



State of Colorado Correctional Treatment Board

FY2023 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 FY2022 Funding Plan that allocates \$24,747,194.00 (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	FY2016	FY2017	FY2018	FY2019	FY20	FY21	FY22
Corrections	3,457,227	3,457,227	3,505,691	3,551,498	3,551,498	3,529,400	3,612,135
Human Services	6,621,156	6,671,156	6,764,673	6,817,987	10,697,223	10,610,251	10,787,878
Public Safety	5,305,084	5,299,574	5,374,905	5,415,050	5,419,635	5,396,755	5,461,491
Denver County							200,000
HB18-1165 Re-Entry				3,286,000			
Judicial	5,505,078	5,505,078	5,448,038	5,973,891	3,065,891	3,326,141	3,279,043
Non-Agency Specific	899,045	853,297	913,119	838,788	1,511,470	1,885,496	1,406,647
Total	21,787,590	21,786,332	22,006,426	25,883,214	24,245,717	24,748,043	24,747,194
Change over prior year	1,545,457	(1,258)	220,094	3,876,788	(1,637,497)	502,326	(849)

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 several ATP providers to provide services to inmate and parolees in communities throughout the State of Colorado. Many of the 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.

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 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. A \$1 million allocation was made to OBH for 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 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).

As a result of budgetary reductions, the Board has unanimously decided not to co-sponsor the annual Colorado Collaborative Justice Conference for 2022. 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 a virtual annual conference for 2023.

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 reestablishment 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 collaborate with the Local Boards to provide resources and financial support to address areas of need. The FY2023 Funding Applications were due on May 31, 2021, and the Board voted to partially or fully fund seventeen applications for a total of \$1,400,671.06.

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 FY2021, expenditures were projected to be \$24,748,043 as outlined in the chart below.

Correctional Treatment FY2021 Spending by Agency			
	FY21 Appro.	Spent	Difference
DEPARTMENT OF CORRECTIONS	3,529,400	3,419,098	110,302
DEPARTMENT OF PUBLIC SAFETY	5,396,755	4,227,127	1,169,628
DEPARTMENT OF HUMAN SERVICES	10,610,251	8,374,093	2,236,158
JUDICIAL			
<u>Probation and Related Services</u>			
Offender Treatment & Services	3,157,141	3,157,141	-
Adult Pre-Trial Diversion	169,000	78,838	90,162
JUDICIAL TOTAL	3,326,141	3,235,979	90,162
NON-AGENCY SPECIFIC			
<u>CTCF Board Administration</u>			
CTB Administrative OH	193,890	163	193,727
Local Board Projects	1,206,471	436,255	770,216
CCJC	368,300		368,300
Indirects and Treasury Fees	4,333	25,694	(21,361)
<u>CTCF Board Staff</u>			
Personal Services	112,502	112,393	109
NON-AGENCY SPECIFIC TOTAL	1,885,496	574,505	1,310,991
GRAND TOTAL	24,748,043	19,830,802	4,917,241

FY2022 and FY2023

The Board has continued to evaluate overall priorities and projects and has completed or will continue a focus on the following work in FY2022:

- The Board members have committed to improving data compliance from each agency that receives CTCF funding and has agreed to set aside funds for research and evaluation of treatment outcomes and create a more in-depth annual decision item request 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 unable to do so shall provide written explanation of progress in meeting statutorily required reporting requirements and when compliance will be achieved.
- The Problem-Solving Court evaluation, which was partially funded by the Board, has been completed and was finalized recently. The evaluators worked with stakeholders to secure additional data, finalize comparison groups, analyze data, draft reporting, and finalize the evaluation. The results show that Problem-Solving courts are more cost effective and lower recidivism for graduates, but not for all participants. The evaluation also includes outcomes and recidivism based on 5 years of data (2009-2015) as well as a report regarding the use of best practices in problem solving courts across the state.
- The Board will continue to assess the potential opportunity to sponsor a virtual 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 policy makers. 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 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.

FY2023 Funding Requests

The Board approved slight increases in funding for FY2023 for each of the State Agencies and Local Board Funding Requests utilizing the fund balance to meet the treatment and services needs throughout the state. The Board also made the decision to explore the opportunity to hold a virtual 2023 Colorado Collaborative Justice Conference. Finally, the Board approved Local Board Funding Requests for FY2023. Several figures listed below will be adjusted during figure-setting in the spring.

Correctional Treatment FY2022-23 Request By Agency			
	FY22 Approved Request/Long Bill	FY23 Requests	FY22 vs FY23
DEPARTMENT OF CORRECTIONS			
Parole Subprogram	3,612,135	3,795,350	183,215
Community Supervision Subprogram			-
Total DOC	3,612,135	3,795,350	183,215
DEPARTMENT OF HUMAN SERVICES			
<u>Substance Use Treatment and Prevention</u>			
Offender Services	1,505,173	1,505,173	-
<u>Integrated Behavioral Health Services</u>			
Jail-Based Behavioral Health	7,282,705	7,005,078	(277,627)
Community Based Circle Program	2,000,000	1,000,000	(1,000,000)
Total DHS	10,787,878	9,510,251	(1,277,627)
DEPARTMENT OF PUBLIC SAFETY			
<u>DCJ Administration</u>			
Personal Svc/Operating/POTS	99,573	99,573	-
<u>Community Corrections</u>			
Community Corrections Placement	2,707,740	2,804,240	96,500
Treatment For Substance Abuse and Co-occurring Disorders	2,654,178	2,589,442	(64,736)
Total DPS	5,461,491	5,493,255	31,764
JUDICIAL DEPARTMENT			
<u>Probation & Related Services</u>			
Offender Treatment & Services	3,110,043	3,896,891	786,848
Adult Pre-Trial Diversion	169,000	169,000	-
Total Judicial	3,279,043	4,065,891	786,848
Denver County			
<u>Denver Probation</u>	200,000	200,000	-
Total Denver County	200,000	200,000	-
NON-AGENCY SPECIFIC			
<u>CTCF Board Administration</u>			
CTCF Board Overhead	193,890	193,890	-
Local Board Funding requests	1,092,547	1,400,671	308,124
Data and Research		220,482	220,482
Indirects/Treasury Fees	4,333	4,333	-
CTB Staff Personal Services/POTS	115,877	115,877	-
Total CTCF Board	1,406,647	1,935,253	528,606
GRAND TOTAL	24,747,194	25,000,000	252,806

Next Steps

The Correctional Treatment Board is excited to spend the next year continuing to focus on enhancing the collaboration and engagement with Local Boards by continuing to invest in the development of Judicial District Drug Offender Treatment Boards. The Board believes there are future opportunities to expand on current programming, fully fund Local Board projects, mapping of a needs and gap analysis of the state through collaborative efforts with the Local Boards and commissioning ongoing data and research of treatment outcomes.

Correctional Treatment Board

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Division of Probation Services
State Court Administrator's Office

Jaime FitzSimons, Sheriff
Summit County Sheriff's Department

Board Members:

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

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

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

Beth McCann, District Attorney
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