



Colorado General Assembly
Joint Budget Committee

JOINT BUDGET COMMITTEE STAFF FY 2017-18 BUDGET BRIEFING SUMMARY

*Department of Public Safety
Except Division of Criminal Justice*

The Department of Public Safety is responsible for maintaining, promoting, and enhancing public safety through law enforcement, criminal investigations, fire and crime prevention, emergency management, recidivism reduction, and victim advocacy. The Department's FY 2016-17 appropriation represents approximately 1.5 percent of statewide operating appropriations and 1.2 percent of statewide General Fund appropriations. This briefing focuses on the following divisions: Executive Director's Office, Colorado State Patrol, Division of Fire Prevention and Control, Colorado Bureau of Investigation, and Division of Homeland Security and Emergency Management.

FY 2016-17 APPROPRIATION AND FY 2017-18 REQUEST

DEPARTMENT OF PUBLIC SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2016-17 APPROPRIATION:						
HB 16-1405 (Long Bill)	412,926,609	122,983,130	190,112,734	38,322,166	61,508,579	1,778.2
Other legislation	374,592	128,218	199,478	46,896	0	2.9
TOTAL	\$413,301,201	\$123,111,348	\$190,312,212	\$38,369,062	\$61,508,579	1,781.1
FY 2017-18 APPROPRIATION:						
FY 2016-17 Appropriation	\$413,301,201	123,111,348	\$190,312,212	\$38,369,062	\$61,508,579	1,781.1
R1 Overtime budget for crime scene call-outs	125,000	125,000	0	0	0	0.0
R2 Request for additional troopers and support staff	1,746,403	0	1,707,399	39,004	0	12.0
R3 Increase InstaCheck Cash Fund spending authority	532,398	0	532,398	0	0	0.0
R4 Funding for expedited process to seal criminal records	799,343	0	799,343	0	0	10.5
R5 Vehicular Crimes Unit GPS total mapping stations	952,000	0	952,000	0	0	0.0
R6 Adjustment to Executive Director's Office realignment	448,011	0	0	448,011	0	0.0
R7 Spending authority for patrol of managed lands	216,087	0	216,087	0	0	2.0
R8 Incident Management Team sustainability	0	0	0	0	0	0.0
R9 Capitol Complex surveillance camera maintenance	81,200	81,200	0	0	0	0.0
Non-prioritized decision items	1,277,120	166,432	952,004	114,325	44,359	0.0
Centrally appropriated line items	9,052,817	(999,473)	7,177,920	2,252,354	622,016	0.0
Technical changes	0	0	(10,174)	11,404	(1,230)	0.0
Annualize prior year budget actions	(1,697,174)	0	(1,399,659)	(297,515)	0	(1.5)
Annualize prior year legislation	(72,970)	962	(73,932)	0	0	(0.3)
TOTAL	\$426,761,436	\$122,485,469	\$201,165,598	\$40,936,645	\$62,173,724	1,803.8
INCREASE/(DECREASE)	\$13,460,235	(\$625,879)	\$10,853,386	\$2,567,583	\$665,145	22.7
Percentage Change	3.3%	(0.5%)	5.7%	6.7%	1.1%	1.3%

R1 OVERTIME BUDGET FOR CRIME SCENE CALL-OUTS: The request includes \$125,000 General Fund and the creation of a new line item to pay overtime costs for crime scene and investigative call-outs and rush laboratory services. Pursuant to Section 24-335-412 (1) (a) (I), C.R.S., the Colorado Bureau of Investigation (CBI) is required to provide assistance to local enforcement agencies in the investigation, detection, and enforcement of Colorado's criminal laws. CBI must be available to local law enforcement agencies 24 hours per day, 7 days a week. Each year, the CBI receives requests for crime scene response, criminal investigation assistance, and rush analysis of evidence from local law enforcement agencies. These requests require existing staff to work after normal business hours and on the weekends. Currently, the expenses associated these additional staff hours are paid for through vacancy savings, or with compensatory time when vacancy savings are not adequate. Over the past two fiscal years, CBI has expended a total of \$297,182 General Fund for overtime, and converted more than 4,300 hours to compensatory time. The Department is requesting funding to cover these overtime costs in order to promptly provide services.

R2 ADDITIONAL TROOPERS AND SUPPORT STAFF: The request includes \$1,746,403 total funds, including \$1,707,399 cash funds from the Highway Users Tax Fund and \$39,004 reappropriated funds, for an additional 12.0 FTE in FY 2017-18. Included in the request are 11.0 FTE troopers and 1.0 FTE support staff. The troopers would be allocated along the I-25 and I-70 corridors. This decision item is discussed in more detail in the first issue brief.

R3 INCREASE INSTACHECK CASH FUND SPENDING AUTHORITY: The request includes an increase of \$532,398 cash funds to fill vacancies for 8.5 FTE in the Colorado Bureau of Investigation InstaCheck Unit, and fund an increase in base salaries within the Unit. This decision item is discussed in more detail in the third issue brief.

R4 FUNDING FOR EXPEDITED PROCESS TO SEAL CRIMINAL RECORDS: The request includes \$799,343 cash funds and 10.5 FTE to accommodate an increase in requests for the sealing of criminal justice records following the passage of S.B. 16-116 (Simplified Process for the Sealing of Criminal Justice Records). Senate Bill (S.B.) 16-116 provides a simplified process for sealing criminal justice records. Whenever a defendant is acquitted, completes a diversion agreement or a deferred sentence, or whenever a case against a defendant is dismissed, the court must give an eligible defendant the option to immediately seal criminal justice records. The defendant may make an informal motion in open court at the time of dismissal or acquittal or may later file a written motion. If the defendant opts to seal his or her records using this process, the court must promptly process the defendant's request without the filing of an independent civil action. When sealing records using this process, the court must prove a copy of the court's order to each custodian who may have custody of the defendant's records. When first introduced, the bill was quite a bit different than the final iteration. While the first draft affected only private custodians of records, later amendments expanded the impact. The amended fiscal note did not include an impact to the Department of Public Safety. However, the fiscal analyst and the Department agree that the final, enacted legislation should have included an impact to the Department of Public Safety. Because the costs of implementing the bill were not captured in the fiscal note, and subsequently not included in the bill's appropriations clause, the Department is requesting \$799,343 cash funds and 10.5 FTE in FY 2017-18 to process criminal records pursuant to S.B. 16-116. The Department anticipates receiving between 9,700 and 11,000 new requests to seal records. Current staff can process 3,045 requests to seal records per year. Currently, the Department has 2.5 FTE who respond to requests.

R5 VEHICULAR CRIMES UNIT GPS TOTAL MAPPING STATIONS: The request includes \$952,000 cash funds from Off-the-Top Highway Users Tax Fund to purchase 28 Global Positioning System (GPS) Total Mapping Stations for the Colorado State Patrol to more accurately and efficiently document crash and crime scenes. This decision item is discussed in more detail in the second issue brief.

R6 ADJUSTMENTS TO EXECUTIVE DIRECTOR'S OFFICE REALIGNMENT: The request includes \$448,011 reappropriated funds for technical adjustments to last year's consolidation of financial and logistical services staff in the Executive Director's Office (EDO). Last year's changes inadvertently excluded 4.0 FTE in the Division of Fire

Prevention and Control, which should have been moved to the EDO. The request would move the funding and the 4.0 FTE to the EDO from the division level.

R7 SPENDING AUTHORITY FOR PATROL OF MANAGED LANES: The request includes \$216,087 cash funds and 2.0 FTE to increase highway patrols for the Highway 36 managed lanes. The Colorado State Patrol has a contract to provide traffic enforcement activities in the managed lanes on Highway 36. The Department cites an increase in unsafe driving following the completion of the Highway 36 expansion, including speeding, lane use violations, and traffic accidents. The Department requested and received a similar increase for patrolling of the E-470 highway in FY 2016-17.

R8 INCIDENT MANAGEMENT TEAM SUSTAINABILITY: The request shifts \$364,000 General Fund currently allocated for an alert notification system to fund Incident Management Teams within the Division of Homeland Security and Emergency Management.

R9 CAPITOL COMPLEX SURVEILLANCE CAMERA MAINTENANCE: The request includes \$81,200 General Fund for the ongoing maintenance of the recently installed video surveillance systems for the Capitol Complex area.

NON-PRIORITIZED DECISION ITEMS: The request includes an increase of \$1,277,120 total funds, including \$166,432 General Fund, to cover the Department’s share of the Office of Information Technology’s implementation of advance information security event analytics capabilities, as well as the Department’s share of the Office of Information Technology’s implementation of deskside support. These request items were addressed in a separate staff briefing for the Governor’s Office of Information Technology on November 17, 2016.

CENTRALLY APPROPRIATED LINE ITEMS: The request includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; salary survey; shift differential; workers' compensation; legal services; payment to risk management and property funds; vehicle lease payments; leased space; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Salary survey adjustment	\$5,139,708	\$867,257	\$3,846,480	\$289,657	\$136,314	0.0
Health, life, and dental adjustment	1,852,028	563,290	1,379,062	(147,014)	56,690	0.0
Indirect cost assessment adjustment	1,541,870	(2,331,423)	1,049,912	2,469,941	353,440	0.0
SAED adjustment	701,713	163,822	593,167	(100,559)	45,283	0.0
AED adjustment	640,318	149,413	554,109	(106,530)	43,326	0.0
Capitol Complex leased space adjustment	72,588	755,030	59,540	(741,982)	0	0.0
Short-term disability adjustment	17,450	2,919	17,773	(4,684)	1,442	0.0
Legal services adjustment	16,850	16,850	(111,118)	111,118	0	0.0
CORE adjustment	14,200	2,849	37,895	(26,544)	0	0.0
SWICAP Adjustment	0	(1,327,534)	0	1,327,534	0	0.0
Payments to OIT adjustment	(516,569)	(128,236)	(222,759)	(149,031)	(16,543)	0.0
Payment to risk management / property funds adjustment	(410,022)	24,311	121,346	(555,679)	0	0.0
Workers' compensation adjustment	(8,822)	240,343	(84,180)	(164,985)	0	0.0
Shift differential adjustment	(8,495)	1,636	(63,307)	51,112	2,064	0.0
TOTAL	\$9,052,817	(999,473)	\$7,177,920	\$2,252,354	\$622,016	0.0

TECHNICAL CHANGES: The request includes a net zero adjustment to align dispatch billing within the Colorado State Patrol.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The request includes a decrease of \$1,697,174 total funds to reflect the FY 2017-18 impact of the following FY 2016-17 budget decisions:

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Salary survey adjustment	\$0	\$0	\$0	\$0	\$0	0.0
S.B. 14-046 Local Firefighter Safety Grant Adjustment	(1,350,000)	0	(1,350,000)	0	0	(1.5)
Annualize 16-17 R-01 Realignment of EDO	(297,515)	0	0	(297,515)	0	0.0
Annualize FY 16-17 R-02 Additional E-470 Troopers	(49,659)	0	(49,659)	0	0	0.0
TOTAL	(\$1,697,174)	0	(\$1,399,659)	(\$297,515)	\$0	(1.5)

ANNUALIZE PRIOR YEAR LEGISLATION: The request includes a decrease of \$72,970 total funds, including an increase of \$962 General Fund, to reflect the FY 2017-18 impact of legislation that was passed in previous legislative session, including the following acts:

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize S.B. 16-040	\$14,614	\$0	\$14,614	\$0	\$0	0.1
Annualize S.B. 16-197	5,325	0	5,325	0	0	0.0
Annualize H.B. 16-1453	962	962	0	0	0	0.1
Annualize H.B. 16-1160	(93,871)	0	(93,871)	0	0	(0.5)
TOTAL	(\$72,970)	962	(\$73,932)	\$0	\$0	(0.3)

SUMMARY OF ISSUES PRESENTED TO THE JOINT BUDGET COMMITTEE

R2 REQUEST FOR ADDITIONAL TROOPERS AND SUPPORT STAFF: The Department is requesting an increase in funding to add 11.0 State Troopers and 1.0 support staff for the Colorado State Patrol (CSP) in FY 2017-18. The request is submitted as a first phase of a multi-year increase.

R2 VEHICULAR CRIMES UNIT GPS TOTAL MAPPING STATIONS: The request includes \$952,000 cash funds from Off-the-Top Highway Users Tax Fund to purchase 28 Global Positioning System (GPS) Total Mapping Stations for the Colorado State Patrol to more accurately and efficiently document crash and crime scenes.

R3 INCREASE INSTACHECK CASH FUND SPENDING AUTHORITY: The Department is requesting an increase in funding to add 11.0 State Troopers and 1.0 support staff for the Colorado State Patrol (CSP) in FY 2017-18. The request is submitted as a first phase of a multi-year increase. The InstaCheck Unit has a goal of turning around background checks in seven minutes, but an increase in gun sales in the past year have increased the turnaround time, particularly during busy months.

DISASTER EMERGENCY FUND AND FLOOD RECOVERY: From September 9 through September 12, 2013, several communities along the Front Range were affected by a series of catastrophic floods, causing approximately \$4 billion in damage. While \$111.5 million has been set aside for response and recovery, a shortfall of \$62.1 million has been identified. The Governor proposes an annual transfer of \$12,500,000 General Fund in FYs 2017-18 through FY 2020-21 to pay for ongoing costs associated with the response and recovery for the 2013 floods.

STATEWIDE WILDFIRE FUNDING: State wildfire-related expenditures are made by several Departments for a variety of activities. This issue provides an overview of actual expenditures for wildfire related activities across Departments, which totaled \$32.9 million in FY 2015-16.

FOR MORE INFORMATION

JBC STAFF ANALYST: Christina Beisel
(303) 866-2149
christina.beisel@state.co.us

TO READ THE ENTIRE BRIEFING: http://leg.colorado.gov/sites/default/files/fy2017-18_pubsafbrf1.pdf