

Arizona Criminal Justice Commission

	FY 2020 ACTUAL	FY 2021 ESTIMATE	FY 2022 APPROVED
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	11.0	11.0	11.0
Personal Services	450,500	534,900	514,000
Employee Related Expenditures	160,200	218,000	218,700
Professional and Outside Services	247,500	349,800	349,800
Travel - In State	3,800	1,000	1,000
Travel - Out of State	6,900	3,000	3,000
Other Operating Expenditures	143,000	186,000	189,800
Equipment	28,200	0	0
OPERATING SUBTOTAL	1,040,100	1,292,700	1,276,300
SPECIAL LINE ITEMS			
Coordinated Reentry Planning Database	0	0	1,000,000
Criminal History Repository Upgrade	89,800	600,000 ^{1/}	0
Felony Pretrial Intervention Programs	750,000	0	0
State Aid to County Attorneys	716,300	973,700	973,700
State Aid to Indigent Defense	0	0	700,000
Victim Compensation and Assistance	3,978,700	4,229,900	4,224,600
AGENCY TOTAL	6,574,900	7,096,300	8,174,600 ^{2/}
FUND SOURCES			
General Fund	0	0	1,000,000
<u>Other Appropriated Funds</u>			
Criminal Justice Enhancement Fund	439,700	668,500	658,800
Drug and Gang Prevention Resource Center Fund	600,400	624,200	617,500
Fingerprint Clearance Card Fund	89,800	600,000	0
State Aid to County Attorneys Fund	716,300	973,700	973,700 ^{3/}
State Aid to Indigent Defense Fund	0	0	700,000
Transition Program Fund	750,000	0	0
Victim Compensation and Assistance Fund	3,978,700	4,229,900	4,224,600 ^{4/}
SUBTOTAL - Other Appropriated Funds	6,574,900	7,096,300	7,174,600
SUBTOTAL - Appropriated Funds	6,574,900	7,096,300	8,174,600
Other Non-Appropriated Funds	5,328,100	5,160,100	5,160,100
Federal Funds	7,622,300	18,405,000	18,405,000
TOTAL - ALL SOURCES	19,525,300	30,661,400	31,739,700

AGENCY DESCRIPTION — The commission was created to enhance the effectiveness and coordination of the criminal justice system in Arizona. The commission may identify needed revisions in the system and make reports. It receives 1.79% of Criminal Justice Enhancement Fund (CJEF) monies.

FOOTNOTES

- ^{1/} This appropriation is a continuing appropriation and is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.
- ^{2/} General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.
- ^{3/} All monies received by the Arizona criminal justice commission in excess of \$973,700 in fiscal year 2021-2022 from the state aid to county attorneys fund established by section 11-539, Arizona Revised Statutes, are appropriated to the state aid to county attorneys program. Before spending any state aid to county attorneys fund monies in excess of \$973,700 in fiscal year 2021-2022, the Arizona criminal justice commission shall report the intended use of the monies to the joint legislative budget committee. (General Appropriation Act footnote)
- ^{4/} All victim compensation and assistance fund monies received by the Arizona criminal justice commission in excess of \$4,224,600 in fiscal year 2021-2022 are appropriated to the crime victims program. Before spending any victim

compensation and assistance fund monies in excess of \$4,224,600 in fiscal year 2021-2022, the Arizona criminal justice commission shall report the intended use of the monies to the joint legislative budget committee. (General Appropriation Act footnote, as adjusted for statewide allocations)

Operating Budget

The budget includes \$1,276,300 and 11 FTE Positions in FY 2022 for the operating budget. These amounts consist of:

	<u>FY 2022</u>
CJEF	\$658,800
Drug and Gang Prevention Resource Center Fund	617,500

FY 2022 adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(16,400) in FY 2022 for statewide adjustments. This amount consists of:

CJEF	(9,700)
Drug and Gang Prevention Resource Center Fund	(6,700)

(Please see the Agency Detail and Allocations section.)

Coordinated Reentry Planning Database

The budget includes \$1,000,000 from the General Fund in FY 2022 for a Coordinated Reentry Planning Database. FY 2022 adjustments are as follows:

One-Time Database Funding

The budget includes a one-time increase of \$1,000,000 from the General Fund in FY 2022 for the development of a cross-system recidivism tracking database that incorporates data collected by counties that receive monies for these purposes.

The budget also includes a total of \$10,000,000 in FY 2022 for counties to establish coordinated reentry planning programs. *(Please see the County Funding – Coordinated Reentry Planning Services Section for more information.)*

Criminal History Repository Upgrade

The budget includes no funding from the Fingerprint Clearance Card Fund in FY 2022 for a Criminal History Repository Upgrade. FY 2022 adjustments are as follows:

Remove Criminal History Repository Funding

The budget includes a decrease of \$(600,000) from the Fingerprint Clearance Card Fund to remove a 3-year appropriation.

The FY 2019 General Appropriation Act appropriates \$600,000 from the Fingerprint Clearance Card Fund for this purpose in FY 2019, FY 2020, and FY 2021 for a total of \$1,800,000 over 3 years. This amount is non-lapsing. ACJC spent a total of \$101,000 in FY 2019 and FY 2020 combined, leaving \$1,699,000 in available funding. ACJC reports that project expenditures have been slow due to a delay in design phase of the project. ACJC estimates spending the remaining \$1,699,000 in FY 2021.

This line item provided funding for the Arizona Computerized Criminal History Repository Upgrade in which ACJC coordinates with the Department of Public Safety, law enforcement agencies, county attorneys, and courts to develop and implement a data exchange system to allow for the electronic transfer and submission of criminal history record information to the Arizona Computerized Criminal History Repository within 24 hours. Priority is given to entities based on deficiencies in dispositions and volume of cases.

State Aid to County Attorneys

The budget includes \$973,700 from the State Aid to County Attorneys Fund in FY 2022 for State Aid to County Attorneys. This amount is unchanged from FY 2021.

This line item provides funding for the various offices of county attorneys throughout Arizona to improve the processing of criminal cases. The line item receives funds from a 15.44% allocation of a 7% penalty assessment on fines, penalties, and forfeitures imposed by the courts for criminal and civil motor vehicle violations and a portion of the monies collected by the Supreme Court and Court of Appeals. ACJC is required to distribute the monies to each county based on a composite index formula using Superior Court felony filings and county population.

State Aid to Indigent Defense

The budget includes \$700,000 from the State Aid to Indigent Defense Fund in FY 2022 for State Aid to Indigent Defense. FY 2022 adjustments are as follows:

State Aid to Indigent Defense Fund-Shift

The budget includes an increase of \$700,000 from the State Aid to Indigent Defense Fund in FY 2022 for State Aid to Indigent Defense. Since FY 2011 the Department of Public Safety (DPS) has utilized this funding. The budget includes a corresponding decrease from the fund in DPS to shift the funding back to ACJC.

This line item provides funding to the various counties in Arizona for processing of criminal cases by the offices of the public defender, legal defender, and/or contract indigent defense counsel in each county.

The line item receives funding from a 14.66% allocation of a 7% penalty assessment on fines, penalties, and forfeitures imposed by the courts for criminal and civil motor vehicle violations and a portion of the monies collected by the Supreme Court and Court of Appeals. ACJC is required to distribute the monies to each county based on a composite index formula using Superior Court felony filings and county population.

Victim Compensation and Assistance

The budget includes \$4,224,600 from the Victim Compensation and Assistance Fund in FY 2022 for Victim Compensation and Assistance. FY 2022 adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(5,300) from the Victim Compensation and Assistance Fund in FY 2022 for statewide adjustments.

This line item provides funding for 2 crime victim grant programs: the Victim Compensation Program and the Victim Assistance Program. Victim compensation monies are distributed to county compensation boards that award cash compensation to crime victims for specified expenses resulting from their victimization. Revenues for victim compensation grant monies come from 3 sources: a \$9 penalty on criminal and civil violations, monies collected from a 10% assessment of a worker's gross compensation, and unclaimed victim restitution. Victim assistance monies are granted to local government and not-for-profit agencies on a competitive basis and are used for operating expenses related to their victim assistance programs. Revenues for victim assistance grants come from community supervision fees and interstate compact fees.

Other Issues

Criminal Justice Enhancement Fund

The Criminal Justice Enhancement Fund receives revenues from penalties on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations. Laws 2018, Chapter 237 reduced the CJEF surcharge from 47.0% to 42.0% in A.R.S. § 41-2401 and removed the Victims' Rights Fund and Victim Compensation and Assistance Fund as recipients of the surcharge. Instead, these 2 funds receive revenues from a new \$9 penalty on criminal and civil violations.

CJEF monies are distributed on a percentage basis to various state entities. Table 1 shows the current distribution percentages and the appropriation status of the funds and programs receiving CJEF monies. (See *individual agency pages for detailed information on each recipient.*)

Table 1

Criminal Justice Enhancement Fund (CJEF)

Funds Transferred ^{1/}	FY 2020 ^{2/}	% of CJEF	Approp.
<u>Attorney General</u>			
AZ Prosecuting Attorneys Advisory Council (4)	\$ 931,300	3.45	no
County Attorneys (7)	2,877,000	10.66	no
Victim Rights Implementation	2,734,300	^{3/}	yes
<u>Arizona Criminal Justice Commission</u>			
Operation Costs (10)	483,100	1.79	yes
Crime Victims Compensation	224,700	^{3/}	yes
<u>Department of Public Safety</u>			
Crime Lab Assessment Fund (11)	-	2.62	yes
Forensics Fund (1)	5,922,600	19.09	yes
Peace Officers' Training Fund (3)	5,119,800	18.97	no
State/Local Grants (6)	2,237,600	8.29	^{4/}
<u>Department of Juvenile Corrections</u> (2)	496,400	1.84	yes
<u>State Treasurer</u>			
County Sheriffs (9)	3,546,800	13.34	no
<u>Supreme Court</u>			
Case Processing (8)	1,851,600	6.86	yes
Juvenile Crime (5)	2,877,000	10.66	yes
Community Punishment Program (12)	<u>592,500</u>	2.43	yes
Total Funds Distributed ^{5/}	\$29,894,500		

^{1/} The numbers following the recipient agencies represent the paragraph numbers from A.R.S. § 41-2401D.

^{2/} The FY 2020 figures reflect amounts as reported by individual agencies to ACJC and may not correspond directly with agencies' statutory allocation. Financial information provided by agencies reflect when revenues from CJEF were recognized by the agency, not when the Treasurer's Office indicated the revenues were available to those agencies.

^{3/} Laws 2018, Chapter 237 reduced the CJEF surcharge from 47.0% to 42.0% in A.R.S. § 41-2401 and removed the Victims' Rights Fund and Victim Compensation and Assistance Fund as recipients of the surcharge. Instead, these 2 funds receive revenues from a new \$9 penalty on criminal and civil violations.

^{4/} Monies retained by the Department of Public Safety for operating expenditures are appropriated. Monies passed through to state and local agencies are non-appropriated.

^{5/} Total does not sum due to rounding.