

# ARIZONA STATE SENATE

## RESEARCH STAFF



TO: JOINT LEGISLATIVE AUDIT COMMITTEE

DATE: January 31, 2025

SUBJECT: Sunset Review of the Arizona Criminal  
Justice Commission

**ZACK DEAN**  
LEGISLATIVE RESEARCH ANALYST  
JUDICIARY & ELECTIONS COMMITTEE  
Telephone: (602) 926 -3171

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Attached is the final report of the sunset review of the Arizona Criminal Justice Commission (ACJC), which conducted by the Senate Judiciary & Elections Committee of Reference.

This report has been distributed to the following individuals and agencies:

Governor of the State of Arizona  
The Honorable Katie Hobbs

President of the Senate  
Senator Warren Petersen

Speaker of the House of Representatives  
Representative Steve Montenegro

Senate Members  
Senator Wendy Rogers, Chair  
Senator John Kavanagh, Vice-Chair  
Senator Shawna Bolick  
Senator Mark Finchem  
Senator Theresa Hatathlie  
Senator Lauren Kuby  
Senator Analise Ortiz

Arizona Criminal Justice Commission  
Office of the Auditor General  
Arizona State Library, Archives and Public Records

Senate Resource Center  
Senate Republican Staff  
Senate Democratic Staff  
Senate Research Staff

Office of the Chief Clerk  
House Republican Staff  
House Democratic Staff  
House Research Staff

# **Senate Judiciary & Elections Committee of Reference**

## **Final Report**

### **Arizona Criminal Justice Commission**

#### ***Background***

Pursuant to [A.R.S. § 41-2953](#), the Joint Legislative Audit Committee assigned the sunset review of the Arizona Criminal Justice Commission (ACJC) to the Senate Judiciary & Elections Committee of Reference and House Judiciary Committee of Reference.

ACJC is responsible for various coordinating, monitoring and reporting functions regarding the administration and management of criminal justice programs in Arizona including: 1) monitoring the progress and implementation of new and continuing criminal justice legislation; 2) facilitating research among criminal justice agencies and coordinated statewide efforts to improve criminal justice information and data sharing; 3) maintaining criminal justice system information; 4) preparing, compiling and disseminating criminal justice related reports to the Governor and Legislature and providing supplemental reports on criminal justice issues of special timeliness; 5) gathering information on programs designed to effectuate community crime prevention and education as prescribed; 6) administering and distributing monies from the Drug and Gang Enforcement Fund, Criminal Justice Enhancement Fund and Victim Compensation and Assistance Fund; and 7) overseeing the research and publication of crime and criminal justice statistics prepared by the Arizona Statistical Analysis Center. ACJC consists of 21 members, including representatives from the Attorney General's office, Board of Executive Clemency, law enforcement, probation, courts and members appointed by the Governor who are city and county leaders. (A.R.S. §§ [41-2404](#) and [41-2405](#)).

ACJC is statutorily set to terminate on July 1, 2025, unless legislation is enacted for its continuation ([A.R.S. § 41-3025.01](#)).

#### ***Committee of Reference Sunset Review Activity***

Pursuant to [A.R.S. § 41-2954](#) the Senate Judiciary & Elections Committee of Reference held a public meeting on Thursday, January 23, 2025, to consider ACJC's responses to the statutorily-outlined sunset factors and receive public testimony.

#### ***Committee of Reference Recommendations***

The Senate Judiciary & Elections Committee of Reference recommended that ACJC be continued with revisions.

#### ***Appendices***

1. Meeting Notice
2. Minutes of the Senate Judiciary & Elections Committee of Reference  
Attachment A: Presentation by ACJC
3. Chairperson's letter requesting ACJC's response to sunset factors
4. ACJC's Response to the sunset factors

# ARIZONA STATE SENATE

## INTERIM MEETING NOTICE OPEN TO THE PUBLIC

### SENATE JUDICIARY & ELECTIONS COMMITTEE OF REFERENCE

**Date:** Thursday, January 23, 2025  
**Time:** 10:15 A.M. or Upon recess or adjournment of Floor  
**Place:** SHR 2

**Members of the public may access a livestream of the meeting here:**

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025011062>

### AGENDA

1. Call to Order
2. Roll Call
3. Sunset Review of the Arizona Criminal Justice Commission
  - Presentation by the Arizona Criminal Justice Commission
  - Public Testimony
  - Discussion and Recommendation
4. Sunset Review of the Arizona Board of Executive Clemency
  - Presentation by the Arizona Office of the Auditor General
  - Response by the Arizona Board of Executive Clemency
  - Public Testimony
  - Discussion and Recommendation
5. Adjourn

### Members:

Senator Wendy Rogers, Chairman  
Senator John Kavanagh, Vice-chairman  
Senator Shawwna Bolick  
Senator Mark Finchem  
Senator Theresa Hatathlie  
Senator Lauren Kuby  
Senator Analise Ortiz

01/17/2025  
LS

For questions regarding this agenda, please contact Senate Research Department.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

# ARIZONA STATE SENATE

## SENATE JUDICIARY AND ELECTIONS COMMITTEE OF REFERENCE

### Minutes of the Meeting

January 23, 2025

10:15 A.M. or Upon recess or adjournment of Floor, SHR 2

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videooplayer/?clientID=6361162879&eventID=2025011062>

#### Members Present:

Senator Wendy Rogers, Chairman  
Senator John Kavanagh, Vice-chairman  
Senator Shawna Bolick  
Senator Mark Finchem  
Senator Theresa Hatathlie  
Senator Lauren Kuby  
Senator Analise Ortiz

#### Staff:

Zack Dean, Judiciary and Elections Research Analyst  
Kaytie Sherman, Judiciary and Elections Research Assistant Analyst  
Anna Whitney, Judiciary and Elections Research Intern

Chairman Rogers called the meeting to order at 10:35 a.m. and attendance was taken.

### SUNSET REVIEW OF THE ARIZONA BOARD OF EXECUTIVE CLEMENCY

#### Presentation by the Arizona Office of the Auditor General

**Jeff Gove, Arizona Auditor General's Office**, offered comments related to the Sunset Review of the Arizona Board of Executive Clemency.

**George Skiles, Sjoberg Evashenk Consulting, Inc.**, distributed and explained a PowerPoint presentation entitled "Performance Audit and Sunset Factor Review of the Arizona Board of Executive Clemency" (Attachment A).

Senator Rogers offered comments.

#### Response by the Arizona Board of Executive Clemency

**Gretchen McClellan-Singh, Executive Director, Arizona Board of Executive Clemency**, distributed and explained a PowerPoint presentation entitled "AZ Board of Executive Clemency" (Attachment B) and answered questions posed by the Committee.

## **Public Testimony**

**Adam Patsalis, representing self**, testified in support of the continuation of the Arizona Board of Executive Clemency and answered questions posed by the Committee.

**Hope DeLap, Arizona Justice Project**, testified in support of the continuation of the Arizona Board of Executive Clemency and answered questions posed by the Committee.

**Donna Hamm, Middle Ground Prison Reform**, testified in support of the continuation of the Arizona Board of Executive Clemency and answered questions posed by the Committee.

## **Discussion and Recommendation**

**Senator Kavanaugh moved that the Senate Judiciary and Elections Committee of Reference recommend that the Arizona Board of Executive Clemency be continued. The motion CARRIED by voice vote.**

The Committee offered comments.

## **RECESS**

At 11:39 a.m. Chairman Rogers recessed the meeting to the sound of the gavel.

## **RECONVENE**

At 1:24 p.m. Chairman Rogers called the meeting to order.

## **SUNSET REVIEW OF THE ARIZONA CRIMINAL JUSTICE COMMISSION**

### **Presentation by the Arizona Criminal Justice Commission**

**Andy LeFevre, Executive Director, Arizona Criminal Justice Commission**, distributed and explained a PowerPoint presentation entitled "Sunset Review Hearing – Committee of Reference" (Attachment C) and distributed a document entitled "Sunset Review Report 2016-2024" (Attachment D). Mr. LeFevre answered questions posed by the Committee.

## **Public Testimony**

No public testimony took place.

## **Discussion and Recommendation**

The Committee offered comments.

**Senator Kavanagh moved that the Senate Judiciary and Elections Committee of Reference recommend that the Arizona Criminal Justice Commission be continued with revisions. The motion CARRIED by voice vote.**

Attached is a list noting the individual who registered their position on the agenda items (Attachment E).

Attached are the forms noting the individuals who submitted a Speaker slip on the agenda items (Attachment F).

There being no further business, the meeting was adjourned at 1:59 p.m.

Respectfully submitted,

Jeff Christophersen  
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

# Sunset Review Hearing – Committee of Reference

2025

Arizona Criminal Justice Commission





# What Will Be Covered Today

- Who is ACJC
- How is ACJC Funded/What we Fund
- Where does ACJC focus its Efforts
- How Efficient/Effective does ACJC Operate
- ACJC's Key Accomplishments

# Who is ACJC

The Arizona Criminal Justice Commission (ACJC) was established in 1982 to enhance public safety and improve the administration of justice throughout the state of Arizona.

- ACJC is comprised of 21 members who represent various elements of the criminal justice system → 16 are appointed by the Governor, → 5 are heads of criminal justice agencies
- Mission: Our mission is to continuously address, improve, sustain, and enhance public safety in the State of Arizona through the coordination, cohesiveness, and effectiveness of the Criminal Justice System.
- Vision: By serving as the central core of criminal justice information, knowledge, funding, and relationships, the Arizona Criminal Justice Commission will lead Arizona's efforts to identify problems, implement solutions that impact all aspects of the criminal justice system, and create safer communities.



# Who is ACJC

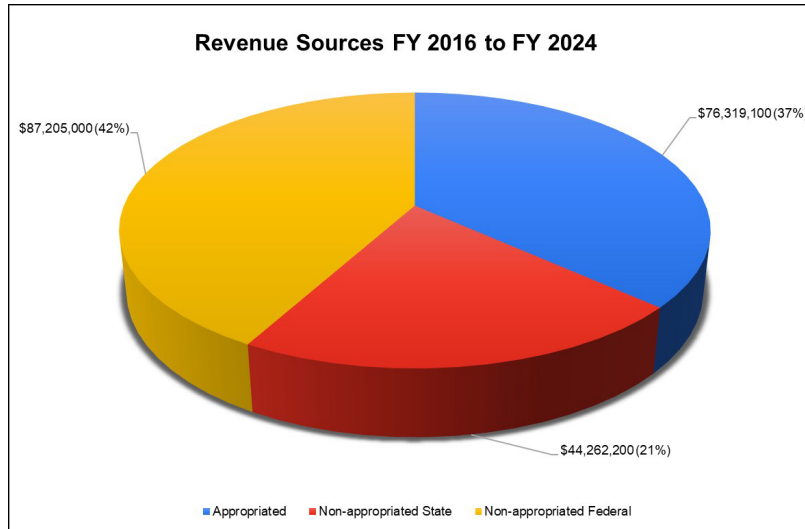
- In 2016, the Commission met to discuss a strategic plan for the upcoming years and what they wanted for the agency in the future. As a group heavily involved in criminal justice and experts in their fields, they set the goal for the ACJC to be the leading criminal justice resource agency for the state.
- They identified three key areas for staff to focus on – funding, data/information, and relationships with the criminal justice community.





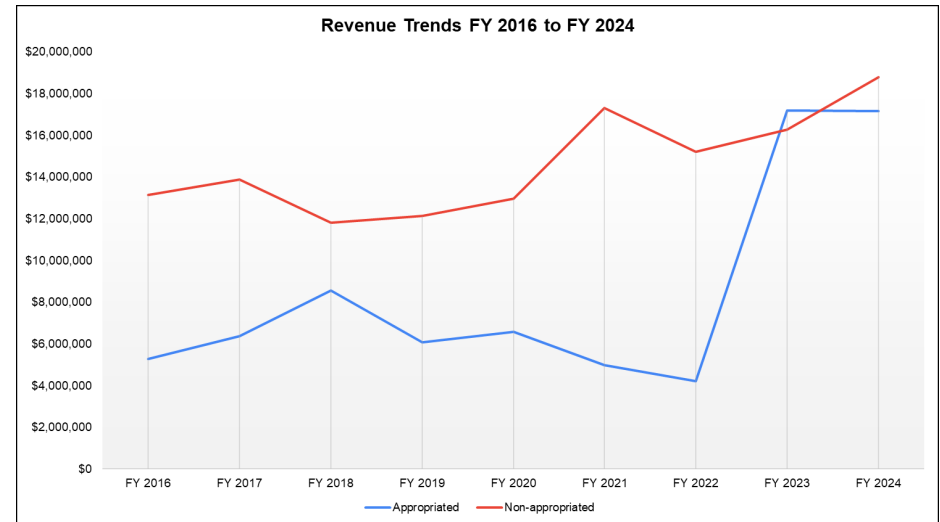
# ACJC Revenue (2016 – 2024)

Source: Budget submissions FY 2016-2024



- **Total Revenue = \$207,786,300**
- Non-appropriated federal 42%
- Appropriated state 37%
- Non-appropriated state 21%

- Total appropriated funds have increased 226%
- Total non-appropriated funds have increased 43%



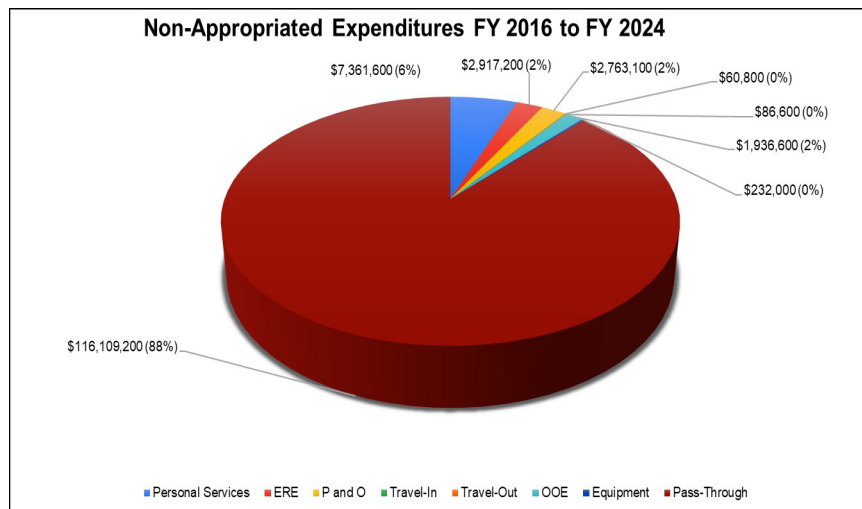
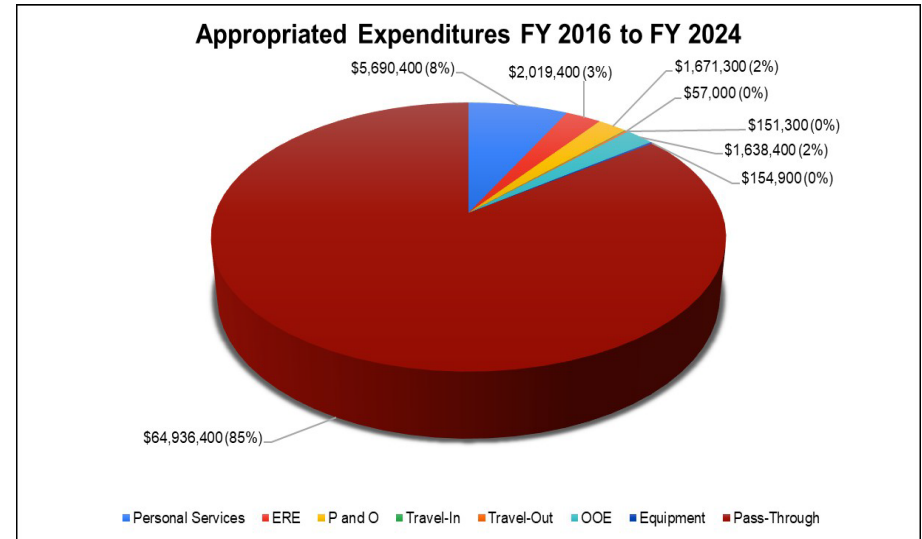


# ACJC Expenditures (2016-2024)

Source: Budget submissions FY 2016-2024

Total pass-through funding to agencies = \$181,045,600 (87.1%)

- Expenditures funded through legislative appropriations



- Expenditures funded through federal and non-appropriated state revenues

# ACJC Program Areas

- **Criminal Justice Systems Improvement**  
Leads the state's efforts to enhance the overall efficiency, accuracy, and timely accessibility of criminal history records and data for criminal justice practitioners
- **Data Integration, Analytics & Optimization**  
Provides valuable data and information to drive quality improvement in criminal justice and community safety
- **Drug, Gang & Violent Crime Control**  
Serves as the State Administering Agency for federal criminal justice grants and funds activities to deter, investigate, prosecute, adjudicate, and punish drug, violent crime, and criminal street gang offenders
- **Finance**  
Oversees the effective and efficient management of agency funds and ensures compliance with federal and state requirements by the agency and sub-grantees
- **Victims Services**
  - Oversees the state's Crime Victim Assistance and Victim Compensation programs, which provide critical funding to organizations that support victims and to victims directly to pay for crime-related expenses



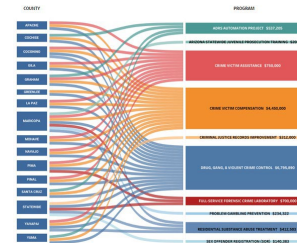


# Efficient & Effective Agency Management – Key Points

- Low Overhead, High Pass-through: Only a small slice of the total appropriated budget is used for day-to-day operations
  - *87.1% of funding is pass-through/ 12.9% operations*
- General Fund Use Is Limited for Operations: Most GF dollars go straight out the door in the form of pass-through payments, minimizing GF exposure for internal operations
  - *Only \$132,400 of general fund revenues were used for direct operating expenses (less than .005%)*
- Diversification of Revenue Sources: The agency has multiple non-GF funding streams (federal grants, fines, surcharges) that help keep GF requirements in check
- Year-over-Year Operating Costs Have Been Contained: Internal overhead costs have been held relatively stable as a percentage of the total budget
  - *ACJC has seen a 26% reduction in FTEs since 2016 (27 to 20)*
  - *ACJC has made significant investments in technology and systems to create work efficiency to allow for more work by fewer employees*

# ACJC Key Accomplishments

- ACJC Victim Compensation helped 22,127 victims, providing over \$32 million in funding
- ACJC Victim Assistance funded organizations that provided services to 174,688 victims
- Creation of ACJC Data Visualization Center - Provides dynamic data dashboards that provide public-facing data accessible by Arizona policymakers and citizens



- AZ Protective Order Initiation & Notification Tool (AZPOINT) – Modernized the state’s process and system for seeking orders of protection.
  - *Dramatically improved the percentage of orders that are served each year and reduced the time of service from 23 days to under 13 days*
- ACJC funded Drug, Gang & Volent Crime Control Initiatives have:
  - *Seized 9,881,538 fentanyl pills, 16,347 lbs of fentanyl, and 113,619 lbs of Meth*
  - *Street value of all drugs seized was over \$1.3 billion*
  - *266,730 drug prosecutions and 145,863 drug convictions*





# Questions

Andrew T. LeFevre, Executive Director  
Arizona Criminal Justice Commission  
1110 W Washington, Suite 230  
Phoenix, AZ 85007  
[alefevre@azcjc.gov](mailto:alefevre@azcjc.gov)  
[www.azcjc.gov](http://www.azcjc.gov)

Molly E. Edwards  
Public Information Officer/Legislative Liaison  
[medwards@azcjc.gov](mailto:medwards@azcjc.gov)



2025



# Arizona State Legislature

1700 West Washington

Phoenix, Arizona 85007

July 15, 2024

Andrew T. LeFevre  
Arizona Criminal Justice Commission  
1110 West Washington Street, Suite 230  
Phoenix, Arizona 85007

Dear Andrew T. LeFevre:

The sunset review process prescribed in Title 41, Chapter 27, Arizona Revised Statutes, provides a system for the Legislature to evaluate the need to continue the existence of state agencies. During the sunset review process, an agency is reviewed by legislative committee of reference (**COR**). On completion of the sunset review, the COR recommends to continue, revise, consolidate or terminate the agency.

The Joint Legislative Audit Committee has assigned the sunset review of the Arizona Criminal Justice Commission to the COR comprised of members of the Senate Judiciary Committee and the House of Representatives Judiciary Committee.

Pursuant to A.R.S. § 41-2954, the COR is required to consider certain sunset factors in deciding whether to recommend continuance, modification or termination of an agency. Please provide your agency's response to the factors listed below:

1. The key statutory objectives and purposes in establishing the agency.
2. The agency's effectiveness and efficiency in fulfilling its key statutory objectives and purposes.
3. The extent to which the agency's key statutory objectives and purposes duplicate the objectives and purposes of other governmental agencies or private enterprises.
4. The extent to which rules adopted by the agency are consistent with the legislative mandate.
5. The extent to which the agency has provided appropriate public access to records, meetings and rulemakings, including soliciting public input in making rules and decisions.

6. The extent to which the agency timely investigated and resolved complaints that are within its jurisdiction.
7. The extent to which the level of regulation exercised by the agency is appropriate as compared to other states or best practices, or both.
8. The extent to which the agency has established safeguards against possible conflicts of interest.
9. The extent to which changes are necessary for the agency to more efficiently and effectively fulfill its key statutory objectives and purposes or to eliminate statutory responsibilities that are no longer necessary.
10. The extent to which the termination of the agency would significantly affect the public health, safety or welfare.

Additionally, please provide written responses to the following:

1. The extent to which the agency potentially creates unexpected negative consequences that may require additional review by the COR, including increasing the price of goods, affecting the availability of services, limiting the abilities of individuals and businesses to operate efficiently and increasing the cost of government.
2. The extent to which the agency has addressed deficiencies in its enabling statutes.
3. The extent to which the agency has determined whether the Attorney General or any other agency in Arizona has the authority to prosecute or initiate actions.
4. The consequences of eliminating the agency or consolidating it with another agency.

Additionally, statute requires the COR to consider certain factors for each agency that administers an *occupational regulation*, which is defined as: 1) a statute, rule, practice, policy or other state law that allows an individual to use an occupational title or work in a lawful occupation; and 2) a government registration, government certification and occupational or professional license. An *occupational regulation* does not include a business license, facility license, building permit or zoning and land use regulation, except to the extent those state laws regulate an individual's personal qualification to perform a lawful occupation. If your agency falls under this category, please provide written responses to the following:

1. The extent to which the occupational regulation meets the requirements of A.R.S. § 41-3502.
2. The extent to which the failure to regulate a profession or occupation will result in:
  - a. the loss of insurance.
  - b. an impact to the ability to practice in other states or as required by federal law.

- c. an impact to the required licensure or registration with the federal government.
- d. the loss of constitutionally afforded practices.

Your response should be received by September 1, so that we may proceed with the sunset review and schedule the required public hearing. Please submit the requested information to:

Nathan McRae  
Arizona House of Representatives  
1700 West Washington  
Phoenix, Arizona 85007

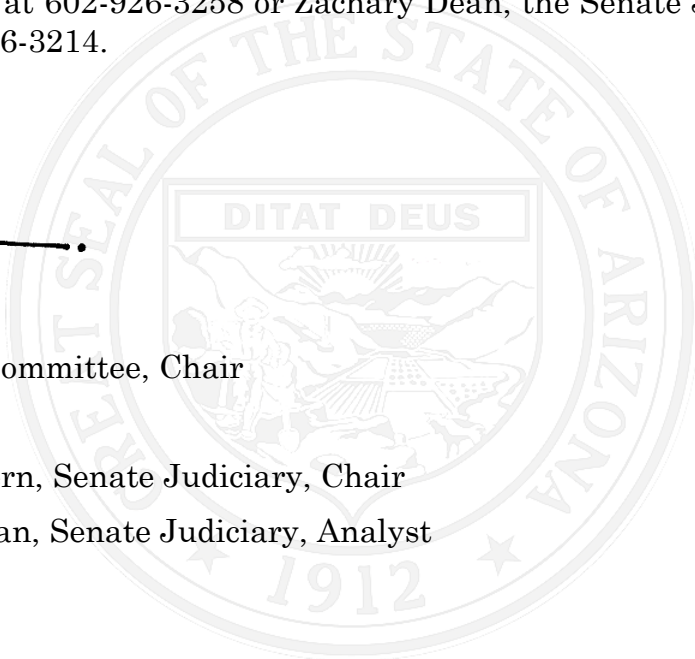
Thank you for your time and cooperation. If you have any questions, please feel free to contact me at 602-926-3258 or Zachary Dean, the Senate Judiciary Research Analyst, at 602-926-3214.

Sincerely,



Quang Nguyen  
House Judiciary Committee, Chair

cc: Anthony Kern, Senate Judiciary, Chair  
Zachary Dean, Senate Judiciary, Analyst





# Arizona Criminal Justice Commission

September 4, 2024

*Chairperson*  
DAVID K. BYERS, Director  
Administrative Office of the Courts

*Vice-Chairperson*  
STEVE STAHL  
Law Enforcement Leader

JEAN BISHOP  
Mohave County Supervisor

MICHELLE H. BURNS  
Former Judge

BRADLEY W. CARLYON  
Navajo County Attorney

LAURA CONOVER  
Pima County Attorney

JEFFREY GLOVER  
Department of Public Safety

KRIS MAYES  
Attorney General

MINA MENDEZ  
Board of Executive Clemency

CHRIS NANOS  
Pinal County Sheriff

RACHEL MITCHELL  
Maricopa County Attorney

RUSS SKINNER  
Maricopa County Sheriff

KARA RILEY  
Oro Valley, Chief of Police

DAVID SANDERS  
Pima County Chief Probation Officer

ROBERT L. SPIVEY  
St. Johns, Chief of Police

RYAN THORNELL, Director  
Department of Corrections

VACANT  
County Sheriff

VACANT  
Chief of Police

VACANT  
Mayor

*Executive Director*  
Andrew T. LeFevre

1110 West Washington, Suite 230  
Phoenix, Arizona 85007  
PHONE: (602) 364-1146  
FAX: (602) 364-1175  
[www.azcjc.gov](http://www.azcjc.gov)

Nathan McRae  
Arizona House of Representatives  
1700 West Washington  
Phoenix, Arizona 85007

Good afternoon, Mr. McRae and members of the Legislative Committee of Reference,

Below are our agency's responses to the questions for the Arizona Criminal Justice Commission's sunset review process.

## **1. The key statutory objectives and purposes in establishing the agency.**

The Arizona Criminal Justice Commission (ACJC) was established in 1982 to address critical criminal justice issues in Arizona, serving as a central resource and service organization for over 480 criminal justice agencies. Initially, the Commission operated under the direction of the legislative council but became an independent entity in 1985. Its core statutory objectives are outlined in A.R.S. § 41-2405 and reflect the following essential purposes:

1. **Statewide Coordination and Data Integration:** One of the Commission's primary functions is facilitating statewide efforts to improve information sharing and data integration among criminal justice agencies. This includes establishing and maintaining archives and criminal justice system information for efficient and effective policy development, system management, and decision-making.
2. **Monitoring Criminal Justice Legislation:** The Commission monitors new and ongoing criminal justice legislation to ensure the successful implementation of relevant statutes. This oversight helps ensure that criminal justice policies and programs are aligned with legislative intent and responsive to emerging system challenges.
3. **Criminal Justice System Analysis:** The ACJC conducts comprehensive reviews of the criminal justice system, analyzes programs and the criminal code's effectiveness, and produces reports as required. These reports provide detailed recommendations for statutory and administrative reforms to ensure Arizona's cohesive and effective criminal justice system.
4. **Grant Program Administration:** As the designated State Administering Agency for various federal and state criminal justice grants, ACJC manages the distribution of approximately \$20 million annually. This funding supports programs that address multiple issues, including drug enforcement, gang violence, victim services, and forensic crime laboratory improvements.
5. **Research and Reporting:** The Commission oversees the Arizona Statistical Analysis Center (SAC), which is responsible for producing critical research, analyses, and reports on crime and criminal justice trends. The SAC's research supports evidence-based policy-making and provides insights into the effectiveness of programs to reduce crime and improve public safety.
6. **Victim Services and Public Safety:** Through its Crime Victim Services program, ACJC administers grants that provide direct services and financial assistance to victims of crime, ensuring their rights are protected and their

*Our mission is to continuously address, improve, sustain and enhance public safety in the State of Arizona through the coordination, cohesiveness, and effectiveness of the Criminal Justice System*

needs are addressed. These programs are critical for ensuring that Arizona's criminal justice system is responsive to both victims and offenders.

7. Strategic Criminal Justice Leadership: ACJC plays a leadership role in developing strategic initiatives across various sectors of the criminal justice system, including law enforcement, prosecution, courts, and corrections. The Commission's work ensures that Arizona's criminal justice agencies collaborate effectively to meet shared public safety goals.

Since its establishment, the ACJC has adapted to meet the evolving needs of the state's criminal justice system. In 1994, ACJC shifted to emphasize oversight of research and data collection rather than direct policy-setting. Most recently, in 2024, the Commission voted to expand its membership to include a public defender and victim advocate, further reflecting its commitment to balanced representation within the system.

ACJC's statutory objectives include promoting data-driven criminal justice policy, administering critical state and federal grant programs, enhancing criminal justice information sharing, and delivering essential services to crime victims. These objectives ensure that Arizona's criminal justice system is responsive, coordinated, and forward-looking.

## **2. The agency's effectiveness and efficiency in fulfilling its key statutory objectives and purposes.**

The Arizona Criminal Justice Commission (ACJC) has demonstrated remarkable effectiveness and efficiency in fulfilling its key statutory objectives. One of the most significant accomplishments is the development of the ACJC Grants Management System (GMS), a web-based system explicitly tailored to the agency's grant-making process. This system minimizes the burden on grant applicants while ensuring that funds are distributed efficiently and accurately. The GMS administers grants from the application stage through the closeout of the grant, streamlining processes and allowing ACJC to move money to grantees quickly while maintaining strict oversight and accountability. This system also supports the agency's ability to monitor and track grant performance, ensuring that all funds are appropriately accounted for and utilized to meet program objectives.

Additionally, ACJC has developed the ACJC Reporting System, another web-based tool that allows grantees to report their grant-related activity data directly to ACJC. This system not only facilitates the reporting process for grantees but also enables ACJC to gather critical data in a timely and efficient manner. The system is also used for Deaths in Custody reporting, which the federal Bureau of Justice Assistance requires. By creating a centralized and user-friendly reporting platform, ACJC ensures that agencies comply with federal reporting requirements while reducing administrative burdens.

ACJC's effective management of these systems highlights the agency's commitment to operational efficiency and innovation. The GMS and Reporting System have significantly enhanced the agency's ability to oversee hundreds of individual grant agreements annually, allowing staff to focus on compliance, technical assistance, and customer service rather than laborious administrative tasks. This technological innovation has enabled ACJC to meet its grant administration objectives more efficiently, monitoring compliance and facilitating cooperation among Arizona's criminal justice agencies.

ACJC also ensures that funds are distributed expeditiously through these systems, improving public safety outcomes across the state. The development of these customized web-based tools has allowed ACJC to deliver resources to the proper agencies at the right time, meeting its mission of enhancing Arizona's criminal justice system. Furthermore, these tools allow the agency to collect and manage vast amounts of data, enabling informed decision-making and reporting for stakeholders at the state and federal levels.

In addition to its technological innovations, ACJC continues to fulfill its legislative mandate by overseeing essential reports such as the Arizona Youth Survey and the Enhanced Drug and Gang Enforcement Report and facilitating statewide efforts to integrate criminal justice information systems like AZPOINT and the NICS Task Force. These efforts, combined with the agency's continuous evaluation of its programs and grantees, underscore ACJC's ongoing effectiveness and commitment to improving Arizona's criminal justice system.

**3. The extent to which the agency's key statutory objectives and purposes duplicate the objectives and purposes of other governmental agencies or private enterprises.**

The Arizona Criminal Justice Commission (ACJC) is unique in its statutory objectives and the breadth of its membership, which includes representatives from nearly all facets of the criminal justice system. This distinctive composition allows the Commission to address criminal justice issues holistically, ensuring balanced perspectives and collaborative solutions. Under A.R.S. § 41-2404, ACJC's membership includes:

- The Attorney General or the Attorney General's designee,
- The Director of the Department of Public Safety or the Director's designee,
- The Director of the State Department of Corrections or the Director's designee,
- Fourteen members appointed by the Governor, representing law enforcement leaders, county attorneys, county sheriffs, a former judge, a mayor, a member of a county board of supervisors, and a chief probation officer,
- The Administrative Director of the Courts or the Director's designee, and
- The Chairman of the Board of Executive Clemency or the Chairman's designee.

With the passage of Laws 2024, Chapter 125, ACJC will expand to include one public defender and victim advocate. This expansion further enhances the diversity of perspectives and expertise the Commission represents, allowing ACJC to more comprehensively address the concerns of both defendants and victims in the criminal justice system. By incorporating voices from the defense side and victim services, ACJC will be even better positioned to deliver balanced and informed policy and resource allocation recommendations.

No other state agency in Arizona includes such a broad and inclusive membership, spanning leadership from law enforcement, the courts, prosecution, corrections, probation, and now, public defenders and victim advocates. This diverse makeup ensures that ACJC's work is informed by the full spectrum of criminal justice functions, making it uniquely qualified to lead statewide initiatives, manage critical programs, and foster collaboration across agencies.

In addition to its distinctive membership, ACJC oversees several vital programs not duplicated elsewhere in state government or the private sector. For example, the agency administers the Crime Victim Compensation Program (A.R.S. § 41-2407), providing financial assistance to victims of crime for expenses such as medical treatment, counseling, and lost wages. ACJC also manages the Drug and Gang Enforcement Fund (A.R.S. § 41-2402), which supports law enforcement efforts to combat drug offenses and gang-related activities. Moreover, the Commission conducts the Arizona Youth Survey (AYS), the nation's longest-running survey on youth drug use and risky behaviors, providing invaluable data that guide prevention programs at the state and local levels.

Through its Grants Management System (GMS) and the ACJC Reporting System, ACJC administers and monitors grants from the application stage to closeout, ensuring efficient distribution of funds and compliance with reporting requirements. These systems streamline processes for grantees and allow for accurate tracking of grant-related activities, including Deaths in Custody reporting, required by the federal Bureau of Justice Assistance.

While other agencies may handle specific grant programs, ACJC’s comprehensive scope—encompassing grant administration, victim compensation, drug enforcement, youth surveys, system improvement, and statewide data-sharing efforts—sets it apart. As the State Administering Agency (SAA) for state and federal criminal justice grants, ACJC is critical in delivering resources that support Arizona’s public safety initiatives.

ACJC’s Statistical Analysis Center (SAC) is another essential function that distinguishes the agency. SAC provides research and data analysis that informs statewide criminal justice policy-making. While private consultants or universities may offer similar services, SAC operates at a fraction of the cost and within much tighter timelines, making it indispensable for rapid, data-driven decision-making across Arizona’s criminal justice system.

Furthermore, ACJC plays a central role in preventing duplication of efforts by facilitating collaboration among criminal justice agencies. The Commission’s leadership in statewide integration projects, such as the National Instant Background Check System (NICS) Task Force and AZPOINT, ensures that Arizona’s criminal justice information systems are connected and operate efficiently, reducing redundancies and improving responsiveness.

ACJC’s statutory objectives and purposes are distinct and not duplicated by other governmental agencies or private enterprises. The Commission’s unique and expanding membership—now including public defenders and victim advocates—provides a comprehensive and balanced view of the criminal justice system. This ensures that ACJC remains vital in addressing Arizona’s most pressing criminal justice challenges. Its leadership in grant administration, victim services, data sharing, and research, combined with its collaborative approach, makes ACJC an indispensable component of Arizona’s criminal justice landscape.

**4. The extent to which rules adopted by the agency are consistent with the legislative mandate.**

The Arizona Criminal Justice Commission (ACJC) ensures that the rules it adopts are consistent with the legislative mandates outlined in state statutes. ACJC has the authority to adopt rules that govern the administration of several key programs, such as the Crime Victim Compensation Program, Drug and Gang Enforcement Account Program, and Criminal Justice Enhancement Fund, among others. The agency follows a structured rule-making process that adheres to the Governor’s Regulatory Review Council (GRRC) guidelines, which includes a comprehensive five-year review to assess its rules’ effectiveness and alignment with current practices and legislative requirements.

According to A.R.S. § 41-2405, ACJC is tasked with adopting rules for allocating and administering funds, such as those from the Criminal Justice Enhancement Fund (CJEF), the Victim Compensation and Assistance Fund, and the Drug and Gang Enforcement Fund. These funds are critical to Arizona’s public safety efforts, and ACJC’s rules ensure that these funds are allocated appropriately, transparently, and efficiently, in line with the statutory requirements. For example, the distribution of CJEF monies follows specific guidelines established by ACJC through the Arizona Administrative Code (Title 10, Chapter 4), which governs the reporting and expenditure requirements for agencies receiving these funds.

ACJC’s rules also provide a framework for administering other vital programs. Below is a table that outlines critical rules promulgated by ACJC and their corresponding legislative mandates:

Rule	Program Title	Legislative Mandate
R-10-4-101 through R-10-4-108	Crime Victim Compensation Program	A.R.S. § 41-2407, 41-2402

R-10-4-201 through R-10-4-204	Crime Victim Assistance Program	A.R.S. § 41-2408, 41-2402
R-10-4-301 through R-10-4-305	Criminal Justice Enhancement Fund	A.R.S. § 41-2401, 41-2405
R-10-4-401 through R-10-4-404	Drug and Gang Enforcement Account Program	A.R.S. § 41-2402, 41-2404
R-10-4-501 through R-10-4-504	Full-Service Forensic Crime Laboratory Account	A.R.S. § 41-2421(J)(5), 41-2404

ACJC conducts a five-year review of each rule under its authority, ensuring the rules remain relevant, efficient, and consistent with legislative mandates. This review process includes an analysis of the rule’s effectiveness and whether it meets the statutory requirements, reflecting the Commission’s ongoing commitment to aligning its rules with legislative intent.

For example, rules governing the Crime Victim Compensation Program and the Victim Assistance Program are required under A.R.S. § 41-2407 and 41-2408, respectively, to ensure that victims of crime receive timely compensation and assistance. These rules set clear guidelines for eligibility, application processes, and the allocation of funds, directly fulfilling the legislative mandate that public and private agencies provide these critical services.

Similarly, the required rules for the Drug and Gang Enforcement Fund (A.R.S. § 41-2402) govern the distribution of funds aimed at deterring, investigating, and prosecuting drug offenders and gang-related criminal activity. The rules ensure that funds are allocated to law enforcement, prosecution, courts, and correctional facilities in a manner that enhances Arizona’s ability to address drug and gang crimes effectively.

ACJC’s rules are entirely consistent with the legislative mandates outlined in state statutes. Through a well-established rule-making and review process, the Commission ensures that all its programs operate efficiently and align with legislative objectives.

**5. The extent to which the agency has provided appropriate public access to records, meetings, and rulemakings, including soliciting public input in making rules and decisions.**

The Arizona Criminal Justice Commission (ACJC) is committed to ensuring transparency and public accessibility in its operations, including providing access to records, meetings, and rulemaking. ACJC adheres to the public access requirements outlined in A.R.S. § 39-121, which grants the public the right to inspect public records, and A.R.S. § 39-121.01, which ensures the public can obtain copies of records, subject to reasonable copy fees. The agency promptly responds to public inquiries and records requests through its designated Public Information Officer, ensuring that requests are handled promptly and efficiently.

In terms of meetings, ACJC posts all public meetings, including Commission meetings, Committee meetings, and special workgroup sessions, at the Secretary of State’s Office and on its website, following the statutory requirements for notice timelines. These postings provide details about the meeting’s date, time, and location, allowing members of the public to attend and participate. In addition, ACJC has expanded its public access by utilizing technology to livestream meetings and allowing remote participation through web conferencing. This ensures that individuals unable to attend in person can still view meetings and provide comments in real time.

ACJC goes above and beyond the minimum requirements for public participation during the rulemaking process. Although not required by the Governor’s Regulatory Review Council

(GRRRC) guidelines, ACJC holds public hearings to gather input from stakeholders, including the criminal justice community, service providers, and the general public. These hearings are held in person and through web conferencing to ensure maximum accessibility. Recordings of these meetings are also posted on ACJC's website, providing additional opportunities for the public to review the proceedings and offer feedback.

As part of the rulemaking process, ACJC solicits and incorporates public input by summarizing the comments received during hearings and presenting them to the Commission for consideration. This process allows public input to inform decisions related to rule changes directly. Once public comments are reviewed, staff develops a proposed rule packet, which includes any recommended changes, and submits it to the Commission for approval. The final adoption of the rules is then completed through the GRRRC.

In addition to regular public notices, ACJC employs an electronic notification process to inform interested parties of upcoming meetings and rulemaking activities. This proactive approach enhances transparency and keeps stakeholders engaged in the decision-making process.

ACJC provides appropriate and robust public access to records, meetings, and rulemaking. The agency ensures compliance with public access laws, uses technology to increase engagement, and actively seeks public input throughout its rulemaking process, ensuring that a broad range informs decisions of perspectives.

## **6. The extent to which the agency timely investigated and resolved complaints that are within its jurisdiction.**

The Arizona Criminal Justice Commission (ACJC) has an established internal process to address complaints, although no substantive complaints have been lodged against the agency or its staff. Any complaint received would be promptly investigated through the Commission's internal processes and, if necessary, escalated to the Department of Administration or the Attorney General's Office for further action.

While complaints could be lodged by grant recipients or the intended beneficiaries of grant programs administered by ACJC, no complaints regarding funding decisions have been filed since the last sunset review. ACJC maintains a complaint resolution process for grant applicants who may disagree with funding decisions made by the Commission. However, due to the agency's proactive engagement and support for its criminal justice partners, formal complaints have not arisen from grant recipients or applicants.

One potential area for complaints would be financial improprieties involving grant funds administered by local agencies. ACJC has implemented a comprehensive program evaluation and auditing process to mitigate this risk. This system rigorously examines grant expenditures, encumbrances, and disbursements, ensuring all grant recipients meet financial and programmatic requirements. The auditing and evaluation functions have been continuously improved to maintain program integrity and prevent issues that could lead to complaints. Additionally, ACJC provides active training for grant recipients to ensure compliance, effectively addressing concerns before they escalate into formal complaints.

As the state administering agency for Arizona's Victim Compensation Program, ACJC oversees the State Claim Review Panel. This panel hears requests for review from claimants dissatisfied with decisions made by county victim compensation boards. These requests are submitted directly to ACJC, and the State Claim Review Panel meets to resolve such cases as needed. The panel's decisions are final and can either affirm or overturn the decisions made by the county boards. This process provides claimants with a fair and timely resolution mechanism.

Furthermore, ACJC has a Fraud, Waste, and Abuse policy to handle any concerns regarding the inappropriate use of grant resources. If any stakeholder suspects misuse of funds, they can report it under this policy. ACJC also maintains a Civil Rights Complaint Policy for grantees or beneficiaries who feel their rights have been violated in the administration of grant programs.

ACJC has established robust processes for investigating and resolving complaints within its jurisdiction, including financial oversight, grant-related disputes, and civil rights concerns. The agency's proactive approach to training and engaging its stakeholders, coupled with its thorough auditing and evaluation mechanisms, has prevented formal complaints and ensures that potential issues are handled swiftly and effectively.

**7. The extent to which the level of regulation exercised by the agency is appropriate as compared to other states or best practices, or both.**

The Arizona Criminal Justice Commission (ACJC) is not a formal regulatory agency. Still, it implements regulations that guide rulemaking to ensure compliance with federal and state laws and applicable administrative rules. The level of regulation exercised by ACJC is appropriate and aligned with best practices, as it balances the need for compliance with legal requirements without imposing unnecessary burdens on stakeholders.

ACJC's regulations are focused primarily on overseeing the administration of federal and state grant programs, ensuring that funds are used efficiently and by legal mandates. The agency implements rules related to programs such as the Crime Victim Compensation Program, Drug and Gang Enforcement Fund, and other criminal justice initiatives. These rules are necessary to maintain transparency, accountability, and program integrity, and they are structured to avoid over-regulating or unnecessarily burdening the criminal justice agencies, grant recipients, and other stakeholders involved in these programs.

Compared to similar agencies in other states, ACJC's regulatory approach is consistent with national best practices for state administering agencies (SAAs) of federal and state funds. The regulations are designed to ensure compliance with federal standards while allowing flexibility for local agencies to implement programs effectively. ACJC's processes, such as grant monitoring, auditing, and program evaluation, reflect widely accepted practices in administering criminal justice grants, mirroring the regulatory frameworks in other states.

Overall, ACJC's level of regulation is well-calibrated to meet compliance requirements without imposing excessive restrictions on its partners. This balance ensures that Arizona's criminal justice system remains efficient and accountable while allowing stakeholders to focus on achieving the programmatic goals intended by the grants and initiatives.

**8. The extent to which the agency has established safeguards against possible conflicts of interest.**

The Arizona Criminal Justice Commission (ACJC) has implemented robust safeguards to prevent and address potential conflicts of interest, ensuring that decisions and processes are conducted with integrity, transparency, and fairness. These safeguards are applied to Commission members and grant reviewers involved in evaluating grant applications or making decisions affecting stakeholders.

1. Commission Member Recusal: ACJC follows strict policies regarding conflicts of interest for its Commission members. Any member with a conflict of interest related to a decision that comes before the Commission must declare the conflict and recuse themselves from participating in discussions, deliberations, or voting on that matter. This process ensures that decisions

are made impartially and without undue influence from members with personal or professional connections to the issue.

2. **Grant Reviewer Conflict of Interest Policy:** To safeguard the integrity of the grant application review process, ACJC has a comprehensive Conflict of Interest Policy for Grant Reviewers. This policy requires reviewers to disclose any affiliations or relationships with agencies submitting grant applications. Reviewers must evaluate their connections with the applicant agencies, whether through current or former employment, advisory roles, personal relationships, or financial interests. If a conflict of interest is identified, the reviewers must recuse themselves from evaluating that grant application. Examples of conflicts of interest include:
  - A former employee of an applicant agency.
  - A reviewer with a financial or personal relationship with the applicant agency.
  - Prior involvement in preparing the grant application being reviewed.
  - In such cases, reviewers must submit a written recusal and reassign the grant application to another reviewer to maintain the impartiality of the process.
3. **Prevention of Score Manipulation:** ACJC has established procedures to prevent score manipulation during the grant review process. The agency monitors scoring patterns for unusual or biased behavior and may assign a secondary reviewer to cross-check scores to ensure fairness. Any reviewer found to be manipulating scores to favor or disadvantage certain applications would face sanctions, including removal from the reviewer pool and possible referral to appropriate authorities for further investigation.
4. **Fraud, Waste, and Abuse Policy:** ACJC has also established a Fraud, Waste, and Abuse Policy, providing stakeholders with a mechanism to report any concerns related to the misuse of grant resources. The policy ensures that allegations are thoroughly investigated and appropriate actions are taken to address verified issues. This policy acts as an additional safeguard to protect the integrity of the grant administration process.
5. **Civil Rights Complaint Policy:** ACJC has a Civil Rights Complaint Policy in place to address any grievances from grantees or beneficiaries who believe their civil rights have been violated in the administration of grant programs. This policy allows individuals to raise concerns and ensures that any violations are promptly addressed in compliance with state and federal regulations.
6. **Transparency and Reporting:** To promote transparency, all reported conflicts of interest, recusals, and related decisions are documented and made available for audit. Additionally, ACJC encourages any stakeholder, including the public, to report concerns regarding potential conflicts of interest, ensuring that the review process remains fair and open to scrutiny.

ACJC has established clear, comprehensive safeguards against conflicts of interest through well-defined policies for Commission members and grant reviewers. These measures ensure that decisions are made impartially, grant reviews are conducted fairly, and the integrity of the agency's processes is maintained at all times.

**9. The extent to which changes are necessary for the agency to more efficiently and effectively fulfill its key statutory objectives and purposes or to eliminate statutory responsibilities that are no longer necessary.**

The Arizona Criminal Justice Commission (ACJC) has taken proactive steps to ensure it fulfills its key statutory objectives efficiently and effectively, mainly by leveraging technology to streamline processes and improve data management. Two key innovations demonstrating

ACJC's commitment to improving efficiency are the Grants Management System (GMS) and the ACJC Reporting System.

- Grants Management System (GMS): The GMS is a web-based platform that allows for the complete management of grant programs, from the point of application through the closeout of a grant. By automating many administrative tasks traditionally associated with grant administration, the GMS ensures that the process is more streamlined, reduces manual errors, and allows ACJC staff to focus on providing technical support and oversight. This system has enabled ACJC to efficiently manage hundreds of individual grant agreements annually, ensuring timely fund disbursement and grant compliance monitoring. The GMS allows for greater transparency and efficiency in grant management, and it is a clear example of how ACJC has adopted best practices to meet its objectives more effectively.
- ACJC Reporting System: The ACJC Reporting System is another crucial tool that has significantly improved the agency's efficiency. This web-based system allows grantees to input, save, and submit their required reports, ensuring the reporting process is seamless and easily accessible. The system is particularly effective in compiling data for reports such as the Enhanced Drug and Gang Enforcement Report. Previously, this report took approximately four months to compile using manual processes, but with the implementation of the reporting system, the process now takes about six weeks. This drastic reduction in time allows ACJC to respond more quickly to reporting requirements and to allocate resources to other priority areas. By automating data collection and reporting, ACJC ensures that both internal and external stakeholders have access to timely and accurate information.

In addition to these technological innovations, ACJC regularly reviews its statutory responsibilities to assess whether revisions or changes are needed. The agency periodically analyzes whether its statutory requirements remain aligned with the evolving criminal justice environment and whether any responsibilities have become outdated or redundant. This ongoing evaluation ensures that ACJC remains adaptive and responsive to the needs of Arizona's criminal justice system.

While ACJC has been effective in streamlining operations using the GMS and the reporting system, further automation and data integration across the agency's various systems could offer additional efficiency gains. For example, continued enhancements to data sharing between state and local criminal justice agencies could improve ACJC's ability to manage statewide initiatives, including real-time reporting and analysis.

In summary, ACJC has demonstrated a solid commitment to fulfilling its statutory objectives efficiently by implementing modern, web-based tools like the GMS and the ACJC Reporting System. The agency's approach to regularly reviewing its statutory responsibilities ensures that it remains aligned with current needs and avoids unnecessary regulatory burdens. However, there may be opportunities for further technological advancements and integration to enhance the agency's operational efficiency even more.

#### **10. The extent to which the termination of the agency would significantly affect the public health, safety or welfare.**

The termination of the Arizona Criminal Justice Commission (ACJC) would have a profound and detrimental impact on public health, safety, and welfare in Arizona. ACJC plays a critical role in the state's criminal justice system by administering over \$20 million annually in state and federal grant programs that support law enforcement, criminal justice initiatives, and victim services. Through its Grants Management System (GMS), the Commission ensures that funds are efficiently allocated and monitored from the application process through to the closeout of grants. Without ACJC, this infrastructure would be lost, jeopardizing essential

programs that combat drug and gang violence, improve forensic services, and provide direct assistance to crime victims. The result would be a significant reduction in public safety efforts and the state's ability to address crime and support victims effectively.

ACJC also oversees the statewide administration of the Crime Victim Compensation Program, which offers financial assistance to victims of crime for expenses such as medical care, counseling, and lost wages. This program is vital in helping victims recover from the trauma of crime, and its disruption would leave victims without a clear path to compensation and assistance, severely affecting their welfare and the broader public safety response. Additionally, the Commission's Reporting System is crucial for collecting and analyzing data related to criminal justice initiatives, including the Enhanced Drug and Gang Enforcement Report. This system allows ACJC to compile and report on law enforcement activities funded by state and federal programs, ensuring that efforts to combat crime are data-driven and effective. Without this centralized reporting mechanism, the state's ability to respond to criminal trends and emerging threats would be impaired, hindering law enforcement's capacity to act swiftly and effectively.

ACJC further plays a pivotal role in coordinating statewide criminal justice initiatives such as the National Instant Background Check System (NICS) Task Force and AZPOINT, which improve the effectiveness of the criminal justice system by preventing dangerous individuals from accessing firearms, managing orders of protection, and enhancing criminal justice information sharing. The termination of ACJC would severely weaken these coordinated efforts, leading to fragmentation in the criminal justice system and reducing the overall efficiency of public safety measures.

The loss of ACJC's leadership, grant programs, victim services, data reporting, and statewide initiatives would significantly diminish Arizona's ability to maintain a functional and effective criminal justice system. Local law enforcement, prosecution, and prevention programs that protect public safety would face a significant loss of funding and support. Victims of crime would struggle to access essential services, and Arizona's capacity to respond to criminal justice issues in a coordinated and data-driven manner would be severely compromised. The termination of ACJC would disrupt vital programs and services that safeguard public health, safety, and welfare, and the agency's unique role in administering grants, facilitating data sharing, and providing leadership is essential to maintaining a safe and well-functioning criminal justice system in Arizona.

Additionally, please provide written responses to the following:

- 1. The extent to which the agency potentially creates unexpected negative consequences that may require additional review by the COR, including increasing the price of goods, affecting the availability of services, limiting the abilities of individuals and businesses to operate efficiently and increasing the cost of government.**

The Arizona Criminal Justice Commission (ACJC) operates in a manner that minimizes the potential for creating unexpected negative consequences, such as increasing the price of goods, affecting service availability, limiting operational efficiencies, or increasing the cost of government. The agency's focus on administering grants, coordinating statewide criminal justice initiatives, and facilitating data-sharing systems is designed to improve the efficiency of criminal justice operations and reduce administrative burdens on local agencies.

By leveraging modern technology, such as the Grants Management System (GMS) and the ACJC Reporting System, the agency has streamlined the grant administration and reporting processes, reducing the time and resources required for stakeholders to apply for and manage

grants. These systems minimize administrative overhead and prevent delays in the disbursement of funds, ensuring that public safety programs can operate without interruption. This approach contributes to lowering government costs by increasing operational efficiency rather than imposing additional costs.

Moreover, ACJC's coordination of statewide efforts, such as the National Instant Background Check System (NICS) Task Force and AZPOINT, improves public safety outcomes without limiting the ability of individuals or businesses to operate efficiently. These initiatives enhance the sharing of criminal justice information and prevent duplicative efforts, resulting in cost savings for local agencies and improving service delivery. By preventing fragmentation in the criminal justice system, ACJC ensures that law enforcement and related services remain accessible and responsive to the needs of Arizona's residents.

ACJC's role in distributing more than \$20 million annually in federal and state grants supports a wide array of law enforcement, victim services, and public safety programs that enhance rather than hinder service availability. Its work does not impose regulations that increase the price of goods or services; instead, it ensures that crucial programs are adequately funded to meet public safety demands without passing costs onto the public.

ACJC does not create unexpected negative consequences that would require additional review by the Committee of Reference (COR). Its operations are focused on enhancing efficiency, improving the availability of services, and managing public funds effectively, all while contributing to the overall reduction of government costs. Any review would likely affirm ACJC's role in streamlining processes and maximizing the efficiency of Arizona's criminal justice system.

## **2. The extent to which the agency has addressed deficiencies in its enabling statutes.**

Since the last sunset review in 2016, the Arizona Criminal Justice Commission (ACJC) has consistently worked to address and amend deficiencies in its enabling statutes, ensuring the agency's statutes align with its evolving needs and statutory mandates. These efforts have included proposed and successful legislative changes to improve the agency's efficiency and effectiveness.

Since the 1996 sunset review audit report, ACJC sought to amend its commission membership. One key proposal was to expand the membership to include a public defender, which was vetoed by Governor Symington, who favored adding a victim's rights advocate instead. Over the subsequent years, the Commission made several more attempts to amend its membership, but none succeeded. After a thorough internal review, ACJC ultimately opposed the inclusion of public defenders, determining that such a role did not contribute to the Commission's objectives. Instead, the Commission supported replacing the "Law Enforcement Leader" with a "Crime Victim's Rights Leader" to enhance diversity in membership and avoid duplication. However, the legislature did not approve these changes.

In 2024, a significant change was made when Laws 2024, Chapter 125 was passed, successfully expanding the Commission's membership to include both a public defender and a victim advocate. This addition was a crucial step in diversifying the perspectives represented on the Commission and enhancing its ability to fulfill its mandate. The inclusion of a public defender addresses concerns about equitable representation of defense-related perspectives in the Commission's decision-making process. At the same time, adding a victim advocate strengthens the focus on victims' rights and services, aligning the Commission's membership with the evolving priorities of Arizona's criminal justice system.

ACJC successfully made minor changes to its enabling statutes to clarify the enforcement of grant contracts and better reflect its duties. These changes allowed for improved statutory compliance and operational clarity. Additionally, the Commission engaged in a strategic planning process that identified further areas for statutory improvement. This led to significant updates in 2007, including:

- Instituting a biennial criminal justice system review report to align with the years the Arizona Youth Survey is not conducted (Laws 2007, Ch. 163).
- Combining crime prevention statutes to eliminate redundancy (Laws 2007, Ch. 163).
- Including biennial recommendations on changes to the Criminal Justice Enhancement Fund (CJEF) formula in the agency's budget request (Laws 2007, Ch. 163).
- Amending the distribution formula for the Drug and Gang Enforcement Account to optimize the use of state funds as federal funding fluctuated (Laws 2007, Ch. 135).
- Removing duplicative statutes related to the Department of Public Safety's records (Laws 2007, Ch. 163).
- Obtaining rulemaking authority for CJEF (Laws 2010, Ch. 184).

These legislative changes helped streamline the agency's processes and eliminated statutory redundancies, allowing ACJC to operate more effectively and with greater flexibility.

In addition to these past efforts, ACJC continues to review its statutory framework to ensure it aligns with current needs. For the 2016 legislative session, ACJC proposed two fundamental changes:

- Amending A.R.S. 41-2402 to provide greater flexibility in how the Statistical Analysis Center (SAC) utilizes Arizona Prevention Resource Center funds for conducting research critical to Arizona's criminal justice community.
- Amending A.R.S. 41-2407 to allow greater flexibility in using the Victim Compensation and Assistance Fund to meet better the needs of Arizona's crime victims and the agencies that provide them with direct services.

These proposed amendments reflect ACJC's ongoing commitment to adapting its statutes to better serve Arizona's criminal justice needs. The Commission's proactive approach to statutory review and revision ensures that it remains responsive to the evolving landscape of criminal justice in the state, addressing deficiencies as they arise and ensuring that the agency fulfills its legislative mandate effectively.

### **3. The extent to which the agency has determined whether the Attorney General or any other agency in Arizona has the authority to prosecute or initiate actions.**

The Arizona Criminal Justice Commission (ACJC) operates within a framework that clearly defines its responsibilities and those of other state agencies, including the Attorney General's Office. While ACJC is not a prosecutorial agency and has no authority to initiate legal actions or prosecute cases, it collaborates with the Attorney General's Office and other relevant agencies as needed. ACJC's primary role involves administering grant programs, coordinating statewide criminal justice initiatives, and facilitating data sharing among criminal justice agencies, which does not include prosecutorial functions.

If legal action is necessary, such as in cases involving financial improprieties or misuse of grant funds, ACJC has established processes to forward such matters to the Arizona Attorney General's Office or the Department of Administration for further investigation or prosecution. For example, if there were concerns related to fraud, waste, or abuse within the grant programs overseen by ACJC, those concerns would be referred to the appropriate legal authorities for prosecution or other legal actions.

ACJC has also developed internal policies, such as its Fraud, Waste, and Abuse Policy, to address potential issues of misconduct. These policies ensure that any such matters are handled efficiently and referred to the appropriate agencies with the legal authority to take action. This collaboration ensures that ACJC remains focused on its core functions while leveraging the expertise of prosecutorial agencies when necessary. Therefore, ACJC has determined that the Attorney General's Office or other designated agencies hold the authority to prosecute or initiate actions when legal intervention is required.

#### **4. The consequences of eliminating the agency or consolidating it with another agency.**

Eliminating the Arizona Criminal Justice Commission (ACJC) would have immediate and significant consequences for the state's ability to coordinate, manage, and monitor grant programs that directly benefit city, county, and state criminal justice initiatives. ACJC administers hundreds of individual grants, distributing millions annually in state and federal funds. If ACJC were eliminated, this vital function would need to be absorbed by other state agencies, leading to inefficiencies, confusion, and potential disruptions in the distribution of resources. The complexity of administering these grants—ensuring compliance, collecting data, and maintaining communication with federal granting agencies—would overwhelm many agencies that lack the specialized capacity ACJC has developed, including its compilation of certified grant managers.

ACJC's role extends beyond merely distributing funds; it serves as a central hub for criminal justice agencies to collaborate, preventing duplicative efforts and ensuring that stakeholders are aware of ongoing initiatives throughout the state. Its involvement in justice information-sharing systems and improving criminal history records is critical for maintaining accuracy and reducing inefficiencies across jurisdictions. Without ACJC, efforts to integrate these systems and manage statewide criminal justice projects would be fragmented, leaving individual agencies to navigate complex, interconnected issues without the benefit of ACJC's oversight.

One of the primary strengths of ACJC is its structure as a commission composed of state and local officials and criminal justice professionals, which ensures that the allocation of grant resources is comprehensive and reflects the needs of diverse stakeholders across Arizona. This balanced approach is far superior to a single-agency perspective, allowing for broader input and more effective decision-making. The Statistical Analysis Center (SAC) within ACJC plays a crucial role by providing neutral, data-driven metrics to evaluate the effectiveness of grant-funded programs and ensure resources are allocated based on demonstrated need. The SAC's independence from any political subdivision enhances the integrity of its findings, offering critical insights to policymakers and ensuring funds are used responsibly.

Moreover, ACJC's elimination would disrupt the state's ability to coordinate criminal justice initiatives and prevent stakeholders from leveraging economies of scale in mutual projects, potentially increasing costs and reducing efficiency. The agency's capacity to bring together stakeholders in a collaborative, open process is vital to addressing statewide criminal justice issues. Its central role in coordinating efforts, avoiding duplication, and fostering cooperation ensures that resources are maximized and programs are delivered efficiently to communities in need.

In summary, eliminating ACJC would significantly hinder Arizona's ability to manage critical criminal justice programs, resulting in lost expertise, fragmented grant administration, and inefficiencies in resource distribution. It would also compromise ongoing efforts to integrate justice information systems, reduce collaboration, and undermine data-driven approaches to funding decisions. ACJC's unique position as an impartial, collaborative entity representing all

facets of the criminal justice system ensures the fair and effective allocation of resources, making its continued existence essential for public safety and the equitable delivery of services throughout the state.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew T. LeFevre". The signature is fluid and cursive, with a large initial "A" and "L".

Andrew T. LeFevre, Executive Director  
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