



# IOWA HOUSE DEMOCRATS

## BILL SUMMARY

# Justice Systems Appropriations HF 2492

**Status of Bill:** House Floor  
**Committee:** Appropriations (18-7)  
**Research Analyst:** Alison Ver Schuer; (515) 281-5939; [Alison.Ver.Schuer@legis.iowa.gov](mailto:Alison.Ver.Schuer@legis.iowa.gov)

**Lead Democrat:** Rep. Breckenridge  
**Floor Manager:** Rep. Worthan

### Justice Systems Appropriations Analysis

The proposed FY 2019 budget for the Justice Systems budget is \$586 million, including \$17.92 million in other funds. The general fund proposal for FY 2019 is \$568.4 million, which represents an increase of \$11.8 million from estimated FY 2018. The only appropriation change made to the other funds is the Gaming Enforcement Fund and the proposed funding for the Department of Corrections' regional housing project.

Department of Justice: Overall, the Department may see an increase of \$217,869 compared to estimated FY 2018. The increase includes \$119,467 to the Attorney General's Office general fund and \$98,402 to the Legal Services Poverty Grants. The bill would also increase the Victim Compensation Fund's FTE from 28.20 to 29.0 by .20 FTE.

This legislation would strike Iowa Code requiring the Attorney General (AG) to give the Governor a status report of the AG's office's conditions, opinions rendered, and business transacted of public interest.

<u>GENERAL FUND</u>	Estimated FY 2018	HF 2492 2019	House vs. FY 2018
<b>Attorney General</b>			
Dept. of Justice General Office	6,392,238	6,511,705	119,467
Victim Assistance Grants	5,016,708	5,016,708	0
Legal Services Poverty Grants	2,206,199	2,304,601	98,402
<b>Total Attorney General</b>	<b>\$13,615,145</b>	<b>\$13,833,014</b>	<b>\$217,869</b>

### **Total House FY 2019 AG General Fund Appropriation: \$13,833,014**

Office of Consumer Advocate: The bill maintains the status quo of appropriating \$3.1 million from the Consumer Education and Litigation fund to the Department of Justice for farm mediation and litigation services. Additionally, the AG's office would maintain \$3.3 million from other funds for AG Prosecution and Appeals, Consumer Fraud, Older Iowans Consumer Fraud, and Farm Mediation Services.

<u>OTHER FUND</u>	Estimated FY 2018	HF 2492 2019	House vs. FY 2018
<b>Attorney General</b>			
AG Prosecution & Appeals	1,000,000	1,000,000	0
Consumer Fraud	1,875,000	1,875,000	0
Older Iowans Consumer Fraud	125,000	125,000	0

<b><u>OTHER FUND</u></b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
Farm Mediation Services – CEF	300,000	300,000	0
<b>Total Justice Department</b>	<b>\$3,300,000</b>	<b>\$3,300,000</b>	<b>\$0</b>
<b>Consumer Advocate</b>			
Consumer Advocate – CMRF	3,137,588	3,137,588	0
<b>Total Attorney General</b>	<b>\$6,437,588</b>	<b>\$6,437,588</b>	<b>\$0</b>

**Total House FY 2019 Consumer Advocate Other Fund Appropriation: \$3,137,588**

**Total House FY 2019 AG Other Fund Appropriation: \$3,300,000**

**Total House FY 2019 Department of Justice Other Fund Appropriation: \$6,437,588**

Department of Corrections: The Department would receive an increase by a proposed \$8.62 million compared to estimated FY 2018. The increase would include \$4.89 million additional funds to the Corrections Administration, and an additional \$3.3 million variously disbursed amongst the Correctional Institutions and Judicial Districts. Language maintains the removal of Department wide duties' funds, which permitted the Department to use funds for operations, costs, and miscellaneous purposes. Additionally, the bill would make the Department's funding conditional upon the Department prohibiting the Correctional Judicial Districts from using appropriated funds for salaries, support, or maintenance purposes to implement, develop, or use pretrial risk assessments. The Department's Judicial Districts must terminate any risk assessment pilot programs by December 31, 2018. The bill would maintain a status quo for most of the Department's FTE's. The only proposed FTE decrease is 1 FTE in the Newton Correctional Institution.

The bill would create a new section allowing the Department to appropriate \$1 million from the Iowa skilled worker and job creation fund to implement, support, maintain, develop and construct a regional housing building project.

This bill would also strike a provision that required the Department's Director to provide inmates with suitable space for reading material. Additionally, the Department would be prohibited from using any funds to distribute all commercial sexually explicit published material to any inmate.

<b><u>GENERAL FUND</u></b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Dept. of Corrections</b>			
Corrections Administration	5,046,968	9,933,851	4,886,883
County Confinement	1,575,092	1,575,092	0
Federal Prisoners/Contractual	484,411	484,411	0
Corrections Education	2,608,109	2,608,109	0
Iowa Corrections Offender Network	2,000,000	2,000,000	0
Mental Health/Substance Abuse	28,065	28,065	0
DOC-Department-Wide Duties	0	0	0
State Cases Court Costs	10,000	10,000	0
<b>Total Central Office</b>	<b>\$11,752,645</b>	<b>\$16,639,528</b>	<b>\$4,886,883</b>

<b>GENERAL FUND</b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Dept. of Corrections Regional Inst.</b>			
Fort Madison Institution	40,709,469	41,079,882	370,413
Anamosa Institution	31,874,128	32,164,148	290,020
Oakdale Institution	59,770,579	60,314,427	543,848
Newton Institution	27,808,195	28,061,220	253,025
Mount Pleasant Institution	25,296,244	25,526,413	230,169
Rockwell City	10,364,555	10,458,861	94,306
Clarinda	24,557,503	24,780,950	223,447
Mitchellville	22,390,362	22,594,090	203,728
Fort Dodge Institution	29,392,788	29,660,231	267,443
<b>Department of Corrections Judicial Dist.</b>			
CBC District 1	14,653,435	14,786,766	133,331
CBC District 2	11,330,642	11,433,739	103,097
CBC District 3	7,103,324	7,167,957	64,633
CBC District 4	5,628,707	5,679,922	51,215
CBC District 5	21,363,555	21,557,940	194,385
CBC District 6	14,580,498	14,713,165	132,667
CBC District 7	7,707,214	7,777,341	70,127
CBC District 8	8,011,624	8,084,521	72,897
<b>Total Department of Corrections</b>	<b>\$374,295,467</b>	<b>\$382,481,101</b>	<b>\$8,185,634</b>

**Total House FY 2019 Department of Corrections General Fund Appropriation: \$382,481,101**

<b>OTHER FUND</b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Department of Corrections Capitals</b>			
SE Reg. Planning Comm. House Building	0	1,000,000	1,000,000
<b>Total Corrections Capitals</b>	<b>\$0</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>

**Total House FY 2019 Department of Corrections Other Fund Appropriation: \$1,000,000**

**Total House FY 2019 Department of Corrections Appropriation: \$383,481,101**

Iowa Law Enforcement Academy: The bill proposes a \$25,192 increase and a 2.4 FTE increase from 23.60 to 26.00 compared to estimated FY 2018.

<b>GENERAL FUND</b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Iowa Law Enforcement Academy</b>			
Law Enforcement Academy	946,149	971,341	25,192
<b>Total Law Enforcement Academy</b>	<b>\$946,149</b>	<b>\$971,341</b>	<b>\$25,192</b>

**Total House FY 2019 Law Enforcement Academy General Fund Appropriation: \$971,341**

State Public Defender: This bill proposes a \$560,000 increase from estimated FY 2018 to the Public Defender’s administrative general fund, and maintains the status quo of \$35 million for the Indigent Defense fund.

<u>GENERAL FUND</u>	Estimated FY 2018	HF 2492 2019	House vs. FY 2018
<b>Office of Public Defender</b>			
Public Defender’s Office	25,946,202	26,505,299	559,097
Indigent Defense Appropriation	35,144,448	35,144,448	0
<b>Total Office of Public Defender</b>	<b>\$61,090,650</b>	<b>\$61,649,747</b>	<b>\$559,097</b>

**Total House FY 2019 Public Defender General Fund Appropriation: \$61,649,747**

Board of Parole: This bill proposes a \$29,643 increase from estimated FY 2018 and .25 FTE increase from 10.50 to 10.75.

<u>GENERAL FUND</u>	Estimated FY 2018	HF 2492 2019	House vs. FY 2018
<b>Parole, Board of</b>			
Parole Board	1,191,731	1,221,374	29,643
<b>Total Parole Board Appropriation</b>	<b>\$1,191,731</b>	<b>\$1,221,374</b>	<b>\$29,643</b>

**Total House FY 2019 Board of Parole General Fund Appropriation: \$1,221,374**

Department of Public Defense: The Department would receive a proposed increase of \$170,830 compared to estimated FY 2018 and a 2.0 FTE increase from 246.00 to 248.00.

<u>GENERAL FUND</u>	Estimated FY 2018	HF 2492 2019	House vs. FY 2018
<b>Department of Public Defense</b>			
Dept. of Public Defense	6,164,131	6,334,961	170,830
<b>Total Department of Public Defense Appropriation</b>	<b>\$6,164,131</b>	<b>\$6,334,961</b>	<b>\$170,830</b>

**Total House FY 2019 Public Defense General Fund Appropriation: \$6,334,961**

Department of Homeland Security & Emergency Management: This bill proposes a \$20,813 increase compared to estimated FY 2018 and a 1.72 FTE increase from 32.15 to 33.87. This bill also maintains the status quo of appropriating \$250,000 from the 911 emergency communication funds for the Department to implement, support, and maintain administrative functions, programs and annually audit the 911 communication fund.

<u>GENERAL FUND</u>	Estimated FY 2018	HF 2492 2019	House vs. FY 2018
<b>Homeland Security &amp; Emergency Mgmt.</b>			
Homeland Security & Emer. Mgmt.	2,102,797	2,123,610	20,813
<b>Total Homeland Security &amp; Emergency Mgmt.</b>	<b>\$2,102,797</b>	<b>\$2,123,610</b>	<b>\$20,813</b>

**House FY 2019 Department of Homeland Security & Emergency Management General Fund Appropriation: \$2,123,610**

<u>OTHER FUND</u>	Estimated FY 2018	HF 2492 2019	House vs. FY 2018
<b>Homeland Security &amp; Emergency Mgmt.</b>			
E 911 Emergency Communication Admin	250,000	250,000	0
<b>Total Homeland Security &amp; Emergency Mgmt.</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$0</b>

**House FY 2019 Department of Homeland Security & Emergency Management Other Fund Appropriation: \$250,000**

**Total House FY 2019 Department of Homeland Security & Emergency Management Appropriation: \$2,373,610.**

Department of Public Safety: Overall, the Department would receive a proposed increase of almost \$2.5 million compared to estimated FY 2018, and a 14.40 FTE increase from 890.50 to 904.90.

The agency would receive almost a \$2.3 million increase for the Department’s administrative functions and a \$200,000 appropriation increase to the Division of Criminal Investigation (DCI). DCI’s additional funding must be used to employ 2.0 additional FTE positions to assist expediting the crime lab’s DNA processing and sample analysis. Overall, DCI’s total FTE would increase from 5 to 7 in comparison to estimated FY 2018.

The bill would require the Department of Public Safety’s (DPS) Commissioner to appoint an Administrator of the Fire Service Training Bureau within the State Fire Marshal Division. The Department would allocate up to \$100,000 maximum from the volunteer firefighter training and equipment FY 2019 appropriated funds to pay for the Administrator’s salary. However, the Department’s authorized maximum amount for such allocation decreases by \$25,000 each fiscal year until 2022.

Other proposed FTE increases to the Department include:

- A .50 FTE increase from 66.0 to 66.50 FTE in the Narcotics Enforcement Division;
- A 2.0 FTE increase from 51.0 to 53.0 FTE in the Fire Marshall Division;
- A 4.35 FTE increase from 507.05 to 511.40 FTE for Iowa State Patrol; and
- A .55 FTE increase from 1.45 to 2.00 in the Human Trafficking Office.

The bill would maintain the \$917,487 elimination of department wide duties, including operations, costs and miscellaneous purposes.

The Department’s Gaming Enforcement budget would decrease by a little over \$1 million in comparison to estimated FY 2018. However, the Department’s E911 surcharge would receive a status quo appropriation of \$4.4 million. The Gaming Enforcement would also maintain a status quo of 73 FTE’s.

Section 18 of the bill establishes a Public Safety Support Trust Fund within the Treasury Department. The Department would be allowed to receive and accept any public or private donations, grants, loans and contributions deposited into the trust. Any money credited to the Department’s trust would be appropriated to support the Department’s activities and operations. Additionally, any money deposited into the Department’s trust would not revert back to the state’s general fund.

<b>GENERAL FUND</b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Department of Public Safety</b>			
Public Safety Administration	4,337,703	6,631,377	2,296,674
Public Safety DCI	14,263,083	14,463,083	200,000
DCI – Crime Lab/Equipment Training	302,345	302,345	0
Narcotics Enforcement	7,585,873	7,585,873	0
Public Safety Undercover Funds	109,042	109,042	0
Fire Marshal	4,765,056	4,765,056	0
Iowa State Patrol	62,126,287	62,126,287	0
DPS/SPOC Sick Leave	279,517	279,517	0
Fire Fighter Training	825,520	825,520	0
Department-wide Duties	0	0	0
Human Trafficking Office	150,000	150,000	0
Interoperable Communications Sys Board	115,661	115,661	0
<b>Total Department of Public Safety</b>	<b>\$94,857,087</b>	<b>\$97,353,761</b>	<b>\$2,496,674</b>

**Total House FY 2019 Department of Public Safety General Fund Appropriation: \$97,353,761**

<b>OTHER FUND</b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Department of Public Safety</b>			
Radio Communication E911 Surcharge	0	0	0
DPS Gaming Enforcement – GEF	11,335,218	10,239,218	-1,096,000
<b>Total Department of Public Safety</b>	<b>\$11,335,218</b>	<b>\$10,239,218</b>	<b>-\$1,096,000</b>

**Total House FY 2019 Department of Public Safety Other Fund Appropriation: \$10,293,218**

**Total House FY 2019 Department of Public Safety Appropriation: \$107,646,979**

Civil Rights Commission: the Civil Rights Commission would receive a proposed \$51,635 increase and a 1.0 FTE increase from 29.0 to 30.0 in comparison to estimated FY 2018.

<b>GENERAL FUND</b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Civil Rights Commission</b>			
Civil Rights Commission	1,146,631	1,198,266	51,635
<b>Total Civil Rights Commission</b>	<b>\$1,146,631</b>	<b>\$1,198,266</b>	<b>\$51,635</b>

**Total House FY 2019 Civil Rights Commission General Fund Appropriation: \$1,198,266**

Criminal and Juvenile Justice Planning Division: the Criminal and Juvenile Justice Planning division (CJJP) would receive a \$32,267 increase and a .66 FTE increase from 8.90 to 9.56 in comparison to FY 2018.

<b>GENERAL FUND</b>	<b>Estimated FY 2018</b>	<b>HF 2492 2019</b>	<b>House vs. FY 2018</b>
<b>Department of Human Rights</b>			
CJJP	1,177,143	1,209,410	32,267
<b>Total Department of Human Rights</b>	<b>\$1,177,143</b>	<b>\$1,209,410</b>	<b>\$32,267</b>

**Total House FY 2019 CJJP General Fund Appropriation: \$1,209,410**

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