



State of Colorado Correctional Treatment Board

FY2021 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 Division of Human Services) 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 FY2021 Funding Plan that allocates \$25,150,669.00 (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 out 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.

| Summary of Annual Appropriations | | | | | | |
|----------------------------------|------------|------------|------------|------------|------------|-------------|
| | FY2015 | FY2016 | FY2017 | FY2018 | FY2019 | FY20 |
| Corrections | 3,457,227 | 3,457,227 | 3,457,227 | 3,551,498 | 3,551,498 | 3,551,498 |
| Human Services | 5,071,156 | 6,621,156 | 6,671,156 | 6,817,987 | 6,817,987 | 10,697,223 |
| Public Safety | 5,301,766 | 5,305,084 | 5,299,574 | 5,415,050 | 5,415,050 | 5,419,635 |
| HB18-1165 Re-Entry | | | | | 3,286,000 | 0 |
| Judicial | 5,505,078 | 5,505,078 | 5,505,078 | 5,525,038 | 5,896,891 | 3,065,891 |
| Non-Agency Specific | 906,906 | 899,045 | 853,297 | 838,789 | 915,879 | 1,418,702 |
| Total | 20,242,133 | 21,787,590 | 21,786,332 | 22,148,362 | 25,883,305 | 24,152,949 |
| Change over prior year | 3,500,000 | 1,545,457 | (1,258) | 362,030 | 3,734,943 | (1,730,356) |

Department of Corrections (DOC):

The Colorado Department of Corrections, Division of Adult Parole uses correctional treatment funds for the Approved Treatment Provider (ATP) Program. 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 a large number of ATP providers to provide services to inmate and parolees in communities throughout the State of Colorado. Many ATP’s 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. The assessment and referral services are provided through a contract with Recovery Monitoring Solutions Corporation, who also oversee the parole division’s Treatment for Safer Communities (TASC) contract.

Department of Human Services, Office of Behavioral Health (OBH):

OBH 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 for 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 OBH. OBH also uses its Correctional Treatment funds to support outpatient treatment services which are managed through contracts with Managed Service Organizations (MSO), and for the Short-Term Intensive Residential Remediation Treatment (STIRRT) program, which is a three-week residential program with continuing care for 8+ months once clients complete the in-patient portion of treatment. A \$2 million allocation was made to OBH for the startup and operational costs for the co-occurring Circle Program.

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 for probation, parole, TASC, community corrections, and prison staff. Residential and out-patient 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 for 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).

The Board will continue to co-sponsor the annual Colorado Collaborative Justice Conference that educates case managers, treatment providers, and criminal justice professionals on the latest research and practices that are proven to effectively support clients in the criminal justice system. The Board has committed more resources to the growth and expansion of this conference.

Pots and Personal Services fund the salary and benefits for 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 Board created a Funding Application, where by 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 FY2021 Funding Applications were due on May 31, 2019, and the Board voted to partially or fully fund fifteen applications for a total of \$1,206,471.40.

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 FY2019, expenditures were projected to be \$24,901,691 as outlined in the chart below.

| Correctional Treatment FY2019 Spending by Agency | | | |
|--|-------------------|-------------------|----------------|
| | FY19 Appro. | Spent | Difference |
| DEPARTMENT OF CORRECTIONS | 3,551,498 | 3,551,498 | - |
| DEPARTMENT OF HUMAN SERVICES | 6,817,987 | 6,159,134 | 658,853 |
| DEPARTMENT OF PUBLIC SAFETY | 5,415,050 | 5,374,290 | 40,760 |
| DEPARTMENT OF CORRECTIONS | | | |
| HB17-1176 DOC Re-entry | 3,286,000 | 3,286,000 | |
| JUDICIAL | | | |
| <u>Probation & Related Services</u> | | | |
| Offender Treatment & Services | 5,896,891 | 5,834,283 | 62,608 |
| Adult Pre-Trial Diversion | 77,000 | 51,462 | 25,538 |
| <u>NON-AGENCY SPECIFIC</u> | | | |
| <u>CTCF Board Administration</u> | | | |
| Board OH | 217,190 | 62,035 | 155,155 |
| CCJC | 345,000 | 339,049 | 5,951 |
| Indirects | 168,232 | 202,657 | (34,425) |
| <u>CTCF Board Administration</u> | | | |
| Personal Services | 108,367 | 41,283 | 67,084 |
| Total Judicial | 6,812,680 | 6,530,769 | 281,911 |
| GRAND TOTAL | 25,883,215 | 24,901,691 | 981,524 |

FY2020 and FY2021

The Board has continued to evaluate overall priorities and projects and has completed or will continue a focus on the following work in FY2021:

- The Problem-Solving Court evaluation, which was partially funded by the Board, has completed most of the data gathering phase of the project. The evaluators worked with stakeholders to secure additional data, finalize comparison groups, analyze data, and begin draft reporting. The evaluators are currently working on cleaning and matching data. The evaluation will include outcomes and recidivism based on 5 years of data. It will also include a report regarding the use of best practices in problem solving courts across the state. The intent is to complete the final report by the end of 2019.

- The Colorado Collaborative Justice Conference (CCJC) is funded by the Correctional Treatment Board in partnership with the Colorado Problem Solving Courts program and 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 policy makers.
- The Board members from each agency that receives CTCF funding will be preparing an educational presentation to the other Board members to enhance understanding of the agencies and their use of Correctional Treatment Board Funds.
- The Board is looking forward to enhancing 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 with respect to service needs and gaps within their respective communities, and the Correctional Treatment Board will invest in 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.

FY2021 Funding Requests

The Board approved one new increase in funding for FY2021. The Department of Corrections requested additional funds for co-occurring and substance abuse treatment services in order to meeting the needs of the expanding parole population and the recent legislative changes (SB 19-147). Finally, the Board approved Local Board Funding Requests for FY2021. Several figures listed below will be adjusted during figure-setting in the spring.

| Correctional Treatment FY2021 Request By Agency and Long Bill Line | | | |
|---|---------------------------|----------------------------------|---------------------------------|
| | FY20 Appropriation | FY21 CTB Approved Request | Difference from FY20 App |
| DEPARTMENT OF CORRECTIONS | | | |
| Drug & Alcohol Tx Subprogram | 1,388,373 | 1,388,373 | - |
| Parole Subprogram | 2,163,125 | 2,163,125 | - |
| Community Supervision Subprogram | | 230,000 | 230,000 |
| Total DOC | 3,551,498 | 3,781,498 | 230,000 |
| DEPARTMENT OF HUMAN SERVICES | | | |
| <u>Substance Use Treatment and Prevention</u> | | | |
| Offender Services | 1,520,377 | 1,520,377 | - |
| <u>Integrated Behavioral Health Services</u> | | | |
| Jail-Based Behavioral Health | 7,176,846 | 7,176,846 | - |
| Community Based Circle Program | 2,000,000 | 2,000,000 | - |
| Total DHS | 10,697,223 | 10,697,223 | - |
| DEPARTMENT OF PUBLIC SAFETY | | | |
| <u>DCJ Administration</u> | | | |
| Personal Svc/Operating/POTS | 96,297 | 106,376 | 10,079 |
| <u>Community Corrections</u> | | | |
| Community Corrections Placement | 2,707,740 | 2,844,127 | 136,387 |
| Trtmtn. For Subs Abuse and Co-occurring Disorders | 2,615,598 | 2,615,598 | - |
| Total DPS | 5,419,635 | 5,566,101 | 146,466 |
| JUDICIAL DEPARTMENT | | | |
| <u>Probation & Related Services</u> | | | |
| Offender Treatment & Services | 2,896,891 | 2,896,891 | - |
| Adult Pre-Trial Diversion | 169,000 | 169,000 | - |
| Total Judicial | 3,065,891 | 3,065,891 | - |
| NON-AGENCY SPECIFIC | | | |
| <u>CTCF Board Administration</u> | | | |
| CTCF Board Overhead | 193,890 | 193,890 | - |
| Local Board Funding requests | 591,088 | 1,206,471 | 615,383 |
| CCJC | 368,300 | 368,300 | - |
| Indirects | 168,232 | 168,232 | - |
| CTB Staff Personal Services/POTS | 97,192 | 103,063 | 5,871 |
| Total Judicial | 1,418,702 | 2,039,956 | 621,254 |
| GRAND TOTAL | 24,152,949 | 25,150,669 | 997,720 |

*Board approved allocation amounts subject to change during JBC figure-setting

Next Steps

The Correctional Treatment Board has several action items in progress and is excited to spend the next year focusing on increasing the engagement with Local Boards by continuing to invest in the development of Judicial District Drug Offender Treatment Boards. The Correctional Treatment Board is proud of the work it has done to-date and is confident that its efforts over the coming years will continue to contribute to successful client outcomes and improved public safety.

Correctional Treatment Board

Board Co-Chairs:

Deborah Duran, Assistant Director
*Division of Adult Parole,
Department of Corrections*

Jim Bullock, District Attorney
*16th Judicial District
Colorado District Attorney's Council*

Board Members:

Jenny Wood, Director
*Criminal Justice Services
Division of Community Behavioral Health
Department of Human Services*

Maureen Cain, State Public Defender
State Public Defender's Office

Eileen Kinney, Senior Manager
*Division of Probation Services
State Court Administrator's Office*

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

Jaime FitzSimons, Sheriff
Summit County Sheriff's Department