



eCounty Lines

August 29, 2017

[Common Goals Can Be Achieved Through the Power of Unity](#)

CCI MEETINGS:

[Southern, Eastern District Meetings Set for September 8 and 15](#)

[Winter Conference Auction Supports Scholarships for Students](#)

[Colorado Barricade, SDA Latest Winter Conference Sponsors](#)

IMPORTANT NEWS FOR COUNTIES:

[County HUTF Estimates Now Available for Budget Year 2018](#)

[Rural Broadband Access Loan Program Now Accepting Applications](#)

[County Courthouse, Jail Funding Solutions Interim Committee Update](#)

[Don't Miss September 22 Deadline on CCI's Policy Statement Changes](#)

[Current Commissioners Ineligible for Cost of Living Salary Adjustments](#)

[New State Law Allows TANF Dollars to Support Quality Child Care](#)

[Office of Behavioral Health Hosts Forums, Tours of Providers](#)

INVOLVEMENT/EDUCATION/NETWORKING:

[September 8: SB16-190 Forum on Public Benefits Costs to Counties](#)

[September 22: Broadband Town Hall and Stakeholder Session](#)

[November 9: Clear Creek County Rural Housing Strategy Workshop](#)

[December 8: DCI-Sponsored Urban Renewal Board Member Training](#)

APPOINTMENT OPPORTUNITY:

[U.S. Forest Service Seeks Nominees for Research Advisory Council](#)

Common Goals Can Be Achieved Through the Power of Unity



By John (Chip) Taylor

In last week's newsletter, I mentioned the travel that CCI members and staff were doing to visit with other counties. If you follow any of us on Facebook, you saw our smiling faces at the Las Animas County courthouse, at the Summit County Community Center in Frisco, at the Ute Indian Museum in Montrose, and even waiting out an I-70 closure on the way back to Denver! It was great to see so many of you and get your live feedback on issues you would like us to pursue in the upcoming session. I think it is hard to underestimate the value of interacting in real time – or even better, in person – for achieving a better understanding of an issue and for engaging in the give and take that is an essential part of our public policy process. So I was delighted to see that our Mountain and Western District meetings were well-attended. Mountain District had 11 of its 13 counties represented (26 commissioners). Western District was short only two counties, as well, and had 28 commissioners in attendance.

Both meetings included discussions of issues about which there was disagreement but the back and forth enhanced everyone's understanding of the concerns and yielded one or two interesting areas of commonality. Moreover, the overwhelming majority of the time commissioners are expressing the same concerns and seeking similar solutions. We expect commissioners will speak with one voice on the importance of local authority to encourage broadband, on the need for funding for transportation and for jails and courthouses, on local authority to administer human services, on protection of funds held for local governments from state raids, on protection of local taxing authority, and on opposition to unfunded mandates, just to name a few. CCI will always try to provide a venue for discussion of the issues on which commissioners disagree but we will also try to remind commissioners how much they have in common and the power that they have when they find a way to act as one.

Thanks once again to all the commissioners, county staff, state and federal officials who took time to invest in each other by participating in these meetings and being a part of the discussions. And thanks once again to the Colorado State University, Office of Engagement for lunch and for establishing priorities by listening to counties!

Have great week.

John (Chip) Taylor is CCI's Executive Director.

CCI MEETINGS:

Southern, Eastern District Meetings Set September 8 and 15

District meetings wrap up on **September 8 and 15, 2017** with the Southern and Eastern gatherings in Walsenburg and Akron, respectively. The Colorado State University (CSU) Office of Engagement sponsors the lunches at these highly interactive and informative events. Both meetings will begin at 10 am and go until approximately 2 pm. The Southern District Meeting will be held September 8 at the Huerfano County EMS Building, 326 Main Street, in Walsenburg. The Eastern District Meeting is September 15 at the Washington County Event Center, 551 West 2nd Street, in Akron.

Winter Conference Auction Supports Scholarships for Students



There are more reasons than ever to attend the CCI Foundation's Winter Conference on **November 27-29, 2017** at the Hotel Elegante in Colorado Springs, El Paso County. Great workshops. Rich peer-to-peer interaction. A wealth of product-and-service purchasing information. In addition, conference participants – delegates as well as vendors – can help build a brighter future for young people when they support the auction that will be held at the November 28 dinner. Anyone can donate a gift to the auction. Just let Rio Blanco County Commissioner Shawn Bolton know what you plan to give by emailing him at shawn.bolton@rbc.us. In the past, items to be auctioned have included gift baskets, hotel accommodations, greens fees to popular golf courses, guns, and sports memorabilia. You can also help by actively participating in the auction by bidding on the gifts. All proceeds from the auction support two scholarships presented annually through 4H and Future Farmers of America. Early Bird registration discounts to the conference are available through **November 1, 2017**. That same date is the cutoff for room accommodations at the hotel at the special conference rate of \$94 per night, single or double occupancy. The event includes workshops and networking sessions sponsored by the Association of Colorado County Administrators (ACCA), the Colorado Association of Local Public Health Officials (CALPHO), the Colorado Association of Road Supervisors & Engineers (CARSE), and the Colorado Human Services Directors Association (CHSDA). For delegate information (including hotel accommodations), tentative schedule, and the registration form, visit the home page at www.ccionline.org.

Colorado Barricade, SDA Latest Winter Conference Sponsors



Sponsorship opportunities are now available for the CCI Foundation Winter Conference on **November 27-29, 2017** at the Hotel Elegante in Colorado Springs, El Paso County. The latest sponsors are Colorado Barricade Co. and the Special District Association (SDA) of Colorado. With over 40 years of experience throughout Colorado, Colorado Barricade is proud to be the industry leader and trusted resource for highway safety services and products, including those that contribute to traffic control, sign installation, pavement marking, and special events. SDA is a statewide membership organization created in 1975 to serve the interests of the special district form of local government in Colorado. Special districts fill a vital role in providing many of the basic services and public needs of the people of Colorado, including fire and rescue services, water and wastewater treatment and delivery, parks and recreation amenities, hospitals, libraries and cemeteries. Previously committed sponsors are Wagner Equipment as the Platinum-level sponsor of the President's Reception and CTSI as a Gold-level sponsor of the Tuesday morning breakfast. Other early sponsor commitments include Anadarko, CCOERA, CPS HR Consulting, and Motorola Solutions. If you do business with county governments, conference sponsorships are a great way to cement existing relationships and establish new ones with over 400 key decision-makers in the multi-billion-dollar county government market for products and services. The conference audience includes county commissioners, administrators, road & bridge supervisors, and human resource specialists. There are four levels of sponsorships plus table-top displays and program advertising. To discuss sponsorship opportunities, call Paul Thompson at 303.861.4076, Ext. 241 or email him at pthompson@ccionline.org.

IMPORTANT NEWS FOR COUNTIES:

County HUTF Estimates Now Available for Budget Year 2018

CCI, in coordination with the State Treasurer's Office and the Colorado Department of Transportation, has prepared county HUTF estimates for budget year 2018. CCI prepares these estimates annually to assist county finance and budget staff as they begin preparing next year's budgets. The HUTF estimates are attached to this edition of *eCounty Lines* and are also available on the CCI website (ccionline.org) under the "Announcements" section. If you have any questions, please contact Eric Bergman at 303.861.4076 or ebergman@ccionline.org.

Rural Broadband Access Loan Program Now Accepting Applications

USDA - Rural Development is now accepting applications for FY 2017 for the Rural Broadband Access Loan and Loan Guarantee Program and will be accepting those applications until **September 30, 2017**. This program provides loans and loan guarantees for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide service at the broadband lending speed (10 down/1 up). For more information, and to review the application guide and form, click [here](#).

County Courthouse, Jail Funding Solutions Interim Committee Update



The CCI-initiated Interim Committee on County Courthouse and County Jail Funding and Overcrowding Solutions met yesterday. The committee started the morning hearing about pretrial programs, efforts to alleviate jail overcrowding, national jail and criminal justice reform efforts by legislatures, and behavioral health and competency restoration programs in jails. In the afternoon, the committee traveled to Arapahoe County to tour the detention center and the RISE program for competency restoration. CCI thanks Arapahoe County and its staff for hosting the committee, and the legislators and legislative staff who were able to attend (*pictured above are, left to right, Arapahoe County Commissioner Nancy Jackson, Arapahoe County Bureau Chief of Detention Vince Line, and Rep. Susan Beckman, a former Arapahoe County Commissioner*). The minutes from the meeting are attached to this newsletter. If you have any questions about the Interim Committee, please email CCI's [Alli Daley](#).

Don't Miss September 22 Deadline on CCI Policy Statement Changes

Each fall the CCI membership adopts a legislative agenda and a policy statement. The CCI Policy Statement is organized by steering committee and serves as a general guide to the association's position on a wide-ranging number of policy issues. It provides CCI staff with guidance absent specific action by a CCI Steering Committee. As part of the steering committee work on September 29, members will begin discussing the CCI Policy Statement and may recommend changes. Members may review the policy statement in advance of the meeting and submit suggested changes to CCI Policy Director Eric Bergman at ebergman@ccionline.org no later than **September 22, 2017**. Final ratification of the 2018 CCI Policy Statement will take place during the Legislative Committee meeting on **October 13, 2017**. The 2017 CCI Policy Statement can be found on the CCI website at <http://ccionline.org/legislative/policy-statement/>.

Current Commissioners Ineligible for Cost of Living Salary Adjustments

CCI has received several inquiries regarding the first cost of living adjustment to county elected salaries that will be made by Legislative Council at year's end and whether counties should be budgeting for this increase. Please be aware that while there WILL be a cost of living adjustment made this December by Legislative Council (per CRS 30-2-102(2.3)(b)), no county elected official will be eligible to receive this adjustment until he or she is reelected in either 2018 or 2020. This is because of the constitutional prohibition on elected officials receiving a raise while in their current term of office. Raises will not be given until January of 2019 when new county elected officials are sworn in. A 2016 memo outlining the salary increases and cost of living adjustments is attached to this edition of *eCounty Lines*.

If you have any questions, please call Eric Bergman at CCI at 303.861.4076.

New State Law Allows TANF Dollars to Support Child Care

During this year's session of the General Assembly, HB17-1355 clarified that counties could choose to use TANF dollars to support quality child care activities. Some of the allowable activities that could be supported include: 1) activities designed to improve the quality and availability of child care; 2) making grants or providing loans to child care providers to assist such providers in meeting applicable state, local and tribal child care standards, including applicable health and safety requirements; 3) improving salaries and other compensation (such as fringe benefits) for full- and part-time staff who provide child care; 4) minor remodeling to upgrade child care facilities and much more. Among unallowable expenses, funds may not be spent to purchase or improve land or purchase, construct or improve any building or facility. Please note that a county must demonstrate that it will fully expend its Child Care Assistance Program (CCCAP) allocation in order to receive approval to use TANF dollars for quality child care activities.

For additional information or to explore whether or not this is an option for your county, please visit with your human services director.

Office of Behavioral Health Hosts Forums, Tours of Providers

The Office of Behavioral Health (OBH) is hosting a number of tours of behavioral health providers throughout the state as well as local community forums to hear from community members about behavioral health needs in their area. The forums will give community members the opportunity to hear about services available in the community as well as learn about next steps and solutions for behavioral health service gaps. Dates for the tours and forums are attached to this edition of *eCounty Lines*. Additional locations and dates will be announced when confirmed. For current information about OBH's efforts across the state, click [here](#).

Please RSVP to lauren.snyder@state.co.us if you plan to attend one of the tours.

INVOLVEMENT/EDUCATION/NETWORKING:

September 8: SB16-190 Forum on Public Benefits Costs to Counties

County officials are invited to a SB16-190 Forum hosted by the Colorado Department of Human Services and the Colorado Department of Health Care Policy & Financing on **September 8, 2017**. The forum features a presentation by Deloitte on the final report on the collection and analysis of data relating to county department costs and performance associated with administering public benefits assistance programs. The forum runs from 8:30 am to 12 pm at 1525 Sherman Street in Denver.

For questions about the forum, email [Maryse Osborn](mailto:Maryse.Osborn).

September 22: Broadband Town Hall and Stakeholder Session

The Colorado State Broadband Portal has announced that the next Broadband Town Hall and Quarterly Stakeholder Working Session will be held on **September 22, 2017** at Western State Colorado University in Gunnison. The stakeholder session runs from 1 pm to 3 pm and will focus on the Kids Link Colorado effort – an initiative to bring broadband to schools across Colorado. The discussion will include the upcoming E-Rate funding cycle with presentations from representatives of the Education SuperHighway. For more information on the stakeholder session, click [here](#). The town hall runs from 4 pm to 6 pm and features representatives of the state agencies that are driving broadband efforts in Colorado, including the Department of Local Affairs, the Office of Economic Development and International Trade, the Department of Regulatory Agencies, and the Public Utilities Commission. After brief remarks from each agency, there will be a discussion of the state's priorities and an open Q&A session for all participants. For more on the town hall, click [here](#).

November 9: Clear Creek County Rural Housing Strategy Workshop

Downtown Colorado, Inc. (DCI) and Clear Creek County will hold a dialogue about rural housing on **November 9, 2017** from 9:30 am to 3:30 pm in Clear Creek County (*location to be determined*). Attendees will interact with experts in housing finance, programs, and development to foster dialogue on leveraging resources for rural housing. Click [here](#) for more information.

December 8: DCI-Sponsored Urban Renewal Board Member Training

Downtown Colorado, Inc. (DCI) has announced that it will present an all-day Urban Renewal Board Member Training class on **December 8, 2017** with the location to be announced. DCI is identifying new case studies that illustrate rural renewal and urban innovation. The training will highlight processes for implementing HB15-1348 (a law passed by the General Assembly in 2015 which grants counties, special districts and schools the ability to negotiate how much of their incremental property tax revenue they can commit to a redevelopment project) and the opportunities that new partnerships may hold as well as looking at the impacts of urban renewal in Colorado. For more information, click [here](#).

APPOINTMENT OPPORTUNITY:

U.S. Forest Service Seeks Nominees for Research Advisory Council

The U.S. Forest Service is seeking nominations for the Forest Research Advisory Council (FRAC). **FRAC** makes recommendations to the Secretary of Agriculture for \$25 to \$35 million of forestry research each year. The Forest Service will accept nominations for the next week. Membership in the FRAC offers opportunities to significantly influence the direction of academic and government forestry research in concrete ways. In the past, much of the focus has been on industrial forestry, but there is a desire to include more urban and community forestry research in the future. The Council meets at least once, sometimes twice, a year, and Council members serve staggered renewable terms that last up to three years. The Forest Service covers travel costs for most participants. If you are interested, complete [form AD-755](#) and include your résumé. A cover letter and letters of recommendation are helpful, but not mandatory. For questions, contact [Heather Doucet, SUFC Convener](#).

Correction/Clarification:

In last week's profile of Cheyenne County Commissioner Rod Pelton, note that his previous public service was on the County Oversight Committee and that a recent ransomware attack was on the County Clerk's office.

eCounty Lines Editor:

Paul M. Thompson

Education and Outreach Manager

800 Grant Street, Suite 500, Denver, CO 80203

Phone: 303.861.4076, Ext. 241

www.ccionline.org



To: Boards of County Commissioners
Council Members and Mayor
County Administrators/Managers
County Budget/Finance Officers
Road and Bridge Supervisors

From: Eric Bergman, CCI Policy Director

Date: August 29, 2017

Re: HUTF Estimates for Budget Year 2018

The attached schedule lists ESTIMATED HUTF revenues by county for budget year 2018. These HUTF estimates are based on data from the Colorado Department of Transportation (CDOT) and the State Treasurer's office and are being provided for **budgeting purposes only**. CCI prepares these estimates using projected HUTF revenue numbers and revised figures on county lane miles, vehicle registration and bridge deck area provided by the state agencies. Along with the 2018 estimates, we are also providing the county allocation table which shows how third tier percentages for each county were calculated.

Please note that for purposes of calculating HUTF estimates, the City and County of Broomfield is classified as a municipality by the state and accordingly those estimates are prepared by the Colorado Municipal League. (A copy of the CML municipal HUTF estimates is attached).

You will notice that the estimates for 2018 are down slightly over last year's estimates. CDOT modeling projections going forward show continued slow growth in HUTF revenues over the next five years.

If you have any questions, please do not hesitate to call me at 303.861.4076 or e-mail me at ebergman@ccionline.org. This memorandum is also posted on the CCI website at www.ccionline.org. You can access it under the "Announcements" section of the home page.

ALLOCATION METHODOLOGY FOR HIGHWAY USERS TAX FUND (HUTF) TO COUNTIES C.R.S. 43-4-207

The HUTF can be viewed as having two distinct parts. There is the **basic** HUTF, which includes user tax and fees enacted before 1981 and the **additional** HUTF, which includes user tax and fees enacted since 1981 (including FASTER fees). The Colorado General Assembly first makes appropriations from the off-the-top of the basic HUTF to the Colorado State Patrol in the Department of Public Safety and to the department of Revenue for the operations of the ports-of-entry and the Motor Vehicle Division. Then a total of 26% from the basic HUTF net of the appropriated off-the-top amount and 22% from the additional HUTF are distributed to the counties.

The distribution formula for the counties' portion of the HUTF is described in C.R.S. 43-4-207. The statutory distribution for each county's portion of the HUTF is according to a three-tiered formula as described below:

1. The first \$69,700,000 of any amount to be divided by the counties, is allocated according to the same allocation formula in existence in FY1987-88;
2. The next \$17,000,000 is allocated to the following seventeen counties by percentages as established in statute; Adams 9.5718%; Alamosa 1.1598%; Arapahoe 12.6560%; Boulder 7.3571%; Douglas 3.5148%; El Paso 13.0552%; Jefferson 14.9666%; La Plata 2.0733%; Larimer 7.9978%; Lincoln 1.8866%; Logan 2.0334%; Mesa 4.3285%; Morgan 2.9915%; Otero 1.6843%; Pueblo 4.6096%; Rio Grande 1.3384%; and Weld 8.7753%;
3. Any money above \$86,700,000 (i.e., 69,700,000 + \$17,000,000) is allocated as follows:
 - a. 15% in proportion to the rural motor vehicle registration in each county (unincorporated areas);
 - b. 15% in proportion to the countywide motor vehicle registration in each county;
 - c. 60% in proportion to the adjusted lane miles of open, used, and maintained county roads in each county, except mileage for state highways and municipal streets;
 - d. 10% in proportion to the square feet of bridge deck for bridges greater than twenty feet in length in each county
 - (i) After determining the percentage of area in each county classified as "plains," "plains rolling and irrigated" and "mountainous," C.R.S. 43-4-207(2)(c) provides that the Department of Transportation shall also classify the percentage of county roads that are "paved" in each county. The statute provides that the following factors shall be applied: 1.0 to the percentage of roads classified as "plains"; 1.75 to the percentage classified as "plains rolling and irrigated"; 3.0 to the percentage classified as "mountainous"; and 1.5 is applied to the percentage of "paved" roads in each county

All distribution of HUTF dollars to the counties are made by the State Department of the Treasury based upon computerized runs utilizing the statutory distribution formulas.

**COLORADO COUNTIES, INC.
HUTF PROJECTIONS FISCAL YEAR 2018**

2018 Projected Total County HUTF Dollars: \$212,222,320
 These projections include new revenues from SB09-108 (FASTER legislation)

COUNTY	FIRST TIER DISTRIBUTION \$ 69,678,078	SECOND TIER DISTRIBUTION \$17,000,000	Third Tier COMBINED AMOUNT \$ 125,544,242	HB 1272 Third Tier COMBINED PERCENT	PROJECTED TOTAL DISBURSEMENTS
ADAMS	2,281,054	1,627,206	5,566,930	4.434238%	9,475,190
ALAMOSA	720,318	197,166	1,164,183	0.927309%	2,081,667
ARAPAHOE	2,341,425	2,151,520	4,550,259	3.624427%	9,043,204
ARCHULETA	751,185	-	1,380,478	1.099595%	2,131,663
BACA	1,082,506	-	1,498,413	1.193534%	2,580,919
BENT	541,768	-	734,780	0.585276%	1,276,548
BOULDER	1,492,764	1,250,707	3,408,124	2.714680%	6,151,595
CHAFFEE	890,798	-	1,033,438	0.823166%	1,924,236
CHEYENNE	583,595	-	883,533	0.703762%	1,467,128
CLEAR CREEK	392,966	-	599,278	0.477344%	992,244
CONEJOS	789,188	-	1,096,525	0.873417%	1,885,713
COSTILLA	1,395,398	-	2,596,855	2.068478%	3,992,253
CROWLEY	296,543	-	424,793	0.338361%	721,336
CUSTER	527,849	-	727,756	0.579681%	1,255,605
DELTA	1,093,657	-	1,830,433	1.457998%	2,924,090
DOLORES	792,399	-	925,692	0.737343%	1,718,091
DOUGLAS	1,278,625	597,516	6,547,996	5.215688%	8,424,137
EAGLE	906,139	-	1,513,515	1.205563%	2,419,654
EL PASO	2,603,687	2,219,384	8,641,388	6.883142%	13,464,459
ELBERT	940,264	-	1,843,627	1.468508%	2,783,891
FREMONT	1,041,701	-	1,759,182	1.401245%	2,800,883
GARFIELD	1,317,968	-	2,195,887	1.749094%	3,513,855
GILPIN	289,926	-	380,857	0.303365%	670,783
GRAND	1,211,342	-	1,628,222	1.296931%	2,839,564
GUNNISON	1,271,008	-	1,644,648	1.310015%	2,915,656
HINSDALE	395,150	-	369,600	0.294398%	764,750
HUERFANO	784,334	-	971,508	0.773837%	1,755,842
JACKSON	643,521	-	755,047	0.601419%	1,398,568
JEFFERSON	3,570,735	2,544,322	8,522,656	6.788568%	14,637,713
KIOWA	619,559	-	824,524	0.656760%	1,444,083
KIT CARSON	1,145,359	-	1,704,519	1.357704%	2,849,878
LA PLATA	927,643	352,461	2,033,950	1.620106%	3,314,054
LAKE	275,570	-	477,089	0.380017%	752,659
LARIMER	2,039,725	1,359,626	5,231,420	4.166993%	8,630,771
LAS ANIMAS	1,448,357	-	1,875,074	1.493556%	3,323,431
LINCOLN	806,026	320,722	1,364,761	1.087076%	2,491,509
LOGAN	1,381,228	345,678	2,189,602	1.744088%	3,916,508
MESA	2,842,660	735,845	4,677,668	3.725912%	8,256,173
MINERAL	292,672	-	309,559	0.246574%	602,231
MOFFAT	2,137,837	-	2,253,881	1.795288%	4,391,718
MONTEZUMA	1,062,328	-	1,684,427	1.341700%	2,746,755
MONTROSE	2,004,910	-	2,849,761	2.269926%	4,854,671
MORGAN	830,834	508,555	1,746,293	1.390978%	3,085,682
OTERO	529,784	286,331	920,160	0.732937%	1,736,275
OURAY	335,179	-	480,784	0.382960%	815,963
PARK	2,251,760	-	3,020,476	2.405906%	5,272,236
PHILLIPS	536,241	-	739,726	0.589215%	1,275,967
PITKIN	477,682	-	737,797	0.587679%	1,215,479
PROWERS	840,054	-	1,266,720	1.008983%	2,106,774
PUEBLO	1,322,473	783,632	3,025,610	2.409995%	5,131,715
RIO BLANCO	1,365,365	-	1,784,144	1.421128%	3,149,509
RIO GRANDE	810,200	227,528	1,381,704	1.100571%	2,419,432
ROUTT	1,322,140	-	1,794,006	1.428983%	3,116,146
SAGUACHE	1,208,339	-	1,668,310	1.328862%	2,876,649
SAN JUAN	138,756	-	214,207	0.170623%	352,963
SAN MIGUEL	954,783	-	1,050,157	0.836484%	2,004,940
SEDGWICK	386,404	-	592,704	0.472108%	979,108
SUMMIT	508,591	-	759,579	0.605029%	1,268,170
TELLER	996,890	-	1,483,809	1.181901%	2,480,699
WASHINGTON	1,342,015	-	1,915,454	1.525720%	3,257,469
WELD	3,072,482	1,491,801	6,419,017	5.112952%	10,983,300
YUMA	1,236,419	-	1,871,747	1.490906%	3,108,166
TOTALS	69,678,078	17,000,000	125,544,245	100%	212,222,323

**Interim Committee on County Courthouse and
County Jail Funding and Overcrowding Solutions**
Committee Minutes - July 31, 2017

Pre-Trial Detention in County Jails

Dan Hotsenpiller, DA of the 7th Judicial District, discussed how the county jails across the state are facing unique challenges and that is what makes it particularly difficult to make policy. Mr. Hotsenpiller has 4 jails in his judicial district. Montrose is the only one facing overcrowding issues. The other jails are facing difficulties keeping enough staff because the jails do not have enough inmates. He explained that we have to give tools to jails to be able to manage population fluctuation and still run safe, efficient jails.

Of 64 jails, 33 do not have pretrial services. 10 Judicial Districts have pretrial services, 7 have none, and 5 have some level of pretrial services. These services are typically located in the metro area. Pretrial services is an effective tool but it has challenges. Mesa County used it effectively but is now facing overcrowding again. DAs want to have effective pretrial services, but it must be recognized that it costs more to provide these services per client in rural areas because of needs like transportation and variable populations. You also have to have the staff and capacity even if there are no clients in pretrial services. However, there is a need for these services in rural communities. When asked why every county does not have pretrial services, Mr. Hotsenpiller answered that it costs money to stand up the program, but there are jurisdictions that have been able to defray capital costs by doing pretrial services (Mesa, for example).

Mr. Hotsenpiller discussed that 20% of his caseload of misdemeanors and 15% of his felony caseload is obstruction of justice charges and violation of bonds/court orders. Almost all of these are in a pretrial stage. If we can get more effective at managing these people, we can do a better job of taking care of violations and this population.

He also suggested taking advantage of technology to assist with jail overcrowding. Gunnison County jail had excess capacity and took 22 inmates from Alamosa County. These are solutions for jails but then you have to transport these people. If we can better utilize video appearances, we could reduce those costs and more effectively transport inmates between jails who do and don't have capacity. The state has been working on establishing a good system in the jails. We also need to expand the system in the courts so that someone can appear in any county for their trial which would allow them to keep their job and have other benefits. This expansion could be a rule change or a chief justice directive, instead of statutory, because judges are reluctant to embrace and order video appearances by defendants. Often there is a request from defense counsel that the client shows up in person because this is their opportunity to talk to the defendant. However, lawyers can communicate ahead of time by secure phone lines in the jails. When a defense attorney requests an in-person hearing, the judges usually side with the defendant.

Some things will still have to take place in person and we need resources for that. To assess risk to the community and someone's background, you need to be in person to interview them and then you need case managers to do follow up. Technology will help, but we need people. There is no law preventing technology use but there need to be more discussions about which hearings are the most

important that someone attends in person. There also needs to be an assessment of technology in Colorado to make sure it's sufficient to handle these hearings.

Another issue arises with behavioral health services and access to medical care. There is no revenue stream to the community mental health provider for providing services to jails. There are new crisis dollars to expand the response system. OBH is building a system of co-responders with police to de-escalate and avoid people going to jail but we also need co-providers where there are providers in jails so the sheriffs have tools to manage these populations. When asked to clarify when Medicaid is suspended, Mr. Hotsenpiller mentioned that people are often taken to the hospital before booking because they are intoxicated or otherwise under the influence or they were injured. However, once they are booked, the sheriff is responsible for them.

Rep. Benavidez asked about the possibility of citing rather than arresting and charging people for certain charges. There was a felony summons bill that even allows low-level felonies to receive a summons rather than be arrested. Mr. Hotsenpiller explained that the only time officers arrest is where the legislature says that there must be an arrest or where there is a public safety need to arrest someone. The DA requires the police to justify why someone needs to be arrested. A failure to appear results in a bench warrant being issued and at that point they have to be arrested because of that court order.

Michael Dougherty, Assistant DA for the 1st Judicial District, discussed the issues of overcrowding in jails. In Alamosa county, with a capacity of 28 female inmates, there were over 40 women in the jail. The sheriff has done everything to address this problem. The Alamosa County jail also has a gang problem and it is hard to maintain safe conditions and isolate all of these people.

There are huge issues with medical treatment. The heroin and opioid epidemic in Alamosa county is causing the overcrowding and Medicaid won't help with any of the solutions to deal with this population.

Jefferson County has a pretrial coordinating service to examine the population. There are 1800-2000 offenders on pretrial services. Case managers for pretrial services have 150 cases at any one time. There is a need to maintain public safety while on pretrial services. One of the challenges is the failures to appear. In Jefferson County, 77.7% of those booked into county jail on municipal charges are failures to appear (charged into municipal court and then failed to appear and are now booked). If the state does not put people in jail for municipal charges and then they fail to appear, there has to be some mechanism to get someone back into court and have consequences for not appearing. Mr. Dougherty stated that rate would not decline if officers didn't arrest the person for failing to appear. We have to address why people are not appearing. When asked about the use of reminder calls, Mr. Dougherty explained that there are reminder calls made in some cases but he was not sure if it is in all cases.

Mr. Raynes finished by discussing Alamosa County. There is a LEAD grant program that they are applying for. The program seeks to have law enforcement take people to a treatment center rather than incarcerate someone. The treatment supervision is 1:15 or 1:20 but it is hard to fund these systems. The hope is that this will really help the county.

Mr. Raynes also discussed how pretrial services are critically important. The 7th judicial district does not have this service and it is the number one tool to help sheriffs. Jails are under particular pressure because statewide felony filings have gone up 20% with violent crimes up 8%. In Canon City, the felony filings have doubled. The number of felony crimes committed has risen. Each judicial district sees different types of felonies rising so it is hard to pinpoint what the problem is.

Mr. Dougherty also discussed the Criminal Justice Coordinating Committee that meets once a month in Jefferson County. These meetings get together all stakeholders to discuss solutions and coordinate resources.

When asked about people who are unable to afford their bond, Mr. Dougherty discussed the need for a quicker process to resolve failure to appear. There are districts with part-time county judges and bond is addressed as quickly as possible. If the only reason someone is in jail is because they cannot afford, it should be converted to a PR bond.

Perspectives on Jail Overcrowding

Stan Hilkey, Executive Director of the Department of Public Safety and former sheriff of 30 years in Mesa County, presented about jail overcrowding issues and the work done in Mesa County to address the problems.

When asked about medical costs and Medicaid in jails, Director Hilkey stated that jails usually do not accept someone without a medical clearance and if someone cannot pass, they go to the hospital. Sometimes security has to be provided at the hospital and that uses resources and they are brought to the jail once they are medically cleared. There is a legal and financial risk to booking an inmate before they are medically cleared. Deputies are aware of this. There is an enormous amount of work right now in educating law enforcement about behavioral health issues. We are working to divert people as much as possible and that is something the CCJJ is looking at.

Mr. Hilkey strongly encourages looking at what guidelines are necessary to determine which jurisdiction gets resources. For example, the legislature could require a criminal justice coordinating or leadership council in order to receive a grant. There must be collaboration in these processes. Most institutes that provide grants require criminal justice councils.

There are no silver bullets but you have to constantly examine what's happening in your community. There are so many problems and you have to be able to address them systematically. You can't just add resources to one part of the problem. There is opportunity to move *some* person out of the jail whether it's in pretrial services, on bond, etc. We have to analyze the numbers and who is in the jail and how long they have been in there. We have to ask if a criminal charge is necessary and whether a citation can suffice. Ask questions for every stage of the criminal justice process at the leadership council. How do you know if someone should get arrested, a warrant, a citation, or just let go? When you dig into that, there is no science. People rely on their gut and there needs to be evidence-based assessment.

Evidence-Based Decision making was used in Mesa County. Presentencing investigations done by parole were taking months and that was delaying the court process. We were able to shorten the process and also eliminate people who did not need the investigations. Those delays can impact the population and the length of stay.

The council also looked at pretrial services. Mesa County had a bond schedule and eliminated it to implement risk assessment instead. This was based on type of crime and level of risk in a chart and the result was based on evidence. It continues to be implemented. PR bonds went from 30% to 70% of people, even with some of them not being supervised. The safety rate and appearance rate remained about the same with 90%. It was hard for the community to accept. Risk assessment is an actuarial assessment, so it does not tell you exactly about an individual's risk. While pretrial services can create a larger caseload, it is a myth that everyone needs supervision on PR bonds. Some people can be left unsupervised. If you are using the tool correctly, people will show up 90% of the time. We often get stuck in the belief that everyone person in pretrial needs to be supervised and have a case manager. Many do and many do not. We *can* afford to do pretrial. We will need resources but not for everyone.

Years ago CSOC agreed to use a common formula to determine the cost of inmates per jail per day. At the time, it was about \$52.50. Mr. Hilkey then did an analysis that included medical, food costs that are variable, and also the cost of the sheriff himself. He realized that the \$52.50 does not really explain the cost of jails on a given day. It often costs the same to house 95 inmates as it does 100 but there are specific inmate costs: dental, medical, food. Those costs can be calculated and averaged to determine better reimbursement rate.

FTAs make overcrowding worse. The sheriff can remove municipal charges but they cannot remove FTAs so this population is overrepresented. The chief of police must be a part of the coordinating council to examine this. Municipalities also do not have the resources of counties and judicial districts, they don't have probation, alternatives to jail, work release programs, useful community services programs. That leads to them putting people in jail or using bond only.

When asked if the Department of Public Safety could assist with setting up Criminal Justice Coordinating Councils if given an appropriation, Mr. Hilkey said they could. The funds could be used for facilitators. He emphasized that there must be a commitment by the necessary players to be at the table.

Every community should have alternatives to jail. Work release is a good jail alternative because someone can keep working and they can get some level of supervision. It can be run at a cost cheaper than a jail. Mesa County had it. The risk is also not as high. Mesa County also had policy where people could serve time on weekend to pay off debts and people could stay employed during the week. Mesa County's jail population is high again. They eliminated the weekend bond magistrate program, weekender program, and work release program. The county was forced to shrink resources and now the jail population is back up. Work release is a program that is set up by locals.

National Perspective on State Policies Affecting Local Jails

Amber Widger, Senior Policy Specialist for the Criminal Justice Program of the National Conference of State Legislatures (NCSL), started by discussing who is in jail nationally. 63% of people are unconvicted. 75% of unconvicted population are held for nonviolent traffic, property, drug, or other nonviolent offenses. People are more likely to contact law enforcement during a mental health crisis than other interventions. There is also a high rate of cooccurring substance abuse issues. More than half of prisoners meet the criteria for drug dependence or abuse. The criminal justice system is the single largest source of referral to substance abuse treatment.

Mr. Widger discussed deflection which is one step before diversion and ask how do we prevent individuals from ending up in jail. This diverts someone to community health services at the moment of law enforcement contact or even before they have any contact. For example, the Kentucky Angel Initiative allows someone to take all of their drugs, paraphernalia etc. to law enforcement and not be charged and enter treatment. Legislatures are starting to focus more on behavioral health needs. Charleston County, SC has a triage center where people can go that isn't jail and people are served locally so officers are not out of the community for long. They got a grant from the Safety + Justice Challenge.

Colorado has mental health training for police but does not specify crisis intervention teams. CO also has good Samaritan/911 overdose immunity laws which routes people away from the criminal justice system. Local programs are filling the gaps sometimes where the state is not. We do not have any statewide drug courts or drug diversion programs. Many legislatures are encouraging programs to implement and support pretrial diversion programs.

In the last 5 years, every state has addressed pretrial in some way and more than 500 bills have been enacted in that time, mostly bipartisan. Colorado and other states have done legislative guidance for judges by requiring the use of least restrictive conditions with a focus mostly on risk assessment. Several states have gone a step further to limit courts' ability to impose financial conditions (VT – must make findings that financial conditions are necessary). Some states require a court to consider a defendant's ability to pay financial conditions and fees and to review this system regularly. NJ has a court fee that helps fund statewide services that support local programs and incentivize local programs. Some states have requirements such as doing pretrial services in order to qualify for types of state funding/grants.

Alison Lawrence, Program Director for the department of criminal justice for NCSL, talked about jail populations of convicted inmates. The largest population is those that are sentenced to county jail. Convicted inmates usually serve for a year but sometimes it is up to 2 years. The next largest population is state DOC inmates and parolees, about 81,200 inmates and 19,600 parolees nationwide. Federal inmates and ICE populations are also in local jails. The US DOJ alien assistance program reimburses jails for housing federal detainees. There are many jails who use this program to support operations. Mentally ill inmates are the final population who are there for competency hearings and transfers.

State sentencing changes have also impacted jail populations. States often change the thresholds for misdemeanors and felonies. For example, the state can increase the dollar amounts for a felony theft or lower drug sentences to misdemeanors. Habitual DUI has also changed more misdemeanors to felonies which has decreased populations. In order to help, some states are making some traffic offenses just citations so that the jail population does not increase. They may do this in the same bill as a bill that changes felony to misdemeanor.

There are also statutes that realign responsibilities. In NC, counties can opt into a law about misdemeanors that brings up jail population and has made it easier for some DOC facilities to close. CA came up with a realignment where they transferred to jail all offenders who are non-serious, non-violent, non-sex crimes regardless of the length of sentences and this has burdened jails a lot. Kentucky has changed C&D felonies but counties have negotiated to make sure they have the same

amount of state offenders in county jails. About half of KY state inmates are housed in county jails. KY's economy of scales worked so that jails could better maintain jail because they have DOC inmates.

In most states, counties do house state offenders. There are permissible daily rates. Medical expenses are sometimes included in the daily rate or billed separately. Some states have no state inmates in local jails (NM, SD, IA, MO, IL, OH, NC, NY). There are different laws about when reimbursement begins. In some states, if DOC doesn't collect an inmate within 15 days, they have to reimburse inmates. This reduced the backlog significantly. Some states have created tiered reimbursement systems. UT has higher rates for jails with treatment programs, classes, etc. MI has a higher rate for inmates who are in jail for up to 18 months. CA, VT, RI, CT, DE, and DC have a unified state/county system.

Some legislatures have worked on performance incentive funding to support successful community supervision rather than sending violators back to jail (CA, OR, UT, TX, KS, AR, AL, IL, MI, OH, PA). IN provides grant funds for pretrial services that require coordinating councils to be eligible. GA has increased judicial salaries for those that have drug and mental health courts. AL requires community corrections contracts be performance based. There are also Safety + Justice Challenges that provide grants for experimental and innovative ways to reduce populations.

No state has eliminated bonding but there are states who don't use it often. KY and DC almost never use financial bonds. In these states, statute hasn't changed but local process has. Courts are required to look at the least restrictive conditions or ability to pay.

States vary on how they deal with medical costs. There has been legislative action that help provide resources to assist sheriffs with paperwork and processing for utilizing Medicaid whenever possible because some sheriffs did not know how the best utilize the dollars. Corrections agencies have done more to figure out when they are eligible and how they can get reimbursed. OH and KY have maximized reimbursement opportunity.

Chris Johnson, Executive Director of CSOC, briefly testified about how many counties do not have the funds for pretrial services. There were many issues of FTAs in Delta County. The sheriff recruited church volunteers to call people to give them reminders. This reduced the FTA rate by 75%.

Christina Rosendahl, legislative liaison from Department of Corrections, presented briefly about the population of moveable inmates in county jails. The DOC website currently shows that the number of DOC inmates and parolees is 1600. The number of moveable inmates is only about 200, or 2% of total jail population. The moveable inmates are not on parolee status. Parolees are housed in jail until they are seen by the parole board and they can be revoked to DOC or released to the community. These individuals cannot be moved until the parole hearing. The other unmoveable people are parolees who commit new crimes because they have to be housed in county jail until the new charges are disposed of (statutory requirement). The moveable inmates are the DOC "backlog". DOC works with county facilities and sheriffs to minimize this population. In 2015, SB214 worked to minimize parolees by giving new options. Similar to jails, DOC has seen unexpected increases in populations.

Behavioral Health Services for County Jails

Jagruti Shah, Interim Director of Criminal Justice Services in the Office of Behavioral Health at CDHS, discussed behavioral health services in county jails. HB10-1352, lowered penalties for drug use and possession and directed expected savings to Drug Offender Treatment fund for substance use disorder treatment of offenders in jails. There were 10 awards to serve 24 jails implemented in October 2010. OBH then worked with CSOC to reach 90% of jail population in Colorado with 6 new counties. In May 2014, JBC allocated more money from MTCF. Total budget is \$5M and they are in 46 counties. In many cases, there are partnerships between counties which reduce the resource burden.

The goal of the program was to foster relationships. OBH contracts with sheriffs' offices and then they subcontract with local treatment providers. The money helps with screening, assessment of substance abuse and co-occurring behavioral health issues, provide services, and support continuity of care in the community after.

The program provides case management and benefit/job acquisition, housing, help meeting legal obligations, and transportation. Each contract can also be used to purchase Narcan/naloxone doses. The program is aimed at people who are in jail for more than a week and mostly post-sentence. The program is restricted to people who have a substance abuse disorder and people are not eligible if they only have a behavioral health disorder.

Competency Restoration and Court-Ordered Evaluations

Dr. Patrick Fox, Chief Medical Officer for CDHS, presented about the rise in orders to competency and court-ordered evaluations. Two years ago, the judge had discretion to determine where evaluations were done and usually ordered them to be done on an inpatient basis. Under a HB last year, the discretion was limited so that if a person was going to inpatient, there needed to be a reason. All evaluations are now done outpatient unless: the person meets civil commitment standards, the evaluation has been conducted on outpatient basis and it was not satisfactory, the evaluator who was asked to do the evaluation thinks that person needs to be evaluated inpatient, or with the direct authorization of the director of CDHS. 61% of evaluations are currently inpatient. The length of time they are confined in Pueblo or in the custody of CDHS is usually 60-90 days.

In last 15 years, there have been increases in number of evaluations and also people who are not restored. This past session, SB 12 passed which makes it clear that if a judge orders someone for outpatient restoration, that OBH is the entity responsibility for that restoration. It is the hope of CDHS that this will increase outpatient orders.

Restoration is unsustainable based on trends right now. The state hospital in Pueblo and the RISE program based in Arapahoe County Jail are full and bursting at the seams. Dr. Fox emphasized that the state cannot build its way out of this problem even if there are jail based and institutional expansion.

Dr. Fox suggested that the solution could be to make more robust use of outpatient restoration. The majority of individuals are receiving inpatient restoration even though most people with behavioral health issues are being served in their communities (90%). There needs to be a clinical decision to do inpatient only when it is needed. To build a needed 287 bed inpatient facility would cost \$70M. It

would be about \$30M to do more jail based restoration. It would be just \$2.9M to do more outpatient restoration.

Dr. Fox concluded by saying that if the state is going to use the state hospital for competency restoration, the people admitted should be patients who would otherwise qualify for being in the state hospital. Otherwise, it forces CDHS to fail to serve the people who need to be in the state hospital.



To: County Commissioners
County Administrators/Managers
County Budget/Finance Staff

From: Eric Bergman, CCI Policy Director

Date: November 2, 2016

Re: Salary/Cost of Living Adjustments for County Elected Officials

We have received a number of questions on the timing of the salary adjustment provisions contained in SB15-288. The language in the bill has caused some confusion and staff has been asked to provide additional guidance on when the salary adjustments and/or cost of living adjustments will take effect. While the salary adjustment component itself is fairly straightforward, the timing of the raises is complicated due to a provision in the Colorado Constitution that prohibits county elected officials from receiving a raise while in office:

Colorado Constitution, Article XII, Section 11
ELECTED PUBLIC OFFICERS - TERM - SALARY - VACANCY
No law shall extend the term of any elected public officer after his election or appointment nor shall the salary of any elected public officer be increased or decreased during the term of office for which he was elected. (emphasis added)

Salary Adjustments

County commissioners elected next week and sworn in January of 2017 will receive a raise ranging from 0% to 30%, depending on what subcategory the county was put in through last year's HB16-1367 (see attached). Counties in subcategory D will receive no raise next year; counties in subcategory C will receive 10% raises; counties in subcategory B will receive 20% increases; and counties in subcategory A (the statutory default established in SB 288) will receive 30% increases. Commissioners who are currently in office but are not up for election this November will not receive a raise next January. They must wait until their next term for their salary increase to kick in, pursuant to the language in the state constitution.

Cost of Living Adjustments

In order to establish regular, incremental salary adjustments going forward, SB 288 also contained a provision to make periodic salary adjustments for county elected officials based on the consumer price index (CPI) for Denver-Boulder-Greeley. These CPI adjustments are determined by Legislative Council staff and will be made beginning in late 2017 (and every

two years thereafter), meaning that county commissioners elected this fall will **not** see a CPI adjustment until January of 2021 (assuming they are reelected). Commissioners (and the other county elected officials) elected in 2018 will receive **both** a salary adjustment (of 0% to 30%) and a CPI adjustment when they are sworn in January of 2019, but will not receive any additional CPI adjustments unless they are reelected in 2022 (again, owing to the constitutional prohibition on getting a raise while you are in office).

So, for purposes of these salary adjustments, there are basically two scenarios in any given county:

- If you are a commissioner elected (or reelected) this Fall (2016), you will be sworn in next January and you will receive a salary that is 0% to 30% higher than the current salary level (depending on subcategory). You will NOT receive a cost of living adjustment during your four-year term. If you are reelected in 2020, you will receive TWO small CPI adjustments (one determined in 2017, and another determined in 2019).
- If you are a commissioner (or other county elected official) elected (or reelected) in 2018, upon swearing in you will receive the same salary as the commissioners elected in 2016 AND you will also receive a small CPI adjustment on top of that new salary. Please note that you will not receive any additional cost of living adjustments during your four-year term.

The practical effect of these salary adjustments is that there will **always** be a discrepancy between county commissioner salaries, with commissioners elected at different times basically “leap-frogging” each other (from a salary standpoint) every two years. Given the constitutional prohibition on receiving a raise during office and staggered commissioner election cycles, there is no way around this issue. However, these small incremental salary adjustments will prevent the need for another piece of legislation somewhere down the road to raise county salaries again.

If you have any questions, please do not hesitate to call me at 303.861.4076.

Office of Behavioral Health Hosts Forums and Tours of Providers

The Office of Behavioral Health (OBH) is hosting a number of tours of behavioral health providers throughout the state as well as local community forums to hear from community members about behavioral health needs in their area. The forums will give community members the opportunity to hear about services available in the community as well as learn about next steps and solutions for behavioral health service gaps. Here are the dates and locations of the tours and forums:

Mount Saint Vincent, Legislative Tour

Facility Description: Residential Treatment Center for Youth
Location: 4159 Lowell Blvd, Denver, CO 80211
Date: September 19 at 1:30 pm

Note: there will be a tour of Devereaux, a residential child care facility in Westminster, at 10:30 am. This will be a great opportunity to see various RCCFs and the differences between them.

Community Reach Center, Legislative Tour

Facility Description: Walk-in Crisis Center and Residential Step-Down Facility
Location: 2551 W. 84th Ave, Westminster, CO 80031
Date: September 26, 1:30 pm

Note: there will be a tour of Devereaux, a residential child care facility in Westminster, at 10:30 am.

Denver (North) Community Forum

Location: 11285 Highline Dr., Northglenn, CO 80233
Date: September 26, 3 pm - 4:30 pm

Pueblo Community Forum

Location: Rawlings Library, 100 E. Abriendo Ave., Pueblo- Ryals Special Event Room, 4th Floor
Date: September 5, 6:30 pm – 8 pm

Health Solutions, Legislative Tour

Facility Description: Walk-in/Crisis Care
Location: 41 Montbello Road, Pueblo, CO 81001
Date: September 6, 9 am

Crossroads Turning Point, Legislative Tour

Facility Description: Opiate and Substance Use Disorder Treatment
Location: 509 E 13th Street Building B, Pueblo, CO
Date: September 6, 11 am

The tour in Pueblo will include these two facilities and at 1:30 pm, there will be a tour of the Mental Health Institute at Pueblo. Participants may attend one or all three tours.

Colorado State University, Legislative Tour

Facility Description: Trauma Resiliency Center
Location: Colorado State University- Room Location TBD
Date: September 18, 10 am - 11:30 am

Note: Larimer County Department of Human Services is providing lunch from 1 pm - 2:30 pm

Ft. Collins Community Forum

Location: Colorado State University- Room TBD

Date: September 18, 1 pm - 2:30 pm

Durango Community Forum

Location: Durango Public Library, 1900 E. 3rd Ave

Date: September 15, Noon - 1:30 pm

The Center (Montrose), Legislative Tour

Facility Description: Community Mental Health Clinic

Location: 2130 E Main St., Montrose, CO 81401

Date: September 21, 3 pm - 4:30 pm

West Springs (Grand Junction), Legislative Tour

Facility Description: Psychiatric Hospital

Location: 515 28 3/4 Rd, Grand Junction, CO 81501

Date: September 22, 8:30 am – 10 am

Hilltop (Grand Junction), Legislative Tour

Facility Description: Substance Use Disorder Treatment

Location: 1331 Hermosa Ave., Grand Junction, CO 81506

Date: September 22, 10 am - 11:30 am

Grand Junction Community Forum, Legislative Tour

Location: Grand Junction Library, 443 N. 6th Street, Mesa and Monument rooms

Date: September 22, Noon – 2 pm

Summit County Community Forum

Location: Summit County Community and Senior Center, 83 Nancy's Place, Frisco, CO

Date: September 25, 11:30 am - 1:30 pm

###