

**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, November 21, 2019** beginning at **12:00 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.

Agenda for the meeting is as follows:

**I. Call to Order, Roll Call, and Pledge of Allegiance** **Chairperson Sheila Polk**

**II. Working Lunch and Presentation on AZPOINT System** **Marc Peoples**

*Upon completion of the AZPOINT presentation, the Commission will recess for one hour to conduct an official Committee on Criminal Justice Reform meeting (noticed and agendized separately)*

**III. Minutes of July 17, 2019 Meeting** **Chairperson Sheila Polk**

- Approval of Minutes **P-F-T**

**IV. Executive Director's Review and Performance Evaluation** **Chairperson Sheila Polk**

- Review, discussion, consideration and possible action on the results of the formal review and evaluation process for the agency Executive Director. **P-F-T**

Notice of Executive Session Pursuant to A.R.S. Section 38-431.03: Upon a public majority vote of the members constituting a quorum, an Executive Session may be held for the discussion or consideration of the performance and salary of the Executive Director pursuant to A.R.S. Section 38-431.03(A)(1). All business conducted in Executive Session is confidential pursuant to statute; and the public will be directed to leave the room and take all materials such as backpacks, purses, and briefcases.

**V. Review and consideration of salary of Executive Director** **Chairperson Sheila Polk**

**P-F-T**

**VI. Executive Director's Report** **Andy LeFevre**

1. Staff and Program Updates **Info**
2. Finance Update **Info**
3. Update on Staff Review of Criminal Justice Enhancement Fund **Info**
4. Review, discussion, consideration and possible action on amending ACJC Policy Number CJC-115 for the process to elect a Chairperson and Vice Chairperson for the Commission **P-F-T**

**VII. Committee Reports**

**A. Executive** **Chairperson Sheila Polk**

1. Update on the activities of the Executive Committee **Info**
2. Update on Statistical Analysis Center Activities **Jillian Ware/Info**
3. Fill the Gap, Gang Threat Assessment, and Sexual Assault Reports **Andy LeFevre**
  - Review, discussion, consideration and possible action on the SAC reports. **P-F-T**

- B. Drug, Gang & Violent Crime Control Program** **Joe Brugman**
1. Update on the activities of the Drug, Gang & Violent Crime Committee **Info**
  2. **CY2020 Residential Substance Abuse Treatment Program (RSAT) Grant Award Recommendation** **Tony Vidale**
    - Review, discussion, consideration and possible action on allocation of CY 2020 RSAT grant awards. **P-F-T**
  3. **FY 2019 Enhanced Drug & Gang Enforcement (EDGE) Report** **Tony Vidale**
    - Presentation of the report and highlights of the findings. **P-F-T**
- C. Crime Victims** **Steve Stahl**
1. Update on the activities of the Crime Victims Committee **Info**
- D. Information Technology Systems Improvement** **David Byers**
1. Update on the activities of the Information Technology & Systems Improvement Committee **Info**
- E. Legislative** **David Sanders**
1. Update on the activities of the Legislative Committee **Info**
  2. Review, discussion, consideration and possible action on ACJC drafted bills for the 2020 legislative session **Molly Edwards**
    - CCW Loophole **P-F-T**
    - Arizona Criminal Justice Commission Ability to Require Data **P-F-T**
- VIII. Discussion on Commission Membership** **Chairperson Sheila Polk**
- Arizona Criminal Justice Commission Membership **P-F-T**
  - Bill to Amend Arizona Criminal Justice Commission membership **P-F-T**
- IX. Commission Member Summaries of Current Events** **Andy 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**
- X. 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.
- XI. Date, Time, and Location of Next Meeting**
- The next Commission meeting takes place on **Thursday, January 23, 2020** at **1:30 p.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.**
- XII. 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

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the July 17, 2019 Meeting

---

**TO:** Commission Members

**FROM:** Sheila Polk, Chair

**RECOMMENDATION:**

The Commission approves the minutes of the Arizona Criminal Justice Commission meeting held on July 17, 2019.

**DISCUSSION:**

N/A

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

## Arizona Criminal Justice Commission Minutes

July 17, 2019

A public meeting of the Arizona Criminal Justice Commission convened on July 17, 2019, at Little America Hotel, 2515 East Butler Avenue, Flagstaff, AZ 86004

### Members Present

Sheila Polk, Chairperson, Yavapai County Attorney  
Mark Brnovich, Attorney General, Paul Ahler representing  
David Byers, Director, Administrative Office of the Courts, Jerry Landau representing  
Sean Duggan, Chief, Chandler Police Department  
Barbara LaWall, Pima County Attorney  
Greg Mengarelli, Mayor, City of Prescott, Debra Black representing  
Frank Milstead, Director, Department of Public Safety, Tim Chung representing  
Bill Montgomery, Maricopa County Attorney  
Mark Napier, Pima County Sheriff, Bryan Gwaltney representing  
Charles Ryan, Director, Department of Corrections  
David Sanders, Pima County Chief Probation Officer, by phone  
Daniel Sharp, Chief, Oro Valley Police Department, Jason Larter representing  
Steve Stahl, Chief, City of Maricopa Police Department, Law Enforcement Leader  
Steve Williams, Navajo County Supervisor  
C.T. Wright, Chairperson, Board of Executive Clemency

### Staff Present

Andy LeFevre, Executive Director  
Tony Vidale, Deputy Director  
Marc Peoples, Program Manager  
Molly Edwards, Public Information Officer  
Jillian Ware, Interim SAC Director  
Wendy Boyle, Program Project Specialist

### Members Absent:

Paul Penzone, Maricopa County Sheriff  
Joe Brugman, Vice-Chairperson, Chief, Safford Police Department

#### I. **Call to Order, Roll Call and Pledge of Allegiance**

- The meeting was called to order by **Chairperson Sheila Polk** at 10:30 AM who led the Pledge of Allegiance. **Wendy Boyle** was asked to take a roll call, and a quorum was declared present.

#### II. **Minutes of the May 23, 2019 Meeting**

- **Chairperson Polk** called for a motion on the minutes of the Commission meeting held on May 23, 2019. **Commissioner Stahl** entered a motion to approve the minutes. The motion seconded by **Commissioner LaWall** was unanimously approved by the Commission.

#### III. **Executive Director's Report**

##### 1. **Staff and Program Updates**

- ACJC has been interviewing for the vacant Victim Service Program Manager position in hopes to make a decision shortly. ACJC advertised for a vacant Project Manager position, and a newly created shared Grant Coordinator role for the Drug and Criminal Justice programs. There were offers extended to internal staff, Shayla Fordyce for the Project Manager opening and Ashley Mully for the Grant Coordinator spot. The SAC unit hired Saloni Mansuri as a Research Analyst, and there are two vacancies left to fill in the department.
- ACJC, along with other stakeholders have been on an opioid research group working on 2019 opioid use program grant from BJA that was submitted that could bring \$6.5M in the state. ACJC continues to participate in the Governor's Substance Abuse Partnership meetings and partners with the Governor's Office of Youth, Faith and Family on the Epidemiology Work Group that is working on compiling a statewide data profile report looking at gaps in data on substance use and trauma.
- Finalized the 2020 AYS Implementation contract that will create the survey methodology.
- Phase II completed for the buildout for the Victim Compensation data warehouse to create an online application module.
- Arizona awarded Phase III of funding for the National Criminal Justice reform project.

##### 2. **Finance Update**

- **Patty Hatvick** reviewed the preliminary FY21 budget report that covered highlights from the CJEF, Victim, APRC funds and presented a copy of the DEA audit report from FY18 as a handout.

##### A. **FY2021 Budget Issue Request**

**Andy LeFevre** presented the budget issues for submission in the FY2021 budget proposal. Included is the request of \$100,000 for the implementation of new RICO reporting requirements; appropriation from the general fund to support the yearly maintenance cost of a state-wide victim notification system; State Aid to Indigent Defense-Fill the Gap for ACJC to allocate available funds, and the continued decline in CJEF revenue with some possible funding solutions. **Commissioner LaWall** entered a motion to approve the FY21 budget proposal for submission. The motion seconded by **Commissioner Duggan** was unanimously approved by the Commission.

##### B. **CJEF Formula Recommendation**

**Andy LeFevre** stated ARS 41-2405.7 requires the Commission as part of the budget submittal process to make a recommendation on the CJEF purposes and formula of the fund monies. **Commissioner Duggan** entered a motion to consider an in-depth analysis of the existing revenues, expenditures, and fund balances in the Criminal Justice Enhancement Fund to determine to recommend a change in the funding formula for the 2021 fiscal year. The motion seconded by **Commissioner Stahl** was unanimously approved by the Commission.

#### IV. **Committee Reports**

##### A. **Executive**

##### 1. **Update on the activities of the Executive Committee and Executive Director Performance Review**

- **Chairperson Polk** reported on two items for the Executive Committee. The first is input from the Commission and staff on the Executive Director evaluation. The proposed schedule will begin in September and due by October 21. The information to be presented at the Commission meeting in November. Secondly, to look at the powers and duties of ACJC by evaluating whether the agency is fulfilling the responsibilities that are in statute, exercising the powers given to the Commission in an appropriate way that makes ACJC a leader in the criminal justice system, with criminal justice reform as a top priority in the legislature.

2. **Update on Statistical Analysis Center Projects**
  - **Jillian Ware** informed the Commission on the current projects for the SAC unit. For AYS, staff completed five data requests, presented information to HIDTA, and the contract with ASU started on 7/1/19. Other questions added to the AYS survey and finalization made for recruitment materials. Gang Threat Assessment survey went live on June 3. For internal support in the agency, SAC provided data for the grant applications related to the criminal justice system improvement program, finalized annual data sections for the 2023 Drug, Gang and Violent Crime Control Strategy. Continuing work on the EPI project with ACJC contracted along with the ASU's Southwest Interdisciplinary Research Center that is delivering a draft report on the preliminary analysis of AYS and BRFSS findings to ACE's and the relationship to substance abuse. Received the latest extract from DPS to start on the Fill the Gap reporting.
- B. **Drug, Gang and Violent Crime Control**
  1. **Update on the activities of the Drug, Gang & Violent Crime Committee**
    - **Tony Vidale** provided information on the Drug Committee. The Commission approved grants for the Cycle 33 Drug, Gang & Violent Crime Control program and the agreements went out for the grantees. The RSAT grant solicitation went out August 1; this is a program for incarcerated individuals receiving drug treatment and the Commission will hear a recommendation in November. The EDGE report for the Drug Control grant is a collection of statistics and activities prepared for the grant year and presented in the November meeting. Staff is developing the statewide strategy due every four years and a requirement for the Byrne Justice Assistance grant, again this item offered at the Commission meeting in November. Lastly, in June this year, ACJC collaborated with APAAC in compiling information for a Juvenile Prosecution grant and are awaiting the results of the award.
- C. **Crime Victims**
  1. **Update on the activities of the Crime Victims Committee**
    - **Tony Vidale** provided information on the Crime Victim Committee. Again, the Commission approved the Victim Assistance, and Compensation grants for FY2020 and the grant agreements went out awaiting signatures for processing.
- D. **Information Technology Systems Improvement**
  1. **Update on the activities of the Information Technology Systems Improvement Committee**
    - **Jerry Landau** referred to **Marc Peoples** to update the Commission on the Orders of Protection System.
  2. **Demo of Public Portal for the New Orders of Protection System**
    - **Mr. Peoples** demonstrated the plaintiff portal for Orders of Protection – user testing the platform should begin at the end of July, and looking at a branding process to name the system. The demonstration showed the steps to log into the system, create an account, fill in the orders of protection, an injunction against harassment, or workplace injunctions confirmed, checking off items to be protected and confidential. After the information completed, law enforcement reviews. In August and September, staff will do pieces of training for law enforcement. Pilot programs start in October and participants are Glendale and Scottsdale Police Departments, and Maricopa County Sheriff's Office.
- E. **Legislative**
  1. **Update on the activities of the Legislative Committee**
    - **Commissioner Sanders** reported that the Committee met six times during the legislative session and supported SB 1250 that allows victims of sexual assault to seek protection from the courts after a first offense rather than after a second offense.
  2. **ACJC Legislative Report**
    - **Molly Edwards** presented the 2019 ACJC Legislative Summary and provided an overview of legislation relative to the law enforcement community. The legislature ran 134 days, and 1,318 bills introduced, 320 bills signed into law and 11 percent were criminal justice issued. The Governor outlined vital themes, including school safety, protecting public safety/reducing the prison population. Going forward, staff would like to provide the Commission with more analysis for strategic discussion with legislation. **Designee Landau** entered a motion to approve the release of the 2019 Legislative Summary. The motion seconded by **Commissioner Duggan** was unanimously approved by the Commission.
- V. **Commission Member Summaries of Current Events**
  - **Chairperson Polk** encouraged the Commissioners to register and attend the 2<sup>nd</sup> Annual AZ Drug Summit on September 23 and 24 at the Doubletree Hilton in Tempe. Secondly, APAAC has a working group creating a public statewide rule 15 point disclosure, also known as Brady that is formulating models and best practices for prosecuting agencies to process the identifying officers or personnel with a law enforcement agency that should be on the database list; and making the decision to have one statewide list that is publicly available.
  - **Designee Landau** informed the Commission that the 2019-20 Criminal Code Sentencing Provisions has been distributed and posted on [azcourts.gov](http://azcourts.gov) under publications and legislation.
- VI. **Call to the Public**
  - **Coconino County Attorney Bill Ring** urged the Commissioners to look at the matter of criminal justice reform for legislative work at the next legislative session.
- VII. **Date, Time and Location of Next Meeting**
  - The next Arizona Criminal Justice Commission meeting takes place at 1:30 pm on Thursday, November 21, 2019, at 1110 W. Washington, Suite 250, Phoenix, AZ 85007.
- VIII. **Adjournment**
  - The meeting adjourned at 11:40 am.

Respectfully submitted,

Andy LeFevre  
 Executive Director  
 Audio recording is available upon request.

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Review, discussion, and consideration of the results of Executive Director Review and Performance Evaluation

---

**TO:** Commission Members

**FROM:** Sheila Polk, Chairperson

**RECOMMENDATION:**

That the Commission review and discuss the results of the formal review and evaluation process conducted by the Executive Committee of ACJC's Executive Director Andy LeFevre.

It is the recommendation of the Chairperson that this discussion occur in Executive Session, which is allowed under A.R.S. §38-431.03(A)(1) upon a majority vote of the Commission Members constituting a quorum.

**DISCUSSION:**

Commission Members will review and discuss the performance evaluation conducted by members of ACJC's Executive Committee of the Executive Director Andy LeFevre. The Chairperson will discuss the results of the performance evaluation and the process that was followed and the information that was collected with the Members.

**FISCAL IMPACT:**

Minor – Executive Director Salary is primarily paid out of the funds ACJC receives from the Criminal Justice Enhancement Fund for administrative use.

**ALTERNATIVES:**

Table motion – fail recommendation



**ARIZONA CRIMINAL JUSTICE COMMISSION**

**Request for Commission Action**

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Review, discussion, and consideration of salary of the Executive Director

---

**TO:** Commission Members

**FROM:** Sheila Polk, Chairperson

**RECOMMENDATION:**

That the Commission review and discuss the salary of the Executive Director Andy LeFevre based on the results of the performance evaluation conducted by the Executive Committee.

**DISCUSSION:**

Commission Members will review and discuss if the results of the performance evaluation conducted by members of ACJC's Executive Committee of the Executive Director Andy LeFevre merit a salary adjustment.

**FISCAL IMPACT:**

Minor – Executive Director Salary is primarily paid out of the funds ACJC receives from the Criminal Justice Enhancement Fund for administrative use.

**ALTERNATIVES:**

Table motion – fail recommendation

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report Staff & Program Update

---

**TO:** Chairperson and Commission Members

**FROM:** Andy LeFevre  
Executive Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Executive Director LeFevre will update the Commission on the program and staff activities.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A



**ARIZONA CRIMINAL JUSTICE COMMISSION**

**Request for Commission Action**

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report – Finance Update

---

**TO:** Chairperson and Commission Members

**FROM:** Andy LeFevre  
Executive Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Executive Director LeFevre will update the Commission on the agency's finances.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Director's Report – Review of CJEF

---

**TO:** Chairperson and Commission Members

**FROM:** Andy LeFevre  
Executive Director

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

Executive Director LeFevre will update the Commission on the staff's review of the Criminal Justice Enhancement Fund.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Review and Possible Amendment of ACJC's Policy on the Election of a Chairperson and a Vice Chairperson

---

**TO:** Chairperson and Commission Members

**FROM:** Andy LeFevre  
Executive Director

#### **RECOMMENDATION:**

The Commission review, discuss, consider and possible vote to amend ACJC Policy number CJC-115 for the process to elect a Chairperson and Vice Chairperson.

#### **DISCUSSION:**

The Executive Committee seeks input and possible action by the full Commission on amending the policy that governs the selection of a chairperson and Vice Chairperson of ACJC to allow for the Chairperson or Vice Chairperson to serve an additional term.

Providing this flexibility could allow for the chair to serve an additional two-year term if they so choose to do so and allow for greater continuity in leadership.

#### **FISCAL IMPACT:**

N/A

#### **ALTERNATIVES:**

N/A



## ARIZONA CRIMINAL JUSTICE COMMISSION Policy and Procedure

Subject

**SELECTION OF CHAIRPERSON & VICE  
CHAIRPERSON**

Policy Number  
**CJC-115**

Effective Date  
**01/20/2011**

Supersedes: 11/19/09

### 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 CHAIRPERSON AND VICECHAIRPERSON ARE ELIGIBLE TO BE REELECTED TO ONE ADDITIONAL TERM.** 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 notify the Executive Director during the period of time deemed necessary by the Commission or announce their interest during the open, public meeting 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.
- 2.** The Commission may accept nominations at the time of the vote if deemed necessary during an open public meeting. Commission members are reminded that pursuant to the Open meeting Law, they may not communicate in any manner with other commission members regarding the nomination or election process.
- 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 agenda 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 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.** As in all Commission business, Robert's Rules of Order shall provide guidance as to procedure.

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Executive Committee Report

---

**TO:** Commission Members

**FROM:** Sheila Polk, Chair  
Executive Committee

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

An update on activities of the Executive Committee including the creation of a performance review process for ACJC's executive director.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Update on Statistical Analysis Center Activities

---

**TO:** Commission Members

**FROM:** Sheila Polk, Chair, Executive Committee  
Jillian Ware, Director, Statistical Analysis Center

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

An update on activities of the Statistical Analysis Center will be provided for the Commission Members.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

Action Requested:	Type of Action Requested:	Subject:
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Review and Approval of Statutory Required Reports

---

**TO:** Commission Members

**FROM:** Sheila Polk, Chair, Executive Committee  
Jillian Ware, Director, Statistical Analysis Center

**RECOMMENDATION:**

The Commission approve the Fill the Gap, Gang Threat Assessment, and Sexual Assault Reports which ACJC is statutorily required to produce and distribute.

**DISCUSSION:**

Copies of the Fill the Gap, Gang Threat Assessment, and Sexual Assault Reports have been provided to the members for review.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table



## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Drug, Gang & Violent Crime Control Committee Update

---

**TO:** Chairperson and Commission Members

**FROM:** Joe Brugman, Chair  
Drug, Gang & Violent Crime Control Committee

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

An update on activities of the Drug, Gang & Violent Crime Control Committee.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	CY2020 Residential Substance Abuse Treatment Program (RSAT) Grant Awards

---

**TO:** Chairperson and Commission Members

**FROM:** Tony Vidale, Deputy Director  
Drug, Gang & Violent Crime Control Committee

**RECOMMENDATION:**

The Commission approve the award of \$550,001 in federal and local cash match funds for the CY 2020 RSAT grant program beginning January 1, 2020, and ending December 31, 2020.

**DISCUSSION:**

See attached

**FISCAL IMPACT:**

Significant to recipient agencies

**ALTERNATIVES:**

Not Approve - Modify - Table

## **CY 2020 Residential Substance Abuse Treatment Awards**

### **Program Background**

The Residential Substance Abuse Treatment (RSAT) program assists governments in developing and implementing substance abuse treatment programs in state and local correctional and detention facilities, and to create and maintain community-based post-release treatment services for offenders. These services allow offenders to overcome substance abuse and prepare for reentry into the community.

The RSAT program is divided into three areas: 1. Residential (6-12 months) program, 2. Jail-based (at least three months) program, and 3. Post-release treatment program.

The RSAT program requires that 10 percent of the federal award be made available to local correctional or detention facilities. If applications are not received for this program, these funds can be used by the residential in-correctional setting programs. There were two jail-based applications received during this solicitation.

RSAT may fund post-release programs that provide treatment to offenders for a period not to exceed one year after release. For the CY 2020 RSAT grant, ACJC received one post-release treatment application.

Each applicant must meet the federal eligibility requirements for RSAT programs within the correctional residential setting. The requirements include:

- At least six months and no more than 12 months of treatment for Residential programs;
- At least three months for Jail-based programs;
- Participation limited to the last six to 12 months remaining in the inmate's confinement to ensure they are released after completing the treatment and not returned to the general population;
- Residential housing and treatment facilities are provided away from the general correctional population;
- Focus on the substance abuse problems of the inmate using effective scientific practices;
- Development of the inmate's cognitive, behavioral, social, vocational and other skills to help solve the substance abuse problem; and
- Implement or continue urinalysis and/or other proven reliable forms of drug testing.

Funding

Federal funding is provided by the U.S. Department of Justice, Bureau of Justice Assistance. The amount awarded for FFY 2019 was \$783,216. Of this amount, ACJC is allowed a 10% allocation to administer the grant totaling \$78,321. Currently, RSAT funds awarded to ACJC are granted out to sub-recipients on a calendar year basis. *Table DC1* below provides a breakdown of available funding for the CY 2020 RSAT grant program totaling \$1,028,253, which includes a balance of \$323,358 in Federal Fiscal Year (FFY) 2018 funding and FFY 2019 funding of \$704,895. Staff is recommending a program size of \$412,502 for the CY 2020 grant program. This would leave a balance of \$615,751. Staff is also asking the Committee to consider a 6- month grant extension option that will align the RSAT grant program with the state fiscal year calendar. Moving the grant program from the calendar year to the state fiscal year would require an additional \$206,251 to cover the 6-month period from January 1, 2021 to June 30, 2021. This would leave \$409,500 from the FFY 2019 grant for the state fiscal year 2022 RSAT grant program.

**Table DC1**

<i>CY 2020 RSAT Grant Program</i>	
FFY 2018 Grant Balance	\$ 323,358
FFY 2019 Grant Available	<u>\$ 704,895</u>
<b>Available for CY20 program</b>	<b>\$ 1,028,253</b>
Proposed CY20 Federal Funds	\$ 412,502
<b>FFY 2019 Grant Balance</b>	<b>\$ 615,751</b>
Alignment w/state fiscal year (6 mo. grant extension)	<u>\$ 206,251</u>
<b>FFY 2019 Grant Available for SFY 2022</b>	<b>\$ 409,500</b>

## Applications Received

On August 1, 2019, counties and eligible agencies were notified via electronic mail announcing the availability of the CY 2020 Residential Substance Abuse Treatment program grant and application procedures through the State's grant management system. The deadline for submission of applications was Friday, September 13th, at 3:00 p.m. Five applications were submitted by the deadline requesting a total of \$487,518 in federal funds. With the matching funds amount of \$162,505, the total requested program size was \$650,023. The five agencies that submitted applications were the Arizona Department of Corrections (ADC), the Arizona Department of Juvenile Corrections (ADJC), Chicanos Por La Causa, the Coconino County Sheriff's Office, and the Yavapai County Sheriff's Office. The requested amounts are shown in *Table DC2*, on page 23 of the agenda.

## Evaluation and Scoring

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

The applications were evaluated using the following scoring criteria:

- Project falls within the RSAT guidelines
- Submitted on time, all requested information was provided
- The need for services in community
- Program adequately addresses the need for services in the community
- Coordination efforts with other agencies
- Goals and objectives that are reasonable and achievable
- Performance measures clearly identify the success of the program
- Budget costs are reasonable and allowable (matching funds are included in the request)
- Adequate internal financial controls
- Programs previously funded by the Commission have met the requirements of the grant. In addition, priority points were given to projects that had an aftercare component established.

## Recommendation

Staff proposes an award of \$550,001 in federal and local cash match funds for CY 2020 RSAT grant awards beginning January 1, 2020 and ending December 31, 2020 as shown in *Table DC2*, on page 23 of the agenda. Of this amount, \$412,502 is from federal funds and \$137,499 is from local match funds.

This recommendation would fund the Coconino County Sheriff's Office (EXODUS Program), ADOC (Gemini Program), ADJC (RSAT Program), the Yavapai County Sheriff's Office (Reach Out Program), and Chicanos Por La Causa (Corazon Treatment Center). This recommendation would comply with the RSAT program requirement that at least 10% of the award is allocated to local correctional or detention facilities.

In addition, Staff is requesting the Committee consider a 6-month extension option for the CY 2020 RSAT grant. This option would allow the RSAT program to align with the state fiscal year calendar and provide operational and accounting efficiencies for ACJC and stakeholder agencies. If all grant requirements are met for the CY 2020 RSAT grant program, ACJC would extend the grant agreements until June 30, 2021. Prospective grantees would not apply for funding in August 2020. Instead, prospective grantees would apply for funding in January 2021 for state fiscal year 2022, beginning July 1, 2021.

The 6-month extension would require an additional \$206,251 in federal funds and \$68,750 in matching funds. This recommendation would leave \$409,500 available from the FFY 2019 grant for the state fiscal year 2022 program.

**CY 2020 RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT) GRANT  
JANUARY 1, 2020 - DECEMBER 31, 2020**

Table DC2

**Requested**

Applicant Agency	Personnel		Overtime Expense	Consult./ Contractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL REQUESTED	Federal	Match Provided
	Salary	ERE					Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	90,000	46,350	-	-	-	-	4,080	-	-	-	\$140,430	\$105,323	\$35,107
ADJC - RSAT Program	52,000	27,534	-	-	-	-	-	-	-	-	\$79,534	\$59,651	\$19,883
CBI - Navajo Nation Department of Corrections	-	-	-	-	-	-	-	-	-	-	\$0	\$0	\$0
Chicanos Por La Causa	-	-	-	-	-	-	-	60,000	-	-	\$60,000	\$45,000	\$15,000
Coconino County Sheriff's Office - Exodus	217,963	97,785	-	-	-	-	-	-	-	-	\$315,748	\$236,811	\$78,937
Yavapai County Sheriff's Office - Reach Out	36,222	18,089	-	-	-	-	-	-	-	-	\$54,311	\$40,733	\$13,578
<b>TOTAL</b>	<b>\$396,185</b>	<b>\$189,758</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>	<b>\$ 4,080</b>	<b>\$ 60,000</b>	<b>\$-</b>	<b>\$-</b>	<b>\$ 650,023</b>	<b>\$ 487,518</b>	<b>\$ 162,505</b>

**Recommended**

Applicant Agency	Personnel		Overtime Expense	Consult./ Contractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL PROPOSED	Federal	Match Provided
	Salary	ERE					Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	90,000	46,350	-	-	-	-	4,080	-	-	-	\$140,430	\$105,323	\$35,107
ADJC - RSAT Program	52,000	27,534	-	-	-	-	-	-	-	-	\$79,534	\$59,651	\$19,883
Chicanos Por La Causa	-	-	-	-	-	-	-	60,000	-	-	\$60,000	\$45,000	\$15,000
Coconino County Sheriff's Office - Exodus	149,300	66,426	-	-	-	-	-	-	-	-	\$215,726	\$161,795	\$53,931
Yavapai County Sheriff's Office - Reach Out	36,222	18,089	-	-	-	-	-	-	-	-	\$54,311	\$40,733	\$13,578
<b>TOTAL</b>	<b>\$ 327,522</b>	<b>\$ 158,399</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>	<b>\$ 4,080</b>	<b>\$ 60,000</b>	<b>\$-</b>	<b>\$-</b>	<b>\$ 550,001</b>	<b>\$ 412,502</b>	<b>\$ 137,499</b>

**Changes from CY 19 to CY 20 Recommendation**

Applicant Agency	Personnel		Overtime Expense	Consult./ Contractual	In-State Travel	Out-of State Travel	Operating			Equipment	TOTAL DIFFERENCE AWARD	Federal	Match Provided
	Salary	ERE					Registration/ Training	Supplies	Other Operating				
ADOC - Gemini Program	43,000	21,957	-	-	-	-	-	-	-	-	\$ 64,957	\$ 48,718	\$ 16,239
ADJC - RSAT Program	2,650	(11,369)	-	-	-	-	-	-	-	-	\$ (8,719)	\$ (6,539)	\$ (2,180)
CBI - Navajo Nation Department of Corrections	(39,728)	(9,932)	-	(24,400)	(3,432)	-	(7,355)	-	-	-	\$ (84,847)	\$ (63,635)	\$ (21,212)
Chicanos Por La Causa	-	-	-	-	-	-	-	-	-	-	\$-	\$-	\$-
Coconino County Sheriff's Office - Exodus	52,481	31,552	-	-	-	-	-	-	-	-	\$ 84,033	\$ 63,025	\$ 21,008
Yavapai County Sheriff's Office - Reach Out	-	(2,043)	-	-	-	-	-	-	-	-	\$ (2,043)	\$ (1,532)	\$ (511)
<b>TOTAL</b>	<b>\$ 58,403</b>	<b>\$ 30,165</b>	<b>\$-</b>	<b>\$ (24,400)</b>	<b>\$ (3,432)</b>	<b>\$-</b>	<b>\$ (7,355)</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>	<b>\$ 53,381</b>	<b>\$ 40,037</b>	<b>\$ 13,344</b>

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	FY2019 Enhanced Drug & Gang Enforcement (EDGE) Report

---

**TO:** Chairperson and Commission Members

**FROM:** Tony Vidale, Deputy Director

**RECOMMENDATION:**

The Commission approve the FY 2019 Enhanced Drug and Gang Enforcement (EDGE) report.

**DISCUSSION:**

The FY 2019 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:**

Not Approve - Modify - Table



## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Crime Victims Committee Update

---

**TO:** Chairperson and Commission Members

**FROM:** Steve Stahl, Chair  
Crime Victims Committee

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

An update on activities of the Crime Victims Committee.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Information, Technology & Systems Improvement Committee Update

---

**TO:** Chairperson and Commission Members

**FROM:** David Byers, Chair  
Information, Technology & Systems Improvement Committee

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

An update on activities of the Information, Technology & Systems Improvement Committee.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Legislative Committee Update

---

**TO:** Chairperson and Commission Members

**FROM:** David Sanders, Chair  
Legislative Committee

**RECOMMENDATION:**

Information Only

**DISCUSSION:**

An update on activities of the Legislative Committee.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

N/A

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Review and Approval of ACJC draft Legislation

---

**TO:** Chairperson and Commission Members

**FROM:** David Sanders, Chair, Legislative Committee  
Molly Edwards, Public Information Officer & Legislative Liaison

**RECOMMENDATION:**

The Commission approve the following bills:

- Legislation to close the CCW loophole
- Legislation to provide ACJC with greater ability to collect criminal justice data

**DISCUSSION:**

Copies of the draft legislative language has been provided to Commission Members for review.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

## ARIZONA CRIMINAL JUSTICE COMMISSION

### Request for Commission Action

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Discussion of Commission Membership and Possible Adoption of Legislation to Amend

---

**TO:** Commission Members

**FROM:** Sheila Polk, Chair  
Executive Committee

**RECOMMENDATION:**

The Commission hold a discussion on the make-up of its membership.

**DISCUSSION:**

As part of its formal Sunset Review by the Auditor General's Office and subsequent hearing before the legislature, the Commission held a discussion in September 2016 to assess its membership to determine if it should be modified to more fully fulfill its mission and to better serve the entire state. At the September 2016 meeting the members agreed that their current membership was sufficient and agreed to hold a yearly discussion, in an open meeting, on the subject.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

Not Approve - Modify - Table

**ARIZONA CRIMINAL JUSTICE COMMISSION**

**Request for Commission Action**

---

<b>Action Requested:</b>	<b>Type of Action Requested:</b>	<b>Subject:</b>
November 21, 2019	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Summaries of Current Events

---

**TO:** Chairperson and Commission Members

**FROM:** Andy LeFevre  
Executive Director

**RECOMMENDATION:**

Information Only

**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:**

N/A

**ALTERNATIVES:**

N/A