

Schedule 13 Funding Request for the 2013-14 Budget Cycle

Department: Department of Public Safety
Request Title: DCJ, Colorado Commission on Criminal and Juvenile Justice Continuation Funding
Priority Number: R-1

Dept. Approval by: *Jeresa Y. Anderle* 10/24/12
 Date

- Decision Item FY 2013-14
- Base Reduction Item FY 2013-14
- Supplemental FY 2012-13
- Budget Amendment FY 2013-14

OSPB Approval by: *Earl H. Kelly* 10/23/12
 Date

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
Total of All Line Items		Total				
	FTE	2,901,622	-	2,696,215	255,443	291,443
	GF	31.8	-	29.3	2.5	2.5
	CF	1,801,780	-	1,596,373	255,443	291,443
	HUTF	602,295	-	517,492	-	-
	RF	413,509	-	498,312	-	-
	FF	84,038	-	84,038	-	-
(4) Division of Criminal Justice		Total				
	FTE	2,901,622	-	2,696,215	255,443	291,443
	GF	31.8	-	29.3	2.5	2.5
	CF	1,801,780	-	1,596,373	255,443	291,443
	HUTF	602,295	-	517,492	-	-
	RF	413,509	-	498,312	-	-
	FF	84,038	-	84,038	-	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number: N/A
 Reappropriated Funds Source, by Department and Line Item Name: N/A
 Approval by OIT? Yes: No: Not Required:
 Schedule 13s from Affected Departments: N/A
 Other Information:

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DEPARTMENT OF PUBLIC SAFETY

*FY 2013-14 Funding Request
November 1, 2012*

*John W. Hickenlooper
Governor*

*James H. Davis
Executive Director*

[Signature]
Signature

10/24/12
Date

Department Priority: R-1
DCJ, Colorado Commission on Criminal and Juvenile Justice Continuation Funding Request

Summary of Incremental Funding Change for FY 2013-14	Total Funds	General Fund	FTE
Continue the Colorado Commission on Criminal and Juvenile Justice (CCCJJ)	\$255,443	\$255,443	2.5

Request Summary:

The Department requests \$255,443 General Fund to continue funding for the Colorado Commission on Criminal and Juvenile Justice (CCCJJ or Commission). The request includes the amount of \$167,443 General Fund that provides funding for 2.5 FTE that staff, assist, and support the commission. In addition, the request includes \$88,000 General Fund to provide resources for one part-time consultant position that is currently funded with grant funds that are no longer available. This consultant brings a high level expertise and knowledge about similar activities underway in other states which has directed and guided the work of the Commission and its task forces. The Commission benefits the State and there is not adequate funding to support the level of expertise that is needed.

Problem or Opportunity:

H.B. 07-1358 requires the DCJ to work in consultation with the Department of Corrections to provide resources for data collection, research, analysis, and publication of the CCCJJ's findings and recommendations. As the primary criminal justice research entity in Colorado, the Office of Research and Statistics (ORS) within the DCJ is tasked with the responsibility for this

requirement. The ORS provides information to the Commission related to the forces behind correctional population expansions and high recidivism in the state's criminal and juvenile justice systems. This requires ORS to conduct recidivism studies and other evaluations and analyses as requested by the CCCJJ. This work would continue under the reauthorizing legislation.

Pursuant to H.B. 07-1358, the Commission is repealed on July 1, 2013. Continuance of the Commission requires legislative approval through a special bill which the Department intends to seek in the 2013 session. This change request is contingent upon passage of such legislation. It is anticipated that funding for the Commission will be provided through this decision item, and that the companion legislation will have no fiscal impact. Should the legislation fail, the Department will withdraw this change request.

Brief Background:

Pursuant to H.B. 07-1358, the Colorado Commission on Criminal and Juvenile Justice was created in the Department of Public Safety (Department or DPS), consisting of 26 voting members. The legislation identified several needs.

The costs of incarceration were growing and available money to meet those needs was decreasing. Over half of the offenders released from prison were returned to prison within three years either for violating a parole condition or for a new crime. Funding for substance abuse and mental health treatment was insufficient to meet offenders' needs. Finally, there was little coordination of effort across different facets of the justice system to ensure continuity and consistency of offender accountability and treatment. It was believed that there needed to be a comprehensive evidence-based analysis of the circumstances and characteristics of the offenders being sentenced to the DOC, the alternatives to incarceration, the effectiveness of prevention programs and the effectiveness of the criminal code and sentencing laws in securing public safety.

In summary, the work of the Commission focuses on evidence-based recidivism reduction initiative and the cost effective expenditures of limited criminal justice funds.

Proposed Solution:

Without the requested funding, the Department will not have the resources necessary to support the Commission, if legislation is passed to continue the Commission. The work of the Commission is intended to enhance public safety, to ensure justice and to ensure the protection of the rights of victims through the cost-effective use of public resources. In addition to the FTE from the ORS, the request also includes a request to solidify funding for the part-time consultant that has been funded with grants. FY 2011-12 was the last year for the two grant sources that funded this consultant. The consultant provides objective, independent information to the Commission in regards to strategic guidance and research support, and is knowledgeable about the criminal and juvenile justice systems. This key position provides direction and guidance to ORS staff and works under the direction of the DCJ Office of Research director.

Alternatives:

An alternative would be to conduct the business of improving the administration of justice without the level of effective collaboration underway since 2007 when the Commission was first empanelled. This alternative results in the independent work silos of individual, interdependent agencies; it is conducted without the emphasis on evidence-based correctional practices and without a discussion of the quality of the research that supports specific reforms. The Commission and its task forces engage in lengthy and thorough discussions before bringing issues to the legislature for consideration. Currently, recommendations made by the multi-disciplinary, collaborative Commission are welcomed by the General Assembly as having been "vetted" by relevant stakeholders who have reached consensus on particular recommendations for improvement in the administration of justice. Without the involvement of qualified staff to coordinate these efforts, this becomes a much more difficult process.

Anticipated Outcomes:

Approval of this request will provide the opportunity for DCJ to continue to staff the Commission with high level experts in research, analysis, juvenile justice, and criminal justice trends. The Commission will continue its capacity to conduct studies and make recommendations for legislation and changes in business practices. If the legislature decides to extend the CCCJJ beyond its current termination date, DCJ's involvement in efforts will continue.

Assumptions for Calculations:

The request for \$88,000 General Fund will provide funding for one part time consultant that provides high level expertise to the Commission. This consultant (\$88,000 for a 50% time individual) is an expert in both the national and local criminal justice arenas and has significant experience with multidisciplinary policy groups. The amount of \$167,443 General Fund is a continuation of dollars currently appropriated in the DCJ Administrative Services Program line item.

Consequences if not Funded:

If this request is not funded the DCJ would not have the resources to staff and support the Commission. The Commission would no longer have the research support needed for conducting studies of sentencing policies and practices, recidivism, and programs to reduce recidivism. Moreover, the Commission would not have the resources to prepare an annual report for the General Assembly. Information and analysis conducted by the ORS has been the driving force of many of the recommendations the Commission has put forth. Without the continuation of funding and legislative approval the Commission will not have the statutory authority to continue.

Impact to Other State Government Agency:

NA

Relation to Performance Measures:

This request is related to the strategic objectives and performance measures in the Department's 2013 strategic plan for the Office of Research and Statistics which are to: Improve public safety, respect the rights of victims of crime, expand the use of evidence based practices and reduce recidivism by ensuring the efficiency and effectiveness of the Colorado Commission on

Criminal and Juvenile Justice by Convening the multidisciplinary Colorado Commission on Criminal and Juvenile Justice and its task forces and working groups and publish an annual summary of work accomplished by these groups. It is also in alignment with the following department-wide mission:

The Colorado Department of Public Safety is to provide a safe environment in Colorado by maintaining, promoting, and enhancing public safety through law enforcement, criminal investigations, fire and crime prevention, recidivism reduction, and victim advocacy. The Department also provides professional support of the criminal justice system, fire safety community, other governmental agencies, and private entities.

Current Statutory Authority or Needed Statutory Change:

Pursuant to H.B. 07-1358, and 16-11.3-105 C.R.S., the Commission is repealed on July 1, 2013. Continuance of the Commission requires legislative approval through a special bill which the Department intends to seek in the 2013 session.

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