

ARIZONA STATE LEGISLATURE
Fiftieth Legislature – First Regular Session

JOINT LEGISLATIVE COMMITTEE ON HOMELAND SECURITY

Minutes of Interim Meeting
Wednesday, August 17, 2011
Senate Hearing Room 1 -- 2:00 p.m.

CoChairman Antenori called the meeting to order at 2:08 p.m. and attendance was noted by the secretary.

Members Present

Senator Frank Antenori, CoChairman
Senator Jack Jackson Jr.

Representative David Gowan, CoChairman
Representative Lynne Pancrazi
Representative Franklin Pratt

Members Absent

Senator Gail Griffin
Senator Robert Meza
Senator Don Shooter

Representative Matt Heinz
Representative Carl Seel

CoChairman Antenori welcomed Members and introduced Director Gilbert Orrantia from the Arizona Department of Homeland Security.

Presentation: Gilbert Orrantia, Director, Arizona Department of Homeland Security

Gilbert Orrantia, Director, Arizona Department of Homeland Security, provided the Members with a copy of his presentation (Attachment 1) and relayed a brief history of his background in the Federal Bureau of Investigation across the United States leading up to his retirement in 2008 and appointment as Director of the Arizona Department of Homeland Security by Governor Janice K. Brewer in 2009. Director Orrantia thanked the Members for their public service to the State of Arizona and opined that there is no higher calling than that of public service.

Arizona Department of Homeland Security (AZDOHS):

- manages federal homeland security grants
 - 3 year cycle
 - over 1,000 active projects
 - over \$150 million managed
- develops state homeland security strategy
- collaborates on border security

Creation of AZDOHS:

- cabinet level department
- created September 21, 2006
- governed by Arizona Revised Statutes (A.R.S.) Title 41, Chapter 41

Duties of AZDOHS:

- formulates policies, plans and programs for homeland security grants
- develops a statewide homeland security strategy
- makes sub-awards of grants of federal homeland security grant monies
- coordinates the efforts of the Regional Advisory Committees (RACs), Senior Advisory Committee (SAC), Operation Stonegarden (OPSG) Working Group
- develops a Target Capabilities Assessment with stakeholders
- partners with and involves the private sector in preparedness efforts
- fulfills data calls from and acts as liaison to the United States Department of Homeland Security

Regional Advisory Councils:

- membership requirements in A.R.S. Section 41-4258
- subject matter expertise
- local knowledge
- membership of the councils consists of:
 - a representative of a fire service from an urban/suburban area in the region
 - a representative of a fire service from a rural area in the region
 - a police chief
 - a county sheriff or the sheriff's proxy
 - a tribal representative
 - an emergency manager
 - a mayor or the mayor's proxy
 - a county supervisor or the supervisor's proxy
 - four at-large members
 - a representative from the Department of Public Safety
 - a public health representative

Senior Advisory Committee:

- membership requirements in A.R.S. Section 41-4256
- integrates disciplines
- subject matter expertise
- membership of the SAC consists of:
 - Director of AZDOHS
 - Director of Arizona Division of Emergency Management (ADEM)
 - Director of Health
 - Director of Department of Public Safety (DPS)
 - Director of Arizona Criminal Justice Commission (ACJC)
 - Republican State Senator
 - Democrat State Senator
 - Republican State Representative

- Democrat State Representative
- League of Arizona Cities and Towns Representative
- Governor's Tribal Policy Advisor
- County Sheriff's Association Representative
- State Fire Marshall
- Fire Chief's Association Representative
- Association of Police Chief's Representative
- Tucson Urban Area Security Initiative Coordinator
- Phoenix Urban Area Security Initiative Coordinator
- Statewide Interoperability Coordinator

Cooperation and Coordination:

- terrorism prevention
- all hazards approach
- state, local, tribal
- non-governmental organizations
- industry relationships

Director Orrantia provided that the following are protections administered by AZDOHS:

- target hardening
- surveillance systems
- SWAT equipment
- communications
- personal protective equipment
- antidotes
- special operations
- specialty vehicles

Border Security

OPSG purpose and scope:

- Purpose:
 - funds overtime/mileage and equipment
 - 38 local, county and tribal law enforcement agencies participate
 - high visibility uniform patrol in coordination with Customs and Border Protection (CBP) in the border region
 - operational orders coordinated and approved by CBP
- Amount:
 - \$13,883,735 in Federal Fiscal Year 2010

OPSG roles:

- AZDOHS is the lead agency for administering OPSG grant funds
- CBP/BP is the lead agency for OPSG operations
- County Sherriffs' offices participate in the OPSG Working Groups and prepare Operational Orders

AZDOHS Role:

- Coordination and Administration
 - administer grant activities
 - financial reimbursement
 - Oversight Committee
 - Staff Working Group and Oversight Committee

Stonegarden Oversight Committee:

- Committee Membership:
 - Director - AZDOHS (Chairperson)
 - Director - Department of Public Safety (DPS)
 - Santa Cruz County Sheriff
 - Pima County Sheriff
 - Yuma County Sheriff
 - Cochise County Sheriff
 - CBP Sector Chief - Tucson
 - CBP Sector Chief - Yuma
 - Director - High Intensity Drug Trafficking Area (HIDTA)
- Participating Agencies:
 - 38 total agencies (state, county, local and tribal)
 - 24 municipal police departments
 - 4 counties (Yuma, Pima, Cochise and Santa Cruz)
 - 4 Indian tribes
 - 2 state agencies (DPS, Game and Fish)

Discussion

Senator Antenori asked if the AZDOHS has a metric that it uses to fund proportionately per population or by activity level in a particular area. Director Orrantia stated that there is a process for funding the different activities based upon threat assessment as well as intelligence that is gathered and that the AZDOHS would like to see more funding.

Representative Pancrazi asked if there are other states that have received more funding than Arizona. Director Orrantia stated that he does not have specific statistics but that the Tucson sector is the most active sector in all of the country but receives slightly less funding than California or Texas. He offered to follow up with the Members via email with the exact figures. Representative Pancrazi asked why only four tribes are participating in OPSG, when there are 22 tribes in the state. Director Orrantia stated that the tribes participating are the tribes located in the southern border of the state including:

- Tohono O’odham Nation
- Pascua Yaqui Tribe
- Fort Yuma-Quechan Tribe
- Cocopah Tribe

Representative Pratt asked if Pinal County has been considered for funding even though it is not a border county. Director Orrantia stated that while Pinal County is considered, the focus of the

funding is directed toward border communities. He continued that the sheriff of an adjoining county carries the responsibility of providing or allocating funding toward border security. He recognized that the entire state is affected by border security issues and would benefit from funding but there is not enough money to fund the entire state. He stated that monies have been allocated to Pinal County in the past. Representative Pratt stated his concern that the Tohono O'odham Nation, located between the border and Pinal County, works well with Border Patrol and federal agencies, but the agreements are weak. He asked if there are any existing agreements between the Tohono O'odham Nation and the Department of Public Safety (DPS) to address security issues. Director Orrantia deferred to DPS.

Senator Jackson stated that he previously served in the Arizona House of Representatives in 2003 and later was appointed the Executive Director of the Commission on Indian Affairs. He stated that each year the Commission holds a Town Hall meeting and in 2005, co-hosted with AZDOHS, where a comprehensive Town Hall report was developed. He asked why no tribal leadership is included in the members of the Stonegarden Oversight Committee. Director Orrantia stated that the AZDOHS made it a priority to reach out to the tribal communities. He explained that training programs specific to tribal entities have begun. He stated that he will get back to Senator Jackson regarding the lack of tribal membership on the Stonegarden Oversight Committee but that the Tohono O'odham Nation has been very active in OPSG.

Senator Jackson asked about the Arizona Division of Emergency Management's coordination of efforts with the AZDOHS regarding tribal communities. Director Orrantia explained that AZDOHS coordinates very well with the Arizona Division of Emergency Management.

Representative Pancrazi asked if all tribal agreements with the AZDOHS are the same, and if not, why is there a discrepancy. Director Orrantia stated that the agreements are made on a tribe-by-tribe basis because of sovereignty that exists for each tribe. He stated that in some situations, depending on the different tribal councils and governments involved, there can be a variance between agreements. He explained that AZDOHS makes efforts to meet with each individual tribe to establish those agreements, but some take more time than others. Representative Pancrazi asked if any of the aforementioned grant funds can be used to build a fence along the border on the federal or tribal properties if all parties are in agreement. Director Orrantia explained that the grants include grant guidance and are focused primarily on first responders and are not intended for that type of project.

Representative Pancrazi stated her support of the AZDOHS's ability to achieve a high level of interoperability between all of the entities along the border to work together to curb illegal immigration and drug trafficking. Director Orrantia stated that interoperability is expensive and difficult to achieve but that AZDOHS is proud to participate.

Representative Gowan asked for the basic responsibilities of the Stonegarden Oversight Committee. Director Orrantia stated that all of the leaders of the different entities involved gather to discuss strategy and the different important areas that need to be addressed as a group. He stated that often, the different entities communicate primarily by email or phone and the Stonegarden Oversight Committee is an opportunity to have all of the leaders regularly sit down and discuss important matters in person, such as vulnerabilities along the border. He explained

that the objective of the Committee is better coordination and more efficient use of the little money that is available. Representative Gowan asked how the members of the Committee are chosen and asked if the Pinal County Sheriff can be added. Director Orrantia explained that the Committee was created in 2006 and the initial goal was to include the sheriffs of the counties along the border. He explained that adding the Pinal County Sheriff can be explored but that money is limited and the committee's focus is the border. Discussion ensued regarding the appropriation of the grant monies that are provided by the federal government.

Representative Gowan asked how the Committee was established. Director Orrantia explained that the Committee was developed by the parties that were involved along the border at the time. He stated that he would research this and provide information to the Members.

Representative Pratt asked if there is any interaction between Arizona and Mexico with OPSG. Director Orrantia stated that the AZDOHS is involved in the Arizona-Mexico Commission as well as the Border Governor's Conference. He stated that Border Patrol also has a relationship with Mexico but that he cannot speak to the level of that relationship.

In response to questions from Members, Director Orrantia stated that the AZDOHS is coordinating with the Division of Emergency Management in planning a downtown Phoenix exercise regarding terrorist attacks but that he is not the person to provide the update.

CoChairman Antenori stated that based on the amount of critical infrastructure in Arizona such as nuclear plants and hydroelectric plants, the Legislature should be involved in exercises in preparedness for terrorist attacks. He asked if AZDOHS is involved in those types of exercises or if that is the federal government's responsibility. Director Orrantia stated that it is the responsibility of both the federal and state governments. He continued that depending on the infrastructure and the level of funding appropriated, there is federal involvement.

Representative Pratt echoed his concerns about terrorist attacks on critical infrastructure.

Representative Gowan asked Director Orrantia to explain the roles of the RACs and the SAC. Director Orrantia stated that the RACs are involved in reviewing the applications for first responder equipment and training, etc. He explained that OPSG is a separate entity and does not go through the RACs.

CoChairman Antenori asked who appoints the RACs. Director Orrantia stated that the Governor appoints the members of the RACs.

CoChairman Antenori thanked the Members of the Committee for attending.

Without objection, the meeting adjourned at 2:55 p.m.

Charly Laube, Committee Secretary
August 17, 2011

(Original minutes, attachments and audio on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

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