

## Department of Public Safety

	FY 2021 ACTUAL	FY 2022 ESTIMATE	FY 2023 APPROVED
<b>OPERATING BUDGET</b>			
<i>Full Time Equivalent Positions</i>	2,014.7	2,046.7	2,074.2 <sup>1/</sup>
Personal Services	108,858,500	138,582,000	145,147,100
Employee Related Expenditures	104,069,300	122,965,900	102,151,600
Professional and Outside Services	2,571,900	2,632,400	2,632,400
Travel - In State	334,700	715,100	715,100
Travel - Out of State	146,400	610,300	610,300
Other Operating Expenditures	45,398,300	41,105,300	40,873,700
Equipment	18,938,500	17,060,000	10,755,600
<b>OPERATING SUBTOTAL</b>	<b>280,317,600</b>	<b>323,671,000</b>	<b>302,885,800</b>
<b>SPECIAL LINE ITEMS</b>			
ACTIC	1,222,500	1,450,000	1,450,000
AZPOST	0	0	6,576,000
Border Strike Task Force Local Support	1,010,000	1,261,700	12,232,900 <sup>2/3/4/</sup>
Border Strike Task Force Ongoing	8,206,000	9,028,800	17,145,900
Civil Air Patrol Infrastructure	0	0	5,000,000 <sup>5/6/</sup>
Civil Air Patrol Maintenance and Operations	150,000	150,000	150,000
Commercial Vehicle Enforcement Consolidation	0	0	978,400 <sup>7/</sup>
DPS - Rapid DNA Testing Equipment	0	600,000	0
FY 2023 Salary Increase	0	0	24,478,800 <sup>8/</sup>
GIITEM	27,193,500	28,311,100	25,329,700 <sup>9/10/</sup>
GIITEM Subaccount	1,963,900	2,396,400	2,396,400
Major Incident Division	0	0	10,000,000 <sup>6/</sup>
Microwave Backbone Project	0	48,200,000	0 <sup>11/</sup>
Motor Vehicle Fuel	4,124,300	5,454,600	5,454,600
One-Time Active Shooter Equipment	0	2,912,900	0
One-Time AZPOST Support	0	1,196,300	0
One-Time Helicopter Replacement	0	0	13,459,600 <sup>12/</sup>
One-Time K-9 Support	0	0	1,900,000
One-Time Vehicle Bumper Tethers	0	0	1,800,000
One-Time Vehicle Replacement	0	0	11,709,300 <sup>13/</sup>
Peace Officer Training Equipment	1,133,800	0	0
Pharmaceutical Diversion and Drug Theft Task Force	613,500	455,700	769,100
Public Safety Equipment	1,481,500	2,890,000	2,890,000
<b>AGENCY TOTAL</b>	<b>327,416,600</b>	<b>427,978,500</b>	<b>446,606,500</b> <sup>14/15/16/</sup>
<b>FUND SOURCES</b>			
General Fund	88,012,400	291,650,400	364,162,500
<u>Other Appropriated Funds</u>			
Arizona Highway Patrol Fund	200,775,400	86,217,900	31,293,300
Concealed Weapons Permit Fund	2,642,300	2,807,300	3,172,200
Criminal Justice Enhancement Fund	2,283,400	2,931,500	2,989,100
DPS Forensics Fund	17,284,000	22,528,600	22,985,300
Fingerprint Clearance Card Fund	1,431,500	1,581,100	1,581,100
Gang and Immigration Intelligence Team Enforcement Mission Border Security and Law Enforcement Subaccount	2,992,000	2,396,400	2,396,400
Motor Vehicle Liability Insurance Enforcement Fund	1,302,700	1,254,100	1,282,000
Motorcycle Safety Fund	205,000	198,900	198,900
Parity Compensation Fund	4,175,500	4,000,300	4,088,100
Peace Officer Training Equipment Fund	1,133,800	0	0

	FY 2021 ACTUAL	FY 2022 ESTIMATE	FY 2023 APPROVED
Public Safety Equipment Fund	1,485,200	2,894,000	2,894,000
Risk Management Revolving Fund	1,408,600	1,351,000	1,396,900
Safety Enforcement and Transportation Infrastructure Fund - Department of Public Safety Subaccount	1,286,300	0	0
State Aid to Indigent Defense Fund	680,300	0	0
State Highway Fund	318,200	8,167,000	8,166,700
SUBTOTAL - Other Appropriated Funds	239,404,200	136,328,100	82,444,000
<b>SUBTOTAL - Appropriated Funds</b>	<b>327,416,600</b>	<b>427,978,500</b>	<b>446,606,500</b>
Other Non-Appropriated Funds	39,184,300	42,100,200	42,100,200
Federal Funds	78,555,300	74,976,000	74,976,000
<b>TOTAL - ALL SOURCES</b>	<b>445,156,200</b>	<b>545,054,700</b>	<b>563,682,700</b>

**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.

#### FOOTNOTES

- 1/ Includes 198.3 GF FTE Positions and 6 OF FTE Positions funded from Special Line Items in FY 2023.
- 2/ Of the \$12,232,900 appropriated for the border strike task force local support line item, \$11,732,900 shall be used to fund local law enforcement officer positions within the border strike task force. Any city, town, county or other entity that enters into an agreement with the department to participate in the border strike task force shall provide at least twenty-five percent of the cost of the services, and the department shall provide not more than seventy-five percent of personal services and employee-related expenditures for each agreement or contract. The department may fund all capital-related equipment. (General Appropriation Act footnote)
- 3/ On or before September 1, 2022, the department of public safety shall submit an expenditure plan for the border strike task force local support line item to the joint legislature budget committee and the governor's office of strategic planning and budgeting. (General Appropriation Act footnote)
- 4/ Of the \$12,232,900 appropriated for the border strike task force local support line item, \$500,000 shall be used for grants to cities, towns or counties for costs associated with prosecuting and imprisoning individuals charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes. (General Appropriation Act footnote)
- 5/ Until all of the monies in the civil air patrol infrastructure line item have been distributed, on or before December 1 of each year, the department shall submit a report to the joint legislative budget committee on the monies distributed from the civil air patrol infrastructure line item and the intended purposes of the distributions. (General Appropriation Act footnote)
- 6/ This line item is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.
- 7/ Before spending the \$978,400 appropriated for the commercial vehicle enforcement consolidation line item, the department shall submit an operational and expenditure plan, including a description of how the department of public safety will split the commercial vehicle enforcement duties with the department of transportation, to the joint legislative budget committee for review. (General Appropriation Act footnote)
- 8/ The state department of corrections and the department of public safety shall submit an expenditure plan to the joint legislative budget committee for review before spending any monies appropriated by this section other than for personal services or employee-related expenditures.
- 9/ Of the \$25,329,700 appropriated to the GIITEM line item, only \$1,403,400 is deposited in the GIITEM fund established by section 41-1724, Arizona Revised Statutes, and is appropriated for the purposes of that section. The \$1,403,400 is exempt from the provisions of section 35-190, Arizona Revised Statutes, 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)
- 10/ Of the \$25,329,700 appropriated to the GIITEM line item, \$13,275,800 shall be used for one hundred department of public safety GIITEM personnel. The additional staff shall include at least fifty sworn department of public safety

positions to be used for immigration enforcement and border security and fifty department of public safety positions to assist GIITEM in various efforts, including:

1. Strictly enforcing all federal laws 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, strictly enforcing Arizona's SB 1070, Arizona's "Support Our Law Enforcement and Safe Neighborhoods Act" and investigating crimes of identity theft in the context of hiring illegal aliens and the unlawful entry into this country.
4. Taking strict enforcement action.

Any change in the GIITEM mission or allocation of monies shall 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)

- 11/ The Microwave Backbone Project includes 3 OF FTE Positions until the \$48,200,000 appropriated to the line item has been fully expended.
- 12/ Of the \$13,459,600 appropriated for the onetime helicopter replacement line item, \$2,559,600 shall be used to cover the cost of upfitting a previously purchased helicopter. (General Appropriation Act footnote)
- 13/ The department shall use the \$11,709,300 appropriated for the onetime vehicle replacement line item to replace at least 276 vehicles. This appropriation is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations until June 30, 2024. (General Appropriation Act footnote)
- 14/ General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.
- 15/ Any monies remaining in the department of public safety joint account on June 30, 2023 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)
- 16/ Of the amount appropriated in the total appropriation for the department of public safety, \$161,717,600 is designated for personal services and \$143,165,500 is designated for employee-related expenditures. The department shall submit an expenditure plan to the joint legislative budget committee for review before spending these monies for other than personal services or employee-related expenditures. (General Appropriation Act footnote)

**Operating Budget**

The budget includes \$302,885,800 and 1,869.9 FTE Positions in FY 2023 for the operating budget. These amounts consist of:

	<b>FY 2023</b>
General Fund	\$227,934,200
Arizona Highway Patrol Fund	29,221,600
Concealed Weapons Permit Fund	3,172,200
Criminal Justice Enhancement Fund (CJEF)	2,854,800
DPS Forensics Fund	22,985,300
Fingerprint Clearance Card Fund	1,581,100
Motor Vehicle Liability Insurance Enforcement Fund	1,282,000
Motorcycle Safety Fund	198,900
Parity Compensation Fund	4,088,100
Public Safety Equipment Fund	4,000
Risk Management Revolving Fund	1,396,900
State Highway Fund	8,166,700

FY 2023 adjustments are as follows:

**Building System Management Upgrade**

The budget includes an increase of \$214,600 and 1 FTE Position from the General Fund in FY 2023 to upgrade the

department's building management system. The system is used by the department for the operation and maintenance of their facilities. The ongoing funding will be used to hire an FTE Position for statewide facility maintenance.

**Concealed Weapons Permit Notification Funding**

The budget includes an increase of \$300,000 from the Concealed Weapons Permit Fund in FY 2023 to provide notifications for expired concealed weapons permits (CWP). Laws 2022, Chapter 344 requires the department to send a reminder notice and renewal application form to each CWP holder at least 60 days prior to the permit expiration date. The funding will cover the costs to annually mail paper notifications to CWP holders.

**Familial DNA Analysis**

The budget includes an increase of \$400,000 and 2 FTE Positions from the General Fund in FY 2023 for familial DNA analysis. The funding will go towards hiring new positions and purchasing familial DNA supplies. Familial DNA analysis will be used by the department for cold-case violent crimes to identify potential close biological relatives, within their database, of an unknown perpetrator.

**Fill 69 Vacant FTE Positions**

The budget includes an increase of \$10,060,800 from the General Fund in FY 2023 to fill approximately 69 vacant FTE Positions. Over the years, the department has diverted funding from these positions to cover various equipment and inflationary costs. The ongoing funding will allow the department to fill these 69 vacant positions.

**Public Services Portal Phase 2**

The budget includes an increase of \$368,500 from the General Fund in FY 2023 for the phase 2 implementation of the Public Services Portal (PSP) and FBI's Record of Arrest and Prosecutions (RAP) Back program. The PSP will allow DPS to convert various services from paper application to online application. The FBI's RAP Back program will enable the department to receive an instant notification if any enrolled individual engages in any criminal activity where fingerprints are submitted to the FBI's Next Generation Identification system. The ongoing funding will cover the annual maintenance costs.

**One-Time Public Services Portal Phase 2**

The budget includes a one-time increase of \$2,631,500 from the General Fund in FY 2023 for the one-time phase 2 implementation of the PSP and FBI's RAP Back program. The one-time funding will cover the costs of extending the PSP and implementing the RAP Back program.

**One-Time Building System Management Upgrade**

The budget includes an increase of \$204,600 from the General Fund in FY 2023 to upgrade the department's building management system. The system is used by the department for the operation and maintenance of their facilities. The one-time funding will be used for the IT upgrade costs.

**One-Time Equipment Funding**

The budget includes a one-time increase of \$450,000 from the General Fund in FY 2023 for the one-time purchase of phones.

**Remove One-Time Civil Asset Forfeiture Funding**

The budget includes a decrease of \$(3,500,000) from the General Fund in FY 2023 to remove funding for the offset of lost revenues from the passage of Laws 2021, Chapter 327. The department estimated the new legislation, which would prohibit the forfeiture of assets until conviction, would result in a loss of revenues deposited into the Anti-Racketeering Revolving Fund in FY 2022.

**Remove One-Time K-9 Unit Funding**

The budget includes a decrease of \$(250,000) from the General Fund in FY 2023 to remove funding for a newly-trained K-9 unit.

**Remove One-Time Body Camera Funding**

The budget includes a decrease of \$(6,904,400) from the Arizona Highway Patrol Fund in FY 2023 to remove funding for the purchase of body-worn cameras and accompanying equipment for the department's new body camera program.

**Retirement Savings**

The budget includes a decrease of \$(40,574,700) from the General Fund in FY 2023 for retirement savings. These savings come as a result of the PSPRS pension payoff included in the FY 2022 budget.

**Technical Adjustment**

The budget includes a decrease of \$(238,100) in FY 2023 from the Arizona Highway Patrol Fund in the operating budget and a corresponding increase of \$238,100 in FY 2023 from the Arizona Highway Patrol Fund in the Pharmaceutical Diversion and Drug Theft Task Force line item for a technical adjustment.

**Statewide Adjustments**

The budget includes an increase of \$16,052,000 in FY 2023 for statewide adjustments. This amount consists of:

General Fund	11,194,800
Arizona Highway Patrol Fund	4,116,700
Concealed Weapons Permit Fund	64,900
Criminal Justice Enhancement Fund (CJEF)	57,600
DPS Forensics Fund	456,700
Motor Vehicle Liability Insurance Enforcement Fund	27,900
Parity Compensation Fund	87,800
Risk Management Revolving Fund	45,900
State Highway Fund	(300)

*(Please see the Agency Detail and Allocations section.)*

**ACTIC**

The budget includes \$1,450,000 from the General Fund in FY 2023 for the operation of the Arizona Counter Terrorism Information Center (ACTIC). This amount is unchanged from FY 2022.

Created in FY 2005, ACTIC is a joint effort between federal, state, and local law enforcement agencies to combat terrorism, gang violence, and other crimes through information sharing. The salaries of participants are funded by their respective agencies, but DPS pays for the operational costs of the 40,000 square foot building in which ACTIC is housed. These monies fund those costs.

## **AZPOST**

The budget includes \$6,576,000 from the General Fund in FY 2023 for the Arizona Peace Officer Standards and Training Board (AZPOST). FY 2023 adjustments are as follows:

### **AZPOST Operating Funding**

The budget includes an increase of \$6,100,000 from the General Fund in FY 2023 for funding to operate AZPOST. Laws 2022, Chapter 311 removes AZPOST as a recipient of non-appropriated CJEF funding and redistributes that allocation to the remaining recipients. This funding will supplant the CJEF funding to continue the operations of AZPOST.

### **DPS Cadet Housing**

The budget includes an increase of \$476,000 from the General Fund in FY 2023 for DPS cadet housing. The ongoing funding will be used to pay for 7 months of housing for approximately 34 cadets while they are trained at the Phoenix Regional Police Academy (PRPA). The funding will be used to house only cadets who live at least 50 miles away from PRPA.

Created in 1968, AZPOST consists of 13 members appointed by the Governor. The board was established to address the need for peace officer recruitment, selection, retention and training standards. AZPOST provides the curriculum and standards for all certified law enforcement training facilities. AZPOST services approximately 163 law enforcement agencies encompassing over 14,500 sworn peace officers and 14 police training academies throughout the state.

## **Border Strike Task Force Local Support**

The budget includes \$12,232,900 from the General Fund in FY 2023 for the costs of BSTF Local Support. FY 2023 adjustments are as follows:

### **Additional BSTF Funding**

The budget includes an increase of \$10,971,200 from the General Fund in FY 2023 for additional funding in the BSTF. The funding will be used to provide additional salary matches for local law enforcement positions to participate in the BSTF program.

The BSTF is a multi-agency task force established to target drug and human trafficking organizations and activities along the Arizona-Mexico border. Of the \$12,232,900 total appropriation, the budget requires that \$11,732,900 be used to fund 75% of the costs for local law enforcement officers that will participate in the BSTF. The participating local law enforcement agency will be

responsible for providing a 25% match to these amounts. The remaining \$500,000 shall be used for grants to local governments for the prosecution and imprisonment of individuals that are charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes.

## **Border Strike Task Force Ongoing**

The budget includes \$17,145,900 and 58.5 FTE Positions from the General Fund in FY 2023 for the Border Strike Task Force (BSTF). FY 2023 adjustments are as follows:

### **Additional BSTF Funding**

The budget includes an increase of \$9,028,800 and 21.5 FTE Positions from the General Fund in FY 2023 funding for additional funding in the BSTF. The funding will be used to hire new positions and increase overtime and operations funding in the BSTF.

### **Retirement Savings**

The budget includes a decrease of \$(1,258,500) from the General Fund in FY 2023 for retirement savings. These savings come as a result of the PSPRS pension payoff included in the FY 2022 budget.

### **Statewide Adjustments**

The budget includes an increase of \$346,800 from the General Fund in FY 2023 for statewide adjustments.

The BSTF is a multi-agency law enforcement task force that targets drug and human trafficking organizations and activities along the Arizona-Mexico border.

## **Civil Air Patrol Infrastructure**

The budget includes \$5,000,000 from the General Fund in FY 2023 for funding of Civil Air Patrol (CAP) Infrastructure. FY 2023 adjustments are as follows:

### **One-Time Civil Air Patrol Infrastructure**

The budget includes a one-time increase of \$5,000,000 from the General Fund in FY 2023 for new CAP infrastructure.

This line item covers the cost to construct new facilities to house aircraft used by CAP to aid in search and rescue and other emergency missions. The appropriation is non-lapsing. A General Appropriation Act footnote requires an annual report on expenditures from this line item.

### **Civil Air Patrol Maintenance and Operations**

The budget includes \$150,000 from the General Fund in FY 2023 for funding of the CAP Maintenance and Operations. This amount is unchanged from FY 2022.

This line item partially offsets the costs of operations and maintenance of aircraft used by CAP to aid in search and rescue and other emergency missions. *(Please see the FY 2018 Appropriations Report for more information.)*

### **Commercial Vehicle Enforcement Consolidation**

The budget includes \$978,400 and 3 FTE Positions from the General Fund in FY 2023 for the Commercial Vehicle Enforcement Consolidation line item. FY 2023 adjustments are as follows:

#### **Commercial Vehicle Enforcement Funding**

The budget includes an increase of \$978,400 and 3 FTE Positions from the General Fund in FY 2023 to create a commercial vehicle enforcement task force between DPS and ADOT. The funding will be used to hire 3 management positions to oversee the consolidation.

This line item funds the Consolidated Commercial Vehicle Enforcement Task Force between DPS and ADOT. The 2 agencies will be operated under a single management structure in a joint effort to perform commercial vehicle inspections throughout the state. A General Appropriation Act footnote requires the department to submit an operational and expenditure plan to JLBC for review prior to expending monies from this line item.

### **DPS - Rapid DNA Testing Equipment**

The budget includes no funding in FY 2023 for the DPS - Rapid DNA Testing Equipment line item. FY 2023 adjustments are as follows:

#### **Remove One-Time Rapid DNA Testing Funding**

The budget includes a decrease of \$(600,000) and (3) FTE Positions from the General Fund in FY 2023 to remove funding for the DPS – Rapid DNA Testing Equipment line item.

The line item funds the purchase of rapid DNA testing equipment for the department's use in criminal investigations.

### **FY 2023 Salary Increase**

The budget includes \$24,478,800 from the General Fund in FY 2023 for an FY 2023 Salary Increase. FY 2023 adjustments are as follows:

#### **Salary Increase**

The budget includes an increase of \$24,478,800 from the General Fund in FY 2023 for a statewide employee salary increase. Of this amount, \$16,319,200 is for a 10% minimum state employee salary increase and \$8,159,600 is for selected market adjustments above 10%. The budget requires all agencies receiving salary increases to transfer the monies in this line item to the relevant line items as part of the FY 2024 budget request submittals. These submittals will include the reallocation for both FY 2023 and FY 2024.

### **GIITEM**

The budget includes \$25,329,700 and 136.8 FTE Positions in FY 2023 for the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM). These amounts consist of:

General Fund	24,852,200
Arizona Highway Patrol Fund	477,500

FY 2023 adjustments are as follows:

#### **Retirement Savings**

The budget includes a decrease of \$(4,223,600) from the General Fund in FY 2023 for retirement savings. These savings come as a result of the PSPRS pension payoff included in the FY 2022 budget.

#### **Statewide Adjustments**

The budget includes an increase of \$1,242,200 in FY 2023 for statewide adjustments. This amount consists of:

General Fund	1,163,900
Arizona Highway Patrol Fund	78,300

The GIITEM line item is comprised of monies for the following GIITEM functions, including: 1) \$10,050,500 for gang enforcement, investigation, and interdiction; 2) \$13,275,800 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) \$1,403,400 for local gang and immigration enforcement grants; and 4) \$600,000 for crime analysts associated with the state gang intelligence database (GangNet).

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.

Permanent law prohibits Maricopa County from receiving any monies from the fund and allocates \$500,000 in revenues to Pinal County. The remaining \$903,400 may be used for agreements with cities, counties, and other entities at a 3:1 match rate. Pinal County is excluded from the matching requirements. *(Please see the FY 2018 Appropriations Report for more information.)*

Prior to distribution every year, DPS must submit an expenditure plan to JLBC for review regarding any monies not identified in the previous expenditure plans. *(For more information, please see the State Immigration Enforcement Assistance to Local Governments program summary on the JLBC website.)*

#### **GIITEM Subaccount**

The budget includes \$2,396,400 from the GIITEM Border Security and Law Enforcement Subaccount in FY 2023 for the GIITEM Subaccount, to be used for equipment and supplies for border security. This amount is unchanged from FY 2022.

The GIITEM Border Security and Law Enforcement Subaccount receives \$4 of a \$13 criminal fee. These revenues are estimated to total \$1,524,000 in FY 2023. The monies in the GIITEM Subaccount are for border security personnel and public safety equipment. The monies are to be provided directly to county sheriffs without approval by the respective Board of Supervisors.

The JLBC has given a favorable review of an FY 2022 GIITEM Subaccount expenditure plan. The plan includes \$463,900 for detention liaison officers, \$547,700 for county sheriff deputies and municipal police department officers to augment the GIITEM Task Force's border district unit, \$350,000 for the Pima County Border Crimes Unit and \$1,050,000 for grants to county sheriffs for border security.

#### **Major Incident Division**

The budget includes \$10,000,000 from the General Fund in FY 2023 for the Major Incident Division (MID). FY 2023 adjustments are as follows:

#### **Major Incident Division Funding**

The budget includes an increase of \$10,000,000 from the General Fund in FY 2023 to fund a new Major Incident Division within DPS established by Laws 2022, Chapter 311. The funding will be used for start up costs associated with the establishment of the MID.

This line item funds the MID, which is charged with conducting independent investigations of critical force incidents. Investigators from the MID, along with the regional law enforcement task force, will investigate these incidents. Critical force incidents are defined as any time a peace officer discharges a firearm as a use of force encounter, any use of deadly force, or any use of force that results in death or serious bodily injury of an individual. The appropriation is non-lapsing. The 3-year budget plan assumes that the Division will receive ongoing funding of \$17,000,000 in FY 2024 and \$24,000,000 in FY 2025.

#### **Microwave Backbone Statewide Communication System**

The budget includes no funding and 3 FTE Positions from the Arizona Highway Patrol Fund in FY 2023 for the Microwave Backbone Statewide Communication System line item. FY 2023 adjustments are as follows:

#### **Remove One-Time Microwave Backbone Funding**

The budget includes a decrease of \$(48,200,000) from the Arizona Highway Patrol Fund in FY 2023 to remove funding for updates to the Microwave Backbone Statewide Communication System.

#### **Additional FTE Positions**

The budget includes an increase of 3 FTE Positions from the Arizona Highway Patrol Fund in FY 2023 to add personnel for the oversight of the construction of the northern loop of the statewide microwave radio system. The \$48,200,000 appropriated in FY 2022 to update the Microwave Backbone system is non-lapsing and a portion of the monies will cover the cost of the 3 FTE Positions until the project is complete.

The statewide microwave radio system is a series of towers situated on mountain tops and divided into 3 loops that allow DPS troopers and other state agencies to communicate with dispatch centers while in the field. This appropriation will fund the construction of the remaining digital upgrades to the northern loop, which is slated for completion by the end of FY 2024.

#### **Motor Vehicle Fuel**

The budget includes \$5,454,600 in FY 2023 for Motor Vehicle Fuel. This amount consists of:

General Fund	4,384,200
Arizona Highway Patrol Fund	936,100
CJEF	134,300

These amounts are unchanged from FY 2022.

The Motor Vehicle Fuel line item centralizes monies appropriated to DPS for motor vehicle fuel.

### ***One-Time Active Shooter Equipment***

The budget includes no funding in FY 2023 for the One-Time Active Shooter Equipment line item. FY 2023 adjustments are as follows:

#### **Remove One-Time Active Shooter Funding**

The budget includes a decrease of \$(2,912,900) from the Arizona Highway Patrol Fund in FY 2023 to remove funding for One-Time Active Shooter Equipment.

This line item funds the one-time purchases of safety equipment for sworn personnel to address active-shooter instances. The funding will provide a rifle-resistant helmet and rifle-resistant vest for each trooper and a rifle-resistant shield for each squad of troopers (7 troopers).

### ***One-Time AZPOST Support***

The budget includes no funding in FY 2023 for the One-Time AZPOST Support line item. FY 2023 adjustments are as follows:

#### **Remove One-Time AZPOST Funding**

The budget includes a decrease of \$(1,196,300) from the Arizona Highway Patrol Fund in FY 2023 to remove funding for One-Time AZPOST Support.

This line item provides one-time funding for AZPOST to supplement the board's funding due to a decline in revenues from the Criminal Justice Enhancement Fund.

Monies from this line item will be used for reimbursements provided to law enforcement training academies. The FY 2022 budget includes an intent statement that after FY 2022, monies received by local law enforcement agencies under Proposition 207 are expected to cover reimbursements to regional peace officer training academies for training officers.

### ***One-Time Helicopter Replacement***

The budget includes \$13,459,600 from the General Fund in FY 2023 for the One-Time Helicopter Replacement line item. FY 2023 adjustments are as follows:

#### **One-Time Helicopter Replacement**

The budget includes an increase of \$10,900,000 from the General Fund in FY 2023 to replace one of the department's 5 helicopters.

#### **One-Time Helicopter Upfit**

The budget includes an increase of \$2,559,600 from the General Fund in FY 2023 to upgrade a recently purchased helicopter.

This line item provides one-time funding for the department to replace a helicopter and upfit (i.e., customize with extra features) a recently purchased helicopter.

### ***One-Time K-9 Support***

The budget includes \$1,900,000 from the General Fund in FY 2023 for the One-Time K-9 Support line item. FY 2023 adjustments are as follows:

#### **One-Time K-9 Support Funding**

The budget includes an increase of \$1,900,000 from the General Fund in FY 2023 to provide one-time K-9 support.

This line item provides one-time funding for the department for various K-9 needs, including K-9 facility improvements, the replacement of 12 K-9 equipped vehicles, and for 3 newly trained K-9 dogs.

### ***One-Time Vehicle Bumper Tethers***

The budget includes \$1,800,000 from the General Fund in FY 2023 for the One-Time Vehicle Bumper Tethers line item. FY 2023 adjustments are as follows:

#### **One-Time Vehicle Bumper Tethers Funding**

The budget includes an increase of \$1,800,000 from the General Fund in FY 2023 to purchase approximately 400 vehicle bumper tethers.

These bumper tethers enable Highway Patrol Troopers to launch a fabric band at the rear wheel of a fleeing vehicle to bring the pursuit to an end.

### ***One-Time Vehicle Replacement***

The budget includes \$11,709,300 from the General Fund in FY 2023 for the One-Time Vehicle Replacement line item. FY 2023 adjustments are as follows:

#### **One-Time Vehicle Replacement Funding**

The budget includes an increase of \$11,709,300 from the General Fund in FY 2023 to replace at least 276 vehicles.



This line item provides one-time funding for the department to replace at least 276 vehicles. The department intends to purchase 187 Highway Patrol vehicles and 89 vehicles for criminal investigations. The appropriation is exempt from lapsing through FY 2024.

**Peace Officer Training Equipment**

The budget includes no funding in FY 2023 for Peace Officer Training Equipment. This amount is unchanged from FY 2022.

Laws 2018, Chapter 312 appropriated a one-time appropriation of \$3,073,000 from the Peace Officer Training Equipment Fund in FY 2019. The fund consists of a \$4 assessment on civil traffic violations, local motor vehicle citations, and criminal motor vehicle citations.

The \$3,073,000 amount includes the following non-lapsing allocations:

1. The first \$500,000 in revenue is appropriated to DPS for employee overtime pay;
2. The next \$2,300,000 in revenue is appropriated to DPS for 10 virtual firing ranges (one must be for the White Mountain Apache Police Department) and 3 virtual training simulators (Tucson Police Department, Pinal County Sheriff, Glendale Regional Training Academy);
3. The next \$203,000 in revenue is appropriated to DPS to maintain and service the 7 existing virtual training simulators;
4. The next \$50,000 in revenue is appropriated to the Governor's Office of Highway Safety to provide public service announcements that educate drivers on how to act when stopped by a peace officer.
5. The next \$20,000 in revenue is appropriated to the Supreme Court to cover the programming costs of implementing the new fees.

The FY 2020 budget appropriated \$1,047,800 from the fund. The FY 2022 budget extends this appropriation through FY 2022.

These funds are to be distributed in the above order as revenue is received in the fund, with the FY 2020 appropriation distributed after the \$20,000 appropriation to the Supreme Court is made.

Through FY 2021, DPS has expended \$1,931,100 from the Peace Officer Training Equipment Fund. These expenditures include the \$500,000 for employee overtime pay as well as \$1,431,100 for firing ranges and virtual training simulators.

Current revenue projections from the department estimate annual revenues of \$1,449,200, with an annual decline of (3)%. By the end of FY 2023, the fund is estimated to collect a total of approximately \$5,744,700 since its creation, compared to an appropriated spending amount of \$4,120,800 (\$3,073,000 in FY 2019 and \$1,047,800 in FY 2020). If the department expends the full FY 2019 and FY 2020 appropriations, this will leave an estimated fund balance of \$1,623,900 in FY 2023.

Once the FY 2019 and FY 2020 appropriations are completed, the Peace Officer Training Equipment Advisory Commission established by Chapter 312 will make annual recommendations on how the funding should be spent. Before spending any of the FY 2020 appropriation from the fund, DPS must submit an expenditure plan to JLBC for review.

**Pharmaceutical Diversion and Drug Theft Task Force**

The budget includes \$769,100 and 3 FTE Positions in FY 2023 for the Pharmaceutical Diversion and Drug Theft Task Force. These amounts consist of:

General Fund	111,000
Arizona Highway Patrol Fund	658,100

FY 2023 adjustments are as follows:

**Retirement Savings**

The budget includes a decrease of \$(25,800) from the General Fund in FY 2023 for retirement savings. These savings come as a result of the PSPRS pension payoff included in the FY 2022 budget.

**Technical Adjustment**

The budget includes an increase of \$238,100 in FY 2023 from the Arizona Highway Patrol Fund in the Pharmaceutical Diversion and Drug Theft Task Force line item and a corresponding decrease of \$(238,100) in FY 2023 from the Arizona Highway Patrol Fund in the operating budget for a technical adjustment.

**Statewide Adjustments**

The budget includes an increase of \$101,100 in FY 2023 for statewide adjustments. This amount consists of:

General Fund	7,100
Arizona Highway Patrol Fund	94,000

This line item funds a task force to combat the abuse and trafficking of prescription drugs and inappropriate prescriber behavior.

## ***Public Safety Equipment***

The budget includes \$2,890,000 from the Public Safety Equipment Fund in FY 2023 to equip DPS officers. This amount is unchanged from FY 2022.

The Public Safety Equipment Fund receives \$4 of a \$13 surcharge on fines, violations and penalties for criminal offenses and civil motor vehicle violations. In addition, DPS receives another \$4 of the surcharge if its officer issued the citation. These revenue sources are subject to appropriation.

Additionally, the fund receives the first \$1,200,000 collected from an assessment of up to \$1,500 on driving under the influence (DUI) offenses. This \$1,200,000 is not subject to appropriation.

The Public Safety Equipment line item monies can be used to purchase vehicles, protective armor, electronic stun devices and other safety equipment for DPS officers.

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## ***Other Issues***

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## ***Statutory Changes***

The Criminal Justice Budget Reconciliation Bill makes the following statutory changes:

- As permanent law, create a Major Incident Division (MID) with the department to conduct independent investigations of critical force incidents. Requires each law enforcement agency in Arizona to require the MID, a regional law enforcement task force, or another law enforcement agency to perform the investigation of any critical force incidents in the state.
- As permanent law, removes the Peace Officers' Training Fund as a recipient of the Criminal Justice Enhancement Fund (CJEF) distribution and reallocates the monies to all other CJEF recipients.