



# Arizona Criminal Justice Commission

## News Release

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CARL TAYLOR  
Coconino County Supervisor

Mayor  
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Police Chief  
VACANT

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*Executive Director*  
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**FOR IMMEDIATE RELEASE**

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### **Arizona Criminal Justice Commission receives more than \$500,000 to improve NICS records**

#### ***Grant will address missing mental health adjudications***

*Phoenix, Ariz. (Sept. 15, 2011)*—The Arizona Criminal Justice Commission (ACJC), the state administering agency for the National Criminal History Improvement Program (NCHIP), received a \$582,932 grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (BJS) to improve the quality of records Arizona submits to the National Instant Criminal Background Check System (NICS). The records include automated information required by the NICS to identify felony convictions, felony indictments, fugitives from justice, drug arrests and convictions, prohibiting mental health adjudications and commitments, domestic violence protection orders, and misdemeanor crimes of domestic violence, which identify persons prohibited from possessing firearms. Federal Firearms Licensees use NICS to determine instantly whether a prospective buyer is eligible to buy firearms or explosives.

BJS granted the award under the 2011 National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP). The NARIP grants program was authorized by the NICS Improvement Amendments Act of 2007 (NIAA), which was enacted following the Virginia Tech shootings. Congress passed NIAA to address the gap in information available to NICS regarding prohibiting mental health adjudications and commitments and other prohibiting information.

*Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the Criminal Justice System in Arizona*

The ACJC applied for NARIP funding to establish a task force to address mental health adjudications or commitments reporting and missing and/or backlogged dispositions for criminal records that would be considered prohibiting records used by NICS (felonies, drug convictions, and domestic violence protection orders and convictions) with priority given to those missing mental health adjudications. The task force will be comprised of stakeholders with responsibility for the records systems, including the Administrative Office of the Courts and the Department of Public Safety, as well as public safety officials who contribute to the records. Other members will include policy makers, analysts and advisors with knowledge of the issue.

The task force's initial efforts will be the development of a comprehensive strategic plan to improve the NICS records with primary attention given to the records identifying persons who have a prohibiting mental health adjudication or commitment. The focus of the Arizona NICS Records Improvement Strategic Plan would include analysis and direction for improvements to the reporting process of mental health records and opportunities for implementation of automated solutions for information transfer. The task force will review completeness, automation, and transmittal of records and the availability of federal grant funding for criminal justice agencies to address backlogs and disposition rejects with priority set on those missing records identifying persons prohibited from possessing firearms.

NIAA also mandated that states participating in the NARIP program provide persons with relief from such adjudications; Arizona law permits a person to petition the court that entered an order, finding or adjudication resulting in the person being a prohibited possessor to restore the person's right to possess a firearm once the person can demonstrate he or she has been restored to competency. The person requesting relief is required to present psychological or psychiatric evidence in support of the petition.

“The NARIP program ensures public safety by correctly identifying persons who have lost their firearms rights by their own actions. But it also supports the second amendment because it provides, by law, the ability for persons adjudicated with mental health issues to have those rights restored

once they have successfully been restored to competency,” said ACJC Executive Director John Blackburn Jr.

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**About the ACJC**

*The Arizona Criminal Justice Commission is a statutorily authorized entity mandated to carry out various coordinating, monitoring and reporting functions regarding the administration and management of criminal justice programs in Arizona. In accordance with statutory guidelines, the Commission is comprised of 19 Commissioners who represent various elements of the criminal justice system in Arizona. Five of the 19 Commission members are agency heads, while the other 14 are appointed by the Governor to serve for two-year terms. ACJC was created in 1982 to serve as a resource and service organization for Arizona's 480 criminal justice agencies on a myriad of issues ranging from drugs, gangs, victim compensation and assistance to criminal record improvement initiatives. The ACJC works on behalf of the criminal justice agencies in Arizona to facilitate information and data exchange among statewide agencies by: establishing and maintaining criminal justice information archives; monitoring new and continuing legislation relating to criminal justice issues; and gathering information and research on existing criminal justice programs.*