

# FAIR JUSTICE INITIATIVE

MITIGATION OF  
FINANCIAL  
SENTENCE

# MITIGATION OF FINANCIAL OBLIGATIONS

➤ REDUCTION

➤ WAIVER

➤ COMMUNITY RESTITUTION IS IN LIEU OF PAYMENT AND IS NOT MITIGATION

# EXCEPTIONS - CLEAN ELECTION SURCHARGE

- 10% CLEAN ELECTION FUND SURCHARGE
  - ARS 16-954A
  - TIED TO BASE FINE ACTUALLY 'COLLECTED'
- 'COLLECTED' IS FUNDS PAID OR REMUNERATED BY COMMUNITY RESTITUTION

# EXCEPTIONS – NO MITIGATION ALLOWED

- VICTIM RESTITUTION

- VICTIM ASSESSMENTS

  - ARS 12-116.08 – \$9

  - ARS 12-116.09 - \$2

- \$20 TIME PAYMENT FEE

- DOMESTIC VIOLENCE ASSESSMENTS

- DUI ASSESSMENTS

# LIMITATIONS OF COMMUNITY RESTITUTION

- COMMUNITY RESITUTION IS AVAILABLE FOR
  - BASE FINES AND PENALTIES
    - CRIMINAL VIOATIONS INCLUDING DUI
    - CIVIL TRAFFIC
  - DUI SURCHARGES
  - DUI ASSESSMENTS
  - \$13 ADDITIONAL ASSESSMENT

# LIMITATIONS OF COMMUNITY RESTITUTION

- COMMUNITY RESTITUTION IS NOT AVAILABLE
  - 10% CLEAN ELECTIONS
  - DV ASSESSMENTS
  - VICTIM ASSESSMENTS