



Maricopa County

Department of Finance

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To: Maricopa County Detention Billing Agencies
From: John Lewis, Chief Financial Officer
Date: February 3, 2020
Subject: Final Jail Per Diem Billing Rates for FY2021

The purpose of this memorandum is to provide the **final** Jail Per Diem Billing Rates for FY2021. The following table illustrates the final Jail Per Diem Rates that will be effective July 1, 2020.

Jail Per Diem Rates	FY 2021	FY 2020	Difference	Percent
Housing Rate	\$ 102.55	\$ 105.15	\$ (2.60)	-2.5%
Booking Rate	\$ 396.98	\$ 366.51	\$ 30.48	8.3%

The FY2021 Jail Per Diem Rates were developed as part of a comprehensive jail per diem rate study performed by MGT Consulting (MGT). MGT is the consulting company that has been used in prior years to review the methodology and rate development used in calculating the booking and housing rates.

The FY2021 Jail Per Diem rates consist of housing and booking rates based on the Maricopa County Sheriff's Office (MCSO) and Correctional Health Services (CHS) FY2020 budgeted direct and indirect costs and the Central Service Cost Allocation (CSCA) charges which include technology infrastructure, depreciation, facility maintenance, and other allocated costs. MCSO budgeted housing costs decreased by \$8.0 million and budgeted booking costs increased by \$2.6 million. CHS budgeted housing and booking costs increased by \$2.7 million and \$ 523.7 thousand, respectively.

Budgeted costs for the development of the FY2021 rate totaled approximately \$321.0 million. Of this amount, approximately 92.6% is absorbed by Maricopa County and the remaining 7.4%, or \$23.9 million, is budgeted as reimbursement costs from the booking agencies for inmate detention.

The following provides an explanation for the booking rate increase and housing rate decrease. The explanations are independent variables, which collectively impact the rates.

- Both housing and bookings days increased by approximately 0.6%. This component of the rate development resulted in a lower housing and booking rate. As housing and booking days are used in the denominator, any increase in days will effectively lower the rates.
- MGT recommended minimal changes for allocating depreciation expense and staff assignment costs between the booking and housing functions. This component of the rate development resulted in a higher booking rate and a lower housing rate.
- Budgeted personnel costs increased for those eligible for annual pay-for-performance salary adjustments. This component of the rate development resulted in an increase to both the housing and booking rates.

It is anticipated that the MCSO Intake Transfer Release (ITR) facility will open in April 2020. While the budgeted cost associated with the ITR facility were not included in the FY2021 housing and booking rates, it is anticipated that ITR budgeted cost will be used for developing the FY2022 rates.

Questions regarding Detention Facilities, please contact Dan Campion, MCSO Budget and Finance Administrator, at (602) 876-3241 or via email to: D.Campion@MCSO.maricopa.gov.

Questions regarding Correctional Health Services, please contact Cody Johnson, Finance Manager, at (602) 506-1070 or via email to: Cody.Johnson@Maricopa.gov.

Maricopa County will publish the final jail per diem rates at the following location: <https://www.maricopa.gov/5167/Financial-Reports>.

If you have any questions, please send an email to Finance Internet Feedback: FIN.FinanceInternetFeedback@maricopa.gov

cc: City/Town Manager

Maricopa County Attorney's Office Prosecution Policies and Procedures

CHAPTER CHARGING, GRAND JURY, EXTRADITION	EFFECTIVE DATE 10/15/94	PROCEDURE # 1.9
SECTION CLASS 6 FELONIES DESIGNATED AS MISDEMEANORS		
DISTRIBUTION TRIAL ATTORNEYS	REVISION DATE 11/24/2014	REVISION # 11

- (Entering or Remaining Unlawfully in or on a Residential Structure if the residence is occupied)
- (Desecration of Religious Symbol or Other Religious Property)
- (Critical Public Service Facility)
- 13-1505 Burglary Tools, Buy/Use Master Key
- 13-1602 Criminal Damage caused by Graffiti
- 13-1604 Aggravated Criminal Damage
- 13-1802 Theft of a Firearm
- 13-1803(A)(2) Unlawful Use of Means of Transportation (Passenger)
- 13-1805 Shoplift of a Firearm
- 13-1807 Bad Checks Over \$5000
- 13-2006 Criminal Impersonation
- 13-2110 Unlawful Use of a Scanning Device or Re-encoder
- 13-2316 Computer Tampering
 - (Preventing Computer from Exiting a Site)
 - (Obtaining Confidential Information of State, Political Subdivision or Medical Institution)
- 13-2316.01 Unlawful Possession of Access Device
- 13-2316.02 Unauthorized Release of Proprietary Information
- 13-2407 Tampering with a Public Record
- 13-2411 Impersonating a Peace Officer
- 13-2508 Resisting Arrest
- 13-2603 Trading in Public Office
- 13-2605 Commercial Bribery \$100 or over - less than \$1000
- 13-2703 False Swearing
- 13-2804 Tampering with a Witness
- 13-2807 Jury Tampering
- 13-2808 Misconduct by a Juror
- 13-2809 Tampering with Physical Evidence
- 13-2904 Disorderly Conduct - (Reckless Display of Gun)
- 13-2910 Cruelty to Animals
- 13-2911 Interference w/ or Disruption of an Educational Institution
- 13-2921.01 Aggravated Harassment
- 13-2922 Interference w/ Public Safety Emergency Transmission
- 13-3005 Interception of Wire, Electronic & Oral Messages
- 13-3006 Divulging Communication Service
- 13-3008 Possession of Interception Devices

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13-3019	Surreptitious photographing, videotaping or viewing
13-3102	Misconduct Weapons (School Grounds) (Prohibited Possessor) (Sell to Prohibited Possessor) (Defacing Deadly Weapon) (Possess Defaced Deadly Weapon)
13-3107	Unlawful Discharge of Firearms (Shannon's Law)
13-3109	Sale or Gift of Firearm to a Minor
13-3111	Minors Prohibited from Carrying or Possessing Firearms
13-3212	Child prostitution with a minor 15, 16 or 17 years of age
13-3402	Possession/Sale Peyote
13-3404	Failure to Submit Report - Sale Precursor Chemicals
13-3405	Possession of Marijuana less than 2 pounds
13-3406	Possession of Prescription Drugs for Sale-Sell-Transport, etc.
13-3417	Use of Wire Communication in Drug Transaction
13-3421	Use of Building for Drug Transactions
13-3453	Manufacture/Distribution-Imitation Controlled Drug
13-3454	Manufacture/Distribution-Imitation Prescription Drug
13-3455	Manufacture/Distribution-Imitation Over/Counter Drug
13-3507	Public Display of Explicit Sexual Materials
13-3509	Failure to Report Request to Make Pornography
13-3513	Sale or Distribution of Materials Harmful to Minors Through Vending Machines
13-3558	Admitting Minors to Public Displays of Sex Conduct
13-3603.01	Partial-birth Abortions
13-3620A	Failure to Report Neglect of Minor (if involves a reportable offense)
13-3620E	Failure to Report Fetal Alcohol Syndrome (if involves a reportable offense)
13-3620F	Failure to Report Neglect of Minor (if it involves a reportable offense)
13-3620G	Failure to Provide Medical Records of a Minor (if it involves a reportable offense)
13-3620G	Failure to Notify Official (if involves a reportable offense)
13-3623	Abuse Non-Death Criminal Negligence (Child)

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(Vulnerable Adult)

13-3704	Adding Poison, etc., to Food, Drink, or Medicine
13-3709	Obtaining Cable Television Services Fraudulently
13-3719	Obtaining Wireless Telecommunications Services/ Devices Fraudulently
13-3824	Failure of sex offender to comply with registration requirements to obtain a license
16-182	Voter Registration - False Registration
16-183	Allowing False Registrations - Violations
16-907	Campaigns - Prohibited Contributions
16-919	Campaigns - Prohibition of Contributions by Corporations
16-1010	Election Officer - Refusal by Election Officer to Perform Duties
28-663	Failure to render assistance at an injury accident
28-1383	Aggravated Driving Under the Influence (Minor under 15 in Vehicle)
36-2610	Pharmaceutical Fraud
38-421	Public Records - Stealing, Destroying, Altering or Secreting
38-423	Public Officer - Making or Giving False Certificate
38-444	Public Officer - Asking or Receiving Illegal Gratuity
38-465	Public Officer - Purchase of Appointment to Office
38-466	Public Officer - Sale of Appointment to Office
38-503	Unlawful Conflict of Interest in Purchase or Sale by Public Officer
38-504	Unlawful Use of Information from Former Employer by Public Officer
38-505	Unlawful Receipt of Additional Income by Public Officer
38-793	Falsify State Retirement System Record
38-797.12	Falsify Long Term Disability Program
39-161	Any Person - Presentment of False Instrument for Filing in a Public Office
39-124A	Release of Identifying Information of a Criminal Justice Official
39-124B	Release of Photograph of Criminal Justice Official
41-367	Omission of Prescribed Notices by Electronic Notaries

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- 41-1756 Central Repository – Unauthorized Access [See Prosecution Policy # 1.83, Charging Issues Related to Specific Crimes: Criminal History.]
- 41-2823 Aid Escape of Youth Committed to DOC
- 42-11128 Making False Statement to Property Tax Assessor
- 42-2004 Knowing Disclosure of Confidential Taxpayer Information
- 44-6561 Charitable Solicitation Fraud

Felonies/Misdemeanors – What's Billable and What's Not

1. Felonies are adjudicated in superior court and incarceration time is not billable to the city/town (as a general rule).
2. Misdemeanors are adjudicated in municipal courts and incarceration time is billable to the city/town (as a general rule).
3. All Class 6 Felonies are exempt from billing. Cities and towns should not be charged for inmate incarceration time related to a Class 6 Felony, as these are adjudicated in Superior Court.
4. Some Class 6 Felonies are downgraded to Class 1 Misdemeanors and are adjudicated in municipal courts. Even though they have been downgraded, they were originally a Class 6 Felony and the incarceration time is not billable to the city/town. The rationale is the case will be heard in municipal court thereby relieving the county court of the work and expense (i.e. save money).
5. The MCAO document with the Class 6 Felony exceptions (MCAO Prosecution Policies & Procedures 1.9), lists the Class 6 Felonies which can't be downgraded to a Class 1 Misdemeanor. Incarceration time associated with these felonies is not billable and the classification status remains Class 6 Felony and tried in Superior Court.
6. In summary, all Class 6 Felonies regardless if they are downgraded or not or where they are tried, are not billed to the cities and towns.