

Arizona Criminal Justice Commission

	FY 2024 ACTUAL	FY 2025 ESTIMATE	FY 2026 BASELINE
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	225,000
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	213,100
Equipment	11,900	15,000	15,000
OPERATING SUBTOTAL	1,006,000	1,415,400	1,415,400
SPECIAL LINE ITEMS			
Law Enforcement Crime Victim Notification Fund Deposit	10,000,000	0	0
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	6,229,700
AGENCY TOTAL	17,159,300	11,918,800	11,918,800 ^{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	742,200
Drug and Gang Prevention Resource Center Fund	417,500	647,100	647,100
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	4,255,800 ^{3/}
SUBTOTAL - Other Appropriated Funds	2,731,400	7,318,800	7,318,800
SUBTOTAL - Appropriated Funds	17,159,300	11,918,800	11,918,800
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	35,698,400

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 \$4,255,800 in fiscal year 2025-2026 are appropriated to the crime victims program. Before spending any victim compensation and assistance fund monies in excess of \$4,255,800 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.)

Operating Budget

The Baseline includes \$1,415,400 and 11 FTE Positions in FY 2026 for the operating budget. These amounts consist of:

	FY 2026
Criminal Justice Enhancement Fund (CJEF)	\$742,200
Drug and Gang Prevention Resource Center Fund	647,100
Victim Compensation and Assistance Fund	26,100

This amount is unchanged from FY 2025.

Major Incident Regional Law Enforcement Task Force

The Baseline 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 Baseline 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 Baseline 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 Baseline 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 FY 2023 Criminal Justice Budget Reconciliation Bill (BRB) established the State Aid for Juvenile Dependency Proceedings Fund administered by ACJC consisting 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 in which 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. Allocations are based on the proportional share of the increase in petitions for each county.

Victim Compensation and Assistance

The Baseline includes \$6,229,700 in FY 2026 for Victim Compensation and Assistance. This amount consists of:

General Fund	2,000,000
Victim Compensation and Assistance Fund	4,229,700

These amounts are unchanged from FY 2025.

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

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)	997,100	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.

SUMMARY OF FUNDS	FY 2024 Actual	FY 2025 Estimate
Coronavirus State and Local Fiscal Recovery Fund (JCA2985/U.S. P.L. 117-2)		Federal Funds
Source of Revenue: Federal monies appropriated in the American Rescue Plan Act (P.L. 117-2).		
Purpose of Fund: To provide emergency support to households, small businesses, nonprofits, workers performing essential work, and certain industries negatively impacted by the COVID-19 pandemic. To extend government services that received a reduction in revenue as a result of the COVID-19 pandemic. To make investments in water, sewer, and broadband infrastructure.		
Funds Expended	4,505,400	6,769,200
Year-End Fund Balance	0	0
Criminal Justice Enhancement Fund (JCA2134/A.R.S. § 41-2401)		Appropriated
Source of Revenue: A 3.52% allocation of the Criminal Justice Enhancement Fund (CJEF) for operating costs. CJEF consists of a 42% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations. Please see the Non-Appropriated portion of the fund for additional information.		
Purpose of Fund: For operating costs of ACJC.		
Funds Expended	588,500	742,200
Year-End Fund Balance	620,000	737,800
Criminal Justice Enhancement Fund (JCA2134/A.R.S. § 41-2401)		Non-Appropriated
Source of Revenue: A 3.52% allocation of CJEF and a portion of "Fill the Gap" funds pursuant to A.R.S. § 41-2124. CJEF consists of a 42% penalty assessment on fines, violations, forfeitures and penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations. Please see the Appropriated portion of the fund for additional information.		
Purpose of Fund: For operating costs of ACJC.		
Funds Expended	608,500	540,000
Year-End Fund Balance	620,000	737,800

SUMMARY OF FUNDS	FY 2024 Actual	FY 2025 Estimate
Drug and Gang Enforcement Fund (JCA2516/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%). The fund may also be used to fund the Statistical Analysis Center but not the Arizona Youth Survey.		
Funds Expended	2,837,200	3,798,700
Year-End Fund Balance	4,388,600	3,600,500
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 Statistical Analysis Center and Arizona Youth Survey, a statutorily required survey of 8th, 10th, and 12th grade students in schools across Arizona. The survey measures alcohol and drug use, gang affiliation, and weapons within schools.		
Funds Expended	417,500	647,100
Year-End Fund Balance	609,600	537,500
Employee Recognition Fund (JCA2449/A.R.S. § 41-709)		Non-Appropriated
Source of Revenue: Gifts and donations from public and private entities.		
Purpose of Fund: Employee recognition programs that recognize and award the performance, achievement, longevity or major life event of department employees.		
Funds Expended	0	0
Year-End Fund Balance	100	100
Federal Grants (JCA2000/A.R.S. § 35-142)		Federal Funds
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	10,443,700	12,671,700
Year-End Fund Balance	5,161,200	5,663,800
Fingerprint Clearance Card Fund (JCA2433/A.R.S. § 41-1758.06)		Appropriated
Source of Revenue: Fees charged to applicants or contract providers for a fingerprint clearance card.		
Purpose of Fund: To centralize fingerprinting services for state agencies. Revenues pay for the processing and issuance of fingerprint clearance cards.		
Funds Expended	0	0
Year-End Fund Balance	125,500	125,500
IGA and ISA Fund (JCA2500/A.R.S. § 35-142)		Non-Appropriated
Source of Revenue: Various intergovernmental and interagency service agreements.		
Purpose of Fund: Clearing account for monies expended under Intergovernmental Agreements (IGA) and Intergovernmental Service Agreements (ISA).		
Funds Expended	0	0
Year-End Fund Balance	42,300	42,300
Law Enforcement Crime Victim Notification Fund (JCA3710/A.R.S. § 41-2414)		Non-Appropriated
Source of Revenue: Monies appropriated to the fund by the Legislature.		
Purpose of Fund: To be used by law enforcement agencies in the state to fund crime victim notification software. Expenditures from this fund are not displayed to avoid double counting appropriated expenditures.		
Funds Expended	0	0
Year-End Fund Balance	12,885,600	5,385,600

SUMMARY OF FUNDS	FY 2024 Actual	FY 2025 Estimate
State Aid for Juvenile Dependency Proceedings Fund (JCA2040/A.R.S. § 41-2410)		Non-Appropriated
Source of Revenue: Monies appropriated to the fund by the Legislature.		
Purpose of Fund: To provide state aid to county public defenders, legal defenders and contract indigent defense counsel for the processing of juvenile dependency cases. ACJC administers the fund and distributes the monies to each eligible county in which the 3-year average of the total juvenile dependency case filings in the Superior Court in the county exceeds the 3-year average juvenile dependency case filings in the Superior Court of the county for Fiscal Years 2013, 2014 and 2015 based on the proportional share of the increase in petitions for each county. Expenditures from this fund are not displayed to avoid double counting General Fund monies.		
Funds Expended	0	0
Year-End Fund Balance	0	0
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	648,600	973,700
Year-End Fund Balance	70,200	(244,800)
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 for the processing of criminal cases.		
Funds Expended	700,000	700,000
Year-End Fund Balance	145,900	65,000
Victim Compensation and Assistance Fund (JCA2198/A.R.S. § 41-2407)		Appropriated
Source of Revenue: The fund consists of 2 subaccounts. The Victim Compensation subaccount receives revenue from a \$9 penalty on criminal and civil violations, monies collected from a 10% assessment of a working prisoner's gross compensation, and unclaimed restitution. The Victim Assistance subaccount 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	376,800	4,255,800
Year-End Fund Balance	11,176,900	10,623,400