

Agency Legislative Budget								
Budget Item	Base Budget Fiscal 2002	PL Base Adjustment Fiscal 2004	New Proposals Fiscal 2004	Total Leg. Budget Fiscal 2004	PL Base Adjustment Fiscal 2005	New Proposals Fiscal 2005	Total Leg. Budget Fiscal 2005	Total Leg. Budget Fiscal 04-05
FTE	18.00	1.00	0.00	19.00	1.00	0.00	19.00	19.00
Personal Services	764,425	126,195	(10,740)	879,880	127,084	5,727	897,236	1,777,116
Operating Expenses	484,281	14,553	45,179	544,013	13,818	43,275	541,374	1,085,387
Equipment	7,016	0	0	7,016	0	0	7,016	14,032
Grants	10,842,347	0	(210,382)	10,631,965	0	(210,319)	10,632,028	21,263,993
Total Costs	\$12,098,069	\$140,748	(\$175,943)	\$12,062,874	\$140,902	(\$161,317)	\$12,077,654	\$24,140,528
General Fund	1,794,097	66,931	(222,994)	1,638,034	69,211	(212,573)	1,650,735	3,288,769
State/Other Special	0	0	0	0	0	0	0	0
Federal Special	10,303,972	73,817	47,051	10,424,840	71,691	51,256	10,426,919	20,851,759
Total Funds	\$12,098,069	\$140,748	(\$175,943)	\$12,062,874	\$140,902	(\$161,317)	\$12,077,654	\$24,140,528

Agency Description

The Montana Board of Crime Control (MBCC) Division was established to promote public safety by strengthening the coordination and performance of the criminal and juvenile justice systems. The Crime Control Division operates under the general supervision of the Montana Board of Crime Control. The Crime Control Division provides financial support, technical assistance, and supportive services to state and local criminal justice agencies. The Crime Control Division administers federal anti-drug and anti-crime grants, certifies peace officers and others in the criminal justice system, and provides funding for juvenile justice programs. In addition, the division collects and analyzes crime data from Montana law enforcement agencies and publishes the annual "Crime in Montana" report. The division is established in law by Section 2-15-2006, MCA.

Summary of Legislative Action

Board of Crime Control Major Budget Highlights
<ul style="list-style-type: none"> ○ General fund support for grants to fund juvenile detention centers decreases \$0.4 million for the biennium ○ Total amount for federal pass-through grants and benefits for the 2005 biennium remain at fiscal 2002 levels

The legislature added 1.0 FTE and reduced Crime Control Division funding by \$55,000 below the fiscal 2002 base. Of this total, \$337,260 in reductions was for new proposals, including:

- A general fund reduction of approximately \$430,000 over the biennium to implement legislative reductions, of which \$11,447 was directed to personal services, \$83,945 was directed to juvenile detention grants, and \$336,756 was unallocated
- Federal fund increases of approximately \$88,000 over the biennium to contract with Department of Justice Agency Legal Services and to offset the unspecified general fund reductions

Other increases are associated with present law adjustments, including statewide present law adjustments for funding of authorized FTE and inflationary adjustments, and added funding for a 1.0 FTE criminal justice analyst.

Agency Budget Comparison								
Budget Item	Base Budget Fiscal 2002	Executive Budget Fiscal 2004	Legislative Budget Fiscal 2004	Leg - Exec. Difference Fiscal 2004	Executive Budget Fiscal 2005	Legislative Budget Fiscal 2005	Leg - Exec. Difference Fiscal 2005	Biennium Difference Fiscal 04-05
FTE	18.00	20.00	19.00	(1.00)	20.00	19.00	(1.00)	
Personal Services	764,425	906,667	879,880	(26,787)	907,442	897,236	(10,206)	(36,993)
Operating Expenses	484,281	496,412	544,013	47,601	493,677	541,374	47,697	95,298
Equipment	7,016	7,016	7,016	0	7,016	7,016	0	0
Grants	10,842,347	10,657,932	10,631,965	(25,967)	10,657,932	10,632,028	(25,904)	(51,871)
Total Costs	\$12,098,069	\$12,068,027	\$12,062,874	(\$5,153)	\$12,066,067	\$12,077,654	\$11,587	\$6,434
General Fund	1,794,097	1,645,059	1,638,034	(7,025)	1,647,129	1,650,735	3,606	(3,419)
State/Other Special	0	0	0	0	0	0	0	0
Federal Special	10,303,972	10,422,968	10,424,840	1,872	10,418,938	10,426,919	7,981	9,853
Total Funds	\$12,098,069	\$12,068,027	\$12,062,874	(\$5,153)	\$12,066,067	\$12,077,654	\$11,587	\$6,434

Executive Budget Comparison

The legislative budget is \$6,434 higher than the executive budget, with a general fund reduction of \$3,419. Major changes made by the legislature include:

- o Approved an unspecified reduction in DP 9001, but allowed the division to determine how to allocate the reduction. The division allocated the reduction in this decision package of \$336,756 general fund for the biennium to juvenile detention grants
- o Approved a further biennial reduction of \$84,000 to juvenile detention grants in DP 9000
- o Reduced general fund by \$20,480 over the biennium for the division's share of a statewide general fund personal services reduction
- o Passed HB 13, the state pay plan bill, which increased the following authority over the biennium: General fund - \$17,061; and federal special revenue - \$9,853

Funding

The following table summarizes funding for the agency, by program and source, as adopted by the legislature. Funding for each program is discussed in detail in the individual program narratives that follow.

Program Funding Table							
Justice System Support Service							
Program Funding	Base	% of Base	Budget	% of Budget	Budget	% of Budget	
	Fiscal 2002	Fiscal 2002	Fiscal 2004	Fiscal 2004	Fiscal 2005	Fiscal 2005	
01100 General Fund	\$ 1,794,097	14.8%	\$ 1,638,034	13.6%	\$ 1,650,735	13.7%	
03008 Juvenile Justice Council	828,332	6.8%	1,000,429	8.3%	1,001,676	8.3%	
03009 Juvenile Accountability Block Grant	1,957,083	16.2%	1,949,354	16.2%	1,948,838	16.1%	
03192 Crime Victim Assistance	1,567,124	13.0%	1,780,230	14.8%	1,780,972	14.7%	
03200 Drug Education Assistance	429,060	3.5%	471,451	3.9%	471,503	3.9%	
03201 Justice System Enhancements	1,077,718	8.9%	471,206	3.9%	470,143	3.9%	
03343 Criminal History Record Improv	449,930	3.7%	587,405	4.9%	587,405	4.9%	
03344 Violence Against Women Act	840,403	6.9%	910,195	7.5%	910,841	7.5%	
03414 Drug Enforcement Assistance	2,608,559	21.6%	2,686,559	22.3%	2,687,485	22.3%	
03962 Enf. Underage Drinking Laws	360,003	3.0%	368,011	3.1%	368,056	3.0%	
03963 Local Law Enforcement Assist	185,760	1.5%	200,000	1.7%	200,000	1.7%	
Grand Total	\$ 12,098,069	100.0%	\$ 12,062,874	100.0%	\$ 12,077,654	100.0%	

General fund within the Crime Control Division supports the following operations:

- o Youth Detention Services Grant Program
- o Operation of the Peace Officer Standards and Training Program
- o Montana Uniform Crime Reporting System
- o General agency administration

- o Technical assistance to local law enforcement
- o State matching funds for the administration of the Juvenile Justice, Juvenile Accountability, and Drug Enforcement federal grant programs. General fund match required for administrative costs range from 10 percent (approximately \$9,000) for the Juvenile Accountability grants and 25 percent (approximately \$33,000) for Drug Enforcement grants, to 50 percent (\$53,160) for Juvenile Justice grants.

Federal funds are primarily used for pass-through grant programs. However, federal funding is also used for administration of the Juvenile Justice, Juvenile Accountability, Drug Education, Victim Assistance, Stop Violence Against Women, Enforce Underage Drinking Laws, Computer Crime Unit, Substance Abuse Treatment, and Drug Enforcement federal grant programs.

The following figure shows the pass-through grants and benefits for fiscal 2002 through the 2005 biennium.

Pass Through Grants & Benefits			
	FY 2002	FY 2004	FY 2005
	Actuals	Appropriated	Appropriated
General Fund			
Juvenile Detention Centers	<u>\$1,114,942</u>	<u>\$904,560</u>	<u>\$904,623</u>
Subtotal - General Fund	1,114,942	904,560	904,623
Federal Fund			
Drug Free Schools	407,632	450,000	450,000
Juvenile Challenge Grant	87,498	90,000	90,000
Victim Assistance	1,488,919	1,700,000	1,700,000
Juvenile Delinquency Prev.	119,719	120,000	120,000
Criminal Records/Sex Offender Reg.	449,930	587,405	587,405
Violence Against Women	798,892	850,000	850,000
Drug Enforcement	2,452,165	2,500,000	2,500,000
Juvenile Justice	516,995	690,000	690,000
Substance Abuse Treatment	873,645	390,000	390,000
Law Enforcement Assistance	185,760	200,000	200,000
Juvenile Accountability Incentive	1,854,581	1,800,000	1,800,000
Computer Crime Unit	149,670	-	-
Enforce Underage Drinking Laws	<u>341,999</u>	<u>350,000</u>	<u>350,000</u>
Subtotal - Federal Fund	9,727,405	9,727,405	9,727,405
Total Grants & Benefits	<u>\$10,842,347</u>	<u>\$10,631,965</u>	<u>\$10,632,028</u>

Present Law Adjustments										
-----Fiscal 2004-----					-----Fiscal 2005-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					85,583					86,598
Inflation/Deflation					1,867					2,742
Fixed Costs					6,686					7,076
Total Statewide Present Law Adjustments					\$94,136					\$96,416
DP 3 - Criminal Justice Analyst	1.00	0	0	46,612	46,612	1.00	0	0	44,486	44,486
Total Other Present Law Adjustments	1.00	\$0	\$0	\$46,612	\$46,612	1.00	\$0	\$0	\$44,486	\$44,486
Grand Total All Present Law Adjustments					\$140,748					\$140,902

Present Law Adjustments

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget made by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Legislative decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 3 - Criminal Justice Analyst - The legislature approved increased personal services and related operating expenses to add a grade 15 criminal justice analyst. The position would be funded with federal block grant administrative funds. The primary tasks of the criminal justice analyst are to conduct research and provide analysis of criminal and juvenile justice issues that affect the performance of the justice system. This position is also intended to increase the participation of law enforcement in the National Incident Based Reporting System by enhancing law enforcement use of automated record systems and reporting capabilities.

New Proposals											
Program	FTE	Fiscal 2004				Fiscal 2005					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 5 - Legal Services											
01	0.00	0	0	6,250	6,250	0.00	0	0	6,250	6,250	
DP 655 - Personal Services Reduction											
01	0.00	(10,240)	0	0	(10,240)	0.00	(10,240)	0	0	(10,240)	
DP 6800 - HB 13 - Pay Plan											
01	0.00	3,215	0	1,872	5,087	0.00	13,846	0	7,981	21,827	
DP 9000 - Legislative Reduction											
01	0.00	(46,556)	0	0	(46,556)	0.00	(48,836)	0	0	(48,836)	
DP 9001 - Unspecified Legislative Reduction											
01	0.00	(169,413)	0	38,929	(130,484)	0.00	(167,343)	0	37,025	(130,318)	
Total	0.00	(\$222,994)	\$0	\$47,051	(\$175,943)	0.00	(\$212,573)	\$0	\$51,256	(\$161,317)	

New Proposals

DP 5 - Legal Services - The legislature approved federal funds for consultant and professional services to contract with Agency Legal Services in the Department of Justice for legal services. Currently, the Department of Justice Appellate Legal Services Bureau and Legal Services provide the service at no cost. Workload in both those areas has grown to where the department states that it can no longer provide the service needed.

DP 655 - Personal Services Reduction - The legislature applied a further vacancy savings on general fund positions. This reduction equals 0.6 percent of general fund and 0.1 percent of total funds for this agency.

DP 6800 - HB 13 - Pay Plan - The legislature passed a pay plan in HB 13 that provides an additional \$44 per month in insurance contributions in calendar 2004 and an additional \$50 per month in calendar 2005, as well as a \$0.25 per hour salary increase in the final six months of fiscal 2005. These amounts represent this program's allocation of costs to fund this pay plan. An additional \$44 per month in insurance contribution for the first six months of fiscal 2004 was not funded.

DP 9000 - Legislative Reduction - The legislature approved reducing the base to the lower of the 2000 base budget or the fiscal 2003 appropriated level as adjusted for August 2002 Special Session action. The legislature approved the division's plan to allocate \$11,447 of the reduction to personal services and operating expenses and \$83,945 to juvenile detention grants.

DP 9001 - Unspecified Legislative Reduction - The legislature approved an additional reduction to bring funding approximately equal to the amounts in the total Executive Budget, prior to funding of the state pay plan. The legislature allowed the division to allocate the reduction. The reduction totals 10.2 percent of the division's remaining general fund.

Language

"All remaining federal pass-through grant appropriations, including reversions, for the 2003 biennium are authorized to continue and are appropriated in fiscal year 2004 and fiscal year 2005."

"Item [Justice System Support Service] includes a reduction in general fund money of \$10,240 in fiscal year 2004 and \$10,240 in fiscal year 2005 for the statewide FTE reduction."