

SECTION D – JUDICIAL BRANCH

Figure 1

Figure 1

2110 Judicial Branch						All Programs			
Legislative Budget Comparison Table									
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial	
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent	
Personal Services	-	-	109,737	109,763	-	219,500	219,500	0.0%	
Operating Expenses	-	-	15,263	15,237	-	30,500	30,500	0.0%	
Total Costs	-	-	125,000	125,000	-	250,000	250,000	0.0%	
General Fund	-	-	125,000	125,000	-	250,000	250,000	0.0%	
Total Funds	-	-	125,000	125,000	-	250,000	250,000	0.0%	

Agency Narrative

The legislature provided \$250,000 general fund for the biennium to support the Self-Help Law Program. This program was funded with \$505,000 general fund as a one-time-only appropriation for the 2009 biennium and is not included in the general appropriations act for the 2011 biennium.

Purpose of Funds

General fund is provided to support the Self-Help Law Program. This program provides a variety of services (excluding legal advice) to individuals representing themselves in civil court matters. In the 2009 biennium this program supported two self-help centers (KalisPELL and Billings) and provided mini-grants to eight other communities.

Statutory Changes

None

Conditions and Limitations

None

Figure 2

2110 Judicial Branch				All Programs		
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00800 Self-Help Law Program	125,000	125,000	250,000	125,000	125,000	250,000
New Proposal Total	125,000	125,000	250,000	125,000	125,000	250,000
Total All Decision Packages	125,000	125,000	250,000	125,000	125,000	250,000

Decision Package Narrative

NP 800 Self-Help Law Program – This decision package provides \$250,000 for the biennium to support the Self-Help Law Program.

SECTION D - MONTANA BOARD OF CRIME CONTROL

Figure 1

4107 Crime Control Division							All Programs		
Legislative Budget Comparison Table									
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial	
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent	
Grants	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%	
Total Costs	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%	
Federal Spec. Rev. Funds	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%	
Total Funds	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%	

Agency Narrative

Funding for the Montana Board of Crime Control is increased by \$4.6 million federal funds to reflect increases in federal pass through grants included in the American Recovery and Reinvestment Act.

Purpose of Funds

The Montana Board of Crime Control will be receiving funds supporting justice and law enforcement efforts through three federal grant programs. These funds will be passed-through to various state and local entities. In general, entities must complete a grant application in order to receive funds. More specific information related to each source of funds is included in the following paragraphs.

Edward Byrne Memorial Justice Assistance Grant Formula Program

This program is administered by the U.S. Department of Justice and flows through the state agency to sub-grantees at the state and local level. These funds may be used for all components of the criminal justice system. The federal grant purpose areas for these funds are:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)

Funded projects may address crime through the provision of services directly to individuals and or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures

Up to 10 percent of the funds may be used for costs of administering the grant funds. Funds must be used to supplement existing state and local funds and must not replace those funds that have been appropriated for the same purpose.

Awards are made in the first fiscal year of the appropriation and may be expended during the following three years, for a total grant period of four years. For example, grant awards made this year, federal fiscal 2009, may be expended during federal fiscal 2009, 2010, 2011, and 2012 or until September 30, 2012.

SECTION D - MONTANA BOARD OF CRIME CONTROL

In addition to the funding included in this bill, there is \$1,806,681 that has been allocated for eligible local agencies. The allocation list may be found on the U.S. Department of Justice website.

Crime Victims

This program is a formula grant program administered by the U.S. Department of Justice that flows through a designated state agency (in this case Montana Board of Crime Control) to sub-grantees at the state and local level. Funds support community-based organizations that serve crime victims and provide services such as crisis intervention, counseling, emergency shelter, criminal justice advocacy, and emergency transportation. States are required to give priority to programs serving victims of domestic violence, sexual assault, and child abuse. Additionally, funds must be set aside for underserved victims such as survivors of homicide victims and victims of drunk drivers.

In addition to the amounts allocated via formula grants, there is funding available for discretionary grants that are used to fund training, technical assistance, and demonstration initiatives. No discretionary grant funding is included in this bill.

The federal agency website indicates further information on the grant application process will be forthcoming.

Violence Against Women Grant

This program is a formula grant program administered by the U.S. Department of Justice, Office on Violence Against Women, which flows through the state to sub-grantees at the state and local level. Montana has received a funding allocation under the "Service, Training, Officers, Prosecutors Formula Grant Program (STOP)". This grant program is to promote a coordinated, multidisciplinary approach to enhance services and advocacy to victims, improve the criminal justice system's response, and promote effective law enforcement, prosecution, and judicial strategies to address domestic violence, dating violence, sexual assault and stalking.

The federal agency anticipates application solicitations will be posted no later than March 9, 2009 and that applications will be due 15 days later. Funds must be obligated by September 30, 2010. However, the federal agency expects to issue two year awards.

Current program requirements apply including:

- 25 percent match is required. However, requests for a waiver of match requirements will be considered
- Funds must be disbursed using the allocation formula or:
 - 25 percent for law enforcement
 - 25 percent for prosecution
 - 5 percent for courts
 - 30 percent for victims' services
 - 15 percent discretionary

Statutory Changes

None

SECTION D - MONTANA BOARD OF CRIME CONTROL

Conditions and Limitations

Each federal funding source has specific conditions and limitations, most of which are consistent with existing federal program requirements. More specific information related to each source of funds is included in the narrative under purpose of funds.

In addition to the specific grant conditions, some of which are mentioned above, funds are subject to various provisions included in the act such as reporting requirements, buy American provisions, etc.

Figure 2

4107 Crime Control Division				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00900 Byrne/JAG	-	-	-	3,165,819	-	3,165,819
NP00901 Crime Victims	-	-	-	564,000	-	564,000
NP00902 Violence Against Women Grants	-	-	-	916,955	-	916,955
New Proposal Total	-	-	-	4,646,774	-	4,646,774
Total All Decision Packages	-	-	-	4,646,774	-	4,646,774

Decision Package Narrative

NP 900 Byrne/JAG – This decision package provides funding for the Edward Byrne Memorial Justice Assistance Grant Formula Program administered by the U.S. Department of Justice. This funding passes-through the agency to sub-grantees at the state and local level.

NP 901 Crime Victims – This decision package provides funding for the Crime Victim's Assistance formula grant program administered by the U.S. Department of Justice, Office for Victims of Crime. This funding passes-through the agency to sub-grantees at the state and local level.

NP 902 – Violence Against Women Grants - This decision package provides funding for the STOP grant program administered by the U.S. Department of Justice, Office on Violence Against Women. This funding passes through the agency to sub-grantees at the state and local level.

SECTION D – DEPARTMENT OF JUSTICE

Figure 1

Figure 1

4110 Department Of Justice							All Programs	
Legislative Budget Comparison Table								
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Operating Expenses	-	-	903,670	-	-	903,670	903,670	0.0%
Benefits & Claims	-	-	90,582	90,582	-	181,164	181,164	0.0%
Total Costs	-	-	994,252	90,582	-	1,084,834	1,084,834	0.0%
General Fund	-	-	500,000	-	-	500,000	500,000	0.0%
Federal Spec. Rev. Funds	-	-	494,252	90,582	-	584,834	584,834	0.0%
Total Funds	-	-	994,252	90,582	-	1,084,834	1,084,834	0.0%

Agency Narrative

This bill provides appropriations of \$500,000 general fund and \$584,834 federal funds to the Department of Justice. The general fund is provided to support the Methamphetamine Watch Program and is in addition to the funding for this purpose provided in the general appropriations act. The federal funds appropriated are \$403,670 for the Internet Crimes Against Children grant program and \$181,164 for Crime Victims' Compensation.

Purpose of Funds

Internet Crimes Against Children

This program provides funding for state and regional task forces to address technology facilitated child exploitation. Funding may be used for salaries and employment costs of law enforcement officers, prosecutors, forensic analysts, and other related professionals.

Applications are due by April 8, 2009. Applicants are limited to only those states and local law enforcement and prosecutorial agencies who are currently receiving funds under the program. Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. Funds may not be used to supplant current funding levels. Various reporting requirements apply including reporting on specified performance measures.

Crime Victims' Compensation

The program provides limited reimbursement to or on behalf of victims' of crime for crime-related expenses such as medical costs, mental health counseling, funeral and burial costs, and lost wages or loss of support. In Montana the amount of compensation that may be provided on behalf of a victim is limited to no more than \$25,000. Funding is allocated to states based upon a formula and states must apply to receive the allocated funds. States must comply with a number of federal program requirements.

Statutory Changes

None

Conditions and Limitations

In addition to the specific grant conditions, some of which are mentioned above, funds are subject to various provisions included in the act such as reporting requirements, buy American provisions, etc.

SECTION D – DEPARTMENT OF JUSTICE

Figure 2

4110 Department Of Justice				All Programs		
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00801 Crime Victims Compensation Grant - Federal	-	-	-	90,582	90,582	181,164
NP00900 Meth Watch Program	500,000	-	500,000	500,000	-	500,000
NP00901 Internet Crimes Against Children Grants	-	-	-	403,670	-	403,670
New Proposal Total	500,000	-	500,000	994,252	90,582	1,084,834
Total All Decision Packages	500,000	-	500,000	994,252	90,582	1,084,834

Decision Package Narrative

NP 801 Crime Victims Compensation Grant – This decision package provides an appropriation of federal funds for the Crime Victims' Compensation Grant.

NP 900 Meth Watch Program – This decision package provides \$500,000 general fund to support the Methamphetamine Watch Program. This funding is in addition to funding included in the general appropriations act.

NP 901 Internet Crimes Against Children Grant - This decision package provides an appropriation of federal funds for the Internet Crimes Against Children Grant.

SECTION D – DEPARTMENT OF CORRECTIONS

Figure 1

6401 Department Of Corrections							All Programs		
Legislative Budget Comparison Table									
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial	
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent	
Personal Services	-	-	1,352,812	1,359,747	-	2,712,559	2,712,559	0.0%	
Operating Expenses	-	-	-	-	-	-	-	0.0%	
Total Costs	-	-	1,352,812	1,359,747	-	2,712,559	2,712,559	0.0%	
General Fund	-	-	1,352,812	1,359,747	-	2,712,559	2,712,559	0.0%	
Total Funds	-	-	1,352,812	1,359,747	-	2,712,559	2,712,559	0.0%	

Agency Narrative

General fund support is provided to the agency to exempt 24 hour per day, 7 day per week, direct supervision staff at correctional institutions from vacancy savings. Funding of \$3.5 million general fund for this exemption from vacancy savings is offset by a \$0.8 million general fund reduction in funding for overtime costs for a net general fund increase of \$2.7 million.

Purpose of Funds

General fund is provided to exempt selected staff positions from vacancy savings and reduce funding for related overtime costs.

Statutory Changes

None

Conditions and Limitations

None

Figure 2

6401 Department Of Corrections						All Programs	
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds	
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11	
<i>Federal Stimulus New Proposal Decision Packages</i>							
NP00802 Remove Vacancy Savings 24-7 Staff/Reduce Overtime	1,352,812	1,359,747	2,712,559	1,352,812	1,359,747	2,712,559	
New Proposal Total	1,352,812	1,359,747	2,712,559	1,352,812	1,359,747	2,712,559	
Total All Decision Packages	1,352,812	1,359,747	2,712,559	1,352,812	1,359,747	2,712,559	

Decision Package Narrative

NP 802 Remove Vacancy Savings 24-7 Staff/Reduce Overtime – This decision package provides funding to exempt 24 hour per day, 7 day per week, direct supervision staff at institutions from vacancy savings. Institutions included in this decision package are Treasurer State Correctional Training Center, Montana State Prison, Montana Women's Prison, Riverside and Pine Hills Youth Correctional Facilities and the youth transition center.