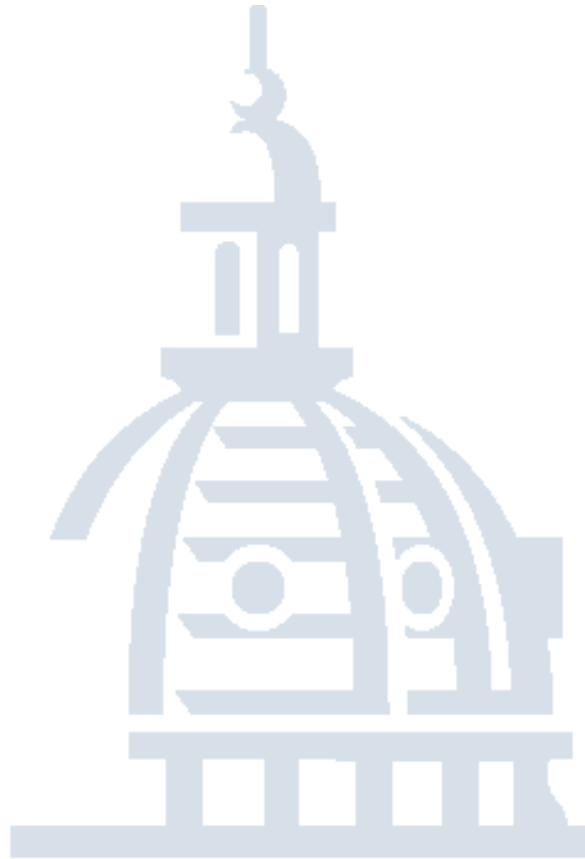

**JUSTICE SYSTEM APPROPRIATIONS
SUBCOMMITTEE
DETAILED ANALYSIS OF THE
FY 2011 GOVERNOR'S RECOMMENDATIONS**



FISCAL SERVICES DIVISION

FEBRUARY 2010



**LEGISLATIVE
SERVICES AGENCY**

Serving the Iowa Legislature

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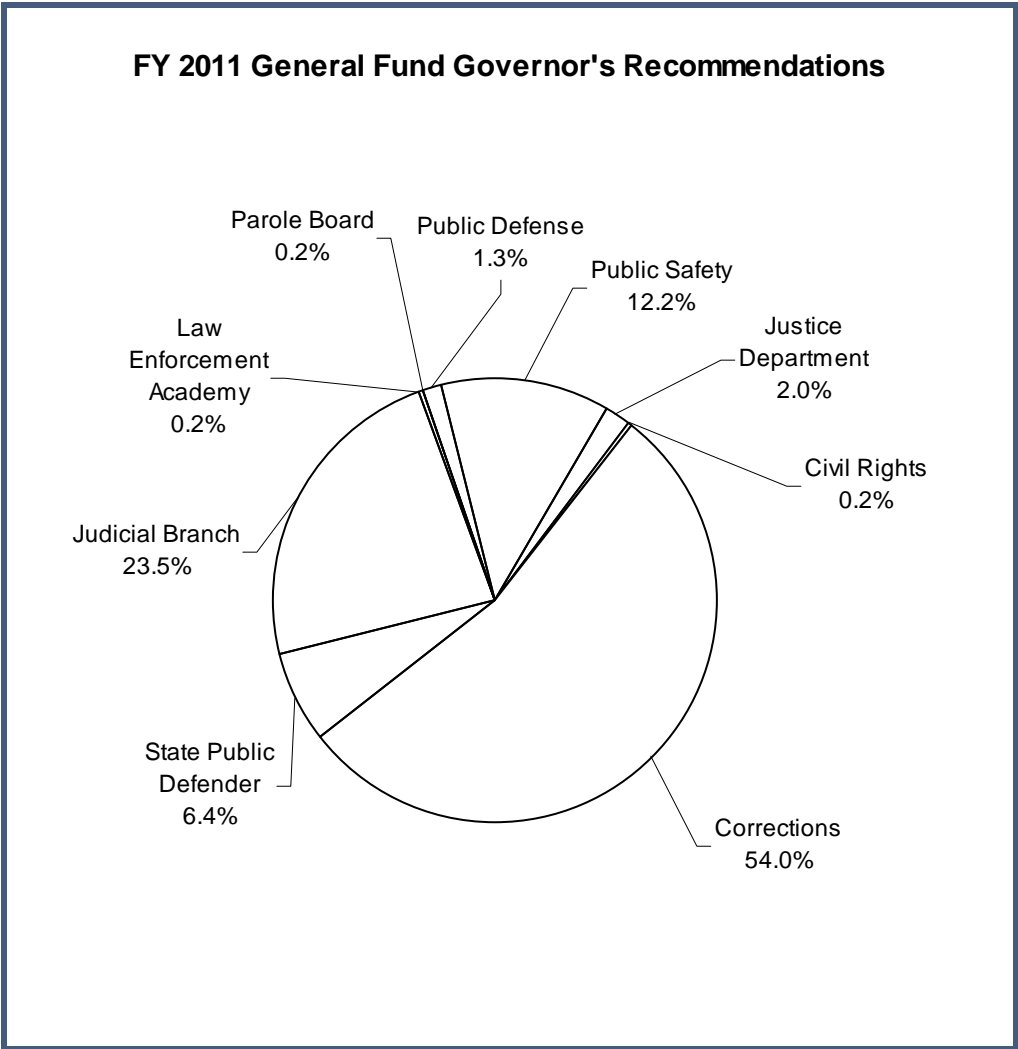
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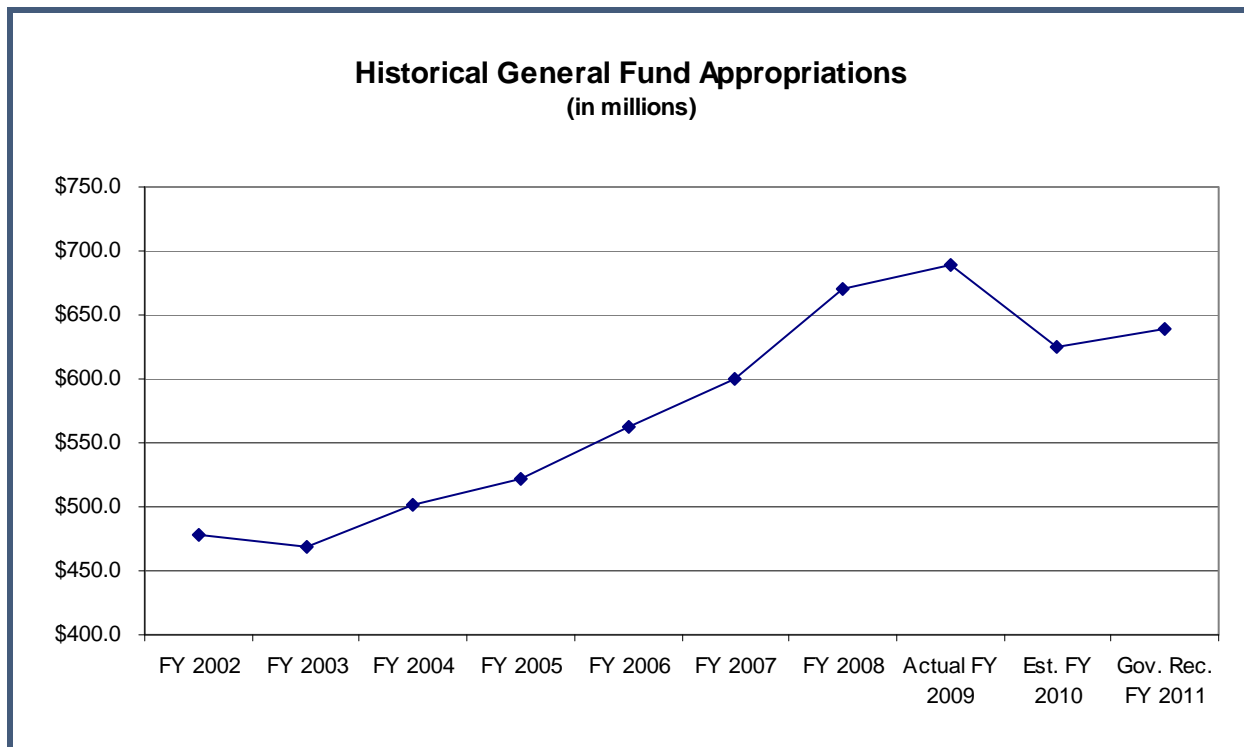
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JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE



FY 2011 General Fund Governor's Recommendations

Justice Department	\$ 12,552,101
Civil Rights	1,379,861
Corrections	345,839,469
State Public Defender	41,177,111
Judicial Branch	150,311,822
Law Enforcement Academy	1,049,430
Parole Board	1,045,259
Public Defense	8,287,320
Public Safety	78,134,421
	<u>\$ 639,776,794</u>



FY 2011 GOVERNOR'S RECOMMENDATIONS

Department of Justice

The Attorney General is the head of the Department and is elected by popular vote every four years. The Department is composed of the Attorney General's Office, Prosecuting Attorney Training Coordinator, and the Consumer Advocate's Office. The Department represents the State in all litigation, issues formal and informal opinions and advice to State agencies, prosecutes some criminal offenders and handles all criminal appeals, and administers the following programs: Farm Mediation, Crime Victim Assistance, and Legal Services Poverty Grants.

The Governor is recommending FY 2011 General Fund appropriations totaling \$12.6 million. This is no change compared to estimated FY 2010.

General Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Justice, Department of</u>			
Justice, Dept. of			
General Office A.G.	\$ 7,732,930	\$ 7,732,930	\$ 0
Victim Assistance Grants	3,060,000	3,060,000	0
Legal Services Poverty Grants	1,759,171	1,759,171	0
Farm Mediation Services	0	0	0
Total Justice, Dept. of	<u>\$ 12,552,101</u>	<u>\$ 12,552,101</u>	<u>\$ 0</u>
Consumer Advocate			
Consumer Advocate	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
Total Justice, Department of	<u>\$ 12,552,101</u>	<u>\$ 12,552,101</u>	<u>\$ 0</u>

Other Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Justice, Department of</u>			
Consumer Advocate			
Consumer Advocate	<u>\$ 3,138,888</u>	<u>\$ 3,336,344</u>	<u>\$ 197,456</u>
Total Justice, Department of	<u>\$ 3,138,888</u>	<u>\$ 3,336,344</u>	<u>\$ 197,456</u>

The Governor is recommending an FY 2011 Commerce Revolving Fund appropriation to the Office of the Consumer Advocate of \$3.3 million. This is an increase of \$197,000 (6.3%) compared to estimated FY 2010. The increase is for debt retirement for the new Iowa Utilities Board/Office of the Consumer Advocate building.

Issues

FY 2010 Budget Reductions – The 10.0% across-the-board reduction for the Department of Justice was \$1.4 million for General Fund appropriations. The Department has indicated that the General Fund reductions will be achieved by:

- Staggered furloughs based on annual pay.
- Holding open vacant funded positions.
- Reassigning existing staff to vacant positions funded from other sources.
- Greater reliance on restricted funds under the control of the Department, such as the Consumer Education and Litigation Fund and the Forfeited Property Fund.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. There was no specific dollar target assigned to the Department of Justice.

The Report recommends strengthening Medicaid Integrity Efforts by enacting a State False Claims Act. The consultants estimated this proposal would generate \$900,000 the first year. The proposal provides a

procedure for the State and private individuals to bring an action for fraud against a person that may result in financial loss to the government. There are currently 25 states with a False Claims Act. Iowa currently operates under the Federal False Claims Act.

Any statute has to be reviewed by the federal Department of Health and Human Services before it can be implemented. The language will not be reviewed until it has been enacted. So implementation will be delayed the first year. If the language is rejected, the General Assembly has to pass another bill to attempt to get federal approval. Several states have had their statutes rejected. If the language is approved by the federal government, the State will be allowed to retain 10.0% of the federal share of Medicaid Fraud recoveries.

The proposal has the potential to have a significant work load issue on the Judicial Branch and the Attorney General's Office. The proposal may impact collection efforts and staffing workloads of the Department of Human Services and the Department of Inspections and Appeals.

The proposal will most likely increase the number of fraud cases brought to court. Some of the cases will result in additional recoveries to the State. Some may be nuisance cases without a legitimate claim. Those cases will increase the workload of State agencies with no recoveries. There is no method to determine the number of fraud cases that are either legitimate or a nuisance. A percentage of those found fraudulent will not be able to pay. This increases the amount of uncollectible debt owed the State.

The Department of Inspections and Appeals indicates if an approved False Claims Act had been in place, an additional \$350,000 in FY 2008 and an additional \$236,000 in FY 2009 would have been recovered under the Medicaid Fraud provisions, for a two year average of \$293,000 annually. There is no information with which to project the amount to be recovered by lawsuits brought by private individuals.

The net fiscal impact cannot be determined at this time. Any recoveries under the Medicaid Fraud provisions may be offset by increased costs to State agencies for actions under the proposal. Any receipts for FY 2011 will be for a partial year, because no actions may be taken until the language is approved by the federal government. Any receipts generated under the Medicaid Fraud provisions are retained by the Department of Inspections and Appeals Medicaid Fraud Account (penalties only) and the Department of Human Services (restitution applied as a Medicaid offset) and not deposited into the General Fund.

Federal ARRA Funds – The Department received American Reinvestment and Recovery Act (ARRA) funds as follows:

- \$498,000 in Victims of Crime Act (VOCA) funds for direct compensation to victims.
- \$699,000 in VOCA funds for Victim Assistance Grants for victim programs that provide direct services to crime victims in the areas of domestic abuse, sexual abuse, child abuse, and previously under served victims of crime. These funds were distributed as follows:
 - \$458,000 to 22 dual Domestic Abuse/Sexual Abuse programs.
 - \$76,000 to three Domestic Abuse programs.
 - \$44,000 for two Sexual Abuse programs.
 - \$52,000 for two homicide programs.
 - \$25,000 for one youth program.
 - \$8,000 for two victim witness coordinators.
 - \$35,000 for administrative costs related to information technology.

- \$1,645,000 in Violence Against Women Act (VAWA) funds for specialized investigative, prosecution, and court enhancement related to violence against women and support and advocacy services for victims of domestic abuse, dating violence, sexual abuse, and stalking. The funds were distributed as follows:
 - \$370,000 to eight law enforcement agencies.
 - \$61,000 to five prosecution programs in FY 2010 and \$309,000 in FY 2011.
 - \$666,000 to 29 Victim Services programs for domestic abuse and sexual assault programs.
 - \$74,000 for one court program.
 - \$165,000 for administrative costs related to information technology.

Victim Compensation Fund – The Crime Victim Assistance Division administers the Fund. The Fund supports the Crime Victim Compensation Program, Sexual Abuse Examination Program, Victims Assistance Grants, the IowaVINE system, and administrative costs of the Division. Funds available in the Victim Compensation Fund in FY 2010 are \$13.7 million, an increase of \$2.1 million (17.8%) compared to FY 2009. The majority of this increase is primarily due to delayed receipt of the FY 2009 VOCA Compensation grant. The FY 2009 award was received in October 2009, after the close of the fiscal year so it was deposited into the Fund in FY 2010. Expenditures from the Fund in FY 2010 are expected to increase by \$30,000.

The year-end balance carries forward to the next fiscal year and is available for expenditure. The FY 2010 year-end balance of \$2.2 million is the projected balance of the VOCA Compensation grant award. The Victim Compensation Fund is experiencing cash flow problems in FY 2010, primarily due to delayed receipts from the U.S. Department of Justice for the Victims of Crime Act (VOCA) Compensation Program. If the FY 2010 grant award is delayed, the projected ending balance will be significantly less than projected and delayed payments to victims will continue to occur.

The Department expects approximately \$540,000 annually to be expensed against the Fund for the IowaVINE System. The FY 2010 award of \$229,000 cannot be used for operating costs. It may only be used to connect the courts and local law enforcement to the system. The more entities that connect to the IowaVINE system, the more likely it is that operating costs will increase.

The General Assembly may want to review other options for the Fund, such as:

- Increasing receipts to the Fund.
- Using alternative funding sources for Victim Services Grants.
- Decreasing the amount of compensation paid to victims.
- Work with the Iowa delegation to ensure more timely receipts of federal grant awards.

Victim Assistance Grants – The Crime Victim Assistance Division provides grants to service providers for victims of domestic abuse, sexual assaults, and other violent crimes. The Division also provides grants to specialized law enforcement programs and prosecutors to address violence against women. A State General Fund appropriation, combined with federal grants and the Victim Compensation Fund, are used for community crime victim service programs. This combination of funding results in approximately \$11.7 million being distributed to 27 domestic abuse programs, 27 sexual abuse programs, the Iowa Domestic Abuse Hotline, the Sexual Abuse Hotline, four homicide victim survivor programs, several prosecutor-based victim service coordinators, violence against women officers and prosecutors, and four state crime victim specialists. This is an increase of \$1.6 million (16.2%) compared to FY 2009.

Most of this increase is primarily due to receipt of one-time ARRA funds. It is unlikely the Victim Compensation Fund will be able to offset that loss. The Governor is recommending no change in funding for FY 2011.

Civil Rights Commission

The Commission exists to protect the civil rights of all persons throughout Iowa. The Commission’s primary functions are to enforce the Iowa Civil Rights Act, investigate and resolve discrimination complaints as a neutral fact finder, advocate for compliance with civil rights laws, and educate and train Iowans to recognize and prevent discrimination.

The Governor is recommending an FY 2011 General Fund appropriation of \$1.4 million. This is no change compared to estimated FY 2010.

General Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Civil Rights Commission</u>			
Civil Rights Commission	\$ 1,379,861	\$ 1,379,861	\$ 0
Total Civil Rights Commission	<u>\$ 1,379,861</u>	<u>\$ 1,379,861</u>	<u>\$ 0</u>

Issues

FY 2010 Budget Reductions – The 10.0% across-the-board reduction for the Civil Rights Commission was \$153,000 for the General Fund appropriation. The Commission has indicated that the General Fund reduction will be achieved by holding open one Administrative Assistant position and 0.5 Information Technologist 3 position. The Director reallocated approximately \$121,000 in General Fund expenditures to federal funds in FY 2010. This is not likely to be a valid option in FY 2011 due to an anticipated decline in federal receipts. The Director reduced the support budget and restructured the job duties of existing staff.

Notice of Appropriation Transfer – On December 23, 2009, LSA received notice that \$31,000 was being transferred from the Civil Rights Commission from furlough and deferred compensation savings to the General Fund to implement the Governor’s recommendation to backfill funds reduced due to the 10.0% across-the-board reduction implemented on October 9, 2009.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. There was no specific dollar target assigned to the Civil Rights Commission, and the Commission was not directly impacted by the Report.

Federal ARRA Funds – As of the print date of this publication, the Commission has not received any additional federal funds from the Federal Economic Stimulus Plan 2009.

Federal Funds – The Commission receives approximately 40.0% of its budget from the federal government through the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD). The Director anticipates no impact on the receipt of federal funds in FY 2010. The impact in FY 2011 may be a significant reduction in federal receipts due to not being able to meet maintenance of effort requirements. This applies to the two main federal funding

sources – Equal Employment Opportunity Commission (EEOC) and Housing and Urban Development (HUD) grants. Currently, the EEOC grant is \$604,000 while the HUD grants are \$382,000.

Attendance at mandatory training is required by both EEOC and HUD contracts. Funding for the training comes directly out of federal funds. Failure to attend training jeopardizes contracts and will reduce federal receipts. Not meeting the maintenance of effort requirements in FY 2010 is likely to also reduce federal receipts from both the EEOC and HUD in FY 2011. It is anticipated that the backlog of discrimination complaints, particularly in employment and housing, will increase.

Statistics – The Commission closed 1,837 cases in FY 2009, a decrease of 170 (8.5%) compared to FY 2008. Additionally, the average number of days to process a case increased by 38.7 days (14.8%) during the same period. The decrease in case closures and increase in processing time was primarily due to re-allocation of staff to handle ‘older’ or ‘aged’ cases; changing federal expectations; and the need to resolve cases that have been pending.

Department of Corrections

The Department’s mission is to protect the public, employees, and offenders from victimization. The Department operates nine prisons to incarcerate legally-committed adult offenders; partners with eight Community-Based Corrections (CBC) District Departments to provide supervision for offenders on parole, probation, work release, and Operating While Intoxicated (OWI) offenses; provides opportunities for offenders to make improvements through various educational, skill development, and counseling programs; trains professional staff; operates Iowa Prison Industries; and provides oversight of local jails.

The Governor is recommending FY 2011 General Fund appropriations totaling \$345.8 million. This is an increase of \$25.0 million (7.8%) compared to estimated FY 2010. This is an increase of \$17.4 million (5.3%) compared to FY 2010 when the Governor’s recommended supplemental appropriation is included.

General Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Corrections, Dept. of</u>			
CBC District 1			
CBC District I	\$ 11,918,690	\$ 12,453,082	\$ 534,392
CBC District 2			
CBC District II	\$ 9,986,645	\$ 10,770,616	\$ 783,971
CBC District 3			
CBC District III	\$ 5,345,642	\$ 5,715,578	\$ 369,936
CBC District 4			
CBC District IV	\$ 5,179,500	\$ 5,522,416	\$ 342,916
CBC District 5			
CBC District V	\$ 17,350,422	\$ 18,938,081	\$ 1,587,659
CBC District 6			
CBC District VI	\$ 12,408,317	\$ 13,030,356	\$ 622,039
CBC District 7			
CBC District VII	\$ 6,436,995	\$ 6,846,560	\$ 409,565
CBC District 8			
CBC District VIII	\$ 6,391,827	\$ 6,935,622	\$ 543,795

Justice System Appropriations Subcommittee

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Corrections, Dept. of, cont.</u>			
Central Office			
County Confinement	\$ 775,092	\$ 775,092	\$ 0
Federal Prisoners/ Contractual	215,470	239,411	23,941
Corrections Administration	4,329,043	4,491,968	162,925
Corrections Education	1,363,707	1,558,109	194,402
Iowa Corrections Offender Network	381,928	424,364	42,436
Mental Health/Substance Abuse	22,319	22,319	0
Hepatitis Treatment and Education	167,881	167,881	0
Total Central Office	<u>\$ 7,255,440</u>	<u>\$ 7,679,144</u>	<u>\$ 423,704</u>
Fort Madison			
Ft. Madison Institution	\$ 37,003,223	\$ 41,442,374	\$ 4,439,151
Anamosa			
Anamosa Institution	\$ 28,272,505	\$ 30,356,461	\$ 2,083,956
Oakdale			
Oakdale Institution	\$ 52,781,485	\$ 55,955,246	\$ 3,173,761
Newton			
Newton Institution	\$ 25,230,054	\$ 26,452,257	\$ 1,222,203
Mt Pleasant			
Mt. Pleasant Inst.	\$ 24,494,564	\$ 26,265,257	\$ 1,770,693
Rockwell City			
Rockwell City Institution	\$ 8,452,967	\$ 9,324,565	\$ 871,598
Clarinda			
Clarinda Institution	\$ 21,078,946	\$ 23,645,033	\$ 2,566,087
Mitchellville			
Mitchellville Institution	\$ 14,253,115	\$ 15,486,586	\$ 1,233,471
Fort Dodge			
Ft. Dodge Institution	\$ 26,999,132	\$ 29,020,235	\$ 2,021,103
Total Corrections, Dept. of	<u>\$ 320,839,469</u>	<u>\$ 345,839,469</u>	<u>\$ 25,000,000</u>

Significant changes include:

- A transfer of \$107,000 and 1.0 FTE position to transfer a Pharmacist from the Fort Dodge Correctional Facility to the Iowa Medical and Classification Center at Oakdale. This recommendation is revenue neutral.
- A transfer of \$48,000 and 1.0 FTE position to transfer a Pharmacy Assistant from the Newton Correctional Facility to the Iowa Medical and Classification Center at Oakdale. This recommendation is revenue neutral.
- An increase of \$25.0 million to fund positions critical to the mission of the DOC. The funding partially replaces the \$14.0 million ARRA funds appropriated to the DOC in FY 2010, and partially restores the FY 2010 across-the-board reduction. The funding may permit hiring back staff that has been laid off. However, that budget decision is contingent upon salary adjustment funding and how any proposed early retirement incentives are funded.

Other Fund Recommendations

	Estimated FY 2010	Gov Rec FY 2011	Gov Rec vs Est FY 2010
<u>Corrections, Dept. of</u>			
Central Office			
DOC Central Office-ARRA	\$ 210,000	\$ 0	\$ -210,000
Fort Madison			
DOC Fort Madison-ARRA	\$ 4,347,000	\$ 0	\$ -4,347,000
Anamosa			
DOC Anamosa-ARRA	\$ 931,000	\$ 0	\$ -931,000
Oakdale			
DOC Oakdale ARRA	\$ 2,030,000	\$ 0	\$ -2,030,000
Newton			
DOC Newton ARRA	\$ 1,029,000	\$ 0	\$ -1,029,000
Mt Pleasant			
DOC Mt. Pleasant ARRA	\$ 903,000	\$ 0	\$ -903,000
Rockwell City			
DOC Rockwell City ARRA	\$ 301,000	\$ 0	\$ -301,000
Clarinda			
DOC Clarinda ARRA	\$ 2,506,000	\$ 0	\$ -2,506,000
Mitchellville			
DOC Mitchellville ARRA	\$ 679,000	\$ 0	\$ -679,000
Fort Dodge			
DOC Fort Dodge ARRA	\$ 1,064,000	\$ 0	\$ -1,064,000
Total Corrections, Dept. of	\$ 14,000,000	\$ 0	\$ -14,000,000

Issues

FY 2010 Budget Reductions – The 10.0% across-the-board reduction for the DOC was \$35.7 million for General Fund appropriations. The Department has indicated that the General Fund reductions will be achieved as follows:

- \$11.4 million in vacant positions will not be filled.
- \$3.7 million in savings from furloughs. Noncontract staff are mandated by the Governor to take seven furlough days. Contract staff agreed to take five furlough days.
- \$1.0 million by eliminating the State's deferred compensation match.
- \$2.5 million by laying off 69 positions. These were non-contract and IUP positions.
- \$6.1 million transferred from other agencies and from internal reallocations.
- \$722,000 in support budget reductions.
- \$7.6 million recommended as a supplemental appropriation.
- \$2.7 million may be generated through as yet unidentified savings, such as holding positions vacant, or by year-end appropriation transfers from other State agencies.

Notice of Appropriation Transfer – On December 23, 2009, LSA received notice that a net of \$6.1 million was being transferred into the DOC and CBC District Departments from savings generated by furlough

and deferred compensation savings. These funds partially offset the 10.0% across-the-board reduction implemented on October 9, 2009.

FY 2010 Supplemental Appropriation – The Governor is recommending an FY 2010 supplemental appropriation of \$7.6 million to fund critical positions in the areas of treatment and security. The funds are distributed across the nine prisons and seven of the eight Community-Based Corrections (CBC) District Departments. These funds partially backfill the 10.0% across-the-board reduction.

Federal ARRA Funds – As of the print date of this publication, the Department does not expect to receive any additional federal funds from the Federal Economic Stimulus Plan 2009. The Department was appropriated \$14.0 million in ARRA funds in FY 2010. These funds were used for staff and support of security needs.

Prison Population – The Criminal and Juvenile Justice Planning Division of the Department of Human Rights recently issued its 10-year prison population forecast. If policies and practices remain the same, the prison population is projected to reach approximately 9,025 inmates by the end of FY 2019. By FY 2019 and without any additional prison beds, overcrowding will reach 115.0% of design capacity. This figure is based on the assumption that the additional beds authorized during the 2008 Legislative Session for Fort Madison and Mitchellville will be operating by FY 2019. If the prison population reaches 9,025 inmates, no additional prisons will need to be built, other than the expansions authorized at Fort Madison and Mitchellville.

Inmate Education – The General Fund appropriation for inmate education peaked in FY 2001 at \$3.3 million. The FY 2010 General Fund appropriation is \$1.6 million, a decrease of \$1.7 million (52.3%) compared to FY 2001. Since FY 2001, the DOC has relied on other funding sources, such as carryover funding from the previous year's appropriation, Institution Canteen receipts, and the Telephone Rebate Fund to provide adult basic education, high school equivalency courses, and vocational courses through the community college system. House File 2660 (FY 2010 Justice System Appropriations Act) requires the DOC to transfer at least \$300,000 from the Canteen Funds to the Corrections Education Account. The DOC is not requesting an increase in the General Fund appropriation for corrections education in FY 2011 due to the required submission of a status quo budget. Literacy is a significant problem that limits employment for the inmate population, and the DOC has focused educational resources on literacy for the past several years. Research suggests that inmate education increases employability of released inmates and reduces recidivism. Vocational education is provided primarily in conjunction with Prison Industries.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. There was no specific dollar target assigned to the Department of Corrections or the CBC District Departments. Following are other items in the Report that impact the DOC.

- **Sale of Assets** – Public Works recommended the Department of Administrative Services (DAS) complete an inventory of surplus State property and recommended assets that could be sold at a premium price. The consultants assumed the State would sell 3,000 acres of land at an average price of \$4,614 per acre, and assumed 2,000 acres of the land sold would be land currently own by the Department of Human Services and rented to the private sector to generate cash flow for the Department of Corrections prison farms.

Public Works assumed the land would be sold during FY 2011. Any land that is identified for sale would require necessary time to complete surveys and the updating of abstracts. The cost of the inventory will be conducted by DAS with existing resources. The sale of 3,000 acres of land at an

average price of \$4,614 per acre will generate an estimated \$13.8 million in revenue to the General Fund in FY 2011. A portion of the land sold will likely be land that is currently leased to the private sector, the proceeds of which are used to help fund the prison farms operated by the Department of Corrections. The loss of the rental proceeds would require the operating expenditures of the prison farms be reduced or would require an alternative source of revenue to maintain funding for the farms at the current level.

- **Pharmaceutical Improvements** – Public Works recommended that the Departments of Human Services, Public Health, Corrections, and Management and any other appropriate agency to identify strategies to improve efficiencies in pharmaceuticals, including changes to State law or approval from the federal government. The DOC is in the process of creating a centralized pharmacy for the prison system, using generics as a base for its formulary. Any substitutes of name brand medications are to be documented. Over the past several years, most if not all of these agencies (including University of Iowa Hospitals and Clinics) have worked together on an intermittent basis to address pharmacy costs. Most cost savings ideas have been hampered by federal regulations regarding the specific populations of the individual agencies. For example, Corrections is at a higher cost than Human Services for the same medicine, because one population is criminals while the other is civilians. The fiscal impact cannot be determined. It is anticipated any savings would be generated after FY 2012, when any potential changes to state law or federal regulations would take effect.
- **Prison Closures** – Public Works recommended the closure of the Luster Heights Prison Camp (satellite of Anamosa State Penitentiary) and Farms One and Three at Iowa State Penitentiary at Fort Madison. Farm Three is scheduled to close in FY 2011 because the new maximum security facility is being constructed on that land. As of January 11, 2010:
 - Luster Heights Prison Camp was at 63.0% of capacity (56 offenders and 88 beds).
 - Farm One was at 75.0% of capacity (60 offenders and 80 beds).
 - Farm Three was at 54.0% of capacity (54 offenders and 100 beds).
 - The prison system was at 111.0% of capacity, with 8,293 offenders and 7,414 beds.

Closing these facilities reduces capacity from 7,414 beds to 7,146 beds. If the population remains stable, the prison system would be operating at 116.0% of capacity. All estimated savings are net of bumping and personnel transfers. The DOC will absorb any employee moving costs, specifically at Luster Heights Prison Camp. The DOC will absorb any costs associated with moth-balling the facilities at Farm Three and the Luster Heights Prison Camp. No allowance is made for the one-time transportation costs of moving offenders to other prison locations.

The total savings due to these closures is estimated to be \$2,361,000 as follows:

- Farm One – \$688,000
- Farm Three – \$763,000
- Luster Heights Prison Camp – \$910,000.

Department of Inspections and Appeals – State Public Defender

General Fund appropriations for the Department of Inspections and Appeals are the responsibility of the Administration and Regulation Subcommittee, except for the State Public Defender’s Office and indigent defense. The State Public Defender’s Office administers local public defender offices; provides legal counsel to indigent convicted criminals on appeals and for post-conviction relief proceedings; is responsible for indigent juvenile cases; and reviews all expense claim reimbursements from private attorneys for indigent defense cases. In FY 1988, the costs of providing legal counsel to indigent criminal defendants and juveniles (indigent defense) were transferred to the State as part of court reorganization. Before FY 1988, these costs were paid by the counties.

The Governor is recommending FY 2011 General Fund appropriations totaling \$41.2 million for the State Public Defender and Indigent Defense. This is no change compared to current law. This is a decrease of \$10.9 million (20.9%) compared to FY 2010 when the Governor’s recommended supplemental appropriation is included.

General Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Inspections & Appeals, Dept. of</u>			
Public Defender			
Public Defender	\$ 19,568,864	\$ 21,743,182	\$ 2,174,318
Indigent Defense Appropriation	21,608,247	19,433,929	-2,174,318
Total Inspections & Appeals, Dept. of	<u>\$ 41,177,111</u>	<u>\$ 41,177,111</u>	<u>\$ 0</u>

Significant changes include:

- State Public Defender’s Office – \$2.2 million increase to replace the FY 2010 across-the-board reduction.
- Indigent Defense – A decrease of \$13.1 million as follows:
 - \$2.2 million transferred to the Office of the State Public Defender.
 - \$10.9 million decrease to not annualize the FY 2010 supplemental appropriation recommended by the Governor.

Issues

FY 2010 Budget Reductions – One Public Defender 3 position has been reassigned from processing indigent defense claims from the private bar to staffing cases in the field. This action is projected to save approximately \$209,000 in FY 2010 because cases handled by private attorneys will now be staffed by a public defender. The State Public Defender reallocated approximately \$2.1 million from the Indigent Defense Fund to the State Public Defender’s Office.

FY 2010 Supplemental Appropriation – The Governor is recommending an FY 2010 supplemental appropriation of \$10.9 million to partially backfill the 10.0% across-the-board reduction.

Notice of Appropriation Transfer – On December 23, 2009, LSA received notice that \$382,000 was being transferred from the Office of the State Public Defender from furlough and deferred compensation savings to the General Fund to implement the Governor’s recommendation to backfill funds reduced due to the 10.0% across-the-board reduction implemented on October 9, 2009.

Federal ARRA Funds – As of the print date of this publication, the Office of the State Public Defender is not expecting any federal funds to be received from the Federal Economic Stimulus Plan 2009.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. There was no specific dollar target assigned to the Office of the State Public Defender. Following are other items in the Report that impact the Office of State Public Defender.

- **Guardian Ad Litem** – Public Works recommended making statutory changes to the duties of a guardian ad litem, and limiting judicial discretion in such matters. A guardian ad litem is a person appointed to represent the interests of a juvenile with respect to a single action in litigation. The Department of Human Services (DHS) has procedures in place, including reciprocity agreements with other states, for certain out-of-state placements. Certain children are placed outside of Iowa and are the responsibility of Juvenile Court Officers (Judicial Branch) and their parents. If a child’s parents are indigent, certain guardian ad litem fees are paid through the State Public Defender’s Office. This statutory change is estimated to reduce costs for the Indigent Defense Fund by \$112,000 in FY 2011.
- **Expansion of Existing Local Public Defender Offices and Establish an Office in Southeast Iowa** – Public Works recommended adding positions to four local offices (Iowa City, Cedar Rapids, and Davenport – two local public defenders each and the Civil Commitment/Special Defense Unit – two local public defenders, one secretary and one investigator). This proposal also funds a new office in southeast Iowa with 6.00 FTE positions (One supervisor, three local public defenders, one secretary and one investigator). Public Defenders provide the same service more efficiently than private attorneys.

The net savings to the General Fund is an estimated \$2,613,000 for FY 2011 as follows:

- Adding positions to the State Public Defender’s Office is estimated to save a net \$1,860,000 (an increase of \$640,000 and 10.00 FTE positions to the State Public Defender’s Office and a decrease of \$2,500,000 to the Indigent Defense Fund appropriation).
- Creating a local office in southeast Iowa is estimated to save \$753,000 (increase of \$500,000 and 6.00 FTE positions to the State Public Defender’s Office and decrease of \$1,253,000 to the Indigent Defense Fund appropriation).

Judicial Branch

Iowa has a unified trial court system known as the Iowa District Court that has general jurisdiction over all civil, criminal, juvenile, and probate matters in the State. The Iowa District Court is composed of different kinds of judicial officers with varying amounts of jurisdiction including judicial magistrates, associate juvenile judges, associate probate judges, district associate judges, and district court judges. There are two appellate courts in Iowa’s judicial system—the Iowa Supreme Court and the Iowa Court of Appeals. Seven justices sit on the Supreme Court and nine judges form the Court of Appeals.

For the Judicial Branch, the Governor passed through the FY 2011 General Fund appropriation request totaling \$148.8 million and recommended \$1.5 million from the General Fund for the Jury and

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Witness Fee Revolving Fund. This is a decrease of \$9.9 million compared to estimated FY 2010. The Governor encouraged the General Assembly to consider increasing the Judicial Branch's General Fund appropriation since, as required by the Iowa Code, the Judicial Branch's FY 2011 budget was passed through as submitted.

General Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
Judicial Branch			
Jury & Witness (GF) to Revolving Fd. (0043)	\$ 0	\$ 1,500,000	\$ 1,500,000
Judicial Branch	160,184,957	148,811,822	-11,373,135
Judicial Retirement	0	0	0
Total Judicial Branch	<u>\$ 160,184,957</u>	<u>\$ 150,311,822</u>	<u>\$ -9,873,135</u>

Issues

FY 2010 Budget Reductions – The Judicial Branch implemented a voluntary reduction of \$11.4 million (7.1%) to the FY 2010 budget. This has resulted in ten days of unpaid leave for all judges, magistrates, and court staff from December 4, 2009, to June 18, 2010, totaling \$4.1 million. One furlough day of all judges, magistrates, and court personnel is approximately \$418,000. In addition, the Judicial Branch implemented a workforce reduction of approximately 9.3% totaling \$7.3 million and a reduction in non-personnel expenditures of approximately \$700,000. The Judicial Branch will lay off 105.0 employees, eliminate 100.0 vacant positions (27 retirements and 73 vacancies), and reduce the hours of 58 employees. Ninety-five percent of the Judicial Branch budget is personnel costs. The reduction plan downsized the Clerk of Court offices based on a weighted caseload formula. All Clerk of Court offices are staffed 12.0% below staffing formulas and juvenile court services is staffed 9.0% below current services. The Judicial Branch also is encouraging the pooling of court reporters addressed in a previously issued order dated June 25, 2009. (These figures are based on actual headcount rather than FTE positions.)

Public Works Efficiency Report – There was no specific dollar target assigned to the Judicial Branch.

Judicial Branch Built-In Cost - The Judicial Branch has approximately \$5.0 million in General Fund built in cost increases for FY 2011 that are not reflected in their status quo budget request. They include \$3.3 million for salary annualization and \$1.6 million to make up the difference when savings from layoffs and eliminated positions are annualized.

Electronic Document Management System (EDMS) – The pilot project in Plymouth County has begun with Story County and the two appellate courts to follow. Once the pilot projects are completed, two counties will be brought on-line every month. Statewide implementation of the EDMS project will take approximately four years. The Judicial Branch is exploring ways to expedite the pilot project and implementation to help reduce the difficulties caused by the reduction in force. The estimated cost for the EDMS, based on signed contracts for electronic-filing (e-filing) and the document management system, is \$15.0 million. An additional \$4.0 million may be necessary for set-up, preparation, and additional network costs during implementation. There are approximately 7.0 FTE positions dedicated to the project (4.0 FTEs are 100.0% dedicated to the project and another 10.0 FTE positions are approximately 30.0% dedicated to the project). The estimated ongoing operational cost for the EDMS is \$1.2 million (\$700,000 per year for software maintenance and \$500,000 a year for on-going network expenses).

Law Enforcement Academy

The Iowa Law Enforcement Academy (ILEA) provides training for law enforcement officers, jailers, and telecommunicators in the State. The Academy also administers a program of psychological testing for applicants for law enforcement positions, approves regional training programs, establishes hiring standards for peace officers, and provides audio-visual resources for law enforcement training and educational institutions.

The Governor is recommending an FY 2011 General Fund appropriation of \$1.0 million. This is no change compared to estimated FY 2010.

General Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Law Enforcement Academy</u>			
Law Enforcement Academy	\$ 1,049,430	\$ 1,049,430	\$ 0
Total Law Enforcement Academy	<u>\$ 1,049,430</u>	<u>\$ 1,049,430</u>	<u>\$ 0</u>

Issues

Law Enforcement Academy Class Sizes and Appropriations – In FY 2010, language was included in SF 475 (FY 2010 Justice System Appropriations Act) that allowed the ILEA to charge more than 50.0% of the cost of tuition to help offset a potential revenue shortfall in the operating budget resulting from a decrease in attendees to the Basic Academy. The General Fund appropriation to the Academy for FY 2010 was \$1.0 million. The amount recommended for FY 2011 is \$1.0 million. The total cost to attend the Basic Academy in FY 2010 is \$6,900 per person of which attendees pay \$4,000 (58.0%). The rate for FY 2011 will be set in February by the Academy Council. Since FY 2005, language in the Justice System Appropriation budget bill has allowed ILEA to charge more than 50.0%. *The Governor is recommending continued authority to charge more than 50.0% of the cost of tuition to offset potential revenue shortfalls in FY 2011.*

FY 2010 Budget Reductions – The 10.0% across-the-board reduction for ILEA was \$117,000 for the General Fund appropriation. The Academy has indicated that the General Fund reduction will be achieved by a 10.0% decrease in the Director's salary, decreasing in-State travel and vehicle mileage, a reduction in copying and postage, and continuing to shut off the lights, heat, and air conditioning on the weekends.

Notice of Appropriation Transfer – On December 23, 2009, LSA received notice that \$37,000 was being transferred from the ILEA from furlough and deferred compensation savings to the General Fund to implement the Governor's recommendation to backfill funds reduced due to the 10.0% across-the-board reduction implemented on October 9, 2009.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. Following are items in the Report that impact ILEA.

- **ILEA Training Costs** – Public Works recommended charging the full cost of tuition to the Departments of Natural Resources (DNR) and Transportation (DOT). The current rate charged is \$4,000. The full cost of tuition for FY 2010 is \$6,900. The cost difference between what the DNR and DOT are paying now and the full tuition is \$2,900. In FY 2009, the ILEA trained one DNR and four DOT officers. Park Rangers are funded with General Fund monies, Conservation Officers are funded

with Fish and Wildlife Trust Fund monies, and the Motor Vehicle Enforcement Officers are funded with 96.0% Road Use Tax Fund money and 4.0% Primary Road Fund money. The fiscal impact is approximately \$14,500 and the fees would be retained by the ILEA.

- ***Private Security Pilot Training Project*** – The ILEA would pilot 50 hours of training seminars with 10 security personnel at a rate of \$50 per hour. The fiscal impact is approximately \$25,000 and the money will be deposited in the General Fund.

Board of Parole

The Board’s mission is to reintegrate offenders into the community. There are offenders that the Board has determined can be released from prison without detriment to the public or themselves. The Board performs risk evaluations for inmates, reviews eligible parole cases, holds parole hearings for eligible inmates, and selects inmates for conditional release on parole and work release. The Board revokes conditional releases and returns to prison those offenders that have failed. The Board also notifies victims of relevant information before a parole hearing, and advises the Governor on matters of executive clemency.

The Governor is recommending an FY 2011 General Fund appropriation of \$1.0 million. This is no change compared to estimated FY 2010.

General Fund Recommendations

	Estimated FY 2010	Gov Rec FY 2011	Gov Rec vs Est FY 2010
<u>Parole, Board of</u>			
Parole Board	\$ 1,045,259	\$ 1,045,259	\$ 0
Total Parole, Board of	\$ 1,045,259	\$ 1,045,259	\$ 0

Issues

FY 2010 Budget Reductions – The 10.0% across-the-board reduction for the Board of Parole was \$116,000 for the General Fund appropriation. The Board is considering the implementation of a Reduction In Force.

Notice of Appropriation Transfer – On December 23, 2009, LSA received notice that \$15,000 was being transferred from the Board of Parole from furlough and deferred compensation savings to the General Fund to implement the Governor’s recommendation to backfill funds reduced due to the 10.0% across-the-board reduction implemented on October 9, 2009.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. There was no specific dollar target assigned to the Board of Parole, and the Board was not directly impacted by the Report.

Federal Economic Stimulus Plan 2009 – As of the print date of this publication, the Board is not expecting any federal funds to be received from the Federal Economic Stimulus Plan 2009.

Governor’s Recommendations Require a Statutory Change – The Governor’s recommendation eliminates the Executive Director position. This recommendation includes amending Iowa Code Section 904A.4B to permit the Chair or Vice Chair to perform the duties of the Executive Director.

Department of Public Defense

Two Divisions make up the Department of Public Defense. The Military Division (Iowa National Guard) provides units and equipment to protect life and property, to preserve peace and order, and to ensure public safety for the citizens of Iowa. The Homeland Security and Emergency Management Division manages risks and hazards with local and federal entities through mitigation, preparedness, response, and recovery initiatives.

The Governor is recommending FY 2011 General Fund appropriations totaling \$8.3 million. This is an increase of \$241,000 (3.0%) compared to estimated FY 2010 when the Governor's FY 2010 supplemental recommendation of \$588,000 is included.

General Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Public Defense, Dept. of</u>			
Public Defense, Dept. of			
Public Defense, Department of	\$ 5,624,281	\$ 6,249,201	\$ 624,920
Emergency Management Division			
Homeland Security & Emer. Mgmt.	\$ 1,834,307	\$ 2,038,119	\$ 203,812
Total Public Defense, Dept. of	<u>\$ 7,458,588</u>	<u>\$ 8,287,320</u>	<u>\$ 828,732</u>

Other Fund Recommendations

	<u>Estimated FY 2010</u>	<u>Gov Rec FY 2011</u>	<u>Gov Rec vs Est FY 2010</u>
<u>Public Defense, Dept. of</u>			
Public Defense, Dept. of			
DPD - Federal Recovery and Reinvestment Fund	\$ 180,000	\$ 0	\$ -180,000
Total Public Defense, Dept. of	<u>\$ 180,000</u>	<u>\$ 0</u>	<u>\$ -180,000</u>

Issues

FY 2010 Budget Reductions – The 10.0% across-the-board reduction for Department was \$829,000 for the General Fund appropriation of which \$625,000 was for the Military Division and \$204,000 was the Homeland Security and Emergency Management Division. The Military Division plans to leave 1.7 FTE positions vacant through FY 2010. The Homeland Security and Emergency Management Division plans to leave 4.0 FTE positions vacant through FY 2011. The Governor is recommending restoration of the ATB through supplemental appropriations in FY 2010 and increased funding in FY 2011.

Notice of Appropriation Transfer – On December 23, 2009, LSA received notice that \$200,000 was being transferred from the Department from furlough and deferred compensation savings to the General Fund to implement the Governor's recommendation to backfill funds reduced due to the 10.0% across-the-board reduction implemented on October 9, 2009 (\$105,000 from the Military Division and \$95,000 from the Homeland Security and Emergency Management Division).

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FY 2010 Supplemental Appropriation – The Governor is recommending a supplemental of \$526,000 for the Military Division and \$62,000 for the Homeland Security and Emergency Management Division to partially restore the across-the-board reduction in FY 2010. A reduction in funding to the Department of Public Defense impacts the ability to use State dollars to match federal dollars.

Federal ARRA Funds – As of the print date of this publication, the Department does not expect to receive any additional federal funds from the Federal Economic Stimulus Plan 2009. The Department was appropriated \$180,000 in ARRA funds in FY 2010. These funds were used to reroof buildings at Camp Dodge.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. There was no specific dollar target assigned to the Department. The Department of Public Defense is asking for an exemption from the IT provision of the Reorganization Bill. No longer being able to tie to the federal system would cost \$700,000 and 3.0 FTE positions (2.0 are 100.0% federally funded and 1.0 is 75.0% federally funded). The National Guard Bureau currently provides these services for free to the Military Division.

Department of Public Safety

The Department of Public Safety (DPS) is the State law enforcement agency. The Department includes: Administrative Services Division, Division of Criminal Investigation (DCI), Division of Narcotics Enforcement (DNE), Fire Marshal's Office, and the State Patrol Division.

The Governor is recommending FY 2011 General Fund appropriations totaling \$78.1 million. This is a decrease of \$2.0 million (-2.4%) compared to estimated FY 2010. However, the Governor recommended moving the DCI gaming enforcement from General Fund to direct reimbursement which results in an increase of \$6.9 million.

General Fund Recommendations

	Estimated FY 2010	Gov Rec FY 2011	Gov Rec vs Est FY 2010
Public Safety, Department of			
Public Safety - Department Wide Duties	\$ 1,419,288	\$ 0	\$ -1,419,288
Public Safety Administration	3,952,071	4,134,461	182,390
Public Safety DCI	19,012,743	12,861,710	-6,151,033
DCI - Crime Lab Equipment/Training	302,345	302,345	0
Narcotics Enforcement	5,747,647	6,507,048	759,401
Public Safety Undercover Funds	109,042	109,042	0
DPS Fire Marshal	3,590,003	4,343,896	753,893
Iowa State Patrol	45,061,285	48,984,147	3,922,862
DPS/SPOC Sick Leave Payout	279,517	279,517	0
Fire Fighter Training	612,255	612,255	0
Total Public Safety, Department of	\$ 80,086,196	\$ 78,134,421	\$ -1,951,775

Other Fund Recommendations

	Estimated FY 2010	Gov Rec FY 2011	Gov Rec vs Est FY 2010
Public Safety, Department of			
Public Safety, Dept. of			
DPS Department Wide ARRA	\$ 750,000	\$ 0	\$ -750,000
Total Public Safety, Department of	\$ 750,000	\$ 0	\$ -750,000

Issues

Division of Criminal Investigation (DCI) Receipts – The Governor recommends reducing the DCI General Fund appropriation by \$8.9 million and depositing receipts for direct and indirect costs for gaming enforcement to the DCI in the Department of Public Safety rather than the State General Fund. This recommendation is revenue neutral.

FY 2010 Budget Reductions – The 10.0% across-the-board reduction for the Department of Public Safety was \$8.9 million for the General Fund appropriation. The Department reduced reimbursements to DAS, eliminated 25.0 vacant, funded FTE positions, and shifted 65.0 FTEs to alternative funding sources. The Governor recommended additional funding to avoid the layoff of 122 personnel, to cover the 2.0% increase in the employer’s share for the Peace Officers Retirement (POR) Fund, and to cover the new State Peace Officer’s Council (SPOC) pay plan for FY 2011.

Public Works Efficiency Report – Executive Order 20 (EO 20) requires agencies to implement efficiencies identified in the Public Works (PW) report. There was no specific dollar target assigned to the Department, and the Department was not directly impacted by the Report.

Federal ARRA Funds – As of the print date of this publication, the Department has not received any additional federal funds from the Federal Economic Stimulus Plan 2009. The Department was appropriated \$750,000 in ARRA Funds in FY 2010. The Department used the funds to retain 13.0 FTE positions (nine peace officers and four civilian). The Governor’s recommendation includes funding for the 13.0 FTE positions.

Department-wide Appropriation – The Department received \$1.6 million in SF 478 (FY 2010 Standing Appropriations Act). After the ATB, the amount was \$1.4 million. As requested by the Commissioner of the Public Safety, the Governor recommended redistributing the money among the divisions as follows:

- Administration - \$183,000
- DCI - \$308,000
- DNE - \$62,000
- State Fire Marshal - \$256,000
- Iowa State Patrol - \$610,000

INTERIM COMMITTEES, MEETINGS, AND PUBLICATIONS

Criminal Code Reorganization Study Committee

The Criminal Code Reorganization Study Committee met on May 21, and September 9, 2009, and January 14, 2010. The Committee divided into the following four Subcommittees: Foundational, Reorganization, Specific Crimes, and Sentencing. The first subcommittee worked on foundational issues such as definitions, culpability, defenses, and inchoate crimes. The second subcommittee reviewed proposals reorganizing the Criminal Code. The third subcommittee worked on sentencing classification and the placement of internal references related to sentencing in the Code of Iowa. The fourth subcommittee reviewed proposals relating to specific crimes. The Committee voted out Bills relating to abuse of a corpse, assault causing serious injury, cowl lamps, detention in a brothel, escapes from custody, expunging convictions, extending probation, intimidation with a dangerous weapon, Public Safety Advisory Board, robbery in the third degree, serious injury, and simulated public intoxication. The Committee plans to request additional meetings for the 2010 interim. Additional information is available on the website at: <http://www.legis.state.ia.us/asp/Committees/Committee.aspx?id=211>.

LSA Publications

The following documents have been published by the LSA that relate to the Justice System Appropriations Subcommittee:

- *Issue Review:* [Court Debt Collection](#)
- *Issue Review:* [Narrowband Mandate and Statewide Interoperability](#)
- *Fiscal Topic:* [Legal Representation of Indigent Defendants](#)
- *Fiscal Topic:* [Community-Based Corrections](#)
- *Fiscal Topic:* [General Overview of Criminal Fine Revenue and Surcharge Distribution](#)
- *Fiscal Topic:* [Volunteer Fire Departments](#)
- *Fiscal Topic:* [Enhanced 911 Program](#)
- *Fiscal Topic:* [Peace Officers Retirement System](#)
- *Fiscal Topic:* [411 System Deferred Retirement Option Plan](#)
- *Fiscal Topic:* [IPERS Retired Dividend Payments](#)

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Appendix A

General Fund Tracking

Justice System General Fund

	Actual FY 2009 <u>(1)</u>	Estimated FY 2010 <u>(2)</u>	Gov Rec Supp FY 2010 <u>(3)</u>	Gov Rec Net FY 2010 <u>(4)</u>	Gov Rec FY 2011 <u>(5)</u>	Gov Rec FY 11 vs Gov Rec Net FY 10 <u>(6)</u>	Percent Change <u>(7)</u>
<u>Justice, Department of</u>							
Justice, Dept. of							
General Office A.G.	\$ 9,359,691	\$ 7,732,930	\$ 0	\$ 7,732,930	\$ 7,732,930	\$ 0	0.0%
Victim Assistance Grants	147,750	3,060,000	0	3,060,000	3,060,000	0	0.0%
Legal Services Poverty Grants	1,970,000	1,759,171	0	1,759,171	1,759,171	0	0.0%
Farm Mediation Services	289,457	0	0	0	0	0	0.0%
Total Justice, Dept. of	\$ 11,766,898	\$ 12,552,101	\$ 0	\$ 12,552,101	\$ 12,552,101	\$ 0	0.0%
Consumer Advocate							
Consumer Advocate	\$ 3,623,328	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0.0%
Total Justice, Department of	\$ 15,390,226	\$ 12,552,101	\$ 0	\$ 12,552,101	\$ 12,552,101	\$ 0	0.0%
<u>Civil Rights Commission</u>							
Civil Rights Commission							
Civil Rights Commission	\$ 1,545,232	\$ 1,379,861	\$ 0	\$ 1,379,861	\$ 1,379,861	\$ 0	0.0%
Total Civil Rights Commission	\$ 1,545,232	\$ 1,379,861	\$ 0	\$ 1,379,861	\$ 1,379,861	\$ 0	0.0%
<u>Corrections, Dept. of</u>							
CBC District 1							
CBC District I	\$ 13,300,371	\$ 11,918,690	\$ 110,275	\$ 12,028,965	\$ 12,453,082	\$ 424,117	3.5%
CBC District 2							
CBC District II	\$ 11,053,717	\$ 9,986,645	\$ 308,214	\$ 10,294,859	\$ 10,770,616	\$ 475,757	4.6%
CBC District 3							
CBC District III	\$ 6,104,702	\$ 5,345,642	\$ 18,010	\$ 5,363,652	\$ 5,715,578	\$ 351,926	6.6%
CBC District 4							
CBC District IV	\$ 5,603,983	\$ 5,179,500	\$ 76,117	\$ 5,255,617	\$ 5,522,416	\$ 266,799	5.1%
CBC District 5							
CBC District V	\$ 19,232,705	\$ 17,350,422	\$ 790,020	\$ 18,140,442	\$ 18,938,081	\$ 797,639	4.4%
CBC District 6							
CBC District VI	\$ 14,273,011	\$ 12,408,317	\$ 0	\$ 12,408,317	\$ 13,030,356	\$ 622,039	5.0%
CBC District 7							
CBC District VII	\$ 7,265,034	\$ 6,436,995	\$ 24,923	\$ 6,461,918	\$ 6,846,560	\$ 384,642	6.0%

Justice System General Fund

	Actual FY 2009 <u>(1)</u>	Estimated FY 2010 <u>(2)</u>	Gov Rec Supp FY 2010 <u>(3)</u>	Gov Rec Net FY 2010 <u>(4)</u>	Gov Rec FY 2011 <u>(5)</u>	Gov Rec FY 11 vs Gov Rec Net FY 10 <u>(6)</u>	Percent Change <u>(7)</u>
CBC District 8							
CBC District VIII	\$ 7,109,164	\$ 6,391,827	\$ 400,850	\$ 6,792,677	\$ 6,935,622	\$ 142,945	2.1%
Central Office							
County Confinement	\$ 967,983	\$ 775,092	\$ 0	\$ 775,092	\$ 775,092	\$ 0	0.0%
Federal Prisoners/ Contractual	241,293	215,470	0	215,470	239,411	23,941	11.1%
Corrections Administration	5,047,861	4,329,043	0	4,329,043	4,491,968	162,925	3.8%
Corrections Education	1,570,358	1,363,707	0	1,363,707	1,558,109	194,402	14.3%
Iowa Corrections Offender Network	427,700	381,928	0	381,928	424,364	42,436	11.1%
Mental Health/Substance Abuse	24,994	22,319	0	22,319	22,319	0	0.0%
Hepatitis Treatment and Education	188,000	167,881	0	167,881	167,881	0	0.0%
Total Central Office	<u>\$ 8,468,189</u>	<u>\$ 7,255,440</u>	<u>\$ 0</u>	<u>\$ 7,255,440</u>	<u>\$ 7,679,144</u>	<u>\$ 423,704</u>	<u>5.8%</u>
Fort Madison							
Ft. Madison Institution	\$ 44,737,908	\$ 37,003,223	\$ 864,048	\$ 37,867,271	\$ 41,442,374	\$ 3,575,103	9.4%
Anamosa							
Anamosa Institution	\$ 31,548,089	\$ 28,272,505	\$ 343,179	\$ 28,615,684	\$ 30,356,461	\$ 1,740,777	6.1%
Oakdale							
Oakdale Institution	\$ 59,219,891	\$ 52,781,485	\$ 2,750,762	\$ 55,532,247	\$ 55,955,246	\$ 422,999	0.8%
Newton							
Newton Institution	\$ 28,372,772	\$ 25,230,054	\$ 526,181	\$ 25,756,235	\$ 26,452,257	\$ 696,022	2.7%
Mt Pleasant							
Mt. Pleasant Inst.	\$ 27,430,137	\$ 24,494,564	\$ 415,980	\$ 24,910,544	\$ 26,265,257	\$ 1,354,713	5.4%
Rockwell City							
Rockwell City Institution	\$ 9,466,021	\$ 8,452,967	\$ 108,833	\$ 8,561,800	\$ 9,324,565	\$ 762,765	8.9%
Clarinda							
Clarinda Institution	\$ 25,526,358	\$ 21,078,946	\$ 451,752	\$ 21,530,698	\$ 23,645,033	\$ 2,114,335	9.8%
Mitchellville							
Mitchellville Institution	\$ 16,126,292	\$ 14,253,115	\$ 169,416	\$ 14,422,531	\$ 15,486,586	\$ 1,064,055	7.4%
Fort Dodge							
Ft. Dodge Institution	\$ 30,313,681	\$ 26,999,132	\$ 200,000	\$ 27,199,132	\$ 29,020,235	\$ 1,821,103	6.7%
Total Corrections, Dept. of	<u>\$ 365,152,025</u>	<u>\$ 320,839,469</u>	<u>\$ 7,558,560</u>	<u>\$ 328,398,029</u>	<u>\$ 345,839,469</u>	<u>\$ 17,441,440</u>	<u>5.3%</u>

Justice System General Fund

	Actual FY 2009 <u>(1)</u>	Estimated FY 2010 <u>(2)</u>	Gov Rec Supp FY 2010 <u>(3)</u>	Gov Rec Net FY 2010 <u>(4)</u>	Gov Rec FY 2011 <u>(5)</u>	Gov Rec FY 11 vs Gov Rec Net FY 10 <u>(6)</u>	Percent Change <u>(7)</u>
<u>Inspections & Appeals, Dept. of</u>							
Public Defender							
Public Defender	\$ 21,465,998	\$ 19,568,864	\$ 0	\$ 19,568,864	\$ 21,743,182	\$ 2,174,318	11.1%
Indigent Defense Appropriation	33,013,300	21,608,247	10,900,000	32,508,247	19,433,929	-13,074,318	-40.2%
Total Inspections & Appeals, Dept. of	\$ 54,479,298	\$ 41,177,111	\$ 10,900,000	\$ 52,077,111	\$ 41,177,111	\$ -10,900,000	-20.9%
<u>Judicial Branch</u>							
Judicial Branch							
Jury & Witness (GF) to Revolving Fd. (0043)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,500,000	\$ 1,500,000	0.0%
Judicial Branch	149,366,784	160,184,957	-11,373,135	148,811,822	148,811,822	0	0.0%
Judicial Retirement	3,450,963	0	0	0	0	0	0.0%
Total Judicial Branch	\$ 152,817,747	\$ 160,184,957	\$ -11,373,135	\$ 148,811,822	\$ 150,311,822	\$ 1,500,000	1.0%
<u>Law Enforcement Academy</u>							
Law Enforcement Academy							
Law Enforcement Academy	\$ 1,275,199	\$ 1,049,430	\$ 0	\$ 1,049,430	\$ 1,049,430	\$ 0	0.0%
Total Law Enforcement Academy	\$ 1,275,199	\$ 1,049,430	\$ 0	\$ 1,049,430	\$ 1,049,430	\$ 0	0.0%
<u>Parole, Board of</u>							
Parole Board							
Parole Board	\$ 1,251,903	\$ 1,045,259	\$ 0	\$ 1,045,259	\$ 1,045,259	\$ 0	0.0%
Total Parole, Board of	\$ 1,251,903	\$ 1,045,259	\$ 0	\$ 1,045,259	\$ 1,045,259	\$ 0	0.0%
<u>Public Defense, Dept. of</u>							
Public Defense, Dept. of							
Public Defense, Department of	\$ 6,361,947	\$ 5,624,281	\$ 526,202	\$ 6,150,483	\$ 6,249,201	\$ 98,718	1.6%
Emergency Management Division							
Homeland Security & Emer. Mgmt.	\$ 2,212,722	\$ 1,834,307	\$ 61,614	\$ 1,895,921	\$ 2,038,119	\$ 142,198	7.5%
Total Public Defense, Dept. of	\$ 8,574,669	\$ 7,458,588	\$ 587,816	\$ 8,046,404	\$ 8,287,320	\$ 240,916	3.0%

Justice System General Fund

	Actual FY 2009 <u>(1)</u>	Estimated FY 2010 <u>(2)</u>	Gov Rec Supp FY 2010 <u>(3)</u>	Gov Rec Net FY 2010 <u>(4)</u>	Gov Rec FY 2011 <u>(5)</u>	Gov Rec FY 11 vs Gov Rec Net FY 10 <u>(6)</u>	Percent Change <u>(7)</u>
Public Safety, Department of							
Public Safety, Dept. of							
Public Safety - Department Wide Duties	\$ 0	\$ 1,419,288	\$ 0	\$ 1,419,288	\$ 0	\$ -1,419,288	-100.0%
Public Safety Administration	4,470,414	3,952,071	0	3,952,071	4,134,461	182,390	4.6%
Public Safety DCI	21,506,406	19,012,743	0	19,012,743	12,861,710	-6,151,033	-32.4%
DCI - Crime Lab Equipment/Training	342,000	302,345	0	302,345	302,345	0	0.0%
Narcotics Enforcement	6,501,493	5,747,647	0	5,747,647	6,507,048	759,401	13.2%
Public Safety Undercover Funds	123,343	109,042	0	109,042	109,042	0	0.0%
DPS Fire Marshal	4,060,859	3,590,003	0	3,590,003	4,343,896	753,893	21.0%
Iowa State Patrol	50,971,409	45,061,285	0	45,061,285	48,984,147	3,922,862	8.7%
DPS/SPOC Sick Leave Payout	316,179	279,517	0	279,517	279,517	0	0.0%
Fire Fighter Training	662,697	612,255	0	612,255	612,255	0	0.0%
Total Public Safety, Department of	\$ 88,954,800	\$ 80,086,196	\$ 0	\$ 80,086,196	\$ 78,134,421	\$ -1,951,775	-2.4%
Total Justice System	\$ 689,441,099	\$ 625,772,972	\$ 7,673,241	\$ 633,446,213	\$ 639,776,794	\$ 6,330,581	1.0%

Appendix B

Other Funds Tracking

Justice System Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Gov Rec vs Est FY 2010 <u>(4)</u>	Percent Change <u>(5)</u>
<u>Justice, Department of</u>					
Consumer Advocate					
Consumer Advocate - Fd. 0019	\$ 0	\$ 3,138,888	\$ 3,336,344	\$ 197,456	6.3%
Total Justice, Department of	\$ 0	\$ 3,138,888	\$ 3,336,344	\$ 197,456	6.3%
<u>Corrections, Dept. of</u>					
Central Office					
DOC Central Office-ARRA - federal (fd. 0988)	\$ 0	\$ 210,000	\$ 0	\$ -210,000	-100.0%
Transitional Housing -HITT Fds.- Community Base	30,000	0	0	0	0.0%
Total Central Office	\$ 30,000	\$ 210,000	\$ 0	\$ -210,000	-100.0%
Fort Madison					
DOC Fort Madison-ARRA - federal (fd. 0988)	\$ 0	\$ 4,347,000	\$ 0	\$ -4,347,000	-100.0%
Anamosa					
DOC Anamosa-ARRA - federal (fd. 0988)	\$ 0	\$ 931,000	\$ 0	\$ -931,000	-100.0%
Oakdale					
DOC Oakdale ARRA -federal (fd.0988)	\$ 0	\$ 2,030,000	\$ 0	\$ -2,030,000	-100.0%
Newton					
DOC Newton ARRA - federal (fd. 0988)	\$ 0	\$ 1,029,000	\$ 0	\$ -1,029,000	-100.0%
Mt Pleasant					
DOC Mt. Pleasant ARRA - federal (fd. 0988)	\$ 0	\$ 903,000	\$ 0	\$ -903,000	-100.0%
Rockwell City					
DOC Rockwell City ARRA - federal (fd. 0988)	\$ 0	\$ 301,000	\$ 0	\$ -301,000	-100.0%
Clarinda					
DOC Clarinda ARRA - federal (fd. 0988)	\$ 0	\$ 2,506,000	\$ 0	\$ -2,506,000	-100.0%
Mitchellville					
DOC Mitchellville ARRA - federal (fd. 0988)	\$ 0	\$ 679,000	\$ 0	\$ -679,000	-100.0%
Fort Dodge					
DOC Fort Dodge ARRA - federal (fd. 0988)	\$ 0	\$ 1,064,000	\$ 0	\$ -1,064,000	-100.0%
CBC District 1					
CBC District I - HITT	\$ 410,332	\$ 0	\$ 0	\$ 0	0.0%

Justice System Other Funds

	Actual FY 2009 (1)	Estimated FY 2010 (2)	Gov Rec FY 2011 (3)	Gov Rec vs Est FY 2010 (4)	Percent Change (5)
CBC District 2					
CBC District II - HITT	\$ 441,215	\$ 0	\$ 0	\$ 0	0.0%
CBC District 3					
CBC District III - HITT	\$ 220,856	\$ 0	\$ 0	\$ 0	0.0%
CBC District 4					
CBC District IV - HITT	\$ 310,547	\$ 0	\$ 0	\$ 0	0.0%
CBC District 5					
CBC District V - HITT	\$ 419,582	\$ 0	\$ 0	\$ 0	0.0%
CBC District 6					
CBC District VI - HITT	\$ 566,750	\$ 0	\$ 0	\$ 0	0.0%
CBC District 7					
CBC District VII - HITT	\$ 256,608	\$ 0	\$ 0	\$ 0	0.0%
CBC District 8					
CBC District VIII - HITT	\$ 324,299	\$ 0	\$ 0	\$ 0	0.0%
Fort Madison					
Ft. Madison CCU - HITT	\$ 1,497,285	\$ 0	\$ 0	\$ 0	0.0%
Total Corrections, Dept. of	<u>\$ 4,477,474</u>	<u>\$ 14,000,000</u>	<u>\$ 0</u>	<u>\$ -14,000,000</u>	<u>-100.0%</u>
<u>Judicial Branch</u>					
Judicial Branch					
Court Tech. & Modernization Fd to Judicial Retirement	\$ 1,674,663	\$ 0	\$ 0	\$ 0	0.0%
Jury and Witness Fd to Judicial Retirement Fd	<u>2,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
Total Judicial Branch	<u>\$ 4,174,663</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>0.0%</u>
<u>Public Defense, Dept. of</u>					
Public Defense, Dept. of					
DPD - Federal Recovery and Reinvestment Fund	\$ 0	\$ 180,000	\$ 0	\$ -180,000	-100.0%
Emergency Management Division					
HSEMD Community Disaster Grants	<u>\$ 22,000,000</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>0.0%</u>
Total Public Defense, Dept. of	<u>\$ 22,000,000</u>	<u>\$ 180,000</u>	<u>\$ 0</u>	<u>\$ -180,000</u>	<u>-100.0%</u>
<u>Public Safety, Department of</u>					
Public Safety, Dept. of					
DPS Department Wide ARRA - federal (fd. 0988)	<u>\$ 0</u>	<u>\$ 750,000</u>	<u>\$ 0</u>	<u>\$ -750,000</u>	<u>-100.0%</u>
Total Public Safety, Department of	<u>\$ 0</u>	<u>\$ 750,000</u>	<u>\$ 0</u>	<u>\$ -750,000</u>	<u>-100.0%</u>
Total Justice System	<u><u>\$ 30,652,137</u></u>	<u><u>\$ 18,068,888</u></u>	<u><u>\$ 3,336,344</u></u>	<u><u>\$ -14,732,544</u></u>	<u><u>-81.5%</u></u>

Appendix C

FTE Positions Tracking

Justice System FTE

	Actual FY 2009 <u>(1)</u>	Final Action FY 2010 <u>(2)</u>	Estimated FY 2010 <u>(3)</u>	Est FY 2010 vs Final Action <u>(4)</u>	Gov Rec FY 2011 <u>(5)</u>	Gov Rec vs Final Action FY 10 <u>(6)</u>
<u>Justice, Department of</u>						
Justice, Dept. of						
General Office A.G.	214.97	232.50	232.50	0.00	232.50	0.00
Victim Compensation Fund	21.60	22.00	22.00	0.00	22.00	0.00
Total Justice, Dept. of	<u>236.57</u>	<u>254.50</u>	<u>254.50</u>	<u>0.00</u>	<u>254.50</u>	<u>0.00</u>
Consumer Advocate						
Consumer Advocate	20.12	27.00	0.00	-27.00	0.00	-27.00
Consumer Advocate - Budget Correction	0.23	0.00	27.00	27.00	27.00	27.00
Total Consumer Advocate	<u>20.35</u>	<u>27.00</u>	<u>27.00</u>	<u>0.00</u>	<u>27.00</u>	<u>0.00</u>
Total Justice, Department of	<u>256.92</u>	<u>281.50</u>	<u>281.50</u>	<u>0.00</u>	<u>281.50</u>	<u>0.00</u>
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights Commission	31.81	29.50	29.50	0.00	29.50	0.00
Total Civil Rights Commission	<u>31.81</u>	<u>29.50</u>	<u>29.50</u>	<u>0.00</u>	<u>29.50</u>	<u>0.00</u>
<u>Corrections, Dept. of</u>						
CBC District 1						
CBC District I	187.75	201.50	201.00	-0.50	189.51	-11.99
CBC District 2						
CBC District II	159.94	157.94	160.94	3.00	156.89	-1.05
CBC District 3						
CBC District III	77.89	81.99	81.99	0.00	78.99	-3.00
CBC District 4						
CBC District IV	69.00	75.00	71.60	-3.40	68.60	-6.40
CBC District IV - HITT	4.00	0.00	0.00	0.00	0.00	0.00
Total CBC District 4	<u>73.00</u>	<u>75.00</u>	<u>71.60</u>	<u>-3.40</u>	<u>68.60</u>	<u>-6.40</u>
CBC District 5						
CBC District V	272.45	288.12	273.45	-14.67	266.45	-21.67
CBC District 6						
CBC District VI	203.13	216.06	202.88	-13.18	191.63	-24.43

Justice System FTE

	Actual FY 2009	Final Action FY 2010	Estimated FY 2010	Est FY 2010 vs Final Action	Gov Rec FY 2011	Gov Rec vs Final Action FY 10
	(1)	(2)	(3)	(4)	(5)	(6)
CBC District 7						
CBC District VII	105.45	105.45	99.70	-5.75	95.45	-10.00
CBC District 8						
CBC District VIII	93.80	97.15	98.30	1.15	93.00	-4.15
Central Office						
Corrections Administration	45.36	47.18	47.00	-0.18	41.00	-6.18
Fort Madison						
Ft. Madison Institution	516.83	556.50	530.50	-26.00	489.00	-67.50
Inmate Telephone Rebate Fund	0.02	0.00	3.00	3.00	3.00	3.00
Total Fort Madison	<u>516.85</u>	<u>556.50</u>	<u>533.50</u>	<u>-23.00</u>	<u>492.00</u>	<u>-64.50</u>
Anamosa						
Anamosa Institution	348.73	356.25	359.50	3.25	334.75	-21.50
Anamosa Canteen Fund	0.00	2.00	0.00	-2.00	0.00	-2.00
Total Anamosa	<u>348.73</u>	<u>358.25</u>	<u>359.50</u>	<u>1.25</u>	<u>334.75</u>	<u>-23.50</u>
Oakdale						
Oakdale Institution	559.75	610.50	609.50	-1.00	565.00	-45.50
Oakdale Canteen Fund	0.00	1.00	0.00	-1.00	0.00	-1.00
IMCC Inmate Tele Rebate	0.01	6.00	0.00	-6.00	0.00	-6.00
Total Oakdale	<u>559.75</u>	<u>617.50</u>	<u>609.50</u>	<u>-8.00</u>	<u>565.00</u>	<u>-52.50</u>
Newton						
Newton Institution	321.19	351.00	351.00	0.00	307.00	-44.00
Mt Pleasant						
Mt. Pleasant Inst.	301.79	319.56	319.96	0.40	298.16	-21.40
Mt Pleasant Canteen	0.00	0.50	0.00	-0.50	0.00	-0.50
Total Mt Pleasant	<u>301.79</u>	<u>320.06</u>	<u>319.96</u>	<u>-0.10</u>	<u>298.16</u>	<u>-21.90</u>
Rockwell City						
Rockwell City Institution	106.99	113.00	111.00	-2.00	106.00	-7.00
Clarinda						
Clarinda Institution	282.46	303.20	299.95	-3.25	277.10	-26.10
Mitchellville						
Mitchellville Institution	186.29	198.00	198.00	0.00	185.00	-13.00

Justice System

FTE

	Actual FY 2009 <u>(1)</u>	Final Action FY 2010 <u>(2)</u>	Estimated FY 2010 <u>(3)</u>	Est FY 2010 vs Final Action <u>(4)</u>	Gov Rec FY 2011 <u>(5)</u>	Gov Rec vs Final Action FY 10 <u>(6)</u>
Industries						
Iowa State Industries	85.45	84.34	100.00	15.66	100.00	15.66
Corrections - Farm Account						
Consolidated Farm Operations	6.89	5.67	7.81	2.14	7.81	2.14
Fort Dodge						
Ft. Dodge Institution	<u>334.54</u>	<u>366.00</u>	<u>350.00</u>	<u>-16.00</u>	<u>319.00</u>	<u>-47.00</u>
Total Corrections, Dept. of	<u>4,269.70</u>	<u>4,543.91</u>	<u>4,477.08</u>	<u>-66.83</u>	<u>4,173.34</u>	<u>-370.57</u>
<u>Inspections & Appeals, Dept. of</u>						
Public Defender						
Public Defender	<u>200.97</u>	<u>203.00</u>	<u>203.00</u>	<u>0.00</u>	<u>203.00</u>	<u>0.00</u>
Total Inspections & Appeals, Dept. of	<u>200.97</u>	<u>203.00</u>	<u>203.00</u>	<u>0.00</u>	<u>203.00</u>	<u>0.00</u>
<u>Judicial Branch</u>						
Judicial Branch						
Judicial Branch	<u>1,921.91</u>	<u>2,009.17</u>	<u>2,007.40</u>	<u>-1.77</u>	<u>1,825.40</u>	<u>-183.77</u>
Total Judicial Branch	<u>1,921.91</u>	<u>2,009.17</u>	<u>2,007.40</u>	<u>-1.77</u>	<u>1,825.40</u>	<u>-183.77</u>
<u>Law Enforcement Academy</u>						
Law Enforcement Academy						
Law Enforcement Academy	<u>26.94</u>	<u>29.55</u>	<u>34.65</u>	<u>5.10</u>	<u>30.55</u>	<u>1.00</u>
Total Law Enforcement Academy	<u>26.94</u>	<u>29.55</u>	<u>34.65</u>	<u>5.10</u>	<u>30.55</u>	<u>1.00</u>
<u>Parole, Board of</u>						
Parole Board						
Parole Board	<u>11.97</u>	<u>18.50</u>	<u>13.50</u>	<u>-5.00</u>	<u>13.50</u>	<u>-5.00</u>
Total Parole, Board of	<u>11.97</u>	<u>18.50</u>	<u>13.50</u>	<u>-5.00</u>	<u>13.50</u>	<u>-5.00</u>
<u>Public Defense, Dept. of</u>						
Public Defense, Dept. of						
Public Defense, Department of	301.38	313.30	321.25	7.95	324.00	10.70
Military Operations Fund	0.47	0.00	0.00	0.00	0.50	0.50
National Guard Facilities Impr	<u>7.69</u>	<u>7.00</u>	<u>11.00</u>	<u>4.00</u>	<u>11.00</u>	<u>4.00</u>
Total Public Defense, Dept. of	<u>309.55</u>	<u>320.30</u>	<u>332.25</u>	<u>11.95</u>	<u>335.50</u>	<u>15.20</u>

Justice System FTE

	Actual FY 2009 <u>(1)</u>	Final Action FY 2010 <u>(2)</u>	Estimated FY 2010 <u>(3)</u>	Est FY 2010 vs Final Action <u>(4)</u>	Gov Rec FY 2011 <u>(5)</u>	Gov Rec vs Final Action FY 10 <u>(6)</u>
Emergency Management Division						
Homeland Security & Emer. Mgmt.	57.74	33.10	33.00	-0.10	33.00	-0.10
Hazard Mitigation	0.00	0.00	4.00	4.00	4.00	4.00
2004 Distribution #1518 Public	0.00	5.13	19.88	14.75	10.91	5.78
Wireless E911 Surcharge	2.01	2.00	2.00	0.00	2.00	0.00
FFY 2005 Homeland Security Grant	0.00	7.35	0.00	-7.35	0.00	-7.35
Pre Disaster Mitigation - Comp	0.00	1.19	0.80	-0.39	0.80	-0.39
Power Plant Funds	3.81	6.81	7.14	0.33	7.14	0.33
Flood Mitigation Assistance	0.00	0.10	0.00	-0.10	0.00	-0.10
State & Local Assistance	0.00	2.44	1.94	-0.50	1.94	-0.50
Emergency Response Fund	0.00	1.05	0.61	-0.44	0.61	-0.44
Hazardous Material Transfer	0.00	0.00	0.09	0.09	0.09	0.09
2004 Dist. #1518/HAZMIT	0.00	0.10	0.00	-0.10	0.00	-0.10
Homeland Security Grant Prog.	0.00	1.84	0.00	-1.84	0.00	-1.84
Budget Unit 58300000168	0.00	0.00	8.52	8.52	8.52	8.52
Budget Unit 58300000971	0.04	0.00	0.00	0.00	0.00	0.00
Total Emergency Management Division	<u>63.59</u>	<u>61.11</u>	<u>77.98</u>	<u>16.87</u>	<u>69.01</u>	<u>7.90</u>
Total Public Defense, Dept. of	<u>373.14</u>	<u>381.41</u>	<u>410.23</u>	<u>28.82</u>	<u>404.51</u>	<u>23.10</u>
Public Safety, Department of						
Public Safety, Dept. of						
Public Safety Administration	39.17	39.00	39.00	0.00	36.00	-3.00
Public Safety DCI	275.45	287.50	279.10	-8.40	277.10	-10.40
Narcotics Enforcement	75.26	81.00	77.00	-4.00	75.00	-6.00
DPS Fire Marshal	56.10	59.00	58.00	-1.00	57.00	-2.00
Fire Service	0.28	0.00	0.00	0.00	0.00	0.00
Iowa State Patrol	535.35	536.00	519.00	-17.00	503.00	-33.00
Peace Officers Retirement Fund	1.00	1.00	1.00	0.00	1.00	0.00
Electrician & Installers Licensing Fund	15.25	0.00	33.00	33.00	33.00	33.00
Total Public Safety, Department of	<u>997.85</u>	<u>1,003.50</u>	<u>1,006.10</u>	<u>2.60</u>	<u>982.10</u>	<u>-21.40</u>
Total Justice System	<u>8,091.21</u>	<u>8,500.04</u>	<u>8,462.96</u>	<u>-37.08</u>	<u>7,943.40</u>	<u>-556.64</u>

NOTE: This report reflects information from the State budget system. It includes FTE positions authorized in budget bills, as well as FTE positions funded by other means, such as revolving funds authorized by Iowa Code, federal funds, and budget adjustments.

Appendix D

FY 2010 – 10.0%

Across-the-Board (ATB)

Reduction

Implementation Plans

JUSTICE SYSTEM SUBCOMMITTEE

Department of Justice

<u>Justice, Department of</u>	<u>Estimated FY 2010</u>	<u>ATB Reduction FY 2010</u>	<u>Est Net FY 2010</u>
General Office A.G.	\$ 8,592,145	\$ -859,215	\$ 7,732,930
Victim Assistance Grants	3,400,000	-340,000	3,060,000
Legal Services Poverty Grants	1,954,634	-195,463	1,759,171
Farm Mediation Services	<u>0</u>	<u>0</u>	<u>0</u>
Total Justice, Dept. of	\$ 13,946,779	\$ -1,394,678	\$ 12,552,101
Consumer Advocate			
Consumer Advocate	\$ 0	\$ 0	\$ 0
Total Justice, Department of	\$ 13,946,779	\$ -1,394,678	\$ 12,552,101

- ATB Implementation Plan: No plan submitted because the Attorney General is an elected official.
- Positions Eliminated: None. The Office is not eliminating any vacant positions nor will there be any layoffs. The Office estimates there will be 9.0 vacant positions funded from the General Fund. Current staff will be reassigned to vacant positions funded from other funds available to the Department. The Department is exempt from the Governor’s mandatory furlough days. The Office will implement planned furloughs in two rounds as follows:
 - Round One – July 1 through December 31, 2009
 - Staff that make less than \$45,000 annually as of July 1, 2009, will not be required to take furloughs.
 - Staff that make between \$45,000 and \$50,000 annually will be required to take one furlough day (8 hours).
 - Staff that make more than \$50,000 will be required to take five furlough days (40 hours).
 - Round Two – October 19, 2009, through July 1, 2010
 - Staff that make less than \$45,000 annually as of October 19, 2009, will not be required to take furloughs except for the holiday closures (see below).
 - Staff that make between \$45,000 and \$50,000 annually will be required to take one furlough day (8 hours).
 - Staff that make more than \$50,000 (except deputies and division directors – see below) will be required to take seven furlough days (56 hours).
 - Deputies and division directors – Each deputy and division director will be required to take eight furlough days (64 hours).
 - Part-time employees making \$45,000 or more annually will be required to take furloughs on a pro-rata basis.
 - Holiday Closures – The Office will close at noon on December 24 and December 31, 2009, and all employees will receive eight hours of furlough.
 - The Office of the Consumer Advocate is exempt from the ATB because it is funded through the Department of Commerce Revolving Fund.
- Portion of the FY 2010 budget funded by the General Fund: With the exception of the Crime Victim Assistance Division, the Department of Justice does not receive any direct federal funds. Approximately 65.8% of the Attorney General’s Office operating budget is funded from internal

Appendix D – FY 2010 – 10.0% Across-the-Board (ATB) Reduction Implementation Plans

funds, grants, boards, Funds, or State agencies. Approximately 49.4% of its operating budget is reimbursed from other State agencies. It is likely State agencies may not be able to reimburse the Attorney General’s Office for the full cost of legal representation. The Department plans to rely on internal funds, such as forfeited property and the Consumer Education and Litigation Fund, to meet its obligations.

- Impact to federal funds: The only area of the Department that receives direct federal funds is the Crime Victim Assistance Division. It is estimated to receive approximately \$14.2 million in FY 2010. It is anticipated the ATB will not impact the Division’s ability to draw down federal funds.
- Other impacts: As a result of budget reductions, the following vacant positions will not be filled:
 - 1.0 Attorney and 1.0 Investigator for the Special Litigation Division that handle tort claims against the State.
 - 2.5 Attorneys in the Area Prosecution Division that assist county attorneys in prosecuting the most serious crimes in Iowa.
 - 1.5 Attorneys in Divisions that advise State agencies.
 - 2.0 Attorneys in the Criminal Appeals Division that handles all appeals by criminal defendants.
 - 1.0 Attorney in the Prosecuting Attorney Training Coordinator’s Office that provides criminal law training to county attorneys.

Civil Rights Commission

	Estimated FY 2010	ATB Reduction FY 2010	Est Net FY 2010
<u>Civil Rights Commission</u>			
Civil Rights Commission	\$ 1,533,179	\$ -153,318	\$ 1,379,861
Total Civil Rights Commission	\$ 1,533,179	\$ -153,318	\$ 1,379,861

- ATB Implementation Plan: Approved as submitted.
- Positions Eliminated: None. One Administrative Assistant position and 0.5 Information Technologist 3 position will remain vacant. The use of Drake law students for screening cases has been significantly reduced.
- The Director plans to reallocate approximately \$121,000 in General Fund expenditures to federal funds in FY 2010. It is likely this will not be a valid option in FY 2011 due to an anticipated decline in federal receipts.
- Noncontract staff are mandated by the Governor to take seven furlough days. Contract staff agreed to five furlough days.
- Voluntary furloughs have been in place since Spring 2009.
- The Director plans to reduce the support budget including office supplies, travel, training materials, and equipment.
- The Director has restructured the job duties of existing staff to improve alignment of resources with job functions.
- Approximately 40.0% of the Commission’s budget is federal funds. The Director anticipates no impact on the receipt of federal funds in FY 2010. The impact in FY 2011 may be a significant reduction in federal receipts due to not being able to meet maintenance of effort requirements. This

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applies to the two main federal funding sources – Equal Employment Opportunity Commission (EEOC) and Housing and Urban Development (HUD) grants. Currently, the EEOC grant is \$604,000 while the HUD grants are \$382,000.

- Attendance at mandatory training is required by both EEOC and HUD contracts. Funding for the training comes directly out of federal funds. Failure to attend training jeopardizes contracts and will reduce federal receipts. Not meeting the maintenance of effort requirements in FY 2010 is likely to also reduce federal receipts from both the EEOC and HUD in FY 2011. It is anticipated that the backlog of discrimination complaints, particularly in employment and housing, will increase.

Department of Corrections

	<u>Estimated FY 2010</u>	<u>ATB Reduction FY 2010</u>	<u>Est Net FY 2010</u>
<u>Corrections, Dept. of</u>			
Community-Based Corrections			
CBC District I	\$ 13,242,989	\$ -1,324,299	\$ 11,918,690
CBC District II	11,096,272	-1,109,627	9,986,645
CBC District III	5,939,602	-593,960	5,345,642
CBC District IV	5,755,000	-575,500	5,179,500
CBC District V	19,278,247	-1,927,825	17,350,422
CBC District VI	13,787,019	-1,378,702	12,408,317
CBC District VII	7,152,217	-715,222	6,436,995
CBC District VIII	7,102,030	-710,203	6,391,827
Central Office			
County Confinement	\$ 861,213	\$ -86,121	\$ 775,092
Federal Prisoners/Contractual	239,411	-23,941	215,470
Corrections Administration	4,810,048	-481,005	4,329,043
Corrections Education	1,558,109	-194,402	1,363,707
Iowa Corrections Offender Network	424,364	-42,436	381,928
Mental Health/Substance Abuse	24,799	-2,480	22,319
Hepatitis Treatment and Education	186,534	-18,653	167,881
Total Central Office	\$ 8,104,478	\$ -849,038	\$ 7,255,440
Institutions			
Ft. Madison Institution	\$ 41,114,692	\$ -4,111,469	\$ 37,003,223
Anamosa Institution	31,413,895	-3,141,390	28,272,505
Oakdale Institution	58,646,095	-5,864,610	52,781,485
Newton Institution	28,033,393	-2,803,339	25,230,054
Mt. Pleasant Inst.	27,216,182	-2,721,618	24,494,564
Rockwell City Institution	9,392,186	-939,219	8,452,967
Clarinda Institution	23,421,051	-2,342,105	21,078,946
Mitchellville Institution	15,836,794	-1,583,679	14,253,115
Ft. Dodge Institution	29,999,036	-2,999,904	26,999,132
Total Corrections, Dept. of	\$ 356,531,178	\$ -35,691,709	\$ 320,839,469

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- ATB Implementation Plan: The initial plan was not approved. The Governor negotiated a Memorandum Of Understanding (MOU) with the American Federation of State, County, and Municipal Employees (AFSCME) that resulted in several budget reduction items. The Iowa United Professionals (IUP) union refused to negotiate. The Department of Corrections is meeting its budget reduction of \$35.7 million as follows:
 - \$11.4 million in vacant positions will not be filled. This is at least 220 vacant positions.
 - \$3.7 million from furloughs. Noncontract staff are mandated by the Governor to take seven furlough days. Contract staff agreed to five furlough days.
 - \$1.0 million by eliminating the State’s match on deferred compensation.
 - \$2.5 million by laying off 69 positions. These were non-contract and IUP positions.
 - \$6.1 million transferred from other agencies and from internal reallocations.
 - \$722,000 in support budget reductions.
 - \$7.6 million recommended by the Governor as a supplemental appropriation.
 - \$2.7 million may be generated through unidentified savings.
- Portion of the FY 2010 budget funded by the General Fund: Approximately 99.9%. Approximately 81.1% of the DOC budget is personal services cost. The majority of the payroll is security staff. The DOC Institutions are under several federal court orders and decisions that require compliance with certain services pertaining to training, medical, security, and treatment.
- Impact to federal funds: None.
- Other impacts: Iowa Prison Industries (IPI) is self-funded through sales. It must make a profit to remain in business. It is likely inmate employment in IPI programs will decrease as sales decrease. Also, IPI may implement a Reduction In Force (RIF) plan in FY 2010. The CBC District Departments are under the authority of their respective Boards of Directors. The District Departments have implemented a selective hiring freeze. The eight Boards approved their budget reduction plans. These plans were incorporated into the DOC plan that was resubmitted to the Governor.
- NOTE: The amount of the reduction for the Corrections Education appropriation exceeds 10.0% because the reduction was applied to the balance brought forward from FY 2009.

Department of Inspections and Appeals

	Estimated FY 2010	ATB Reduction FY 2010	Est Net FY 2010
<u>Inspections & Appeals, Dept. of</u>			
Public Defender	\$ 21,743,182	\$ -2,174,318	\$ 19,568,864
Indigent Defense Appropriation	24,009,163	-2,400,916	21,608,247
Total Inspections & Appeals, Dept. of	\$ 45,752,345	\$ -4,575,234	\$ 41,177,111

- ATB Implementation Plan: Approved as submitted.
- Positions Eliminated: None. One Public Defender 3 position has been reassigned from processing indigent defense claims from the private bar to staffing cases in the field. This action is projected to save approximately \$209,000 in FY 2010 because cases handled by private attorneys will now be

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staffed by a public defender. The State Public Defender reallocated approximately \$2.1 million from the Indigent Defense Fund to the State Public Defender’s Office. The cost per claim for the private bar is \$501 while the cost per case for public defenders is \$330. Reallocating funds is a cost containment effort. Noncontract staff are mandated by the Governor to take seven furlough days. Contract staff agreed to five furlough days.

- Portion of the FY 2010 budget funded by the General Fund: 100.0%. There are no other resources available to meet the costs of this constitutionally mandated program.
- Impact to federal funds: None.
- Other impacts: Processing claims paid to private attorneys may be slower than in the past due to the reassignment of one attorney to field work. Based on total FY 2009 expenditures of \$55.4 million for the Public Defender and indigent defense, and assuming no growth in expenditures, the FY 2010 shortfall is estimated to be approximately \$14.2 million. This shortfall may be addressed by a supplemental appropriation, transfers in from other State agency budgets, and referring claims to the State Appeal Board.
- *The Governor is recommending an FY 2010 supplemental appropriation of \$10.9 million to the Office of the State Public Defender for the Indigent Defense Program.*

Judicial Branch

	<u>Estimated FY 2010</u>	<u>ATB Reduction FY 2010</u>	<u>Est Net FY 2010</u>
<u>Judicial Branch</u>			
Judicial Branch	\$ 160,184,957	\$ 0	\$ 160,184,957
Judicial Retirement	0	0	0
Total Judicial Branch	\$ 160,184,957	\$ 0	\$ 160,184,957

NOTE: The Judicial Branch is a separate branch of Government. The Governor does not have statutory authority to issue across-the-board reductions to the Judicial Branch.

- ATB Implementation Plan: None submitted as this is a separate branch of government. However, the Judicial Branch announced implementation of a voluntary reduction of \$11.4 million (7.1%) to the FY 2010 budget. This has resulted in ten days of unpaid leave for all judges, magistrates, and court staff from December 4, 2009, to June 18, 2010, totaling \$4.1 million. One furlough day of all judges, magistrates, and court personnel is approximately \$418,000. In addition, the Judicial Branch implemented a workforce reduction of approximately 9.3% totaling \$7.3 million and a reduction in non-personnel expenditures of approximately \$700,000.
- Positions Eliminated: 205.0. The Judicial Branch laid off 105.0 employees, eliminated 100.0 vacant positions (27 retirements and 73 vacancies), and reduced the hours of 58 employees. Ninety-five percent of the Judicial Branch budget is personnel costs. The reduction plan downsized the Clerk of Court offices based on a weighted caseload formula. All Clerk of Court offices are staffed 12.0% below staffing formulas and juvenile court services is staffed 9.0% below current services. The Judicial Branch also is encouraging the pooling of court reporters addressed in a previously issued order dated June 25, 2009. (These figures are based on actual headcount rather than FTE positions.)
- Other impacts: Court offices will be closed December 4, 24, and 31 in 2009; and January 15; February 15; March 12 and 26; April 2; May 28; and June 18 in 2010. Chief Judges of the judicial districts may

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assign judges and magistrates to be available during closure days to cover emergency matters. Twenty-five Clerk of Court offices will operate for less than 40 hours a week but every county will continue to maintain a Clerk of Court office. This includes the following counties: Adair, Adams, Audubon, Butler, Calhoun, Chickasaw, Davis, Decatur, Greene, Hancock, Howard, Humboldt, Iowa, Jones, Keokuk, Lucas, Mitchell, Monroe, Pocahontas, Ringgold, Taylor, Van Buren, Wayne, Winnebago, and Worth. State law allows the Judicial Branch to hold open judicial vacancies, except for magistrate vacancies, for up to six months. The Judicial Branch is exercising this option.

The Judicial Branch will continue with the Electronic Document Management System (EDMS) Project. This Project is funded with other funds within the Judicial Branch and is contractually committed. The pilot in Plymouth County began January 2010 and will be followed by Story County and the appellate courts. Once the pilots have been successfully completed, the Judicial Branch estimates it will take approximately four years to implement the System statewide. The Judicial Branch is exploring ways to expedite the pilot project and implementation to help reduce the difficulties caused by the reduction in force. The estimated cost for the EDMS, based on signed contracts for electronic-filing (e-filing) and the document management system, is \$15.0 million. An additional \$4.0 million may be necessary for set-up, preparation, and additional network costs during implementation. There are approximately 7.0 FTE positions dedicated to the project (4.0 FTEs are 100.0% dedicated to the project and another 10.0 FTE positions are approximately 30.0% dedicated to the project). The estimated ongoing operational cost for the EDMS is \$1.2 million (\$700,000 per year for software maintenance and \$500,000 a year for on-going network expenses).

Law Enforcement Academy

	Estimated FY 2010	ATB Reduction FY 2010	Est Net FY 2010
<u>Law Enforcement Academy</u>			
Law Enforcement Academy	\$ 1,166,033	\$ -116,603	\$ 1,049,430
Total Law Enforcement Academy	\$ 1,166,033	\$ -116,603	\$ 1,049,430

- ATB Implementation Plan: Approved as submitted. The 10.0% ATB reduction totals \$116,603. This includes a 10.0% decrease to the Director's salary pro-rated for November 2009 through June 2010 totaling \$7,464. Fewer classes will be offered across the State and instead will be offered at the Academy at Camp Dodge, decreasing in-State travel and vehicle mileage. Only essential out-of-State travel will be approved and all efforts to obtain grant-funding or federal funding will be made. Two-sided copies, electronic delivery of documents, and utilizing CDs will be done more frequently to reduce copies and postage. The Academy will continue to shut off lights, heat, and air conditioning on the weekends. There will also be a decrease in the number of outside agencies and personnel that instruct at the Academy and will decrease the number of basic and specialty schools offered. The reduction of \$26,743 for outside services and repairs will result in the Academy being unable to repair equipment as needed. No new equipment will be purchased unless federally funded or funded from other funds. There is a \$2,000 reduction to computer equipment. This line item was reduced by \$29,231 in FY 2009 and \$18,461 in FY 2010, prior to the ATB reduction of an additional \$2,000. No new equipment will be purchased and IT coverage will be reduced for FY 2010. If uniforms need to be replaced, staff at the Academy will be required to purchase their own.
- Positions Eliminated: 2.0. The Academy eliminated two vacant instructor positions. Two additional vacant instructor positions have been filled with federal funds. At this time, no FTE positions are

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being laid off. Only noncontract personnel are required to take the mandated seven furlough days. This affects approximately half of the Academy staff or approximately 14 people.

- Impact to federal funds: None.
- Other impacts: The 10.0% ATB will result in an additional \$10,000 reduction to professional and scientific supplies, a decrease of approximately \$30,000 compared to FY 2009. Additional fees may be charged to the cities and counties to cover this decrease. The facility maintenance supplies will be reduced \$5,000. These supplies are primarily purchased from Iowa Prison Industries (IPI) and will reduce sales for IPI as fewer supplies are used. The \$2,220 reduction to communications will result in the elimination of some cell phones and a decrease in ICN and information technology expenditures that will impact other State agencies. The \$2,000 reduction to rentals will impact National Guard fees as the majority of the Academy rentals were for facilities belonging to the National Guard.
- Funding backfill needs and recommendations: None. Current tuition for the Academy is \$4,000 and covers approximately 67.0% of the Academy’s operating budget while the General Fund appropriation of \$1.0 million makes up the remainder. The Academy does not plan to increase tuition for FY 2010 at this time. Tuition rates for FY 2011 have not yet been determined. The Academy is also proposing to amend their Administrative Rules for certified but not yet employed individuals to remove the requirement that a law enforcement agency certify they will be employed within 18 months. The individual must still be hired by a law enforcement agency within 18 months to attain certification. The individual does not become certified until they are hired even though they have completed the training.

Board of Parole

	Estimated FY 2010	ATB Reduction FY 2010	Est Net FY 2010
<u>Parole, Board of</u>			
Parole Board	\$ 1,161,399	\$ -116,140	\$ 1,045,259
Total Parole, Board of	\$ 1,161,399	\$ -116,140	\$ 1,045,259

- ATB Implementation Plan: Approved as submitted.
- Positions Eliminated: The Board is considering the implementation of a Reduction In Force (RIF). The Board did not fill 2.5 FTE vacant positions. This includes 1.5 Administrative Assistant 1 positions and 1.0 Executive Officer position. Noncontract staff are mandated by the Governor to take seven furlough days. Contract staff agreed to five furlough days.
- Portion of the FY 2010 budget funded by the General Fund: 100.0%.
- Impact on federal funds: None.

Department of Public Defense

	<u>Estimated FY 2010</u>	<u>ATB Reduction FY 2010</u>	<u>Est Net FY 2010</u>
Public Defense, Dept. of			
Public Defense, Department of	\$ 6,249,201	\$ -624,920	\$ 5,624,281
Emergency Management Division			
Homeland Security & Emer. Mgmt.	\$ 2,038,119	\$ -203,812	\$ 1,834,307
Total Public Defense, Dept. of	<u>\$ 8,287,320</u>	<u>\$ -828,732</u>	<u>\$ 7,458,588</u>

Military Division

- ATB Implementation Plan: Approved as submitted.
- Positions Eliminated: None. The Military Division plans to leave 1.7 FTE positions vacant through the end of FY 2010. The Deputy Adjutant General of the Army position will remain vacant with duties being absorbed by the Adjutant General and the Deputy Adjutant General of the Air National Guard. The Museum Director is retiring in January 2010 and the position will remain vacant for the remainder of the year. The current Human Resources Associate position has been left open since September and will remain vacant for the remainder of the year. In addition, a Public Service Executive position will be temporarily moved from General Fund funding to a special fund (Military Operations Fund). There are 39.0 employees in the Military Division that must take the mandatory seven furlough days.
- Impact to federal funds: The Guard will shift \$50,000 in operations and maintenance costs at Camp Dodge to federal funds. Maintenance for the Readiness Center will be deferred to future years. Maintenance for all Iowa Army National Guard Facilities will be deferred to future years. This totals \$586,000 of which \$293,000 is General Fund and \$293,000 is federal funds.
- Other impacts: The Division temporarily shifted \$40,000 for Readiness Center Maintenance to the Armory Rental Fund. The Division will defer maintenance for the Air National Guard Facilities to future years. The inventory level of the National Guard’s central supply warehouse will experience a \$20,000 reduction.
- Funding backfill needs and recommendations: State Active Duty was reduced \$38,293 and will result in a reduction in man days available to respond to emergencies by 192 before more funds are required to be transferred to this appropriation.

Homeland Security and Emergency Management Division

- ATB Implementation Plan: Approved as submitted.
- Positions Eliminated: None. A Communications Bureau Chief will retire in January 2010 and this position will remain vacant for the remainder of the year and the work will be distributed to the other four Bureau Chiefs. In addition, there are 3.0 FTE positions that will remain vacant through FY 2011. These positions focused on grant monitoring and planning. This will negatively impact technical planning assistance and grants program customer assistance. Also, there are 7.0 State employees and approximately 60 Merit Resources employees that must take the mandatory seven furlough days.
- Impact to federal funds: The vacant positions will impact federal grant monitoring and planning for approximately 1,200 subgrantees. The reductions will reduce federal funds by \$85,826.

Department of Public Safety

	Estimated FY 2010	ATB Reduction FY 2010	Est Net FY 2010
Public Safety, Department of			
Public Safety - Department Wide Duties	\$ 1,576,987	\$ -157,699	\$ 1,419,288
Public Safety Administration	4,391,190	-439,119	3,952,071
Public Safety DCI	21,125,270	-2,112,527	19,012,743
DCI - Crime Lab Equipment/Training	335,939	-33,594	302,345
Narcotics Enforcement	6,386,274	-638,627	5,747,647
Public Safety Undercover Funds	121,158	-12,116	109,042
DPS Fire Marshal	3,988,892	-398,889	3,590,003
Iowa State Patrol	50,068,094	-5,006,809	45,061,285
DPS/SPOC Sick Leave Payout	310,575	-31,058	279,517
Fire Fighter Training	680,421	-68,166	612,255
Total Public Safety, Department of	\$ 88,984,800	\$ -8,898,604	\$ 80,086,196

- **ATB Implementation Plan:** The initial plan was not approved by the Governor. As of January 28, 2010, the revised plan was being reviewed by the Governor. The Governor has indicated he may use his authority to transfer funds into the DPS to reduce the impact, but no transfers have occurred to date.
- **Positions Eliminated:** 25.0 vacant positions. The preliminary plan was not approved pending negotiation of union contracts by the Governor but included the elimination of 100.0 FTE positions. Of these, 25.0 were vacant positions, 54.0 were full-time positions, and 21.0 were emergency personnel (part-time employees). Noncontract staff are mandated by the Governor to take seven furlough days. The Department is shifting 49.0 FTE positions to non-General Fund sources saving \$3.3 million. This includes 44.0 FTE positions from the Patrol, 2.0 FTE positions from the Division of Narcotics Enforcement (DNE), and 3.0 FTE positions from Division of Criminal Investigation (DCI). For the payroll dated October 15, 2009, there were 994 Public Safety employees. Of these employees, 533 were in the SPOC bargaining unit, 236 were in the AFSCME bargaining unit, 43 were in the IUP bargaining unit, and 182 were non-contract covered.
- **Portion of the FY 2010 budget funded by the General Fund:** Approximately 82.0% of the FY 2010 operating budget is funded by the General Fund. Approximately 80.0% of the DPS operating budget is personnel services costs.
- **Impact to federal funds:** In FY 2010, the Department of Public Safety received \$750,000 in federal ARRA stimulus funding. The Department used the ARRA funds to retain 13.0 employees. Nine are peace officers and four are civilians. These employees are the least senior employees in their classifications.
- **Other impacts:** Based on the preliminary plan, the Department is planning to reduce depreciation by \$3.3 million, overtime for the DCI by \$35,000, equipment expenditures for the DCI by \$166,000, and Department of Administrative Services (DAS) billings and rebates by \$107,000. Depreciation for the following divisions will be reduced:
 - Administration - \$61,000
 - DCI - \$255,000
 - DNE - \$269,000
 - Fire Marshal - \$226,000
 - Iowa State Patrol - \$2.5 million