



STATE COURT ADMINISTRATOR'S OFFICE

HB17-1077 Promotes Efficiency in Community Services Programs and bring parity to rural and urban districts

Useful Public Service programs, more commonly known as community service programs, provide a meaningful tool for the courts to help defendants repair the harm of their crimes and develop more empathy for their community. A cash fund for these programs would put UPS programs in rural areas on par with Front Range programs without having to appropriate any additional money.

Background: Roughly 30,000 probationers are sentenced to perform community service each. Probation officers help defendants find community service that meets their skills. Examples of UPS include graffiti removal and landscaping at churches or public properties. Defendants pay a one-time \$120 fee to perform UPS. That fee is designed to cover the modest cost of administering UPS programs. Staff is needed to coordinate with agencies that benefit from the service and the program needs to purchase insurance for the work that is provided. Current law requires the programs to be self-supporting through the fee paid by offenders.

In highly populated areas, private entities or local government agencies manage the UPS programs. In some rural areas, the financial constraints of these programs discourage local agencies from managing UPS programs so the courts or probation departments run the programs. Courts and probation operate the UPS programs in the following places:

- 3rd Judicial District, which includes Huerfano and Law Animas counties;
- 5th Judicial District, which includes Clear Creek, Summit, Lake and Eagle counties;
- 6th Judicial District, which includes La Plata, San Juan and Archuleta counties;
- 7th Judicial District, which includes Gunnison, Delta, Hinsdale, Ouray, Montrose and San Miguel counties; and
- 16th Judicial District, which includes Crowley, Otero and Bent counties.

Problem: In those districts where the courts and probation operate the UPS program, it is hampered by the absence of a basic budget tool – a dedicated cash fund. The absence of the cash fund results in the loss of about \$25,000 annually that was paid by defendants to cover the cost of the program. Each year on June 30, fees that have been collected but that are not yet spent revert to the General Fund. However, the next day, with no money in the program, courts and probation are expected to operate the program without borrowing resources from other aspects of the court operations.

Solution: Creating a cash fund would allow courts and probation departments to follow the mandate that the useful public service programs operate solely from offender fees. The result will mean that an average of \$25,000 each year in offender fees would no longer revert to the General Fund.

Contact: Terry Scanlon, legislative liaison for Colorado Courts and Probation at 303-957-8137 (call or text), or by email at terry.scanlon@judicial.state.co.us