

MEMORANDUM

TO: Members of the JBC

FROM: Steve Allen, JBC Staff

SUBJECT: Staff Comeback for the Division of Criminal Justice.

DATE: March 17, 2016

Recommendation 1: Staff recommends changing the name of the new Division of Criminal Justice (DCJ) line item titled *Condition of Probation Placements* to *Correctional Treatment Cash Fund Residential Placements* and attaching a footnote to the line stating that 48 of these beds are condition of probation intensive residential treatment beds. Staff recommends amending the associated Request for Information accordingly. There is no change to the appropriation.

Analysis: The name *Condition of Probation Placements* does not fully describe the types of beds and clients that are supported by the Correctional Treatment Cash Fund.

Recommendation 2: Staff recommends moving the appropriation in the new line item called *S.B. 15-124 Placements* into the *Community Corrections Placements* line item and amending the associated footnote and Request for Information accordingly. There is no change to the appropriation.

Analysis: The objective of the new *S.B. 15-124 Placements* line item was to track suspected underuse of these beds by the Department of Corrections. However, before S.B. 15-124 became law, some parolees were already in intensive residential treatment (IRT) beds that were funded from the *Community Corrections Placements* line item. The DCJ and the DOC have both informed staff that it is impossible to identify which parolees are in IRT beds supported by S.B. 15-124 (Reduce parole revocations for technical violations), which are in IRT beds supported by H.B. 10-1360 (Parole placement for technical violations), and which are in IRT beds supported by other General Fund appropriations. As a consequence, *S.B. 15-124 Placements* cannot be stated separately from *Community Corrections Placements*.

Recommendation 3: Staff recommends that Request for Information 8 be modified to read as follows. There is no change to the appropriation.

8. Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements – As part of its ~~FY 2016-17~~ FY 2016-17 budget request, the Department is requested to report the estimated impact on community corrections facilities and community corrections boards of any standards or rules that the Department ~~has~~ issued or revised during ~~FY 2014-15~~ THE MOST RECENTLY CONCLUDED FISCAL YEAR AND THE ESTIMATED IMPACT OF ANY EVIDENCE-BASED-PRACTICE INITIATIVES FROM THE DEPARTMENT THAT COMMUNITY CORRECTIONS FACILITIES OR BOARDS ARE IMPLEMENTING. This report should include a summary of the ~~new~~ EVIDENCE-BASED-PRACTICE INITIATIVES, standards, or

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rules, an estimate of the amount of time it will take facilities or boards to comply, an estimate of the number of additional FTE that will be required for compliance, INCLUDING ADDITIONAL FTE NECESSARY FOR INITIAL AND ONGOING TRAINING, and an estimate of additional financial costs that facilities or boards may incur. The Department is also requested to report any new or revised standards, rules, or laws from the federal government, the state government, local governments, or other parties that are likely to have a similar impact on community corrections facilities or on community corrections boards. The Department does not need to estimate the costs of standards, rules, and laws issued by other governments or other parties.

Analysis: Staff has become increasingly aware of the many compliance costs that community corrections programs incur and has tried to track them with this Request for Information. Staff learned after figure setting that the focus on "standards or rules" in the prior version of the RFI was missing much more extensive costs associated with the implementation of evidence based practices.