



MEMORANDUM

Date: December 20, 2016

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **December 14, 2016 Letter from the County Supervisors Association Regarding the Proposed Increase in Court Surcharges and Allocation of Same for the Recently Completed Arizona Court Security Plan**

As noted in the attached December 14, 2016 letter from the County Supervisor Association, it is possible that implementing the Arizona Office of the Courts (AOC) Security Plan will increase cost transfers to County governments. The operable sentence is "Our understanding is that while the AOC intends to pursue legislation to capitalize a modest court security fund to provide grants for equipment and training, implementation of the full measure of recommendations will result in substantial costs being borne on an on-going basis by county general funds." It should be noted that while these fees would be increased, the cost of fee generation is largely borne by the county criminal justice system.

The letter also discusses a number of other significant cost transfers from the State that are borne by counties and our taxpayers.

CHH/anc

Attachment

c: Ellen Wheeler, Assistant County Administrator



County Supervisors Association of Arizona

December 14, 2016

Chief Justice Scott Bales
Arizona Supreme Court
1501 W. Washington Street
Phoenix, Arizona 85007

Dear Chief Justice Bales and Members of the Arizona Judicial Council,

I am writing on behalf of the County Supervisors Association (CSA) to express our concern with the significant financial implications of the recommendations contained in the Arizona Court Security Committee Report.

We are very grateful for CSA's long-standing partnership with the Arizona Office of the Courts (AOC) and were appreciative that Administrative Director Dave Byers took the time recently to brief CSA's County Managers Association on the recommendations contained in the report and to outline the envisioned steps necessary for implementation. Our understanding is that while the AOC intends to pursue legislation to capitalize a modest court security fund to provide grants for equipment and training, implementation of the full measure of recommendations will result in substantial costs being borne on an on-going basis by county general funds.

Counties respect and value the authority of the Judiciary to formulate and implement administrative policy in Arizona's court system; however, we must analyze the report's recommendations through the broader reality of the growing, and seemingly unbridled, cost shifting occurring by jurisdictions outside of the control of county government; namely, the Arizona Legislature and administrative agencies, the AOC and the federal government. Since 2009, state action has drained \$504 million in county resources. Absent legislative relief, Arizona's counties stand to lose an additional \$54 million in FY2017-2018 to fund portions of four state agencies, functions that were historically funded by the state general fund. At the federal level, critical payments to counties such as Payment in-Lieu of Taxes and Secure Rural Schools remain in jeopardy, and pending federal rules, if promulgated, will drive-up local costs of operation. Exacerbating the situation is the massive unfunded liability of the Elected Officials Retirement Plan and the looming threat of how the legislature may choose to solve this problem. In this context, the prospect of implementing the AOC's mandates with insufficient funding further degrades county fiscal sustainability and creates the very real potential of simply forcing diversion of limited resources from existing county services to fund these new mandates.

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Please know, we share your concern about the safety of employees and residents, alike. In recent years, as the state legislature has deliberated statewide security mandates, counties have argued consistently that these policies should be a local decision that reflect unique circumstances and allow for the most efficient use of tax dollars. Similarly, we respectfully request that, rather than issuing new top-down unfunded mandates, the AOC collaborate with Arizona's counties to identify efficient, effective, mutually-agreeable local strategies to promote court-room safety.

CSA has enjoyed a very productive relationship with the AOC for many years and the partnership has often led to mutually-beneficial solutions. Accordingly, we would welcome an opportunity to discuss this matter further to help identify how the objectives of the court security report may be pursued without burdening limited local resources and impacting other mission-critical county services.

Thank you for your consideration,



Craig A. Sullivan
Executive Director