



A REPORT
TO THE
ARIZONA LEGISLATURE

Performance Audit Division

Performance Audit and Sunset Review

Arizona Criminal Justice Commission

Commission Has Established Effective Grant-Awarding
and Monitoring Processes, but Should Better Use Its
Research Center

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Auditor General

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June 23, 2016

Members of the Arizona Legislature

The Honorable Doug Ducey, Governor

Mr. John A. Blackburn, Jr., Executive Director
Arizona Criminal Justice Commission

Transmitted herewith is a report of the Auditor General, *A Performance Audit and Sunset Review of the Arizona Criminal Justice Commission*. This report is in response to an October 22, 2014, resolution of the Joint Legislative Audit Committee. The performance audit was conducted as part of the sunset review process prescribed in Arizona Revised Statutes §41-2951 et seq. I am also transmitting within this report a copy of the Report Highlights for this audit to provide a quick summary for your convenience.

As outlined in its response, the Arizona Criminal Justice Commission agrees with all of the findings and plans to implement all of the recommendations.

My staff and I will be pleased to discuss or clarify items in the report.

Sincerely,

Debbie Davenport
Auditor General

Attachment

cc: Arizona Criminal Justice Commission Members



REPORT HIGHLIGHTS PERFORMANCE AUDIT

Commission should develop strategic approach to better use its research center

Our Conclusion

The Arizona Criminal Justice Commission (Commission) was established in 1982 to carry out various coordinating, monitoring, and reporting functions regarding the administration and management of criminal justice programs in Arizona. We found that the Commission could better use the capabilities of its Statistical Analysis Center (research center) to fulfill its mission to “sustain and enhance the coordination, cohesiveness, productivity, and effectiveness of Arizona’s criminal justice system” by providing a strategic approach for the research center, enhancing the research center’s work on current reports, and expanding its research activities. Additionally, the Commission has established effective grant-awarding and monitoring processes that closely align with state and federal requirements and incorporate recommended practices. Although the Commission followed these processes for the grants we reviewed, it should formalize the coordination of its victim assistance grants with the Arizona Department of Public Safety (DPS) and other victim assistance stakeholders.

Arizona statute establishes the Commission’s research center to prepare research, analyses, studies, reports, and publications of crime and criminal justice statistics. The research center produces five statutorily required reports regarding criminal justice system activity in the State. These include the *Arizona Crime Trends: A System Review* report, which provides state-level information on the crime rate, number of court case filings, and the number of individuals incarcerated or on probation; and the *Arizona Youth Survey*, which is designed to measure both attitudes and the actual prevalence and frequency of youth substance abuse. The Commission also uses the research center to facilitate research among criminal justice agencies and support the Commission’s grant programs. All but two states have a similar statistical analysis center.

Commission can improve its use of the research center to help fulfill its mission—

The Commission is in a unique position to leverage the data and information produced by its research center to effect positive change in the State, but we identified gaps in three areas of the research center’s work:

- **Limited evaluation and analyses**—Similar to a finding from our 1996 performance audit, commission reports produced by the research center contain limited evaluation and analyses of Arizona’s criminal justice system. Specifically, the prior audit found that the Commission’s lack of analyses and evaluation of the criminal justice system hindered its ability to provide meaningful recommendations and fulfill its overall mission. Although the research center’s current reports contain some evaluation and analyses, such as changes in criminal activity over time, and occasionally include recommendations, these reports do not provide any analyses or evaluation of the effectiveness of the criminal justice system as a whole or address emerging trends or issues in the criminal justice system. In contrast, statistical analysis centers in other states investigate emerging criminal justice issues and make recommendations to address system-wide needs.
- **Required recommendations missing**—The Commission has not ensured that its research center’s crime trends report contains statutorily required recommendations to improve the criminal justice system. Commission staff reported that the Commission recommends changes to the criminal justice system through other activities, such as regular stakeholder meetings that result in proposed legislative changes to the criminal code. However, the Commission’s crime trends reports since at least April 2001 have not included specific recommendations to improve the criminal justice system as directed by statute.
- **Information could be better used to address state-wide issues**—Similar to the work that the research center performs for its three grant programs, the Commission can improve the use of its research center’s primary work to directly address state-wide criminal justice issues. For example, the research center presented information at only three of the ten commission meetings held in 2014 and 2015 and the information did not result in action by commission members. Additionally, commission members we interviewed indicated they use the research center’s information as it pertains to their own jurisdictions, but not as a group to propose and effect state-wide



2016

changes to the criminal justice system. We also received some feedback that the Commission could make better use of its position to address state-wide criminal justice issues.

Commission should develop strategic approach for research center—The Commission should develop a strategic approach for overseeing its research center to ensure that its work helps the Commission fulfill its mission. Specifically, the Commission should establish a committee to develop research priorities and/or a strategy for the research center similar to the committees it has established for its grant program areas. In addition, the Commission should receive regular updates on the research center's progress in accomplishing the approved strategy and use the information from the research center, including report recommendations, to more fully implement its mission to enhance Arizona's criminal justice system. Finally, the Commission should resolve issues with its current reports and assess the extent to which the research center can expand its work to include assessments of emerging trends in the criminal justice system.

Recommendations

The Commission should:

- Establish a committee to develop research priorities and/or a strategy for the research center;
- Receive regular updates on the research center's progress;
- Use the information from the research center, including report recommendations, to more fully implement its mission;
- Resolve issues with its current reports; and
- Assess the extent to which the research center can expand its work to include assessments of emerging trends in the criminal justice system.

Commission has established effective grant-awarding and monitoring processes, but should formalize coordination efforts in one area

Commission has effective grant-awarding and monitoring processes—The Commission has established and followed policies and procedures for awarding and monitoring grants that closely align with state and federal requirements and incorporate recommended practices. The Commission's policies and procedures also include helpful grant administration practices recommended by other entities, including the U.S. Department of Justice. We reviewed a random sample of nine grants that the Commission awarded during grant year 2014 and found that the Commission followed the key application review, awarding, and monitoring policies and procedures we selected for review.

Commission should formalize its coordination efforts for the victim assistance grant program—The Commission administers a state-funded victim assistance grant program that has the same purpose as a federally funded grant program that the DPS administers. There is potential for overlap between the Commission's and DPS' grant programs because public and private organizations in Arizona may receive victim assistance grants from both programs. According to commission management, it works with the DPS and other victim assistance stakeholders to coordinate victim assistance grant monies in the State. However, this coordination effort has not been formalized in a written process.

Recommendation

The Commission should develop a formal written process to annually review with the DPS, and other victim assistance stakeholders as appropriate, the estimated amount of available state and federal victim assistance monies and develop coordinated funding priorities.

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(Unaudited)

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INTRODUCTION

Scope and Objectives

The Office of the Auditor General has conducted a performance audit and sunset review of the Arizona Criminal Justice Commission (Commission) pursuant to an October 22, 2014, resolution of the Joint Legislative Audit Committee. This audit was conducted as part of the sunset review process prescribed in Arizona Revised Statutes (A.R.S.) §41-2951 et seq.

This audit report addresses the Commission's need to improve the use of its research center, assesses whether the Commission's grant management function is consistent with key state and federal requirements and recommended practices, and includes responses to the statutory sunset factors.

Commission established to coordinate, monitor, and report on criminal justice programs in Arizona

Commission responsibilities

The Commission was established in 1982 to carry out various coordinating, monitoring, and reporting functions regarding the administration and management of criminal justice programs in Arizona. Its mission involves enhancing the effectiveness of the criminal justice system in Arizona (see textbox). According to commission information, Arizona's criminal justice system includes 480 state and local criminal justice agencies—including law enforcement, prosecution, courts, and corrections. To help administer and manage criminal justice programs in Arizona, the Commission has two key statutory responsibilities: 1) conducting research on criminal justice issues, and 2) awarding and monitoring state and federal grants for purposes such as reducing violent crime, providing victim services, and improving criminal history records. Specifically:

Commission's mission

To sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the criminal justice system in Arizona.

Source: Commission's Web site.

Conducting research—A.R.S. §41-2405 establishes the Statistical Analysis Center (research center) within the Commission to prepare research, analyses, studies, reports, and publications of crime and criminal justice statistics. The research center also fulfills data and information requests from commission members, staff, and community organizations. All but two states have a Statistical Analysis Center (SAC) that similarly collects, analyzes, and reports crime and criminal justice statistics that can be used to inform policy and practice at the state and local levels.

The Commission uses its research center to fulfill several of its statutory responsibilities related to sharing information and providing reports. Specifically, the research center produces five statutorily required reports regarding criminal justice system activity in the State. These reports are sent to specific statutorily required recipients, such as the Governor and legislators, and are also available to the public on the Commission's Web site. These required reports are as follows:

- **Crime trends report**—*Arizona Crime Trends: A System Review* is completed on a biennial basis and is intended to provide a review of the State's criminal justice system. Among other topics, the crime

trends report provides state-level information on the crime rate by type of offense, the number of court case filings, and the number of individuals incarcerated or on probation. The research center relies on data collected by state and federal agencies to compile this report, including data from the Arizona Department of Public Safety, the Arizona Department of Corrections, and the U.S. Federal Bureau of Investigation.

- **Sexual assault report**—The *Reporting of Sexual Assault in Arizona* is completed annually based on data submitted by the Arizona Department of Public Safety to the Commission. The report is required to include information on the total number of police reports, charges, convictions, and sentences regarding sexual assaults and the false reporting of sexual assault. Statute also requires the report to identify those sexual assaults and false reports that involved a spouse (see Sunset Factor 9, pages 25 through 26, for more information regarding these requirements).
- **Fill the Gap**—This report is completed on an annual basis and provides information on the amount of state aid given to county attorneys and to those involved in indigent defense, such as county public defenders.¹ The *Fill the Gap* report also describes the progress made in reducing criminal case processing times in each county and state-wide.
- **Arizona Youth Survey**—The *Arizona Youth Survey* is completed when monies are appropriated by the Legislature to conduct the survey and is designed to measure both attitudes and the actual prevalence and frequency of substance abuse by youth in public schools.² The most recent survey was administered to 48,244 students in 2014.
- **Arizona Gang Threat Assessment**—The *Arizona Gang Threat Assessment* is completed when monies are appropriated by the Legislature to conduct the assessment and is designed to measure the prevalence of street gang activity in the State as well as the nature and extent of drug-related gang activity in the State. To complete this report, the Commission distributes a survey to law enforcement agencies throughout Arizona requesting information about gangs and gang activity in their jurisdictions. The most recent survey was distributed to 112 law enforcement agencies in 2014.

In addition to these reporting requirements, the Commission uses its research center to perform the following functions related to data sharing and research. Specifically:

- The Commission has a statutory responsibility to facilitate research among criminal justice agencies. Commission management reported that the research center fulfills this responsibility by providing data, education, and grant-writing assistance to various entities involved in the criminal justice system, as well as to stakeholders and community

¹ The Commission administers the State Aid to County Attorneys Fund and the State Aid to Indigent Defense Fund for the purpose of providing state aid to county attorneys, county public defenders, legal defenders, and contract indigent defense counsels for the processing of criminal cases. These funds consist of appropriated monies, a percentage of filing fees collected by the Arizona Supreme Court and Court of Appeals, and a percentage of surcharges levied on every fine, penalty, and forfeiture collected by the courts for criminal offenses, civil traffic violations, local vehicle ordinance violations, and violations of the game and fish statutes.

² According to §A.R.S. 41-2416, the *Arizona Youth Survey* is intended to be conducted annually, but only when monies are specifically appropriated for that purpose. Therefore, the Commission is not required to administer the survey every year. Since 1991, the survey has been conducted on a biennial basis. As funding allows, the survey may also address substance abuse in state institutions of higher education and by adults. However, commission officials reported that monies have been appropriated to survey those in institutions of higher learning and adults only one time—in the late 1980s or early 1990s.

members that work with the criminal justice system to promote public safety and public health outcomes.

- The research center is working with other state agencies, such as the Governor's Office for Children, Youth, and Families, on an initiative that began in February 2012 to combat prescription drug misuse in Arizona. The initiative consists of strategies developed by local experts from law enforcement, the substance abuse prevention field, and the medical community to reduce prescription drug misuse in Arizona. The initiative was first piloted in three counties and was adopted state-wide in January 2015. In 2013, the National Criminal Justice Association selected this initiative as one of the five winners of its annual Outstanding Criminal Justice Program Award, which recognizes programs that provide effective services to address crime-related issues in their communities.¹
- The research center provides data and research support to the Commission's grant program areas, commission members, and state legislators, as needed. For example, the research center monitors the completeness of the State's criminal history records that are reported to the U.S. Federal Bureau of Investigation and works with the Commission's Criminal Justice System Improvement grant program to establish performance measures to identify areas where improvements in the reporting process are needed. Similarly, the research center is developing performance measures for the Crime Victim Compensation grant program to determine whether Arizona's local victim compensation boards are meeting their goals and objectives. Additionally, the research center is working with the Commission's Drug, Gang, and Violent Crime grant program to evaluate the effectiveness of drug task forces funded by the Commission. See Finding 1, pages 9 through 16, for more information about the research center and its specific research activities.

Administering grants—The Commission administers two types of state and federal grants that are awarded to state and local government agencies and nonprofit organizations. One type, competitive grants, which are also known as discretionary grants, is awarded by the Commission to eligible applicants on a competitive basis for specific purposes. The other type, noncompetitive grants, which are also known as formula grants, is awarded by the Commission to criminal justice agencies based on distribution formulas prescribed by federal requirements or state administrative rules. For example, a distribution formula may consider factors such as population and the extent of crime occurring in a particular region to determine grant amounts.

The Commission's grant management process involves several steps, including announcing grant opportunities and soliciting grant applications from organizations across the State, evaluating applications and making grant awards, and monitoring grant recipients after they have been awarded grant monies (see Finding 2, pages 17 through 20, for more information on the Commission's grant awarding and monitoring processes). During grant year 2016, the

¹ The National Criminal Justice Association represents state, tribal, and local governments on crime prevention and crime control issues to help shape and implement criminal justice policy.

Commission awarded state and federal grants totaling approximately \$19.1 million.^{1,2} The Commission has established three grant program areas to review and award discretionary and formula grants. Specifically:

- **Drug, Gang, and Violent Crime Control program**—The Commission administers various grants under this program to help reduce the trafficking and use of illicit drugs and violent crime, and deter repeat offenders in Arizona. Specifically, the Commission established and periodically updates a strategy with multiple focus areas for this grant program, such as apprehension, prosecution, corrections, and prevention/education, and then awards grants based on the established focus areas. During grant year 2016, the Commission awarded state and federal grants totaling approximately \$11.6 million under this grant program.
- **Crime Victim Services program area**—In this grant program area, the Commission administers the following two grant programs:
 - **Crime Victim Assistance program**—This grant program provides monies to private nonprofit or government agencies to support the delivery of direct services to crime victims. Direct services eligible for grant funding include emergency services such as temporary shelter, petty cash, or temporary repairs; support services including counseling and referrals to other assistance; and court-related services. During grant year 2016, the Commission awarded state crime victim assistance grants totaling approximately \$2.8 million.
 - **Crime Victim Compensation program**—The Commission allocates monies for this grant program to Arizona’s 15 county attorneys who receive claims for assistance from crime victims. The allocation of these monies is based on several factors, such as a county’s population and amount of crime. Each county attorney has established a board of at least three individuals who review and approve or deny victim compensation requests pursuant to commission-established rules.³ These grant monies assist crime victims in Arizona with crime-related expenses such as medical treatment, mental health counseling, funerals, and wage loss. The Commission awarded state and federal crime victim compensation grants totaling approximately \$3.9 million in grant year 2016.
- **Criminal Justice System Improvement program**—Through this grant program, the Commission awards grants to enhance the overall efficiency, accuracy, and timely accessibility to criminal history records and data for criminal justice practitioners at local, county, and state levels. The Commission also awards some of this program’s grant monies to improve the efficiency and effectiveness of full-service crime laboratories and medical examiner offices in Arizona. For example, through this program, the Commission

¹ The \$19.1 million amount includes state and federal dollars and approximately \$4 million in matching funds that grant recipients are required to expend for grant-related activities. Matching amounts range from 10 to 50 percent of the grant award for those grants that require a match. The Commission’s grant year is the same as the State’s fiscal year, except for some grants from the Criminal Justice System Improvement program area that follow a grant year of October through September. The amount the Commission awards in grants every grant year has remained relatively constant since grant year 2014.

² The Commission reimburses grant recipients after they have expended grant monies; therefore, the amount awarded by the Commission in a given year may not reflect actual grant payments or reimbursements to grant recipients for that year.

³ A claimant may appeal a board’s decision by requesting a state-level review from the Commission.

administers grants to address backlogs in DNA case-processing and laboratory capacity building needs. During grant year 2016, the Commission awarded state criminal justice system improvement grants totaling approximately \$800,000.

Commission membership and staffing

As prescribed in A.R.S. §41-2404, the Commission comprises 19 members who represent various elements of the criminal justice system in Arizona. Fourteen of the 19 commission members are local or county officials, some of whom are elected officials, and are appointed by the Governor for 2-year terms. No more than 7 of the appointed members may be from the same political party. The remaining 5 members are state agency officials representing different entities in the Arizona criminal justice system (see textbox). As of May 2016, there was one Governor-appointed member vacancy on the Commission.

Commission membership

The Commission consists of 19 members, including 14 local officials and 5 state officials.

Local or county officials appointed by the Governor for 2-year terms

- One police chief, one county attorney, and one county sheriff from each of the following:
 - County with a population of 1.5 million or greater
 - County with a population between 800,000 and 1.5 million
 - County with a population less than 800,000
- One law enforcement leader
- One former judge
- One mayor
- One member of a county board of supervisors
- One chief probation officer

State agency officials

- Arizona Attorney General
- Director of Arizona Department of Public Safety
- Director of Arizona Department of Corrections
- Administrative Director of the Courts
- Chairman of the Arizona Board of Executive Clemency

Source: A.R.S. §41-2404.

As of May 2016, the Commission was authorized 30 full-time equivalent (FTE) positions and had 7 vacancies.¹ Commission staff include an Executive Director; a Deputy Director; Public Information Officer/Legislative Liaison; and five managers who oversee the following areas: Victim Services; Criminal Justice System Improvement Program; Drug, Gang, and Violent Crime Program; the Statistical Analysis Center; and Systems and Network. The Commission is also supported by other administrative staff.

Revenues and expenditures

As shown in Table 1 (see page 7), during fiscal years 2014 through 2016, the Commission received or is estimated to receive between approximately \$19.6 million and \$21.6 million in revenues. More than half of this revenue comes primarily from a portion of a state penalty imposed by the courts on criminal offense and civil motor vehicle violation fines, penalties, and forfeitures. The Commission's next largest source of revenues is its intergovernmental revenues, which include federal grant monies that it distributes to Arizona criminal justice agencies and uses for its operations. The Commission does not receive any State General Fund monies.

The Commission's largest expenditures are its grants, which are distributed to other state or local criminal justice agencies and nonprofits for the various grant programs described on pages 3 through 5. For example, as shown in Table 1, for fiscal years 2014 through 2016, aid to organizations ranged from approximately \$12.2 million to an estimated \$14.7 million and primarily represents amounts distributed to cities, towns, and counties for various grant programs, but also includes grants awarded to nonprofit entities for victim assistance programs. In addition, transfers to other state agencies ranged from approximately \$4.5 million to an estimated \$6.9 million for fiscal years 2014 through 2016. These transfers include grant monies that the Commission distributed to state agencies, expenses for services provided by other state agencies to the Commission, and legislatively required transfers.

¹ Nine positions are funded by state appropriations. The remaining positions are funded by nonappropriated funds, including federal monies.

**Table 1: Schedule of revenues, expenditures, and changes in fund balance
Fiscal years 2014 through 2016
(Unaudited)**

	2014 (Actual)	2015 (Actual)	2016 (Estimate)
Revenues			
Fines, forfeitures, and penalties ¹	\$ 12,396,623	\$ 12,162,766	\$ 11,617,300
Intergovernmental, including federal ²	8,189,254	7,381,899	9,938,100
Interest on investments	71,489	56,297	41,600
Total revenues	<u>20,657,366</u>	<u>19,600,962</u>	<u>21,597,000</u>
Expenditures and transfers			
Personal services and related benefits	2,111,000	2,109,236	1,956,016
Professional and outside services	614,211	404,855	577,045
Travel	31,948	26,794	66,572
Aid to organizations ³	13,488,091	12,196,270	14,668,400
Other operating	274,685	277,992	419,132
Furniture, equipment, and software	65,890	33,741	45,000
Total expenditures	<u>16,585,825</u>	<u>15,048,888</u>	<u>17,732,165</u>
Transfers to other agencies ⁴	4,536,619	5,280,212	6,850,900
Total expenditures and transfers	<u>21,122,444</u>	<u>20,329,100</u>	<u>24,583,065</u>
Net change in fund balance	(465,078)	(728,138)	(2,986,065)
Fund balance, beginning of year	<u>15,743,880</u>	<u>15,278,802</u>	<u>14,550,664</u>
Fund balance, end of year	<u>\$ 15,278,802</u>	<u>\$ 14,550,664</u>	<u>\$ 11,564,599</u>

¹ Amounts primarily come from a portion of a 47 percent penalty on every fine, penalty, and forfeiture collected by the courts for criminal offenses, civil traffic violations, local vehicle ordinance violations, and violations of the game and fish statutes in accordance with A.R.S. §§12-116.01 and 41-2401.

² Amounts include, but are not limited to, federal grants that the Commission distributes to Arizona criminal justice agencies and uses for its operations.

³ Amounts are primarily monies distributed to cities, towns, and counties for various grant programs or as required by statute. Amounts also include grant awards to nonprofit entities for operating costs related to victim assistance programs.

⁴ Amounts are transfers to other state agencies such as the Attorney General's Office, Supreme Court, and Arizona Department of Public Safety. According to the Commission, these transfers were for various purposes including reimbursing state agencies from grant monies, making legislatively required transfers, and paying for certain services other state agencies provided such as legal services. In addition, the fiscal year 2014 amount includes \$83,500 transferred to the Automation Projects Fund for the replacement of the State's financial accounting system and other state-wide information technology and automation projects in accordance with Laws 2013, 1st S.S., Ch. 1, §127.

Source: Auditor General staff analysis of commission-prepared financial information for fiscal years 2014 through 2016.

FINDING 1

The Arizona Criminal Justice Commission (Commission) should take steps to better use the capabilities of its Statistical Analysis Center (research center) to help improve the State's criminal justice system. As the centralized coordinating body for Arizona's criminal justice agencies, the Commission is in a unique position to leverage the data and information produced by its research center to improve the State's criminal justice system. However, similar to a finding from a 1996 Office of the Auditor General performance audit, the research center's reports contain limited evaluation and analyses. In addition, one report lacks required recommendations for improving the criminal justice system and the Commission can improve its use of the research center to address state-wide criminal justice issues. Therefore, the Commission should provide a strategic approach for the research center, enhance the research center's work on its current research reports, and expand its research activities, as appropriate, to assess emerging trends in the criminal justice system.

Commission should develop strategic approach to better use its research center

Commission in unique position to effect state-wide change

As the centralized coordinating body for Arizona's criminal justice agencies, the Commission is in a unique position to leverage the data and information produced by its research center to effect positive change in the State's criminal justice system. Specifically, auditors did not identify any other entity within Arizona tasked with performing research for the purpose of improving the coordination and effectiveness of the State's criminal justice system. The research center helps the Commission fulfill this responsibility. According to the Justice Research and Statistics Association's Web site, Statistical Analysis Centers (SACs) nation-wide perform a variety of activities to promote the effective and efficient administration of criminal justice, including collecting, analyzing, and distributing criminal justice data and conducting policy-relevant research.¹ Additionally, the Web site indicated that SACs, including the Commission's research center, play an important role in the development of criminal justice policy at state and local levels and their research provides the evidence that policymakers use to guide their decision-making.

In addition, the Commission's designation as a State Administering Agency (SAA) can help it play an important role in the development of criminal justice policy in the State. Specifically, an SAA is designated by a state's governor to manage and administer federal criminal justice grant funds, and is responsible for criminal justice planning, coordination, management, research, training, and technical assistance in the state. The Commission has been designated as the SAA in Arizona for the primary federal grant given by the U.S. Department of Justice to support criminal justice entities across the country—the Edward Byrne Memorial Justice Assistance Grant Program.² According to the National Criminal Justice Association, which represents state, tribal, and local governments on crime prevention and crime control issues to help shape and implement criminal justice policy, the SAA's role includes serving as (a) the coordinating body for state and local criminal justice issue identification, planning, and policy development and implementation; (b) a primary source for best practices for the criminal justice system in their state; and (c) the communicator of criminal justice issues to legislators and policymakers.³

¹ The Justice Research and Statistics Association is a national nonprofit organization of state SAC directors as well as other researchers and practitioners throughout government, academia, and the justice community.

² The Edward Byrne Memorial Justice Assistance Grant Program is administered by the U.S. Bureau of Justice Assistance and is the leading source of federal justice funding for state and local jurisdictions to help support various programs including law enforcement, indigent defense, and crime prevention and education programs.

³ National Criminal Justice Association. (2016). *NCJA policy statement: Role of the State Administering Agency*. Washington, DC.

Commission could better use its research center to fulfill its mission

The Commission has a statutory responsibility to oversee its research center and could better use it to fulfill its mission to “sustain and enhance the coordination, cohesiveness, productivity, and effectiveness of Arizona’s criminal justice system.” Specifically, auditors identified gaps in three areas of the research center’s work. First, the reports produced by the research center contain limited evaluation and analyses to assess the productivity or effectiveness of the State’s criminal justice system or to assess emerging criminal justice trends or issues in the State. Second, the Commission has not ensured that its research center’s crime trends report contains statutorily required recommendations to address changes needed in the criminal justice system. Finally, in addition to the work that the research center performs to assist its three grant programs, the Commission can improve its use of the research center to help address state-wide issues.

Commission reports contain limited evaluation and analyses—Similar to a finding in a previous performance audit, commission reports produced by the research center contain limited evaluation and analyses of Arizona’s criminal justice system. Specifically, a 1996 performance audit conducted by the Office of the Auditor General found that the Commission’s lack of analyses and evaluation of the criminal justice system hindered its ability to provide meaningful recommendations and fulfill its overall mission (see Report No. 96-10). The report recommended that the Commission move beyond statistical or “descriptive reporting” to include analyses and evaluations to better fulfill its system-wide coordination role, highlighting a 400-page report prepared by the Commission that contained detailed information on crime trends and criminal justice expenditures, but no analysis or evaluation of the system. Similarly, the current audit found that reports produced by the research center primarily include descriptive information and statistics related to criminal activity in the State and how various state and county agencies spend criminal justice revenues (see Introduction, pages 1 through 2, for more information about the content of the Commission’s reports).

Although the research center’s reports include some evaluation and analyses, such as changes in criminal activity and youth substance use over time, and occasionally include recommendations, these reports do not provide any analyses or evaluation of the effectiveness of the criminal justice system as a whole or address emerging trends or issues in the criminal justice system. For example, the Commission’s most recent crime trends report, which the research center develops biennially, includes detailed information on certain areas, such as the number and type of criminal offenses reported to law enforcement agencies, case filing and probation data from the Arizona courts, and inmate population data from the Arizona Department of Corrections. However, the report does not contain any assessment of emerging trends or issues or go beyond descriptive reporting to assess or evaluate the productivity or effectiveness of the criminal justice system. For example, the report found that although the rate of violent offenses reported to the police decreased between 2004 and 2013, the rate of forcible rape in Arizona increased by 24 percent, placing Arizona higher than the national rate of incidents of forcible rape. However, the report does not include additional information regarding the rate of change in forcible rape—such as possible reasons for the increase, best practices or methods used in Arizona or by other states to address this issue or similar problems, an evaluation of how Arizona’s criminal justice system may be contributing

to this problem—or make recommendations or present policy options based on its findings. Other findings presented in the report similarly lack this type of information.

In contrast, other states use their SACs to investigate emerging criminal justice issues in their state and make recommendations to address system-wide needs. For example, the Illinois Criminal Justice Information Authority’s SAC published a 2016 report on drug-addicted offenders and treatment needs in Illinois based on data that showed, as of fiscal year 2014, nearly half of Illinois Department of Corrections inmates screened for substance abuse upon prison entry were in need of substance abuse treatment, but only half of those who required treatment services had received them.¹ The report examined different types of treatment programs for offenders at various stages of the criminal justice system, such as community-based treatment options in which teams of probation officers, treatment providers, prosecutors, law enforcement, defense attorneys, and judges monitor offender participation. The report also discussed barriers to treatment and included recommendations for how to improve offender treatment options in Illinois. By not using its research center’s information similarly to study salient criminal justice issues, emerging trends, or changes that may be needed in Arizona, the Commission may not be effectively fulfilling its role as a state-wide criminal justice planning and policy-recommending body.

Commission’s crime trends report lacks required recommendations for improving the criminal justice system—The Commission has not used its research center to develop the statutorily required recommendations in the crime trends report that are intended to improve the criminal justice system. Specifically, Arizona Revised Statutes (A.R.S.) §41-2405(A)(4) requires the Commission to prepare the biennial crime trends report, which must contain five specific components, three of which involve making recommendations to improve the criminal justice system (see textbox; components 2, 3, and 5). However, the Commission’s crime trends reports since at least April 2001 have not included specific recommendations to improve the criminal justice system as directed by statute.² Commission staff reported that the Commission recommends changes to the criminal justice system—consistent with the required components of the crime trends report—through other activities, such as regular stakeholder meetings led by the Commission’s legislative liaison that result in proposed legislative changes to the criminal code. Although the Commission has recommended revi-

Statutorily required components of Commission’s crime trends report

1. An analysis of all criminal justice programs created by the Legislature in the preceding 2 years.
2. An analysis of the effectiveness of the criminal code, with a discussion of any problems and **recommendations** for revisions if deemed necessary.
3. A study of the level of activity in the several areas of the criminal justice system with **recommendations** for redistribution of criminal justice revenues if deemed necessary.
4. An overall review of the entire criminal justice system including crime prevention, criminal apprehension, prosecution, court administration, and incarceration at the state and local levels as well as funding needs for the system.
5. **Recommendations** for constitutional, statutory, and administrative revisions that are necessary to develop and maintain a cohesive and effective criminal justice system.

Source: Auditor General staff summary of A.R.S. §41-2405.

¹ Adams, S. (2016). *Drug-addicted offenders and treatment needs in Illinois*. Chicago, IL: Illinois Criminal Justice Information Authority.

² The crime trends reports in 2003 and 2005 contained informal recommendations calling for additional research and standardizing data, but these recommendations were not directed to anyone.

sions to statutes and administrative rules, by not including recommendations within the crime trends report, the Commission may be missing important opportunities to effectively use data gathered for this report and the expertise of its research center staff to develop system-wide recommendations.

Commission can improve its use of the research center to address state-wide issues—In addition to the work that the research center performs to assist its three grant programs, the Commission can improve its use of the research center’s primary work of gathering, analyzing, and reporting criminal justice information to more directly address state-wide criminal justice issues. For example, the Commission’s Criminal Justice System Improvement grant program helps fulfill the Commission’s mission to enhance the coordination, cohesiveness, productivity, and effectiveness of Arizona’s criminal justice system by working to improve the accuracy of and accessibility to criminal history records and data for criminal justice practitioners at local, county, and state levels. The Commission’s Drug, Gang, and Violent Crime Control and Crime Victim Services grant programs help to enhance the productivity and effectiveness of the criminal justice system by funding efforts across the State designed to reduce violent crime and illicit drugs and to provide financial assistance for crime victim services and expenses, respectively. The research center assists the Commission’s grant programs with these efforts. For example, in fiscal year 2016, the research center began evaluating the effectiveness of the drug task forces that are funded by the Commission’s Drug, Gang, and Violent Crime grant program and also began establishing performance measures for both the Crime Victim Compensation and Criminal Justice System Improvement grant programs.

Although the research center’s assistance allows the Commission to address state-wide issues through its grant programs, the research center’s primary work—gathering, analyzing, and reporting on criminal justice information—is not used in the same way to directly address state-wide issues. Specifically, the research center gave presentations in only three of the ten commission meetings held during calendar years 2014 and 2015, and the presentations were for informational purposes only and did not result in action by the commission members. Further, commission members that auditors spoke with indicated that they use the research center’s information on an individual basis and as it pertains to their own jurisdiction, but not as a group to propose and effect state-wide changes to the criminal justice system. For example, two commission members reported that they use information from the research center to assess substance abuse policies in their respective offices.

Further, although the research center has received positive feedback from stakeholders regarding the quality and timeliness of information it provides, auditors also received some feedback that the Commission could make better use of its position to address state-wide criminal justice issues. For example, one commission member reported that the research center is underutilized, but with additional resources, could fill a need in the State for objective research on criminal justice system trends over time, such as prisoner demographics and recidivism, in order to identify future criminal justice system needs and help inform policy decisions based on those needs. In addition, another commission member indicated that the Commission could take a more strategic approach to address system-wide problems. Finally, one stakeholder reported that the State could benefit from a state-wide plan for addressing substance abuse, with the research center helping to identify prevention priorities based on its

data. As previously mentioned, auditors did not identify any other entities in Arizona that conduct system-wide criminal justice research that is similar to the research conducted by the research center. Therefore, system-wide problems or emerging issues in Arizona's criminal justice system may not be addressed if the Commission does not take advantage of its unique position and use its research center to analyze these problems and recommend solutions or improvements.

Commission should develop strategic approach for research center

The Commission should develop a strategic approach for overseeing its research center to ensure that its work helps the Commission fulfill its mission. A.R.S. §41-2405 requires the Commission to oversee the research, analysis, studies, reports, and publication of crime and criminal justice statistics prepared by its research center, but this oversight has not included developing a strategic approach to guide its research center's activities to help ensure that these activities enhance the coordination and effectiveness of the criminal justice system. In contrast, the Commission's oversight of its three grant programs includes establishing priorities or a strategy for each program that is consistent with the Commission's mission. Therefore, the Commission should similarly oversee its research center, including establishing a committee to develop priorities and/or a research strategy for the research center, requiring regular updates from the research center, and using the information from the research center to develop recommendations to improve the criminal justice system. In addition, the Commission should resolve issues with the research center's current reports and ensure that, when appropriate, its reports include recommendations for improving the criminal justice system. Finally, the Commission should assess the extent to which its research center can expand its work to assess emerging trends in the criminal justice system.

Commission should establish a strategic approach for research center—The Commission should establish an oversight process for its research center similar to the process it has established for its grant program areas to ensure its research center can better assist it in fulfilling its mission and that it uses the research center's research to make system-wide improvements. Specifically, the Commission should:

- **Establish a committee to develop research priorities and/or strategy**—The Commission should establish a committee, consisting of commission members, to develop priorities or a strategic direction for its research center similar to the committees it has established for its three grant program areas. Specifically, the Commission has separate committees for its Drug, Gang, and Violent Crime Control, Crime Victim Services, and the Criminal Justice System Improvement grant program areas. These three committees each consist of a small group of commission members who work with staff to address their respective program's operational issues, including developing the grant program's strategy or funding priorities. For example, the Drug, Gang, and Violent Crime Control Committee (Committee) works with program staff to develop this grant program's strategy, which is updated every few years and includes goals and guidance for how the grant program will allocate its funds. In helping to develop this strategy, program staff seek input from the Committee regarding the grant program's strategy and goals. Based on this input, program staff then fully develop the strategy and present it for approval by the Committee. The Committee then recommends the strategy to the entire

Commission for approval. Similarly, the Commission should establish a committee for its research center consisting of a few commission members, and the committee should then work with the research center to develop research priorities and/or a strategy to guide its research activities. The priorities and/or strategy should then be presented to and approved by the entire Commission.

- **Require regular updates**—The Commission should receive regular updates from its research center on its progress in accomplishing the Commission’s approved strategy. As previously discussed, results of the research center’s work were presented at only three out of ten commission meetings in calendar years 2014 and 2015. In contrast, the director of the Illinois SAC reported that every Illinois Criminal Justice Information Authority meeting includes a presentation on research on a timely topic in which the SAC either gives the presentation or moderates a panel on the topic.¹
- **Use research center’s information to develop recommendations**—The Commission should also use information from its research center, including report recommendations, to more fully implement its mission to sustain and enhance the coordination, cohesiveness, productivity, and effectiveness of Arizona’s criminal justice system. Specifically, it should recommend policy changes for the State’s criminal justice system—whether in statute, rule, agency policies, or general approaches—and coordinate efforts with other state or local criminal justice agencies to pursue implementation of these changes, consistent with its strategic approach.

Commission should enhance its current reports—To help ensure the research center can assist the Commission in fulfilling its mission, the Commission should take steps to resolve issues with its current reports. First, the Commission should work with its research center to determine if all statutorily required reports are useful and based on this determination, propose revising and/or eliminating statutorily required reports that are not useful. For example, two commission members and the three stakeholders auditors interviewed cited the *Arizona Youth Survey* as useful, but most did not indicate that they used any other commission reports produced by the research center. In addition, as reported in Sunset Factor 9 (see pages 25 through 26), the research center is unable to fulfill some statutory requirements in the sexual assault report because of data limitations. Further, commission management and a commission member noted that the sexual assault report could either present more useful information, such as the effectiveness of prosecution efforts, or be eliminated.

Additionally, the Commission should ensure its crime trends report and other reports include recommendations, as required and as appropriate, for enhancing the criminal justice system. As indicated on pages 11 through 12, auditors found that the crime trends report lacked statutorily required recommendations. In addition, commission management reported that the information in the crime trends report could be more useful if it were to focus on specific trends or problems in Arizona instead of providing descriptive information about every aspect of the criminal justice system. Finally, as discussed on pages 10 through 11, the crime trends and other reports could further provide important information by assessing or evaluating the productivity and effectiveness of the criminal justice system. Therefore, the Commission should ensure that the research center focuses its crime trends and other reports on specific

¹ The Illinois Criminal Justice Information Authority, like the Commission, typically meets on a quarterly basis.

trends or problems, the reasons for these problems, and best practices to address them to assess the productivity and effectiveness of the criminal justice system and to help facilitate making meaningful recommendations.

Commission should expand research center’s activities, as appropriate—As part of its strategic approach for its research center, the Commission should assess the extent that the research center can expand its work to include assessments of emerging trends in the criminal justice system. A.R.S. §41-2405(A)(5) requires the Commission to “provide supplemental reports on criminal justice issues of special timeliness.” Therefore, the Commission could use its research center as a resource for identifying and studying potential emerging issues or problematic trends in the State that the Commission may want to address. For example, commission members reported interest in the research center conducting research on timely topics such as prisoner demographics and marijuana use. The Illinois SAC—recognized for doing quality work by the Justice Research and Statistics Association—also focuses on timely topics and typically includes policy recommendations or implications based on its findings on those topics.¹

However, one commission member and commission management reported that the research center does not have the resources to conduct research on emerging issues or trends in the criminal justice system or additional analyses in its standard reports because the majority of its time is spent fulfilling its other statutory duties. Therefore, the Commission should assess the resource needs of its research center. This assessment should include a documented workload analysis that compares the research center’s workload, including an estimate of future workload, with staff resources. The Commission should then take appropriate action based on the results of this analysis. For example, the Commission could use the workload analysis to determine how to maximize its allocated resources and/or work with the Legislature to request additional appropriations to hire more staff or contract for additional staff resources as needed to address temporary workload fluctuations, as appropriate. The Commission has already worked with the Legislature to increase funding for the research center. Specifically, Laws 2016, Ch. 24, amended A.R.S. §41-2402(G) to provide the Commission greater flexibility with monies it could previously use only for the administration of the *Arizona Youth Survey* by allowing these monies to also fund other research center activities.² However, commission staff reported that this change may only allow the Commission to maintain its current activities, rather than providing additional funding for other activities.

Recommendations:

- 1.1. The Commission should establish an oversight process for its research center similar to the process it has established for its grant program areas to ensure that its research center can better assist it in fulfilling its mission and that it uses the research center’s research to make system-wide improvements. Specifically, the Commission should:

¹ As of May 2016, the Illinois SAC was authorized 14 positions. The Arizona research center has 6 positions.

² The Drug and Gang Prevention Resource Center Fund (Fund) provides monies for the *Arizona Youth Survey*. The Fund comprises 1.31 percent of fee collections and filings in the Superior Court, 1.31 percent of notary bond fees, and public and private gifts or grants, excluding federal monies.

- a. Establish a committee for its research center consisting of a few commission members, and the committee should then work with the research center to develop research priorities and/or a strategy to guide its research activities. The priorities and/or strategy should then be presented to and approved by the entire Commission;
 - b. Receive regular updates from its research center on its progress in accomplishing the Commission's approved strategy; and
 - c. Use information from its research center, including report recommendations, to recommend policy changes for the State's criminal justice system—whether in statute, rule, agency policies, or general approaches—and coordinate efforts with other state or local criminal justice agencies to pursue implementation of these changes, consistent with its strategic approach.
- 1.2. The Commission should take steps to resolve issues with its research center's current reports to help ensure its research center can assist it in fulfilling its mission. Specifically, the Commission should:
- a. Work with its research center to determine if all statutorily required reports are useful and based on this determination, propose revising and/or eliminating statutorily required reports that are not useful;
 - b. Ensure its crime trends report and other reports include recommendations, as required and as appropriate, for enhancing the criminal justice system; and
 - c. Ensure that the research center focuses its crime trends and other reports on specific trends or problems, the reasons for these problems, and best practices to address them to assess the productivity and effectiveness of the criminal justice system and to help facilitate making meaningful recommendations.
- 1.3. As part of its strategic approach for its research center, the Commission should assess the extent that the research center can expand its work to include assessments of emerging trends in the criminal justice system.
- 1.4. The Commission should assess the resource needs of its research center. This assessment should include a documented workload analysis that compares the research center's workload, including an estimate of future workload, with staff resources. The Commission should then take appropriate action based on the results of this analysis. For example, the Commission could use the workload analysis to determine how to maximize its allocated resources and/or work with the Legislature to request additional appropriations to hire more staff or contract for additional staff resources as needed to address temporary workload fluctuations, as appropriate.

FINDING 2

The Arizona Criminal Justice Commission's (Commission) processes for awarding and monitoring grants align with key requirements and recommended practices, but it should formalize its coordination of the victim assistance grant. The Commission has developed grant awarding and monitoring policies and procedures that incorporate key requirements and recommended practices, and auditors' review of a random sample of grants found that the Commission followed its policies and procedures. The Commission has also worked to coordinate the administration of its state victim assistance grant program with a similar federal grant program that the Arizona Department of Public Safety (DPS) administers to ensure that victim assistance grant monies continue to help meet victim assistance needs state-wide. However, the Commission should establish a formal process for coordinating its victim assistance efforts with the DPS and other victim assistance stakeholders.

Commission has established effective grant-awarding and monitoring processes, but should formalize coordination efforts in one area

Commission's grant-awarding and monitoring processes align with key requirements and recommended practices

The Commission has established and followed effective processes to award and monitor its grants. Specifically, the Commission has implemented policies and procedures that are aligned with state and federal requirements and recommended practices to help ensure that grant monies are awarded to qualified applicants and are used for their intended purposes. Additionally, auditors' review of a random sample of grants found that the Commission is following its grant awarding and monitoring policies and procedures.

Commission has established an effective grant management process for awarding and monitoring grants—The Commission has established policies and procedures for awarding and monitoring grants that closely align with state and federal requirements and incorporate recommended practices. As indicated in the Introduction (see pages 3 through 5), the Commission awarded state and federal grants totaling approximately \$19.1 million during grant year 2016.¹ Auditors reviewed several of the Commission's key policies and procedures for awarding and monitoring grants and found that these policies and procedures conform with state and federal requirements such as state statutes, federal Office of Management and Budget circulars, and the Code of Federal Regulations, which help ensure grant monies are appropriately awarded and spent according to the grant's intended purposes. For example, the Commission has established policies and procedures that provide guidance for its staff when reviewing and evaluating grant applications to ensure applicants are qualified. Specifically, these policies and procedures direct commission staff to review each application to ensure applicants adequately answer questions related to their financial capacity, such as whether they have maintained adequate accounting systems and financial records, and also to ensure that the applicants included required goals, objectives, and performance measures for their grant program.

¹ The \$19.1 million amount includes state and federal dollars and approximately \$4 million in matching funds that grant recipients are required to expend for grant-related activities. Matching amounts range from 10 to 50 percent of the grant award for those grants that require a match. The Commission's grant year is the same as the State's fiscal year, except for some grants from the Criminal Justice System Improvement program area that follow a grant year of October through September.

In addition, the Commission has implemented a monitoring procedure that outlines the process and tools that staff may use to monitor entities that receive grants, called sub-recipients, to ensure they use grant monies for their intended purposes. For example, commission staff conduct periodic sub-recipient site visits to provide technical assistance and/or identify whether corrective action is needed in areas such as the sub-recipient's fiscal management, staffing, grant goals and performance measures, and data collection. In addition, the Commission's sub-recipient monitoring procedure requires that sub-recipients submit financial and activity reports, which, according to the Commission, it reviews for any anomalies and discrepancies, and then follows up with sub-recipients as necessary to correct any identified issues.

The Commission's policies and procedures also include helpful grant administration practices recommended by other entities. For example, the Commission incorporated a recommended practice from the U.S. Department of Justice that requires grant applicants to provide certain information regarding their accounting procedures and internal controls in order to identify any potential problems with applicants' ability to manage grant monies prior to receiving a grant award.¹ In addition, the Commission adopted a risk-based approach to monitor sub-recipients, a practice recommended by the Oregon State Controllers Division, that considers risk factors such as the grant amount awarded and the results from prior audits and monitoring efforts.² Specifically, the Commission's process requires staff to conduct financial audits of sub-recipients following a risk assessment that prioritizes sub-recipients that receive more than \$100,000 in grant monies, have prior audit findings, and submitted any required reports late. These financial audits include a review of expenditures to verify allowable costs, and a review of internal controls and segregation of duties to ensure compliance with federal and commission grant requirements.

Commission followed its grant-awarding and monitoring processes—The Commission followed its grant-awarding and monitoring processes for the grants auditors reviewed. Auditors reviewed a random sample of nine grants that the Commission awarded during grant year 2014 and found that commission staff followed the key application review, awarding, and monitoring policies and procedures auditors selected for review.³ For example, auditors found that the Commission followed its grant-awarding policy to review applicants' financial capacity and internal controls to manage grants, as previously discussed. In addition, the Commission followed its monitoring procedures to conduct financial audits of its sub-recipients using a risk-based approach, ensured sub-recipients provided a written action plan to correct any deficiencies identified from the financial audit, and visited sub-recipients periodically. Finally, auditor's review of the nine grant files indicated that the sub-recipients submitted required financial and activity reports in a timely manner.

¹ U.S. Department of Justice, Office of the Inspector General. (2009). *Improving the grant management process*. Washington, DC.

² State of Oregon Department of Administrative Services, State Controllers Division. (2009). *Statewide financial internal controls program: Internal controls & best practices for federal grant management & monitoring*. Salem, OR.

³ Auditors selected a sample of grants from grant year 2014 in order to review the complete grant administration process. For example, some monitoring reviews are conducted approximately a year after the end of the grant year. See Appendix A, pages a-1 through a-2, for more information regarding the methods auditors used to select the grants for review.

Commission should formalize its efforts to address potential overlap in victim assistance grant program

To ensure victim assistance grant program monies are allocated effectively, the Commission should formalize its coordination efforts for this grant program. The Commission administers a state-funded victim assistance grant program that has the same purpose as a federally funded grant program that the DPS administers.¹ These competitive state and federal grant monies are provided to nonprofit or government agencies to support delivery of direct services to crime victims, such as temporary shelter and counseling support services. However, there is potential for overlap between the Commission's and DPS' grant programs because public and private organizations in Arizona may receive victim assistance grants from both programs.

According to commission management, it works with the DPS and other victim assistance stakeholders to coordinate victim assistance grant monies in the State. For example, prior to a new grant period, commission staff discussed with the DPS staff victim assistance needs state-wide in an effort to ensure the two programs effectively allocate victim assistance grant monies. In addition, by January 2016, the DPS federal victim assistance grant program was scheduled to receive additional money and planned to expand its grant eligibility requirements. In response, the Commission approved new funding priorities for its victim assistance grant program that were designed to ensure that the Commission's state victim assistance monies were directed to programs or expenses that are not eligible for the DPS' federal victim assistance monies. However, this coordination effort has not been formalized in a written process.

To reduce the potential for duplication and help ensure that the State continues to effectively coordinate the allocation of its state and federal victim assistance grant monies, the Commission should establish a formal coordination process and review funding priorities annually. Specifically, the Commission should develop a formal, written process for its grant program staff to annually review with the DPS' federal victim assistance grant program staff, and other victim assistance stakeholders as appropriate, the estimated amount of state and federal monies available and collaborate on developing coordinated funding priorities to address victim assistance needs state-wide. In addition, this formal process should direct staff to continue to work with the Commission's Crime Victim Services committee to assess victim needs state-wide with the DPS and other victim assistance stakeholders and develop funding priorities. As discussed in Finding 1, page 13, the Commission has established a Crime Victim Services committee consisting of a small group of commission members who work with staff to develop funding priorities for the victim assistance grant program and present recommendations to the full Commission. After the committee assesses state-wide victim assistance needs, it should annually share its assessment and propose revisions to its funding priorities, as necessary, with the entire Commission. According to commission staff, the amount of federal victim assistance dollars can fluctuate widely. Thus, formally coordinating efforts with the DPS and other victim assistance stakeholders and reassessing funding priorities on an annual basis will help address any fluctuations in federal victim assistance monies and the victim assistance grants that the DPS can provide with these monies.

¹ Federal law requires the Governor to designate the agency responsible for administering some federal grants, and in 1985, the Governor designated the DPS to administer the federal Victims of Crime Act victim assistance grant.

Recommendations:

- 2.1. The Commission should develop a formal, written process for its grant program staff to annually review with the DPS' federal victim assistance grant program staff, and other victim assistance stakeholders as appropriate, the estimated amount of state and federal monies available and collaborate on developing coordinated funding priorities to address victim assistance needs state-wide.
- 2.2. The Commission should ensure that this formal process directs staff to continue to work with the Commission's Crime Victim Services committee to assess victim needs state-wide with the DPS and other victim assistance stakeholders and develop funding priorities.
- 2.3. The Commission's Crime Victim Services committee should annually share its assessment and propose revisions to its funding priorities, as necessary, with the entire Commission.

SUNSET FACTORS

Sunset factor analysis

In accordance with Arizona Revised Statutes (A.R.S.) §41-2954, the Legislature should consider the following factors in determining whether to continue or terminate the Arizona Criminal Justice Commission (Commission).

Auditors' analysis of the sunset factors found good performance by the Commission with regard to many of these factors. However, in addition to the recommendations included in the findings in the report, this analysis includes recommendations for the Commission to:

- Assess its membership to determine if it should be modified to better serve the entire State and then work to modify its membership, as appropriate (see Sunset Factor 3, pages 22 through 24), and
- Seek the necessary legislative changes regarding the reporting requirements it cannot fulfill for the statutorily required sexual assault report (see Sunset Factor 9, pages 25 through 26).

1. The objective and purpose in establishing the Commission and the extent to which the objective and purpose are met by private enterprises in other states.

The Commission was established to carry out various coordinating, monitoring, and reporting functions regarding the administration and management of criminal justice programs in Arizona. The Commission's two key statutory responsibilities are conducting criminal justice research and administering state and federal grants. Specifically, the Commission is statutorily required to "facilitate coordinated state-wide efforts to improve criminal justice information and data sharing," and to "oversee the research, analysis, studies, reports and publication of crime and criminal justice statistics" prepared by its Statistical Analysis Center (research center). In addition, the Commission has statutory authority to distribute grant monies "for the purpose of enhancing efforts to investigate or prosecute and adjudicate any crime." See Findings 1 and 2, pages 9 through 20, for information about how the Commission fulfills these two statutory responsibilities.

Auditors did not identify any states that met the Commission's objectives and purpose through private enterprises.

2. The extent to which the Commission has met its statutory objective and purpose and the efficiency with which it has operated.

The Commission has, in part, met its statutory objective and purpose by using its research center to prepare statutorily required reports regarding the criminal justice system (see Introduction, pages 1 through 2). Further, the research center has worked on two projects that have been recognized for their quality by national criminal justice organizations. Specifically, the National Criminal Justice Association (Association) selected the Arizona Prescription Drug Misuse and Abuse Initiative, which consists of strategies to reduce prescription drug misuse in Arizona, as one of the 2013 recipients of its annual Outstanding Criminal Justice Program Award.¹ The Office of National Drug Control Policy's High Intensity Drug Trafficking Areas program selected the Arizona Demand Reduction Alliance, a collaborative federal, state, local, and tribal effort to educate and raise awareness on the risks of prescription drug misuse in

¹ The National Criminal Justice Association represents state, tribal, and local governments on crime prevention and crime control issues to help shape and implement criminal justice policy.

Arizona, as the 2016 winner of its Outstanding Prevention Effort award.¹ The Commission's research center collaborated with other government entities on both of these projects.

In addition, the Commission has established policies and procedures aligned with state and federal requirements and recommended practices to help ensure that grant monies are awarded to qualifying public and nonprofit organizations and they are used for their intended purposes (see Finding 2, pages 17 through 20). According to a representative from the Association, the Commission is very respected for its grants management and financial control practices even though there is no formal recognition system for such practices.

However, this audit identified two main areas for improvement. Specifically, the Commission should better use the capabilities of its research center to meet its mission by providing it with a strategic approach, enhancing the research center's work on current research reports, and expanding its research activities, as appropriate, to assess emerging trends in the criminal justice system (see Finding 1, pages 9 through 16). The Commission should also establish a formal coordination process for its victim assistance grant program (see Finding 2, pages 17 through 20).

3. The extent to which the Commission serves the entire State rather than specific interests.

The Commission helps serve the entire State by managing grants that it awards to government entities and nonprofit organizations throughout the State and by publishing criminal justice research reports pertaining to the whole State. For example, Crime Victim Compensation grant monies are allocated to Arizona's 15 county attorneys, who receive claims for assistance from crime victims within their county. In addition, the Commission tracks and reports statistics in every county regarding the prevalence of gang involvement and drug use among youth and reports on crime trends for the entire State.

The composition of the Commission represents several interests in the criminal justice system, but the Commission should determine whether it could better serve the entire State by revising its membership to include additional interests from the criminal justice system. As discussed in the Introduction (see page 5), statute established the Commission to include 19 members representing various aspects of Arizona's criminal justice system including law enforcement, prosecution, courts, and corrections. However, the following publications indicate that criminal justice coordinating bodies can benefit from expanding their membership to include additional representation from other parties involved in the criminal justice system. Specifically:

- A 2012 Association study, which reviewed 23 state criminal justice administering agencies similar to the Commission, found that memberships of some of these agencies involved not only traditional partners—police, prosecutors, courts, and corrections—but also other partners such as public defenders and state juvenile

¹ The Office of National Drug Control Policy is part of the Executive Office of the President. The High Intensity Drug Trafficking Areas program provides assistance to federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug-trafficking regions of the United States for the purpose of reducing drug trafficking and production.

justice entities.¹ For example, of the 23 state criminal justice administering agencies, 57 percent had representation from state indigent defense, 57 percent had representation from a state juvenile justice agency, 52 percent had representation from a state mental health and human services agency, and 43 percent had representation from a state or local victim services entity. The Association indicated that state legislatures and governors expanded the memberships of their state criminal justice administering agency to leverage the efforts, resources, and expertise that these nontraditional partners have to offer.

- The U.S. Department of Justice published guidelines in 2002 for developing a criminal justice coordinating body that state that membership would ideally include representatives from all functional components of the justice system and might include personnel of certain nonjustice agencies.^{2,3} The guidelines provide examples of membership, including a public defender or defense attorney, a juvenile department director, and a health/mental health director. The guidelines also cited a document that indicated that broad-based representation helps ensure those affected by changes have the opportunity to offer valuable insights regarding the plan for achieving goals.⁴

Statutes that establish the Commission's membership do not include representatives from any of the "nontraditional" partners mentioned by the Association or the U.S. Department of Justice guidelines, such as those representing indigent defense or juvenile justice. Without these types of members on the Commission, it is potentially missing perspectives in its decision making that could help address state-wide criminal justice issues.

Although changes to the Commission's membership have previously been proposed but not adopted, the Commission should assess whether its membership should be modified to best serve the interests of the State. A 1996 performance audit conducted by the Office of the Auditor General found that the Commission's membership—heavily weighted toward law enforcement and prosecution positions—may limit its ability to provide a system-wide approach to criminal justice issues (see Report No. 96-10). The audit also found, based on a 50-state survey, that 23 other states had commissions similar to Arizona and that these other commissions contained a more diversified membership. For example, of the 23 commissions, 17 had juvenile justice representation and more than half of these commissions included either a public defender or defense attorney, and treatment/rehabilitation or social services representation. The performance audit recommended that the Legislature should consider further diversifying the Commission's membership. Although the Commission reported supporting a bill after the 1996 performance audit to expand the Commission's membership, it indicated that the Governor vetoed the bill. In addition, several other attempts have been unsuccessful in modifying the Commission's membership.

¹ National Criminal Justice Association. (2012). *Expanding stakeholder involvement in criminal justice planning*. Washington, DC.

² Cushman, Robert C. (2002). *Guidelines for developing a criminal justice coordinating committee*. Washington, DC: U.S. Department of Justice, National Institute of Corrections.

³ Although the guidelines focus on establishing a "criminal justice coordinating committee" in local jurisdictions, such as counties, this type of committee is defined as "an inclusive term applied to informal and formal committees that provide a forum where many key justice system agency officials and other officials of general government may discuss justice system issues."

⁴ The guidelines cited the following document: Sigmon, J.N., Goerd, J., Wallace, S., Gramckow, H., Free, K., & Nugent, M.E. et al. (1999). *Adjudication partnerships: critical components*. Alexandria, VA: American Prosecutor's Research Institute.

During the current audit, some commission members indicated an interest in exploring the idea of expanding the Commission's representation, while others did not. However, according to commission management, since 2006, the Commission has not formally reviewed how its membership serves the entire State or how modifying its membership would or would not help it fulfill its mission to enhance the coordination and effectiveness of Arizona's criminal justice system. Therefore, the Commission should, in a public meeting, assess its membership to determine if it should be modified to more fully fulfill its mission and to better serve the entire State. The Commission should document its official assessment and, if the assessment determines that the Commission's membership should be modified, it should work with the Legislature to revise the Commission's membership.

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

General Counsel for the Auditor General has analyzed the Commission's rule-making statutes and believes that the Commission has established all of the rules statute requires and that established rules are consistent with statute.

5. The extent to which the Commission has encouraged input from the public before adopting its rules and the extent to which it has informed the public as to its actions and their expected impact on the public.

The Commission has provided opportunities for public input before adopting its rules by holding public hearings regarding the proposed rules. Specifically, the Commission incorporated public input from these public hearings as it revised and added rules in August 2011 and in December 2012. For example, when it revised and added rules in 2012 pertaining to crime victim services, commission staff conducted several public hearings across the State, held stakeholder meetings, and summarized in a report to the Commission how it incorporated public input into the draft rules.

In addition, the Commission has informed the public of its actions by holding meetings that are open to the public. Specifically, auditors assessed the Commission's compliance with various provisions of the State's open meeting law for the commission meeting held in January 2016 and found the Commission to be in compliance with these provisions. As required by open meeting law, the Commission posted meeting notices and agendas on its Web site and near its office at least 24 hours in advance, and followed the agenda items during the meeting. Further, in compliance with statute, commission management made commission meeting audio recordings available to the public upon request within 3 days after the meeting date.

6. The extent to which the Commission has been able to investigate and resolve complaints that are within its jurisdiction.

Although the Commission is not a regulatory agency and does not resolve complaints as one of its key functions, its rules indicate that individuals can submit written complaints to the Commission regarding Criminal Justice Enhancement Fund monies being expended

in a manner inconsistent with statute.¹ Commission staff reported that since the addition of this requirement in 2011, they have not received any written complaints in this area. Commission staff also reported that since at least 2011, it has not received any formal complaints from the public related to other commission activities such as managing grants or conducting research. Commission staff also said that if the Commission received any such complaints, they would be handled by the Director and Commission Chair.

7. The extent to which the Attorney General or any other applicable agency of state government has the authority to prosecute actions under the enabling legislation.

A.R.S. §41-192 authorizes the Attorney General to act as the Commission's legal advisor and provide legal services as the Commission requires.

8. The extent to which the Commission has addressed deficiencies in its enabling statutes that prevent it from fulfilling its statutory mandate.

The Commission reported that it proposes revisions to its statutes to the Legislature. For example, these revisions have included removing duplicative statutes and adjusting how criminal justice monies are distributed. In addition, as mentioned in Finding 1, page 15, the Commission worked with the Legislature to pass Laws 2016, Ch. 24, which provides the Commission greater flexibility with monies it could previously only use for the administration of the *Arizona Youth Survey* by allowing these monies to also pay for other research center activities.²

9. The extent to which changes are necessary in the laws of the Commission to adequately comply with the factors listed in the sunset law.

In addition to potentially proposing statutory changes to its membership (see Sunset Factor 3, pages 22 through 24), the Commission should propose statutory changes to address issues with its statutorily required sexual assault report. Specifically, statute requires the Commission to provide a report on several records pertaining to sexual assault, sexual assault of a spouse, and false reporting of sexual assault of a spouse, including the number of police reports and the number of convictions obtained, among other requirements. For those sexual assaults that involved a spouse, the Commission must also report on whether the victim and the spouse were estranged at the time of the assault. However, two factors prevent the Commission from being able to meet the reporting requirements related to sexual assault of a spouse and false reporting of sexual assault of a spouse. Specifically:

- **Sexual assault of a spouse is not a separate offense in the criminal code**—Laws 2005, Ch. 185, created the Commission's sexual assault report requirement, but also repealed A.R.S. §13-1406.01, the statute that allowed an offender to be specifically charged with sexual assault of a spouse. Without a specific statute for sexual assault of a spouse in Arizona's criminal code, the State's criminal history records—which the research center

¹ A.R.S. §41-2401(D) establishes how the Criminal Justice Enhancement Fund (Fund) monies are distributed proportionately among various agencies or funds and how the monies should be spent. See Table 1, page 7, footnote 1, for more information on the source of monies in this Fund.

² The Drug and Gang Prevention Resource Center Fund (Fund) provides monies for the *Arizona Youth Survey*. The Fund comprises 1.31 percent of fee collections and filings in the Superior Court, 1.31 percent of notary bond fees, and public and private gifts or grants, excluding federal monies.

uses to compile this report—do not contain the information necessary for the research center to be able to identify sexual assaults that involved a spouse and whether the spouse and victim were estranged at the time of the assault. Further, although criminal history records indicate whether an incident of sexual assault involved domestic violence, domestic violence as defined in A.R.S. §13-3601 is not restricted to instances where the victim and offender are married. Therefore, the domestic violence indicator in criminal history records is not sufficient to identify sexual assaults that involved a spouse, as required by statute.

- **First-time offenses for false reporting are not recorded in the criminal history records repository**—Laws 2005, Ch. 185, also established false reporting of sexual assault of a spouse as a Class 1 misdemeanor, which does not require fingerprinting and submission of the arrest and subsequent case information to the criminal history records repository. Therefore, the data the research center needs to fulfill this report requirement is limited. For example, according to the Commission’s 2014 sexual assault report, one arrest charge was submitted for false reporting of sexual assault involving a spouse in calendar year 2010 and no other arrest charges for that offense were entered into the criminal history repository between calendar years 2003 and 2012.

The Commission reported that it had previously expressed concerns about these statutorily-required reporting requirements that it is unable to fulfill, but it did not gain any support for changing these requirements. As a result, the Commission remains unable to fulfill some of the reporting requirements for the sexual assault report. Therefore, the Commission should seek the necessary legislative changes regarding the reporting requirements it cannot fulfill for the statutorily required sexual assault report.

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

Although terminating the Commission would not significantly affect the public health, safety, or welfare, the Commission was created to carry out various coordinating, monitoring, and reporting functions for Arizona’s criminal justice system. In addition, its two key statutory functions—conducting research and administering state-wide criminal justice grants—are not being duplicated by other state agencies. Specifically, auditors did not identify any other entities in Arizona that have a similar research function as the Commission’s research center. For example, the Arizona Department of Public Safety (DPS) is responsible for operating the Arizona Computerized Criminal History (ACCH) system—the state repository for arrest and disposition information from law enforcement agencies throughout the State—but reported that it is just the holder of this information and does not analyze or conduct any research based on it. The Commission has used the data in the ACCH system to assess the completeness of criminal history records in the State. The Commission reported that state universities may conduct similar research as that of the Commission, but that this research is dependent on the interests of university faculty, is more costly, and takes longer to complete than research performed by a research center housed within a government agency. Similarly, auditors did not identify any nongovernment community

criminal justice organizations conducting comprehensive criminal justice research similar to that of the Commission.

Additionally, auditors did not identify any instances in which the Commission and another agency were assigned to administer the same federal or state grant.¹ During fiscal year 2016, the Commission administered approximately \$19.1 million in state and federal criminal justice grants designed to help reduce or prevent crimes, serve victims, or improve criminal history records. If the Commission were eliminated, another entity would need to be appointed by the Governor or statutory changes would be required to identify another entity to administer these grants. Finally, as indicated in Finding 2 (see pages 17 through 20), auditors determined that the Commission had effective grant awarding and monitoring processes.

11. The extent to which the level of the regulation exercised by the Commission compares to other states and is appropriate and whether less or more stringent levels of regulation would be appropriate.

This factor does not apply to the Commission because it is not a regulatory agency.

12. The extent to which the Commission has used private contractors in the performance of its duties as compared to other states and how more effective use of private contractors could be accomplished.

The Commission uses private contractors primarily for assistance with information technology project management and network support and with the administration of the *Arizona Youth Survey* (see Introduction, page 2, for details about this survey). According to a representative from the National Criminal Justice Association, these are also the types of contracted services that other states' criminal justice bodies that are similar to the Commission would primarily use in the performance of their duties.

This audit did not identify any additional areas where the Commission should consider using private contractors.

Recommendations:

1. The Commission should, in a public meeting, assess its membership to determine if its membership should be modified to more fully fulfill its mission and to better serve the entire State. The Commission should document its official assessment and, if the assessment determines that the Commission's membership should be modified, it should work with the Legislature to revise the Commission's membership (see Sunset Factor 3, pages 22 through 24, for more information).

¹ Although the Commission and the DPS administer victim assistance grant programs for the same purpose, the Commission's program is state funded and the DPS' program is federally funded (see Finding 2, pages 17 through 20).

2. The Commission should seek the necessary legislative changes regarding the reporting requirements it cannot fulfill for the statutorily required sexual assault report (see Sunset Factor 9, pages 25 through 26, for more information).

APPENDIX A

Methodology

This appendix provides information on the methods auditors used to meet the audit objectives.

This audit was conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The Auditor General and staff express appreciation to the Arizona Criminal Justice Commission (Commission), Executive Director, and staff for their cooperation and assistance throughout the audit.

Auditors used various methods to study the issues addressed in this report. These methods included reviewing applicable state and federal laws and commission rules, policies and procedures, commission meeting agendas and minutes, a 1996 performance audit report conducted by the Office of the Auditor General (Report No. 96-10), and the Commission's Web site. Auditors also interviewed commission members, the Executive Director, and staff, and attended the January 2016 commission meeting.

Auditors also used the following specific methods to address the audit's objectives:

- To assess the Commission's research activities, auditors compared applicable statutory requirements and information from the Justice Research and Statistics Association and the National Criminal Justice Association to the Commission's research activities and reports produced by the Commission's Statistical Analysis Center (research center), including its crime trends and sexual assault reports.¹ Auditors also interviewed commission officials and stakeholders regarding the Commission's research activities, contacted officials from Statistical Analysis Centers (SACs) in Illinois and Nevada, and reviewed reports produced by those SACs.² Auditors also reviewed commission documents, such as its 2014 and 2015 legislative summaries, annual customer satisfaction surveys, and grant program strategies.
- To assess whether the Commission followed its grant awarding and monitoring processes, auditors reviewed a random sample of nine grants awarded in grant year 2014.³ The sample was stratified to ensure that the sample included grants from each of the Commission's three program areas that administer grants. Auditors also reviewed key commission grant awarding and monitoring policies and procedures and compared them to applicable state and federal requirements such as state statute, federal Office of Management and Budget circulars, and the Code of

¹ The Justice Research and Statistics Association is a national nonprofit organization of state Statistical Analysis Center directors as well as other researchers and practitioners throughout government, academia, and the justice community. The National Criminal Justice Association represents state, tribal, and local governments on crime prevention and crime control issues to help shape and implement criminal justice policy.

² Auditors selected Illinois and Nevada as states for comparison based on characteristics of their SACs, including similarities and differences in structure, and based on input received from commission staff and the Justice Research and Statistics Association that recognized both states' SACs as performing quality work.

³ The Commission's grant year is the same as the State's fiscal year, except for some grants from the Criminal Justice System Improvement program area that follow a grant year of October through September.

Federal Regulations; and to some recommended practices from the U.S. Department of Justice and the Oregon State Controllers Division.^{1,2}

- To obtain information for the Introduction and Sunset factors, auditors reviewed and compiled information from the Commission's statutes, reports, Web site, and commission-prepared financial information for fiscal years 2014 through 2016. In addition, auditors obtained and reviewed commission documents for the January 2016 commission meeting, reviewed a 2012 National Criminal Justice Association publication and a 2002 U.S. Department of Justice publication regarding commission membership, reviewed the Commission's contract information, and interviewed a representative of the National Criminal Justice Association regarding the use of contracts in other states' criminal justice coordinating bodies.^{3,4}
- Auditors' work on internal controls included reviewing the Commission's processes for reporting information included in its research center's reports and reviewing the Commission's grant awarding and monitoring policies and procedures. Auditors' conclusions on internal controls are reported in Finding 1 and Finding 2 of the report.

¹ U.S. Department of Justice, Office of the Inspector General. (2009). *Improving the grant management process*. Washington, DC.

² State of Oregon Department of Administrative Services, State Controllers Division. (2009). *Statewide financial internal controls program: Internal controls & best practices for federal grant management & monitoring*. Salem, OR.

³ National Criminal Justice Association. (2012). *Expanding stakeholder involvement in criminal justice planning*. Washington, DC.

⁴ Cushman, R. C. (2002). *Guidelines for developing a criminal justice coordinating committee*. Washington, DC: U.S. Department of Justice, National Institute of Corrections.

AGENCY RESPONSE



Arizona Criminal Justice Commission

June 16, 2016

Chairperson
SEAN DUGGAN, Chief
Chandler Police Department

Vice-Chairperson
SHEILA POLK
Yavapai County Attorney

JOSEPH ARPAIO
Maricopa County Sheriff

MARK BRNOVICH
Attorney General

JOE R. BRUGMAN, Chief
Safford Police Department

DAVID K. BYERS, Director
Administrative Office of the Courts

KELLY "KC" CLARK
Navajo County Sheriff

DAVE COLE
Former Judge

CHRIS GIBBS, Mayor
City of Safford

DREW JOHN
Graham County Supervisor

ELLEN KIRSCHBAUM, Chairperson
Board of Executive Clemency

BARBARA LAWALL
Pima County Attorney

FRANK MILSTEAD, Director
Department of Public Safety

BILL MONTGOMERY
Maricopa County Attorney

CHARLES RYAN, Director
Department of Corrections

DAVID SANDERS
Pima County Chief Probation Officer

DANIEL SHARP, Chief
Oro Valley Police Department

HESTON SILBERT
Law Enforcement Leader

VACANT
Sheriff

Executive Director
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Ms. Debbie Davenport, Auditor General
State of Arizona
2910 North 44th Street, Suite 410
Phoenix, AZ 85018

Dear Ms. Davenport:

On behalf of the Arizona Criminal Justice Commission (ACJC), below is our response to the performance audit and sunset review report of the ACJC. The Commission and its staff sincerely appreciate the time and effort of your audit team in understanding the unique role the agency plays in sustaining and enhancing Arizona's criminal justice system. I wish to thank the auditors for their professionalism and thorough review of the work conducted by this agency.

ACJC recognizes that the purpose of the audit it is to identify potential areas for improvement within the agency and, in general, agrees with the recommendations proposed by the performance audit and sunset review. ACJC is confident implementing the recommendations identified in the report will result in the Commission better fulfilling its legislative mandate and mission.

ACJC also appreciates your office's agreeing to our proposed changes to more accurately reflect the integral role that the Statistical Analysis Center (SAC) plays in providing research and support to all of ACJC's program areas and important criminal justice stakeholders across the state. The work of the SAC plays a key role in the efforts to effect statewide improvements to Arizona's criminal justice system and programs that are having a significantly positive impact on its citizens.

Additionally, ACJC appreciates your acknowledgement of the exemplary service provided by the SAC from stakeholders and national organizations – including two national awards from the National Criminal Justice Association and the High Intensity Drug Trafficking Areas Program.

We look forward to continuing to work with your office as we progress through the remainder of the sunset review process. Below is the agency response to each recommendation.

Sincerely,

John A. Blackburn, Jr.
Executive Director

Arizona Criminal Justice Commission Response to Auditor General's Performance Audit and Sunset Review Report

Performance Audit Finding 1: Commission should develop strategic approach to better use its research center.

Recommendation 1.1: The Commission should establish an oversight process for its research center similar to the process it has established for its grant program areas to ensure that its research center can better assist it in fulfilling its mission and that it uses the research center's research to make system-wide improvements. Specifically the Commission should:

1.1a: Establish a committee for its research center consisting of a few Commission members, and the committee should then work with the research center to develop research priorities and/or a strategy to guide its research activities. The priorities and/or strategy should then be presented to and approved by the entire Commission.

Agency issues or concerns: Although Commission staff agree with the concept of the recommendation, some of the details of the recommendation would be dependent on Commission approval. The ACJC Chair has agreed to begin the process of establishing a Research Committee.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

1.1b: Receive regular updates from its research center on its progress in accomplishing the Commission's approved strategy.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

1.1c: Use information from its research center, including report recommendations, to recommend policy changes for the State's criminal justice system – whether in statute, rule, agency policies, or general approaches – and coordinate efforts with other state or local criminal justice agencies to pursue implementation of these changes, consistent with its strategic approach.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Recommendation 1.2: The Commission should take steps to resolve issues with its research center's current reports to help ensure its research center can assist it in fulfilling its mission. Specifically, the Commission should:

1.2a: Work with its research center to determine if all statutorily required reports are useful and based on this determination, propose revising and/or eliminating statutorily required reports that are not useful.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

1.2b: Ensure its crime trends report and other reports include recommendations, as required and as appropriate for enhancing the criminal justice system.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

1.2c: Ensure that the research center focuses its crime trends and other reports on specific trends or problems, the reasons for these problems, and best practices to address them to assess the productivity and effectiveness of the criminal justice system and to help facilitate making meaningful recommendations.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Recommendation 1.3: As part of its strategic approach for its research center, the Commission should assess the extent that the research center can expand its work to include assessments of emerging trends in the criminal justice system.

Agency issues or concerns: In the performance audit draft report, comparison is made between the Arizona SAC and the Illinois SAC in regards to that agency's ability to include assessments of emerging trends in the criminal justice system. ACJC appreciates the efforts taken in the report to highlight the differences in agency budgets and staff size so that readers can accurately compare the two agencies. Specifically, the Illinois SAC's staff and budget are both approximately four times larger than the Arizona SAC which allows them to conduct this type of work.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Recommendation 1.4: The Commission should assess the resource needs of its research center. This assessment should include a documented workload analysis that compares the research center's workload, including an estimate of future workload, with staff resources. The Commission should then take appropriate action based on the results of the analysis. For example, the Commission could use the workload analysis to determine how to maximize its allocated resources and/or work with the Legislature to request additional appropriations to hire more staff or contract for additional staff resources as needed to address temporary workload fluctuations, as appropriate.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Performance Audit Finding 2: Commission has established effective grant-awarding and monitoring processes, but should formalize coordination efforts in one area.

Recommendation 2.1: The Commission should develop a formal, written process for its grant program staff to annually review with the DPS' federal victim assistance grant program staff, and other victim assistance stakeholders as appropriate, the estimated amount of state and federal monies available and collaborate on developing coordinated funding priorities to address victim assistance needs state-wide.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Recommendation 2.2: The Commission should ensure that this formal process directs staff to continue to work with the Commission's Crime Victim Services Committee to assess victim needs state-wide with the DPS and other victim assistance stakeholders and develop funding priorities.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Recommendation 2.3: The Commission's Crime Victim Services Committee should annually share its assessment and propose revisions to its funding priorities, as necessary, with the entire Commission.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Sunset Factors

Recommendation 1: The Commission should, in a public meeting, assess its membership to determine if its membership should be modified to more fully fulfill its mission and to better serve the entire State. The Commission should document its official assessment and, if the assessment determines that the Commission's membership should be modified, it should work with the Legislature to revise the Commission's membership.

Agency issues or concerns: None.

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Recommendation 2: The Commission should seek the necessary legislative changes regarding the reporting requirements it cannot fulfill for the statutorily required sexual assault report.

Agency issues or concerns: None

Agency response: The findings of the Auditor General is agreed to and the audit recommendation will be implemented.

Performance Audit Division reports issued within the last 12 months

15-CR1	Independent Review—Arizona's Child Safety System and the Arizona Department of Child Safety
15-CR1SUPP	Supplemental Report to the Independent Review—Arizona's Child Safety System and the Arizona Department of Child Safety
15-106	Arizona State Retirement System
15-CR2	Independent Operational Review of the Arizona State Retirement System's Investment Strategies, Alternative Asset Investment Procedures, and Fees Paid to External Investment Managers
15-107	Arizona Sports and Tourism Authority
15-108	Arizona Department of Administration—Personnel Reform Implementation
15-109	Arizona Department of Administration—Sunset Factors
15-110	Arizona Foster Care Review Board
15-111	Public Safety Personnel Retirement System
15-CR3	Independent Operational Review of the Public Safety Personnel Retirement System Investment Strategies, Alternative Asset Investment Procedures, and Fees Paid to External Investment Managers
15-112	Arizona Commerce Authority
15-113	Arizona Department of Transportation—Transportation Revenues
15-114	Arizona Department of Transportation—Sunset Factors
15-115	Arizona Radiation Regulatory Agency, Arizona Radiation Regulatory Hearing Board, and Medical Radiologic Technology Board of Examiners
15-116	Arizona Department of Revenue—Security of Taxpayer Information
15-117	Arizona Department of Revenue—Sunset Factors
15-118	Arizona Department of Child Safety—Child Safety, Removal, and Risk Assessment Practices
15-119	Arizona Department of Environmental Quality— Vehicle Emissions Inspection Program
15-120	A Comparison of Arizona's Two State Retirement Systems
15-121	Alternatives to Traditional Defined Benefit Plans
16-101	Arizona Department of Education—K-3 Reading Program
16-102	Arizona Department of Child Safety—Differential Response and Case Screening
16-103	Arizona State Board of Respiratory Care Examiners
16-104	Arizona Board of Osteopathic Examiners in Medicine and Surgery

Future Performance Audit Division reports

Arizona Department of Education—Empowerment Scholarship Accounts Program