

Department of Public Safety

JLBC: Tony Vidale
 OSPB: Bret Cloninger

Subcommittee: Assets

DESCRIPTION	FY 2002	FY 2003	FY 2004	
	ACTUAL	ESTIMATE	OSPB	JLBC
PROGRAM BUDGET				
Law Enforcement Merit System Council	56,300	56,400	56,700	56,700
Public Safety	127,056,500	137,358,700	136,753,600	140,111,800
Fingerprint Board SLI	159,700	362,300	371,400	315,200
GITEM SLI	5,783,200	5,248,700	5,256,200	5,179,000
<i>Program Subtotal - Public Safety</i>	132,999,400	142,969,700	142,437,900	145,606,000
6th SS Lump Sum Reduction SLI	0	(2,555,400)	(2,255,400)	(2,555,400)
AGENCY TOTAL	133,055,700	140,470,700	140,182,500	143,107,300

OPERATING BUDGET

<i>Full Time Equivalent Positions</i>	1,841.8	1,859.0	1850.0	1,906.0
Personal Services	75,189,200	83,402,200	83,784,400	84,839,000
Employee Related Expenditures	20,075,900	20,298,800	20,544,200	21,000,600
Professional and Outside Services	836,200	792,000	767,800	777,900
Travel - In State	431,000	687,200	613,400	703,300
Travel - Out of State	209,200	89,900	87,800	90,400
Other Operating Expenditures	20,832,800	22,019,500	21,497,100	21,647,400
Equipment	9,538,500	10,125,500	9,515,600	11,109,900
OPERATING SUBTOTAL	127,112,800	137,415,100	136,810,300	140,168,500
Special Line Items (SLI)	5,942,900	3,055,600	3,372,200	2,938,800
AGENCY TOTAL	133,055,700	140,470,700	140,182,500	143,107,300

FUND SOURCES

General Fund	48,967,800	42,348,300	38,446,200	40,828,800
<u>Other Appropriated Funds</u>				
Arizona Deoxyribonucleic Acid (DNA) Identification Fund	419,200	2,429,100	2,447,400	2,488,100
Arizona Highway Patrol Fund	13,262,000	13,454,000	14,666,300	15,911,700
Automated Fingerprint Identification Fund	1,848,800	2,121,500	2,125,000	2,184,500
Board of Fingerprinting Fund	61,900	263,700	268,700	207,300
Crime Laboratory Assessment Fund	3,640,600	3,732,300	3,767,600	5,024,000
Criminal Justice Enhancement Fund	2,133,200	2,197,000	2,222,200	2,207,100
Fingerprint Clearance Card Fund	35,900	33,300	37,400	37,700
Highway User Revenue Fund	36,422,100	44,416,200	75,000,000	44,114,100
Motorcycle Safety Fund	0	80,000	80,000	80,000
Safety Enforcement and Transportation Infrastructure Fund	1,014,600	1,128,700	1,121,700	1,135,300
Sex Offender Monitoring Fund	0	0	0	323,100
State Highway Fund	25,249,600	28,266,600	0	28,565,600
SUBTOTAL - Other Appropriated Funds	84,087,900	98,122,400	101,736,300	102,278,500
SUBTOTAL - Appropriated Funds	133,055,700	140,470,700	140,182,500	143,107,300
Other Non-Appropriated Funds	16,998,500	20,619,700	NA	19,407,800
Federal Funds	21,922,900	20,920,300	NA	16,718,700
TOTAL - ALL SOURCES	171,977,100	182,010,700	NA	179,233,800

¹ The JLBC recommends the Law Enforcement Merit System Council (LEMSC) as a biennial budget unit. The recommended FY 2005 budget, not shown, is \$56,700.

CHANGE IN FUNDING SUMMARY

	FY 2003 to FY 2004 JLBC	
	\$ Change	% Change
General Fund	(1,519,500)	(3.6%)
Other Appropriated Funds	4,156,100	4.2%
Total Appropriated Funds	2,636,600	1.9%

AGENCY DESCRIPTION — *The Department of Public Safety (DPS) is responsible for the enforcement of state criminal laws and traffic regulations. In addition to the Highway Patrol, DPS operates and maintains statewide communications systems, state crime laboratories and an automated fingerprint identification network, and performs aviation missions, special investigations, and other law enforcement activities.*

PERFORMANCE MEASURES	FY 2002	FY 2002	FY 2003	FY 2004
	Appropriation	Actual	Appropriation	Recommend.
• Fatal highway crashes	352	324	352	--
• % of total highway crashes related to alcohol	15	4.9	15	--
• % of scientific analysis cases over 30 calendar days old	3.0	10	1.0	2.5
• % of system reliability of the Arizona Automated Fingerprint Identification Network (AZAFIN)	98	98	98	98
• Clandestine labs dismantled	440	453	460	479
• % of agency staff turnover	5.0	4.0	5.0	5.0
• Administration as a % of total cost	13.9	16	13.9	20.5
• Customer satisfaction rating for citizens (Scale 1-8)	6.0	7.0	6.0	7.5

RECOMMENDED CHANGES FROM FY 2003

		<u>FY 2004</u>
Standard Changes	GF	\$(639,200)
	OF	309,800
Elimination of One-time Equipment	GF	(49,000)
	OF	(7,185,100)

The JLBC recommends a General Fund and Other Appropriated Funds decrease for one-time FY 2003 equipment expenditures. The equipment purchased included 258 Highway Patrol vehicles, crime lab equipment, telecommunications equipment, mobile data computer infrastructure, and Automated Fingerprint Identification System equipment. This recommendation also includes funding for replacement of portable radios, mobile radios, base stations and telecommunication infrastructure in FY 2004.

Highway Patrol Replacement Vehicles **OF 6,780,000**

The JLBC recommends a Highway User Revenue Fund (HURF) increase for replacement vehicles for Highway Patrol officers. This funding would replace 200 vehicles in FY 2004 at a cost of \$33,900 per vehicle. This recommendation would maintain the replacement schedule that provides a vehicle with less than 100,000 miles to every sworn officer in the Highway Patrol Bureau.

Helicopter Replacement **OF 764,900**

The JLBC recommends a Highway Patrol Fund increase for replacement of 1 helicopter using a 3-year lease-purchase schedule beginning in FY 2004. Replacement of DPS' aging helicopter fleet was recommended in a June

2000 Auditor General Performance Audit. DPS operates and maintains a fleet of 5 helicopters that provide air ambulance service, search-and-rescue support missions, and assists law enforcement in aerial pursuit and surveillance. Industry standards suggest replacement after 10,000 flight hours or 10 years. The helicopter to be replaced is 20 years old with 11,900 flight hours. Total flight hours on DPS helicopters increase at a rate of approximately 800 hours per aircraft each year.

Aircraft Engine Overhaul **OF 534,500**

The JLBC recommends a one-time FY 2004 Highway Patrol Fund increase for an aircraft engine overhaul. The overhaul is required for the department's 1988 twin-engine turboprop airplane used for law enforcement and executive protection operations. Federal Aviation Administration (FAA) regulations mandate that the engines be overhauled after 3,000 hours of operation. The aircraft currently has 2,635 hours on the engines and flies approximately 20 hours per month. At this rate, the required overhaul will need to be completed in January 2004.

Mobile Data Computers **OF 0**

The JLBC recommends continuing the HURF and State Highway Fund appropriation (\$597,000 from HURF and \$597,000 from the State Highway Fund) for mobile data computers in Highway Patrol vehicles. This recommendation would continue the 4-year lease-purchase, begun in FY 2003, to install mobile data computer equipment in Highway Patrol field units. Mobile data computers allow DPS officers to receive transmission of photographs and fingerprints directly in patrol units, perform wanted/warrant and stolen property checks, and communicate between units from different agencies.

Card Fund in FY 2003 for additional personnel but did not increase the board's FTE Position authority.

Eliminate Double-Count Board

of Fingerprinting OF (70,200)

The JLBC recommends a Board of Fingerprinting Fund decrease to eliminate double-counting of General Fund monies appropriated to the fund. The Board of Fingerprinting Fund is subject to appropriation. As a result, General Fund monies deposited into the Board of Fingerprinting Fund (\$70,200 in FY 2004) must be re-appropriated before being expended. The JLBC recommends a change in the Board of Fingerprinting Fund statute that would allow all General Fund monies deposited in the fund be expended without a second appropriation. This recommendation does not impact the level of General Fund monies appropriated to the Board of Fingerprinting Fund. *(See JLBC Recommended Statutory Changes for more information.)*

**Sex Offender Monitoring Fee GF (323,100)
OF 323,100**

The JLBC recommends a General Fund decrease and a corresponding Sex Offender Monitoring Fund increase for monitoring costs of individuals registered as sex offenders. This recommendation would require individuals registered as sex offenders to pay an annual fee to cover DPS' costs of registering and monitoring sex offenders. DPS is responsible for maintaining an Internet Web site containing information about sex offenders and annually verifying the addresses of all sex offender registration records contained in the Arizona Criminal Justice Information System (ACJIS). There are approximately 13,000 registered sex offenders in the state and the department estimates an annual fee of \$37 would cover the costs of monitoring and reporting. The JLBC also recommends creation of a new appropriated fund named the Sex Offender Monitoring Fund, and the annual fee paid by registered sex offenders be deposited into the fund. *(See JLBC Recommended Statutory Changes for more information.)*

Security Guard/Private

Investigator Licensing GF (440,600)

The JLBC recommends a General Fund decrease and (9) FTE Positions for the Security Guard and Private Investigator Licensing Unit. Laws 2002, Chapter 276 created the non-appropriated DPS Licensing Fund and made the Security Guard and Private Investigator Licensing Unit a self-supporting operation. Previously, fees were deposited into the General Fund and the department received an appropriation to cover expenses. This recommendation would eliminate the General Fund subsidy.

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JLBC RECOMMENDED FORMAT — Detailed Line Item by Agency *(In the FY 2003 budget, the department had a Lump Sum by Program with Special Line Items*

format. The Law Enforcement Merit System Council would appear as a separate budget unit in the General Appropriation Act.)

JLBC RECOMMENDED FOOTNOTES

Standard Footnotes

It is the intent of the Legislature that monies appropriated to the GITEM Special Line Item shall not be allocated by the Department of Public Safety to any county with a population greater than 750,000 or to any city or town located within a county with a population greater than 750,000.

Any monies remaining in the Department of Public Safety joint account on June 30, 2004 shall revert to the funds from which they were appropriated. The reverted monies shall be returned in direct proportion to the amounts appropriated.

Deletion of Prior Year Footnotes

The JLBC recommends deleting the footnote that appropriates General Fund monies to the Board of Fingerprinting Fund and reappropriates those monies from the Board of Fingerprinting Fund before being expended. *(See the "Eliminate Double-Count Board of Fingerprinting" policy issue for more information.)*

JLBC RECOMMENDED STATUTORY CHANGES

The JLBC recommends:

- 1) continuing to suspend the schedule established by A.R.S. § 28-6537 and A.R.S. § 28-6993 governing the level of HURF and State Highway Fund revenues available to fund DPS' Highway Patrol costs. This session law change will remove the spending cap in FY 2004 and allow the use of \$44,114,100 from HURF and \$28,565,600 from the State Highway Fund for DPS.
- 2) a session law provision to continue to redirect 9% of Criminal Justice Enhancement Fund (CJEF) revenues, formerly deposited into the General Fund, to DPS to fund the department's crime lab operations.
- 3) elimination of the double appropriation of General Fund monies received by the Board of Fingerprinting Fund required by A.R.S. § 41-619.56. *(See the "Eliminate Double-Count Board of Fingerprinting" policy issue for more information.)*
- 4) a statutory change to A.R.S. § 41-1712 and eliminate DPS' statutory provisions regarding liquor enforcement. *(See the "Consolidate Liquor Enforcement" policy issue for more information.)*
- 5) a statutory change to A.R.S. § 41-1771 to authorize the department to charge and collect a fee, determined by the Director, to cover the operational costs of providing crime laboratory services to local law

enforcement agencies with the proceeds from the reimbursement deposited into the appropriated Crime Laboratory Assessment Fund. (See the "Reimbursement for Crime Lab Services" policy issue for more information.)

- 6) a statutory change to A.R.S. § 13-3827 to authorize the department to charge and collect a fee, determined by the Director, to cover the operational costs of monitoring individuals registered as sex offenders and

the creation of a new appropriated fund named the Sex Offender Monitoring Fund. (See the "Sex Offender Monitoring Fee" policy issue for more information.)

- 7) statutory changes that transfer the operations of the Capitol Police and responsibility for Capitol Mall security from the Arizona Department of Administration to DPS. (See "Transfer Capitol Police" policy issue for more information.)

SUMMARY OF FUNDS	FY 2002 Actual	FY 2003 Estimate
Anti-Racketeering Revolving (PSA3123/A.R.S. § 13-2314.01)		Non-Appropriated
Source of Revenue: Any monies obtained as a result of a DPS seizure and forfeiture by the Attorney General are deposited into this fund. The forfeitures are made under the Racketeering Influenced and Corrupt Organization (RICO) laws.		
Purpose of Fund: For the investigation and prosecution of any offense relating to racketeering. These funds may also be used for gang prevention programs, substance abuse prevention programs and substance abuse education programs.		
Funds Expended	2,258,200	2,312,400
Year-End Fund Balance	1,482,300	1,175,400
Auto Fingerprint Identification (PSA2286/A.R.S. § 41-2414)		Appropriated
Source of Revenue: A 6.46% allocation from the Criminal Justice Enhancement Fund (CJEF). CJEF consists of a 47% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: For operation and maintenance of the Arizona Automated Fingerprint Identification System.		
Funds Expended	1,927,900	2,121,500
Year-End Fund Balance	562,900	677,800
Crime Laboratory Assessment (PSA2282/A.R.S. § 41-2415)		Appropriated
Source of Revenue: A 2.3% allocation of CJEF. DPS retains 55% of this fund and distributes the remaining funds to political subdivisions that operate crime laboratories. CJEF consists of a 47% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: To provide enhanced crime lab services, purchase and maintain scientific equipment, and train crime lab forensic scientists.		
Funds Expended	3,640,600	3,732,300
Year-End Fund Balance	460,000	671,100
Criminal Justice Enhancement (PSA3702/A.R.S. § 41-2401)		Partially Appropriated
Source of Revenue: An 85% allocation of an 8.56% distribution from CJEF. CJEF consists of a 47% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: For direct operating expenses for the DPS.		
Appropriated Funds Expended	2,133,200	2,197,000
Non-Appropriated Funds Expended	521,300	500,000
Year-End Fund Balance	116,600	177,500
Arizona DNA Identification (PSA2337/A.R.S. § 41-2419)		Appropriated
Source of Revenue: A 15% allocation of an 8.56% distribution from CJEF, monies collected from individuals subjected to DNA testing who have the financial ability to pay for tests, and contributions from any other sources. CJEF consists of a 47% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations.		
Purpose of Fund: To implement, operate and maintain DNA testing and administrative costs.		
Funds Expended	419,200	2,429,100
Year-End Fund Balance	302,400	0

SUMMARY OF FUNDS	FY 2002 Actual	FY 2003 Estimate
DPS Administration (PSA2322/A.R.S. § 41-1713)		Non-Appropriated
Source of Revenue: State and local grants and donations.		
Purpose of Fund: For administering state and local grants such as Emergency Medical Services Communications, Arizona Criminal Justice Commission, Forensics, Fines Management and DPS Criminal Justice Enhancement Fund project, as well as for operational costs for the Criminal Justice Information System.		
Funds Expended	982,700	1,521,500
Year-End Fund Balance	573,100	58,400
DPS Licensing Fund (PSA9590/A.R.S. § 32-2408)		Non-Appropriated
Source of Revenue: Fees collected from Private Investigator and Security Guard license applicants.		
Purpose of Fund: For the operational and equipment costs of regulating the private investigator and security guard industry.		
Funds Expended	0	552,500
Year-End Fund Balance	0	87,300
Driving Under the Influence Abatement (PSA2422/A.R.S. § 28-1304)		Non-Appropriated
Source of Revenue: A fee of \$250 to be paid by every offender convicted of an extreme driving under the influence (DUI) offense. An extreme DUI violation is defined as a person possessing a blood alcohol concentration of 0.18 or greater.		
Purpose of Fund: To fund pilot programs that use emerging technologies to educate, prevent or deter occurrences of driving under the influence with 50% of the revenues. The remaining 50% shall fund enforcement and prosecutorial activities related to preventing driving under the influence. DPS and Motor Vehicle Division of the Arizona Department of Transportation personnel staff the administering entity, the DUI Abatement Council.		
Funds Expended	529,600	1,800,000
Year-End Fund Balance	1,199,800	438,200
Federal Grants and Reimbursements (PSA2000/A.R.S. § 41-1833)		Non-Appropriated
Source of Revenue: Federal grants.		
Purpose of Fund: To administer Federal Highway Administration grants, the High Intensity Drug Trafficking Area program, organized crime financial investigations, the Rocky Mountain Information Network, project DARE, and the Department of Justice Victims of Crime Act monies.		
Funds Expended	21,922,900	20,920,300
Year-End Fund Balance	1,168,700	453,100
Fingerprint Clearance Card (PSA2433/A.R.S. § 41-1758.06)		Non-Appropriated
Source of Revenue: Monies appropriated by the Legislature and fees charged to applicants or contract providers for a fingerprint clearance card.		
Purpose of Fund: To centralize fingerprinting services for state agencies. Revenues pay for the processing and issuance of fingerprint clearance cards.		
Funds Expended from the General Fund	35,900	33,300
Other Funds Expended	1,667,200	2,203,400
Year-End Fund Balance	882,500	564,600
Board of Fingerprinting (PSA2435/A.R.S. § 41-619.56)		Appropriated
Source of Revenue: Receives only legislative appropriated monies.		
Purpose of Fund: To fund the Board of Fingerprinting which conducts good cause exception hearings for personnel who require a fingerprint clearance card.		
Funds Expended from the General Fund	61,900	262,700
Year-End Fund Balance	0	0

SUMMARY OF FUNDS	FY 2002 Actual	FY 2003 Estimate
Arizona Highway Patrol (PSA2032/A.R.S. § 41-1752)		Appropriated
Source of Revenue: A 0.43% premium tax paid by vehicle insurers, miscellaneous service fees, rewards, awards, insurance recoveries, and receipts from the sale/disposal of property held by the Highway Patrol.		
Purpose of Fund: To administer the provisions of law relating to the Highway Patrol and Highway Patrol Reserve and all matters pertaining to those laws.		
Funds Expended	13,262,000	13,454,000
Year-End Fund Balance	1,669,800	2,522,300
Arizona Highway User Revenue (PSA3113/A.R.S. § 28-6533)		Appropriated
Source of Revenue: Revenues collected from various highway-related taxes and fees, including the motor vehicle license tax.		
Purpose of Fund: To fund a portion of Highway Patrol costs.		
Funds Expended	37,386,400	44,416,200
Year-End Fund Balance	660,100	0
Motor Carrier Safety Revolving (PSA2380/A.R.S. § 28-5203)		Non-Appropriated
Source of Revenue: Monies appropriated by the Legislature, designated private grants and donations, and funds remaining in the Cargo Tank Administration Revolving Fund.		
Purpose of Fund: To enforce the Motor Carrier Safety provisions of the federal Motor Carrier Safety Act.		
Funds Expended	7,400	0
Year-End Fund Balance	1,100	1,100
Motorcycle Safety Fund (PSA9600/A.R.S. § 28-2010)		Appropriated
Source of Revenue: Receives \$1 of each motorcycle registration fee.		
Purpose of Fund: To implement and support voluntary motorcycle safety, education and awareness programs.		
Funds Expended	0	80,000
Year-End Fund Balance	0	0
Peace Officers' Training (PSA2049/A.R.S. § 41-1825)		Non-Appropriated
Source of Revenue: Receives 16.64% of CJEF. CJEF is composed of a 47% penalty on fines and forfeitures imposed by the courts for criminal and civil motor vehicle statute violations.		
Purpose of Fund: For training costs, including the operation of the Arizona Law Enforcement Officers' Academy, grants to state agencies, cities and towns, and counties for training law enforcement officers and the operation of the Arizona Law Enforcement Officers' Advisory Council.		
Funds Expended	6,275,900	6,286,400
Year-End Fund Balance	822,300	296,400
Records Processing (PSA2278/A.R.S. § 41-1750)		Non-Appropriated
Source of Revenue: Fees charged to other agencies and local political subdivisions for costs of processing department reports and photographs of traffic accident scenes and processing criminal and non-criminal justice fingerprint cards through the federal government.		
Purpose of Fund: For fingerprint processing and department administrative costs.		
Funds Expended	4,756,200	5,436,900
Year-End Fund Balance	720,000	465,300
Safety Enforcement and Transportation Infrastructure (PSA2108/A.R.S. § 28-6547)		Appropriated
Source of Revenue: Fees for commercial vehicle permits collected at southern ports of entry on the border with Mexico and interest earnings. Monies in the fund are exempt from the provisions of A.R.S. § 35-190 relating to lapsing of appropriations.		
Purpose of Fund: For enforcement of vehicle safety requirements by DPS and the Department of Transportation, and for the maintenance and upgrade of transportation facilities, within 25 miles of the border with Mexico. Also provides for the maintenance and construction of transportation facilities along the route of the Canada to Mexico (CANAMEX) trucking and trade corridor, which came about as a result of the North American Free Trade Agreement (NAFTA) between Canada, the United States and Mexico.		
Funds Expended	1,014,600	1,128,700
Year-End Fund Balance	0	0

SUMMARY OF FUNDS	FY 2002 Actual	FY 2003 Estimate
State Highway (PSA2030/A.R.S. § 28-6991)		Appropriated
Source of Revenue: Monies appropriated by the Legislature, a portion of the Highway User Revenue Fund, fees, penalties and revenue derived from traffic and vehicle regulation.		
Purpose of Fund: To fund a portion of Highway Patrol costs and cover expenses of state enforcement of traffic laws and state administration of traffic safety programs.		
Funds Expended	25,249,600	28,266,600
Year-End Fund Balance	0	0
State Highway Work Zone Safety Fund (PSA2480/A.R.S. § 28-710)		Non-Appropriated
Source of Revenue: A 50% allocation of the additional assessment levied for civil traffic violations committed in a highway work zone.		
Purpose of Fund: To establish and maintain a public education campaign for highway work zone safety.		
Funds Expended	0	6,600
Year-End Fund Balance	3,300	3,300

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