JOINT BUDGET COMMITTEE

STAFF FIGURE SETTING
FY 2019-20

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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MARCH 11, 2019

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HOW TO USE THIS DOCUMENT

The Division Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each division, but the description of incremental changes is not repeated, since it is available under the Division Overview. More details about the incremental changes are provided in the sections following the Division Overview and the division summary tables.

Decision items, both division-requested items and staff-initiated items, are discussed either in the Decision Items Affecting Multiple Divisions or at the beginning of the most relevant division. Within a section, decision items are listed in the requested priority order, if applicable.

DIVISION OVERVIEW

This document covers figure setting for the Division of Criminal Justice ONLY. The Department of Public Safety's Division of Criminal Justice (DCJ):

- Provides funding and oversight for the state's community corrections (OCC) programs and for the local boards that oversee and control those facilities;
- Administers state and federally funded grant programs that help state and local agencies assist crime victims, operates the state's Victim's Rights Act Compliance Program, and assists in implementing Colorado's Victim's Rights Amendment;
- Administers federally funded grant programs that help local and state law enforcement agencies improve the services they deliver and administers state and federally funded grant programs that target juvenile delinquency;
- 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 and sex offenders;
- Analyzes criminal justice data, evaluates criminal justice programs, conducts recidivism studies, provides research support to the Colorado Commission on Criminal and Juvenile Justice, and distributes information through publications, training programs, and its web site; and
- Helps strengthen the performance and professionalism of Colorado law enforcement agencies through training, education, and technical assistance programs.

SUMMARY OF STAFF RECOMMENDATIONS

DIVISION OF CRIMINAL JUSTICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$118,737,222	$75,032,327	$3,312,287	$5,781,085	$34,611,523	78.0
Other legislation	1,974,967	484,146	1,490,821	0	0	4.1
S.B. 19-121 (Supplemental Bill)	1,252,696	1,252,696	0	0	0	0.0
TOTAL	**$121,964,885**	**$76,769,169**	**$4,803,108**	**$5,781,085**	**$34,611,523**	**82.1**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$121,964,885	$76,769,169	$4,803,108	$5,781,085	$34,611,523	82.1
R9 Provider rate increase	96,594	70,176	0	26,418	0	0.0
BA4 Expand juvenile diversion and risk screening	1,920,538	1,920,538	0	0	0	1.8
Staff initiated community corrections adjustment	9,950,026	9,950,026	0	0	0	0.0
Staff initiated performance based contracting preparation	75,000	75,000	0	0	0	0.0
Leap year adjustment	194,130	175,344	0	18,786	0	0.0
Indirect cost assessment	12,554	0	36,007	0	(23,453)	0.0
Annualize prior year budget actions	(90,034)	(166,202)	21,829	10,706	43,633	0.4
Annualize prior year legislation	(1,222,780)	(1,229,465)	(2,381)	2,560	6,506	0.4
TOTAL	**$132,900,913**	**$87,564,586**	**$4,858,563**	**$5,839,555**	**$34,638,209**	**84.7**
INCREASE/(DECREASE)	**$10,936,028**	**$10,795,417**	**$55,455**	**$58,470**	**$26,686**	**2.6**
Percentage Change	9.0%	14.1%	1.2%	1.0%	0.1%	3.2%
FY 2019-20 EXECUTIVE REQUEST	**$123,486,299**	**$78,149,972**	**$4,858,563**	**$5,839,555**	**$34,638,209**	**84.7**
Request Above/(Below) Recommendation	($9,414,614)	($9,414,614)	$0	$0	$0	(0.0)

DESCRIPTION OF INCREMENTAL CHANGES

R9 COMMUNITY PROVIDER RATE: The recommendation includes an increase of $96,594 total funds, including $70,176 General Fund and $26,418 reappropriated funds for a provider rate increase.

BA4 EXPAND JUVENILE DIVERSION AND RISK SCREENING: The recommendation includes an increase of $1,920,538 General Fund and 1.8 FTE for juvenile diversion programs. This issue is discussed further in *BA4 Expand Juvenile Diversion and Risk Screening* below.

STAFF INITIATED COMMUNITY CORRECTIONS ADJUSTMENT: The recommendation includes an increase of $9,950,026 General Fund for adjustments to community corrections programs. This issue is discussed further in *BA4 Expand Juvenile Diversion and Risk Screening* below.

STAFF INITIATED PERFORMANCE BASED CONTRACTING PREPARATION: The recommendation includes an increase of $75,000 General Fund for technical assistance. This issue is discussed further in *Staff Initiated Performance Based Contracting Preparation* below.

LEAP YEAR ADJUSTMENT: The request includes an increase of $194,130 total funds, including $175,344 General Fund and $18,786 reappropriated funds, to adjust for the additional leap year day for line items that pay a daily rate.

INDIRECT COST ASSESSMENT: The appropriation includes a net increase in the division's indirect cost assessment.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The request includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year salary survey	$169,926	$93,758	$21,829	$10,706	$43,633	0.0
Annualize OCC Pace	15,040	15,040	0	0	0	0.4
Annualize subsistence payment	(275,000)	(275,000)	0	0	0	0.0
TOTAL	**($90,034)**	**($166,202)**	**$21,829**	**$10,706**	**$43,633**	**0.4**

ANNUALIZE PRIOR YEAR LEGISLATION: The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 (PERA)	$18,104	$8,634	$404	$2,560	$6,506	0.0
HB 18-1251 (OCC transition payments)	14,597	14,597	0	0	0	0.2
SB 19-121 (Public Safety supplemental)	(1,252,696)	(1,252,696)	0	0	0	0.0
HB 1020 (Civil forfeiture reforms)	(2,785)	0	(2,785)	0	0	0.2
TOTAL	**($1,222,780)**	**($1,229,465)**	**($2,381)**	**$2,560**	**$6,506**	**0.4**

MAJOR DIFFERENCES FROM THE REQUEST

The major differences between the Department request and Staff Recommendation can be found in the Community Corrections Placement line, which is discussed in *Staff Initiated Community Corrections Adjustment* below.

(A) ADMINISTRATION

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

ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$4,998,883	$2,933,699	$795,914	$457,747	$811,523	40.3
Other legislation	484,146	484,146	0	0	0	3.3
TOTAL	**$5,483,029**	**$3,417,845**	**$795,914**	**$457,747**	**$811,523**	**43.6**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$5,483,029	$3,417,845	$795,914	$457,747	$811,523	43.6
Staff initiated performance based contracting preparation	75,000	75,000	0	0	0	0.0
Annualize prior year legislation	1,517,487	23,022	1,485,399	2,560	6,506	1.2
Annualize prior year budget actions	117,509	84,974	21,829	10,706	0	0.4
Indirect cost assessment	12,554	0	36,007	0	(23,453)	0.0
TOTAL	**$7,205,579**	**$3,600,841**	**$2,339,149**	**$471,013**	**$794,576**	**45.2**
INCREASE/(DECREASE)	**$1,722,550**	**$182,996**	**$1,543,235**	**$13,266**	**($16,947)**	**1.6**
Percentage Change	31.4%	5.4%	193.9%	2.9%	(2.1%)	(4)
FY 2019-20 EXECUTIVE REQUEST	**$7,130,579**	**$3,525,841**	**$2,339,149**	**$471,013**	**$794,576**	**45.2**
Request Above/(Below) Recommendation	($75,000)	($75,000)	$0	$0	$0	0.0

DECISION ITEMS - EXECUTIVE DIRECTOR'S OFFICE

➔ STAFF INITIATED PERFORMANCE BASED CONTRACTING PREPARATION

REQUEST: The Division did not submit a request for this item.

RECOMMENDATION: Staff recommends an appropriation of $75,000 General Fund.

As discussed in Staff's December 2019 briefing on DCJ, PBC can improve the outcomes of OCC programs. Staff is recommending that the Division move to a performance based contracting (PBC) model (which was also a recommendation of the Governor's Advisory County on Community Corrections). The Department has determined that consulting services will be needed to move to this type of contracting. According to the Department (response to staff question on PBC bolded and italicized):

> ***The Colorado Department of Public Safety (Department) requires Consulting services that will be utilized to aid in the determination of risk informed outcomes as a piece of the performance based contracting plan as proposed in the Governor's Advisory County on Community Corrections plan. Additionally, the services will be utilized to analyze the baseline measurements for the risk informed outcomes, PACE evaluation scores, and Core Security Audit Scores to determine a tiered system for the funding of performance based contracting. The consultant will also participate in the determination of the contracting needs, cycle for performance based contracting,***

meaningful funding levels, and other yet to be determined areas critical for the success of performance based contracting.

Estimated costs are based on the Department of Justice's (DOJ) federally approved consultant rate of $650 per day. The Department expects the work described above will take 1,040 hours, or 130 days, to complete at an anticipated cost of $84,500 ($650 x 130 = $84,500). Therefore, the department believes $75,000 would be needed in FY 2019-20 to cover the consultant needs described above.

The Department does not have the internal expertise to deal with this issue. As such, Staff recommends that the Department contract with a specialist to perform these functions. Having an expert assist the Department in establishing a PBC model will improve the outcomes and allow the model to be successful from the start.

Another important aspect of this is the manner in which PBC is set up. The first thing to determine is the desired result, which is followed by a path to achieve that. In this instance, the desired result is improved outcomes in OCC programs, which will contribute to lower recidivism and reduced long-term costs to the state. This means that outcomes should be both the basis for funding and the metrics used in the tiers of PBC.

One important factor to consider is staying out of the trap of missing the forest for the trees. It can be easy to get caught up in the process and the minuet details, but this can lead to missing the bigger picture of achieving results through good outcomes. Staff did reach out to the Department to discuss this concept and how it applies to OCC programs. Staff sent several questions discussed below (responses bolded and italicized).

> Please provide a count of how many standards that Community Corrections programs and Boards must adhere to. Please discuss how much the standards increased over the last five years in both percentage and hard number terms (broken out by per year increase)?
>
> **In 2015, the DCJ began the revision process of the Colorado Community Corrections Standards, which were last published in 2010. At that time, there were a total of 125 Standards, only 7 of which could be tied to any evidence-based practice. Accordingly, the DCJ staff reviewed all 125 Standards to identify ways in which to streamline, eliminate, modify and/or reduce the Standards in order to make them more effective and evidence-based. The graphic below demonstrates the targeted actions identified.**
>
> **These targeted actions were then brought to the Governor's Community Corrections Advisory Council who developed a subcommittee to review the evidence and revise the Standards. The subcommittee consisted of more than 30 representatives from providers and boards across the State, as well as representatives from State Judicial and the Department of Corrections. More than a year and a half later, a new overhauled set of 95 Standards (reduced from 125, a 24% reduction) was published. This more streamlined set of Standards moved from being less than 6% evidence-based/informed to being more than 44% evidence-based/informed. The remaining Standards are based on best practices related to safety, security and community supervision.**

In addition to the Colorado Community Corrections Standards, providers have other regulatory expectations to include federal regulations, contract conditions, county public health and safety regulations, and statutes. Providers are expected to have an independent Prison Rate Elimination Act (PREA) audit conducted per federal regulations and a copy of the audit is provided to the DCJ. Additionally, per state contractual obligations, an independent financial audit must be conducted and shared with the DCJ. Pursuant to 17-27-103 C.R.S., Community Corrections Boards also provide regulation and oversight to community corrections' providers across the state. They are authorized to develop and enforce standards related to the operation of facilities with whom they contract, provided that said standards are not in conflict with those promulgated by the DCJ. Finally, boards are also tasked through statute with monitoring community corrections' programs within the jurisdiction of such board and overseeing compliance with state and local standards.

This response highlights several key factors and answers multiple questions. To the basic questions of are we missing the forest for the trees, the simple answer is yes. There is a large, and maybe too large, regulatory environment around OCC programs. There is no one place to point to as too much, but the combination of all of the different layers certainly drives expense, but does not necessarily drive good outcomes. It is important to note, that the Division has reduced standards over the last several years, reducing this burden.

Changing the focus of the OCC programs to be outcome based could help alleviate some of these concerns by attaching funding to outcomes, not regulation. This combines a market based incentive approach with a regulatory oversight approach to produce better outcomes for those participating in the program, the providers, and the state.

LINE ITEM DETAIL — ADMINISTRATION

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., which is for the study of law enforcement activities related to retail marijuana implementation; and 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.

STATUTORY AUTHORITY: Title 24, Article 33.5, Part 5 (Division of Criminal Justice), Section 17-22.5-107, C.R.S. (Parole release and revocation guidelines.), Section 17-22.5-404 C.R.S. (Parole Guidelines), Section 22-32-146, C.R.S. (School use of on-site peace officers as school resource officers), Section 24-33.5-506, C.R.S. (Victims assistance and law enforcement fund), Title 16, Article 11.8, (Management of Domestic Violence Offenders).

REQUEST: The Division requests an appropriation of $6,352,099 total funds, comprised of $3,525,841 General Fund, $2,221,108 cash funds, $471,013 reappropriated funds, $134,137 federal funds, and 45.2 FTE.

RECOMMENDATION: Staff recommends an appropriation of $6,427,099 total funds, comprised of $3,600,841 General Fund, $2,221,108 cash funds, $471,013 reappropriated funds, $134,137 federal funds, and 45.2 FTE. The difference between the Department's request and Staff recommendation is contained in *Staff Initiated Performance Based Contracting Preparation* above.

DIVISION OF CRIMINAL JUSTICE, ADMINISTRATION, DCJ ADMINISTRATIVE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$4,232,957	$2,933,699	$713,880	$457,747	$127,631	40.3
Other legislation	$484,146	$484,146	$0	$0	$0	3.3
TOTAL	**$4,717,103**	**$3,417,845**	**$713,880**	**$457,747**	**$127,631**	**43.6**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$4,717,103	$3,417,845	$713,880	$457,747	$127,631	43.6
Annualize prior year legislation	1,517,487	23,022	1,485,399	2,560	6,506	1.2
Annualize prior year budget actions	117,509	84,974	21,829	10,706	0	0.4
Staff initiated performance based contracting preparation	75,000	75,000	0	0	0	0.0
TOTAL	**$6,427,099**	**$3,600,841**	**$2,221,108**	**$471,013**	**$134,137**	**45.2**
INCREASE/(DECREASE)	**$1,709,996**	**$182,996**	**$1,507,228**	**$13,266**	**$6,506**	**1.6**
Percentage Change	36.3%	5.4%	211.1%	2.9%	5.1%	3.7%
FY 2019-20 EXECUTIVE REQUEST	**$6,352,099**	**$3,525,841**	**$2,221,108**	**$471,013**	**$134,137**	**45.2**
Request Above/(Below) Recommendation	($75,000)	($75,000)	$0	$0	$0	0.0

INDIRECT COST ASSESSMENT

This line item funds the indirect cost assessments collected from the Division of Criminal Justice.
STATUTORY AUTHORITY: State of Colorado Fiscal Rules, Rule 8-3 (Cost Allocation Plans).

*REQUEST: T*he Division requests an appropriation of $778,480 total funds, including $118,041 cash funds and $660,439 federal funds.

RECOMMENDATION: Staff recommends an appropriation of $778,480 total funds, including $118,041 cash funds and $660,439 federal funds.

DIVISION OF CRIMINAL JUSTICE, ADMINISTRATION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$765,926	$0	$82,034	$0	$683,892	0.0
TOTAL	**$765,926**	**$0**	**$82,034**	**$0**	**$683,892**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$765,926	$0	$82,034	$0	$683,892	0.0
Indirect cost assessment	12,554	0	$36,007	$0	($23,453)	0.0

DIVISION OF CRIMINAL JUSTICE, ADMINISTRATION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	**$778,480**	**$0**	**$118,041**	**$0**	**$660,439**	**0.0**
INCREASE/(DECREASE)	**$12,554**	**$0**	**$36,007**	**$0**	**($23,453)**	**0.0**
Percentage Change	1.6%	n/a	43.9%	n/a	(3.4%)	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$778,480**	**$0**	**$118,041**	**$0**	**$660,439**	**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. 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).

VICTIMS ASSISTANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$28,200,346	$1,402,653	$1,797,693	$0	$25,000,000	9.1
TOTAL	**$28,200,346**	**$1,402,653**	**$1,797,693**	**$0**	**$25,000,000**	**9.1**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$28,200,346	$1,402,653	$1,797,693	$0	$25,000,000	9.1
Annualize prior year budget actions	43,633	0	0	0	43,633	0.0
TOTAL	**$28,243,979**	**$1,402,653**	**$1,797,693**	**$0**	**$25,043,633**	**9.1**
INCREASE/(DECREASE)	**$43,633**	**$0**	**$0**	**$0**	**$43,633**	**0.0**
Percentage Change	0.2%	0.0%	0.0%	n/a	0.2%	(4)
FY 2019-20 EXECUTIVE REQUEST	**$28,243,979**	**$1,402,653**	**$1,797,693**	**$0**	**$25,043,633**	**9.1**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	(0.0)

DECISION ITEMS - VICTIMS ASSISTANCE

The Executive Branch did not submit any decision items for this subdivision.

LINE ITEM DETAIL - VICTIMS ASSISTANCE

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.

STATUTORY AUTHORITY: Section 24-33.5-503 (1)(e), C.R.S., Section 24-33.5-507 and 510, C.R.S.

REQUEST: The Division requests $25,043,633 federal funds and 8.6 FTE.

RECOMMENDATION: Staff recommends $25,043,633 federal funds and 8.6 FTE.

DIVISION OF CRIMINAL JUSTICE, VICTIMS ASSISTANCE, FEDERAL VICTIMS ASSISTANCE AND COMPENSATION GRANTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$25,000,000	$0	$0	$0	$25,000,000	8.6
TOTAL	**$25,000,000**	**$0**	**$0**	**$0**	**$25,000,000**	**8.6**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$25,000,000	$0	$0	$0	$25,000,000	8.6
Annualize prior year budget actions	43,633	0	$0	$0	$43,633	0.0
TOTAL	**$25,043,633**	**$0**	**$0**	**$0**	**$25,043,633**	**8.6**
INCREASE/(DECREASE)	**$43,633**	**$0**	**$0**	**$0**	**$43,633**	**0.0**
Percentage Change	0.2%	n/a	n/a	n/a	0.2%	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$25,043,633**	**$0**	**$0**	**$0**	**$25,043,633**	**8.6**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

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."

STATUTORY AUTHORITY: Section 24-33.5-506, C.R.S. (Victims assistance and law enforcement fund), Title 24, Article 4.2 (Assistance to Victims of and Witnesses to Crimes and Aid to Law Enforcement Act), Colorado Constitution Article 2, Section 16a (Victim Rights Amendment).

REQUEST: The Division requests appropriation of $1,500,000 cash funds for this program, which represents a continuation of level funding.

RECOMMENDATION: Staff recommends an appropriation of $1,500,000 cash funds for this program, which represents a continuation of level funding.

DIVISION OF CRIMINAL JUSTICE, VICTIMS ASSISTANCE, STATE VICTIMS ASSISTANCE AND LAW ENFORCEMENT PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$1,500,000	$0	$1,500,000	$0	$0	0.0
TOTAL	**$1,500,000**	**$0**	**$1,500,000**	**$0**	**$0**	**0.0**

DIVISION OF CRIMINAL JUSTICE, VICTIMS ASSISTANCE, STATE VICTIMS ASSISTANCE AND LAW ENFORCEMENT PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$1,500,000	$0	$1,500,000	$0	$0	0.0
TOTAL	**$1,500,000**	**$0**	**$1,500,000**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	n/a	0.0%	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$1,500,000**	**$0**	**$1,500,000**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

CHILD ABUSE INVESTIGATION

In Colorado, child abuse investigations are frequently conducted by Child Advocacy Centers (CACs), which are located in most of the state's 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.

Appropriations for this line item come from the General Fund and the Child Abuse Investigation Surcharge Fund. The 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, such as VOCA grants, United Way, and local fund raising efforts

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.

STATUTORY AUTHORITY: Article 24 of Title 18, C.R.S.

REQUEST: The Division requests an appropriation of $1,097,693 total funds, consisting of $800,000 General Fund and $297,693 cash funds from the Child Abuse Investigation Surcharge Fund, and 0.3 FTE.

RECOMMENDATION: Staff recommends an appropriation of $1,097,693 total funds, consisting of $800,000 General Fund and $297,693 cash funds from the Child Abuse Investigation Surcharge Fund, and 0.3 FTE.

DIVISION OF CRIMINAL JUSTICE, VICTIMS ASSISTANCE, CHILD ABUSE INVESTIGATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$1,097,693	$800,000	$297,693	$0	$0	0.3
TOTAL	**$1,097,693**	**$800,000**	**$297,693**	**$0**	**$0**	**0.3**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$1,097,693	$800,000	$297,693	$0	$0	0.3
TOTAL	**$1,097,693**	**$800,000**	**$297,693**	**$0**	**$0**	**0.3**
Percentage Change	0.0%	0.0%	0.0%	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$1,097,693**	**$800,000**	**$297,693**	**$0**	**$0**	**0.3**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

SEXUAL ASSAULT VICTIM EMERGENCY PAYMENT PROGRAM

Forensic medical exams provided to victims of sexual assault who cooperate with law enforcement are paid for by the appropriate law enforcement agency. House Bill 13-1163, created the Sexual Assault Victim Emergency Payment Program for victims of sexual assault who need additional time to determine whether they want to pursue legal action. In such cases, the evidence collection portion of a medical forensic exam is paid for by the DCJ. The victim can decide at a later date to have the crime investigated and prosecuted. (Victims can undergo an exam within 120 hours (5 days) of the assault, although up to 72 hours is preferable.)

STATUTORY AUTHORITY: Section 18-3-407.7, C.R.S.

REQUEST: The Division requests an appropriation of $167,933 General Fund and 0.2 FTE, which represents a continuation of level funding.

RECOMMENDATION: Staff recommends an appropriation of $167,933 General Fund and 0.2 FTE, which represents a continuation of level funding.

DIVISION OF CRIMINAL JUSTICE, VICTIMS ASSISTANCE, SEXUAL ASSAULT VICTIM EMERGENCY PAYMENT PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$167,933	$167,933	$0	$0	$0	0.2
TOTAL	**$167,933**	**$167,933**	**$0**	**$0**	**$0**	**0.2**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$167,933	$167,933	$0	$0	$0	0.2
TOTAL	**$167,933**	**$167,933**	**$0**	**$0**	**$0**	**0.2**
Percentage Change	0.0%	0.0%	n/a	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$167,933**	**$167,933**	**$0**	**$0**	**$0**	**0.2**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

STATEWIDE VICTIM INFORMATION AND NOTIFICATION SYSTEM (VINE)

This appropriation helps support a victim notification system operated by the County Sheriffs of Colorado (CSOC), which was constructed with the help of federal grants. 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 Colorado county-jail booking systems, however it does not provide information about the custody status of Colorado Department of Corrections offenders. 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. The statutory legislative declaration in Section 24-33.5-515 (2), C.R.S. states that the General Assembly may annually make general fund appropriations to support the program.

STATUTORY AUTHORITY: Section 24-33.5-515, C.R.S., (Statewide automated victim information and notification system).

REQUEST: The Division requests an appropriation of $434,720 General Fund, which represents a continuation of level funding.

RECOMMENDATION: Staff recommends an appropriation of $434,720 General Fund, which represents a continuation of level funding.

DIVISION OF CRIMINAL JUSTICE, VICTIMS ASSISTANCE, STATEWIDE VICTIM INFORMATION AND NOTIFICATION SYSTEM (VINE)						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$434,720	$434,720	$0	$0	$0	0.0
TOTAL	**$434,720**	**$434,720**	**$0**	**$0**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$434,720	$434,720	$0	$0	$0	0.0
TOTAL	**$434,720**	**$434,720**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	0.0%	n/a	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$434,720**	**$434,720**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

(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.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	Reappropriated Funds	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$2,441,139	$1,241,139	$400,000	$0	$800,000	2.4
TOTAL	**$2,441,139**	**$1,241,139**	**$400,000**	**$0**	**$800,000**	**2.4**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$2,441,139	$1,241,139	$400,000	$0	$800,000	2.4
BA4 Expand juvenile diversion and risk screening	1,920,538	1,920,538	0	0	0	1.8
TOTAL	**$4,361,677**	**$3,161,677**	**$400,000**	**$0**	**$800,000**	**4.2**
INCREASE/(DECREASE)	**$1,920,538**	**$1,920,538**	**$0**	**$0**	**$0**	**1.8**
Percentage Change	78.7%	154.7%	0.0%	n/a	0.0%	(4)
FY 2019-20 EXECUTIVE REQUEST	**$4,361,677**	**$3,161,677**	**$400,000**	**$0**	**$800,000**	**4.2**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

DECISION ITEMS – JUVENILE JUSTICE AND DELINQUENCY PREVENTION

➔ BA-04 EXPAND JUVENILE DIVERSION AND RISK SCREENING

REQUEST: The Division requests $1,920,538 General Fund and 1.8 FTE.

RECOMMENDATION: Staff recommends $1,920,538 General Fund and 1.8 FTE.

The Office of Adult and Juvenile Justice Assistance (OAJJA) is requesting $1.9 million and 1.8 FTE for juvenile diversion and risk screening. The goal of diversion is to prevent further involvement of juveniles in the justice system (19-1-103(44) C.R.S.). Diversion can be community-based alternatives for youth. Diversion programs should concentrate on holding the youth accountable for their behavior while involving them in programs and activities to prevent future criminal and delinquent behavior. The Colorado Children's Code establishes units of local government and non-governmental agencies as eligible agencies to receive these state funds. A cash/in-kind match equal to 25% of the total project cost is required for this grant program.

In FY 2016-17, state-funded Diversion served 2,550 juveniles in fifteen of the twenty-two judicial districts. Diversion criteria and practices vary widely across the state and there is no statewide data on the number, demographics, and outcomes. In FY 2017-18, using a competitive grant process, a total of 18 juvenile diversion programs were funded across the state in fifteen of the twenty-two Judicial

Districts (JD). Of the remaining seven judicial districts, four have at least partially self-funded their programs, and three have no resources available for juvenile diversion at all.

In spring of 2018, OAJJA partnered with the Evidence-Based Practices in Implementation for Capacity Resource Center (EPIC) for implementation guidance. To get a complete picture of diversion practices and resources in the field, an EPIC Implementation Specialist met with each state-funded diversion program to observe and discuss processes for enrolling and referring juveniles, services offered, assessments utilized, and the type of data collected in and outside of the formal evaluation currently in place. The goal is to develop a state juvenile diversion guidebook.

OAJJA will establish a block grant to allocate funds to each judicial district for the establishment and implementation, or continuation of a juvenile diversion program that is aligned with evidence-based practices and the statewide definition of diversion, for juveniles with offenses that can be filed at the district court level.

LINE ITEM DETAIL - JUVENILE JUSTICE AND DELINQUENCY PREVENTION

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. The grants assist 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.

STATUTORY AUTHORITY: Section 24-33.5-503 (1)(e), C.R.S.

REQUEST: The Division requests $800,000 federal funds and 1.2 FTE.

RECOMMENDATION: Staff recommends $800,000 federal funds and 1.2 FTE.

DIVISION OF CRIMINAL JUSTICE, JUVENILE JUSTICE AND DELINQUENCY PREVENTION, JUVENILE JUSTICE DISBURSEMENTS

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$800,000	$0	$0	$0	$800,000	1.2
TOTAL	**$800,000**	**$0**	**$0**	**$0**	**$800,000**	**1.2**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$800,000	$0	$0	$0	$800,000	1.2
TOTAL	**$800,000**	**$0**	**$0**	**$0**	**$800,000**	**1.2**
Percentage Change	0.0%	n/a	n/a	n/a	0.0%	0.0%

DIVISION OF CRIMINAL JUSTICE, JUVENILE JUSTICE AND DELINQUENCY PREVENTION, JUVENILE JUSTICE DISBURSEMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 EXECUTIVE REQUEST	**$800,000**	**$0**	**$0**	**$0**	**$800,000**	**1.2**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

JUVENILE DIVERSION PROGRAMS

Juvenile diversion programs serve 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. Beginning in FY 2016-17, this line item received an additional $400,000 of funding from the Marijuana Tax Cash Fund. Previously it only received a General Fund appropriation and that appropriation had remained nearly constant at approximately $1,241,000 since at least FY 2008-09.

STATUTORY AUTHORITY: Section 19-2-303, C.R.S. (Juvenile diversion program – authorized).

REQUEST: The Division requests an appropriation of $3,561,677 total funds, which consists of $3,161,677 General Fund, $400,000 cash funds from the Marijuana Tax Cash Fund, and 3.0 FTE.

RECOMMENDATION: Staff recommends an appropriation of $3,561,677 total funds, which consists of $3,161,677 General Fund, $400,000 cash funds from the Marijuana Tax Cash Fund, and 3.0 FTE. The difference between the Department's request and staff recommendation can be found in *Staff Initiated Changes for Juvenile Diversion above.*

DIVISION OF CRIMINAL JUSTICE, JUVENILE JUSTICE AND DELINQUENCY PREVENTION, JUVENILE DIVERSION PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$1,641,139	$1,241,139	$400,000	$0	$0	1.2
TOTAL	**$1,641,139**	**$1,241,139**	**$400,000**	**$0**	**$0**	**1.2**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$1,641,139	$1,241,139	$400,000	$0	$0	1.2
BA4 Expand juvenile diversion and risk screening	1,920,538	1,920,538	0	0	0	1.8
TOTAL	**$3,561,677**	**$3,161,677**	**$400,000**	**$0**	**$0**	**3.0**
INCREASE/(DECREASE)	**$1,920,538**	**$1,920,538**	**$0**	**$0**	**$0**	**1.8**
Percentage Change	117.0%	154.7%	0.0%	n/a	n/a	150.0%
FY 2019-20 EXECUTIVE REQUEST	**$3,561,677**	**$3,161,677**	**$400,000**	**$0**	**$0**	**3.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	(0.0)

(D) COMMUNITY CORRECTIONS

There are approximately three dozen community corrections programs (OCC) in the state. Sometimes called halfway houses, they are based in local communities and operated by private providers, nonprofits, and local governments. Several state government agencies interact with community corrections. The Division of Criminal Justice distributes state funds to community corrections boards and programs, sets and enforces standards through regular program audits, provides technical assistance, and collects statistical data. Parole officers from the Department of Corrections supervise offenders transitioning to community corrections after a term of incarceration (transition offenders) or those sent to community corrections as a condition of parole. Probation officers within the Judicial Department supervise offenders sent to community corrections as a condition of parole or sentenced directly to community corrections by a court (diversion offenders). Offenders are also supervised by the staff of each community corrections program. In the Division of Criminal Justice, the Office of Community Corrections oversees and funds community corrections.

COMMUNITY CORRECTIONS						
	TOTAL FUNDS	GENERAL FUND	Cash Funds	REAPPROPRIATED FUNDS	Federal Funds	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$73,447,683	$68,124,345	$0	$5,323,338	$0	0.0
S.B. 19-121 (Supplemental Bill)	1,252,696	1,252,696	0	0	0	0.0
TOTAL	**$74,700,379**	**$69,377,041**	**$0**	**$5,323,338**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$74,700,379	$69,377,041	$0	$5,323,338	$0	0.0
R9 Provider rate increase	96,594	70,176	0	26,418	0	0.0
Staff initiated community corrections adjustment	9,950,026	9,950,026	0	0	0	0.0
Leap year adjustment	194,130	175,344	0	18,786	0	0.0
Annualize prior year legislation	(1,252,696)	(1,252,696)	0	0	0	0.0
Annualize prior year budget actions	(275,000)	(275,000)	0	0	0	0.0
TOTAL	**$83,413,433**	**$78,044,891**	**$0**	**$5,368,542**	**$0**	**0.0**
INCREASE/(DECREASE)	**$8,713,054**	**$8,667,850**	**$0**	**$45,204**	**$0**	**0.0**
Percentage Change	11.7%	12.5%	n/a	0.8%	n/a	(4)
FY 2019-20 EXECUTIVE REQUEST	**$74,073,819**	**$68,705,277**	**$0**	**$5,368,542**	**$0**	**0.0**
Request Above/(Below) Recommendation	($9,339,614)	($9,339,614)	$0	$0	$0	0.0

DECISION ITEMS - COMMUNITY CORRECTIONS (R9 COMMUNITY PROVIDER RATE)

R9 COMMUNITY PROVIDER RATE: Staff does not recommend the provider rate increase. This item is discussed below in Staff initiated Community Corrections Placement Adjustments.

➔ STAFF INITIATED COMMUNITY CORRECTIONS PLACEMENT ADJUSTMENTS

REQUEST: The Department did not request this item. The Department's requested appropriation for Community Corrections Placements is $61,651,601 General Fund

RECOMMENDATION: Staff recommends an appropriation of $70,991,215 General Fund and a footnote for community corrections appropriations based on the following table. Of note, this amount includes a caseload increase based on the Department's January caseload adjustment. This caseload adjustment did not come with a budget amendment, leaving Staff to request the difference to maintain adequate funding levels. The caseload increase resulted in an increased funding need of $2,616,705. This means that Staff's rate adjustment accounts for $6,772,909 of the recommended funding increase. Staff also recommends that this line item no longer receive a provider rate increase as all costs have been included in the future rate table below. As part of the move to performance based contracting (PBC), this line item will remain static and not receive additional increases in future years.

Staff further recommends that the following table be included in the footnote that attaches to the *Community Corrections Placements* appropriation (this footnote is also contained in the *Long Bill Footnote* section below).

Placement Type	Rate	Diversion	Transition	Parole	Appropriation
Standard residential	$48.45	1,331	1,413	159	$51,476,637
Cognitive behavioral treatment pilot program	$95.02	24	24	0	$1,669,311
Intensive Residential Treatment	$93.47	39	43	68	$5,131,683
Inpatient Therapeutic Community	$75.76	58	49	5	$3,105,570
Residential Dual Diagnosis Treatment	$82.64	64	46	10	$3,629,583
Sex Offender	$82.64	73	34	13	$3,629,583
Standard Non-residential	$6.56	660	5	5	$1,608,607
Outpatient Therapeutic Community	$23.52	55	25	6	$740,240
Total		**2,304**	**1,639**	**266**	**$70,991,215**

The Committee and General Assembly have been requesting information on the cost for Community Corrections (OCC) programs. As part of this request, the Committee has required a Request for Information (RFI) to determine costs. The response to the RFI did not produce a useable cost metric so Staff submitted the following question to the Department (Department response bolded and italicized):

> If all Community Corrections programs and treatments were completely funded, what would the total cost and the daily per-diem cost per program be?
>
> ***Over the years, DCJ has attempted several cost surveys with providers. The surveys were deficient in that they could not include a process to verify the information provided in the survey. Additionally, while contracts and the Colorado Community Corrections Standards provide a level of expectations for all providers, their individual costs still vary greatly depending on a variety of factors. These factors may include, but are not limited to, whether the program is county run, privately owned, or a non-profit; whether they own or lease the building; the general geographic region in which the program operates; the size of the facility and/or the corporate structure. For this current fiscal year, RFI DPS02 required a cost survey to determine the continuing financial impact related to any issued or revised community corrections Standards. In the cost survey, individual responses on fiscal impact ranged from the tens-of-thousands to millions of dollars for initial and ongoing costs of implementing all Standards. The wide range of answers made it impossible to determine the true cost of Standards implementation. DCJ has also found it impractical to do a national comparison in rates as very few states have state funded residential community corrections systems. Due to the above factors, DCJ has not been able to determine the***

total cost for services or a daily-per-diem cost per program. DCJ is able to provide the physical capacity of community corrections in Colorado for the JBC Staff. In October of 2018, DCJ was asked to update a spreadsheet that included the reported physical and staffed capacity across the state. At that time, a physical capacity of 4,405 beds were reported across the state. It is important to note that 98 beds were reported to be contracted to other non-DCJ funded populations. In FY 2018-19, 3,334 beds were funded through both the General Fund and the Correctional Treatment Fund, which does not include the staff initiated supplemental.

With this, Staff undertook a project to capture costs. As part of the research, staff has done an exhaustive analysis into the costs for Community Corrections. The following is the process followed by staff:

1. Staff sent a survey to OCC providers to determine costs (of note; these costs were self-reported by the providers. The only way to get an independent evaluation of costs would be a 3rd party full audit);
2. Staff then ran several statistical analysis on the reported numbers. Costs that exceeded two standard deviations from the norm were discounted;
3. Staff compared reported costs (including Fringe, General and Administrative Costs, and Facility Costs) to industry standards to determine variances;
4. Staff compared responses to several questions in the survey that were meant as checks on costs to ensure that reporting in individual areas matched program cost reporting; and
5. Finally, Staff adjusted the costs based on the results from the steps described above.

The *New Rate vs Old Rate* table below shows the rate difference between the current rate and the FY 2019-20 recommended rate. The total difference between the two amounts is $6,722,909 General Fund. While this recommend rate increase does not constitute the full cost to run the program; it does take the OCC programs in a positive direction to better account for costs. This should provide adequate funding pending the implementation of PBC with no needed adjustments for future years in this line item.

New Rate vs Old Rate

Placement Type	Current Rates	Appropriation	New Rates	Recommended Appropriation	Difference
Standard residential	43.11	45,679,140.45	48.45	51,476,636.80	5,797,496.35
Cognitive behavioral treatment pilot program	95.02	1,664,750.40	97.29	1,669,311.36	4,560.96
Intensive Residential Treatment	89.82	4,917,645.00	93.47	5,131,683.31	214,038.31
Inpatient Therapeutic Community	70.84	2,895,939.20	75.76	3,105,569.65	209,630.45
Residential Dual Diagnosis Treatment	78.40	3,433,920.00	82.64	3,629,583.07	195,663.07
Sex Offender	78.40	3,433,920.00	82.64	3,629,583.07	195,663.07
Standard Non-residential	6.28	1,535,774.00	6.56	1,608,607.23	72,833.23
Outpatient Therapeutic Community	22.53	707,216.70	23.52	740,240.31	33,023.61
Total		**$64,268,306**		**$70,991,215**	**$6,722,909**

The following table shows the current rates for OCC programs with inflationary increases over the next ten years. This table does not take into account any gap between paid rates and actual costs of the program.

INFLATION ON CURRENT RATES

Placement Type	Fiscal Year											
	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Standard residential	$43.11	$44.14	$45.40	$46.28	$47.43	$48.62	$49.84	$51.08	$52.36	$53.67	$55.01	$56.38
Cognitive behavioral treatment pilot program	$95.02	$97.29	$100.06	$102.00	$104.55	$107.17	$109.84	$112.59	$115.41	$118.29	$121.25	$124.28
Intensive Residential Treatment	$89.82	$91.96	$94.59	$96.41	$98.83	$101.30	$103.83	$106.43	$109.09	$111.82	$114.61	$117.48
Inpatient Therapeutic Community	$70.84	$72.53	$74.60	$76.04	$77.95	$79.90	$81.89	$83.94	$86.04	$88.19	$90.39	$92.65
Residential Dual Diagnosis Treatment	$78.40	$80.27	$82.56	$84.16	$86.26	$88.42	$90.63	$92.90	$95.22	$97.60	$100.04	$102.54
Sex Offender	$78.40	$80.27	$82.56	$84.16	$86.26	$88.42	$90.63	$92.90	$95.22	$97.60	$100.04	$102.54
Standard Non-residential	$6.28	$6.43	$6.61	$6.74	$6.91	$7.08	$7.26	$7.44	$7.63	$7.82	$8.01	$8.21
Outpatient Therapeutic Community	$22.53	$23.07	$23.73	$24.18	$24.79	$25.41	$26.05	$26.70	$27.36	$28.05	$28.75	$29.47

The following table displays the rates with inflation, including closing the gap between costs and appropriation over a ten year period. This chart shows what the rates would be each year with inflation and gap reduction costs. This table is meant as a guide for future discussion, but staff does not recommend adopting these rates at this time. This table should be updated bi-annually to adjust for changes in the system, efficiency's gained in the program, inflationary changes, and programmatic changes. In addition, implementation of PBC will alter this formula, meaning the rates below will likely not go into effect.

PBC will alter how the program is funded. The rate will change based on that methodology. The overall costs should decrease as the full rates become the top-tier rates. Not all programs will attain the top rate, meaning that costs will be reduce as compared to what is seen in this table. This will result in reduced costs in the near term and more efficiency in the long term.

INFLATION AND GAP REDUCTION ON CURRENT RATES

Placement Type	Fiscal Year											
	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Standard residential	$43.11	$48.45	$54.14	$59.50	$65.30	$71.24	$77.33	$83.57	$89.97	$96.53	$103.26	$110.15
Cognitive behavioral treatment pilot program	$95.02	$97.29	$100.06	$102.00	$104.55	$107.17	$109.84	$112.59	$115.41	$118.29	$121.25	$124.28
Intensive Residential Treatment	$89.82	$93.47	$97.65	$101.05	$105.09	$109.23	$113.47	$117.81	$122.27	$126.84	$131.52	$136.31
Inpatient Therapeutic Community	$70.84	$75.76	$81.15	$85.95	$91.33	$96.85	$102.50	$108.29	$114.23	$120.31	$126.55	$132.94
Residential Dual Diagnosis Treatment	$78.40	$82.64	$87.37	$91.43	$96.09	$100.86	$105.75	$110.76	$115.90	$121.17	$126.57	$132.11
Sex Offender	$78.40	$82.64	$87.37	$91.43	$96.09	$100.86	$105.75	$110.76	$115.90	$121.17	$126.57	$132.11
Standard Non-residential	$6.28	$6.56	$6.88	$7.14	$7.45	$7.77	$8.09	$8.42	$8.76	$9.11	$9.47	$9.84
Outpatient Therapeutic Community	$22.53	$23.52	$24.64	$25.56	$26.66	$27.77	$28.92	$30.09	$31.29	$32.52	$33.79	$35.08

Of note; there are currently 258 vacant beds in OCC programs spread across all the programs. Ulster and ICCS have the most vacant space with a combined 142 vacant beds (a large portion of these beds have been recently added to the system which is a contributing factor to the vacant bed count).

In conclusion, Staff recommends an appropriation of $70,991,215 General Fund and a footnote for community corrections appropriations based on the following table. Of note, this amount includes a caseload increase based on the Department's January caseload adjustment. This caseload adjustment did not come with a budget amendment, leaving Staff to request the difference to maintain adequate funding levels. The caseload increase resulted in an increased funding need of $2,616,705. This means that Staff's rate adjustment accounts for $6,772,909 of the recommended funding increase. Staff also recommends that this line item no longer receive a provider rate increase as all costs have been included in the future rate table below. As part of the move to performance based contracting (PBC), this line item will remain static and not receive additional increases in future years.

Staff further recommends that the footnote contained above be attached to this line.

LINE ITEM DETAIL - COMMUNITY CORRECTIONS

COMMUNITY CORRECTIONS PLACEMENTS

This line item funds the per diem 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.

STATUTORY AUTHORITY: Title 17, Article 27, C.R.S. (Community Corrections Programs), Section 18-1.3-301, C.R.S.

REQUEST: The Division requests an appropriation of $61,651,601 General Fund.

RECOMMENDATION: Staff recommends an appropriation of 70,991,215 General Fund. The difference between the Department's request and staff recommendation is discussed above in *Staff initiated Community Corrections Placement Adjustment*.

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, COMMUNITY CORRECTIONS PLACEMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$60,872,715	$60,872,715	$0	$0	$0	0.0
S.B. 19-121 (Supplemental Bill)	$1,252,696	$1,252,696	$0	$0	$0	0.0
TOTAL	**$62,125,411**	**$62,125,411**	**$0**	**$0**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$62,125,411	$62,125,411	$0	$0	$0	0.0
R9 Provider rate increase	0	0	0	0	0	0.0
Staff initiated community corrections adjustment	9,950,026	9,950,026	0	0	0	0.0
Leap year adjustment	168,474	168,474	0	0	0	0.0
Annualize prior year legislation	(1,252,696)	(1,252,696)	0	0	0	0.0
TOTAL	**$70,991,215**	**$70,991,215**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$8,865,804**	**$8,865,804**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	14.3%	14.3%	n/a	n/a	n/a	0.0%

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, COMMUNITY CORRECTIONS PLACEMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 EXECUTIVE REQUEST	**$61,651,601**	**$61,651,601**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($9,339,614)	($9,339,614)	$0	$0	$0	0.0

CORRECTIONAL TREATMENT CASH FUND RESIDENTIAL PLACEMENTS

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 Intensive Residential Treatment (IRT) program. Or an offender on probation who is in danger of failing due to substance abuse issues and is at risk of being resentenced to DOC could be sent to IRT as a condition of probation. Such placements are encouraged by S.B. 13-250 (Drug Sentencing Changes) and the allocation from the Correctional Treatment Board provides the funding to enable them. This line item appropriates that funding.

STATUTORY AUTHORITY: Section 18-1.3-104.5 (2)(a), C.R.S. (Alternatives in imposition of sentence in drug felony cases - exhaustion of remedies).

REQUEST: The Division requested an appropriation of $2,726,526 cash funds from the Correctional Treatment Cash fund.

RECOMMENDATION: Staff recommends an appropriation of $2,726,526 cash funds from the Correctional Treatment Cash fund.

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, CORRECTIONAL TREATMENT CASH FUND RESIDENTIAL PLACEMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$2,707,740	$0	$0	$2,707,740	$0	0.0
TOTAL	**$2,707,740**	**$0**	**$0**	**$2,707,740**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$2,707,740	$0	$0	$2,707,740	$0	0.0
Leap year adjustment	18,786	0	$0	$18,786	$0	0.0
TOTAL	**$2,726,526**	**$0**	**$0**	**$2,726,526**	**$0**	**0.0**
INCREASE/(DECREASE)	**$18,786**	**$0**	**$0**	**$18,786**	**$0**	**0.0**
Percentage Change	0.7%	n/a	n/a	0.7%	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$2,726,526**	**$0**	**$0**	**$2,726,526**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

COMMUNITY CORRECTIONS FACILITY PAYMENTS

This line item provides each community corrections facility with a fixed payment that is independent of the number of residents. Because a fixed facility fee is proportionately more valuable to a small facility than a large one, the fee makes the playing field more level for small community corrections

facilities, which cannot take advantage of economies of scale. An associated footnote indicates that community corrections facilities with an average of 32 or more security FTE will receive a second facility payment, reflecting the increased costs they incur due to having a large physical plant.

STATUTORY AUTHORITY: Title 17, Article 27, C.R.S. (Community Corrections Programs), Section 18-1.3-301, C.R.S.

REQUEST: The Division requests an appropriation of $4,237,254 General Fund.

RECOMMENDATION: Staff recommends an appropriation of $4,237,254 General Fund.

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, COMMUNITY CORRECTIONS FACILITY PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$4,194,886	$4,194,886	$0	$0	$0	0.0
TOTAL	**$4,194,886**	**$4,194,886**	**$0**	**$0**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$4,194,886	$4,194,886	$0	$0	$0	0.0
R9 Provider rate increase	42,368	42,368	0	0	0	0.0
TOTAL	**$4,237,254**	**$4,237,254**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$42,368**	**$42,368**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	1.0%	1.0%	n/a	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$4,237,254**	**$4,237,254**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

COMMUNITY CORRECTIONS BOARDS ADMINISTRATION

This line item funds payments to the state's community corrections boards to help pay their administrative costs. Over the years, appropriations to boards have equaled a varying percentage of a varying subset of the appropriations to community corrections programs. The appropriation cannot exceed 5 percent of total payments to programs.

STATUTORY AUTHORITY: Section 17-27-103, C.R.S. (Community corrections boards – establishment – duties).

REQUEST: The Division requested an appropriation of $2,539,704 General Fund.

RECOMMENDATION: Staff recommends an appropriation of $2,539,704 General Fund. This appropriation contains a departmental decision item for R9 Provider rate increase, which was discussed previously in this document.

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, COMMUNITY CORRECTIONS BOARDS ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$2,507,688	$2,507,688	$0	$0	$0	0.0
TOTAL	**$2,507,688**	**$2,507,688**	**$0**	**$0**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$2,507,688	$2,507,688	$0	$0	$0	0.0
R9 Provider rate increase	25,146	25,146	$0	$0	$0	0.0
Leap year adjustment	6,870	6,870	$0	$0	$0	0.0
TOTAL	**$2,539,704**	**$2,539,704**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$32,016**	**$32,016**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	1.3%	1.3%	0.0%	0.0%	0.0%	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$2,539,704**	**$2,539,704**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	n/a	n/a	n/a	0.0

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 (typically mental health problems). 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.

STATUTORY AUTHORITY: Section 18-19-103, C.R.S.

REQUEST: The Division requested an appropriation of $2,642,016 reappropriated funds.

RECOMMENDATION: Staff recommends an appropriation of $2,642,016 reappropriated funds. This appropriation contains a departmental decision item for R9 Provider rate increase, which was discussed previously in this document.

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, SERVICES FOR SUBSTANCE ABUSE AND CO-OCCURRING DISORDERS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$2,615,598	$0	$0	$2,615,598	$0	0.0
TOTAL	**$2,615,598**	**$0**	**$0**	**$2,615,598**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$2,615,598	$0	$0	$2,615,598	$0	0.0
R9 Provider rate increase	26,418	0	$0	$26,418	$0	0.0
TOTAL	**$2,642,016**	**$0**	**$0**	**$2,642,016**	**$0**	**0.0**
INCREASE/(DECREASE)	**$26,418**	**$0**	**$0**	**$26,418**	**$0**	**0.0**
Percentage Change	1.0%	0.0%	0.0%	1.0%	0.0%	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$2,642,016**	**$0**	**$0**	**$2,642,016**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	n/a	n/a	$0	n/a	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 by standard community corrections programs. The *Services for Substance Abuse and Co-occurring Disorders* appropriation deals with substance abuse problems; this appropriation focuses on other problems that high risk offenders may have. The appropriation currently provides services to approximately 787 offenders at an average annual cost of approximately $200 per offender.

STATUTORY AUTHORITY: Section 17-27-101 to 108, C.R.S.

*REQUEST: T*he Division requested an appropriation of $266,211 General Fund.

RECOMMENDATION: Staff recommends an appropriation of $266,211 General Fund. This appropriation contains a departmental decision item for R9 Provider rate increase, which was discussed previously in this document.

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, SPECIALIZED OFFENDER SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$263,549	$263,549	$0	$0	$0	0.0
TOTAL	**$263,549**	**$263,549**	**$0**	**$0**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$263,549	$263,549	$0	$0	$0	0.0
R9 Provider rate increase	2,662	2,662	$0	$0	$0	0.0
TOTAL	**$266,211**	**$266,211**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$2,662**	**$2,662**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	1.0%	1.0%	0.0%	0.0%	0.0%	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$266,211**	**$266,211**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	n/a	n/a	n/a	0.0

OFFENDER ASSESSMENT TRAINING

This line item pays for training of community corrections staff members so they can learn how to use a standardized offender assessment instrument. Training is offered at two-day training sessions that are given by multi-agency training teams at various locations around the state.

STATUTORY AUTHORITY: Section 17-27-101 to 108, C.R.S.

REQUEST: The Division requests an appropriation of $10,507 General Fund, which represents a continuation of level funding.

RECOMMENDATION: Staff recommends an appropriation of $10,507 General Fund, which represents a continuation of level funding.

DIVISION OF CRIMINAL JUSTICE, COMMUNITY CORRECTIONS, OFFENDER ASSESSMENT TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$10,507	$10,507	$0	$0	$0	0.0
TOTAL	**$10,507**	**$10,507**	**$0**	**$0**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$10,507	$10,507	$0	$0	$0	0.0
TOTAL	**$10,507**	**$10,507**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$10,507**	**$10,507**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	n/a	n/a	n/a	0.0

(E) CRIME CONTROL AND SYSTEM IMPROVEMENT

This subdivision contains appropriations for a diverse group of programs, including support staff for the Sex Offender Management Board and a Federal Grant's appropriation that contains federally funded FTE who work in a variety of the Department's offices.

CRIME CONTROL AND SYSTEM IMPROVEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	Reappropriated Funds	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$9,649,171	$1,330,491	$318,680	$0	$8,000,000	26.2
Other legislation	1,490,821	0	1,490,821	0	0	0.8
TOTAL	**$11,139,992**	**$1,330,491**	**$1,809,501**	**$0**	**$8,000,000**	**27.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$11,139,992	$1,330,491	$1,809,501	$0	$8,000,000	27.0
Annualize prior year budget actions	23,824	23,824	0	0	0	0.0
Annualize prior year legislation	(1,487,571)	209	(1,487,780)	0	0	(0.8)
TOTAL	**$9,676,245**	**$1,354,524**	**$321,721**	**$0**	**$8,000,000**	**26.2**
INCREASE/(DECREASE)	**($1,463,747)**	**$24,033**	**($1,487,780)**	**$0**	**$0**	**(0.8)**
Percentage Change	(13.1%)	1.8%	(82.2%)	0.0%	0.0%	(4)
FY 2019-20 EXECUTIVE REQUEST	**$9,676,245**	**$1,354,524**	**$321,721**	**$0**	**$8,000,000**	**26.2**
Request Above/(Below) Recommendation	$0	$0	$0	n/a	$0	0.0

DECISION ITEMS – CRIME CONTROL AND SYSTEM IMPROVEMENT

The Executive Branch did not submit any decision items for this subdivision.

LINE ITEM DETAIL – CRIME CONTROL AND SYSTEM IMPROVEMENT

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 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.

STATUTORY AUTHORITY: Section-33.5-503 (1)(e), C.R.S.

REQUEST: The Division requests an appropriation of $3,000,000 federal funds, which represents a continuation of level funding.

RECOMMENDATION: Staff recommends an appropriation of $3,000,000 federal funds, which represents a continuation of level funding.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, STATE AND LOCAL CRIME CONTROL AND SYSTEM IMPROVEMENT GRANTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$3,000,000	$0	$0	$0	$3,000,000	0.0
TOTAL	**$3,000,000**	**$0**	**$0**	**$0**	**$3,000,000**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$3,000,000	$0	$0	$0	$3,000,000	0.0
TOTAL	**$3,000,000**	**$0**	**$0**	**$0**	**$3,000,000**	**0.0**
Percentage Change	0.0%	n/a	n/a	n/a	0.0%	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$3,000,000**	**$0**	**$0**	**$0**	**$3,000,000**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

SEX OFFENDER SURCHARGE FUND PROGRAM

This line item funds staff support and operating expenses for the Sex Offender Management Board (SOMB). 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.

STATUTORY AUTHORITY: Title 16, Article 11.7, C.R.S. (Standardized Treatment Program for Sex Offenders) and Section 18-21-103 (3), C.R.S. (Sex Offender Surcharge Fund).

REQUEST: The Division requests an appropriation of $232,586 total funds, which consists of $83,471 General Fund, $149,115 cash funds and 2.4 FTE.

RECOMMENDATION: Staff recommends an appropriation of $232,586 total funds, which consists of $83,471 General Fund, $149,115 cash funds and 2.4 FTE.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, SEX OFFENDER SURCHARGE FUND PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$232,336	$83,262	$149,074	$0	$0	2.4
TOTAL	**$232,336**	**$83,262**	**$149,074**	**$0**	**$0**	**2.4**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$232,336	$83,262	$149,074	$0	$0	2.4
Annualize prior year legislation	250	209	$41	$0	$0	0.0
TOTAL	**$232,586**	**$83,471**	**$149,115**	**$0**	**$0**	**2.4**
INCREASE/(DECREASE)	**$250**	**$209**	**$41**	**$0**	**$0**	**0.0**
Percentage Change	0.1%	0.3%	0.0%	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$232,586**	**$83,471**	**$149,115**	**$0**	**$0**	**2.4**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

SEX OFFENDER SUPERVISION

This line item funds some of the requirements that statute places on the Sex Offender Management Board, including:

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

STATUTORY AUTHORITY: Title 16, Article 11.7, C.R.S. (Standardized Treatment Program for Sex Offenders), Title 18, Article 1.3, Part 10 (Lifetime supervision of sex offenders).

REQUEST: The Division requests an appropriation of $360,370 General Fund and 3.2 FTE.

RECOMMENDATION: Staff recommends an appropriation of $360,370 General Fund and 3.2 FTE.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, SEX OFFENDER SUPERVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$358,535	$358,535	$0	$0	$0	3.2
TOTAL	**$358,535**	**$358,535**	**$0**	**$0**	**$0**	**3.2**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$358,535	$358,535	$0	$0	$0	3.2
Annualize prior year budget actions	1,835	1,835	$0	$0	$0	0.0
TOTAL	**$360,370**	**$360,370**	**$0**	**$0**	**$0**	**3.2**
INCREASE/(DECREASE)	**$1,835**	**$1,835**	**$0**	**$0**	**$0**	**0.0**

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, SEX OFFENDER SUPERVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Percentage Change	0.5%	0.5%	n/a	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$360,370**	**$360,370**	**$0**	**$0**	**$0**	**3.2**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

TREATMENT PROVIDER CRIMINAL BACKGROUND CHECKS

Domestic violence treatment providers and sex offender treatment providers are required to undergo and 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.

STATUTORY AUTHORITY: Section 16-11.8-104 (2)(b), C.R.S., and Section 16-11.7-106 (2)(a)(III), C.R.S.

REQUEST: The Division requests an appropriation of $49,606 cash funds and 0.6 FTE, which represents a continuation of level funding.

RECOMMENDATION: Staff recommends an appropriation of $49,606 cash funds and 0.6 FTE, which represents a continuation of level funding.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, TREATMENT PROVIDER CRIMINAL BACKGROUND CHECKS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$49,606	$0	$49,606	$0	$0	0.6
TOTAL	**$49,606**	**$0**	**$49,606**	**$0**	**$0**	**0.6**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$49,606	$0	$49,606	$0	$0	0.6
TOTAL	**$49,606**	**$0**	**$49,606**	**$0**	**$0**	**0.6**
Percentage Change	0.0%	n/a	0.0%	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$49,606**	**$0**	**$49,606**	**$0**	**$0**	**0.6**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

FEDERAL GRANTS

This eclectic informational appropriation reflects projected federal funding and FTE for a variety of grant programs in a variety of areas. The FTE listed here work in six of the DCJ's offices.

STATUTORY AUTHORITY: Section-33.5-503 (1)(e), C.R.S.

REQUEST: The Division requested $5,000,000 federal funds and 10.5 FTE.

RECOMMENDATION: Staff recommends $5,000,000 federal funds and 10.5 FTE.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, FEDERAL GRANTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$5,000,000	$0	$0	$0	$5,000,000	10.5
TOTAL	**$5,000,000**	**$0**	**$0**	**$0**	**$5,000,000**	**10.5**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$5,000,000	$0	$0	$0	$5,000,000	10.5
TOTAL	**$5,000,000**	**$0**	**$0**	**$0**	**$5,000,000**	**10.5**
Percentage Change	0.0%	n/a	n/a	n/a	0.0%	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$5,000,000**	**$0**	**$0**	**$0**	**$5,000,000**	**10.5**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

EPIC RESOURCE CENTER

The EPIC (Evidence-based Practices Implementation for Capacity) Resource Center helps agencies serving juvenile and adult offenders 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. House Bill 13-1129 (Evidence-based Practices for Offender Services) which placed EPIC within the Division of Criminal Justice. Section 24-33.5-514 (1), C.R.S. outlines the purpose of the EPIC Resource Center to assist agencies serving juvenile and adult populations to develop and sustain effective implementation frameworks to support the use of evidence-based practices. Statute directs the Center to be a collaborative effort among the Departments of Public Safety, Corrections, Human Services, and Judicial. The goal is to increase the efficacy of individuals who work with various offender and victim populations by establishing an educational, skill-building, and consultation resource center to support practitioners in the implementation of evidence-based practices.

STATUTORY AUTHORITY: Section 24-33.5-514, C.R.S., (Evidence-based practices implementation for capacity program).

REQUEST: The Division requested an appropriation of $910,683 General Fund and 9.0 FTE.

RECOMMENDATION: Staff recommends an appropriation of $910,683 General Fund and 9.0 FTE.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, EPIC RESOURCE CENTER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$888,694	$888,694	$0	$0	$0	9.0
TOTAL	**$888,694**	**$888,694**	**$0**	**$0**	**$0**	**9.0**
FY 2019-20 RECOMMENDED APPROPRIATION						

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, EPIC RESOURCE CENTER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 Appropriation	$888,694	$888,694	$0	$0	$0	9.0
Annualize prior year budget actions	21,989	21,989	0	0	0	0.0
TOTAL	**$910,683**	**$910,683**	**$0**	**$0**	**$0**	**9.0**
INCREASE/(DECREASE)	**$21,989**	**$21,989**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	2.5%	2.5%	n/a	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$910,683**	**$910,683**	**$0**	**$0**	**$0**	**9.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

CRIMINAL JUSTICE TRAINING FUND

With this line item, the DCJ provides an array of training opportunities for law enforcement 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.

STATUTORY AUTHORITY: Section 24-33.5-503.5, C.R.S. (Training program – assess fees).

REQUEST: The Division requested an appropriation of $120,000 cash funds and 0.5 FTE, which represents a continuation of level funding.

RECOMMENDATION: Staff recommends an appropriation of $120,000 cash funds and 0.5 FTE, which represents a continuation of level funding.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, CRIMINAL JUSTICE TRAINING FUND						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
H.B. 18-1322 (Long Bill)	$120,000	$0	$120,000	$0	$0	0.5
TOTAL	**$120,000**	**$0**	**$120,000**	**$0**	**$0**	**0.5**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$120,000	$0	$120,000	$0	$0	0.5
TOTAL	**$120,000**	**$0**	**$120,000**	**$0**	**$0**	**0.5**
Percentage Change	0.0%	n/a	0.0%	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$120,000**	**$0**	**$120,000**	**$0**	**$0**	**0.5**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

METHAMPHETAMINE ABUSE TASK FORCE

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.

STATUTORY AUTHORITY: Section 18-18.5-101 through 105, C.R.S.

REQUEST: The Division requested an appropriation of 3,000 cash funds.

RECOMMENDATION: Staff recommends an appropriation of 3,000 cash funds.

DIVISION OF CRIMINAL JUSTICE, CRIME CONTROL AND SYSTEM IMPROVEMENT, METHAMPHETAMINE ABUSE TASK FORCE FUND						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2018-19 APPROPRIATION						
Other legislation	$3,000	$0	$3,000	$0	$0	0.0
H.B. 18-1322 (Long Bill)	$0	$0	$0	$0	$0	0.0
TOTAL	**$3,000**	**$0**	**$3,000**	**$0**	**$0**	**0.0**
FY 2019-20 RECOMMENDED APPROPRIATION						
FY 2018-19 Appropriation	$3,000	$0	$3,000	$0	$0	0.0
TOTAL	**$3,000**	**$0**	**$3,000**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	n/a	0.0%	n/a	n/a	0.0%
FY 2019-20 EXECUTIVE REQUEST	**$3,000**	**$0**	**$3,000**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

LONG BILL FOOTNOTES

Staff recommends **CONTINUING AND MODIFYING** the following footnote:

N 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 and is based on the following assumptions: the base rate for standard nonresidential services is a weighted average of the rates for four different levels of service; 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 will ensure that every reasonable effort is made to achieve such collections; and outpatient therapeutic community programs: (1) will receive the standard non-residential base rate for all offenders in their programs, including Department of Corrections clients; (2) will receive the outpatient therapeutic community base rate 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 base rate or the non-residential base rate 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 rate or the outpatient therapeutic community base rate. 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 and 48 Intensive Residential Treatment beds are from savings produced by S.B. 15-124.

Placement Type	Rate	Diversion	Transition	Parole	Appropriation
Standard residential	$48.45	1,331	1,413	159	$51,476,637
Cognitive behavioral treatment pilot program	$95.02	24	24	0	$1,669,311
Intensive Residential Treatment	$93.47	39	43	68	$5,131,683
Inpatient Therapeutic Community	$75.76	58	49	5	$3,105,570
Residential Dual Diagnosis Treatment	$82.64	64	46	10	$3,629,583
Sex Offender	$82.64	73	34	13	$3,629,583
Standard Non-residential	$6.56	660	5	5	$1,608,607
Outpatient Therapeutic Community	$23.52	55	25	6	$740,240
Total		**2,304**	**1,639**	**266**	**$70,991,215**

COMMENT: This footnote is an integral part of the placements appropriations. Changes to the portion of this footnote that precedes the table are shown with struck type and small caps; however, struck type and small caps are not used in the table because every number changed.

N Department of Public Safety, Division of Criminal Justice, Community Corrections, Correctional Treatment Cash Fund Residential Placements -- This appropriation includes funding for 48 condition-of-probation placements at rates corresponding to those in footnote XX.

COMMENT: This change makes it clear that all Intensive Residential Treatment (IRT) Beds receive the same reimbursement from the DCJ.

N Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Facility Payments -- The amount of the appropriation assumes that the Department will make lower facility payments to programs that have lower costs due to case management staffing shortfalls or security and case management salary shortfalls relative to the staffing and salary model upon which the appropriation is based. Because per diem rates are unchanged for FY ~~2018-19~~ 2019-20, these appropriations further assume that salary and staffing levels deemed adequate for FY ~~2017-18~~ 2018-19 will be deemed adequate for FY ~~2018-19~~ 2019-20 and that community corrections facilities with an average of 32 or more security FTE WILL receive a second facility payment.

COMMENT: This sets the facility payments and expectations for those payments.

REQUESTS FOR INFORMATION

Staff recommends **CONTINUING AND MODIFYING** the following requests for information:

N Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements, Correctional Treatment Cash Fund Residential Placements, and Community Corrections Facility Payments -- As part of its FY ~~2019-20~~ 2020-21 budget request, the Department is requested to report actual average daily community corrections placements for recently completed fiscal years with a level of detail compatible with the table in Long Bill footnote XX. This document should also report condition of probation placements. The Department is requested to update the report with year-to-date community corrections placements shortly after January 1, ~~2019~~ 2020. The January report should also include an estimated placements table for FY 2019-20. If the Department believes that a supplemental adjustment to the FY ~~2018-19~~ 2019-20 Community Corrections Placements appropriation is needed, the Department is requested to also submit an estimated placements table for FY ~~2018-19~~ 2019-20. If the Department estimates that the actual number of Community Corrections facility payments in either FY ~~2018-19~~ 2019-20 or FY ~~2019-20~~ 2020-21 will differ from the number on which the FY ~~2018-19~~ 2019-20 facility payments appropriation is based, the Department is requested to include that information in its January report. These estimates are not intended to be formal statistical forecasts, but informal estimates based upon year-to-date caseload, knowledge of facilities that are opening and closing or expanding and contracting, and upon other factors that influence the community corrections appropriations. The Department is requested to submit a brief narrative with the estimates.

Staff recommends **DISCONTINUING** the following requests for information:

N Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements -- As part of its FY 2019-20 budget request, the Department is requested to report the estimated continuing financial impact on community corrections facilities and community corrections boards of any standards that the Department issued or revised during the

most recently concluded fiscal year. The continuing financial impact is the continuing annual cost of compliance after the initial costs of implementation have been incurred. This report should include a summary of the changed standards, an estimate of the amount of continuing additional staff time it will take facilities or boards to comply, an estimate of the number of continuing additional FTE that will be required for compliance, and an estimate of continuing additional financial costs that facilities or boards may incur.

COMMENT: The Department has not been able to provide this information for multiple years. It is not likely that the Department will be able to acquire this information. Staff has been able to obtain this information and included it in *Staff initiated Community Corrections Placement Adjustments* above.

Appendix A: Numbers Pages

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation
DEPARTMENT OF PUBLIC SAFETY **Stan Hilkey, Executive Director**					
(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	3,664,939	3,680,850	4,717,103	6,352,099	6,427,099
FTE	29.3	35.7	43.6	45.2	45.2
General Fund	2,615,973	2,773,245	3,417,845	3,525,841	3,600,841
Cash Funds	588,963	515,312	713,880	2,221,108	2,221,108
Reappropriated Funds	332,372	392,293	457,747	471,013	471,013
Federal Funds	127,631	0	127,631	134,137	134,137
Indirect Cost Assessment	693,989	774,343	765,926	778,480	778,480
General Fund	0	0	0	0	0
Cash Funds	43,631	50,891	82,034	118,041	118,041
Reappropriated Funds	0	0	0	0	0
Federal Funds	650,358	723,452	683,892	660,439	660,439
SUBTOTAL - (A) Administration	4,358,928	4,455,193	5,483,029	7,130,579	7,205,579
FTE	29.3	35.7	43.6	45.2	45.2
General Fund	2,615,973	2,773,245	3,417,845	3,525,841	3,600,841
Cash Funds	632,594	566,203	795,914	2,339,149	2,339,149
Reappropriated Funds	332,372	392,293	457,747	471,013	471,013
Federal Funds	777,989	723,452	811,523	794,576	794,576

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation
(B) Victims Assistance					
Federal Victims Assistance and Compensation Grants	19,578,410	25,192,744	25,000,000	25,043,633	25,043,633
FTE	0.0	10.2	8.6	8.6	8.6
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	19,578,410	25,192,744	25,000,000	25,043,633	25,043,633
State Victims Assistance and Law Enforcement Program	1,297,705	1,269,550	1,500,000	1,500,000	1,500,000
General Fund	0	0	0	0	0
Cash Funds	1,297,705	1,269,550	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	777,198	782,496	1,097,693	1,097,693	1,097,693
FTE	0.0	0.0	0.3	0.3	0.3
General Fund	500,000	500,000	800,000	800,000	800,000
Cash Funds	277,198	282,496	297,693	297,693	297,693
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Sexual Assault Victim Emergency Payment Program	167,744	165,714	167,933	167,933	167,933
FTE	0.2	0.1	0.2	0.2	0.2
General Fund	167,744	165,714	167,933	167,933	167,933
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation
Statewide Victim Information and Notificiation System (VINE)	434,720	423,343	434,720	434,720	434,720
General Fund	434,720	423,343	434,720	434,720	434,720
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (B) Victims Assistance	22,255,777	27,833,847	28,200,346	28,243,979	28,243,979
FTE	0.2	10.3	9.1	9.1	9.1
General Fund	1,102,464	1,089,057	1,402,653	1,402,653	1,402,653
Cash Funds	1,574,903	1,552,046	1,797,693	1,797,693	1,797,693
Reappropriated Funds	0	0	0	0	0
Federal Funds	19,578,410	25,192,744	25,000,000	25,043,633	25,043,633
(C) Juvenile Justice and Delinquency Prevention					
Juvenile Justice Disbursements	995,401	848,560	800,000	800,000	800,000
FTE	1.2	1.9	1.2	1.2	1.2
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	995,401	848,560	800,000	800,000	800,000
Juvenile Diversion Programs	1,612,775	1,601,818	1,641,139	3,561,677	3,561,677 *
FTE	1.1	1.1	1.2	3.0	3.0
General Fund	1,241,138	1,241,016	1,241,139	3,161,677	3,161,677
Cash Funds	371,637	360,802	400,000	400,000	400,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*Line item contains decision item

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation	
SUBTOTAL - (C) Juvenile Justice and Delinquency Prevention	2,608,176	2,450,378	2,441,139	4,361,677	4,361,677	
FTE	2.3	3.0	2.4	4.2	4.2	
General Fund	1,241,138	1,241,016	1,241,139	3,161,677	3,161,677	
Cash Funds	371,637	360,802	400,000	400,000	400,000	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	995,401	848,560	800,000	800,000	800,000	
(D) Community Corrections						
Community Corrections Placements	56,434,600	57,400,487	62,125,411	61,651,601	70,991,215	*
General Fund	56,434,600	57,400,487	62,125,411	61,651,601	70,991,215	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	0	0	0	0	0	
Correctional Treatment Cash Fund Residential Placements	2,643,869	2,335,186	2,707,740	2,726,526	2,726,526	
General Fund	0	0	0	0	0	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	2,643,869	2,335,186	2,707,740	2,726,526	2,726,526	
Federal Funds	0	0	0	0	0	
Subsistence Payment	0	0	275,000	0	0	
General Fund	0	0	275,000	0	0	

*Line item contains decision item

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation	
Community Corrections Facility Payments	3,327,249	4,194,886	4,194,886	4,237,254	4,237,254	*
General Fund	3,327,249	4,194,886	4,194,886	4,237,254	4,237,254	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	0	0	0	0	0	
Community Corrections Boards Administration	2,309,818	2,352,338	2,507,688	2,539,704	2,539,704	*
General Fund	2,309,818	2,352,338	2,507,688	2,539,704	2,539,704	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	0	0	0	0	0	
Services for Substance Abuse and Co-occurring Disorders	2,229,146	2,468,241	2,615,598	2,642,016	2,642,016	*
General Fund	0	0	0	0	0	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	2,229,146	2,468,241	2,615,598	2,642,016	2,642,016	
Federal Funds	0	0	0	0	0	
Specialized Offender Services	157,333	260,940	263,549	266,211	266,211	*
General Fund	157,333	260,940	263,549	266,211	266,211	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	0	0	0	0	0	

*Line item contains decision item

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation
Offender Assessment Training	10,507	10,507	10,507	10,507	10,507
General Fund	10,507	10,507	10,507	10,507	10,507
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Intensive Residential Treatment Expansion	0	0	0	0	0
General Fund	0	0	0	0	0
SUBTOTAL - (D) Community Corrections	67,112,522	69,022,585	74,700,379	74,073,819	83,413,433
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	62,239,507	64,219,158	69,377,041	68,705,277	78,044,891
Cash Funds	0	0	0	0	0
Reappropriated Funds	4,873,015	4,803,427	5,323,338	5,368,542	5,368,542
Federal Funds	0	0	0	0	0

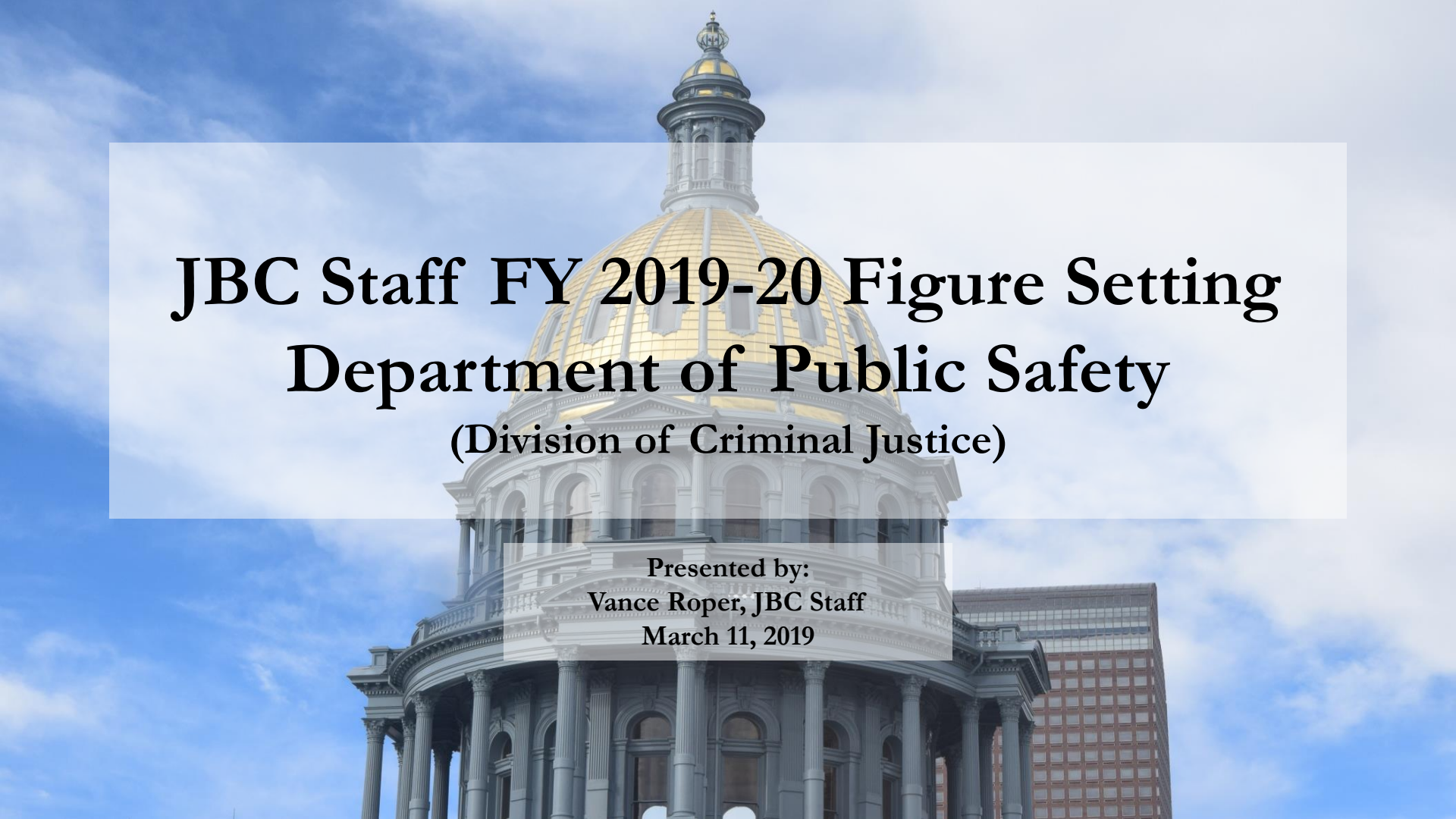
(E) Crime Control and System Improvement

State and Local Crime Control and System Improvement Grants	2,966,540 3.1	1,342,661 2.5	3,000,000	3,000,000	3,000,000
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	2,966,540	1,342,661	3,000,000	3,000,000	3,000,000

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation
Sex Offender Surcharge Fund Program	134,436	144,893	232,336	232,586	232,586
FTE	1.4	1.5	2.4	2.4	2.4
General Fund	0	0	83,262	83,471	83,471
Cash Funds	134,436	144,893	149,074	149,115	149,115
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Sex Offender Supervision	352,732	352,765	358,535	360,370	360,370
FTE	3.6	3.8	3.2	3.2	3.2
General Fund	352,732	352,765	358,535	360,370	360,370
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Treatment Provider Criminal Background Checks	29,825	33,326	49,606	49,606	49,606
FTE	0.2	0.2	0.6	0.6	0.6
General Fund	0	0	0	0	0
Cash Funds	29,825	33,326	49,606	49,606	49,606
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Federal Grants	3,828,680	3,867,102	5,000,000	5,000,000	5,000,000
FTE	10.5	3.3	10.5	10.5	10.5
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	3,828,680	3,867,102	5,000,000	5,000,000	5,000,000

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation
EPIC Resource Center	864,492	736,681	888,694	910,683	910,683
FTE	9.4	7.7	9.0	9.0	9.0
General Fund	864,492	736,681	888,694	910,683	910,683
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Law Enforcement Assistance Grants	0	0	1,487,821	0	0
FTE	0.0	0.0	0.8	0.0	0.0
Cash Funds	0	0	1,487,821	0	0
Criminal Justice Training Fund	70,116	83,793	120,000	120,000	120,000
FTE	0.0	0.0	0.5	0.5	0.5
General Fund	0	0	0	0	0
Cash Funds	70,116	83,793	120,000	120,000	120,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Methamphetamine Abuse Task Force Fund	2,123	2,521	3,000	3,000	3,000
General Fund	0	0	0	0	0
Cash Funds	2,123	2,521	3,000	3,000	3,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
MacArthur Foundation Grant	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

	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Appropriation	FY 2019-20 Request	FY 2019-20 Recommendation
Colorado Regional and Community Policing Institute	0	0	0	0	0
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 - (E) Crime Control and System Improvement	8,248,944	6,563,742	11,139,992	9,676,245	9,676,245
FTE	28.2	19.0	27.0	26.2	26.2
General Fund	1,217,224	1,089,446	1,330,491	1,354,524	1,354,524
Cash Funds	236,500	264,533	1,809,501	321,721	321,721
Reappropriated Funds	0	0	0	0	0
Federal Funds	6,795,220	5,209,763	8,000,000	8,000,000	8,000,000
TOTAL - (4) Division of Criminal Justice	104,584,347	110,325,745	121,964,885	123,486,299	132,900,913
FTE	60.0	68.0	82.1	84.7	84.7
General Fund	68,416,306	70,411,922	76,769,169	78,149,972	87,564,586
Cash Funds	2,815,634	2,743,584	4,803,108	4,858,563	4,858,563
Reappropriated Funds	5,205,387	5,195,720	5,781,085	5,839,555	5,839,555
Federal Funds	28,147,020	31,974,519	34,611,523	34,638,209	34,638,209
TOTAL - Department of Public Safety	104,584,347	110,325,745	121,964,885	123,486,299	132,900,913
FTE	60.0	68.0	82.1	84.7	84.7
General Fund	68,416,306	70,411,922	76,769,169	78,149,972	87,564,586
Cash Funds	2,815,634	2,743,584	4,803,108	4,858,563	4,858,563
Reappropriated Funds	5,205,387	5,195,720	5,781,085	5,839,555	5,839,555
Federal Funds	28,147,020	31,974,519	34,611,523	34,638,209	34,638,209



JBC Staff FY 2019-20 Figure Setting
Department of Public Safety
(Division of Criminal Justice)

Presented by:
Vance Roper, JBC Staff
March 11, 2019

Overview

Staff Recommendation

$132.9 million total funds
$87.6 million General Fund
84.7 FTE

Department Request

$123.5 million total funds
$78.1 million General Fund
84.7 FTE

2 Staff-initiated Changes

2 Department Requested Changes

4 Department and Staff Decision Items

(includes decision items, budget amendments, and staff-initiated changes)

(A) Administration (p.3)

Change Requests

- ☐ Staff-initiated Performance Based Contracting Preperation (p.3)

Line Items, Base Appropriations, and Other Changes

- ☐ (A) Administration (p.3-7)

(B) Victims Assistance (p.8)

Change Requests

None

Line Items, Base Appropriations, and Other Changes

- ☐ (B) Victims Assistance (p.8-12)

(C) Juvenile Justice and Delinquency Prevention (p.13)

Change Requests

- ☐ BA04 Expand Juvenile Diversion and Risk Screening (p.13)

Line Items, Base Appropriations, and Other Changes

- ☐ (C) Juvenile Justice and Delinquency Prevention (p.13-15)

(D) Community Corrections(p.16)

Change Requests

- ☐ R9 Provider Rate Increase (p.16)
- ☐ Staff-initiated Community Corrections Placement Adjsutment (p.16)

Line Items, Base Appropriations, and Other Changes

- ☐ (D) Community Corrections (p.16-25)

Footnote

Placement Type	Rate		Diversion	Transition	Parole		Appropriation
Standard residential	$48.45		1,331	1,413	159		$51,476,637
Cognitive behavioral treatment pilot program	$95.02		24	24	0		$1,669,311
Intensive Residential Treatment	$93.47		39	43	68		$5,131,683
Inpatient Therapeutic Community	$75.76		58	49	5		$3,105,570
Residential Dual Diagnosis Treatment	$82.64		64	46	10		$3,629,583
Sex Offender	$82.64		73	34	13		$3,629,583
Standard Non-residential	$6.56		660	5	5		$1,608,607
Outpatient Therapeutic Community	$23.52		55	25	6		$740,240
Total			2,304	1,639	266		$70,991,215

New Rate vs Old Rate

Placement Type	Current Rates	Appropriation	New Rates	Recommended Appropriation	Difference
Standard residential	43.11	45,679,140.45	48.45	51,476,636.80	5,797,496.35
Cognitive behavioral treatment pilot program	95.02	1,664,750.40	97.29	1,669,311.36	4,560.96
Intensive Residential Treatment	89.82	4,917,645.00	93.47	5,131,683.31	214,038.31
Inpatient Therapeutic Community	70.84	2,895,939.20	75.76	3,105,569.65	209,630.45
Residential Dual Diagnosis Treatment	78.40	3,433,920.00	82.64	3,629,583.07	195,663.07
Sex Offender	78.40	3,433,920.00	82.64	3,629,583.07	195,663.07
Standard Non-residential	6.28	1,535,774.00	6.56	1,608,607.23	72,833.23
Outpatient Therapeutic Community	22.53	707,216.70	23.52	740,240.31	33,023.61
Total		$64,268,306		$70,991,215	$6,722,909

Rate vs Cost

Placement Type	Current Rate	Reported Costs	Difference
Standard Residential	$43	$86	($43.11)
Cognitive Behavioral Treatment Pilot Program	95.02	95.02	0.00
Intensive Residential Treatment	89.82	104.90	(15.08)
Inpatient Therapeutic Community	70.84	103.14	(32.30)
Residential Dual Diagnosis Treatment	78.40	102.10	(23.70)
Sex Offender	78.40	102.10	(23.70)
Standard Non-residential	6.28	7.54	(1.26)
Outpatient Therapeutic Community	22.53	27.04	(4.51)

Inflation on Current Rates

Placement Type	Fiscal Year											
	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Standard residential	$43.11	$44.14	$45.40	$46.28	$47.43	$48.62	$49.84	$51.08	$52.36	$53.67	$55.01	$56.38
Cognitive behavioral treatment pilot program	$95.02	$97.29	$100.06	$102.00	$104.55	$107.17	$109.84	$112.59	$115.41	$118.29	$121.25	$124.28
Intensive Residential Treatment	$89.82	$91.96	$94.59	$96.41	$98.83	$101.30	$103.83	$106.43	$109.09	$111.82	$114.61	$117.48
Inpatient Therapeutic Community	$70.84	$72.53	$74.60	$76.04	$77.95	$79.90	$81.89	$83.94	$86.04	$88.19	$90.39	$92.65
Residential Dual Diagnosis Treatment	$78.40	$80.27	$82.56	$84.16	$86.26	$88.42	$90.63	$92.90	$95.22	$97.60	$100.04	$102.54
Sex Offender	$78.40	$80.27	$82.56	$84.16	$86.26	$88.42	$90.63	$92.90	$95.22	$97.60	$100.04	$102.54
Standard Non-residential	$6.28	$6.43	$6.61	$6.74	$6.91	$7.08	$7.26	$7.44	$7.63	$7.82	$8.01	$8.21
Outpatient Therapeutic Community	$22.53	$23.07	$23.73	$24.18	$24.79	$25.41	$26.05	$26.70	$27.36	$28.05	$28.75	$29.47

Inflation and Gap Reduction on Current Rates

Placement Type	Fiscal Year										
	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
Standard residential	$43.11	$48.45	$54.14	$59.50	$65.30	$71.24	$77.33	$83.57	$89.97	$96.53	$103.26
Cognitive behavioral treatment pilot program	$95.02	$97.29	$100.06	$102.00	$104.55	$107.17	$109.84	$112.59	$115.41	$118.29	$121.25
Intensive Residential Treatment	$89.82	$93.47	$97.65	$101.05	$105.09	$109.23	$113.47	$117.81	$122.27	$126.84	$131.52
Inpatient Therapeutic Community	$70.84	$75.76	$81.15	$85.95	$91.33	$96.85	$102.50	$108.29	$114.23	$120.31	$126.55
Residential Dual Diagnosis Treatment	$78.40	$82.64	$87.37	$91.43	$96.09	$100.86	$105.75	$110.76	$115.90	$121.17	$126.57
Sex Offender	$78.40	$82.64	$87.37	$91.43	$96.09	$100.86	$105.75	$110.76	$115.90	$121.17	$126.57
Standard Non-residential	$6.28	$6.56	$6.88	$7.14	$7.45	$7.77	$8.09	$8.42	$8.76	$9.11	$9.47
Outpatient Therapeutic Community	$22.53	$23.52	$24.64	$25.56	$26.66	$27.77	$28.92	$30.09	$31.29	$32.52	$33.79

(D) Community Corrections(p.16)

Change Requests

- ☐ R9 Provider Rate Increase (p.16)
- ☐ Staff-initiated Community Corrections Placement Adjsutment (p.16)

Line Items, Base Appropriations, and Other Changes

- ☐ (D) Community Corrections (p.16-25)

(E) Crime Control and System Improvement (p.26)

Change Requests

None

Line Items, Base Appropriations, and Other Changes

- ☐ (E) Crime Control and System Improvement (p.26-32)

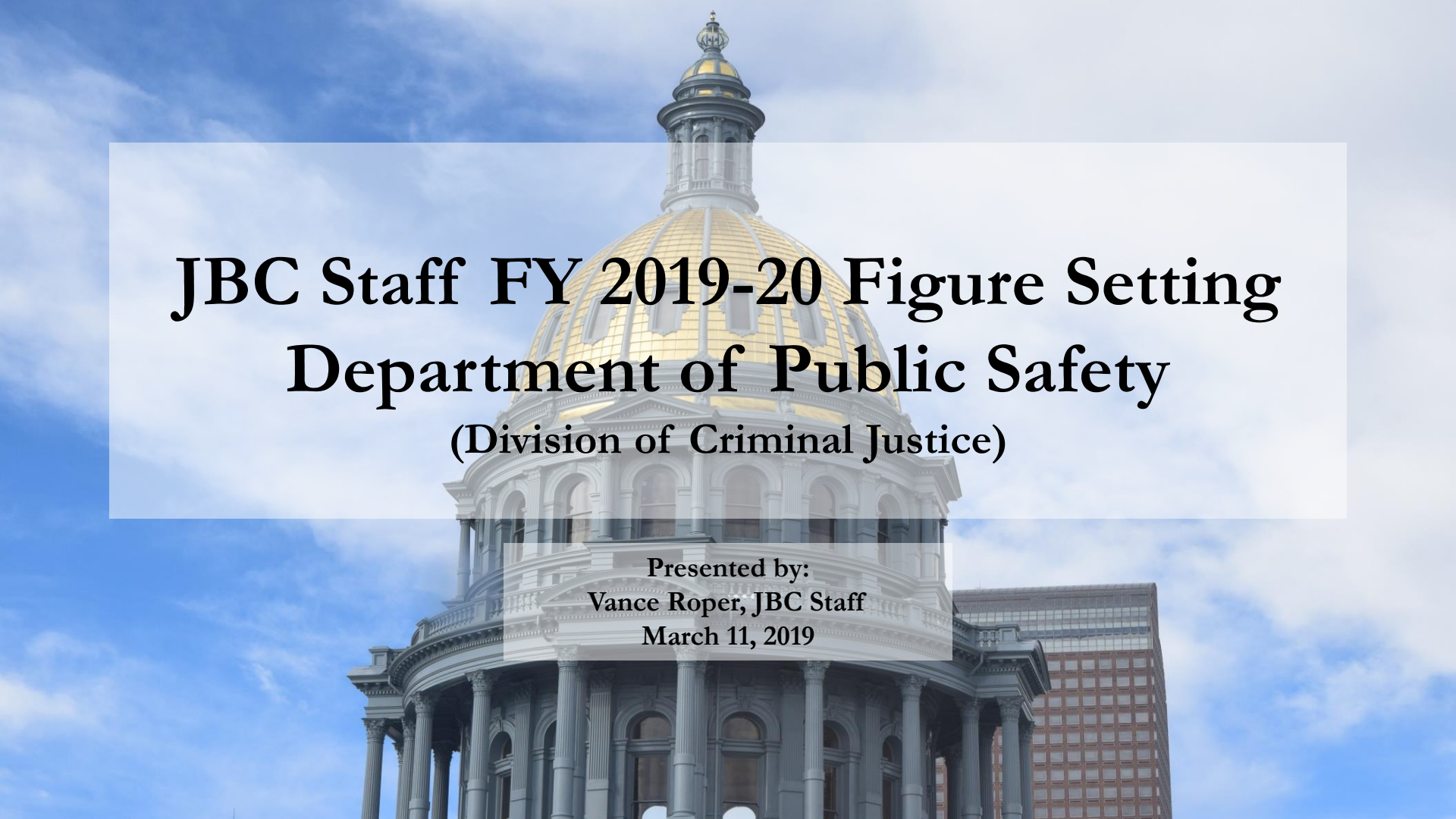
Long Bill Footnotes and RFIs (p.33)

Long Bill Footnotes

- 3 Recommendations (p.33)

Requests for Information

- 2 Recommendations (p.34)



JBC Staff FY 2019-20 Figure Setting
Department of Public Safety
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Presented by:
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March 11, 2019