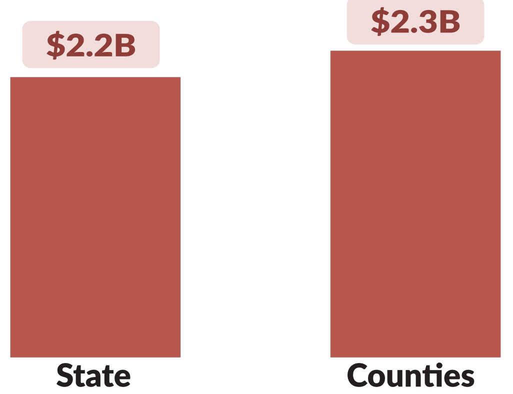
State and County Criminal Justice System Funding

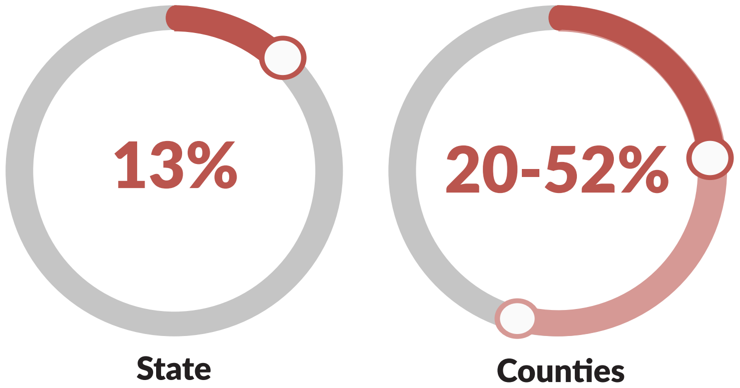
In FY 2024, counties spent more than the state on criminal justice despite having lower overall expenditures.

FY 2024 GF Spend on Criminal Justice System



Counties already spend more of the GF on criminal justice, 20-52%, compared to 13% of the state GF.

FY 2024 % of GF Spend of Criminal Justice System



In FY24, counties spent more than three times what the state did on court operations, with courts making up 19% of county GF spending compared to just 1% of the state's GF.

State

Law Enforcement & Corrections
$2B — *Corrections, Juvenile Corrections, DPS, ASH, Homeland Security, DEMA*

Courts
$174M — *Superior Court, Supreme Court, Court of Appeals*

Prosecution & Other
$44M — *Attorney General, ACJC, Board of Executive Clemency*

Counties

Law Enforcement & Detention
$1.3B — *Sheriff's Office, Jails*

Courts
$575M — *Superior Court, Justice Courts, Probation, Constables*

Prosecution & Defense
$456M — *County Attorney, Indigent Defense Offices*

Judicial Salary Increases
Last minute judicial salary increases by the state in FY24 will drive local costs by more than $7.7M.

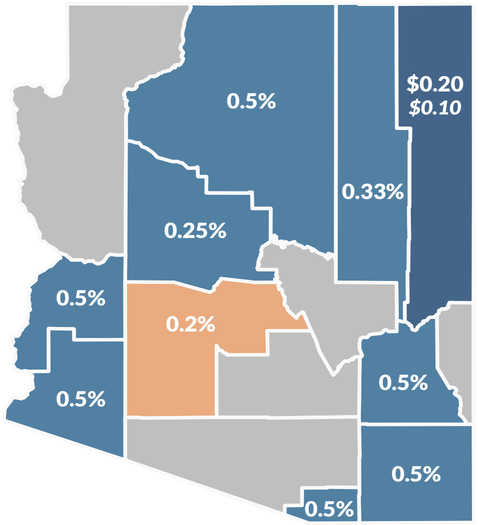
ADJC Cost Shift
To date, counties have paid over $57 million to cover this state responsibility. Maricopa County is still charged this fee - a continued annual cost of $6.7 million to taxpayers. **This is equivalent to a $70.6M annual cost to the state.**

Restoration to Competency (RTC)
For counties, the cost to provide RTC services to **just one patient at ASH is equivalent to a $3M to $300M cost annually to the state.**

Jail Funding Authorities

State statute provides for several methods to fund detention facilities operated by county sheriffs, depending on the county's size.

To enact special funding mechanisms like jail districts or a jail facilities excise tax, counties must get voter approval and expend those dollars as outlined in statute.



General Fund

Jail District - Excise
Navajo county operates under alt. maintenance of effort statute. Yavapai county voters approved 0.25% and defeated subsequent increase to 0.5%

Jail District - Property
Apache county has both a jail & juvenile jail tax rate

Jail Facilities - Excise

JAIL DISTRICTS

Counties must receive voter approval for an excise or property tax to fund a jail district

- No maximum tax term, although many county resolutions establish expiration dates. Several counties have reauthorized taxes through voter approval
- May be approved in special or general election

Population 500,000 or less
Maximum tax rate: 0.5% ; 0.33% alt. MOE

Population 500,000 to 1.5 million
Maximum tax rate: 0.25%

Population 1.5 million or more
No excise tax authority

Property Tax Authority
No maximum tax term
Must be approved in general election
Maximum tax rate: $0.20

Expenditures
Not subject to county expenditure limit.
Use of funds: "acquiring, constructing, operating, maintaining and financing county jails and jail systems and juvenile detention facilities..."

Maintenance of Effort (MOE)
Statute requires counties to maintain GF support equal to the amount spent in the FY prior to the district's creation adjusted annually by the lesser of inflation or change in the county's levy limit.

Municipal Charges
Cost of providing for prisoners (regardless of arresting or court jurisdiction) housed in county jail is a charge of the district.

JAIL FACILITIES EXCISE TAX

Maricopa County only
County must receive voter approval in a general election.

Maximum term: 20 years
Maximum tax rate: 0.2%; BOS may reduce during term.

Expenditures
Generally subject to county expenditure limit, unless specific expenditures are exempt.

Maintenance of Effort (MOE)
Statute requires the county to maintain GF support equal to the
MOE established in 42-6109 adjusted annually by inflation.

Municipal Charges
Inmates housed in the county jail from arrests made by municipal officers and charges brought or sentencing in municipal courts and are a municipal charge