

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



**FY 2015-16 STAFF FIGURE SETTING
DEPARTMENT OF PUBLIC SAFETY**

(Divisions of Criminal Justice)

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

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Division Overview

The Department of Public Safety's Division of Criminal Justice (DCJ), which is established in Section 24-33.5-501, C.R.S., is organized into the following offices. This structure provides a good framework for thinking about the Division's diverse functions.

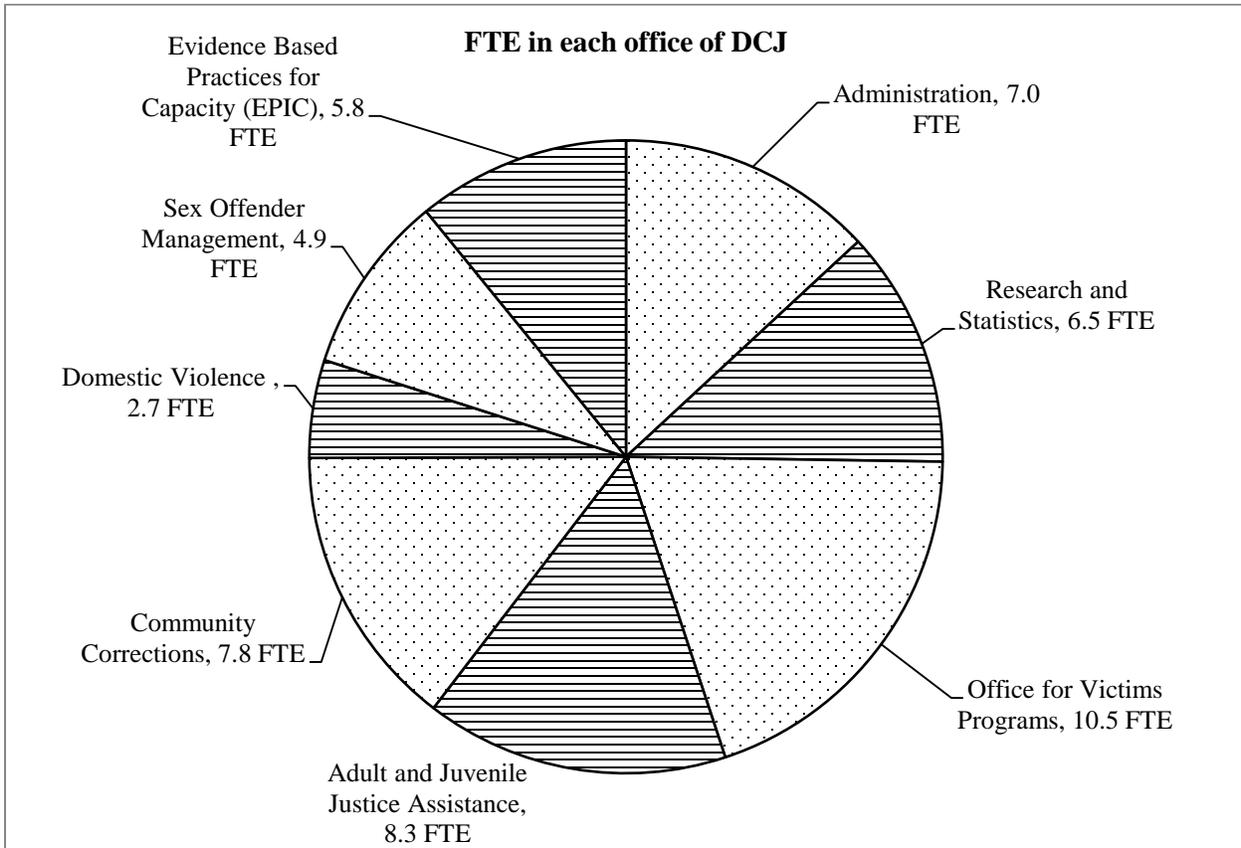
- **Office of Administration:** provides oversight and support for the entire division.
- **Office of Research and Statistics:** collects and disseminates criminal justice information, analyzes justice policies and problems, evaluates criminal justice programs, and provides support to the Colorado Commission on Criminal and Juvenile Justice. The Office's reports include forecasts of adult and juvenile correctional and parole populations that are used by the JBC.
- **Office for Victims Programs:** administers federally funded grant programs for crime victims and the State VALE (Victim Assistance and Law Enforcement) grant program. These grant programs help state and local agencies assist and support victims of crimes, including sexual assault victims and child abuse victims. Some grants also support related criminal investigations. Recipients include district attorneys, local law enforcement agencies, and local programs that provide victim-assistance services. The Office also runs a victim's rights act compliance program and responds to requests for assistance in implementing Colorado's victim's rights amendment.
- **Office of Adult and Juvenile Justice Assistance:** administers (1) federally funded criminal and juvenile justice grant programs and (2) the state's juvenile diversion grant program.
- **Office of Community Corrections:** provides most of the funding for the state's community corrections programs and for the community corrections boards that provide local oversight and control of these programs. The Office also sets standards for facilities, audits for compliance, and provides technical assistance and training for boards and programs.
- **Office of Domestic Violence and Office Sex Offender Management:** 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 convicted adult domestic violence offenders and convicted adult and adjudicated juvenile sex offenders. Both boards maintain lists of approved treatment providers and help train providers.
- **Office of Evidence Based Practices for Capacity (EPIC):** works with criminal justice agencies around the state to implement and maintain evidence-based practices.

The following table and chart show actual FY 2013-14 staffing for each office. Note that 53 percent (=28.1/53.4) of the Division's FTE are supported by the General Fund and that 80 percent (=42.7/53.4) are located in (A) Administration.

Office	FY 2013-14 Actual FTE					FTE funded in (A) Administration
	FTE in Office	GF FTE	CF FTE	RF FTE	FF FTE	
Administration	7.0	4.0	0.1	2.9	0.0	7.0
Research and Statistics	6.5	5.2	0.0	0.0	1.3	6.5

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FY 2013-14 Actual FTE						
Office	FTE in Office	GF FTE	CF FTE	RF FTE	FF FTE	FTE funded in (A) Administration
Office for Victims Programs	10.5	0.0	4.7	0.0	5.8	10.5
Adult and Juvenile Justice Assistance	8.3	1.3	0.0	0.0	7.0	8.3
Community Corrections	7.8	5.7	0.0	1.0	1.1	7.8
Domestic Violence	2.7	2.7	0.0	0.0	0.0	2.7
Sex Offender Management	4.9	3.5	1.3	0.0	0.1	0.0
Evidence Based Practices for Capacity (EPIC)	5.8	5.8	0.0	0.0	0.0	0.0
DCJ Total	53.4	28.1	6.1	3.9	15.3	42.7



The FTE who support the Colorado Commission on Criminal and Juvenile Justice are in the Division Administrative Office.

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In the Long Bill, the Division of Criminal Justice has five subdivisions. These divisions, which loosely correspond to parts of the "office" structure presented above, are as follows:

- (A) Administration
- (B) Victims Assistance
- (C) Juvenile Justice and Delinquency Prevention
- (D) Community Corrections
- (E) Crime Control and System Improvement

Appropriations for most, but not all, of the state-supported employees who administer the division's offices are located in (A) Administration, along with related appropriations of operating expenses. The consolidation in (A) Administration reflects past decisions of the JBC to combine the appropriations of various offices in the Administration subdivision to give the DCJ more flexibility to respond to changing needs. In a few cases, all the appropriations for an office are in (A) Administration. In other cases, additional appropriations for programs administered by an office are contained in subdivisions (B) through (E). For example, appropriations for the employees of the Office of Community Corrections along with supporting operating expenses are in (A) Administration, but there are additional Community Corrections appropriations for non-FTE expenditures in (D) Community Corrections.

DEPARTMENT REQUEST AND RECOMMENDATION SUMMARY

Executive Request

The Division requests that its appropriation be increased by \$2,099,536 total funds (2.1 percent) and 0.4 FTE for FY 2015-16. This includes an increase of \$2,040,698 General Fund (3.0 percent).

Staff Recommendation

Division of Criminal Justice						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2014-15 Appropriation						
14-1336 Long Bill	\$102,506,965	\$68,944,635	\$2,832,048	\$5,754,202	\$24,976,080	72.2
SB15-159 Suppl	(923,208)	(1,023,208)	100,000	0	0	0.0
Other legislation	<u>262,388</u>	<u>262,388</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1.8</u>
TOTAL	\$101,846,145	\$68,183,815	\$2,932,048	\$5,754,202	\$24,976,080	74.0
FY 2015-16 Recommended Appropriation						
FY 2014-15 Appropriation	\$101,846,145	\$68,183,815	\$2,932,048	\$5,754,202	\$24,976,080	74.0

JBC Staff Figure Setting – FY 2015-16
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Division of Criminal Justice						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Align appropriation with revenue	700,000	0	0	0	700,000	0.0
Adjust Community Corrections Placements	545,768	545,768	0	0	0	0.0
Adjust Community Corrections Facility Payment	190,128	190,128	0	0	0	0.0
Annualize FY 2014-15 salary survey and merit pay	126,670	85,035	20,063	3,049	18,523	0.0
R4 (DCJ) Juvenile justice specialist funding	67,363	67,363	0	0	0	0.0
Adjust Community Corrections Boards Payment	26,492	26,492	0	0	0	0.0
Annualize prior year budget actions	25,542	25,542	0	0	0	0.2
Annualize prior year legislation	6,974	6,974	0	0	0	0.2
Indirect cost assessment	5,136	0	3,543	0	1,593	0.0
R5 Community corrections provider rate increase	<u>1,522</u>	<u>1,522</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$103,541,740	\$69,132,639	\$2,955,654	\$5,757,251	\$25,696,196	74.4
Increase/(Decrease)	\$1,695,595	\$948,824	\$23,606	\$3,049	\$720,116	0.4
Percentage Change	1.7%	1.4%	0.8%	0.1%	2.9%	0.5%
FY 2015-16 Executive Request:	\$103,945,681	\$70,224,513	\$2,955,654	\$5,757,251	\$25,008,263	74.4
Request Above/(Below) Recommendation	\$403,941	\$1,091,874	\$0	\$0	(\$687,933)	0.0

Issue Descriptions:

Align appropriation with revenue: The recommendation adjusts appropriations to align them more closely with the revenue that is likely to be available.

Adjust Community Corrections Placements: The recommendation increases the placements appropriation due to the combined effects of provider rate increases, a leap year, and caseload changes.

Adjust Community Corrections Facility Payment: The recommendation increases Facility Payments in expectation of a new facility and due a policy that would allow large community corrections facilities to draw a second facility payment.

Annualize salary survey and merit pay: The recommendation annualizes salary survey and merit pay awards..

R4 Juvenile Justice Specialist Funding: The recommendation provides general fund support for the state juvenile justice specialist so she can continue to perform her state duties.

Annualize prior year funding: The recommendation adjusts appropriations to reflect the second prior year funding decisions.

Adjust Community Corrections Boards Payments. The recommendation adjusts the amount paid to community corrections boards.

Annualize prior budget action: The recommendation adjusts appropriations to reflect the second year impact of 2014 budget actions.

Annualize prior year legislation: The recommendation adjusts appropriations to reflect the second year impact of 2014 legislation.

Community corrections provider rate increase. The recommendation includes a provider rate increase.

Indirect cost assessment: The recommendation adjusts indirect cost assessments.

(A) Administration

This subdivision contains appropriations for the employees who staff five of the Division's seven offices as well as the operating expenses that support those employees.

SUBDIVISION REQUEST AND RECOMMENDATION SUMMARY

Administration						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2014-15 Appropriation						
14-1336 Long Bill	\$3,918,162	\$2,126,073	\$709,576	\$506,433	\$576,080	35.9
Other legislation	<u>262,388</u>	<u>262,388</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1.8</u>
TOTAL	\$4,180,550	\$2,388,461	\$709,576	\$506,433	\$576,080	37.7
FY 2015-16 Recommended Appropriation						
FY 2014-15 Appropriation	\$4,180,550	\$2,388,461	\$709,576	\$506,433	\$576,080	37.7
Annualize FY 2014-15 salary survey and merit pay	98,108	59,525	17,011	3,049	18,523	0.0
R4 (DCJ) Juvenile justice specialist funding	67,363	67,363	0	0	0	0.0
Annualize prior year budget actions	25,542	25,542	0	0	0	0.2
Annualize prior year legislation	6,974	6,974	0	0	0	0.2
Indirect cost assessment	<u>5,136</u>	<u>0</u>	<u>3,543</u>	<u>0</u>	<u>1,593</u>	<u>0.0</u>

*JBC Staff Figure Setting – FY 2015-16
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TOTAL	\$4,383,673	\$2,547,865	\$730,130	\$509,482	\$596,196	38.1
Increase/(Decrease)	\$203,123	\$159,404	\$20,554	\$3,049	\$20,116	0.4
Percentage Change	4.9%	6.7%	2.9%	0.6%	3.5%	1.1%
FY 2015-16 Executive Request	\$4,383,673	\$2,547,865	\$730,130	\$509,482	\$596,196	38.1
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

Annualize FY 2014-15 salary survey and merit pay: The recommendation reflects use of the Department's FY 2014-15 salary survey and merit pay appropriation to increase base salaries within the division.

R4 (DCJ) Juvenile justice specialist funding: The recommendation provides \$67,363 of General Fund support for the state juvenile justice specialist.

Annualize prior year budget actions: The appropriation annualizes a request approved last year (R6 Community Corrections FTE Support).

Annualize prior year legislation: The recommendation adjusts appropriations to reflect the second year impact of H.B. 14-1273 (Human Trafficking).

Indirect cost assessment: The recommendation adjusts indirect cost assessments.

LINE ITEM DETAIL

DCJ Administrative Services

This line item was created in the FY 2012-13 Long Bill by combining the subdivision's personal services and operating expenses appropriations in order to increase the Division's flexibility. The line item funds many but not all of the division's FTE.

The sources of cash funds are:

- The Victims Assistance and Law Enforcement Fund (the State VALE fund) established in Section 24-33.5-506 (1), C.R.S., which supports victim programs,
- The Marijuana Cash fund created in Section 12-43.3-501 (1) (a), C.R.S.
- Gifts, grants and donations.

The source of reappropriated funds is indirect cost recoveries which help pay for oversight of all programs by the Division Administrative Office. Indirect cost recoveries are collected from:

- Federal sources (VOCA, VAWA, Juvenile Justice, and other federal grants administered by the division), and
- State sources (the Sex Offender Surcharge Fund, the State VALE fund)

➔ R4 Juvenile justice specialist funding

Request: The Department requests \$67,363 General Fund for FY 2015-16 and subsequent years to fund the state-related work of Colorado’s “Juvenile Justice Specialist.”

Recommendation: Staff recommends that the Committee approve this request.

Analysis: Federal juvenile-justice grant rules require Colorado to designate a Juvenile Justice Specialist in order to receive federal funding.¹ Colorado’s specialist is currently supported exclusively with federal funds but a recent time study showed that slightly more than half the specialist’s work day is spent performing state tasks that cannot be linked to any federal grant. The specialist’s exclusively state tasks include membership on the Juvenile Parole Board, the Restorative Justice Coordinating Council, the Senate Bill 91-94 State Advisory Council, the Collaborative Management Program State Advisory Committee, the Youth and Family Bridges Council, and Prison Rape Elimination Act (PREA) compliance projects. Federal grant rules require that the state tasks that the Specialist performs must be supported with state funds. This request will provide state funding to support those state tasks. Without this increase the specialist will have to withdraw from her current state duties. She is well known for her expertise and the committees and boards she serves upon would lose a valuable member if she withdrew.

The \$67,363 General Fund increase will free a like amount federal funds that will be used for increased oversight of federal grant programs by other DCJ employees,

The following table summarizes the request and the recommendation for DCJ Administrative Services.

Division of Criminal Justice, Administration, DCJ Administrative Services						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2014-15 Appropriation						
14-1336 Long Bill	\$3,386,681	\$2,126,073	\$654,240	\$506,433	\$99,935	35.9
Other legislation	<u>262,388</u>	<u>262,388</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1.8</u>
TOTAL	\$3,649,069	\$2,388,461	\$654,240	\$506,433	\$99,935	37.7
FY 2015-16 Recommended Appropriation						
FY 2014-15 Appropriation	\$3,649,069	\$2,388,461	\$654,240	\$506,433	\$99,935	37.7
Annualize FY 2014-15 salary survey and merit pay	98,108	59,525	17,011	3,049	18,523	0.0
R4 (DCJ) Juvenile justice specialist funding	67,363	67,363	0	0	0	0.0
Annualize prior year budget actions (R6 Community Corrections FTE Support)	25,542	25,542	0	0	0	0.2

¹ <http://www.ojjdp.gov/jabg/ResourceList.asp> lists the Juvenile Justice Specialists for all the states.

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Division of Criminal Justice, Administration, DCJ Administrative Services						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Annualize prior year legislation (H.B. 14-1273, Human Trafficking)	6,974	6,974	0	0	0	0.2
TOTAL	\$3,847,056	\$2,547,865	\$671,251	\$509,482	\$118,458	38.1
Increase/(Decrease)	\$197,987	\$159,404	\$17,011	\$3,049	\$18,523	0.4
Percentage Change	5.4%	6.7%	2.6%	0.6%	18.5%	1.1%
FY 2015-16 Executive Request:	\$3,847,056	\$2,547,865	\$671,251	\$509,482	\$118,458	38.1
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

Indirect Cost Assessment

All indirect cost assessments paid from the DCJ's cash and federal funds are combined in this indirect cost assessment line item. All programs in DCJ that are supported by cash, reappropriated, or federal funds pay these assessments, which help pay for (1) statewide indirect costs, (2) departmental indirect costs, and (3) indirect costs within DCJ. The JBC staff member who handles the rest of the Department of Public Safety is responsible for the Department's indirect costs. This explanation summarizes the indirect cost plan.

The indirect cost assessments are based on assessment percentages that are applied to personal services appropriations. These rates are set at levels that will recover current-year indirect costs. The FY 2015-16 Department of Public Safety assessment rate for statewide and departmental indirect costs will equal approximately 10%, a uniform rate that applies to cash, reappropriated, and federal funds. In addition there is an internal indirect cost assessment within DCJ that applies to DCJ personal services appropriations. The FY 2015-16 assessment will equal approximately 36%, meaning that the total assessment in DCJ on cash, reappropriated, and federal personal-services appropriations equals forty-six percent (10% + 36%). The statewide and departmental collections are used to offset the use of General Fund throughout the Department, the internal DCJ assessment is used to offset General Fund within DCJ's Administration subdivision.

The sources of cash funds for indirect cost recoveries are the State Victims Assistance and Law Enforcement (State VALE) Fund established in Section 24-33.5-506 (1), C.R.S., and the Sex Offender Surcharge Fund established in Section 18-21-103 (3), C.R.S.

The JBC may make changes to staff recommendations or to common policies that alter the recommended indirect cost assessments. **Staff requests permission to re-calculate the indirect cost recoveries if subsequent Committee decisions require changes.**

Request: The Division requests an appropriation of \$536,617 total funds.

Recommendation: Staff recommends the Department's request.

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Division of Criminal Justice, Administration, Indirect Cost Assessment						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2014-15 Appropriation						
14-1336 Long Bill	\$531,481	\$0	\$55,336	\$0	\$476,145	0.0
TOTAL	\$531,481	\$0	\$55,336	\$0	\$476,145	0.0
FY 2015-16 Recommended Appropriation						
FY 2014-15 Appropriation	\$531,481	\$0	\$55,336	\$0	\$476,145	0.0
Indirect cost assessment	5,136	0	3,543	0	1,593	0.0
TOTAL	\$536,617		\$58,879	\$0	\$477,738	0.0
Increase/(Decrease)	\$5,136	\$0	\$3,543	\$0	\$1,593	0.0
Percentage Change	1.0%	0.0%	6.4%	0.0%	0.3%	0.0%
FY 2015-16 Executive Request:	\$536,617	\$0	\$58,879	\$0	\$477,738	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(B) Victims Assistance

The Office for Victims Programs administers state and federally funded grant programs that provide funding to state and local agencies that assist crime victims. The appropriation for most of the Office's staff is in subdivision (A) Administration. Appropriations for grants that the Office administers are in this subdivision (B). Grant recipients include district attorneys, local law enforcement, and local programs that provide victim-assistance services. The subdivision also contains appropriations for Child Abuse Investigation, the Sexual Assault Victim Emergency Payment Program, and the Statewide Victim Information and Notification System (VINE).

SUBDIVISION REQUEST AND RECOMMENDATION SUMMARY

During supplementals the Committee approved an additional \$100,000 cash funds appropriation for Child Abuse Investigations..

Request and recommendation: The Department requests and staff recommends a \$300,000 cash funds appropriation for Child Abuse Investigations for FY 2015-16.

Victims Assistance					
	Total Funds	General Fund	Cash Funds	Federal Funds	FTE

JBC Staff Figure Setting – FY 2015-16
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	Victims Assistance				
	Total Funds	General Fund	Cash Funds	Federal Funds	FTE
FY 2014-15 Appropriation					
14-1336 Long Bill	\$13,202,653	\$1,102,653	\$1,700,000	\$10,400,000	0.6
SB15-159 Suppl	<u>100,000</u>	<u>0</u>	<u>100,000</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$13,302,653	\$1,102,653	\$1,800,000	\$10,400,000	0.6
FY 2015-16 Recommended Appropriation					
FY 2014-15 Appropriation	\$13,302,653	\$1,102,653	\$1,800,000	\$10,400,000	0.6
TOTAL	\$13,302,653	\$1,102,653	\$1,800,000	\$10,400,000	0.6
Increase/(Decrease)	\$0	\$0	\$0	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2015-16 Executive Request					
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	0.0

LINE ITEM DETAIL

Federal Victims Assistance and Compensation Grants

The Office for Victim Programs manages three federal grant programs:

VOCA (Victims of Crime Act) grants enhance, expand, and develop programs to serve victims of crime. These services include counseling, providing shelter, assistance in filing compensation applications, crisis intervention services, assistance in court proceedings, and assistance in filing protection orders.

VAWA (Violence Against Women Act) grants develop and strengthen effective law enforcement, prosecution, judicial strategies and victim services throughout Colorado in cases involving violent crimes against women, which are defined as domestic violence, sexual assault, stalking and dating violence.

SASP (Sexual Assault Service Program) grants provide direct services, including intervention, advocacy, accompaniment (e.g., accompanying victims to court, medical facilities, police departments, etc.), support services, and related assistance for victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault.

The Federal Victims Assistance and Compensation Grants line item is an informational appropriation that reflects expected expenditures of federal funds. The following table presents the recommendation and the request.

Request: The Division requests a continuation appropriation for this subdivision of \$10,400,000 federal funds.

Recommendation: Staff recommends the Committee approve the Division's request.

State Victims Assistance and Law Enforcement (VALE) Program:

The Office for Victims Programs administers the State VALE fund and helps monitor, coordinate and support the victim rights, compensation, and assistance programs that are operated by Colorado's many state and local criminal justice agencies.

The Victims Assistance and Law Enforcement (VALE) program began in 1984 when the General Assembly enacted the Assistance to Victims of and Witnesses to Crimes Aid to Law Enforcement Act. In 1992 voters enhanced victim rights by approving the Victim Rights Amendment, which is found in Article 2, Section 16a of the Colorado Constitution. The amendment states that crime victims have the "right to be heard when relevant, informed, and present at all critical stages of the criminal justice process."

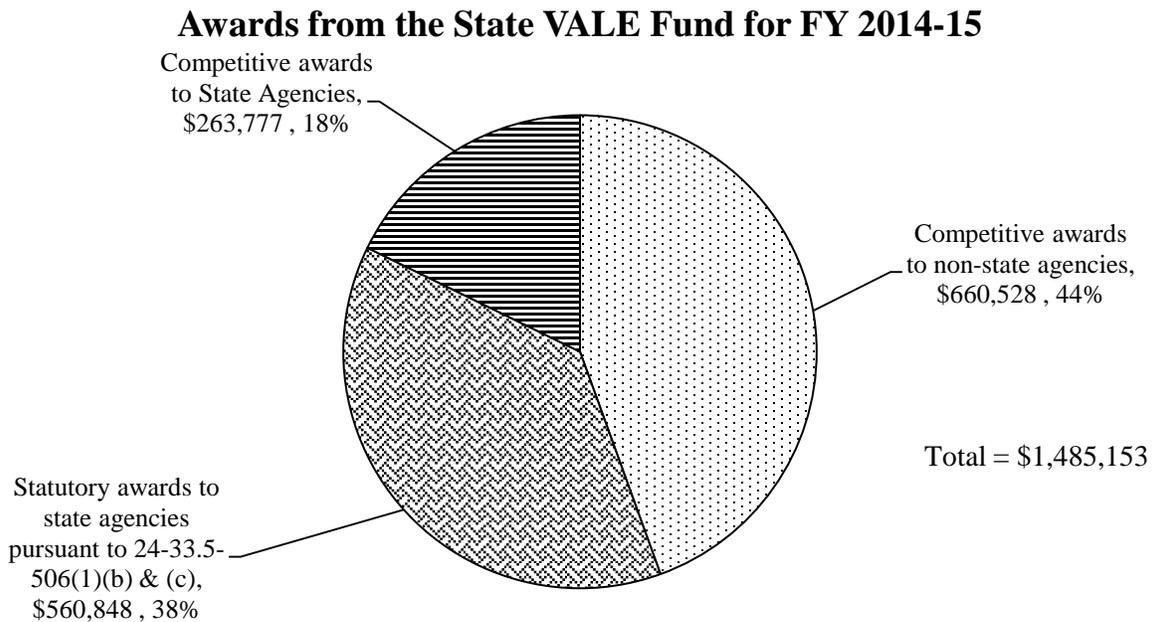
Section 24-33.5-506, C.R.S., establishes the Victims Assistance and Law Enforcement Fund (the State VALE Fund), which is administered by the State VALE Advisory Board. Each judicial district also has its own local VALE fund, distinct from the State VALE fund. These local VALE funds receive revenues from surcharges on fines imposed for felonies, misdemeanors, juvenile offenses, and certain traffic infractions within the district. Pursuant to Section 24-4.2-105 (1), C.R.S., 13 percent of each district's surcharge revenue is transferred to the State VALE Fund. Local VALE boards, which are appointed by the chief judge of the judicial district, make grants to agencies that provide services to crime victims within the district in which the monies are collected. The Office for Victims Programs issues standards that govern the administration of Local VALE programs. There are two priority areas for VALE funding: implementation of the Victim Rights Act and (2) victim and witness services, including crisis intervention services, referrals of victims to appropriate community services and victim compensation programs, translator services, and counseling.

Pursuant to statute, the State VALE fund is appropriated to the Division for

- Payment of DCJ's costs of administering state and federal victim programs,
- Distributions to the
- Department of Public Safety to support several Victim Advocates positions around the state that provide comprehensive services to victims of traffic crashes (and their families) on Colorado highways where an injury or death occurs.;
- Division of Youth Corrections (in the Department of Human Services) to provide notification of movements and changes involving the juvenile perpetrator, such as escapes, return to custody, eligibility for visits to the community, hearings, recommitments, transfers to the adult system, and expiration of commitment;
- Department of Corrections to provide notifications similar to those provided by the Division of Youth Corrections including assistance and support to victims who attend Parole Board Hearings and Community Corrections Board reviews;

- Office of the State Court Administrator to implement and coordinate statewide victim services programs; and
- Department of Law to provide notifications to victims of appellate actions involving the perpetrator and cases in which the Department of Law prosecutes the accused perpetrator in a trial court,
- A competitive VALE grant program that makes grants to state government criminal justice agencies and non-profit victim service agencies. A Governor-appointed board reviews grant requests and makes funding recommendations to the Department.

The following chart shows the projected distribution of grants for FY 2014-15.



Request: The Department requests a continuation appropriation of \$1,500,000 cash funds for this program.

Recommendation: Staff recommends that the Committee approve the Division's request.

Child Abuse Investigation

In Colorado, child abuse investigations are frequently conducted by Child Advocacy Centers (CACs), which are located in 15 of the state's 22 judicial districts. About 80 percent of the children these centers serve are victims of sexual abuse with the remainder divided approximately equally between serious physical abuse and witnesses to violence. Some of the children are human trafficking victims.

CAC's conduct a single, sensitive, thorough, and neutral forensic interview in suspected cases of abuse. The centers also provide counseling and refer clients for therapy. Colorado law enforcement personnel are encouraged to take a child to a CAC as soon as they determine that

the case is appropriate for a CAC. A forensic interview at the CAC may provide evidence for prosecution and can help guide further criminal investigations.

In about 15 percent of cases, circumstances indicate that a forensic physical exam of the child may provide evidence for prosecution. Under such circumstances, an exam is conducted by a SANE nurse (Sexual Assault Nurse Examiner nurse) and the cost of the exam is paid by law enforcement. In other cases there is little likelihood that an exam will produce evidence (because, for example, the abuse occurred months earlier) but a SANE nurse may still conduct an exam, paid for by the CAC, to make sure that the child is physically okay.

Prior to FY 2014-15 the only state support for Child Abuse Investigations at Child Advocacy Centers came from the Child Abuse Investigation Surcharge Fund, but beginning in FY 2015-16 the Committee augmented this cash funding with a General Fund appropriation.

DCJ uses these appropriations to make grants to the Colorado Children's Alliance, which distributes the money to Child Advocacy Centers and provides training and technical guidance to the centers. The CAC's use the grants to cover between 2 and 20 percent of their operating expenses, with the remainder coming from other sources.

The cash funding for this appropriation derives from Article 24 of Title 18, C.R.S., which establishes a schedule of "surcharges" that are paid by offenders who are convicted of crimes against children, including sex offenses, incest, child abuse, and contributing to the delinquency of a minor. The surcharges range from \$1,500 for a class 2 felony to \$75 for a class 3 misdemeanor. Five percent of the surcharge revenue is credited to the Judicial Stabilization Fund and the remaining 95 percent is credited to the Child Abuse Investigation Surcharge Fund, which is created in Section 18-24-103 (2) (a), C.R.S. The following table shows the fund's recent revenues.

Fiscal Year	Child Abuse Investigation Surcharge Fund Revenue
2010-11	\$102,675
2011-12	\$151,152
2012-13	\$182,990
2013-14	\$203,646

The low level of FY 2011-12 spending reported in the numbers pages is due to an accounting error that was detected too late to be fixed. In reality, spending in FY 2011-12 was about \$90,000.

Request: The Department requests a continuation appropriation of \$500,000 General Fund and \$200,000 cash funds.

Recommendation: Staff recommends that the Committee approve this request.

Sexual Assault Victim Emergency Payment Program

Section 18-3-407.7, C.R.S., which was added to statute by H.B.13-1163, creates the Sexual Assault Victim Emergency Payment Program for victims of sexual assault who need additional time to determine if they wish to pursue legal action. The program serves as payor of last resort

for victims who require financial assistance to pay the costs of a medical forensic exam. The Department establishes a per victim cap of not less than \$1,000 on eligible expenses, which are to cover emergency room fees and costs, laboratory fees, prescription medication, and physician's fees related to the medical examination and injuries sustained during the assault.

Request: The Department requests a continuation appropriation of \$167,933 General Fund and 0.2 FTE.

Recommendation: Staff recommends that the Committee approve this request.

Statewide Victim Information and Notification System (VINE)

This appropriation helps support a victim notification system operated by the County Sheriffs of Colorado (CSOC). The notification system, known as the Colorado Automated Victim Information Notification Everyday (VINE) system, is part of a nationwide VINE system that covers 47 states. VINE obtains information directly from county-jail booking systems. Colorado's system does not provide information about the custody status of Colorado Department of Corrections offenders.² The system allows crime victims to obtain free, reliable information about the custody status of offenders 24 hours a day. Victims can register to be automatically notified by any combination of e-mail, fax, letter, or phone when their offender is released, transferred, or escapes. The nationwide VINE system can be accessed at <https://www.vinelink.com> while Colorado's VINE system can be accessed at

<https://www.vinelink.com/vinelink/siteInfoAction.do?siteId=60>.

Colorado's VINE system was constructed and later upgraded with the aid of \$1.50 million of Federal Grants awarded in 2008 and 2011. These grants were the subject of a recent critical [federal audit](#) by the U.S. Department of Justice's Office of the Inspector General. The audit questioned \$688,587 of expenditures. While these deficiencies have not yet been resolved, one possible outcome is that the County Sheriffs of Colorado will repay \$81,524 to the federal government and will provide sufficient documentation to retain the remainder.

The statutory legislative declaration in Section 24-33.5-515 (2), C.R.S. which was added to statute by this bill that provided funding for this program (H.B. 13-1241) states that the General Assembly *may* annually make general fund appropriations to support the program.

Details concerning payments and oversight:

DCJ pays CSOC and CSOC pays APPRISS. CSOC has the contract with APPRISS so CSOC is responsible for making sure APPRISS does what is in the contract.

DCJ distributes a \$89,920 to CSOC to help CSOC operate the VINE program. \$60,000 is for personnel expense for the Colorado VINE program manager, \$19,920 for expenses related to training, travel, equipment, and supplies specifically for the VINE program, and \$10,000 for CSOC indirect costs.

² The fiscal note for H.B. 13-1241 estimated that it would cost \$155,000 to extend the VINE system to CDOC.

CSOC submits an invoice at the end of each quarter for reimbursement of expenses incurred during the quarter. The report must include:

- A list of all of the Colorado counties that do and do not utilize the Colorado VINE program,
- Statistical information about the program, such as notifications made and new victim registrations,
- A breakdown of how the State’s dollars were expended each quarter. The DCJ contract with CSOC states that CSOC must retain expense documentation and make that documentation available to DCJ upon request. The information CSOC provides each quarter outlines how the funds are spent, including detail on salary and benefits, travel expenses (hotels, mileage to various locations around the state), and specific supplies and operating expenditures. This information is generated from the CSOC accounting program. DCJ staff reviews this information on a quarterly basis.

Request: The Department requests a continuation appropriation of \$434,720 General Fund for this item. This amount includes \$334,800 for the private IT contractor (Appriss) that maintains the VINE systems for Colorado and for other states that participate in VINE, \$89,920 for the county sheriffs to operate the program, and \$10,000 for NYC, which participates in the VINE system and will receive this funding via a reappropriation.

Recommendation: Staff recommends that the Committee approve this request.

(C) Juvenile Justice and Delinquency Prevention

The Office of Adult and Juvenile Justice Assistance administers federally funded criminal and juvenile justice grant programs that help local and state law enforcement agencies improve the services they deliver and administers the state juvenile diversion grant program. The appropriation for most of the Office's staff is in subdivision (A) Administration. Appropriations for grants the Office administers are in this subdivision (B).

SUBDIVISION REQUEST AND RECOMMENDATION SUMMARY

As the following table shows, there are no requested or recommended changes for this division.

Juvenile Justice and Delinquency Prevention				
	Total Funds	General Fund	Federal Funds	FTE
FY 2014-15 Appropriation				
14-1336 Long Bill	<u>\$1,991,139</u>	<u>\$1,241,139</u>	<u>\$750,000</u>	<u>0.9</u>
TOTAL	\$1,991,139	\$1,241,139	\$750,000	0.9

Juvenile Justice and Delinquency Prevention				
	Total Funds	General Fund	Federal Funds	FTE
FY 2015-16 Recommended Appropriation				
FY 2014-15 Appropriation	\$1,991,139	\$1,241,139	\$750,000	0.9
TOTAL	\$1,991,139	\$1,241,139	\$750,000	0.9
Percentage Change	0.0%	0.0%	0.0%	0.0%
FY 2015-16 Executive Request				
Request Above/(Below)				
Recommendation	\$0	\$0	\$0	0.0

LINE ITEM DETAIL

Juvenile Justice Disbursements

The Office of Adult and Juvenile Justice Assistance provides federally funded grants to units of local government (including law enforcement, district attorneys, and judicial districts), state agencies, and non-profit/local private community-based agencies to assist in local efforts that enhance or respond to a variety of juvenile justice and delinquency issues from prevention through aftercare. These grants address such issues as separation of juveniles from adult inmates; over representation of minorities in the justice system; mental health and substance abuse; gender specific services; and juvenile justice system improvement. The monies are used for program development, service delivery, policy design, research and other activities.

The federal funds for this line item are shown for informational purposes only. The funds are from the federal Office of Juvenile Justice and Delinquency Prevention in the U.S. Department of Justice.

Request: The Division requests a continuation appropriation of \$750,000.

Recommendation: Staff recommends that the Committee approve this request.

Juvenile Diversion Programs

Juvenile diversion programs are for youth accused of having broken the law. In lieu of going through the normal judicial process, the youth is placed in a diversion program that holds him accountable for his behavior while involving him in programs and activities that reduce the likelihood of future criminal activity. Diversion programs can include diagnostic needs assessment, restitution programs, community service, job training and placement, specialized tutoring, general counseling, crisis counseling, and follow-up activities. Programs may include a restorative justice component, if the victim agrees to participate.

This line item helps support various juvenile diversion programs around the state. These programs are operated by district attorneys, counties, and community-based agencies. A typical program is that offered by La Plata Youth Services, which received \$34,000 and serves children aged ten to seventeen who are charged with a misdemeanor or felony. La Plata's program is six months to one year long; youth are referred in lieu of having charges filed against them, avoiding further court processes and a permanent criminal record.

During FY 2013-14 a total of 2,577 Colorado juveniles were served by 19 diversion programs that received state support in 15 Judicial Districts. Approximately three quarters of the juveniles had committed misdemeanors or petty offenses; the remainder had committed felonies. Two thirds were male and the average age was 15.1 years. A total of 1150 youth exited a diversion program during the reporting period, with 85 percent exiting successfully, 4 percent exiting unsuccessfully due to an arrest for a new offense, and 8 percent exiting unsuccessfully due to technical violations. Those who exited unsuccessfully faced further juvenile justice sanctions. According to a study of participants from 2011 through 2014, 15 percent recidivated within one year of program exit. Participants completed 15,720 community service hours and paid \$160,000 in restitution. The average participant was in the program for 5.5 months. The cost to the state per participant equaled \$1,079; judicial districts may also provide local funds.³

Request: The Division requests a continuation appropriation of \$1,241,139 General Fund.

Recommendation: Staff recommends that the Committee approve this request.

(D) Community Corrections

The Office of Community Corrections oversees community corrections programs in Colorado. The appropriation for the Office's staff is in subdivision (A) Administration. The appropriations that fund community corrections programs around the state are located in this subdivision (D).

SUBDIVISION REQUEST AND RECOMMENDATION SUMMARY

Community Corrections					
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	FTE
FY 2014-15 Appropriation					
14-1336 Long Bill	\$68,489,538	\$63,291,769	\$0	\$5,197,769	0.0
SB15-159 Suppl	<u>(1,023,208)</u>	<u>(1,023,208)</u>	<u>0</u>	<u>0</u>	<u>0.0</u>

³ *Annual Report to the Governor* by the Colorado Juvenile Justice and Delinquency Prevention Council & Office of Adult and Juvenile Justice Assistance, September 2014 and *Statewide Evaluation of the DCJ Juvenile Diversion Program*, by the Omni Institute, September 2014.

*JBC Staff Figure Setting – FY 2015-16
Staff Working Document – Does Not Represent Committee Decision*

Community Corrections					
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	FTE
TOTAL	\$67,466,330	\$62,268,561	\$0	\$5,197,769	0.0
FY 2015-16 Recommended Appropriation					
FY 2014-15 Appropriation	\$67,466,330	\$62,268,561	\$0	\$5,197,769	0.0
R5 Community corrections provider rate increase	1,522	1,522	0	0	0.0
Adjust Community Corrections Placements	545,768	545,768	0	0	0.0
Adjust Community Corrections Boards Payment	26,492	26,492	0	0	0.0
Adjust Community Corrections Facility Payment	<u>190,128</u>	<u>190,128</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$68,230,240	\$63,032,471	\$0	\$5,197,769	0.0
Increase/(Decrease)	\$763,910	\$763,910	\$0	\$0	0.0
Percentage Change	1.1%	1.2%	0.0%	0.0%	0.0%
FY 2015-16 Executive Request	\$69,322,114	\$64,124,345	\$0	\$5,197,769	0.0
Request Above/(Below) Recommendation	\$1,091,874	\$1,091,874	\$0	\$0	0.0

Background on Community Corrections

In 1974 the General Assembly enacted the Community Corrections Act, which allowed Colorado offenders to be placed in residential community corrections facilities. The Act provided the court system, the Department of Corrections (DOC) and the State Board of Parole with a broader range of correctional options for offenders under their jurisdictions. From 1974 to 1986, the Department of Corrections and the Judicial Department separately administered their portion of Colorado's community corrections system. In 1986 the General Assembly combined administration in the Department of Public Safety's Division of Criminal Justice.

Colorado's community corrections programs, also known as halfway houses, provide offenders with supervision and structure in both residential and nonresidential settings. They are operated by local governments, private providers, and non-profits. Residential offenders live in local residential facilities and go out during the day to work or seek work. On a controlled basis they also go out to visit family, receive medical care, or receive treatment for behavioral problems.

Diversion Offenders are either directly sentenced to community corrections or are required to enter community corrections as a condition of probation. For diversion clients, community corrections serves as an alternative to prison. Offenders who succeed in community corrections avoid prison while those who fail are usually sentenced to prison. Diversion offenders who succeed in residential programs enter non-residential community corrections programs. They then live outside the facility but check in as often as daily and are randomly monitored to make

sure they are at jobs and other approved locations. They may continue to participate in programs at the community corrections facility.

Transition offenders are Department of Corrections prison inmates who are approved for placement in community corrections facilities prior to release on parole. While in the structured environment of a halfway house, offenders get jobs, renew contacts with family, and start developing community support systems prior to full release into the community. Transition offenders who succeed in residential programs typically enter the Department of Corrections' ISP-Inmate program (Intensive Supervision Program for Inmates) where they are supervised by DOC staff rather than community corrections staff.

In addition to diversion and transition offenders, community corrections facilities also house a moderate number of parolees, i.e. former prison inmates who have been paroled by the Parole Board. Parolees live with transition and diversion offenders within the same community corrections facilities.

All community corrections facilities provide services for their offenders. These services generally include individualized case management, life skills training, drug and alcohol education, anger management classes, money management assistance, educational guidance, and vocational guidance. Often, offenders are required to attend and pay for services beyond those provided by their program.

Specialized treatment for substance abuse, mental health, and sex offenders. Some community corrections programs provide more specialized and extensive treatment:

Substance abuse only programs. There are two types of programs for offenders with severe substance abuse problems:

- *Intensive Residential Treatment (IRT)*, a 90 day program in which the offender stays around-the-clock in a community corrections facility, receiving treatment, learning job hunting skills, etc., and
- *Therapeutic Communities (TC)*, which have two phases:
 - (1) inpatient (i.e. residential), which lasts 9 to 12 months, and
 - (2) outpatient (i.e. nonresidential), which lasts 9 to 12 months.

These treatment options are provided by two Denver therapeutic communities, *Peer I* for men and *The Haven* for women. A small number of diversion offenders at Peer I attend the inpatient phase on an outpatient basis, an option called Day Treatment.

Combined mental health and substance abuse programs. *Residential Dual Diagnosis Treatment (RDDT)* programs, which typically last 6 months or more, address co-occurring mental health and substance use problems. The John Eachon Re-entry Program (JERP), which focuses on offenders from the first judicial district (Jeffco), is a more intensive RDDT program for offenders with very high needs. Some offenders make sufficient progress in RDDT and JERP to move to standard community corrections for the remainder of their stay.

Supervision and treatment programs for sex offenders: These programs provide enhanced supervision and case management for offenders but generally do not provide in-house treatment. Sex offenders receive treatment from an independent provider. The community corrections program pays some of the provider's fees.

Subsistence Payments by Offenders: Offenders in most (but not all) community corrections programs are expected to pay a portion of the cost of their program:

- Offenders in standard residential community corrections programs are required to work as a condition of being in the program. These residential offenders are expected to pay \$17 per day toward the cost of their room, board, and programs offered by the facility. This payment, called *subsistence*, equals \$6,205 (365 * \$17) annually.

Offenders in standard programs are sometimes unable to pay the full amount. They may have difficulty finding a job, for example, or may lose a job. They also may have other expenses that make it difficult to pay the full amount, such as the cost of required treatment, restitution, child support, job-related costs like transportation, dental and medical care. (Residential community corrections offenders generally do not qualify for Medicaid. Residential offenders can purchase insurance on a health exchange and some do.)

An offender's unpaid daily debt to a community corrections program begins accumulating on the day of arrival, but may never be paid in full. During FY 2013-14, the average offender owed \$648 to his community corrections program at termination. The average amount of subsistence paid daily by standard residential community corrections clients was \$12.68 in FY 2009-10, \$11.14 in FY 2010-11, and \$11.56 in FY 2011-12, and \$11.36 in FY 2012-13 and FY 2013-14.⁴

- Offenders enrolled in Intensive Residential Treatment are not allowed to work while in the program and thus pay no subsistence.
- Offenders in Therapeutic Communities are not allowed to seek work until they have been enrolled in the program for a substantial amount of time and have stabilized; the delay varies and could be months. They are not expected to pay subsistence until they start working.
- Offenders in Residential Dual Diagnosis Treatment also must stabilize before going out to work. Once they start working they may pay subsistence immediately or after a delay. Offenders in the JERP program (a very intensive RDDT program) have such high needs that do not work while enrolled in the program.
- Offenders in "standard" nonresidential programs are expected to pay \$3 daily or approximately \$90 per month.

⁴ These statistics come from the *Colorado Community Corrections FY13 and FY14 Annual Report* and prior reports.

Payments by the state: per diem, differentials, and facility payments

Prior to FY 2014-15 the state paid community corrections facilities a flat per-offender-per-day fee, commonly called a per diem, to house regular offenders. Specialized programs received the per diem plus per-offender-per-day "differentials" that paid for the extra costs of the specialized treatment and compensate providers for the fact that offenders in many specialized programs either do not pay "subsistence" to their programs or pay substantially less than \$17 per day. In addition there was a separate per-offender-per day payment for non-resident offenders.

The FY 2014-15 Long Bill retained and increased the per diem component, the non-residential components, and some of the differentials, but also added a new \$95,064 per year facility fee that is paid to all community corrections facilities regardless of size. The new facility payment was based on the following model staffing plan, which was constructed by JBC staff and shows what JBC staff concluded to be the minimum staffing required for facilities of 50 to 140 beds. It was based upon data provided by a selection of community corrections providers.

JBC staffing model for community corrections facilities with no specialized beds					
	Facility Size				% staff increase as beds rise 180% from 50 to 140
Number of Offenders					
Average daily population (ADP) of resident offenders (no special programs at these facilities)	50.0	80.0	110.0	140	180%
Nonresident offenders (=28% of residents for a typical facility)	14.0	22.4	30.8	39.2	180%
Number of Staff					
Security FTE	10.0	11.0	12.0	13.0	30%
Case Manager FTE for resident offenders	2.5	4.0	5.5	7.0	180%
Case Manager FTE for nonresident offenders	0.4	0.6	0.8	1.0	150%
Facility Director	1.0	1.0	1.0	1.0	0%
Other administrative FTE (Assistant director, etc.)	3.0	3.0	4.0	4.0	33%
Food Service FTE	2.5	2.5	3.0	3.0	20%
PREA (Prison Rape Elimination Act) compliance, EBP (Evidence Based Practice) compliance and training	0.5	0.5	0.5	0.5	0%
Total Staff	19.9	22.6	26.8	29.5	48%

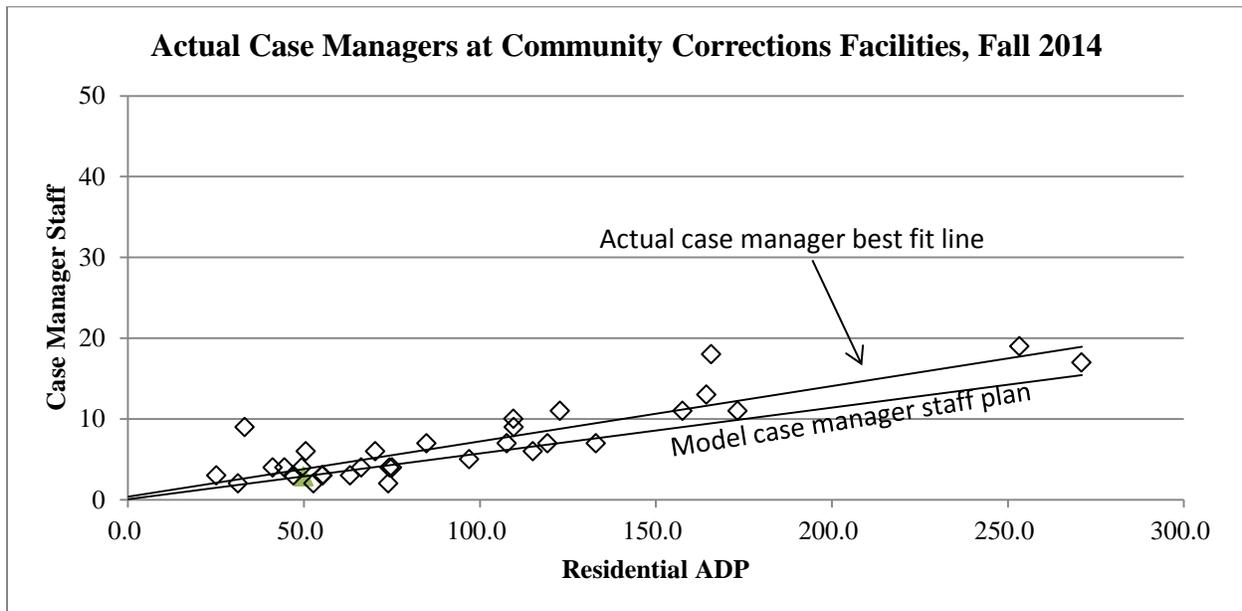
The model staffing plan shows that, with the exception of case managers, staffing does not expand proportionately as the size of a facility expands. As the resident population increases by 180 percent from 50 to 140 offenders, staffing rises by 48 percent. The model plan also shows that approximately 2/3 of staff are involved in security and case management.

This table did not extend beyond 140 beds because larger facilities are more complex than smaller programs, which made it more challenging to assess their staffing needs.

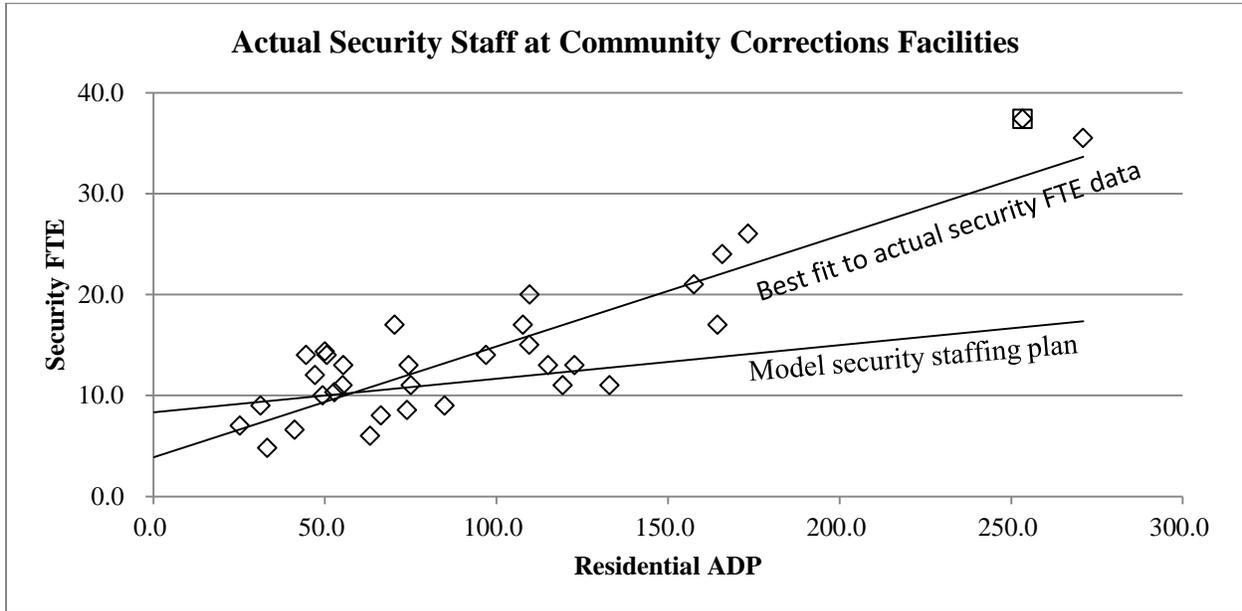
As staff noted during briefing last fall, In order to make this staffing plan work, a community corrections program must be located in a reasonably compact facility that can be adequately monitored by two security staff members during the night and a slightly higher number during the day. A single building with a centrally located security office is essential for this plan to work. If a facility is not compact, more security staff are required, at higher cost.

In an ideal world, all community corrections facilities would have been designed with community corrections needs in mind. They would be laid out in a compact manner that efficiently uses security staff. In reality many facilities have been converted from various prior uses. In Colorado, community corrections facilities are located in an old hospital, in an apartment building, in a warehouse, and in former motels. The building must be reasonably well suited to community corrections, it must be affordable, and, most challenging of all, it must already be zoned for community corrections or be able to win zoning approval, which is often an insurmountable obstacle.

During Figure Setting last year, the Committee decided to send a request for information to the Division of Criminal Justice which asked the division to gather more detailed information on security and case manager staffing. The result was a much more complete set of staffing data than JBC staff had available a year ago when the FY 2014-15 rates were set. JBC Staff received the new data in early February and soon discovered that the model staffing plan for case managers fits the actual data fairly well, as the following graph illustrates.



The next graph shows that the model security staffing plan does not correspond as closely to actual practice. The best fit line (i.e. the least squares line) through the actual staffing data is notably steeper and the deviations from the model plan are consistently positive for large facilities. .



The program shown with the overlapping square and diamond is COMCOR, Inc. which is located along North Nevada Avenue in Colorado Springs. COMCOR uses two former motels on North Nevada Ave. in Colorado Springs as well as another building a couple of blocks to the south. COMCOR is anything but compact and its security staff numbers reflect that fact. For 260 offenders it has 36.4 security FTE. The model staffing plan only extends to 150 offenders, but the straight line extrapolation shown in the diagram above predicts that a 230 bed facility will need only 17 security staff. Thus COMCOR security staff is 2.1 times larger than projected. The payments that COMCOR receives from DCJ are based on the assumption that it needs only 17 security staff. COMCOR implemented the salary increases that are described in Long Bill footnote 75 and reduced its offender to case manager ratio as required. But to keep other parts of its salary structure in alignment, it had to raise salaries for all its employees. COMCOR states, credibly, that it is now stressed financially. Based on budget document it has supplied to JBC staff, it would need three facility payments to break even, rather than the one it is currently receiving.

This chart indicates that JBC staff overestimated security staffing economies of scale, particularly for large facilities, during 2014 figure setting. Staff will return to the implications of this chart in a few moments, but for the moment will continue the community corrections overview.

The following tables show the payments that the state and offenders make for various types of community corrections programs.

FY 2014-15 Daily Payment Rates for Residential Community Corrections Programs							
Type of bed	Special problems treated	Daily payment by:					Average total program receives
		State			Offender*		
		Base	Differential	Total	Max	Actual	
Standard residential		\$41.34	\$0.00	\$41.34	\$17.00	\$11.36	\$52.70

JBC Staff Figure Setting – FY 2015-16
Staff Working Document – Does Not Represent Committee Decision

FY 2014-15 Daily Payment Rates for Residential Community Corrections Programs							
Type of bed	Special problems treated	Daily payment by:					Average total program receives
		State			Offender*		
		Base	Differential	Total	Max	Actual	
Intensive Residential Treatment (IRT)	Substance abuse	41.34	\$45.93	87.27	0	0	87.27
Therapeutic Community (TC), residential phase of treatment	Substance abuse	41.34	27.27	68.61	17.00	n/a	n/a
Residential Dual Diagnosis Treatment (RDDT)	Substance abuse & mental health	41.34	34.70	76.04	17.00	n/a	n/a
JERP (John Eachon Re-entry Program, a very intensive RDDT)	Substance abuse & mental health	41.34	54.12	95.46	0	0	95.46
Sex Offender	Sex offense	41.34	34.70	76.04	17.00	n/a	n/a

* Max, the maximum amount that can be collected from offenders, is set in the Long Bill. Actual is from the *Colorado Community Corrections FY13 and FY14 Annual Report*. Offenders in TC and RDDT don't go out to work until they have been in the program for a substantial amount of time.

FY 2014-15 Daily Payment Rates for Nonresidential Community Corrections Programs						
Type of bed	Special problems treated	Daily payment by:				Total Paid
		State		Offender		
				Max.	Actual	
Standard non-residential (diversion only)		\$6.03 avg*		\$3.00	\$3.00	\$9.03
Day Treatment (This is the outpatient version of Residential Therapeutic Community Treatment)	Substance abuse	34.10		3.00	3.00	37.10
Therapeutic Community, nonresidential phase of treatment	Substance abuse	13.65		3.00	3.00	16.65

* There are four progressively less restrictive levels of standard nonresidential treatment, which cost the state approximately \$8, \$6, \$3, and \$2 daily with a \$6.03 average.

Oversight of programs and offenders.

Oversight of community corrections *programs* is shared by local Community Corrections Boards and the Office of Community Corrections.

Oversight of *offenders* in community corrections programs is provided by the staff of the community corrections program. Transition offenders are also supervised by parole officers from the Department of Corrections. Probation officers are not typically involved in supervision.

Funding sources for Community Corrections

Community Corrections programs are primarily funded by the General Fund, but significant support also comes from the Correctional Treatment Cash Fund. It is also important to note that some of the General Fund appropriation derives from H.B. 10-1360.

Funding from the Correctional Treatment Cash Fund. The Correctional Treatment Cash Fund was created by H.B. 12-1310. The bill:

- 1) Consolidated three sources of funding for substance abuse treatment into the Correctional Treatment Cash Fund, which serves adult and juvenile offenders. The redirected fund sources include two that previously provided community corrections funding: the Drug Offender Surcharge Fund and the General Fund savings generated by H.B. 10-1352.
- 2) Created the Correctional Treatment Board, required it to prepare an annual plan for spending the money received by the Correctional Treatment Cash Fund, and required the Judicial Department to submit the plan to the Joint Budget Committee. Since appropriations from the Correctional Treatment Cash Fund are included in the Long Bill, the General Assembly has the final say on allocation and use. The annual plan specifies the allocation of funding among state agencies and may include direction to those agencies concerning how the allocated moneys are to be spent. Section 18-19-103 (4) (c), C.R.S., states that the Board may direct that moneys be used for the following purposes:
 - a) Alcohol and drug screening, assessment, and evaluation;
 - b) Alcohol and drug testing;
 - c) Substance abuse education and training;
 - d) An annual statewide conference regarding substance abuse treatment;
 - e) Treatment for assessed substance abuse and co-occurring disorders;
 - f) Recovery support services; and
 - g) Administrative support to the correctional treatment board.

Allocation of funding from the Correctional Treatment Cash Fund. For FY 2014-15 the Division is appropriated \$5,301,766 from the Correctional Treatment Cash fund. During figure setting for the Judicial Branch, the Committee approved a continuation appropriation to the DCJ of \$5,301,766 from the Correctional Treatment Cash Fund, which is based on a funding plan, which has been approved by the JBC. The Committee also granted JBC staff permission to shift CTCF moneys among the line items in DPS if necessary to cover the salary and benefits for the 1.0 FTE (as long as the overall total for DPS does not change).

JBC staff recommends that this appropriation be allocated as shown in the following table. During finalization of the Long Bill, it may be necessary to further adjust POTS (Health, Life, Dental, etc.) but the adjustments should be no more than a few thousand dollars and the overall appropriation will remain within DCJ's allotted total.

Allocation within DCJ of Moneys Received from the Correctional Treatment Cash Fund

Division and Line Item	FY 14-15	FY 15-16	Change
(1) Executive Directors Office			
Health, Life, Dental, Short Term Disability, etc.	\$19,194	\$14,300	(\$4,894)
(4) Division of Criminal Justice			
DCJ Administrative Services	84,803	89,697	4,894
Community Corrections Placements (for condition of probation IRT beds)	2,643,869	2,643,869	0
Services for Substance Abuse and Co-occurring Disorders	2,553,900	2,553,900	0
Total Received	\$5,301,766	\$5,301,766	\$0

General Fund from H.B. 10-1360. House Bill 10-1310 altered the rules governing technical parole revocations. It made more felons eligible for parole revocation to a community corrections facility (rather than prison) and reduced reincarceration time for many technical parole violators.

In addition, the bill required the parole board to consider as an alternative to revocation placement in a residential treatment program, such as Intensive Residential Treatment (IRT), or an outpatient substance abuse program.

Section 17-2-103 (11.5), C.R.S. which was added to statute by H.B. 10-1360 *required* the General Assembly to appropriate an unspecified portion of the General Fund savings generated by the bill for re-entry support services *targeting parolees*. These services include employment, housing, transportation, substance abuse treatment, mental health treatment, and mental health medication. The bill's appropriation clause is incompletely worded and must be read with the directive of Section 17-2-103 (11.5) in mind. Read in this manner, the appropriation clause provides \$1,285,409 General Fund to the DCJ for parolee Intensive Residential Treatment beds and \$260,000 for parolee sex offender beds.

House Bill 10-1360 states that appropriations of H.B. 10-1360 savings are to be made after consideration of a status report that the Division of Adult Parole "shall provide" to the judiciary committees of both houses; however, the bill provided no funding to create the report, nor did it say how frequently the report was to be provided. The bill also required the Division of Criminal Justice to provide a report to the judiciary committees but it again failed to provide funding for creation of the report or to specify a frequency. Neither the Division of Adult Parole nor the DCJ have ever produced a report.

No updated estimates of the savings from H.B. 10-1360 have been made since the bill was enacted. The estimates contained in the fiscal note are still the only guide for appropriations.

There is nothing in the current Long Bill to indicate that part of the General Fund appropriation for Community Corrections Placements derives from H.B. 10-1360. Staff recommends that the following footnote be attached to the *Community Corrections Placements* appropriation to show the connection. The *Community Corrections Placements* appropriation will be discussed more thoroughly below.

n Of this appropriation, \$1,545,409 is from the savings produced by H.B. 10-1360 pursuant to Section 17-2-103 (11.5), C.R.S., for parolee Intensive Residential Treatment beds and for parolee sex offender beds.

Outpatient Therapeutic Community Rates

Following the closure of Crossroads Therapeutic Community (TC) in Pueblo last summer, only two community corrections programs that are based on the residential therapeutic community model of substance abuse treatment remain in the state. Both are operated by ARTS, which is associated with the University of Colorado. ARTS operates two residential TC program at Fort Logan. One is a male program named Peer I; the other is a female program named Haven.

Offenders start in one of the ARTS residential TC's and, after about a year, progress to the outpatient TC, also run by ARTS, where they remain for another year. All or nearly all of diversion clients go into the outpatient TC but perhaps half of the transition clients who complete the inpatient program do not enter the outpatient TC. These transition offenders progress to ISP-Inmate status or to parole status and are monitored by their parole officer without attending the

outpatient TC. Staff is not aware of any statistics on the relative success rates of residential ARTS clients who do and do not enter the outpatient program.

ARTS revenues are complex. During briefing, JBC staff presented the Committee with an overly simplistic view of the revenues that ARTS receives for its outpatient clients. It turns out that the actual revenue is much more complex. For its outpatient diversion clients, ARTS receives either one or two payments from DCJ, depending on where the client is within the treatment program. Outpatient diversion clients also make "subsistence" payments to ARTS, which vary and depend of where they are in the program. Some of these self payments exceed guidelines established in the Long Bill. Payments for DOC transition clients who are in the outpatient program are very different. *Monthly* subsistence for outpatient transition clients is \$35, which is much less than most outpatient diversion clients pay. For regular parole clients, ARTS receives a daily payment from DCJ. However it does not receive a DCJ payment for other transition clients, despite the fact that they receive similar services. In addition, ARTS bills DOC through CWISE on a fee for service basis rather than paying a per diem like DCJ pays. The amounts that DOC pays for services are substantially less than the DCJ per diem.

Medicaid is difficult. During briefing, Staff stated that one of the services (group substance abuse therapy) that ARTS provides for its outpatient clients could be billed to Medicaid and that Medicaid could be a substantial source of revenue for ARTS. However, there are problems involved in billing Medicaid. First, if ARTS bills Medicaid for the services it delivers to Medicaid-eligible clients, ARTS may not be able to also bill the client, meaning that the extra Medicaid revenue would be partially or fully offset by reduced client payments. In addition ARTS must deal with the "no-double-billing rule," which precludes charging two entities for provision of a given service to a client. The DCJ payment model is part of the problem. DCJ payments cover a package of services and it may not be possible to selectively split out one of those services for Medicaid clients and bill Medicaid. Staff believes that the only way to figure out whether Medicaid billing will work is to try it out and see what happens. It may be six months or a year before the results are known.

Because of the Medicaid uncertainty, Staff recommends that the Committee ignore Medicaid this year when establishing the outpatient TC rate. Staff also recommends that the Committee add the following to the footnote that sets community corrections rates:

- n It is requested that the Division of Criminal Justice work with ARTS, Denver Community Corrections, and other relevant parties to determine whether outpatient therapeutic community clients can qualify for Medicaid reimbursement and determine whether Medicaid reimbursement would reduce state costs.

Staff also recommends that the Committee add the following to the footnote that sets rates:

- n The appropriation assumes that outpatient therapeutic community programs (1) will receive the standard non-residential base payment for all offenders in their programs, including Department of Corrections clients, (2) will receive the outpatient therapeutic community differential for all clients in program phases other than the post graduate phase, including Department of Corrections clients, (3) will not receive the outpatient therapeutic community differential or the non-residential base payment for probation

clients, (4) will collect client fees of up to \$3 per day, and (5) will not receive payment from the Department of Corrections for services covered by the standard non-residential base payment or the outpatient therapeutic community differential.

After reviewing cost and population information provided by ARTS, staff concludes that a further increase in the outpatient TC differential is required. At the beginning of FY 2014-15, the outpatient TC differential equaled \$14.43 per day. During supplementals it was increased to \$16.53 per day, but that increase was based upon incomplete information, including the assumption that Medicaid could provide substantial funding. Staff now recommends that the differential be increased to \$22.00 per day. Staff estimates that this increase, coupled with the changes described in the new footnote, will cost the state about \$400,141 annually. This rate assumes that ARTS will not bill Medicaid.

R5: Community Corrections Provider Rate Increase

Request: The Division requests a 1.0 percent rate increase for FY 2015-16 for community corrections providers. JBC staff presumes that the intent is to raise all the community corrections daily rates and the facility payment by 1.0 percent. If the total population of community corrections offenders does not change and the distribution of offenders among standard and specialized programs remains fixed, this increase would raise the *Community Corrections Placement* appropriation (the line item that funds the base per diem payments, the differentials, and the nonresident payment) by \$603,477. The facility payment would rise by \$32,322.

Recommendation: The Committee has approved a 2.7 percent community provider rate increase. Staff recommends that

1. Daily *non-residential* rates and *differentials* be increased by 2.7 percent, with the exception of the Outpatient Therapeutic Community rate, which has already been discussed.
2. The facility payment not be increased.
3. The per diem (i.e. the daily payment for standard beds and the base payment for specialized beds) be increased by 2.89 percent, comprised of the 2.7 percent increase approved by the Committee and an extra 0.19 percent that reinvests the savings that comes from holding the facility payment constant.

The total cost of recommendations 2 and 3 is the same as the cost of raising both the facility fee and the per diem by 2.7 percent.

JBC staff recommendations 2 and 3 are based on the earlier graphical analysis of security staffing data from community corrections facilities, which led JBC Staff to conclude that the per diem rate for standard community corrections beds was set too low last year relative to the facility payment. Recommendations 2 and 3 together reduce the imbalance.

LINE ITEM DETAIL

Community Corrections Placements

This line item was created in the FY 2012-13 Long Bill by combining appropriations or parts of appropriations from ten different community-corrections line items. The replacement line item funds all of the daily payments for offenders in community corrections programs, including payments for diversion, transition, and parole offenders; residential and nonresidential offenders; and offenders in standard and specialized programs.

The cash funds for this appropriation are from the Correctional Treatment Cash Fund established in Section 18-19-103 (4) (a), C.R.S.; they pay for placement in specialized programs that provide substance abuse treatment, including 48 condition-of-probation beds.

Request: The Division requests an appropriation of \$60,957,506 total funds for this line item, which reflects a 1.0 percent provider rate increase and an adjustment for the leap day that will occur on February 29, 2016, requiring an extra day of payments.

Recommendation: Staff recommends an appropriation of \$59,870,255 for Community Corrections Placements.

Division of Criminal Justice, Community Corrections, Community Corrections Placements					
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	FTE
FY 2014-15 Appropriation					
14-1336 Long Bill	\$60,347,695	\$57,703,826	\$0	\$2,643,869	0.0
SB15-159 Suppl	<u>(1,023,208)</u>	<u>(1,023,208)</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$59,324,487	\$56,680,618	\$0	\$2,643,869	0.0
FY 2015-16 Recommended Appropriation					
FY 2014-15 Appropriation	\$59,324,487	\$56,680,618	\$0	\$2,643,869	0.0
Eliminate 1-time therapeutic community reduction	0		0	0	0.0
R5 (DCJ) Community corrections provider rate increase	0		0	0	0.0
Adjust Community Corrections Placements	545,768	545,768	0	0	0.0
Community corrections leap year adjustment	<u>0</u>		<u>0</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$59,870,255	\$57,226,386	\$0	\$2,643,869	0.0
Increase/(Decrease)	\$545,768	\$545,768	\$0	\$0	0.0
Percentage Change	0.9%	1.0%	0.0%	0.0%	0.0%
FY 2015-16 Executive Request:	\$60,957,506	\$58,313,637	\$0	\$2,643,869	0.0
Request Above/(Below)	\$1,087,251	\$1,087,251	\$0	\$0	0.0

JBC Staff Figure Setting – FY 2015-16
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Recommendation

A crucial part of this recommendation is the Long Bill footnote that is attached to this line item. The footnote details the number of residential and non-residential placements of each type, along with the corresponding rates. The recommended footnote for FY 2015-16 is shown on the next page. Changes to the text of this footnote are shown with struck type small caps; however, struck type and small caps have not been used in the table because every number in the table changed. The added sentence “CLIENT FEES MAY BE PARTIALLY OR FULLY WAIVED WITH THE APPROVAL OF THE DIVISION OF CRIMINAL JUSTICE IN SPECIALIZED RESIDENTIAL AND NON-RESIDENTIAL PROGRAMS.” reflects current practice and does not alter the appropriation.

This footnote also states that 48 of the diversion Intensive Residential Treatment (IRT) beds are *condition of probation* beds. The Correctional Treatment Board included these beds in its FY 2014-15 and 2015-16 Funding Plan, both of which were approved by the JBC. A little background will explain condition of probation beds. Most diversion clients in community corrections are directly sentenced by a judge to community corrections. However judges can also sentence an offender to community corrections for a portion of a probation sentence. For example, a judge might sentence an offender with a substance use problem to two years of probation with the condition that the offender begin probation by serving 90 days in an IRT program. Or an offender on probation who is in danger of failing due to substance abuse issues and is at risk of being sent to DOC could be sent to IRT. Such placements are encouraged by S.B. 14-250 (Drug Sentencing Changes) and the allocation from the Correctional Treatment Board provides the funding to enable them.

The struck text at the end of the footnote pertaining to outpatient therapeutic community rates is a consequence of a supplemental approved by the Committee in January. It is no longer necessary.

60 Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements – This appropriation assumes the daily rates and average daily caseloads listed in the following table. The caseload for Diversion Intensive Residential Treatment includes AT LEAST 48 condition-of-probation placements. The base rate for standard nonresidential services is a weighted average of the rates for four different levels of service. The appropriation assumes that community corrections providers will collect client fees of up to \$17 per day for residential placements and up to \$3 per day for nonresidential placements. CLIENT FEES MAY BE PARTIALLY OR FULLY WAIVED IN SPECIALIZED RESIDENTIAL AND NON-RESIDENTIAL PROGRAMS WITH THE APPROVAL OF THE DIVISION OF CRIMINAL JUSTICE. Pursuant to its authority to administer and execute contracts under Section 17-27-108, C.R.S., the Division of Criminal Justice is requested to ensure that every reasonable effort is made to achieve such collections.

Placement Type	Rates			Caseload			Appropriation
	Base	Differential	Total	Diversion	Transition	Parole	
Standard Residential	42.53	0.00	42.53	1,240.0	1,187.0	120.4	39,544,126
Intensive Residential Treatment	42.53	47.17	89.70	89.0	54.0	49.0	6,286,176
Inpatient Therapeutic Community	42.53	28.01	70.54	95.0	59.0	10.0	4,222,267
Residential Dual Diagnosis Treatment	42.53	35.64	78.17	73.0	52.0	19.0	4,108,615
John Eachon Re-entry Program	42.53	55.58	98.11	8.0	12.0	0.0	715,845
Sex Offender Residential	42.53	35.64	78.17	53.0	23.1	21.0	2,768,750
Standard Non-residential	6.19	0.00	6.19	670.0	0.0	0.0	1,513,810
Outpatient Day Treatment	35.02	0.00	35.02	4.0	0.0	0.0	51,001
Outpatient Therapeutic Community	22.00	0.00	22.00	<u>67.9</u>	<u>14.3</u>	<u>0.0</u>	<u>659,665</u>
Total				2,299.9	1,401.4	219.4	59,870,255

~~In addition, this appropriation assumes that, beginning on January 1, 2015, an additional payment of \$2.10 per day will be paid for each outpatient therapeutic community placement at an additional total cost of \$31,168.~~

As an adjunct to this footnote, staff recommends an update of the following request for information. In combination, the footnote table and the request provide the General Assembly with a detailed snapshot of appropriated and actual community corrections placements.

2 Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements – As part of its ~~FY 2015-16~~ FY 2016-17 budget request, the Department is requested to PROVIDE A report SHOWING actual average daily community corrections placements for recently completed fiscal years with a level of detail compatible with the table in Long Bill footnote 49 NN. This ~~document~~ REPORT should also ~~report~~ SHOW condition of probation placements.

Analysis: The details of the recommended changes contained in the preceding footnote and their impact on appropriations are summarized by the tables that start on the next page.

- Table 1 presents the current FY 2014-15 appropriation of community corrections "placements" (i.e. residential beds and non residential positions) along with daily rates, the yearly cost, and the average daily population (ADP) for first 7 months of FY 2014-15.
- Table 2A presents the recommended rate changes for FY 2015-16.
- Table 2B presents recommended changes to the placements appropriation for FY 2015-16.
- Table 3 presents the resulting placements appropriation for FY 2015-16, as reflected in the proposed Long Bill footnote.

When considering the recommended placement changes, recall that the Section 17-27-108 (5), C.R.S, allows the Division of Criminal Justice to move up to 10 percent of its community corrections appropriations among or between line items. Thus these placement appropriations provide guidance to the Division but are not binding. Nevertheless, based on conversations with the Division, staff believes that the Committee's bed appropriation decisions will influence the distribution of community corrections beds within the state, moving placements into areas where the Committee approves increases.

*JBC Staff Figure Setting – FY 2015-16
Staff Working Document – Does Not Represent Committee Decision*

1. FY 14-15 Appropriated Community Corrections Placements and Rates with Actual Average Daily Population (ADP) For the first 7 Months of FY 14-15																				
Placement Type	Rates per day			Annual cost per placement	Diversion Placements			Transition Placements			Parole Placements			Total Placements			\$ Approp	365 days	Over/ (Under)	% Over/ (Under)
	Base	Differ- ential	Daily Total		ADP Approp	Actual ADP YTD	ADP Over/ (Under)	ADP Approp	Actual ADP YTD	ADP Over/ (Under)	ADP Approp	Actual ADP YTD	ADP Over/ (Under)	ADP Approp	\$ Approp	Actual ADP YTD				
Residential																				
Standard residential	\$41.34	\$0.00	\$41.34	\$15,089	1,385.0	1,240.9	(144.1)	1,147.0	1,185.4	38.4	91.0	120.4	29.4	2,623.0	\$39,578,709	2,546.7	(76.3)	\$39,578,709	(\$1,151,600)	-2.9%
Intensive Residential Treatment	41.34	\$45.93	87.27	31,854	85.0	71.7	(13.3)	49.0	50.0	1.0	45.0	52.0	7.0	179.0	5,701,785	173.7	(5.3)	5,701,785	(168,824)	-3.0%
Therapeutic Community	41.34	27.27	68.61	25,043	129.0	94.9	(34.1)	39.0	58.7	19.7	15.0	9.1	(5.9)	183.0	4,582,805	162.7	(20.3)	4,582,805	(508,616)	-11.1%
Non-residential																				
Residential Dual Diagnosis Treatment	41.34	34.70	76.04	27,755	70.0	58.9	(11.1)	49.0	44.5	(4.5)	15.0	15.8	0.8	134.0	3,719,116	119.2	(14.8)	3,719,116	(410,768)	-11.0%
John Eachon Re-entry Program	41.34	54.12	95.46	34,843	11.0	9.4	(1.6)	15.0	10.5	(4.5)	0.0	0.0	0.0	26.0	905,915	19.9	(6.1)	905,915	(212,890)	-23.5%
Sex Offender*	41.34	34.70	76.04	27,755	43.0	56.7	13.7	23.0	15.2	(7.9)	31.0	14.5	(16.5)	97.0	2,692,196	86.3	(10.7)	2,692,196	(295,864)	-11.0%
Standard Non-residential	6.03		6.03	2,201	730.0	670.3	(59.7)	0	n/a		0.0	0.0	0.0	730.0	1,606,694	670.3	(59.7)	1,606,694	(131,353)	-8.2%
Outpatient Day Treatment	34.10		34.10	12,447	3.0	3.7	0.7	0.0	n/a		0.0	0.0	0.0	3.0	37,340	3.7	0.7	37,340	8,588	23.0%
Outpatient Therapeutic Community	14.43		14.43	5,267	68.0	67.9	(0.1)	21.0	14.3	(6.7)	0.0	0.0	0.0	89.0	468,759	82.2	(6.9)	468,759	(36,079)	-7.7%
Total					2,524.0	2,274.4	(249.7)	1,343.0	1,378.5	35.5	197.0	211.9	14.9	4,064.0	\$59,293,319	3,864.7	(199.3)	\$59,293,319	(2,907,406)	
% Over / (Under)																				
*ADP includes Outpatient TCs at the new rate.																				
90.1% -9.9% 102.6% 2.6% 107.5% 7.5%																				
2 A. Rate changes recommended for FY 2014-15 (Δ = change). "\$ Approp change" = cost of rate change based on # of placements shown under FY 13-14 "ADP Approp", i.e. placements shown in FY 13-14 Long Bill.																				
Placement Type	Per day rate increase			Δ Annual cost per placement	Diversion Placements			Transition Placements			Parole Placements			Total Placements			\$ Approp	365 days	Over/ (Under)	% Over/ (Under)
	Base 1.5%	Differ- ential	Daily Total		Δ ADP approp	Actual ADP YTD	ADP Tweeks	Δ ADP approp	Actual ADP YTD	ADP Tweeks	Δ ADP approp	Actual ADP YTD	ADP Over/ (Under)	Δ ADP approp	\$ Approp Change	Actual ADP YTD				
Residential																				
Standard residential	\$1.19		\$1.19	+434										\$1,139,300				\$0		
Intensive Residential Treatment	1.19	\$1.24	2.43	+887										158,764				0		
Therapeutic Community	1.19	0.74	1.93	+704										128,914				0		
Residential Dual Diagnosis Treatment	1.19	0.94	2.13	+777										104,178				0		
John Eachon Re-entry Program	1.19	1.46	2.65	+967										25,149				0		
Sex Offender	1.19	0.94	2.13	+777										75,413				0		
Non-residential																				
Standard Non-residential	0.16		0.16	+58										42,632				0		
Outpatient Day Treatment	0.92		0.92	+336										1,007				0		
Outpatient Therapeutic Community	7.57		7.57	+2,763										245,911				0		
Total														\$1,921,269						
% Change from FY 13-14 approp																				
3.2% 0.0%																				
2 B. Placement Changes Recommended for FY 2014-15 (Δ = change). "\$ Approp change" = cost of placement change using FY 13-14 rates.																				
Placement Type	Per day rate increase			Δ Annual cost per placement	Diversion Placements			Transition Placements			Parole Placements			Total Placements			\$ Approp	365 days	Over/ (Under)	% Over/ (Under)
	Base 1.5%	Differ- ential	Daily Total		Δ ADP approp	Actual ADP YTD	ADP Tweeks	Δ ADP approp	Actual ADP YTD	ADP Tweeks	Δ ADP approp	Actual ADP YTD	ADP Over/ (Under)	Δ ADP approp	\$ Approp Change	Actual ADP YTD				
Residential																				
Standard residential	\$1.19		\$1.19	+434	-145.0			+40.0			+29.4			-75.6	(\$1,141,038)			\$0		
Intensive Residential Treatment	1.19	\$1.24	2.43	+887	+4.0			+5.0			+4.0			+13.0	\$414,096			0		
Therapeutic Community	1.19	0.74	1.93	+704	-34.0			+20.0			-5.0			-19.0	(\$476,061)			0		
Residential Dual Diagnosis Treatment	1.19	0.94	2.13	+777	+3.0			+3.0			+4.0			+10.0	\$277,546			0		
John Eachon Re-entry Program	1.19	1.46	2.65	+967	-3.0			-3.0			0.0			-6.0	(\$209,406)			0		
Sex Offender	1.19	0.94	2.13	+777	+10.0			+0.1			-10.0			+0.0	\$1,110			0		
Non-residential																				
Standard Non-residential	0.16		0.16	+58	-60.0			0.0			0.0			-60.0	(\$132,013)			0		
Outpatient Day Treatment	0.92		0.92	+336	+1.0			0.0			0.0			+1.0	\$12,322			0		
Outpatient Therapeutic Community	7.57		7.57	+2,763	-0.1			-6.7			0.0			-6.9	(\$36,079)			0		
Total					(224.2)			58.3			22.5			(143.4)	(\$1,289,522)			\$0		
% Change from FY 13-14 approp																				
-8.9% 4.3% 11.4% -2.2%																				

*JBC Staff Figure Setting – FY 2015-16
Staff Working Document – Does Not Represent Committee Decision*

3. Recommended FY 2014-15 Appropriated Community Corrections Placements and Rates with Actual ADP for first 7 months of FY 2013-14																					
Placement Type	Rates per day			Annual cost per placement	Diversion Placements			Transition Placements			Parole Placements			Total Placements			\$ Approp	366 days	Over/ (Under)	% Over/ (Under)	
	Base	Differential	Daily Total		ADP Approp	Actual ADP YTD	ADP Over/ (Under)	ADP Approp	Actual ADP	ADP Over/ (Under)	ADP Approp	Actual ADP YTD	ADP Over/ (Under)	ADP Approp	\$ Approp	Actual ADP YTD					ADP Over/ (Under)
Residential																					
Standard residential	\$42.53		\$42.53	\$15,523	1,240.0	1,240.9	0.9	1,187.0	1,298.9	111.9	120.4	77.8	(42.6)	2,547.4	\$39,544,126	2,617.6	70.2	\$39,652,466	\$1,090,057	2.7%	
Intensive Residential Treatment	42.53	\$47.17	89.70	32,741	89.0	71.7	(17.3)	54.0	45.4	(8.6)	49.0	45.1	(3.9)	192.0	6,286,176	162.2	(29.8)	6,303,398	(975,012)	-15.5%	
Therapeutic Community	42.53	28.01	70.54	25,747	95.0	94.9	(0.1)	59.0	58.4	(0.6)	10.0	13.1	3.1	164.0	4,222,267	166.4	2.4	4,233,835	61,793	1.5%	
Residential Dual Diagnosis Treatment	42.53	35.64	78.17	28,532	73.0	58.9	(14.1)	52.0	49.0	(3.0)	19.0	14.5	(4.5)	144.0	4,108,615	122.4	(21.6)	4,119,872	(617,148)	-15.0%	
John Eachon Re-entry Program	42.53	55.58	98.11	35,810	8.0	9.4	1.4	12.0	14.5	2.5	0.0	0.0	0.0	20.0	715,845	23.9	3.9	717,806	140,376	19.6%	
Sex Offender	42.53	35.64	78.17	28,532	53.0	56.7	3.7	23.1	*	(23.1)	21.0	26.1	5.1	97.0	2,768,750	86.3	(10.7)	2,776,336	(305,293)	-11.0%	
Non-residential																					
Standard Non-residential	6.19		6.19	2,259	670.0	670.3	0.3	0.0			0.0	0.0	0.0	670.0	1,513,810	670.3	0.3	1,517,957	678	0.0%	
Outpatient Day Treatment	35.02		35.02	12,782	4.0	3.7	(0.3)	0.0			0.0	0.0	0.0	4.0	51,001	3.7	(0.3)	51,141	(3,835)	-7.5%	
Outpatient Therapeutic Community	22.00		22.00	8,030	67.9	67.9	0.0	14.3	21.0	6.7	0.0	0.0	0.0	82.2	659,665	88.9	6.7	661,472	54,042	8.2%	
Total					2,299.9	2,274.4	(25.5)	1,401.3	1,487.2	85.9	219.5	176.6	(42.9)	3,920.6	\$59,870,255	3,941.7	21.2				
Change from prior Year															576,936						
% Change from FY 13-14 approp							-1.1%			5.8%			-24.3%		1.0%		0.5%				

The recommended reallocation of placements in Table 2B above, *Placement Changes Recommended for FY 2015-16*, has the following objectives:

1. Restore southern Colorado substance use disorder beds which were lost last summer when Crossroads Therapeutic Community (TC) for substance use disorder closed in Pueblo. This recommendation provides 12 Intensive Residential Treatment (IRT) beds and 12 Residential Dual Diagnosis Treatment beds to replace the lost Pueblo TC beds, which numbered about 60 before Crossroads started contracting several years ago. Placements in IRT beds last for 90 days, so 12 IRT beds will treat 48 offenders ($=4 * 12$), though perhaps not as effectively as a TC. Note that Office of Behavioral Health regulations effectively require that IRT and RDDT beds be expanded in multiples of 12. Twelve IRT beds cost \$392,886 ($= 365 * 12 * 89.70$) and 12 RDDT beds cost \$342,385 ($= 365 * 12 * 78.17$), for a total of \$735,271. In January, staff recommended that community corrections appropriations be reduced by \$1,054,376 due to the closure of Crossroads TC. Staff explained that this was a one-time reduction that staff would recommend be restored during figure setting.

JBC staff has spoken with the Division of Criminal Justice about replacing the beds and believes that replacement with IRT and RDDT beds is feasible; replacement with TC beds is unlikely because it's hard to run a TC program. JBC staff has also spoken with the staff manager at the (new) Pueblo Community Corrections board and based on that conversation believes that these beds will be filled with offenders who need the services. Due to lack of a suitable IRT building, it could be a long time before IRT beds come on line.

2. Raise the outpatient therapeutic community differential to \$22.

3. Unlike last year, staff is not recommending adding sex offender beds or other specialized beds beyond those listed above.

Community Corrections Facility Payments

This line item was added to the Long Bill last year to implement the two-part payment system. Each community corrections facility receives the same payment independent of the number of residents.

Request: The Division requested an appropriation of \$3,264,507, a 1 percent increase over the FY 2014-15 Facility Payments appropriation.

Recommendation: As described above, staff recommends that the facility payment be held constant at \$95,064, the FY 2015-16 rate. There are currently 32 community corrections facilities in the state, with another possibly opening in Pueblo next year.

Recommended new footnote and payment for very large facilities. To address the problem of overstated economies of scale, which was discussed earlier, staff recommends that the following footnote be attached to the Community Corrections Facility Payments appropriation.

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n It is the intent of the General Assembly that community corrections facilities with an average of 32 or more security FTE shall receive a second facility payment.

Based on an analysis of staffing data at larger community corrections facilities in the state, Staff believes that this footnote will result in the distribution of one extra facility payment at a cost of \$95,064. The extra payment will go to COMCOR, Inc., in Colorado Springs, an organization that has been unable to take advantage of the security-staff economies of scale that JBC staff projected last year.

Based on this analysis, staff recommends the following appropriation for Facility Payments.

Division of Criminal Justice, Community Corrections, Community Corrections Facility Payments			
	Total Funds	General Fund	FTE
FY 2014-15 Appropriation			
14-1336 Long Bill	<u>\$3,232,185</u>	<u>\$3,232,185</u>	<u>0.0</u>
TOTAL	\$3,232,185	\$3,232,185	0.0
FY 2015-16 Recommended Appropriation			
FY 2014-15 Appropriation	\$3,232,185	\$3,232,185	0.0
R5 (DCJ) Community corrections provider rate increase	0	0	0.0
Adjust Community Corrections Facility Payment	<u>190,128</u>	<u>190,128</u>	<u>0.0</u>
TOTAL	\$3,422,313	\$3,422,313	0.0
Increase/(Decrease)	\$190,128	\$190,128	0.0
Percentage Change	5.9%	5.9%	0.0%
FY 2015-16 Executive Request:	\$3,264,507	\$3,264,507	0.0
Request Above/(Below) Recommendation	(\$157,806)	(\$157,806)	0.0

Recommended change to the current footnote for the Community Corrections Facility Payments line item

The two-part payment system was designed to establish more reasonable payment levels for community corrections programs, with the expectation that programs would use the extra money to increase salaries, reduce case-worker caseloads, and improve program quality. Knowing that there was nothing to stop a facility from using the extra payments in a different fashion, the Committee approved the following footnote, which attached to the Facility Payments appropriation.

75 Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Facility Payments -- It is the intent of the General Assembly that ~~facilities use these payments to increase case manager and security staff member compensation and reduce the number of residents assigned to each case manager.~~ These payments may be withheld in whole or in part from facilities that (1) fail to maintain an AVERAGE ratio of at least one case manager for every 20 residents, (2) fail to raise average pay and benefits of security staff members by at least ~~10~~ 2 percent, or (3) fail to raise the average pay and benefits of case managers by ~~10~~ 2 percent. A facility is exempt from requirement (2) if the sum of average pay and benefits for security staff members exceeds \$33,000 annually. A facility is exempt from requirement (3) if the sum of average salary and benefits for case managers exceeds \$38,500 annually. For purposes of this footnote, payroll taxes are not benefits. Community corrections programs are encouraged to exceed these goals.

Based on community corrections data provided by DCJ to JBC Staff in February it appears that in almost all cases this footnote has achieved its objectives. Offender to case-manager ratios are 20 or lower in almost all facilities, and all facilities have met the salary-benefit increase expectations.

Staff asks permission to adjust the 2 percent goals in this footnote if the Committee later approves a provider rate increase that differs from 2.7 percent.

Community Corrections Boards Administration

This line item funds payments to the state's community corrections boards to help pay their administrative costs. These boards, which are authorized by Section 17-27-103, C.R.S., are appointed by commissioners of the counties that make up each of Colorado's 22 judicial districts. The boards oversee community corrections programs within the district. Boards generally contain a mix of members with legal and law enforcement backgrounds as well as members of the general public. Boards

- Approve community corrections programs in the judicial district, contract with the programs, and oversee program operations. (DCJ's Office of Community Corrections also oversees the programs.)
- Accept or reject offenders who are referred by the courts or by the Department of Corrections for placement in community corrections programs in the district.
- Receive pass-through state funds from the Office of Community Corrections, which the boards pay to the community corrections providers in their judicial district for housing offenders.

Pursuant to Section 17-27-108 (4), C.R.S., the state makes payments to community corrections boards for their administrative costs. By statute these payments cannot exceed 5 percent of total community corrections appropriations.

Over the years, appropriations to boards have equaled a varying percentage of a varying subset of the appropriations to community corrections programs. Prior to FY 2003-04 appropriations

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equaled 5 percent of such a subset. From FY 2003-04 until FY 2011-12, appropriations equaled 4 percent of a similar subset. For FY 2012-13 and 2013-14, appropriations equaled 3.9% of the *Community Corrections Placements* appropriation, which resulted in appropriations very close those that would have been produced by the prior formula. For FY 2014-15, when rates were adjusted upward substantially, the percentage was reduced to 3.6 percent of the sum of the *Community Corrections Placements* and the *Facility Payments* appropriations.

The Division of Criminal Justice pays greater amounts to boards that do more work. Boards that perform the basic functions of screening offenders and administering contracts, receive 3 percent of the amount paid to their community corrections programs. Boards that do more extensive work, such as monitoring their community corrections programs for compliance and fidelity, educating community and local officials about community corrections, and providing training and technical assistance, receive a higher reimbursement percentage.

Request: The Division requests an appropriation of \$2,172,814 General Fund for this line item, which is 1 percent higher than the FY 2014-15 appropriation and reflects the provider rate increase.

Recommendation: Staff recommends an appropriation of \$2,315,368 General Fund, which equals 3.6 percent of the sum of the *Community Corrections Placement* recommendation and the *Community Corrections Facility Payments* recommendation. While a formula-based appropriation is not required by statute, the 3.6 percent formula was used last and staff recommends that this practice be continued.

Division of Criminal Justice, Community Corrections, Community Corrections Boards Administration			
	Total Funds	General Fund	FTE
FY 2014-15 Appropriation			
14-1336 Long Bill	<u>\$2,288,876</u>	<u>\$2,288,876</u>	<u>0.0</u>
TOTAL	\$2,288,876	\$2,288,876	0.0
FY 2015-16 Recommended Appropriation			
FY 2014-15 Appropriation	\$2,288,876	\$2,288,876	0.0
R5 (DCJ) Community corrections provider rate increase	0	0	0.0
Community corrections leap year adjustment	0	0	0.0
Adjust Community Corrections Boards Payment	<u>26,492</u>	<u>26,492</u>	<u>0.0</u>
TOTAL	\$2,315,368	\$2,315,368	0.0
Increase/(Decrease)	\$26,492	\$26,492	0.0
Percentage Change	1.2%	1.2%	0.0%
FY 2015-16 Executive Request:	\$2,478,755	\$2,478,755	0.0

Request Above/(Below)			
Recommendation	\$163,387	\$163,387	0.0

Subsistence Grace Period Pilot Project

The FY 2013-14 Long Bill included funding for a community corrections pilot project. The project, which took place over several months in the middle of FY 2013-14, gave offenders newly arrived in a community corrections programs a four week “grace period” during which the offender’s fees and subsistence payments were waived as the offender stabilized in the community. There is some evidence suggesting that offender indebtedness undermines the effectiveness of community corrections programs, contributing to escapes, technical violations and other failures, but the evidence is not conclusive. The Committee approved this temporary experiment to determine whether a grace period would reduce failure rates.

The Committee’s FY 2014-15 *Requests for Information* included the following item related to this experiment, which staff recommends be continued as modified:

- 3 Department of Public Safety, Division of Criminal Justice, Community Corrections, Subsistence Grace Period Pilot Project** – The Department is requested to submit the evaluation report for the Subsistence Grace Period Pilot Project to the Joint Budget Committee as soon as feasible after the project is completed but no later than November 1, 2015. ~~The Department is encouraged to submit the report in time for FY 2015-16 figure setting, if meaningful results are available at that time.~~ The Department is requested to examine whether a subsistence grace period alters length of stay; rates of successful completion, technical violation, or escape; the amount owed to programs at termination; and the amount of savings at termination. The Department is requested to examine whether the effects depend upon the risk level of the offender. The Department is requested to estimate the magnitude of the effects and the precision of the estimates. The Department is also requested to conduct a cost-benefit analysis to determine whether the benefits, if any, observed during the period covered by this study, exceed the cost. The report need not be limited to these questions.

Services for Substance Abuse and Co-occurring Disorders

This appropriation pays for outpatient treatment for offenders in standard community corrections programs who have problems with substance abuse and co-occurring disorders. Funding comes from the Correctional Treatment Cash Fund and can be spent for substance abuse screening, assessment, evaluation, testing, education, training, treatment, and recovery support. The appropriation can also be spent for treatment of co-occurring mental health problems. The Correctional Treatment Board's funding plan, as approved by the JBC, drives appropriations for this line item.

Request: The Division did not request an increase for this line item, presumably because it did not know the content of the Correctional Treatment Board's funding plan when it formulated its budget.

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Recommendation: The Correctional Treatment Board's FY 2015-16 funding plan, which was approved by the JBC and was presented earlier in this document, includes a continuation appropriation of \$2,553,900 for this line item. Staff recommends that the Committee approve this amount.

Division of Criminal Justice, Community Corrections, Services for Substance Abuse and Co-occurring Disorders				
	Total Funds	General Fund	Reappropriated Funds	FTE
FY 2014-15 Appropriation				
14-1336 Long Bill	<u>\$2,553,900</u>	<u>\$0</u>	<u>\$2,553,900</u>	<u>0.0</u>
TOTAL	\$2,553,900	\$0	\$2,553,900	0.0
FY 2015-16 Recommended Appropriation				
FY 2014-15 Appropriation	<u>\$2,553,900</u>	<u>\$0</u>	<u>\$2,553,900</u>	<u>0.0</u>
TOTAL	\$2,553,900		\$2,553,900	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%
FY 2015-16 Executive Request:	\$2,553,900	\$0	\$2,553,900	0.0
Request Above/(Below) Recommendation	\$0		\$0	0.0

Specialized Offender Services

This line item, sometimes referred to as the "SOS" appropriation, supports the purchase of mental health treatment, cognitive training, therapists, counselors, medications, sex offender treatment, and other specialized outpatient services that are not typically provided in standard community corrections settings. The *Services for Substance Abuse and Co-occurring Disorders* appropriation deals with substance abuse problems; this appropriation focus on non-substance-abuse issues. The SOS appropriation, which is primarily for high risk residential offenders, pays for services that may keep an offender who is at risk of failure in community corrections.

This appropriation provides services to approximately 275 offenders at an average annual cost of approximately \$200 per offender.

Request: The Department requests an appropriation of \$56,939 General Fund for this line item, which includes \$564 for 1 percent provider rate increase.

Recommendation: Staff recommends an appropriation of \$57,897 General Fund, an increase of \$1,522, which corresponds to the 2.7 percent community provider rate increase approved by the Committee.

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Division of Criminal Justice, Community Corrections, Specialized Offender Services			
	Total Funds	General Fund	FTE
FY 2014-15 Appropriation			
14-1336 Long Bill	<u>\$56,375</u>	<u>\$56,375</u>	<u>0.0</u>
TOTAL	\$56,375	\$56,375	0.0
FY 2015-16 Recommended Appropriation			
FY 2014-15 Appropriation	\$56,375	\$56,375	0.0
R5 (DCJ) Community corrections provider rate increase	<u>1,522</u>	<u>1,522</u>	<u>0.0</u>
TOTAL	\$57,897	\$57,897	0.0
Increase/(Decrease)	\$1,522	\$1,522	0.0
Percentage Change	2.7%	2.7%	0.0%
FY 2015-16 Executive Request:	\$56,939	\$56,939	0.0
Request Above/(Below) Recommendation	(\$958)	(\$958)	0.0

Offender Assessment Training

This line item pays for training on the standardized offender assessment instrument used by community corrections facilities. The training is offered at six two-day training sessions that are given by multi-agency training teams at various locations around the state.

Request: The Division requests a continuation appropriation of \$10,507 General Fund for this line item.

Recommendation: Staff recommends that the Committee approve this request.

(E) Crime Control and System Improvement

This subdivision contains funding for a diverse group of programs, including support staff for the Sex Offender Management Board.

SUBDIVISION REQUEST AND RECOMMENDATION SUMMARY

For this subdivision, the General Fund, Cash Fund, and Reappropriated components of the Staff recommendation are identical to the request, however Staff recommends a change, not requested by the division, that aligns appropriations of federal funds with recent or expected revenues.

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Crime Control and System Improvement						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2014-15 Appropriation						
14-1336 Long Bill	\$14,905,473	\$1,183,001	\$422,472	\$50,000	\$13,250,000	34.8
TOTAL	\$14,905,473	\$1,183,001	\$422,472	\$50,000	\$13,250,000	34.8
FY 2015-16 Recommended Appropriation						
FY 2014-15 Appropriation	\$14,905,473	\$1,183,001	\$422,472	\$50,000	\$13,250,000	34.8
Align appropriation with revenue	700,000	0	0	0	700,000	0.0
Annualize FY 2014-15 salary survey and merit pay	<u>28,562</u>	<u>25,510</u>	<u>3,052</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$15,634,035	\$1,208,511	\$425,524	\$50,000	\$13,950,000	34.8
Increase/(Decrease)	\$728,562	\$25,510	\$3,052	\$0	\$700,000	0.0
Percentage Change	4.9%	2.2%	0.7%	0.0%	5.3%	0.0%
FY 2015-16 Executive Request	\$14,946,102	\$1,208,511	\$425,524	\$50,000	\$13,262,067	34.8
Request Above/(Below) Recommendation	(\$687,933)	\$0	\$0	\$0	(\$687,933)	(0.0)

LINE ITEM DETAIL

State and Local Crime Control and System Improvement Grants

This federally funded grant program supports more than 70 state and local programs that are designed to prevent and reduce crime and delinquency by using collaborative evidence-based practices. The program is also designed to improve outcomes through effective and efficient use of resources (financial, community, and human) to bridge gaps within the criminal and juvenile justice system. These funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information systems for criminal justice, as well as research and evaluation activities that will improve or enhance: law enforcement programs; prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs (other than compensation). These objectives are accomplished through specific programs such as the Communities Against Senior Exploitation Project, Sex Offender Registration, DNA projects, the Engaging Youth in School Not Crime Program, a Regional Technology Improvement Project, and Detention and Booking Equipment for jails.

Request: The Department requests a continuation appropriation of \$4,900,000 federal funds.

Recommendation: Staff recommends that the Committee approve this request

Sex Offender Surcharge Fund Program

This line item provides funding for staff support and operating expenses for the Sex Offender Management Board (SOMB), which is created in Section 16-11.7-103, C.R.S. The Board has the following duties:

- Develop a standardized procedure for identification of sex offenders;
- Develop standards and guidelines for program intervention, treatment, and monitoring;
- Develop a plan for the allocation of the sex offender surcharge fund;
- Develop a system for the tracking of sex offenders who have been identified, evaluated, and treated;
- Develop procedures to research and evaluate sex offender assessment and treatment;
- Provide training on the implementation of standards; and
- Approve the risk assessment screening instrument.

The appropriation is from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., which imposes a surcharge ranging from \$150 (for a class 3 misdemeanor) to \$3,000 (for a class 2 felony) on those who are convicted of a sex offense or those who receive a deferred sentence for a sex offense. Revenues of this fund are divided among the Division of Criminal Justice, the Department of Corrections, the Department of Human Services, and the Judicial Branch. Pursuant to Section 16-11.7-103 (4) (c), C.R.S., the Sex Offender Management Board is required to develop a plan for the allocation of moneys deposited in the Fund, and to submit the plan to the General Assembly. The Sex Offender Management Board met in August 2014 and established a plan for allocating Surcharge funds for FY 2015-16, which will allocate \$163,591 to the Division of Criminal Justice in the Department of Public Safety for administration and implementation of the Sex Offender Treatment and Management Standards. \$3,500 of these funds will be used to provide cross-system training. Some of this funding will be used for this line item; the remainder will be used in (A) Administration.

Request: The Division requests an appropriation of \$160,918 cash funds and 1.5 FTE, which includes \$3,052 for annualization of salary survey and merit pay.

Recommendation: Staff recommends that the Committee approve this request.

Division of Criminal Justice, Crime Control and System Improvement, Sex Offender Surcharge Fund Program				
	Total Funds	General Fund	Cash Funds	FTE
FY 2014-15 Appropriation				
14-1336 Long Bill	<u>\$157,866</u>	<u>\$0</u>	<u>\$157,866</u>	<u>1.5</u>
TOTAL	\$157,866	\$0	\$157,866	1.5
FY 2015-16 Recommended Appropriation				
FY 2014-15 Appropriation	\$157,866	\$0	\$157,866	1.5
Annualize salary survey and merit pay	<u>3,052</u>	<u>0</u>	<u>3,052</u>	<u>0.0</u>

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Division of Criminal Justice, Crime Control and System Improvement, Sex Offender Surcharge Fund Program				
	Total Funds	General Fund	Cash Funds	FTE
TOTAL	\$160,918		\$160,918	1.5
Increase/(Decrease)	\$3,052	\$0	\$3,052	0.0
Percentage Change	1.9%	0.0%	1.9%	0.0%
FY 2015-16 Executive Request:	\$160,918	\$0	\$160,918	1.5
Request Above/(Below)				
Recommendation	\$0		\$0	0.0

Sex Offender Supervision

This line item contains funding for some of the requirements set forth in the Sex Offender Lifetime Supervision Act (Title 18, Article 1.3, Part 10) and Title 16, Article 11.7 (Standardized Treatment for Sex Offenders) These articles require the Sex Offender Management Board to:

- Develop criteria and standards for lifetime supervision of sex offenders;
- Expand sex-offender-treatment research;
- Provide training on, and assistance with, the criteria, protocols, and procedures regarding community notification concerning sexually violent predators;
- Develop standards for adult sex offenders who have developmental disabilities; and
- Provide training on the implementation of the Developmental Disability Standards.

Request: The Division requests an appropriation of \$347,580 General Fund and 3.2 FTE, which includes \$8,194 for annualization of salary survey.

Recommendation: Staff recommends that the Committee approve this request.

Division of Criminal Justice, Crime Control and System Improvement, Sex Offender Supervision			
	Total Funds	General Fund	FTE
FY 2014-15 Appropriation			
14-1336 Long Bill	<u>\$339,386</u>	<u>\$339,386</u>	<u>3.2</u>
TOTAL	\$339,386	\$339,386	3.2
FY 2015-16 Recommended Appropriation			
FY 2014-15 Appropriation	\$339,386	\$339,386	3.2
Annualize salary survey and merit pay	<u>8,194</u>	<u>8,194</u>	<u>0.0</u>
TOTAL	\$347,580	\$347,580	3.2
Increase/(Decrease)	\$8,194	\$8,194	0.0
Percentage Change	2.4%	2.4%	0.0%

Division of Criminal Justice, Crime Control and System Improvement, Sex Offender Supervision			
	Total Funds	General Fund	FTE
FY 2015-16 Executive Request:	\$347,580	\$347,580	3.2
Request Above/(Below) Recommendation	\$0	\$0	0.0

Treatment Provider Criminal Background Checks

Section 16-11.8-104 (2) (b), C.R.S. requires domestic violence treatment providers and sex offender treatment providers to pay for a background check that goes beyond the scope of a typical criminal history check. Fees are set to cover the costs of conducting the investigation. Applicants pay a total of \$139.50, of which \$39.50 is for a CBI background check and \$100 is for a professional background check by a private investigator who verifies references, education, credentials, etc. The fees are deposited in the Domestic Violence Offender Treatment Provider Fund and the Sex Offender Treatment Provider Fund, which are established in Sections 16-11.8-104 (2) (b) and 16-11.7-106 (2) (c), C.R.S. The appropriations are from those funds.

Request: The Division requests a continuation appropriation of \$49,606 cash funds and 0.6 FTE.

Recommendation: Staff recommends that the Committee approve this request.

Colorado Regional Community Policing Institute

Since 1995, the Colorado Regional Community Policing Institute has provided training for law enforcement officers throughout the state. This line item funds training classes for an average of 100 individuals per month in community policing, ethics, anti-bias, methamphetamine response, domestic violence, risk assessment, counter-terrorism, and weapons of mass destruction first responder awareness. The Institute provides professional skill development training, including ethics and integrity training and basic law enforcement preparatory training.

The Institute receives most of its funding from U.S. Department of Justice grants, a federal source. It receives a lesser amount of reappropriated funds for anti-bias training from the Department of Law's Peace Officer Standards Training (P.O.S.T.) Board Cash Fund.

Request: The Division requests a continuation appropriation of \$100,000, comprised of \$50,000 reappropriated funds, \$50,000 federal funds, and 2.5 FTE.

Recommendation: Staff recommends that the Committee approve this request.

Federal Grants

This informational appropriation reflects projected federal funding and FTE for a variety of grant programs. The grants include Project Safe Neighborhood, Title V, Residential Substance Abuse Treatment for State Prisoners, Coverdell, John R Justice, and the National Criminal History Improvement Program.

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Request: The Department requests an appropriation \$8,312,067 federal funds and 17.5 FTE, which reflects the annualization of \$12,067 of salary survey and merit pay.

Recommendation: Since this is an appropriation of federal funds that vary substantially from year to year in an unpredictable fashion, staff recommends that the appropriation be set equal to a round number. Even though employees of the Division receive salary survey and merit pay increases, Staff recommends that these increases not be added to the FY 2014-15 appropriation, since the resulting appropriation (\$8,312,067) gives a misimpression of precision. Finally, revenue from this fund source has increased; Staff recommends that the Committee approve an appropriation of \$5,000,000 federal funds, which is a better estimate of spending and is a round number to indicate that it is an estimate. The following table shows the adjustment.

Division of Criminal Justice, Crime Control and System Improvement, Federal Grants				
	Total Funds	General Fund	Federal Funds	FTE
FY 2014-15 Appropriation				
14-1336 Long Bill	<u>\$8,300,000</u>	<u>\$0</u>	<u>\$8,300,000</u>	<u>17.5</u>
TOTAL	\$8,300,000	\$0	\$8,300,000	17.5
FY 2015-16 Recommended Appropriation				
FY 2014-15 Appropriation	\$8,300,000	\$0	\$8,300,000	17.5
Align appropriation with revenue	<u>700,000</u>	<u>0</u>	<u>700,000</u>	<u>0.0</u>
TOTAL	\$9,000,000		\$9,000,000	17.5
Increase/(Decrease)	\$700,000	\$0	\$700,000	0.0
Percentage Change	8.4%	0.0%	8.4%	0.0%
FY 2015-16 Executive Request:	\$8,312,067	\$0	\$8,312,067	17.5
Request Above/(Below) Recommendation	(\$687,933)		(\$687,933)	0.0

EPIC Resource Center

The EPIC (Evidence-based Practices Implementation for Capacity) Resource Center was established by H.B. 13-1129. The EPIC center helps agencies serving juvenile and adult offender populations develop, implement, and sustain evidence-based practices. The Center was developed in 2009 as an initiative of the Colorado Commission on Criminal and Juvenile Justice and was initially funded with federal Justice Assistance Grant funds, which ended in 2013.

Request: The Division requests an appropriation \$860,931 General Fund and 6.0 FTE, which reflects the annualization of \$17,316 of salary survey and merit pay.

Recommendation: Staff recommends the Division's Request

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Division of Criminal Justice, Crime Control and System Improvement, EPIC Resource Center			
	Total Funds	General Fund	FTE
FY 2014-15 Appropriation			
14-1336 Long Bill	\$843,615	\$843,615	9.0
TOTAL	\$843,615	\$843,615	9.0
FY 2015-16 Recommended Appropriation			
FY 2014-15 Appropriation	\$843,615	\$843,615	9.0
Annualize salary survey and merit pay	17,316	17,316	0.0
TOTAL	\$860,931	\$860,931	9.0
Increase/(Decrease)	\$17,316	\$17,316	0.0
Percentage Change	2.1%	2.1%	0.0%
FY 2015-16 Executive Request:	\$860,931	\$860,931	9.0
Request Above/(Below) Recommendation	\$0	\$0	0.0

Criminal Justice Training Fund

The DCJ provides a wide array of training programs on such topics as methamphetamine laboratories, crisis intervention with mentally ill offenders, anti-bias policing, sex offender management, and domestic violence management. Section 24-33.5-503.5, C.R.S., allows the Division of Criminal Justice to charge fees when it provides training. The fees are deposited in the Criminal Justice Training Cash Fund. Moneys in the Fund are subject to annual appropriation by the General Assembly to cover costs associated with providing training.

The following table shows recent revenues of the Criminal Justice Training Cash Fund.

Fiscal Year	Revenue
2008-09	\$71,718
2009-10	\$84,631
2010-11	\$51,089
2011-12	\$65,274
2012-13	\$85,032
2013-14	\$54,498

The ending fund balance for FY 2013-14 equaled \$45,786

Request: The Department requests a continuation appropriation of \$120,000 cash funds and 0.5 FTE.

Recommendation: Staff recommends that the Committee approve the Department's request.

MacArthur Foundation Grant

This line item provides an appropriation for a juvenile justice mental health program that is funded by a private grant received from the MacArthur Foundation.

Request: The Department requests a continuation appropriation of \$75,000 cash funds.

Recommendation: Staff recommends that the Committee approve this request.

Methamphetamine Abuse Task Force Fund

This line item was added during FY 2007-08 to allow the Division to expend private grant funds received from the El Pomar Foundation. The source of cash funds is the Methamphetamine Abuse Prevention, Intervention, and Treatment Cash Fund created in Section 18-18.5-105, C.R.S.

Request: The Department requests a continuation appropriation of \$20,000 cash funds.

Recommendation: Staff recommends that the Committee approve this request.

Long Bill Footnotes and Requests for Information

LONG BILL FOOTNOTES

Staff recommends the following footnote **be eliminated**:

- 61 Department of Public Safety, Division of Criminal Justice, Community Corrections, Subsistence Grace Period Pilot Project** – This appropriation is for an experimental 28-day subsistence grace period pilot project and for an evaluation of the project. The Department is requested not to use the appropriation to pay subsistence for programs that do not normally expect clients to make such payments. The Department is requested to submit an evaluation report to the Joint Budget Committee as soon as feasible after the project is completed but no later than November 1, 2015. The Department is encouraged to submit the report in time for FY 2015-16 figure setting, if meaningful results are available at that time. Of this appropriation, \$20,000 for evaluation may roll forward to FY 2014-15 and FY 2015-16.

Comment: This request for information is not needed because there will be no appropriation for the Subsistence Grace Period Pilot Project in the FY 2014-15 Long Bill.

REQUESTS FOR INFORMATION

Staff recommends that the following request be continued as **modified**:

- 2 Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements** – As part of its ~~FY 2015-16~~ FY 2016-17 budget request, the Department is requested to report actual average daily community corrections ~~populations and daily rates for the two most~~ PLACEMENTS FOR recently completed fiscal years WITH A LEVEL OF DETAIL COMPATIBLE WITH ~~in a format compatible with the community corrections~~ THE table in Long Bill footnote 60. THIS DOCUMENT SHOULD ALSO REPORT CONDITION OF PAROLE PLACEMENTS.

Comment: In combination, the footnote appropriation table and this request for information will provide the General Assembly with a detailed yet quickly understood snapshot of appropriated, actual and requested community corrections placements.

Staff recommends that the following request be continued:

- 3 Department of Public Safety, Division of Criminal Justice, Community Corrections, Subsistence Grace Period Pilot Project** – The Department is requested to submit the evaluation report for the Subsistence Grace Period Pilot Project to the Joint Budget Committee as soon as feasible after the project is completed but no later than November 1, 2015. The Department is encouraged to submit the report in time for FY 2015-16 figure setting, if meaningful results are available at that time. The Department is

requested to examine whether a subsistence grace period alters length of stay; rates of successful completion, technical violation, or escape; the amount owed to programs at termination; and the amount of savings at termination. The Department is requested to examine whether the effects depend upon the risk level of the offender. The Department is requested to estimate the magnitude of the effects and the precision of the estimates. The Department is also requested to conduct a cost-benefit analysis to determine whether the benefits, if any, observed during the period covered by this study, exceed the cost. The report need not be limited to these questions.

Comment: Though there is no appropriation for the Subsistence Grace Period Pilot Project in the FY 2014-15 Long Bill, the DCJ is still expected to submit a report on the project and this request reminds the Division of that duty.

Staff recommends the following requests **be continued as modified:**

n **Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements** – ~~As part of its 2015-16 budget request,~~ The Department is requested to report the following information for FY 2014-15 for community corrections facilities of different sizes: (1) the average number of total staff, ~~the average number of security staff, and the average number of case managers,~~ (2) the average wage and salary of security staff and case managers, (3) the average cost of benefits, excluding payroll taxes, for security staff and for case managers, (4) the average turnover rate and length of employment for security staff and the average length of employment for case managers, and (5) average case manager caseloads for resident and non-resident offenders. The Department is ~~also~~ requested to continue collecting periodic financial statements and starting salary information from community corrections programs. The Department is requested to retain the data received from each facility. TO REDUCE DATA COLLECTION COSTS, THE DEPARTMENT MAY ASK PROGRAMS TO PROVIDE AGGREGATE DATA. THE DEPARTMENT DOES NOT NEED TO SAMPLE ALL PROVIDERS EVERY YEAR.

Comment: One of the challenges that Staff faced when analyzing the adequacy of the current per diem rate was the lack of historical data on salaries, benefits, turnover, and length of service at community corrections facilities. Staff believes that inflation adjusted average salaries and benefits declined after FY 2001-02, when the inflation-adjusted per diem began to decline, but Staff has only anecdotal data to back this up. Staff also suspects that the average length of service has declined in response to lower salaries, but again has no data. This request, if repeated in future years, will require the DCJ to collect relevant data for future analysis. For example, when the November 2015 report is submitted, Staff will be able to determine whether salaries have risen and turnover has

n **Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements** – As part of its FY 2016-17 budget request, the Department is requested to report the estimated impact on community corrections facilities and community corrections boards of any standards or rules that that the Department has issued or revised during the prior 12 months. This report should include

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

Comment: While estimating the cost of operating a community corrections facility, Staff became aware of the costs that standards and rules can have on DCJ contractors. Some rules may even affect the state budget by increasing contractor costs. Staff recommends that the report requested by this RFI be made a regular part of future DCJ budget submissions. Staff does not recommend requesting a cost-benefit analysis of standards and regulations because benefits are frequently hard to quantify.

Numbers Pages

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Number Pages

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
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<p>DEPARTMENT OF PUBLIC SAFETY James Davis, Executive Director</p>

(4) DIVISION OF CRIMINAL JUSTICE

Primary functions: Provide funding and set standards for community corrections programs. Administer grant programs that assist local and state law enforcement agencies and juvenile delinquency programs. Administer grant programs that assist crime victims. Assist the Domestic Violence and Sex Offender Management Boards in developing and implementing standards and policies for the treatment, monitoring, and management of adult domestic violence and sex offenders. Conduct studies analyzing criminal justice policies, problems, and programs and make related recommendations. Forecast offender populations. Encourage the use of evidence-based criminal justice practices.

(A) Administration

DCJ Administrative Services	<u>2,702,145</u>	<u>2,490,935</u>	<u>3,649,069</u>	<u>3,847,056</u>	<u>3,847,056</u>
FTE	28.7	28.1	37.7	38.1	38.1
General Fund	1,748,154	1,718,610	2,388,461	2,547,865	2,547,865
Cash Funds	427,139	380,508	654,240	671,251	671,251
Reappropriated Funds	482,594	346,731	506,433	509,482	509,482
Federal Funds	44,258	45,086	99,935	118,458	118,458
Personal Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
Operating Expenses	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Indirect Cost Assessment	<u>490,936</u>	<u>529,050</u>	<u>531,481</u>	<u>536,617</u>	<u>536,617</u> *
General Fund	0	0	0	0	0
Cash Funds	6,000	35,777	55,336	58,879	58,879
Reappropriated Funds	7,882	5,556	0	0	0
Federal Funds	477,054	487,717	476,145	477,738	477,738
SUBTOTAL - (A) Administration	3,193,081	3,019,985	4,180,550	4,383,673	4,383,673
<i>FTE</i>	<u>28.7</u>	<u>28.1</u>	<u>37.7</u>	<u>38.1</u>	<u>38.1</u>
General Fund	1,748,154	1,718,610	2,388,461	2,547,865	2,547,865
Cash Funds	433,139	416,285	709,576	730,130	730,130
Reappropriated Funds	490,476	352,287	506,433	509,482	509,482
Federal Funds	521,312	532,803	576,080	596,196	596,196

(B) Victims Assistance

Federal Victims Assistance and Compensation

Grants	<u>10,828,211</u>	<u>10,156,492</u>	<u>10,400,000</u>	<u>10,400,000</u>	<u>10,400,000</u>
Federal Funds	10,828,211	10,156,492	10,400,000	10,400,000	10,400,000

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
State Victims Assistance and Law Enforcement					
Program	<u>1,218,818</u>	<u>1,449,421</u>	<u>1,500,000</u>	<u>1,500,000</u>	<u>1,500,000</u>
General Fund	0	0	0	0	0
Cash Funds	1,218,818	1,449,421	1,500,000	1,500,000	1,500,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Child Abuse Investigation	<u>146,326</u>	<u>171,663</u>	<u>800,000</u>	<u>800,000</u>	<u>800,000</u> *
FTE	0.1	0.1	0.4	0.4	0.4
General Fund	0	0	500,000	500,000	500,000
Cash Funds	146,326	171,663	300,000	300,000	300,000
Sexual Assault Victim Emergency Payment					
Program	<u>0</u>	<u>114,000</u>	<u>167,933</u>	<u>167,933</u>	<u>167,933</u>
FTE	0.0	0.1	0.2	0.2	0.2
General Fund	0	114,000	167,933	167,933	167,933
Statewide Victim Information and Notification					
System (VINE)	<u>0</u>	<u>424,720</u>	<u>434,720</u>	<u>434,720</u>	<u>434,720</u>
General Fund	0	424,720	434,720	434,720	434,720
Statewide Victim Information & Notification					
System	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
SUBTOTAL - (B) Victims Assistance	12,193,355	12,316,296	13,302,653	13,302,653	13,302,653
<i>FTE</i>	<u>0.1</u>	<u>0.2</u>	<u>0.6</u>	<u>0.6</u>	<u>0.6</u>
General Fund	0	538,720	1,102,653	1,102,653	1,102,653
Cash Funds	1,365,144	1,621,084	1,800,000	1,800,000	1,800,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	10,828,211	10,156,492	10,400,000	10,400,000	10,400,000

(C) Juvenile Justice and Delinquency Prevention

Juvenile Justice Disbursements	<u>477,964</u>	<u>358,373</u>	<u>750,000</u>	<u>750,000</u>	<u>750,000</u>
Federal Funds	477,964	358,373	750,000	750,000	750,000
Juvenile Diversion Programs	<u>1,241,093</u>	<u>1,241,081</u>	<u>1,241,139</u>	<u>1,241,139</u>	<u>1,241,139</u>
FTE	<u>0.7</u>	<u>0.7</u>	<u>0.9</u>	<u>0.9</u>	<u>0.9</u>
General Fund	1,241,093	1,241,081	1,241,139	1,241,139	1,241,139

SUBTOTAL - (C) Juvenile Justice and Delinquency Prevention	1,719,057	1,599,454	1,991,139	1,991,139	1,991,139
<i>FTE</i>	<u>0.7</u>	<u>0.7</u>	<u>0.9</u>	<u>0.9</u>	<u>0.9</u>
General Fund	1,241,093	1,241,081	1,241,139	1,241,139	1,241,139
Federal Funds	477,964	358,373	750,000	750,000	750,000

(D) Community Corrections

Community Corrections Placements	<u>51,760,190</u>	<u>52,607,485</u>	<u>59,324,487</u>	<u>60,957,506</u>	<u>59,870,255</u>
General Fund	50,773,691	51,588,617	56,680,618	58,313,637	57,226,386
Cash Funds	0	0	0	0	0
Reappropriated Funds	986,499	1,018,868	2,643,869	2,643,869	2,643,869
Federal Funds	0	0	0	0	0

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
Community Corrections Facility Payments	<u>0</u>	<u>0</u>	<u>3,232,185</u>	<u>3,264,507</u>	<u>3,422,313</u> *
General Fund	0	0	3,232,185	3,264,507	3,422,313
Community Corrections Boards Administration	<u>1,998,817</u>	<u>2,110,912</u>	<u>2,288,876</u>	<u>2,478,755</u>	<u>2,315,368</u> *
General Fund	1,998,817	2,110,912	2,288,876	2,478,755	2,315,368
Subsistence Grace Period Pilot Project	<u>0</u>	<u>581,998</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	581,998	0	0	0
Services for Substance Abuse and Co-occurring Disorders	<u>2,177,785</u>	<u>1,693,722</u>	<u>2,553,900</u>	<u>2,553,900</u>	<u>2,553,900</u>
General Fund	609,035	0	0	0	0
Reappropriated Funds	1,568,750	1,693,722	2,553,900	2,553,900	2,553,900
Specialized Offender Services	<u>70,700</u>	<u>68,528</u>	<u>56,375</u>	<u>56,939</u>	<u>57,897</u> *
General Fund	70,700	68,528	56,375	56,939	57,897
Offender Assessment Training	<u>7,387</u>	<u>9,514</u>	<u>10,507</u>	<u>10,507</u>	<u>10,507</u>
General Fund	7,387	9,514	10,507	10,507	10,507
Intensive Residential Treatment Aftercare	<u>180,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	180,000	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
Transition Programs including standard residential services and specialized substance abuse treatment	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Diversion Programs including standard residential services and standard nonresidential services	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Transitional Mental Health Bed Differential	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Diversion Mental Health Bed Differential	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
John Eachon Re-entry Program	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Substance Abuse Treatment Program	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Outpatient Therapeutic Community Programs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Intensive Residential Treatment Pilot Project	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
Accelerated Non-Residential Community Corrections Diversion Pilot Program	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Federal Grants	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (D) Community Corrections	56,194,879	57,072,159	67,466,330	69,322,114	68,230,240
FTE	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	53,639,630	54,359,569	62,268,561	64,124,345	63,032,471
Cash Funds	0	0	0	0	0
Reappropriated Funds	2,555,249	2,712,590	5,197,769	5,197,769	5,197,769
Federal Funds	0	0	0	0	0

(E) Crime Control and System Improvement

State and Local Crime Control and System Improvement Grants	<u>3,168,960</u>	<u>2,693,589</u>	<u>4,900,000</u>	<u>4,900,000</u>	<u>4,900,000</u>
Federal Funds	3,168,960	2,693,589	4,900,000	4,900,000	4,900,000

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
Sex Offender Surcharge Fund Program	<u>125,451</u>	<u>68,308</u>	<u>157,866</u>	<u>160,918</u>	<u>160,918</u>
FTE	1.3	1.3	1.5	1.5	1.5
Cash Funds	125,451	68,308	157,866	160,918	160,918
Sex Offender Supervision	<u>328,002</u>	<u>323,555</u>	<u>339,386</u>	<u>347,580</u>	<u>347,580</u>
FTE	3.5	3.4	3.2	3.2	3.2
General Fund	328,002	323,555	339,386	347,580	347,580
Treatment Provider Criminal Background Checks	<u>45,678</u>	<u>12,587</u>	<u>49,606</u>	<u>49,606</u>	<u>49,606</u>
FTE	0.4	0.0	0.6	0.6	0.6
Cash Funds	45,678	12,587	49,606	49,606	49,606
Colorado Regional and Community Policing Institute	<u>11,566</u>	<u>12,328</u>	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>
FTE	0.1	0.0	2.5	2.5	2.5
Reappropriated Funds	0	0	50,000	50,000	50,000
Federal Funds	11,566	12,328	50,000	50,000	50,000
Federal Grants	<u>8,592,869</u>	<u>5,046,069</u>	<u>8,300,000</u>	<u>8,312,067</u>	<u>9,000,000</u>
FTE	19.7	13.9	17.5	17.5	17.5
Federal Funds	8,592,869	5,046,069	8,300,000	8,312,067	9,000,000
EPIC Resource Center	<u>0</u>	<u>708,850</u>	<u>843,615</u>	<u>860,931</u>	<u>860,931</u>
FTE	0.0	5.8	9.0	9.0	9.0
General Fund	0	527,134	843,615	860,931	860,931
Federal Funds	0	181,716	0	0	0

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
Criminal Justice Training Fund	<u>63,382</u>	<u>55,002</u>	<u>120,000</u>	<u>120,000</u>	<u>120,000</u>
FTE	0.0	0.0	0.5	0.5	0.5
Cash Funds	63,382	55,002	120,000	120,000	120,000
MacArthur Foundation Grant	<u>0</u>	<u>7,970</u>	<u>75,000</u>	<u>75,000</u>	<u>75,000</u>
Cash Funds	0	7,970	75,000	75,000	75,000
Methamphetamine Abuse Task Force Fund	<u>1,291</u>	<u>1,954</u>	<u>20,000</u>	<u>20,000</u>	<u>20,000</u>
Cash Funds	1,291	1,954	20,000	20,000	20,000
SUBTOTAL - (E) Crime Control and System					
Improvement	12,337,199	8,930,212	14,905,473	14,946,102	15,634,035
FTE	<u>25.0</u>	<u>24.4</u>	<u>34.8</u>	<u>34.8</u>	<u>34.8</u>
General Fund	328,002	850,689	1,183,001	1,208,511	1,208,511
Cash Funds	235,802	145,821	422,472	425,524	425,524
Reappropriated Funds	0	0	50,000	50,000	50,000
Federal Funds	11,773,395	7,933,702	13,250,000	13,262,067	13,950,000
TOTAL - (4) Division of Criminal Justice					
FTE	<u>54.5</u>	<u>53.4</u>	<u>74.0</u>	<u>74.4</u>	<u>74.4</u>
General Fund	56,956,879	58,708,669	68,183,815	70,224,513	69,132,639
Cash Funds	2,034,085	2,183,190	2,932,048	2,955,654	2,955,654
Reappropriated Funds	3,045,725	3,064,877	5,754,202	5,757,251	5,757,251
Federal Funds	23,600,882	18,981,370	24,976,080	25,008,263	25,696,196

JBC Staff Staff Figure Setting - FY 2015-16
Staff Working Document - Does Not Represent Committee Decision

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Appropriation	FY 2015-16 Request	FY 2015-16 Recommendation
TOTAL - Department of Public Safety	85,637,571	82,938,106	101,846,145	103,945,681	103,541,740
<i>FTE</i>	<u>54.5</u>	<u>53.4</u>	<u>74.0</u>	<u>74.4</u>	<u>74.4</u>
General Fund	56,956,879	58,708,669	68,183,815	70,224,513	69,132,639
Cash Funds	2,034,085	2,183,190	2,932,048	2,955,654	2,955,654
Reappropriated Funds	3,045,725	3,064,877	5,754,202	5,757,251	5,757,251
Federal Funds	23,600,882	18,981,370	24,976,080	25,008,263	25,696,196