

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



**SUPPLEMENTAL REQUESTS FOR FY 2013-14
DEPARTMENT OF PUBLIC SAFETY**

(Division of Criminal Justice)

**JBC Working Document - Subject to Change
Staff Recommendation Does Not Represent Committee Decision**

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TABLE OF CONTENTS

	Narrative Page	Numbers Page
Division Overview	1	N.A.
Summary: FY 2013-14 Appropriation and Recommendations	1	N.A.
Non-prioritized Supplementals		
JBC Staff-initiated Supplemental 2. Technical correction to H.B. 13-1129 (EPIC) appropriation	3	6
JBC Staff-initiated Supplemental 3. Technical correction to S.B. 13-283 (Implement Marijuana) appropriation	4	8
Totals for All Supplementals	N.A.	8
Appendices		
Numbers Pages	6	N.A.

DEPARTMENT OF PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE

Division Overview

The Division of Criminal Justice in the Department of Public Safety

- Provides funding for the state's community corrections programs and for local oversight boards;
- Administers state and federally funded grant programs targeting juvenile delinquency and federally funded grant programs that help local and state law enforcement agencies improve the services they deliver;
- Administers state and federally funded grant programs that help state and local agencies assist crime victims, operates the state's Victim's Rights Act Compliance Program, and responds to requests for assistance in implementing Colorado's Victim's Rights Amendment;
- Assists the Domestic Violence Offender Management Board and the Sex Offender Management Board in developing and implementing standards and policies for the evaluation, treatment, monitoring, and management of adults convicted of domestic violence and sex offenses;
- Analyzes and distributes criminal justice data and information, evaluates criminal justice programs, provides research support to the Colorado Commission on Criminal and Juvenile Justice; and
- Helps strengthen the performance and professionalism of Colorado law enforcement agencies through training, education, and technical assistance programs.

Summary: FY 2013-14 Appropriation and Recommendation

Highlighted change requests are covered in this document. Items that are not highlighted are being covered by the other Department of Public Safety analyst.

Department of Public Safety: Recommended Changes for FY 2013-14						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2013-14 Appropriation						
SB 13-230 (Long Bill)	\$332,885,649	\$90,128,524	\$161,806,324	\$25,776,057	\$55,174,744	1,575.1
Other legislation	<u>10,200,618</u>	<u>7,267,979</u>	<u>2,928,004</u>	<u>0</u>	<u>4,635</u>	<u>41.0</u>
Current FY 2013-14 Appropriation	\$343,086,267	\$97,396,503	\$164,734,328	\$25,776,057	\$55,179,379	1,616.1
Recommended Changes						
Current FY 2013-14 Appropriation	\$343,086,267	97,396,503	\$164,734,328	\$25,776,057	\$55,179,379	1,616.1

JBC Staff Supplemental Recommendations: FY 2013-14
Staff Working Document – Does Not Represent Committee Decision

Department of Public Safety: Recommended Changes for FY 2013-14						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
1331 S1 Digital Trunk Radio Tower Replacement	703,621	0	321,621	382,000	0	0.0
1331 S2 Averting the Loss of Statewide Interoperability	60,729	60,729	0	0	0	0.5
S1/BA1 Funding for Sexual Assault Kits Pursuant to H.B. 13-1020	954,890	954,890	0	0	0	1.0
S2 Roll-Forward Spending Authority for H.B. 13-1020	0	0	0	0	0	0.0
S3 Acquisition of Portable Radios	1,343,900	0	1,343,900	0	0	0.0
S4/BA3 CSP Adjust Dispatch Fee Schedule	0	0	0	0	0	0.0
S5/BA4 CSP Additional Cash Fund Leased Space Spending Authority	39,135	0	39,135	0	0	0.0
S6/BA5 State Engine Staffing Request	60,227	60,227	0	0	0	0.6
S7 Insta Check Cash Fund Spending Authority	0	0	0	0	0	0.0
Staff Initiated S1 Governor S3 Flood Disaster Funding	70,000,000	70,000,000	0	0	0	0.0
Staff Initiated S2 Technical correction to H.B. 13-1129 (EPIC) appropriation	0	0	0	0	0	0.0
Staff Initiated S3 Technical correction to S.B. 13-283 (Implement Marijuana) appropriation	(64,636)	0	(64,636)	0	0	0.0
Staff Initiated S4 Eliminate Grants Management System Funding	(50,000)	(50,000)	0	0	0	0.0
S-NP Statewide Vehicle Lease Payment True-Up	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
Recommended FY 2013-14 Appropriation	\$416,134,133	\$168,422,349	\$166,374,348	\$26,158,057	\$55,179,379	1,618.2
Recommended Increase/(Decrease)	\$73,047,866	\$71,025,846	\$1,640,020	\$382,000	\$0	2.1
Percentage Change	21.3%	72.9%	1.0%	1.5%	0.0%	0.1%
FY 2013-14 Executive Request	\$346,477,429	\$98,704,521	\$166,560,233	\$25,975,529	\$55,237,146	1,618.2
Request Above/(Below) Recommendation	(\$69,656,704)	(\$69,717,828)	\$185,885	(\$182,528)	\$57,767	0.0

Request/Recommendation Descriptions

JBC Staff-initiated Supplemental 2. Technical correction to H.B. 13-1129 (EPIC) appropriation: The JBC-staff-written appropriation clause for H.B. 13-1129 did not properly allocate the bill's General Fund appropriation among the divisions of the Department of Public Safety. This supplemental amends the appropriation clause of H.B. 13-1129 and reallocates \$31,101 of the General Fund appropriation to the Executive Director's Office from the Division of Public Safety. The total appropriation is unchanged.

JBC Staff-initiated Supplemental 3. Technical correction to S.B. 13-283 (Implement Marijuana) appropriation: The JBC-staff-written appropriation clause for H.B. 13-283 did not properly account for the January 1 effective date of this bill and appropriated too much to the Divisions of the Department of Public Safety. This supplemental will reduce the FY 2013-14 General Fund appropriation to the DCJ by \$64,636. This supplemental was already approved by the Committee during the presentation of supplementals for the Department of Public Health. It requires no further JBC action. Staff includes it here for completeness.

Prioritized Supplemental Requests

None for the Division of Criminal Justice

Non-prioritized Supplemental Requests

JBC STAFF-INITIATED SUPPLEMENTAL #2 TECHNICAL CORRECTION TO H.B. 13-1129 (EPIC) APPROPRIATION

	Request	Recommendation
Total	<u>\$0</u>	<u>\$0</u>
FTE	0.0	0.0
General Fund appropriated to Executive Director's Office	0	31,101
General Fund appropriated to Division of Criminal Justice	0	(31,101)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
This request is the result of a technical error.	

Department Request: The Department did not request this supplemental. However, the Department is aware of staff's recommendation and agrees.

Staff Recommendation: Staff recommends that the Committee correct a technical error in the appropriation clause for H.B. 13-1129 and move \$31,101 of the bill's FY 2013-14 General Fund appropriation from the Division of Criminal Justice to the Executive Director's Office where it will fund the leased space and vehicle lease for this program. This amount should have been appropriated to the Executive Director's Office in the first place.

Staff Analysis: House Bill 13-1129 creates the Evidence-based Practices Implementation for Capacity (EPIC) Resource Center in the Division of Criminal Justice, to help agencies serving juvenile and adult offender populations develop, implement, and sustain evidence-based practices. The EPIC Center was developed in 2009 as an initiative of the Colorado Commission on Criminal and Juvenile Justice and was funded with federal Justice Assistance Grant funds, which ended on September 30, 2013. For FY 2013-14 the bill appropriates \$739,591 General Fund and 6.0 FTE to the Division of Criminal Justice to replace the expiring federal support.

**JBC STAFF-INITIATED SUPPLEMENTAL #3
TECHNICAL CORRECTION TO S.B. 13-283 (IMPLEMENT
MARIJUANA) APPROPRIATION**

	Request	Recommendation
Total	<u>\$0</u>	<u>(\$64,636)</u>
FTE	0.0	0.0
Cash Funds – Marijuana Cash Fund	0	(64,636)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
This request is the result of a technical error	

This supplemental was approved during the supplemental presentation for the Department of Public Health and Environment. No Committee action is required.

Department Request: The Department did not request this supplemental. However, the Department is aware of the staff recommendation and agrees.

Staff Analysis: The appropriations clause for S.B. 13-283 includes a \$154,034 cash funds appropriation to the Department of Public Safety (DPS). This FY 2013-14 appropriation is from the Marijuana Cash Fund. During the supplemental presentation for the Department of Public Health and Environment, the Committee approved a reduction of \$64,636 to this appropriation to align it with the bill's January 1, 2014 effective date. The Committee also approved a \$126,636 cash funds appropriation reduction for the Department of Public Health. The appropriation clause for S.B. 13-283 mistakenly provided twelve months of funding when only six months of funding is required.

Background: Senate Bill, 13-283 implements Amendment 64. It requires the Colorado Commission on Criminal and Juvenile Justice to make recommendations to the General Assembly regarding criminal law changes that must be made to conform to Amendment 64. It

also requires the Division of Criminal Justice to undertake or contract for a study of law enforcement activities related to retail marijuana implementation. For FY 2013-14 the bill appropriated \$154,034 from the Marijuana Cash Fund to the Department of Public Safety, which is too much given the bill's January 1, 2014 effective date.

JBC Staff Supplemental Recommendations - FY 2013-14
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Appendix A: Number Pages

	FY 2012-13 Actual	FY 2013-14 Appropriation	FY 2013-14 Requested Change	FY 2013-14 Rec'd Change	FY 2013-14 Total W/ Rec'd Change
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DEPARTMENT OF PUBLIC SAFETY
James Davis, Executive Director

Staff Initiated S2 - Technical correction to H.B. 13-1129 (EPIC) appropriation

(1) EXECUTIVE DIRECTOR'S OFFICE

(A) Administration

Vehicle Lease Payments	<u>49,498</u>	<u>128,858</u>	<u>0</u>	<u>6,901</u>	<u>135,759</u>
General Fund	17,258	64,687	0	6,901	71,588
Cash Funds	21,877	33,521	0	0	33,521
Reappropriated Funds	10,363	30,650	0	0	30,650
Federal Funds	0	0	0	0	0
Leased Space	<u>1,818,125</u>	<u>2,016,559</u>	<u>0</u>	<u>24,200</u>	<u>2,040,759</u>
General Fund	858,230	928,275	0	24,200	952,475
Cash Funds	494,378	597,911	0	0	597,911
Reappropriated Funds	465,517	490,373	0	0	490,373
Federal Funds	0	0	0	0	0

(4) DIVISION OF CRIMINAL JUSTICE

(E) Crime Control and System Improvement

EPIC Resources Center	0	<u>739,591</u>	<u>0</u>	<u>(31,101)</u>	<u>708,490</u>
FTE	0.0	6.0	0.0	0.0	6.0
General Fund	0	739,591	0	(31,101)	708,490

JBC Staff Supplemental Recommendations - FY 2013-14
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	FY 2012-13 Actual	FY 2013-14 Appropriation	FY 2013-14 Requested Change	FY 2013-14 Rec'd Change	FY 2013-14 Total W/ Rec'd Change
Total for Staff Initiated S2 - Technical correction to H.B. 13-1129 (EPIC) appropriation	1,867,623	2,885,008	0	0	2,885,008
<i>FTE</i>	<u>0.0</u>	<u>6.0</u>	<u>0.0</u>	<u>0.0</u>	<u>6.0</u>
General Fund	875,488	1,732,553	0	0	1,732,553
Cash Funds	516,255	631,432	0	0	631,432
Reappropriated Funds	475,880	521,023	0	0	521,023
Federal Funds	0	0	0	0	0

JBC Staff Supplemental Recommendations - FY 2013-14
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	FY 2012-13 Actual	FY 2013-14 Appropriation	FY 2013-14 Requested Change	FY 2013-14 Rec'd Change	FY 2013-14 Total W/ Rec'd Change
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Staff Initiated S3 - Technical correction to S.B. 13-283 (Implement Marijuana) appropriation

(4) DIVISION OF CRIMINAL JUSTICE

(A) Administration

DCJ Administrative Services	2,702,145	3,114,712	0	(64,636)	3,050,076
FTE	28.7	31.9	0.0	0.0	31.9
General Fund	1,748,154	1,860,836	0	0	1,860,836
Cash Funds	427,139	671,526	0	(64,636)	606,890
Reappropriated Funds	482,594	498,312	0	0	498,312
Federal Funds	44,258	84,038	0	0	84,038

Total for Staff Initiated S3 - Technical correction to S.B. 13-283 (Implement Marijuana) appropriation	2,702,145	3,114,712	0	(64,636)	3,050,076
FTE	<u>28.7</u>	<u>31.9</u>	<u>0.0</u>	<u>0.0</u>	<u>31.9</u>
General Fund	1,748,154	1,860,836	0	0	1,860,836
Cash Funds	427,139	671,526	0	(64,636)	606,890
Reappropriated Funds	482,594	498,312	0	0	498,312
Federal Funds	44,258	84,038	0	0	84,038

Totals Excluding Pending Items					
PUBLIC SAFETY					
TOTALS for ALL Departmental line items	325,079,283	343,086,267	0	(64,636)	343,021,631
FTE	<u>1,512.1</u>	<u>1,616.1</u>	<u>0.0</u>	<u>0.0</u>	<u>1,616.1</u>
General Fund	84,965,303	97,396,503	0	0	97,396,503
Cash Funds	152,101,966	164,734,328	0	(64,636)	164,669,692
Reappropriated Funds	22,315,699	25,776,057	0	0	25,776,057
Federal Funds	65,696,315	55,179,379	0	0	55,179,379