A G E N D A

Interim Committee on State Government Expenditures

Tuesday, September 23, 2003
9:30 am
House Committee Room 0112
State Capitol

SUMMARY FOLLOWS AGENDA

Call to Order

I. Department of Corrections
- Joe Ortiz, Executive Director
- L.D. Hay, Director of Administration and Finance
- Nolin Renfrow, Director of Prisons

II. Department of Public Safety
- Sue Mencer, Executive Director
- Erick Scheminske, Budget Officer
- Theresa Brandorff, Chief Officer, Colorado Integrated Criminal Justice Information System

Lunch

III. Department of Local Affairs
- Michael Beasley, Executive Director

IV. Department of Human Services
- Marva Livingston Hammons, Executive Director

V. Department of Public Health and Environment
- Doug Benevento, Executive Director

VI. Department of Education
- William Moloney, Commissioner of Education
- Karen Stroup, Chief of Staff
- Vody Herrmann, School Finance Director
- Nancy Bolt, Assistant Commissioner, State Library

Adjourn

Final

STAFF SUMMARY OF MEETING
STATE GOVERNMENT EXPENDITURE

Date: 09/23/2003 ATTENDANCE

Time:	**09:37 AM** to **05:25 PM**	Anderson	*
		Fitz-Gerald	X
Place:	HCR 0112	King	X
		Owen	X
This Meeting was called to order by		Plant	X
	Representative Spradley	Reeves	X
		Romanoff	X
This Report was prepared by		Teck	X
	Colette S. Peters	Witwer	X
		Young	X
		Andrews	X
		Spradley	X

X = Present, E = Excused, A = Absent, * = Present after roll call

09:40 AM -- Briefing by the Department of Corrections

Joe Ortiz, Executive Director, provided a brief overview of the Department of Corrections (DOC) and distributed a handout (Attachment A). Legislative Council Staff distributed a flowchart and a brief overview of the department (Attachment B).

09:49 AM

Representative Young asked how the department was going to stay within the TABOR limit. He asked specifically, what type of cost-savings does the department plan to implement during the budget restrictions?

09:55 AM

Mr. Ortiz stated that the state will need to rely more heavily on private prisons in order to accommodate the prison population growth. Each state prison is now at 100 - 102 percent of capacity and there are 500 beds available in the private prisons.

09:59 AM

Representative Plant asked the department for options to fund or reduce the growth rate of prisons. He would like the department to look at the populations that are overpopulating the prisons.

10:05 AM

Mr. Ortiz stated that based on what he has heard from law enforcement and district attorneys, sentences drive the population. He also said that the community's safety is paramount, and that inmates today are so much more violent.

10:10 AM

Representative Young suggested that the DOC look at potential savings by changing the way the department is run through the use of technology. He asked what statutes would need to be changed to make those changes happen.

10:11 AM

L.D. Hay, Director of Finance and Administration, discussed cost-saving measures that the department has implemented.

10:13 AM

Representative Romanoff asked whether the DOC is offering treatment for substance abusers and if that treatment reduces recidivism. He also asked if the department would run things differently if the legislature added to the DOC's mission statement the goal of reducing recidivism.

Senator Fitzgerald asked for more specifics about recidivism. She asked how many DOC inmates have been in prison before. How Colorado's recidivism rate compares to other states.

Mr. Hay responded that within three years, 51 percent of those released from the DOC recidivate. Mr. Ortiz pointed out that with budget cuts, every part of the department was affected, including staff, therapy, and mental health treatment. His first priority in each facility is safety. Mr. Ortiz believes that the reason individuals come back to the DOC is because the community does not have enough support networks in place (i.e. jobs and social services). In spite of budget cuts, the DOC has been trying to upgrade the community reintegration program.

10:22 AM

Senator Reeves asked how many individuals are in prison who are past their parole eligibility date (PED). She further, asked for the number of inmates who were past their PED each year for the past 5 fiscal years.

10:29 AM

Mr. Hay discussed the DOC's treatment programs for those with mental health issues. Typically, individuals respond well to treatment while in prison. Mr. Hay said that it is outside of prison where inmates have difficulty and revert back to where they were before treatment. Representative Romanoff requested that the department calculate the cost of probation and treatment outside of prison versus housing an individual in prison.

10:39 AM

Mr. Hay addressed the arrangements between the DOC and the Colorado Mental Health Institute at Pueblo (CMHIP). In addition to having 15 DOC beds at CMHIP, the DOC is using CMHIP's facilities. In an effort to save money, Mr. Hay said that they are trying to do every procedure possible at CMHIP, rather than at the local hospitals.
Senator Owen asked about the status of the pre-parole facility.

10:42 AM

Representative King wanted more information on the prison fellowship ward at the Sterling Correctional Facility. Mr. Hay explained that the DOC has a segregated ward at Sterling that houses individuals who are willing to participate in this Christian program. Mr. Ortiz believes that faith-based programming is the most successful in prison. The department has 2,000 volunteers registered who provide faith-based programming to inmates. The DOC is trying to expand this Christian program to other facilities. They are currently serving 96 inmates in this program at Sterling.

10:48 AM

Representative Romanoff asked Ms. Miller to discuss the efficiencies achieved by the DOC.

11:14 AM

Mr. Ortiz discussed the rate at which individuals test positive for diseases while in prison. He also mentioned the efficiencies that they have created in the food industry and he explained how the DOC creates meals for 83 cents.

11:26 AM -- Department of Public Safety

Sue Mencer, Executive Director, briefed the committee and distributed two handouts (Attachments C and D). Legislative Council Staff distributed a flowchart and a brief overview of the department (Attachment E).

Senator Owen asked how many counties has the department contracted with to conduct accident reconstruction so that troopers can do less accident reconstruction and more of their other duties.

11:37 AM

Representative Plant distributed a handout that lists fire service functions by oversight agency in Colorado (Attachment F). Representative Plant discussed consolidating some of the inspection services throughout Colorado government under the purview of the Department of Public Safety. He asked Ms. Mencer to look at the list he distributed and tell the committee which, if any, could be more efficiently administered if run by the Department of Public Safety.

11:44 AM

Ms. Mencer pointed out that the Colorado Bureau of Investigation (CBI) continues to assist local law enforcement in crime scene investigation. She discussed the insta-check program in Colorado.

Speaker Spradley asked for statistics on CBI's insta-check program, specifically regarding purchase rates. She asked how many requests for handgun purchases were granted and how many were denied because of a negative background check. She asked, how many of those whose requests to purchase were denied were able to "clear" their status.

Senator Teck asked, out of the total number of checks that were denied, how many would have been denied by an FBI check only (as opposed to a CBI check in addition to the FBI check).

11:50 AM

Bob Cantwell, CBI, explained that the FBI's database will not accept Colorado's restraining orders. If the state chose to just use the FBI system for gun purchase background checks, restraining orders would not be flagged.

12:00 PM

The committee recessed until 1:30.

01:38 PM

The committee came back to order.

Ms. Mencer stated that 25 percent of all insta-check requests to purchase guns are denied in Colorado. Last year there were 12,000 requests, 400 were denied, and 100 were based on Colorado reasons (i.e, reasons that would not have been flagged by a check of the FBI's criminal history database only).

In response to an earlier question regarding accident investigation, Colorado State Patrol Chief Mark Trostel stated that counties do not want to take on more services than they provide now. The CSP provides assistance to the county to do accident investigation. Senator Owen asked what efficiencies would be gained to farm accident investigations out to the private sector.

01:46 PM

Teresa Brandorf, Director and Chief Information Officer for the Colorado Integrated Criminal Justice Information System (CICJIS), discussed the CICJIS program and walked the committee through their handout (Attachment C).

01:55 PM

Representative Young asked questions regarding CICJIS. He asked when CICJIS was going to stop adding users to the program. Ms. Brandorf said that as of last Friday they have implemented the basic list, but are willing to look at sharing information with other agencies like the Federal Office of Homeland Security.

02:10 PM -- Department of Local Affairs (DOLA)

Mike Beasley, Executive Director, presented an overview of the Department and provided a handout (Attachment G). Legislative Council Staff distributed a flow chart and brief overview (Attachment H).

02:20 PM

Senator Anderson asked how much longer the department will be repairing the Moffatt tunnel. Mr. Beasley responded that is going to take some time.

02:29 PM

Senator Owen asked what Colorado local governments are doing to train those who are unemployed and to decrease unemployment.

Representative King asked why the Office of Emergency Management (OEM) is under Local Affairs and not Public Safety.

02:40 PM

Speaker Spradley asked what the committee could do to help the department run more efficiently. Mr. Beasley said that he would like to respond to that question in writing later, because the department is in the process of working on particular items.

02:44 PM

Speaker Spradley requested the DOLA to return on October 2nd.

02:48 PM

Senator Owen asked what the average age of the workforce is. He also asked for the percentage that is nearing retirement and he asked what would happen if the state implemented a temporary retirement incentive program.

02:52 PM -- The Department of Human Services

Marva Livingston Hammons, Executive Director, presented an overview of the department and distributed a handout (Attachment I). Legislative Council Staff distributed a flowchart and a brief overview (Attachment J).

03:02 PM

Reginald Jefferson, Budget Director, briefed the committee on the department's budget.

03:11 PM

Mr. Jefferson discussed ways the department has refinanced and worked with OSPB to make the department more efficient over the last couple of years.

03:15 PM

Representative Romanoff asked for information regarding how each division or program affects the other division or programs when individuals fail to succeed. For example, is the state spending money on the Temporary Assistance to Needy Families foster care program due to untreated substance abuse?

03:24 PM

Mr. Jefferson discussed current FTE efficiencies.

03:26 PM

Senator Owen asked what the department thinks of an early retirement incentive program. He asked for the average age of each employee.

03:43 PM

Stephen Bates, Director of the Division of Youth Corrections, discussed mental health programs, including two programs that were eliminated during budget reductions.

03:53 PM -- The Department of Public Health and Environment

Doug Benevento, Executive Director, presented an overview to the committee and provided a handout on the department's budget (Attachment K). Legislative Council Staff distributed a flowchart and overview of the department (Attachment L).

04:02 PM

Mr. Benevento discussed the energy efficiencies the department has implemented to save money.

04:10 PM

Representative Witwer asked if there were redundancies between the department of Public Health and Environment and the Department of Healthcare Policy and Financing. Mr. Benevento replied that there are no redundancies between the two departments.

04:12 PM

Senator Reeves asked about the state of immunizations in the rural areas. Mr. Benevento said that there are programs in place to improve the immunization process in rural areas.

04:15 PM

Senator Anderson expressed out her disappointment in the department for not providing a written form of their presentation.

04:29 PM -- The Department of Education

William Moloney, Commissioner of Education, briefed the committee on the department and provided a handout (Attachment M). Legislative Council Staff distributed a flow chart and a brief overview of the department (Attachment N).

04:34 PM

Speaker Spradley requested a list of items in statute that need to be addressed or re-written in order to assist the department in saving money and operating more efficiently.

04:41 PM

Senator Teck encouraged the department to bring the list of proposed efficiencies to the Joint Budget Committee (JBC).

04:48 PM

Senator Owen asked how many states have schools like the Colorado School for the Deaf and Blind. He questioned whether this program should be phased out in Colorado, whether deaf and blind students should be phased into the community, and whether the program be privatized.

04:50 PM

Nancy Bolt, Assistant Commissioner, State Library, discussed the budget cuts that the libraries endured and that services were affected.

04:57 PM

Representative Romanoff requested the cost of special education due to fetal alcohol syndrome.

05:04 PM

Senator Owen asked if it was time to look at the teacher licensure process and streamline it. Mr. Moloney said that the department should look at the licensing process.

05:14 PM

Speaker Spradley requested that the department return to the committee and provide written responses to the questions the committee posed.

Representative King asked for information on remediation and specifically, how K-12 education can help decrease the need for remediation.

05:20 PM

Representative Romanoff asked if there should be a financial or structural incentive in place for schools to make sure that kids do not drop out of school.

05:25 PM

The committee adjourned.