

DEPARTMENT OF PUBLIC SAFETY
FY 2021-22 JOINT BUDGET COMMITTEE HEARING AGENDA

Tuesday, December 15, 2020
9:00 am – 12:00 pm

9:00-9:15 INTRODUCTIONS AND OPENING COMMENTS

Presenter: Stan Hilkey, Executive Director

9:15-9:30 COMMON QUESTIONS

Main Presenters:

- Stan Hilkey, Executive Director
- Jana Locke, Executive Deputy Director

Topics:

- Implementation of FY 2020-21 HLD Decrease: Page 1, Question 1 in the packet
- COVID-19 Changes: Page 2, Question 2 in the packet

9:30-11:30 COMMUNITY CORRECTIONS

Main Presenters:

- Stan Hilkey, Executive Director
- Joe Thome, Division Director

Topics:

- Current Issues-Census and Subsistence: Page 3, Questions 3-7 in the packet
- Community Corrections Grants: Page 6, Questions 8-17 in the packet

11:30-12:00 BODY WORN CAMERAS AND EPIC

Main Presenters:

- Stan Hilkey, Executive Director
- Joe Thome, Division Director

Topics:

- Body Worn Cameras: Page 10, Questions 18-19 in the packet
- EPIC: Page 11, Questions 20-21 in the packet

DEPARTMENT OF PUBLIC SAFETY

FY 2021-22 JOINT BUDGET COMMITTEE HEARING AGENDA

Tuesday, December 15, 2020

9:00 am – 9:30 am

COMMON QUESTIONS FOR DISCUSSION AT DEPARTMENT HEARINGS

- 1 Please describe the Department's actions to implement the Health, Life, and Dental decrease in lieu of a 5.0 percent General Fund salary base reduction. Please include dollar and percentage share data on planned "allocations" of the decrease to all divisions and programs within the Department. Please describe the use of vacancy savings, delayed hiring, and the implementation of one-time or ongoing operating savings. Please describe the urgency of the Department's need to engage in a furlough in FY 2020-21 due to the inability to achieve savings in other ways.

Response: The Department is managing the 5.0 percent Health, Life, Dental reduction through the use of vacancy savings, reduced hiring, delayed hiring and the re-evaluation of operating expenses in some of the division program line item funding. Starting in March 2020, CDPS has required executive approval of every hiring and pay related personnel action. Additionally, operating expenses savings are available due to decreases in travel, official functions, and conference registration fees. The table below shows the allocations of the General Fund decreases by division:

Executive Director's Office	(385,725)
Colorado State Patrol	(365,643)
Division of Fire Prevention and Control	(162,800)
Division of Criminal Justice	(229,404)
Colorado Bureau of Investigation	(605,682)
Division of Homeland Security and Emergency Management	(315,614)
TOTAL	(2,064,868)

CDPS and the Governor agree that furloughs offer a fair and equitable pathway for all executive agencies to meet the 5 percent HLD reduction required by the FY 2020-21 budget. Furloughs have also allowed CDPS to avoid holding critical positions vacant for extended periods of time, and therefore harming the delivery of services to the public. Positions within CDPS that require 24-hour staffing and that cannot be covered with minimal staffing plans are exempt from furloughs, as are employees making less than \$50,000 annually. Approximately 61 percent are not subject to furlough either due to being exempt or below the salary threshold. General Fund furlough savings make up approximately 14 percent of the total CDPS personal services reduction.

- 2 Please describe how the changes implemented in response to the COVID-19 pandemic have changed the nature of the Department's work. Please address programmatic, budgetary, and office space impacts.

Response: As an emergency response agency, CDPS encompasses many functions that require on-site staff, including highway patrol, wildland firefighting, post-disaster damage assessments, criminal investigations, and criminal justice records management. The Department has employed remote work to the extent possible during the COVID-19 pandemic, though many CDPS employees have continued reporting to a worksite normally due to the nature of their work and the inability to perform duties remotely. Currently, nearly 63 percent of CDPS employees are reporting to a physical work site because of job requirements. This includes CSP troopers and communication officers which comprise more than 50 percent of the entire CDPS workforce, as well as those who are required to report in order to keep work locations open. Approximately 37 percent of CDPS employees are working fully or partially remotely, or have no assigned work site. CDPS is taking all precautions at its physical work locations to stagger schedules and impose distancing where possible, as well as requiring masks and encouraging personal safety measures. The Department has been creative in developing solutions for some functions that were previously thought to require on-site work full time. For example, the CBI lab is staggering scientists in the lab to do "wet work" and allowing the scientists to do the desk portion of their jobs remotely. Additionally, CBI has been providing video expert testimony in courtrooms when possible. CDPS employees have innovated to provide virtual awards ceremonies and employee engagement events this year, and there will be opportunities post-pandemic to continue digital transformation where appropriate. CDPS has not realized any office space impacts to date, but will be conducting a "hoteling" pilot to test the concept of rotational workspace for some of our administrative functions. Post-COVID, CDPS will likely increase remote work for certain positions and offices. The degree to which remote work increases is not known yet, as we will need to balance that capability while still providing support services to employees whose jobs require physical presence at a work site.

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF CRIMINAL JUSTICE

FY 2021-22 JOINT BUDGET COMMITTEE HEARING AGENDA

Tuesday, December 15, 2020

9:30 am – 12:00 pm

COMMUNITY CORRECTIONS

CURRENT ISSUES: CENSUS AND SUBSISTENCE

- 3 [Sen. Moreno] How has the provider rate reduction, coupled with the decline in census, affected community corrections providers' ability to operate and provide services?

Response: The Office of Community Corrections in the Division of Criminal Justice works closely with community corrections boards and providers to distribute funding and ensure compliance with standards. Community corrections providers are business entities that are not required to provide the Department with detailed financial information. Anecdotally, providers have shared that the financial impacts of the declined census and the pandemic have caused cost-saving measures, including layoffs. Some providers have requested waivers from statewide community corrections standards to assist in their pandemic response for safety and social distancing, but have not identified financial concerns as the driving need. To answer this question more fully, the Department would need additional time to survey providers about impacts of the rate reduction and decline in census.

- 4 [Sen. Moreno] How has the Department handled subsistence payments during the pandemic? What is the Division's plan for subsistence payments moving forward?

Response: Executive Order 2020-16, in effect March 25 through May 22, 2020, included a provision that allowed the Department to cover the subsistence fees of individuals in community corrections impacted by the loss of employment. In addition, the Department is paying the full per diem rate for clients placed on furlough to assist providers with increasing safety in facilities. In Fiscal Year 2019-20, \$4,010,182.78 in subsistence coverage and/or furloughs were distributed to providers to limit the spread of the virus and enhance social distancing in facilities. An additional \$152,045.50 in the current fiscal year has been disbursed for furloughs.

When the most recent wave of COVID-19 cases began, the Department collaborated with OSPB and JBC to create a plan to use unspent placement funds initially to cover subsistence for individuals in quarantine or isolation within a community corrections facility. Approval to move forward was received on 12/7/2020 and the Department will have a billing process and communication sent out to all providers as soon as possible. Some providers have reported not

charging subsistence fees when an individual is in quarantine or isolation and, therefore, unable to work. Subsistence is a transaction directly between the community corrections client and the community corrections provider as indicated by the footnote in the Long Bill.

- 5 [Sen. Moreno] Has the Department or the federal government implemented any programs to assist providers with the reduction in census?

Response: A variety of local, state and federal assistance programs have been available to aid with costs accrued for the pandemic. Some providers have obtained CARES Act funds and PPE loans. The Department does not have a means to determine what assistance each provider received from the variety of sources available. For example, local units of government had the ability to distribute funds they received based on local needs and priorities and the Department does not have a requirement to be notified of any funds received.

The Department was responsible for Coronavirus Emergency Supplemental Funding managed by the Office of Adult and Juvenile Justice Assistance and instructions were sent to all providers regarding the application process. Three community corrections providers applied for these funds and two were awarded grants. The application submitted by the third did not meet the criteria.

In accordance with the executive orders regarding Temporarily Suspending Certain Regulatory Statutes Regarding Criminal Justice, the Department paid \$3,140,490 in subsistence coverage to providers in Fiscal Year 2021. The Department has agreed to pay the full per diem amount for all community corrections clients placed on furlough for reasons related to COVID-19. While it does not represent additional funding, the Department authorized counties to provide the second half of the facility payments early to help relieve financial burdens.

- 6 [Rep. Exum] Can DOC and DPS-DCJ work together respond to the high number of DOC COVID cases? Are inmates being moved to community corrections to mitigate the virus spread? If not, why not?

Response: DOC has developed criteria that define each phase of a facility's COVID status. Until recently, when a DOC facility was identified as being in Phase III, transitions to community corrections were temporarily suspended in an effort to limit the spread of the virus. According to DOC, as of 12/4/2020, 465 offenders were on hold for placement in community corrections due to a DOC facility being in Phase III. On December 8, DOC announced that it would begin transferring those 465 offenders to community corrections programs after quarantining and testing for COVID.

Prior to this adjustment in practice, and as far back as March 2020, OCC has taken several steps to help support community corrections by working with CDPHE on responses that will help with safety practices for clients transitioned to halfway houses from DOC or directly sentenced by courts. Here are the steps taken by the Department since March:

- *Providers and counties are required to report symptomatic cases to be referred for testing and all confirmed positive cases to our office and notify CDPS of any outbreaks.*
- *The Department covered subsistence for all community corrections clients from a period of March 25, 2020 - May 22, 2020.*
- *Encouraged local boards and providers to authorize the safe release of individuals in community corrections onto non-residential status, ISP-I, and parole, when eligible.*
- *Authorized the use of furloughs to aid in the ability to manage positive cases and outbreaks, including the payment of the full per diem during the time of furlough.*
- *The Department partnered with Colorado Correctional Industries to make and distribute cloth masks to staff and clients in programs where needed.*
- *Providers have been required to submit their Emergency Disaster Management Plans and waivers of standards needed to implement the plans.*
- *Worked with CDPHE to connect providers with their local public health agencies to obtain advice on managing outbreaks and follow local recommendations based on the size of the outbreak, physical set up of the facility, and their ability to limit close contact.*
- *Arranged for the testing of entire populations by local health departments and/or CDPHE in response to positive cases, and in some cases as a surveillance measure.*
- *Local public health agencies provide support and guidance to facilities. As an example, in Denver, DPHE has regular phone calls with all providers about pandemic response.*
- *CDPHE attends meetings hosted by the Colorado Community Corrections Coalition to assist in developing COVID management strategies.*
- *CDPHE has developed a document distributed to all providers that covers what to do in the event of a positive COVID-19 case.*
- *CDPHE announced federal funding available through 12/31/20 that the community corrections programs can use to participate in regular surveillance testing through Curative.*
- *On 10/30/20, OCC partnered with CDPHE and Curative to host a forum on surveillance testing for community corrections providers and boards.*
- *OCC has weekly meetings and communication with CDPHE on the status of community corrections testing and outbreaks, and for CDPHE to share available resources and support for the programs in conjunction with their local health departments and to act as a liaison with Curative.*

7 [Sen. Rodriguez] What are the Department's plans for utilizing empty beds in the current fiscal year?

Response: Providers and boards manage to their bed capacity and those decisions are made locally. The Department is currently preparing a supplemental based on caseload changes that will be submitted by January 4, 2021.

- 8 [Sen. Rodriguez] For judicial districts without community corrections providers, how would the grant program work? Who is held accountable for outcomes in this situation?

Response: The Department's plan has been to include stakeholder engagement and involvement in the establishment of the details for the grant program. As such, no details are yet available to answer this question by design. It is the intent of the Department to ensure that every jurisdiction still has the ability to use community corrections as an alternative sentencing option as defined in statute.

- 9 [Sen. Ransom] Please describe in greater detail the outcomes the Department is considering to award grants and evaluate provider performance.

Response: Ultimately, the Department will work closely with community corrections stakeholders to determine the details of the grants process and outcome expectations. That said, the Department intends to continue to emphasize the use of evidence-based practices under this new model. Grant awards will be made by considering the plan's alignment with the National Institute of Corrections Principles of Effective Intervention and other research-driven principles. Additionally, the Department would be looking for a demonstrated local need for the programming proposed and a robust collaboration among community partners to ensure strong community-based services for clients and families.

Outcomes by which provider performance will be measured would also be determined in collaboration with stakeholders. However, many of the concepts put forward in the Department's Performance Based Contracting model would still be applicable. Some of the performance areas measured related to evidence-based practices may include treatment matching, engaging community support for offenders, the degree to which interventions target an offender's individual criminogenic needs, incorporation of cognitive behavioral techniques into programming, and the working alliance created between program staff and the offenders they serve.

With regard to outcome measures specifically, in a recently published report from the Urban Institute¹ suggested some of the following outcome measures for use in determining Colorado community corrections provider performance:

- ***Recidivism (as measured by felony convictions)***
- ***Employment outcomes***
- ***Unauthorized absence rates***
- ***LSI score change (a change in risk to reoffend)***
- ***Successful completion rates***
- ***Technical Violation rates***

¹ <https://www.urban.org/sites/default/files/publication/103059/performance-based-contracting-for-colorado-community-corrections.pdf>

10 [Sen. Ransom] Local governments would apply for the grant, but how would they know what the need is in their area (in terms of caseload or cost of services)? How would this process actually function?

Response: *This is similar to grants for services applied in other State programs, such as residential programming for community corrections, requests for adult and juvenile diversion dollars, correctional treatment fund grants, Federal pass through programs, and others. An applicant (community) reviews their historical needs, projects caseload and submits a plan and budget based on their assumptions. The cost of services are calculated by those who deliver them, as opposed to the current model that requires providers fit their service delivery into the costs set in the long bill.*

11 [Rep. Herod] Is this model based on what other states are doing, and are there any specific states that the Department is using a model to develop this grant program? If so, please describe these models.

Response: *The Department is not familiar with the models referenced by the JBC analyst in the briefing and will need more time to research. Over the years, the Department has researched community corrections in other states, including cost and funding. Colorado's community corrections system is unique in that it emphasizes local control over placements and outcomes. The Department is not aware of another state with the same state and local control partnership that exists in Colorado for community corrections, and more specifically residential community corrections.*

Nationally, community corrections refers to all types of community based services and is not specific to the residential and non-residential services established in Colorado. Many states that operate state funded residential programs that are comparable do so for the sole use of the DOC and its clients. As a result, they are operated without any aspect of local control. The comparable Federal residential programming, called re-entry programs, are managed through a Federal procurement process directly with the service providers and are based on a bid for service, instead of a per diem. The Department considered the experience it has gained managing federal grant programs.

12 [Rep. Herod] How does the Department plan to incentivize county-run services (e.g. Larimer and Mesa counties)?

Response: *This level of detail would be determined by stakeholder input about the development of the model. It is the intent of the Department to incentivize performance in the model and therefore any county-run services performing well would be incentivized.*

- 13 [Sen. Rodriguez] Does the Department anticipate a reduction in capacity if this model is implemented? If not, what savings does the Department anticipate resulting from the new model?

Response: The Department has anticipated a capacity reduction in relation to the proposed budget reduction whether or not the new model is implemented. The grant funding model represents an opportunity to try to minimize the impact of a significant funding reduction. The Department has also identified and recognized the grant model could represent a further reduction in capacity than a budget reduction to the current per diem model, but would allow providers and local jurisdictions to determine the true cost of operating community corrections programs.

- 14 [Rep. Herod] If we decrease the length of stay, would we reduce the ability for individuals to participate in certain programs that they may need (e.g., substance use disorder services)? What is the continuity of care for mental health or substance use disorder services as an individual moves within the system?

Response: A reduced length of stay should not negatively impact the ability for clients to participate in needed treatment. Within community corrections, the majority of treatment is received on an outpatient basis with community-based treatment providers. With a shorter length of stay, clients would still be able to enter outpatient treatment while a resident in a community corrections program. It would then be the client's responsibility, along with the new supervising agency, to ensure that treatment continues when they move to the next level of supervision. Specifically, for Diversion clients, those sentenced directly from the courts, clients move from residential services to non-residential services, still being supervised by a community corrections program. In these instances, continuity of care is seamless because the client's supervision and support is not being transferred to another criminal justice agency. In the case of transition clients, once they complete their residential stay in community corrections, their supervision is transferred to the Parole division (parole or intensive supervision parole). In this case, the client is still living in the community and able to access the same community treatment providers they started with while in residential community corrections, with the support of their supervising parole officer.

One component of the current community corrections model that is unique are the fixed length inpatient treatment programs run by providers: Intensive Residential Treatment (IRT) and Cognitive-Behavioral Treatment (CBT). IRT is a 90-day intensive program for clients with severe substance use disorders. CBT is also a 90-day intensive program and serves high-risk clients with high needs related to criminal thinking and impulse control deficits. Depending on proposals from local communities, programs such as these may necessitate a more fixed length of stay. However, through their proposals, local communities would have greater flexibility to determine a length of stay that best achieves the desired goals of the proposed programming.

15 [Rep. Herod] How might the grant proposal affect recidivism?

Response: *The intention of the grant proposal model is to create competition for funds among providers that would offer contracts to those that have the best outcomes.*

Under either model, recidivism is only one metric that a county would consider as a metric. Vendors would be chosen based on their ability to get clients placed in jobs, reduce substance use, local housing and other strategies that help clients desist criminal behavior.

16 [Sen. Rodriguez] Is the Department's objective a reduced length of stay for clients? If so, did the Department consider making such a change without moving to a grant program as proposed?

Response: *The Department's objective with the new funding proposal was to allow for the expansion into a continuum of community corrections programming to meet the needs of the local community and individuals served, while hopefully diversifying the cost. This expansion could include reduced length of stay in either current programming or in newly developed programming. The current Colorado Community Corrections Standards do not set a length of stay, but rather stipulate a targeted number of hours of formal risk reduction activities (e.g. treatment, case management) based on each client's assessed risk level (i.e. more is needed to support risk reduction in higher risk individuals than in lower risk individuals). The Standards also require that clients progress through a levels system in which they earn privileges based on each client's demonstrated progress related to individualized, objective and measurable goals. Regardless of the proposed funding model changes and given the financial outlook, the Department is interested in working with stakeholders on reviewing length of stay, including how these Standards and individual provider practices impact it.*

17 [Sen. Moreno] The Department has started implementing performance-based contracting. Provide an update on the implementation of performance-based contracting. How, if at all, is that related to this budget request?

Response: *The Department had not yet started to provide incentive payments and prior to the pandemic was on target for the plan for implementation of performance-based contracting. Prior to the pandemic, the Department was completing the last PACE evaluations and CORE security audits to achieve a baseline measurement of performance in the state. The pandemic put a hold on baseline measurements being able to be completed for all programs leaving 3 programs yet to have a PACE evaluation and 7 programs to have a CORE security audit. At the same time, the Department has been working on pivoting these processes to be virtual.*

In addition to working on baseline measures, the Department had a contract with the Urban Institute to make recommendations on risk informed outcome measurements and updates to the performance-based contracting plan. An extension was given to complete the contract given the pandemic and the final report was reviewed and released on October 15, 2020. If the pandemic had not created delays and financial burdens, the Department would have been in the criteria

development phase of the plan. With the engagement of stakeholders and utilizing baseline data, the report from the Urban Institute, and additional validation of data that was planned, the criteria and model for PBC would be established. Along with this, the language and updates would be made to the existing contracts, and the first evaluation round of PACE evaluations and Core security audits would have started. All of this was a necessary part of the plan, to be prepared to deliver the first PBC payments in Fiscal Year 2022-23.

BODY WORN CAMERAS AND EPIC

BODY WORN CAMERAS

- 18 *[Rep. McCluskie]* Has the Department done an assessment to determine which law enforcement agencies have body cameras now and which do not? If so, please provide that data. Does this request include sufficient funding to meet the need?

Response: The Department has not conducted an assessment of which law enforcement agencies have body cameras and which do not. However, the Department's R-04 request will allow the Body-worn Camera for Law Enforcement Grant Program to begin providing grants to local law enforcement agencies. This will be especially helpful for small, rural agencies that may not have the budget to purchase these tools.

- 19 *[Rep. Herod]* What other opportunities are there to seek other grants to enhance state funding, particularly for the long-term costs?

Response: Annually, the Bureau of Justice Assistance (BJA) allocates Byrne Justice Assistance Grants (JAG) funding to the state of Colorado which is managed by the Office of Adult and Juvenile Justice Assistance through a competitive grant process. The purchase of body-worn cameras is an allowable expense and law enforcement agencies are eligible to apply for grant funding for this type of purchase among several funding areas. If awarded, the grants are also time-limited.

In the past, the BJA also offered funding opportunities directly to law enforcement agencies for BWC. However, at this time, the Department is not aware of any other funding opportunities to enhance state-funding for body-worn cameras, including the long-term costs.

- 20 [Sen. Rankin] How would this request affect the Department's ability to help other departments evaluate the evidence for certain programs or to implement evidence-based programs? Where would state agencies and other stakeholders go for expertise, training, and technical assistance on evidence-based policy and implementation?

Response: This request would reduce the Department's ability to assist other state agencies and/or stakeholders who are currently appropriate for EPIC services (i.e., state or state-funded agencies serving various justice-involved individuals or victims.) However, as more public and private agencies become adept at evidence-based policy (EBP), the Department sees an opportunity to restructure EPIC to better meet the dynamic needs within the State. In particular, the redesign is an attempt to better address EBPs related to equity, diversity and inclusion (EDI) within the criminal and juvenile justice systems.

As proposed, EPIC will retain three implementation specialists to provide training and technical assistance (TTA) on implementation of EBPs to external stakeholders. That said, EPIC's capacity will be limited depending on the types of services requested. If EPIC does not have the capacity to meet all requests, agencies or other stakeholders would need to rely on their internal resources and/or retain consulting services. EPIC will continue to be a resource for other departments and can use the program's existing network of relationships to connect departments with other internal and external resources.

It is important to note the Office of State Planning and Budgeting (OSPB) works with other Governor's Office components, state agencies, the legislature, and academic and non-governmental partners to promote the use of data and evidence to inform state policy, planning, and resource allocation. Examples of entities that address EBPs include:

- ***Results for America***
- ***Pew***
- ***National Conference of State Legislatures***
- ***Colorado Evaluation and Action Lab***

Is this a change in direction for this team? If so, why would they need a separate team at all?

Response: This would not be any change in direction for the three implementation specialists remaining within EPIC. In addition, the three implementation specialists reassigned to the Executive Director's Office would rely on components of implementation science to enhance CDPS' focus on equity, diversion and inclusion (EDI) work.

Executive Order D 2020-175 directs State agencies to operationalize equity in systems, policies and practices. This redesign acknowledges the EDI expertise that already exists within EPIC and will help ensure the Department implements EDI practices through an evidence-based approach.

The Department believes it is important to retain several implementation specialists within EPIC in order to maintain some level of capacity for the provision of EBP implementation and technical assistance to external stakeholders still in need of resources.

- 21 [Sen. Rodriguez] EPIC works with community corrections providers. How does this request affect EPIC's ability to help community corrections providers implement evidence-based policy?

Response: The Office of Community Corrections (OCC) currently offers providers strategic planning assistance following the PACE evaluations and recommendations. If providers require additional assistance related to EPBs, OCC will notify providers of EPIC services. Providers may then request EPIC's assistance, as appropriate.

At this time, EPIC's work with the providers with whom they have been assisting is on hold due to COVID and the challenges providers are experiencing. Once these community corrections providers are ready to resume work, EPIC will likely only be able to provide modified services. With this proposed restructure, EPIC will prioritize resources to meet the highest needs with the Department and of our partners.

The Colorado Department of Public Safety Budget Hearing

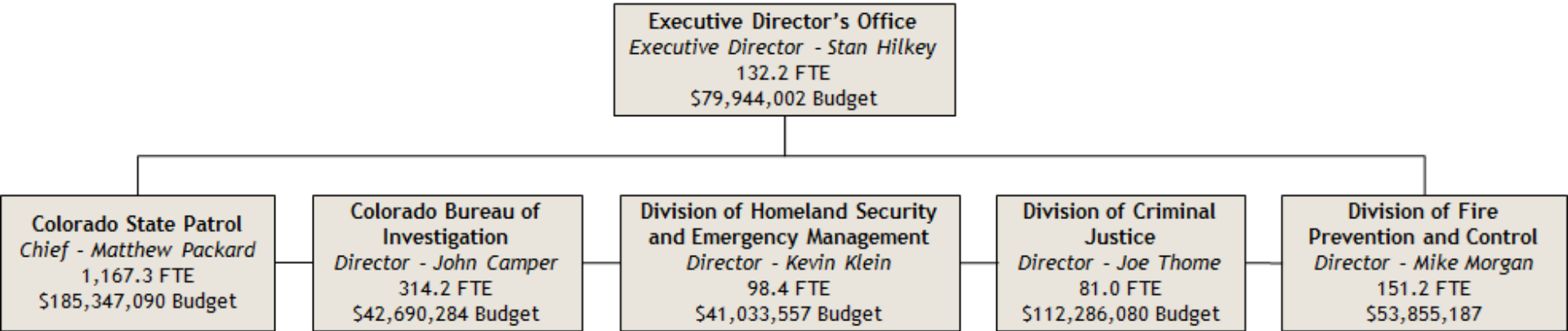
Joint Budget Committee
December 15, 2020



COLORADO
Governor Jared Polis



CDPS Organizational Chart



*Numbers based on FY22 Budget Request

Colorado Department of Public Safety

Examples of Safer Together in 2020:

- COVID Response
- Civil Unrest
- Historic Wildfire Season
- Election Security
- Vaccine Distribution
- Criminal Investigations

Colorado Department of Public Safety Mission & Vision

CDPS Mission: Engaged employees working together to safeguard the public and deliver diverse public safety services to local communities.

CDPS Vision: Creating safer and more resilient communities across Colorado.

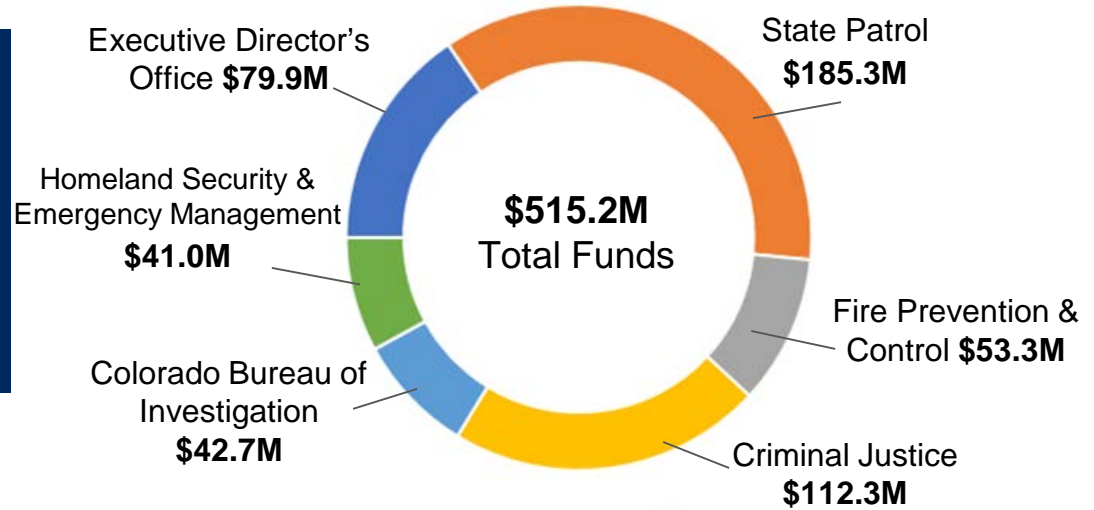
CDPS Motto: Safer Together



COLORADO
Governor Jared Polis

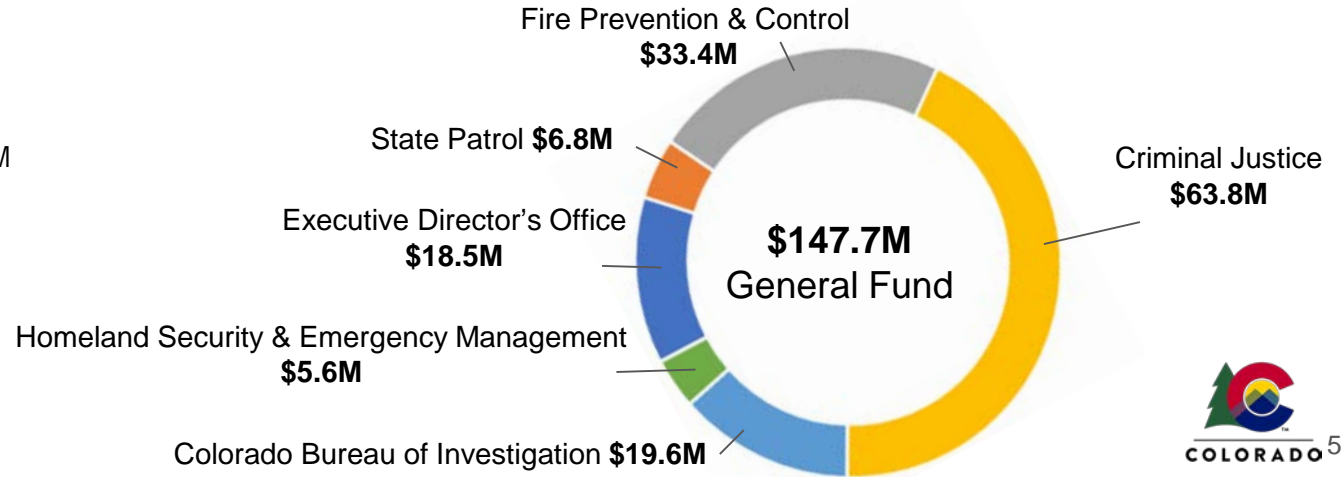


Department of Public Safety FY 2021-22 Budget Request



FY 2021-22 Budget Snapshot

FY 2021-22 Total Funds: \$515.2M
 FY 2021-22 General Fund: \$147.7M
 FY 2021-22 FTE: 1944.3



Department of Public Safety Select FY 2021-22 Budget Requests

CDPS' FY 2021-22 Budget Request includes the following:

- **Wildfire Stimulus Package** - \$24M TF and \$15M GF, 32.7 FTE
- **Community Corrections Grants** - (\$22M) GF, 0.0 FTE
- **Underground Market Marijuana Interdiction Unit** - \$890,901 CF, 5.0 FTE
- **Increase Body-worn Camera Grant Funding** - \$6.6M TF, \$3M GF, 0.0 FTE
- **Restructuring Evidence-based Practice to Promote Equity** - (\$323,090) GF, -3.0 FTE
- **Refinance Troopers with Vehicle Inspection Funds** - \$0 TF, 0.0 FTE
- **Technical Spending Authority Adjustments** - \$0 TF, 0.0 FTE
- **Improving Administrative Efficiency** - (\$169,404) GF, 0.0 FTE



Department of Public Safety Legislative Agenda

The Department respectfully requests the General Assembly consider legislation on the following:

- **Juvenile Diversion Clarification** – The bill clarifies certain elements of SB19-108 including eligibility for grant funding, Division of Criminal Justice authority over grant recipients, data collection requirements, mandatory screening and data collection for youth offenders. These clarifications are necessary to ensure effective administration of the juvenile diversion program and to streamline processes outlined in statute. **This ties into the overall criminal justice goal of creating alternatives to incarceration for youth offenders.**
- **Community Corrections Redesign** –As part of the Governor’s FY22 budget request, CDPS is proposing a significant redesign of Community Corrections to improve efficiency and client outcomes. Statutory changes are needed to enable this redesign and details of these changes are being finalized.
- **Changes to Suspension, Revocation, and Denial of Drivers Licenses** – The Colorado State Patrol is working with the Department of Revenue to identify offenses for which a driver’s license is currently suspended or revoked and evaluate whether these offenses should result in the loss of driving privileges.



Remote Work

In response to COVID-19, CDPS has completed a comprehensive review of its programs and staff to identify where short-term remote work is appropriate, and is continuing to evaluate long-term opportunities for remote work. Currently, CDPS has:

- Approximately 63 percent of employees are reporting to a worksite due to job requirements
- 37 percent of employees working fully or partially remotely
- Many of our services must continue to be offered entirely in person
- Some services have been adapted to be virtual or digital



Community Corrections



Division of Criminal Justice

Overview of Proposed Changes

Current Process	Proposed Process
Funding based on allocation based on local capacity and historical use; providers fit services into costs	Funding based on grant model reflecting true costs
Community corrections narrowly defined in statute	Community corrections defined more broadly to accommodate local interests
Outcomes driven through a performance-based contract system; higher outcomes yield incentive payments	Outcomes driven through application processes; better performers become preferred providers
State defines purpose of program	Community defines purpose of program
Local boards approved placements and select providers	Local boards approve placements, select providers, and identify the programs and services to fund
Offers residential and non-residential services	Offers the opportunity to expand beyond traditional res services to create a continuum of programming and services from minimum to intensive

Division of Criminal Justice

Proposed Community Corrections Funding Model

WHAT

- The Department has a target of \$22 million reductions in general funds for FY21-22.
- The largest single line in the department's GF appropriation is in community corrections
- That necessitates the reason for the level of proposed cut.
- The proposal includes converting to a new grant funding process to replace the current model, in which funding is awarded to local units of government based on caseload, length of stay, and a uniform per-diem rate.
- Under the new system, local governments would submit grant applications with detailed plans for using the funds in their communities.



CORE TO THE CONCEPT

The grant model does not PRODUCE the savings. It aims to meet the requirements for a reduced budget while maintaining a focus on outcomes in the absence of revenues needed to fund performance based contracting.

DEPARTMENT OF PUBLIC SAFETY
 FY 2021-22 JOINT BUDGET COMMITTEE HEARING
WRITTEN RESPONSES ONLY

WILDFIRE AND EMERGENCY FUNDING

[Sen. Moreno] Please provide the annual General Fund appropriations to the Wildfire Preparedness Fund and the Colorado Firefighter Air Corp Cash Fund beginning in FY 13-14.

Response: General fund appropriations to the Wildfire Preparedness Fund for FY 13-14 to FY 20-21 are in the table below. There have not been any general fund appropriations to the Colorado Firefighter Air Corp Cash Fund.

History of Appropriation to the Wildfire Preparedness Fund							
FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
3,204,329	4,150,000	4,150,000	4,150,000	4,150,000	7,150,000	4,150,000	4,150,000

[Sen. Moreno] Please provide a status update on 2013 Flood Recovery regarding the following:

- What are the outstanding recovery projects and when are the expected completion dates?

Response: Projects are listed below. Please note that estimates for completion are for the physical work only and do not include the estimated two years for FEMA closeout.

- | | |
|-------------------------|----------------------------------------------------------------|
| <i>Boulder (County)</i> | <i>Facility Repair - Hall Trail, Spring 2021</i> |
| <i>Boulder (County)</i> | <i>Recreation and Other - Facility Repair, Spring 2022</i> |
| <i>Boulder (County)</i> | <i>Facility Repair - A-Frame Pond - West Lake, Spring 2021</i> |
| <i>Boulder (County)</i> | <i>County-wide Recreation Areas, Spring 2022</i> |
| <i>Boulder (County)</i> | <i>WATER CONTROL FACILITIES - COUNTY-WIDE, Spring 2022</i> |
| <i>Boulder (County)</i> | <i>Boulder County Berms, Spring 2022</i> |
| <i>Larimer (County)</i> | <i>CR 44H, Fall 2022</i> |
| <i>Larimer (County)</i> | <i>CR 47, Fall 2023</i> |
| <i>Longmont</i> | <i>Resilient St. Vrain, Spring 2022</i> |

Longmont

Ralph Price Reservoir, Spring 2021

Lyons

Parks, Fall 2021

Lyons

2nd Avenue Bridge, Fall 2021

- Status of FEMA matching funds and reimbursement timeline

Response: Paid expenses total \$252,085,463.93, and there is \$94,042,129.72 in obligated funds that have not yet been drawn down due to outstanding projects and waiting on FEMA eligibility determinations. Final reimbursement from FEMA is estimated to be FY 2024-25

COMMON QUESTIONS: PLEASE RETAIN THE NUMBERING IN ORDER TO MAINTAIN CONSISTENT LABELING FOR COMMON QUESTIONS ACROSS DEPARTMENTS.

- 1 Provide a list of any legislation with a fiscal impact that the Department has: (a) not implemented, (b) partially implemented, or (c) missed statutory deadlines. Explain why the Department has not implemented, has only partially implemented, or has missed deadlines for the legislation on this list. Please explain any problems the Department is having implementing any legislation and any suggestions you have to modify legislation.

Response: While the Division of Homeland Security and Emergency Management (DHSEM) completed its responsibilities under H.B. 19-1073 (Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program), only 14 departments applied for \$64,580.75 and the bill proponents requested that the Division adopt amended rules to extend the program deadlines to reflect the availability of the funds from the Marijuana Tax Cash Fund, which was done in on September 30, 2020.

Senate Bill 20-217, Enhance Law Enforcement Integrity was enacted and signed on June 19, 2020. The bill required the Colorado State Patrol (CSP) to issue, over a three-year period, body-worn cameras to law enforcement peace officers that interact with the public. For this effort, the CSP was appropriated \$521,538 and 1.0 FTE for FY 2020-21; \$1,624,556 and 2.0 FTE for FY 2021-22; \$2,230,950 and 4.0 FTE for FY 2022-23; \$1,355,150 and 4.0 FTE for FY 2023-24. As of November 2020, the CSP expects to fill 1.0 FTE by January 1, 2021 and plans to secure a contract to move forward in purchasing equipment and services by April 1, 2021.

- 2 Does the Department have any HIGH PRIORITY OUTSTANDING recommendations with a fiscal impact identified in the Office of the State Auditor's "Annual Report: Status of Outstanding Audit Recommendations"? What is the Department doing to resolve these HIGH PRIORITY OUTSTANDING recommendations? Please indicate where in the Department's budget request actions taken towards resolving HIGH PRIORITY OUTSTANDING recommendations can be found.

The 2020 report will be published on December 7, 2020 and can be found at this link:
<http://leg.colorado.gov/content/audits>. JBC staff will send out an updated link once the report is published.

Response: Based on the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office and dated June 30, 2019, the Department has no outstanding audit recommendations.

- 3 For the FY 2020-21 hearing process, the Department was asked to respond to the following questions related to public awareness campaigns.

Is the Department spending money on public awareness campaigns? If so, please describe these campaigns, the goal of the messaging, the cost of the campaign, and distinguish between paid media and earned media. Further, please describe any metrics regarding effectiveness and whether the Department is working with other state or federal departments to coordinate the campaign?

Please provide an update to your response from last year, including any changes to existing campaigns and/or the addition or discontinuation of campaigns.

Response: The DHSEM provides public awareness through sharing of national messaging campaigns such as the Federal Emergency Management Agency's (FEMA) Ready.gov and the Department of Homeland Security's, See Something, Say Something. The DHSEM uses these campaigns to provide social media templates for local, state and federal stakeholders to use to create a coordinated message across Colorado. The goal is to make Colorado a more prepared state at the individual level by giving them information to make informed and educated decisions to reduce individual risks. The Strategic Communications Section creates and maintains an annual editorial calendar that provides daily messaging created by the staff in addition to the national campaigns. The editorial calendar and social media templates are posted online at: <https://www.colorado.gov/pacific/dhsem/social-media-templates>.

The DHSEM does not have specific public awareness campaigns budgeted and does not pay for media other than its existing websites. In its normal course of business, members responsible for communication activities, use a variety of social media platforms to promote awareness of the following:

- 1. See Something, Say Something - Submit a confidential tip concerning a suspicious incident or unusual activity and behaviors concerning Homeland Security, which does not require an immediate response by law enforcement.*
- 2. READYColorado*
 - a. Web: www.readycolorado.com*
 - b. Twitter: @READYColorado*
 - c. Facebook: READYColorado*
- 3. COEmergency*
 - a. Web: www.coemergency.com*
 - b. Twitter: @COEmergency*
 - c. Facebook: COEmergency*
 - d. Preparedness messaging*

The Division of Fire Prevention and Control (DFPC) does spend money on public awareness campaigns. Through a multitude of communication channels, from traditional marketing to digital advertising, the DFPC spends approximately \$3,000/fiscal year on public awareness campaigns. This includes everything from the creation of the products to distribution, internally and externally. Communication outlets include traditional and digital channels: earned and paid media, print/TV news-media, social media, email, newsletter articles, and community meetings.

Earned media is essentially online word of mouth, usually seen in the form of 'viral' tendencies, mentions, shares, reposts, reviews, recommendations, or content picked up by 3rd party sites. One of the most effective driving forces of earned media is usually a combination of strong organic rankings on the Search Engines, and content distributed by the brand. First page rankings and good content are typically the biggest drivers. Paid media is a good way to promote content in order to drive earned media, as well as direct traffic to owned media properties. Paying to promote content can help get the ball rolling and create more exposure. Social Media sites like Facebook, Instagram, Twitter and LinkedIn offer advertising that could potentially help boost content as well as a website. DFPC works with partners at the local, state, and federal level to coordinate public education campaigns. Specifically, CRR week, Fire Prevention Week, and Wildfire Community Preparedness

Day are all coordinated with federal, state and local partners, through shared video and graphic development and social media ads.

DFPC has had a strong foundation of online communication with the public. In addition to the previously mentioned campaigns and delivery strategies or applications mentioned, the DFPC has expanded online communication capacity using a heavy emphasis on live streaming (internally and externally) and video production. Every campaign has a video component to it - the public will see a DFPC employee explaining the importance of whatever campaign is being run.

DFPC uses Facebook, Twitter, Instagram, and YouTube social media platforms, and has 15 accounts (total) among the mix. One new (successful) method of community outreach has been setting wildland firefighter crews up with a crew Instagram Account. Monitored by the DFPC Public Information Officer, the firefighters post 2x/week on average, receiving positive feedback from the community they serve and the media.

On average, the DFPC posts organically (non-paid advertisements) 3-4 x/week, and more during an active wildfire incident. This year, DFPC has organically reached over 500,000 users on Instagram, Facebook and Twitter. Engagement skyrocketed to 20,000 + 7,000 shares of posts in one single day (October 15, 2020).

DFPC Campaigns:

- 1) Building Safety Month 2020. Building Safety Month is an international campaign that takes place in May to raise awareness about building safety. This campaign reinforces the need for the adoption of modern, regularly-updated building codes, and helps individuals, families and businesses understand what it takes to create safe and sustainable structures*
- 2) Wildfire Community Preparedness Day. The purpose is to raise awareness of wildfire risk, to share information and knowledge, and to help residents make changes to improve the survival of their homes and neighborhoods.*
- 3) "Vision 20/20". The Division has been working with the Fire Marshal's Association of Colorado to disseminate nationally developed fire and life safety programs to fire marshal's, public educators, and non-governmental organizations.*
- 4) "One Less Spark, One Less Fire". This campaign, presented by the Interagency Fire Prevention Action Team and supported by DFPC, is designed to provide constant reminders during the fire season to reduce the numbers of vehicle and equipment fires throughout the state.*
- 5) Fire Safety and Security in Schools. Working with the School Safety Resource Center, the DFPC has presented at several statewide events to school personnel on tools to improve fire safety while maximizing the ability to protect against security threats. The DFPC has also disseminated this information through printed media and at local and regional meetings.*
- 6) Community Risk Reduction (CRR) Week. CRR Week is a grass-roots effort by an informal group of fire safety professionals from across the nation. The idea is to help promote the awareness of CRR within the fire service by having a week where everyone can do CRR programs and demonstrate its importance to the fire service.*
- 7) Fire Prevention Week. This year's FPW campaign, "Serve Up Fire Safety in the Kitchen!™" works to educate everyone about the simple but important actions they can take to keep themselves, and those around them, safe in the kitchen.*

The CSP continues to develop public awareness campaigns regarding public safety issues to include but not limited to the following: impaired driving, move over and responder safety, distracted driving, and other general safe driving behaviors. Each of the campaigns has an external focus that educates the public on safe driving and public safety, however, the campaigns also assist in the guidance and interaction with the public by members of our agency.

The overall annual safety campaign is called “Our Family Protecting Yours, Since 1935.” The goal of the messaging is to influence drivers on Colorado’s roadways to make safe choices regarding their driving behavior. A secondary goal is to encourage members of CSP to engage with the communities they serve through participation in safety messaging. The effort includes members striving for opportunities to interact with citizens in a positive and meaningful manner through purposeful conversations to impact driving behavior thereby saving lives. In addition, using top crash causal factors, a campaign strategy is developed and implemented based on current trends, seasons and holidays, and community needs. The cost of the campaign for fiscal year 2020-2021 is \$100,000.

The CSP has active accounts on a variety of social media platforms and uses each platform to communicate to a variety of demographics across the state. Each business unit has sub accounts within Twitter to help communicate, educate, and inform their communities. In addition, each business unit hosts local community meetings and engagement events, when possible. These activities varied in 2020 due to COVID-19 restrictions. The CSP also collaborates regularly with Colorado Department of Transportation (CDOT), National Highway Traffic Safety Administration (NHTSA), Mothers Against Drunk Drivers (MADD), Rocky Mountain Insurance Information Association (RMIIA) and other law enforcement agencies on public safety campaigns that benefit all agencies’ safety messaging. Media stations across Colorado regularly provide opportunities for members of CSP to provide safety messaging and partner to assist in the distribution of messages that enhance public safety. This year more news stations are utilizing posts and pictures from our social media to report crashes and traffic information as well as safe driving to the public. In addition, the CSP strategy spends funding on printing, promotional items for community events, boosting social media messages, event sponsorship, community safety challenges, and education materials.

Just recently, the CSP conducted a public opinion survey to determine the public’s perception of the agency’s professionalism, fairness, and service. Once these results are received (January 2021), specific outreach strategies will be developed based on community needs. Additional tools we use to monitor our effectiveness include Critical Mention media monitoring service, including TV Eyes, Google Analytics on our website and analytics specific to each of our social media channels. Each month we produce a report on the previous month data trends and click rates.

CSP members coordinate regularly with members of CDOT and NHTSA on public safety and awareness campaigns. In particular, many of the enforcement and education strategies are guided by federal campaigns that include funding for media strategies and enforcement. Throughout FY 2019-20, several driver safety programs were very effective through these partnerships.

The staff from the Office for Victims Programs (OVP) was awarded a grant on behalf of the Colorado Human Trafficking Council to launch the first year of a multi-year public awareness campaign on human trafficking. OVP received a one-year federal grant from VOCA for the calendar year 2020 in the amount of \$813,865.00. Since the grant runs on a calendar year, it is difficult to determine what portion of this one-year grant was spent between July – December 2020. Funds from the grant went towards the development of campaign materials (e.g. website banners,

social media ads, digital billboards, etc), a dedicated campaign website, video spots, a three-month statewide media buy, as well as the implementation of an Earned Media plan. The campaign was developed to increase awareness about all types of human trafficking in Colorado. The campaign aims to shift preconceived ideas about human trafficking, elevate the belief that human trafficking can exist in any Colorado community, and create a statewide culture that does not tolerate human trafficking. To launch the campaign, OVC contracted with Orange Circle Consulting through a competitive RFP process that took place December 2019/January 2020.

OVP was recently awarded another federal grant from the Victims of Crime Act (VOCA) that will cover the period of January 1, 2021 – December 31, 2022. This second grant award is for a total of \$1,250,000.00. These funds will be used to continue the work of the awareness campaign to include the creation of additional campaign materials, including the translation of materials into Spanish and possibly other languages, campaign outreach into rural communities, additional statewide media buys, continued earned media efforts and regular evaluation of the impact of the campaign. Since the VOCA grant runs on a calendar year it is difficult to determine what portion of the 2-year grant will be spent between January – June 2021.

Prior to receiving VOCA funding, an evaluation plan was created for the campaign, which included conducting baseline research of a representative sample of Colorado residents to determine the public's knowledge and perceptions of human trafficking as well as their motivators and barriers for taking action. This baseline evaluation will be used to measure the impact of the campaign, along with analysis of website analytics, tracking of media metrics, and ongoing analysis of call volume to Colorado's Human Trafficking Hotline to see if calls increased as a result of the campaign. While this campaign is not specifically working with other state departments, all materials are vetted through the Colorado Human Trafficking Council whose membership includes representatives from the Departments of Human Services, Agriculture, Labor and Employment, Judicial, and the Attorney General's Office as well as survivors of human trafficking and community based agencies.

The CBI Investigations Unit expends grant funds for Facebook advertising concerning fraud prevention and consumer best practices. In FY 2019-20, it expended approximately \$1,200 towards this effort. Although no funds have been expended, the CBI Investigations Unit also collaborates with rural hospitals and adult entertainment companies to bring greater awareness concerning human trafficking in the state.

- 4 Please identify how many rules you have promulgated in the past year (FY 2019-20). With respect to these rules, have you done any cost-benefit analyses pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analyses pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis? Have

you conducted a cost-benefit analysis of the Department's rules as a whole? If so, please provide an overview of each analysis.

Response: In the past two years DHSEM has promulgated rules for the School Security Disbursement (SSD), School Access For Emergency Response (SAFER) and Law Enforcement Information Sharing grants. DHSEM has not done any cost-benefit analyses pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analyses pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis. Further, the Department has not conducted a cost-benefit analysis of its rules as a whole.

In the last two fiscal years, DFPC has promulgated the following rules listed below. The full language of the rules can be found on the Colorado Secretary of State's website at <https://www.sos.state.co.us>.

8 CCR 1507-11 Fire Suppression Program (effective March 30, 2019)

8 CCR 1507-12 Persons Dealing with Fireworks (effective March 30, 2019)

8 CCR 1507-30 Fire Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges (effective March 30, 2019)

8 CCR 1507-31 Building, Fire, and Life Safety Code Enforcement and Certification of Inspectors for Health Facilities Licensed by the State of Colorado (effective March 30, 2019)

8 CCR 1507-30 Fire Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges (effective March 30, 2019)

8 CCR 1507-53 Uniform Standards and Minimum Fire and Life Safety Requirements for Waste Tire Facilities (effective March 30, 2019)

8 CCR 1507-57 Building and Fire Code Enforcement and Certification of Inspectors for Limited Gaming Facilities Licensed by the State of Colorado (effective March 30, 2019)

8 CCR 1507-101 Building and Fire Code Adoption and Certification of Inspectors for Fire and Life Safety Programs Administered by the State of Colorado (effective March 30, 2019)

8 CCR 1507-11 Fire Suppression Program - Admin Change by SOS (effective May 15, 2019)

8 CCR 1507-11 Fire Suppression Program (effective September 30, 2019)

8 CCR 1507-30 Fire Code Enforcement and Certification of Inspectors for Public Schools, Charter Schools, and Junior Colleges (effective February 14, 2020)

The DFPC did not receive requests from individuals to complete any cost-benefit analysis during promulgation, nor did DFPC receive requests to complete any regulatory analyses. It should be noted that for the past three years, DFPC has been working at a deficit in three of its cash funds (schools construction, healthcare inspection and construction, and the suppression program fund) to reduce fund surpluses through fee holidays and or reduced fees. Consequently, fee increases in

FY 2019-2020 were necessary to cover program costs. DFPC regularly reviews its rules to ensure they are necessary, non-duplicative, easy to understand, successful, flexible, efficient and effective, and to ensure that they protect the safety, health, and welfare of the State.

In 2018-19, the CSP promulgated amendments to the Motor Carrier Safety Rules (MCSAP), Hazardous Materials (HazMat) Routing, the Port of Entry (POE) Size and Weight Rules and repealed the CMV Pilot VIN Program Rules (8 CCR 1507-1, 1507-25, 1507-28 and 1507-55).

In 2019-20, the CSP promulgated amendments to the MCSAP rules (8 CCR 1507-1), HazMat Routing (8-CCR 1507-25), the POE Size and Weight Rules (8 CCR 1507-28), the Colorado Auto Theft Prevention Authority (CATPA) rules (8 CCR 1507-50), and promulgated the CSP Third-Party CMV VIN Verification Rules (8 CCR 1507-58).

With the exception of the Colorado Auto Theft Prevention Authority (CATPA) rules in March 2019, none of these rules has been the subject of any requests for a CBA or a regulatory analysis during the past two rulemaking cycles. Each of these rules has been reviewed internally annually, consistent with the requirements, expectations and intent of §24-4-103 (4) (a) (5), CRS. 8 CCR 1507-1, 1507-22, 1507-28 and 1507-50 have each undergone rule review analysis as mandated by §24-4-103.3, CRS, over the past two rulemaking cycles of 2018-19 and 2019-20.

- 5 What are the major cost drivers impacting the Department? Is there a difference between the price inflation the Department is experiencing compared to the general CPI? Please describe any specific cost escalations.

Response: COVID-19 emergency response operations are the main drivers of additional costs in DHSEM at this time. As with previous years, the increased severity and frequency of disasters impacting Colorado continue to add additional expenses to the Division's operations. These events create a burden on the Disaster Emergency Fund for response and recovery operations. Some of the response and recovery expenses are reflected in additional staffing and operating expense needs.

The major cost drivers impacting wildland fire can be broken down into physical and environmental drivers (fire size, climate, and fire environment and characteristics) and management and decision-making drivers (suppression strategies and decision-making influences and incentives). As wildland fires continue to be more prevalent and more destructive, the cost of suppressing these fires will continue to increase for local jurisdictions, the state, and federal land management agencies. The Governor's Wildfire Stimulus Request is designed to limit these future cost drivers by focusing on reducing the amount of catastrophic wildfires through mitigation projects and aggressive initial attack of wildfires.

When DFPC was formed in 2012, the consolidation of all state fire functions occurred without a clear plan for the future of facilities to house DFPC employees. In 2019, a \$0 lease with the Colorado State Forest Service expired, forcing DFPC to find a new facility for twenty-two employees at a time when lease rates are very high in the north metro area. DFPC seeks out cost-saving opportunities in these situations, but increasing facilities costs remain a cost driver for the division. Additionally, contract fees, fees for service, and licensing fees have increased considerably this year for technology on which DFPC relies to complete its work. For example, one Salesforce application increased from \$1,800 per license to \$4,300 per license this year alone. DFPC purchased 15 licenses at a total cost increase of \$37,500.

The major cost drivers for the CSP are salaries/benefits, vehicle related expenses, officer related expenses, and public safety technology. Salary/benefit increases and vehicle lease costs are adjusted through common policy. However, public safety technology costs and officer related expenses continue to be major cost escalations for the CSP. Costs for public safety technology requirements continue to rise due to an ongoing changing pace in technology and demand for capability, security, and officer safety requirements. Essential officer supplies and equipment such as ammunition, vehicle tires, and uniforms also experienced substantial increases from 2019, with ammunition by 8.9 percent, tires by 9.4 percent, and uniforms by 3.5 percent.

- 6 How is the Department's caseload changing and how does it impact the Department's budget? Are there specific population changes, demographic changes, or service needs (e.g. aging population) that are different from general population growth?

Response: The general population increase in Colorado has increased the workload for DFPC significantly. Metro area departments are growing significantly, agencies are opening new stations and hiring more firefighters to respond to this rapid growth. This is taxing available training funding streams and staff time as DFPC receives more requests for firefighter training, testing, and certification.

Nearly 85 percent of all wildland fires are human-caused and 2.9 million Coloradoans live in the wildland urban interface. DFPC continues to see an increase in the number of wildland fires each year and suppression costs continue to rise to protect homes and critical infrastructure in urban interface areas. From 2010 to 2020, Colorado spent an average of \$18.8 million on large fire suppression costs each year. In addition, DFPC provides support to local agencies for initial attack funding assistance, with a goal of keeping fires small and limiting their costs and impacts. Much of this funding support to local agencies comes from DFPC base operating budgets, limiting DFPC's ability to plan and save for future aircraft replacements, as well as potentially limiting availability of DFPC aircraft later in the fiscal year. In the 2019 fire season, DFPC spent \$804,000 in base aviation budgets to support local agencies with initial attack efforts and \$1,223,507 in base aviation budgets to support local agencies with initial attack efforts in the 2020 fire season (as of October 19, 2020). The Governor's Wildfire Stimulus Request includes significant new funding to ensure that aviation resources are available to DFPC whenever necessary.

DFPC employs one fire investigator to cover the entire state with no dedicated funding to place investigative resources in strategic areas of the state. As the population in Colorado increases, more structure and wildland fires are being set, which drives workload for this fire investigator. This one investigator is on call 24/7 to respond to fire and arson investigation requests for assistance from any jurisdiction in Colorado.

The Fire and Life Safety Section is tasked with conducting inspections and plan reviews for schools and healthcare facilities in Colorado. This section has seen an increase in the number of senior living facilities being built due to the aging population. This section had a significant increase in caseload after \$3 billion in school bonds passed in recent elections. DFPC anticipates that the workload related to school bonds will continue to increase for at least the next two years because of the increased funding.

Current 2020 unforeseen circumstances have created significant changes to the CSP public service needs. From the COVID-19 pandemic to the ongoing civil unrests and an unusually busy fire season, the CSP's overtime expenditures have increased from 2019 considerably. Troopers, Port of Entry officers, Communication Dispatch officers, Security officers, and Civilian staff have to take on additional work to assist in these enduring crises. Overtime scope of work includes but not limited to security and protection services, dispatch services, traffic control, and evacuation efforts.

Due to COVID-19, necessary responses to the pandemic across the criminal justice system and within community corrections have led to reduced capacity. Practices in response to the pandemic in probation, district courts, and the Department of Corrections have decreased the number of referrals and intakes into community corrections. In addition, community corrections programs have kept capacity lower to allow for social distancing and follow recommendations for COVID-19 response. Many of the altered practices are temporary, making projections for the remainder of the year difficult. The average daily population in residential community corrections for Fiscal Year 19 was 3,467, while the single census for residential community corrections for the current fiscal year has been around 2,406.

The CBI Investigations Unit has experienced an increase in requests for service from local law enforcement agencies beginning March 2020. The increase is primarily due to higher incidence of crime (to include fraud) and staffing shortages in the rural communities. Due to COVID-19, many Sheriffs' departments have shifted resources to their jails to monitor the inmate population. Rural agencies have experienced budget and staffing limitations due to the pandemic, and therefore, submit more requests for assistance to the CBI.

Beginning March 2020, the InstaCheck Unit has experienced an unexpected and large increase in the number of firearms transfer applications in likely response to the COVID-19 national pandemic and civil unrest. The year-over-year monthly average has increased between 50 to 70 percent for the months between March and June 2020. As a result, the total turnaround time to process a firearms transfer has increased up to 56 hours; the normal turnaround time during these months averages less than 10 minutes per transaction. To manage the workload increase, the CBI was approved emergency funding in September 2020 to hire up to 15 temporary workers.

- 7 In some cases, the roles and duties of existing FTE may have changed over time. Please list any positions that have been created in the Department since FY 2018-19 that were not the result of legislation or a decision item.

Response: Seven term limited positions were added since FY 2018-19 to meet COVID response and fire recovery disaster needs. The DFPC repurposed 1.0 FTE to provide programmatic support for wildland fire needs.

In FY 2020-21, DCJ added two Term-Limited, grant funded positions to assist with the administration of the COVID grant.

Since FY 2018-2019, the CBI has added several new functions, but has done so by reorganizing and reallocating positions that already existed under prior approval. For example, a Records

Manager and an Assistant Director were added within the Support Services Section, but that was done by converting existing positions to the new functions. Similarly, a vacant Investigation Section Agent-in-Charge position was reconfigured to serve as a Crime Scene AIC, as well as being responsible for a number of other previously unmet needs within the Bureau. To reiterate, no additional funding was sought for the development of these positions; rather it was done subject to the provisions of CBI's originating statute (24-33.5-407 C.R.S.) which specifies that "the director shall appoint agents and other employees necessary to conduct an efficient bureau."

For all FY 2021-22 budget requests that include an increase in FTE:

- a. Specify whether existing staff will be trained to assume these roles or these duties, and if not, why;

Response: Existing staff will not be trained to assume the roles or duties of the requested FTE because they do not have the bandwidth for it.

- b. Specify why additional FTE are necessary; and

Response: Additional FTE are necessary to meet the needs identified in the requests.

- c. Describe the evaluation process you used to determine the number of FTE requested.

Response: The number of FTE were determined based on the number of annual hours required to fulfill the objectives of the requests.

- 8 Please describe any programmatic impacts resulting from cash fund transfers impacting the department as part of the FY 2019-20 and FY 2020-21 balancing process.

Response: None of the Department's cash funds were impacted by the cash fund transfers.

- 9 Please provide more information regarding the report on Body Worn Cameras, including the 2016 data and current survey that was sent out to jurisdictions.

Response: As previously noted, the Department has not conducted a formal assessment of which law enforcement agencies have body worn cameras (BWCs) and which do not. However, in 2018, the Colorado Peace Officer Standards and Training Board conducted a statewide survey of law enforcement agencies and found that 47 of about 240 law enforcement agencies already use BWCs. It is important to note however, approximately one third of the agencies did not respond at that time. The full report can be found at the following link.

[2018 Body Worn Cameras Survey](#)

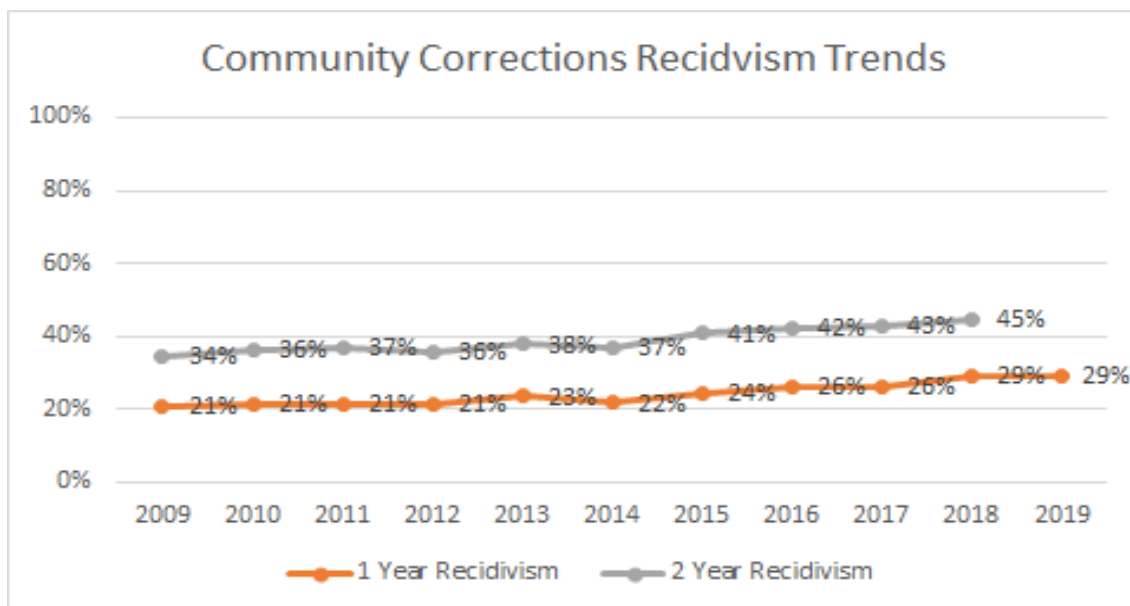
More recently, Department staff reached out to the Colorado Municipal League (CML), Colorado Counties Incorporated (CCI), Colorado Association of Chiefs of Police (CACP), County Sheriffs of Colorado (CSOC), and a few other law enforcement entities regarding the current need for BWCs and any associated costs. CML conducted an informational survey of 165 Colorado municipalities

that employ police officers or town marshals. Of those agencies, approximately 34 currently utilize BWCs, leaving 131 that would potentially require funding before July 2023.

Likewise, the Colorado Sheriff's Association surveyed sheriffs regarding the need for BWCs. Of the 31 responding counties, 13 currently have a BWC program and 14 do not. All but one of the 31 respondents indicated supplemental funding would be needed. The Department will continue to provide updates from stakeholders regarding body-worn camera programs.

10 Please provide more information regarding recidivism data at community corrections facilities.

Response: Currently recidivism in community corrections is defined as a new county or district court filing within one or two years of successful discharge. Below is the graph of recidivism data for the last 10 years for the regular residential population. This data does not include discharges from Therapeutic Communities, Residential Dual Diagnosis Treatment, and Intensive Residential Treatment.

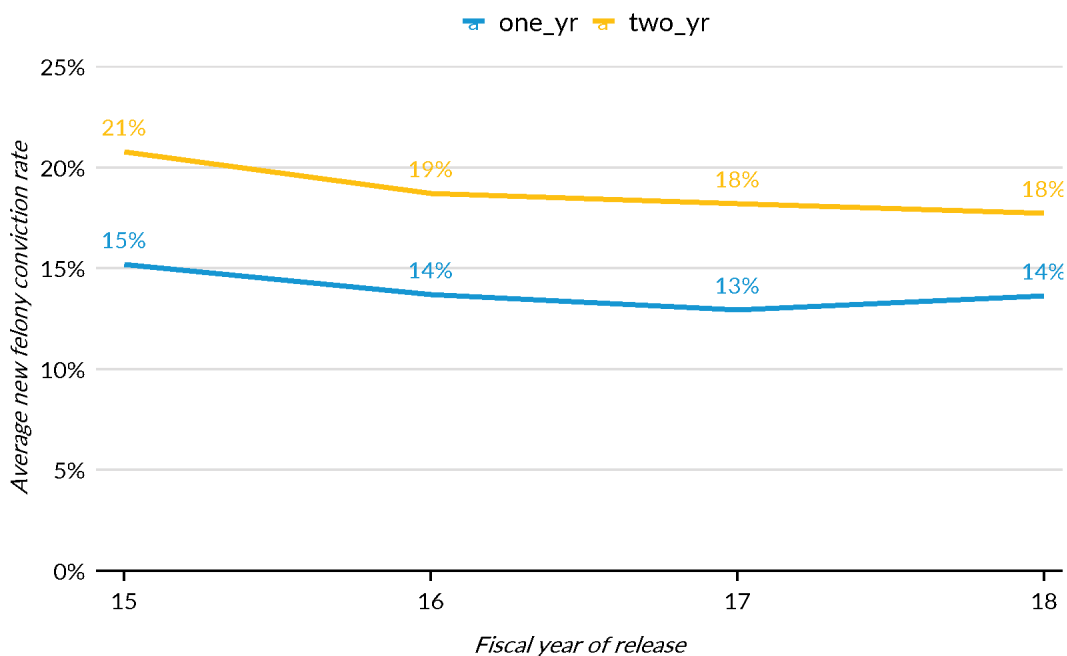


Additional data regarding outcomes, including the ability to filter for specific program outcomes are available on the DCJ website on the Community Corrections Dashboard. It can be accessed at <https://cdpsdocs.state.co.us/ors/data/Comcor/Comcor.html>.

As discussed in the hearing, there are barriers to using charges filed as a measure of recidivism and another definition often utilized is conviction. As part of the Urban Institute's contract with the Department to make recommendations on the performance-based contracting, The Urban Institute also completed an analysis of recidivism. For their report they utilized a more commonly used definition of recidivism; new felony conviction within one or two years of entry into community corrections. The data utilized for the Urban Institute analysis excluded Intensive Residential Treatment discharges and neutral discharge reasons (i.e. reject after accept, transfer

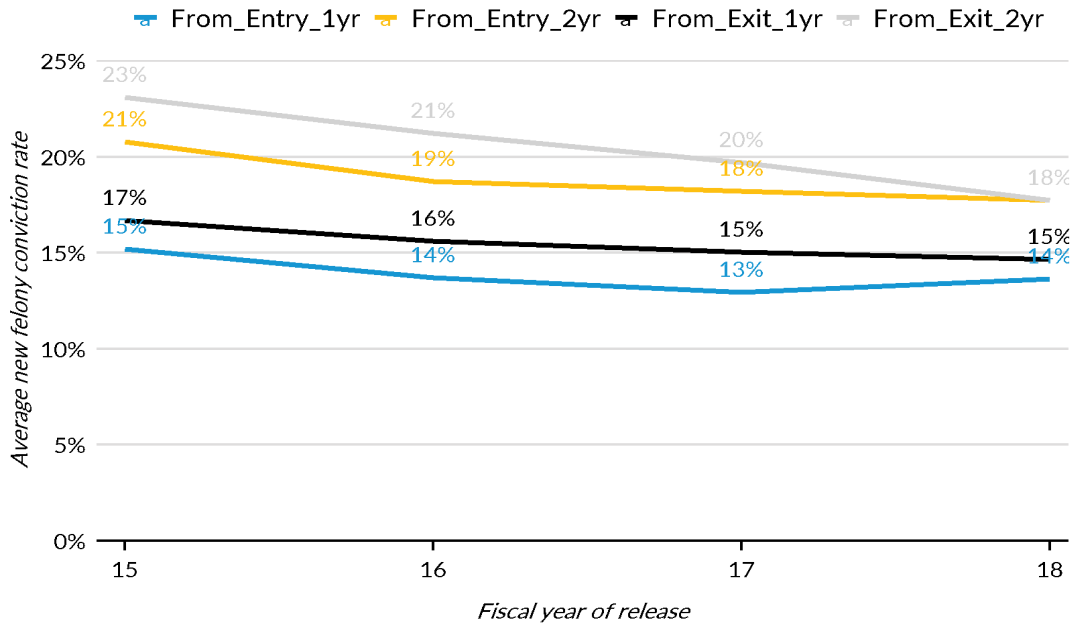
to another program, etc). In addition to the definition above, the Urban Institute also did an analysis of recidivism that included one and 2 years from discharge (this can be seen in the 2nd graph). All of the data presented demonstrates the large impact the definition can have on outcome measurement. The below graphs were provided by the Urban Institute.

Average felony reconviction rate from entry



Note. Each fiscal year includes all residential CC clients, except IRT. Source: Urban Institute analysis of data provided by CDPS.

Average felony reconviction rate from entry and exit



Note. Each fiscal year includes all residential CC clients, except IRT. Source: Urban Institute analysis of data provided by CDPS.

- 11 Please provide more information regarding COVID-19 cases at community corrections facilities.

Response: *Community corrections has proven a unique population compared to other types of corrections and congregate care settings for data collection and reporting. One reason for this is that there are no onsite medical staff as there are in DOC and long-term care facilities. Individuals in community corrections access health care in the community and maintain protections for the privacy of their health information. Similarly, there are barriers to ensuring accurate data on staff testing given that the staff in community corrections are not state employees and their health information is also protected. Another unique experience is the access individuals in community corrections have to the community and the need for them to maintain this access if not in isolation and quarantine so they can continue their employment and save funds so they can be financially stable. In long term care facilities, they are able suspend community access without creating financial hardships for their residents. And lastly is that the local public health agency is responsible for the response. With each community being at a different level in the dial, having different resources, and local level concerns, the recommendations and steps being taken can look different in each jurisdiction. This includes the response to outbreak status. Testing and strategies in an outbreak move very quickly in coordination with the local public health entity and it can be difficult for all of the information on testing to get reported to our office. For example, in at least one instance of outbreak the entire population and staff were tested every 3 days. For all of the above reasons, it is important to note that the data we have collected is only as reliable as to what information has been shared with the Department. In addition to the data reported directly to our office, some providers have signed up for testing through CDPHE with Curative beginning in*

November. CDPHE has provided us with the aggregate data from that testing. It is most likely that positive results from the Curative testing are in both data sets.

Numbers Reported to the Department

Please note that this data represents reported positive tests and some individuals may be represented more than once in the data. Data collection began on March 20, 2020.

Residential Clients	345
Non-Residential Clients	15
Staff	113
Total	473

Furloughs for COVID-19

On March 20, 2020 a memo was sent to all community corrections boards and providers allowing the use of furloughs as a management tool for the pandemic. Furloughs allow providers to move clients at the greatest medical risk and/or those who already tested positive out of the congregate care setting and into a safer environment. The furlough aided in both individual safety related to the pandemic as well as a population management tool to limit the spread of the virus. From March 20, 2020 through December 17, 2020, 767 COVID related furlough events have been recorded representing 725 individuals. On December 17, 2020 there were 32 individuals on furlough related to COVID.

Wildfire Stimulus – Firehawk Helicopter

Comparison of Lease versus Purchase

Cost comparison of buying v. contracting over the lifetime of the aircraft:

Based on the analysis conducted by DFPC, it is expected that the cost of contracting for a similar aircraft will exceed the cost of purchasing a Firehawk Helicopter by over \$145M over the estimated 30-year lifespan of the helicopter. A summary of this analysis can be found in the table below, while the detailed analysis can be found in the attached spreadsheet.

Cost Comparison for Firehawk Helicopter Estimated Purchase vs. Contract				
	State Owned		Contract	
	1 Year	30 Year Total	1 Year	30 Year Total
Purchase Cost	\$24M	\$24M	\$0M	\$0M
Daily Availability	\$0.8M	\$33.5M	\$3.65M	\$152.7M
Flight Hours	\$0.2M	\$8.2M	\$1.4M	\$58.6M
Staffing	\$1.9M	\$73.7M	\$1.9M	\$73.7M
Operating	\$0.9M	\$37.8M	\$0.9M	\$37.8M
Total	\$27.8	\$177.2M	\$5.9M	\$322.9M

Factors considered in the analysis include:

- Contracting for the same or a similar make/model aircraft for year round availability (cost for each day of availability) would cost roughly \$10,000 per day in the first year, so daily availability costs alone would equal roughly \$3,650,000 in year one. These costs include salaries for pilots and fuel truck drivers, insurance, services like navigation and charts, and profit.
- Daily availability for a state-owned helicopter includes the cost of a contract for pilots, mechanics, and fuel truck drivers. The total annual daily availability would equal \$800,000 in year one (\$2,191 per day for 365 days).
- Estimated flight hour rates for a contracted aircraft would be \$4,000 per hour. It is estimated that either a state-owned or contracted aircraft would fly 350 flight hours per year. This estimate is based on current utilization of state-contracted aircraft during fire season. DFPC plans for 200 flight hours for each 150-day exclusive use helicopter contract. Since the Firehawk would be available year-round, but would be flying most often during fire season, DFPC has estimated 350 flight hours per year on a 365-day exclusive use contract.
- Estimated flight hour rates for a state-owned aircraft includes fuel and maintenance costs at a rate of \$560 per flight hour, or an estimated \$196,000 for 350 flight hours annually.

- Other operating costs for a helicopter are identical regardless of whether the helicopter is state-owned or state-contracted. This includes tie down fees, hangar lease, and other costs not specifically accounted for in daily availability or flight hour costs. Similarly, the cost of DFPC employees staffing the helicopter are identical regardless of ownership.

Expected Years of Service for a Purchased Aircraft:

There is no retirement time on the airframe, so this is difficult to detail precisely, but the first helicopters of the S-70 type were purchased by the military in 1979 and are still in use today (40+ years). There are military helicopters (UH-1H) that were built in the 1960's that are still being used to fight fires today (nearly 60 years). It is up to the individual flight operations department to determine the replacement plan schedule. There is high confidence that the aircraft will be flown and supported for a minimum of 30 years. An advantage of this make/model of helicopter is that the military uses the same aircraft. Therefore, we can expect the manufacturer (Sikorsky) to support the aircraft for a very long time with components, parts, and engines. In addition, the State would have access to many pilots and mechanics that have flown and worked on similar platforms. This is unlike many other non-military fire aircraft, where there is minimal to no manufacturer support and a small pool of pilots and mechanics familiar with the aircraft.

Comparing Purchase Savings to Off-Season Operating and Maintenance Costs:

CDPS Divisions and other State of Colorado Departments are in need of support for non-fire projects that they are currently paying contractors to provide. The proposed Firehawk aircraft provides higher capabilities, better efficiencies, reduced flight times due to higher capacity, and a safer platform which will in turn save program funds.

For contracted aircraft, vendors add in expected (and unexpected) maintenance costs to their bid proposals. Maintenance costs are determined by how much the helicopter is flown due to timing out of parts. Having maintenance performed by DFPC hired/contracted mechanics will reduce the costs compared to a fully contracted aircraft, with our mechanics providing care, inspections, and service on a daily basis. This would result in minimal down time and/or mechanical issues, which adds into cost savings and efficiencies.

The aircraft will be under warranty for the first two years, resulting in minimal costs for maintenance during that time. In addition, maintenance and repair costs are expected to be minimal for several years with a new aircraft.

Year-Round Contract Options:

While not common, there are year-round contract options as noted above.

Costs of Extending Contracts:

Current DFPC contracts are designed so that there is not an increase in case extensions are needed, so the regular contract rates (for daily availability, flight hours, misc. charges) are the same. Under the current contracts, DFPC has the option to extend as long as there is not a break in service.

All of the vendors that would have the same or a similar helicopter would be from outside the State of Colorado, and if aircraft and personnel were brought back after a break in service we would have additional costs and activation delays.

Additionally, most vendors and contractors see a reduction in workforce outside of the core wildland fire season, and pilots have reduced or no availability.

Firehawk Capacity and Key Features:

- Overall Capability – other helicopters can perform some of the missions as a Firehawk, but there is no other helicopter with the ability to perform all of the missions in one aircraft, particularly in Colorado’s hot, high altitude flight environment.
- Dual Engines – this helicopter is one of the few that provides fly away capability in the event of an engine failure for increased pilot and firefighter safety, compared to the majority of wildfire helicopters that only have one engine. Dual engines also increase power when inserting personnel and when coming in/out of water drops.
- Suppressant Delivery – can deliver 1,000 gallons (water, foam, or enhancer) compared to 324 gallons delivered by helicopters currently under contract with DFPC. Retractable tank fill snorkel allows the helicopter to fly at higher speeds, reducing response and delivery times.
- Personnel Transport – up to 15 personnel compared to 9 or less by helicopters currently under contract with DFPC
- Medical – built-in medical system capability (oxygen, power, storage, etc.).
- Tank Design – one of a kind tank and skid design allows fire, medical, SAR, personnel transport, and cargo transport to be performed with the tank attached.
- Night Vision Capable – new Firehawk helicopters are built with night flying capability, versus having to retrofit and add additional after-market equipment.
- Hoist Capable – Sikorsky is one of the few Original Equipment Manufacturer (OEM) that includes a Hoist system on the assembly of new helicopters.

Firehawk Missions-In Addition to Wildfire Suppression:

The following missions have been performed with DFPC contracted helicopters within the current 120-day contract periods during core wildfire season. Year-round availability would increase the ability and opportunities to perform non-wildfire missions. It is important to note that these are examples of previous missions and only illustrative of likely future missions:

- Search and Rescue: insertion and extraction of search crews, patient extraction, aerial search, body recovery, etc.
- State OIT: delivery of technicians, supplies, and tower equipment to high elevation radio repeater and OIT sights for maintenance, repair, and construction
- Colorado Department of Natural Resources: insertion and extraction of personnel, materials, camping supplies and equipment into remote sites for wildlife management projects
- Colorado Department of Transportation: delivery of cylinders for avalanche mitigation projects
- Prescribed Fire: holding support and aerial ignitions on interagency prescribed fire projects

- Other: extraction of “Walter the Dinosaur’s” bones/fossils from NW Colorado (\$30M in value)
- Other: extraction of tons of trash/debris from remote areas around Telluride, CO in conjunction with the City of Telluride and the US Forest Service
- Other: provide hands on training opportunities for local agency firefighters and SAR teams

In addition to the above mission types, it is likely that other State agencies are currently contracting for helicopter services that could be performed by a State owned aircraft. Other examples of uses to be further evaluated include, but are not limited to; people or crew transport to remote locations, Department of Agriculture livestock feeding during blizzards, recon missions for natural or man-made disasters, Law Enforcement missions, etc.