

Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2008	Approp. Fiscal 2009	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 08-09	Biennium Fiscal 10-11	Biennium Change	Biennium % Change
FTE	19.50	19.50	20.00	20.00	19.50	20.00	0.50	2.56%
Personal Services	1,058,895	1,243,480	1,281,439	1,290,649	2,302,375	2,572,088	269,713	11.71%
Operating Expenses	755,049	741,577	879,309	758,073	1,496,626	1,637,382	140,756	9.40%
Equipment & Intangible Assets	0	6,790	0	0	6,790	0	(6,790)	(100.00%)
Grants	6,504,797	29,123,332	6,811,789	6,811,789	35,628,129	13,623,578	(22,004,551)	(61.76%)
Total Costs	\$8,318,741	\$31,115,179	\$8,972,537	\$8,860,511	\$39,433,920	\$17,833,048	(\$21,600,872)	(54.78%)
General Fund	2,195,808	2,304,278	2,445,896	2,394,384	4,500,086	4,840,280	340,194	7.56%
State Special	67,087	131,984	164,028	164,084	199,071	328,112	129,041	64.82%
Federal Special	6,055,846	28,678,917	6,362,613	6,302,043	34,734,763	12,664,656	(22,070,107)	(63.54%)
Total Funds	\$8,318,741	\$31,115,179	\$8,972,537	\$8,860,511	\$39,433,920	\$17,833,048	(\$21,600,872)	(54.78%)

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 federal anti-drug and anti-crime grants and victim assistance grants, and provides funding for juvenile justice programs. In addition, MBCC administers the contracts with regional juvenile detention centers, 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

Montana Board of Crime Control HB 2 Budget Highlights
<ul style="list-style-type: none"> ◆ Total funding for the agency decreases 54.8 percent between the 2009 and 2011 biennia, due to the impact of a language appropriation providing continuing appropriation authority for pass through grants. This continuing authority is included in the 2009 biennium funding but not the 2011 biennium ◆ General fund support for the agency increases 7.6 percent between the two biennia, which reflects: <ul style="list-style-type: none"> • A non specific funding shift to the general fund • Funding to enhance the interface to crime data • An unspecified reduction of 2 percent • Increased funding for office rent at the current location ◆ A supplemental appropriation of \$15,000 state special revenue was provided in HB 3 for FY 2009 ◆ The legislature recommended that the Legislative Finance Committee consider monitoring data processing and information technology initiatives during the interim
HB 645 Highlights
<ul style="list-style-type: none"> ◆ HB 645 includes \$4.6 million federal pass-through grant funding to this agency including funding for Byrne/Justice Assistance Grants, Crime Victims Assistance Grants, and Violence Against Women Grants

Summary of Legislative Action

2011 biennium funding provided by the legislature is \$21.6 million or 54.8 percent lower than 2009 biennium funding. This reduction is due to the impact of a language appropriation that provides for continuing authority for federal pass through grants. This funding is included in the 2009 biennium budget but not the 2011 biennium budget. General fund support for the agency increases \$340,194 or 7.6 percent between the two biennia. This is primarily due to an unspecified increase in general fund support included in the adjusted base budget. Present law adjustments other than the statewide present law adjustment add \$63,916 general fund while new proposals decrease general fund support by \$4,316 for the biennium. New proposals decrease funding due to an unspecified general fund reduction that was approved by the legislature.

In order to obtain a better understanding of the general fund increase included in the adjusted base budget the legislature requested and reviewed information regarding the functions other than grant administration that are carried out by the agency and the estimated general fund support for each of these functions. Functions that are performed by the agency and the estimated staff time allocated to each include:

- Grant administration – 58.75 percent of staff time
- Information technology services and database management – 12.75 percent of staff time
- Central services and office operations – 6.90 percent of staff time
- Public safety and Montana crime prevention activities - 6.25 percent of staff time
- Juvenile justice initiatives and programs – 5.75 percent of staff time
- Agency management, board and council activities, and strategic planning – 4.50 percent of staff time
- Program research and development and resource development – 4.35 percent of staff time
- Technical assistance for small law enforcement agencies and tribal government – 0.75 percent of staff time

While the agency is often perceived to be a grant pass through agency, the information provided to the legislature estimates that less than 60 percent of staff time is devoted to this function and over 40 percent of staff time is consumed by other functions.

Agency Discussion

Recommendations to the Legislative Finance Committee

The legislature recommends that the Legislative Finance Committee monitor the following in the 2011 biennium.

- o Various data processing and information technology initiatives of this agency, including requesting that the agency provide information on timeframes for accomplishment and performance measures. The data processing and information technology initiatives funded for this agency include criminal history records improvement (DP 107), juvenile detention center reporting (DP 109), and the National Incident Based Reporting System (NIBRS) web statistics enhancement (DP 111).
- o Vacancy savings, turnover, staffing, and mandatory overtime including vacancy savings rates, staff turnover rates, staffing patterns and caseload, and the amount and cost of mandatory overtime

Executive Budget Comparison

The following table compares the legislative budget in the 2011 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2008	Executive Budget Fiscal 2010	Legislative Budget Fiscal 2010	Leg - Exec. Difference Fiscal 2010	Executive Budget Fiscal 2011	Legislative Budget Fiscal 2011	Leg - Exec. Difference Fiscal 2011	Biennium Difference Fiscal 10-11
FTE	19.50	20.00	20.00	0.00	20.00	20.00	0.00	
Personal Services	1,058,895	1,267,523	1,281,439	13,916	1,270,216	1,290,649	20,433	34,349
Operating Expenses	755,049	1,040,212	879,309	(160,903)	913,970	758,073	(155,897)	(316,800)
Equipment & Intangible Assets	0	0	0	0	0	0	0	0
Grants	6,504,797	6,811,789	6,811,789	0	6,811,789	6,811,789	0	0
Total Costs	\$8,318,741	\$9,119,524	\$8,972,537	(\$146,987)	\$8,995,975	\$8,860,511	(\$135,464)	(\$282,451)
General Fund	2,195,808	2,566,594	2,445,896	(120,698)	2,506,510	2,394,384	(112,126)	(232,824)
State/Other Special	67,087	164,994	164,028	(966)	164,993	164,084	(909)	(1,875)
Federal Special	6,055,846	6,387,936	6,362,613	(25,323)	6,324,472	6,302,043	(22,429)	(47,752)
Total Funds	\$8,318,741	\$9,119,524	\$8,972,537	(\$146,987)	\$8,995,975	\$8,860,511	(\$135,464)	(\$282,451)

The legislature provided funding that is \$282,451 total funds less than executive request, primarily in general fund support (\$232,824 less than the executive request). The legislature did not approve funding for items included in the executive request such as the detention data information system (\$30,000) or funding to relocate the agency offices from their current location (\$171,678 general fund). However, the legislature did provide funding to support an increase in office rental costs for the current location (\$38,000 general fund). Additionally, the legislature included an unspecified reduction in general fund of 2 percent (\$95,830).

Funding

The following table summarizes funding for the agency, by program and source, as adopted by the legislature.

Program Funding Table							
Justice System Support Service							
Program Funding	Base	% of Base	Budget	% of Budget	Budget	% of Budget	
	FY 2008	FY 2008	FY 2010	FY 2010	FY 2011	FY 2011	
01000 Total General Fund	\$ 2,195,808	26.4%	\$ 2,445,896	27.3%	\$ 2,394,384	27.0%	
01100 General Fund	2,195,808	26.4%	2,445,896	27.3%	2,394,384	27.0%	
02000 Total State Special Funds	67,087	0.8%	164,028	1.8%	164,084	1.9%	
02768 Dom Violence Intervention - Hb 476	67,087	0.8%	164,028	1.8%	164,084	1.9%	
03000 Total Federal Special Funds	6,055,846	72.8%	6,362,613	70.9%	6,302,043	71.1%	
03008 Juvenile Justice Council	672,317	8.1%	674,360	7.5%	674,691	7.6%	
03009 Juvenile Accountability	288,574	3.5%	288,724	3.2%	288,787	3.3%	
03090 P Coverdell Forensic Science	91,015	1.1%	105,015	1.2%	105,015	1.2%	
03093 Title V Delinquency Intervention	53,769	0.6%	53,766	0.6%	53,766	0.6%	
03111 Rsat Residential Substance Abuse	59,251	0.7%	59,247	0.7%	59,247	0.7%	
03182 Misc Fed Discretionary	-	-	7,157	0.1%	9,306	0.1%	
03188 Justice Assistance Grants	1,386,315	16.7%	1,469,367	16.4%	1,405,574	15.9%	
03192 Crime Victim Assistance	1,557,951	18.7%	1,556,002	17.3%	1,556,216	17.6%	
03200 Drug Education Assistance	336,639	4.0%	336,646	3.8%	336,652	3.8%	
03201 Justice System Enhancements	62,725	0.8%	62,717	0.7%	62,741	0.7%	
03343 Criminal History Record Improv	359,865	4.3%	550,865	6.1%	550,865	6.2%	
03344 Violence Against Women Act	833,216	10.0%	844,518	9.4%	844,948	9.5%	
03962 Enf. Underage Drinking Laws	354,209	4.3%	354,229	3.9%	354,235	4.0%	
Grand Total	\$ 8,318,741	100.0%	\$ 8,972,537	100.0%	\$ 8,860,511	100.0%	

Federal funds are the primary support and focus of this agency, which acts as a pass-through agency for federal grant funds. The majority of the agency funding, 71.1 percent, is federal pass-through grant funds. A variety of federal grants are received, including grants for juvenile justice related activities, crime victims assistance, domestic violence intervention, multi-jurisdictional drug enforcement task forces, and enforcement of under age drinking laws. By FY 2011 the general fund would provide 27.0 percent of the funding for the agency for grants to juvenile detention centers throughout the state and the costs of administrative and management functions. The remaining 1.9 percent of the agency’s funding is provided by state special revenue supporting misdemeanor probation and compliance officers for local domestic violence intervention programs.

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	Budget	Biennium	Percent	Budget	Budget	Biennium	Percent
	Fiscal 2010	Fiscal 2011	Fiscal 10-11	of Budget	Fiscal 2010	Fiscal 2011	Fiscal 10-11	of Budget
Base Budget	2,195,808	2,195,808	4,391,616	90.73%	8,318,741	8,318,741	16,637,482	93.30%
Statewide PL Adjustments	193,243	195,821	389,064	8.04%	191,039	193,591	384,630	2.16%
Other PL Adjustments	29,508	34,408	63,916	1.32%	368,156	375,140	743,296	4.17%
New Proposals	27,337	(31,653)	(4,316)	(0.09%)	94,601	(26,961)	67,640	0.38%
Total Budget	\$2,445,896	\$2,394,384	\$4,840,280		\$8,972,537	\$8,860,511	\$17,833,048	

Other Legislation

HB 645 - The legislature provided \$4.6 million federal funds to the agency via HB 645. These funds are available due to provisions of the American Recovery and Reinvestment Act (ARRA) that provided increased federal funds for Justice Assistance Grants, Crime Victims Assistance Grants, and Violence Against Women Grants. Grant funds are allocated to state and local agencies through a formula and agencies wishing to receive grants must submit an application for a grant to be awarded through a competitive process. The amounts included in HB 645 represent federal grants funds that are anticipated to flow through the state to sub-grantees. Additional grant funds are available to some local agencies or directly from the federal government through a competitive grant award process.

HB 2 and HB 645 Combined Action

The combined funding provided through HB 2 and HB 645 is summarized in the following table.

2011 Biennium HB 2, HB 645, and HB 645 Changes to HB 2 Justice System Support (Montana Board of Crime Control)			
Fund	HB 2	One-time HB 645 Appropriations	2011 Biennium Revised Total
General Fund	\$4,840,280	\$0	\$4,840,280
State Special Revenues	328,112	0	328,112
Federal Special Revenues	<u>12,664,656</u>	<u>4,646,774</u>	<u>17,311,430</u>
Total Funds	<u>\$17,833,048</u>	<u>\$4,646,774</u>	<u>\$22,479,822</u>

As illustrated in the figure, funding for the agency increases from \$17.8 million to \$22.5 million (26 percent) when appropriations in HB 2 (including pay plan) and HB 645 are combined. The entire increase is in federal funds that are primarily pass through grants. The agency may also utilize some of these funds for administrative costs within the limits contained in federal regulation. While these grant programs allow for expenditure of funds over

a four year period, the ARRA emphasizes infusion of funds into the economy as quickly as possible. These grant funds are also subject to the various provisions of ARRA such as “buy American” and various reporting and tracking requirements.

HB 3 – A supplemental appropriation of \$15,000 state special revenue for the Misdemeanor Domestic Violence Intervention program was provided by the legislature, because revenues have been realized at a higher level than anticipated. Revenues come from marriage license fees and may be used for misdemeanor probation officers or compliance officers to monitor compliance with sentencing provisions for offenders convicted of partner or family member assault, or a violation of an order of protection. The 2011 biennium budget (decision package 108) also includes increased funding for the program.

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the adjusted base budget made by the legislature. “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 2010-----					-----Fiscal 2011-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					183,811	0.00				186,500
Inflation/Deflation					2,917	0.00				3,358
Fixed Costs					4,311	0.00				3,733
Total Statewide Present Law Adjustments		\$193,243	(\$6)	(\$2,198)	\$191,039	0.00	\$195,821	(\$7)	(\$2,223)	\$193,591
					0	0.00				0
DP 101 - Board & Council Member Stipends	0.00	4,958	0	1,742	6,700	0.00	4,958	0	1,742	6,700
DP 102 - Administrative Support Position	0.50	0	0	18,117	18,117	0.50	0	0	18,121	18,121
DP 105 - Forensic Crime Lab Improvements	0.00	0	0	14,000	14,000	0.00	0	0	14,000	14,000
DP 106 - STOP Violence Against Women Grant	0.00	0	0	10,000	10,000	0.00	0	0	10,000	10,000
DP 107 - Criminal History Record Improvement Grant	0.00	0	0	191,000	191,000	0.00	0	0	191,000	191,000
DP 108 - Domestic Violence Intervention Grant - Biennial	0.00	0	96,697	0	96,697	0.00	0	96,677	0	96,677
DP 109 - Juvenile Detention Center Reporting	0.00	8,000	0	0	8,000	0.00	8,000	0	0	8,000
DP 714 - Rent Increase Current Office Location	0.00	16,550	236	6,856	23,642	0.00	21,450	306	8,886	30,642
					0	0.00				0
Total Other Present Law Adjustments	0.50	\$29,508	\$96,933	\$241,715	\$368,156	0.50	\$34,408	\$96,983	\$243,749	\$375,140
					0	0.00				0
Grand Total All Present Law Adjustments	0.50	\$222,751	\$96,927	\$239,517	\$559,195	0.50	\$230,229	\$96,976	\$241,526	\$568,731

DP 101 - Board & Council Member Stipends - The legislature provided about \$13,400 for the biennium for board and council member per diem payments as provided in 2-15-122 and 2-15-124, MCA. Per diem payments are zero based and thus not included in the base budget for the agency.

DP 102 - Administrative Support Position - The legislature provided \$36,238 federal funds as a one-time-only appropriation for a 0.50 FTE position. The position will provide administrative support for federal grants including: Project Safe Neighborhoods Grant, Anti-Gang Grant, Enforcing Underage Drinking Laws - Discretionary Grant and the Prescription Drug Monitoring Planning Grant. Additionally the agency plans to use this position to implement the provision of local agency and tribal technical assistance, and planning and resource development for public safety, crime prevention, juvenile justice, and victim assistance as directed by the board.

DP 105 - Forensic Crime Lab Improvements - The legislature provided \$28,000 federal funds for the biennium for an increase in federal Paul Coverdell Forensic Sciences Improvement Act grant funds. These funds can only be used by crime labs and will be sub granted to the Department of Justice, Forensic Science Division (state crime lab in Missoula). These funds may be used for staff training, equipment, and personal services.

DP 106 - STOP Violence Against Women Grant - The legislature provided \$20,000 federal funds for the biennium for increases in the federal STOP Violence Against Women Act in Montana. The purpose of the act is to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violence against women. A committee representing judges, prosecutors, law enforcement, and victim service projects was appointed by the board to establish priorities for initiatives to be funded from this source.

DP 107 - Criminal History Record Improvement Grant - The legislature provided \$382,000 federal funds for increases in the National Criminal History Record Improvement Grant. These funds are intended to improve the exchange of information between states and on a national level. Currently, the intrastate exchange of criminal record information among Montana agencies is a very manual process. Achievement of National Criminal History Improvement Program (NCHIP) priorities of timely and complete dispositions, the flagging of disqualifying records, and mental health record availability for use by the NICS program staff are contingent upon the automation of Montana's criminal justice agencies, including courts, and the development of reliable interfaces between these systems and those national systems recognized under NCHIP as vital to the nation's safety and security.

DP 108 - Domestic Violence Intervention Grant - Biennial - The legislature provided \$193,374 state special as a biennial appropriation for the Misdemeanor Probation for Domestic Violence Program. 44-4-310, MCA created a domestic violence intervention account in the state special revenue fund and 44-4-311, MCA establishes the Domestic Violence Intervention Program, which is supported by funds from this account. The purpose of the program is to promote victim safety and offender accountability through a variety of compliance monitoring methods, including but not limited to probation personnel, electronic or GPS monitoring, tracking of recidivism, revocation of probation for non-compliant offenders, danger assessment, and victim involvement.

DP 109 - Juvenile Detention Center Reporting - The legislature provided \$16,000 general fund as a one-time-only appropriation for the biennium for software and database maintenance of the Juvenile Detention Reporting System (JDERS). This system combines data reporting to the Montana Board of Crime Control with a unified case management system. The goal of the system is to improve oversight and management of juvenile detention centers. The detention facilities purchased the software system and paid for the customization with pass through grant funds and the maintenance costs are to be covered by MBCC.

DP 714 - Rent Increase Current Office Location - The legislature provided \$54,284 total funds for the biennium to support increased rental costs for the office space where the agency is currently located.

New Proposals

Program	-----Fiscal 2010-----					-----Fiscal 2011-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 111 - NIBRS Web Stats Enhancement (Bien/OTO)										
01	0.00	64,000	0	64,000	128,000	0.00	0	0	0	0
DP 709 - Pass Through Grants - Biennial										
01	0.00	0	0	0	0	0.00	0	0	0	0
DP 6013 - 2011 Biennium Pay Plan - HB 13										
01	0.00	5,250	0	1,512	6,762	0.00	15,876	21	4,536	20,433
DP 6014 - Pay Plan Lump Sum Payment OTO										
01	0.00	5,558	14	1,582	7,154	0.00	0	0	0	0
DP 6101 - Fixed Cost Workers Comp Management Program Allocat										
01	0.00	444	0	156	600	0.00	386	0	135	521
DP 6105 - 2 Percent Unspecified Reduction of General Fund										
01	0.00	(47,915)	0	0	(47,915)	0.00	(47,915)	0	0	(47,915)
Total	0.00	\$27,337	\$14	\$67,250	\$94,601	0.00	(\$31,653)	\$21	\$4,671	(\$26,961)

DP 111 - NIBRS Web Stats Enhancement (Bien/OTO) - The legislature provided \$128,000 total funds as a biennial, restricted, one-time-only appropriation, to enhance the interface to the crime database and make it more usable for decision makers and the public. The department seeks to have an interface that would allow crime data users to easily create reports, graphs, and charts that are specific to their needs.

DP 709 - Pass Through Grants - Biennial - This decision package is a technical adjustment necessary to add a line item to HB 2.

DP 6013 - 2011 Biennium Pay Plan - HB 13 - The legislature passed a pay plan that provides an additional \$53 per month in health insurance contribution for CY 2010 and an additional \$54 per month for CY 2011. These amounts represent this program’s allocation of costs to fund this pay plan. In addition, the legislature provided a one-time-only payment of \$450 for all employees earning less than \$45,000 annually. These costs are included in DP 6014.

DP 6014 - Pay Plan Lump Sum Payment OTO - This DP funds this program's cost of providing a one-time-only payment of \$450 to each full-time employee making less than \$45,000 annually and \$225 for half-time employees making \$21.635 per hour or less.

DP 6101 - Fixed Cost Workers Comp Management Program Allocate - Funding was approved as a fixed cost for agencies to pay fees, based on the average number of payroll warrants issued per pay period, to support the worker's compensation management program in the Department of Administration.

DP 6105 - 2 Percent Unspecified Reduction of General Fund - This item provides an unspecified reduction in general fund of 2 percent for the agency. Language included in the bill allows the agency to allocate the reduction in funding among programs when developing 2011 biennium operating plans.

Language and Statutory Authority

The legislature added the following language to HB 2.

“All remaining pass-through grant appropriations, up to 100,000 in general fund money, \$180,000 in state special revenue, and \$7,000,000 in federal funds, including reversions, for the 2009 biennium are authorized to continue and are appropriated in fiscal year 2010 and fiscal year 2011.

Justice System Support includes a reduction in general fund money of \$47,915 each year of the biennium. The agency may allocate this reduction in funding among programs when developing 2011 biennium operating plans.”