

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



SUPPLEMENTAL REQUESTS FOR FY 2010-11

DEPARTMENT OF PUBLIC SAFETY

(Division of Criminal Justice)

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

**Prepared By:
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January 13, 2011**

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**DEPARTMENT OF PUBLIC SAFETY
(Division of Criminal Justice)
FY 2010-11 SUPPLEMENTAL RECOMMENDATIONS
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Non-Prioritized Supplementals

**JBC Staff Initiated Supplemental
Subsistence Grace Period Pilot Program**

	Request	Recommendation
Total	<u>\$0</u>	<u>\$0</u>
General Fund	0	0

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

Department Request: The Department did not request this supplemental.

Staff Recommendation: Staff recommends that the Committee approve reallocating \$189,000 from the General Fund appropriation for the Accelerated Non-Residential Community Corrections Diversion Pilot Program line item to a new line item called Subsistence Grace Period Pilot Program for the reasons discussed below

Staff Analysis: During the briefing for the Division of Criminal Justice, staff recommended that the Committee reallocate funding for the Accelerated Non-Residential Community Corrections Diversion Pilot Program to support a subsistence grace period pilot program for community corrections offenders. The Department subsequently stated during its hearing that \$189,000 General Fund is available in the Accelerated Non-Residential Community Corrections Diversion Pilot Program line item to support a subsistence grace period pilot program in the current fiscal year. This funding would allow the Department to provide \$13.50 per day for 28 days for 500 newly-placed community corrections offenders. This JBC staff initiated supplemental reallocates the funding from the Accelerated Non-Residential Community Corrections Diversion Pilot Program line item to a new line item entitled Subsistence Grace Period Pilot Program.

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Other Balancing Options

These options are presented without staff recommendation in order to maximize the Committee's choices. The Committee may wish to consider these options now or in the future.

Numbering does not indicate priority.

Options with <i>Appropriation</i> Impacts	GF	CF	RF	FF	Total	FTE
<p>1</p> <p style="text-align: right;">(\$189,000)</p> <p style="text-align: right;">\$0</p> <p style="text-align: right;">\$0</p> <p style="text-align: right;">\$0</p> <p style="text-align: right;">(\$189,000)</p> <p style="text-align: right;">0.0</p> <p>Reduce the Appropriation for the Accelerated Non-Residential Diversion Pilot Program</p> <p>This line item was added in FY 2009-10 for a pilot project to assess the safety and efficacy of a shortened residential community corrections program and a lengthened and enhanced non-residential community corrections program for 40 lower-risk diversion offenders. The enhanced non-residential community corrections program includes electronic monitoring and enhanced case management. The offender is required to pay up to \$13 per day for electronic monitoring, and if appropriate, an additional \$3 per day for electronic monitoring of drug or alcohol usage. The amount shown above is the amount that would otherwise be reallocated for the subsistence grace period pilot program if the staff initiated supplemental is approved.</p>						
<p>2</p> <p style="text-align: right;">(252,814)</p> <p style="text-align: right;">0</p> <p style="text-align: right;">0</p> <p style="text-align: right;">0</p> <p style="text-align: right;">(252,814)</p> <p style="text-align: right;">0.0</p> <p>Reduce the Appropriation for Outpatient Therapeutic Community Programs</p> <p>This line item was added in FY 2008-09 to support 160 outpatient therapeutic community aftercare slots for community corrections offenders stepping down from residential therapeutic community stays. The line item funds 80 outpatient clients at PEER I and The Haven in Denver, and 24 outpatient clients at the Crossroads' Turning Points in Pueblo. The amount shown above represents half of the FY 2010-11 General Fund appropriation for this line item; it does not represent staff's recommendation for reducing the line item.</p>						

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Options with <i>Appropriation</i> Impacts	GF	CF	RF	FF	Total	FTE
<p>3</p> <p>Reduce the Appropriation for Juvenile Diversion Programs</p> <p>This option would reduce the appropriation for juvenile diversion programs. The Juvenile Diversion programs are supported jointly by state and local sources to provide community-based programs that serve as (1) an alternative to filing in juvenile court; (2) a supplement to high risk or high need juveniles on probation; or (3) a treatment/supervision resource for youth placed in communities by the Division of Youth Corrections. Over 3,500 youth are served annually by the programs. All programs that receive state diversion funds are required to provide at least 25 percent local matching funds. The Juvenile Diversion program line item was vetoed in FY 2002-03 (\$2,483,702 General Fund had been included in the Long Bill). In FY 2003-04, \$500,000 cash funds exempt (Tobacco Settlement Fund) were appropriated on a one-time basis. No appropriation was made for FY 2004-05 or FY 2005-06. In FY 2006-07, the JBC voted to restore \$1,241,851 General Fund to this line item. The amount shown above represents half of the FY 2010-11 General Fund appropriation for this line item; it does not represent staff's recommendation for reducing the line item.</p>	(620,925)	0	0	0	(620,925)	0.0
<p>4</p> <p>Reduce the Reimbursement Rate to Community Corrections Boards by 1.0 Percent</p> <p>Pursuant to Section 17-27-108, C.R.S., the Division is authorized to allocate up to 5.0 percent of the appropriations for community corrections programs to the 23 community corrections boards to offset their administrative costs. Community corrections boards currently receive an appropriation equal to 4.0 percent of the appropriations for community corrections programs. During the previous economic downturn, this reimbursement rate was reduced from 5.0 percent to the current rate of 4.0 percent. In addition, the Department requested a supplemental reduction of \$25,000 General Fund to this line item in FY 2009-10. However, because the statute authorizes allocations <i>up to</i> 5.0 percent, a lower percentage could be provided. The amount shown above represents a reduction of one percent; it does not represent staff's recommendation for reducing the line item.</p>	(463,016)	0	0	0	(463,016)	0.0

	FY 2009-10	FY 2010-11	Fiscal Year 2010-11 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
DEPARTMENT OF PUBLIC SAFETY					
Executive Director - Kathy E. Sasak					
Division of Criminal Justice Director - Jeanne Smith					
JBC Staff Initiated Supplemental - Subsistence Grace Period Pilot Program					
<i>(4) Division of Criminal Justice</i>					
<i>(D) Community Corrections</i>					
Accelerated Non-Residential Community Corrections Diversion Pilot Program - GF					
	258	197,392	0	(189,000)	8,392
SUBSISTENCE GRACE PERIOD PILOT PROGRAM (NEW LINE ITEM) - GF					
	N.A.	N.A.	0	189,000	189,000
Total for JBC Staff Initiated Supplemental					
	258	197,392	0	0	197,392

	FY 2009-10	FY 2010-11	Fiscal Year 2010-11 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Totals					
Department of Public Safety					
Totals for ALL Departmental line items	237,668,635	258,432,588	0	0	258,432,588
FTE	<u>1,324.5</u>	<u>1,349.0</u>	<u>0.0</u>	<u>0.0</u>	<u>1,349.0</u>
General Fund	79,594,071	82,654,286	0	0	82,654,286
Cash Funds	107,694,472	126,160,853	0	0	126,160,853
Reappropriated Funds	17,161,634	21,699,460	0	0	21,699,460
Federal Funds	33,218,458	27,917,989	0	0	27,917,989

Key:

N.A. = Not Applicable or Not Available