

## Probation Funding Timeline

Early state probation programs

'78

State authorizes **State Aid to Probation** for the first time.  
*9 counties participate*

*Prior to this, probation services varied widely across the state.*

State **creates & funds new probation programs.**

*Adult & Juvenile Intensive Probation*

**Mid- to late- '80s**

'93

State **increased probation fees** to keep adult standard ratio at 60:1, instead of increasing to 70:1.

'92

SB 1303 would have required phase-in state funding for the Superior Court over 5 years.  
**Not heard in committee**

State adds **substantial resources for new FTE** as caseloads grow

*Adult Standard Probation Caseload Ratio 60:1*

'89

Supreme Court appointed Commission on the Courts **recommends**, among other reforms, **transitioning Superior Court costs to state funding of the courts by '95.**

'80

HB 2165 would have shifted funding for entire Superior Court to state.  
*Passed House unanimously. **Failed in Senate***



# Probation Funding Timeline

Exploring funding model and minor modifications

**'95** Laws 1995, Ch. 192 **transfers responsibility for setting probation officer salary** ranges from presiding judge **to BOS**.  
*Continued recommendation of presiding judge.*

**'94** State budget footnote expressed intent **to study state/county funding relationship** for probation. *Committee met but reached no consensus or recommendations.*

**'96** State budget footnote **requires counties to maintain probation expenditures** at FY95 levels to receive state funding.  
*JLBC est. cost share: 57% state, 43% counties in FY95*

Counties required to maintain funding at FY95 level

State adds **substantial resources for new FTE** as caseloads grow  
*Adult Standard Probation Caseload Ratio 60:1*

**'95** Another Supreme Court Committee **recommends transitioning to state funding for courts**.

**'98** State budget did not fully fund projected caseload growth, **required AOC to eliminate shortfall with existing resources**, fees or county funds.  
*Caseload growth did not meet projections, sufficient funds appropriated.*

**'94** Supreme Court Committee, including county representatives, **recommends transferring probation funding to state** as first step in state funding of Superior Court.

*Year corresponds to calendar year.*

## Probation Funding Timeline

*Slowing caseload growth & state investment; Maricopa probation swap*

**'99** State budget deploys new state-funded POs when 95% capacity is reached, instead of historic 85%.

**'02** State budget **shifts cost of caseload growth** in standard probation **to Maricopa and Pima.**

**'03** **Maricopa takes over adult probation** costs from state. *Receives cost offsets, revenues from probation fees.*

**'05** **Maricopa takes over juvenile probation** costs from state. *Receives cost offsets.*

*Pima required to pay for some additional probation costs*

Counties required to maintain funding at FY95 level

Counties required to maintain funding at FY04 level

Adult Standard Probation Caseload Ratio 60:1

**'02** Joint Study Committee on State Funding of the Court System **recommends state funding for probation.** *Supported by courts & CSA*

**'00** AOC **requires counties to fund 1 PO** for every 4 state-funded POs in Adult Standard (1:4), 1:8 in Juvenile Standard.

### Probation Funding Timeline

Great Recession & recovery

**'09** To reduce state costs state increases ASP caseload ratios & probation fees, shifts risk management costs to counties, reduces court FTE.

**'16** State appropriates funds to cover increased cost of probation officer salaries.

Used General Fund and transfers from other probation line items.  
Budget footnote added reporting requirement for board-approved salary adjustments

**'17** State appropriates funds to cover increased cost of probation officer salaries.

Described as "Salary Realignment"

Counties required to maintain funding at FY04 level

ASP Ratio 60:1

Adult Standard Probation Caseload Ratio 65:1

State sweeps court special revenue funds into General Fund, including probation fees

Lump sum reductions to Superior Court

**'08** State budget increases court fees to generate additional revenues.

**'13** State appropriated special revenue funds to cover salary increases/filling vacant positions for POs

**'18** State appropriates funds to cover increased cost of probation officer salaries.

Described as "Probation Officer Salary Shortfall"

**'19** State appropriates funds to cover increased cost of probation officer salaries.

Described as "Probation Officer Salary/Benefits Deficit". Funds CORP adjustment as one-time.



## Probation Funding Timeline

Recent changes in cost sharing model

**'21** State **shifts to “pre-funding” model. Requires counties to cover cost** of any increases above appropriated level. *Appropriates resources to fund deficits in FY19, FY20, FY21, pre-funds 2.5% increase in FY22.*

*\*AOC has indicated funds were sufficient to cover costs of state-funded probation officers with not shift to the counties.*

**'22** State **continues “pre-funding” model** with 2.5% pay increase for FY23. Requires counties to cover cost of any increases above appropriated level. *Salary range adjustments by BOS & presiding judges were more substantial in FY23.*

County MOE at FY04 level

Counties required to maintain funding at FY20 level

Adult Standard Probation Caseload Ratio 65:1

**'20** State funds ongoing CORP adjustment. Narrative at staff-level shifts.

*JLBC Approps. Report*  
*“While these probation officers are funded with state monies, **they are county employees...**”*  
*“**Counties regularly award salary increases** to probation officers, which can create a funding deficit relative to the appropriation.*

**'22** Supreme Court issues administrative order regarding **“Crisis in Probation”**

AOC submits state budget request for **\$17M market adjustment for probation staff.**



## **Probation Funding Challenges Moving Forward**

### **Court “Crisis in Probation”**

- Some probation departments exceed 65:1 statutory caseload ratios
  - High vacancy & turnover rates in probation officer positions

### **Future Salary Adjustments**

- State pre-funding model pushes additional costs for state-funded probation officers into county GF

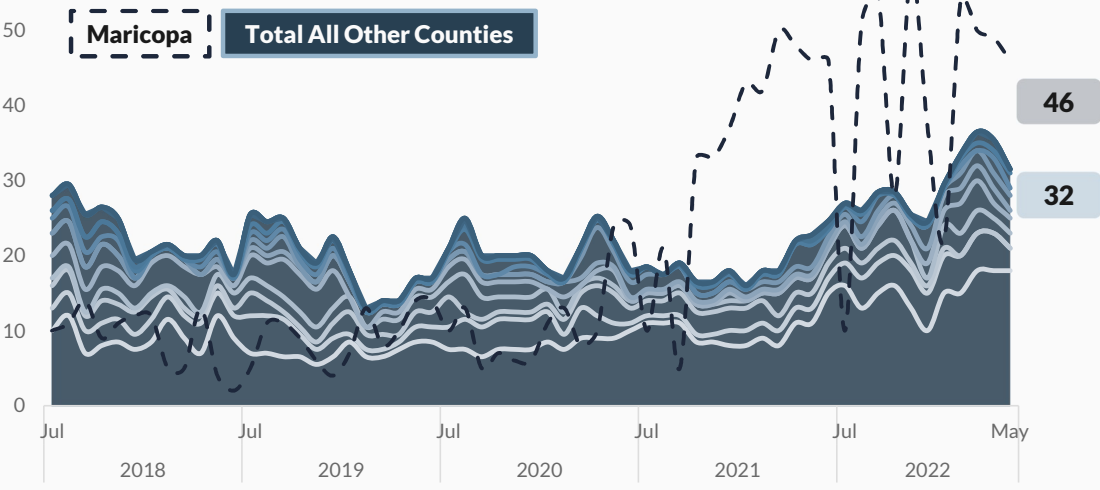
## Court Crisis in Probation

Adult Standard Probation caseloads currently exceed statutory maximum of 65:1 in several probation departments.

AOC indicated this is due to high vacancy & turnover rates.

### Adult Standard Probation # Vacant Positions

Monthly, FY 2018 to FY 2022 (through May)



### Adult Standard Probation Filled Caseload Ratio

January to May 2022



Source: Arizona Adult Probation Services Monthly Reports



## Court Crisis in Probation: AOC Proposed Solutions

### Utilize Capacity in Other Programs

*Supreme Court Administrative Order*

If exceeding 1:65 ratio for 90+ days  
(6 departments through May)

**must act to bring caseloads into compliance**  
through any of the following:

- Using existing capacity in juvenile (for 18/19 yo) or intensive probation.
- Review cases that can be released early/placed on lower supervision, revoking cases efficiently.
- Converting non-case carrying positions to case carrying, having supervisors carry cases.
- Working with the BOS to est. competitive market ranges for PO salaries.

### Market Adjustment for Probation Employees

*FY 2024 State Budget Request*

**\$17.3M from state** in FY 2024 to fund a new minimum salary for probation departments.

- Funding covers all non-Maricopa probation department staff adjustments (at different levels).
- Probation officers, surveillance officers, probation supervisors, and detention officers under probation **would have a minimum salary of 90%** of the current Maricopa County entry-level salary.
- AOC requested state funds to cover cost of increase for *all* probation department employees, both county- and state-funded.





## Future Salary Adjustments: AOC Proposed Solution

### Shift Funding Future Cost Adjustments to State

*Requires Legislation*

#### **Initial Proposal**

*For all counties except Maricopa County*

- Counties continue to **pay the current amount** for **maintenance of effort**
- **State assumes future cost** for:
  - Compensation
  - Operations
- Facilities remain a county cost
- All probation personnel receive a state paycheck and benefits
  - One personnel system
  - **Raises given by the State**
- **All other provisions remains the same**
  - Hiring locally (by presiding judge)
  - Supervised by Presiding Judge, CPO and Director remain as is, CORP stays the same etc.



## Potential Paths Forward for Counties



*Potential County Position*  
**Market adjustment is right first step to state funding for probation**



*Potential County Position*  
**Agree that the probation function needs major adjustment, state needs to fully fund requested increase .**  
*(but don't pursue transfer to state)*



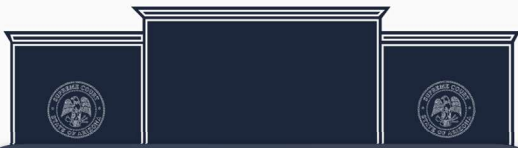
*Potential County Position*  
**Support approach and conversation, but if state doesn't fund then courts need to work locally with counties to set appropriate salaries.**



*Potential County Position*  
**Don't support market adjustment/state funding approach, this is not an improvement on the status quo.**



## Stakeholder Environment



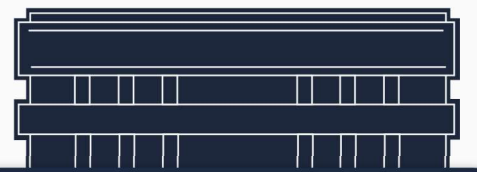
### Courts

- AOC has submitted FY 2024 budget request, including market adjustment
- Presiding Judges & Chief Probation Officers **meet in late October** to discuss options
- Relationships vary across the state



### Legislature

- Key member interested in exploring solutions
- Legislative staff evaluating potential options
- Will want to know what the benefit for the state is
- Reluctant to fund small adjustments for probation in recent years
- 50%+ turnover in both chambers, low legislative understanding



### Executive

- New governor, first budget
- Probation/courts not in either candidates' platform