

JAIL ENHANCEMENT FUND GUIDELINES

The following is a summary of the procedures utilized in distributing, accounting, and reporting the Jail Enhancement Fund (JEF) for county jails and county jail operations as required by R10-4-301.

1. Each month the Arizona State Treasurer, using the following formula prescribed by the rules adopted by the Arizona criminal justice commission in conjunction with the Arizona sheriff's association, allocates a set percentage of the Criminal Justice Enhancement Fund (A.R.S. §41-2401 D9) to county Sheriffs for the purpose of enhancing county jail facilities and operations, including county jails under the jurisdiction of county jail districts:
 - a. Fifty percent (50%) of the jail enhancement fund collected for the county sheriffs shall be divided equally among the fifteen (15) counties.
 - b. The remaining fifty percent (50%) shall be apportioned amongst the fifteen (15) counties based on the ratio of each county's number of authorized jail and detention employees.
2. The funds shall be used in the following manner:
 - a. At least twenty-five percent (25%) of the jail enhancement funds are recommended to be used to ensure adequate training and provide training related costs for jail and detention purposes.
 - b. Remaining funds shall be used to enhance county jail facilities and operations, including county jails under the jurisdiction of a county jail district.
 - c. The sheriff has absolute and final authority for the allocation of jail enhancement funds for their intended purpose and these funds cannot be used to supplant or replace budgeted funds or expenses that should otherwise be budgeted by the respective county or jail district.
3. Jail enhancement funds are to be used to enhance jails, jail operations and jail training programs beyond the Sheriff's normally budgeted programs. JEF money is not intended to offset their budget. Joint use of equipment or programs funded by JEF money shall only be authorized if the program or equipment is more than fifty per cent (50%) committed to jail operations.
4. The County Sheriff is the only person in each county authorized to spend jail enhancement funds.
5. All County Jail Enhancement monies shall be deposited with the County Treasurer as required by A.R.S. §11-492. In addition, the Sheriff shall follow county procurement and travel policies, and record financial activity on the County's accounting and reporting system.
6. County Jail Enhancement Fund monies and the administration of County JEF accounts are subject to inspection by the Arizona Sheriffs Association, the Arizona Criminal Justice Commission and audit by the State Auditor General.
7. At the beginning of the fiscal year, the Arizona Sheriffs Association shall update and revise the distribution formula for the purpose of apportioning the monthly fifty per cent (50%) share of the jail enhancement funds. Therefore, annually by July 1, Sheriffs shall declare the total number of jail/detention employees working in the jail, to the State Treasurer's Office for that purpose.

8. Each year no later than November 1, each Sheriff shall submit annual reports to the Arizona Criminal Justice Commission utilizing a format developed pursuant to A.R.S. § 41--2401 B.
 9. Monies distributed pursuant to this subsection constitute a continuing appropriation (A.R.S. §41-2401 E) and may be carried over into the next fiscal year.
- Attachment one –Definitions
 - Attachment two – Procedures for Clarifying Expenditures

JAIL ENHANCEMENT FUND

Guideline Definitions

Annual Report

Pursuant to A.R.S. §41-240I.B on or before November 1 of each year, the sheriffs shall provide the Arizona Criminal Justice Commission a financial activity report for the preceding fiscal year on all expenditures. The report shall not include any identifying information about specific investigations. The reporting formats are prescribed by the Arizona Criminal Justice Commission and must be utilized for reporting JEF financial activity.

Enhancement

Jail Enhancement Funds (JEF) are to be used to increase or improve the value, quality, desirability or attractiveness of county jail services or operations. The Legislature, in its wisdom, used the term "enhancement" thereby deferring to the expertise of those who run the jails to determine what they need to improve or enhance their jail operations. JEF allocations are intended to enhance jail operations. In order to enhance, JEF funds must not be used to supplant or replace general fund or jail district fund budget monies, but must be viewed as additional to the county Sheriffs general fund budget.

Jail/Detention Employee

The definition of a Jail/Detention Employee will follow the "designated position" definition from the Corrections Officer Retirement Plan for a county. (Title 38, Chapter 5, Article 6). For purposes of the distribution formula, credits are as follows:

- One credit for each County Detention Officer. (Half credit may be given to uniform detention personnel working in the jail without inmate contact or part-time detention officers).
- One credit for each non-uniform employees of the Sheriffs' department whose primary duties require direct contact with inmates. Examples would be nurses, dental assistants, therapists, teachers etc.

Supplanting

The deliberate use of Jail Enhancement Funds to reduce County funds because of the existence of "Jail Enhancement Funds." An example would be: when County funds are appropriated for a stated purpose and Jail Enhancement Funds are then spent for that same purpose, the County replaces its County funds with State funds, thereby reducing the total amount for the stated purpose. However, if goods or services were first obtained by using the Jail Enhancement monies and not through the County budget, then these expenditures are considered to be for the purpose of enhancing Jail Operations and are not considered supplanting,

Training

The Jail Enhancement Guidelines were developed with the philosophy that at least 25% of the JEF collected by the County are recommended be used for the primary purpose of ensuring adequate training and providing training related costs for jail and detention purposes. Training expenditures

could include but are not limited to, Arizona Detention Academy classes, in- service training, and other training that would enhance the job efficiency of detention personnel. The sheriff has final authority to determine what constitutes appropriate training for their employees.

PROCEDURES FOR CLARIFYING EXPENDITURES

A jail enhancement fund committee (JEF committee) shall be established consisting of the president and vice president of the Arizona Sheriffs Association, a staff member from an association of counties, and a representative of the Arizona Criminal Justice Commission and shall:

1. Provide oversight of the establishment and revising of jail enhancement fund guidelines
2. Hear and investigate written complaints involving the improper use of jail enhancement funds

On those occasions when written complaints have been submitted to the JEF committee via the Arizona Sheriff's Association that there may have been expenditures of Jail Enhancement Funds outside of the JEF Guidelines, the following procedure shall be followed:

1. The JEF committee, upon the review of, Annual Reports, or site visits finds an expenditure that appears outside of approved Guidelines, shall ask the Sheriff for an explanation and request a clarification consistent with approved Guidelines. The JEF committee will set forth in writing the questioned expenditure with details that include the date, amount, and type of expenditure and why the committee feels the expenditure is outside approved Guidelines. The Sheriff would then have thirty (30) days to respond in writing to the JEF committee.
2. If the JEF committee does not receive a response from the Sheriff within thirty (30) days, or the committee feels that the expenditure is still questionable, the committee shall send a letter of explanation, including all supporting documentation, to the Arizona Sheriffs Association.
3. The Arizona Sheriff's Association shall take action as deemed appropriate and provide the JEF committee with its findings.
4. The JEF committee may refer the matter to the State Auditor General or Arizona Attorney General if recommended by the Arizona Sheriffs Association or Director of the Arizona Criminal Justice Commission.