

Arizona Criminal Justice Commission

	FY 2015 ACTUAL	FY 2016 ESTIMATE	FY 2017 BASELINE
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	9.0	9.0	9.0
Personal Services	408,800	436,800	436,800
Employee Related Expenditures	131,200	133,400	133,400
Professional and Outside Services	71,800	177,400	177,400
Travel - In State	5,000	6,800	6,800
Travel - Out of State	7,200	10,000	10,000
Other Operating Expenditures	58,400	119,600	119,600
Equipment	8,700	3,900	3,900
OPERATING SUBTOTAL	691,100	887,900	887,900
SPECIAL LINE ITEMS			
State Aid to County Attorneys	973,600	973,600	973,600
Victim Compensation and Assistance	3,399,900	4,094,700	4,094,700
AGENCY TOTAL	5,064,600	5,956,200	5,956,200
FUND SOURCES			
<u>Other Appropriated Funds</u>			
Criminal Justice Enhancement Fund	532,500	648,800	648,800
Drug and Gang Prevention Resource Center Fund	158,600	239,100	239,100
State Aid to County Attorneys Fund	973,600	973,600	973,600
Victim Compensation and Assistance Fund	3,399,900	4,094,700	4,094,700
SUBTOTAL - Other Appropriated Funds	5,064,600	5,956,200	5,956,200
SUBTOTAL - Appropriated Funds	5,064,600	5,956,200	5,956,200
Other Non-Appropriated Funds	6,129,100	6,164,300	5,313,900
Federal Funds	7,606,900	11,308,500	7,706,500
TOTAL - ALL SOURCES	18,800,600	23,429,000	18,976,600

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 1.57% of Criminal Justice Enhancement Fund (CJEF) monies.

Operating Budget

The Baseline includes \$887,900 and 9 FTE Positions in FY 2017 for the operating budget. These amounts consist of:

	<u>FY 2017</u>
CJEF	\$648,800
Drug and Gang Prevention Resource Center Fund	239,100

These amounts are unchanged from FY 2016.

State Aid to County Attorneys

The Baseline includes \$973,600 from the State Aid to County Attorneys Fund in FY 2017 for State Aid to County Attorneys. This amount is unchanged from FY 2016.

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. The Arizona Criminal Justice Commission (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 \$4,094,700 from the Victim Compensation and Assistance Fund in FY 2017 for Victim Compensation and Assistance. This amount is unchanged from FY 2016.

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: 4.6% CJEF distribution, inmate work fees, 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.

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FORMAT — Operating Lump Sum with Special Line Items by Agency

FOOTNOTES

Standard Footnotes

All monies received by the Arizona Criminal Justice Commission in excess of \$973,600 in FY 2017 from the State Aid to County Attorneys Fund established by A.R.S. § 11-539, are appropriated to the State Aid to County Attorneys Program. Before the expenditure of any State Aid to County Attorneys Fund monies in excess of \$973,600, the Arizona Criminal Justice Commission shall report the intended use of the monies to the Joint Legislative Budget Committee.

All Victim Compensation and Assistance monies received by the Arizona Criminal Justice Commission in excess of \$4,094,700 in FY 2017 are appropriated to the Crime Victims Program. Before the expenditure of any Victim Compensation and Assistance monies in excess of \$4,094,700 in FY 2017, the Arizona Criminal Justice Commission shall report the intended use of the monies to the Joint Legislative Budget Committee.

New Footnotes

The Arizona Criminal Justice Committee shall report on or before August 31, 2016 to the Joint Legislative Budget Committee regarding noncompliance with Anti-Racketeering Revolving Fund reporting requirements established in A.R.S. § 13-2314.01H and A.R.S. § 13-2314.03H. *(Please see Anti-Racketeering Revolving Fund discussion below.)*

Other Issues

Indigent Defense

The FY 2017 projected revenue for the State Aid to Indigent Defense Fund is not sufficient to fund the appropriations to the Attorney General and the Department of Public Safety (DPS). The FY 2017 Baseline includes \$800,100 from the State Aid to Indigent Defense Fund in the Attorney General budget to fund capital postconviction prosecutions for the state and \$700,000 from the State Aid to Indigent Defense Fund in the DPS budget for operational costs associated with the Arizona Counter Terrorism Information Center. These amounts are unchanged from FY 2016.

The State Aid to Indigent Defense Fund 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.

Prior to FY 2012, ACJC was required to distribute the Indigent Defense monies to each county based on a composite index formula using Superior Court felony filings and county population. Since that time, the fund has been used for other purposes. The FY 2015 year-end fund balance, including the appropriations to the Attorney General and DPS, was \$651,200. The projected FY 2016 year-end fund balance, including appropriations to the Attorney General and DPS, is \$(4,100). Unlike prior years, there will be no fund balance available to supplement annual revenue. In FY 2017, projected annual revenues are \$818,400, compared to Baseline spending of \$1.5 million.

Anti-Racketeering Revolving Fund Report

A.R.S. § 13-2314.01 and A.R.S. § 13-2314.03 require the Attorney General and departments and state agencies, including counties, that use the Anti-Racketeering Revolving Fund to report quarterly to the ACJC on the sources of all monies and all expenditures. The statutes further require ACJC to compile reports into a single comprehensive annual report and submit them by September 30 each year. This comprehensive report has not been provided in an annual format to the individuals established in statute for several years. The FY 2017 Baseline includes a new footnote requiring ACJC to submit a report by August 31, 2016 on the reasons for their noncompliance with these statutorily-required reports.

SUMMARY OF FUNDS	FY 2015 Actual	FY 2016 Estimate
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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). (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.) 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 ACJC.

Funds Expended	532,500	648,800
Year-End Fund Balance	2,398,100	1,524,100

Criminal Justice Enhancement Fund (JCA2134/A.R.S. § 41-2401)

Partially-Appropriated

Source of Revenue: A 47% penalty on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses 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.)

	<u>FY 2015</u>	<u>FY 2016</u>	<u>% of CJEF</u>	<u>Approp.</u>
Funds Transferred ^{1/ 2/}				
Attorney General				
AZ Prosecuting Attorneys Advisory Council (4)	1,166,100	1,166,100	3.03	no
County Attorneys (7)	3,598,500	3,598,500	9.35	no
Victim's Rights Implementation (13)	2,955,800	2,955,800	7.68	yes ^{3/}
AZ Criminal Justice Commission				
Operation Costs (10)	604,200	604,200	1.57	yes
Victim Compensation (14)	1,770,400	1,770,400	4.60	yes ^{3/}
Department of Public Safety				
Crime Lab Assessment Fund (12)	805,800	805,800	2.30	yes ^{3/}
Crime Lab Operations Fund (11)	3,153,000	3,153,000	9.00	yes ^{3/}
DNA Identification System (6)	448,400	448,400	1.28	yes ^{3/}
Fingerprinting Identification System (1)	2,263,100	2,263,100	6.46	yes
Peace Officers' Training Fund (3)	5,829,500	5,829,500	16.64	no
State/Local Grants (6)	2,550,400	2,550,400	7.28	^{4/}
Department of Juvenile Corrections (2)	564,000	564,000	1.61	yes
State Treasurer				
County Sheriffs (9)	4,500,600	4,500,600	11.70	no
Supreme Court				
Case Processing (8)	2,109,000	2,109,000	6.02	yes
Juvenile Crime (5)	3,275,600	3,275,600	9.35	yes
Community Punishment Program (15)	<u>746,200</u>	<u>746,200</u>	2.13	yes
Total Funds Transferred ^{5/}	36,340,600	36,340,600		

^{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 CJEF, but are appropriated prior to expenditure by the recipient agency.

^{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/} Numbers may not add due to rounding.

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 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%).

Funds Expended	6,129,100	6,164,300
Year-End Fund Balance	0	0

SUMMARY OF FUNDS	FY 2015 Actual	FY 2016 Estimate
Drug and Gang Prevention Resource Center Fund (JCA2280/A.R.S. § 41-2402)		Appropriated
Source of Revenue: 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.		
Purpose of Fund: To fund the Arizona Youth Survey, a statutorily required survey of 8 th , 10 th , and 12 th grade students in schools across Arizona. The survey measures alcohol and drug use, gang affiliation, and weapons within schools.		
Funds Expended	158,600	239,100
Year-End Fund Balance	1,576,600	1,855,800
Federal Grants (JCA2000/A.R.S. § 35-142)		Non-Appropriated
Source of Revenue: Revenue from federal grants.		
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	7,606,900	11,308,500
Year-End Fund Balance	5,746,700	4,413,300
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% portion of fines and fees 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.		
Funds Expended	973,600	973,600
Year-End Fund Balance*	55,800	(27,700)
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% portion of fines and fees 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. However, the FY 2015 and the FY 2016 Criminal Justice Budget Reconciliation Bills (Laws 2014, Chapter 12 and Laws 2015, Chapter 17) notwithstanding this statute and permit the Attorney General and Department of Public Safety to use the State Aid to Indigent Defense monies to fund capital postconviction prosecution activities and operational costs associated with the Arizona Counter Terrorism Information Center, respectively.		
Funds Expended	0	0
Year-End Fund Balance*	651,200	(4,100)
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	3,399,900	4,094,700
Year-End Fund Balance	4,075,200	3,410,100

*As reported by the agency. Actual ending balance will not be negative.