



TOM HORNE
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

ANDREW PACHECO
CRIMINAL DIVISION

May 15, 2012

John A. Blackburn, Jr.
Executive Director
Arizona Criminal Justice Commission
1110 W. Washington, Suite 230
Phoenix, Az 85007

RE: CJEF Guidelines:

Dear Director Blackburn:

Attached are the revised guidelines for the administration and distribution of CJEF funds under ARS §41-2401 D.7. We are submitting these revised guidelines to the Arizona Criminal Justice Commission for review and approval pursuant to the authority established under ARS §41-2405.

The revised CJEF guidelines eliminate the requirement for a program narrative to relieve as much burden as possible from the County Attorneys. We have replaced the program narrative with a certification statement which will be incorporated into the new quarterly report and in compliance with ACJC Rule (R10-4-303(A)(3)).

Moreover, to ensure compliance with the ACJC Rule R10-4-303(A)(4), we have incorporated an audit requirement which will be the responsibility of the Attorney General's Office.

The above approach should comply with both the ACJC Rules and address the concerns of the County Attorneys.

If you have any questions regarding these guidelines please contact me at 602-542-8527 or Mary Applebee, our Grants Manager, at 602-542-8502.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Pacheco", with a horizontal line extending to the right.

Andrew C. Pacheco
Division Chief Counsel
Criminal Division
Arizona Attorney General

**OFFICE OF THE ATTORNEY GENERAL
CRIMINAL JUSTICE ENHANCEMENT FUND (CJEF)
FUND GUIDELINES
May 2012**

- 1. The procedure for handling Fund monies received by the Treasurer's Office until they are allocated:**
 - By the 10th of each month, the Treasurer's office deposits monies into the AGO (CJEF) PCA 23620. This is a non-interest bearing account.
 - These deposits are made via wire transfer and represent 9.35% of monies collected pursuant to A.R.S. 12-116.01(H) and A.R.S. 41-2401(D)(7).
 - These funds remain in PCA 23620 until that quarter's distribution has been made to the County Attorneys.

- 2. The procedure used to allocate Fund monies received by the Treasurer's Office:**
 - The funds are distributed to the County Attorneys after the last month's quarterly deposit has been received.
 - The quarterly distribution is based on the following formula:
 - All counties are to receive an equal share of the first \$1.5 million in revenue collected. If less than \$1.5 million is received, all monies will be distributed equally among the 15 counties.
 - Monies will be distributed less any Legislative Fund Sweeps. Upon notification of any fund sweep, monies will be reduced from the following quarter distribution.
 - Revenue collected beyond \$1.5 million (less any fund sweep) is distributed based on that county's population as a percentage of the state's total population from the 2010 census.
 - \$9,000 is retained from each quarter's revenue to cover the administrative costs of the Attorney General's Office.

- 3. The procedure used to ensure that Fund monies are expended as specified in A.R.S. 41-2401(D)(7):**
 - All distributions are made to elected County Attorneys to be spent for the purpose of enhancing prosecutorial efforts.
 - On a quarterly basis, every County Attorney's Office shall continue to provide an expenditure report within 30 days after the end of each quarter.
 - The approver of each quarterly report shall certify that the funds are expended as specified in A.R.S. 41-2401(D)(7) by signing the cover page which includes the certification statement.

4. The procedure used to assess the impact of the Fund monies on enhancing criminal justice:

- The Attorney General's Office will continue to collect these reports quarterly.
- Quarterly: The Arizona Attorney General's Office will rely on the County Attorney representation made through quarterly finance statements and the certification regarding the impact of the fund monies on enhancing criminal justice.
- Annually: A representative of the Arizona Attorney General's Office may complete a site audit of the County Attorney reports. This audit will be a review of expenditure reports, documentation and/or schedules that support the quarterly financial reporting.
- County Attorney expenditure reports and the Arizona Attorney General's audit reviews will be made available for review to the Commission and the Auditor General upon request.