

COLORADO GENERAL ASSEMBLY

JOINT BUDGET COMMITTEE



FY 2007-08 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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FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
(Except Division of Criminal Justice)
TABLE OF CONTENTS

Graphic Overview 1

Department Overview 2

Decision Item Priority List 14

Overview of Numbers Pages 19

Numbers Pages 20

Long Bill Footnote Update 44

Briefing Issues:

Performance Measures 50

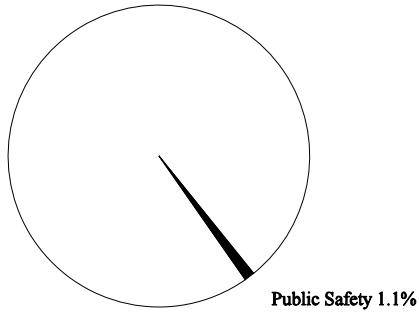
HUTF "Off-the-Top" Funding 55

Audit Requirements of CCIC/NCIC 61

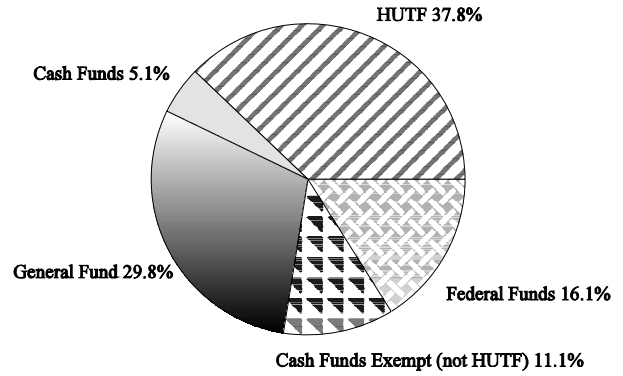
Federal Funding for OPSFS 69

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
GRAPHIC OVERVIEW**

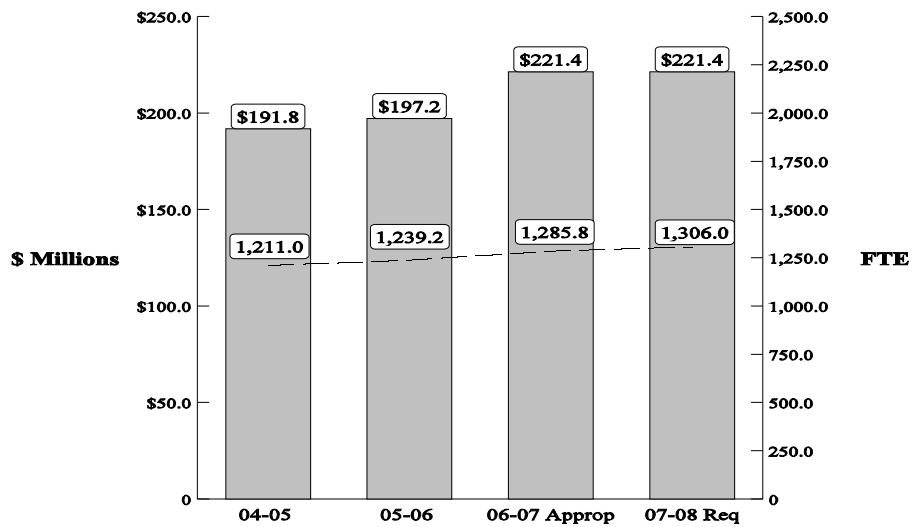
**Share of State General Fund
FY 2006-07 Appropriation**



**Funding Source Split
FY 2006-07 Appropriation**

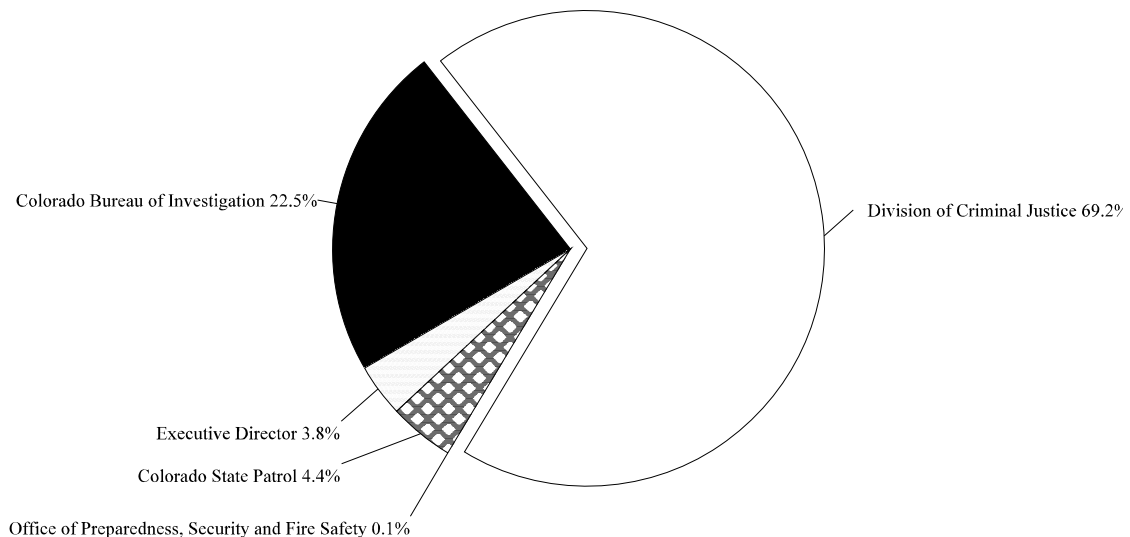


Budget History



**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
DEPARTMENT OVERVIEW**

**Department of Public Safety: General Fund by Division
FY 2006-07 Appropriation (\$66.9 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

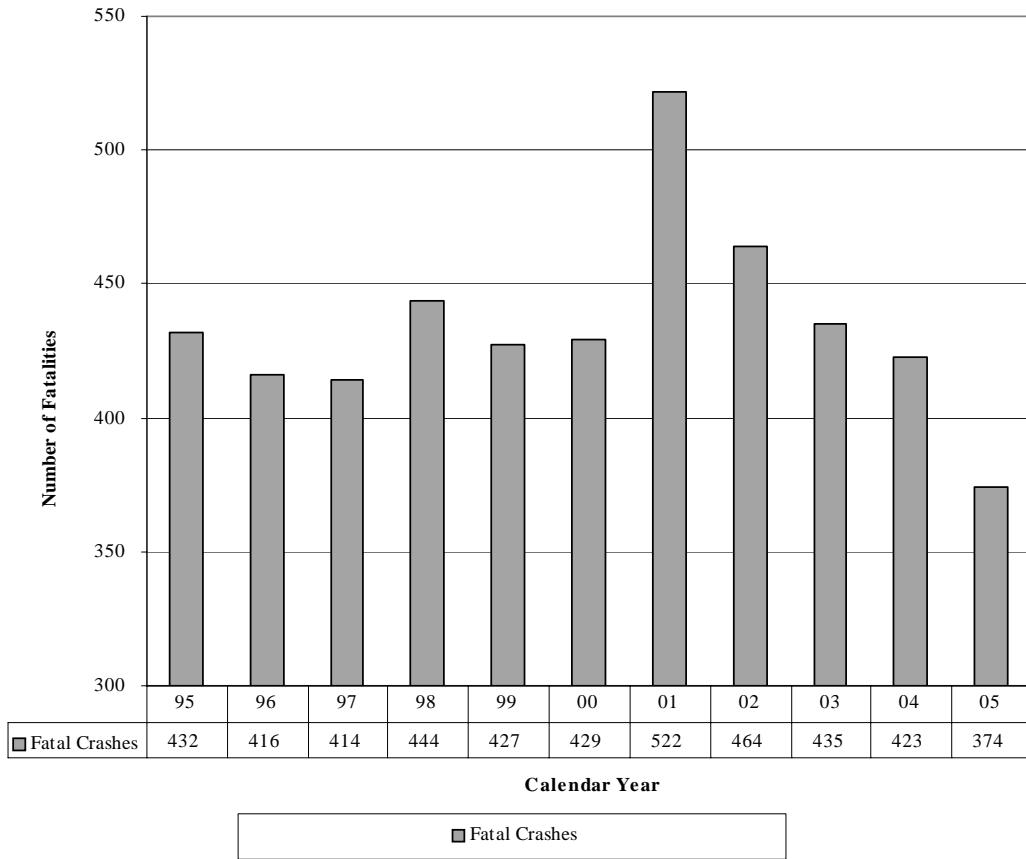
The Department consists of three divisions (in addition to Criminal Justice): the Colorado State Patrol; the Colorado Bureau of Investigation; and the Office of Preparedness, Security, and Fire Safety. In addition, the Colorado Integrated Criminal Justice Information System (CICJIS) is administered through 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 fourth year of a five-phase 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)

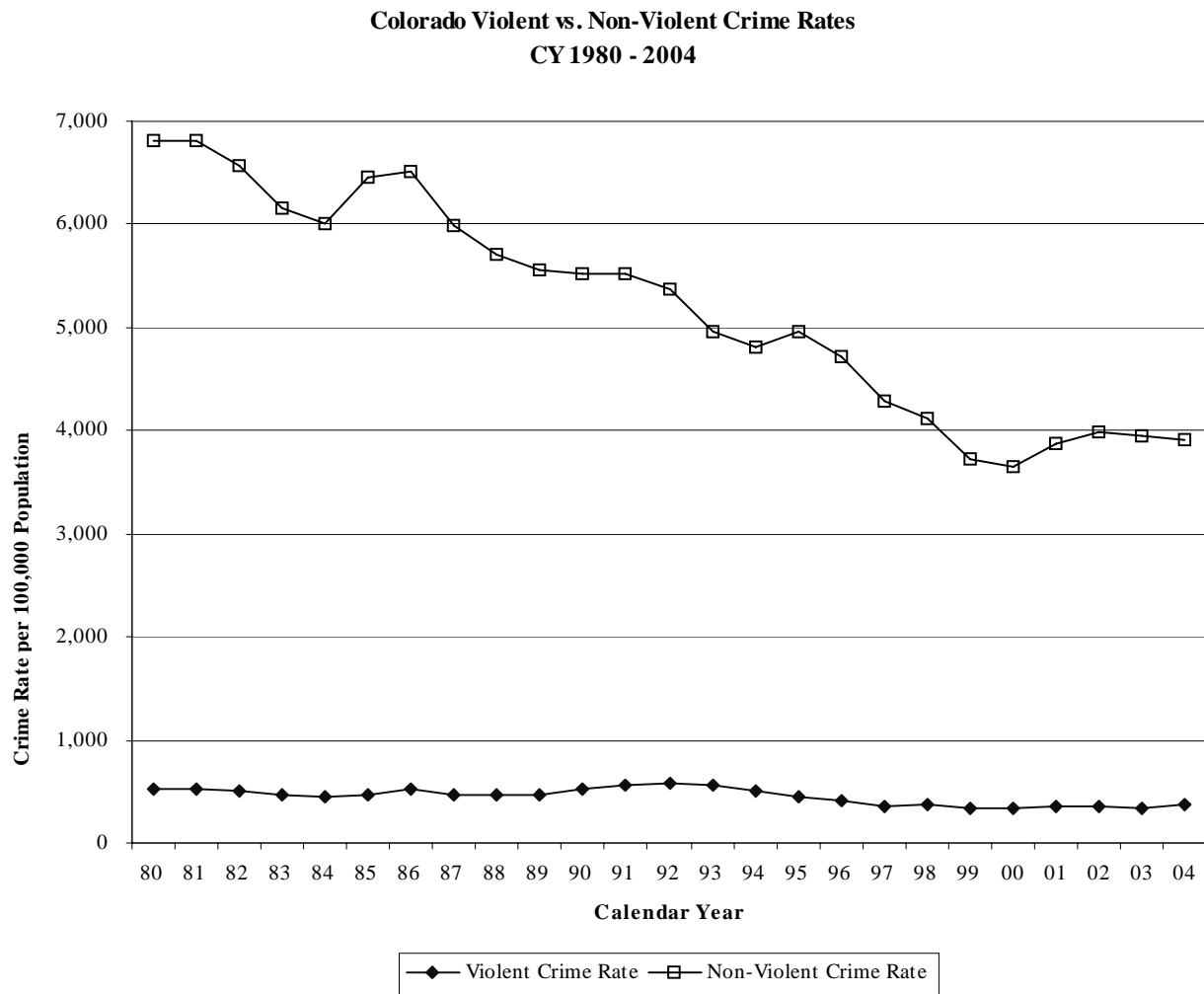
The Highway Users Tax Fund (HUTF) provides 37.8 percent of the Department budget and 87.9 percent of the Colorado State Patrol budget (excluding local government pass-through funds). The statutory limit on HUTF appropriations to the Colorado State Patrol thus has a significant impact on the Department's 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 73 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 2004:



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 86.5 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 2005-06, the InstaCheck unit received 66 percent of its background requests over the internet. The average queue time for all background requests for FY 2005-06 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 CBI reports that during FY 2005-06 it received a total of 80 crime scene requests for DNA examination. These DNA examinations are accomplished through searches of the statewide DNA Index System and the National DNA Index System. The laboratory turn around time for DNA requests was 84 days in FY 2005-06. This turn around time has increased more than 90 percent over the past four fiscal years. The FBI website shows that as of September 2006, Colorado had reported a total of 317 "investigations aided" by DNA matches.

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 15 investigators are assigned to perform pre-employment and other polygraph tests for the Department and for other agencies.

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 the twelve months ending November 2006 was 77.2 percent. The budget is driven largely by technological advances that can enhance system capabilities.

Summary of Major Legislation

- ✓ **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):** Change 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/Grampas), and H.B. 95-1101 (Kerns/Bishop):** Authorize 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/Grampas):** 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 2005-06 to FY 2006-07

Executive Director's Office

Action	General Fund	Other Funds	Total Funds	Total FTE
Health, life, and dental adjustments	\$109,751	\$1,258,429	\$1,368,180	0.0
One-time funding for architectural and design costs of construction of CBI Western Slope facility	747,988	0	747,988	0.0
PERA amortization equalization	80,317	263,872	344,189	0.0
Risk management and property funds	0	222,977	222,977	0.0
Workers' compensation	0	162,494	162,494	0.0
Salary survey	(18,864)	157,055	138,191	0.0
Common policy items such as shift differential, vehicle lease payments, and capitol complex leased space	(77,502)	152,751	75,249	0.0
Annualize pay increases for administration personal services	0	70,531	70,531	0.0
Increase funding for Witness Protection Fund	50,000	0	50,000	0.0
Multiuse network payments	(302,852)	294,379	(8,473)	0.0

Office of Preparedness, Security, and Fire Safety

Action	General Fund	Other Funds	Total Funds	Total FTE
Increase funding and staff pursuant to H.B. 06-1158	\$0	\$55,645	\$55,645	1.0
Anticipated decrease in federal homeland security funding	2,422	(270,468)	(268,046)	0.0

Colorado State Patrol

Action	General Fund	Other Funds	Total Funds	Total FTE
Annualize pay increases for sergeants, technicians, and troopers	\$0	\$1,789,947	\$1,789,947	0.0
Increase funding and staff pursuant to S.B. 06-225	1,542,563	0	1,542,563	12.0
Indirect cost assessment from the Highway Users Tax Fund	0	860,090	860,090	0.0
Increase funding to Communications Program for communications officers' salaries	0	667,355	667,355	0.0
Annualize 1.5 FTE provided in FY 06 emergency supplemental to Judicial Department for three security guards	88,857	409,206	498,063	1.5
Increase funding for MDC asset maintenance and operating expenses	(120,443)	545,443	425,000	0.0
Increase funding for vehicle lease payments	0	263,950	263,950	0.0
Annualize pay increases for administrative support staff	0	126,560	126,560	0.0
Decrease funding for Counter-drug Program based on actual usage	0	(15,131,534)	(15,131,534)	(2.0)

Colorado Bureau of Investigation

Action	General Fund	Other Funds	Total Funds	Total FTE
Increase funding for additional laboratory staff and annualize pay increases for laboratory staff	\$731,550	\$0	\$731,550	5.0
Increase funding and staff pursuant to H.B. 06-1347	0	378,435	378,435	3.5
Increase funding for indirect cost assessments	(65,057)	384,804	319,747	(0.6)
Increase funding and staff pursuant to S.B. 06-45	0	182,099	182,099	2.0
Increase funding and staff pursuant to H.B. 1161	0	112,894	112,894	0.6
Increase funding and staff pursuant to S.B. 06-230	0	70,830	70,830	0.3
One-time funding for a real estate project manager for Western Slope facility and annualize pay increases for administrative staff	67,561	1,536	69,097	0.0
Increase funding and staff pursuant to H.B. 06-1153	58,835	0	58,835	1.2
Annualize pay increases for remaining staff and anticipated decrease in cash funds for Identification Unit	223,438	(451,065)	(227,627)	0.0

FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY (Shaded items relate to areas covered in this briefing packet)
Decision Item Priority List

Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF <i>[Source]</i>	CFE <i>[Source]</i>	HUTF	FF <i>[Source]</i>	TOTAL	FTE
1	Colorado Bureau of Investigation Increase funding for Western Slope office relocation. The Department is projecting an increase of \$162,000 (GF) in FY 2008-09. <i>[Section 24-33.5-412, C.R.S.]</i>	\$160,499	\$0	\$200,000 <i>[Local relocation reimbursement funds]</i>	\$0	\$0	\$360,499	0.0
2	Colorado State Patrol Increase trooper staff for Traffic Safety Improvement Plan on Gaming highways. The Department is projecting an increase of \$296,279 (CFE) and 4.0 FTE in FY 2008-09. <i>[Sections 16-2.5-101, 102, 114, 18-1-901 (3) (1) (I), and 24-33.5-201 through 226, C.R.S.]</i>	0	0	367,528 <i>[Limited Gaming funds and indirect cost recoveries]</i>	0	0	367,528	5.0

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Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF <i>[Source]</i>	CFE <i>[Source]</i>	HUTF	FF <i>[Source]</i>	TOTAL	FTE
NP-1	Statewide Decision Item Provide a statewide multiuse network adjustment. The Department is projecting an increase of \$54,308 (GF) in FY 2008-09. <i>[Section 24-30-908 (1) (a), C.R.S.]</i>	54,308	0	0	0	0	54,308	0.0
NP-2	Statewide Decision Item Provide statewide funding to purchase new vehicles to replace state fleet vehicles meeting replacement mileage criteria. <i>[Section 24-30-1104 (2) (f), C.R.S.]</i>	1,736	17,961 <i>[E-470 Toll funds]</i>	3,310 <i>[Limited Gaming funds]</i>	462,069	11,906 <i>[Motor Carrier Safety Assistance Program funds]</i>	496,982	0.0

FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY (Shaded items relate to areas covered in this briefing packet)
Decision Item Priority List

Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF <i>[Source]</i>	CFE <i>[Source]</i>	HUTF	FF <i>[Source]</i>	TOTAL	FTE
NP-3	Colorado State Patrol Reduce the CSP vehicle lease payments appropriation to reconcile for 210 vehicles that will not require lease payment obligations for all 12 months of FY 2007-08. <i>[Section 24-30-1104 (2) (k), C.R.S.]</i>	0	0	0	(409,468)	0	(409,468)	0.0
CICJIS	Executive Director's Office Consolidate the Operating Expenses and Lease Equipment Long Bill line items under the Colorado Integrated Criminal Justice Information System (CICJIS). <i>[Section 24-33.5-107, C.R.S.]</i>	0	0	0	0	0	0	0.0
	Total Department Request	\$2,561,009	\$173,390	\$570,838	\$52,601	\$11,906	\$3,369,744	7.0
	Total for Shaded Items	\$339,431	\$173,390	\$570,838	\$52,601	\$11,906	\$1,148,166	7.0

FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
(Except Division of Criminal Justice)
OVERVIEW OF NUMBERS PAGES

Requested Changes FY 2006-07 to FY 2007-08:							
Description	FTE	General Fund	Cash Funds	HUTF	Cash Exempt	Federal Funds	Total
Provide funding to the Colorado Bureau of Investigation for its Western Slope office relocation (DI #1).	0.0	\$160,499	\$0	\$0	\$200,000	\$0	\$360,499
Provide funding and staff to the Colorado State Patrol to increase the number of troopers dedicated to the Gaming community highways under the Traffic Safety Improvement Plan (DI #2).	5.0	0	0	0	367,528	0	367,528
Increase funding and staff to the Colorado Bureau of Investigation for Colorado Crime Information Center (CCIC) Audit FTE (DI #3).	2.0	122,888	0	0	0	0	122,888
Increase spending authority to the Colorado State Patrol for the Victims Assistance Program from the Victims and Witness Assistance and Law Enforcement (VALE) Fund (DI #5).	0.0	0	155,429	0	0	0	155,429
Increase funding to the Executive Director's Office for statewide multiuse network adjustments (DI #NP-1).	0.0	54,308	0	0	0	0	54,308
Increase funding to the Department for statewide vehicle replcement (DI #NP-2).	0.0	1,736	17,961	462,069	3,310	11,906	496,982
Decrease funding to the Colorado State Patrol for vehicle lease reconciliation (DI #NP-3).	0.0	0	0	(409,468)	0	0	(409,468)
Transfer funding within the Executive Director's Office for Colorado Integrated Criminal Justice Information System (CICJIS) Long Bill consolidation (DI #CICJIS-1).	0.0	0	0	0	0	0	0
Net Change	7.0	\$339,431	\$173,390	\$52,601	\$570,838	\$11,906	\$1,148,166

FY 2007-08 Joint Budget Committee Staff Budget Briefing

DEPARTMENT OF PUBLIC SAFETY

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
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DEPARTMENT OF PUBLIC SAFETY Joe Morales, Executive Director

(1) EXECUTIVE DIRECTOR'S OFFICE

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.

(A) Administration

Personal Services	1,950,139	2,007,840	2,078,371	2,202,830	DI #2
FTE	<u>27.5</u>	<u>27.3</u>	<u>29.5</u>	<u>30.5</u>	DI #2
General Fund	0	0	0	0	
HUTF	24,842	24,792	24,742	24,693	
Cash Funds Exempt	1,925,297	1,983,048	2,053,629	2,178,137	
FTE	27.5	27.3	29.5	30.5	
 Health, Life, and Dental	 <u>3,203,795</u>	 <u>3,486,934</u>	 <u>5,029,826</u>	 <u>6,037,846</u>	
General Fund	607,120	709,820	819,571	1,072,493	
Cash Funds	142,009	201,253	270,989	396,875	
HUTF	2,306,670	2,430,745	3,452,244	4,093,729	
Cash Funds Exempt	147,996	145,116	298,190	210,850	
Federal Funds	0	0	188,832	263,899	
 Short-term Disability	 <u>98,825</u>	 <u>97,214</u>	 <u>77,086</u>	 <u>101,860</u>	
General Fund	21,594	17,778	16,149	22,093	
Cash Funds	4,613	4,795	3,782	5,774	
HUTF	68,580	65,971	51,217	66,126	
Cash Funds Exempt	4,038	8,670	4,014	4,601	
Federal Funds	0	0	1,924	3,266	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Amortization Equalization Disbursement	<u>0</u>	<u>165,514</u>	<u>514,273</u>	<u>941,639</u>	DI #2
General Fund	0	29,214	109,531	203,798	
Cash Funds	0	9,212	25,047	53,128	
HUTF	0	112,344	340,250	610,549	
Cash Funds Exempt	0	14,744	26,660	44,012	
Federal Funds	0	0	12,785	30,152	
Salary Survey and Senior Executive Service	<u>1,455,345</u>	<u>3,077,021</u>	<u>3,314,012</u>	<u>4,431,370</u>	
General Fund	320,080	521,117	502,253	711,643	
Cash Funds	61,300	108,744	139,477	198,762	
HUTF	1,009,126	2,314,341	2,399,543	3,193,539	
Cash Funds Exempt	64,839	132,819	162,117	174,714	
Federal Funds	0	0	110,622	152,712	
Performance-based Pay Awards	<u>811,040</u>	<u>0</u>	<u>0</u>	<u>710,074</u>	
General Fund	170,071	0	0	152,948	
Cash Funds	34,475	0	0	39,828	
HUTF	569,291	0	0	462,294	
Cash Funds Exempt	37,203	0	0	32,099	
Federal Funds	0	0	0	22,905	
Shift Differential	<u>219,600</u>	<u>212,312</u>	<u>227,520</u>	<u>242,873</u>	
General Fund	40,578	25,222	32,373	44,850	
Cash Funds	42,340	62,071	50,540	57,967	
HUTF	121,941	116,148	117,952	125,582	
Cash Funds Exempt	14,741	8,871	26,655	14,474	
Workers' Compensation	<u>2,082,712</u>	<u>1,860,926</u>	<u>2,023,420</u>	<u>2,117,203</u>	
General Fund	49,641	0	0	0	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Cash Funds Exempt	2,033,071	1,860,926	2,023,420	2,117,203	
Operating Expenses	<u>157,857</u>	<u>157,857</u>	<u>157,857</u>	<u>161,645</u>	DI #2
General Fund	0	0	0	0	
Cash Funds Exempt	157,857	157,857	157,857	161,645	
Legal Services for 2,113 Hours - Cash Funds Exempt	124,566	132,594	143,198	143,198	
Administrative Law Judge Services - General Fund	0	1,196	0	0	
Purchase of Services from Computer Center - Cash Funds Exempt	46,209	43,627	44,270	72,932	
Multiuse Network Payments	<u>1,091,086</u>	<u>890,647</u>	<u>927,599</u>	<u>981,907</u>	DI #NP-1
General Fund	1,048,591	302,852	0	54,308	
HUTF	42,495	42,495	42,495	42,495	
Cash Funds Exempt	0	545,300	885,104	885,104	
Payment to Risk Management and Property Funds	<u>468,492</u>	<u>187,283</u>	<u>410,260</u>	<u>544,257</u>	
General Fund	11,300	0	0	0	
HUTF	25,000	18,801	14,690	14,691	
Cash Funds Exempt	432,192	168,482	395,570	529,566	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	Change
	Actual	Actual	Appropriation	Request	Requests
Vehicle Lease Payments	<u>32,261</u>	<u>31,253</u>	<u>87,377</u>	<u>87,377</u>	DI #NP-2
General Fund	6,697	9,657	47,113	47,113	
Cash Funds	2,675	2,675	3,427	3,427	
Cash Funds Exempt	22,889	18,921	36,837	36,837	
Leased Space	<u>925,341</u>	<u>947,371</u>	<u>1,907,259</u>	<u>1,945,259</u>	DI #1
General Fund	109,181	163,865	911,853	896,230	
Cash Funds	0	0	30,057	30,057	
HUTF	418,854	401,466	464,329	464,329	
Cash Funds Exempt	397,306	382,040	501,020	554,643	
Capitol Complex Leased Space	<u>934,798</u>	<u>1,002,606</u>	<u>1,031,906</u>	<u>1,062,009</u>	
General Fund	23,999	31,820	<u>15,455</u>	0	
Cash Funds	3,197	3,138	3,253	3,416	
HUTF	437,932	472,281	483,886	476,031	
Cash Funds Exempt	469,670	495,367	529,312	582,562	
Communication Services Payments	<u>494,633</u>	<u>699,648</u>	<u>759,463</u>	<u>801,068</u>	
General Fund	20,934	21,895	9,702	0	
Cash Funds	0	12,293	16,826	16,390	
HUTF	473,699	654,945	704,396	738,433	
Cash Funds Exempt	0	10,515	23,623	40,297	
Federal Funds	0	0	4,916	5,948	
Utilities	<u>86,741</u>	<u>86,919</u>	<u>87,407</u>	<u>87,407</u>	
HUTF	85,907	85,907	85,907	85,907	
Cash Funds Exempt	834	1,012	1,500	1,500	
Distributions to Local Government - Cash Funds	24,159	40,000	50,000	50,000	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Subtotal - (A) Administration	14,207,599	15,128,762	18,871,104	22,722,754	
FTE	<u>27.5</u>	<u>27.3</u>	<u>29.5</u>	<u>30.5</u>	
General Fund	2,429,786	1,834,436	2,464,000	3,205,476	
Cash Funds	314,768	444,181	593,398	855,624	
HUTF	5,584,337	6,740,236	8,181,651	10,398,398	
Cash Funds Exempt	5,878,708	6,109,909	7,312,976	7,784,374	
FTE	27.5	27.3	29.5	30.5	
Federal Funds	0	0	319,079	478,882	
(B) Special Programs					
(1) Witness Protection Program					
Witness Protection Fund - General Fund	0	22,834	50,000	50,000	
Witness Protection Fund Expenditures	<u>31,578</u>	<u>67,322</u>	<u>50,000</u>	<u>50,000</u>	
Cash Funds	0	1,970	0	0	
Cash Funds Exempt	31,578	65,352	50,000	50,000	
Subtotal - (B)(1) Witness Protection Program	31,578	90,156	100,000	100,000	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	22,834	50,000	50,000	
Cash Funds	0	1,970	0	0	
Cash Funds Exempt	31,578	65,352	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	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
(2) Colorado Integrated Criminal Justice Information System (CICJIS)					
Personal Services	863,108	907,844	1,044,875	1,059,106	
FTE	<u>4.7</u>	<u>8.0</u>	<u>11.0</u>	<u>11.0</u>	
General Fund	0	0	0	0	
Cash Funds Exempt	740,849	774,323	795,375	810,105	
FTE	4.5	8.0	11.0	11.0	
Federal Funds	122,259	133,521	249,500	249,001	
FTE	0.2	0.0	0.0	0.0	
Operating Expenses	<u>122,357</u>	<u>180,807</u>	<u>176,502</u>	<u>200,502</u>	DI #CICJIS-1
General Fund	67,892	67,892	0	0	
Cash Funds Exempt	49,218	58,609	126,502	150,502	
Federal Funds	5,247	54,306	50,000	50,000	
Leased Equipment - Cash Funds Exempt	0	19,835	24,000	0	DI #CICJIS-1
Subtotal - (B)(2) Colorado Integrated Criminal Justice Information System (CICJIS)					
	985,465	1,108,486	1,245,377	1,259,608	
FTE	<u>4.7</u>	<u>8.0</u>	<u>11.0</u>	<u>11.0</u>	
General Fund	67,892	67,892	0	0	
Cash Funds Exempt	790,067	852,767	945,877	960,607	
FTE	4.5	8.0	11.0	11.0	
Federal Funds	127,506	187,827	299,500	299,001	
FTE	0.2	0.0	0.0	0.0	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
					Request vs. Appropriation
TOTAL -					
(1) EXECUTIVE DIRECTOR'S OFFICE	15,224,642	16,327,404	20,216,481	24,082,362	19.1%
FTE	<u>32.2</u>	<u>35.3</u>	<u>40.5</u>	<u>41.5</u>	
General Fund	2,497,678	1,925,162	2,514,000	3,255,476	29.5%
Cash Funds	314,768	446,151	593,398	855,624	44.2%
HUTF	5,584,337	6,740,236	8,181,651	10,398,398	27.1%
Cash Funds Exempt	6,700,353	7,028,028	8,308,853	8,794,981	5.9%
FTE	32.0	35.3	40.5	41.5	
Federal Funds	127,506	187,827	618,579	777,883	25.8%
FTE	0.2	0.0	0.0	0.0	
(2) COLORADO STATE PATROL					
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 state and non-state agency fees.					
Colonel, Lt. Colonels, Majors, and Captains	3,167,656	3,263,893	3,526,877	3,681,277	
FTE	<u>33.0</u>	<u>33.0</u>	<u>34.0</u>	<u>34.0</u>	
General Fund a/	0	0	106,426	106,213	
FTE a/	0.0	0.0	1.0	1.0	
HUTF	3,167,656	3,263,893	3,420,451	3,575,064	
FTE	33.0	33.0	33.0	33.0	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	Change
	Actual	Actual	Appropriation	Request	Requests
Sergeants, Technicians, and Troopers	37,613,423	38,765,383	41,559,594	44,128,006	DI #2
FTE	<u>572.1</u>	<u>600.1</u>	<u>593.6</u>	<u>609.6</u>	DI #2
General Fund a/	0	0	1,002,144	1498217	
FTE a/	0.0	0.0	10.0	22.0	
Cash Funds	740,674	779,200	806,830	850,022	
FTE	13.0	13.0	13.0	13.0	
HUTF	35,962,764	37,010,420	38,723,934	40,548,475	
FTE	545.5	568.6	557.0	558.0	
Cash Funds Exempt	909,985	975,763	1,026,686	1,231,292	
FTE	13.6	18.5	13.6	16.6	
Civilians	4,424,555	4,562,923	4,733,157	4,865,424	
FTE	<u>81.5</u>	<u>83.1</u>	<u>82.5</u>	<u>82.5</u>	
General Fund a/	0	0	39,283	39204	
FTE a/	0.0	0.0	1.0	1.0	
Cash Funds	45,330	50,360	56,700	59,596	
FTE	2.0	2.0	2.0	2.0	
HUTF	4,337,072	4,462,971	4,586,371	4,714,458	
FTE	78.5	80.1	78.5	78.5	
Cash Funds Exempt	42,153	49,592	50,803	52,166	
FTE	1.0	1.0	1.0	1.0	
Retirements - HUTF	356,855	399,997	400,000	400,000	
Overtime	<u>1,059,299</u>	<u>1,341,252</u>	<u>1,403,815</u>	<u>1,403,815</u>	
Cash Funds	10,655	16,450	74,137	74,137	
HUTF	1,023,595	1,299,542	1,304,416	1,304,416	
Cash Funds Exempt	25,049	25,260	25,262	25,262	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Operating Expenses	<u>6,638,155</u>	<u>6,631,353</u>	<u>6,622,505</u>	<u>6,793,503</u>	DI #2
General Fund a/	0	120,443	326,094	462,528	
Cash Funds	449,614	345,562	424,889	424,889	
HUTF	6,082,115	6,026,748	5,747,249	5,677,584	
Cash Funds Exempt	106,426	138,600	124,273	228,502	
MDC Asset Maintenance - HUTF	0	0	835,316	835,316	
Vehicle Lease Payments	<u>3,466,903</u>	<u>3,985,785</u>	<u>4,930,894</u>	<u>5,034,096</u>	DI #2, NP-2, NP-3
General Fund a/	0	0	68,616	68,616	
Cash Funds	94,359	50,286	101,342	119,303	
HUTF	3,310,707	3,853,709	4,657,405	4,714,362	
Cash Funds Exempt	61,837	81,790	74,142	90,520	
Federal Funds	0	0	29,389	41,295	
Communications Program (Dispatch Services)	5,816,831	6,203,400	6,919,187	7,091,177	
FTE	<u>133.3</u>	<u>129.5</u>	<u>136.1</u>	<u>136.1</u>	
Cash Funds	467,017	642,772	622,087	634,488	
FTE	11.0	11.0	11.0	11.0	
HUTF	4,805,664	4,979,990	5,639,762	5,786,895	
FTE	113.3	109.5	116.1	116.1	
Cash Funds Exempt	538,988	573,806	646,961	659,438	
FTE	9.0	9.0	9.0	9.0	
Federal Funds	5,162	6,832	10,377	10,356	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
State Patrol Training Academy	1,964,684	2,037,817	2,176,286	2,257,897	DI #2
FTE	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>	
Cash Funds	72,434	64,478	77,987	78,812	
FTE	1.0	1.0	1.0	1.0	
HUTF	1,546,931	1,616,928	1,636,977	1,694,288	
FTE	16.0	16.0	16.0	16.0	
Cash Funds Exempt	345,319	356,411	461,322	484,797	
Safety and Law Enforcement Support	2,217,227	2,325,492	2,570,581	2,573,143	
FTE	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	
Cash Funds	501,648	522,209	468,914	468,898	
Cash Funds Exempt	755,207	823,925	2,101,667	2,104,245	
FTE	1.0	1.0	1.0	1.0	
Federal Funds	960,372	979,358	0	0	
Aircraft Program	468,868	444,962	677,496	691,523	
FTE	<u>6.0</u>	<u>6.0</u>	<u>6.0</u>	<u>6.0</u>	
Cash Funds	7,608	0	9,840	9,820	
HUTF	287,830	296,885	314,268	328,497	
FTE	6.0	6.0	4.5	4.5	
Cash Funds Exempt	173,430	148,077	353,388	353,206	
FTE	0.0	0.0	1.5	1.5	
Federal Funds	0	0	0	0	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Executive and Capitol Complex Security Program	1,935,100	2,115,977	2,278,874	2,374,120	
FTE	<u>36.0</u>	<u>37.5</u>	<u>39.0</u>	<u>39.0</u>	
General Fund	1,242,352	1,307,741	1,396,598	1,463,101	
FTE	23.0	23.2	23.5	23.5	
Cash Funds Exempt	692,748	808,236	882,276	911,019	
FTE	13.0	14.3	15.5	15.5	
 Hazardous Materials Safety Program	 767,329	 926,738	 1,013,327	 1,042,402	
FTE	<u>9.0</u>	<u>9.2</u>	<u>12.0</u>	<u>12.0</u>	
Cash Funds	77,998	208,262	282,185	291,121	
FTE	2.0	5.5	5.5	5.5	
HUTF	689,331	718,476	731,142	751,281	
FTE	7.0	3.7	6.5	6.5	
Cash Funds Exempt	0	0	0	0	
 Automobile Theft Prevention Authority	 <u>145,081</u>	 <u>342,182</u>	 <u>956,931</u>	 <u>956,931</u>	
Cash Funds	0	19,095	0	0	
Cash Funds Exempt	145,081	323,087	956,931	956,931	
 Victim Assistance	 <u>149,925</u>	 <u>142,187</u>	 <u>232,590</u>	 <u>573,571</u>	DI #5
Cash Funds	0	0	0	155,429	
Cash Funds Exempt	149,925	142,187	232,590	243,142	
FTE	5.0	5.0	5.0	6.8	DI #5
Federal Funds	0	0	0	175000	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Counter-drug Program	3,735,878	3,440,103	4,000,000	4,000,000	
FTE	<u>1.5</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	
Cash Funds Exempt	3,636,273	3,432,246	4,000,000	4,000,000	
Federal Funds	99,605	7,857	0	0	
FTE	1.5	0.0	0.0	0.0	
Motor Carrier Safety and Assistance Program Grants	<u>2,214,173</u>	<u>2,738,355</u>	<u>2,405,156</u>	<u>2,486,563</u>	
Cash Funds Exempt	10,280	10,510	0	0	
Federal Funds	2,203,893	2,727,845	2,405,156	2,486,563	
FTE	22.0	22.0	22.0	22.0	
Federal Safety Grants - Federal Funds	2,115,150	1,100,525	1,220,294	1,055,200	DI #5
FTE	3.8	3.8	3.8	2.0	DI #5
Indirect Cost Assessment	<u>6,035,377</u>	<u>6,412,449</u>	<u>7,270,227</u>	<u>7,743,672</u>	DI #2
Cash Funds	258,895	167,644	193,222	208,237	
HUTF	5,480,196	5,820,776	6,615,740	6,987,665	
Cash Funds Exempt	218,914	221,593	304,459	374,164	
Federal Funds	77,372	202,436	156,806	173,606	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
					Request vs. Appropriation
TOTAL - (2) COLORADO STATE PATROL	84,292,469	87,180,773	95,733,107	99,987,636	4.4%
FTE	<u>921.2</u>	<u>947.2</u>	<u>952.0</u>	<u>968.0</u>	
General Fund	1,242,352	1,428,184	2,939,161	3,637,879	23.8%
FTE	23.0	23.2	35.5	47.5	
Cash Funds	2,726,232	2,866,318	3,118,133	3,374,752	8.2%
FTE	29.0	32.5	32.5	32.5	
HUTF	67,050,716	69,750,335	74,613,031	77,318,301	3.6%
FTE	799.3	816.9	811.6	812.6	
Cash Funds Exempt	7,811,615	8,111,083	11,240,760	11,714,684	4.2%
FTE	42.6	48.8	46.6	51.4	
Federal Funds	5,461,554	5,024,853	3,822,022	3,942,020	3.1%
FTE	27.3	25.8	25.8	24.0	

a/ For FY 2006-07, \$1,542,563 of General Fund and 12.0 FTE were added pursuant to S.B. 06-225.

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
(3) OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY					
Prevents terrorist attacks in Colorado, reduces Colorado's vulnerability to terrorism, minimizes the damage of attacks, and helps in recovery from attacks that do occur.					
Personal Services	349,371	345,016	432,939	447,476	
FTE	<u>5.7</u>	<u>5.4</u>	<u>7.0</u>	<u>7.0</u>	
General Fund	84,026	83,690	86,112	89,390	
FTE	1.0	0.8	1.0	1.0	
Cash Funds a/	83,000	147,957	229,344	237,059	
FTE a/	1.9	1.9	4.0	4.0	
Cash Funds Exempt	182,345	113,369	117,483	121,027	
FTE	2.8	2.7	2.0	2.0	
Operating Expenses	<u>166,455</u>	<u>166,515</u>	<u>173,987</u>	<u>173,987</u>	
General Fund	7,677	7,677	7,677	7,677	
Cash Funds b/	133,857	143,667	151,139	151,139	
Cash Funds Exempt	24,921	15,171	15,171	15,171	
Office of Anti-Terrorism Planning and Training Personal Services - Federal Funds	0	0	359,593	358,874	
FTE	0.0	0.0	5.0	5.0	
Office of Anti-Terrorism Planning and Training Operating Expenses - Federal Funds	0	0	10,991	10,991	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Federal Grants - Federal Funds	1,453,966	1,789,599	95,250	75,000	
FTE	6.6	7.2	0.5	0.5	
Indirect Cost Assessment	<u>28,413</u>	<u>10,139</u>	<u>66,712</u>	<u>71,119</u>	
Cash Funds	3,757	0	21,401	23,416	
Cash Funds Exempt	24,656	10,139	11,757	13,621	
Federal Funds	0	0	33,554	34,082	
					Request vs. Appropriation
TOTAL - (3) OFFICE OF PREPAREDNESS, SECURITY AND FIRE SAFETY	1,998,205	2,311,269	1,139,472	1,137,447	-0.2%
FTE	<u>12.3</u>	<u>12.6</u>	<u>12.5</u>	<u>12.5</u>	
General Fund	91,703	91,367	93,789	97,067	3.5%
FTE	1.0	0.8	6.0	1.0	
Cash Funds	220,614	291,624	401,884	411,614	2.4%
FTE	1.9	1.9	4.0	4.0	
Cash Funds Exempt	231,922	138,679	144,411	149,819	3.7%
FTE	2.8	2.7	2.0	2.0	
Federal Funds	1,453,966	1,789,599	499,388	478,947	-4.1%
FTE	6.6	7.2	0.5	5.5	

a/ For FY 2006-07, includes an increase of \$44,019 and 1.0 FTE pursuant to H.B. 06-1158.

b/ For FY 2006-07, includes an increase of \$11,626 pursuant to H.B. 06-1158.

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
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(4) DIVISION OF CRIMINAL JUSTICE

Publishes *Crime and Justice in Colorado*; manages federal funded juvenile justice, anti-drug, and victim assistance programs; and administers community corrections contracts.

					Request vs. Appropriation
TOTAL - (4) DIVISION OF CRIMINAL JUSTICE	66,596,479	69,549,276	79,090,606	69,745,756	-11.8%
FTE	<u>55.9</u>	<u>52.8</u>	<u>60.7</u>	<u>58.9</u>	
General Fund a/	38,847,448	41,370,045	46,284,281	48,534,741	4.9%
FTE	16.7	16.5	16.7	17.2	
Cash Funds b/	2,156,557	2,009,100	2,351,945	2,506,271	6.6%
FTE	7.0	6.9	7.5	7.4	
Cash Funds Exempt	776,673	625,929	1,012,677	1,012,279	0.0%
FTE	4.8	4.4	9.0	9.0	
Federal Funds	24,815,801	25,544,202	29,441,703	17,692,465	-39.9%
FTE	27.4	25.0	27.5	25.3	

a/ For FY 2006-07, includes an increase of \$29,000 pursuant to S.B. 06-22.

b/ For FY 2006-07, includes an increase of \$187,000 pursuant to H.B. 06-1058.

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	Change
	Actual	Actual	Appropriation	Request	Requests
(5) COLORADO BUREAU OF INVESTIGATION					
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.					
(A) Administration					
Personal Services	308,956	316,184	385,282	384,072	DI #1
FTE	<u>3.8</u>	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>	
General Fund	249,677	255,398	322,959	320,131	
FTE	2.8	3.0	3.0	3.0	
Cash Funds	59,279	60,786	62,323	63,941	
FTE	1.0	1.0	1.0	1.0	
Operating Expenses	<u>23,733</u>	<u>23,984</u>	<u>23,984</u>	<u>23,984</u>	
General Fund	12,756	13,007	13,007	13,007	
Cash Funds	10,977	10,977	10,977	10,977	
Vehicle Lease Payments	<u>202,974</u>	<u>115,800</u>	<u>190,174</u>	<u>201,810</u>	DI #NP-2
General Fund	173,888	87,754	150,721	152,457	
Cash Funds	0	2,034	2,034	11,934	
Cash Funds Exempt	20,962	18,445	29,295	29,295	
Federal Funds	8,124	7,567	8,124	8,124	
Federal Grants - Federal Funds	4,153,227	1,339,232	824,906	824,906	
FTE	3.0	2.6	3.0	3.0	
Indirect Cost Assessment	<u>264,467</u>	<u>277,422</u>	<u>357,477</u>	<u>398,936</u>	
Cash Funds a/	173,080	176,780	259,173	303,809	
Cash Funds Exempt b/	91,387	100,642	98,304	95,127	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Subtotal - (A) Administration	4,953,357	2,072,622	1,781,823	1,833,708	
FTE	<u>6.8</u>	<u>6.6</u>	<u>7.0</u>	<u>7.0</u>	
General Fund	436,321	356,159	486,687	485,595	
FTE	2.8	3.0	3.0	3.0	
Cash Funds	243,336	250,577	334,507	390,661	
FTE	1.0	1.0	1.0	1.0	
Cash Funds Exempt	112,349	119,087	127,599	124,422	
Federal Funds	4,161,351	1,346,799	833,030	833,030	
FTE	3.0	2.6	3.0	3.0	
(B) Colorado Crime Information Center (CCIC)					
(1) CCIC Program Support					
Personal Services	688,100	712,386	789,881	856,017	DI #3
FTE	<u>14.0</u>	<u>13.2</u>	<u>15.0</u>	<u>16.0</u>	DI #3
General Fund	693,384	716,243	738,094	803,067	
FTE	14.0	13.2	13.8	14.8	
Cash Funds	(5,284)	(3,857)	51,787	52,950	
FTE	0.0	0.0	1.2	1.2	
Operating Expenses	<u>120,866</u>	<u>121,362</u>	<u>187,522</u>	<u>196,243</u>	DI #3
General Fund	120,866	121,362	121,362	130,083	
Cash Funds	0	0	46,227	46,227	
Cash Funds Exempt	0	0	19,933	19,933	
Federal Funds	0	0	0	0	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
(2) Identification					
Personal Services	2,532,823	2,573,095	2,874,413	2,936,145	
FTE	<u>46.6</u>	<u>45.8</u>	<u>53.5</u>	<u>51.9</u>	
General Fund	1,020,382	1,049,092	1,078,929	1,118,058	
FTE	22.0	22.0	22.3	22.3	
Cash Funds c/	1,206,695	1,228,759	1,662,754	1,674,021	
FTE c/	20.0	19.6	26.6	25.0	
Cash Funds Exempt d/	305,746	295,244	132,730	144,066	
FTE	4.6	4.2	4.6	4.6	
Operating Expenses	<u>2,603,774</u>	<u>3,036,309</u>	<u>4,481,662</u>	<u>4,342,801</u>	
General Fund	244,011	244,011	244,011	244,011	
Cash Funds e/	1,055,278	1,291,634	2,016,911	1,960,330	
Cash Funds Exempt f/	1,304,485	1,500,664	2,220,740	2,138,460	
Lease/Lease Purchase Equipment	<u>436,415</u>	<u>540,670</u>	<u>594,099</u>	<u>583,989</u>	
Cash Funds g/	189,906	310,638	383,470	373,360	
Cash Funds Exempt h/	246,509	230,032	210,629	210,629	
(3) Information Technology					
Personal Services	1,051,917	1,077,625	1,159,815	1,250,273	DI #3
FTE	<u>13.8</u>	<u>14.8</u>	<u>17.0</u>	<u>18.0</u>	DI #3
General Fund	1,053,624	1,081,711	1,108,285	1,197,742	
FTE	13.8	14.8	16.0	17.0	
Cash Funds	(1,707)	(4,086)	51,530	52,531	
FTE	0.0	0.0	1.0	1.0	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Operating Expenses	<u>1,284,761</u>	<u>1,284,761</u>	<u>1,349,894</u>	<u>1,353,365</u>	DI #3
General Fund	646,406	646,406	646,406	655,127	
Cash Funds i/	617,803	617,803	682,936	677,686	
Cash Funds Exempt	20,552	20,552	20,552	20,552	
Subtotal - (B) Colorado Crime Information					
Center (CCIC)	8,718,656	9,346,208	11,437,286	11,518,833	
FTE	<u>74.4</u>	<u>73.8</u>	<u>85.5</u>	<u>85.9</u>	
General Fund	3,778,673	3,858,825	3,937,087	4,148,088	
FTE	49.8	50.0	52.1	54.1	
Cash Funds	3,062,691	3,440,891	4,895,615	4,837,105	
FTE	20.0	19.6	28.8	27.2	
Cash Funds Exempt	1,877,292	2,046,492	2,604,584	2,533,640	
FTE	4.6	4.2	4.6	4.6	
Federal Funds	0	0	0	0	
(C) Laboratory Services					
Personal Services - General Fund	4,187,782	4,282,502	4,747,651	4,902,687	
FTE	55.1	57.8	63.5	64.5	
Operating Expenses	<u>1,313,632</u>	<u>1,523,314</u>	<u>1,747,993</u>	<u>2,386,025</u>	DI #1
General Fund	1,280,794	1,465,314	1,689,665	2,127,697	
Cash Funds Exempt	32,838	58,000	58,328	258,328	
Federal Funds	0	0	0	0	
Lease/Lease Purchase Equipment - General Fund	353,796	353,796	428,796	439,196	

FY 2007-08 Joint Budget Committee Staff Budget Briefing

DEPARTMENT OF PUBLIC SAFETY

	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	Change
	Actual	Actual	Appropriation	Request	Requests
Subtotal - (C) Laboratory Services	5,855,210	6,159,612	6,924,440	7,727,908	
FTE	<u>55.1</u>	<u>57.8</u>	<u>63.5</u>	<u>64.5</u>	
General Fund	5,822,372	6,101,612	6,866,112	7,469,580	
FTE	55.1	57.8	63.5	64.5	
Cash Funds Exempt	32,838	58,000	58,328	258,328	
Federal Funds	0	0	0	0	
(D) Investigative Services					
Personal Services	2,533,961	2,638,386	2,858,955	2,929,139	
FTE	<u>31.1</u>	<u>31.3</u>	<u>34.2</u>	<u>34.3</u>	
General Fund j/	2,042,541	2,105,981	2,216,817	2,269,893	
FTE j/	25.0	24.6	27.2	27.3	
Cash Funds	0	0	0	0	
FTE	0.0	0.0	0.0	0.0	
Cash Funds Exempt	491,420	532,405	642,138	659,246	
FTE	6.1	6.7	7.0	7.0	
Operating Expenses	<u>213,119</u>	<u>224,945</u>	<u>230,295</u>	<u>230,295</u>	
General Fund k/	160,232	172,783	178,133	178,133	
Cash Funds Exempt	52,887	52,162	52,162	52,162	
Complex Financial Fraud Unit - Cash Funds l/	0	0	352,906	548,832	
FTE l/	0	0	3.5	7.0	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Subtotal - (D) Investigative Services	2,747,080	2,863,331	3,442,156	3,708,266	
FTE	<u>31.1</u>	<u>31.3</u>	<u>37.7</u>	<u>41.3</u>	
General Fund	2,202,773	2,278,764	2,394,950	2,448,026	
FTE	25.0	24.6	27.2	27.3	
Cash Funds	0	0	352,906	548,832	
FTE	0.0	0.0	3.5	7.0	
Cash Funds Exempt	544,307	584,567	694,300	711,408	
FTE	6.1	6.7	7.0	7.0	
(E) State Point of Contact - National Instant Criminal Background Check Program					
Personal Services	1,066,865	1,080,154	1,198,379	1,223,153	
FTE	<u>22.0</u>	<u>21.8</u>	<u>26.4</u>	<u>26.4</u>	
General Fund	983,382	1,018,877	1,039,144	1,059,429	
FTE	19.8	19.8	22.0	22.0	
Cash Funds	83,483	60,497	159,235	163,724	
FTE	2.2	2.0	4.4	4.4	
Cash Funds Exempt	0	780	0	0	
FTE	0.0	0.0	0.0	0.0	
Operating Expenses	<u>344,057</u>	<u>333,971</u>	<u>399,693</u>	<u>399,693</u>	
General Fund	344,057	333,971	344,057	344,057	
Cash Funds	0	0	55,636	55,636	

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
Subtotal - (E) State Point of Contact - National Instant Criminal Background Check Program					
	1,410,922	1,414,125	1,598,072	1,622,846	
FTE	<u>22.0</u>	<u>21.8</u>	<u>26.4</u>	<u>26.4</u>	
General Fund	1,327,439	1,352,848	1,383,201	1,403,486	
FTE	19.8	19.8	22.0	22.0	
Cash Funds	83,483	60,497	214,871	219,360	
FTE	2.2	2.0	4.4	4.4	
Cash Funds Exempt	0	780	0	0	
FTE	0.0	0.0	0.0	0.0	
					Request vs. Appropriation
TOTAL - (5) COLORADO BUREAU OF INVESTIGATION					
	23,685,225	21,855,898	25,183,777	26,411,561	4.9%
FTE	<u>189.4</u>	<u>191.3</u>	<u>220.1</u>	<u>225.1</u>	
General Fund	13,567,578	13,948,208	15,068,037	15,954,775	5.9%
FTE	152.5	155.2	167.8	170.9	
Cash Funds	3,389,510	3,751,965	5,797,899	5,995,958	3.4%
FTE	23.2	22.6	37.7	39.6	
Cash Funds Exempt	2,566,786	2,808,926	3,484,811	3,627,798	4.1%
FTE	10.7	10.9	11.6	11.6	
Federal Funds	4,161,351	1,346,799	833,030	833,030	0.0%
FTE	3.0	2.6	3.0	3.0	

a/ For FY 2006-07, includes an increase of \$2,741 pursuant to H.B. 06-1161, an increase of \$25,529 pursuant to H.B. 06-1347, an increase of \$8,689 pursuant to S.B. 06-45, an increase of \$18,343 pursuant to S.B. 06-176, and an increase of \$1,697 pursuant to S.B. 06-230.

b/ For FY 2006-07, includes a reduction of \$18,343 pursuant to S.B. 06-176.

c/ For FY 2006-07, includes an increase of \$26,107 and 0.6 FTE pursuant to H.B. 06-1161, an increase of \$82,748 and 2.0 FTE pursuant to S.B. 06-45, an increase of \$191,469 pursuant to S.B. 06-176, and an increase of \$16,161 and 0.3 FTE pursuant to S.B. 06-230.

**FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY**

	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Appropriation	FY 2007-08 Request	Change Requests
d/ For FY 2006-07, includes a reduction of \$191,469 pursuant to S.B. 06-176.					
e/ For FY 2006-07, includes an increase of \$6,816 pursuant to H.B. 06-1161, an increase of \$26,390 pursuant to S.B. 06-45, an increase of \$92,124 pursuant to S.B. 06-176, and an increase of \$6,875 pursuant to S.B. 06-230.					
f/ For FY 2006-07, includes an increase of \$66,000 pursuant to H.B. 06-1161, an increase of \$47,520 pursuant to S.B. 06-45, a reduction of \$92,124 pursuant to S.B. 06-176, and an increase of \$39,600 pursuant to S.B. 06-230.					
g/ For FY 2006-07, includes an increase of \$5,980 pursuant to H.B. 06-1161, an increase of \$5,830 pursuant to S.B. 06-45, an increase of \$35,880 pursuant to S.B. 06-176, and an increase of \$3,300 pursuant to S.B. 06-230.					
h/ For FY 2006-07, includes a reduction of \$35,880 pursuant to S.B. 06-176.					
i/ For FY 2006-07, includes an increase of \$5,250 pursuant to H.B. 06-1161, an increase of \$10,922 pursuant to S.B. 06-45, and an increase of \$3,150 pursuant to S.B. 06-230.					
j/ For FY 2006-07, includes an increase of \$53,485 and 1.2 FTE pursuant to H.B. 06-1153.					
k/ For FY 2006-07, includes an increase of \$5,350 pursuant to H.B. 06-1153.					
l/ For FY 2006-07, a new line item and 3.5FTE were added pursuant to H.B. 06-1347.					
					Request vs. Appropriation
GRAND TOTAL - DEPARTMENT OF PUBLIC SAFETY	191,797,020	197,224,620	221,363,443	221,364,762	0.0%
FTE	<u>1211.0</u>	<u>1239.2</u>	<u>1285.8</u>	<u>1306.0</u>	
General Fund	56,246,759	58,762,966	66,899,268	71,479,938	6.8%
FTE	193.2	195.7	226.0	236.6	
Cash Funds	8,807,681	9,365,158	12,263,259	13,144,219	7.2%
FTE	61.1	63.9	81.7	83.5	
HUTF	72,635,053	76,490,571	82,794,682	87,716,699	5.9%
FTE	799.3	816.9	811.6	812.6	
Cash Funds Exempt	18,087,349	18,712,645	24,191,512	25,299,561	4.6%
FTE	92.9	102.1	109.7	115.5	
Federal Funds	36,020,178	33,893,280	35,214,722	23,724,345	-32.6%
FTE	64.5	60.6	56.8	57.8	

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

- 2 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. Until such time as the Secretary of State publishes the code of Colorado regulations and the Colorado register in electronic form pursuant to section 24-4-103 (11) (b), C.R.S., each principal department of the state is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should be submitted to the Office of Legislative Legal Services for publishing on the Internet. Alternatively, the Office of Legislative Legal Services may provide links on its internet web site to such rules. It is the intent of the General Assembly that this be done within existing resources.

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.

- 3 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 2006-07. 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 the basis that: (1) it may violate the separation of powers in that it is attached to federal funds and private donations, which are not subject to legislative appropriation; (2) it may constitute substantive legislation; and (3) it is an unfunded mandate.*

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.

Department of Public Safety - Total Federal Funds and Associated FTE				
Division	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Approp	FY 2007-08 Request
Executive Director's Office	\$127,506	\$187,827	\$618,579	\$777,883
FTE	0.2	0.0	0.0	0.0
Colorado State Patrol	5,461,554	5,024,853	3,822,022	3,942,020
FTE	27.3	25.8	25.8	24.0
Office of Preparedness, Security, and Fire Safety	1,453,966	1,789,599	499,388	478,947
FTE	6.6	7.2	0.5	5.5
Criminal Justice	24,815,801	25,544,202	29,441,703	17,692,465
FTE	27.4	25.0	27.5	25.3
Colorado Bureau of Investigation	4,161,351	1,346,799	833,030	833,030
FTE	3.0	2.6	3.0	3.0
TOTAL FUNDS	\$36,020,178	\$33,893,280	\$35,214,722	\$23,724,345
FTE	64.5	60.6	56.8	57.8

- 4 **Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division; and Division of Youth Corrections; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice** -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.

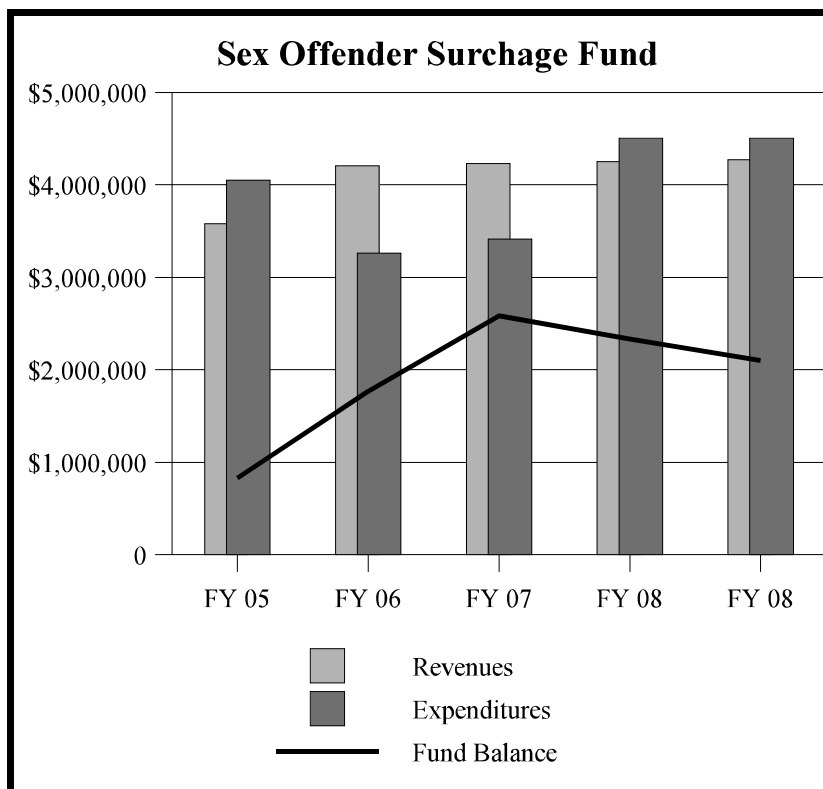
Comment: This footnote was vetoed by the Governor on the basis that: (1) it may violate the separation of powers by attempting to dictate the format of the executive budget request; and (2) it constitutes substantive legislation. In his letter to the General Assembly concerning the Long Bill, the Governor indicated that he would instruct the Department to comply with the footnote to the extent feasible.

The Department is in compliance with this footnote. The Department shares only one fund with other state agencies: the Sex Offender Surcharge Fund created in Section 18-21-103, C.R.S. The Department report indicates that the Sex Offender Management Board endorsed the following plan for expenditures for FY 2007-08:

- \$163,591 to the Division of Criminal Justice;
- \$275,029 to the Judicial Department;
- \$29,618 to the Department of Corrections;
- \$37,764 to the Department of Human Services; and
- A total of \$506,002 from the Fund.

However, according to the budget request submitted by the Judicial Department for FY 2007-08, the total projected expenditures for FY 2007-08 are much higher than those in the Department report. The following table and graph reflect the historical and anticipated fund balance for the Sex Offender Surcharge Fund as reported by the Judicial Department:

Sex Offender Surcharge Fund Balance (Section 18-21-103,C.R.S.)					
	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Projected	FY 2007-08 Projected	FY 2008-09 Projected
Beginning Fund Balance	\$1,295,311	\$826,122	\$1,768,861	\$2,586,508	\$2,334,045
Plus Revenue	3,580,777	4,205,817	4,231,083	4,252,239	4,273,500
Minus Expenditures					
Judicial	(1,382,847)	(1,136,270)	(1,245,060)	(1,588,326)	(1,588,326)
Corrections	(770,401)	(651,766)	(651,766)	(981,766)	(981,766)
Public Safety	(894,102)	(722,426)	(763,994)	(913,994)	(913,994)
Div. of Youth Corrections	<u>(1,002,616)</u>	<u>(752,616)</u>	<u>(752,616)</u>	<u>(1,020,616)</u>	<u>(1,020,616)</u>
Total Expenditures	(4,049,966)	(3,263,078)	(3,413,436)	(4,504,702)	(4,504,702)
Ending Fund Balance	\$826,122	\$1,768,861	\$2,586,508	\$2,334,045	\$2,102,843
Balance increase /(decrease)	(469,189)	942,739	817,647	(252,463)	(231,202)



109 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 the basis that: (1) it may violate the separation of powers by attempting to dictate the format and content of the executive budget request; (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 intent of the footnote.*

The tables on the following pages provide a summary of FTE assigned to the field and to special programs during FY 2005-06 and FY 2006-07.

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

COLORADO STATE PATROL AS OF NOVEMBER 2005					
FY 2005-06 Long Bill Personal Services Line Items	Admin.	Field Offices	Dispatch Centers	Special Assignment	TOTAL
Colonels, LTC, Majors, and Captains	32.0	-	-	1.0	33.0
Sergeants, Technicians, and Troopers	-	479.0	-	104.6	583.6
Civilians	76.5	-	-	5.0	81.5
Dispatch Services	-	-	136.1	-	136.1
State Patrol Training Academy	-	-	-	17.0	17.0
Safety and Law Enforcement	-	-	-	1.0	1.0
Aircraft Program	-	-	-	6.0	6.0
Executive and Capitol Complex Security Prog.	-	-	-	36.0	36.0
Hazardous Materials Safety Program	-	-	2.0	10.0	12.0
Victims Assistance	-	-	-	5.0	5.0
Counter-Drug Program	-	-	-	2.0	2.0
Motor Carrier Safety and Assistance Program Grants	-	-	-	22.0	22.0
Federal Safety Grants	-	-	-	15.6	15.6
TOTAL	108.5	479.0	138.1	225.2	950.8

FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
(Except Division of Criminal Justice)

ISSUE:

Department of Public Safety (Except Division of Criminal Justice) Performance Measures

DISCUSSION:

Department Mission

Mission Statement:

The mission of the Colorado Department of Public Safety is to provide a safe environment in Colorado by maintaining, promoting, and enhancing public safety through law enforcement, criminal investigations, fire and crime prevention, recidivism reduction, and victim advocacy. The CDPS also provides professional support of the criminal justice system, fire safety community, other governmental agencies, and private entities. Throughout, our goal is to serve the public through an organization that emphasizes quality and integrity.

Goals and Performance Measures

The Department's strategic plan is 68 pages long and is comprised of *four goals, 64 prioritized objectives, and 61 performance measures*. The four goals are as follows:

1. Support and promote a secure environment in Colorado by preventing, analyzing, investigating, and reducing the impact of fire and crime, and improving highway safety.
2. Support and respond to the needs of communities, law enforcement, criminal justice, and fire protection agencies.
3. Promote the effective management of offenders, safeguard the rights and recovery of victims, and strengthen confidence in the criminal justice system.
4. Ensure effective and efficient administration of public safety services to the citizens of Colorado by maintaining a high-caliber workforce and using the best technology and business practices available.

For each goal, prioritized objectives have been identified; however, the majority of the objectives are dedicated to the first two goals (53 of the 64 objectives are divided between the first two goals). Additionally, performance measures have been designated for each prioritized objective, including a number of performance measures that are contained within the divisional crosswalks of the Department budget request. Within the strategic plan, the Department has set performance measures for the first 10 prioritized objectives that fall under the first goal. Therefore, the performance measures for the remaining three goals and 54 objectives can only be found within the divisional crosswalks. In addition, for those prioritized objectives that are contained within the strategic plan, a few have also been broken down into sub-objectives that then have performance measures associated with them. The strategic plan also contains some key accomplishments and key trends by division.

Staff Analysis

Joint Budget Committee staff reviewed the performance measures submitted in the budget request for all divisions of the Department of Public Safety except the Division of Criminal Justice. Staff assessed these performance measures using the following common checklist:

1. Do the goals and performance measures correspond to the program's directives provided in statute?
2. Are the performance measures meaningful to stakeholders, policymakers, and managers?
3. Does the Department use a variety of performance measures (including input, output, efficiency, quality, outcome)?
4. Do the performance measures cover all key areas of the budget?
5. Are the data collected for the performance measures valid, accurate, and reliable?
6. Are the performance measures linked to the proposed budget base?
7. Is there a change or consequence if the Department's performance targets are not met?

As a whole, staff believes the Department's goals and strategic objectives are reasonable and consistent with the statutory intent of the legislature in creating the Department and the programs it is charged with implementing. With regard to whether the performance measures are meaningful to stakeholders, policymakers, and managers, staff feels that some of the Department's performance measures are meaningful; however, others seem to be simply statements of tasks that the Department must accomplish rather than meaningful performance measures. For example, a performance measure within the Executive Director's Office deals with preparing and executing the Department's annual budget request while a performance measure within the Office of Preparedness, Security, and Fire Safety details the number of fireworks retailer licenses issued. While these performance measures may be appropriate for internal managers in assessing the performance of individual divisions, it is difficult to see how the measurements are meaningful to external stakeholders and policymakers.

The Department does seem to use a variety of performance measures, including input, output, efficiency, quality, and outcome measures. In addition, the performance measures cover all key areas of the budget once those that are found within the divisional crosswalks are included. However, many of the performance measures do not seem to be directly linked to the proposed budget base. Instead, the performance issues primarily relate to improving public safety, which may or may not have a budgetary impact. Additionally, there are no monetary consequences if the Department does not meet its performance measures. However, because many of the performance measures relate specifically to improving public safety, public safety will be compromised if the performance measures are not met. Finally, staff does not have reason to doubt the validity or accuracy of the data collected for the performance measures.

The following are examples of key goals and performance measures from selected programs or divisions:

Goal #1: Support and promote a secure environment in Colorado by preventing, analyzing, investigating, and reducing the impact of fire and crime, and improving highway safety.

Prioritized Objective #1.01: Maintain and update the CCIC network and system to meet projected capacity increases required by local, state, and federal law enforcement activity for the foreseeable future. Maintain an acceptable response time and position the system for image transfers and other technological improvements.

Sub-Objective #1.01.1: Restoration of service to primary networks in 4 hours or less.

Colorado Bureau of Investigation, Information Technology Unit - Performance Measure

- Percent of Trouble Tickets closed within a 4-hour period.

Staff believes that this is an appropriate performance measure in relation to the strategic objective and overall goal. However, staff feels that a more meaningful performance measure to external stakeholders and policymakers might be the total number of trouble tickets over the course of a fiscal year. While a performance measure related to closing trouble tickets might be meaningful for internal managers in evaluating the ability of the Division to maintain the accessibility of the CCIC network, it may be more helpful for external stakeholders to see how many trouble tickets are occurring in any given year, particularly if the number of trouble tickets drives costs within the Division. Therefore, staff would recommend that the Department add a performance measure that tracks the total number of trouble tickets by fiscal year in order to help correlate this strategic objective with the proposed base budget.

Goal #1: Support and promote a secure environment in Colorado by preventing, analyzing, investigating, and reducing the impact of fire and crime, and improving highway safety.

Prioritized Objective #1.02: Improve public safety on Colorado's roadways, which are covered by CSP troopers, by decreasing the rate of fatal and injury crashes per 100 million vehicle miles traveled (VMT) by at least two-percent.

Colorado State Patrol, Traffic Management, Enforcement, and Safety - Performance Measure

- Rate of fatal and injury crashes per 100 million vehicle miles traveled (VMT) on roads covered by the Colorado State Patrol.

Staff believes this is a strong performance measure that is both meaningful to stakeholders and also linked to the proposed budget base. The direct correlation to the prioritized objective along with the applicability to public safety make this performance measure meaningful to policymakers and stakeholders. Additionally, this performance measure has a link to the proposed budget base due to the fact that fatal and injury crashes require a great deal of Department resources. The more the Department is able to reduce these types of crashes, the more potential savings it will be able to realize.

Goal #1: Support and promote a secure environment in Colorado by preventing, analyzing, investigating, and reducing the impact of fire and crime, and improving highway safety.

Prioritized Objective #1.03: Coordinate with federal, state, and local agencies to detect and prevent terrorist threats, terrorist acts, and other terrorist activities

Office of Preparedness, Security, and Fire Safety, Anti-Terrorism Planning and Training - Performance Measure

- Reduce Colorado's vulnerability to terrorism by collaborating with partners in local and state government, along with the private sector, to harden critical infrastructure within the State.

Staff believes that this is an appropriate performance measure in relation to the strategic objective and overall goal. However, the only criticism would be that this performance measure is too broad. It might be more appropriate to split this into several performance measures that more closely track exactly what the Department is doing to collaborate with local and state partners and what is specifically being done to harden critical infrastructure within the State. For example, the Department might be able to point to training or other specific actions that it is undertaking to harden the critical infrastructure and collaborate with local and state partners. In addition, it might be helpful to identify the link between these collaborations and the vulnerability of Colorado to terrorism.

Goal #2: Support and respond to the needs of communities, law enforcement, criminal justice, and fire protection agencies.

Prioritized Objective #2.10: Prepare and execute the Department's annual planning and budget document, including resource/grant acquisition.

Executive Director's Office - Performance Measure

- Meet guidelines and due dates established by the OSPB, JBC, and CDC. Review and advise the divisions' managers monthly on financial status.

Staff does not believe this is a very strong performance measure. As mentioned previously, this performance measure seems to relate more to the tasks that the Division is charged with completing, rather than a meaningful and measurable goal. It is difficult to determine how this information

would be helpful to an external policymaker or stakeholder. Instead, it seems better suited as an internal measure that is used by managers to evaluate the effectiveness of the Division. In addition, it is difficult to determine what exactly is being gauged by the performance measure, and the performance measure does not seem to include any kind of goal that the Division is working toward. Staff does not believe that meeting guidelines and due dates constitutes a valid performance measure but rather an internal workload measure. Thus, staff would recommend that the Department retool this performance measure to provide some measurable improvement that could be observed within the Division.

Questions for Department

Staff recommends that the Committee discuss the following questions with the Department during the FY 2007-08 budget hearing:

1. How do your performance measures influence department activities and budgeting?
2. To what extent do the performance outcomes reflect appropriation levels?
3. To what extent do you believe that appropriation levels in your budget could or should be tied to specific performance measure outcomes?
4. As a department director, how do you judge your department's performance? What key measures and targets do you used?

FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
(Except Division of Criminal Justice)

ISSUE:

The “off-the-top” appropriations from the Highway Users Tax Fund (HUTF) have continued to increase at a rate which is greater than the overall growth rate of the total HUTF revenue. In addition, the base continuation budget for the Colorado State Patrol (CSP) is reaching a level where the common policy annual budget increases will soon exceed the available six percent growth limit.

SUMMARY:

- 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. These HUTF dollars are distributed, based on statutory formula, to cities, counties, and the Department of Transportation for construction and maintenance of highways and roads.
- Before applying these formula distributions, HUTF "off-the-top" appropriations are allowed. Senate Bill 95-47 limited the state departments and divisions that can receive these "off-the-top" appropriations to the Department of Public Safety (Colorado State Patrol) and the Department of Revenue (Ports of Entry). It also limited the annual growth of these "off-the-top" appropriations to no more than six percent.
- The HUTF "off-the-top" appropriations have increased at a greater rate than the total HUTF revenue causing the "off-the-top" portion to be a larger percentage of the total. In addition, the HUTF "off-the-top" appropriation to the CSP for common policy increases will soon exceed the six percent growth limit on HUTF "off-the-top" appropriations.

RECOMMENDATION:

Staff recommends that the Committee ask the Department the following questions at the Department hearing:

1. How does the Department plan to meet its HUTF funding needs given that a majority of its HUTF "off-the-top" appropriation will go toward funding common policy increases?
2. What funding mechanism would the Department recommend for the HUTF in future years?

DISCUSSION:

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.

"Off-the-Top" Appropriations. Prior to appropriating the HUTF revenue for construction and maintenance of highways, appropriations from the HUTF are made 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. These "off-the-top" appropriations are taken from the first \$0.07 per gallon collected from the excise tax on motor fuel. 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. 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.

Recent Legislation. More recent legislation has been aimed at increasing the statutory flexibility for use of HUTF "off-the-top" appropriations:

H.B. 98-1333: This bill: (1) added the requirement that any supplier, importer, carrier, or blender of gasoline and special fuels must obtain a license from the Department of Revenue; and (2) instituted regulations concerning the administration of the excise tax on fuel exporters, distributors, and suppliers. It also allows the General Assembly to make an annual appropriation from the HUTF, exempt from the six percent growth limit on the "off-the-top" portion, to the Department of Revenue for the data collection services necessary under the act.

H.B. 98-1075: This bill gives authorization to the Department of Revenue to require replacement of any license plate as necessary to ensure that license plates are legible as required by statute. It also allows the General Assembly to appropriate HUTF dollars to complete the license plate replacements

by January 1, 2004. This HUTF appropriation is “off-the-top” but exempt from the six percent growth limit.

S.B. 03-228: In addition to the HUTF funding for license plate replacement (H.B. 98-1075), this bill authorizes the General Assembly to appropriate HUTF dollars for base license plate funding through FY 2004-05. It also changes the six percent "off-the-top" growth statute such that any savings under the six percent growth limit created by supplemental action may be applied to license plate funding without reducing the base used to calculate the six percent growth for the Colorado State Patrol and the Ports of Entry. The bill sunset this appropriation authority for base license plate funding on July 1, 2006.

S.B. 03-267: This bill provided statutory authority to use the HUTF to support expenses of the Division of Motor Vehicles in the Department of Revenue through FY 2004-05. It also allowed discretion to include this appropriation as either within or outside the six percent growth limit on the HUTF "off-the-top" appropriations.

S.B. 03-272: This bill created the License Plate Cash Fund for the purpose of supporting the costs of the Department of Revenue and Correctional Industries in producing and distributing license plates. It also authorizes the Department of Revenue to collect additional fees for the costs of producing and distributing license plates. Finally, the bill created statutory fees based on production costs and allows for the reversion of unexpended moneys to the Highway Users Tax Fund.

H.B. 05-1196: This bill extended the spending authority under S.B. 03-267 for one year, ending July 1, 2006. This allowed the Division of Motor Vehicles to receive an HUTF "off-the-top" appropriation for FY 2005-06.

Growth Rate of "Off-the-Top" Appropriations. The growth rate of the "off-the-top" portion as a percent of the total HUTF has increased since FY 1998-99 from 9.4 percent to 12.3 percent, a 31.2 percent increase in its percentage share of the HUTF total revenues. In addition, while the Colorado State Patrol (CSP) percentage of "off-the-top" appropriations decreased between FY 2003-04 and FY 2005-06, the increased growth of the "off-the-top" portion as a percent of the total HUTF revenue allowed the CSP "off-the-top" appropriation to continue to increase. During those fiscal years, the CSP "off-the-top" appropriations increased at an average annual rate of 3.7 percent. Additionally, the CSP "off-the-top" appropriation for FY 2006-07 represented a 7.5 percent increase from the previous fiscal year despite the fact that the total HUTF revenue declined by 6.1 percent. This increase also occurred despite the ratcheting down of the total "off-the-top" HUTF base by \$8.9 million on July 1, 2006, when the "off-the-top" HUTF appropriation made to the Division of Motor Vehicles was eliminated pursuant to the sunset of H.B. 05-1196. The following table illustrates the HUTF "off-the-top" appropriations for FY 2006-07:

Summary of FY 2006-07 HUTF "Off-The-Top" Appropriations	
Statutory HUTF "Off-the-Top" Appropriations Limit Section 43-4-201, C.R.S.	
FY 2005-06 HUTF Off-the-Top Appropriations Base	\$95,217,800
Reduction in Base Due to Sunset of H.B. 05-1196	<u>8,948,375</u>
FY 2006-07 HUTF Off-the-Top Appropriations Base	86,269,425
x Allowable growth of 6%	<u>1.06</u>
FY 2006-07 HUTF Off-the-Top Appropriations Limit	91,445,591
FY 2006-07 HUTF Off-the-Top Appropriations:	
Department of Public Safety - Colorado State Patrol	82,794,682
Department of Revenue - Ports of Entry	8,593,426
Department of Revenue - Division of Motor Vehicles	0
Department of Public Safety - Capital Construction	<u>41,882</u>
Total FY 2006-07 HUTF Off-the-Top Appropriations	\$91,429,990
Over / (Under) FY 2006-07 HUTF Off-the-Top Appropriations Limit	(15,601)

CSP "Off-the-Top" Appropriation Growth. The CSP "off-the-top" appropriations for the last nine years have continually grown at a rate greater than the growth rate in the overall HUTF revenue. During the period from FY 1998-99 to FY 2006-07, the CSP "off-the-top" appropriations increased at an average annual rate of 5.5 percent. However, during this same period of time, the total HUTF revenue from which the "off-the-top" appropriations are taken has increased at an average annual rate of only 1.3 percent. This disparity in growth rates has caused the CSP to require a larger percentage of the total HUTF revenue. The table on the following page summarizes the HUTF "off-the-top" appropriations for the past nine years.

HUTF "Off-the-Top" Appropriations Summary FY 1998-99 to FY 2006-07							
Fiscal Year	Total HUTF "Off-the-Top"	Percent of Total HUTF	CSP "Off-the-Top"	CSP Percent	DOR "Off-the-Top"	DOR Percent	Capital Construction
1998-99	\$63,382,172	9.34%	\$53,974,669	85.16%	\$7,272,355	11.47%	\$2,135,148
1999-00	67,185,102	9.42%	57,684,628	85.86%	7,284,713	10.84%	2,215,761
2000-01	71,216,208	9.91%	60,755,775	85.31%	7,413,259	10.41%	3,047,174
2001-02	75,489,180	10.21%	67,366,667	89.24%	8,116,823	10.75%	5,690
2002-03	79,955,627	10.85%	69,207,746	86.56%	9,800,773	12.26%	947,108
2003-04	84,752,744	11.25%	69,378,263	81.86%	12,921,384	15.25%	2,453,097
2004-05	89,837,909	11.77%	73,071,846	81.34%	16,766,063	18.66%	0
2005-06	95,228,184	12.97%	77,048,012	80.91%	17,585,172	18.47%	595,000
2006-07	91,429,990	12.25%	82,794,682	90.56%	8,593,426	9.40%	41,882

FY 2007-08 "Off-the-Top" Appropriations. Pursuant to Section 43-4-201, C.R.S., beginning in FY 2005-06, the HUTF "off-the-top" appropriation shall not be more than a six percent increase over the previous year's appropriation to the Department of Public Safety (Colorado State Patrol) and to the Department of Revenue (Ports of Entry). The following table illustrates the FY 2006-07 calculated "off-the-top" allowable growth pursuant to Section 43-4-201, C.R.S. and the requested HUTF "off-the-top" funding for FY 2007-08.

FY 2007-08 HUTF "Off-the-Top" Budget Request		
"Off-the-Top" Appropriation	FY 2006-07 Appropriation Base	FY 2007-08 Requests
Public Safety (Colorado State Patrol)	\$82,794,682	\$87,716,699
Revenue (Ports of Entry)	8,593,426	9,199,089
Capital Construction (CSP, Ports)	41,882	0
Revenue (Division of Motor Vehicles)	0	
Plus Amount Under Limit for FY 2006-07	15,601	
FY 2004-05 Base for FY 2005-06 Growth	\$91,445,591	
Six Percent Growth Factor	x1.06	
Allowed FY 2007-08 "Off-the-Top" Appropriation	\$96,932,326	\$96,915,788

The current request for "off-the-top" appropriations is \$16,538 below the six percent growth limit for FY 2007-08. This amount would remain in the Highway Users Tax Fund for statutory formula

distribution to cities, counties, and the Department of Transportation. In addition, as can be seen from the table above, the majority of the 6 percent growth limit (almost 90 percent) is taken up by increases in the CSP budget. This has resulted from the statutorily mandated salary increases for troopers (pursuant to Section 24-50-104 (1) (a) (III) (A), C.R.S.) as well as other common policy increases. The table below shows the breakdown of how the CSP request was developed.

Summary of HUTF "Off-The-Top" Adjustments to Base Colorado State Patrol FY 2007-08	
<u>Continuation Increases/Decreases</u>	
FY 08 Salary Survey (includes PERA and Medicare)	\$3,193,539
FY 08 Amortization Equalization Disbursement	269,770
Pay for Performance	462,294
Shift Increase	7,630
HLD Incremental Adjustment	641,485
STD Incremental Adjustment	14,909
Personal Services Base Adjustment	(112,970)
Indirect Cost Assessment	366,576
Risk Management	1
Communication Services	34,037
Capitol Complex Leased Space	(7,855)
<u>Statewide Change Requests</u>	
Non-Prioritized FY 08 Vehicle Replacements	462,069
Total FY 2006-07 HUTF Off-the-Top Appropriations	\$5,331,485

The Colorado State Patrol HUTF share of the common policy items shown above, along with the Ports of Entry share, is a total sum that is greater than the allowed six percent growth in the HUTF "off-the-top" base for FY 2007-08. The CSP \$5,331,485 adjustment for common policy items alone in FY 2007-08 represents a 5.8 percent increase in the FY 2006-07 HUTF "off-the-top" base. Consequently, the CSP was asked to reduce its vehicle lease line continuation appropriation for FY 2007-08 by \$409,468.

FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
(Except Division of Criminal Justice)

ISSUE:

The Colorado Bureau of Investigation (CBI) has failed to consistently perform triennial audits of local agencies with access to the National Crime Information Center (NCIC) and the Colorado Crime Information Center (CCIC) in accordance with the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Security Policy. Such noncompliance could result in sanctions, including the suspension of access to the NCIC database.

SUMMARY:

- The FBI CJIS Security Policy requires that the CBI be responsible for ensuring local law enforcement agency compliance with the security guidelines created and implemented by the FBI CJIS. As such, NCIC policy mandates that, at least once every three years, the CBI audit each agency with direct access to the CCIC and NCIC.
- In order to ensure that the CBI meets CJIS policies, the FBI reviews the CBI enforcement of CJIS policies once every three years. The FBI conducted audits of the CBI in 2002 and again in 2005 and found the CBI to be out of compliance on a number of security issues, including the execution of triennial audits of local agencies.
- In order to avoid sanctions and the possible termination of NCIC access, the CBI has taken steps to correct its noncompliance with the FBI CJIS Security Policy. In addition, the Department is requesting 2.0 FTE for FY 2007-08 to assist with the completion of the triennial audits of local agencies.

RECOMMENDATION:

Staff recommends that the Committee ask the Department the following questions at the Department hearing:

1. What sanctions, if any, does the Department anticipate as a result of its noncompliance with the 2005 FBI CJIS audit?
2. Will the additional FTE being requested for FY 2007-08 be sufficient to meet the triennial audit requirements on the CBI?

DISCUSSION:

Background. The Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Security Policy requires that the Colorado Bureau of Investigation (CBI) be responsible for ensuring local law enforcement agency compliance with the security guidelines created and implemented by the FBI CJIS. In addition, the CBI is responsible for ensuring all policies are being adhered to at the CBI and its constituent agencies. As such, National Crime Information Center (NCIC) policy mandates that, at least once every three years, the CBI audit each agency with direct access to the Colorado Crime Information Center (CCIC) and NCIC. In order to ensure that the CBI meets CJIS policies, the FBI reviews the CBI enforcement of CJIS policies once every three years. In most cases, the FBI looks for efforts to correct specific audit issues. Failure to respond or to correct audit findings may result in sanctioning and, ultimately, NCIC access termination.

The purpose of the audit is to provide training and ensure integrity of the criminal justice information entered into the CCIC database. Without an audit of local law enforcement agencies' use of CCIC/NCIC, it is more likely that users will make entry errors, compromising the quality of the information in the system. This can have a negative impact to law enforcement agencies accessing CCIC/NCIC systems and taking action based on Colorado records.

In August 2006, the FBI CJIS Advisory Board Sanctions Subcommittee issued a letter to the CBI stating "the [CBI] acknowledges responsibility for ensuring policy compliance, including the mandate for triennial audits. The Subcommittee has grave concerns on whether the Colorado CJIS Systems Agency (CSA) will be able to honor its obligations to the FBI and the law enforcement community."

Function of the CCIC System. The CCIC serves as the repository of statewide criminal information, including criminal history, wants and warrants, sex offender registration, unidentified/missing person information, stolen and recovered weapons, stolen vehicle and property records, protection orders, and intelligence information. It is also responsible for all Colorado law enforcement communication from individual Law Enforcement Agencies (LEAs) to state and national level databases and for messages between LEAs. There are approximately 850 Colorado criminal justice agencies with access to the CCIC and NCIC systems. The CCIC user base includes the following:

- Police/sheriff departments at all governmental levels, including the Highway Patrol;
- Prosecuting agencies (district attorneys);
- Courts, probation, and corrections;
- Parole commissions at all governmental levels;
- Government agencies that collect fingerprint identification information; and
- Regional organizations established by statute and governed by law enforcement to process criminal justice information.

The network also provides the gateway to information exchange between all Colorado clients with

the national level NCIC, and it provides a means for delivering both point-to-point and broadcast messages between individual LEAs. An example of this kind of information exchange is the entry of a vehicle into the system. A law enforcement officer enters the data into a mobile data terminal that is connected to the CCIC, and this information becomes available to all agencies with CCIC access. The network also facilitates services to non-law enforcement agencies as part of the Colorado Integrated Criminal Justice Information System (CICJIS) and interfaces with other state databases located at the Division of Motor Vehicles (DMV), the Department of Natural Resources (DNR), and the Department of Corrections (DOC).

CCIC Audit Requirements. The FBI CJIS Security Policy version 4.3 (May 2006) requires that every state authority ensure local law enforcement agencies adhere to the NCIC security guidelines created and enforced by the FBI. This requires the CBI to conduct local agency audits at least once every three years for both criminal justice and non-criminal justice agencies that have access to the CCIC and NCIC systems. The CBI Program Support Unit (PSU) conducts on-site CCIC/NCIC system audits to ensure FBI CJIS compliance and data quality review. Specifically, the CBI reviews the Uniform Crime Reporting requirements, the Colorado Gang database, the Colorado Law Enforcement Intelligence Network (CLEIN), and quality assurance for record entries regarding warrants, missing persons, sex offender registrations, guns, and stolen vehicles. The table below summarizes the history of CBI local audits.

History of CBI Audits FY 2002-03 through FY 2005-06				
	FY 2002-03	FY 2003-04	FY 2004-05	FY 2005-06
Estimated Number of Agencies to Be Audited	233	267	275	281
Number of CCIC/NCIC On-Site Audits	2	45	136	32
CBI FTE Available for Conducting Audits	0.5	1.0	2.0	2.0*
Estimated Number of Technical Audits Required	N/A	N/A	N/A	30-50
Number of Technical Audits Conducted	N/A	N/A	2	10

*There were 2.0 FTE funded positions for auditors but only 1.0 FTE position was filled during the year. This second position has now been filled and the staff auditor has been trained.

FBI CJIS Compliance Audits. As part of its triennial audit of the CBI, the FBI conducted a review of CBI CJIS policy compliance in 2002 and stated that the CBI was out of compliance with local agency audits. Specifically, the audit stated that the CBI was: (1) noncompliant on the number of local audits conducted; (2) did not ensure users maintain complete and timely wanted persons records; (3) did not ensure that local users comply with entry validation procedures; (4) did not ensure encryption of entries; and (5) did not ensure that personnel had passed fingerprint-based background checks.

As a result of the 2002 FBI audit, the CBI implemented changes to address the FBI CJIS noncompliance concerns. The CBI put into place an automated CCIC operator certification and an

electronic system of tracking user agencies. Due in part to these technologies, the CBI was able to reallocate resources to conduct more local audits. In FY 2004-05, the CBI increased the CCIC Program Support Unit audit staff to 2.0 FTE to conduct local agency audits. However, the two auditors assigned to this task were still unable to meet the demand.

The FBI conducted a more recent audit of the CBI in 2005 as part of its triennial audit procedure. The FBI CJIS auditors identified several NCIC technical security violations, including:

- The CBI was out of compliance with performing triennial audits of local agencies;
- The CBI and local agencies had insufficient maintenance of training records for upper-level managers;
- Some local agencies did not enter protection order or wanted persons records accurately;
- The CBI and local agencies did not dispose of paper records properly;
- Some local agencies did not use advanced authentication or employ password changes;
- Local agency CJIS transactions and messages sent/received were not properly logged;
- Some local agencies with Internet access did not sufficiently protect residual data; and
- Some local agencies did not properly encrypt CJIS data transmitted via a public network.

Steps to Improve Department Compliance. The CBI has taken steps to improve compliance with the federal audit requirements. Since the last audit in 2005, the CBI Program Support Unit (PSU) has assigned two members of the unit to conduct local agency audits. However, as indicated in the Department budget request narrative, assigned staff have been able to complete less than 50% of the estimated required audits. The CBI PSU is in the process of reviewing the entire audit process to determine if any changes in the workflow can be made to make the audit process more efficient. The CBI PSU has completed research on the concept of conducting self mail-in audits for our county and district court locations, probation, and possibly parole. This concept will be implemented in January 2007.

The following paragraphs discuss additional steps that the CBI has taken to address the FBI CJIS noncompliance concerns that were identified in the 2005 FBI audit:

1. Insufficient maintenance of training records for upper-level managers:
Upper-level managers/administrators do not have direct access to CCIC/NCIC information at the CBI and in most local law enforcement agencies; however, they often receive this information in a verbal or printed fashion. It is imperative that they understand the dissemination rules and regulations outlined by the NCIC. The CBI has begun incorporating CCIC/NCIC updates and training in the monthly staff meetings attended by the executive staff, agents, and support personnel. Records of this training will be maintained electronically in the CJIS System Officer's office and will be available for review during the

next FBI CJIS audit.

Additionally, at the local agency level, a signed CCIC User Agreement by the head of the agency and the designated CCIC coordinator is required for access to be granted to the agency. This agreement outlines the rules and regulations as well as the dissemination requirements. In Colorado, the CBI Program Support Unit (PSU) considers this to be notification of agency responsibilities and, once signed, obligates agencies to comply with all rules and regulations outlined by both CCIC and NCIC.

2. Inaccurate entering of protection orders or wanted person records:

The CBI and the Colorado State Court Administrator's Office successfully completed the reload of the Protection Order File records issued by both county and district court locations statewide on May 6, 2006. This programming was created to attain accurate information in the Brady Indicator Field. It has since been implemented and is working properly.

In addition, a complete validation of all protection orders was completed in August 2006. Validation is completed on these records electronically based on key data fields. This ensures that the records in the Integrated Colorado On-line Network (ICON) and CCIC database are consistent. If the records differ, an exception report is created and the law enforcement agency is notified for further review. Once the outstanding records are validated, a Validation Verification Form is completed and forwarded to the CBI PSU. Programmers are in the process of fine-tuning this record validation process, which will comply with the NCIC validation schedule.

3. Paper records were not disposed of properly:

The CBI has been in contact with Weyerhaeuser Paper Processing Company and plans to enter into an agreement for the disposal of documents with them. The CBI is awaiting confirmation from Weyerhaeuser to conduct a site visit to ensure the facility meets FBI CJIS security guidelines. If these guidelines are met, the CBI will complete a security addendum that will be maintained on file at the CBI. A copy of this completed security addendum will be mailed to JBC staff shortly after the meeting.

4. Failure to use advanced authentication or password changes:

An update was made to the CCIC Message Switch on September 12, 2006, requiring passwords be modified every 90 days. In addition, in a meeting held on September 14, 2006, with the Colorado Policy Advisory Board, the Board of Working Advisors (BWA), and the Board of Executive Directors (BED), the requirement that the eight character password include no dictionary words or proper names was discussed. As a result of the meeting and Message Switch update, effective January 1, 2007, the CCIC system will require users to change their password every 90 days and will no longer allow dictionary words or proper names to be used to comprise the password.

Operators accessing CCIC/NCIC via the NEWCOM system are required to change their

password every 90 days. The CJIS Systems Agencies (CSAs) allow local agencies to access CCIC/NCIC information via their records management system (RMS) and computer aided dispatch (CAD) applications. In some cases, those agencies access the system via a trusted host and are responsible for maintaining the password requirements. A majority of the agencies that have created RMS and CAD systems still use the CBI password. The CBI PSU posted the latest version of the CJIS Security Policy to the CJIS portal website, which is our testing application. In addition, the CBI PSU created an informational sheet, which is being provided to all agencies implementing new interface systems. During the audit process, the CBI PSU added a step requiring that the auditor attempt to sign onto the system using their operator security number (OSN) and password. This allows the CSA to identify problem agencies and work with them to ensure they are following the CJIS requirements. Trusted host environments will be the only exception to the password requirement but will come into compliance in July 2008.

5. CJIS transactions and messages sent/received were not properly logged:

The CBI PSU is in compliance with transactions and messages sent and received by the FBI. The FBI audit identified two local law enforcement users that could not fully account for all transactions during the FBI audit. The CBI has worked with these agencies and they are now in compliance.

6. Insufficient protection of residual data from internet access:

During the Department's IT study of its Internet capability application, it was found that residual data was being written into the browser's cache. At this time, the CBI has engaged the NEWCOM vendor in an attempt to correct this problem. A fix has been created and will be deployed by the end of FY 2006-07. This change posts the data directly to the user's browser as opposed to utilizing the browser's cache. The Department IT staff along with the vendor will continue to research this problem to evaluate the effectiveness of this change.

7. Improper encryption of CJIS data transmitted via a public network:

The CBI was in the process of implementing a methodology to manage user authentication with little or no additional funding by implementing a virtual private network (VPN) solution using our existing security infrastructure. However, with the recent change to the CJIS Security Policy, the establishment of a VPN is no longer considered a viable form of advanced authentication. The CBI can continue to implement this if the FBI Sanctions Committee recommends that the CBI use this as an interim solution pending full compliance. Currently, the CBI is exploring technologies used to comply with this requirement. These include but are not limited to the use of "bingo cards" and "hard tokens". These methods are being looked at and evaluated. The implementation of any program is contingent on budget constraints.

Improved efficiency through self-audits is only one component of the CBI's efforts and will not resolve the triennial audit dilemma. Today, the CBI is responsible for 979 agencies that are subject to audit. This equates to 326 audits per year (one-third of the total audits to achieve all triennial

audits within a three year period). The Department's decision item request narrative within its annual budget request provides details as to the causes of the increase in audit workload, which can be attributed to three factors: (1) an increased use of the CCIC access via the Internet; (2) a recent requirement to audit non-criminal justice agencies; and (3) the increasing variety of CCIC entries. The Department has requested additional staff to meet this challenge.

Increase of CCIC/NCIC User Access. The number of criminal justice agencies requiring a local agency audit has increased over the past few years. A majority of this increase is attributable to the availability of the CCIC database via the Internet. Small agencies that had previously contacted larger agencies for CCIC information are now able to access the CCIC database themselves via a web-based interface. Moreover, the CJIS Security Policy has been recently revised to require that local agency audits be conducted on non-criminal justice agencies accessing NCIC information (as opposed to the criminal justice agencies that were historically audited). This may include private prisons, Division of Motor Vehicles terminals, community treatment providers, and contract companies.

In addition, not only has the number of CCIC users increased, but the number of entry types has also increased due to the growth of the CCIC database. Each type of CCIC entry must be audited, and each audit must include a review of the procedure for entering or modifying wanted person records, protection orders, sex offender registrations, and other entries to the CCIC database. Therefore, the increase in the number of entry types has correspondingly increased the amount of work performed during each audit.

Onset of Technical Audits. Recently, the FBI amended the CJIS Security Policy to require a technical audit of agencies with CCIC/NCIC access. The policy states that "each CTA [Control Terminal Agency] is required to establish a system to triennially audit all agencies which operate workstations, access devices, MDT's [mobile data terminals], or personal/laptop computers to ensure compliance with agency and FBI CJIS Division's policy and regulations."

Between 2002 and 2005, agencies were allowed to provide a "good-faith" letter that they were attempting to meet technical audit standards. Beginning in July 2005, however, the FBI plans to issue formal sanction letters if CJIS Systems Agencies (CSAs) do not meet technical audit standards. Based on the number of agencies in the State, the CBI anticipates that approximately 30 to 50 technical audits will need to be conducted each year. Current CBI Information Technology staff were able to audit 12 agencies in the last two years.

Agencies with one CCIC/NCIC "access point" can be audited by non-technical CBI personnel. However, agencies with computer-aided dispatch, record management systems, jail management systems, or mobile data terminals have a more complex set of CCIC access points. These agencies require a more detailed and technical on-site audit that must be done by technical CBI personnel. The CBI evaluates the following items to ensure that an agency is meeting FBI CJIS technical compliance:

- All equipment that may process or store criminal history information must be properly sanitized and all information cleared when disposed;
- A network diagram must be available that depicts end-to-end interconnectivity and network configuration that is CJIS compliant;
- Identity authentication methods and procedures must be CJIS compliant;
- Terminal passwords must include a required periodic change and a complex algorithm;
- All data transmitted over public networks must have no less than 128-bit encryption;
- Information technology procurements must have the proper encryption certifications;
- Networks must have intrusion detection processes, virtual private network connections, and a disaster recovery model.

The information compiled during the technical review is used to formulate a risk analysis that identifies procedures that may expose an agency to potential liability. Upon completion of the local audit, the CBI auditor discusses the findings with the appropriate agency personnel and provides recommendations and solutions to achieve full compliance with CCIC/NCIC policies. For any instances of noncompliance, the CBI auditor follows up with telephone calls and/or letters to ensure corrective measures have been implemented. When severe noncompliance issues are detected, the CBI auditor will plan an unannounced visit to the user agency.

Consequences of Noncompliance. The CBI has the responsibility to train local law enforcement agencies in the correct usage of CCIC and NCIC to ensure quality assurance. Without a comprehensive audit process, agencies with CCIC/NCIC access may make incorrect entries. In addition, without a technical audit, these agencies (particularly those with complex infrastructures or multiple access points) may compromise the security of all CCIC network connections. Inadequate data entry and security weaknesses can have negative consequences on the integrity of the CCIC network and on officer and public safety.

The CBI serves as the Control Terminal Agency (CTA) for the FBI NCIC system. Therefore, CBI enters into a written agreement with the FBI to conform with the CJIS system policy before participating in CJIS records information programs. Possible sanctions for nonconformance are set forth in 42 U.S.C. 14616 Section 907.4 (Methodology for Resolving Noncompliance). The ultimate sanction is for the FBI to suspend the offending agency from accessing the NCIC database. Prior to that sanction, the FBI Sanctions Committee shall recommend a "course of action necessary to bring the offending agency into compliance and require the offending agency to provide assurances that subsequent violations will not occur."

FY 2007-08 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF PUBLIC SAFETY
(Except Division of Criminal Justice)

ISSUE:

The Office of Preparedness, Security, and Fire Safety (OPSFS) has continued to receive less federal funding over the past several years. As a result of this lack of federal funding, the OPSFS may require additional state funding in order to maintain its current programs for FY 2007-08.

SUMMARY:

- ❑ H.B. 02-1315 created the Office of Preparedness, Security and Fire Safety as a new division within the Department of Public Safety. This Division includes the newly created Office of Anti-terrorism Planning and Training (OATPT), and the Division of Fire Safety.
- ❑ Changes in the federal Department of Homeland Security (DHS) process for making awards have had significant impacts on the level of Homeland Security funding available to the OPSFS. Specifically, the federal government's increasing emphasis on Tier I Urban Area Security Initiative communities, and mass transit and port security, have caused OPSFS's share of DHS Homeland Security Grants to decline.
- ❑ The OPSFS expects to receive a continuation level of federal grants for FY 2007-08 from DHS. According to the Department, this amount will only be sufficient to maintain the current federally-funded 5.0 FTE and associated operating expenses within the Office of Anti-Terrorism Planning and Training through December 2007. Therefore, without additional state funding, the Department will have to use moneys appropriated for other purposes to fund the OPSFS, or it will have to discontinue OPSFS programs.

RECOMMENDATION:

Staff recommends that the Committee ask the Department the following questions at the Department hearing:

1. Will the Department require additional state funding to maintain the OPSFS programs and staff in FY 2007-08? If so, what is the Department's estimate of its funding need?
2. What is the Department's long-term strategic plan for funding the OPSFS given the continuing decline in federal funding?
3. What specific actions can the Department take to increase the amount of federal funding available to the OPSFS?

DISCUSSION:

Background. On November 7, 2001, Governor Owens signed an Executive Order creating the Office of Preparedness and Security within the Department of Public Safety. The Governor found that a "state of disaster emergency has existed since September 11, 2001 and the threat continues." The Governor concluded that this emergency required the reorganization and consolidation of certain state functions in order for the State to be sufficiently prepared for an emergency.

During the 2002 legislative session, H.B. 02-1315 (Mitchell/Hagedorn) statutorily created the Office of Preparedness, Security, and Fire Safety (OPSFS) as a division within the Department of Public Safety. The OPSFS consists of the Division of Fire Safety and the newly-created Office of Anti-terrorism Planning and Training. In addition to assuming the major responsibilities of the Division of Fire Safety, the bill called for the OPSFS to create and implement terrorism preparedness plans within 12 months. The plans were to include the following:

- Developing state protocols and procedures concerning the prevention and preparation of terrorist activities;
- Establishing and issuing protocols to guide state and local law enforcement and emergency response officials in responding to a suspected terrorist threat;
- Developing protocols concerning access and security measures at biotechnology laboratories and facilities; and
- Coordinating with appropriate state agencies to develop protocols concerning the handling, storage, and disposal of potentially dangerous materials obtained from a suspected terrorist.

Current Funding Levels. Changes in the federal Department of Homeland Security (DHS) process for making awards have had significant impacts on the level of Homeland Security funding available to Colorado and other similar states. The federal government's increasing emphasis on Tier I Urban Area Security Initiative communities, and mass transit and port security, have caused Colorado's share of DHS Homeland Security Grants to decline. Over time, this has resulted in a slower progression of providing the full spectrum of security services laid out in H.B. 02-1315 and the Colorado Homeland Security Strategy (2006).

The table on the following page reflects the appropriated FY 2006-07 level of funding for the OPSFS and the FY 2007-08 request.

OPSFS Funding Summary FY 2004-05 through FY 2007-08				
SOURCE	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Approp	FY 2007-08 (Request)
General Fund	\$91,703	\$91,367	\$93,789	\$97,067
Cash Funds	256,451	291,624	401,884	411,614
Cash Funds Exempt	196,085	138,679	144,411	149,819
Federal Funds	1,453,966	1,789,599	499,388	478,947
TOTAL	\$1,998,205	\$2,311,269	\$1,139,472	\$1,137,447

The federal fund appropriation for FY 2006-07 was based on the anticipated funding the Department would retain from the Homeland Security federal grants received in FY 2005-06. As can be seen from the table, federal funding for OPSFS decreased significantly for FY 2006-07.

Lack of Federal Funding. The amount of federal funds awarded to Colorado in general, and the Office of Preparedness, Security, and Fire Safety (OPSFS) specifically, has never been sufficient to fully fund Colorado's homeland security and all-hazards preparedness efforts. Pursuant to H. B. 02-1315, the Department has actively sought federal funds to support its Critical Information Analysis Center (CIAC) and the Colorado Infrastructure Protection Project (CIPP or Team Rubicon) operations. However, federal funding for these purposes has not been available, and the Department has been required to redirect resources from other operations to ensure the continued operation of the CIAC and CIPP.

By contrast, funding has remained relatively constant for Homeland Security activities managed by the Division of Fire Safety (DFS), and the impacts of reduced federal grants on that Division have been minimal. The Division's federally-funded programs – which include the Hazardous Materials Emergency Preparedness (HMEP) training program, the National Incident Management System (NIMS) training program, the National Fire Incident Reporting System (NFIRS) program, and the Colorado Emergency Resource Mobilization Plan (CERMP) program – have received continuation funding for several years.

It should be noted, however, that the declining availability of DHS federal grants will likely begin to negatively affect DFS programs in FY 2007-08. The Division of Fire Safety anticipates that its Hazardous Materials Emergency Preparedness grant funding will decrease from \$128,000 to \$108,000 for FY 2007-08. If these federal funding trends continue, the Division will continue to be negatively impacted in future years.

At this point, OPSFS expects to receive a continuation level of federal grants for FY 2007-08 from DHS. According to the Department, this amount will only be sufficient to maintain the current federally-funded 5.0 FTE and associated operating expenses within the Office of Anti-Terrorism Planning and Training through December 2007. Additionally, it is further expected that future DHS federal funding to Colorado will continue to decline at a rapid rate (from federal fiscal years 2005 to 2006, DHS funding to Colorado declined by 34.6 percent).

Consequences of Lack of Federal Funding. As noted above, the current level of federal funding is insufficient to support the existing homeland and all-hazards security functions performed by OPSFS. Furthermore, the Department cannot continue to divert resources for these purposes without significantly damaging many of its other primary missions, most notably its charge to ensure highway safety for Colorado's motorists.

If the General Assembly wants to maintain the CIAC and CIPP operations, or to effect any expansion of the security functions performed by OPSFS, some source of state-level funding will need to be secured for the future. Coupled with the expected decrease in federal funds for FY 2008-09 and beyond, OPSFS will be required to make substantial reductions in its programs without state funding support.

Similarly, the CERMP, NIFIRS, HMEP, and NIMS programs maintained by DFS are entirely dependent on federal funding at this time. Each of these programs plays a critical role in maintaining the State's ability to prepare for, prevent, respond to, and recover from large-scale emergencies. If federal funding for the Division's training programs is cut, local authorities will be forced to find alternative sources of funding for the training programs currently offered by the Division. Also, if federal funding for the Division's NFIRS program is cut, the Division will not be able to meet its statutory obligation to provide the Executive Branch and Legislative Branch with information on the incidence and consequences of fires in the State. Finally, if federal funding for the Division's CERMP program is cut, the State will lose its ability to catalog and dispatch emergency resources during a disaster. Again, as federal funds for these purposes decline, the long-term stability of these programs will be dependent on some form of state funding.