

# **COLORADO GENERAL ASSEMBLY**

## **JOINT BUDGET COMMITTEE**



### **FY 2008-09 JOINT BUDGET COMMITTEE STAFF BUDGET BRIEFING**

#### **DEPARTMENT OF PUBLIC SAFETY**

**(Except Division of Criminal Justice)**

**JBC Working Document - Subject to Change**

**Staff Recommendation Does Not Represent Committee Decision**

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December 21, 2007**

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**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY**  
(Except Division of Criminal Justice)  
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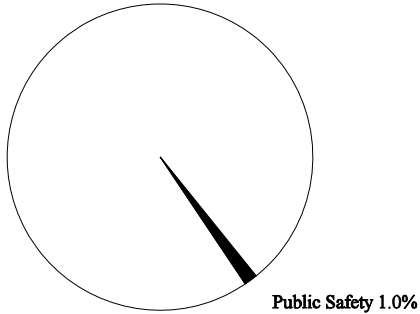
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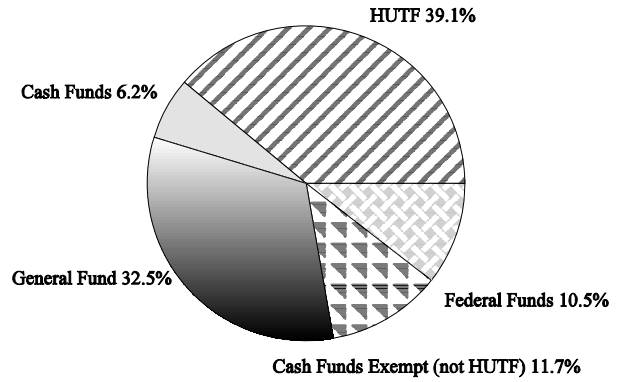
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**FY 2008-09 Joint Budget Committee Staff Budget Briefing  
DEPARTMENT OF PUBLIC SAFETY  
GRAPHIC OVERVIEW**

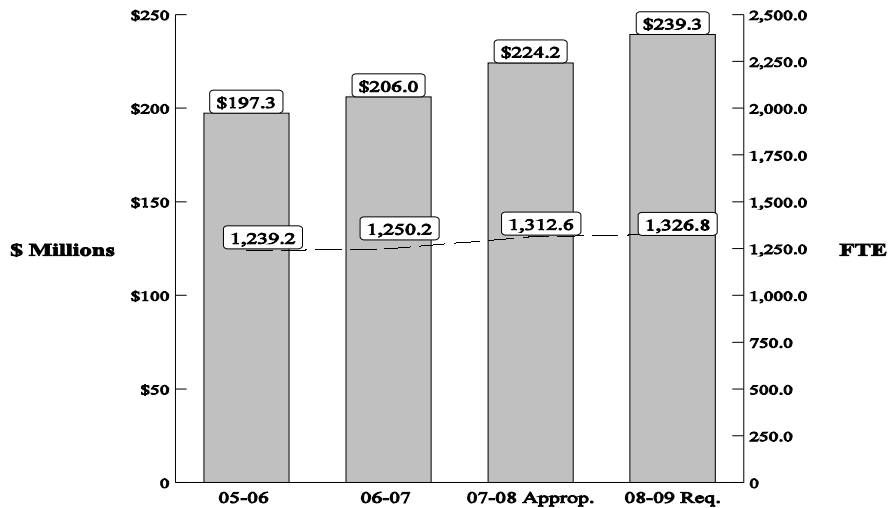
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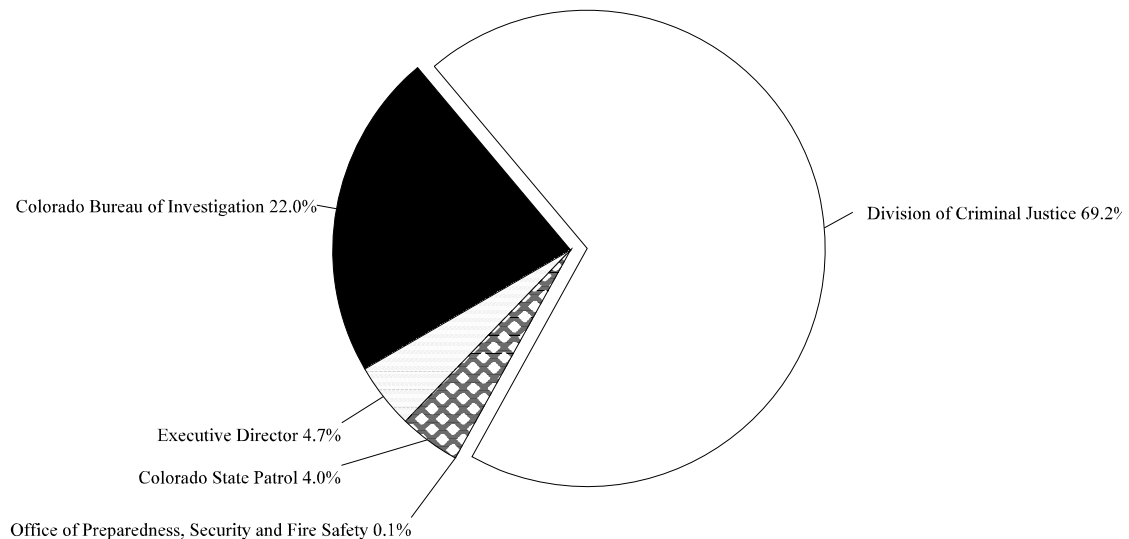


**Budget History**



**FY 2008-09 Joint Budget Committee Staff Budget Briefing  
DEPARTMENT OF PUBLIC SAFETY  
DEPARTMENT OVERVIEW**

**Department of Public Safety: General Fund by Division  
FY 2007-08 Appropriation (\$72.8 million)**



## Key Responsibilities

The Department of Public Safety has the following key responsibilities:

- ▶ Promotes safety, protects human life, and preserves the highways of the State by enforcing the laws relating to highways and traffic;
- ▶ Operates the law enforcement training academy;
- ▶ Assists state and local law enforcement in investigating and detecting crime and in enforcing the criminal laws of the State;
- ▶ Maintains fingerprint and other identification records, operates the statewide crime reporting database, and arranges for scientific laboratory services and facilities;
- ▶ Assists in resolving fire safety problems, administers a uniform statewide fire reporting system, and trains firefighters and first responders;
- ▶ Coordinates the State's response to the threat of terrorism; and
- ▶ Investigates organized crime.

## **Factors Driving the Budget**

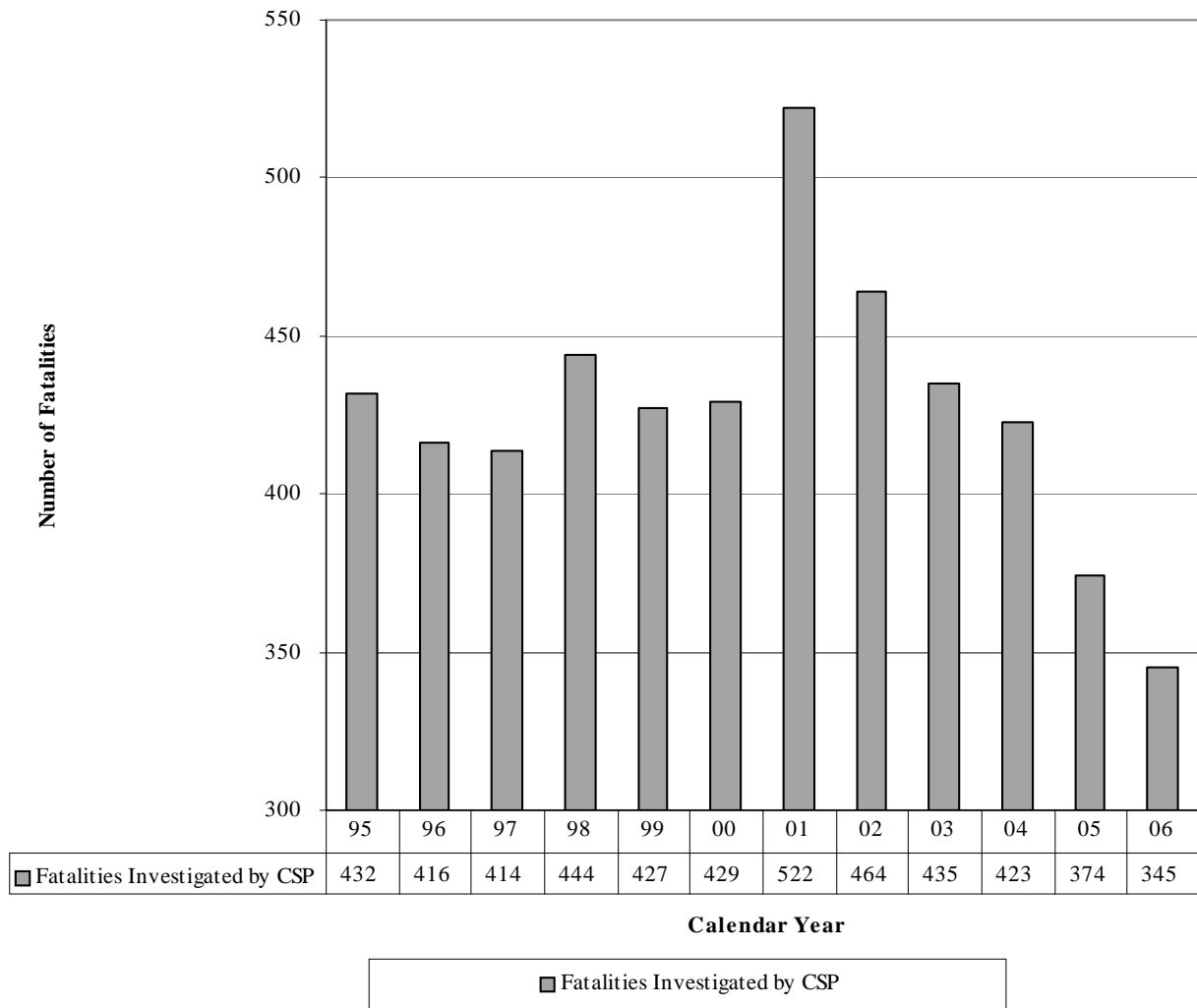
The Department consists of three divisions (in addition to Criminal Justice): the Colorado State Patrol; the Colorado Bureau of Investigation; and the Office of Preparedness, Security, and Fire Safety. In addition, the Colorado Integrated Criminal Justice Information System (CICJIS) is administered through the Department. The budget is driven largely by: (1) state highway supervision needs, which are funded from the Highway Users Tax Fund (HUTF); (2) advances in law enforcement information and investigative technologies; and (3) the availability of federal funding for law enforcement and homeland security needs.

### **Colorado State Patrol**

The primary mission of the Colorado State Patrol (CSP) is highway safety. Highway supervision needs, and hence the CSP's budget, depend largely on highway usage, which is measured in "vehicle miles traveled" and other indicators. The CSP enforces traffic laws on approximately 9,000 miles of state and federal highways and 57,000 miles of county roads, and it has special safety programs for hazardous materials transport and for commercial vehicles.

The CSP is in the fifth year of implementation of a traffic safety improvement plan. The plan includes using saturation patrols on the most dangerous highway segments, targeting the most hazardous traffic violations, and increasing trooper visibility statewide. The goal is to reduce traffic deaths to less than 1 per 100 million vehicle miles traveled by the year 2008 and to eliminate most traffic deaths in Colorado by the year 2025. The Alive-at-25 and other driver safety training programs support the traffic safety improvement plan. The graph on the following page shows the reduction in lives lost on Colorado highways since the plan began in 2002.

**Colorado State Patrol - Number of Persons Killed  
in Crashes Investigated by CSP**



**Highway Users Tax Fund (HUTF)**

The Highway Users Tax Fund (HUTF) provides approximately 39 percent of the Department budget and 80 percent of the Colorado State Patrol budget. The statutory limit on HUTF appropriations to the Colorado State Patrol thus has a significant impact on the Department's budget. HUTF revenue sources include gas and special-fuel taxes, fines, license plate fees, driver's license fees, motor vehicle title and registration fees, and passenger-mile taxes. About 74 percent of HUTF revenues, excluding any S.B. 97-1 transfers, come from gas taxes.

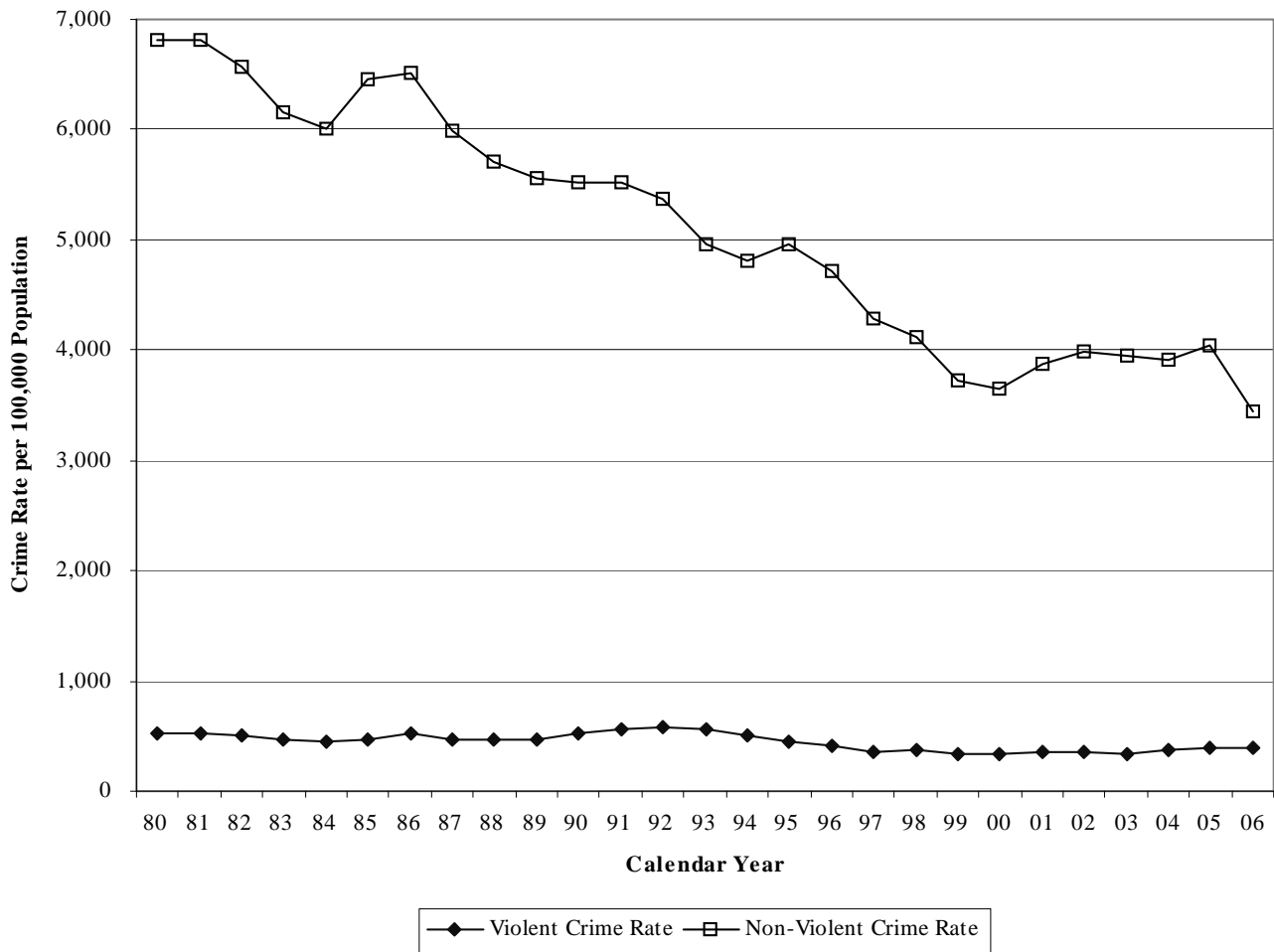
The Colorado Constitution requires that motor vehicle license and registration fees and gas taxes be used exclusively for the construction, maintenance, and supervision of the State's highways. The Colorado State Patrol, along with the Ports of Entry, receive a portion of HUTF revenues for supervision of the highways before any other distributions are made. The distribution to the Colorado State Patrol and the Ports of Entry is taken "off-the-top" before the formula allocation of

the HUTF to the highway fund, counties, and cities. Section 43-4-201 (3) (a) (I) (B), C.R.S. limits the "off-the-top" HUTF expenditures for highway supervision to six percent annual growth, regardless of any increase or decrease in overall highway-related revenues. The "off-the-top" limit is calculated on the previous year's base; it is not a proportion of revenues going to HUTF, nor is there a specific monetary cap.

**Colorado Bureau of Investigation**

The Colorado Bureau of Investigation (CBI) provides information technology, laboratory, and investigative services to local, state, and federal law enforcement agencies upon request. The Department has not cited demographic or crime trend data which might help identify factors driving requests for assistance, but the Department's website reports information on crime trends (<http://dcj.state.co.us/ors/stats3.htm>). The following graph illustrates the rates of violent versus non-violent crime in Colorado from calendar year 1980 through 2006 (data for 2005 and 2006 are from the Federal Bureau of Investigation, [http://www.fbi.gov/ucr/cius2006/data/table\\_04.html](http://www.fbi.gov/ucr/cius2006/data/table_04.html)):

**Colorado Violent vs. Non-Violent Crime Rates  
CY1980 - 2006**



### Colorado Crime Information Center

The Colorado Crime Information Center (CCIC) provides information around the clock to law enforcement agencies on wants, warrants, case status, stolen property, vehicle registration, known offenders, and drivers licenses. The CCIC maintains system hardware and software, including a statewide telecommunications network connecting more than 350 client law enforcement agencies to the CCIC. The budget is driven primarily by information technology maintenance and enhancement needs.

The CBI's information services also include the Colorado Sex Offender Registry and the Colorado Law Enforcement Intelligence Network (CLEIN), a statewide information repository on drug enforcement and organized crime. The CBI also provides criminal identification checks online, criminal background checks, and fingerprint-based criminal background checks.

In addition, the CBI operates the State's "InstaCheck" criminal background check program for the firearms industry, checking on approximately 150,000 firearms transfers per year. The program is supported with 86.6 percent General Fund, and the budget is driven primarily by the need for a reasonable turnaround time on firearms sales. InstaCheck, by statute, must be open for business at least twelve hours per day every calendar day, except Christmas day and Thanksgiving day.

The InstaCheck program is internet-based, but if a firearms dealer does not have internet access, he or she may request an instant check by telephone. An InstaCheck staff person takes the information over the telephone, enters it into the system, and then gives the response back to the dealer by telephone. The number of requests being performed over the internet has increased steadily over the past few years. During FY 2006-07, the InstaCheck unit received nearly 78 percent of its background requests over the internet, up from 66 percent in FY 2005-06. The average queue time for all background requests for FY 2006-07 was about 15 minutes; however, the CBI does not report average queue time for internet checks and for telephone checks separately. Further information is available at <http://cbi.state.co.us/ic/statistic.htm>.

### Laboratory

The laboratory analyzes DNA, fingerprint, firearms and toolmarks, physiological fluids, chemical, document, and digital evidence, as well as trace evidence and shoe and tire track evidence. Its budget is driven, in part, by advances in technology. In recent years, the General Assembly has appropriated General Fund for a DNA robotics automated instrumentation device, a new laboratory information management system for enhanced DNA database and analysis capabilities, and leases for new spectrometer, microspectrometer, and digital photographic equipment. The General Assembly also appropriated resources for a new forensic facility in Grand Junction that will open April 1, 2008.

The CBI reports that during FY 2006-07 it received a total of 89 major crime scene requests and processed over 5,000 forensic DNA specimens, more than double the number of specimens processed 5 years ago. The average turn around time for DNA requests was 96 days in FY 2006-07. This turn around time has more than doubled over the past five fiscal years.

In FY 2006-07, CBI also processed 9,798 DNA specimens from convicted offenders, with an



average turn around time of less than 20 days. According to the FBI website, as of October 2007, Colorado had reported a total of 553 "investigations aided" by DNA matches from specimens taken from convicted offenders.

### Investigative Services

Investigators and laboratory analysts investigate crime scenes upon the request of local, state, and federal law enforcement agencies. The major crimes unit collects, analyzes, and disseminates information on organized crime, public disorder, terrorist groups, and other criminal activities. The gaming unit enforces Colorado's organized crime law and other laws relating to the gambling industry. In addition, three of the 27 investigator positions are assigned to perform pre-employment and other polygraph tests for the Department and for other agencies, in addition to other duties.

### **Office of Preparedness, Security, and Fire Safety**

The statutory mandate of the Office of Preparedness, Security and Fire Safety is to coordinate the State's response to the threat of terrorism. The budget has been driven primarily by the availability of federal homeland security funds. The Division of Fire Safety maintains the Colorado Resource Mobilization Plan and is building the Resource Inventory Database. The Division of Fire Safety also conducts Domestic Terrorism Responder Training programs.

### **Colorado Integrated Criminal Justice Information System**

The Colorado Integrated Criminal Justice Information System (CICJIS) is administratively located in the Department of Public Safety but is governed by an executive board comprised of the directors of Public Safety, Corrections, and Human Services; the director of the Colorado district attorneys council; and the state court administrator. The system is a collaborative effort to transfer data among agencies electronically and to match arrest information with case dispositions. The adult disposition match rate for FY 2006-07 was 89.2 percent. The budget is driven largely by technological advances that can enhance system capabilities.

## Summary of Major Legislation

- ✓ **S.B. 07-57 (Veiga/Carroll T.):** Enacts the Uniform Debt-Management Services Act, which requires that providers who develop debt repayment plans for clients register with the Attorney General's Office and regulates the services that these providers supply. Appropriates \$5,250 cash funds and \$6,600 cash funds exempt in FY 2007-08 to the Colorado Bureau of Investigation.
- ✓ **S.B. 07-70 (Takis/Marostica):** Requires motor vehicle recyclers (i.e., vehicles scrapped or dismantled for parts) to verify whether a vehicle is stolen by using a newly-created Motor Vehicle Verification System. Requires the Department of Public Safety to establish an internet-accessible verification system for use by recyclers, vehicle dealers, repair shops, tow operators, and the general public. Appropriates \$74,389 cash funds and 1.0 FTE in FY 2007-08 to the Colorado Bureau of Investigation.
- ✓ **S.B. 07-203 (Groff/Marshall):** Changes the regulatory framework for mortgage brokers from a registration system to a licensing system and generally subjects mortgage brokers to more stringent regulation. Expands the list of prohibited acts in under the Colorado Consumer Protection Act, which is enforced by the Attorney General. Appropriates \$167,864 cash funds and \$211,200 cash funds exempt in FY 2007-08 to the Colorado Bureau of Investigation.
- ✓ **S.B. 07-226 (Boyd/Riesberg):** Makes several changes to various statutes concerning the placement of children outside of the home in order to comply with the federal Safe and Timely Interstate Placement of Foster Children Act of 2006, Child and Family Services Improvement Act of 2006, and Adam Walsh Child Protection and Safety Act of 2006. Requires all family foster care and kinship care applicants, and all adults who reside in the foster care or kinship care applicant's home, to submit to a fingerprint-based criminal history records check. Appropriates \$79,772 cash funds exempt in FY 2007-08 to the Colorado Bureau of Investigation.
- ✓ **H.B. 07-1064 (Mitchell V./Sandoval):** Encourages counties to implement Lifesaver Programs to assist county sheriffs' departments in locating persons who wander due to a medical condition. The Department of Public Safety is to administer a grant program providing funding to counties for capital equipment costs and initial training of up to \$10,000 per county. For FY 2007-08, increases the appropriation to the Department of Public Safety, Executive Director's Office by \$125,000 cash funds exempt. These cash funds exempt will come from the Lifesaver Program Cash Fund, which will be funded through a transfer from the Short-term Innovative Health Program Grant Fund.
- ✓ **H.B. 07-1065 (Pommer/Williams):** Requires criminal history checks for certain motor vehicle carriers, including operators of taxicabs, charter or scenic buses, fire crew transports, luxury limousines, off-road scenic charters, or children's activity buses. Appropriates \$192,915 cash funds exempt and 0.9 FTE in FY 2007-08 to the Colorado Bureau of Investigation

- ✓ **H.B. 07-1249 (Primavera/Spence):** Requires a fingerprint-based criminal background check for officers of moving companies applying for new registrations. Appropriates \$7,878 cash funds exempt in FY 2007-08 to the Colorado Bureau of Investigation.
  
- ✓ **H.B. 07-1272 (Rice/Morse):** Creates a cold case unit in the Department of Public Safety, Colorado Bureau of Investigation. Requires the unit to develop a database containing information on open homicide cases in the State since 1970. Creates the cold case task force, permits the task force to review general homicide investigation methods, and requires the task force to report annually to the General Assembly, beginning on October 1, 2008. For FY 2007-08, increases the appropriation to the Department of Public Safety, Colorado Bureau of Investigation by \$67,822 General Fund and 1.0 FTE.
  
- ✓ **H.B. 07-1322 (Marshall/Groff):** Specifies that a mortgage broker engages in deceptive trade practices in violation of the Colorado Consumer Protection Act, which is enforced by the Attorney General, if he or she does not act for the benefit of the borrower or does not make reasonable efforts to understand the borrower's financial circumstances prior to arranging a loan. Appropriates \$86,088 cash funds, \$211,200 cash funds exempt, and 1.7 FTE in FY 2007-08 to the Colorado Bureau of Investigation.
  
- ✓ **H.B. 07-1326 (Kerr A./Sandoval):** Specifies that sex offenders who commit a child sex crime as defined in the bill must provide all e-mail addresses, instant-messaging identities, and chat-room identities to local law enforcement agencies when registering. Requires the Colorado Bureau of Investigation to include such information in the CCIC database. Appropriates \$38,400 General Fund in FY 2007-08 to the Colorado Bureau of Investigation.
  
- ✓ **H.B. 07-1343 (King/Mitchell S.):** Expands DNA testing requirements to include all offenders in the custody of the Department of Corrections and certain offenders in community corrections or county jail on July 1, 2007, for a sentence imposed before that date. For FY 2007-08, increases the appropriation to the Department of Public Safety, Colorado Bureau of Investigation by \$27,560 General Fund.
  
- ✓ **S.B. 06-150 (Grossman/Hefley):** Expands DNA testing requirements to include all persons who are sentenced for a felony conviction on or after July 1, 2007 and requires DNA testing of juveniles if the offense would constitute a felony if committed by an adult.
  
- ✓ **S.B. 06-225 (Groff/Paccione):** Establishes a new unit within the Colorado State Patrol to address human smuggling and human trafficking on state highways.
  
- ✓ **H.B. 06-1347 (McGihon/Traylor):** Creates the Identity Theft and Financial Fraud Board, establishes a unit in the Colorado Bureau of Investigation to investigate and prosecute identity theft and financial fraud, and creates the Colorado Identity Theft and Financial Fraud Cash Fund, which is funded by surcharges on certain licenses and uniform commercial code filings.

- ✓ **H.B. 05-1143 (Borodkin/Fitz-Gerald):** Creates the Interagency Task Force on Trafficking in Persons, which includes the Executive Director of the Department of Public Safety or his designee, to collect and organize data on the nature and extent of trafficking in persons in the state and to report findings and recommendations to the House and Senate Judiciary Committees by January 15, 2007.
- ✓ **S.B. 05-013 (Veiga/Marshall):** Establishes the requirement of a criminal history record check upon renewal of certain licenses issued by the real estate commission and makes an appropriation of cash funds and cash funds exempt to the Colorado Bureau of Investigation.
- ✓ **H.B. 05-1078 (Vigil/Tupa):** Modifies the governing structure for the Colorado Integrated Criminal Justice Information System (CICJIS) by replacing the CICJIS program task force with an executive board.
- ✓ **H.B. 05-1013 (Cloer/Tapia):** Establishes the requirement of fingerprint-based criminal history record checks for persons appointed by a court to represent certain vulnerable persons and makes an appropriation of cash funds to the Colorado Bureau of Investigation.
- ✓ **H.B. 05-1175 (Hodge/Takis):** Establishes the requirement concerning the use of criminal history record information for emergency placement of children in cases of dependency or neglect and makes an appropriation of cash funds and cash funds exempt to the Colorado Bureau of Investigation.
- ✓ **H.B. 05-1093 (Solano/Shaffer):** Changes the background check requirement for prospective adoptive parents to require a fingerprint-based criminal history record check and makes an appropriation of cash funds and cash funds exempt to the Colorado Bureau of Investigation.
- ✓ **H.B. 05-1196 (Tapia/Hall):** Extended to June 30, 2006, the authorization for the Motor Vehicle Division to receive funding from the Highway Users Tax Fund (HUTF).
- ✓ **S.B. 04-146 (Reeves/Plant):** Provides spending authority to the Colorado State Patrol under the federal 1122 Procurement Program for procurement of law enforcement equipment for state and local authorities from the U.S. Department of Defense.
- ✓ **H.B. 04-1077 (Jahn/Anderson):** Establishes the requirement of background investigations for sex offender treatment providers and domestic violence offender treatment providers.
- ✓ **S.B. 04-226 (Taylor/Cadman):** Establishes the requirement of a criminal history record check for those applying for explosives permits.
- ✓ **H.B. 03-1114 (Clapp/Hillman):** Establishes the requirement of a criminal history record check for those applying for a teacher's license and makes an appropriation to the Colorado Bureau of Investigation.

- ✓ **S.B. 03-024 (Chlouber/White):** Authorizes concealed handguns with a permit, requires a fingerprint-based criminal history record check for those seeking a permit, and makes an appropriation to the Colorado Bureau of Investigation.
- ✓ **S.B. 03-267 (Reeves/Young):** Authorized the use of Highway Users Tax Fund "off-the-top" distributions for the Division of Motor Vehicles in the Department of Revenue through June 30, 2005.
- ✓ **H.B. 02-1315 (Mitchell/Hagedorn):** Creates the Office of Preparedness, Security, and Fire Safety as a division within the Department of Public Safety and creates the State Facility Security Fund.
- ✓ **H.B. 00-1280 (Berry/Owen):** Changes the definition of total compensation for state troopers to at least 99 percent of the actual average salary of the three law enforcement agencies in the State with the highest levels of total compensation.
- ✓ **S.B. 00-125 (Owen/Tool):** Provides funding for a permanent statewide instant background check system on purchasers of firearms.
- ✓ **H.B. 99-1056 (Berry/Phillips) and S.B. 99-20 (Zimmerman/Phillips):** Changes the structure of the statewide response to hazardous materials accidents, including areas of reporting, training, and local reimbursement.
- ✓ **H.B. 98-1060 (Anderson/Ament):** Creates the Public Safety Communications Trust Fund to build an FCC compliant radio system to assist in the management of natural disasters, health emergencies, and terrorism threats.
- ✓ **S.B. 98-180 (Schroeder/Adkins), S.B. 96-221 (Ament/Grampsas), and H.B. 95-1101 (Kerns/Bishop):** Authorizes planning, creation, and maintenance of the Colorado Integrated Criminal Justice Information System CICJIS.
- ✓ **S.B. 95-47 (R. Powers/Foster):** Limits the "off-the-top" appropriations from the Highway Users Tax Fund to the Department of Public Safety (Colorado State Patrol) and the Department of Revenue (Ports of Entry) and limits the annual growth of these "off-the-top" appropriations to no more than six percent.
- ✓ **S.B. 92-36 (Bird/Grampsas):** Transfers the Division of Disaster Emergency Services in the Department of Public Safety to the Office of Emergency Management in the Department of Local Affairs, transfers the Colorado Emergency Planning Commission in the Department of Public Safety to the Department of Local Affairs, adds the "Colorado Disaster Emergency Act of 1992," and creates the Disaster Emergency Fund.

## Major Funding Changes FY 2006-07 to FY 2007-08

### Executive Director's Office

Action	General Fund	Other Funds	Total Funds	Total FTE
Salary and Benefits Adjustments	\$675,757	\$2,350,079	\$3,025,836	0.0
Common Policy Adjustments	151,233	275,243	426,476	0.0
Annualize Salary Increases Awarded in FY 2006-07	94,609	0	94,609	0.0
CSP Trooper Increase for Gaming Highways	0	54,304	54,304	1.0
Recidivism Reduction Package	883	0	883	0.0
Fund Mix Adjustment	(94,136)	94,136	0	0.0
Eliminate one-time funding	(37,996)	(40,180)	(78,176)	0.0
Base Reduction	(473)	(15,617)	(16,090)	0.0
H.B. 07-1064	0	125,000	125,000	0.0
<b>Total Change</b>	<b>789,877</b>	<b>2,842,965</b>	<b>3,632,842</b>	<b>1.0</b>

### Office of Preparedness, Security, and Fire Safety

Action	General Fund	Other Funds	Total Funds	Total FTE
Division of Fire Safety Information Technology System	\$0	\$337,725	\$337,725	0.0
Annualize Salary Increases Awarded in FY 2006-07	3,457	11,977	15,434	0.0
Indirect Cost Adjustment	0	4,668	4,668	0.0
Federal Grants	0	(20,250)	(20,250)	0.0
Base Reduction	(448)	(3,592)	(4,040)	0.0
<b>Total Change</b>	<b>3,009</b>	<b>330,528</b>	<b>333,537</b>	<b>0.0</b>

**Colorado State Patrol**

<b>Action</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total Funds</b>	<b>Total FTE</b>
Annualize salary increases awarded in FY 2006-07	\$69,435	\$2,679,852	\$2,749,287	0.0
Annualize prior year legislation	634,511	0	634,511	12.0
CSP trooper increase for gaming highways	0	398,092	398,092	4.0
Indirect cost adjustment	0	363,600	363,600	0.0
CSP victim assistance	0	200,000	200,000	0.0
Common policy adjustments	0	160,983	160,983	0.0
Fund mix adjustment	(703,241)	703,241	0	0.0
Base reduction	(15,559)	(347,246)	(362,805)	0.0
<b>Total change</b>	<b>(14,854)</b>	<b>4,158,522</b>	<b>4,143,668</b>	<b>16.0</b>

**Colorado Bureau of Investigation**

<b>Action</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total Funds</b>	<b>Total FTE</b>
Annualize salary increases awarded in FY 2006-07	\$303,635	\$74,813	\$378,448	0.0
CBI Western Slope office relocation	160,499	200,000	360,499	0.0
Annualize prior year legislation	359,092	(6,675)	352,417	3.0
CBI CCIC audit FTE	113,073	0	113,073	2.0
CBI laboratory price increases	0	61,125	61,125	0.0
Indirect cost adjustment	0	29,991	29,991	0.0
Common policy adjustments	2,930	0	2,930	0.0
Base reduction	(57,693)	(20,515)	(78,208)	0.0
SB 07-57	0	11,850	11,850	0.0
SB 07-70	0	74,389	74,389	1.0
SB 07-203	0	379,064	379,064	0.0
SB 07-226	0	79,772	79,772	0.0
HB 07-1065	0	192,915	192,915	0.9
HB 07-1249	0	7,878	7,878	0.0
HB 07-1272	67,822	0	67,822	1.0
HB 07-1322	0	297,288	297,288	1.7
HB 07-1326	38,400	0	38,400	0.0
HB 07-1343	27,560	0	27,560	0.0
<b>Total change</b>	<b>1,015,318</b>	<b>1,381,895</b>	<b>2,397,213</b>	<b>9.6</b>



**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY (Shaded items relate to areas covered in this briefing packet)**

**Decision Item Priority List**

<b>Priority</b>	<b>Division: Description</b> <i>[Statutory Authority]</i>	<b>GF</b>	<b>CF</b> <i>[Source]</i>	<b>CFE</b> <i>[Source]</i>	<b>HUTF</b>	<b>FF</b> <i>[Source]</i>	<b>TOTAL</b>	<b>FTE</b>
1	<b>Office of Preparedness, Security, and Fire Safety</b>  Provide funding for the Safe2Tell Director position, previously paid by independent grant. The Department is projecting an increase of \$102,554 (GF) and 1.0 FTE in FY 2009-10.  <i>[Sections 16-15.8-101 through 104 and 22-1-126, C.R.S.]</i>	\$97,186	\$0	\$0	\$0	\$0	\$97,186	0.9
2	<b>Colorado Bureau of Investigation</b>  Increase latent print analysis staff within the CBI Laboratory Services Section. The Department is projecting an increase of \$269,042 (GF) and 3.0 FTE for FY 2009-10.  <i>[Sections 24-33.5-412 (a) and (c), C.R.S.]</i>	268,036	0	0	0	0	268,036	2.8

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3	<b>Colorado Bureau of Investigation</b> Consolidate Laboratory Services and Investigative Services Long Bill line items. Request would create "Laboratory and Investigative Services" personal services and operating line items. The Department does not project an increase or decrease in funding as a result of the change.  <i>[Section 24-33.5-412, C.R.S.]</i>	0	0	0	0	0	0	0.0
4	<b>Colorado State Patrol</b> Provide funding for seven additional troopers and three additional dispatchers (10.0 total FTE) as part of the CSP Traffic Safety Improvement Plan. The Department projects an increase of \$730,281 (CFE) and 10.0 FTE in FY 2009-10.  <i>[Section 24-33.5-203, C.R.S.]</i>	0	0	0	928,180	0	928,180	10.0

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5	<b>Division of Criminal Justice</b>	2,282,157	0	0	0	0	2,282,157	0.0
6	<b>Division of Criminal Justice</b>	0	395,822	0	0	0	395,822	0.0
7	<b>Division of Fire Safety</b>  Provide funding for personnel to administer the National Fire Incident Reporting System, a position previously funded through federal grants. The Department is projecting an increase of \$82,320 (GF) and 1.0 FTE in FY 2009-10.  <i>[Section 24-33.5-1203, C.R.S.]</i>	78,479	0	0	0	0	78,479	0.9

**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY (Shaded items relate to areas covered in this briefing packet)**

**Decision Item Priority List**

<b>Priority</b>	<b>Division: Description</b> <i>[Statutory Authority]</i>	<b>GF</b>	<b>CF</b> <i>[Source]</i>	<b>CFE</b> <i>[Source]</i>	<b>HUTF</b>	<b>FF</b> <i>[Source]</i>	<b>TOTAL</b>	<b>FTE</b>
8	<p><b>Division of Fire Safety</b></p> <p>Provide funding for personnel to maintain the State's Emergency Resource Mobilization Program and Resource Ordering and Status System (ROSS), a position previously funded through federal grants. The Department is projecting an increase of \$65,465 (GF) and 1.0 FTE in FY 2009-10.</p> <p><i>[Sections 24-33.5-1203, 24-33.5-1210, and 24-33.5-108, C.R.S.]</i></p>	59,863	0	0	0	0	59,863	0.9
9	<p><b>Colorado State Patrol</b></p> <p>Consolidate funding for the Colorado State Patrol from the current 20 line items in the Long Bill to 12 line items. The Department does not project an increase or decrease in funding as a result of the change.</p> <p><i>[Section 24-33.5-220, C.R.S.]</i></p>	0	0	0	0	0	0	0.0

**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY (Shaded items relate to areas covered in this briefing packet)**

**Decision Item Priority List**

<b>Priority</b>	<b>Division: Description</b> <i>[Statutory Authority]</i>	<b>GF</b>	<b>CF</b> <i>[Source]</i>	<b>CFE</b> <i>[Source]</i>	<b>HUTF</b>	<b>FF</b> <i>[Source]</i>	<b>TOTAL</b>	<b>FTE</b>
10	<b>Division of Criminal Justice</b>	366,951	0	0	0	0	366,951	0.0
11	<b>Division of Criminal Justice</b>	659,237	7,323	0	0	0	666,560	0.0
12	<b>Division of Criminal Justice</b>	93,871	0	(93,871)	0	0	0	0.0
13	<b>Division of Criminal Justice</b>	100,000	0	0	0	0	100,000	0.0

**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY (Shaded items relate to areas covered in this briefing packet)**

**Decision Item Priority List**

<b>Priority</b>	<b>Division: Description</b> <i>[Statutory Authority]</i>	<b>GF</b>	<b>CF</b> <i>[Source]</i>	<b>CFE</b> <i>[Source]</i>	<b>HUTF</b>	<b>FF</b> <i>[Source]</i>	<b>TOTAL</b>	<b>FTE</b>
14	<b>Division of Criminal Justice</b>	777,920	0	0	0	0	777,920	0.0
15	<b>Division of Criminal Justice</b>	0	0	0	0	0	0	0.0
16	<b>Colorado Bureau of Investigation</b> Provide additional cash funds spending authority to allow the CBI to fill previously appropriated position in the Colorado Fraud Investigation Unit. The Department projects an increase of \$87,019 in FY 2009-10.  <i>[Section 24-33.5-107, C.R.S.]</i>	0	86,682	0	0	0	86,682	0.0

**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY (Shaded items relate to areas covered in this briefing packet)**

**Decision Item Priority List**

<b>Priority</b>	<b>Division: Description</b> <i>[Statutory Authority]</i>	<b>GF</b>	<b>CF</b> <i>[Source]</i>	<b>CFE</b> <i>[Source]</i>	<b>HUTF</b>	<b>FF</b> <i>[Source]</i>	<b>TOTAL</b>	<b>FTE</b>
NP-1	<b>Statewide Decision Item</b> Provide a statewide multiuse network adjustment. The Department is projecting an increase of \$126,213 (GF) in FY 2009-10.	126,213	0	0	0	0	126,213	0.0
NP-2	<b>Statewide Decision Item</b> Provide statewide funding for C-SEAP Program - Workers' Compensation. The Department is projecting an increase of \$23,748 in FY 2009-10.	23,748	0	0	0	0	23,748	0.0
NP-3	<b>Statewide Decision Item</b> Reduce statewide funding to purchase new vehicles to replace state fleet vehicles meeting replacement mileage criteria.	95,830	(21,927)	(19,877)	(624,040)	(3,765)	(573,779)	0.0
	<b>Total Department Request</b>	<b>\$5,029,491</b>	<b>\$467,900</b>	<b>(\$113,748)</b>	<b>\$304,140</b>	<b>(\$3,765)</b>	<b>\$5,684,018</b>	<b>15.5</b>
	<b>Total for Shaded Items</b>	<b>503,564</b>	<b>86,682</b>	<b>0</b>	<b>928,180</b>	<b>0</b>	<b>1,518,426</b>	<b>15.5</b>

**FY 2008-09 Budget Briefing**  
**Department of Public Safety**  
(Except Division of Criminal Justice)  
**OVERVIEW OF NUMBERS PAGES**

<b>Requested Funding Changes FY 2007-08 to FY 2008-09</b>							
	<b>Total</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>HUTF</b>	<b>Cash Funds Exempt</b>	<b>Federal Funds</b>	<b>FTE</b>
Decision Items (Except for DCJ)	<u>\$1,518,426</u>	<u>\$503,564</u>	<u>\$86,682</u>	<u>\$928,180</u>	<u>\$0</u>	<u>\$0</u>	<u>15.5</u>
#1 OPSFS - Safe2Tell Director	97,186	97,186	0	0	0	0	0.9
#2 CBI - Latent Print Analysts	268,036	268,036	0	0	0	0	2.8
#4 CSP Traffic Safety Improvement Plan	928,180	0	0	928,180	0	0	10.0
#7 DFS - National Fire Incident Reporting System	78,479	78,479	0	0	0	0	0.9
#8 DFS - Emergency Response Mobilization	59,863	59,863	0	0	0	0	0.9
#16 CBI - Fraud Investigation Unit	86,682	0	86,682	0	0	0	0.0
Statewide Decision Items	(423,818)	245,791	(21,927)	(624,040)	(19,877)	(3,765)	0.0
Health, Life, Dental	881,117	260,286	(52,249)	555,322	69,299	48,459	0.0
Salary Survey	405,327	175,704	46,962	130,364	41,707	10,590	0.0
Other	4,946,400	1,405,951	81,869	3,375,382	(84,482)	167,680	(1.9)
<b>Total Change for DCJ</b>	7,814,196	4,714,480	449,176	0	(79,982)	2,730,522	0.6
<b>Net Change</b>	<b>\$15,141,648</b>	<b>\$7,305,776</b>	<b>\$590,513</b>	<b>\$4,365,208</b>	<b>(\$73,335)</b>	<b>\$2,953,486</b>	<b>14.2</b>



**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
<b>Peter A. Weir, Executive Director</b>					
<b>(1) EXECUTIVE DIRECTOR'S OFFICE</b>					
Manages Department functions. Funding sources include: Highway Users Tax Fund, indirect cost recoveries, Limited Gaming funds appropriated in the Department of Revenue, and Hazardous Materials Safety Fund.					
<b>(A) Administration</b>					
Personal Services	2,007,840	2,078,371	2,196,360	2,312,317	
FTE	<u>27.3</u>	<u>26.7</u>	<u>30.5</u>	<u>30.7</u>	
General Fund	0	0	0	0	
HUTF	24,792	24,742	24,618	24,520	
Cash Funds Exempt	1,983,048	2,053,629	2,171,742	2,287,797	
FTE	27.3	26.7	30.5	30.7	
Health, Life, and Dental	<u>3,486,934</u>	<u>4,809,582</u>	<u>6,037,846</u>	<u>6,918,963</u>	
General Fund	709,820	819,571	1,072,493	1,332,779	
Cash Funds	201,253	270,989	396,875	344,626	
HUTF	2,430,745	3,452,244	4,093,729	4,649,051	
Cash Funds Exempt	145,116	266,778	210,850	280,149	
Federal Funds	0	0	263,899	312,358	
Short-term Disability	<u>97,214</u>	<u>74,516</u>	<u>100,283</u>	<u>108,956</u>	
General Fund	17,778	16,149	22,081	25,043	
Cash Funds	4,795	3,782	5,847	5,865	
HUTF	65,971	51,127	63,795	68,638	
Cash Funds Exempt	8,670	3,458	5,052	6,211	
Federal Funds	0	0	3,508	3,199	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
S.B. 04-257 Amortization Equalization Disbursement	<u>165,514</u>	<u>497,998</u>	<u>918,026</u>	<u>1,354,722</u>	DI #1, 2, 4, 7, 8, 16
General Fund	29,214	109,531	198,657	315,199	
Cash Funds	9,212	25,047	53,967	73,263	
HUTF	112,344	340,250	588,877	851,756	
Cash Funds Exempt	14,744	23,170	44,144	75,128	
Federal Funds	0	0	32,381	39,376	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>0</u>	<u>0</u>	<u>185,187</u>	<u>437,702</u>	DI #1, 2, 4, 7, 8, 16
General Fund	0	0	35,318	101,969	
Cash Funds	0	0	11,243	23,771	
HUTF	0	0	122,682	275,398	
Cash Funds Exempt	0	0	9,199	23,889	
Federal Funds	0	0	6,745	12,675	
Salary Survey and Senior Executive Service	<u>3,077,021</u>	<u>3,184,961</u>	<u>3,530,311</u>	<u>3,935,638</u>	
General Fund	521,117	502,253	537,093	712,797	
Cash Funds	108,744	139,477	133,135	180,097	
HUTF	2,314,341	2,399,543	2,585,754	2,716,118	
Cash Funds Exempt	132,819	143,688	154,783	196,490	
Federal Funds	0	0	119,546	130,136	
Performance-based Pay Awards	<u>0</u>	<u>0</u>	<u>1,174,910</u>	<u>1,310,238</u>	
General Fund	0	0	246,025	299,558	
Cash Funds	0	0	49,252	69,140	
HUTF	0	0	775,171	828,561	
Cash Funds Exempt	0	0	63,836	74,256	
Federal Funds	0	0	40,626	38,723	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Shift Differential	<u>212,312</u>	<u>227,520</u>	<u>242,873</u>	<u>299,351</u>	
General Fund	25,222	32,373	44,850	61,902	
Cash Funds	62,071	50,540	57,967	69,485	
HUTF	116,148	117,952	125,582	159,839	
Cash Funds Exempt	8,871	26,655	14,474	8,125	
Workers' Compensation	<u>1,860,926</u>	<u>1,675,387</u>	<u>2,014,983</u>	<u>2,267,506</u>	DI NP -2
General Fund	0	0	0	23,748	
Cash Funds Exempt	1,860,926	1,675,387	2,014,983	2,243,758	
Operating Expenses	<u>157,857</u>	<u>157,857</u>	<u>161,645</u>	<u>161,645</u>	
General Fund	0	0	0	0	
Cash Funds Exempt	157,857	157,857	161,645	161,645	
Legal Services for 2,113 Hours - Cash Funds Exempt	132,594	143,198	152,199	152,199	
Administrative Law Judge Services - General Fund	1,196	0	0	0	
Purchase of Services from Computer Center	<u>43,627</u>	<u>216,377</u>	<u>108,160</u>	<u>4,668</u>	
General Fund	0	172,107			
Cash Funds Exempt	43,627	44,270	108,160	4,668	
Multiuse Network Payments	<u>890,647</u>	<u>859,790</u>	<u>969,405</u>	<u>1,095,618</u>	DI NP-1
General Fund	302,852	0		126,213	
HUTF	42,495	42,495	42,495	42,495	
Cash Funds Exempt	545,300	817,295	926,910	926,910	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Payment to Risk Management and Property Funds	<u>187,283</u>	<u>732,869</u>	<u>720,961</u>	<u>999,633</u>	
General Fund	0	324,811	309,276	294,152	
HUTF	18,801	12,488	12,442	12,039	
Cash Funds Exempt	168,482	395,570	399,243	693,442	
Vehicle Lease Payments	<u>31,253</u>	<u>36,072</u>	<u>48,493</u>	<u>34,005</u>	DI NP-3
General Fund	9,657	14,236	14,236	165	
Cash Funds	2,675	2,675	2,675	2,258	
Cash Funds Exempt	18,921	19,161	31,582	31,582	
Leased Space	<u>947,371</u>	<u>1,682,251</u>	<u>1,907,259</u>	<u>1,907,259</u>	
General Fund	163,865	493,345	858,230	858,230	
Cash Funds	0	0	30,057	30,057	
HUTF	401,466	410,384	464,329	464,329	
Cash Funds Exempt	382,040	778,522	554,643	554,643	
Capitol Complex Leased Space	<u>1,002,606</u>	<u>1,031,906</u>	<u>1,121,977</u>	<u>1,141,278</u>	
General Fund	31,820	15,455	0	0	
Cash Funds	3,138	3,253	3,698	3,729	
HUTF	472,281	483,886	488,284	502,226	
Cash Funds Exempt	495,367	529,312	629,995	635,323	
Communication Services Payments	<u>699,648</u>	<u>789,677</u>	<u>793,140</u>	<u>849,326</u>	
General Fund	21,895	10,555	0	0	
Cash Funds	12,293	17,609	16,228	19,621	
HUTF	654,945	737,191	731,125	767,068	
Cash Funds Exempt	10,515	24,322	39,898	54,105	
Federal Funds	0	0	5,889	8,532	

**DEPARTMENT OF PUBLIC SAFETY**  
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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Utilities	<u>86,919</u>	<u>86,578</u>	<u>87,407</u>	<u>87,407</u>	
HUTF	85,907	85,907	85,907	85,907	
Cash Funds Exempt	1,012	671	1,500	1,500	
Distributions to Local Government - Cash Funds	40,000	18,520	50,000	50,000	
<b>Subtotal - (A) Administration</b>	15,128,762	18,303,430	22,521,425	25,428,431	
FTE	<u>27.3</u>	<u>26.7</u>	<u>30.5</u>	<u>30.7</u>	
General Fund	1,834,436	2,510,386	3,338,259	4,151,755	
Cash Funds	444,181	531,892	810,944	871,912	
HUTF	6,740,236	8,158,209	10,204,790	11,447,945	
Cash Funds Exempt	6,109,909	7,102,943	7,694,838	8,411,820	
FTE	27.3	26.7	30.5	30.7	
Federal Funds	0	0	472,594	544,999	
<b>(B) Special Programs</b>					
<b>(1) Witness Protection Program</b>					
Witness Protection Fund - General Fund	22,834	0	50,000	50,000	
Witness Protection Fund Expenditures	<u>67,322</u>	<u>71,046</u>	<u>50,000</u>	<u>50,000</u>	
Cash Funds	1,970	1,305	0	0	
Cash Funds Exempt	65,352	69,741	50,000	50,000	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>Subtotal - (B)(1) Witness Protection Program</b>	90,156	71,046	100,000	100,000	
FTE	0.0	0.0	0.0	0.0	
General Fund	22,834	0	50,000	50,000	
Cash Funds	1,970	1,305	0	0	
Cash Funds Exempt	65,352	69,741	50,000	50,000	
FTE	0.0	0.0	0.0	0.0	
Federal Funds	0	0	0	0	
FTE	0.0	0.0	0.0	0.0	
<b>(2) Colorado Integrated Criminal Justice Information System (CICJIS)</b>					
Personal Services	907,844	1,108,752	1,055,921	1,086,734	
FTE	<u>8.0</u>	<u>9.3</u>	<u>11.0</u>	<u>11.0</u>	
General Fund	0	0	0	0	
Cash Funds Exempt	774,323	793,794	807,669	839,475	
FTE	8.0	9.3	11.0	11.0	
Federal Funds	133,521	314,958	248,252	247,259	
FTE	0.0	0.0	0.0	0.0	
Operating Expenses	<u>180,807</u>	<u>342,786</u>	<u>200,502</u>	<u>200,502</u>	
General Fund	67,892	0	0	0	
Cash Funds Exempt	58,609	126,502	150,502	150,502	
Federal Funds	54,306	216,284	50,000	50,000	
Leased Equipment - Cash Funds Exempt	19,835	24,000	0	0	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>Subtotal - (B)(2) Colorado Integrated Criminal Justice Information System (CICJIS)</b>	1,108,486	1,475,538	1,256,423	1,287,236	
FTE	<u>8.0</u>	<u>9.3</u>	<u>11.0</u>	<u>11.0</u>	
General Fund	67,892	0	0	0	
Cash Funds Exempt	852,767	944,296	958,171	989,977	
FTE	8.0	9.3	11.0	11.0	
Federal Funds	187,827	531,242	298,252	297,259	
FTE	0.0	0.0	0.0	0.0	
					Request vs. Appropriation
<b>TOTAL -</b>					
<b>(1) EXECUTIVE DIRECTOR'S OFFICE</b>	16,327,404	19,850,014	23,877,848	26,815,667	12.3%
FTE	<u>35.3</u>	<u>36.0</u>	<u>41.5</u>	<u>41.7</u>	
General Fund	1,925,162	2,510,386	3,388,259	4,201,755	24.0%
Cash Funds	446,151	533,197	810,944	871,912	7.5%
HUTF	6,740,236	8,158,209	10,204,790	11,447,945	12.2%
Cash Funds Exempt	7,028,028	8,116,980	8,703,009	9,451,797	8.6%
FTE	35.3	36.0	41.5	41.7	
Federal Funds	187,827	531,242	770,846	842,258	9.3%
FTE	0.0	0.0	0.0	0.0	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>(2) COLORADO STATE PATROL</b>					
Enforces motor vehicle laws, assists motorists, conducts vehicle safety checks, investigates traffic accidents, and oversees hazardous materials transport. Primary cash funds and cash funds exempt sources include: Vehicle Inspection Number Identification Fund, Highway Users Tax Fund, Limited Gaming Funds appropriated to the Department of Revenue, and					
Colonel, Lt. Colonels, Majors, and Captains	3,263,893	3,526,876	3,670,211	3,831,960	DI #9
FTE	<u>33.0</u>	<u>34.0</u>	<u>34.0</u>	<u>34.0</u>	
General Fund	0	106,426	105,894	113,348	
FTE	0.0	1.0	1.0	1.0	
HUTF	3,263,893	3,420,450	3,564,317	3,718,612	
FTE	33.0	33.0	33.0	33.0	
Sergeants, Technicians, and Troopers	38,765,383	40,763,462	43,994,984	46,988,655	DI #4, 9
FTE	<u>600.1</u>	<u>597.9</u>	<u>609.6</u>	<u>616.6</u>	
General Fund	0	952,128	789,479	1,537,649	
FTE	0.0	10.0	22.0	22.0	
Cash Funds	779,200	760,617	847,466	881,707	
FTE	13.0	13.0	13.0	13.0	
HUTF	37,010,420	38,080,906	41,078,377	43,209,037	
FTE	568.6	557.3	557.0	564.0	
Cash Funds Exempt	975,763	969,811	1,279,662	1,360,262	
FTE	18.5	17.6	17.6	17.6	



**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Civilians	4,562,923	4,718,472	4,850,799	5,035,383	DI #9
FTE	<u>83.1</u>	<u>83.3</u>	<u>82.5</u>	<u>82.5</u>	
General Fund	0	39,283	39,087	41,405	
FTE	0.0	<u>1.0</u>	1.0	1.0	
Cash Funds	50,360	48,699	59,416	61,739	
FTE	2.0	2.0	2.0	2.0	
HUTF	4,462,971	4,586,371	4,700,286	4,873,787	
FTE	80.1	79.3	78.5	78.5	
Cash Funds Exempt	49,592	44,119	52,010	58,452	
FTE	1.0	1.0	1.0	1.0	
Retirements - HUTF	399,997	400,000	400,000	400,000	DI #9
Overtime	<u>1,341,252</u>	<u>1,333,682</u>	<u>1,403,815</u>	<u>1,403,815</u>	DI #9
Cash Funds	16,450	7,282	74,137	74,137	
HUTF	1,299,542	1,304,416	1,304,416	1,304,416	
Cash Funds Exempt	25,260	21,984	25,262	25,262	
Operating Expenses	<u>6,631,353</u>	<u>6,775,808</u>	<u>6,897,911</u>	<u>7,054,166</u>	DI #4, 9
General Fund	120,443	444,724	462,528	462,528	
Cash Funds	345,562	416,727	424,889	424,889	
HUTF	6,026,748	5,757,622	5,747,249	6,009,516	
Cash Funds Exempt	138,600	156,735	263,245	157,233	
MDC Asset Maintenance - HUTF	0	835,316	835,316	839,810	DI #4, 9

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	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Vehicle Lease Payments	<u>3,985,785</u>	<u>3,816,467</u>	<u>4,751,160</u>	<u>4,210,708</u>	DI #4, NP-3
General Fund	0	0	68,616	141,984	
Cash Funds	50,286	97,320	111,615	84,918	
HUTF	3,853,709	3,658,414	4,442,944	3,845,784	
Cash Funds Exempt	81,790	60,733	86,692	99,101	
Federal Funds	0	0	41,293	38,921	
Communications Program (Dispatch Services)	6,203,400	6,775,438	7,069,307	7,421,876	DI #4
FTE	<u>129.5</u>	<u>131.1</u>	<u>136.1</u>	<u>139.1</u>	
Cash Funds	642,772	594,546	632,581	729,916	
FTE	11.0	11.0	11.0	11.0	
HUTF	4,979,990	5,639,762	5,768,945	6,078,940	
FTE	109.5	111.1	116.1	119.1	
Cash Funds Exempt	573,806	525,169	657,456	597,530	
FTE	9.0	9.0	9.0	9.0	
Federal Funds	6,832	15,961	10,325	15,490	
State Patrol Training Academy	2,037,817	2,065,389	2,249,360	2,346,104	DI #4, 9
FTE	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>	
Cash Funds	64,478	104,065	78,575	79,544	
FTE	1.0	1.0	1.0	1.0	
HUTF	1,616,928	1,636,977	1,680,470	1,807,661	
FTE	16.0	16.0	16.0	16.0	
Cash Funds Exempt	356,411	324,347	490,315	458,899	

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	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Safety and Law Enforcement Support	2,325,492	2,082,639	2,560,474	2,564,277	DI #9
FTE	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	
Cash Funds	522,209	621,434	466,569	466,546	
Cash Funds Exempt	823,925	827,585	2,093,905	2,097,731	
FTE	1.0	1.0	1.0	1.0	
Federal Funds	979,358	633,620	0	0	
FTE	0	0	0	0	
Aircraft Program	444,962	374,197	688,921	710,735	
FTE	<u>6.0</u>	<u>6.5</u>	<u>6.0</u>	<u>6.0</u>	
Cash Funds	0	3,255	9,791	9,752	
HUTF	296,885	314,268	327,509	349,718	
FTE	6.0	5.0	4.5	4.5	
Cash Funds Exempt	148,077	56,674	351,621	351,265	
FTE	0.0	1.5	1.5	1.5	
Federal Funds	0	0	0	0	
Executive and Capitol Complex Security Program	2,115,977	2,278,874	2,366,763	2,461,859	
FTE	<u>37.5</u>	<u>35.0</u>	<u>39.0</u>	<u>39.0</u>	
General Fund	1,307,741	1,396,598	1,458,703	1,520,068	
FTE	23.2	23.5	23.5	23.5	
Cash Funds Exempt	808,236	882,276	908,060	941,791	
FTE	14.3	11.5	15.5	15.5	

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	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Hazardous Materials Safety Program	926,738	937,335	1,038,766	1,075,235	
FTE	<u>9.2</u>	<u>7.5</u>	<u>12.0</u>	<u>12.0</u>	
Cash Funds	208,262	206,194	290,245	298,757	
FTE	5.5	5.5	5.5	5.5	
HUTF	718,476	731,141	748,521	776,478	
FTE	3.7	2.0	6.5	6.5	
Cash Funds Exempt	0	0	0	0	
Automobile Theft Prevention Authority	<u>342,182</u>	<u>152,567</u>	<u>956,931</u>	<u>956,931</u>	
Cash Funds	19,095	0	0	0	
Cash Funds Exempt	323,087	152,567	956,931	956,931	
Victim Assistance	142,187	113,337	617,411	634,688	DI #9
FTE	<u>5.0</u>	<u>7.0</u>	<u>6.8</u>	<u>6.8</u>	
Cash Funds	0	0	200,000	199,200	
Cash Funds Exempt	142,187	113,337	242,411	261,188	
FTE	5.0	7.0	5.0	5.0	
Federal Funds	0	0	175,000	174,300	
FTE	0	0	1.8	1.8	
Counter-drug Program	3,440,103	2,742,763	4,000,000	4,000,000	DI #9
FTE	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	
Cash Funds Exempt	3,432,246	2,713,273	4,000,000	4,000,000	
Federal Funds	7,857	29,490	0	0	
FTE	0.0	0.0	0.0	0.0	

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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Motor Carrier Safety and Assistance Program Grants	<u>2,738,355</u>	<u>2,776,341</u>	<u>2,477,228</u>	<u>2,571,644</u>	
Cash Funds Exempt	10,510	5,911	0	0	
Federal Funds	2,727,845	2,770,430	2,477,228	2,571,644	
FTE	22.0	21.8	22.0	22.0	
Federal Safety Grants - Federal Funds	1,100,525	1,156,209	1,051,478	1,060,082	
Cash Funds Exempt		10,060	0	0	
Federal Funds	1,100,525	1,146,149	1,051,478	1,060,082	
FTE	3.8	9.3	2.0	2.0	
Indirect Cost Assessment	<u>6,412,449</u>	<u>7,270,223</u>	<u>7,655,223</u>	<u>8,212,531</u>	DI #4
Cash Funds	167,644	229,016	203,834	211,718	
HUTF	5,820,776	6,615,740	6,940,453	7,447,097	
Cash Funds Exempt	221,593	237,136	322,896	349,964	
Federal Funds	202,436	188,331	188,040	203,752	
					Request vs. Appropriation
<b>TOTAL - (2) COLORADO STATE PATROL</b>	87,180,773	90,895,395	99,536,058	103,780,459	4.3%
FTE	<u>947.2</u>	<u>951.4</u>	<u>968.0</u>	<u>978.0</u>	
General Fund	1,428,184	2,939,159	2,924,307	3,816,982	30.5%
FTE	23.2	35.5	47.5	47.5	
Cash Funds	2,866,318	3,089,155	3,399,118	3,522,823	3.6%
FTE	32.5	32.5	32.5	32.5	
HUTF	69,750,335	72,981,383	77,538,803	80,660,856	4.0%
FTE	816.9	803.7	811.6	821.6	
Cash Funds Exempt	8,111,083	7,101,717	11,730,466	11,715,609	-0.1%
FTE	48.8	48.6	50.6	50.6	
Federal Funds	5,024,853	4,783,981	3,943,364	4,064,189	3.1%
FTE	25.8	31.1	25.8	25.8	

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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>(3) OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY</b>					
Prevents terrorist attacks in Colorado, reduces Colorado's vulnerability to terrorism, minimizes the damage of attacks, and helps in recovery from					
Personal Services	345,016	377,171	526,131	673,841	DI #7, 8
FTE	<u>5.4</u>	<u>5.3</u>	<u>7.0</u>	<u>9.0</u>	
General Fund	83,690	86,112	89,121	220,324	
FTE	0.8	0.7	1.0	3.0	
Cash Funds	147,957	58,615	316,346	327,767	
FTE	1.9	1.1	4.0	4.0	
Cash Funds Exempt	113,369	232,444	120,664	125,750	
FTE	2.7	3.5	2.0	2.0	
Operating Expenses	<u>166,515</u>	<u>150,049</u>	<u>431,712</u>	<u>440,755</u>	DI #7, 8
General Fund	7,677	7,677	7,677	16,720	
Cash Funds	143,667	124,597	408,864	408,864	
Cash Funds Exempt	15,171	17,775	15,171	15,171	
Office of Anti-Terrorism Planning and Training					
Personal Services	0	281,827	357,795	476,161	DI #1
FTE	<u>0.0</u>	<u>3.7</u>	<u>5.0</u>	<u>5.9</u>	
General Fund	0	0	0	90,867	
FTE	0.0	0.0	0.0	0.9	
Federal Funds	0	281,827	357,795	385,294	
FTE	0.0	3.7	5.0	5.0	

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	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Office of Anti-Terrorism Planning and Training					
Operating Expenses	0	276,801	10,991	15,396	DI #1
General Fund	0	0	0	4,405	
Federal Funds	0	276,801	10,991	10,991	
Federal Grants - Federal Funds	1,789,599	467,546	75,000	75,000	
FTE	7.2	4.3	0.5	0.5	
Indirect Cost Assessment	<u>10,139</u>	<u>11,757</u>	<u>71,380</u>	<u>73,968</u>	
Cash Funds	0	0	23,215	24,211	
Cash Funds Exempt	10,139	11,757	14,087	15,183	
Federal Funds	0	0	34,078	34,574	
					Request vs. Appropriation
<b>TOTAL - (3) OFFICE OF PREPAREDNESS, SECURITY AND FIRE SAFETY</b>	2,311,269	1,565,151	1,473,009	1,755,121	19.2%
FTE	<u>12.6</u>	<u>13.3</u>	<u>12.5</u>	<u>15.4</u>	
General Fund	91,367	93,789	96,798	332,316	243.3%
FTE	0.8	0.7	1.0	3.9	
Cash Funds	291,624	183,212	748,425	760,842	1.7%
FTE	1.9	1.1	4.0	4.0	
Cash Funds Exempt	138,679	261,976	149,922	156,104	4.1%
FTE	2.7	3.5	2.0	2.0	
Federal Funds	1,789,599	1,026,174	477,864	505,859	5.9%
FTE	7.2	8.0	5.5	5.5	

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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>(4) DIVISION OF CRIMINAL JUSTICE</b>					
Publishes <i>Crime and Justice in Colorado</i> ; manages federal funded juvenile justice, anti-drug, and victim assistance programs; and administers					
					Request vs. Appropriation
<b>TOTAL - (4) DIVISION OF CRIMINAL JUSTICE</b>	69,585,921	69,900,566	71,710,334	79,524,530	10.9%
FTE	<u>52.8</u>	<u>48.8</u>	<u>60.9</u>	<u>61.5</u>	
General Fund a/	41,414,843	46,364,383	50,362,918	55,077,398	9.4%
FTE a/	16.5	16.0	21.2	24.0	
Cash Funds b/	2,013,443	2,125,751	2,633,592	3,082,768	17.1%
FTE	6.9	7.0	7.4	7.4	
Cash Funds Exempt c/	618,175	506,636	1,242,320	1,162,338	-6.4%
FTE	4.4	3.4	9.0	7.6	
Federal Funds	25,539,460	20,903,796	17,471,504	20,202,026	15.6%
FTE	25.0	22.4	23.3	22.5	

a/ For FY 2007-08, includes increase of \$92,657 and 1.0 FTE pursuant to H.B. 07-1358.

b/ For FY 2007-08, includes increase of \$116,240 pursuant to H.B. 07-1263.

c/ For FY 2007-08, includes increases of \$38,503 pursuant to H.B. 07-1057 and \$125,000 pursuant to H.B. 07-1064.



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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>(5) COLORADO BUREAU OF INVESTIGATION</b>					
Investigates crimes, performs lab analyses of crime scene evidence, operates the criminal history information system, and conducts criminal background checks. Fund sources include fingerprint and name check fees, Victims Assistance and Law Enforcement Fund, and Limited Gaming Fund.					
<b>(A) Administration</b>					
Personal Services	316,184	385,282	383,188	342,019	DI #1
FTE	<u>4.0</u>	<u>3.8</u>	<u>4.0</u>	<u>4.0</u>	
General Fund	255,398	322,959	319,439	275,697	
FTE	3.0	2.8	3.0	3.0	
Cash Funds	60,786	62,323	63,749	66,322	
FTE	1.0	1.0	1.0	1.0	
Operating Expenses	<u>23,984</u>	<u>23,984</u>	<u>23,984</u>	<u>23,984</u>	
General Fund	13,007	13,007	13,007	13,007	
Cash Funds	10,977	10,977	10,977	10,977	
Vehicle Lease Payments	<u>115,800</u>	<u>119,357</u>	<u>168,230</u>	<u>203,295</u>	DI #2, NP-3
General Fund	87,754	97,465	128,777	174,910	
Cash Funds	2,034	1,575	2,034	7,221	
Cash Funds Exempt	18,445	3,954	29,295	14,433	
Federal Funds	7,567	16,363	8,124	6,731	
Federal Grants - Federal Funds	1,339,232	1,342,056	820,781	824,906	
FTE	2.6	3.0	3.0	3.0	

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	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Indirect Cost Assessment	<u>277,422</u>	<u>311,763</u>	<u>387,468</u>	<u>410,848</u>	
Cash Funds	176,780	220,517	291,175	304,921	
Cash Funds Exempt	100,642	91,246	96,293	105,927	
<b>Subtotal - (A) Administration</b>	<b>2,072,622</b>	<b>2,182,442</b>	<b>1,783,651</b>	<b>1,805,052</b>	
FTE	<u>6.6</u>	<u>6.8</u>	<u>7.0</u>	<u>7.0</u>	
General Fund	356,159	433,431	461,223	463,614	
FTE	3.0	2.8	3.0	3.0	
Cash Funds	250,577	295,392	367,935	389,441	
FTE	1.0	1.0	1.0	1.0	
Cash Funds Exempt	119,087	95,200	125,588	120,360	
Federal Funds	1,346,799	1,358,419	828,905	831,637	
FTE	2.6	3.0	3.0	3.0	
<b>(B) Colorado Crime Information Center (CCIC)</b>					
<b>(1) CCIC Program Support</b>					
Personal Services	712,386	733,317	914,610	942,696	DI #3
FTE	<u>13.2</u>	<u>13.5</u>	<u>17.0</u>	<u>17.0</u>	DI #3
General Fund	716,243	738,094	796,605	823,409	
FTE	13.2	13.5	14.8	14.8	
Cash Funds	(3,857)	(4,777)	118,005	119,287	
FTE	0.0	0.0	2.2	2.2	
Operating Expenses	<u>121,362</u>	<u>121,362</u>	<u>205,418</u>	<u>198,692</u>	DI #3
General Fund	121,362	121,362	130,083	126,362	
Cash Funds	0	0	55,402	52,397	
Cash Funds Exempt	0	0	19,933	19,933	
Federal Funds	0	0	0	0	

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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>(2) Identification</b>					
Personal Services	2,573,095	2,748,701	3,150,412	3,093,649	
FTE	<u>45.8</u>	<u>50.4</u>	<u>54.5</u>	<u>52.2</u>	
General Fund	1,049,092	1,078,929	1,114,698	1,158,302	
FTE	22.0	21.8	22.3	22.3	
Cash Funds a/	1,228,759	1,546,155	1,846,457	1,762,813	
FTE a/	19.6	25.6	26.7	25.0	
Cash Funds Exempt b/	295,244	123,617	189,257	172,534	
FTE b/	4.2	3.0	5.5	4.9	
Operating Expenses	<u>3,036,309</u>	<u>3,319,063</u>	<u>5,002,058</u>	<u>4,467,874</u>	
General Fund	244,011	244,010	244,011	244,011	
Cash Funds c/	1,291,634	1,731,092	1,984,846	1,960,330	
Cash Funds Exempt d/	1,500,664	1,343,961	2,773,201	2,263,533	
Lease/Lease Purchase Equipment	<u>540,670</u>	<u>578,989</u>	<u>628,839</u>	<u>583,989</u>	
Cash Funds e/	310,638	368,360	403,260	373,360	
Cash Funds Exempt f/	230,032	210,629	225,579	210,629	
<b>(3) Information Technology</b>					
Personal Services	1,077,625	1,103,711	1,279,464	1,291,448	DI #3
FTE	<u>14.8</u>	<u>15.4</u>	<u>18.0</u>	<u>18.0</u>	DI #3
General Fund g/	1,081,711	1,108,285	1,227,091	1,236,891	
FTE	14.8	15.4	17.0	17.0	
Cash Funds h/	(4,086)	(4,574)	52,373	54,557	
FTE h/	0.0	0.0	1.0	1.0	

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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Operating Expenses	<u>1,284,761</u>	<u>1,284,761</u>	<u>1,394,975</u>	<u>1,353,919</u>	DI #3
General Fund	646,406	646,406	655,127	651,406	
Cash Funds i/	617,803	617,803	705,046	677,686	
Cash Funds Exempt j/	20,552	20,552	34,802	24,827	
<b>Subtotal - (B) Colorado Crime Information Center (CCIC)</b>	9,346,208	9,889,904	12,575,776	11,932,267	
FTE	<u>73.8</u>	<u>79.3</u>	<u>89.5</u>	<u>87.2</u>	
General Fund	3,858,825	3,937,086	4,167,615	4,240,381	
FTE	50.0	50.7	54.1	54.1	
Cash Funds	3,440,891	4,254,059	5,165,389	5,000,430	
FTE	19.6	25.6	29.9	28.2	
Cash Funds Exempt	2,046,492	1,698,759	3,242,772	2,691,456	
FTE	4.2	3.0	5.5	4.9	
Federal Funds	0	0	0	0	
<b>(C) Laboratory Services</b>					
Personal Services - General Fund k/	4,282,502	4,747,651	4,892,368	5,250,257	DI #2, 3
FTE	57.8	59.0	64.5	67.3	
Operating Expenses	<u>1,523,314</u>	<u>1,805,600</u>	<u>2,508,207</u>	<u>2,407,075</u>	DI #2, 3
General Fund l/	1,465,314	1,720,377	2,188,754	2,287,622	
Cash Funds Exempt	58,000	85,223	319,453	119,453	
Federal Funds	0	0	0	0	
Lease/Lease Purchase Equipment - General Fund	353,796	414,177	439,196	439,196	

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	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>Subtotal - (C) Laboratory Services</b>	6,159,612	6,967,428	7,839,771	8,096,528	
FTE	<u>57.8</u>	<u>59.0</u>	<u>64.5</u>	<u>67.3</u>	
General Fund	6,101,612	6,882,205	7,520,318	7,977,075	
FTE	57.8	59.0	64.5	67.3	
Cash Funds Exempt	58,000	85,223	319,453	119,453	
Federal Funds	0	0	0	0	
<b>(D) Investigative Services</b>					
Personal Services	2,638,386	2,760,586	2,978,950	3,096,855	DI #3
FTE	<u>31.3</u>	<u>32.2</u>	<u>35.3</u>	<u>35.3</u>	
General Fund m/	2,105,981	2,216,320	2,321,686	2,416,513	
FTE m/	24.6	25.2	28.3	28.3	
Cash Funds	0	0	0	0	
FTE	0.0	0.0	0.0	0.0	
Cash Funds Exempt	532,405	544,266	657,264	680,342	
FTE	6.7	7.0	7.0	7.0	
Operating Expenses	<u>224,945</u>	<u>230,789</u>	<u>239,500</u>	<u>236,495</u>	DI #3
General Fund n/	172,783	178,627	187,338	184,333	
Cash Funds Exempt	52,162	52,162	52,162	52,162	
Complex Financial Fraud Unit - Cash Funds	0	265,125	546,522	631,925	DI #16
FTE	0	1.7	7.0	7.0	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>Subtotal - (D) Investigative Services</b>	2,863,331	3,256,500	3,764,972	3,965,275	
FTE	<u>31.3</u>	<u>33.9</u>	<u>42.3</u>	<u>42.3</u>	
General Fund	2,278,764	2,394,947	2,509,024	2,600,846	
FTE	24.6	25.2	28.3	28.3	
Cash Funds	0	265,125	546,522	631,925	
FTE	0.0	1.7	7.0	7.0	
Cash Funds Exempt	584,567	596,428	709,426	732,504	
FTE	6.7	7.0	7.0	7.0	
<b>(E) State Point of Contact - National Instant Criminal Background Check Program</b>					
Personal Services	1,080,154	1,172,617	1,219,476	1,247,644	
FTE	<u>21.8</u>	<u>21.7</u>	<u>26.4</u>	<u>26.4</u>	
General Fund	1,018,877	1,039,144	1,056,244	1,082,115	
FTE	19.8	19.7	22.0	22.0	
Cash Funds	60,497	133,473	163,232	165,529	
FTE	2.0	2.0	4.4	4.4	
Cash Funds Exempt	780	0	0	0	
FTE	0.0	0.0	0.0	0.0	
Operating Expenses	<u>333,971</u>	<u>354,143</u>	<u>399,693</u>	<u>399,693</u>	
General Fund	333,971	354,143	344,057	344,057	
Cash Funds	0	0	55,636	55,636	

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
<b>Subtotal - (E) State Point of Contact - National</b>					
<b>Instant Criminal Background Check Program</b>	1,414,125	1,526,760	1,619,169	1,647,337	
FTE	<u>21.8</u>	<u>21.7</u>	<u>26.4</u>	<u>26.4</u>	
General Fund	1,352,848	1,393,287	1,400,301	1,426,172	
FTE	19.8	19.7	22.0	22.0	
Cash Funds	60,497	133,473	218,868	221,165	
FTE	2.0	2.0	4.4	4.4	
Cash Funds Exempt	780	0	0	0	
FTE	0.0	0.0	0.0	0.0	
					Request vs. Appropriation
<b>TOTAL - (5) COLORADO BUREAU OF INVESTIGATION</b>					
	21,855,898	23,823,034	27,583,339	27,446,459	-0.5%
FTE	<u>191.3</u>	<u>200.7</u>	<u>229.7</u>	<u>230.2</u>	
General Fund	13,948,208	15,040,956	16,058,481	16,708,088	4.0%
FTE	155.2	157.4	171.9	174.7	
Cash Funds	3,751,965	4,948,049	6,298,714	6,242,961	-0.9%
FTE	22.6	30.3	42.3	40.6	
Cash Funds Exempt	2,808,926	2,475,610	4,397,239	3,663,773	-16.7%
FTE	10.9	10.0	12.5	11.9	
Federal Funds	1,346,799	1,358,419	828,905	831,637	0.3%
FTE	2.6	3.0	3.0	3.0	

a/ For FY 2007-08, includes increases of \$86,088 and 1.7 FTE pursuant to H.B. 07-1322, \$5,250 pursuant to S.B. 07-57, and \$86,088 pursuant to S.B. 07-203.

b/ For FY 2007-08, includes increases of \$42,586 and 0.9 FTE pursuant to H.B. 07-1065 and \$3,038 pursuant to H.B. 07-1249.

c/ For FY 2007-08, includes increase of \$24,516 pursuant to S.B. 07-203.

d/ For FY 2007-08, includes increases of \$121,129 pursuant to H.B. 07-1065, \$4,840 pursuant to H.B. 07-1249, \$211,200 pursuant to H.B. 07-1322, \$6,600 pursuant to S.B. 07-57, \$211,200 pursuant to S.B. 07-203, and \$79,772 pursuant to S.B. 07-226.

e/ For FY 2007-08, includes increase of \$29,900 pursuant to S.B. 07-203

f/ For FY 2007-08, includes increase of \$14,950 pursuant to H.B. 07-1065.

g/ For FY 2007-08, includes increase of \$38,400 pursuant to H.B. 07-1326.

**DEPARTMENT OF PUBLIC SAFETY**  
**FY 2008-09 Joint Budget Committee Staff Budget Briefing**

	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>

- h/ For FY 2007-08, includes increases of \$65,214 and 1.0 FTE pursuant to S.B. 07-70.
- i/ For FY 2007-08, includes increases of \$9,175 pursuant to S.B. 07-70 and \$27,360 pursuant to S.B. 07-203.
- j/ For FY 2007-08, includes increase of \$14,250 pursuant to H.B. 07-1065.
- k/ For FY 2007-08, includes increase of \$4,503 pursuant to H.B. 07-1343.
- l/ For FY 2007-08, includes increase of \$23,057 pursuant to H.B. 07-1343.
- m/ For FY 2007-08, includes increase of \$58,617 and 1.0 FTE pursuant to H.B. 07-1272.
- n/ For FY 2007-08, includes increase of \$9,205 pursuant to H.B. 07-1272.

				Appropriation	
<b>GRAND TOTAL - DEPARTMENT OF PUBLIC SAFETY</b>	197,261,265	206,034,160	224,180,588	239,322,236	6.8%
FTE	<u>1,239.2</u>	<u>1,250.2</u>	<u>1,312.6</u>	<u>1,326.8</u>	
General Fund	58,807,764	66,948,673	72,830,763	80,136,539	10.0%
FTE	195.7	209.6	241.6	250.1	
Cash Funds	9,369,501	10,879,364	13,890,793	14,481,306	4.3%
FTE	63.9	70.9	86.2	84.5	
HUTF	76,490,571	81,139,592	87,743,593	92,108,801	5.0%
FTE	816.9	803.7	811.6	821.6	
Cash Funds Exempt	18,704,891	18,462,919	26,222,956	26,149,621	-0.3%
FTE	102.1	101.5	115.6	113.8	
Federal Funds	33,888,538	28,603,612	23,492,483	26,445,969	12.6%
FTE	60.6	64.5	57.6	56.8	



**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY**  
(Except Division of Criminal Justice)  
**FY 2007-08 LONG BILL FOOTNOTE UPDATE**

- 4 All Departments, Totals** -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly.

Comment: The Department is in compliance with this footnote. The Department's Rules and Regulations are included on the State's website at the following address: [http://www.state.co.us/gov\\_dir/leg\\_dir/olls/HTML/rules.htm](http://www.state.co.us/gov_dir/leg_dir/olls/HTML/rules.htm).

- 5 All Departments, Totals** -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.

Comment: *This footnote was vetoed by the Governor on May 2, 2007, on the grounds that: (1) it may violate the separation of powers by attempting to administer the appropriation and by attaching requirements to federal funds and private donations which are not subject to legislative appropriation; (2) placing requirements on such funds constitutes substantive legislation; and (3) the footnote would require a substantial dedication of resources and constitutes an unfunded mandate. After the General Assembly overrode all Long Bill vetoes, the Departments was directed to comply to the extent feasible.*

The Department did not submit a separate report outlining the requested information. The Department indicated that the information needed for this footnote is included within the budget request document. Based on the information provided in the Department's budget request, staff compiled the following summary of federal funds and the corresponding FTE level. The summary incorporates all of the divisions in the Department of Public Safety, including the Division of Criminal Justice.

<b>Department of Public Safety - Total Federal Funds and Associated FTE</b>				
<b>Division</b>	<b>FY 2005-06 Actual</b>	<b>FY 2006-07 Actual</b>	<b>FY 2007-08 Approp.</b>	<b>FY 2008-09 Request</b>
Executive Director's Office	\$187,827	\$531,242	\$770,846	\$842,258
FTE	0.0	0.0	0.0	0.0
Colorado State Patrol	5,024,853	4,783,982	3,943,364	4,064,189
FTE	25.8	31.1	25.8	25.8
Office of Preparedness, Security, and Fire Safety	1,789,599	1,026,174	477,864	505,859
FTE	7.2	8.0	5.5	5.5
Criminal Justice	25,544,202	20,910,085	17,471,504	20,202,026
FTE	25.0	22.4	23.3	22.5
Colorado Bureau of Investigation	1,346,799	1,358,419	828,905	831,637
FTE	2.6	3.0	3.0	3.0
<b>TOTAL FUNDS</b>	<b>\$33,893,280</b>	<b>\$28,609,902</b>	<b>\$23,492,483</b>	<b>\$26,445,969</b>
<b>FTE</b>	<b>60.6</b>	<b>64.5</b>	<b>57.6</b>	<b>56.8</b>

- 117 Department of Public Safety, Colorado State Patrol** -- The Department is requested to submit to the Joint Budget Committee a detailed summary of FTE assigned to the field and to special programs on an annual basis beginning on November 1, 2006. Each annual report should include comparative information about the historical assignment of all uniformed positions, vacant positions, State Patrol Academy graduates, employee turnover (including service and disability retirements), and trooper deployment.

*Comment: This footnote was vetoed by the Governor on May 2, 2007, on the grounds that: (1) it may violate the separation of powers by attempting to administer the appropriation; (2) the General Assembly does not have the authority to appropriate FTE; and (3) it constitutes substantive legislation. In his letter to the General Assembly concerning the Long Bill, the Governor indicated that he would instruct the Department to comply with the footnote to the extent feasible. After the General Assembly overrode all Long Bill vetoes, the Departments was again directed to comply to the extent feasible.*

The tables on the following pages provide a summary of FTE assigned to the field and to special programs during FY 2006-07 and FY 2007-08.

<b>COLORADO STATE PATROL AS OF NOVEMBER 2007</b>					
<b>FY 2007-08 Long Bill Personal Services Line Items</b>	<b>Admin.</b>	<b>Field Offices</b>	<b>Commun. Centers</b>	<b>Special Assignment</b>	<b>TOTAL</b>
Colonels, LTC, Majors, and Captains	32.0	-	-	2.0	<b>34.0</b>
Sergeants, Technicians, and Troopers	-	479.0	-	130.6	<b>609.6</b>
Civilians	76.0	-	-	6.5	<b>82.5</b>
Communications Program	-	-	136.1	-	<b>136.1</b>
State Patrol Training Academy	-	-	-	17.0	<b>17.0</b>
Safety and Law Enforcement	-	-	-	1.0	<b>1.0</b>
Aircraft Program	-	-	-	6.0	<b>6.0</b>
Executive and Capitol Complex Security Prog.	-	-	-	39.0	<b>39.0</b>
Hazardous Materials Safety Program	-	-	2.0	10.0	<b>12.0</b>
Victims Assistance	-	-	-	6.8	<b>6.8</b>
Counter-Drug Program	-	-	-	-	<b>0.0</b>
Motor Carrier Safety and Assistance Program Grants	-	-	-	22.0	<b>22.0</b>
Federal Safety Grants	-	-	-	11.0	<b>11.0</b>
<b>TOTAL</b>	<b>108.0</b>	<b>479.0</b>	<b>138.1</b>	<b>251.9</b>	<b>977.0</b>

<b>COLORADO STATE PATROL AS OF NOVEMBER 2006</b>					
<b>FY 2006-07 Long Bill Personal Services Line Items</b>	<b>Admin.</b>	<b>Field Offices</b>	<b>Dispatch Centers</b>	<b>Special Assignment</b>	<b>TOTAL</b>
Colonels, LTC, Majors, and Captains	32.0	-	-	2.0	<b>34.0</b>
Sergeants, Technicians, and Troopers	-	478.0	-	115.6	<b>593.6</b>
Civilians	75.5	-	-	7.0	<b>82.5</b>
Dispatch Services	-	-	136.1	-	<b>136.1</b>
State Patrol Training Academy	-	-	-	17.0	<b>17.0</b>
Safety and Law Enforcement	-	-	-	1.0	<b>1.0</b>
Aircraft Program	-	-	-	6.0	<b>6.0</b>
Executive and Capitol Complex Security Prog.	-	-	-	39.0	<b>39.0</b>
Hazardous Materials Safety Program	-	-	2.0	10.0	<b>12.0</b>
Victims Assistance	-	-	-	5.0	<b>5.0</b>
Counter-Drug Program	-	-	-	0.0	<b>0.0</b>
Motor Carrier Safety and Assistance Program Grants	-	-	-	22.0	<b>22.0</b>
Federal Safety Grants	-	-	-	14.6	<b>14.6</b>
<b>TOTAL</b>	<b>107.5</b>	<b>478.0</b>	<b>138.1</b>	<b>239.2</b>	<b>962.8</b>

**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY**  
(Except Division of Criminal Justice)

**ISSUE:**

Over the past several years, the Department of Public Safety has funded portions of their capital security and homeland security activities with appropriations from the Highway Users Tax Fund (HUTF). These expenditures do not appear to be compatible with State constitutional requirements that HUTF dollars to be spent only on the construction, maintenance, and supervision of the State's highways.

**SUMMARY:**

- The Department of Public Safety receives "off-the-top" appropriations from the Highway Users Tax Fund (HUTF) for the Colorado State Patrol's highway supervision activities. Pursuant to Section 43-4-203, C.R.S., the Highway Users Tax Fund (HUTF) receives revenues from the state excise tax on motor fuel; registration and license fees on drivers, motor vehicles, trailers, and semi-trailers; and imposition of passenger-mile taxes on vehicles or any fee or payment substitution thereof.
- Statute and the state constitution require the Department to use HUTF funds only for the supervision of the state's highway system.
- For the past several years, the Department has been using HUTF funds to supplement the Executive Security Unit that protects the Governor and the capital, in addition to other activities that do not appear to be compatible with the HUTF's constitutional requirements.

**RECOMMENDATION:**

Staff recommends that the Committee discuss this issue with the Department at the upcoming hearing. Specifically, staff recommends that the Committee ask the Department the following questions:

1. Does the Department agree that the capital and homeland security expenditures are beyond the statutory scope of the HUTF?
2. Please explain the rationale for using HUTF funds for the Executive Security Unit and homeland security functions.
3. Please discuss the feasibility of replacing the Executive Security Unit, Victim's Assistance, and Office of Preparedness, Security, and Fire Safety HUTF expenditures with General Fund revenues currently appropriated to the Immigration Enforcement Unit.

## **DISCUSSION:**

### ***Background on the Highway Users Tax Fund***

The Highway Users Tax Fund (HUTF) is the primary source of highway funds in Colorado. By statute (Sections 43-4-201 through 216, C.R.S.), the HUTF includes revenues from excise taxes on motor fuels; registration and license fees on drivers, motor vehicles, trailers, and semi-trailers; court fines and fees; motor vehicle penalty assessments; miscellaneous fees; interest; and passenger-mile taxes on vehicles. The major source of revenue for the HUTF is the state excise tax on motor fuel, estimated at approximately 74 percent of the total revenues into the Fund for FY 2006-07. Constitutionally, the revenues in the HUTF generated from the above sources are required to be used exclusively for the construction, maintenance, and supervision of the public highways of the State, with the exception that some revenues can be used to fund highway administrative costs.<sup>1</sup>

Prior to appropriating the HUTF revenue for construction and maintenance of highways, the General Assembly appropriates HUTF revenues to the Department of Revenue (Ports of Entry) and to the Department of Public Safety (Colorado State Patrol) for highway-related administrative and supervisory functions.<sup>2</sup> These "off-the-top" appropriations are taken from the first \$0.07 per gallon collected from the excise tax on motor fuel. Statute (Section 43-4-201, C.R.S.) limits the growth of the "off-the-top" appropriations to six percent per year. After the "off-the-top" share is disbursed, the remainder of the HUTF revenues are distributed to cities (approximately 9 percent), counties (approximately 26 percent), and the Department of Transportation (approximately 65 percent) by statutory formulas.

For FY 2007-08, HUTF appropriations make up 39.1 percent of the Department's budget and approximately 78 percent of the Patrol's appropriated budget (not including POT's expenditures).

### ***Improper Uses of HUTF Appropriations***

While the HUTF remains the key funding source for the Colorado State Patrol's highway supervision and traffic enforcement activities, in recent years the Department has also used HUTF funding for

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<sup>1</sup>Article X, Section 18 of the Colorado Constitution states, "On and after July 1, 1935, the proceeds from the imposition of any license, registration fee, or other charge with respect to the operation of any motor vehicle upon any public highway in this state and the proceeds from the imposition of any excise tax on gasoline or other liquid motor fuel except aviation fuel used for aviation purposes shall, except costs of administration, be used exclusively for the construction, maintenance, and supervision of the public highways of this state. Any taxes imposed upon aviation fuel shall be used exclusively for aviation purposes."

<sup>2</sup>Prior to 1995, legislation allowed "off-the-top" appropriations to the Departments of Corrections, Labor and Employment, Local Affairs, and Regulatory Agencies, in addition to Revenue and Public Safety. In 1995, to stem the perceived proliferation of "off-the-top" appropriations, S.B. 95-47 was enacted to limit these "off-the-top" appropriations to only the Department of Public Safety (Colorado State Patrol) and the Department of Revenue (Ports of Entry), along with related capital expenditures for these divisions. This bill also limited the growth of the "off-the-top" appropriations to six percent annual growth beginning in FY 1995-96. The funding for the other divisions and agencies that had been from the "off-the-top" total appropriations were phased out over three years and ended in FY 1997-98.

purposes that appear to be incompatible with the statutory and constitutional requirements that HUTF funding be spent on the construction, maintenance, and supervision of the State's highways. In particular, the Department has used HUTF dollars to supplement General Fund and federal grant appropriations for the Executive Security Unit that protects the governor and the capital building, for the State Patrol Victim Assistance program, and for activities of the Office of Preparedness, Security, and Fire Safety. The table below summarizes the Department's HUTF expenditures for these purposes for FY 2006-07 and anticipated expenditures for FY 2007-08:

<b>HUTF Expenditures for Non-highway Purposes</b>						
	FY 2006-07 Actual	FTE	FY 2007-08 Estimate	FTE	FY 2008-09 Estimate	FTE
<b>Colorado State Patrol</b>						
Executive Security Unit (Personal Services, OT, Retirements)	\$438,611*	3.0	\$700,000	7.5	\$730,000	7.5
Victim Assistance (Personal Services, Operating)*	166,758	2.0	140,000	2.0	146,000	2.0
<b>Office of Preparedness, Security, and Fire Safety</b>						
Office of Preparedness and Security (Personal Services, Operating)	450,501*	5.9	903,400	9.7	<u>947,000</u>	9.7
Safe2Tell (Personal Services)	<u>3,666</u>	<u>0.0</u>	<u>102,101</u>	<u>1.0</u>	<u>0**</u>	<u>0.0</u>
<b>Total</b>	<b>\$1,059,536</b>	<b>10.9</b>	<b>\$1,845,501</b>	<b>20.2</b>	<b>\$1,823,000</b>	<b>19.2</b>

\*These figures are revised from data presented to the JBC with the Capital Security supplemental in October 2007. The amounts presented in October were based on estimates made prior to the close of the fiscal year, and upon further review it was realized that less HUTF was used for these functions in FY 2006-07 than originally estimated.

\*\*The Department has submitted an FY 2008-09 decision item (DI #1) to fund the Safe2Tell Director with General Fund rather than HUTF.

The Department's FY 2008-09 request for "off-the-top" appropriations is \$92.1 million, a \$4.4 million (5.0 percent) increase over the FY 2007-08 appropriation. According to recent estimates, the Department expects to use \$1.8 million (approximately 2 percent) of the total FY 2008-09 HUTF request for the purposes shown above.

***Options for Committee Consideration***

The expenditures discussed above appear to be unconstitutional. Staff does not believe that the Department should continue to use HUTF funds for these non-highway purposes. However, the Department argues that the funded activities are essential and that using HUTF funds has been the only available alternative. Staff recommends that the General Assembly clearly signal whether these

activities should continue and, if so, provide a suitable source of funding.

Staff proposes three options for the Committee to consider and to potentially discuss at the Department's upcoming hearing:

1. Provide additional General Fund appropriations for the designated activities. The Department estimates that this would require \$1.8 million General Fund in FY 2008-09.
2. Move the necessary funding from another source within the Department's budget. For example, the State Patrol's Immigration Enforcement Unit (established by S.B. 06-225) is currently funded with General Fund. However, according to the Department, the immigration unit is engaged in highway supervision activities that could be appropriately funded with HUTF dollars. The Department is requesting \$2.2 million General Fund for the immigration unit in FY 2008-09. The Committee could replace enough of the Immigration Unit's General Fund appropriation with HUTF dollars to fund the designated activities and move the General Fund resources to pay for the non-highway programs. ***Staff would recommend this option as at least a short term fix for FY 2008-09 if the Committee would like more time to develop a long term solution.***

The Department has also indicated that if the General Assembly authorized the use of HUTF resources for the Immigration Enforcement Unit that the State Patrol could make a similar substitution for FY 2007-08, eliminating the questionable use of HUTF dollars for the current fiscal year as well.

3. Send a clear signal that the HUTF-funded activities should not be funded with HUTF dollars and, if there is not sufficient funding available from other sources, should be discontinued altogether.



**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY**  
(Except Division of Criminal Justice)

**ISSUE:**

According to press accounts, the State's Witness Protection Program, administered by the Department of Public Safety, is little used in much of the state and potential witnesses are at risk.

**SUMMARY:**

- ❑ According to a *Denver Post* series from September 2007, at least 16 witnesses and associates have been murdered in Colorado since the General Assembly created the State's Witness Protection Program in 1995. The series attributed those deaths to a lack of awareness of the program and insufficient funding.
- ❑ In 2006, the General Assembly amended the program's statute (Section 24-33.5-106, C.R.S.) to require the State's district attorneys and law enforcement agencies to provide annual training related to witness protection and to develop a model risk assessment tool to aid in use of the program. The Department states that over 2,300 people in the criminal justice system have been trained on the basics of the program. The Department has distributed a basic risk assessment tool and is seeking federal funding to develop a more scientific tool.
- ❑ If there is a problem with the witness protection program, staff believes it is a program design and implementation issue rather than simply a shortfall in funding. While staff does not have access to adequate information to evaluate many of the specifics in the *Post* series, the executive and legislative branches have ensured that sufficient funds are available to meet district attorneys' demand for the current program. However, if the General Assembly wishes to expand the program by paying for more services or protecting more witnesses, then additional funding will be necessary.

**RECOMMENDATION:**

Staff recommends that the Committee discuss this issue with the Department at the upcoming hearing. Staff recommends that the Committee ask the Department the following questions:

1. Does the Department believe that the State's witness protection program is meeting its goals? How does the Department evaluate whether the program is doing so?
2. Could the program be better designed to provide protection to witnesses in need? For example, is the reimbursement process effective or does it deter participation? Does the Department need additional flexibility to provide long-term protection or is the existing statute adequate if a need for longer term protection arises?

3. If reform is needed, how could such reforms be achieved in a fiscally constrained environment?
4. Has the training required by H.B. 06-1379 been effective? What is the Department doing now to increase district attorneys' and potential witnesses' awareness of the program and to encourage its use throughout the State?
5. Please discuss the Witness Protection Board's standards and procedures regarding whether or not to approve a given request. What is the basis for the requirements?
6. Does the Department have an estimate of what the program might cost if it were more widely used throughout the State? Is there an estimate of unmet need?

## **DISCUSSION:**

### ***Background on the Witness Protection Program***

The General Assembly created the Witness Protection Program in 1995 with the enactment of S.B. 95-31 (Perlmutter/Adkins). The program is designed to protect potential witnesses, their families, and close associates that may be at risk as a result of the witness's participation in legal proceedings. The bill created the Witness Protection Board (Board) comprised of the following three members or their designees:

- the Attorney General;
- the Executive Director of the Department of Public Safety; and
- the Executive Director of the Colorado District Attorneys Council.

The General Assembly appropriates funds into the Witness Protection Fund. District attorneys and/or the Attorney General may then request reimbursement for costs incurred to protect witnesses (e.g., district attorneys may temporarily relocate witnesses, incurring costs for transportation and accommodations). The Board decides on a case by case basis whether to reimburse the district attorneys for these costs.

According to the statute (Section 24-33.5-106, C.R.S.), witnesses are eligible for protection in cases of "great public interest" or when the board determines that intimidation of, tampering with, or retaliation against a witness is likely. The Board can fund, "any action the board determines to be necessary to protect such person from bodily injury or to assure the person's health, safety, and welfare for as long as, in the judgement of the board, such danger exists."

The statute is written broadly and gives the Board significant leeway as to what activities to fund. However, based in part on the levels of appropriated funding, the Department and the Board have interpreted the statute as intending to support short-term protection prior to, during, and possibly for a short time after the court's disposition of a case. Thus, unlike the more well known federal program, the State program has not provided permanent protection.

### ***Appropriations and Spending History***

The General Assembly has changed the funding structure of the program since its inception. S.B. 95-31 appropriated \$250,000 General Fund to the Witness Protection Fund based on a model of

providing relatively large but infrequent infusions of resources for the Program. The legislature appropriated an additional \$78,250 General Fund in FY 1999-00. More recently, the legislature has shifted to more frequent, smaller appropriations, including \$50,000 General Fund in FY 2006-07 and again in FY 2007-08.

The program's expenditures fluctuate with demand for funds from the district attorneys and the Attorney General, ranging from a low of \$6,947 in FY 1995-96 to \$90,156 in FY 2005-06. The table below shows appropriations to and expenditures from the Witness Protection Fund for each year since FY 2000-01, including additional information on the use of the funds where possible.

<b>Witness Protection Appropriations and Expenditures</b>					
	Appropriated Spending Authority (incl. supplementals)	Total Expenditures	Requests for Funding	Individuals Protected	Average Expense per Request
FY 2000-01	\$100,000	\$87,132	83	Not Avail.	\$1,050
FY 2001-02	50,000	31,449	26	Not Avail.	1,210
FY 2002-03	50,000	23,669	31	Not Avail.	764
FY 2003-04	50,000	32,884	23	Not Avail.	1,430
FY 2004-05	50,000	31,578	34	Not Avail.	929
FY 2005-06	90,370	90,156	27	67	3,339
FY 2006-07	90,180	71,046	54	97	1,316
FY 2007-08	50,000	19,610	13	30	1,508
YTD					

***Issues Raised by the Post Series***

The *Denver Post* highlighted several potential concerns, including: 1) many witnesses are not aware of the program and may not be told of its existence by district attorneys and law enforcement personnel; 2) the program may not be used evenly either between districts or even between witnesses in a single case, raising questions about the district attorneys' level of discretion and the program's policies; and 3) the program may not have enough funding to meet its overall goals. The Department disputes some of the information in the articles.

Public Awareness: According to the *Post* series, many witnesses are never made aware of the program's existence, even when law enforcement authorities are aware of threats. Under the program's current design, prosecutors must fund witness protection activities and then request reimbursement from the State. The series blames a lack of awareness for uneven use of the program throughout the State, saying that many districts never use the program while a minority exhaust the available resources.

Inequitable Services: According to the series, some districts use the program far more than others, including comparisons of districts with similar crimes against witnesses. According to the series, two districts (Denver and the district that includes Arapahoe County) have used all but about \$30,000 of the State funds spent in the past five years. In addition, the series discusses differences in the treatment of witnesses within individual cases, raising questions about the degree of discretion afforded to district attorneys and the Board.

Lack of Funding: The *Post* series points repeatedly to the program's relatively limited funding, including the \$50,000 General Fund appropriation in FY 2007-08. As a point of reference, the articles compare the \$50,000 FY 2007-08 appropriation to the \$38 million per year federal program.

### ***Staff Analysis***

Public Awareness: Many Coloradans likely remain unaware of the program's existence. However, the General Assembly and the Witness Protection Board have sought to address this issue by providing additional training on the program for people working in law enforcement, criminal justice, and victims' rights. H.B. 06-1379 (Garcia/Spence) requires Colorado district attorneys and law enforcement agencies "to provide at least annual training for district attorneys, victims advocates employed in or working with law enforcement agencies, and law enforcement personnel related to witness protection." The bill also requires the board to develop a model witness protection risk assessment instrument to help district attorneys and law enforcement agencies gauge the potential risk to witnesses.

While such training will not inform the public at large of the existence of the State Witness Protection Program, the goal is to ensure that district attorneys, law enforcement officers, victims' rights advocates, and others understand the program and are prepared to use it when necessary. Because the program is designed to reimburse district attorneys for costs incurred protecting witnesses, the district attorneys have discretion over which witnesses to protect and how to do so. For the program to succeed as it is currently designed, the district attorneys and law enforcement personnel must understand how the program works and ensure that witnesses are informed.

Given the recent enactment of H.B. 06-1379 and that the model risk assessment tool was only recently distributed to law enforcement agencies, it is likely too early to evaluate the impacts of this legislation. However, the Department states that more than 2,300 people in the criminal justice system have been trained on the basics of the program and that outreach will continue. The Department has also provided more advanced training to district attorneys and victim's rights advocates and will continue to do so.

If the General Assembly wishes to increase public awareness of the program, beyond the current training for criminal justice personnel, then a public information campaign may be necessary.

Inequitable Services: Staff has been unable to analyze use of the program throughout the State because the Department does not believe that such data can be shared under Section 24-33.5-106.5, C.R.S., enacted as H.B. 07-1147 (Garcia/Spence) in 2007. In addition, staff also notes that crimes

for which one would expect district attorneys to need the program are also not uniformly distributed throughout the State, further complicating any analysis of the use of the program. Without additional information, however, it is impossible to assess who is using the program.

With respect to inequities between witnesses that are enrolled in the program, the Department has indicated that the Board does not have specific policies and procedures governing what activities will or will not be reimbursed, with limited exceptions. According to the Department, the Board largely defers to the district attorneys' assessments of what costs are necessary to protect a given witness. Staff has therefore been unable to assess the prevalence of inequitable treatment of witnesses in the program, beyond the examples discussed in the *Post* series.

Funding: A lack of funding does not appear to be a significant issue for the program as it is currently being implemented. Consecutive administrations and the General Assembly have ensured that funding remained available for the program, including through emergency supplemental appropriations when necessary. Under its current design, the program is driven by demand from the district attorneys and the Attorney General, and the General Assembly has maintained sufficient funding to meet that demand.

In terms of funding, the *Post* series implies that the program is inadequately designed and implemented on two levels: 1) that witnesses in the program need more resources; and 2) the program needs to be protecting a lot more witnesses.

Legislative intent is a key factor in the first question. The statute is written broadly and allows the Board to reimburse, "any action the board determines to be necessary to protect such person from bodily injury or to assure the person's health, safety, and welfare for as long as, in the judgement of the board, such danger exists" (Section 24-33.5-106, C.R.S.). However, the Department and the Board have interpreted the statute as allowing only relatively short-term protective measures rather than permanent measures as are associated with the federal program.

If the General Assembly wishes to provide more extensive protection, including permanent relocation, new identities, etc., then the Board may require statutory clarification and additional resources.

With respect to the need to protect additional witnesses, again the program is currently driven by district attorney and Attorney General demand. Staff has also discussed the potential for "unmet demand" with the Department. Even with the recent training the Department has said that, "The State's community of district attorneys has given no indication that demand for funding from the Program is substantially greater than has been requested in recent years, and the budget-setting authorities in the State have been quite responsive when short-term demand has exceeded available funding."

However, it is important to note that because the program's expenditures are driven by demand from district attorneys, significantly more funding may be necessary if the current efforts to expand public

awareness and use of the program increase demand for funds throughout the State.

***Conclusion***

The number of murdered witnesses (at least 16 since the program was created, according to the *Post*) is alarming. However, staff's understanding is that none of the victims profiled in the series were being protected with funding from the State program. Department staff have indicated that the Department does not know whether any witnesses participating in the program have been killed. The Department has also said that such information would likely be confidential even if it was known. Therefore, while it appears that the program is successfully protecting participating witnesses, staff does not have adequate information to fully evaluate the level of protection provided. There may also be unmet need in the form of witnesses going unprotected. Given the number of variables affecting enrollment in the program (ranging from a lack of knowledge on the part of the district attorney or law enforcement officers involved to a witness's potential unwillingness to enter the program), staff also does not have adequate information to assess the degree of unmet demand.

**FY 2008-09 Joint Budget Committee Staff Budget Briefing**  
**DEPARTMENT OF PUBLIC SAFETY**  
(Except Division of Criminal Justice)

**ISSUE:**

The Denver District Attorney is withdrawing from the Colorado District Attorneys Council and no longer has access to the Colorado Integrated Criminal Justice Information System (CICJIS). The lack of connection to CICJIS is causing inefficiencies and may threaten system performance.

**SUMMARY:**

- ❑ The Colorado Integrated Criminal Justice Information System (CICJIS) provides criminal justice information, including case histories and outcomes, to law enforcement and criminal justice agencies throughout the State. The system links data systems from four state agencies (Department of Public Safety, Judicial Branch, Department of Corrections, and Division of Youth Corrections) and one quasi-state agency (the Colorado District Attorneys Council).
- ❑ The Denver District Attorney (DA) is withdrawing from the Colorado District Attorneys Council (CDAC). CDAC provides the district attorneys' link to CICJIS and the Denver DA does not have an independent connection. Because of the dispute with CDAC and other data quality concerns, the Denver DA's data stopped flowing into CICJIS in September 2007.
- ❑ According to Judicial Department, the removal of the Denver DA's data is causing severe inefficiencies in local and state systems. The CICJIS board is working with both parties to either resolve the dispute or develop an alternative connection to CICJIS for the Denver DA. However, providing another connection would take time and additional resources, and it is not clear who would pay for the work.

**RECOMMENDATION:**

Staff recommends that the Committee discuss this issue with the Department at the upcoming hearing. Specifically, staff recommends that the Committee ask the Department the following questions:

1. Please provide detail on the current situation's impacts on CICJIS operations.
2. What are the CICJIS agencies and the board doing to avoid or mitigate such an outcome? Has the board made progress toward developing an alternative connection?
3. What are the likely long term effects of this change on CICJIS function?

## DISCUSSION:

### *Background on CICJIS*

The General Assembly first authorized the development of CICJIS with the enactment of H.B. 95-1101 (Kerns/Bishop). The system became functional in 1999. By linking the data systems of five criminal justice agencies, CICJIS allows users in law enforcement throughout the State to track the complete life cycle of felony criminal cases without requiring redundant data collection and entry at each stage. Because of the system's importance to public safety, the State Auditor has described CICJIS as "one of the State's most critical information systems."<sup>1</sup>

At each stage in the criminal justice process, from arrest to the final disposition of the case, the relevant users' data flows into CICJIS. For example, when law enforcement officers make an arrest in a felony case (CICJIS does not include data related to misdemeanor cases), the officers put the relevant data into the Colorado Bureau of Investigation's (C.B.I.) system, which is connected to CICJIS. Similarly, when a district attorney files charges, the data is put into the CDAC system that is connected to CICJIS. Users throughout the State are then able to query the data from each stage to better understand a given case and avoid duplicate data entry. Prior to CICJIS, users at each stage of the process were forced to enter much of the same basic information again and again, increasing both the workload and the opportunity for data entry errors.

CICJIS does not actually store the data but rather links the various agencies' "legacy systems" together to allow data to be shared between users in the law enforcement and criminal justice communities. According to CICJIS staff, the system was designed to minimize the number of actual connections to CICJIS by connecting to each of the major agencies (Public Safety, Judicial, Corrections, Human Services, and CDAC) rather than to individual local law enforcement agencies, district attorneys, etc. Different users then enter data into (and acquire data from) CICJIS through the major agencies' systems. For example, law enforcement agencies and district attorneys connect through the Public Safety (C.B.I.) and CDAC connections, respectively. According to CICJIS staff, minimizing the number of connections to the actual CICJIS system reduces costs, increases efficiency, and improves performance.

Including the FY 2007-08 appropriation, the State has invested total of \$14.9 million in CICJIS, including federal funds. The system experienced problems early on but performance (measured by the disposition match rate) has steadily improved since FY 2000-01. According to the Department, the pre-CICJIS disposition match rate was roughly 15 percent meaning that the final disposition of 85 percent of cases could not be matched with the original arrest records. The table on the following page shows annual expenditures and disposition match rates since spending began in FY 1996-97, though disposition match rate data was not available for years prior to FY 2000-01.

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<sup>1</sup>See the Auditor's July 2003 performance audit of CICJIS.



<b>CICJIS Program Expenditures and Performance</b>				
	State Expenditures	Federal Expenditures	Total	Average Disposition Match Rate
FY 1996-97	\$1,659,997	\$181,541	\$1,841,538	Not Avail.
FY 1997-98	927,363	609,787	1,537,150	Not Avail.
FY 1998-99	722,812	77,460	800,272	Not Avail.
FY 1999-00	1,101,527	41,925	1,143,452	Not Avail.
FY 2000-01	1,059,213	185,138	1,244,351	64.9%
FY 2001-02	879,122	490,531	1,369,653	83.6
FY 2002-03	896,425	405,932	1,302,357	88.4
FY 2003-04	893,192	51,656	944,848	88.0
FY 2004-05	857,959	19,206	877,165	90.4
FY 2005-06	903,136	187,827	1,090,963	92.9
FY 2006-07	920,362	531,242	1,451,604	89.2
FY 2007-08 Approp./YTD	<u>958,171</u>	<u>298,252</u>	<u>1,256,423</u>	93.2
<b>Total</b>	11,779,279	3,080,497	14,859,776	N/A

***Potential Impacts on CICJIS Performance***

Because CDAC has provided the district attorneys' (including the Denver DA's) link to CICJIS, the Denver DA does not have an independent link to the system. Although Denver is formally a member of CDAC until January 2008, concerns about the quality of Denver's data forced the Judicial Department to stop accepting Denver's data into CICJIS in September 2007. According to the Department of Public Safety and the CICJIS Executive Board, the removal of the Denver DA's data has caused severe inefficiencies in local and state systems and operations, including the following (see Appendix A for a memo from the Department outlining the effects on CICJIS performance):

- Clerks in the Denver court system are having to manually enter cases filed by the Denver DA and have found that the time required to file a case has doubled because of the increased workload for data collection and entry.
- The courts have had to either add additional staff or increase the workload of current staff.
- Important information is not making it into CICJIS, potentially affecting data quality and

system performance. For example, Denver cases that do not result in charges are not identified as such in CICJIS because law enforcement officers put arrest data into CICJIS but the DA decision not to file charges does not get into the system. Other users will have to acquire such information through other channels, creating additional delays, inefficiencies, and information gaps.

Furthermore, connecting the Denver DA to CICJIS through another means will take time and resources. CICJIS staff estimate that providing a new connection could take 18 months or more, as doing so would require a feasibility study and implementation work. The potential cost is unknown but the Department expects the costs to be significant and may include the need for additional permanent FTE. At this point, it is unclear who would pay for the necessary feasibility studies or the actual implementation.

### ***Potential Solutions***

The CICJIS Executive Board and the Denver DA expect to meet to discuss the issue again in January 2008. If the Denver DA and CDAC are unable to reach an agreement that would allow Denver to use the CDAC connection, then the CICJIS board has offered to arrange for a separate connection. The board has identified three potential connection points: the Department of Corrections system, the Department of Public Safety's system, and an independent connection to CICJIS.

In the interim, the CICJIS Executive Board expects continued problems with the system, including potential declines in the disposition match rate, persistent information gaps for other users, and increased workload and costs for the court system.

## COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM

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PETER WEIR  
EXECUTIVE DIRECTOR  
DEPARTMENT OF PUBLIC SAFETY

ARI ZAVARAS  
EXECUTIVE DIRECTOR  
DEPARTMENT OF CORRECTIONS



BILL RITTER, JR.  
GOVERNOR

## MEMORANDUM

To: Craig Harper, Legislative Analyst

From: Chris Wallner, CICJIS CIO

Date: December 17, 2007

Subject: CICJIS Impact Statement

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Craig,

In response to your request concerning the impact on CICJIS if the Denver DA office (Denver) were to be added as the sixth member agency, I offer the following categorized points for your consideration.

**Legislative.** CRS 16-20.5-103 states that CICJIS is a joint effort of the five member agencies and "other approved agencies". It also states that the CICJIS Executive Board can "approve the addition of voting or nonvoting members". I do not anticipate any Legislative impact if Denver were to be added as the sixth agency, however, I believe Denver would be entitled to representation at both the CICJIS Task Force and Executive Board level. The addition of Denver representation at both levels will likely cause hard feelings within the groups due to the history between CDAC, Denver, and to some degree, Judicial. These feelings could cause disparity contributing to a difficult working environment within both groups, ultimately affecting the daily operations of CICJIS.

**CICJIS Structure.** The reason CICJIS works is the involvement of members at the Task Force and Executive level. If Denver were added as the sixth member, they cannot assume that tasks will be done and decisions will be made between only themselves and CICJIS. Denver must commit to being involved with the Task Force and Executive Boards.

**Technical.** Before addressing the technical issues, let me start by saying that I have not had any exposure to the Denver DA Justware case management system. I do not know how Justware works or how it transfers data to and receives data from CDAC's Blackstone/ACTION (B/A) system. I also do not know in what form and what volume of data gets transferred between B/A and Justware. Based on this lack of knowledge, I can only make some very rough estimates on the technical issues and timelines we can expect if Denver were to be added as a portal to CICJIS. These estimates are based on CICJIS' ten year history of developing portals and interfaces. Based on this history, we can presume that developing a new portal to Justware will be a costly, challenging, and lengthy process.

The portal between CICJIS and Justware would be two way. CICJIS would expect to see case data from

Justware and Justware would expect to see case data from CICJIS and B/A. I would expect a three month period for CICJIS and Denver to learn and understand each others' business models and data transfer requirements. I would then expect another six months to create a technical architecture, statement of work, MOU, and project plan. Finally, I would expect a twelve month timeframe for development, testing, and deployment.

There are three important technical challenges to consider in the project:

- 1) CICJIS has never dealt with the volume of information we can expect to receive from Justware. Currently, B/A reduces the amount of the total data sent by Justware into a small subset that is eventually sent to CICJIS. CICJIS would have to replace the functionality currently available in B/A to reduce the amount of data sent by Justware before sending it to the other member agencies.
- 2) The other 21 DA districts in the state expect to see case data from Denver. That data is provided by B/A to the districts. B/A has been operational for a combined 20 years and have developed the interfaces to the districts during that time. CICJIS would be required to take the case data from Denver and send it to B/A for availability to the other districts.
- 3) In turn, Denver would expect to see case data from the 21 other DA districts. That data would have to be pulled by CICJIS from B/A and then sent to Justware.

**No Participation.** Today, Denver DA data is no longer transmitting to CICJIS. This is eroding the efficiency of the CICJIS program and is not producing the results expected by the Joint Budget Committee. CICJIS was created to eliminate manual entry of data and the removal of the Denver DA data is causing severe inefficiencies in local and state systems. The most significant consequence is that cases filed by the Denver DA are now being entered manually by clerks in the Denver court system. Clerks in both the Denver Adult and Juvenile courts have found that the time to file a case has doubled as case, charge(s), party, demographic, address and phone information must now be manually entered. Both courts have had to either add additional staff or increase the workload of current staff to enter these cases. For reference, in 2006, the Denver DA office filed 5,970 cases containing 10,953 charges. If this number of cases can be expected in 2008, and if each case takes an average of five minutes to enter, an extra 62 working days of time will be needed to enter these cases by the Denver court clerks. Other consequences include cases that result in no charges will not be identified as such on the RAP sheet, victim information on Protection Orders will not transfer to CBI and State Judicial, and other systems that obtained important information through CICJIS (including district attorneys, law enforcement and probation officers) will need to get Denver DA information from a source other than CDAC.

Please let me know if you have any other questions or concerns.

Thank you,  
Chris Wallner