

Schedule 13

Change Request for FY 2009-10 Budget Cycle

Decision Item FY 2009-10

Base Reduction Item FY 2009-10

Supplemental FY 2008-09

Budget Request Amendment FY 2009-10

Request Title: DCJ, Accelerated Nonresidential Community Corrections Diversion Pilot Program

Department: Department of Public Safety

Priority Number: 5

Dept. Approval by: *[Signature]*

OSPB Approval: *[Signature]*

Date: November 1, 2008

Date: 10-6-08

Fund	1	2	3	4	5	6	7	8	9	10
	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
Total	-	0.0	-	0.0	-	197,392	197,392	-	197,392	197,392
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
GF	-	-	-	-	-	197,392	197,392	-	197,392	197,392
CF	-	-	-	-	-	-	-	-	-	-
HUTF	-	-	-	-	-	-	-	-	-	-
CFE/RF	-	-	-	-	-	-	-	-	-	-
FF	-	-	-	-	-	-	-	-	-	-
(4) Division of Criminal Justice	-	-	-	-	-	197,392	197,392	-	197,392	197,392
(D) Community Corrections	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Accelerated Non-Residential Community Corrections Diversion Pilot Program (New Line)	-	-	-	-	-	197,392	197,392	-	197,392	197,392
Total	-	-	-	-	-	197,392	197,392	-	197,392	197,392
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
GF	-	-	-	-	-	197,392	197,392	-	197,392	197,392
CF	-	-	-	-	-	-	-	-	-	-
HUTF	-	-	-	-	-	-	-	-	-	-
CFE/RF	-	-	-	-	-	-	-	-	-	-
FF	-	-	-	-	-	-	-	-	-	-

Letternote revised text:

Cash Fund Name/Number, Federal Fund Grant Name:

IT Request  Yes  No

Request Affects Other Departments:  Yes  No

If Yes, List Other Departments Here:

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	5
Change Request Title:	Accelerated Nonresidential Community Corrections Diversion Pilot Program

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$197,392 General Fund for a pilot project to assess the safety and efficacy of a shortened residential community corrections program and a lengthened and enhanced nonresidential community corrections program for 40 selected lower-risk Diversion offenders. As designed, the pilot could provide an estimated annual General Fund cost avoidance of about \$638,604; if more fully implemented, the program could provide General Fund cost avoidance of more than \$3 million annually.

Background and Appropriation History:

Traditionally, Diversion offenders who successfully complete community corrections placements spend about seven to eight months in a residential community corrections program before proceeding to nonresidential supervision and treatment.

Research data has demonstrated that success in community corrections can be related to the length of the "treatment dose," with longer treatment leading to greater avoidance of

recidivism.<sup>1</sup> Other data has shown that offenders are less likely to recidivate when they meet certain criteria, including age at or above 30 years, a non-violent offense, the minimum of a high school education, strong family ties and stable employment.<sup>2</sup>

DCJ's FY 07 community corrections offender termination data demonstrates that at least 15% of Colorado's Diversion offenders meet these criteria; preliminary data from FY 08 suggests that the actual number may exceed 20%. Such offenders appear to be at lower risk for transfer to non-residential status before the usual six to eight months of residential treatment, in part because they demonstrate the characteristics associated with successful completion of community corrections earlier than their counterparts.<sup>3</sup>

Experienced community corrections providers and members of the Governor's Community Corrections Advisory Council have observed that offenders who demonstrate these lower-risk characteristics could be appropriate for stabilization through 90-120 days of residential treatment and observation, followed by a more intensive initial period of non-residential management, though it is agreed that a pilot of such a proposal would more conclusively demonstrate the outcomes suggested by the data. At this writing, a subcommittee of the Governor's Commission on Criminal and Juvenile Justice has reviewed the concept and voted to recommend support for the pilot study to the full Commission.

Community corrections boards and programs sometimes turn away offenders who would otherwise be qualified for placement in community corrections because there is a lack of

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<sup>1</sup> For example, *American Association for Correctional and Forensic Psychology, Transferring the Principles of Effective Treatment into a "Real World" Prison Setting (2005)*: "... the results suggest a simple linear relationship between "dosage" and effectiveness, with more treatment the average offender receives, the greater the reduction in recidivism."

<sup>2</sup> Hetz-Burrell, N. and English, K. (2006) *Community Corrections in Colorado: A Study of Program Outcomes and Recidivism, FY00-FY04*.

<sup>3</sup> Unpublished termination form data, Office of Community Corrections, Division of Criminal Justice.

sufficient bedspace. In one metropolitan jurisdiction, more than 100 offenders have been placed on a waiting list pending the availability of a community corrections bed. If selected Diversion offenders could be safely transferred to nonresidential supervision and treatment sooner than six to eight months, more community corrections bedspace would become available and fewer otherwise qualified offenders would be sent to prison.

General Description of Request:

The Department requests \$197,392 for a pilot project to study 40 early non-residential slots at two separate facilities to demonstrate the safety and efficacy of this initiative. Offenders who meet the lower risk criteria would be randomized to either standard residential and nonresidential treatment or to early nonresidential placement with enhanced nonresidential supervision. Offenders placed on early nonresidential supervision would remain in that placement for about the same time as offenders who complete a standard period of residential community corrections. At two years, the recidivism rates and other measures of stability for both groups would be compared.

Two important features of early non-residential status would be electronic monitoring and enhanced case management. The offender would be required to pay up to \$13 per day for electronic monitoring; in this pilot project, the state would bear the costs of enhanced case management. If appropriate, an additional charge to offenders of \$16 per day could provide electronic monitoring of drug or alcohol usage.

The State Judicial Department and local boards and programs have endorsed this concept, and wish to participate in the pilot study.

Consequences if Not Funded:

If the pilot is not funded, it will be difficult to demonstrate that it is safe and effective to transfer selected lower risk offenders to nonresidential status in less time than the current average period of residential supervision. It will then be difficult for local boards stand programs to justify the consideration earlier placement in nonresidential supervision and treatment, regardless of the potential savings.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$197,392	\$197,392	0	0	0	0
(D) Community Corrections Accelerated Non-Residential Community Corrections Diversion Pilot Program (New Long Bill Line)	\$197,392	\$197,392	0	0	0	0

<b>Summary of Request FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$197,392	\$197,392	0	0	0	0
(D) Community Corrections Accelerated Non-Residential Community Corrections Diversion Pilot Program (New Long Bill Line)	\$197,392	\$197,392	0	0	0	0

Cash Funds Projections:

Not Applicable.

Assumptions for Calculations:

For FY 2009-10, costs would be based on 40 selected Diversion offenders at \$13.52 per day:  $40 \times \$13.52 = \$540.80 \times 365 \text{ days} = \$197,392$ .

In FY 2010-11, the Department is presuming no specific per diem increase.

The cost of nonresidential diversion supervision and FY 2008-09 is \$5.12 daily. The per diem of \$13.72 would provide a participating facility with 20 offenders in the pilot program an additional \$172 per day, which is sufficient to hire seven-day-a-week case management supervision at salaries comparable to the average cost of a case manager.

Impact on Other Government Agencies: Although the impact on the Department of Corrections would be minimal during this pilot study, there could be a more significant impact on prison admissions if the pilot study leads to a broadening of early nonresidential supervision and treatment.

Cost Benefit Analysis: If each early non-residential placement increases residential Diversion bedspace availability and open Diversion beds are immediately filled by offenders who would otherwise require DOC prison placement, the state would save the difference between the cost of an enhanced non-residential placement and a private DOC bed. These savings are demonstrated in the following table:

	<b>Total Costs Per Day for One Offender</b>	<b>Annual Cost For 40 Offenders</b>	<b>Total One-Year Prison Costs <i>Avoided</i></b>
DOC Private Prison per diem	\$57.26	\$835,996	-
Enhanced Non- Residential Monitoring	\$13.52	\$197,392	\$638,604

It is estimated that the net five-year benefit of only 40 early nonresidential participants would be more than \$3.1 million. If it is demonstrated that early nonresidential placement is safe and effective, the number of early nonresidential participants could be significantly increased, with an accompanying increase in cost avoidance.

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Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
Internal Research/Planning Period	January 2009
RFP Issued	January 2009
Contract or MOU Written	February 2009
Contract or MOU Awarded/Signed	March 2009
Start-Up Date	July 1, 2009

Statutory and Federal Authority:

**C.R.S. 17-27-101-108 (2008)** establishes and maintains authority for community corrections programs which provide the courts, the department of corrections and the state board of parole with more flexibility and a range of correctional options for offenders; establishes authority of community corrections boards to approve or disapprove operation of community corrections programs in their jurisdiction, enter into contracts with the state, and establishes duties of the community corrections boards; identifies duties of community corrections programs and administrators with respect to operations of the program including conduct of offenders; identifies and defines escape from a community corrections program/facility; sets out the duties of the Division of Criminal Justice related to community corrections contracts, promulgation of standards, auditing and related fiduciary duties. Authorizes the Division to allocate up to 5 percent of community corrections appropriations to local community corrections boards in support of administrative costs incurred pursuant to the duties required by this statute.

**C.R.S. 18-1.3-301 (2008)** provides the authority for the district courts, the department of corrections and the state board of parole to place offenders in community corrections; provides authority to both community corrections boards and programs to screen and accept or reject offenders; identifies criteria for the earning of time credits by offenders.



Performance Measures:

This request is in alignment with the following Department-wide strategic objective and performance measure:

**Department-Wide Objective 4** *Reduce the likelihood of criminal recidivism through an increase in Community Corrections program compliance and accountability.*

**Performance Measure** *Improve overall Community Corrections program compliance through an annual decrease in the average Risk Factor Analysis score.*



		1	2	3	4	5	6	7	8	9	10
Fund		Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
(5) Colorado Bureau of Investigation	Total	178,740	196,636	-	196,636	196,636	900	197,536	-	197,536	2,700
(A) Administration	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Vehicle Lease Payments	GF	128,777	170,017	-	170,017	170,017	900	170,917	-	170,917	2,700
	CF	7,221	7,221	-	7,221	7,221	-	7,221	-	7,221	-
	HUTF	-	-	-	-	-	-	-	-	-	-
	CFE/RF	33,267	12,666	-	12,666	12,666	-	12,666	-	12,666	-
	FF	9,476	6,732	-	6,732	6,732	-	6,732	-	6,732	-

Letternote revised text:

Cash Fund Name/Number: Federal Fund Grant Name:

IT Request  Yes  No

Request Affects Other Departments:  Yes  No

If Yes, List Other Departments Here: Department of Personnel and Administration

**Schedule 13  
Change Request for FY 2009-10 Budget Request Cycle**

<b>Decision Item FY 2009-10</b> <input checked="" type="checkbox"/>		<b>Base Reduction Item FY 2009-10</b> <input type="checkbox"/>		<b>Supplemental FY 2009-09</b> <input type="checkbox"/>		<b>Budget Amendment FY 2009-10</b> <input type="checkbox"/>	
<b>Request Title:</b> NP-10 Fleet Vehicle Leases corresponding to Department of Public Safety DI-1							
<b>Department:</b> Personnel and Administration							
<b>Priority Number:</b> N/A							
<b>Date:</b> November 1, 2008							
<b>Date:</b> 10-17-08							
<b>Dept. Approval by:</b> <i>[Signature]</i>							
<b>OSPB Approval:</b> <i>[Signature]</i>							

Fund	1		2		3		4		5		6		7		8		9		10	
	Prior-Year Actual FY 2007-08		Appropriation FY 2008-09		Supplemental Request FY 2008-09		Total Revised Request FY 2008-09		Base Request FY 2009-10		Decision/ Base Reduction FY 2009-10		November 1 Request FY 2009-10		Budget Amendment FY 2009-10		Total Revised Request FY 2009-10		Change from Base (Column 5) FY 2010-11	
<b>Total of All Line Items</b>	13,170,783		12,558,203		0		12,558,203		12,558,203		900		12,559,103		0		12,559,103		2,700	
FTE	0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0	
GF	0		0		0		0		0		0		0		0		0		0	
GFE	0		0		0		0		0		0		0		0		0		0	
CF	1,948,015		0		0		0		0		0		0		0		0		0	
CFE/RF	11,222,768		12,558,203		0		12,558,203		12,558,203		900		12,559,103		0		12,559,103		2,700	
FF	0		0		0		0		0		0		0		0		0		0	
<b>(4) Central Services, (C)</b>																				
Fleet Management	13,170,783		12,558,203		0		12,558,203		12,558,203		900		12,559,103		0		12,559,103		2,700	
Program and Motor	0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0	
Pool Services, Vehicle	0		0		0		0		0		0		0		0		0		0	
Replacement Lease,	0		0		0		0		0		0		0		0		0		0	
Purchase or	1,948,015		0		0		0		0		0		0		0		0		0	
Lease/Purchase	11,222,768		12,558,203		0		12,558,203		12,558,203		900		12,559,103		0		12,559,103		2,700	
	0		0		0		0		0		0		0		0		0		0	

**Non-Line Item Request:** None.

**Letternote Revised Text:** None.

**Cash or Federal Fund Name and COFRS Fund Number:** State Fleet Motor Vehicle Fund (COFRS 607)

**Reappropriated Funds Source, by Department and Line Item Name:** Department of Public Safety, (5) Colorado Bureau of Investigation (A) Administration Vehicle Lease Payments

**Approval by OIT?** Yes:  No:  N/A:

**Schedule 13s from Affected Departments:** Not applicable.

### CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE

Department:	Colorado Bureau of Investigation
Priority Number:	1
Change Request Title:	CBI DNA Laboratory FTE

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$178,732 General Fund and 0.9 FTE to support the addition of one DNA casework analyst within the Colorado Bureau of Investigation (CBI). This request represents an effort to reduce the DNA backlog in casework. This additional resource will increase the number of cases and samples of evidence completed annually in the DNA casework unit of the CBI. This request will annualize to \$170,956 and 1.0 FTE in FY 2010-11.

Background and Appropriation History:

In 1994, the CBI began performing DNA testing with the acquisition of three new forensic analysts to work in the DNA casework and database sections of the laboratory. Gradually between 1999 and 2005, the forensic serologist transitioned into the DNA analyst, to create the current Forensic Biological Science Unit. DNA submissions have continued to increase by an average of 337 annually. Without both a change in workflow and staff increase, the number of cases backlogged at the CBI will double by FY 2010-11, and increase five times by FY 2012-13. The CBI has secured funds from the National Institute for Justice (NIJ) to purchase robotic equipment to help address the workflow process and increase operational efficiencies in the lab. However, robotics

alone will not be adequate to reduce the backlog and keep up with the current annual increase in DNA submissions to the CBI Laboratory. As of July 25, 2008 there is a backlog of 1,796 submissions at the CBI waiting analysis in the Biological Science Unit. A single Biological Science analyst is expected to complete 140-150 cases annually.

The CBI's biological science unit continues to observe an increase in the number of submissions received annually. Since 2000, when it began to put forensic unknown DNA samples into the national DNA databank (National DNA Indexing System – NDIS), the CBI has observed a dramatic increase in both demand for services and the associations made through the database matches. The power of DNA cannot be overstated and the program has exceeded any expectation that the CBI may have had of it from the beginning. The state court system has also sought to have DNA introduced more and more over the past 8 years. Prosecutors have used it to add weight to their courtroom trial presentations to prove guilt beyond reasonable doubt. Juries expect DNA testimony to be introduced as part of the trial proceedings. Defense attorneys are looking for DNA to present exculpatory evidence to release their client from arrest or conviction. DNA will continue to be expected by all parties within the criminal justice community. In order to provide citizens of the state of Colorado with quality forensic services, it is imperative that the time to complete DNA testing be reduced to provide results in a more timely fashion, both to exonerate the accused, and to identify the perpetrators of crimes in the state. Due to the annual increase in requests for DNA analysis, the CBI is requesting favorable consideration towards funding an additional DNA casework FTE along with the necessary operational expenses required to complete cases assign to the analyst.

PROJECTIONS OF WORK COMPLETION BASED ON INCREASED STAFF

YEAR	TOTAL SUBMISSIONS	CHANGE IN NUMBER OF SUBMISSIONS PER YEAR	% CHANGE IN NUMBER OF SUBMISSIONS PER YEAR	ESTIMATED CASES COMPLETED SEROLOGY	SEROLOGY ITEMS COMPLETED	ESTIMATED CASES COMPLETED DNA	DNA ITEMS COMPLETED
2005*#	1,408	NA	NA	1,152	12,679	630	3,151
2006*#	1,525	117	8.3%	1,249	13,745	1,082	5,410

STATE OF COLORADO FY 2009-10 BUDGET REQUEST CYCLE: Department of Public Safety

2007*#	2,283	758	49.7%	1,330	14,634	1,335	6,676
2008*#	2,832	549	24.0%	1,774	12,280	1,233	6,094
2009#	3,169	337	11.9%	1,736	12,240	1,333	6,120
2010#	3,506	337	10.6%	1,880	13,200	1,433	6,600
2011	3,843	337	9.6%	2,024	14,160	1,533	7,080

2008 numbers are an estimate based on Jan-Apr numbers extrapolated out for 12 months

2009-11 extrapolated assuming one added staff (2009), completion of staff training and no Staff turn-over

\*included grant overtime work

# new analyst training

YEAR	TOTAL CASE SUBMISSIONS	ANALYSTS NEEDED TO PERFORM EXAMS	ACTUAL FTE	FTE DEFICIT	PROJECTED CASES BACKLOGGED ^
2005*#	1,408	9.78	7.92	1.86	989
2006*#	1,525	10.59	11.96	-1.37	791
2007*#	2,283	15.85	13.72	2.13	1,099
2008*#	2,832	19.67	12.42	7.25	2,142
2009#	3,169	22.01	14.52	7.49	3,221
2010#	3,506	24.35	15.27	9.08	4,528
2011	3,843	26.69	15.52	11.17	6,136

2008 numbers are an estimate based on Jan-Apr numbers extrapolated out for 12 months

2009-11 Extrapolated assuming one added staff completion of current staff training and no staff turn-over

\*included grant overtime work

# new analyst training, 2007 lost 1.3 FTE – relocated or changed positions.

^ Backlog for year incorporates past year cases and submission for the year.

General Description of Request:

With this request, the CBI would add 1.0 FTE Criminal Investigator II to perform investigative casework DNA analysis. The Bureau anticipates that, once fully trained, this new FTE will analyze approximately 1,129 samples per year, and complete analysis on between 70 and 80 cases per year. The additional cases processed by this FTE, coupled with the CBI's continuing endeavors to more efficiently manage and prioritize its workflow, should enable the CBI to make inroads toward reducing its backlog of DNA case submissions.

Consequences if Not Funded:

If this request is not funded, the DNA case backlog will likely continue to grow dramatically, the CBI will likely become increasingly delayed in returning cases back to the submitting agencies. Work will continue to be done so as not to jeopardize cases set for trial. Court trials may be continued, however, due to delays in completing casework. Perpetrators may remain at-large, continue to re-offend, and pose a significant risk to public safety.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$178,732	\$178,732	0	0	0	0.9
CBI Lab and Investigations Personal Services	\$70,321	\$70,321	0	0	0	0.9
CBI Lab and Investigations Operating Expenses	\$107,511	\$107,511	0	0	0	0
CBI, Vehicle Lease Payments	\$900	\$900	0	0	0	0

<b>Summary of Request FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$170,956	\$170,956				1.0
CBI Lab and Investigations Personal Services	\$76,713	\$76,713	0	0	0	1.0
CBI Lab and Investigations Operating Expenses	\$91,543	\$91,543	0	0	0	0
CBI, Vehicle Lease Payments	\$2,700	\$2,700	0	0	0	0

Cash Funds Projections:

Not applicable.



Assumptions for Calculations:

<b>OSPB Common Policy for FTE Requests</b>					
<b>FTE and Operating Costs</b>				<b>GRAND TOTAL</b>	
<b>Fiscal Year(s) of Request</b>		<b>FY 09-10</b>	<b>FY 10-11</b>	<b>FY 09-10</b>	<b>FY 10-11</b>
<b>PERSONAL SERVICES</b>		<b>Criminal Investigator II</b>			
Number of PERSONS / class title	<b>Title:</b>	1	1		
Number of months <u>working in</u> FY 08-09, FY 09-10 and FY 10-11		12	12		
Number months <u>paid in</u> FY 08-09, FY 09-10 and FY 10-11 <sup>1</sup>		11	12		
Calculated FTE per classification		<b>0.9</b>	<b>1.0</b>	0.9	1.0
Annual base salary		\$67,116	\$67,116		
Salary		\$61,523	\$67,116	\$61,523	\$67,116
PERA	<b>12.85%</b>	\$7,906	\$8,624	\$7,906	\$8,624
Medicare	<b>1.45%</b>	\$892	\$973	\$892	\$973
<b>Subtotal Personal Services at Division Level</b>		<b>\$70,321</b>	<b>\$76,713</b>	<b>\$70,321</b>	<b>\$76,713</b>
<b>OPERATING EXPENSES</b>					
Supplies @ \$500/\$500 <sup>2</sup>	<b>\$500</b>	\$500	\$500	\$500	\$500
Computer @ \$900/\$0	<b>\$900</b>	\$900	\$0	\$900	\$0
Office Suite Software @ \$330/\$0	<b>\$330</b>	\$330	\$0	\$330	\$0
Office Equipment @ \$3,998/\$0 (includes cubicle and chair)	<b>\$3,998</b>	\$3,998	\$0	\$3,998	\$0
Telephone Base @ \$450/\$450 <sup>2</sup>	<b>\$450</b>	\$450	\$450	\$450	\$450
Tablet and related software	<b>\$2,500</b>	\$2,500	\$0	\$2,500	\$0
LIMS License-1st year	<b>\$1,000</b>	\$1,000	\$0	\$1,000	\$0
Gene Mapper License (One-time cost)	<b>\$10,000</b>	\$10,000	\$0	\$10,000	\$0
LIMS License @ 22% of \$1,000	<b>\$220</b>	\$220	\$220	\$220	\$220
DNA Reagents and Supplies @ \$23.19/kit x 2,200 kits	<b>\$81,288</b>	\$81,288	\$81,288	\$81,288	\$81,288
Dues and Memberships	<b>\$400</b>	\$400	\$400	\$400	\$400
Training Expenses	<b>\$1,500</b>	\$1,500	\$1,500	\$1,500	\$1,500
Variable Vehicle @ 6,000 miles@ \$0.23/mile	<b>\$1,380</b>	\$1,380	\$4,140	\$1,380	\$4,140

<b>OSPB Common Policy for FTE Requests</b>					
<b>FTE and Operating Costs</b>			<b>GRAND TOTAL</b>		
<b>Fiscal Year(s) of Request</b>		<b>FY 09-10</b>	<b>FY 10-11</b>	<b>FY 09-10</b>	<b>FY 10-11</b>
Travel for Investigations @ 15 days/yr, lodging @ \$75/night (\$1,125), per diem @ \$46/day (\$690)	<b>\$1,815</b>	\$1,815	\$1,815	\$1,815	\$1,815
Travel for Training @ 5 days/yr, lodging @ \$75/night (\$375), per diem @ \$46/day (\$230), airline fees @ \$700	<b>\$1,230</b>	\$1,230	\$1,230	\$1,230	\$1,230
<b>Subtotal Operating Expenses</b>		<b>\$107,511</b>	<b>\$91,543</b>	<b>\$107,511</b>	<b>\$91,543</b>
<b>VEHICLE LEASE PAYMENTS</b>					
Vehicle Lease Payments @ \$225/mo.	<b>\$900</b>	\$900	\$2,700	\$900	\$2,700
<b>Subtotal Vehicle Lease Payments</b>		<b>\$900</b>	<b>\$2,700</b>	<b>\$900</b>	<b>\$2,700</b>
<b>GRAND TOTAL ALL COSTS</b>		<b>\$178,732</b>	<b>\$170,956</b>	<b>\$178,732</b>	<b>\$170,956</b>

\*The per-sample cost for DNA reagents and supplies included in the table above is based on the following calculations:

<b>Cost per specimen</b>	<b>cost</b>	<b>volume</b>	<b>cost per sample</b>
<b>Serology</b>			
Chemicals	\$300.00	1000	\$0.30
Antisera-	\$98.00	40	\$2.45
Microfuge tubes	\$50.00	500	\$0.10
Pipet tips	\$60.00	50	\$1.20
Chemicals	\$1,000.00	500	\$2.00
Chemical waste	\$10,000.00	3500	\$2.86
Extraction tubes	\$250.00	250	\$1.00
Microcon tubes	\$278.00	50	\$5.56
50 cc conicals	\$97.00	5000	\$0.02
scalpel blades	\$27.00	100	\$0.27
swabs	\$45.00	40	\$1.13

<b>Cost per specimen</b>	<b>cost</b>	<b>volume</b>	<b>cost per sample</b>
<b>Quantification</b>			
7000 kit	\$1,500.00	300	\$5.00
Tray	\$100.00	200	\$0.50
<b>Amplification/analysis</b>			
Identifiler	\$3,300.00	175	\$18.86
Minifiler	\$2,200.00	875	\$2.51
Yfiler	\$2,650.00	583	\$4.55
Formamide	\$28.00	500	\$0.06
GS 500	\$301.00	1000	\$0.30
3100 tray/septa	\$1,716.00	1500	\$1.14
Capillary array	\$665.00	100	\$6.65
POP4	\$142.00	200	\$0.71
Geneamp tubes	\$152.10	1000	\$0.15
Lower polymer blocks	\$500.00	1500	\$0.33
10x buffer	\$85.00	400	\$0.21
syringe	\$81.00	1000	\$0.08
Matrix standard	\$302.00	1000	\$0.30
upper polymer block	\$500.00	1000	\$0.50
<b>General costs</b>			
Face Masks	\$43.03	50	\$0.86
Gloves	\$127.00	55	\$2.31
ART tips	\$68.85	50	\$1.38
labels	\$54.00	1000	\$0.05
syringes	\$1,253.00	3500	\$0.36
Tubing	\$4,968.00	3500	\$1.42
troughs for chemicals	\$503.00	295	\$1.71
Carbon coated tips	\$140.00	100	\$1.40
robotic disposable tips	\$140.00	100	\$1.40
Robot extraction kit	\$595.00	250	\$2.38
<b>TOTAL PER SAMPLE</b>			<b>\$72.00</b>

\*\* The “Training Costs” request is based on the requirement that DNA forensic laboratory analysts must undergo a specified number of hours of annual training in order for the CBI laboratory to maintain accreditation. As an example, the CBI will send an analyst to an International Symposium on Human Identification, in Hollywood, CA, in October 2008. Individual courses during this symposium range in cost from \$195 to \$595, and analysts will likely attend an average of four courses. Assuming that most training events will be similar in cost, an average of \$1,500 per year should prove adequate to assure proper training for the new analyst. These costs are in addition to the travel and per diem expenses.

Impact on Other Government Agencies:

Approval of this request will likely lead to increases in arrests; trials; and persons sentenced to DOC, placed in county jails, placed or placed on probation.

Cost Benefit Analysis:

**Cost-Effectiveness Analysis of the Use of DNA in the Investigation of High-Volume Crimes:** [http://www.urban.org/UploadedPDF/411697\\_dna\\_field\\_experiment.pdf](http://www.urban.org/UploadedPDF/411697_dna_field_experiment.pdf)

This study was prepared by the Urban Institute, funded by a grant from the National Institute of Justice. The Urban Institute is a nonprofit, nonpartisan policy research and educational organization. The study’s main findings are that:

- When conventional investigative techniques were used, a suspect was identified 12 percent of the time, compared to 34 percent of the cases using DNA evidence
- Property crime cases where DNA evidence is processed have more than twice as many suspects identified, twice as many suspects arrested, and more than twice as many cases accepted for prosecution compared with traditional investigation;
- DNA is at least five times as likely to result in a suspect identification compared with fingerprints;

- Suspects identified by DNA had at least twice as many prior felony arrests and convictions as those identified by traditional investigation;
- Blood evidence results in better case outcomes than other biological evidence, particularly evidence from items that were handled or touched;
- Biological material collected by forensic technicians is no more likely to result in a suspect being identified than biological material collected by patrol officers.

**COST-EFFECTIVENESS OF DNA**

The study generates two estimates of the additional cost of testing DNA evidence. First, they estimated how much is added to the cost of crime investigations and find that processing a single case with DNA evidence added about \$1,400. Second, they estimated how much it costs to identify and arrest suspects who would not have been identified via traditional investigations. They estimate a cost per additional suspect identified of \$4,502, and a cost per additional arrest of \$14,169. These costs represent the investment required to solve cases that would otherwise go unsolved – that is, they found it costs \$4,502 to identify a suspect that would otherwise not be identified.

\*Based on 2007 data for a single DNA analyst at CBI

<i>Offense</i>	<i>Cases submitted</i>	<i>Cases completed Serology</i>	<i>Cases completed DNA</i>	<i>Estimate of Items submitted</i>	<i>Items analyzed Serology</i>	<i>Items analyzed DNA</i>
<b>Homicide</b>	22	20	15	178	156	109
<b>Attempt Homicides</b>	4	0	0	48	0	0
<b>Sexual Assault</b>	67	55	29	758	473	136
<b>Aggravated Assaults</b>	5	7	5	25	31	40
<b>Burglary</b>	15	16	14	51	57	35
<b>Robbery</b>	8	6	5	25	24	12
<b>Motor vehicle Theft</b>	4	9	8	12	31	27
<b>Other property</b>	2	30	26	27	121	67

<i>Offense</i>	<i>Cases submitted</i>	<i>Cases completed Serology</i>	<i>Cases completed DNA</i>	<i>Estimate of Items submitted</i>	<i>Items analyzed Serology</i>	<i>Items analyzed DNA</i>
<b>crime</b>						
<b>Total</b>	<b>132</b>	<b>143</b>	<b>102</b>	<b>1124</b>	<b>893</b>	<b>426</b>

Another way to observe the cost benefit is to view it in perspective of what an analyst examines during the course of a year. For example, without one analyst completing 143 cases involving serology, there would be 143 detectives waiting for information to file and at least 143 perpetrators awaiting arrest or awaiting trials. In addition, there would be a small percentage of suspects who may be innocent awaiting DNA testing to exclude them as suspects. It is difficult to put a dollar figure to the cost/benefit, but, to all those listed, having another analyst to work these cases and answer the necessary questions could be priceless.

Applied BioSystems, one of two providers of DNA equipment and supplies to the forensic community, examined the efficiencies of 6 DNA forensic labs in the United States, one of which was CBI's lab. In the summary stated that for each case, a dollar spent on the DNA testing resulted in 3-4 dollars of savings in the community. For example, if a case has \$10,000 of costs from DNA analysis, it would cost between \$30,000 - \$40,000 of traditional (non DNA) investigative work to reach a similar conclusion. Roughly translated, for every DNA analyst employed at the CBI, there is 1 million dollars in cost savings for the people of the state of Colorado.

**CRIMINAL HISTORY OF IDENTIFIED SUSPECTS**

Suspects identified using DNA evidence had substantially more serious criminal histories than those identified through traditional investigation. Suspects identified by DNA averaged 2.9 prior felony convictions and 5.6 prior felony arrests, compared with 0.9 prior felony convictions and 1.7 prior felony arrests for suspects identified using traditional investigation in the control group.

Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
Send out position announcement with deadline to respond by May 1, 2009	April 2009
Set up interviews and complete interview process	June 2009
Background completed	June-July 2009
FTE hired and on site	July 2009
FTE trained as per DNA Quality Assurance Guidelines	March 2010
FTE cleared to do casework	April 2010

Statutory and Federal Authority:

**C.R.S. 24-33.5-412 (2008)** Functions of bureau - legislative review.

(1) The bureau has the following authority:

- (a) When assistance is requested by any sheriff, chief of police, district attorney, or chief law enforcement officer and with the approval of the director, to assist such law enforcement authority in the investigation and detection of crime and in the enforcement of the criminal laws of the state;
- (b) When assistance is requested by any district attorney and upon approval by the director, to assist the district attorney in preparing the prosecution of any criminal case in which the bureau had participated in the investigation under the provisions of this part 4;
- (c) To establish and maintain fingerprint, crime, criminal, fugitive, stolen property, and other identification files and records; to operate the statewide uniform crime reporting program; and to arrange for scientific laboratory services and facilities for assistance to law enforcement agencies, utilizing existing facilities and services wherever feasible.

Performance Measures:

This request is in alignment with the following Department-wide strategic objective and performance measure:

**Department-Wide Objective 1** *Reduce the backlog of cases submitted to the CBI laboratory that are awaiting analysis.*

**Performance Measure** *Increase by 5% annually the number of cases submitted to the CBI laboratory that are processed and returned to the requesting agency within 30 days.*



Schedule 13

Change Request for FY 2009-10 Budget Cycle

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Request Amendment FY 2009-10

Request Title: DCJ, Community Corrections Auditing and Advisory Board Travel Budget  
 Department: Department of Public Safety  
 Priority Number: 9

Date: November 1, 2008  
 Date: 10-4-08

Dept. Approval by:   
 OSPB Approval:

Fund	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
Total	201,259	228,338	-	228,338	228,338	27,174	255,512	-	255,512	27,174
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
GF	137,508	153,253	-	153,253	153,253	27,174	180,427	-	180,427	27,174
CF	26,037	35,257	-	35,257	35,257	-	35,257	-	35,257	-
HUTF	-	-	-	-	-	-	-	-	-	-
CFF/RF	33,338	35,451	-	35,451	35,451	-	35,451	-	35,451	-
FF	4,377	4,377	-	4,377	4,377	-	4,377	-	4,377	-
(4) Division of Criminal Justice	201,259	228,338	-	228,338	228,338	27,174	255,512	-	255,512	27,174
(A) Administration	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Operating Expenses	137,508	153,253	-	153,253	153,253	27,174	180,427	-	180,427	27,174
	26,037	35,257	-	35,257	35,257	-	35,257	-	35,257	-
	-	-	-	-	-	-	-	-	-	-
	33,338	35,451	-	35,451	35,451	-	35,451	-	35,451	-
	4,377	4,377	-	4,377	4,377	-	4,377	-	4,377	-

Letternote revised text:  
 Cash Fund Name/Number, Federal Fund Grant Name:  
 IT Request  Yes  No  
 Request Affects Other Departments:  Yes  No  
 if Yes, List Other Departments Here:

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	9
Change Request Title:	Community Corrections Auditing and Advisory Board Travel Budget

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$27,174 General Fund for FY 2009-10 to support the travel expenses of its community corrections auditors and the members of the Governor's Community Corrections Advisory Council.

Background and Appropriation History:

By statute, the Division of Criminal Justice is required to conduct performance audits of community corrections programs across Colorado. Such audits require at least five days and a minimum of 2-3 audit personnel for each program audit. Many audits must be performed at locations beyond daily commuting distance from the Department's headquarters, including Durango, Craig, Sterling, Alamosa and Grand Junction.

At the same time, the recently-reconstituted Governor's Community Corrections Advisory Council has actively begun work to recommend improvements in the state's community corrections system. The Council meets as often as six times a year.

Many of the Governor's appointees are located well beyond commuting distance to the Department's offices in metropolitan Denver. By State Fiscal Rule, these Governor's appointees are entitled to reasonable and necessary expenses to attend these meetings. Due to the long commute for some Council members, overnight lodging is sometimes needed, along with additional per diem costs.

While the Department has taken appropriate measures to control costs associated with travel and lodging for its auditors and for the Governor's Advisory Council members, the increases in allowable mileage reimbursements and increased the numbers of performance audits and Advisory Council meetings have combined to render the current appropriation inadequate.

Consequences if Not Funded:

Performance audits must be completed in accordance with the community corrections statutes. Inadequate funding jeopardizes the ability of the Department to meet its statutory responsibilities.

The Governor's Advisory Council is taking an increasingly important role in the direction of community corrections, both now and in the future. The Council wishes to meet at least six times a year. DCJ's inability to pay for reasonable and necessary expenses for Council members would violate applicable provisions of the State Fiscal Rules.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$27,174	\$27,174	--	--	--	--
Division of Criminal Justice (A) Administration Operating Expenses	\$27,174	\$27,174	--	--	--	--

Summary of Request FY 2010-11	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$27,174	\$27,174	--	--	--	--
(A) Administration Operating Expenses	\$27,174	\$27,174	--	--	--	--

Cash Funds Projections:

Not applicable

Assumptions for Calculations:

Audit Expenses:

Community corrections programs have varying sizes and degrees of complexity. The average community corrections performance audit requires a team of three auditors for five days.

In FY 2009-10, a total of six full or follow-up audits outside of the Denver metropolitan area will be undertaken at a cost of about \$1,600 per audit. In addition to these visits, Day-Reporting programs, Non-Residential programs and such special programs as Intensive Residential Treatment and Residential Mental Health Services will require more audit visits each year.

**Total Community Corrections Staff Auditing Travel Expenses**

Governor's Advisory Council meetings occur about every other month. The Department estimates 6 meetings annually with 2 members traveling long distances.

The Department also assumes that DCJ staff will perform 6 regular audits and 6 follow-up, Non-Residential and Day Reporting audits located more than daily commuting distance from office.

<b>Community Corrections Auditing Staff</b>	
Hotel – 5 nights @ \$75/night x 3 auditors x 6	\$6,750
Per Deim @ \$39/day x 6days x 3 auditors x 6	\$4,212
Mileage – avg. 3000 miles @ 53/mi x 3 trips x 6	\$2,862
Hotel – 2 nights @ \$75/night x 2 auditors x 6	\$1,800
Per Diem @ \$39/day x 3 days x 2 auditors x 6	\$1,404
Mileage – avg. 300 miles x .53 x2 x6	\$1,908
Miscellaneous Travel Expenses	\$450
	\$19,386
<b>Governor’s Advisory Council Travel</b>	
Hotel – 2 nights @\$75 per night x 6 mtgs x 2 members	\$1,800
Per diem at \$39/day x 3 days x 6 mtgs x 2	\$1,404
Mileage – round trip avg 650 miles @ .53/mi x 6 mtgs x 2 members	\$4,134
Miscellaneous Travel Expenses, such as parking	\$450
	\$7,788
<b>Total</b>	<b>\$27,174</b>

Impact on Other Government Agencies: None anticipated.

Cost Benefit Analysis: As noted above, significant consequences would arise from the Department’s inability to properly fund Community Corrections audits, and to properly fund expenses for the Community Corrections Advisory Council. It is expected that the qualitative benefits of the proper operation of these functions would far outweigh the nominal cost associated with this decision item request.

Implementation Schedule:

Additional appropriations would begin to be utilized in July 2009.

Statutory and Federal Authority:

**C.R.S. 17-27-101-108 (2008)** establishes and maintains authority for community corrections programs which provide the courts, the department of corrections and the state board of parole with more flexibility and a range of correctional options for offenders; establishes authority of community corrections boards to approve or disapprove operation of community corrections programs in their jurisdiction, enter into contracts with the state, and establishes duties of the community corrections boards; identifies duties of community corrections programs and administrators with respect to operations of the program including conduct of offenders; identifies and defines escape from a community corrections program/facility; sets out the duties of the Division of Criminal Justice related to community corrections contracts, promulgation of standards, auditing and related fiduciary duties. Authorizes the Division to allocate up to 5 percent of community corrections appropriations to local community corrections boards in support of administrative costs incurred pursuant to the duties required by this statute.

**C.R.S. 18-1.3-301 (2008)** provides the authority for the district courts, the department of corrections and the state board of parole to place offenders in community corrections; provides authority to both community corrections boards and programs to screen and accept or reject offenders; identifies criteria for the earning of time credits by offenders.

Performance Measures:

This request is in alignment with the following Department-wide strategic objective and performance measure:

**Department-Wide Objective 4:** Reduce the likelihood of criminal recidivism through an increase in Community Corrections program compliance and accountability.

**Performance Measure** Improve overall Community Corrections program compliance through an annual decrease in the average Risk Factor Analysis score.

Schedule 13

Change Request for FY 2009-10 Budget Cycle

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Request Amendment FY 2009-10

Request Title: DCJ, Increase Community Corrections Transition and Diversion Beds

Department: Department of Public Safety

Priority Number: 4

Dept. Approval by: *[Signature]* Date: November 1, 2008

OSPB Approval: *[Signature]* Date: 10-9-08

Fund	Change from Base (Column 5) FY 2010-11									
	1	2	3	4	5	6	7	8	9	10
Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11	
<b>Total</b>	47,414,626	53,234,896	-	53,234,896	53,234,896	5,484,809	58,719,705	58,719,705	5,484,809	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	46,680,829	52,438,958	-	52,438,958	52,438,958	5,480,543	57,919,501	57,919,501	5,480,543	
CF	637,662	795,938	-	795,938	795,938	4,266	800,204	800,204	4,266	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	96,135	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	
<b>Total</b>	1,746,231	1,923,750	-	1,923,750	1,923,750	241,972	2,165,722	2,165,722	241,972	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	1,746,231	1,923,750	-	1,923,750	1,923,750	241,972	2,165,722	2,165,722	241,972	
CF	-	-	-	-	-	-	-	-	-	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	-	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	
<b>Total</b>	210,659	210,659	-	210,659	(210,659)	-	-	-	(210,659)	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	-	210,659	-	210,659	(210,659)	-	-	-	(210,659)	
CF	-	-	-	-	-	-	-	-	-	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	-	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	
<b>Total</b>	21,401,750	24,563,964	-	24,563,964	24,563,964	812,107	25,376,071	25,376,071	812,107	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	21,401,750	24,563,964	-	24,563,964	24,563,964	812,107	25,376,071	25,376,071	812,107	
CF	-	-	-	-	-	-	-	-	-	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	-	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	

(4) Division of Criminal Justice (D) Community Corrections Boards Administration

(4) Division of Criminal Justice (D) Community Corrections Incentive Funds for Low-Risk Providers

(4) Division of Criminal Justice (D) Community Corrections Transition Programs





Fund	10									
	1	2	3	4	5	6	7	8	9	Change from Base (Column 5) FY 2010-11
	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	
(4) Division of Criminal Justice	-	777,920	-	777,920	777,920	(32)	777,888	-	777,888	(32)
(D) Community Corrections	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Outpatient Therapeutic Community Programs	-	777,920	-	777,920	777,920	(32)	777,888	-	777,888	(32)
HUTF	-	-	-	-	-	-	-	-	-	-
CFE/RF	-	-	-	-	-	-	-	-	-	-
FF	-	-	-	-	-	-	-	-	-	-

Letternote revised text:  
 Cash Fund Name/Number, Federal Fund Grant Name: Drug Offender Surcharge - 17E  
 IT Request  Yes  No  
 Request Affects Other Departments:  Yes  No      If Yes, List Other Departments Here: Department of Corrections and Judicial

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	4
Change Request Title:	Increase Community Corrections Transition and Diversion Beds

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$5,484,809 General Fund to support a net increase of 446 community corrections beds. This request will address, in four separate components, the continuing growth for demand in the State's Community Corrections system. These components include increasing capacity to meet demand for Diversion programs, allowing the Department to fund the number of beds necessary to place 7.2% of the projected Department of Corrections (DOC) population in a Community Corrections setting, and correcting technical anomalies in the Department's FY 2008-09 appropriations. Community Corrections beds are a lower-cost sentencing alternative to prison. In aggregate, this initiative would fill the community corrections system's "genuine capacity," the point at which bed space is maximized and public safety is preserved, over two years.

Background and Appropriation History:

The Division of Criminal Justice, Office of Community Corrections, has managed the budget and administration of Community Corrections since 1986. The legislation for Community Corrections is specific regarding the criteria used to screen offenders for

community placement. The Community Corrections boards in each judicial district contract with the state to administer the funding and screen offenders. The Boards then contract with local or private providers to purchase services for offenders. The facilities (sometimes called halfway houses) are required to meet Standards, as revised in 2007, for both residential and non-residential programs.

A community corrections bed is an important alternative to incarceration in the continuum of the State's criminal justice system. "Diversion" beds allow judges to sentence offenders directly into community corrections as an intermediary alternative to incarceration. Without these beds, a vast majority of Diversion offenders would be placed in prison. "Transition" beds, on the other hand, provide a supervised step-down for eligible offenders between prison incarceration and parole.

The community corrections beds, on average, cost the state slightly more than half of a DOC bed. Although the Department of Corrections has done what it can to control the costs associated with the burgeoning prison population, safe and less expensive sentencing alternatives have become increasingly necessary.

Community Corrections facilities have long served as one such alternative. Selected offenders who are statutorily ineligible for probation can be safely supervised and rehabilitated in community corrections as Diversion placements, where they cost less than in a private prison bed and contribute to the community by holding jobs that allow them to pay restitution, child support and taxes.

Community Corrections residential services are provided at a rate of \$37.74 per day, per offender. In addition to room and meals, services required to be provided within the per diem rate by contract and/or standards include:

- offender assessment;
- case management;
- life skills;
- financial/budgeting classes;

- urinalysis testing for drug use;
- breath testing for alcohol use;
- whereabouts verification monitoring;
- visitor screening; and
- job verification.

All offenders in Community Corrections are required to find and hold full-time jobs, pay state and federal taxes, pay restitution to any victims of their crimes, pay child and family support, and contribute up to \$17.00 per day to the Community Corrections program toward their subsistence. Offenders also attend treatment as identified in the initial assessment process or by the referral agency. Treatment might include mental health counseling, substance abuse treatment, domestic violence treatment, anger management classes, parenting classes, cognitive programs, sex offender treatment or other specified treatment. Any outside treatment is paid for by the offender or from Offender Services funds managed by the DOC or DCJ's Office of Community Corrections.

Residential placement is generally six months for both Transition and Diversion offenders. Upon successful completion of residential placement, Transition offenders are placed on Parole and Diversion offenders serve the remainder of their sentence on Non-Residential supervision. Both Transition and Diversion offenders may be placed back in the residential program if they do not follow the rules of Parole or Non-Residential placement.

Offenders serving their sentence in the community have the ability to earn a living, which allows the offender to pay state and federal taxes, pay restitution, and meet their obligation to support their families. Society benefits by the added tax revenues, victims benefit from the payment of restitution, and families benefit by having another wage earner paying child support or family support rather than, in many cases, the family receiving support from welfare.

Research shows that stable programs create the best environment for successful completion by the offender. The DCJ is responsible for monitoring these programs for

stability and consistency. The Office of Community Corrections monitors the billings from the boards and audits the programs on a regular basis. The on-site audits ensure that programs are meeting the standards, maintaining public safety and treating offenders in a fair and humane manner while holding them accountable for their actions.

General Description of Request:

A survey of local community corrections boards at the end of FY 2008 demonstrated a projected unfunded capacity of approximately 470 community corrections beds by FY 2009-10. Such beds are available for the placement of selected offenders who would otherwise be sentenced to prison at a much greater cost. This request, coupled with Decision Item # 19 (for 24 Therapeutic Community Diversion beds in Southern Colorado) will make use of that unfunded capacity.

This request builds upon last year's addition of about 178 Diversion beds and 60 Transition beds. First, this initiative would increase the total percentage goal for placement of DOC's incarcerated population in Transition beds from 7.0% to 7.2%. As calculated in the table below, based on the projected DOC population, this will require an addition of 49 Transition beds.

	September 2008 DCJ Projection	Community Corrections ADP	Percentage
June 30, 2009	23,530	1,694	7.2%
June 30, 2010	24,133	1,738	7.2%
ADP	23,832	1,716	7.2%
Minus current allocation		1,667	7.0%
Net Change		49	

Second, to fill the balance of the Community Corrections system to its “genuine capacity,” this request would add a total of 397 Diversion beds in FY 2009-10, bringing the funded Community Corrections Transition and Diversion population to 3,588 residential beds. (This total represents the Division’s most reliable assessment regarding the total Statewide “genuine capacity” for Community Corrections offenders.) To most accurately emulate the rate at which these new Diversion beds would be filled, this request anticipates that the beds would be phased-in over time: 100 beds would be added on July 1, 2009; 125 on September 1, 2009; and 172 on January 1, 2010.

Third, this request would add 397 non-residential Diversion beds to accommodate the non-residential components of Diversion sentences in FY 2009-10.

Fourth, this request would correct some anomalies in the Department’s FY 2008-09 Community Corrections appropriation by specifically multiplying the total number of requested Community Corrections beds by the base per diems for those beds.

To account for anticipated growth in Community Corrections system capacity, the Department expects to submit another substantial request to increase Diversion beds for the FY 2010-11 budget year. However, the Department cannot specifically assess the extent of capacity growth at this early time, and therefore cannot accurately estimate the number of beds it will request in the next budget cycle.

Consequences if Not Funded:

Because nearly all Diversion offenders are ineligible for probation, the only alternative to placement in community corrections is placement in prison. At current per diem rates, placement in a private prison costs about \$17 a day more than community corrections placement. Therefore, each Diversion offender can save the state about \$6,200 annually in prison costs.

Calculations for Request:

Summary of Request FY 2009-10 and FY 2010-11	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$5,484,809	\$5,480,543	4,266	0	0	--
Clean Up FY 2008-09	\$3,512	(\$754)	4,266	0	0	--
49 Transition Beds @\$37.74/day plus Board administrative fees	\$701,980	\$701,980	0	0	0	--
421 Diversion Beds @\$37.74/day plus Board administrative fees	\$4,007,727	\$4,007,727	0	0	0	--
421 Non-Residential Diversion Slots @ \$5.12/day plus Board admin. Fees	\$771,590	\$771,590	0	0	0	--

Assumptions for Calculations:

The table below details the calculations used to arrive at the requested amounts. These calculations presume that per diem rates for community corrections will remain at FY 2008-09 levels (a provider rate increase will be requested as part of another FY 2009-10 decision item). A further presumption is that the administrative fees paid to boards will not exceed 4% annually.

	FY 2008-09 Appropriation			FY09 + FY10 New Beds			Difference
	Beds	Daily Rate	Appropriation	Beds	Daily Rate	Appropriation	
<b>ADMINISTRATION</b>	<b>BASED ON 365 Days in FY09!!!</b>			<b>365 Days in FY10!!!</b>			
Transition, 4%			\$ 1,003,046			\$ 1,056,021	\$ 52,975
Diversion, 4%			\$ 920,704			\$ 1,109,701	\$ 188,997
Other Services, 4%							\$ -
<b>Total Administration</b>			<b>\$ 1,923,750</b>			<b>\$ 2,165,722</b>	<b>\$ 241,972</b>



STATE OF COLORADO FY 2009-10 BUDGET REQUEST CYCLE: Department of Public Safety

<b>INCENTIVE FUNDS FOR LOW-RISK PROVIDERS</b>										
Incentive Funds				\$ 210,659						\$ (210,659)
<b>Total Incentive Funds</b>				<b>\$ 210,659</b>						<b>\$ (210,659)</b>
<b>TRANSITION BEDS</b>										
Residential		1,657	\$ 37.74	\$ 22,688,214		1,706	\$ 37.74	\$ 23,500,321		\$ 812,107
CIRT		98	\$ 17.78	\$ 635,991		98	\$ 17.78	\$ 635,991		\$ -
Sex Offender		10	\$ 37.74	\$ 137,751		10	\$ 37.74	\$ 137,751		\$ -
Parole		80	\$ 37.74	\$ 1,102,008		80	\$ 37.74	\$ 1,102,008		\$ -
<b>Total Transition</b>				<b>\$ 24,563,964</b>				<b>\$ 25,376,071</b>		<b>\$ 812,107</b>
<b>DIVERSION BEDS</b>										
Residential		1,475	\$ 37.74	\$ 20,191,745		1,872	\$ 37.74	\$ 24,171,856		\$ 3,980,111
Non-Residential		1,230	\$ 5.12	\$ 2,298,624		1,627	\$ 5.12	\$ 3,040,538		\$ 741,914
<b>Total Diversion</b>				<b>\$ 22,490,369</b>				<b>\$ 27,212,394</b>		<b>\$ 4,722,025</b>
<b>TRANSITION MENTAL HEALTH DIFFERENTIAL</b>										
Transition Mental Health Total		85	\$ 33.02	\$ 1,018,861		85	\$ 33.02	\$ 1,024,446		\$ 5,585
<b>DIVERSION MENTAL HEALTH DIFFERENTIAL</b>										
Diversion Mental Health Total		20	\$ 33.02	\$ 239,732		20	\$ 33.02	\$ 241,046		\$ 1,314
<b>SPECIALIZED SERVICES</b>										
Specialized Services Total		275	\$ 200.00	\$ 55,000		275	\$ 200.00	\$ 55,000		\$ -
<b>JOHN EACHON RE-ENTRY PROGRAM</b>										
JERP Total		15	\$ 52.80	\$ 287,493		15	\$ 52.80	\$ 289,080		\$ 1,587
<b>DAY REPORTING CENTER</b>										
Day Reporting Center Total		175	\$ 8.45	\$ 537,189		175	\$ 8.45	\$ 539,744		\$ 2,555
<b>SUBSTANCE ABUSE TREATMENT</b>										
TC Enhancement GF		40	\$ 14.34	\$ 208,196		40	\$ 14.34	\$ 209,364		\$ 1,168
SO CO TC Enhancement GF		16	\$ 30.9632	\$ 180,825		16	\$ 14.34	\$ 83,746		\$ (97,079)

STATE OF COLORADO FY 2009-10 BUDGET REQUEST CYCLE: Department of Public Safety

TC Enhancement DOSF	77	\$ 14.34	\$ 398,760	77	\$ 14.34	\$ 403,026	\$ 4,266
Diversion IRT, DOSF	31.4	\$ 17.70	\$ 202,860	31.4	\$ 17.70	\$ 202,860	\$ -
Female IRT, DOSF	14	\$ 17.00	\$ 86,870	14	\$ 17.00	\$ 86,870	\$ -
Day Treatment, DOSF	8	\$ 33.27	\$ 97,148	8	\$ 33.27	\$ 97,148	\$ -
Offender Assmnt., DOSF			\$ 10,300			\$ 10,300	\$ -
<i>Subtotal DOSF (CF/CFE)</i>			\$ 795,938			\$ 800,204	\$ 4,266
<b>Total Substance Abuse</b>			<b>\$ 1,184,959</b>			<b>\$ 1,093,314</b>	<b>\$ (91,645)</b>
<b>OUTPATIENT TC PROGRAMS</b>							
Outpatient TC Programs	160	\$ 13.32055	\$ 777,920	160	\$ 13.32	\$ 777,888	\$ (32)
<b>Total Outpatient TC</b>			<b>\$ 777,920</b>			<b>\$ 777,888</b>	<b>\$ (32)</b>
<b>TOTAL COMM. COR.</b>			<b>\$ 53,289,896</b>			<b>\$ 58,774,705</b>	<b>\$ 5,484,809</b>

Impact on Other Government Agencies:

The availability of Transition and Diversion Community Corrections beds allows for the alternative placement of offenders who would otherwise occupy a prison bed. For this reason, the Department assumes that the addition of each Community Corrections bed should correspond directly to a reduction in DOC bed capacity.

Cost Benefit Analysis:

The following tables demonstrate the projected cost avoidance to the state in FY 2009-10 through the use of community corrections beds.

***Transition Savings***

	<b>Total Costs Per Day for One Prisoner</b>	<b>Annual Cost per 49 Prisoners</b>	<b>Total One-Year Private Prison Costs Avoided</b>
Private Prison	\$57.26	\$ 1,024,095	\$ -
Transition Comm. Corrections*	\$50.11	\$ 896,217	<b>\$ 127,878</b>

\* This amount includes the \$37.74 per diem for Community Corrections, a 4.0% administrative rate payment of \$1.49, and \$10.86 for DOC community corrections agents.

***Diversion Savings***

	<b>Number of Diversion Beds</b>	<b>Days</b>	<b>Cost Per Diversion Bed</b>	<b>Total Diversion Cost</b>	<b>Number of Prison Beds</b>	<b>Cost Per Prison Bed</b>	<b>Total Diversion Savings</b>
July 1 (full year)	100	365	37.74	\$1,377,510	100	57.26	\$2,089,990
October 1 (9 months)	125	274	37.74	\$1,291,416	125	57.26	\$1,959,366
January 1 (6 months)	172	183	37.74	\$1,184,659	172	57.26	\$1,797,391
Subtotal	397			\$3,853,584	397		\$5,846,747
<b>Total Cost of Diversion (Includes 4.0% Administrative Fee)</b>				<b>\$4,007,728</b>			
25% Adjustment for Local Jails							\$1,461,687
<b>Gross Annual Savings (Reduction to DOC)</b>							<b>\$4,385,060</b>
<b>Net Annual Savings</b>							<b>\$377,333</b>

The Department expects that the new diversion beds will be available in phases throughout the fiscal year. The table above shows the phased-in costs and savings of the additional 397 diversion beds. It is also important to note that the Department made a bottom line adjustment to reduce the net savings by 25.0 percent to account for offenders who are awaiting a diversion placement in a local jail. These offenders would not generate a savings to DOC.

In addition, the Department anticipates that the 397 new diversion beds will produce a cost to Judicial of \$289,810 (\$2.00 per day x 397 offenders x 365 days). Factoring in the cost to Judicial, the addition of 397 diversion beds will have an annual net savings of \$87,523

Implementation Schedule:

Additional Community Corrections beds would begin to be filled in July 2009.

Statutory and Federal Authority:

**C.R.S. 17-27-101-108 (2008)** establishes and maintains authority for community corrections programs which provide the courts, the department of corrections and the state board of parole with more flexibility and a range of correctional options for offenders; establishes authority of community corrections boards to approve or disapprove operation of community corrections programs in their jurisdiction, enter into contracts with the state, and establishes duties of the community corrections boards; identifies duties of community corrections programs and administrators with respect to operations of the program including conduct of offenders; identifies and defines escape from a community corrections program/facility; sets out the duties of the Division of Criminal Justice related to community corrections contracts, promulgation of standards, auditing and related fiduciary duties. Authorizes the Division to allocate up to 5 percent of community corrections appropriations to local community corrections boards in support of administrative costs incurred pursuant to the duties required by this statute.

**C.R.S. 18-1.3-301 (2008)** provides the authority for the district courts, the department of corrections and the state board of parole to place offenders in community corrections; provides authority to both community corrections boards and programs to screen and accept or reject offenders; identifies criteria for the earning of time credits by offenders.

Performance Measures:

This request is in alignment with the following Department-wide strategic objective and performance measure:

**Department-Wide Objective 4** *Reduce the likelihood of criminal recidivism through an increase in Community Corrections program compliance and accountability.*  
**Performance Measure** *Improve overall Community Corrections program compliance through an annual decrease in the average Risk Factor Analysis score.*

Schedule 13

Change Request for FY 2009-10 Budget Cycle

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  November 1 Request FY 2009-10  Budget Request Amendment FY 2009-10

Request Title: DCJ, Increase Community Corrections Transition and Diversion Beds

Department: Department of Public Safety

Priority Number: 4

Dept. Approval by: *[Signature]* Date: November 1, 2008

OSPB Approval: *[Signature]* Date: 10-9-08

Fund	Change from Base (Column 5) FY 2010-11									
	1	2	3	4	5	6	7	8	9	10
Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11	
<b>Total</b>	47,414,626	53,234,896	-	53,234,896	53,234,896	5,484,809	58,719,705	58,719,705	5,484,809	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	46,680,829	52,438,958	-	52,438,958	52,438,958	5,480,543	57,919,501	57,919,501	5,480,543	
CF	637,662	795,938	-	795,938	795,938	4,266	800,204	800,204	4,266	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	96,135	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	
<b>Total</b>	1,746,231	1,923,750	-	1,923,750	1,923,750	241,972	2,165,722	2,165,722	241,972	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	1,746,231	1,923,750	-	1,923,750	1,923,750	241,972	2,165,722	2,165,722	241,972	
CF	-	-	-	-	-	-	-	-	-	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	-	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	
<b>Total</b>	210,659	210,659	-	210,659	210,659	(210,659)	-	-	(210,659)	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	-	210,659	-	210,659	210,659	(210,659)	-	-	(210,659)	
CF	-	-	-	-	-	-	-	-	-	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	-	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	
<b>Total</b>	21,401,750	24,563,964	-	24,563,964	24,563,964	812,107	25,376,071	25,376,071	812,107	
FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
GF	21,401,750	24,563,964	-	24,563,964	24,563,964	812,107	25,376,071	25,376,071	812,107	
CF	-	-	-	-	-	-	-	-	-	
HUTF	-	-	-	-	-	-	-	-	-	
CFE/RF	-	-	-	-	-	-	-	-	-	
FF	-	-	-	-	-	-	-	-	-	

(4) Division of Criminal Justice (D) Community Corrections Boards Administration

(4) Division of Criminal Justice (D) Community Corrections Incentive Funds for Low-Risk Providers

(4) Division of Criminal Justice (D) Community Corrections Transition Programs



Fund	10									
	1	2	3	4	5	6	7	8	9	Change from Base (Column 5) FY 2010-11
	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	
(4) Division of Criminal Justice	-	777,920	-	777,920	777,920	(32)	777,888	-	777,888	(32)
(D) Community Corrections	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Outpatient Therapeutic Community Programs	-	777,920	-	777,920	777,920	(32)	777,888	-	777,888	(32)
	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-

Letternote revised text:  
 Cash Fund Name/Number, Federal Fund Grant Name: Drug Offender Surcharge - 17E  
 IT Request  Yes  No  
 Request Affects Other Departments:  Yes  No      If Yes, List Other Departments Here: Department of Corrections and Judicial

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	4
Change Request Title:	Increase Community Corrections Transition and Diversion Beds

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$5,484,809 General Fund to support a net increase of 446 community corrections beds. This request will address, in four separate components, the continuing growth for demand in the State's Community Corrections system. These components include increasing capacity to meet demand for Diversion programs, allowing the Department to fund the number of beds necessary to place 7.2% of the projected Department of Corrections (DOC) population in a Community Corrections setting, and correcting technical anomalies in the Department's FY 2008-09 appropriations. Community Corrections beds are a lower-cost sentencing alternative to prison. In aggregate, this initiative would fill the community corrections system's "genuine capacity," the point at which bed space is maximized and public safety is preserved, over two years.

Background and Appropriation History:

The Division of Criminal Justice, Office of Community Corrections, has managed the budget and administration of Community Corrections since 1986. The legislation for Community Corrections is specific regarding the criteria used to screen offenders for



community placement. The Community Corrections boards in each judicial district contract with the state to administer the funding and screen offenders. The Boards then contract with local or private providers to purchase services for offenders. The facilities (sometimes called halfway houses) are required to meet Standards, as revised in 2007, for both residential and non-residential programs.

A community corrections bed is an important alternative to incarceration in the continuum of the State's criminal justice system. "Diversion" beds allow judges to sentence offenders directly into community corrections as an intermediary alternative to incarceration. Without these beds, a vast majority of Diversion offenders would be placed in prison. "Transition" beds, on the other hand, provide a supervised step-down for eligible offenders between prison incarceration and parole.

The community corrections beds, on average, cost the state slightly more than half of a DOC bed. Although the Department of Corrections has done what it can to control the costs associated with the burgeoning prison population, safe and less expensive sentencing alternatives have become increasingly necessary.

Community Corrections facilities have long served as one such alternative. Selected offenders who are statutorily ineligible for probation can be safely supervised and rehabilitated in community corrections as Diversion placements, where they cost less than in a private prison bed and contribute to the community by holding jobs that allow them to pay restitution, child support and taxes.

Community Corrections residential services are provided at a rate of \$37.74 per day, per offender. In addition to room and meals, services required to be provided within the per diem rate by contract and/or standards include:

- offender assessment;
- case management;
- life skills;
- financial/budgeting classes;

- urinalysis testing for drug use;
- breath testing for alcohol use;
- whereabouts verification monitoring;
- visitor screening; and
- job verification.

All offenders in Community Corrections are required to find and hold full-time jobs, pay state and federal taxes, pay restitution to any victims of their crimes, pay child and family support, and contribute up to \$17.00 per day to the Community Corrections program toward their subsistence. Offenders also attend treatment as identified in the initial assessment process or by the referral agency. Treatment might include mental health counseling, substance abuse treatment, domestic violence treatment, anger management classes, parenting classes, cognitive programs, sex offender treatment or other specified treatment. Any outside treatment is paid for by the offender or from Offender Services funds managed by the DOC or DCJ's Office of Community Corrections.

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stability and consistency. The Office of Community Corrections monitors the billings from the boards and audits the programs on a regular basis. The on-site audits ensure that programs are meeting the standards, maintaining public safety and treating offenders in a fair and humane manner while holding them accountable for their actions.

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This request builds upon last year's addition of about 178 Diversion beds and 60 Transition beds. First, this initiative would increase the total percentage goal for placement of DOC's incarcerated population in Transition beds from 7.0% to 7.2%. As calculated in the table below, based on the projected DOC population, this will require an addition of 49 Transition beds.

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Net Change		49	

Second, to fill the balance of the Community Corrections system to its “genuine capacity,” this request would add a total of 397 Diversion beds in FY 2009-10, bringing the funded Community Corrections Transition and Diversion population to 3,588 residential beds. (This total represents the Division’s most reliable assessment regarding the total Statewide “genuine capacity” for Community Corrections offenders.) To most accurately emulate the rate at which these new Diversion beds would be filled, this request anticipates that the beds would be phased-in over time: 100 beds would be added on July 1, 2009; 125 on September 1, 2009; and 172 on January 1, 2010.

Third, this request would add 397 non-residential Diversion beds to accommodate the non-residential components of Diversion sentences in FY 2009-10.

Fourth, this request would correct some anomalies in the Department’s FY 2008-09 Community Corrections appropriation by specifically multiplying the total number of requested Community Corrections beds by the base per diems for those beds.

To account for anticipated growth in Community Corrections system capacity, the Department expects to submit another substantial request to increase Diversion beds for the FY 2010-11 budget year. However, the Department cannot specifically assess the extent of capacity growth at this early time, and therefore cannot accurately estimate the number of beds it will request in the next budget cycle.

Consequences if Not Funded:

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Calculations for Request:

Summary of Request FY 2009-10 and FY 2010-11	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
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Clean Up FY 2008-09	\$3,512	(\$754)	4,266	0	0	--
49 Transition Beds @\$37.74/day plus Board administrative fees	\$701,980	\$701,980	0	0	0	--
421 Diversion Beds @\$37.74/day plus Board administrative fees	\$4,007,727	\$4,007,727	0	0	0	--
421 Non-Residential Diversion Slots @ \$5.12/day plus Board admin. Fees	\$771,590	\$771,590	0	0	0	--

Assumptions for Calculations:

The table below details the calculations used to arrive at the requested amounts. These calculations presume that per diem rates for community corrections will remain at FY 2008-09 levels (a provider rate increase will be requested as part of another FY 2009-10 decision item). A further presumption is that the administrative fees paid to boards will not exceed 4% annually.

	FY 2008-09 Appropriation			FY09 + FY10 New Beds			Difference
	Beds	Daily Rate	Appropriation	Beds	Daily Rate	Appropriation	
<b>ADMINISTRATION</b>	<b>BASED ON 365 Days in FY09!!!</b>			<b>365 Days in FY10!!!</b>			
Transition, 4%			\$ 1,003,046			\$ 1,056,021	\$ 52,975
Diversion, 4%			\$ 920,704			\$ 1,109,701	\$ 188,997
Other Services, 4%							\$ -
<b>Total Administration</b>			<b>\$ 1,923,750</b>			<b>\$ 2,165,722</b>	<b>\$ 241,972</b>

STATE OF COLORADO FY 2009-10 BUDGET REQUEST CYCLE: Department of Public Safety

<b>INCENTIVE FUNDS FOR LOW-RISK PROVIDERS</b>										
Incentive Funds				\$ 210,659						\$ (210,659)
<b>Total Incentive Funds</b>				<b>\$ 210,659</b>						<b>\$ (210,659)</b>
<b>TRANSITION BEDS</b>										
Residential		1,657	\$ 37.74	\$ 22,688,214		1,706	\$ 37.74	\$ 23,500,321		\$ 812,107
CIRT		98	\$ 17.78	\$ 635,991		98	\$ 17.78	\$ 635,991		\$ -
Sex Offender		10	\$ 37.74	\$ 137,751		10	\$ 37.74	\$ 137,751		\$ -
Parole		80	\$ 37.74	\$ 1,102,008		80	\$ 37.74	\$ 1,102,008		\$ -
<b>Total Transition</b>				<b>\$ 24,563,964</b>				<b>\$ 25,376,071</b>		<b>\$ 812,107</b>
<b>DIVERSION BEDS</b>										
Residential		1,475	\$ 37.74	\$ 20,191,745		1,872	\$ 37.74	\$ 24,171,856		\$ 3,980,111
Non-Residential		1,230	\$ 5.12	\$ 2,298,624		1,627	\$ 5.12	\$ 3,040,538		\$ 741,914
<b>Total Diversion</b>				<b>\$ 22,490,369</b>				<b>\$ 27,212,394</b>		<b>\$ 4,722,025</b>
<b>TRANSITION MENTAL HEALTH DIFFERENTIAL</b>										
Transition Mental Health Total		85	\$ 33.02	\$ 1,018,861		85	\$ 33.02	\$ 1,024,446		\$ 5,585
<b>DIVERSION MENTAL HEALTH DIFFERENTIAL</b>										
Diversion Mental Health Total		20	\$ 33.02	\$ 239,732		20	\$ 33.02	\$ 241,046		\$ 1,314
<b>SPECIALIZED SERVICES</b>										
Specialized Services Total		275	\$ 200.00	\$ 55,000		275	\$ 200.00	\$ 55,000		\$ -
<b>JOHN EACHON RE-ENTRY PROGRAM</b>										
JERP Total		15	\$ 52.80	\$ 287,493		15	\$ 52.80	\$ 289,080		\$ 1,587
<b>DAY REPORTING CENTER</b>										
Day Reporting Center Total		175	\$ 8.45	\$ 537,189		175	\$ 8.45	\$ 539,744		\$ 2,555
<b>SUBSTANCE ABUSE TREATMENT</b>										
TC Enhancement GF		40	\$ 14.34	\$ 208,196		40	\$ 14.34	\$ 209,364		\$ 1,168
SO CO TC Enhancement GF		16	\$ 30.9632	\$ 180,825		16	\$ 14.34	\$ 83,746		\$ (97,079)

STATE OF COLORADO FY 2009-10 BUDGET REQUEST CYCLE: Department of Public Safety

TC Enhancement DOSF	77	\$ 14.34	\$ 398,760	77	\$ 14.34	\$ 403,026	\$ 4,266
Diversion IRT, DOSF	31.4	\$ 17.70	\$ 202,860	31.4	\$ 17.70	\$ 202,860	\$ -
Female IRT, DOSF	14	\$ 17.00	\$ 86,870	14	\$ 17.00	\$ 86,870	\$ -
Day Treatment, DOSF	8	\$ 33.27	\$ 97,148	8	\$ 33.27	\$ 97,148	\$ -
Offender Assmnt., DOSF			\$ 10,300			\$ 10,300	\$ -
<i>Subtotal DOSF (CF/CFE)</i>			\$ 795,938			\$ 800,204	\$ 4,266
<b>Total Substance Abuse</b>			<b>\$ 1,184,959</b>			<b>\$ 1,093,314</b>	<b>\$ (91,645)</b>
<b>OUTPATIENT TC PROGRAMS</b>							
Outpatient TC Programs	160	\$ 13.32055	\$ 777,920	160	\$ 13.32	\$ 777,888	\$ (32)
<b>Total Outpatient TC</b>			<b>\$ 777,920</b>			<b>\$ 777,888</b>	<b>\$ (32)</b>
<b>TOTAL COMM. COR.</b>			<b>\$ 53,289,896</b>			<b>\$ 58,774,705</b>	<b>\$ 5,484,809</b>

Impact on Other Government Agencies:

The availability of Transition and Diversion Community Corrections beds allows for the alternative placement of offenders who would otherwise occupy a prison bed. For this reason, the Department assumes that the addition of each Community Corrections bed should correspond directly to a reduction in DOC bed capacity.

Cost Benefit Analysis:

The following tables demonstrate the projected cost avoidance to the state in FY 2009-10 through the use of community corrections beds.

***Transition Savings***

	<b>Total Costs Per Day for One Prisoner</b>	<b>Annual Cost per 49 Prisoners</b>	<b>Total One-Year Private Prison Costs Avoided</b>
Private Prison	\$57.26	\$ 1,024,095	\$ -
Transition Comm. Corrections*	\$50.11	\$ 896,217	<b>\$ 127,878</b>

\* This amount includes the \$37.74 per diem for Community Corrections, a 4.0% administrative rate payment of \$1.49, and \$10.86 for DOC community corrections agents.

***Diversion Savings***

	<b>Number of Diversion Beds</b>	<b>Days</b>	<b>Cost Per Diversion Bed</b>	<b>Total Diversion Cost</b>	<b>Number of Prison Beds</b>	<b>Cost Per Prison Bed</b>	<b>Total Diversion Savings</b>
July 1 (full year)	100	365	37.74	\$1,377,510	100	57.26	\$2,089,990
October 1 (9 months)	125	274	37.74	\$1,291,416	125	57.26	\$1,959,366
January 1 (6 months)	172	183	37.74	\$1,184,659	172	57.26	\$1,797,391
Subtotal	397			\$3,853,584	397		\$5,846,747
<b>Total Cost of Diversion (Includes 4.0% Administrative Fee)</b>				<b>\$4,007,728</b>			
25% Adjustment for Local Jails							\$1,461,687
<b>Gross Annual Savings (Reduction to DOC)</b>							<b>\$4,385,060</b>
<b>Net Annual Savings</b>							<b>\$377,333</b>

The Department expects that the new diversion beds will be available in phases throughout the fiscal year. The table above shows the phased-in costs and savings of the additional 397 diversion beds. It is also important to note that the Department made a bottom line adjustment to reduce the net savings by 25.0 percent to account for offenders who are awaiting a diversion placement in a local jail. These offenders would not generate a savings to DOC.

In addition, the Department anticipates that the 397 new diversion beds will produce a cost to Judicial of \$289,810 (\$2.00 per day x 397 offenders x 365 days). Factoring in the cost to Judicial, the addition of 397 diversion beds will have an annual net savings of \$87,523



Implementation Schedule:

Additional Community Corrections beds would begin to be filled in July 2009.

Statutory and Federal Authority:

**C.R.S. 17-27-101-108 (2008)** establishes and maintains authority for community corrections programs which provide the courts, the department of corrections and the state board of parole with more flexibility and a range of correctional options for offenders; establishes authority of community corrections boards to approve or disapprove operation of community corrections programs in their jurisdiction, enter into contracts with the state, and establishes duties of the community corrections boards; identifies duties of community corrections programs and administrators with respect to operations of the program including conduct of offenders; identifies and defines escape from a community corrections program/facility; sets out the duties of the Division of Criminal Justice related to community corrections contracts, promulgation of standards, auditing and related fiduciary duties. Authorizes the Division to allocate up to 5 percent of community corrections appropriations to local community corrections boards in support of administrative costs incurred pursuant to the duties required by this statute.

**C.R.S. 18-1.3-301 (2008)** provides the authority for the district courts, the department of corrections and the state board of parole to place offenders in community corrections; provides authority to both community corrections boards and programs to screen and accept or reject offenders; identifies criteria for the earning of time credits by offenders.

Performance Measures:

This request is in alignment with the following Department-wide strategic objective and performance measure:

**Department-Wide Objective 4** *Reduce the likelihood of criminal recidivism through an increase in Community Corrections program compliance and accountability.*  
**Performance Measure** *Improve overall Community Corrections program compliance through an annual decrease in the average Risk Factor Analysis score.*


**Schedule 13  
Change Request for FY 2009-10 Budget Cycle**

Decision Item FY 2009-10  Supplemental FY 2008-09   
 Request Title: DCJ, Spending Authority for Intensive Residential Treatment Beds (Cash Funds)  
 Department: Department of Public Safety  
 Priority Number: 17

Base Reduction Item FY 2009-10  Budget Request Amendment FY 2009-10

Date: November 1, 2008

Date: 10-6-08

Dept. Approval by: 

OSPB Approval: 

Fund	1	2	3	4	5	6	7	8	9	10
	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
Total	-	-	-	-	-	194,076	194,076	-	194,076	194,076
FTE	0.0	-	-	0.0	0.0	0.0	0.0	-	0.0	0.0
GF	-	-	-	-	-	-	-	-	-	-
CF	-	-	-	-	-	194,076	194,076	-	194,076	194,076
HUTF	-	-	-	-	-	-	-	-	-	-
CFE/RF	-	-	-	-	-	-	-	-	-	-
FF	-	-	-	-	-	-	-	-	-	-
(4) Division of Criminal Justice	-	-	-	-	-	194,076	194,076	-	194,076	194,076
(D) Community Corrections	0.0	-	-	0.0	0.0	0.0	0.0	-	0.0	0.0
IRT Pilot Project (New Line)	-	-	-	-	-	194,076	194,076	-	194,076	194,076
	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-

Letternote revised text:  
 Cash Fund Name/Number, Federal Fund Grant Name: Drug Offender Surcharge - 17E  
 IT Request  Yes  No  
 Request Affects Other Departments:  Yes  No If Yes, List Other Departments Here:

## CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE

Department:	Department of Public Safety
Priority Number:	17
Change Request Title:	Spending Authority for Intensive Residential Treatment Beds (Cash Funds)

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests the authority to spend \$194,076 from the Drug Offender Surcharge Cash Fund in FY 2009-10 to conduct the pilot of an evidence-based study that extends the Intensive Residential Treatment (IRT) of selected substance abuse offenders in community corrections from the present 45 days to 90 days. It is anticipated that the pilot program will begin in July 2009 and continue for at least two years.

Background and Appropriation History:

The Department currently oversees funding for 98 Transition offenders in a specialized 45 day Intensive Residential Treatment (IRT) program for offenders with well-documented substance abuse problems that have been refractory to a lesser degree of treatment. The IRT programs are housed at three community corrections facilities.

According to published studies, outcomes from this treatment are positive, but modest. A substantial body of research data (summarized below) strongly suggests that successful outcomes in substance abuse therapy are associated with a longer period of treatment.

Specifically, the research data supports a minimum of 90 days of residential substance abuse treatment.

The Department proposes to pilot a 90-day IRT model that delivers 210 hours of therapy to each offender. The extended IRT treatment model would be housed at an existing program, which would randomize three groups of 10 offenders into the existing 45-day model and three groups of 10 offenders into 90 days of treatment. Outcomes would be compared between the offenders who completed the shorter program and those who had a longer duration of treatment.

Recent publications that support the 90 day/210 hour treatment approach include:

*National Institute on Drug Abuse Principles of Drug Abuse Treatment for Criminal Justice Populations: A Research-Based Guide (2006).*

“While individuals progress through drug abuse treatment at different rates, one of the most reliable findings in treatment research is that lasting reductions in criminal activity and drug abuse are related to length of treatment. Generally, better outcomes are associated with *treatment that lasts longer than 90 days* (emphasis supplied).”

*American Association for Correctional and Forensic Psychology, Transferring the Principles of Effective Treatment into a "Real World" Prison Setting (2005)*

“... the results suggest a simple linear relationship between "dosage" and effectiveness, with more treatment the average offender receives, the greater the reduction in recidivism.”

“...those high risk and multiple needs offenders who received 15 weeks recidivated at significantly lower rate than similar offenders who only received 5 weeks of treatment (emphasis supplied). In fact, the 5 week program appeared to have no effect on recidivism, with a recidivism rate (62%) similar to the untreated comparison group (59%).”

“...it appeared that a minimum of 200 hours are required to significantly reduce recidivism.”

*Colorado Division of Criminal Justice - Office of Research and Statistics  
(Based in part on material available from the National Institute of Corrections)  
Evidence-Based Correctional Practices (2007)*

“Many efficacy studies have found that high-risk offenders should spend 40-70 percent of their time in highly-structured activities and programming for 3 to 9 months prior to release. However, these are minimum durations and are likely to be inadequate for both sex offender populations and serious drug addicts. Studies of both populations have found that duration and intensity are linked to positive outcomes.”

General Description of Request:

The Department proposes to conduct the pilot of a 90-day IRT model in the three existing programs. Three groups of 10 offenders at each facility would be randomly assigned into 90 days of treatment. Random assignment is preferable to specific selection for inclusion in the 90-day model to avoid any appearance of selection bias, which could call the value of subsequently obtained data into question.<sup>1</sup>

Because the experimental groups would “turn over” every three months, 120 offenders would complete 90 days of Intensive Residential Treatment during the fiscal year. Recidivism and other outcomes could then be compared between the offenders who completed the current 45-day program and those who completed the 90-day course of treatment.

The nature of this data collection requires the use of an institutional review board (IRB) to assure that ethical constraints are met.

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<sup>1</sup> Riegelman, R. *Studying a Study and Testing a Test*. Lippincott Williams and Wilkins, New York (2004), pp 67-89.

All of the monies authorized for expenditure would be used to provide services; none of the request is earmarked for research or for data and statistical compilation.

Consequences if Not Funded:

Though the current 45 day IRT model provides modestly beneficial outcomes, the research strongly indicates that residential treatment periods of at least 90 days with 200 hours of therapeutic contact are much more likely to result in freedom from criminality. Therefore, if existing cash funds cannot be used for the proposed pilot, it will be difficult to establish that a 90-day treatment course is more effective than the 45-day model.

Calculations for Request:

Summary of Request FY 2009-10	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$194,076	0	\$194,076	0	0	0
(D) Community Corrections IRT Pilot Project (new Long Bill line item)	\$194,076	0	\$194,076	0	0	0

Summary of Request FY 2010-11	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$194,076	0	\$194,076	0	0	0
(D) Community Corrections IRT Pilot Project (new Long Bill line item)	\$194,076	0	\$194,076	0	0	0

Cash Funds Projections:

Cash Fund Name	Cash Fund Number	FY 2007-08 Expenditures	FY 2007-08 End of Year Cash Balance	FY 2008-09 End of Year Cash Balance Estimate	FY 2009-10 End of Year Cash Balance Estimate	FY 2010-11 End of Year Cash Balance Estimate
Drug Offender Surcharge	255	\$5,181,714	\$2,498,055	\$1,986,607 <sup>2</sup>	\$1,618,875 <sup>1</sup>	\$1,300,484 <sup>1</sup>

Assumptions for Calculations:

The IRT per diem differential is funded at \$17.70 per day in FY 2008-09. Presuming a 1.5% provider rate increase, the differential would be \$17.97 in FY 2009-10.

In FY 2009-10, 120 offenders at an IRT differential of \$17.97 per day for 90 days each would cost \$194,076. For the purposes of this request, the Department will not presume a provider rate increase in FY 2010-11.

The cost of an Institutional Review Board (IRB) review and potential specific IRB requirements are anticipated to cost \$3,000 in FY 2009-10.

This request assumes that the pilot program would continue into FY 2010-11, during which anticipated IRB-related costs would fall to \$2,000.

Impact on Other Government Agencies:

The expected reduction in recidivism in this difficult offender group could directly benefit both the Department of Corrections and the Judicial Department. More data will be required to determine the ultimate fiscal impact.

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<sup>2</sup> These estimates presume that disbursements of \$1,000,000 will be approved for FYs 2008-09, 2009-10 and 2010-11. The chart summarizing the Drug Offender Surcharge Cash Fund Report is appended for further information.

Cost Benefit Analysis:

The current per diem for private prison beds exceeds \$20,000 annually. If an additional 10 persons out of the 120 offenders (8.3%) in the 90-day treatment model avoids recidivism, the investment of these cash funds would be repaid in full in DOC costs alone.

Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
Internal Research/Planning Period	September 2008
RFP Issued	October 2008
Contract or MOU Written	October 2008
Contract or MOU Awarded/Signed	November 2008
Start-Up Date	December 1, 2008

Statutory and Federal Authority:

**C.R.S. 17-27-101-108 (2008)** establishes and maintains authority for community corrections programs which provide the courts, the department of corrections and the state board of parole with more flexibility and a range of correctional options for offenders; establishes authority of community corrections boards to approve or disapprove operation of community corrections programs in their jurisdiction, enter into contracts with the state, and establishes duties of the community corrections boards; identifies duties of community corrections programs and administrators with respect to operations of the program including conduct of offenders; identifies and defines escape from a community corrections program/facility; sets out the duties of the Division of Criminal Justice related to community corrections contracts, promulgation of standards, auditing and related fiduciary duties. Authorizes the Division to allocate up to 5 percent of community corrections appropriations to local community corrections boards in support of administrative costs incurred pursuant to the duties required by this statute.

**C.R.S. 18-1.3-301 (2008)** provides the authority for the district courts, the department of corrections and the state board of parole to place offenders in community corrections; provides authority to both community corrections boards and programs to screen and accept or reject offenders; identifies criteria for the earning of time credits by offenders.



Performance Measures:

While this request is not specifically related to the strategic objectives and performance measures in the Department's 2008 strategic plan, it is in general alignment with the Department's broad focus on reducing criminal recidivism and incarcerated populations.

**Drug Offender Surcharge Cash Fund  
Fund Number 255  
Summary of Financial Status<sup>3</sup>**

	Actual	Actual	Projected	Projected	Projected
	FY 2007	FY 2008	FY 2009	FY 2010	FY2011
<i><u>Beginning Fund Balance</u></i>	<i><u>1,768,861</u></i>	<i><u>3,005,884</u></i>	<i><u>2,851,059</u></i>	<i><u>3,478,962</u></i>	<i><u>3,174,908</u></i>
Revenue	4,515,517	4,715,062	4,809,363	4,905,551	5,052,717
Interest	120,044	147,348	156,304	159,430	164,213
Total Revenue	4,635,561	4,862,410	4,965,668	5,064,981	5,216,930
Expenditures:					
Program Costs*	1,127,750	1,465,636	1,498,779	1,538,311	1,838,311
Indirect Costs	117,310	119,322	51,475	51,767	51,767
Central Pots	0	0	99,172	156,003	156,003
IAC Spending Restrictions			(203,947)	(300,602)	
Decision Items				300,000	
Transfers:					
Dept. of Corrections*	636,867	995,127	995,127	1,245,127	1,245,127
Public Safety*	763,995	827,534	894,542	1,107,813	1,107,813
Human Services*	752,616	1,609,616	1,002,616	1,270,616	1,270,616
Total Expenditures	3,398,538	5,017,235	4,337,764	5,369,035	5,669,637
<b>Fund Balance</b>	<b>3,005,884</b>	<b>2,851,059</b>	<b>3,478,962</b>	<b>3,174,908</b>	<b>2,722,202</b>
Reserve increase/(decrease)	1,237,023	(154,826)	627,904	(304,054)	(452,706)

<sup>3</sup> Prepared by the State Judicial Department

Schedule 13

Change Request for FY 2009-10 Budget Cycle

Decision Item FY 2009-10

Base Reduction Item FY 2009-10

Supplemental FY 2008-09

Budget Request Amendment FY 2009-10

Request Title: DCJ, FTE Authority for the Criminal Justice Training Fund

Department: Department of Public Safety

Priority Number: 18

Dept. Approval by: *[Signature]*

Date: November 1, 2008

OSP Approval: *[Signature]*

Date: 10-15-08

		1	2	3	4	5	6	7	8	9	10
Fund		Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
Total of All Line Items	Total	-	139,488	-	139,488	139,488	-	139,488	-	139,488	-
	FTE	0.0	0.0	0.0	0.0	0.0	0.5	0.5	0.0	0.5	0.5
	GF	-	-	-	-	-	-	-	-	-	-
	CF	-	139,488	-	139,488	139,488	-	139,488	-	139,488	-
	HUTF	-	-	-	-	-	-	-	-	-	-
(4) Division of Criminal Justice	Total	-	139,488	-	139,488	139,488	-	139,488	-	139,488	-
	FTE	0.0	0.0	0.0	0.0	0.0	0.5	0.5	0.0	0.5	0.5
	GF	-	-	-	-	-	-	-	-	-	-
	CF	-	139,488	-	139,488	139,488	-	139,488	-	139,488	-
	HUTF	-	-	-	-	-	-	-	-	-	-
Criminal Justice Training Fund	CFE/RF	-	-	-	-	-	-	-	-	-	-
	FF	-	-	-	-	-	-	-	-	-	-

Letternote revised text:

Cash Fund Name/Number, Federal Fund Grant Name: Criminal Justice Training Fund - 21N

IT Request  Yes  No

Request Affects Other Departments:  Yes  No If Yes, List Other Departments Here:

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Public Safety
Priority Number:	18
Change Request Title:	FTE Authority for the Criminal Justice Training Fund

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests authority to employ 0.5 FTE from funds collected in the Criminal Justice Training Fund. The 0.5 FTE (Administrative Assistant III) will coordinate training courses offered under the Colorado Department of Public Safety (CDPS), Division of Criminal Justice (DCJ), and Colorado Regional Community Policing Institute (CRCPI) Training Unit. This request is for additional FTE only, and does not involve any increase in overall spending authority. There is no additional cost to the state.

Background and Appropriation History:

CRCPI delivers training classes in Community Policing, Crisis Intervention Teams, Ethics, Anti-Bias, Methamphetamine Response, Domestic Violence, Risk Assessment and Response, Counter-Terrorism, and Weapons of Mass Destruction First Responder Awareness Training. The CRCPI has worked with Colorado Peace Officer Standards Training (POST), as well as a number of other partners on the development and delivery of relevant training.

House Bill 07-1263 authorized the Division of Criminal Justice to charge a fee in exchange for providing a training program. Any fees received from trainings are deposited into the newly created Criminal Justice Training Fund. The DCJ was appropriated cash spending authority of \$116,240 in FY 2007-08, and \$139,488 in FY 2008-09 and beyond. This additional spending authority will fund the requested 0.5 FTE.

For over 10 years, CRCPI has developed and delivered high-quality training to law enforcement agencies throughout the State. Training offered by CRCPI focuses on helping officers develop critical problem solving skills necessary to effect a decrease in criminal activity in their communities. Without outside assistance, this type of training is generally not available to officers in the smaller, more isolated parts of Colorado, where financial resources limit training activities.

General Description of Request:

A decrease in federal dollars for law enforcement training has reduced funds available for the state implementation and staffing of the Colorado RCPI. The Department requests an additional 0.5 FTE, with existing spending authority, to fund costs for administrative support to coordinate training courses offered by CRCPI. There is an overwhelming demand for trainings; the need for staff to coordinate the training activities has become critical.

The Criminal Justice Training fund allows CRCPI to collect fees for training courses offered throughout the state. These training fees support, in part, the delivery of these courses for law enforcement officers, deputies, other interested service providers, and community members. Training coordination services for these courses (site development, instructor recruitment, marketing, registration, evaluation) are required to continue to offer the number and quality of courses under the Criminal Justice Fund.

This decision item is to use existing cash spending authority for a 0.5 FTE only, and there is no cost to the state.

Consequences if Not Funded:

If spending authority is not granted there will be fewer courses offered to public safety agencies throughout Colorado. Fewer members of law enforcement will be able to receive needed training in the areas of crisis intervention, ethics, and domestic violence, which will harm public safety and victims.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$0	\$0	\$0	\$0	\$0	0.5
Criminal Justice Training Fund	\$0	\$0	\$0	\$0	\$0	0.5

<b>Summary of Request FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$0	\$0	\$0	\$0	\$0	0.5
Criminal Justice Training Fund	\$0	\$0	\$0	\$0	\$0	0.5

Cash Funds Projections:

<b>Cash Fund Name</b>	<b>Cash Fund Number</b>	<b>FY 2007-08 Expenditures Actual</b>	<b>FY 2007-08 End of Year Cash Balance Actual</b>	<b>FY 2008-09 End of Year Cash Balance Estimate</b>	<b>FY 2009-10 End of Year Cash Balance Estimate</b>	<b>FY 2010-11 End of Year Cash Balance Estimate</b>
Criminal Justice Training Fund	21N	\$35,416	\$10,816	\$25,000	\$25,000	\$25,000

The above table assumes that higher revenue collections will exist in future years because the requested 0.5 FTE will be able to schedule and coordinate more training sessions. In

addition, FY 2007-08 was the first year fees could be collected and spent, so internal procedures needed to be developed prior to implementing any fee-based training sessions.

Assumptions for Calculations:

<b>OSPB Common Policy for FTE Requests</b>					
<b>FTE and Operating Costs</b>				<b>GRAND TOTAL</b>	
<b>Fiscal Year(s) of Request</b>		<b>FY 09-10</b>	<b>FY 10-11</b>	<b>FY 09-10</b>	<b>FY 10-11</b>
<b>PERSONAL SERVICES</b>	<b>Title:</b>	<b>Administrative Assistant III</b>			
Number of PERSONS / class title		0.5	0.5		
Number of months working in FY 08-09, FY 09-10 and FY 10-11		12	12		
Number months paid in FY 08-09, FY 09-10 and FY 10-11 <sup>1</sup>		12	12		
Calculated FTE per classification		<b>0.5</b>	<b>0.5</b>	0.5	0.5
Annual base salary		\$34,764	\$34,764		
Salary		\$17,382	\$17,382	\$17,382	\$17,382
PERA	<b>10.15%</b>	\$1,764	\$1,764	\$1,764	\$1,764
Medicare	<b>1.45%</b>	\$252	\$252	\$252	\$252
<b>Subtotal Personal Services at Division Level</b>		<b>\$19,398</b>	<b>\$19,398</b>	<b>\$19,398</b>	<b>\$19,398</b>
<b>OPERATING EXPENSES</b>					
Supplies @ \$500/\$500 <sup>2</sup>	<b>\$500</b>	\$250	\$250	\$250	\$250
Computer @ \$900/\$0	<b>\$900</b>	\$450	\$0	\$450	\$0
Office Suite Software @ \$330/\$0	<b>\$330</b>	\$165	\$0	\$165	\$0
Office Equipment @ \$3,998/\$0 (includes cubicle and chair)	<b>\$3,998</b>	\$1,999	\$0	\$1,999	\$0
Telephone Base @ \$450/\$450 <sup>2</sup>	<b>\$450</b>	\$225	\$225	\$225	\$225
<b>Subtotal Operating Expenses</b>		<b>\$3,089</b>	<b>\$475</b>	<b>\$3,089</b>	<b>\$475</b>
<b>GRAND TOTAL ALL COSTS</b>		<b>\$22,487</b>	<b>\$19,873</b>	<b>\$22,487</b>	<b>\$19,873</b>

Impact on Other Government Agencies: No impact on other government agencies is anticipated.

Cost Benefit Analysis:

BENEFITS

The benefit to Colorado communities of current and relevant training for peace officers cannot be underestimated. The benefits of the CRCPI receiving spending authority for these dollars include:

- As an existing public safety training institute, CRCPI is able to more effectively facilitate the development of a relevant curriculum and provide training opportunities for agencies throughout the State; and
- CRCPI has extensive experience in providing training peace officers throughout Colorado that enhances the quality of life for citizens by developing and improving upon the professional skill level of local law enforcement personnel.

If the CRCPI is not granted the spending authority for FTE from the training fee collection, the CRCPI will not be able to meet the training requests from public safety agencies throughout the state, in particular the smaller and more isolated regions of the state. Additionally, the training offered by the CRCPI goes beyond the traditional training offered to law enforcement, and there is no training entity in the State that offers the professional training provided by CRCPI.

COSTS

In total, the elements of this decision item will result in no increased costs to the State. If the CRCPI is unable to collect and expend these dollars, it is likely that the training opportunities for law enforcement will be decreased.

Given that the benefits described above will come at no additional cost to the State, it can be reasonably assumed that the overall benefits of this request will substantially outweigh the monetary costs.

If this request is not funded, CRCPI will be unable to meet request to provide training for public safety agencies throughout the state. As such, Colorado public safety



professionals will not receive adequate training to enhance community safety and the overall quality of life for Colorado residents. Additionally, the training offered by the CRCPI goes beyond the traditional training offered to law enforcement, and there is no training entity in the State that offers the professional training provided by CRCPI.

Implementation Schedule:

Task	Month/Year
Start-Up Date	July 1, 2009

Statutory and Federal Authority:

Section 24-33.5-503.5 CRS (2008)

(1) The division may charge a fee in exchange for providing a training program. The fees charged shall be deposited into the criminal justice training fund created in subsection (2) of this section.

(2) There is hereby created in the state treasury the criminal justice training fund, referred to in this section as the "fund". All moneys collected pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the fund. The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with providing training. Any moneys in the fund not expended for the purpose of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.

Federal authority can be found in SEC. 10003. COMMUNITY POLICING; 'COPS ON THE BEAT' and Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.)

Performance Measures:

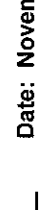
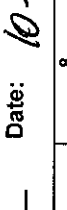
While this request is not specifically related to the strategic objectives and performance measures in the Department's 2008 strategic plan, it is in general alignment with DCJ's clear statutory mission to improve the criminal justice system.

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**Schedule 13**  
**Change Request for FY 2009-10 Budget Cycle**

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Request Amendment FY 2009-10

**Request Title:** CSP, Garage Operations Spending Authority and FTE  
**Department:** Department of Public Safety  
**Priority Number:** 11  
**Date:** November 1, 2008  
**Date:** 10-6-08

**Dept. Approval by:**   
**OSPB Approval:** 

Fund	1	2	3	4	5	6	7	8	9	10
	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
<b>Total of All Line Items</b>	1,784,255 17.0	2,781,944 0.0	- 0.0	2,781,944 0.0	2,783,625 0.0	145,224 1.0	2,928,849 1.0	- 0.0	2,928,849 1.0	145,224 1.0
	GF	-	-	-	-	-	-	-	-	-
	CF	466,569	-	466,569	466,569	-	466,569	-	466,569	-
	HUTF	-	-	-	-	-	-	-	-	-
	CFE/RF	2,315,375	-	2,315,375	2,317,056	145,224	2,462,280	-	2,462,280	145,224
	FF	32,384	-	-	-	-	-	-	-	-
<b>(2) Colorado State Patrol Safety and Law Enforcement Support</b>	1,784,255 17.0	2,781,944 0.0	- 0.0	2,781,944 0.0	2,783,625 0.0	145,224 1.0	2,928,849 1.0	- 0.0	2,928,849 1.0	145,224 1.0
	GF	-	-	-	-	-	-	-	-	-
	CF	571,307	-	466,569	466,569	-	466,569	-	466,569	-
	HUTF	-	-	-	-	-	-	-	-	-
	CFE/RF	1,180,565	-	2,315,375	2,317,056	145,224	2,462,280	-	2,462,280	145,224
	FF	32,384	-	-	-	-	-	-	-	-

**Letternote revised text:**  
 Cash Fund Name/Number, Federal Fund Grant Name: CSP Road Closure Fund (#271); CSP Fleet Management Fund (#607)  
 IT Request  Yes  No  
 Request Affects Other Departments:  Yes  No  If Yes, List Other Departments Here:

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	11
Change Request Title:	CSP Garage Operations Spending Authority and FTE

**SELECT ONE (click on box):**

- Decision Item FY 09-10
- Base Reduction Item FY 09-10
- Supplemental Request FY 08-09
- Budget Request Amendment FY 09-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests an increase of \$145,224 Reappropriated Funds spending authority and 1.0 FTE in FY 2009-10 to the Colorado State Patrol (CSP) Safety and Law Enforcement Support line item for the CSP Garage operations. This request will align the Patrol's spending authority with its physical capacity to outfit, repair, and maintain "law enforcement platforms" (or Patrol vehicles); and will restore authority to hire 1.0 FTE mechanic position eliminated unnecessarily during budget reductions in FY 2002-03.

Background and Appropriation History:

**Role of CSP "Law Enforcement Platforms"**

The nature of highway patrol work requires availability for immediate emergency response to motor vehicle crashes and other incidents. Troopers must be able to respond quickly when called out to emergencies.

Patrol vehicles used for field operations are much more than a means of transportation. Rather, these vehicles serve as “law enforcement platforms” that enable troopers to carry out their duties effectively. Regardless of rank or assignment, troopers are expected to handle a myriad of potentially life-threatening situations on a moment’s notice. Patrol vehicles essentially function as “office space” for troopers so that they may quickly respond to emergencies and actively promote highway safety. Therefore, these platforms must incorporate a reliable communications system, which is fundamental to officer safety, as well as carry equipment needed to mitigate unsafe situations and aid the injured. Vehicles used for emergency response are special-ordered from a manufacturer to include high-speed pursuit driving capabilities, cornering on tight curves, and improved traction on wet and icy surfaces. They may also have reflective markings for increased visibility, two-way radios, a mobile data computer (MDC), and emergency lighting equipment.

### **CSP Garage Operations**

Located at Camp George West, the CSP Garage includes civilian staff to maintain and up-fit vehicles in order to prevent work backlogs and maintenance delays. A CSP Fleet Mechanic performs a full range of duties and plays a critical role in the up-fitting of new Patrol vehicles. In addition to up-fitting about 150 vehicles annually, CSP mechanics perform a wide variety of repairs and preventative maintenance. Because the CSP Garage is a fully-delegated State Fleet Management (SFM) garage, SFM reimburses the costs for all work completed by CSP mechanics. The existing CSP fleet includes about 750 vehicles, of which there are 540 Patrol cars (a.k.a. “law enforcement platforms”), which fluctuates throughout the year.

### **FY 2002-03 Reductions – CSP Garage Operations**

As noted above, the Patrol bills SFM hourly rates based upon work performed on vehicles, which are leased from SFM but used by the Patrol to perform law enforcement duties. These fees are the source of the cash funds exempt appropriation for both parts and labor.

For the FY 2002-03 Long Bill, the General Assembly reduced the cash funds exempt appropriation to this line item by \$393,010 and 1.0 FTE because the Patrol had reverted spending authority and FTE authority between FY 1998-99 and FY 2000-01. The JBC staff justification stated: *“The Department reports that it currently does not generate sufficient revenue to sustain the current cash funds and cash funds exempt spending authority. Therefore, staff recommends reducing this line item to reflect actual expenditures and FTE levels. Staff recommends reducing the appropriation in this line item to \$193,811 and 1.0 FTE which is the highest level over the last three actual years.”*

However, since that time, the Patrol’s billable expenditures from this line item have increased from levels that existed prior to FY 2001-02 for two major reasons:

- The CSP Garage Operations were moved to Camp George West in mid-CY 2001, which increased efficiency because facilities were more accessible for routine maintenance while CSP officers were attending in-service training at the adjacent State Patrol Academy.
- In late-CY 2001, SFM and the Patrol entered into a delegated authority arrangement in order to expedite the repair and maintenance of CSP vehicles, which has increased work performed by CSP Garage Operations.

Based on this increase in revenues, the “cash funds exempt” spending authority was increased in FY 2003-04 to \$272,574; however, the 1.0 FTE was not restored. No further increase in CFE spending authority has occurred since FY 2003-04. This situation has hindered efforts at the CSP Garage to provide repair and maintenance service to CSP vehicles without impacting its primary function to decommission and up-fit CSP vehicles on the standard three-year replacement cycle.

**Repair and Maintenance Statistics for the CSP Garage**

The following table provides summary statistics for repair and maintenance work performed by the CSP Garage during the past three fiscal years:

Performance Measures	FY 2005-06	FY 2006-07	FY 2007-08
Number of Repair or Maintenance Services Performed by the CSP Garage	1,611	1,464	1,431
Labor Expenses			
Parts Expenses			
Total Cost Reimbursed by SFM *	\$384,374	\$374,093	\$356,456
Average Cost Per Service	\$238.60	\$255.53	\$249.10

\* The figures in the Total Cost Reimbursement column are parts and labor combined.

The difference between revenues and expenditures are rolled into a Fleet Management Cash Fund (Fund 607). The following table indicates the balance in this fund since FY 2003-04.

FLEET MANAGEMENT CASH FUND (FUND 607)					
	FY 2004-05 Actual	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Actual	TOTAL
Revenues Generated (SFM Billings - CFE Transfers)	\$372,918	\$414,476	\$378,620	\$433,593	\$1,599,607
Long Bill Appropriation (CFE Spending Authority)	\$272,268	\$273,677	\$275,962	\$284,832	\$1,106,739
<b>Excess Revenue</b>	<b>\$100,650</b>	<b>\$140,799</b>	<b>\$102,658</b>	<b>\$148,761</b>	<b>\$492,868</b>
<b>Fund Balance</b>					



The fund's annual excess revenue demonstrates that another FTE could be supported by non-HUTF revenue, and that it will continue to grow unless either services performed by the CSP Garage are reduced or the spending authority is increased.

**CSP Garage Operations FTE**

The CSP Garage Operation is supported by several line items; however, personal services costs are included in the CSP Civilians Line Item and the CSP Safety and Law Enforcement Support Line Item, as follows:

	<b>WAGES – GARAGE FTE</b>			
<b>CSP Line Item</b>	<b>FY 2004-05 Actual</b>	<b>FY 2005-06 Actual</b>	<b>FY 2006-07 Actual</b>	<b>FY 2007-08 Actual</b>
Civilians (HUTF)	\$296,121 <i>7.0 FTE</i>	\$322,215 <i>7.2 FTE</i>	\$287,880 <i>6.5 FTE</i>	\$329,732 <i>6.0 FTE</i>
Safety and Law Enforcement Support (CFE)	\$72,900 <i>1.0 FTE</i>	\$89,300 <i>1.0 FTE</i>	\$39,777 <i>0.5 FTE</i>	\$59,546 <i>1.0 FTE</i>
<b>TOTAL</b>	<b>\$369,021</b> <b><i>8.0 FTE</i></b>	<b>\$411,525</b> <b><i>8.2 FTE</i></b>	<b>\$327,657</b> <b><i>7.0 FTE</i></b>	<b>\$389,278</b> <b><i>7.0 FTE</i></b>

Currently, the Patrol allocates mechanic FTE from its authorized FTE allocations in the Civilians line item, and depending on revenue and appropriation authority, from the Safety and Law Enforcement Support line item. In general, the mechanic FTE provides both maintenance and repairs to vehicles, and decommissioning and up-fitting CSP vehicles, depending on the demand for each at specific times. The Patrol currently funds the Garage Fleet Manager position from the appropriated CFE spending authority in the Safety and Law Enforcement Support line item, and the allocated mechanic FTE from its HUTF appropriation in the Civilians line item.

General Description of Request:

The year-to-year FTE change reflects the ability of the Patrol to appoint FTE within the Civilians line item, based on many competing priorities. It should be noted, however, that each mechanic funded from the Civilians line limits the Patrol's ability to address other critical civilian support functions throughout its operations.

The Department requests an additional 1.0 FTE and \$145,244 CFE spending authority for FY 2009-10 for the CSP Safety and Law Enforcement Support Long Bill line item. This line item includes the appropriations and an FTE allocation for the CSP Garage Operations. Since FY 2003-04, the Patrol's Garage Operation has generated more billable service hours and CFE revenue than it has spending authority to use. This request would restore the 1.0 FTE mechanic that was eliminated in FY 2002-03, and allow the CSP Garage to continue to outfit, repair, and maintain "law enforcement platforms" (or Patrol vehicles). This money is classified as "reappropriated funds" and is annotated as "user fees collected from other state agencies" because it is transferred from State Fleet Management (SFM) to the Patrol. This transfer is based on the number of billable hours worked by the Patrol's mechanics, and on reimbursement for parts.

This additional spending authority would support the additional 1.0 FTE from the generated RF revenue. For FY 2009-10, it is anticipated that the additional 1.0 FTE mechanic position could be hired and filled by July 1, 2009.

Consequences if Not Funded:

If this request is not funded, the CSP Garage Operations will not be able to conduct all the repair and maintenance work it could on Patrol cars, because it would not be able to recoup expenses from SFM. This work would have to be performed by private automobile repair and body shops. The consequences of this situation include:

- CSP officers would fail to fully realize administrative time efficiencies that occur by having the CSP Garage (which is located adjacent to the State Patrol Academy) perform routine maintenance work while they are attending in-service classes or meetings.

- A greater percentage of repair and maintenance work would be performed by automobile mechanics that have not passed a background check, which increases the potential for a security breach on these “law enforcement platforms”.
- The Patrol would not be able to ensure that repair and maintenance work that is performed on its customized police-package vehicles is conducted to CSP standards.
- In general, outside vendors perform services at a higher hourly rate (between \$80 and \$110 per hour statewide) than the CSP hourly rate of \$52.00 per hour. If the CSP garage is unable to perform services due to the spending restriction, more services would be completed by outside vendors, resulting in more service hours billed at the higher outside vendor hourly rate, increasing the cost per mile charged back in the SFM variable vehicle cost.

Even if SFM billings decrease from their current projections, this cash appropriation is exempt from state revenue limitations and would simply appear as a reversion due to unearned revenues.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$145,224			\$145,224		1.0
CSP, Safety and Law Enforcement Support	\$145,224			\$145,224		1.0

<b>Summary of Request FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$145,224			\$145,224		1.0

*STATE OF COLORADO FY 09-10 BUDGET REQUEST CYCLE: Department of Public Safety*

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<b>Summary of Request FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
CSP, Safety and Law Enforcement Support	\$145,224			\$145,224		1.0

Assumptions for Calculations:

The following is the cost detail for the 1.0 FTE mechanic, and associated operating expenses:

<b>OSPB Common Policy for FTE Requests</b>							
<b>FTE and Operating Costs</b>					<b>GRAND TOTAL</b>		
Fiscal Year(s) of Request		FY 08-09	FY 09-10	FY 10-11	FY 08-09	FY 09-10	FY 10-11
<b>PERSONAL SERVICES</b>	<b>Title:</b>	<b>Equipment Mechanic III</b>					
Number of PERSONS / class title		0	1	1			
Number of months <u>working in</u> FY 08-09, FY 09-10 and FY 10-11		0	12	12			
Number months <u>paid in</u> FY 08-09, FY 09-10 and FY 10-11 <sup>1</sup>		0	12	12			
Calculated FTE per classification		<b>0</b>	<b>1</b>	<b>1</b>	0	1	1
Annual base salary			\$44,160	\$44,160			
Salary		\$0	\$44,160	\$44,160	\$0	\$44,160	\$44,160
PERA	<b>10.15%</b>	\$0	\$4,482	\$4,482	\$0	\$4,482	\$4,482
Medicare	<b>1.45%</b>	\$0	\$640	\$640	\$0	\$640	\$640
<b>Subtotal Personal Services at Division Level</b>		<b>\$0</b>	<b>\$49,282</b>	<b>\$49,282</b>	<b>\$0</b>	<b>\$49,282</b>	<b>\$49,282</b>
<b>OPERATING EXPENSES</b>							
Supplies @ \$500/\$500 <sup>2</sup>	<b>\$500</b>	\$0	\$500	\$500	\$0	\$500	\$500
Computer @ \$900/\$0	<b>\$900</b>	\$0	\$0	\$0	\$0	\$0	\$0
Office Suite Software @ \$330/\$0	<b>\$330</b>	\$0	\$0	\$0	\$0	\$0	\$0
Office Equipment @ \$3,998/\$0 (includes cubicle and chair)	<b>\$3,998</b>	\$0	\$0	\$0	\$0	\$0	\$0
Telephone Base @ \$450/\$450 <sup>2</sup>	<b>\$450</b>	\$0	\$0	\$0	\$0	\$0	\$0
Auto Shop Supplies and Materials			\$90,218	\$90,218	\$0	\$90,218	\$90,218
<b>Subtotal Operating Expenses</b>		<b>\$0</b>	<b>\$90,718</b>	<b>\$90,718</b>	<b>\$0</b>	<b>\$90,718</b>	<b>\$90,718</b>
<b>INDIRECT COST ASSESSMENT (10.6% on all personal services)</b>			<b>\$5,224</b>	<b>\$5,224</b>		<b>\$5,224</b>	<b>\$5,224</b>
<b>GRAND TOTAL ALL COSTS</b>		<b>\$0</b>	<b>\$145,224</b>	<b>\$145,224</b>	<b>\$0</b>	<b>\$145,224</b>	<b>\$145,224</b>

- The FTE FY 2009-10 salary is based on an anticipated start date of July 1, 2009 and the current minimum range salary for that job title.
- Based on the previous four fiscal years' revenue history and the largest excess revenue balance during that period, this request is for an additional \$145,244 in CFE spending authority.

Impact on Other Government Agencies: Not applicable.

Cost Benefit Analysis: It is estimated the requested 1.0 FTE will provide an additional annual 1,500 billable hours of services to CSP patrol vehicles. At the current CSP billable hourly rate of \$52.00 per hour, this would generate approximately \$78,000 in additional labor charges payable to CSP by SFM. If the spending authority and FTE is not increased, this amount plus other billable hours payments from SFM cannot be used by the Patrol. This would force the Patrol to shift these needed services to outside vendors at an average billable hourly rate of approximately \$95.00 per hour. The estimated total cost benefit, including the billable hours of the additional CSP Garage FTE, would be a minimum of \$64,500 annually in reduced SFM payments (\$95/hr. x 1,500 hours versus \$52/hr. x 1,500 hours).

Additional cost benefit would be realized in lowered SFM variable vehicle cost per mile rate charges, since more billable hours of vehicle repair and maintenance could be paid at the lower state billable rate of \$52 per hour, than the outside vendor rates of between \$80 and \$110 per hour.

Implementation Schedule:

Task	Month/Year
Continued garage services to CSP vehicles beyond July 2009	July 2009
Hiring of 1.0 FTE mechanic (after recruitment, application and CSP background check process)	July 1, 2009

Statutory and Federal Authority:

Statute pertaining to the Department of Personnel and Administration:

**Section 24-30-1104 (2) (b), C.R.S. (2008) Central services functions of the department.** Establish and operate central facilities for the maintenance, repair, and storage of state-owned passenger motor vehicles for the use of state agencies; utilize any available state facilities for that purpose; and enter into contracts with such facilities as are necessary to carry out the provisions of this part 11.

Overall statutory responsibilities of the Patrol are contained in the Patrol Act, 24-33.5-201 through 226, C.R.S. (2007). Specific to this request is:

**24-33.5-203 (2), C.R.S. (2008) Duties of executive director and patrol.** (2) The Colorado State Patrol shall enforce or aid in enforcing all state laws pertaining to motor and all other vehicles, their equipment, weight, cargoes, and licenses, vehicle operators, and other operations including checking for brand inspection certificates or official bills of sale or acceptable trucking waybills on livestock or agricultural products upon the highways of Colorado and for the use thereof. The Colorado State Patrol shall also aid in the enforcement of the collection of all motor and other vehicle taxes and license fees, motor fuel taxes, and highway compensation taxes (with respect to the transportation of persons and property over public highways) as provided by law and shall otherwise promote safety, protect human life, and preserve the highways of this state by the courteous and strict enforcement of laws of this state which relate to highways and traffic upon such highways, notwithstanding any provisions of law charging any other department or agency in the state with the enforcement of such laws. The Colorado State Patrol shall also aid in the enforcement of other laws of this state as specifically authorized by the provisions of this part 2.

Performance Measures:

This request is not specifically related to the strategic objectives and performance measures in the Department's 2008 strategic plan. It is a technical request necessary to align spending authority with the current workload.

Schedule 13

Change Request for FY 2009-10 Budget Cycle

Decision Item FY 2009-10

Base Reduction Item FY 2009-10

Supplemental FY 2008-09

Budget Request Amendment FY 2009-10

Request Title: CBI, Grand Junction Facility Operating Costs

Department: Department of Public Safety

Priority Number: 13

Dept. Approval by: *[Signature]*

Date: November 1, 2008

OSPB Approval: *[Signature]*

Date: 10-9-08

		1	2	3	4	5	6	8	9	10	
Fund		Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
Total of All Line Items	Total	2,642,909	2,667,685	-	2,667,685	2,648,620	50,000	2,698,620	-	2,698,620	50,000
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	2,386,643	2,491,258	-	2,491,258	2,472,193	50,000	2,522,193	-	2,522,193	50,000
	CF	-	101,125	-	101,125	101,125	-	101,125	-	101,125	-
	HUTF	-	-	-	-	-	-	-	-	-	-
CFE/RF	256,266	75,302	-	75,302	75,302	-	75,302	-	75,302	-	
FF	-	-	-	-	-	-	-	-	-	-	-
(5) Colorado Bureau of Investigation (C) Laboratory and Investigative Services Operating Expenses	Total	2,642,909	2,667,685	-	2,667,685	2,648,620	50,000	2,698,620	-	2,698,620	50,000
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	2,386,643	2,491,258	-	2,491,258	2,472,193	50,000	2,522,193	-	2,522,193	50,000
	CF	-	101,125	-	101,125	101,125	-	101,125	-	101,125	-
	HUTF	-	-	-	-	-	-	-	-	-	-
CFE/RF	256,266	75,302	-	75,302	75,302	-	75,302	-	75,302	-	
FF	-	-	-	-	-	-	-	-	-	-	-

Letternote revised text:

Cash Fund Name/Number. Federal Fund Grant Name:

IT Request  Yes  No

Request Affects Other Departments:  Yes  No

If Yes, List Other Departments Here:



**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Colorado Bureau of Investigation
Priority Number:	13
Change Request Title:	Grand Junction Facility Operating Costs

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$50,000 General Fund to address a shortfall in the ability of the CBI to pay for expenses associated with the operations of its Grand Junction Facility. In specific, this request will allow the CBI to pay for higher-than-expected utilities costs within the facility.

Background and Appropriation History:

In April 2008, the CBI occupied a new facility in Grand Junction, replacing the facility in Montrose. The building is a highly technical criminal justice facility with a state-of-the-art forensic laboratory. The CBI has undertaken a multi-year process to obtain funding for this new field office in the West Slope. An initial assessment of the building's operating costs was done that included using program needs as accreditation requirements. Operating costs of the new facility were difficult, at best, to estimate for several reasons. This is the first facility of its kind in Colorado, so there were no comparable building metrics to use in estimating operating costs. Now that construction is complete, vendors have been able to walk through the facility and provide realistic estimates. In a decision item approved for the FY 2007-08, the total annual operating and

maintenance costs for the Grand Junction facility were estimated to be \$162,000 greater than the costs for operating the Montrose facility.

General Description of Request:

The CBI facility is a highly technical criminal justice facility containing a state of the art forensic laboratory. Current numbers are now available to estimate the necessary operating and maintenance budgets to maintain the facility. The Operating and Maintenance (O & M) budget is critical toward assuring the facility meets the proper working conditions demanded of the facility. The O&M budget also ensures that life safety issues are met and that laboratory accreditation remains intact. As noted previously, an initial assessment of the building's operating costs was done that included using program needs as accreditation requirements. Operating costs of the new facility were difficult to estimate. Now that construction is complete, vendors have been able to walk through the facility and provide realistic estimates. As a result, the initial estimates may have been significantly underestimated.

With this request, the CBI would receive an additional \$50,000 to pay for utilities costs in excess of initial estimates. In August 2006, when the CBI made initial estimates of the operational costs for the Grand Junction facility, it estimated that gas and electric payments for the building would fall between \$60,000 and \$70,000. Increases in the cost of these utilities, coupled with abbreviated actual experience with heating and cooling costs in the new facility, indicate that the actual utilities costs will fall between \$110,000 and \$130,000 per year.

Based on these calculations, the Department anticipates that an appropriation of \$50,000 will be sufficient to pay for increases in utilities costs.

Without additional experience in managing the facility, and without a more extensive history with monthly costs, the Department is not yet confident in its ability to specify the actual costs of operating the Grand Junction facility. While this request for \$50,000 General Fund may serve to address a shortfall in appropriations for utility expenditures, it remains possible that requests for other maintenance activities may be necessary.

Consequences if Not Funded:

Should this request go unfunded, there are important consequences that will jeopardize the missions of the CBI and the Department. Without additional funding for operating expenses and building maintenance, this field office will not have sufficient resources to manage building costs and serious program erosion will occur that will dramatically affect the core mission of the laboratory and investigations.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$50,000	\$50,000	\$0	\$0	\$0	0.0
CBI Laboratory/Investigations Operating Expenses	\$50,000	\$50,000	\$0	\$0	\$0	0.0

<b>Summary of Request FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$50,000	\$50,000	\$0	\$0	\$0	0.0
CBI Laboratory/Investigations Operating Expenses	\$50,000	\$50,000	\$0	\$0	\$0	0.0

Assumptions and Calculations:

The following table calculates the estimated need for increased appropriations to pay for utilities in the Grand Junction laboratory:

	Low-End	High-End
FY 2006-07 Budget Submission Estimated Utilities Costs	\$ 60,000	\$ 70,000
Current Estimated Gas and Electric Charges (Annual)	\$ 109,980	\$ 129,960
<b>Difference</b>	<b>\$ 49,980</b>	<b>\$ 59,960</b>

Cash Funds Projections:

Not Applicable.

Impact on Other Government Agencies:

None anticipated.

Cost Benefit Analysis:

Without the additional funds for operating expenses and building maintenance, this field office will not have sufficient resources to manage building costs, and serious program erosion may occur that would dramatically affect the core mission of the laboratory and investigations.

Implementation Schedule:

This appropriation will be put to immediate use on July 1, 2009.

Statutory and Federal Authority:

C.R.S. 24-33.5-412 (2008) Functions of bureau - legislative review.

(1) The bureau has the following authority:

- (a) When assistance is requested by any sheriff, chief of police, district attorney, or chief law enforcement officer and with the approval of the director, to assist such law enforcement authority in the investigation and detection of crime and in the enforcement of the criminal laws of the state;
- (b) When assistance is requested by any district attorney and upon approval by the director, to assist the district attorney in preparing the prosecution of any criminal case in which the bureau had participated in the investigation under the provisions of this part 4;
- (c) To establish and maintain fingerprint, crime, criminal, fugitive, stolen property, and other identification files and records; to operate the statewide uniform crime reporting program; and to arrange for scientific laboratory services and facilities for assistance to law enforcement agencies, utilizing existing facilities and services wherever feasible...

Performance Measures:

This request is based on an emerging issue and not specifically related to the strategic objectives and performance measures in the Department's 2008 strategic plan.

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**Schedule 13**  
**Change Request for FY 2009-10 Budget Cycle**

Decision Item FY 2009-10

Supplemental FY 2008-09

Budget Request Amendment FY 2009-10

Request Title: **EDO, Public Safety Leased Space**

Department: **Department of Public Safety**

Priority Number: **10**

Dept. Approval by: *[Signature]*

Date: **November 1, 2008**

OSPB Approval: *[Signature]*

Date: **10-23-08**

		1	2	3	4	5	6	7	8	9	10
Fund		Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/ Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
Total of All Line Items	Total	1,742,478	1,907,259	-	1,907,259	1,907,259	75,240	1,982,259	-	1,982,259	75,240
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	756,071	858,230	-	858,230	858,230	75,240	933,230	-	933,230	75,240
	CF	-	30,057	-	30,057	30,057	-	30,057	-	30,057	-
	HUTF	438,642	464,329	-	464,329	464,329	-	464,329	-	464,329	-
CFE/RF	547,765	554,643	-	554,643	554,643	-	554,643	-	554,643	-	
FF	-	-	-	-	-	-	-	-	-	-	-
(1) Executive Director's Office (A) Administration Leased Space	Total	1,742,478	1,907,259	-	1,907,259	1,907,259	75,240	1,982,259	-	1,982,259	75,240
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	756,071	858,230	-	858,230	858,230	75,240	933,230	-	933,230	75,240
	CF	-	30,057	-	30,057	30,057	-	30,057	-	30,057	-
	HUTF	438,642	464,329	-	464,329	464,329	-	464,329	-	464,329	-
CFE/RF	547,765	554,643	-	554,643	554,643	-	554,643	-	554,643	-	
FF	-	-	-	-	-	-	-	-	-	-	-

Letternote revised text:

Cash Fund Name/Number, Federal Fund Grant Name:

IT Request  Yes  No

Request Affects Other Departments:  Yes  No

If Yes, List Other Departments Here: Department of Personnel and Administration

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Colorado Department of Public Safety
Priority Number:	10
Change Request Title:	EDO, Public Safety Leased Space

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests a net increase of \$75,240 General Fund in FY 2009-10 to pay for additional Capitol Complex leased space. The additional leased space is needed to accommodate additional FTE that were enacted from Fiscal Year 2007-08 special bills, Fiscal Year 2008-09 special bills, and decision items. The additional FTE were granted to the following programs and divisions: 6.0 FTE to the School Safety Resources Center (Executive Director's Office), 3.0 FTE to the Colorado Auto Theft Prevention Authority (Colorado State Patrol), 3.0 FTE to the Colorado Commission on Criminal and Juvenile Justice, and 0.6 FTE to the Juvenile Justice Family Advocacy Program (Division of Criminal Justice). In addition to the enacted FTE, the Division of Office of Preparedness and Security (OPS) is anticipating a shortage of leased space from the growth within the Colorado Information Analysis Center (CIAC).

Background and Appropriation History:

The Department of Public Safety currently has an appropriation for leased space in the amount of \$1.9 million dollars. The dollars are appropriated to pay for commercial leased space at various locations throughout the State of Colorado. In FY 2006-07, the



leased space line was increased by \$747,988 General Fund. This increase was attributed to the new building that was built in Grand Junction, which houses the Colorado Bureau of Investigation's Western District. The Department has received additional FTE since FY 2006-07, without an increase to the leased space long bill line. With the current configuration, the buildings located in the Denver Metro area are filled to capacity.

General Description of Request:

The Department requests \$75,240 General Fund to alleviate the shortage of leased space to house anticipated additional FTE. The Divisions within the Colorado Department of Public Safety have received a total of 12.6 additional FTE from FY 2007-08 special bills, FY 2008-09 special bills and FY 2008-09 decision items, without an increase in appropriations for leased space. In the past, the Department was able to remodel and reconfigure existing space to make room for new FTE. Over the past three years, new FTE have been added to the divisions and the Department has reached full capacity within existing space.

The Division of Office of Preparedness and Security (OPS) and the Division of Fire Safety (DFS) currently occupy a portion of the Multi-Agency Coordination Center (MACC). The demand for services is requiring more FTE and OPS cannot accommodate more FTE with the current space configuration. The Governor's Office of Homeland Security is aiming to expand operations, and will also be vying for available leased space at the MACC.

If the Homeland Security space needs could be accomplished, this doesn't address the needs of the CIAC. The CIAC has become critical information clearing house/analysis center, and is designated as the Colorado Fusion Center (for all Colorado law enforcement entities) with the FBI. The CIAC's workload has greatly increased since it was established. With the increase in workload, the space needs of the CIAC have increased as well. The CIAC needs at least an additional 3000 square feet of space in order to accommodate an additional CIAC supervisor (1.0 FTE), additional analysts (5.0 FTE, some of which may or may not be employed by the state) files, and new equipment. The space occupied by HLS, the CIAC and DFS is relatively insufficient and space is

limited. While there is some additional adjacent space at the MACC that could be added to the current lease, the funds for lease costs and tenant finish are not available.

With the enactment of various special bills, the Department will receive an additional amount of 12.6 FTE. With the current configuration, the Department's leased space is filled to capacity. In order to accommodate the new FTE, current leased space would have to go through a major reconfiguration at a considerable expense.

The Department of Public Safety understands the total cost needed to accommodate all of the leased space needs well exceeds the requested amount of \$75,000. Due to budgetary restrictions, the Department has made a prudent decision to ask for \$75,000.

This request for Capitol Complex Leased Space is made possible by a request by the Governor's Office of Information Technology (OIT) to consolidate its operations in a central location. Through this request, OIT will vacate several thousand square feet of space in the State-owned facility at 690 Kipling. This request would allow CDPS to occupy 6,000 square feet of the vacated space at 690 Kipling.

Consequences if Not Funded:

If this request is not approved, the Department would have to go through a major reconfiguration with a considerable amount of expense, and may be unable to adequately and appropriately expand its existing operations as mandated by the General Assembly.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$75,240	\$75,240	\$0	\$0	\$0	0.0
EDO, Capitol Complex Lease Space	\$75,240	\$75,240	\$0	\$0	\$0	0.0

Summary of Request FY 2010-11	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$75,240	\$75,240	\$0	\$0	\$0	0.0
EDO, Capitol Complex Lease Space	\$75,240	\$75,240	\$0	\$0	\$0	0.0

Cash Funds Projections: N/A

Assumptions for Calculations:

Division/Area Need	Additional FTE	Sq. Ft. needed	Rate Per Sq. Ft.	Lease Amt./PERSON	Total Lease Amt.
EDO, School Resources Program	6.0	200	\$ 12.54	\$ 2,508	\$ 15,048
CSP, Auto Theft Prevention Authority	3.0	200	\$ 12.54	\$ 2,508	\$ 7,524
DCJ, Colorado Commission Board	3.0	200	\$ 12.54	\$ 2,508	\$ 7,524
DCJ, Family Advocacy Program*	0.6	200	\$ 12.54	\$ 2,508	\$ 2,508
OPS, New Equipment/Filing Space	N/A	2,200	\$ 12.54	\$ 27,588	\$ 27,588
OPS, CIAC	6.0	200	\$ 12.54	\$ 2,508	\$ 15,048
<b>Total Leased Space Funds Needed</b>					<b>\$ 75,240</b>

\*Partial FTE is rounded up to 1.0. Square feet is calculated per person, not FTE (if 0.6 FTE, adequate work space is needed for 1.0 person).

This table demonstrates that the total additional need for leased space appropriations is \$75,240.

Impact on Other Government Agencies: N/A

Cost Benefit Analysis: Any failure to acquire additional leased space may threaten the expansion of the Department's operations into the arenas of school safety resources, automobile theft

prevention, and criminal justice research, as mandated by the General Assembly. Similarly, the Department would be limited in its ability to expand the scope and operational mission of the CIAC, in spite of widespread support from county and municipal law enforcement agencies. Negative consequences from the artificial constriction of these important programs could prove incalculable, and would far outweigh the marginal cost of expanding the Department's leased space capacity.

Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
Take Possession of New Capitol Complex Space	January 2009
Begin Construction/Reconfiguration of Lease Space	February 2009
Occupy New Lease Space	July 2009

Statutory and Federal Authority:

**24-33.5-103, C.R.S. (2008) Department created – divisions** (1) There is hereby created the department of public safety, the head of which shall be the executive director of the department of public safety, which office is hereby created. The executive director shall be appointed by the governor with the consent of the senate and shall serve at the pleasure of the governor. The reappointment of an executive director after initial election of a governor shall be subject to the provisions of section 24-20.109. The executive director has those powers, duties, and functions prescribed for the heads of principal departments in the “Administrative Organization Act of 1968”, article 1 of this title.

(2) The department shall consist of the following divisions:

- (a) Colorado State Patrol;
- (b) Colorado law enforcement training academy;
- (c) Colorado Bureau of Investigation;
- (d) Division of criminal justice;
- (e) Repealed;

- (f) (Deleted by amendment, L. 2002, p. 1205, § 2, effective June 3, 2002)
- (g) Repealed
- (h) Office of preparedness, security and fire safety

(3) The executive director shall prepare and transmit annually, in the form and manner prescribed by the heads of the principal departments pursuant to the provisions of section 24-1-136, a report accounting to the governor for the efficient discharge of all responsibilities assigned by law or directive to the department of the divisions thereof.

(4) Publications by the executive director circulated in quantity outside the executive branch shall be issued in accordance with the provisions of section 24-1-136.

Performance Measures:

While this request is not specifically related to the strategic objectives and performance measures in the Department's 2008 strategic plan, it is critical that the Department maintain adequate space to allow for its ongoing operations. Without properly-functioning offices, the Department will experience difficulty achieving its core objectives.

Schedule 13

Change Request for FY 2009-10 Budget Cycle

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Request Amendment FY 2009-10

Request Title: DCJ, Additional Inpatient Therapeutic Community Beds for Southern Colorado  
 Department: Department of Public Safety  
 Priority Number: 19  
 Dept. Approval by: *[Signature]*  
 OSPB Approval: *[Signature]*

Date: November 1, 2008

Date: 10-6-08

Fund	Change from Base (Column 5)									
	1	2	3	4	5	6	7	8	9	10
Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11	
<b>Total of All Line Items</b>	940,660 0.0 23,931,416 637,662 96,135	25,599,078 0.0 24,803,140 795,938	- 0.0 -	1,184,959 0.0 24,803,140 795,938	1,184,959 0.0 24,803,140 795,938	481,668 0.0 481,668	1,312,505 0.0 25,284,808 795,938	- 0.0 -	1,312,505 0.0 25,284,808 795,938	481,668 0.0 481,668
<b>(4) Division of Criminal Justice</b>	1,746,231 0.0 1,746,231	1,923,750 0.0 1,923,750	- 0.0 -	1,923,750 0.0 1,923,750	1,923,750 0.0 1,923,750	18,526 0.0 18,526	1,942,276 0.0 1,942,276	- 0.0 -	1,942,276 0.0 1,942,276	18,526 0.0 18,526
<b>(4) Division of Criminal Justice</b>	21,978,322 0.0 21,978,322	22,490,369 0.0 22,490,369	- 0.0 -	22,490,369 0.0 22,490,369	22,490,369 0.0 22,490,369	335,596 0.0 335,596	22,825,965 0.0 22,825,965	- 0.0 -	22,825,965 0.0 22,825,965	335,596 0.0 335,596
<b>(4) Division of Criminal Justice</b>	940,660 0.0 206,863 637,662 96,135	1,184,959 0.0 389,021 795,938	- 0.0 -	1,184,959 0.0 389,021 795,938	1,184,959 0.0 389,021 795,938	127,546 0.0 127,546	1,312,505 0.0 516,567 795,938	- 0.0 -	1,312,505 0.0 516,567 795,938	127,546 0.0 127,546

Letternote revised text:   
 Cash Fund Name/Number: Federal Fund Grant Name:   
 IT Request  Yes  No  
 Request Affects Other Departments:  Yes  No  
 If Yes, List Other Departments Here: Judicial Department

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	19
Change Request Title:	Additional Inpatient Therapeutic Community Beds for Southern Colorado

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$481,668 General Fund to increase the Diversion inpatient capacity of the Southern Colorado therapeutic community program by twenty-four (24) beds. Funding this request will allow offenders with significant and refractory substance abuse needs to avoid a higher rate of recidivism through a proven model of supervision and treatment.

Background and Appropriation History:

Therapeutic Communities [TCs] are evidence-based models for intensive, long-term residential treatment of substance dependence that has been refractory to lesser degrees of therapy. The therapeutic community model is considered to be an evidence-based practice by the National Institute on Drug Abuse and the scientific literature.

Historically, the therapeutic community model accepts the more difficult cases and produces significantly lower rates of recidivism than less intensive treatment methods. While recidivism rates are not yet available for the new southern Colorado TC, the

programs in Denver upon which it is modeled have documented recidivism rates far below those of other treatment programs.

The Southern Colorado Therapeutic Community presently has 16 beds for inpatient treatment. While useful, a TC of this size is insufficient to meet the demands of the region it is intended to serve. It is estimated that each addict commits an average of 280 felonies per year. The epidemic growth of methamphetamine addiction in the area and the associated burden of crime on the community require that effective treatment be available for those offenders who are most likely to relapse and recidivate.

In addition, some question exists concerning the efficacy of attempting to institute a TC model with a population of only 16 offenders. Research, coupled with DCJ's practical experience, indicate that TCs produce considerably better results with consistent populations in the neighborhood of 40 individuals.

General Description of Request:

The Department seeks to fund a differential per diem for 24 additional beds at the Southern Colorado Therapeutic Community at a rate of \$54.98 per day, which includes both the cost of a Diversion bed and the therapeutic community fee enhancement. Services provided for this per diem will include residential supervision and case management services and access to treatment services specifically designed to meet the needs of offenders whose chronic substance has been abuse associated with felony criminal behaviors. Treatment services will include individualized diagnostic assessment, treatment planning, individual and group therapy, medication management, and psycho-educational services, all delivered within the therapeutic community treatment milieu.

Consequences if Not Funded:

In general, the historical rates of recidivism are equal to greater than 50% of all Department of Corrections inmates, although such numbers include persons who return to prison for such technical violations as a urinalysis positive for drug or alcohol use. The actual rate of recidivism may be higher among the target population because such offenders have demonstrated that their substance abuse problems are resistant to lesser



degrees of treatment. By contrast, the recidivism rate for offenders who successfully complete a therapeutic community model in community corrections is as low as 4%.

Calculations for Request:

<b>Summary of Request FY 2009-10 and FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$481,668	\$481,668	\$0	\$0	\$0	0
Division of Criminal Justice Community Corrections Boards Administration	\$18,526	\$18,526	\$0	\$0	\$0	0
Division of Criminal Justice Community Corrections Diversion Beds	\$335,596	\$335,596	\$0	\$0	\$0	0
Division of Criminal Justice Community Corrections Substance Abuse Treatment	\$127,546	\$127,546	\$0	\$0	\$0	0

Cash Funds Projections:

Not applicable.

Assumptions for Calculations:

This request assumes that providers of Community Corrections TC programs will receive a payment of \$52.87 per day. This includes a base Community Corrections Diversion per diem of \$38.31, plus a differential payment of \$14.56. This amount is augmented by a 4.0 percent payment for Community Corrections Boards Administration.

Impact on Other Government Agencies:

The Department of Corrections typically has a waiting list for therapeutic community inpatient services. Pursuant to court order, the State Judicial Department refers more “qualified” offenders for therapeutic community inpatient services than there are available beds. Both agencies – and by extension, local county jails – would benefit from an increased availability of TC services.

Cost Benefit Analysis:

Total savings from the addition of 24 differential per diem slots for TC beds can be measured through an immediate reduction in the number of offenders in DOC facilities. The following table represents examples of cost avoidance to the state through the use of these Community Corrections beds.

Based on the calculations in the following table, it can be reasonably assumed that the addition of 24 TC Community Corrections beds would allow the state to recognize a reduction of \$19,973 in General Fund expenditures during FY 2009-10 and \$99,864 over five years.

Cost Comparison	Number of Beds	FY 2009-10	FY 2010-11	FY 2011-12	FY2012-13	FY 2013-14	Total
Cost of TC bed ~ \$54.98 per day Diversion, $\$38.31 * 365 * 24 = \$335,596$ Differential, $\$14.56 * 365 * 24 = \$127,546$ 4% Boards Administration = \$18,526	24	\$481,668	\$481,668	\$481,668	\$481,668	\$481,668	\$2,408,340
Cost DOC bed = \$57.26 per day	24	- \$501,598	- \$501,598	- \$501,598	- \$501,598	- \$501,598	\$2,507,988
Difference		- \$19,930	- \$19,930	- \$19,930	- \$19,930	- \$19,930	- \$99,650

Implementation Schedule:

Additional Community Corrections beds would begin to be filled in July 2009.

Statutory and Federal Authority:

**C.R.S. 17-27-101-108 (2008)** establishes and maintains authority for community corrections programs which provide the courts, the department of corrections and the state board of parole with more flexibility and a range of correctional options for offenders; establishes authority of community corrections boards to approve or disapprove operation of community corrections programs in their jurisdiction, enter into contracts with the state, and establishes duties of the community corrections boards; identifies duties of community corrections programs and administrators with respect to

operations of the program including conduct of offenders; identifies and defines escape from a community corrections program/facility; sets out the duties of the Division of Criminal Justice related to community corrections contracts, promulgation of standards, auditing and related fiduciary duties. Authorizes the Division to allocate up to 5 percent of community corrections appropriations to local community corrections boards in support of administrative costs incurred pursuant to the duties required by this statute.

**C.R.S. 18-1.3-301 (2008)** provides the authority for the district courts, the department of corrections and the state board of parole to place offenders in community corrections; provides authority to both community corrections boards and programs to screen and accept or reject offenders; identifies criteria for the earning of time credits by offenders.

Performance Measures:

This request is in alignment with the following Department-wide strategic objective and performance measure:

**Department-Wide Objective 4:** Reduce the likelihood of criminal recidivism through an increase in Community Corrections program compliance and accountability.

**Performance Measure:** Improve overall Community Corrections program compliance through an annual decrease in the average Risk Factor Analysis score.

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**Schedule 13**  
**Change Request for FY 2009-10 Budget Cycle**

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Request Amendment FY 2009-10

**Request Title:** DCJ, 1.0 FTE for Recidivism Reduction Package Research and Evaluation  
**Department:** Department of Public Safety  
**Priority Number:** 8  
**Date:** November 1, 2008  
**Date:** 10-6-08

**Dept. Approval by:**   
**OSPB Approval:** 

Fund	1		2		3		4		5		6		7		8		9		10	
	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11										
Total of All Line Items	Total	133,905	300,000	-	300,000	103,512	403,512	-	403,512	104,683										
	FTE	0.0	0.0	0.0	0.0	0.9	0.9	0.0	0.9	1.0										
	GF	133,905	300,000	-	300,000	103,512	403,512	-	403,512	104,683										
	CF	-	-	-	-	-	-	-	-	-										
	HUTF	-	-	-	-	-	-	-	-	-										
(4) Division of Criminal Justice Administration Personal Services Recidivism Reduction and Offender Diversion Package Analysis (Renamed)	Total	133,905	300,000	-	300,000	103,512	403,512	-	403,512	104,683										
	FTE	0.0	0.0	0.0	0.0	0.9	0.9	0.0	0.9	1.0										
	GF	133,905	300,000	-	300,000	103,512	403,512	-	403,512	104,683										
	CF	-	-	-	-	-	-	-	-	-										
	HUTF	-	-	-	-	-	-	-	-	-										

**Letternote revised text:**  
**Cash Fund Name/Number, Federal Fund Grant Name:**  
**IT Request**  Yes  No  
**Request Affects Other Departments:**  Yes  No  
**If Yes, List Other Departments Here:**

### CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE

Department:	Department of Public Safety
Priority Number:	08
Change Request Title:	1.0 FTE for Recidivism Reduction Package Research and Evaluation

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests \$103,512 General Fund and 0.9 FTE for the Office of Research and Statistics (ORS) within the Division of Criminal Justice (DCJ). With this new appropriation, ORS will conduct research and evaluate the effectiveness of criminal justice programs initiated under Governor Ritter's Recidivism Reduction Package. (This request will annualize to \$104,683 and 1.0 FTE in FY 2010-11.) It will be necessary to work with multiple agencies to collect data over time as offenders enter programs and discharge to communities, and then follow behaviors for succeeding years.

Background and Appropriation History:

A Recidivism Reduction Package including funding for a number of initiatives in various state agencies was proposed by the Governor, and stages have been passed in both FY 2007-08 and FY 2008-09. A third package is under consideration for FY 2009-10. It is critical to determine whether these funds support successful offender treatment in any measurable way, and to evaluate the outcomes to assist in decision-making for future expenditure of criminal justice funds. Numerous programs adding community

corrections beds and assistance for special populations needing mental health and substance abuse treatment have been included under the Recidivism Reduction packages.

The ORS has begun the groundwork for evaluation of some of the programs using appropriations received in FY 2007-08 and FY 2008-09 for contract researchers. Unfortunately, ORS has found that researchers retained by contract are somewhat limited in their ability to extract and analyze data from the various databases used by DCJ researchers. In order to increase the effectiveness of ongoing research, DCJ will require the ability to hire an individual who can develop a familiarity and competence with the necessary databases that cannot be accomplished in a limited six-month contractual period.

General Description of Request:

The Department requests \$103,514 and 0.9 FTE to hire a full-time research assistant within the ORS. This position will work with colleagues at other criminal justice agencies to identify data elements and design research and analysis strategies to evaluate the effectiveness of a variety of criminal and juvenile justice programs and initiatives. The work will focus on coordinating existing studies relevant to understanding the impact of new agencies' initiatives, developing databases to address specific research questions concerning the recidivism rate of offenders participating in new initiatives, and working with Institutional Review Boards to ensure that the privacy rights of human subjects are completely protected. Offender identifying information will be used to match program participants with program success/failure and new criminal behavior. These recidivism analyses will include analysis of offender and program characteristics that may correlate with outcomes. This is a complex set of tasks, and the position must work with multiple Management Information Systems (MIS) and transform these into research databases. The position must have strong statistical skills and experience with Judicial's ICON data system, CBI's CCIC and DOC's DCIS databases. The position's occupant must also have experience entering and performing sophisticated data analysis using SPSS.

Consequences if Not Funded:

Without proper funding, the ability of DCJ's research section to evaluate the overall effectiveness of Governor Ritter's Recidivism Reduction Package will be limited. As a result, the State may be prevented from gaining appropriate knowledge regarding the efficacy of these new programs.

Similarly, if this request is approved with dollars for contractors but no FTE authority, DCJ will be limited in its ability to gather and analyze data that will demonstrate the effectiveness of the new Recidivism Reduction programs.

Calculations for Request:

<b>Summary of Request FY 2009-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$103,512	\$103,512				0.9
Division of Criminal Justice (A) Administration: Recidivism Reduction and Offender Diversion Package Analysis <i>(renamed line)</i>	\$103,512	\$103,512				0.9

<b>Summary of Request FY 2010-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$104,683	\$104,683				1.0
Division of Criminal Justice (A) Administration: Recidivism Reduction and Offender Diversion Package Analysis <i>(renamed line)</i>	\$104,683	\$104,683				1.0



Cash Funds Projections: Not applicable.

Assumptions for Calculations:

<b>OSPB Common Policy for FTE Requests</b>					
<b>FTE and Operating Costs</b>				<b>GRAND TOTAL</b>	
<b>Fiscal Year(s) of Request</b>		<b>FY 09-10</b>	<b>FY 10-11</b>	<b>FY 09-10</b>	<b>FY 10-11</b>
<b>PERSONAL SERVICES</b>	<b>Title:</b>	<b>Statistical Analyst IV</b>			
Number of PERSONS / class title		1	1		
Number of months <u>working in</u> FY 08-09, FY 09-10 and FY 10-11		12	12		
Number months <u>paid in</u> FY 08-09, FY 09-10 and FY 10-11 <sup>1</sup>		11	12		
Calculated FTE per classification		<b>0.9</b>	<b>1.0</b>	0.9	1.0
Annual base salary		\$68,796	\$68,796		
Salary		\$63,063	\$68,796	\$63,063	\$68,796
PERA	<b>10.15%</b>	\$6,401	\$6,983	\$6,401	\$6,983
Medicare	<b>1.45%</b>	\$914	\$998	\$914	\$998
Research Support for Juvenile Diversion		\$21,000	\$21,000	\$21,000	\$21,000
<b>Subtotal Personal Services at Division Level</b>		<b>\$91,378</b>	<b>\$97,777</b>	<b>\$91,378</b>	<b>\$97,777</b>
<b>OPERATING EXPENSES</b>					
Supplies @ \$500/\$500 <sup>2</sup>	<b>\$500</b>	\$500	\$500	\$500	\$500
Computer @ \$900/\$0	<b>\$900</b>	\$900	\$0	\$900	\$0
Office Suite Software @ \$330/\$0	<b>\$330</b>	\$330	\$0	\$330	\$0
Office Equipment @ \$3,998/\$0 (includes cubicle and chair)	<b>\$3,998</b>	\$3,998	\$0	\$3,998	\$0
Telephone Base @ \$450/\$450 <sup>2</sup>	<b>\$450</b>	\$450	\$450	\$450	\$450
Cellphone Expenses @ \$60/mo	<b>\$720</b>	\$720	\$720	\$720	\$720
Printing/Copy Expenses @ \$12/mo.	<b>\$144</b>	\$144	\$144	\$144	\$144
Postage	<b>\$50</b>	\$50	\$50	\$50	\$50
Books and Subscriptions @ \$124 annually	<b>\$124</b>	\$124	\$124	\$124	\$124
Local Travel - 80 miles/mo. @ \$0.53/mile	<b>\$509</b>	\$509	\$509	\$509	\$509

STATE OF COLORADO FY 2009-10 BUDGET REQUEST CYCLE: Department of Public Safety

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Conference - airfare @ \$400, 3 night hotel @ \$75/night, 4 days per diem @ \$46/day	\$809	\$809	\$809	\$809	\$809
<b>Subtotal Operating Expenses</b>		<b>\$8,534</b>	<b>\$3,306</b>	<b>\$8,534</b>	<b>\$3,306</b>
<i>LEASED SPACE</i>					
Leased Space - 200 sq ft @ \$20/sq ft	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600
<b>GRAND TOTAL ALL COSTS</b>		<b>\$103,512</b>	<b>\$104,683</b>	<b>\$103,512</b>	<b>\$104,683</b>

Impact on Other Government Agencies:

Data gathered and results analyzed through this request will have ancillary effects on the Departments of Corrections and Human Services, the Judicial Branch, and other entities within the Department of Public Safety. This request, however, will have no direct effect on other State agencies.

Cost Benefit Analysis:

The data gathered and analyzes generated by this request will demonstrate whether or not the State's Recidivism Reduction investments prove sound. This knowledge is invaluable, and will far outweigh the State's relatively marginal expense incurred in gaining it.

Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
FTE Hired	July 1, 2009
Start-Up Date	July 1, 2009

Statutory and Federal Authority:

24-33.5-503. Duties of division

(1) The division [of criminal justice] has the following duties:

(a) In cooperation with other agencies, to collect and disseminate information concerning crime and criminal justice for the purpose of assisting the general assembly and of enhancing the quality of criminal justice at all levels of government in this state;

(b) To analyze this state's activities in the administration of criminal justice and the nature of the problems confronting it and to make recommendations and to develop comprehensive plans of action for the improvement of criminal justice and for crime and delinquency control and related matters for consideration and implementation by the appropriate agencies of state and local government. In developing such plans, the division shall draw upon the planning capabilities of other agencies, particularly the judicial department and the department of corrections.

(f) To administer a statistical analysis center for the purpose of collecting and analyzing statewide criminal justice statistics;

(j) To carry out the duties specified in article [27.8](#) of title [17](#), C.R.S.;

(k) To carry out the duties prescribed in article [11.5](#) of title [16](#) [regarding the evaluation of a standardized substance abuse protocol], C.R.S.;

(m) To provide information to the director of research of the legislative council concerning population projections, research data, and other information relating to the projected long-range needs of correctional facilities

and juvenile detention facilities and any other related data requested by the director;

Performance Measures:

While this request is not specifically related to the strategic objectives and performance measures in the Department's 2008 strategic plan, it is in general alignment with the Department's broad focus on reducing criminal recidivism and incarcerated populations.

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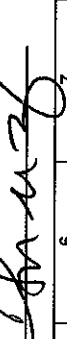
**Schedule 13**

**Change Request for FY 2009-10 Budget Cycle**

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Request Amendment FY 2009-10

**Request Title:** DCJ, Increase Cash Spending Authority for Sex Offender Treatment Provider Fund  
**Department:** Department of Public Safety  
**Priority Number:** 16

**Date:** November 1, 2008  
**Date:** 10-9-08

**Dept. Approval by:**   
**OSP/B Approval:** 

Fund	10									
	1	2	3	4	5	6	7	8	9	Change from Base (Column 5) FY 2010-11
Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10		
<b>Total of All Line Items</b>	Total 10,453 0.0 -	49,950 0.6 -	- 0.0 -	49,950 0.6 -	49,950 0.6 -	9,000 0.0 -	58,950 0.6 -	58,950 0.6 -	- 0.0 -	9,000 0.0 -
(4) Division of Criminal Justice	Total 10,453 0.0 -	49,950 0.6 -	- 0.0 -	49,950 0.6 -	49,950 0.6 -	9,000 0.0 -	58,950 0.6 -	58,950 0.6 -	- 0.0 -	9,000 0.0 -
(E) Crime Control and System Improvement, Treatment Provider	10,453 -	49,950 -	- -	49,950 -	49,950 -	9,000 -	58,950 -	58,950 -	- -	9,000 -
Criminal Background Checks	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -

**Letternote revised text:**

**Cash Fund Name/Number, Federal Fund Grant Name:**

**IT Request**  Yes  No

**Request Affects Other Departments:**  Yes  No

**If Yes, List Other Departments Here:**

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	16
Change Request Title:	Increase Cash Spending Authority for Sex Offender Treatment Provider Fund for Office of Sex Offender Management

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests an increase of \$9,000 Cash Funds spending authority for the Sex Offender Management Unit of the Division of Criminal Justice, from the Sex Offender Treatment Provider Fund. This request would increase the existing spending authority of \$11,000 to \$20,000 annually. This increase in spending authority is necessary due to a projected increase in the number of treatment provider applications, each of which requires a background investigation, being received by the Unit. This request is for an increase in cash spending authority only, and there is no cost to the state.

Background and Appropriation History:

The Sex Offender Management Unit was initially appropriated \$11,000 cash funds spending authority in the Sex Offender Treatment Provider Fund for FY 2004-05 in House Bill 04-1077. This Fund was to be supported based on the application fees collected from prospective sex offender treatment providers. This spending authority was established based on an estimate of 17 new applications and 71 re-applications per

year, at a rate of up to \$125 per application to cover the cost of the statutorily-required background investigation.

Following is information from the last several years, excluding interest and treasury fees:

<u>Fiscal Year</u>	<u>Revenues</u>	<u>Expenses</u>	<u>Fund Balance</u>
2005-06	\$9,100	\$8,200	\$2,798
2006-07	\$7,700	\$9,300	\$1,269
2007-08	\$8,300	\$8,500	\$1,056

Since FY 2005-06, the number of re-applications received has fluctuated. However, the projected number of re-applications for FY 2008-09 is 81 and for FY 2009-10 is 105. The Sex Offender Management Unit has also undertaken an initiative to increase providers in underserved areas, which should result in an increase of about 17 new applications annually.

General Description of Request:

This increase in spending authority will allow the Sex Offender Management Unit to process the applications for up to 160 treatment providers by being able to complete statutorily required background investigations. The increased spending authority will allow the Sex Offender Management Unit to continue to process treatment provider applications and complete required background investigations. This will ensure that all eligible providers will be listed by the Sex Offender Management Board (SOMB) and enhance community safety via the provision of treatment to sex offenders.

Consequences if Not Funded:

As it currently stands, the Unit would be able to collect the fee but would not be able to contract for services with an investigator given the existing spending authority. This will prevent all eligible providers from being listed by the Sex Offender Management Board and diminish community safety via the provision of treatment to sex offenders.



Calculations for Request:

Summary of Request FY 2009-10	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$9,000		\$9,000			
Treatment Provider Criminal Background Checks	\$9,000		\$9,000			

Summary of Request FY 2010-11	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$9,000		\$9,000			
Treatment Provider Criminal Background Checks	\$9,000		\$9,000			

Cash Funds Projections:

[Complete for any request using funding from a cash fund]

Cash Fund Name	Cash Fund Number	FY 2007-08 Expenditures Actual	FY 2007-08 End of Year Cash Balance Actual	FY 2008-09 End of Year Cash Balance Estimate	FY 2009-10 End of Year Cash Balance Estimate	FY 2010-11 End of Year Cash Balance Estimate
Sex Offender Treatment Provider Fund	Fund 18E	\$8,500	\$1,056	\$1,100*	\$1,100*	\$1,100*

\* The fund balance is not projected to increase based upon approval of the increased spending authority request. However, in the absence of the approval, the fund balance would increase.

Assumptions for Calculations:

End of year Fund balance is not expected to change since funds remaining at fiscal year-end are payments received from providers but the background check has not yet been

completed. Any funds remaining at the end of the fiscal year shall remain in the Fund and roll over into the following fiscal year for expenditure.

Impact on Other Government Agencies: N/A

Cost Benefit Analysis: The number of applications processed by the Sex Offender Management Unit is tracked and the outcome of this request can be measured via the number of completed background investigations. Therefore, applications will be able to processed in a timely fashion and providers notified of their listing status. There is no direct cost to the state associated with this request.

Implementation Schedule:

Task	Month/Year
Start-Up Date	July 1, 2009

Statutory and Federal Authority: **16-11.7-106(2)(b) (2008)** The board shall require any person who applies for placement, including any person who applies for continued placement, on the list of persons who may provide sex offender treatment and sex offender services pursuant to this article to submit to a current background investigation that goes beyond the scope of the criminal history record check described in paragraph (a) of this subsection.

(c) The board may assess a fee to the applicant not to exceed one hundred twenty-five dollars per application to cover the costs of conducting a current background investigation required by this subsection (2).

Performance Measures:

This request is in alignment with the following Departmental strategic objective and performance measure:

**DCJ Division-Specific Objective 1** *Increase provider compliance with Sex Offender Management Board (SOMB) and Domestic Violence Offender Management Board (DVOMB) Standards statewide.*

**Performance Measure** *Increase the overall percentage of DVOMB and SOMB providers who demonstrate Standards compliance in the quality assurance review.*

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**Schedule 13**  
**Change Request for FY 2009-10 Budget Cycle**

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Request Amendment FY 2009-10

**Request Title:** EDO, Revenue Increase for Witness Protection  
**Department:** Department of Public Safety  
**Priority Number:** 15

**Date:** November 1, 2008  
**Date:** 10-9-08

**Dept. Approval by:** *[Signature]*  
**OSP Approval:** *[Signature]*

Fund	1		2		3		4		5		6		7		8		9		10	
	Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11										
<b>Total of All Line Items</b>	178,890 0.0 90,000 - - 88,890	100,000 0.0 50,000 - - 50,000	- 0.0 - - - -	100,000 0.0 50,000 - - 50,000	100,000 0.0 50,000 - - 50,000	100,000 0.0 50,000 - - 50,000	200,000 0.0 100,000 - - 100,000	- 0.0 - - - 100,000	200,000 0.0 100,000 - - 100,000	100,000 0.0 50,000 - - 50,000										
(1) Executive Director's Office	90,000 0.0 90,000 - - -	50,000 0.0 50,000 - - -	- 0.0 - - - -	50,000 0.0 50,000 - - -	50,000 0.0 50,000 - - -	50,000 0.0 50,000 - - -	100,000 0.0 100,000 - - -	- 0.0 - - - -	100,000 0.0 100,000 - - -	50,000 0.0 50,000 - - -										
(B) Witness Protection Program	88,890 - - - - -	50,000 - - - - -	- - - - - -	50,000 - - - - -	50,000 - - - - -	50,000 - - - - -	100,000 - - - - -	- - - - - -	100,000 - - - - -	50,000 - - - - -										
(1) Executive Director's Office	88,890 - - - - -	50,000 - - - - -	- - - - - -	50,000 - - - - -	50,000 - - - - -	50,000 - - - - -	100,000 - - - - -	- - - - - -	100,000 - - - - -	50,000 - - - - -										

**Letternote revised text:**  
 Cash Fund Name/Number, Federal Fund Grant Name: Witness Protection Fund - 269  
 IT Request  Yes  No  
 Request Affects Other Departments:  Yes  No  
 If Yes, List Other Departments Here:

**CHANGE REQUEST for FY 09-10 BUDGET REQUEST CYCLE**

Department:	Department of Public Safety
Priority Number:	15
Change Request Title:	EDO, Revenue Increase for Witness Protection

**SELECT ONE (click on box):**

- Decision Item FY 09-10
- Base Reduction Item FY 09-10
- Supplemental Request FY 08-09
- Budget Request Amendment FY 09-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department requests an increase in the annual General Fund appropriation to the Witness Protection Fund of \$50,000, beginning in FY 2009-10. In association, the Department requests an increase in the annual Reappropriated Funds spending authority from the Fund of \$50,000.

The Javad Marshall-Fields and Vivian Wolfe Witness Protection Program and Witness Protection Fund were created by S.B. 95-031 to provide for the security and protection of a witness or potential witness in a criminal trial or proceeding. Upon the approval of the Witness Protection Board, the Department expends dollars from the Fund to pay district attorneys for qualifying expenses.

Background and Appropriation History:

**History of the Witness Protection Board**

Senate Bill 95-031 (24-33.5-106 C.R.S.) created the Witness Protection Board, comprised of the following three members (or their respective designees):

- the Attorney General;
- the Executive Director of the Department of Public Safety; and
- the Executive Director of the Colorado District Attorneys Council.

The Witness Protection Board is responsible for operating the Witness Protection Program, which is to provide funding for the security and protection of a witness or potential witness in a criminal trial or proceeding. The Witness Protection Program may also provide protection for family members or close friends, if those individuals are threatened.

Through this Program, the Board may fund reasonable expenses related to the security and protection of a witness or potential witness. This may include security personnel, travel expenses, food, lodging, and other immediate needs. Per the provisions of the Witness Protection statutes, only a district attorney or an assistant attorney general may request funds from the Board.

In conjunction with the Program, S.B. 95-031 also created the Witness Protection Fund, to which the General Assembly may make appropriations to support the Program. At the end of any fiscal year, any unexpended moneys in the fund remain there, and do not revert to the General Fund.

The Fund received a General Fund appropriation of \$250,000 as part of S.B. 95-031, and a second General Fund appropriation of \$78,250 in FY 1999-00. Since 1995, expenditures from the fund have ranged from a minimum of \$6,947 in FY 1995-96 to a maximum of \$87,132 in FY 2000-01.

The following table summarizes the expenditures from the Fund for the last five fiscal years, the year-end balance for the Fund, and the total number of requests from statutorily-authorized entities to provide funds for witness protection:

<b>Witness Protection Appropriations and Expenditures</b>						
	Spending Authority Approp. (Including Supplementals)	Total Expenditures	Number of Requests for Funding	Total Number of Individuals Protected	Average Expense per Request	Remaining Fund Balance
FY 2000-01	\$ 100,000	\$ 87,132	83	--	\$ 1,050	\$ 165,229
FY 2001-02	\$ 50,000	\$ 31,449	26	--	\$ 1,210	\$ 142,944
FY 2002-03	\$ 50,000	\$ 23,669	31	--	\$ 764	\$ 125,724
FY 2003-04	\$ 50,000	\$ 32,884	23	--	\$ 1,430	\$ 96,121
FY 2004-05	\$ 50,000	\$ 31,578	34	--	\$ 929	\$ 67,536
FY 2005-06	\$ 90,370	\$ 90,156	27	67	\$ 3,339	\$ 2,184
FY 2006-07	\$ 90,180	\$ 71,046	54	97	\$ 1,316	\$ 20,438
FY 2007-08 (YTD)	\$ 111,532	\$ 88,890	58	99	\$ 1,533	\$ 23,443

During Calendar Year 2007, the Board provided funds to protect a total of 73 witnesses, potential witnesses, family members, or close associates thereof.

To date, during FY 2007-08, the Board has provided funds to protect a total of 99 witnesses, potential witnesses, family members, or close associates thereof, with final expenditures booked through June 2008.

Beginning in FY 2000-01, and in each subsequent year, the General Assembly has given a spending authority appropriation from the Fund of \$50,000 Cash Funds Exempt to the Department. This appropriation generally allows sufficient flexibility for the Department to respond to all necessary requests from judicial districts around the State. Any



reversion of this spending authority has no practical effect to either the Witness Protection Fund or the General Fund.

General Description of Request:

**Witness Protection Expenditures in FY 2007-08**

The Department began FY 2007-08 with a balance of \$20,438 in the fund. Based on recent activity in the fund, it was projected that this balance would allow for regular witness protection expenditures through FY 2007-08. Accordingly, the Department had begun preparations to submit a decision item to replenish the fund in FY 2008-09.

In December 2007, however, the Board received sizeable requests for witness protection funds relating to high-profile criminal cases in Colorado. These requests continued into January and February 2008. Although actual expenditures tapered off toward the end of the fiscal year, the Department expects that it will receive substantial reimbursement requests for local-level expenditures that occurred in May and June 2008.

Consequences if Not Funded:

Without an increase in the balance of the Fund, and a corresponding increase in spending authority from the Fund, the Department may be unable to fulfill its statutory duty to respond to requests from Colorado attorney generals' offices for funding to provide security to witnesses and potential witnesses. This request would significantly increase the probability that the Witness Protection Fund will have sufficient revenue to cover reimbursement requests on an annual basis. As a result, the Department would end what has become an annual cycle of requesting additional revenue and spending authority in the latest-possible stages of the annual supplemental funding cycle.

Calculations for Request:

<b>Summary of Request FY 09-10 and FY 10-11</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$100,000	\$50,000	\$0	\$50,000	\$0	0.0
Witness Protection Fund	\$50,000	\$50,000	\$0	\$0	\$0	0.0
Witness Protection Fund Expenditures	\$50,000	\$0	\$0	\$50,000	\$0	0.0

Assumptions for Calculations:

The following tables summarize the Long Bill, Supplemental, and Long-Bill-Add-On appropriations of revenue to the Witness Protection fund, and for expenditures from the Witness Protection Fund, since FY 2003-04. These tables demonstrate that, in each of the past three fiscal years, actual expenditures from the fund have forced the Department to pursue late-hour changes to its budget, thereby limiting the ability of the Governor’s Office and General Assembly to effectively plan for overall budgetary changes.

<b>General Fund Appropriations to the Witness Protection Fund</b>				
	<b>Long Bill Appropriation</b>	<b>Supplemental Appropriation</b>	<b>Long-Bill Add-On Appropriation</b>	<b>TOTAL</b>
FY 2003-04	-	-	-	-
FY 2004-05	-	-	-	-
FY 2005-06	-	-	22,834	22,834
FY 2006-07	50,000	-	37,996	87,996
FY 2007-08	50,000	-	40,000	90,000
FY 2008-09	50,000	TBD	TBD	50,000

**CFE/RF Appropriations from the Witness Protection Fund**

STATE OF COLORADO FY 09-10 BUDGET REQUEST CYCLE: Department of Public Safety

	Long Bill Appropriation	Supplemental Appropriation	Long-Bill Add-On Appropriation	<b>TOTAL</b>
FY 2003-04	50,000	-	-	50,000
FY 2004-05	50,000	-	-	50,000
FY 2005-06	50,000	-	40,370	90,370
FY 2006-07	50,000	-	40,180	90,180
FY 2007-08	50,000	-	61,532	111,532
FY 2008-09	50,000	TBD	TBD	50,000

	Spending Authority Approp.	Total Expenditures	GF Revenue	Interest Earnings	Ending Fund Balance
FY 2000-01	100,000	87,132			\$165,229
FY 2001-02	50,000	31,449		9,164	\$142,944
FY 2002-03	50,000	23,669		6,449	\$125,724
FY 2003-04	50,000	32,884		3,281	\$96,121
FY 2004-05	50,000	31,578		2,993	\$67,536
FY 2005-06	90,370	90,156	22,834	1,970	\$2,184
FY 2006-07	90,180	71,046	87,996	1,304	\$20,438
FY 2007-08	90,180	88,890	90,000	1,896	\$23,444

Cost Benefit Analysis:

The state is required to provide funds for the security and protection of a prosecution witness or potential prosecution witness during or subsequent to an official proceeding or investigation that involves great public interest. Without state funding of the witness protection program, the witness or potential witness would most likely be put into a dangerous situation or a situation of retaliation. The effect of this would be detrimental to the witness, and/or families of the witness and to the ongoing investigation. The funds requested to replenish this fund are minimal in comparison to the benefits received

from the cooperation of the witness, which is in return compensated by giving the assurance of the witness' protection.

Implementation Schedule:

With passage of this request, the Department will immediately begin to expend dollars from the Fund as of July 1, 2009.

Statutory and Federal Authority:

**24-33.5-106, C.R.S. (2008)**

(1) There is hereby created in the department of public safety the witness protection board, which shall consist of the attorney general, the executive director of the department of public safety, and the executive director of the Colorado district attorneys council or their respective designees...

(3) The board shall create a witness protection program that shall be referred to as the Javad Marshall-Fields and Vivian Wolfe witness protection program, through which the board may fund or provide for the security and protection of a prosecution witness or potential prosecution witness during or subsequent to an official proceeding or investigation that involves great public interest or as a result of which the board determines that an offense such as intimidating a witness...

(6) Any moneys distributed by the board shall be made from the witness protection fund, which fund is hereby created in the state treasury. The general assembly may make appropriations from the general fund for purposes of the witness protection program when the witness protection board demonstrates that there is a need to replenish the fund...

Performance Measures:

While this request is not specifically related to the strategic objectives and performance measures in the Department's 2008 strategic plan, this program is of critical to Colorado's district attorneys and law enforcement agencies.

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