

**DEPARTMENT OF PUBLIC SAFETY  
(Except Division of Criminal Justice)  
FY 2011-12 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Monday, November 29, 2010  
1:30 pm – 5:00 pm**

**1:30-1:45      INTRODUCTIONS AND OPENING COMMENTS**

**1:45-2:30      COMMON HEARING QUESTIONS AND OPEN DISCUSSION WITH DEPARTMENT  
ABOUT BUDGET REQUEST**

1. Please identify your department's three most effective programs and your department's three least effective programs, and explain why you identified them as such. How do your most effective programs further the department's goals? What recommendations would you would make to increase the effectiveness of the three least effective programs?
2. For the three most effective and the three least effective programs identified above, please provide the following information:
  - a. A statement listing any other state, federal, or local agencies that administer similar or cooperating programs, and outline the interaction among such agencies for each program;
  - b. A statement of the statutory authority for these programs and a description of the need for these programs;
  - c. A description of the activities which are intended to accomplish each objective of the programs, as well as, quantified measures of effectiveness and efficiency of performance of such activities;
  - d. A ranking of the activities necessary to achieve the objectives of each program by priority of the activities; and
  - e. The level of effort required to accomplish each activity associated with these programs in terms of funds and personnel.
3. Detail what could be accomplished by your Department if funding for the department is maintained at the fiscal year 2009-10 level.

4. How much does the department spend, both in terms of personnel time and/or money, dealing with Colorado WINs or any other employee partnership group? Has the level of resources dedicated to this effort changed in the past five years?

**2:30-2:45 GENERAL QUESTIONS FOR THE DEPARTMENT OF PUBLIC SAFETY**

5. On December 31, 2007, the Denver District Attorney made the decision to secede from the Colorado District Attorneys Council (CDAC). How does this secession impact the effectiveness of the Colorado Integrated Criminal Justice Information System (CICJIS)?
6. On page 39 of the JBC staff briefing document, in the numbers pages section, in the Executive Director's Office, the Vehicle Lease line item is showing a FY 2010-11 appropriation of \$79,210 total funds (including \$16,510 General Fund, \$22,358 cash funds, \$31,582 reappropriated funds, and \$8,760). Provide an analysis of how many vehicle leases this line funds, what the vehicles are, and which divisions the vehicles are assigned to. For FY 2009-10, the actual expenditure is shown as \$44,657 total funds (including \$19,387 General Fund, \$552 cash funds, and \$24,718 reappropriated funds), the appropriation for this line in FY 2009-10 was \$48,189 total funds. Why did the Department spend \$3,532 less in FY 2009-10? Why was more funding appropriated for this line item in FY 2010-11? Were more vehicles approved?
7. On page 46 of the JBC staff briefing document, in the numbers pages section, in the State Patrol, the Aircraft Program line item is showing a FY 2010-11 appropriation of \$732,563 total funds and 6.0 FTE. Describe what this program does. For FY 2009-10, the actual expenditure is shown as \$316,261 total funds (excluding potted items) and 0.6 FTE. The appropriation for FY 2009-10 was \$731,594 total funds and 6.0 FTE. Why did the Aircraft Program under spend its spending authority in FY 2009-10 by \$415,333 total funds and 5.4 FTE?
8. On page 47 of JBC staff briefing document, in the numbers pages section, the Victim Assistance program is showing a FY 2010-11 appropriation of \$652, 614 total funds and 6.8 FTE. Describe what this program does. For FY 2009-10, the actual expenditure is shown as \$330,906 total funds (excluding potted items) and 3.9 FTE. The appropriation for FY 2009-10 was \$650,716 total funds and 6.8 FTE. Why did the Victim Assistance program under spend its spending authority in FY 2009-10 by \$319,810 and 2.9 FTE?

**2:45-3:15 QUESTIONS FOR THE COLORADO BUREAU OF INVESTIGATION**

9. Is personal identification fraud considered a property crime? Provide statistics on the trend of personal identification for the past five years. Is personal identification fraud on the rise?
10. Provide an update on the implementation of S.B. 09-241 (DNA Testing of Adults Arrested for a Felony). The Judicial Department has requested not to reduce its appropriation and provide savings for not having to collect DNA samples from individuals convicted of a

felony who are sentenced to probation, as estimated in the fiscal note. What are the problems with the bill that are forcing Judicial to request additional funding?

#### InstaCheck

11. Provide an update on the turn-around time for firearm background checks. Constituents indicate that there is a significant wait time for the background checks. How does the time and substance of Colorado background checks compare to other states around us? What can be done to decrease the wait time without increasing the number of FTE?
12. Are there peak times when the wait for a background check is long? If so, when are these peak times? What is the deviation from the average wait time?

#### Decision Item #2 - Gaming Unit Operating Expenses

13. What are confidential funds? Are there on-going maintenance costs with this decision item?

### **3:15-4:10 QUESTIONS FOR THE COLORADO STATE PATROL**

#### Decision Item #6 – COPLINK Program Maintenance Funding

14. Does the COPLINK system fall under the federal mandate for encryption?

#### Issue: HUTF “Off-the-Top” Funding and Growth

15. Does the State Patrol anticipate submitting FY 2010-11 HUTF "Off-the-Top" supplemental requests? If so, please describe the requests and the associated amounts.
16. Provide a funding estimate of necessary Trooper salary increases for FY 2011-12, if such funding were to be provided, in order to meet Trooper market salary parity as describe in Section 24-50-104, (1)(III)(A), C.R.S.
17. What salary survey method does the Patrol use when measuring the “market”? Is the salary survey based on common duties? Please explain the methodology for the salary survey for Troopers.

#### Issue: Use of HUTF "Off-the-Top" for Purposes Incompatible with Constitutional Requirements

18. Why does the State Patrol continue over the years to spend HUTF "Off-the-Top" funds on non-highway construction, maintenance, and supervision purposes despite numerous instances in which the Joint Budget Committee has provided direction to the Department to discontinue such practices?
19. When did the practice of using HUTF for these purposes begin?
20. What assurances can the Department provide to the Joint Budget Committee that if various personal services line items within the State Patrol, funded with HUTF "Off-the-Top" dollars, are consolidated into one line item, budget transparency will not be undermined and HUTF dollars will not be misused?

21. Why is the State Patrol requesting to consolidate the “Colonel, Lt. Colonels, Majors, and Captains,” “Sergeants, Technicians, and Troopers,” and “Civilians” line items? Why does the Patrol need this flexibility? Can the Department provide an analysis of particular benefits of the consolidation in terms of position re-classifications?
22. How many Captains and Civilians positions does the Department plan to re-classify to Trooper positions as a result of this request?

Decision Item #5 – Long Bill Line Item Consolidation

23. Will the consolidation of line items have a benefit when considering long lead times for hiring troopers, how would a line item consolidation affect the Patrol in making trooper hiring decisions?

House Bill 10-1113 Move Motor Carrier Safety Assistance Program from Department of Revenue to the Colorado State Patrol

24. Are vehicles with a gross vehicle weight less than 11,000 lbs being pulled over more frequently as a result of H.B. 10-1113? Is this a change in policy? If so, when did this change in policy happen? Is more revenue raised from this practice? If so, how much more revenue?
25. As a result of moving the Motor Carrier Safety Assistance Program entirely within the State Patrol, is there a practice of pulling vehicles with a gross vehicle weight less than 11,000 lbs more frequently if they are marked with a commercial vehicle sticker?

**4:10-5:00 QUESTIONS FOR THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY**

Issue: Funding for the Office of Anti-Terrorism Planning and Training (OATPT)

26. Does the Department believe that the current funding mechanism for the Office of Anti-Terrorism Planning and Training is transparent?
27. Has the Department brought the issue of OATPT funding to the Committee in the past? How many times has the Department brought the issue of OATPT funding to the Committee? What did the Committee decide each time?
28. Provide a recommendation for a better and more transparent funding mechanism for the OATPT. Does the Department recommend moving funding and FTE and appropriating them directly to the OATPT, or does the Department recommend a reappropriated funds appropriation to the OATPT? Does the Department recommend any other funding mechanism?
29. Why does the Department continue to spend HUTF dollars to fund homeland security operations? Does the Department believe that spending HUTF on homeland security is constitutional?
30. Do OATPT employees need to be certified by the Peace Officers Standard and Training Board (P.O.S.T.)?

31. Provide the Department's rationale for why State Troopers are staffing the OATPT. If the Department believes that State Troopers are best positioned to staff the OATPT, does the Department believe that it would be better for the OATPT to be moved under the Colorado State Patrol. Why or why not?
32. What is the optimal funding level for the operation of the OATPT? Provide a breakdown of personal services and operating expenses as well as number of FTE.
33. Is the human smuggling unit created in S.B. 06-225 connected with homeland security? Is this unit under the Office of Homeland Security?
34. Have any OATPT programs ever been audited? How effective are programs of the OATPT? How effective is the OATPT in achieving its mission?

**ADDENDUM: QUESTIONS REQUIRING ONLY A WRITTEN RESPONSE**

Please provide:

35. Please provide a table comparing the actual number of department FTEs in FY 2000-01 and the requested number of department FTEs in FY 2011-12, by division or program.
  36. Please provide a table comparing the actual number of FTEs in FY 2008-09 and FY 2009-10 to the appropriated level of FTE for each of those fiscal years, by division or program.
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