

**Agency Budget Comparison**

The following table summarizes the total executive budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	19.50	19.50	20.00	20.00	19.50	20.00	0.50	2.56%
Personal Services	1,209,250	1,272,528	1,301,458	1,301,935	2,481,778	2,603,393	121,615	4.90%
Operating Expenses	711,072	768,164	831,876	807,256	1,479,236	1,639,132	159,896	10.81%
Equipment & Intangible Assets	13,042	0	13,042	13,042	13,042	26,084	13,042	100.00%
Grants	3,548,184	13,675,531	5,948,992	5,904,669	17,223,715	11,853,661	(5,370,054)	(31.18%)
Transfers	531,723	1,218,134	1,204,639	1,204,639	1,749,857	2,409,278	659,421	37.68%
<b>Total Costs</b>	<b>\$6,013,271</b>	<b>\$16,934,357</b>	<b>\$9,300,007</b>	<b>\$9,231,541</b>	<b>\$22,947,628</b>	<b>\$18,531,548</b>	<b>(\$4,416,080)</b>	<b>(19.24%)</b>
General Fund	2,351,300	2,386,384	2,456,750	2,384,634	4,737,684	4,841,384	103,700	2.19%
State Special	37,595	291,808	152,736	152,736	329,403	305,472	(23,931)	(7.26%)
Federal Special	3,624,376	14,256,165	6,690,521	6,694,171	17,880,541	13,384,692	(4,495,849)	(25.14%)
<b>Total Funds</b>	<b>\$6,013,271</b>	<b>\$16,934,357</b>	<b>\$9,300,007</b>	<b>\$9,231,541</b>	<b>\$22,947,628</b>	<b>\$18,531,548</b>	<b>(\$4,416,080)</b>	<b>(19.24%)</b>

**Agency Description**

*Mission Statement:* To pro-actively contribute to public safety, crime prevention, and victim assistance with planning, policy development, and coordination of the justice systems in partnership with citizens, government, and communities.

The Montana Board of Crime Control (MBCC) was established to promote public safety by strengthening the coordination and performance of the criminal and juvenile justice systems. The MBCC is an 18-member board appointed by the Governor. The MBCC supervises the Crime Control Division (CCD), which provides financial support, technical assistance, and support services to state and local criminal justice agencies. The CCD administers a number of federal grants including anti-drug, anti-crime, victim assistance, and juvenile justice programs. The MBCC administers contracts with regional juvenile detention centers that are supported by state general fund and the misdemeanor domestic violence program supported by state special revenue. The MBCC also collects and analyzes crime data from Montana’s law enforcement agencies and publishes the annual "Crime in Montana" report. MBCC is established in 2-15-2006, MCA.

The MBCC has one advisory council, the Youth Justice Council (YJC). YJC develops and implements the state’s juvenile justice plan and recommends educational, training, research, prevention, diversion, treatment and rehabilitation programs.

**Agency Highlights**

<b>Montana Board of Crime Control Major Budget Highlights</b>	
<ul style="list-style-type: none"> <li>◆ General fund support for the agency increases 2.2% (\$103,700) when the two biennia are compared                             <ul style="list-style-type: none"> <li>• Increases in general fund support due to statewide present law adjustments are offset by decreases in other present law adjustments</li> </ul> </li> <li>◆ Total funding for the agency decreases between the two biennia due to changes in federal funding levels</li> </ul>	

<b>Legislative Action Issues</b>
<ul style="list-style-type: none"> <li>◆ Ongoing funding (federal) is requested for a 0.50 FTE that was funded with a one-time-only appropriation for the past two biennia</li> <li>◆ Reductions made in accordance with 17-7-140, MCA do not reduce the agency base budget</li> </ul>



### **Agency Discussion**

#### *Goals and Objectives:*

State law requires agency and program goals and objectives to be specific and quantifiable to enable the legislature to establish appropriations policy. As part of its appropriations deliberations the legislature may wish to review the following:

- o Goals, objectives and year-to-date outcomes from the 2011 biennium.
- o Critical agency goals, objectives, and anticipated outcomes and their correlation to the executive's budget request for the 2013 biennium.

#### 2011 Biennium Goals

The following provides an update of the goals monitored by the LFC during the 2011 biennium.

##### Goal 1 - Information technology project progress

- o Successes:
  - The contract for maintenance and improvements of the Juvenile Detention Case Management and Reporting System (JDRS) has been signed. Payment for FY 2011 had not been made at the time of the last report to the LFC due to pending work requests that were not yet completed
  - The contract for the web based statistics system for the National Incident Based Reporting System (NIBRS) is in place. The project plan is complete and development has begun. The anticipated completion date for this change is February 2011
  - Four projects funded by the National Crime Information Center (NCIC) grant (which is passed through to sub grantees) are in various stages of work

### **Agency Overview**

General fund support for the agency increases 2.2% or \$103,700 between the 2011 and 2013 biennia, primarily due to statewide present law adjustments. Increases in the statewide present law adjustment for rent are offset by decreases included in a present law adjustment decision package. This reflects the planned movement of the agency from office space rented from a private entity to office space owned by the state. The net impact of the changes in rental related costs is a decrease in total funding of \$21,223 for the biennium.

Federal funds supporting the agency decrease between the two biennia because appropriations are adjusted to more accurately reflect the anticipated level of federal grant funds that will be received. Federal funding levels vary depending upon Congressional action impacting public safety and justice related grants, how the grants are allocated to states, and whether Montana is successful in receiving funds awarded under competitive based grant programs.

The agency budget request includes federal funding to continue a 0.50 FTE administrative support position that has been funded with one-time-only appropriations for the past two biennia. If approved the agency FTE level will be maintained at 20.00 FTE.

As an agency with 20 or fewer FTE the Board of Crime Control is exempt from the application of vacancy savings and the requirement to submit a 5% spending reduction plan. However, the agency was not exempt from the spending reductions ordered by the Governor in accordance with 17-7-140, MCA. A decision package to include reductions made under this statutory provision in the 2013 biennium budget is included in the executive budget.

**Other 5% Reduction**

No table is included because statute exempts agencies with 20 or fewer FTE from the requirement to submit a 5% reduction plan.

**Funding**

The following table shows program funding, by source, for the base year and for the 2013 biennium as recommended by the Governor.

Program Funding Table						
Justice System Support Service						
Program Funding	Base	% of Base	Budget	% of Budget	Budget	% of Budget
	FY 2010	FY 2010	FY 2012	FY 2012	FY 2013	FY 2013
01000 Total General Fund	\$ 2,351,300	39.1%	\$ 2,456,750	26.4%	\$ 2,384,634	25.8%
01100 General Fund	2,351,300	39.1%	2,456,750	26.4%	2,384,634	25.8%
02000 Total State Special Funds	37,595	0.6%	152,736	1.6%	152,736	1.7%
02768 Dom Violence Intervention - Hb 476	37,595	0.6%	152,736	1.6%	152,736	1.7%
03000 Total Federal Special Funds	3,624,376	60.3%	6,690,521	71.9%	6,694,171	72.5%
03008 Juvenile Justice Council	480,138	8.0%	599,592	6.4%	599,592	6.5%
03009 Juvenile Accountability	132,152	2.2%	330,608	3.6%	330,608	3.6%
03081 Ovw Sexual Assault Services	-	-	160,000	1.7%	160,000	1.7%
03090 P Coverdell Forensic Science	104,511	1.7%	199,728	2.1%	199,728	2.2%
03093 Title V Delinquency Intervention	29,190	0.5%	84,945	0.9%	84,945	0.9%
03111 Rsat Residential Substance Abuse	35,679	0.6%	175,688	1.9%	175,688	1.9%
03182 Misc Fed Discretionary	-	-	-	-	-	-
03186 Project Safe Neighborhood	-	-	80,000	0.9%	80,000	0.9%
03188 Justice Assistance Grants	42,820	0.7%	1,608,235	17.3%	1,611,878	17.5%
03192 Crime Victim Assistance	1,208,191	20.1%	1,711,695	18.4%	1,711,699	18.5%
03200 Drug Education Assistance	239,818	4.0%	182,029	2.0%	182,029	2.0%
03201 Justice System Enhancements	53,653	0.9%	101,580	1.1%	101,583	1.1%
03266 Crime Prevention Program	-	-	-	-	-	-
03343 Criminal History Record Improv	180,000	3.0%	194,900	2.1%	194,900	2.1%
03344 Violence Against Women Act	835,050	13.9%	904,456	9.7%	904,456	9.8%
03962 Enf. Underage Drinking Laws	283,174	4.7%	357,065	3.8%	357,065	3.9%
03963 Local Law Enforcement Assist	-	-	-	-	-	-
Grand Total	\$ 6,013,271	100.0%	\$ 9,300,007	100.0%	\$ 9,231,541	100.0%

General fund supports agency operations (64%) and grants to regional juvenile detention centers (36%). Agency operations receives 73% of its support from the general fund with the balance funded primarily with federal funds. State special revenue for the misdemeanor domestic violence intervention program is administered by this agency. Federal funds administered by the agency come from seventeen different federal grants with 92% of these funds being passed through funds that go to state and local agencies. The remaining 8% of the federal funds support agency operations. The amount of administrative costs that may be recovered from federal grants varies from 0% to 10% depending upon the grant source, with the average administrative cost rate for all federal grants administered by the agency being 5.46%.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	2,351,300	2,351,300	4,702,600	97.13%	6,013,271	6,013,271	12,026,542	64.90%
Statewide PL Adjustments	165,710	163,614	329,324	6.80%	179,001	180,587	359,588	1.94%
Other PL Adjustments	(60,260)	(130,280)	(190,540)	(3.94%)	3,107,735	3,037,683	6,145,418	33.16%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
<b>Total Budget</b>	<b>\$2,456,750</b>	<b>\$2,384,634</b>	<b>\$4,841,384</b>		<b>\$9,300,007</b>	<b>\$9,231,541</b>	<b>\$18,531,548</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the executive. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----				-----Fiscal 2013-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					71,957					72,466
Inflation/Deflation					(2,933)					(2,888)
Fixed Costs					109,977					111,009
<b>Total Statewide Present Law Adjustments</b>		<b>\$165,710</b>	<b>\$1,169</b>	<b>\$12,122</b>	<b>\$179,001</b>		<b>\$163,614</b>	<b>\$1,169</b>	<b>\$15,804</b>	<b>\$180,587</b>
DP 101 - Administrative Support 0.50 FTE	0.50	0	0	20,251	20,251	0.50	0	0	20,219	20,219
DP 102 - Database Software Maintenance Contracts	0.00	15,600	0	21,375	36,975	0.00	15,600	0	21,375	36,975
DP 103 - Adjust Pass Through Grant Authority / Admin	0.00	0	115,130	2,788,694	2,903,824	0.00	0	115,130	2,788,694	2,903,824
DP 104 - Sexual Assault Services Formula Grant	0.00	0	0	160,000	160,000	0.00	0	0	160,000	160,000
DP 105 - Project Safe Neighborhood Grant	0.00	0	0	80,000	80,000	0.00	0	0	80,000	80,000
DP 106 - Office Relocation	0.00	(75,860)	(1,158)	(16,297)	(93,315)	0.00	(75,860)	(1,158)	(16,297)	(93,315)
DP 55140 - Other Reductions made for MCA 17-7-140	0.00	0	0	0	0	0.00	(70,020)	0	0	(70,020)
<b>Total Other Present Law Adjustments</b>	<b>0.50</b>	<b>(\$60,260)</b>	<b>\$113,972</b>	<b>\$3,054,023</b>	<b>\$3,107,735</b>	<b>0.50</b>	<b>(\$130,280)</b>	<b>\$113,972</b>	<b>\$3,053,991</b>	<b>\$3,037,683</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.50</b>	<b>\$105,450</b>	<b>\$115,141</b>	<b>\$3,066,145</b>	<b>\$3,286,736</b>	<b>0.50</b>	<b>\$33,334</b>	<b>\$115,141</b>	<b>\$3,069,795</b>	<b>\$3,218,270</b>

**Agency Personal Services Narrative**

The following information is provided so that the legislature can consider various personal services issues when examining the agency budget. It was submitted by the agency and edited by LFD staff as necessary for brevity and/or clarity.

- o **Pay Plan Exceptions** - None. Normally the agency starts employees new to state government at 80% of market. The agency states that succession planning by double filling key positions with a successor to transfer knowledge would be considered if the budget would permit it, and that as the agency invests in its employees through training and experience it tries to compensate them accordingly.
- o **Program Specific Obstacles** - The agency has not experienced difficulties following agency pay plan rules but the plan has been modified due to funding constraints. At this time the state financial situation has had no impact but there may be future impact on retention if MBCC cannot compensate employees competitively.

MBCC is not currently encountering obstacles but is faced with a lack of human resources and management staff time for planning and implementation.

- o **Vacancy** – The agency does not have any occupations with high turnover rates. MBCC has had minimal turnover lately, which is partially due to the economy and high unemployment. The agency recently had one vacancy and received an adequate pool of applicants for the position. The agency did not do multiple recruitments and the employment offer was not rejected.
- o **Legislatively Applied Vacancy Savings** – Agencies with 20 or fewer FTE are exempt from the application of vacancy savings.
- o **Pay/Position Changes** - Four positions were reclassified. Reclassifications and longevity increases were funded within the existing budget and vacancy savings.
- o **Retirements** - There is one employee that will be retiring in 2011 and two employees that will be eligible for retirement in the 2013 biennium. The anticipated cost for the one employee retiring in 2011 is \$13,725 and the anticipated cost for the two eligible employees in the 2013 biennium is \$51,248. There are some unknowns and it is too early to specify what steps MBCC will take to lessen the impact of retirements.

DP 101 - Administrative Support 0.50 FTE - This decision package request a 0.5 FTE administrative support position. This position has been a modified position funded on a one-time-only basis for the past two biennia. This position provides support for several grants (federal/state/foundation); assists with ongoing logistics and reporting to support the staff, board, and various councils, committees, and work groups; serves as an office receptionist; takes and transcribes minutes; and has daily front office management duties.

**LFD  
ISSUE**

Shift from One-Time-Only to Ongoing

Funding this position on an ongoing basis rather than as a one-time-only appropriation adds the position to the base budget for the agency. The agency proposes funding this position with Justice Assistance Grant funds. While the state has received this grant for many years, the amount of the grant varies. Additionally, the grant limits administrative costs to no more than 10% of the grant funds. In the event federal grant funds decrease or administrative costs exceed the allowable percentage of the grant, federal funds may not be available to support the position in the future. The legislature has three options:

- o Fund the position as requested with ongoing funding that will increase the base budget
- o Fund the position as a one-time-only appropriation that will not increase the base budget
- o Do not fund the position

DP 102 - Database Software Maintenance Contracts - MBCC is required to collect and submit statistics to federal agencies in order to receive grant funds. Additionally the data is available for use by Montana policy and decision makers. Funding for maintenance contract costs above what is included in the base is requested for the following systems/software:

- o \$1,200 (federal funds) for the Automated Victims Information Database (AVID) web-based system utilized by victim services programs throughout the state to gather federally required statistical information for the STOP Violence Against Women Act (VAWA), Sexual Assault Services Program (SASP), the Victims of Crime Act (VOCA), and the Family Violence Prevention and Services programs.
- o \$12,175 (50% federal fund 50% general fund) for the National Incident Based Reporting System (NIBRS) - incident-based reporting system used by law enforcement agencies to collect and report data on crimes.
- o \$16,000 for BEYOND 20/20 (50% federal fund 50% general fund) web based analytic application that allows the user to produce reports and charts based on any NIBRS elements by simply pointing and clicking on their internet browser.
- o \$7,600 (general fund) for the Juvenile Detention Record Information System (JDRIS) used to track juvenile detention data for monitoring and reporting state compliance with the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP Act). This system is part of a case management system that is used by some of the regional juvenile detention centers. The maintenance costs for this system were funded for the current biennial as a one-time-only appropriation.

DP 103 - Adjust Pass Through Grant Authority / Admin - This decision package requests adjustments to state special and federal funding for various grants that are passed through the agency to other entities. Adjustments are requested due to changes in the estimated amounts that will be received and awarded and changes in accounting practices consistent with government accounting standards.

DP 104 - Sexual Assault Services Formula Grant - This decision package request federal funds for a new grant that was received for the first time in September 2009. The Sexual Assault Services Grant Program (SASP), funded through the Office on Violence against Women (OVW) under the Violence against Women Act (VAWA), supports services for victims of sexual assault. The agency anticipates an annual grant of around \$160,000 and is eligible to use 5% of the grant to help cover the administrative costs of the program.

DP 105 - Project Safe Neighborhood Grant - This decision package requests funding for the Project Safe Neighborhoods (PSN) grant, which is a federal initiative through the U.S. Department of Justice, Bureau of Justice Assistance. This grant is made available to the U.S. Attorney who has requested that the MBCC be the fiscal agent and administrator for the grant. Up to 10% of the grant may be used for administrative costs. This grant program is designed to reduce gun and gang crime in America.

DP 106 - Office Relocation - This decision package removes funding for rental for non-state buildings from the agency budget and adds funding for parking costs. The agency offices are scheduled to be relocated from a non-state owned building to a state owned building (the Peg Condon building) in the fall of 2010. Rental costs at the new location are estimated at \$8.906 and \$8.954 per square foot for FY 2012 and 2013, respectively. The agency leases 9,000 square feet of space at the new location.

**LFD  
COMMENT**

The funding reduction in this decision package offsets increases in fixed costs changes that are included in statewide present law adjustments. When the cost of rent, grounds maintenance, and parking are included, the net change in costs to the agency is a decrease of \$21,223 for the biennium.

DP 55140 - Other Reductions made for MCA 17-7-140 - This decision package includes funding reductions occurring in FY 2011 as directed by the Governor in accordance with 17-7-140, MCA. Because these reductions occur in the second year of the biennium, they must be included in a decision package in order to be made ongoing reductions. Funding for state grants to juvenile detention centers are reduced by \$44,323 per year and agency travel and operating costs are reduced by \$25,697 per year.

**LFD  
ISSUE**

Base Not Reduced

Because these reductions are made in the second year of the biennium (FY 2011 and FY 2013) they do not reduce the base budget for the agency. In order to make these reductions effective as ongoing reductions to the base budget, funding for FY 2012 and future years must be reduced. The legislature may wish to:

- Reduce funding for FY 2012 by a like amount so that reductions made in accordance with 17-7-140, MCA reduce the base budget
- If the total in FY 2013 is the total biennial reduction, split the cost between the two years