

*Colorado Legislative Council Staff Fiscal Note*

**STATE and LOCAL  
FISCAL IMPACT**

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<b>Drafting Number:</b> LLS 15-0285	<b>Date:</b> January 23, 2015
<b>Prime Sponsor(s):</b> Sen. Guzman Rep. Willett	<b>Bill Status:</b> Senate Judiciary
	<b>Fiscal Analyst:</b> Kerry White (303-866-3469)

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**BILL TOPIC:** COMMUNITY CORRECTIONS BOARD STANDARDS

<b>Fiscal Impact Summary*</b>	<b>FY 2015-2016</b>	<b>FY 2016-2017</b>
<b>State Revenue</b>		
<b>State Expenditures</b>	<b>\$923,136</b>	<b>\$934,031</b>
General Fund	897,329	904,055
Centrally Appropriated Costs**	25,807	29,976
<b>FTE Position Change</b>	1.8 FTE	2.0 FTE
<b>Appropriation Required:</b> \$897,329 - Department of Public Safety (FY 2015-16).		

\* This summary shows changes from current law under the bill for each fiscal year.

\*\* These costs are not included in the bill's appropriation. See the State Expenditures section for more information.

**Summary of Legislation**

This bill specifies membership requirements for a community corrections board to include representation from a district attorney, law enforcement, probation, the Department of Corrections, a crime victim or survivor, and a citizen. Each community corrections board is required to develop a structured, research-based decision-making process that combines professional judgment and actuarial risk assessment tools. The decision-making process must sort offenders by risk, need, and appropriateness for community placement. The Division of Criminal Justice (DCJ) in the Department of Public Safety is directed to:

- provide technical assistance to the boards to develop and maintain the new decision-making process;
- develop and implement an introductory and annual continuing education curriculum for board members; and
- develop a program evaluation tool that assesses adherence to evidence-based principles and practices and identifies each program's capacity for providing appropriate programming for very high risk offenders.

**Background**

Community corrections is a system of boards and programs that provide supervision and services to offenders convicted of certain felony offenses as an alternative to prison, to offenders on parole, and to offenders transitioning from prison to the community. Each of Colorado's 22 judicial districts has a community corrections board, which is monitored by the DCJ. The Office of Community Corrections is currently staffed with 9.2 FTE and has an annual budget of about \$68 million.

**State Expenditures**

This bill will increase state expenditures in the Department of Public Safety by \$923,136 and 1.8 FTE in FY 2015-16 and by \$934,031 and 2.0 FTE in FY 2016-17. Table 1 and the discussion that follows describe the cost components of the bill.

<b>Table 1. Expenditures Under SB15-007</b>		
<b>Cost Components</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>
Personal Services	\$145,175	\$161,307
FTE	1.8	2.0
Operating Expenses and Capital Outlay Costs	21,754	12,348
Decision-Making Process Contractor	108,000	108,000
Program Evaluation Contractor	622,400	622,400
Centrally Appropriated Costs*	25,807	29,976
<b>TOTAL</b>	<b>\$923,136</b>	<b>\$934,031</b>

\* Centrally appropriated costs are not included in the bill's appropriation.

**Department of Public Safety.** Beginning in FY 2015-16, the DCJ within the Department of Public Safety requires 2.0 FTE to develop and manage introductory and ongoing annual training for community corrections boards and to conduct the required program evaluations. Ongoing costs include standard operating costs (\$950 per FTE), travel (\$8,448), and training materials (\$2,000) each year and are assumed to continue past FY 2016-17. In the first year, standard capital outlay costs of \$4,703 per FTE are included. First-year salaries are prorated to account for the General Fund pay date shift.

**Program evaluation contractor.** For FY 2015-16 and FY 2016-17 only, the DCJ will have costs for contractors to develop a program evaluation tool. This annual cost of \$622,400 is based on 400 hours of master consultation with a Ph.D. criminologist (\$100 per hour) and a team of four consultants (\$70 per hour \* 40 hours per week \* 52 weeks).

**Decision-making process contractor.** Beginning in FY 2015-16 and continuing through FY 2018-19, annual costs to develop a decision-making process are \$108,000. This cost is based on developing a tool for four boards per year (\$27,000 per board \* 4 boards), for a total of 16 boards over the four-year period. The fiscal note assumes that the remaining six boards have tools that comply with the bill's requirement.

**Department of Corrections.** A representative from the Department of Corrections will be required to serve on all boards, which will increase workload for the department to be present on boards where it does not currently serve. This increase in workload is minimal and will not require new appropriations.

**Judicial Department.** Similar to the Department of Corrections, a representative from the Probation Division of the Judicial Department will be required to serve on all boards. This increase in workload is minimal and will not require new appropriations.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 2.

<b>Table 2. Centrally Appropriated Costs Under SB15-007*</b>		
<b>Cost Components</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$14,555	\$16,172
Supplemental Employee Retirement Payments	11,252	13,804
<b>TOTAL</b>	<b>\$25,807</b>	<b>\$29,976</b>

\*More information is available at: <http://colorado.gov/fiscalnotes>

### **Local Government Impact**

Similar to the state, a representative from the district attorney's office and law enforcement will be required to serve on all boards. This increase in workload is assumed to be minimal.

### **Effective Date**

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

### **State Appropriations**

For FY 2015-16, the bill requires an appropriation of \$897,329 General Fund and an allocation of 1.8 FTE to the Division of Criminal Justice in the Department of Public Safety.

### **State and Local Government Contacts**

Corrections  
Judicial  
Public Safety

Counties  
Municipalities  
Sheriffs

District Attorneys  
Public Defender