

**DEPARTMENT OF PUBLIC SAFETY
(Except Division of Criminal Justice)
FY 2010-11 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Monday, November 30, 2009
9:00 am – 12:00 pm**

9:00-9:15 INTRODUCTIONS AND OPENING COMMENTS

9:15-9:30 GENERAL QUESTIONS FOR THE DEPARTMENT OF PUBLIC SAFETY

Department Fleet Vehicle Policies

1. What is the Department policy on state employees using state vehicles to commute to and from work? Provide a list of Department employees by division and program that use their state vehicles to commute to and from work. Does the department reimburse employees for mileage expenses for using personal vehicles to simply commute to and from work?

9:30-10:30 QUESTIONS FOR THE COLORADO BUREAU OF INVESTIGATION

General Overview Questions

2. On page 6 of JBC staff briefing document there is a graph titled “Colorado Violent vs. Property Crime Rates”, are these statistics based on arrests or convictions?

Laboratory

3. On page 6 of JBC staff briefing document, there is a graph titled “Colorado Violent vs. Property Crime Rates”, this graph shows violent and property crime rates going down. On page 7 of JBC staff briefing document, staff narrative states that the CBI Laboratory processed 7,779 forensic DNA specimens (Denver, Western Slope, and Pueblo labs), which was more than 89 percent higher than the number of specimens processed in FY 2006-07. Why is the number of cases in lab increasing if the crime rate is going down?
4. How much funding does the crime lab spend on each judicial district, provide breakdown by volume of work per district as well as cost per district?
5. Do cities have to pay for laboratory work done on their behalf?
6. Are cities hiring more DNA technicians because the CBI cannot reduce backlog fast enough? How does this whole system work? How does the Laboratory set priorities on what work gets done in what order? Is there some standard in the court system that requires the lab work to be done through CBI?

7. How often is a sample requested from CBI but never used in the court because the case has been plead or resolved in some other way before the sample is completed? How long does it take to get a sample tested from the time it is submitted? Is there a way to improve this system to speed up the time it takes to get the results on a sample?
8. What is the average time it takes to complete the actual analysis on a sample? What is the average time that a sample sits in backlog?

Eliminate General Fund Support for CBI InstaCheck and Criminal Identification

[See Briefing Document (Safety except Division of Criminal Justice) pg 26]

9. Provide draft legislation showing the specific changes to statute proposed with this request.
10. Why is the Department proposing to refinance criminal identification operations with an increased fee to individuals seeking employment? Why is the Department not proposing to assess a fee to arrested individuals and those serving a sentence for the log and processing costs of their criminal history information?
11. Provide detailed analysis of the methodology used to come up with the increase to fingerprint background checks for individuals who are required by statute to undergo criminal history background checks for employment or licensing purposes. In particular, the Department stated that it needs to refinance \$1.6 million General Fund in FY 2010-11, however, two of the proposed fee increases will generate approximately \$2.4 million in FY 2010-11. Are the fees set in the proposal too high?
12. What is the history of InstaCheck (when was it initiated)? Has InstaCheck had any improvements to its system or query process since its inception?
13. Was InstaCheck Ever suspended? Describe the CBI InstaCheck process. How many databases does the InstaCheck process query?
14. Would it be more effective to eliminate InstaCheck and rely on federal criminal background check databases?
15. What information does the CBI database query? What information does the FBI national database query?
16. Has the Department consulted with the Attorney General on whether requiring a citizen to pay for their own background check when purchasing a firearm constitutes a violation of their 2nd Amendment right if that person is economically burdened by the fee?

10:30-11:40 QUESTIONS FOR THE COLORADO STATE PATROL

Decision Item #1 – Computer Aided Dispatch, Records Management System, and Mobile Data Computer Asset Maintenance

17. Explain why the Department is requesting \$2.0 million per year in perpetuity for this decision item.
18. Was any of the existing equipment purchased with Homeland Security money or any other type of federal dollars? If so, what year were those purchases made?
19. If there were no Homeland Security or other federal funds used for the purchase of the existing CAD, RMS, or MDC system software or hardware, what funding mechanism was used for the purchase of the systems? What is the current funding mechanism for supporting ongoing system support and maintenance for CAD, RMS, and MDC? How much does the Department spend currently for the maintenance and support of the CAD, RMS, and MDC system software and hardware (provide 5-year historical funding)?
20. How much will be saved in maintenance by purchasing the new systems? Why could the Department not use savings from current system maintenance and support for the CAD, RMS, and MDC, for the funding of the purchase of the new system architectures?
21. How does this replacement fit into the OIT consolidation process? Is the long term plan to shift purchase of this type of equipment to OIT or is the consolidation strictly related to FTE? Will OIT have a central acquisition function that takes purchasing out of the hands of individual departments? If so, when will that occur? If not, how will purchasing in similar sized projects fit into the IT consolidation?
22. Will the Department be using in-state or out-of-state vendors for the CAD, RMS, and MDC infrastructure replacement proposal? In relation to the process for choosing a vendor, does the State weigh the benefit of payroll, income taxes and corporate taxes that an in-state company would generate against a possible lower bid from an out-of-state company?
23. Is the State OIT working toward web-based systems so that in the future we will not have to keep buying hardware every 3-5 years?

Decision Item #2 – Officer Safety Equipment Package

24. Why is *Decision Item #2 – Officer Safety Equipment Package* a lower priority on the decision item list than the Department's *Decision Item #1 – Computer Aided Dispatch, Records Management System, and Mobile Data Computer Asset Maintenance*?

Decision Item #3 – Additional Gaming Trooper FTE

25. If this decision item is not approved, where would the money from the funds go? Do the funds flow into the General Fund if not spent on this decision item?

Decision Item #5 – E-470 Spending Authority Increase

26. How does the E-470 billing system work now that there are no toll collectors? How do people get charged for the use of this road? Does the use of Legislative plates impact this billing system? If a citizen uses these roads and is never billed, will they later be subject to some type of traffic summons for no-payment of the bill?

HUTF “OFF-THE-TOP” GROWTH

[See Briefing Document (Public Safety except Division of Criminal Justice) pg 21]

27. How would abolishing the six percent "off-the-top" limit affect the responsibilities of the State Patrol?
28. Because of budget constraints most state agencies have had their requested increases limited due to a smaller pool of State funding available. Does the Department believe there are reasons that the Patrol should not be required to do the same for requests involving HUTF “Off-the-Top” funding?
29. When will the Alamosa Troop Office capital construction project be completed? When the office opens, will the Department request more FTE to staff the office?
30. Has the department received all the funding it requires for the Alamosa troop office?

Sherman Anti-Trust Act and State Troopers Salary Survey Process

[See Briefing Document (Safety except Division of Criminal Justice) pg 29]

31. Does the Department of Public Safety agree that Section 24-50-104 (1) (a) (III) (A), C.R.S., and its requirements are in violation with the Sherman Anti-Trust Act?
32. Has the Department of Public Safety had discussions with the Department of Personnel and any other association or labor group about this issue?
33. Is there a current proposal that the Department of Public Safety is willing to support?
34. Would the Department of Public Safety support the Joint Budget Committee if the Committee decided to sponsor legislation to remedy Section 24-50-104 (1) (a) (III) (A), C.R.S.?

35. What would be the impact on the state budget if State Troopers salary survey statute was amended to be in compliance with the Sherman Anti-Trust Act?
36. Has the State Auditor consulted with the Attorney General on the probability that the State could potentially be exposed to litigation as a result of this issue?

11:40-11:50 QUESTIONS FOR THE DIVISION OF FIRE SAFETY

Decision Item #7 – Vehicles for Fire Inspectors

37. Why is it more efficient for the state to do these fire inspections? Are there delays in the state performing this function? Would it be more efficient for local entities to do their own inspections?

11:50-12:00 QUESTIONS FOR THE COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM (CICJIS)

38. Does the City of Denver participate in CICJIS?

ADDENDUM: QUESTIONS REQUIRING ONLY A WRITTEN RESPONSE

Please provide:

39. Organizational charts for your department, showing divisions and subdivisions (with geographic locations).
40. Definitions of the roles and missions of your department, its divisions and subdivisions.
41. The number of current personnel and the number of assigned FTE by division and subdivision (with geographic locations), including all government employees and on-site contractors.
42. A specific list of names, salaries, and positions by division and subdivision of any salaried officer or employee making over \$95,000 per year in FY 2009-10.
43. A specific list of names, bonuses, and positions by division and subdivision of any salaried officer or employee making over \$95,000 per year who received any bonuses in FY 2008-09.

44. Numbers and locations of any buildings owned or rented by any division or subdivision (by location) and the annual energy costs of all buildings.
 45. Any real property or land owned, managed, or rented by any division or subdivision (by geographic location).
 46. List essential computer systems and databases used by the department, its divisions and subdivisions, with their actual FY 2008-09 expenditures.
 47. Any actual FY 2008-09 expenditures over \$100,000 total from the department or from its divisions and subdivisions to any private contractor, identifying the contract, the project, and whether the contracts were sole-source or competitive bid.
 48. The amount of actual FY 2008-09 expenditures for any lobbying, public relations, gifts, public advertising, or publications including:
 - a. expenditures for lobbying by public employees, contract lobbyists, or "think tanks;"
 - b. expenditures for lobbying purposes at other levels of government;
 - c. expenditures for lobbying purposes from grants, gifts, scholarships, or tuition;
 - d. expenditures for publications or media used for lobbying purposes;
 - e. expenditures for gratuities, tickets, entertainment, receptions or travel for purposes of lobbying elected officials; or
 - f. expenditures for any public advertising. Include all advertising campaigns, including those that are not for public relations.
 49. List of all boards, commissions, and study groups, including actual FY 2008-09 expenditures, travel, per diem budgets and assigned FTEs.
 50. Suggest budget and staff reductions, including reductions in FTE and hours, by division and subdivision, that will reduce your department's total FY 2010-11 General Fund expenditures by 12.5% relative to FY 2009-10 appropriations before any adjustments that have been announced since the end of the 2009 session.
 51. Suggest budget and staff reductions, including reductions in FTE and hours, by division and subdivision, that will reduce your department's total FY 2010-11 General Fund expenditures by 25.0% relative to FY 2009-10 appropriations before any adjustments that have been announced since the end of the 2009 session.
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