



GOVERNOR'S OFFICE – COMMISSION ON CRIMINAL AND JUVENILE JUSTICE

EXECUTIVE OFFICES & CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE
STAFF: STEVEN ALLRED

BUDGET BRIEF

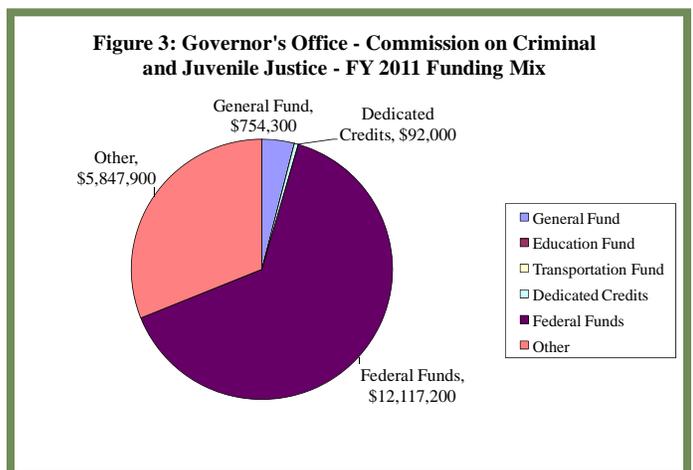
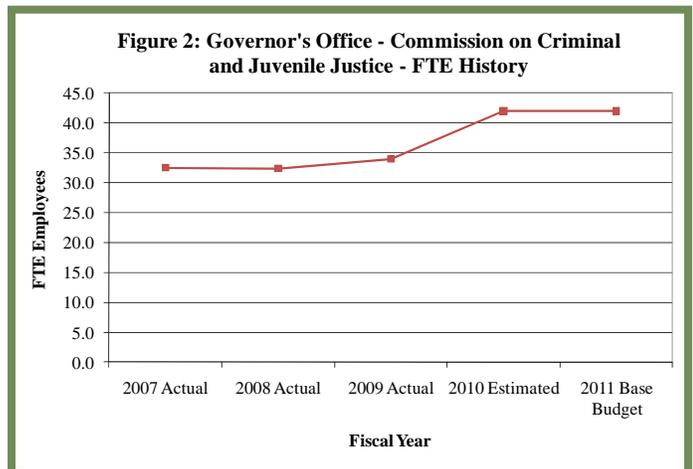
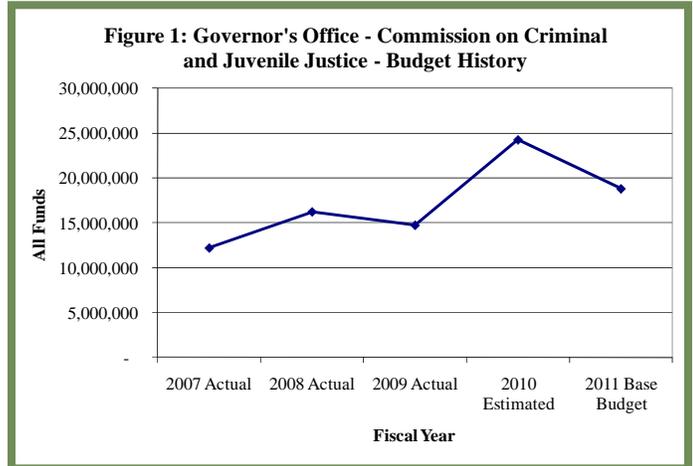
SUMMARY

The Commission on Criminal and Juvenile Justice (CCJJ) reports directly to the Governor. Established in 1983, the commission's statutory purpose is to:

- promote broad philosophical agreement concerning the objectives of the criminal justice, juvenile justice, and substance abuse systems in Utah;
- provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice to achieve those objectives;
- coordinate statewide efforts to reduce crime and victimization in Utah; and
- accomplish other duties stated in law.

The CCJJ line item consists of nine programs. They are:

1. CCJJ Commission – manages state and federal criminal and juvenile justice grant programs and provides analysis, accountability recommendations, and supervision of criminal justice grant monies. Provides an annual criminal justice plan. Total FY 2010 appropriation is \$16.6 million, of which \$9.1 is from federal ARRA funds, \$3.9 million from other federal funds, and \$74,500 from the General Fund.
2. Crime Victim Reparations - provides financial assistance to victims of violent crime, including short-term assistance with needs such as medical bills, mental health counseling, funeral and burial in homicide cases, and relocation. Total FY 2010 appropriation is \$8.8 million, of which \$2.2 million is from federal ARRA funds, \$4.7 million from other federal funds, and \$1.8 million from criminal fines.
3. Extraditions – pays the travel-related costs of prisoner extraditions from other states and countries to Utah. Total FY 2010 appropriation is \$274,800, of which \$238,800 is criminal fines and \$36,000 is Dedicated Credits.



4. Substance Abuse and Anti-Violence - the coordinating council provides leadership and promotes collaboration for Utah's efforts to address issues related to drugs and community violence. Total FY 2010 appropriation is \$151,300, all from criminal fines.
5. Sentencing Commission - establishes sentencing and release guidelines and recommends sentencing and release policy for both juvenile and adult offenders. Total FY 2010 appropriation is \$148,700, all from criminal fines.
6. Crime Prevention Grant - gives funding emphasis to statewide crime prevention efforts as well as law enforcement training and mentoring activities. Total FY 2010 appropriation is \$211,600, all from criminal fines.
7. Crime Reduction Assistance Program - funds crime prevention and law enforcement activities with liquidated assets seized as a result of illegal activities. Total FY 2010 appropriation is \$500,000, all from the General Fund Restricted – Criminal Forfeiture Restricted Account.
8. Sexual Exploitation of Children – provides grants to approved education programs to prevent the sexual exploitation of children. Total FY 2010 appropriation is \$353,800, all from the General Fund.
9. Judicial Performance Evaluation Commission – collects and analyzes data on the performance of all city, county and state judges in Utah. The commission uses this information to prepare reports on the performance of judges standing for retention election. Total FY 2010 appropriation is \$341,400, all from the General Fund.

ISSUES AND RECOMMENDATIONS

Federal Stimulus (ARRA) Appropriation

The Legislature has maintained tight control on appropriations from federal American Recovery and Reinvestment Act (ARRA) funds. Every agency that received an ARRA appropriation also received intent language requiring that any ARRA funds spent above the appropriated amount would reduce the agency's General Fund appropriation by the same amount.

The following table shows ARRA appropriations to CCJJ compared to expenditures, and their FY 2011 appropriation request:

	<u>Appropriation</u>	<u>Actual/Estimated Expenditures</u>
FY09	891,000	47,000
FY10	11,308,800	5,503,700
Total	12,199,800	5,550,700
FY11 Request	6,730,800	

The FY 2011 request is close to the balance of unexpended appropriations in FY 2009 and 2010 (approximately \$80,000 higher). CCJJ was unable to expend the full appropriations in FY 2009 and 2010 because of the time required to receive instructions from federal agencies, put together the grant programs, issue Requests for Proposals, give time to respond, review responses, and award the grants. CCJJ now has three ARRA grant programs in place. They are:

1. The 2009 JAG – ARRA grant program, established to help maintain criminal justice services and jobs that would have been lost due to budget cuts. CCJJ has budgeted \$5,582,300 for FY 2011.
2. The 2009 – VOCA – ARRA grant, funds projects that maintain services of jobs that would have been lost to budget cuts, expand services to new areas or new victim populations, or offer new types of services. CCJJ has budgeted \$284,000 for FY 2011.
3. The 2009 VAWA – ARRA grant, assists agencies to maintain services and jobs that would have been lost due to budget cuts. All funded projects assist the criminal justice system in enhancing the response to crimes against women. CCJJ has budgeted \$864,500 for FY 2011.

The Analyst recommends the Legislature appropriate \$6,730,800 from federal ARRA funds to CCJJ for FY 2011.

Intent Language

The Analyst recommends the following intent language to make CCJJ's FY 2010 unexpended appropriations nonlapsing at the end of FY 2010:

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Commission on Criminal and Juvenile Justice in Item 4 of Chapter 396 Laws of Utah 2009 not lapse at the close of Fiscal Year 2010.

BUDGET DETAIL

During the 2008 September Special Session the Legislature shifted \$500,000 from the Attorney General's Office to CCJJ for grants to prevent sexual exploitation of children (SEC). A balance of \$500,000 remained with the AG. Over the course of various budget adjustments, the original \$500,000 was reduced to \$353,800. The other significant change to CCJJ's budget was a transfer of \$55,000 from the Department of Corrections to manage the Jail Reimbursement program as required by House Bill 220.

Both budget adjustments were transfers and therefore neutral across the total state budget, but by themselves cause an appearance of a budget increase in CCJJ. If we disregard both transfers (and subsequent cuts to the transfers), CCJJ's ongoing General Fund budget was reduced by 4 percent compared to their original FY 2009 appropriation. However, if we include cuts to the SEC program after it was transferred to CCJJ, the budget was reduced by 15 percent.

LEGISLATIVE ACTION

The Executive Appropriations Committee adopted FY 2011 General and Education Fund revenue estimates that are 98% of the original FY 2010 ongoing appropriations. The FY 2011 base budget bills (S.B. 1 and H.B. 1) reduce appropriations for all line items and programs proportionately to match revenues. However, the Executive Appropriations Committee allocated 95% of original FY 2010 ongoing appropriations to each subcommittee and directed the subcommittees to compile a list of options equal to a 5% ongoing cut. The Executive Appropriations Committee will use these options to make final adjustments to the FY 2011 budget. The Analyst recommends the following alternatives for budget changes in the CCJJ line item to help accomplish the subcommittee's 5% target:

1. DORA Administrative Reduction: \$19,500. This reduction will not impact CCJJ's DORA oversight because they will use nonlapsing balances.
2. Grants to prevent sexual exploitation of children reduction: \$19,000. This reduction will not impact CCJJ's grants in the short term because they will use nonlapsing balances.

These two cuts combined total \$38,500, which is 5% of CCJJ's FY 2010 ongoing General Fund appropriation of \$769,700.

BUDGET DETAIL TABLE

Governor's Office - Commission on Criminal and Juvenile Justice						
Sources of Finance	FY 2009 Actual	FY 2010 Appropriated	Changes	FY 2010 Revised	Changes	FY 2011* Base Budget
General Fund	714,700	769,700	0	769,700	(15,400)	754,300
General Fund, One-time	445,600	0	0	0	0	0
Federal Funds	8,111,600	8,560,000	552,600	9,112,600	3,004,600	12,117,200
American Recovery and Reinvestment Act	47,000	11,308,800	(5,805,100)	5,503,700	(5,503,700)	0
Dedicated Credits Revenue	82,500	100,500	0	100,500	(8,500)	92,000
GFR - Criminal Forfeiture Restricted Account	500,000	500,000	0	500,000	0	500,000
GFR - Law Enforcement Operations	2,370,000	2,370,000	0	2,370,000	(570,000)	1,800,000
Crime Victims Reparation Trust	3,722,000	3,727,900	0	3,727,900	(180,000)	3,547,900
Beginning Nonlapsing	1,849,200	0	2,361,100	2,361,100	(2,361,100)	0
Closing Nonlapsing	(2,361,100)	0	0	0	0	0
Lapsing Balance	(731,300)	0	(180,000)	(180,000)	180,000	0
Total	\$14,750,200	\$27,336,900	(\$3,071,400)	\$24,265,500	(\$5,454,100)	\$18,811,400
Programs						
CCJJ Commission	6,231,800	16,570,100	(3,613,400)	12,956,700	(2,782,900)	10,173,800
Crime Prevention Grant	251,600	211,600	37,900	249,500	(37,900)	211,600
Crime Reduction Assistance Program	294,200	500,000	367,900	867,900	(367,900)	500,000
Crime Victim Reparations	6,928,100	7,231,200	793,900	8,025,100	(1,355,200)	6,669,900
Extraditions	306,500	274,800	41,700	316,500	(2,900)	313,600
Judicial Performance Evaluation Commission	94,900	341,400	250,300	591,700	(257,100)	334,600
Sentencing Commission	95,000	148,700	0	148,700	(16,700)	132,000
Sexual Exploitation of Children	266,200	353,800	604,300	958,100	(611,400)	346,700
Substance Abuse and Anti-violence	281,900	1,705,300	(1,554,000)	151,300	(22,100)	129,200
Total	\$14,750,200	\$27,336,900	(\$3,071,400)	\$24,265,500	(\$5,454,100)	\$18,811,400
Categories of Expenditure						
Personnel Services	2,832,600	3,061,800	276,000	3,337,800	0	3,337,800
In-state Travel	23,700	18,000	6,600	24,600	0	24,600
Out-of-state Travel	297,800	298,100	24,300	322,400	10,200	332,600
Current Expense	1,307,300	1,866,000	(799,100)	1,066,900	(351,100)	715,800
DP Current Expense	160,400	63,900	220,100	284,000	(179,000)	105,000
Capital Outlay	33,500	0	0	0	0	0
Other Charges/Pass Thru	10,094,900	22,029,100	(2,799,300)	19,229,800	(4,934,200)	14,295,600
Total	\$14,750,200	\$27,336,900	(\$3,071,400)	\$24,265,500	(\$5,454,100)	\$18,811,400
Other Data						
Budgeted FTE	34.0	38.8	3.3	42.0	0.0	42.0

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

SUMMARY OF RECOMMENDATIONS

The Analyst recommends the Legislature:

1. Adopt the base budget shown in the budget detail table.
2. Approve the federal stimulus (ARRA) appropriation discussed on page 2.
3. Approve the intent language on page 3.
4. Consider how to prioritize the 5% General Fund budget reduction items on page 3.