

Budget Brief – Drug Courts and Boards

NUMBER DHS-09-03

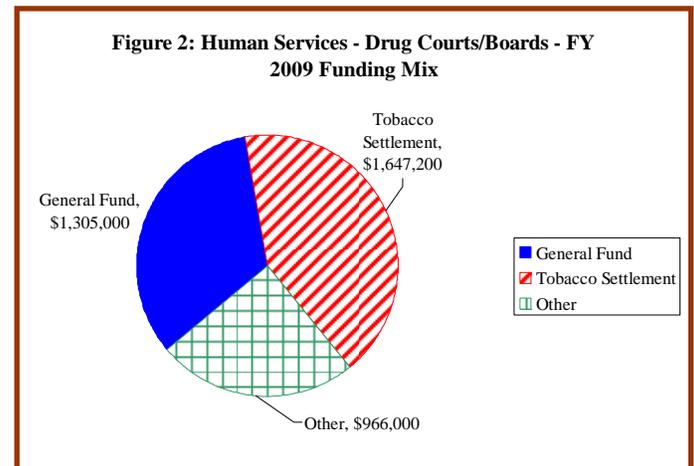
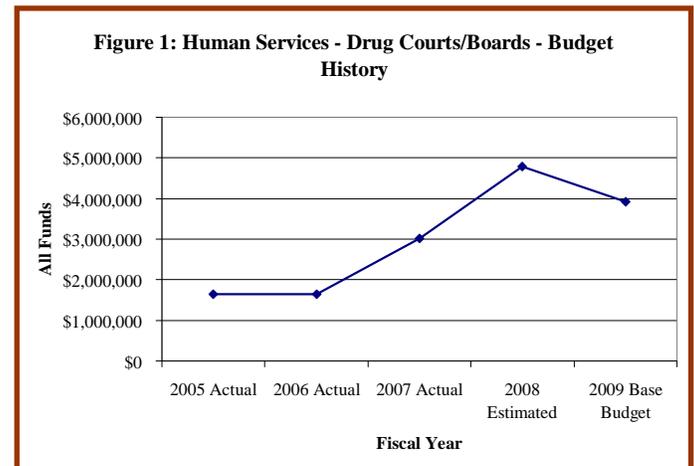
DRUG COURTS AND BOARDS

Drug Courts is a judicial process that offers nonviolent drug abusing offenders, intensive court-supervised drug treatment as an alternative to jail or prison. The local area substance abuse authorities and private contractors provide treatment services. Drug Boards provide community based services to drug involved offenders to help them reintegrate into their communities after release from prison. For additional information on Drug Courts and Drug Boards, please turn to the Compendium of Budget Information for the 2008 General Session starting on page 27 of Tab 14 in the Department of Human Services' binder.

Utah's first drug court was started in 1996, in Salt Lake County with funds from the U.S. Department of Justice, Salt Lake County and other sources. Currently, 22 of the 32 drug courts operating in Utah receive funding from the Department of Human Services. Until, FY 2007, the total funding for Drug Courts was from Tobacco Settlement Restricted Funds.

Drug Boards is a program similar to Drug Courts, but is offered by the correctional system to individuals leaving prison and entering parole. Instead of judges and a courtroom, the official in charge is a representative from the Board of Pardons and the location is a hearing room. Currently, Drug Boards are only located in Davis and Weber Counties.

The FY 2009 recommended base budget totals \$3,918,200 with \$1,305,000 (33.3 percent) from the General Fund, \$1,647,200 (42.0 percent) from General Fund Restricted – Tobacco Settlement Account, \$966,000 from federal funds and transfers from the Commission on Criminal and Juvenile Justice.



LEGISLATIVE ACTION

The Executive Appropriations Committee requests that the subcommittee adopt base budgets for each agency under the subcommittee's purview, fund subcommittee priorities by reallocating revenue among programs, and provide a prioritized list of desired items for funding. The subcommittee should consider the following items in its deliberations:

Consolidation of the Drug Courts and Drug Boards Line Item to the Division of Substance Abuse and Mental Health

Since Drug Courts and Drug Boards are overseen by the Division of Substance Abuse and Mental Health (DSAMH), the Analyst recommends the Health and Human Services Appropriations Subcommittee consolidate this line item into the DSAMH.

Base Budget Adoption

Adoption of the base budget enables the programs to continue for the next fiscal year at approximately the same level as the current fiscal year. Some changes in the base budgets may occur, namely non-state fund increases or decreases (i.e. federal funds, transfers, dedicated credits and non-lapsing balances) and program shifts within a line item.

Funding Requests for Consideration

Drug Courts has only one General Fund request for FY 2009 for Drug Courts. This request with the analyst's recommendation will be summarized in Issue Brief DHS-09-09.

Recommendations for Intent Language for FY 2009:

Under Section 63-38-8 of the Utah Code the Legislature intends that any remaining amounts of the \$3,918,200 provided by Item 111 of Senate Bill 1, State Agency and Higher Education Base Budget Appropriations (2008 General Session), and any funding allocated in this item for the Department of Human Services, Drug Courts and Drug Boards line item not lapse at the close of FY 2009.

BUDGET DETAIL

The following table shows the budget history for the Drug Courts and Drug Boards line item including the base budget for adoption:

| Human Services - Drug Courts/Boards | | | | | | |
|---|--------------------|--------------------|------------------|--------------------|--------------------|--------------------|
| | FY 2007 | FY 2008 | | FY 2008 | | FY 2009* |
| Sources of Finance | Actual | Appropriated | Changes | Revised | Changes | Base Budget |
| General Fund | 435,000 | 1,305,000 | 0 | 1,305,000 | 0 | 1,305,000 |
| General Fund, One-time | 0 | 870,000 | 0 | 870,000 | (870,000) | 0 |
| Federal Funds | 857,900 | 800,000 | 0 | 800,000 | 0 | 800,000 |
| GFR - Tobacco Settlement | 1,647,200 | 1,647,200 | 0 | 1,647,200 | 0 | 1,647,200 |
| Transfers - Commission on Criminal and Juvenile J | 75,000 | 35,000 | 131,000 | 166,000 | 0 | 166,000 |
| Lapsing Balance | (300) | 0 | 0 | 0 | 0 | 0 |
| Total | \$3,014,800 | \$4,657,200 | \$131,000 | \$4,788,200 | (\$870,000) | \$3,918,200 |
| Programs | | | | | | |
| Drug Board | 350,600 | 350,900 | 0 | 350,900 | 0 | 350,900 |
| Drug Courts | 2,664,200 | 4,306,300 | 131,000 | 4,437,300 | (870,000) | 3,567,300 |
| Total | \$3,014,800 | \$4,657,200 | \$131,000 | \$4,788,200 | (\$870,000) | \$3,918,200 |
| Categories of Expenditure | | | | | | |
| Other Charges/Pass Thru | 3,014,800 | 4,657,200 | 131,000 | 4,788,200 | (870,000) | 3,918,200 |
| Total | \$3,014,800 | \$4,657,200 | \$131,000 | \$4,788,200 | (\$870,000) | \$3,918,200 |
| Other Data | | | | | | |

*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.

RECOMMENDATIONS

The Analyst recommends that the base budget for FY 2009 for the Drug Courts and Drug Boards of \$3,918,200 with the plan of financing as shown in the above table be adopted by the Health and Human Services Appropriations Subcommittee. The Analyst also recommends that the budget of \$3,918,200 for Drug Courts and Drug Boards line item be consolidated into the Division of Substance Abuse and Mental Health line item as individual programs.