

## Arizona Criminal Justice Commission

	FY 2021 ACTUAL	FY 2022 ESTIMATE	FY 2023 BASELINE
<b>OPERATING BUDGET</b>			
<i>Full Time Equivalent Positions</i>	11.0	11.0	11.0
Personal Services	539,600	461,000	461,000
Employee Related Expenditures	187,600	170,100	170,100
Professional and Outside Services	243,100	442,400	442,400
Travel - In State	3,500	4,000	4,000
Travel - Out of State	1,300	2,000	2,000
Other Operating Expenditures	132,700	160,800	160,800
Equipment	2,300	36,000	36,000
<b>OPERATING SUBTOTAL</b>	<b>1,110,100</b>	<b>1,276,300</b>	<b>1,276,300</b>
<b>SPECIAL LINE ITEMS</b>			
Coordinated Reentry Planning Database	0	1,000,000	0
Criminal History Repository Upgrade	553,300 <sup>1/</sup>	0	0
State Aid to County Attorneys	685,900	973,700	973,700
State Aid to Indigent Defense	0	700,000	700,000
Victim Compensation and Assistance	2,620,800	4,224,600	4,224,600
<b>AGENCY TOTAL</b>	<b>4,970,100</b>	<b>8,174,600</b>	<b>7,174,600<sup>2/</sup></b>
<b>FUND SOURCES</b>			
General Fund	0	1,000,000	0
<u>Other Appropriated Funds</u>			
Criminal Justice Enhancement Fund	488,400	658,800	658,800
Drug and Gang Prevention Resource Center Fund	621,700	617,500	617,500
Fingerprint Clearance Card Fund	553,300	0	0
State Aid to County Attorneys Fund	685,900	973,700	973,700 <sup>3/</sup>
State Aid to Indigent Defense Fund	0	700,000	700,000
Victim Compensation and Assistance Fund	2,620,800	4,224,600	4,224,600 <sup>4/</sup>
SUBTOTAL - Other Appropriated Funds	4,970,100	7,174,600	7,174,600
<b>SUBTOTAL - Appropriated Funds</b>	<b>4,970,100</b>	<b>8,174,600</b>	<b>7,174,600</b>
Other Non-Appropriated Funds	4,671,500	4,628,900	4,628,900
Federal Funds	12,630,600	16,616,800	16,616,800
<b>TOTAL - ALL SOURCES</b>	<b>22,272,200</b>	<b>29,420,300</b>	<b>28,420,300</b>

**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

- <sup>1/</sup> This appropriation is a continuing appropriation and is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.
- <sup>2/</sup> General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.
- <sup>3/</sup> All monies received by the Arizona criminal justice commission in excess of \$973,700 in fiscal year 2022-2023 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 2022-2023, the Arizona criminal justice commission shall report the intended use of the monies to the joint legislative budget committee. (General Appropriation Act footnote)
- <sup>4/</sup> All victim compensation and assistance fund monies received by the Arizona criminal justice commission in excess of \$4,224,600 in fiscal year 2022-2023 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 2022-2023, the Arizona criminal justice

commission shall report the intended use of the monies to the joint legislative budget committee. (General Appropriation Act footnote)

### **Operating Budget**

The Baseline includes \$1,276,300 and 11 FTE Positions in FY 2023 for the operating budget. These amounts consist of:

	<b>FY 2023</b>
CJEF	\$658,800
Drug and Gang Prevention Resource Center Fund	617,500

These amounts are unchanged from FY 2022.

### **Coordinated Reentry Planning Database**

The Baseline includes no funding from the General Fund in FY 2023 for the Coordinated Reentry Planning Database. FY 2023 adjustments are as follows:

#### **Remove One-Time Database Funding**

The Baseline includes a decrease of \$(1,000,000) from the General Fund in FY 2023 to remove one-time funding for the development of a cross-system recidivism tracking database.

This line item provides funding for ACJC to develop a recidivism tracking database that incorporates data collected by counties that receive money for these purposes. *(Please see the County Funding – Coordinated Reentry Planning Services Section for more information.)*

### **State Aid to County Attorneys**

The Baseline includes \$973,700 from the State Aid to County Attorneys Fund in FY 2023 for State Aid to County Attorneys. This amount is unchanged from FY 2022.

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 Baseline includes \$700,000 from the State Aid to Indigent Defense Fund in FY 2023 for State Aid to Indigent Defense. This amount is unchanged from FY 2022.

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 Baseline includes \$4,224,600 from the Victim Compensation and Assistance Fund in FY 2023 for Victim Compensation and Assistance. This amount is unchanged from FY 2022.

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**

### **COVID-Related Spending**

ACJC will receive an allocation through the American Rescue Plan Act passed in March 2021. ACJC is expected

to receive \$1,200,000 in FY 2022 to fund programmatic expenses that the Victim Compensation and Assistance Program is eligible to pay out, including victims' medical or dental needs, mental health counseling, funeral and burial costs, lost wages or loss of support, and crime scene clean-up.

**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 FY 2021 amounts transferred, 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.)

<b>Funds Transferred</b> <sup>1/</sup>	<b>FY 2021</b> <sup>2/</sup>	<b>% of CJEF</b>	<b>Approp.</b>
<u>Attorney General</u>			
AZ Prosecuting Attorneys Advisory Council (4)	\$ 933,800	3.45	no
County Attorneys (7)	2,885,400	10.66	no
<u>Arizona Criminal Justice Commission</u>			
Operation Costs (10)	424,700	1.79	yes
<u>Department of Public Safety</u>			
Forensics Fund (1,11)	5,876,400	21.71	yes
Peace Officers' Training Fund (3)	5,134,800	18.97	no
State/Local Grants (6)	2,243,900	8.29	<sup>3/</sup>
<u>Department of Juvenile Corrections</u> (2)			
<u>State Treasurer</u>			
County Sheriffs (9)	3,232,000	13.34	no
<u>Supreme Court</u>			
Case Processing (8)	1,856,900	6.86	yes
Juvenile Crime (5)	2,885,400	10.66	yes
Community Punishment Program (12)	657,800	2.43	yes
<b>Total Funds Distributed</b> <sup>4/</sup>	<b>\$26,629,200</b>		

<sup>1/</sup> The numbers following the recipient agencies represent the paragraph numbers from A.R.S. § 41-2401D.  
<sup>2/</sup> The FY 2021 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.  
<sup>3/</sup> Monies retained by the Department of Public Safety for operating expenditures are appropriated. Monies passed through to state and local agencies are non-appropriated.  
<sup>4/</sup> Total does not sum due to rounding.

<b>SUMMARY OF FUNDS</b>	<b>FY 2021 Actual</b>	<b>FY 2022 Estimate</b>
<b>Criminal Justice Enhancement Fund (JCA2134/A.R.S. § 41-2401)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> A 1.79% allocation of the Criminal Justice Enhancement Fund (CJEF) for operating costs. CJEF consists of a 42% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations. Please see the Non-Appropriated portion of the fund for additional information.		
<b>Purpose of Fund:</b> For operating costs of ACJC.		
<b>Funds Expended</b>	488,400	658,800
<b>Year-End Fund Balance</b>	957,300	718,100
<b>Criminal Justice Enhancement Fund (JCA2134/A.R.S. § 41-2401)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> A 1.79% allocation of CJEF and a portion of "Fill the Gap" funds pursuant to A.R.S. § 41-2124. CJEF consists of a 42% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations. Please see the Appropriated portion of the fund for additional information.		
<b>Purpose of Fund:</b> For operating costs of ACJC.		
<b>Funds Expended</b>	500,100	507,700
<b>Year-End Fund Balance</b>	957,300	718,100

SUMMARY OF FUNDS	FY 2021 Actual	FY 2022 Estimate
<b>Drug and Gang Enforcement Fund (JCA2516/A.R.S. § 41-2402)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> Drug fees and fines (A.R.S. § 13-811), selected Superior Court fees (A.R.S. § 12-284), and local matching funds.		
<b>Purpose of Fund:</b> To make grants in amounts not to exceed the percentages shown to enhance efforts to prosecute (50%), adjudicate (30%), and punish (30%) drug offenders and members of criminal street gangs, as well as to enhance investigations and education programs relating to drug and gang activities (50%), and to improve criminal justice records integration (30%). The fund may also be used to fund the Statistical Analysis Center but not the Arizona Youth Survey.		
<b>Funds Expended</b>	4,171,400	4,121,200
<b>Year-End Fund Balance</b>	3,577,900	4,088,600
<b>Drug and Gang Prevention Resource Center Fund (JCA2280/A.R.S. § 41-2402)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> 1.31% of fee collections and filings in the Superior Court, 1.31% of notary bond fees, and public and private gifts or grants, excluding federal monies.		
<b>Purpose of Fund:</b> To fund the Statistical Analysis Center and Arizona Youth Survey, a statutorily required survey of 8th, 10th, and 12th grade students in schools across Arizona. The survey measures alcohol and drug use, gang affiliation, and weapons within schools.		
<b>Funds Expended</b>	621,700	617,500
<b>Year-End Fund Balance</b>	468,300	594,400
<b>Federal Grants (JCA2000/A.R.S. § 35-142)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> Revenue from federal grants.		
<b>Purpose of Fund:</b> To improve the criminal justice records system in Arizona; to fund state and local correction and detention agencies' substance abuse programs for incarcerated offenders; and to provide support dealing with criminal justice issues.		
<b>Funds Expended</b>	12,630,600	16,616,800
<b>Year-End Fund Balance</b>	13,702,000	7,170,100
<b>Fingerprint Clearance Card Fund (JCA2433/A.R.S. § 41-1758.06)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> Fees charged to applicants or contract providers for a fingerprint clearance card.		
<b>Purpose of Fund:</b> To centralize fingerprinting services for state agencies. Revenues pay for the processing and issuance of fingerprint clearance cards.		
<b>Funds Expended</b>	553,300	0
<b>Year-End Fund Balance</b>	1,145,500	0
<b>IGA and ISA Fund (JCA2500/A.R.S. § 35-142)</b>		<b>Non-Appropriated</b>
<b>Source of Revenue:</b> Various intergovernmental and interagency service agreements.		
<b>Purpose of Fund:</b> Clearing account for monies expended under Intergovernmental Agreements (IGA) and Intergovernmental Service Agreements (ISA).		
<b>Funds Expended</b>	0	0
<b>Year-End Fund Balance</b>	51,300	51,300
<b>State Aid to County Attorneys Fund (JCA2443/A.R.S. § 11-539)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> Legislative appropriations, 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 21.61% allocation of a 5% portion of fines and fees collected by the Supreme Court and Court of Appeals.		
<b>Purpose of Fund:</b> To provide state aid to county attorneys to improve the processing of criminal cases in the Superior and Justice Courts. ACJC administers the fund and distributes the monies to each county based on a composite index formula using felony filings and population.		
<b>Funds Expended</b>	685,900	973,700
<b>Year-End Fund Balance</b>	0	(223,700)

SUMMARY OF FUNDS	FY 2021 Actual	FY 2022 Estimate
<b>State Aid to Indigent Defense Fund (JCA2445/A.R.S. § 11-588)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> Legislative appropriations, 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 20.53% allocation of a 5% portion of fines and fees collected by the Supreme Court and Court of Appeals.		
<b>Purpose of Fund:</b> To provide state aid to county public defenders, legal defenders for the processing of criminal cases. These monies are no longer used for this purpose.		
<b>Funds Expended</b>	0	700,000
<b>Year-End Fund Balance</b>	103,900	103,900
<b>Transition Program Fund (JCA2379/A.R.S. § 31-284 and A.R.S. § 31-254)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> Revenue from 5% allocation of wages (if available after other obligations) from inmates not convicted of DUI earning under \$2.00 per hour and from the cost savings from the implementation of a transition program as calculated by A.R.S § 31-285. The source of revenue for the cost savings is the State Department of Corrections Revolving Fund that receives a share of tax revenue collected from liquor, and the expenditures of these monies are reported from this fund.		
<b>Purpose of Fund:</b> To fund felony pretrial intervention programs.		
<b>Funds Expended</b>	0	0
<b>Year-End Fund Balance</b>	15,000	15,000
<b>Victim Compensation and Assistance Fund (JCA2198/A.R.S. § 41-2407)</b>		<b>Appropriated</b>
<b>Source of Revenue:</b> The fund consists of 2 subaccounts. The Victim Compensation subaccount receives revenue from a \$9 penalty on criminal and civil violations, monies collected from a 10% assessment of a working prisoner's gross compensation, and unclaimed restitution. The Victim Assistance subaccount receives revenue derived from community supervision fees and interstate compact fees.		
<b>Purpose of Fund:</b> To establish, maintain and support programs that compensate and assist victims of crime.		
<b>Funds Expended</b>	2,620,800	4,224,600
<b>Year-End Fund Balance</b>	3,084,700	1,550,100