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Senate  
State of Colorado  
Denver

**COMMITTEES**

JUDICIARY  
CHAIR  
AGRICULTURE, NATURAL RESOURCES, AND ENERGY  
MEMBER  
LEGAL SERVICES  
MEMBER

January 26, 2012

Representative Cheri Gerou  
Chair, Joint Budget Committee  
200 East 14th Avenue, Third Floor  
Denver, Colorado 80203

Dear Representative Gerou:

The SMART Act allows a committee of reference to make formal recommendations to the Joint Budget Committee (JBC) regarding state departments' budgets, based on the committee's hearings with their assigned departments. The Senate Judiciary Committee met on January 25, 2012, to discuss recommendations to the JBC per the SMART Act. At its meeting, the committee made:

- 4 recommendations concerning the Department of Corrections;
- 1 recommendation concerning the Department of Law;
- 2 recommendations concerning the Department of Public Safety; and
- 4 recommendations concerning the Judicial Branch, including 1 recommendation concerning the independent agencies within the branch.

Table 1 summarizes the committee's recommendations for each department. In some instances, the committee voted to express support for certain decision items in each department's budget requests. However, it should be noted that the committee's silence on other decision items is not intended to convey disapproval of those decision items. Furthermore, the committee made its recommendations by considering only the budget requests of specific departments; those recommendations may need to be revisited once the overall demands of the FY 2012-13 budget become clear.



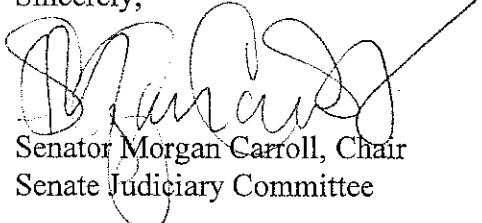
**Table 1**  
**Senate Judiciary Committee Recommendations to the Joint Budget Committee**

<b>Department</b>	<b>Recommendation</b>
Department of Corrections (4)	The Joint Budget Committee should take steps to ensure that if there are any funds not expended under the per offender per day medical expenses line item (Decision Item 5), those funds should not revert back to the legislature, but should instead be used for a wellness and prevention fund within the department.
	The committee expressed support for Decision Item 1, concerning sex offender treatment expansion, and encouraged methods to ensure that the best treatment models are and continue to be scrutinized in order to ensure the pursuit of the most outcome- and cost-effective approaches.
	The committee expressed support for Decision Item 2, concerning the Colorado Correctional Industries expansion program.
	The Joint Budget Committee should adjust funding for the Department of Corrections' Decision Item 4, concerning external capacity caseload, by either waiting until more accurate inmate population figures are available in March, or by decreasing the funding to match 300 offenders, rather than 724 offenders as requested.
Department of Law (1)	The committee expressed support for Decision Item 1, concerning consumer protection enhancement.
Department of Public Safety (2)	The committee expressed support for Change Request 1, concerning an operating fund increase for the Colorado Crime Information Center.
	The committee expressed support for Change Request 3, concerning backup and emergency medical assistance in mountainous and rural areas.
Judicial Branch (4)	The committee expressed support for Decision Item 1, concerning compensation realignment.
	The committee expressed support for Decision Item 2, concerning protective proceedings, and encouraged research into new ideas concerning how to deliver these services in an innovative and efficient manner.
	The committee expressed support for Decision Item 3, concerning <i>pro se</i> case managers, and for Decision Item 4, concerning the supervision of sex offenders on probation.
	The committee expressed support for all of the Judicial Branch's decision items, including those related to the Office of the State Public Defender, the Office of the Alternate Defense Counsel, and the Office of the Child's Representative, within the context of the limited information that the committee had available as it considered the requests.

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Sincerely,



Senator Morgan Carroll, Chair  
Senate Judiciary Committee

- c: Joint Budget Committee Members  
Senate Judiciary Committee Members  
Tom Clements, Executive Director, Department of Corrections  
Gary Maas, Legislative Liaison, Department of Corrections  
John Suthers, Colorado Attorney General, Department of Law  
David Blake, Deputy Attorney General for Legal Policy and Government Affairs,  
Department of Law  
James Davis, Executive Director, Department of Public Safety  
Jana Locke, Legislative Liaison, Department of Public Safety  
Colonel James Wolfenbarger, Chief, Colorado State Patrol  
Sergeant Bobby Juchem, Legislative Liaison, Colorado State Patrol  
The Honorable Michael Bender, Chief Justice of the Colorado Supreme Court, Judicial Branch  
Jeff Clayton, Legislative Liaison, Judicial Branch  
Douglas Wilson, Colorado State Public Defender, Office of the State Public Defender  
Lindy Frolich, Director, Office of the Alternate Defense Counsel  
Linda Weirnerman, Executive Director, Office of the Child's Representative  
Dorothy Macias, Legislative Liaison, Office of the Child's Representative  
John Ziegler, Staff Director, Joint Budget Committee  
Hillary Smith, Legislative Council Staff