

**Proposition 311**  
**Death Benefit; Assault; First Responders**  
**Fiscal Analysis**

**Estimated Impact**

Proposition 311 would require the state to pay a one-time \$250,000 death benefit to the surviving spouse or dependent of a first responder killed in the line of duty and would establish a \$20 penalty fee on every criminal conviction for the purpose of providing funding for the benefit. The proposition would also increase criminal penalties for the crime of aggravated assault against a first responder.

Collections from the new \$20 penalty and expenditure levels for the new death benefit would depend on the number of criminal convictions and applicable deaths in any given year. We estimate the \$20 penalty on criminal convictions would generate \$1.4 million annually for the new State Supplemental Benefit Fund, assuming a 50% collection rate and 137,000 annual criminal convictions. Based on recent experience, we estimate that there would be an average of 4 deaths annually which would be eligible for the new benefit, resulting in \$1.0 million of annual claims.

The self-sufficiency of the fund will especially depend on the accuracy of the estimates regarding the collection rate of the penalty fee and the number of applicable deaths.

The proposition would increase probation and incarceration costs for the state and county governments by increasing the penalties for individuals convicted of aggravated assault against a first responder. This impact would depend on the number of convictions the increased criminal penalties are applied to, which cannot be determined in advance.

**Analysis**

The proposition specifies that a surviving spouse or children are eligible for the death benefit if the first responder is killed in the line of duty as the result of another person's criminal act. The proposition defines first responders that are eligible for the new benefit as any of the following: a peace officer, firefighter, fire marshal, fire inspector, emergency medical care technician, paramedic, tribal police officer, active-duty member of the Arizona National Guard, or an Arizona Department of Corrections' correctional officer.

We do not have specific data on the number of annual "line of duty" deaths for the specific positions listed in the measure. From 2018 to 2020, the Arizona Public Safety Personnel Retirement System (PSPRS) reported the deaths of 12 first responders in the line of duty, an average of 4 per year. This report may include deaths that do not qualify under the "killed in the line of duty" definition established by the measure, such as firefighters killed during an accidental fire response. In addition, this PSPRS data may exclude certain eligible deaths under the measure, such as private sector paramedics who are not members of the PSPRS public pension plan.

Based on this state data, we estimate that the average number of death benefit claims filed each year will likely be approximately 4. Given that the benefit amount is fixed at \$250,000, the total average annual death benefit disbursement is projected to be \$1.0 million.

According to the Administrative Office of the Courts (AOC), there were an average of 137,000 criminal convictions in Arizona each year between 2021 and 2023. The \$20 penalty established by this measure cannot be waived by the Court, but AOC anticipates a collection rate of only 50% given that some individuals are unable or unwilling to pay their court costs. After accounting for this collection rate, we estimate total fee collections of approximately \$1.4 million annually.