

Arizona Criminal Justice Commission

JLBC: Kevin Bates
 OSPB: Bill Greeney

DESCRIPTION	FY 2006 ACTUAL	FY 2007 ESTIMATE	FY 2008 JLBC	FY 2009 JLBC
OPERATING BUDGET				
<i>Full Time Equivalent Positions</i>	7.0	7.0	7.0	7.0
Personal Services	353,500	370,700	370,700	370,700
Employee Related Expenditures	110,100	108,400	109,800	109,800
Professional and Outside Services	31,100	2,900	252,900	102,900
Travel - In State	7,000	8,800	8,800	8,800
Travel - Out of State	6,700	5,200	5,200	5,200
Other Operating Expenditures	906,500	1,102,200	1,104,700	1,105,600
Equipment	8,900	2,700	2,700	2,700
OPERATING SUBTOTAL	1,423,800	1,600,900	1,854,800	1,705,700
SPECIAL LINE ITEMS				
County Methamphetamine Interdiction	0	3,000,000	0	0
Rural State Aid to County Attorneys	157,700	157,700	157,700	157,700
State Aid to County Attorneys	847,800	877,500	1,052,500	1,052,500
Rural State Aid to Indigent Defense	150,100	150,100	150,100	150,100
State Aid to Indigent Defense	805,000	833,200	833,200	833,200
Victim Compensation and Assistance	3,457,600	3,400,000	3,800,000	3,800,000
AGENCY TOTAL	6,842,000	10,019,400	7,848,300	7,699,200
FUND SOURCES				
General Fund	1,148,300	4,302,000	1,302,000	1,302,000
<u>Other Appropriated Funds</u>				
Criminal Justice Enhancement Fund	583,300	606,700	860,600	711,500
State Aid to County Attorneys Fund	847,800	877,500	1,052,500	1,052,500
State Aid to Indigent Defense Fund	805,000	833,200	833,200	833,200
Victim Compensation and Assistance Fund	3,457,600	3,400,000	3,800,000	3,800,000
SUBTOTAL - Other Appropriated Funds	5,693,700	5,717,400	6,546,300	6,397,200
SUBTOTAL - Appropriated Funds	6,842,000	10,019,400	7,848,300	7,699,200
Other Non-Appropriated Funds	7,900,100	9,821,600	9,821,600	9,821,600
Federal Funds	10,209,500	19,292,700	19,292,700	19,292,700
TOTAL - ALL SOURCES	24,951,600	39,133,700	36,962,600	36,813,500

CHANGE IN FUNDING SUMMARY	FY 2007 to FY 2008 JLBC		FY 2007 to FY 2009 JLBC	
	\$ Change	% Change	\$ Change	% Change
General Fund	(3,000,000)	(69.7%)	(3,000,000)	(69.7%)
Other Appropriated Funds	828,900	14.5%	679,800	11.9%
Total Appropriated Funds	(2,171,100)	(21.7%)	(2,320,200)	(23.2%)
Non Appropriated Funds	0	0.0%	0	0.0%
Total - All Sources	(2,171,100)	(5.5%)	(2,320,200)	(5.9%)

AGENCY DESCRIPTION — The commission was created to enhance the effectiveness and coordination of the criminal justice system in Arizona; to monitor the criminal justice system and the progress and implementation of new and continuing criminal justice legislation; to identify needed revisions in the system or legislation; to make appropriate reports on the system and legislation; and to administer special funds for the enhancement of designated criminal justice system programs and activities in the state of Arizona. The Arizona Criminal Justice Commission (ACJC) receives 1.57% of Criminal Justice Enhancement Fund (CJEF) monies.

PERFORMANCE MEASURES	FY 2004	FY 2005	FY 2006	FY 2008
	Actual	Actual	Actual	JLBC
<ul style="list-style-type: none"> Number of grants awarded in a timely manner to victim services providers Comments: In FY 2005, ACJC received fewer grant requests, which resulted in a decline in the number of grant awards.	46	42	42	42
<ul style="list-style-type: none"> Customer satisfaction rating (Scale 1-10) Comments: The agency discontinued conducting customer satisfaction surveys in FY 2005. However, a revised survey was utilized for the FY 2006 measure and will be used in future years.	9.1	NA	9.1	9.2

CHANGES FROM FY 2007

Operating Budget

The JLBC includes \$1,854,800 and 7 FTE Positions for the operating budget in FY 2008 and \$1,705,700 in FY 2009. These amounts consist of:

	FY 2008	FY 2009
General Fund	\$994,200	\$994,200
CJEF	860,600	711,500

These amounts would fund the following adjustments:

Standard Changes OF 3,900 4,800

The JLBC includes an increase of \$3,900 from CJEF in FY 2008 and an increase of \$4,800 from CJEF in FY 2009 for standard changes.

Arizona Youth Survey OF 25,000 0

The JLBC includes an increase of \$25,000 from CJEF in FY 2008 and no funding in FY 2009 to conduct the Arizona Youth Survey, a statutorily-required survey of 8th, 10th, and 12th grade students in schools across Arizona. This survey has been conducted every 2 years for the past 14 years. In FY 2006, the survey reached 362 schools in all counties throughout the state, surveying more than 60,400 students. The survey measures alcohol and drug use, gang affiliation and weapons within schools.

Grants Management

Automation Projects OF 225,000 100,000

The JLBC includes an increase of \$225,000 from CJEF in FY 2008 and an increase of \$100,000 in FY 2009 to implement 3 automation projects – a grant management system, grants reporting system, and victim compensation claim management system.

ACJC has submitted a Project Investment Justification (PIJ) to the Government Information Technology Agency (GITA), but a review had not been scheduled by December. The JLBC amount is contingent on GITA's approval of the PIJ.

These systems would allow ACJC to take grant applications online, compile reports and analyze statistical information on existing funded programs, and allow external users to gather information and submit reports to ACJC. These projects would reduce administrative effort

and time spent checking grant applications, enhance information accuracy, reduce grant processing time and expedite the processing of information requests. Of the total funding for these systems, \$125,000 is one-time.

Special Line Items

County Methamphetamine Interdiction

The JLBC includes no funding for County Methamphetamine Interdiction in FY 2008 and FY 2009. This amount would fund the following adjustments:

One-Time Methamphetamine Interdiction

Appropriation GF (3,000,000) (3,000,000)

The JLBC includes a decrease of \$(3,000,000) from the General Fund in FY 2008 and FY 2009 to reflect one-time funding for methamphetamine interdiction throughout the state. These monies are non-lapsing through FY 2008.

These monies were allocated to the Arizona Criminal Justice Commission for distribution to each county board of supervisors based on county population, with each county receiving no less than \$50,000. Monies were to be used for investigation, training, prosecution, abuse treatment or education programs as related to methamphetamine interdiction efforts. ACJC also is to provide quarterly reports to the Legislature regarding the effectiveness of local programs. Chapter 337 also appropriated one-time funding of \$5,000,000 in FY 2007 to the Department of Health Services and the Department of Economic Security for substance abuse treatment and prevention. (*See the Department of Health Services and the Department of Economic Security agency budgets for more information.*)

In the first quarterly update on the methamphetamine funding, ACJC reported that no monies had been spent by the counties. ACJC also reported that 8 counties had not submitted information regarding their plans for expenditure, as was required by Chapter 337. Several counties reported the intention to use these monies to participate in the Arizona Methamphetamine Project, a multi-media public service program targeting youth, young adults and parents. Maricopa County will act as the project manager for the Arizona Methamphetamine Project, providing oversight and reporting outcomes to ACJC and the Legislature.

Given the non-lapsing clause, any unexpended FY 2007 monies will remain available to spend in FY 2008. ACJC does not currently have an estimate of how quickly counties anticipate expending these funds.

Rural State Aid to County Attorneys

The JLBC includes \$157,700 from the General Fund for Rural State Aid to County Attorneys in FY 2008 and FY 2009. These amounts are unchanged from FY 2007.

This line item receives General Fund appropriations deposited into the State Aid to County Attorneys Fund. These monies provide funding for the various offices of county attorneys throughout Arizona with populations of less than 500,000 persons to improve the processing of criminal cases. Non-General Fund monies in the State Aid to County Attorneys Fund are still distributed to both urban and rural counties. (See State Aid to County Attorneys Special Line Item)

State Aid to County Attorneys

The JLBC includes \$1,052,500 from the State Aid to County Attorneys Fund for State Aid to County Attorneys in FY 2008 and FY 2009. These amounts would fund the following adjustments:

County Attorney Funding OF 175,000 175,000

The JLBC includes an increase of \$175,000 from the State Aid to County Attorneys Fund in FY 2008 and FY 2009 to increase the amount of funding provided to counties to improve criminal case processing. This funding, which is statutorily-allocated to various funds and state agencies, including ACJC, has increased in recent years.

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.

Rural State Aid to Indigent Defense

The JLBC includes \$150,100 from the General Fund for Rural State Aid to Indigent Defense in FY 2008 and FY 2009. These amounts are unchanged from FY 2007.

This line item receives General Fund appropriations deposited into the State Aid to Indigent Defense Fund. The monies provide funding to the various counties in Arizona with populations of less than 500,000 persons for processing of criminal cases by the offices of the public defender, legal defender, and/or contract indigent defense counsel in each county. Non-General Fund monies in the State Aid to Indigent Defense Fund are still distributed to both urban and rural counties.

State Aid to Indigent Defense

The JLBC includes \$888,300 from the State Aid to Indigent Defense Fund for State Aid to Indigent Defense in FY 2008 and FY 2009. These amounts are unchanged from FY 2007.

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 JLBC includes \$3,800,000 from the Victim Compensation and Assistance Fund for Victim Compensation and Assistance in FY 2008 and FY 2009. This amount would fund the following adjustments:

Crime Victim Assistance Program OF 400,000 400,000

The JLBC includes \$400,000 from the Victim Compensation and Assistance Fund in FY 2008 and FY 2009 to increase the amount of funding provided to government agencies and non-profit organizations that provide direct services to crime victims. From 2000 to 2005, the number of violent crimes in Arizona has increased 7.9%, according to ACJC. This funding is one-time for FY 2008 and FY 2009.

This funding will allow ACJC to increase grant amounts, fund special projects to address unmet victim needs and create new initiatives to expand the diversity of program offerings. ACJC proposes to utilize the existing Victim Compensation and Assistance Fund balance, estimated to be \$1,223,300 at the end of FY 2007, for these increased costs. The fund appears to be able to sustain this level of expenditure, as the ending balance is projected to level off at about \$1,000,000 by FY 2008 and increase slightly in FY 2009.

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 by ACJC to county compensation boards that award cash compensation to crime victims for specified expenses resulting from their victimization. Victims are eligible for lost wages, medical, funeral, and counseling expenses. Revenues for victim compensation grant monies come from 3 sources: 4.6% CJEF distribution, inmate work fees, and unclaimed victim restitution. Victim assistance monies are granted by ACJC to local government and not-for-profit agencies on a competitive basis and are used for operating expenses

related to their victim assistance programs, such as crisis intervention, information and referral services, emergency services, and other victim support services. Revenues for victim assistance grants come from community supervision fees and interstate compact fees.

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FORMAT — Operating Lump Sum with Special Line Items by Agency

FOOTNOTES

Standard Footnotes

Notwithstanding any other law, the amount appropriated for Rural State Aid to County Attorneys and Rural State Aid to Indigent Defense shall be allocated to counties with populations of less than 500,000 persons.

All Victim Compensation and Victim Assistance receipts received by the Arizona Criminal Justice Commission in

excess of \$3,800,000 in FY 2008 and \$3,800,000 in FY 2009 are appropriated to the Crime Victims Program. Before the expenditure of any Victim Compensation and Victim Assistance receipts in excess of \$3,800,000 in FY 2008 and FY 2009, the Arizona Criminal Justice Commission shall submit the intended use of the monies for review by the Joint Legislative Budget Committee.

New Footnotes

Funding for the Grants Management Automation Projects is conditionally approved pending approval of the PIJ by GITA.

Deletion of Prior Year Footnotes

The JLBC deletes the footnote directing ACJC to request funding from the Office of Homeland Security (OHS) for its criminal records integration project. ACJC requested monies for FY 2006, but OHS did not fund the project because of an insufficient level of available homeland security monies.

SUMMARY OF FUNDS	FY 2006 Actual	FY 2007 Estimate
ACJC Criminal Justice Enhancement Fund (JCA2134/A.R.S. § 41-2401)		Appropriated
Source of Revenue: A 1.57% allocation of the Criminal Justice Enhancement Fund (CJEF). <i>(See below for additional information on statewide CJEF maintained in The Treasurer's Office but shown under ACJC as Arizona Revised Statute requires the Commission to annually report on CJEF.)</i> 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 cover the operating costs of the Arizona Criminal Justice Commission (ACJC).		
Funds Expended	583,300	606,700
Year-End Fund Balance	600,800	698,200

SUMMARY OF FUNDS	FY 2006 Actual	FY 2007 Estimate
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Criminal Justice Enhancement Fund (CJEF) (JCA3702/A.R.S. § 41-2401)

Partially-Appropriated

Source of Revenue: A 47% penalty on fines and forfeitures imposed by the courts for criminal and civil motor vehicle statute violations.

Purpose of Fund: CJEF monies are distributed on a percentage basis to various state entities. (See individual agency pages for detailed information on each recipient.)

	FY 2006	FY 2007	% of CJEF	Approp.
Funds Transferred ^{1/2/}				
Attorney General				
AZ Prosecuting Attorneys Advisory Council (4)	1,273,600	1,358,900	3.03	no
County Attorneys (7)	3,930,200	4,193,500	9.35	no
Victim's Rights Implementation (13)	3,228,200	3,444,500	7.68	yes ^{3/}
AZ Criminal Justice Commission				
Operation Costs (10)	659,900	704,100	1.57	yes
Victim Compensation (14)	1,933,600	2,063,200	4.60	yes ^{3/}
Department of Corrections				
County Sheriffs (9)	4,918,000	5,247,500	11.70	no
Department of Public Safety				
Crime Lab Assessment Fund (12)	4,749,900	5,068,100	2.30	yes ^{3/}
DNA Identification System (6)	546,400	583,000	1.30	yes ^{3/}
Fingerprinting Identification System (1)	2,715,400	2,897,300	6.46	yes
Peace Officer's Training Fund (3)	6,994,400	7,463,000	16.64	no
State/Local Grants (6)	3,051,700	3,256,200	7.26	^{4/}
Department of Juvenile Corrections (2)	676,700	722,000	1.61	yes
Supreme Court				
Case Processing (8)	2,530,400	2,699,900	6.02	yes
Juvenile Crime (5)	3,930,200	4,193,500	9.35	yes
Community Punishment Program (15)	895,300	955,300	2.13	yes
General Fund (11) ^{5/}	<u>0</u>	<u>0</u>	9.00	no
Total Funds Transferred	42,033,900	44,850,000		

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

^{2/} The numbers displayed in the chart represent monies distributed to agencies and may not correspond directly with agencies' actual expenditures or appropriation amounts.

^{3/} These monies represent a continuing appropriation from the CJEF, but are appropriated prior to expenditure by the recipient agency.

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

^{5/} As session law, revenues previously deposited to the General Fund were redirected to the DPS Crime Lab Assessment Fund for FY 2005. The JLBC is recommending a continuation of this policy for FY 2008.

Driving Under the Influence Abatement Fund (JCA2422/A.R.S. § 28-1304)

Non-Appropriated

Source of Revenue: Fines collected from extreme DUI offenders with blood alcohol levels of 0.15 or above.

Purpose of Fund: To fund DUI-related programs. The Oversight Council on Driving or Operating Under the Influence Abatement distributes 25% of the revenues to fund pilot programs that use emerging technologies to educate, prevent or deter occurrences of driving under the influence, and at least 70% of the monies to fund subdivisions and tribal governments that apply for monies for enforcement purposes, prosecutorial and judicial activities and alcohol abuse treatment services related to preventing and abating driving or operating under the influence occurrences in a motor vehicle or a motorized watercraft. The Arizona Criminal Justice Commission staffs the Council. The Arizona Department of Transportation and Department of Public Safety receive grant funds from the Council. Not more than 5% of the monies are to be used for administrative purposes of the Oversight Council on Driving or Operating Under the Influence Abatement or payment of the costs of notification.

Funds Expended	2,092,300	2,104,500
Year-End Fund Balance	2,021,300	1,664,900

Drug and Gang Enforcement Account (JCA2134/A.R.S. § 41-2402)

Non-Appropriated

Source of Revenue: Drug fees and fines (A.R.S. § 13-811), selected Superior Court fees (A.R.S. § 12-284), and local matching funds.

Purpose of Fund: To make grants in amounts not to exceed the percentages shown to enhance efforts to investigate (30%), prosecute (40%), adjudicate (30%), and punish (30%) drug offenders and members of criminal street gangs.

Funds Expended	5,529,800	7,421,600
Year-End Fund Balance	5,393,100	5,936,000

SUMMARY OF FUNDS	FY 2006 Actual	FY 2007 Estimate
Federal Grants (JCA2000/A.R.S. § 41-2405)		Non-Appropriated
Source of Revenue: Federal grants, including Edward Byrne Memorial grant monies.		
Purpose of Fund: 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.		
Funds Expended	10,209,500	19,292,700
Year-End Fund Balance	7,498,900	9,802,400
Resource Center Fund (JCA2280/A.R.S. § 41-2402)		Non-Appropriated
Source of Revenue: A 1.31% allocation from selected Superior Court Fees and monies received from public or private gifts.		
Purpose of Fund: To fund the Arizona Drug and Gang Prevention Resource Center.		
Funds Expended	278,000	295,500
Year-End Fund Balance	159,800	217,800
State Aid to County Attorneys Fund (JCA2443/A.R.S. § 11-539)		Appropriated
Source of Revenue: 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% assessment on monies collected by the Supreme Court and Court of Appeals.		
Purpose of Fund: 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. Pursuant to a General Appropriation Act footnote, General Fund monies are distributed only to rural counties (defined as counties with populations of less than 500,000 persons).		
Other Funds Expended	847,800	877,500
Year-End Fund Balance	1,107,800	1,274,400
State Aid to Indigent Defense Fund (JCA2445/A.R.S. § 11-588)		Appropriated
Source of Revenue: 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% assessment on monies collected by the Supreme Court and Court of Appeals.		
Purpose of Fund: To provide state aid to county public defenders, legal defenders and contract indigent counsel for the processing of criminal cases. ACJC administers the fund and distributes the monies to each county based on a composite index formula using felony filings and population. Pursuant to a General Appropriation Act footnote, General Fund monies are distributed only to rural counties (defined as counties with populations of less than 500,000 persons).		
Other Funds Expended	805,000	833,200
Year-End Fund Balance	1,048,500	1,205,200
Victim Compensation and Assistance Fund (JCA2198/A.R.S. § 41-2407)		Appropriated
Source of Revenue: The fund consists of 2 sub-accounts. The Victim Compensation sub-account receives a 4.6% distribution from CJEF, monies collected from a 10% assessment of a working prisoner's gross compensation, and unclaimed restitution. The Victim Assistance sub-account receives revenue derived from community supervision fees and interstate compact fees.		
Purpose of Fund: To establish, maintain and support programs that compensate and assist victims of crime.		
Funds Expended	3,457,600	3,400,000
Year-End Fund Balance	1,201,000	1,223,300