



# State of Colorado Correctional Treatment Board

## FY2020 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 FY2020 Funding Plan that allocates \$25,152,949.00 (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						
	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Corrections	3,002,227	3,457,227	3,457,227	3,457,227	3,505,691	3,551,498
Human Services	4,290,156	5,071,156	6,621,156	6,671,156	6,764,673	6,817,987
Public Safety	2,916,766	5,301,766	5,305,084	5,299,574	5,374,905	5,415,050
HB18-1165 Re-Entry						3,286,000
Judicial	6,532,984	5,505,078	5,505,078	5,505,078	5,525,038	5,973,891
Non-Agency Specific	-	906,906	899,045	853,297	836,119	838,789
<b>Total</b>	<b>16,742,133</b>	<b>20,242,133</b>	<b>21,787,590</b>	<b>21,786,332</b>	<b>22,006,426</b>	<b>25,883,215</b>
Change over prior year	1,478,056	3,500,000	1,545,457	(1,258)	220,094	3,876,789

### Department of Corrections (DOC):

DOC uses correctional treatment funds for the Approved Treatment Provider Program (ATPP), which is a statewide network of treatment providers approved by the Division of Adult Parole. These agencies provide mental health and substance abuse treatment and assessments to DOC offenders being supervised in the community. This includes their administration of VIVITROL injections for alcohol and opioid abuse. The ATPP works in conjunction with the DOC business manager to allocate and track funding for contracted Approved Treatment Providers (ATP). DOC also has a contract with 1st Alliance, who oversees the parole division’s Treatment for Safer Communities (TASC) program. TASC is made up of 1st Alliance case managers who conduct case management services for all offenders statewide. This includes, but is not limited to, assessments and referrals for mental health and substance abuse treatment to the Division’s Approved Treatment Providers.

### **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.

### **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 of 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 are 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). In FY18 and FY19, the Board chose to utilize some Administrative Overhead funds to support the Funding Application Pilot Project.

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 in both FY2019 and FY 2020.

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 Pilot Project, 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. Funds from the Board's Administrative Overhead were set aside to fund these projects. The FY2020 Funding Applications were due on June 1, 2018, and the Board voted to partially or fully fund twelve applications for a total of \$591,088.00.

### **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 revenue from the Drug Offender surcharge have occasionally not been sufficient to meet long bill spending authority, so the Board implemented spending restrictions in FY2014-16 to ensure the long-term health of the cash fund. There were no restrictions in place in FY2018. Spending restrictions will continue to be evaluated each year by the Board.

## Cash Fund Expenditures

In FY2018, expenditures were projected to be \$20,614,260 as outlined in the chart below.

<b>Correctional Treatment FY2018 Spending by Agency</b>			
	<b>FY18 Appro.</b>	<b>Spent</b>	<b>Difference</b>
<b>DEPARTMENT OF CORRECTIONS</b>	3,505,691	3,505,691	-
<b>DEPARTMENT OF HUMAN SERVICES</b>	6,764,673	6,092,648	672,025
<b>DEPARTMENT OF PUBLIC SAFETY</b>	5,374,905	4,892,332	482,573
<b>JUDICIAL</b>			
<b><u>Probation &amp; Related Services</u></b>			
Offender Treatment & Services	5,448,038	5,461,878	(13,840)
Adult Pre-Trial Diversion	77,000	47,864	29,136
<b><u>NON-AGENCY SPECIFIC</u></b>			
<b><u>CTCF Board Administration</u></b>			
Board OH	342,190	153,350	188,840
CCJC	220,000	220,021	(21)
Indirects	168,232	168,232	-
<b><u>CTCF Board Administration</u></b>			
Personal Services	105,697	72,244	33,453
<b>Total Judicial</b>	<b>6,361,157</b>	<b>6,123,589</b>	<b>237,568</b>
<b>GRAND TOTAL</b>	<b>22,006,426</b>	<b>20,614,260</b>	<b>1,392,166</b>

## FY2019 and FY2020

The Board has continued to evaluate overall priorities and projects and has completed or will continue a focus on the following work in FY2020:

- The Jail-Based Behavioral Health Program evaluation is in progress, and the evaluators presented to the Board in 2017 and 2018. The presentation explained project goals, research areas, screening protocol, capacity and gaps in service, intended outcomes and overall project timeline.
- The Problem-Solving Court evaluation, which was partially funded by the Board, has

completed most of the data gathering phase of the project. The next steps are for the evaluators to work with stakeholders to secure additional data, finalize comparison groups, analyze data, and begin draft reporting. The intent is to complete the final report in April of 2019.

- The work of the Affordable Care Act sub-committee had been paused due to possible legislative changes that had the potential to substantially impact the ACA. It is still a priority to maximize utilization of ACA treatment benefits by eligible people in the Colorado criminal justice system, and language addressing this has been integrated into the requirements of the Funding Application process.
- 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.
- In 2018 and 2019, 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.

## **FY2020 Funding Requests**

The Board approved three new increases in funding for FY2020. The Department of Human Services requested additional funds to expand the Jail Based Behavioral Services program both in capacity (for larger districts) and to establish new programs in the few remaining jails that thus have not had these services. Judicial requested additional funds for Diversion. Finally, the Board approved Local Board Funding Requests for FY2020. Several figures listed below will be adjusted during figure-setting in the spring.

<b>Correctional Treatment FY2020 Request --By Agency and Long Bill Line</b>			
	<b>FY2018-2019 Appro.</b>	<b>FY2019-2020 Request</b>	<b>Difference</b>
<b>DEPARTMENT OF CORRECTIONS</b>			
Drug & Alcohol Tx Subprogram	1,388,373	1,388,373	-
Parole Subprogram	2,163,125	2,163,125	-
<b>Total DOC</b>	<b>3,551,498</b>	<b>3,551,498</b>	<b>-</b>
<b>DEPARTMENT OF HUMAN SERVICES</b>			
<b><u>Substance Use Treatment and Prevention</u></b>			
Offender Services	1,520,377	1,520,377	-
<b><u>Integrated Behavioral Health Services</u></b>			
Jail-Based Behavioral Health	5,297,610	7,176,846	1,879,236
<b>Total DHS</b>	<b>6,817,987</b>	<b>8,697,223</b>	<b>1,879,236</b>
<b>DEPARTMENT OF PUBLIC SAFETY</b>			
<b><u>DCJ Administration</u></b>			
Personal Svc/Operating/POTS	91,712	96,297	4,585
<b><u>Community Corrections</u></b>			
Community Corrections Placement	2,707,740	2,707,740	-
Trtmtn. For Subs Abuse and Co-occurring Disorders	2,615,598	2,615,598	-
<b>Total DPS</b>	<b>5,415,050</b>	<b>5,419,635</b>	<b>4,585</b>
<b>DEPARTMENT OF CORRECTIONS</b>			
HB 18-1176 DOC Re-entry *	3,286,000	-	(3,286,000)
<b>Total HB18-1176</b>	<b>3,286,000</b>	<b>-</b>	<b>(3,286,000)</b>
<b>JUDICIAL</b>			
<b><u>Probation &amp; Related Services</u></b>			
Offender Treatment & Services	5,823,891	5,823,891	-
Adult Pre-Trial Diversion	77,000	169,000	92,000
Summit View	73,000	73,000	-
<b>NON-AGENCY SPECIFIC</b>			
<b><u>CTCF Board Administration</u></b>			
Board OH	292,190	292,190	-
Local Board Funding requests		591,088	591,088
CCJC	270,000	270,000	-
Indirects	168,232	168,232	-
<b><u>CTCF Board Administration</u></b>			
Personal Services	98,944	81,203	(17,741)
Pots	9,423	15,989	6,566
<b>Total Judicial</b>	<b>6,812,680</b>	<b>7,484,593</b>	<b>671,913</b>
<b>GRAND TOTAL</b>	<b>25,883,215</b>	<b>25,152,949</b>	<b>(730,266)</b>

\*one time transfer per HB18-1176

## Next Steps

The Correctional Treatment Board has several action items in progress and is excited to spend the next year focusing on wrapping up the pilot project, implementing the first regular Funding Application process and continuing to invest in the development of Judicial District Drug Offender Treatment Boards. The Board will review these processes and make adjustments as needed. 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*

David Walcher, Sheriff  
*Arapahoe County Sheriff's Office  
County Sheriffs of Colorado*

### **Board Members:**

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

Jagruti Shah, Director  
*Criminal Justice Services  
Division of Community Behavioral Health  
Department of Human Services*

James O'Connor, Chief Deputy  
*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*