

**DEPARTMENT OF PUBLIC SAFETY
FY 2009-10 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Tuesday, January 6, 2009
9:00 am – 12:00 pm**

9:00-9:30 INTRODUCTIONS AND OPENING COMMENTS

9:30-9:55 QUESTIONS COMMON TO ALL DEPARTMENTS

1. What are your department's three top goals for the current year? How will they be achieved?
2. How do your requested decision items tie to your goals?
3. Could your department shift to a four day work week that begins on Wednesday and ends on Saturday? If not, why not? If only a portion of the department can go to a four day week, what portion can and what portion cannot and why?
4. Has your department been able to fill new or vacant positions? Can your department quantify the benefits it has seen as a result of adding additional FTE or filling vacant positions?
5. What is the status of your department's implementation of S.B.08-155, Centralize IT Management in OIT? Is your department experiencing any difficulties?
6. If you have submitted a General Fund decision item, justify why it must be funded in FY 2009-10 and why it cannot be postponed until FY 2010-11.
7. How many employees, especially among upper management, are assigned a state vehicle for them to use to travel between home and work? How many state vehicles does your department use to transport staff? Would it be more cost effective to reimburse employees for using their personal vehicles for these purposes?

9:55-10:15 DECISION ITEMS FOR DIVISIONS EXCEPT FOR DIVISION OF CRIMINAL JUSTICE

Decision Item #10 – Public Safety Leased Space

[See Briefing Document (Public Safety Except Division of Criminal Justice) pg. 8]

8. The Department is requesting \$75,240 General Fund to pay for additional Capitol Complex Leased Space to accommodate 12.6 FTE added through FY 2007-08 special bills, FY 2008-09 special bills, and FY 2008-09 decision items. The request would provide approximately 6,000 square feet at 690 Kipling. Please provide additional information about the potential lease. For example, what is the duration of the lease, and what is included in the lease costs? How is the space distributed between public space and private offices? How much office space would be provided per FTE?

Decision Item #13 – Grand Junction Facility Operating Costs

[See Briefing Document (Public Safety Except Division of Criminal Justice) pg. 9]

9. The Department is requesting \$50,000 General Fund for operating expenses at the newly opened CBI Grand Junction laboratory facility. The request indicates that utilities for the facility are costing about \$50,000 more per year than anticipated when the facility was approved through a FY 2007-08 decision item. Please provide more information on the facility and its operating costs. What is driving the costs to be so far above the projections? Was this facility built specifically for CBI? How many square feet is the building? What are the heating and cooling systems? What was the original cost of the building per square foot? How much insulation was used? Are the outside walls built with 2 X 6 construction? Finally, please provide a photograph of the facility.

Decision Item #15 – Revenue Increase for Witness Protection

[See Briefing Document (Public Safety Except Division of Criminal Justice) pg. 9]

10. The Department is requesting increases of \$50,000 General Fund and \$50,000 reappropriated funds spending authority for the witness protection program in FY 2009-10. Please provide a general description of the types of expenditures that witness protection funds have been used for in the past.

Decision Item NP-1 – State Fleet Operating Increase for Fuel

[See Briefing Document (Public Safety Except Division of Criminal Justice) pg. 10]

11. Please explain how the Department manages variability in fuel costs. For example, does the Department reduce patrols to cover rapid increases in fuel costs? How does the Department plan for such fluctuations? If there is a plan, what is it?

10:15-10:35 DEMOCRATIC NATIONAL CONVENTION REIMBURSEMENT

[See Briefing Document (Public Safety Except Division of Criminal Justice) pg. 14-16]

12. [Background Information: The staff briefing discussed a potential double appropriation of resources in the Department as a result of the City of Denver’s reimbursement of expenses related to the Democratic National Convention. Because the reimbursement includes base salaries and other expenses that the Department would have had to pay with or without the convention, staff has recommended that the General Assembly reduce FY 2008-09 appropriations to eliminate the double count in the General Fund and to discuss implications for the Highway Users Tax Fund at the Department’s hearing.]
 - a. Please explain how the Department intends to spend the base salaries (and any other double counted) portion of the reimbursement if there is not a reduction in the FY 2008-09 appropriation to eliminate the double count.

- b. Did the Colorado State Patrol or any other state agency receive additional equipment from the federal government as a result of assisting with convention security? If so, what was the equipment?
- c. Please provide a written copy of the State Controller's opinion that these are custodial funds that cannot be appropriated by the General Assembly and explain the rationale for defining the funds as custodial. Please explain why reimbursement of these funds would not go back to the funds from which the original appropriation was made, to be controlled by the rules affecting future appropriations from those funds.
- d. Please describe the State's relationship to the City of Denver in convention security. Did the City of Denver effectively hire the State to provide security or did the State do so because we were required by law to do so?

10:35-10:45 COLORADO STATE PATROL PERSONNEL ISSUES

13. [Background Information: For FY 2007-08, the General Assembly appropriated a total of approximately \$44.0 million and 609.6 FTE to the State Patrol's Sergeants, Technicians, and Troopers line item. However, the State Patrol utilized 634.1 FTE that fiscal year without exceeding the line item's funding appropriation. Similarly, within the Civilians line item, the General Assembly provided a total of \$4.85 million and 82.5 FTE, while the Department actually utilized 86.9 FTE and stayed within the appropriated funding.]

- a. Please explain how the Department managed to pay for this many additional FTE without exceeding the appropriated budget.
 - b. Did the Department report on the additional FTE usage above the amount provided for in the Long Bill? If not, why not? H.B. 08-1321 requires agencies to notify the Committee in writing prior to making "a material change in the number of FTE specified in a particular item of appropriation" (see Section 24-75-112 (1) (d) (V), C.R.S.). Why did the Department not notify the Committee of the changes in FTE levels in the State Patrol line items?
14. Please provide information on retention of State Patrol troopers, including "stair step charts" illustrating why the Patrol may be having difficulties retaining troopers.

10:45-10:50 GENERAL QUESTIONS

15. Page 4 of the briefing document (Public Safety Except the Division of Criminal Justice) shows a chart with the number of fatalities investigated by the Colorado State Patrol for each year since 1995. Can the Department provide that chart with the accidents and fatalities involving motorcycles broken out separately?

10:50-11:00 BREAK

11:00-11:30 DECISION ITEMS FOR THE DIVISION OF CRIMINAL JUSTICE

Decision Item #4 – Increase Community Corrections Transition and Diversion Beds

[See Briefing Document for the Division of Criminal Justice pg. 6]

16. What does the department think about reducing the additional beds for offenders in half and spreading the savings to per diem as suggested by the Colorado Community Corrections Coalition?
17. Shouldn't there be an overall savings to this decision item given that Community Corrections beds are less expensive than prison beds?
18. Is it possible to even find 446 beds in the community corrections system?
19. Where are additional beds to be located? Do these areas have a wait list for beds?

Decision Item #8 – FTE for Recidivism Reduction Package Research and Evaluation

[See Briefing Document for the Division of Criminal Justice pg. 7]

20. The request mentions that the research assistant will work with colleagues at other criminal justice agencies (pg. 2-54). Does "other criminal justice agencies" mean in the state of Colorado? Do other states have programs that are successful that we could use? Have other states conducted research on recidivism reduction programs that we could use?

Decision Item #17 – Spending Authority for Intensive Residential Treatment Beds

[See Briefing Document for the Division of Criminal Justice pg. 8]

21. Does the department have standards that they use for what constitutes successful treatment for treatment beds? How do they know that their treatment program is effective? Do they have studies they can share that prove the success of this program? What does the program consist of?

Decision Item #19 – Additional Inpatient Therapeutic Community Beds for Southern Colorado

[See Briefing Document for the Division of Criminal Justice pg. 8]

22. Same questions as number 21 above. Does the department have standards that they use for what constitutes successful treatment for treatment beds? How do they know that their treatment program is effective? Do they have studies they can share that prove the success of this program? What does the program consist of?

11:30-11:35 PROVIDER RATE INCREASE

[See Briefing Document for the Division of Criminal Justice pg. 12-16]

23. [Background Information]: The Colorado Community Corrections Coalition proposed reducing the number of beds in the Department's Community Corrections bed increase

request and increasing the provider rate. The staff briefing issue attempted to compare the Coalition request to the Department request and give an option to the Committee for increasing the provider rate while still balancing to the Department's request.]

- a. What percentage of community corrections moneys is allocated to recidivism reduction services (i.e., education, drug treatment, etc)? What has been the trend for this over the past ten years? Are there any rules, statutes, or requirements on what portion of funding is used for recidivism reduction services?

11:35-12:00 COMMUNITY CORRECTIONS SUBSISTENCE GRACE PERIOD

[See Briefing Document for the Division of Criminal Justice pg. 17-18]

24. [Background Information: The staff briefing issue discussed the requirement that offenders placed in residential Community Corrections programs pay a subsistence of \$17 per day. This requirement begins immediately upon being placed in a residential Community Corrections program. However, offenders often have a difficult time finding employment immediately upon placement. In addition, many offenders leave prison with child support obligations. Because of the immediate subsistence requirement, some Community Corrections offenders turn to illegal activity. A grace period in the subsistence requirement may provide an opportunity for more offenders to succeed in residential Community Corrections programs.]

- a. Would a grace period from a subsistence payment cause a cash flow problem for the State or for providers?
- b. How long, on average, does it take a community corrections offender to locate employment?
- c. How much does the ability to pay drive the amount that offenders have to reimburse community corrections facilities?
- d. Do offenders have to pay for the cost of electronic monitoring when someone is on electronic monitoring? How does the debt incurred by offenders for these required payments impact their ability to stay on various programs that they are on (such as drug or alcohol treatment)?