



MEMORANDUM

Date: September 27, 2011

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

From: C.H. Huckelberry
County Administrator 

Re: **Fiscal Impact of State Legislation Requiring Housing for Prisoners Sentenced to the Arizona Department of Corrections for Less than One Year to be Paid for by Local Governments**

Senate Bill (SB) 1621, which was enacted by the State Legislature in the last session, transfers prisoner housing costs to the counties. Beginning July 1, 2012, each sentencing county must reimburse the Arizona Department of Corrections (ADOC) for each remaining day of incarceration for their prisoners sentenced for one year or less prior to July 1, 2012 and who have time remaining on their sentence. According to the ADOC, this will apply to 154 Pima County defendants. There is no option to transfer these inmates to the custody of the County; hence, the County will be billed directly for these inmates, and the anticipated billing from the ADOC will be \$916,012.

This is another State cost transfer that was not anticipated, even though there was a great deal of publicity associated with the County housing prisoners sentenced to one year or less after July 1, 2012. For that population, there will also be significant additional cost. It is estimated this cost will apply to 500 Pima County defendants. The additional cost to house these inmates, previously the responsibility of the State, will be approximately \$5 to \$7 million, excluding the nearly \$1 million that will be billed to the County for prisoners who are sentenced prior to July 1, 2012 but have time remaining on their sentence.

CHH/dph

Attachment

c: The Honorable Clarence Dupnik, Pima County Sheriff
Martin Willett, Chief Deputy County Administrator
Lindy Funkhouser, Assistant County Administrator for Justice and Law Enforcement

Arizona Department of Corrections



1601 WEST JEFFERSON
PHOENIX, ARIZONA 85007
(602) 542-5487
www.azcorrections.gov



JANICE K. BREWER
GOVERNOR

CHARLES L. RYAN
DIRECTOR

August 31, 2011

Sheriff Clarence W. Dupnik
Pima County Sheriff's Office
1750 E. Benson Highway
Tucson, AZ 85714-1758

Dear Sheriff Dupnik:

This spring, the Arizona State Legislature passed Laws 2011, Chapter 33 (SB 1621). This legislation, in part, impacts the placement of inmates sentenced to one year or less and the costs associated with their incarceration.

Pursuant to Section 28 of the legislation, beginning July 1, 2012, the sentencing county shall reimburse the ADC for each remaining day of incarceration for any prisoner who was sentenced to one year or less in the ADC prior to July 1, 2012. Those inmates sentenced prior to July 1, 2012 will remain in the custody of the ADC and will not be transferred to the county.

Those inmates sentenced to one year or less in the ADC prospectively from July 1, 2012, shall serve their sentence in the county jail, unless the Sheriff has entered into an agreement to reimburse the ADC for the incarceration costs, in which case the person shall be committed to the custody of the ADC.

Pursuant to Section 17 of the legislation (A.R.S. §41-1610.02), the counties are to reimburse the ADC for "the costs of incarcerating a person in the state department of corrections." An analysis of this population has demonstrated that the majority of applicable inmates would be classified as minimum custody. Therefore, the Department has decided to utilize ADC's minimum custody operating cost of \$55.59 per inmate per day as the reimbursement rate, rather than using different rates dependent upon custody level or location.

There are a number of additional factors that require further consideration and coordination. For example:

Intake procedures (DNA testing, fingerprinting, mug photo, etcetera), time computation and classification, release procedures, and programming requirements.

CLERK'S NOTE:
COPY TO SUPERVISORS
COUNTY ADMINISTRATOR

DATE

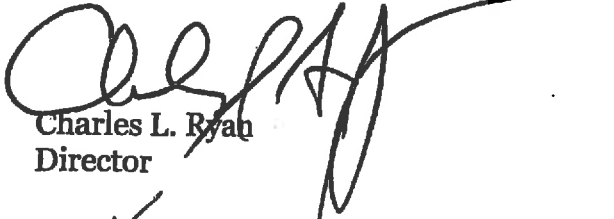
9-1-11 *[Signature]*

SEP 01 11PM 12/17 POC QJCF BD

[Handwritten mark]

If you have additional questions, please do not hesitate to contact me at 602-542-5225 or by e-mail at cryan@azcorrections.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles L. Ryan', with a long horizontal flourish extending to the right.

Charles L. Ryan
Director

cc: ✓ Pima County Board of Supervisors
Pima County Attorney
John Arnold, Director, Governor's Office of Strategic Planning & Budgeting
Michael Kearns, ADC Administrative Services Division Director
File