



State of Colorado Correctional Treatment Board

FY2024 Funding Plan

The Correctional Treatment Cash Fund and its oversight board, the Correctional Treatment Board, was established with the passage of HB12-1310. This legislation consolidated three major sources of state funding for substance abuse/co-occurring assessment and treatment: The Drug Offender Surcharge Fund, SB03-318 Funding (Drug Treatment Fund), and HB12-1352 funding. HB12-1310 restructured these funds to create and support a coordinated and collaborative effort regarding the assessment and treatment of criminal justice clients with substance use and co-occurring disorders. Board membership includes a representative from each of the four state agencies that have criminal justice programming (Judicial Branch, Department of Public Safety, Department of Corrections, and Behavioral Health Administration) as well as representatives from the County Sheriff's Association, the Public Defender's Office and the District Attorneys' Council. The purpose of the Correctional Treatment Board is to ensure a fair and reasonable allocation of cash fund resources in accordance with statutory intent. Statutorily authorized uses of the money include:

- Alcohol and drug screening, assessment, and evaluation;
- Alcohol and drug testing;
- Substance abuse education and training;
- Treatment for assessed substance abuse and co-occurring disorders;
- Recovery support services;
- An annual statewide conference regarding substance abuse treatment; and
- Administrative support for the board.

The Correctional Treatment Board is pleased to present its FY2024 Funding Plan that allocates \$23,984,067.00 (subject to adjustment during figure setting) in state resources. This plan reflects the continuing work and programmatic priorities of the Board through the various appropriations to four state agencies as outlined in this report.

Statutory Cites: 18-19-103 (3.5)(b) and 18-19-103 (5)

Correctional Treatment Cash Fund Overview

Money in the Correctional Treatment Cash Fund is targeted only for justice-involved individuals with substance abuse and/or co-occurring behavioral health disorders. All funding is appropriated into the Judicial Department's budget where it is then re-appropriated to the other three state agencies according to the funding plan as developed by the Correctional Treatment Board. Beginning in FY2015, the Board separated administrative and overhead funding that is housed in the Judicial Branch budget but isn't specific to Judicial programming. These costs include cash fund indirect costs, conference and board staff funding, and the overhead amount that funds research/data collection and one-time projects. The chart below reflects the historical funding allocation across the four agencies.

Correctional Treatment Summary of Annual Appropriations						
	FY2018	FY2019	FY20	FY21	FY22	FY23
Department of Corrections	3,505,691	3,551,498	3,551,498	3,529,400	3,612,135	3,867,592
Department of Human Services	6,764,673	6,817,987	10,697,223	10,610,251	10,787,878	9,510,251
Department of Public Safety	5,374,905	5,415,050	5,419,635	5,396,755	5,461,491	5,602,074
Denver County					200,000	200,000
HB18-1165 Re-Entry		3,286,000				
Judicial	5,448,038	5,973,891	3,065,891	3,326,141	3,279,043	3,885,687
Non-Agency Specific	913,119	838,788	1,511,470	1,885,496	1,406,647	1,934,396
Total	22,006,426	25,883,214	24,245,717	24,748,043	24,747,194	25,000,000
<i>Change over prior year</i>	<i>220,094</i>	<i>3,876,788</i>	<i>(1,637,497)</i>	<i>502,326</i>	<i>(849)</i>	<i>251,957</i>

Department of Corrections (DOC):

The Colorado Department of Corrections, Division of Adult Parole uses correctional treatment funds for the Approved Treatment Provider (ATP) Client Choice Model. The Client Choice Model focuses on ensuring treatment enrollment/intake appointments within fourteen days of release for all individuals with substance abuse and/or behavioral health need. The ATP Program helps to identify and make available appropriate treatment programs for offender needs for Cognitive Behavioral Therapy, mental health, sex offender, and/or substance abuse treatment, regardless of the offender's location. The ATP Program utilizes several ATP providers to provide services to inmates and parolees in communities throughout the State of Colorado. Many of the ATPs provide only a very limited amount of services due to specialization, geographic location, and personal choice. Treatment services should be evidence-based and cognitive behavior treatment modalities or demonstrate best practices and must comply with the offender's parole plan/conditions of parole. Correctional treatment dollars are used specifically for substance abuse and mental health treatment and the assessment/referral of DOC offenders being supervised in the community.

Behavioral Health Administration (BHA):

BHA uses its funding for three main programs and services. The Jail-Based Behavioral Services (JBBS) program provides substance abuse and mental health services for clients in county jails and transitional case management services. Funds are distributed via contracts with Sheriff's departments to subcontract with local treatment providers. For FY2016, HB15-1367 was enacted, which transferred \$1.55M from the marijuana cash fund into the

correctional treatment cash fund specifically for use in the JBBS program. Each JBBS program reports quarterly to the statewide program manager at BHA. BHA also uses its Correctional Treatment funds to support outpatient treatment services which are managed through contracts with Managed Service Organizations (MSO), and for the Strategic Individualized Remediation Treatment (STIRT) program, which is a three-week residential program with continuing care for 8+ months once clients complete the in-patient portion of treatment. The third funding allocation supports the operational costs for the co-occurring Circle Program. The Colorado Circle Program provides intensive residential substance use treatment services that are targeted to the offender population.

Judicial Branch:

The Judicial Branch uses its correctional treatment resources for substance use testing and mental health/substance abuse treatment for probation clients as well as outpatient treatment and recovery support for the state's problem-solving court clients. An adult diversion program was created through the passage of HB13-1156 and in FY2015, the Board established a funding stream to help support outpatient treatment for this program. The adult diversion program is managed on a cost-reimbursement basis with counties whose diversion programs meet state guidelines. Outpatient treatment funds for probation and problem-solving courts are allocated to all the probation and problem-solving courts within the 22 judicial districts and are managed locally. Aggregated expenses are tracked and monitored centrally at the State Court Administrator's Office and reported to the Correctional Treatment Board monthly.

Department of Public Safety, Division of Criminal Justice (DCJ):

DCJ receives funding to help cover the cost of specialized intensive residential treatment and therapeutic community beds; to pay for out-patient treatment vouchers for clients in community corrections facilities; and to fund 1.0 research/training FTE within the Division of Criminal Justice. Funds are also used to support classroom training costs for substance abuse and risk/need assessments. Residential and outpatient treatment funds are allocated to local community corrections boards across the state and managed by the boards for treatment of community corrections clients. Each board must report quarterly on spending levels.

Non-Agency Specific:

The Non-Agency Specific resources are utilized for three separate purposes. The Board uses Administrative Overhead for all operating costs, travel expenses for Board Staff, and short-term projects. Examples of these projects have been the Colorado Assessment Match (CAM) evaluation project in 2017, the Problem-Solving Courts Evaluation (partial funding), and the Jail-Based Behavioral Services (JBBS) Evaluation (both in 2018). As a result of budgetary limitations, the Board has unanimously decided not to co-sponsor the annual Colorado Collaborative Justice Conference for 2023. The Board is committed to the education, latest research, and practices that are proven to effectively support clients in the criminal justice system that educates case managers, treatment providers, and criminal justice professionals. The Board will continue to assess the budget to determine the possibility to sponsor the annual conference for 2024.

Pots and Personal Services fund the salary and benefits of the Board staff person. Indirects are resources that contribute toward the management of the Correctional Treatment Cash Fund.

Funding Applications:

In FY2018, the Board invested time and resources in facilitating a closer connection with the Judicial District Drug Offender Treatments Boards (Local Boards). The re-establishment of the Local Boards has continued to grow each year. A Funding Application, whereby the active Local Boards could apply directly to the Board to fund district-specific projects that filled gaps in services or enhanced services for justice-involved individuals eligible for CTCF resources. The Board continues its dedication to collaborating with the Local Boards to provide resources and financial support to address areas of need. The FY2024 Funding Applications were due on May 31, 2022, and the Board voted to partially or fully fund thirteen applications for a total of \$1,480,955.00. To improve the application and data reporting process for the Local Board Projects the CTB will be participating in a new grant management system starting in FY2025.

HB22-1326 Fentanyl Accountability and Prevention

HB22-1326 apportions a total of \$1,133,889 from the correctional treatment cash fund. \$252,963 will be allocated for a study on the health effects of criminal penalties related to substance use treatment and prevention services, this amount is based on the assumption that the administration will require an additional 0.5 FTE; and \$150,000 for a fentanyl education program related to substance use treatment and prevention services; and \$730,926 for offender treatment and services.

Correctional Treatment Cash Fund Revenue

The Correctional Treatment Cash Fund (CTCF) receives general fund money, direct cash revenue from the drug offender surcharge (a surcharge assessed on offenders convicted of drug crimes), and as of FY2016, a transfer of funds from the Marijuana Cash Fund. These funds are annually appropriated to the Judicial Branch, transferred or deposited into the cash fund, and managed by the Correctional Treatment Board.

Cash Fund Expenditures

In FY2022, expenditures were projected to be \$24,747,194 as outlined in the chart below.

<i>Correctional Treatment FY2022 Spending by Agency</i>			
	FY22 Appropriation	Spent	Surplus/(Deficit)
DEPARTMENT OF CORRECTIONS	3,612,135	3,608,593	3,542
DEPARTMENT OF PUBLIC SAFETY	5,461,491	4,457,896	1,003,595
DEPARTMENT OF HUMAN SERVICES	10,787,878	9,220,060	1,567,818
DENVER COUNTY	200,000	170,570	29,430
JUDICIAL	3,279,043	3,315,524	(36,481)
NON-AGENCY SPECIFIC			
CTCF Board Administration			
CTB Administrative OH	193,890	141,597	52,293
Local Board Projects	1,092,547	540,975	551,572
Indirects and Treasury Fees	4,333	30,648	(26,315)
CTCF Board Staff			
Personal Services	115,877	115,661	216
NON-AGENCY SPECIFIC TOTAL	1,406,647	828,881	577,766
GRAND TOTAL	24,747,194	21,601,524	3,145,670

FY2023 and FY2024

The Board has continued to evaluate overall priorities and projects and has completed or will continue a focus on the following work in FY2023:

- The Board members have committed to improving data compliance from each agency that receives CTCF funding and has allocated funds for an evaluation. The evaluation of the impact of the CTB funds will use qualitative information to identify access and availability to treatment services, which will include treatment gaps for individuals in the criminal justice system and identify what barriers there are

to collecting statutorily required quantitative data. The funding impact evaluation will begin in FY2023.

- The Board members will create a more in-depth annual request process to enhance understanding of the agencies and their use of Correctional Treatment Board Funds.
- The Board approves this funding plan contingent upon State and Local Agencies reporting of the requirements in CRS 18-19-103 (5)(f). State and local agencies receiving funding and unable to do so shall provide a written explanation of progress in meeting statutorily required reporting requirements and when compliance will be achieved.
- The Board will continue to assess the potential opportunity to sponsor Colorado Collaborative Justice Conference (CCJC) in the future. This is one of the Correctional Treatment Cash Fund expenditures specifically allowed by statute. This conference is the principal training event for Colorado's criminal justice and treatment staff statewide. The annual conference hosts nationally and internationally renowned speakers and experts in the fields of criminal justice interventions and effective treatment of substance use and co-occurring disorders. All 22 judicial districts are represented, including professionals from the fields of law enforcement, parole, probation, treatment, prosecutors, defense attorneys, diversion, community corrections, judicial officers, and system policymakers. The Board continues to be committed to the latest research and practices that are proven to effectively support clients in the criminal justice system.
- The Board is looking forward to the ongoing collaboration and support of the Judicial District Drug Offender Treatment Boards (Local Boards) that each jurisdiction is required to maintain. Members of these local boards are the experts concerning service needs and gaps within their respective communities, and the Correctional Treatment Board will invest in the continued development of working relationships and effective communication with the local boards to better identify how to most efficiently utilize the Correctional Treatment Cash Funds.

FY2024 Funding Requests

As a result of budget limitations, the Board made substantial decreases to the funding allocations in FY2024 for each of the State Agencies to prevent depletion of the cash fund balance. The decision was made to keep the full allocation to the Local Board Funding requests to address treatment gaps and needs at a local level. The Board also decided to cancel the 2024 Colorado Collaborative Justice Conference to ensure the funds were utilized for treatment and services throughout the state.

Several figures listed below may be adjusted during figure-setting in the spring.

Correctional Treatment FY2023-24 Request By Agency			
	FY24 Agency Request	Total FY24 Board Approved Allocation	Variance
DEPARTMENT OF CORRECTIONS			
Parole Subprogram	4,174,885	3,882,643	(292,242)
Total DOC	4,174,885	3,882,643	(292,242)
DEPARTMENT OF HUMAN SERVICES			
<u>Substance Use Treatment and Prevention</u>			
Offender Services	1,505,173	1,305,173	(200,000)
<u>Integrated Behavioral Health Services</u>			
Jail-Based Behavioral Health	7,005,078	6,635,078	(370,000)
Community Based Circle Program	1,000,000	904,282	(95,718)
Total DHS	9,510,251	8,844,533	(665,718)
DEPARTMENT OF PUBLIC SAFETY			
<u>DCJ Administration</u>			
Personal Svc/Operating/POTS	99,573	99,573	-
<u>Community Corrections</u>			
Community Corrections Placement	2,956,500	2,956,500	-
Treatment For Substance Abuse and Co-occurring Disorders	2,642,525	2,243,623	(398,902)
Total DPS	5,698,598	5,299,696	(398,902)
JUDICIAL DEPARTMENT			
<u>Probation & Related Services</u>			
Offender Treatment & Services	3,896,891	3,600,449	(284,612)
Adult Pre-Trial Diversion	169,000	169,000	-
Total Judicial	4,065,891	3,769,449	(284,612)
Denver County			
Denver Probation	250,000	232,500	(17,500)
Total Denver County	250,000	232,500	(17,500)
NON-AGENCY SPECIFIC			
<u>CTCF Board Administration</u>			
CTCF Board Overhead	100,000	100,000	-
Local Board Funding requests	1,500,000	1,500,000	-
Data and Research	220,482	220,482	-
CTB Staff Personal Services/POTS	122,934	122,934	-
Total CTCF Board	1,943,416	1,943,416	
GRAND TOTAL	25,643,041	23,972,237	(1,658,974)

Next Steps

The Correctional Treatment Board is looking forward to beginning the evaluation of the impact of the CTB funds in FY2023. The Board will continue to focus on enhancing the collaboration and engagement with Judicial District Drug Offender Treatment Boards (Local Boards) by exploring opportunities to expand on current programming through utilizing the local community experts to identify needs and gaps of the state and commissioning ongoing data and research of treatment outcomes.

Correctional Treatment Board Members

Board Co-Chairs:

Jaime FitzSimons, Sheriff
Summit County Sheriff's Office

Jenny Wood, Director
Criminal Justice Services
Division of Community Behavioral Health
Behavioral Health Administration

Board Members:

Joe Thome, Director
Division of Criminal Justice
Department of Public Safety

James Karbach, State Public Defender
State Public Defender's Office

Glenn Tapia, Director
Division of Probation Services
State Court Administrator's Office

Heather Salazar, Associate Director
Division of Adult Parole,
Department of Corrections

Beth McCann, District Attorney
Colorado District Attorney's Council