

Department of Public Safety

	FY 2012 ACTUAL	FY 2013 ESTIMATE	FY 2014 APPROVED
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	2,139.8	1,903.7	1,904.7 ^{1/}
Personal Services	94,570,700	102,198,100	102,201,000
Employee Related Expenditures	53,982,800	60,653,800	66,889,800
Professional and Outside Services	1,141,200	1,925,200	1,925,200
Travel - In State	214,400	486,700	486,700
Travel - Out of State	181,100	188,200	188,200
Other Operating Expenditures	29,879,500	25,332,800	25,779,200
Equipment	7,218,200	7,445,500	7,445,500
OPERATING SUBTOTAL	187,187,900	198,230,300	204,915,600
SPECIAL LINE ITEMS			
GIITEM	22,050,700	21,304,300	21,304,700 ^{2/3/}
GIITEM Subaccount	500,000	2,392,500	2,390,000
County Assistance	1,000,000	0	0
Public Safety Equipment	1,244,400	2,390,000	2,390,000
Motor Vehicle Fuel	3,912,200	3,935,500	3,935,500
DNA Testing	896,900	0	0
AGENCY TOTAL	216,792,100	228,252,600^{4/}	234,935,800^{5/6/7/}
FUND SOURCES			
General Fund	47,122,000	45,525,600	51,560,800
<u>Other Appropriated Funds</u>			
Automated Fingerprint Identification System Fund	2,915,800	3,009,800	3,009,700
Automation Operations Fund	0	0	296,200
Crime Laboratory Assessment Fund	882,600	870,400	870,600
Crime Laboratory Operations Fund	10,479,600	14,704,000	14,719,800
Criminal Justice Enhancement Fund	2,786,500	2,872,700	2,871,200
Arizona Deoxyribonucleic Acid (DNA) Identification System Fund	3,939,300	5,471,500	6,321,200
Gang and Immigration Intelligence Team Enforcement Mission Border Security and Law Enforcement Subaccount	500,000	2,392,500	2,390,000
Arizona Highway Patrol Fund	18,585,900	19,284,000	19,658,900
Highway User Revenue Fund	123,210,600	119,965,000	119,247,100
Motorcycle Safety Fund	205,000	205,000	205,000
Parity Compensation Fund	1,873,200	1,819,400	1,885,300
Public Safety Equipment Fund	1,244,400	2,390,000	2,390,000
Risk Management Revolving Fund	1,493,900	1,452,400	1,199,900
Safety Enforcement and Transportation Infrastructure Fund	1,553,300	1,510,300	1,566,300
State Highway Fund	0	6,780,000	6,743,800
SUBTOTAL - Other Appropriated Funds	169,670,100	182,727,000	183,375,000
SUBTOTAL - Appropriated Funds	216,792,100	228,252,600	234,935,800
Other Non-Appropriated Funds	33,763,200	42,568,100	38,364,400
Federal Funds	34,990,800	32,324,100	25,753,900
TOTAL - ALL SOURCES	285,546,100	303,144,800	299,054,100

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.

Operating Budget

The budget includes \$204,915,600 and 1,767.9 FTE Positions in FY 2014 for the operating budget. These amounts consist of:

	FY 2014
General Fund	\$26,551,900
Automated Fingerprint Identification System (AFIS) Fund	3,009,700
Automation Operations Fund	296,200
Crime Laboratory Assessment Fund (CLAF)	870,600
Crime Laboratory Operations Fund (CLOF)	14,719,800
Criminal Justice Enhancement Fund (CJEF)	2,871,200
Deoxyribonucleic Acid (DNA) Identification System Fund	6,321,200
Highway Patrol Fund	19,427,600
Highway User Revenue Fund (HURF)	119,247,100
Motorcycle Safety Fund	205,000
Parity Compensation Fund	1,885,300
Risk Management Fund	1,199,900
Safety Enforcement and Transportation Infrastructure Fund (SETIF)	1,566,300
State Highway Fund	6,743,800

These amounts fund the following adjustments:

Retirement Increase

The budget includes an increase of \$6,234,900 in FY 2014 to offset an increase in the employer contribution rate for the Public Safety Personnel Retirement System (PSPRS) and Arizona State Retirement System (ASRS). This amount consists of:

General Fund	5,504,200
AFIS Fund	200
CLAF	1,600
CLOF	57,000
CJEF	7,700
DNA Identification System Fund	14,800
Highway Patrol Fund	466,200

1/ Includes 136.8 GF FTE Positions funded from Special Line Items in FY 2014.

2/ Of the \$21,304,700 appropriated to GIITEM, only \$2,603,400 shall be deposited in the GIITEM Fund established by A.R.S. § 41-1724, and is appropriated for the purposes of that section. The \$2,603,400 is exempt from the provisions of A.R.S. § 35-190, relating to the lapsing of appropriations. This state recognizes that states have inherent authority to arrest a person for any immigration violation. (General Appropriation Act footnote, as adjusted for statewide allocations)

3/ Of the \$21,304,700 appropriated to GIITEM, \$9,327,600 shall be used for 100 Department of Public Safety GIITEM personnel. The additional staff shall include at least 50 sworn Department of Public Safety positions to be used for immigration enforcement and border security and 50 Department of Public Safety positions to assist GIITEM in various efforts, including: 1) strict enforcement of all federal law relating to illegal aliens and arresting illegal aliens, 2) responding to or assisting any county sheriff or attorney in investigating complaints of employment of illegal aliens, 3) enforcing Arizona's law known as the Legal Arizona Workers Act, strict enforcement of Arizona's SB 1070, Arizona's "Support Our Law Enforcement and Safe Neighborhoods Act", investigating crimes of identity theft in the context of hiring illegal aliens and the unlawful entry into the country and 4) taking strict enforcement action. Any change in the GIITEM mission or allocation of monies must be approved by the Joint Legislative Budget Committee. The department shall submit an expenditure plan to the Joint Legislative Budget Committee for review before expending any monies not identified in the department's previous expenditure plans. (General Appropriation Act footnote, as adjusted for statewide allocations)

4/ In addition to these amounts, the FY 2013 General Appropriation Act included a one-time FY 2013 adjustment of \$(307,600)GF for a state employee health insurance premium holiday. (Please see the FY 2013 General Fund Adjustments section.)

5/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

6/ Any monies remaining in the Department of Public Safety joint account on June 30, 2014 shall revert to the funds from which they were appropriated. The reverted monies shall be returned in direct proportion to the amounts appropriated. (General Appropriation Act footnote)

7/ On or before November 1, 2013, the department shall provide to the Joint Legislative Budget Committee and the Governor's Office of Strategic Planning and Budgeting a report on a plan to consolidate the Arizona Counterterrorism Information Center with another governmental entity beginning in FY 2015. The report shall include an estimate of savings to this state as a result of the consolidation. (General Appropriation Act footnote)

Parity Compensation Fund	75,800
Risk Management Fund	42,900
SETIF	64,500

This funds an increase in the PSPRS employer contribution rate for DPS from 48.7% to 57% and an increase in the ASRS employer contribution rate from 10.9% to 11.3%. These increases represent an increase in aggregate retirement costs to DPS of 17% for PSPRS and 4% for ASRS. The General Fund share of the increase also covers the HURF and State Highway Fund share of the increased retirement costs.

ACTIC Operating Cost

The budget includes a one-time increase of \$750,000 from the General Fund in FY 2014 for the operational costs of the Arizona Counter Terrorism Information Center (ACTIC). These monies will offset a reduction in federal grant monies previously used to fund ACTIC. Additionally, a General Appropriation Act footnote requires DPS to submit a plan to consolidate ACTIC with another governmental entity beginning in FY 2015.

Crime Lab Backlog

The budget includes an increase of \$850,000 from the DNA Identification System Fund in FY 2014 for additional resources to help alleviate the testing backlog.

LEMSC Shift

The budget includes an increase of \$70,500 and 1 FTE Position from the General Fund in FY 2014 to reflect the shift of Law Enforcement Merit System Council (LEMSC) staff and resources to the Department of Public Safety.

Operating Budget Shift

The budget includes an increase of \$296,200 from the Automation Operations Fund and a commensurate decrease from the Risk Management Fund in FY 2014 for

a shift of Disaster Recovery expenditures. There is no net change in agency resources.

Statewide Adjustments

The budget includes a decrease of \$(1,220,100) in FY 2014 for statewide adjustments. This amount consists of:

General Fund	(289,900)
AFIS Fund	(300)
CLAF	(1,400)
CLOF	(41,200)
CJEF	(9,200)
DNA Identification System Fund	(15,100)
Highway Patrol Fund	(91,300)
HURF	(717,900)
Parity Compensation Fund	(9,900)
Risk Management Fund	800
SETIF	(8,500)
State Highway Fund	(36,200)

(Please see the Agency Detail and Allocations section.)

Radio and Infrastructure Equipment Replacement

The budget continues \$677,300 in FY 2014 for radio and infrastructure equipment replacement. This amount consists of:

General Fund	101,500
CJEF	117,900
Highway Patrol Fund	54,200
HURF	403,700

These amounts are unchanged from FY 2013. The equipment to be replaced includes portable radios, mobile radios, base stations, and telecommunications infrastructure.

GIITEM

The budget includes \$21,304,700 and 136.8 FTE Positions from the General Fund in FY 2014 for the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM). These amounts fund the following adjustments:

Statewide Adjustments

The budget includes an increase of \$400 from the General Fund in FY 2014 for statewide adjustments.

The GIITEM Special Line Item is comprised of monies for the following GIITEM functions, including: 1) \$8,773,700 for gang enforcement, investigation, and interdiction, 2) \$9,327,600 for at least 50 sworn DPS positions to be used for immigration enforcement and border security and up to 50 DPS positions to expand GIITEM’s public awareness, investigation, and intelligence efforts, 3) \$2,603,400 for local gang and immigration enforcement grants, 4) \$600,000 for crime analysts associated with the state gang intelligence database (GangNet). *Table 1* identifies the various functions, as well as their corresponding allocations.

Monies deposited in the GIITEM Fund can be used for employer sanctions, smuggling, gang, and immigration enforcement. Local grants are distributed to county sheriffs and do not require further approval by the county board of supervisors. The local entity provides at least 25% of the cost of services.

<u>Function/Purpose</u>	<u>FY 2014</u>
Gang Enforcement & Investigation	\$ 8,773,700
DPS Immigration Personnel	9,327,600
Local Immigration Enforcement Grants	2,603,400 ^{1/}
GangNet Upgrade & Crime Analysts	<u>600,000</u>
TOTAL	\$21,304,700
^{1/} DPS also has prior year non-lapsing monies available for local efforts.	

Current statute allocates the first \$1,600,000 in local immigration enforcement grant monies to a county with more than 3,000,000 people (Maricopa County) and the next \$500,000 to a county with less than 500,000 people but more than 300,000 people (Pinal County).

The remaining monies may be used for agreements with cities, counties, and other entities at a 3:1 match rate. Maricopa and Pinal County are excluded from the matching requirements.

The FY 2014 Criminal Justice Budget Reconciliation Bill (BRB) (Laws 2013, 1st Special Session, Chapter 5) requires DPS to distribute the monies in the GIITEM Fund as soon after July 1st of every year as practicable.

GIITEM Subaccount

The budget includes \$2,390,000 from the GIITEM Border Security and Law Enforcement Subaccount in FY 2014 for the GIITEM Subaccount for equipment and supplies for border security. This amount funds the following adjustments:

Statewide Adjustments

The budget includes a decrease of \$(2,500) from the GIITEM Border Security and Law Enforcement Subaccount in FY 2014 for statewide adjustments.

The GIITEM Border Security and Law Enforcement Subaccount receives \$4 of a \$13 criminal fee. These revenues are estimated to total \$2,390,000 in FY 2014. The monies in the GIITEM Subaccount are for border security personnel and equipment. The monies are to be provided directly to county sheriffs without approval by the respective Board of Supervisors. The authorizing legislation does not specify any particular distribution by county.

The FY 2014 Criminal Justice BRB allows monies distributed from the GIITEM Subaccount to be used to purchase safety equipment. Additionally, DPS is required to submit to the JLBC for review a FY 2014 expenditure plan for the GIITEM Subaccount.

Other Issues

Automation Projects Transfer

The budget includes one-time FY 2014 transfers from this agency's funds associated with its proportionate share of costs for replacement of the state's financial accounting system. (Please see the Automation Projects narrative for more details.)

Public Safety Equipment

The budget includes \$2,390,000 from the Public Safety Equipment Fund in FY 2014 for Public Safety Equipment. This amount is unchanged from FY 2013.

The Public Safety Equipment Fund receives \$4 of a \$13 criminal fee. These monies are to be used for safety equipment. The revenues are estimated to total \$2,390,000 in FY 2014.

The Public Safety Equipment SLI monies can be used to purchase vehicles, protective armor, electronic stun devices and other safety equipment. These monies replace an annual \$3,000,000 General Fund appropriation for the same purpose that was eliminated in FY 2008.

Motor Vehicle Fuel

The budget includes \$3,935,500 in FY 2014 for Motor Vehicle Fuel. This amount consists of:

General Fund	3,704,200
Highway Patrol Fund	231,300

These amounts are unchanged from FY 2013.

The Motor Vehicle Fuel Special Line Item (SLI) centralizes monies appropriated to DPS for motor vehicle fuel. In addition to \$3,912,200 in Motor Vehicle Fuel SLI monies expended in FY 2012, DPS expended \$366,400 GF, \$1,142,200 OF, and \$1,245,800 in non-appropriated monies for fuel from other parts of the DPS budget in FY 2012.

Additional Legislation

HURF Cap

The FY 2014 Criminal Justice BRB continues to notwithstanding the statutory spending provisions for HURF and the State Highway Fund, allowing DPS to spend more than the statutory cap of \$10,000,000 from each fund. DPS is appropriated less than the statutory cap for the State Highway Fund.

Table 2

State Immigration Enforcement Assistance to Local Governments

DPS GIITEM Local Immigration Enforcement Grant Expenditures^{1/2}

Agency	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
	Actual	Actual	Actual	Actual	Actual	Actual
Pima County Sheriff's Department	\$390,500	\$756,600	\$823,600	\$904,800	\$825,400	-
Phoenix Police Department	260,200	262,300	794,700	716,100	584,400	342,100
Border Detention Liaison Officers (See Chart Below)	198,500	179,700	299,500	504,800	438,800	441,400
Border County Officers (See Chart Below)	206,100	288,900	451,400	364,800	384,900	350,700
AZ Fraudulent Identification Task Force ^{3/}	283,000	284,300	368,000	194,600	-	-
Maricopa County Sheriff's Office	944,000	1,125,200	400,000	1,200,000	1,600,000	1,600,000
DPS Expenditures in Support of Local Grants	1,195,700	2,570,900	1,190,600	441,800	378,500	695,800
Crime Lab Transfer ^{4/}	-	-	5,227,400	-	-	-
Pinal County Sheriff's Department	-	-	-	-	-	500,000
TOTAL	3,478,000	5,467,900	9,555,200	4,326,900	4,212,000	3,930,000

Year of Appropriation of Funding

FY 2006	2,191,400	-	-	-	-	-
FY 2007	1,286,600	5,178,900	-	-	-	-
FY 2008	-	288,900	3,607,100	-	-	-
FY 2009	-	-	5,948,100	4,051,900	-	-
FY 2010	-	-	-	275,000	2,332,300	-
FY 2011 ^{5/}	-	-	-	-	1,879,700 ^{5/}	1,517,000
FY 2012	-	-	-	-	-	2,413,000
TOTAL	3,478,000	5,467,800	9,555,200	4,326,900	4,212,000	3,930,000

1/ Funded from non-lapsing \$2.6 million General Fund appropriation, which is part of a \$21.3 million total GIITEM General Fund appropriation to DPS in FY 2012. Beginning in FY 2011, statute allocates the first \$1.6 million to the Maricopa County Sheriff's Office and the next \$500,000 to the Pinal County Sheriff's Office.

2/ All data was provided prior to December 2012. DPS did not respond to requests for updated information.

3/ Funding for AFTI was eliminated in the FY 2010 budget. DPS was able to keep the task force operating for a time with "vacancy savings" from other initiatives but disbanded AFTI in November 2009.

4/ The FY 2009 Crime Lab Transfer was a one-time event to cover a budget reduction initially intended to be replaced through charges to local agencies. Local agencies did not pay the fees, and the funding was restored in FY 2010.

5/ Includes \$1,003,200 in other GIITEM SLI monies in FY 2011.

Table 2 (Continued)

	FY 2011 <u>Actual</u>	FY 2012 <u>Actual</u>
<u>Border Detention Liaison Officer Grants^{6/}</u>		
Cochise County Sheriff's Department	\$34,098	33,100
Graham County Sheriff's Department	31,209	21,100
Pima County Sheriff's Department	44,015	43,900
Pinal County Sheriff's Department	56,213	46,300
Santa Cruz County Sheriff's Department	44,139	18,600
Yuma County Sheriff's Department	41,101	41,000
Department of Corrections	188,054	237,400
Total	438,829	441,400
<u>Border County Officers^{6/}</u>		
Benson Police	\$59,147	63,700
Coolidge Police	66,298	46,600
Douglas Police	117,818	123,700
Oro Valley Police	59,581	62,200
Pinal County Sheriff's Department	57,649	54,500
Yuma County Sheriff's Department	24,367	0
Total	384,861	350,700

^{6/} Funding for the Border Detention Liaison Officer Grants and the Border County Officers is included in the annual \$2.6 million General Fund appropriation for Local Immigration Enforcement Grants.

GIITEM Subaccount Expenditures^{7/8/}

<u>Agency</u>	FY 2007 <u>Actual</u>	FY 2008 <u>Actual</u>	FY 2009 <u>Actual</u>	FY 2010 <u>Actual</u>	FY 2011 <u>Actual</u>	FY 2012 <u>Actual</u>
Pima County Sheriff	-	-	-	-	-	\$500,000
General Fund Repayment	-	-	-	-	-	1,000,000
TOTAL	-	-	-	-	-	1,500,000

^{7/} Funded from a \$2.1 million GIITEM Fund appropriation. Laws 2011, Chapter 308 created a \$13 criminal fee, \$4 of which is to be deposited into the GIITEM Fund Border Security and Law Enforcement Subaccount. These revenues totaled \$1,693,800 in FY 2012. The monies in the GIITEM Subaccount are for border security personnel and equipment. Additionally, the bill redirected the monies normally deposited into the Arizona Criminal Justice Commission's State Aid to Indigent Defense Fund, which totaled \$659,300, to the GIITEM Fund Border Security and Law Enforcement Subaccount in FY 2012. This does not continue in FY 2013.

^{8/} Laws 2011, Chapter 308 requires that the first \$1,000,000 in criminal fee revenue received by the GIITEM Fund Border Security and Law Enforcement Subaccount in FY 2012, be used to repay the General Fund for a commensurate appropriation to the Pinal County Sheriff's Office in FY 2012. This does not continue in FY 2013.

Table 2 (Continued)

County Assistance ^{9/}						
<u>Agency</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>
	Actual	Actual	Actual	Actual	Actual	Actual
Pinal County Sheriff	-	-	-	-	-	\$1,000,000
TOTAL	-	-	-	-	-	<u>1,000,000</u>

^{9/} Funded from a one-time \$1 million General Fund appropriation. The monies were used to purchase and maintain a helicopter. The funding is not continued in FY 2013.

County Attorney Immigration Enforcement Distributions^{10/}

<u>Agency</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>
	Actual ^{11/}	Actual ^{11/}	Actual ^{12/}	Actual ^{13/}	Actual ^{14/}	Actual ^{15/}
Maricopa County Attorney	-	-	-	-	-	500,000
Maricopa County Sheriff	-	500,000	500,000	-	-	97,687
Pima County Attorney	-	-	-	-	-	97,687
Pima County Sheriff	-	93,351	93,351	-	-	37,447
Pinal County Attorney	-	-	-	-	-	37,447
Pinal County Sheriff	-	71,638	71,638	-	-	21,030
Yavapai County Attorney	-	-	-	-	-	21,030
Yavapai County Sheriff	-	66,480	66,480	-	-	19,949
Mohave County Attorney	-	-	-	-	-	19,949
Mohave County Sheriff	-	64,592	64,592	-	-	19,507
Yuma County Attorney	-	-	-	-	-	19,507
Yuma County Sheriff	-	43,999	43,999	-	-	13,089
Cochise County Attorney	-	-	-	-	-	13,089
Cochise County Sheriff	-	43,033	43,033	-	-	13,396
Coconino County Attorney	-	-	-	-	-	13,396
Coconino County Sheriff	-	38,365	38,365	-	-	10,708
Navajo County Attorney	-	-	-	-	-	10,708
Navajo County Sheriff	-	24,492	24,492	-	-	7,127
Apache County Attorney	-	-	-	-	-	7,127
Apache County Sheriff	-	17,980	17,980	-	-	5,341
Gila County Attorney	-	-	-	-	-	5,341
Gila County Sheriff	-	14,836	14,836	-	-	4,726
Santa Cruz County Attorney	-	-	-	-	-	-

Table 2 (Continued)

Santa Cruz County Sheriff	-	-	-	-	4,726
Graham County Attorney	-	11,592	-	-	3,709
Graham County Sheriff	-	-	-	-	3,709
La Paz County Attorney	-	6,976	-	-	2,042
La Paz County Sheriff	-	-	-	-	2,042
Greenlee County Attorney	-	2,665	-	-	841
Greenlee County Sheriff	-	-	-	-	841
TOTAL	2,430,000	2,430,000	715,000	1,213,200	1,213,200

10/ Funded by a General Fund appropriation.

11/ The FY 2008 budget required the Department of Administration to distribute \$1,430,000 to the County Attorney in each county with a population greater than 1.5 million, \$500,000 to the County Attorney in each county with a population between 800,000 and 1.5 million, with the remainder being divided among the other counties in the state.

12/ The FY 2009 budget required the Department of Administration to distribute \$1,430,000 to the County Attorney in each county with a population greater than 1.5 million, \$500,000 to the County Attorney in each county with a population between 800,000 and 1.5 million, with the remainder being divided among the other counties in the state.

13/ Due to a budget reduction only Maricopa County received funding.

14/ The FY 2011 budget required the Department of Administration to distribute \$1,213,200 to the County Attorney in a county with a population greater than 1.5 million.

15/ The FY 2012 budget required the Department of Administration to distribute \$200,000 to the County Attorney of a county with a population of 2,000,000 or more persons and \$500,000 to the County Sheriff of a county with a population of 2,000,000 or more persons. With Joint Legislative Budget Committee approval, the remaining monies can be distributed to County Attorneys and County Sheriffs of counties with populations of less than 2,000,000 persons. The Department of Administration, however, distributed these Non-Maricopa funds without JLBC approval.