



Colorado General Assembly
Joint Budget Committee

JOINT BUDGET COMMITTEE STAFF FY 2024-25 BUDGET BRIEFING SUMMARY

Department of Public Safety
Division of Criminal Justice

The Division of Criminal Justice provides assistance to state and local agencies in the criminal justice system by analyzing policy, conducting criminal justice research, managing programs, and administering grants.

FY 2023-24 APPROPRIATION AND FY 2024-25 REQUEST

DEPARTMENT OF PUBLIC SAFETY (DIVISION OF CRIMINAL JUSTICE)						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION:						
SB23-214 (Long Bill)	166,473,301	120,666,658	4,836,435	6,200,345	34,769,863	94.2
Other legislation	442,819	442,819	0	0	0	3.2
TOTAL	\$166,916,120	\$121,109,477	\$4,836,435	\$6,200,345	\$34,769,863	97.4
FY 2024-25 REQUESTED APPROPRIATION:						
FY 2023-24 Appropriation	\$166,916,120	121,109,477	\$4,836,435	\$6,200,345	\$34,769,863	97.4
R2 Invest in local crime prevention	7,500,000	0	7,500,000	0	0	0.0
R6 Crime victim services funding	3,000,000	3,000,000	0	0	0	0.0
R9 DCJ resources to increase public safety	536,141	536,141	0	0	0	5.1
R12 Comm corr performance-based contracting	384,210	384,210	0	0	0	0.0
R15 Provider rate common policy	1,800,796	1,687,320	0	113,476	0	0.0
R17 Rename DCJ and relocate Office of School Safety	8,592,156	3,195,665	5,396,491	0	0	17.8
Indirect cost assessment	156,707	0	22,335	0	134,372	0.0
Technical adjustment	0	0	(291,563)	0	291,563	0.0
Annualize prior year legislation	(17,920,792)	(17,629,229)	0	0	(291,563)	(7.6)
Annualize prior year budget actions	(7,771,704)	(7,911,241)	35,852	27,866	75,819	0.3
Non prioritized requests	(673,832)	0	(673,832)	0	0	0.0
TOTAL	\$162,519,802	\$104,372,343	\$16,825,718	\$6,341,687	\$34,980,054	113.0
INCREASE/(DECREASE)	(\$4,396,318)	(\$16,737,134)	\$11,989,283	\$141,342	\$210,191	15.6
Percentage Change	(2.6%)	(13.8%)	247.9%	2.3%	0.6%	16.0%

R2 INVESTMENT IN LOCAL CRIME PREVENTION STRATEGIES [LEGISLATION REQUIRED]: The Department requests that the JBC sponsor legislation to transfer \$7.5 million General Fund to the Multidisciplinary Crime Prevention and Crisis Intervention (MCPCI) Grant Fund in FY 2024-25 and every fiscal year thereafter with the aim of “reducing crime, especially violent crime.” Staff notes that the \$7.5 million cash funds appropriation shown in the request and in the table above is unnecessary because the MCPCI Grant Fund is continuously appropriated to the Department. A cash funds appropriation is only necessary if the cash fund is annually appropriated. Briefing Issue 1 provides more details about this request.

R6 CRIME VICTIM SERVICES FUNDING: The Department requests a one-time appropriation of \$3.0 million General Fund to the continuously appropriated Colorado Crime Victim Services Fund. JBC staff notes that \$3.0 million represents the total amount of funding for this purpose in FY 2024-25. The request shows that the \$3.0 million would be *in addition to* the \$8.0 million General Fund appropriation included in the FY 2023-24 Long Bill. However, that \$8.0 million appropriation was one-time and should have been excluded from the FY 2024-25 base (see Annualize Prior Year Budget Actions). The Executive Branch concurs.

The request aims to partially offset a projected \$40.0 million decline in federal funding. The decline stems from: (1) A federal trend to pursue deferred prosecutions which resulted in fewer fines being collected, (2) inconsistent Congressional adjustments to the cap on Victim of Crimes Act awards, and (3) Fewer large scale prosecutions against companies that resulted in very large deposits into the federal Crime Victims Fund, and (4) More carve-outs for special projects being taken from the federal Crime Victims Fund.

R9 DCJ RESOURCES INCREASE PUBLIC SAFETY: The Department requests an increase of \$659,636 General Fund and 5.1 FTE in FY 2024-25, with \$536,141 appropriated to DCJ and the remainder appropriated to the Executive Director's Office for centrally appropriated compensation costs. This would annualize to \$578,153 General Fund and 5.4 FTE in FY 2025-26.

The request aims to "...meet increasing demand for services, address identified programmatic and operational gaps, and ensure all efforts support equity diversity and inclusion (EDI) in the most streamlined approach possible." It continues, saying, "The request is directly related to specific Wildly Important Goals (WIGs)," such as reducing aggravated assaults and developing a comprehensive strategic plan.

The request includes the following components:

- **\$78,000 on a one-time basis for a consultant** that would help with strategic initiatives. Specifically, the consultant would gain input from internal and external stakeholders, synthesize information for the Department's leadership, and facilitate work sessions within DCJ to "build a visionary blueprint to make Colorado one of the top ten safest states in the country."
- **\$221,595 and 1.8 FTE to implement a statewide Training and Technical Assistance Hub.** This portion of the request is basically a repeat of a request from last year (R11 Technical assistance for safer communities). In that request, the Department asked for \$555,358 General Fund and 2.8 FTE. JBC staff recommended denial of the request and the JBC approved staff's recommendation.

Like last year's request, these new FTE would "provide technical assistance to potential and existing grantees to build capacity, apply for funding, and increase the evidence-based practices across Colorado."

- **\$110,798 and 0.9 FTE for project manager in DCJ's Office of Community Corrections.** This project manager would follow-up on deficiencies identified during performance-based contracting audits and reviews.
- **\$74,647 and 0.9 FTE to recruit domestic violence and sex offender providers.** The request emphasizes the recruitment of providers from diverse groups. This new staffer would develop resources for providers, conduct outreach and provide assistance, analyze provider needs, and work with universities to assist with provider recruitment.
- **\$53,326 and 0.5 FTE for a human trafficking trainer.** This position already exists and was partially funded by a grant that is now ending.

- **\$111,170 and 0.9 FTE for a Victim Rights Act Specialist** who would “...be the statewide expert on victim support.” They would provide training and technical assistance for agencies with Victim Rights Act (VRA) responsibilities and process all formal VRA complaints.

R12 COMMUNITY CORRECTIONS PERFORMANCE-BASED CONTRACTING: The Department requests an increase of \$384,210 General Fund starting in FY 2024-25. These funds would go to community corrections providers that are meeting performance targets related to security audits, adherence to evidence-based practices, and key performance indicators related to staff training and retention. Providers would earn these funds as a percentage of the base per-diem rate. In this case, they would earn up to 2.0 percent of that base rate.

This request represents the next phase of DCJ’s performance based contracting plan, which was first implemented in FY 2022-23. Providers can currently earn up to 2.0 percent of the base per-diem rate if they are meeting performance targets related to recidivism and program completion. The table below, taken from the request, shows the broad strokes of that plan.

Table 1 - PBC Initial Payment Model FY23 - FY27

Initial Payment Model					
	Fiscal Year 22 - 23	FY 23 - 24	FY - 24 - 25	FY 25 - 26	FY 26 - 27
Base per diem	100%	100%	99%	99%	99%
Risk Informed Outcomes:					
Successful Completion	1%	1%	1%	1%	1%
Recidivism	1%	1%	1%	1%	1%
CORE/PACE/KPIs	Evaluating	Evaluating	2%	2%	2%
Max Payment	102%	102%	103%	103%	103%

CORE refers to security audits, PACE refers to evidence-based practices, and KPI refers to key performance indicators.

R15 PROVIDER RATE COMMON POLICY: The Department requests an increase of \$1,800,796 total funds, including 1,687,320 General Fund, as part of the 2.0 provider rate common policy increase proposed by the Governor.

R17 RENAME DCJ AND RELOCATE OFFICE OF SCHOOL SAFETY [LEGISLATION REQUIRED]: The Department requests that the JBC sponsor legislation to rename the Division of Criminal Justice (DCJ) to the Division of Community Partnerships and Programs (DCPP). The Department also wants this legislation to relocate the Office of School Safety from the Executive Director’s Office to the newly-named DCPP. This would be a net-zero reallocation of funding.

The request asserts that the proposed name better reflects the Division’s actual function. It also asserts that moving the Office of School Safety to the DCPP would lead to “efficiencies and economies of scale” in the areas of training, technical assistance, and grant making.

The JBC may recall that there was a budget request last year that led to the creation of the Office of School Safety (OSS) via a JBC-sponsored bill (S.B. 23-241). That budget request placed the OSS in the Executive Director’s Office (EDO). However, during the drafting process for S.B. 23-241, the Department asked the drafter to place the OSS in

the Division of Criminal Justice. The JBC opted against this move and ran the bill with OSS placed in the EDO as originally requested. The current request revives that conversation.

INDIRECT COST ASSESSMENT: The request includes a net increase in the Division's indirect cost assessment.

TECHNICAL ADJUSTMENTS: The Department's budget request shows federal ARPA appropriations as federal funds, whereas the JBC shows them as appropriations from cash funds. This net-zero technical change is a temporary adjustment to accurately reflect the Department's request.

ANNUALIZE PRIOR YEAR LEGISLATION: The request includes a net decrease of \$17.9 million total funds to reflect the FY 2024-25 impact of legislation from prior years.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB23-1199 Forensic medical evidence	\$233,259	\$233,259	\$0	\$0	\$0	2.9
SB23-164 Sunset SOMB	106	106	0	0	0	0.2
SB22-145 Resources comm. Safety	(15,200,000)	(15,200,000)	0	0	0	(2.0)
HB22-1003 Youth delinquency	(2,100,000)	(2,100,000)	0	0	0	(2.0)
SB22-196 Health needs criminal justice	(291,563)	0	0	0	(291,563)	(2.5)
Sunset CO human trafficking council	(225,642)	(225,642)	0	0	0	(1.8)
Sunset CCJJ remove funds	(220,076)	(220,076)	0	0	0	(2.5)
SB23-242 Comm corr financial audit	(100,000)	(100,000)	0	0	0	0.0
HB23-1108 Victim training judicial	(11,900)	(11,900)	0	0	0	0.0
SB23-054 Missing & murdered indigenous relatives	(4,976)	(4,976)	0	0	0	0.1
TOTAL	(\$17,920,792)	(\$17,629,229)	\$0	\$0	(\$291,563)	(7.6)

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The request includes a net decrease of \$7.8 million total funds to reflect the FY 2024-25 impact of budget actions in prior years.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Prior year salary survey	\$428,676	\$289,139	\$35,852	\$27,866	\$75,819	0.0
FY23-24 R16 Research & stats staff	15,038	15,038	0	0	0	0.2
FY22-23 R12 Comm corr billing system	8,598	8,598	0	0	0	0.0
FY23-24 R21 Comm corr support staff	1,613	1,613	0	0	0	0.1
FY23-24 One-time victim services funds	(8,000,000)	(8,000,000)	0	0	0	0.0
FY23-24 R19 VINE upgrade	(225,629)	(225,629)	0	0	0	0.0
TOTAL	(\$7,771,704)	(\$7,911,241)	\$35,852	\$27,866	\$75,819	0.3

NON PRIORITIZED REQUESTS: The request includes a decrease of \$673,832 cash funds from the Marijuana Tax Cash Fund to reflect the underutilization of funding intended to compensate criminal justice agencies for changes in civil asset forfeiture statutes.

SUMMARY OF ISSUES PRESENTED TO THE JOINT BUDGET COMMITTEE

ONE-TIME FUNDING AUTHORIZED IN RECENT LEGISLATIVE SESSIONS: This issue discusses significant one-time funding to the Division of Criminal Justice. During the 2021 and 2022 legislative sessions, the General Assembly

allocated \$82.2 million in one-time funding to the Division, including \$40.7 million General Fund and \$41.5 million federal ARPA funds.

ISSUE 1 R2 INVEST IN LOCAL CRIME PREVENTION STRATEGIES: This issue provides additional details about the Department's request for the JBC sponsor legislation to transfer \$7.5 million General Fund to the continuously appropriated Multidisciplinary Crime Prevention and Crisis Intervention (MCPCI) Grant Fund in FY 2024-25 and every fiscal year thereafter with the aim of "reducing crime, especially violent crime."

FOR MORE INFORMATION

JBC STAFF ANALYST: Justin Brakke
(303) 866-4958
justin.brakke@coleg.gov

TO READ THE ENTIRE BRIEFING: Go to <http://leg.colorado.gov/content/budget/budget-documents> to use the budget document search tool. Select this department's name under *Department/Topic*, "Briefing" under *Type*, and select a *Start date* and *End date* to show documents released in November and December of 2022.