

**DEPARTMENT OF PUBLIC SAFETY  
(Division of Criminal Justice)  
FY 2011-12 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Thursday, January 6, 2011  
1:30 pm – 2:30 pm**

**1:30-1:40      INTRODUCTIONS AND OPENING COMMENTS**

**1:40-1:45      HEARING QUESTIONS FROM JUDICIAL BRIEFING**

1. *Background Information: The Judicial Department's FY 2011-12 budget request includes a General Fund appropriation of \$6,156,118 to the Drug Offender Surcharge Fund, based on anticipated savings in the Department of Corrections and consistent with the Legislative Council Staff fiscal note for H.B. 10-1352. The request also includes a request to spend \$7,000,000 from the Drug Offender Surcharge Fund to provide substance abuse treatment services to adult offenders on diversion, on probation, on parole, in community corrections, or in jail. Please provide information about the implementation of H.B. 10-1352 to date, including: (a) any data related to the number of offenders sentenced to probation rather than the Department of Corrections (and the related savings); and (b) the proposed use of moneys appropriated to the Drug Offender Surcharge Fund pursuant to this act.*
2. The General Assembly is interested in tracking the actual impact of statutory changes to sentencing laws, such as H.B. 10-1338, H.B. 10-1347, H.B. 10-1352, and H.B. 10-1360, and H.B. 10-1374. To the extent that the General Assembly has requested that one or more agencies study and quantify the actual impact of these changes, has the General Assembly asked the relevant questions? Do you have the tools to quantify the impact of these acts or of sentencing bills that may be introduced in the future?

**1:45-1:55      OVERVIEW QUESTIONS**

3. How does the department determine the optimal number of diversion community corrections beds?
4. Discuss the impact of additional diversion community corrections beds on the prison population.
5. What are the barriers to placing individuals in community corrections beds? Could any of those barriers be removed by the General Assembly?

6. How are providers doing in terms of finding employment for offenders in diversion and transition community corrections placements? Has it become more difficult to find jobs given the current economy?

**1:55-2:00      SIGNIFICANT ACTIONS TAKEN FROM FY 2007-08 TO FY 2010-11 TO BALANCE THE BUDGET**

7. How many offenders with mental health or substance abuse issues are transferred to community corrections? How many of these people fail because their medications run out while on community corrections? Should we extend the length of time the State pays for the medications?
8. Discuss the effectiveness of the psychotropic medication program and whether the funding for the program is being fully utilized.
9. Are we setting people up for failure if offenders in community corrections placements have difficulty finding employment?

**2:00-2:10      OPEN ALLOCATION FOR COMMUNITY CORRECTIONS**

10. Discuss why the department has been unable to expend all of its General Fund appropriations for community corrections programs and what could be done by the General Assembly to maximize the utilization of community corrections funding.
11. Do other states have programs to provide funding incentives from the savings in prison beds to community corrections programs that accept a wider variety of inmates in their programs? Could the department bring some proposals forward based on this type of concept?
12. What incentives could the department offer to community corrections boards to accept offenders from outside their communities?
13. Does the department have statistics on the community corrections boards' rejection/acceptance rates?
14. What is the current bed capacity in the community corrections system? Are there barriers to adding beds? Are there areas that have beds available or where demand outstrips supply? Is this the reason for high rejection rates?

**2:10-2:20 COMMUNITY CORRECTIONS SUBSISTENCE GRACE PERIOD**

15. What is the best approach in terms of the number of offenders and length of a subsistence grace period? How much of the appropriations identified in the briefing document would be available in the current fiscal year to fund a subsistence grace period?
16. Provide a history of the average time it takes for a community corrections resident to find employment (previous 5-10 years).
17. Do providers write-off the amount that is not collected on the \$17 per day subsistence? Do offenders have to pay the difference after they are released or is the debt forgiven upon release? Does the fact that an offender owes the provider some unpaid portion of this fee impact their date of release in any way?
18. What additional tasks are providers asked to do under the new standards that were not required before?
19. Why did the department revert funding from the Accelerated Non-Residential Community Corrections Diversion Pilot Program line item and the Outpatient Therapeutic Community Programs line item in FY 2009-10? Is this stilling occurring in the current fiscal year? If so, why is this occurring? What does the department think of the staff suggestion for utilizing this money in a different way?

**2:20-2:30 POPULATION PROJECTIONS**

20. Discuss the methodology for producing the prison inmate and parole population projections.
21. Why do the parole population projections show growth through FY 2011-12 and then reductions beyond that point?
22. Why do the DCJ and LCS parole population projections diverge so significantly?
23. Does the department project the YOS population? If so, provide those projections by gender.

**ADDENDUM: QUESTIONS REQUIRING ONLY A WRITTEN RESPONSE**

1. Discuss programs like the John Eachon Re-entry Program that have helped the State cut down on costs and reduce the recidivism rate.
2. What is the current recidivism rate for those released from prison? Is it higher for certain populations, if so what are those populations and what is the recidivism rate?

3. When an offender is released from prison, what assessment is done to determine their risk and needs? What steps does the department take to ensure that the programming which a releasee receives matches their risk and needs as determined by the assessment? Does the dept have any data on this?
  4. What steps does the department take to ensure the services provided to the offender in the community are evidence based? If an offender is released with multiple criminogenic needs (GED, substance abuse, anger management, employment, mental health etc) what does the department do to meet these multiple needs?
  5. If the State devoted resources towards evidence-based services designed to provide the offender the tools needed to re-enter society successfully what does the research show would be the resulting reduction in recidivism?
  6. What are some examples of evidence-based programs in other states? Please describe them, their costs, their recidivism rates or cost savings as a result of recidivism reductions.
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