown on page 16 of the agenda. The motion was seconded by Commissioner John Armer and was unanimously adopted by the Commission.

B. FY11 VOCA Compensation allocation

Larry Grubbs, Program Manager presented the recommendation of the Crime Victims Committee that the Commission approve the allocation of FFY 2010 federal VOCA Compensation funds in the amount of \$1,249,000 using the approved formula.

Commissioner Linda Scott moved to approve the FY11 VOCA compensation allocation as shown on page 16 of the agenda. The motion was seconded by Designee Jesse Locksa and was unanimously adopted by the Commission.

VIII. Federal VOCA Reimbursement Process

Larry Grubbs, Program Manager presented a summary of the reimbursement process for compensation benefits paid by county programs using federal VOCA compensation funds. Mr. Grubbs explained that a representative from the Office for Victims of Crime (OVC) conducted a site visit to ACJC in May, 2010 and found that county programs did not adhere to the same standard as ACJC of maintaining the federal minimum cash on hand requirement. Further, a representative from the Office of the Chief Financial Officer (OCFO) informed ACJC staff that county compensation programs must meet the terms of the minimum cash on hand requirement and expend federal VOCA compensation funds within 10 days of receipt of the funds by ACJC. ACJC staff sent a memo to all the county compensation programs explaining the reimbursement process and detailing the procedures. Mr. Grubbs stated that the requirement will become effective October 1, 2010 and that expenditures made from a county's allocated VOCA compensation funds will be reimbursed by ACJC on a monthly basis as the funds are spent.

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

IX. Claims Management System Update

Larry Grubbs, Program Manager gave a status report on the Victim Compensation Claim Management System (VCCMS). He explained that the web based claim management system is for tracking and reporting victim compensation claims. Mr. Grubbs reported that the development of the system has been completed and the rollout will begin on October 14, 2010 in Pinal County.

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, November 18, 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 2:20 PM.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director