

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee
FROM Alfredo Kemm, JBC Staff (303-866-4549)
DATE April 11, 2022
SUBJECT Judicial – beyond the scope non-technical Long Bill CC amendment

The Courts have alerted staff to a need for additional courthouse security funding for FY 2022-23. The Courts have identified a need of \$400,000 General Fund for this purpose.

The Courthouse Security line item in the Courts Administration, Centrally Administered Programs, was established in 2007 (S.B. 07-118), to provides grant funds to counties with limited financial resources for use in improving courthouse security efforts. Such efforts include security staffing, security equipment, training, and court security emergency needs. Grants are potentially available to all counties with highest priority given to counties meeting at least two of the following criteria: population below the state median; per capita income below the state median; property tax revenues below the state median; population living below the federal poverty line above the state median.

A court security specialist (1.0 FTE) administers the grant program, and the Court Security Cash Fund Commission evaluates grant applications. The program is supported by the Court Security Cash Fund, which consists of a \$5 surcharge on: docket fees and jury fees for certain civil actions; docket fees for criminal convictions, special proceeding filings, and certain traffic infraction penalties; filing fees for certain probate filings; and fees for certain filings on water matters. The Fund is used for grants and related administrative costs. County-level local security teams may apply to the State Court Administrator's Office for grants.

The Courts state that the FY 2022-23 appropriation of \$2,530,635 cash funds is generally fully accounted for in grants for the year, and the Fund is projected to have a balance of \$46,934 at the end of FY 2022-23, and therefore does not have the capacity to sustain additional expenditures.

However, the Courts have received additional requests for security funding related to high profile cases scheduled for the year that include the Morphew Trial in Fremont County, the Peters Trial in Mesa County, and the officers involved in the McClain case in Adams County. The Courts have received specific information that they are anticipating approximately \$1.7 million in additional security costs from Adams County, of which, the Commission would likely provide \$300,000 to Adams County. Specific requests have not yet been submitted by the other counties, but the Courts are requesting an additional \$100,000 General Fund for unanticipated cases for the balance of the year.

The Courts anticipate submitting a budget request in the next budget cycle that will address systemic needs related to courthouse security. Therefore, at this time, this request for funding is limited to a one-year appropriation of General Fund for this purpose.

Staff recommends that the Committee consider approving and including \$400,000 General Fund for this purpose in the Long Bill Conference Committee report.