

NOTICE OF PUBLIC MEETING

ARIZONA CRIMINAL JUSTICE COMMISSION

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, November 17, 2022**, beginning at **1:30 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007**. Members of the Commission may attend either in person or by telephone, video or internet conferencing.

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 for any of the purposes set forth in A.R.S. 38-431.03(A)(1) through (7), as applicable to the agenda items listed, including for the purposes of receiving legal advice or the consideration of employment-related issues.

The agenda for the meeting is as follows:

	Agenda Items	Presenter
	Call to Order, Roll Call, and Pledge of Allegiance	Chair Steve Stahl
1.	Recognition of Sheila Polk	Chair Steve Stahl
2.	Approval of Previous Meeting Minutes	Chair Steve Stahl
	• October 20, 2022	P-F-T
	• October 27, 2022	P-F-T
3.	Executive Director's Report	Andrew LeFevre
	a. Staff and Program Updates	Info
	b. Finance Update	Info
4.	Committee Reports	
	A. Executive	Chair Steve Stahl
	1. Update on the activities of the Committee	Info
	2. Update on the activities of the Statistical Analysis Center	Matt Bileski Info
	3. Approval of Sexual Assault, Fill the Gap, and the Gang Threat Assessment reports.	P-F-T

	B. Drug, Gang & Violent Crime Control Program	Sheila Polk
	1. Update on the activities of Committee	Info
	2. Phoenix Police Department Crime Reduction Project (Restructuring Area Dynamic and Relationships)	P-F-T
	3. The Rural County Alternative Prosecution and Diversion Grant Program	P-F-T
	4. The 2022 Enhanced Drug and Gang Enforcement Report	P-F-T
	C. Crime Victims	Chair Steve Stahl
	1. Update on the activities of the Committee	Info
	D. Information Technology Systems Improvement	David Byers
	1. Update on the activities of the Committee	Info
	E. Legislative	David Sanders
	1. Update on the activities of the Committee	Info
	2. Discussion of 2023 Legislative Session and Legislative Priorities	Molly Edwards Info
5.	Commission Member Summaries of Current Events	Andrew LeFevre
	Pursuant to A.R.S. §38-431.02(K), individual Commission members may present brief summaries of current events, but no discussion may occur, and no action may be taken regarding anything that is presented.	Info
6.	Call to the Public	
	Those wishing to address the Commission/Committee need not request permission in advance. In order to facilitate virtual participation in the meeting, members of the public wishing to address the Commission/Committee will need to email Andy LeFevre at alefevre@azcjc.gov in <u>advance</u> of the meeting and provide the phone number where you can be reached. Staff will email you an acknowledgment of your request and call you during the Call to the Public for your comment. 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.	
7.	Next Meeting	
	The next Commission meeting takes place on Thursday, January 19, 2023, at 1:30 p.m. at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 230, Phoenix, AZ 85007	
	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 ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Chair Steve Stahl</i>
Agenda Title	<i>Recognition of ACJC Vice-Chair Sheila Polk</i>

Recommended Action	Information Item
Details/Discussion	Ms. Polk has announced her retirement from the role of Yavapai County Attorney at the end of this year. This will be her final meeting as a member of the Commission. Members are encouraged to provide brief stories of Ms. Polk's work and accomplishments over her many years of public service to the people of Arizona.
Fiscal Impact	None
Alternatives Considered	None

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Chair Steve Stahl</i>
Agenda Title	<i>Approval of Previous Meeting Minutes</i>

Recommended Action	The Commission will consider approval of the minutes of its October 20 and October 27, 2022 meeting.
Details/Discussion	None
Fiscal Impact	None
Alternatives Considered	Not Approve-Modify-Table

**Arizona Criminal Justice Commission Meeting Minutes
October 20-2022**

The Arizona Criminal Justice Commission public meeting convened on October 20, 2022, at the Arizona Criminal Justice Commission office, 1110 W. Washington, Suite 230, Phoenix, AZ 85007.

Members Present (virtually):	Staff Present (in person):
Steve Stahl, Chair, Law Enforcement Leader	Andrew LeFevre, Executive Director
Sheila Polk, Vice-Chair, Yavapai County Attorney	Lloyd Y. Asato, Program Manager
Mark Brnovich, Attorney General, John Johnson representing	Matt Bileski, Program Manager
David Byers, Director, Administrative Office of the Courts, Cathy Clarich representing	Wendy Boyle, Program Project Specialist
Laura Conover, Pima County Attorney, Baird Greene representing	Molly Edwards, Public Information Officer
Mina Mendez, Office of Executive Clemency, Gretchen McClellan Singh representing	Members Present (virtually):
Paul Penzone, Maricopa County Sheriff, Phil Dougherty representing	Rachel Mitchell, Acting Maricopa County Attorney, Rebecca Baker representing
David Sanders, Pima County Chief Probation Officer	Kara Riley, Chief, Oro Valley Police Department, Mike Gracie representing
Heston Silbert, Director, Department of Public Safety, Daven Byrd representing	David Shinn, Director, Department of Corrections, Rehabilitation, and Reentry, Greg Lauchner representing
Members Absent:	
Jean Bishop, Mohave County Board of Supervisors	
Jeffrey Glover, Chief, Tempe Police Department	
Chris Nanos, Pima County Sheriff	

Call to Order, Roll Call, and Pledge of Allegiance

Chair Steve Stahl called the meeting to order at 1:30 pm and led everyone in reciting the Pledge of Allegiance. **Wendy Boyle** took roll call, and a quorum was declared.

1. Draft of the final Criminal Justice Data Recommendation Report

Executive Director LeFevre stated the purpose of today's meeting was to update the Commissioners and how we got to the report, ask questions, and give us additional feedback by Monday, 10/24. With those comments and feedback, ACJC will prepare and submit to the Commission to approve the report for the meeting agenda on Thursday, 10/27.

Matt Bileski presented the steps in preparation for the drafted Criminal Justice Data Report. ACJC staff scheduled four different meetings in September and reached out to criminal justice agencies and other agencies to gain feedback and provide a look at the inventory that was proposed in the August report. Follow-up meetings were conducted in October with the Administrative Office of the Courts, prosecution, and public defense agencies. Also, ACJC sent a survey out for additional feedback due by 10/7. ACJC had three meeting goals. The first was to update the agencies/organizations with what is currently collected and readily reportable in the management systems. Second was to provide the necessary elements that the reporting system would require to work and provide essential data elements that would answer the questions on criminal justice. Third was to identify any barriers or challenges that the agencies might face with the data collection and provide additional data for consideration in inclusion for the inventory. He compiled and identified nine specific barriers to the data collection process.

The first was personally-identifiable information that struck some concerns with agencies as to how it will be shared and secured. Also, there were concerns about employee data being protected information at the agency. Specific population data are protected for juveniles and crime victims; many defense agencies cited Supreme Court ER 1.6 as a barrier to providing data and HIPAA concerns with detailed health-related information. Next, barriers to how ACJC would handle the data included security and dissemination of the information, redaction of information, cross-data source information, sealed and expunged record cases, and funding limitations.

Mr. Bileski showed the cost estimation of this project. The additions for the funding included \$5M for grant funding to agencies to provide upgrades up to \$50K per agency based on an assessment of what is required; as well as a grant coordinator to manage the costs, sending out the monies and assisting the program manager in administering the funds. He also reviewed the proposed data inventory categories of persons, agencies, events, and results and trimmed them down to 186 data elements.

Vice Chair Sheila Polk provided comments on the project. The first is from the Yavapai County Attorney's Office IT Department who suggested adding more programming hours to the report. The second is data elements on page six that ask specific questions about the law enforcement officer/corrections officer on personal information. Ms. Polk disagreed that the legislature should mandate agencies to report said employee information and agreed this list should be split across the agency types. **Rebecca Baker** echoed **Ms. Polk's** concerns about the data elements compared to different data fields and numerous elements the Maricopa County Attorney's Office does not capture.

Greg Lauchner stated the relevancy of requesting data in this database and format; however, not essential to list in the person category for public and legislative consumption.

Ms. Polk asked ACJC staff if, by looking at page 11 of the report, they could divide the information by type of agency, for example, what is the data that the prosecuting agency, corrections, and the courts need to report, and what is the scope of this project, as this would be helpful. **Mr. Bileski** assured the Commissioners that ACJC staff would continue these discussions and implement them for the meeting as we advance to next Thursday, 10/27.

2. Call to the Public

Chair Stahl asked if members of the public would like to provide comments.

Dean Brault, Director of Public Defense Services for Pima County, spoke. His first comment concerned ethical rule 1.6, which prohibits defense counsel from sharing information regarding client files and would not share a direct bridge to our data systems. He also noted that it would not represent the entire defense community and had concerns about the data fields, immigration status, and employee information being too detailed.

Nathan Wade, the Legislative and Policy co-chair for the Arizona Attorneys for Criminal Justice Organization for private and public defense attorneys, made some noted commentary. Mr. Wade noted from reading this report and suggestions made to the legislature in hopes of crafting a data collection bill for ACJC to work off it is clear that participation of our bar is vital to accurate data collection moving forward. With no input from the defense bar, it would lead to problems with this proposed bill.

Paul Loveless, Pinal County Public Defense Services, discussed concerns about the data points collected for the legislature, barriers not addressed, and limits to results and fields under HIPAA. He encourages ACJC staff to look at barriers closely and develop a clear and concise recommendation on what to collect. Also, have the Commission focus on the barriers documented and reflected in the final report. Mr. Loveless remarked that he is hopeful that one of the included stakeholders is the defense.

3. Date, Time, and Location of Next Meeting

The following Arizona Criminal Justice Commission meeting occurs at 1:30 pm on Thursday, October 28, 2022, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

4. Adjournment

The meeting adjourned at 2:55 pm.

Respectfully submitted,

Andrew LeFevre,
Executive Director
Studio recording, is available upon request.

**Arizona Criminal Justice Commission Meeting Minutes
October 27-2022**

The Arizona Criminal Justice Commission public meeting convened on October 27, 2022, at the Arizona Criminal Justice Commission office, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

<u>Members Present</u>	<u>Staff Present (in person):</u>
Steve Stahl, Chair, Law Enforcement Leader (in person)	Andrew LeFevre, Executive Director
Sheila Polk, Vice-Chair, Yavapai County Attorney (in person)	Lloyd Y. Asato, Program Manager
Jean Bishop, Mohave County Board of Supervisors (virtually)	Matt Bileski, Program Manager
Mark Brnovich, Attorney General, John Johnson representing (in person)	Wendy Boyle, Program Project Specialist
David Byers, Director, Administrative Office of the Courts, Cathy Clarich representing (in person)	Heather Bohnet, Program Manager
Laura Conover, Pima County Attorney (in person)	Molly Edwards, Public Information Officer
Jeffrey Glover, Chief, Tempe Police Department (virtually)	Lisa Kautz, Finance Manager
Mina Mendez, Office of Executive Clemency, Gretchen McClellan Singh representing (virtually)	Tony Vidale, Deputy Director
Rachel Mitchell, Acting Maricopa County Attorney, Rebecca Baker representing (in person)	<u>Members Present</u>
Paul Penzone, Maricopa County Sheriff, Phil Dougherty representing (virtually)	Kara Riley, Chief, Oro Valley Police Department (virtually)
David Sanders, Pima County Chief Probation Officer, Cynthia Duhon representing (virtually)	David Shinn, Director, Department of Corrections, Rehabilitation, and Reentry, Greg Lauchner representing (in person)
Heston Silbert, Director, Department of Public Safety, Daven Byrd representing (virtually)	
<u>Members Absent</u>	
Chris Nanos, Pima County Sheriff	

Call to Order, Roll Call, and Pledge of Allegiance

Chair **Steve Stahl** called the meeting to order at 1:30 pm and led everyone in reciting the Pledge of Allegiance. Executive Director Andrew LeFevre took roll call, and a quorum was declared.

1. Stakeholder Group Updates - None

2. Approval of the Previous Minutes

Chair Stahl called for a motion on the Commission meeting minutes on July 13, 2022. Vice Chair Sheila Polk noted a sentence that appeared incorrectly in the minutes under Executive Director's Report/ACJC Budget Issues for FY 23-24. The staff revised the sentence to read in the minutes: "For this FY 23-24 budget proposal, the staff will continue to ~~not~~ request to put funds for the Indigent Defense Fund back where it is, and its intended purposes and continue to highlight the decline in revenues into the Criminal Justice Enhancement Fund (CJEF) in general". Vice Chair Polk entered a motion to approve the minutes with the amendment. The motion seconded by Commissioner Jean Bishop was unanimously approved by the Commission.

3. Executive Director's Report

a. Staff and Program Updates

Director LeFevre updated the Commission on two new discretionary grants that ACJC applied for, including the state justice assistance grant and the justice counts grant. He also introduced Ashley Neal as our new accountant with the agency.

b. Finance Update

Lisa Kautz reported a significant increase due to the general funding ACJC received from the legislature at \$14.6M for various projects. Noted under the DEA funds, a 14 percent decline in revenue due to the legalization of marijuana; under CJEF, a recalculation increased from 1.7 percent to 3 percent.

4. Committee Reports

A. Executive

1. Update on the activities of the Committee

Chair Stahl had no updates on the Executive Committee.

2. Update on the activities of the Statistical Analysis Center

Matt Bileski reviewed the Justice Counts grant. ACJC received approximately \$662,000 for funding. He stated that for the November meeting, three statutory mandated reports would be on the agenda for approval, including the publications of the Sexual Assault, Fill the Gap, and the Gang Threat Assessment reports.

3. Final Criminal Justice Data Recommendation Report

Mr. Bileski reviewed the critical updates to the report and summarized changes made on pages 3-4 and 17-19. Page three on the response by agencies and service providers to the data request recognizes that ACJC was not able to collect 100% of management system information where agencies and service providers did not respond. As a result, specific agencies may not contain all elements, also aware some agencies may not have a management system. On page four for statewide data inventory, the staff split out the data elements by sector of the criminal justice system. Staff segmented out by law enforcement, prosecution, courts, corrections, and probation, reduced to 50 or fewer data elements per agency type. On page 17, listed are additional data elements for consideration. On page 18, ACJC attempted to control costs by standardizing integration and leveraging pricing by service providers, cost estimation established public pricing information, responses to our request for information, and agency response during feedback. Also, it provided greater detail of \$5M available for grant funding as an example of existing systems and the adoption of new management systems. In the line-item table, the programming cost increased from 10 hours per agency/system to 20 hours per system. A \$50K maximum is determined based on pricing examples for a small agency transitioning to a new management system. Vice Chair Polk suggested placing a vision paragraph on page two under the background in the report. That includes what agencies would provide in the underlying data at ACJC and would not be publicly reported in raw form but needed for the information to answer questions for proposed legislation.

After review and discussion, **Vice Chair Polk** motioned to approve the draft report, adding some language to the background section to explain the overall vision of how the information provided will be displayed to the public. The Commission unanimously approved the motion, seconded by **Designee Greg Lauchner**.

B. Drug, Gang and Violent Crime Control Program

1. Update on the activities of the Committee

Committee Chair Polk referred to Tony Vidale for updates to the Committee. The committee will meet on Tuesday, November 8 to cover the Phoenix Crime Reduction Project and the Edge report. **Mr. Vidale** also updated the Commission on the upcoming new state crisis intervention grant whose purpose is to implement the state crisis intervention court proceeding related to programs and initiatives working to keep guns out of the hands of those who pose a threat to themselves and others. Cathy Clarich spoke on behalf of the Administrative Office of the Court and is in favor of moving towards a strategic way to identify how the funds should be solicited and distributed to the agencies.

C. Crime Committee

1. Update on the activities of the Committee

Committee Chair Stahl reported the committee meeting is scheduled for Wednesday, November 9. Also, the Committee is looking for a chair since Chair Stahl is already chairing the Executive Committee. **Heather Bohnet** said two items to be discussed would include the victim assistance grant program and a funding plan for the next two years.

D. Information Technology Systems Improvement

1. Update on the activities of the Committee

Cathy Clarich referred to **Lloyd Y. Asato** for updates to the Committee. The Committee met in September and staff provided an update on technology projects. Highlights included securing funding to AZ Point for enhancements, continued technical and project management support for counties submitting electronically to the Arizona Disposition Reporting System (ADRS), securing funding to assist agencies needing assistance transitioning to the National Incident-Based Reporting System (NIBRS), and update on Use of Force (UoF) data collection (69% of agencies have registered and are submitting UoF data).

E. Legislative

1. Update on the activities of the Committee

Cynthia Duhon reporting for Commissioner Dave Sanders had nothing to report.

2. 2023 Legislative Session

Molly Edwards reported that she is working on HB 2166 (data report) and looking forward to building relationships with new legislators at the legislature.

5. Commission Member Summaries of Current Events

Greg Lauchner reported that the Department of Corrections, Rehabilitation & Reentry has moved their offices to 701 East Jefferson.

6. Date, Time, and Location of Next Meeting

The following Arizona Criminal Justice Commission meeting occurs at 1:30 pm on Thursday, November 17, 2022, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

7. Adjournment

The meeting adjourned at 2:50 pm.

Respectfully submitted,

Andrew LeFevre,
Executive Director
Studio recording, is available upon request

**ARIZONA CRIMINAL JUSTICE COMMISSION
ACTION-MOTION / INFORMATION ITEM**

Presenter	<i>Andrew LeFevre, Executive Director</i>
Agenda Title	<i>Executive Directors Report</i>

Recommended Action	Information Item
Details/Discussion	Update on the program and staff activities
Fiscal Impact	None
Alternatives Considered	None

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Andrew LeFevre, Executive Director</i>
Agenda Title	<i>Executive Directors Report</i>

Recommended Action	Information Item
Details/Discussion	Update on the agency's finances
Fiscal Impact	None
Alternatives Considered	None

**ARIZONA CRIMINAL JUSTICE COMMISSION
ACTION-MOTION / INFORMATION ITEM**

Presenter	<i>Chairperson Steve Stahl</i>
Agenda Title	<i>Executive Committee Report</i>

Recommended Action	Information Item
Details/Discussion	Update on the Committee
Fiscal Impact	None
Alternatives Considered	None

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Matt Bileski, Program Manager</i>
Agenda Title	<i>Statistical Analysis Center</i>

Recommended Action	Information Item
Details/Discussion	Update on the activities of the Statistical Analysis Center
Fiscal Impact	None
Alternatives Considered	None

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Matt Bileski, Program Manager</i>
Agenda Title	<i>Statistical Analysis Center</i>

Recommended Action	The Commission approve the Sexual Assault, Fill the Gap, and Gang Threat Assessment Reports which ACJC is statutorily required to produce and distribute.
Details/Discussion	Copies of the Sexual Assault, Fill the Gap and Gang Threat Assessment Reports have been provided to the members for review.
Fiscal Impact	None
Alternatives Considered	Not Approve-Modify-Table

**ARIZONA CRIMINAL JUSTICE COMMISSION
ACTION-MOTION / INFORMATION ITEM**

Presenter	<i>Committee Chair Sheila Polk</i>
Agenda Title	<i>Drug, Gang and Violent Crime Control Committee Report</i>

Recommended Action	Information Item
Details/Discussion	Update on the Committee
Fiscal Impact	None
Alternatives Considered	None

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Tony Vidale, Deputy Director</i>
Agenda Title	<i>Phoenix Police Department Crime Reduction Project (Restructuring Area Dynamic and Relationships)</i>

Recommended Action	The Commission approve the continuation of the Phoenix Police Department Crime Reduction Project and the award of \$20,000 in Byrne Justice Assistance Grant funds.
Details/Discussion	See attached.
Fiscal Impact	Significant to recipient agencies
Alternatives Considered	Not Approve-Modify-Table

Recommendation

Staff is recommending Commission approval to continue the Restructuring Area Dynamic and Relationships (RADAR) crime reduction project with the Phoenix Police Department in the amount of

\$20,000. The funding will come from prior-year unexpended Byrne JAG funds and program income from earned interest. These additional monies and project extension will allow more data collection on the reduction of calls for service in the Desert Horizon Precinct and allow for one additional precinct to implement the project.

Issue Background

The Restructuring Area Dynamic and Relationships (RADAR) program concentrates on the social network theory and mismanaged properties to reduce calls for service and crime rates instead of arrests and prosecutions, seizure of contraband, and serving of search warrants. Officers identify high-crime areas in the precinct and related properties attracting high calls for service and related crime. Officers meet with property owners and offer to work with them to provide solutions to lower crime activity and associated calls for service. If owners do not participate in crime reduction efforts and the property continues to realize high crime rates, the property is labeled a nuisance under Arizona statute, and the property is subject to seizure. The threat of property seizure is meant to incentivize property owners to work with community liaisons and precinct officers to address crime rates and calls for service. Without some intervention, criminals, renters, and managers “using” the location create a buffer between the owner and the police. Police unintentionally become free security protecting the owner’s investment while the owner chooses to allow criminals to control the property and damage the neighborhood.

Under the social network theory, individuals’ attributes are less important than their relationships and ties with other network actors. The people who participate in criminal activity need to build relationships within an area to be successful. If those networks are disrupted, the individual criminal is going to be less successful. Using this approach, efforts transform the organized, collaborative groups of criminals into displaced and disorganized individual criminals who can only perpetrate random and isolated acts of crime and become less able to damage the neighborhood’s health.

In January 2021, the Commission approved an award of \$15,000 from unexpended prior-year grant funds to Phoenix Police Department to implement RADAR in the Desert Horizon Precinct. Project activities began in August 2021.

Current Project Activities

Between September 2020 and August 2021 there were 2,194 calls for service in the Desert Horizon Precinct. The project activities started in August 2021. These calls for service included 687 violence-related calls for service and 1,507 non-violent calls for service. Between September 2021 and August 2022 calls for service in the Desert Horizon Precinct dropped to 1,489, an overall 3.2 percent drop. Violent calls for service decreased from 687 to 508 (2.6%), and non-violent calls for service decreased from 1,507 to 981 (3.5%). Chart DC 1 shows a rise in total calls for service beginning in December 2020 and peaking in August 2021. After the implementation of the project in August 2021, there is a steady decline in total calls for service in the precinct. Table DC 2 displays the most common calls for service broken out by violence-related and non-violent types.

Chart DC 1

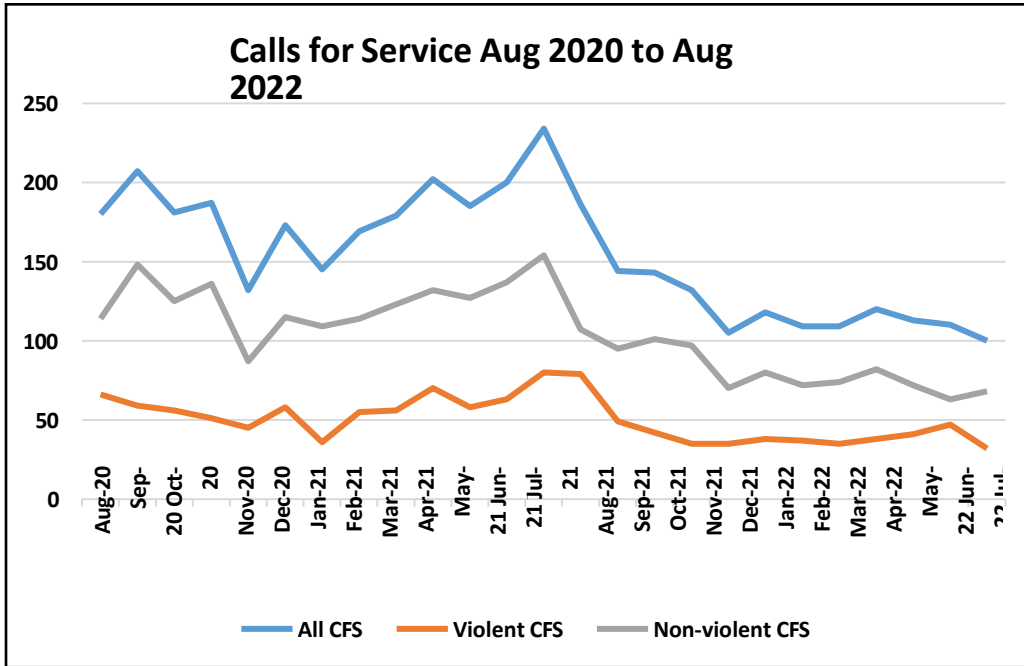


Table DC 2

Most Common Violence Calls for Service	Most Common Non-violence Calls for Service
Robbery	Burglary
Fight	Trespassing
Assault	Theft
Aggravated Assault	Civil Matter
Domestic Violence	Unwanted Guest
Sexual Abuse	Missing Person
Sexual Assault	Found Property
Molesting	Prostitution
Shots Fired	Forgery
Subject Threatening	Suspicious Person
Homicide	Drug-related
Kidnapping	
Bomb Threat	
Stabbing	
Shooting	
Officer Involved Shooting	
Officer Needs Assistance	

Funding

The project will utilize \$20,000 in unexpended Byrne Justice Assistance Grant funding from prior year grant awards and program income from interest earned.

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Tony Vidale, Deputy Director</i>
Agenda Title	<i>The Rural County Alternative Prosecution and Diversion Grant Program</i>

Recommended Action	The Commission approve the award of \$9,850,000 in state general funds, according to table DC 2 for the Rural County Alternative Prosecution and Diversion Grant Program beginning December 1, 2022 and ending on November 30, 2025.
Details/Discussion	See attached.
Fiscal Impact	Significant for recipient agencies
Alternatives Considered	Not Approve-Modify-Table

The Rural County Alternative Prosecution and Diversion Grant Program

Recommendation

Staff proposes an award of \$9,850,000 for the Rural County Alternative Prosecution and Diversion Grant Program for the period beginning December 1, 2022 and ending on November 30, 2025. The staff recommendation would include 12 rural county attorney offices and is reflected in table DC 3. The recommendation includes a base amount for all projects of \$300,000 and an additional allocation dependent on the project costs submitted in the application. The recommendation also reflects an administrative allocation to the ACJC of \$150,000. Gila County Attorney's Office did not submit an application.

Table DC3

Rural County Alternative Prosecution and Diversion Program Allocation Recommendation					
County	Total Request	Request Less Base	Base Amount	Additional Allocation	Recommended Award
Apache	\$574,176.40	\$274,176.40	\$300,000	\$274,176.40	\$574,176.40
Cochise	\$503,349.76	\$203,349.76	\$300,000	\$203,349.76	\$503,349.76
Coconino	\$4,710,579	\$4,410,579	\$300,000	\$1,800,000	\$2,100,000
Gila	\$0.00	\$0.00	\$0	\$0.00	\$0.00
Graham	\$346,780.28	\$46,780.28	\$300,000	\$46,780.28	\$346,780.28
Greenlee	\$356,780.28	\$56,780.28	\$300,000	\$56,780.28	\$356,780.28
La Paz	\$327,892	\$27,892	\$300,000	\$27,892	\$327,892
Mohave	\$835,747.55	\$535,747.55	\$300,000	\$425,000	\$725,000
Navajo	\$716,999	\$416,999	\$300,000	\$325,000	\$625,000
Pinal	\$3,351,494.24	\$3,051,494.24	\$300,000	\$1,500,000	\$1,800,000
Santa Cruz	\$869,857.35	\$569,857.35	\$300,000	\$351,541.28	\$651,541.28
Yavapai	\$1,493,111	\$1,193,111	\$300,000	\$1,000,000	\$1,300,000
Yuma	\$539,480	\$239,480	\$300,000	\$239,480	\$539,480
Total	\$14,626,246.86	\$11,026,246.86	\$3,600,000	\$6,250,000	\$9,850,000
<i>ACJC Admin</i>					\$150,000
Total Allocation					\$10,000,000

Program Background

Pretrial diversion can be defined as a program that postpones the prosecution of an offense at any point in the judicial process from charging until adjudication. If the defendant successfully completes a diversion program, criminal charges may be dismissed at the end of the diversion period. As more individuals are being sentenced to county jail instead of state prison, some county jails face limited capacity or strained resources. Combined with ongoing county budget challenges, local leaders need effective strategies to safely manage their justice populations and reduce costs at the same time. Individuals may be detained “pretrial” while their case goes through criminal proceedings. There are models of pretrial diversion and supervision programs that can effectively manage these individuals in a community setting. Reducing the number of pretrial detainees in jails or the length of their stay can conserve considerable resources and allow the jail to meet other public safety needs.

Grant Project Goal

- Reducing the likelihood of future arrests through appropriate diversion interventions based on thorough assessments and intervention plans tailored to an individual participant’s risks and needs.

Funding

Laws 2022, Chapter 313, appropriated \$10,000,000 from the General Fund to the Arizona Criminal Justice Commission to establish rural county diversion programs. The amount appropriated in the rural county diversion programs line item is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.

In accordance with the legislation, the monies shall be distributed as grants to county attorney offices in counties with a population of less than nine hundred thousand persons according to the 2020 United States decennial census for the purpose of establishing and operating alternative prosecution and diversion programs that are based on evidence-based practices pertaining to diversion from prosecution and alternatives to prosecution. The Commission shall adopt criteria for distributing grants to eligible counties. The monies may not be used to supplant existing monies for alternative prosecution and diversion programs. On or before September 30, 2023, the commission shall submit a report to the Joint Legislative Budget Committee on the use of the monies and the outcomes obtained by the alternative prosecution and diversion programs in the previous fiscal year.

Applications Received

On August 29, 2022 the Rural County Alternative Prosecution and Diversion Grant Program solicitation opened for applicants. The deadline for submission was Friday, September 30, 2022 at 3:00 p.m. Twelve applications were submitted by the deadline requesting a total of \$14,626,246.86. Gila County Attorney’s Office did not submit an application.

Evaluation and Scoring

Eligible applications were reviewed by an evaluation team and scored based on the criteria published in the solicitation.

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Tony Vidale, Deputy Director</i>
Agenda Title	<i>The 2022 Enhanced Drug and Gang Enforcement Report</i>

Recommended Action	The Commission approve the FY 2022 Enhanced Drug and Gang Enforcement (EDGE) report.
Details/Discussion	The FY 2022 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 Considered	Not Approve-Modify-Table

**ARIZONA CRIMINAL JUSTICE COMMISSION
ACTION-MOTION / INFORMATION ITEM**

Presenter	<i>Committee Chair Steve Stahl</i>
Agenda Title	<i>Crime Victims Committee Report</i>

Recommended Action	Information Item
Details/Discussion	Update on the Committee
Fiscal Impact	None
Alternatives Considered	None

**ARIZONA CRIMINAL JUSTICE COMMISSION
ACTION-MOTION / INFORMATION ITEM**

Presenter	<i>Committee Chair David Byers</i>
Agenda Title	<i>Information Technology Systems Improvement Committee Report</i>

Recommended Action	Information Item
Details/Discussion	Update on the Committee
Fiscal Impact	None
Alternatives Considered	None

**ARIZONA CRIMINAL JUSTICE COMMISSION
ACTION-MOTION / INFORMATION ITEM**

<i>Presenter</i>	<i>Committee Chair David Sanders</i>
<i>Agenda Title</i>	<i>Legislative Committee Report</i>

Recommended Action	Information Item
Details/Discussion	Update on the Committee
Fiscal Impact	None
Alternatives Considered	None

**ARIZONA CRIMINAL JUSTICE COMMISSION
ACTION-MOTION / INFORMATION ITEM**

Presenter	<i>Molly Edwards, Public Information Officer/Legislative Liaison</i>
Agenda Title	<i>Discussion of 2023 Legislative Session and Legislative Priorities</i>

Recommended Action	Discussion of 2023 Legislative Session and Legislative Priorities
Details/Discussion	Members will discuss and provide staff with possible legislative priorities for the upcoming legislative session.
Fiscal Impact	None
Alternatives Considered	None

ARIZONA CRIMINAL JUSTICE COMMISSION ACTION-MOTION / INFORMATION ITEM

Presenter	<i>Andrew LeFevre, Executive Director</i>
Agenda Title	<i>Summary of Current Events</i>

Recommended Action	Information Item
Details/Discussion	Pursuant to A.R.S. §38-431.02(K), individual Commission members may present brief summaries of current events, but no discussion may occur, and no action may be taken regarding anything that is presented.
Fiscal Impact	None
Alternatives Considered	None