

Arizona Criminal Justice Commission

	FY 2024 ACTUAL	FY 2025 ESTIMATE	FY 2026 APPROVED
OPERATING BUDGET			
<i>Full Time Equivalent Positions</i>	11.0	11.0	11.0
Personal Services	494,800	583,300	583,300
Employee Related Expenditures	165,700	225,000	229,400
Professional and Outside Services	119,100	330,000	330,000
Travel - In State	6,200	15,000	15,000
Travel - Out of State	20,500	34,000	34,000
Other Operating Expenditures	187,800	213,100	266,200
Equipment	11,900	15,000	15,000
OPERATING SUBTOTAL	1,006,000	1,415,400	1,472,900
SPECIAL LINE ITEMS			
Law Enforcement Crime Victim Notification Fund Deposit	10,000,000	0	2,594,800
Major Incident Regional Law Enforcement Task Force	600,000	600,000	600,000
State Aid to County Attorneys	648,600	973,700	973,700
State Aid to Indigent Defense	700,000	700,000	700,000
State Aid for Juvenile Dependency Proceedings Fund Deposit	2,000,000	2,000,000	2,000,000
Victim Compensation and Assistance	2,204,700	6,229,700	6,219,700
AGENCY TOTAL	17,159,300	11,918,800	14,561,100 ^{1/}
FUND SOURCES			
General Fund	14,427,900	4,600,000	4,600,000
<u>Other Appropriated Funds</u>			
Criminal Justice Enhancement Fund	588,500	742,200	802,100
Drug and Gang Prevention Resource Center Fund	417,500	647,100	646,600
State Aid to County Attorneys Fund	648,600	973,700	973,700 ^{2/}
State Aid to Indigent Defense Fund	700,000	700,000	700,000
Victim Compensation and Assistance Fund	376,800	4,255,800	6,838,700 ^{3/}
SUBTOTAL - Other Appropriated Funds	2,731,400	7,318,800	9,961,100
SUBTOTAL - Appropriated Funds	17,159,300	11,918,800	14,561,100
Other Non-Appropriated Funds	3,445,700	4,338,700	4,338,700
Federal Funds	14,949,100	19,440,900	19,440,900
TOTAL - ALL SOURCES	35,554,100	35,698,400	38,340,700

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 3.52% of Criminal Justice Enhancement Fund (CJEF) monies.

FOOTNOTES

- ^{1/} General Appropriations Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.
- ^{2/} All monies received by the Arizona criminal justice commission in excess of \$973,700 in fiscal year 2025-2026 from the state aid to county attorneys fund established by section 11-539, Arizona Revised Statutes, are appropriated to the state aid to county attorneys program. Before spending any state aid to county attorneys fund monies in excess of \$973,700 in fiscal year 2025-2026, the Arizona criminal justice commission shall report the intended use of the monies to the joint legislative budget committee. (General Appropriations Act footnote)
- ^{3/} All victim compensation and assistance fund monies received by the Arizona criminal justice commission in excess of \$6,838,700 in fiscal year 2025-2026 are appropriated to the crime victims program. Before spending any victim compensation and assistance fund monies in excess of \$6,838,700 in fiscal year 2025-2026, the Arizona criminal justice commission shall report the intended use of the monies to the joint legislative budget committee. (General Appropriations Act Footnote, as adjusted for statewide allocations)

Operating Budget

The budget includes \$1,472,900 and 11 FTE Positions in FY 2026 for the operating budget. These amounts consist of:

	FY 2026
Criminal Justice Enhancement Fund (CJEF)	\$802,100
Drug and Gang Prevention Resource Center Fund	646,600
Victim Compensation and Assistance Fund	24,200

Adjustments are as follows:

Statewide Adjustments

The budget includes an increase of \$57,500 in FY 2026 for statewide adjustments. This amount consists of:

CJEF	59,900
Drug and Gang Prevention Resource Center Fund	(500)
Victim Compensation and Assistance Fund	(1,900)

(Please see the Agency Detail and Allocations section.)

Law Enforcement Crime Victim Notification Fund Deposit

The budget includes \$2,594,800 from the Victim Compensation and Assistance Fund in FY 2026 for the Law Enforcement Crime Victim Notification Fund Deposit line item. Adjustments are as follows:

One-Time Deposit

The budget includes a one-time increase of \$2,594,800 from the Victim Compensation and Assistance Fund in FY 2026 for deposit into the Law Enforcement Crime Victim Notification Fund.

Laws 2022, Chapter 333 established the Law Enforcement Crime Victim Notification Fund and included two appropriated deposits into the fund: \$3,800,000 General Fund and \$1,400,000 from the Consumer Protection-Consumer Fraud Revolving Fund. The FY 2024 budget deposited an additional \$10,000,000 General Fund into the Crime Victim Notification Fund.

Laws 2023, Chapter 154 moved the non-appropriated Law Enforcement Crime Victim Notification Fund from the State Treasurer to ACJC and requires ACJC to use monies in the fund to pay for law enforcement agencies that choose to use an automated crime victim notification system that meets certain requirements, such as automatically notifying a crime victim of investigation updates, and interfacing with a law enforcement agency's records.

Major Incident Regional Law Enforcement Task Force

The budget includes \$600,000 from the General Fund in FY 2026 for the Major Incident Regional Law Enforcement Task Force. This amount is unchanged from FY 2025.

Monies in this line item are for distribution to regional law enforcement task forces to investigate instances of critical force incidents pursuant to A.R.S. § 41-1762. The requirements under this section have a delayed effective date beginning on July 1, 2027. *(Please see the Department of Public Safety narrative for more details on the Major Incident Regional Law Enforcement Task Forces.)*

State Aid to County Attorneys

The budget includes \$973,700 from the State Aid to County Attorneys Fund in FY 2026 for State Aid to County Attorneys. This amount is unchanged from FY 2025.

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.

State Aid to Indigent Defense

The budget includes \$700,000 from the State Aid to Indigent Defense Fund in FY 2026 for State Aid to Indigent Defense. This amount is unchanged from FY 2025.

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.

State Aid for Juvenile Dependency Proceedings Fund Deposit

The budget includes \$2,000,000 from the General Fund in FY 2026 for State Aid for Juvenile Dependency Proceedings Fund Deposit. This amount is unchanged from FY 2025.

The State Aid for Juvenile Dependency Proceedings Fund administered by ACJC consists of legislative appropriations to provide state aid to county public defenders, legal defenders, and contract indigent defense counsel for the processing of juvenile dependency cases. By September 1 of each fiscal year, ACJC is required to distribute monies in the fund to each eligible county. Prior to FY 2026, the distribution was based on the 3-year average of juvenile dependency case filings in the county Superior Court exceeds the 3-year average filings for FY 2013 - FY 2015.

The FY 2026 Criminal Justice Budget Reconciliation Bill (BRB) amended the distribution formula for the State Aid for Juvenile Dependency Proceedings Fund. It is now based on the proportional share of juvenile dependency case filings for each county in the most recent year for which filings are available. Distributions to a county may not exceed \$250,000. If a county distribution is projected to exceed \$250,000, the formula requires ACJC to distribute monies in excess of the \$250,000 to the remaining counties based on the proportional share of juvenile dependency case filings statewide for each county less the juvenile dependency case filings from the counties that have reached the maximum distribution in the fiscal year.

Victim Compensation and Assistance

The budget includes \$6,219,700 in FY 2026 for Victim Compensation and Assistance. This amount consists of:

General Fund	2,000,000
Victim Compensation and Assistance Fund	4,219,700

Adjustments are as follows:

Statewide Adjustments

The budget includes a decrease of \$(10,000) from the Victim Compensation and Assistance Fund in FY 2024 for statewide adjustments.

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: a \$9 penalty on criminal and civil violations, monies collected from a 10% assessment of a worker's gross compensation, 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.

Other Issues

This section includes information on the following topics:

- Statutory Changes
- Criminal Justice Enhancement Fund
- Rural County Diversion Programs

Statutory Changes

The Criminal Justice BRB makes the following statutory changes:

- As permanent law, amend-A.R.S. § 41-2490(E) to change the distribution formula for the State Aid for Juvenile Dependency Proceedings (SAJDP) Fund. (See the SAJDP Fund Deposit line item for the updated distribution formula.)

Rural County Diversion Programs

The FY 2023 budget appropriated \$10,000,000 from the General Fund for county attorney offices in counties with populations less than 900,000 according to the 2020 Decennial United States Census to establish and operate alternative prosecution and diversion programs based on evidence-based practices. The appropriation is exempt from lapsing.

Diversion is a pre-adjudication authority that county prosecutors can use to divert an individual from being charged with a crime through programs such as rehabilitation and counseling. Upon successful completion of a diversion program, charges are typically dismissed or not filed. Reentry programs differ in that they are for post-adjudication and include services for individuals who have already been charged and/or prosecuted of a crime. Services such as counseling and drug treatment provided through reentry programs are intended to aid an individual as they reenter society to not recidivate.

Budget footnotes required ACJC to adopt criteria for distributing grants, prohibited the monies from supplanting current county funding for such programs, and required ACJC to submit a report to the JLBC by September 30, 2023 on the use of the monies and the outcomes obtained by the programs in FY 2023.

In the initial report, ACJC reported that, 12 of the 13 rural counties submitted applications totaling \$14.6 million. ACJC awarded a base amount of \$300,000 to each county, and allocated the remaining funding based on a review of the applications and proposed project costs. The following amounts were awarded:

Apache County	\$574,200
Cochise County	503,300
Coconino County	2,100,000
Graham County	346,800
Greenlee County	356,800
La Paz County	327,900
Mohave County	725,000
Navajo County	625,000
Pinal County	1,800,000
Santa Cruz County	651,500
Yavapai County	1,300,000
Yuma County	539,500
ACJC Admin	<u>150,000</u>
Total	\$10,000,000

ACJC plans to update this report to evaluate outcomes after they have received data from the county programs.

Criminal Justice Enhancement Fund

The Criminal Justice Enhancement Fund receives revenues from penalties on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations. CJEF monies are distributed on a percentage basis to various state entities.

Table 1 shows the FY 2024 amounts transferred, statutory distribution percentages, and the appropriation status of the funds and programs receiving CJEF monies. (See individual agency pages for detailed information on each recipient.)

Table 1			
Criminal Justice Enhancement Fund (CJEF)			
Funds Transferred ^{1/}	FY 2024 Transfers ^{2/}	Statutory % of CJEF	Approp.
<u>Attorney General</u>			
AZ Prosecuting Attorneys Advisory Council (3)	\$ 1,241,600	5.18	no
County Attorneys (6)	2,967,300	12.38	no
<u>Arizona Criminal Justice Commission</u>			
Operation Costs (9)	843,700	3.52	yes
<u>Department of Public Safety</u>			
Forensics Fund (1,10)	6,028,000	25.15	yes
State/Local Grants (5)	2,399,200	10.01	^{3/}
<u>Department of Juvenile Corrections (2)</u>			
	855,700	3.57	yes
<u>State Treasurer</u>			
County Sheriffs (8)	3,585,000	15.06	no
<u>Supreme Court</u>			
Case Processing (7)	2,058,900	8.59	yes
Juvenile Crime (4)	2,967,300	12.38	yes
Community Punishment Program (11)	<u>997,100</u>	4.16	yes
Total Funds Distributed ^{3/}	\$ 23,943,800		

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

^{2/} The FY 2024 figures reflect amounts as reported by individual agencies to ACJC and may not correspond directly with agencies' statutory allocation. Financial information provided by agencies reflect when revenues from CJEF were recognized by the agency, not when the Treasurer's Office indicated the revenues were available to those agencies.

^{3/} Monies retained by the Department of Public Safety for operating expenditures are appropriated. Monies passed through to state and local agencies are non-appropriated.

