



M O N T A N A
C O A L I T I O N A G A I N S T
D O M E S T I C A N D S E X U A L
V I O L E N C E

January 25th, 2011

To: House Appropriations Committee

From: Kelsen Young, Executive Director

Re: HB 230 – Transfer Board of Crime Control to Corrections; Eliminate FTE's

EXHIBIT 2
DATE 01-25-2011
HB 230

Good afternoon, Mr. Chairman and Members of the House Appropriations Committee. For the record, my name is Kelsen Young and I am the Executive Director of the Montana Coalition Against Domestic and Sexual Violence. We are a statewide membership organization representing direct service programs from across the state that provides services to victims of domestic and sexual violence in your communities. We rise in opposition to HB 230.

Currently, the Montana Board of Crime Control (MBCC) operates as an independent stand-alone entity subject to the oversight and direction from the Board which is made up of 18 members representing state, local, and tribal stakeholders. The sponsor of HB 230, Representative Steve Gibson, has indicated that the changes included in his proposal will not result in a decrease in authority and oversight from the Board. We, and our member programs, disagree with that assessment due to the political nature of transferring leadership of the MBCC under the Department of Corrections. The Director of the Department of Corrections is a political appointee of the Governor and has the potential to change each term of the Governor. Whereas, the Board represents a cross section of individuals regardless of political affiliation.

Unless clearly stated in statute, it is unclear what authority the Board will continue to have under this new proposed structure. Without the authority to hire their own staff and have an Executive Director position, the MBCC would simply be another division within the Department of Corrections - one that is subject to the same control and influences, budget restraints, and decision making as other Department of Corrections divisions. For over 40 years the MBCC has operated as an independent entity and the estimated budget savings in this proposal do not justify the change to this independent structure.

As victim services agencies, we are especially concerned about the impact on our programs if money is diverted from victim-centered programming to a different focus that may be more in line with traditional Department of Correction's initiatives. The funding that comes to Montana from the U.S. Department of Justice (VAWA, VOCA, SASP) is primarily victim services funding and have very specific requirements and purpose areas. *Our victim service programs rely almost entirely on federal funding to operate.* Any decrease in funding would result in programs shutting down, jobs lost, and victims – especially in rural areas – not receiving vital services. The potential for loss of federal funding if the current structure of MBCC does not stay intact is deeply concerning to us and would be for your constituents.

There are many reasons to maintain the current structure of MBCC. This proposal should be rejected as there are other ways to contain costs within the State's budget, especially considering that MBCC operates almost entirely with federal funds.

Please vote no on HB 230. I am also supplying the Committee with written testimony from a number of our member programs. Please take the time to review their thoughts. Thank you for your time and attention. If you have questions, I am available to provide further information.

Post Office Box 818

Helena, Montana 59624

406.443.7794

FAX: 406.443.7818

MTCoalition@mcadsv.com

www.mcadsv.com



Violence Free Crisis Line/The Abbie

P.O. Box 1401 • Kalispell, MT 59903-1401 • 406-752-7273

Office Phone: 406-752-4735

January 24, 2011

To: House Appropriations Committee
From: Janet Cahill, Director
Re: HB 230 – Transfer Board of Crime Control to Corrections; Eliminate FTE's

Good morning Mr. Chairman and Members of the House Appropriations Committee. For the record, my name is Janet Cahill and I am the Executive Director of Violence Free Crisis Line, a program that serves Flathead County victims of domestic and sexual violence. I wish to discuss our opposition to HB 230.

I have been Director of Violence Free Crisis Line for 23 of the 34 years the program has served victims in Flathead County. During that time we have received many grants from the Board of Crime Control, Victims of Crime Act, and most recently Sexual Assault Services Program. I have seen changes on the Board and staff working for MBCC. However, the agency has been consistently available to funded programs and acutely responsible for oversight.

MBCC works with agencies that address juvenile justice, crime prevention and services to victims of crime. Corrections is an area that is not addressed. It is an independent agency that and should remain so. Having staff reporting to Department of Corrections will change their focus and have trickle down results. The board should remain focused on the need of the whole state. Being independent, the board has been objective, awarding grants fairly and has no conflict of interest. Criminal justice issues are addressed based on needs rather than some administrative agenda. Also their independence allows and encourages bringing together people and agencies increasing collaboration. Their non-affiliation enhances the generation of ideas and fosters consensus around issues. They are a model for local communities. Another positive aspect of independence is that other state departments, local governments, and tribal agencies can be eligible for grant funding. This enhances the distribution field. Transferring to Dept of Corrections would change their ability to be an objective representative of the criminal justices agencies, other community organizations, tribal organizations, and local governments. It must remain a stand alone agency governed by a multidisciplinary non-partisan board.

For many years MBCC has run efficiently on its own. In reality the only costs will be saved from two FTEs. In the past when agencies have been moved from one department to another, the end result was years of inefficiency while the new department got up to speed or changed how the agency ran. This will end up costing more than will be saved. Because MBCC generates more revenue than it costs, it seems to be logical to leave it alone. Why mess with something that is working so well.

I turn to MBCC for crime statistics when doing grant writing. They are the only agency where I can get accurate crime data. This is because they are recognized by local law enforcement as being true and accurate. Therefore there is a higher level of reporting from law enforcement agencies.

I have received several program and financial evaluations in the many years that I have been receiving funds. The staff is always very professional and responds to programs questions and needs. Because of this I can appreciate staff feedback about changes or potential problems. I have grown to recognize the level of expertise of the staff. They have always listened to concerns and are open to feedback from programs doing the actual services that they fund. I have concerns that being part of a large department will result in this communication process being lost.

I therefore am imploring the committee to not try to fix something that is not broken. Keep an independent and efficient Board of Crime Control. Reject HB 230. Thank you for your time and attention. If you have questions, I am available to provide further information.

Community Support Center
Women's Resource Center

January 24th, 2011

To: House Appropriations Committee

From: Kelly McIntosh, Executive Director

Re: HB230-Transfer Board of Crime Control to Corrections; Eliminate FTE's

Good afternoon, Mr. Chairman and Members of the House Appropriations Committee. For the record, my name is Kelly McIntosh and I am the Executive Director of the Community Resource Center in Dillon, Montana. My organization provides direct services to victims of domestic and sexual violence, along with many other services to the public. We offer the services of a Safe House and limited shelter for both males and females. We serve both Beaverhead and Madison Counties, which are rural counties with limited resources. Without the services provided by my agency, many victims, including the elderly and children, would suffer and not be heard or have services available to them in times of personal emergencies. We derive the major portion of our funding sources through grants administered by the Montana Board of Crime Control. We rise in opposition to HB 230.

House Bill 230 would make MBCC's staff employees of the Department of Corrections. Currently, MBCC is a stand-alone agency focused on the whole state and the needs of people. With the implementation of HB 230, there could be bias, misrepresentation, or conflict of interest when awarding grants. Presently, when MBCC's operations are viewed in their entirety, it is clear that leaving the current structure intact will result in the most efficient use of personnel and resources to collect data, conduct research, provide planning, and allocate grants in a fair and impartial manner across the entire judicial system including victim advocacy.

It is possible that if MBCC were transferred into a Department, funding would be redirected away from local communities such as mine to cover Department shortfalls. MBCC's independent governance ensures that agencies such as mine are eligible for grant opportunities on a competitive basis without compromising the integrity of the award process. MBCC needs to exercise its quasi-judicial, quasi-legislative, policymaking, and grant allocations without approval or control of any Departments. MBCC must continue as a stand-alone, non-partisan Board that independently authorizes grant funds to state and local agencies. It is strongly recommended that MBCC retain its current structure with Board members appointed by the Governor and its authority to independently plan and determine the allocation of grant funds to state and local agencies in Montana. Without such assurances, agencies such as mine could disintegrate through lack of funding from grants. This would have an enormous impact on the victims in our counties and towns. Victims would not have immediate, emergency access to a 24/7 crisis hotline manned by trained advocates; victims would not have access to Advocacy guidance through the judicial system, and there would be little support for the family unit.

Currently, my agency interacts very well with the MBCC. These are well trained professionals in the areas of grant planning and administration. Eliminating staff would require the Department

Community Support Center

Women's Resource Center

of Corrections to take on additional full time employees and spend a large amount of time and resources training them in order to provide the same level of experience and expertise that we enjoy now. The MBCC is exempt from budget reductions from vacancy savings and the 5% cost reduction plan. If MBCC becomes part of Corrections that exemption would be lost and the administrative budget would be seriously impacted. Also, if transferred, the Board would lose control of the budget, which could have a tremendous impact on the grants received by my agency.

MBCC effectively competes for and receives federal funds that continue to help improve the lives of victims. This impacts our ability to offer guidance to our clients on a daily basis. MBCC is accessible and able to provide help and support on a moment's notice. Without this continual support and funding, we could not continue as a positive support in our communities.

I urge you to reject HB 230. Thank you for your time and attention. If you have questions, I am available to provide further information.

Kelly McIntosh



MISSOULA COUNTY OFFICE OF PLANNING
& GRANTS

Shantelle Gaynor • Grants Administrator
435 Ryman St. • Missoula, MT 59802-4292
(406) 258-4650 • FAX (406) 258-4843

January 25th, 2011

To: House Appropriations Committee
From: Missoula County Crime Victim Advocate Program
Re: HB 230 – Transfer Board of Crime Control to Corrections; Eliminate FTE's

Good afternoon, Mr. Chairman and Members of the House Appropriations Committee. For the record, our names are Jenny Daniel and Shantelle Gaynor, Crime Victim Advocate Program Supervisor and Grants Administrator respectively. We are a victim-witness and advocacy program in Missoula that provides services to victims of violent crime with a focus on domestic and sexual violence. We rise in opposition to HB 230.

The Crime Victim Advocacy program receives a number of grants from the Montana Board of Crime Control (MBCC) to meet the myriad of needs of survivors of domestic and sexual violence. These grants range from support of direct services to enhancing training for professionals in the criminal justice system. MBCC staff is an incredible resource who not only oversee these source of funds, but offer technical assistance and additional support when asked. Their deep understanding of these issues as well as their commitment to the communities they fund make our relationships with them invaluable and help ensure services for victims that are rooted in best practices. Missoula County also relies on MBCC's data collection to analyze domestic and sexual violence trends within the county. This data informs the program planning and service delivery for the entire Missoula County Domestic Violence project.

Additionally, we are concerned that the Department of Corrections is not able to meet the needs of victims of crime at the same level as the Montana Board of Crime Control. In recent years the Department has developed a "victim liaison" position yet failed to implement it, as well as disbanded the Statewide Victims Advisory Council (as part of previous budget cuts.) The Department has a tremendous track record for working to hold perpetrators of crime accountable, but not is meeting the needs of victims of these crimes. The independence of the Montana Board of Crime Control ensures that there is a department within state government that can and does meet those needs.

We urge you reject HB 230. Thank you for your time and attention. If you have questions, we are available to provide further information.

Sincerely,
Jenny Daniel, Supervisor - Crime Victim Advocate Program
Shantelle Gaynor, Grants Administrator – Missoula County Domestic Violence Project (Office of Planning and Grants)