

MEMORANDUM



JOINT BUDGET COMMITTEE

TO JBC Members
FROM JBC Staff
DATE March 19, 2021
SUBJECT Comeback Packet 5

Included in this packet are staff comeback memos for the following items:

Statewide, page 1 (Carolyn Kampman): Legislative Recommendations Concerning State Reserves

Human Services, page 7 (Tom Dermody): Adult Protective Services (*Technical Correction*)

Corrections, page 8 (Justin Brakke): BA02 Align prison caseload ad BA03 Align medical caseload (*Tabled Items*)

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Joint Budget Committee Members
FROM Carolyn Kampman, JBC Staff Director
DATE March 19, 2021
SUBJECT Legislative Recommendations Concerning State Reserves

Staff recommends that the Joint Budget Committee (JBC) consider introducing legislation to improve the State's financial condition by restoring and building up the State's reserves. Staff requests that the JBC authorize four bill drafts to be prepared for the Committee to consider next week as it finalizes its 2021 budget proposal based on the March 2021 forecasts. These recommendations concern three types of State reserves:

- *Statutory General Fund Reserve*: A short-term reserve to mitigate revenue and expenditure uncertainty and the early impacts of an economic recession;
- *Extended Recession Recovery Account*: A new longer-term General Fund reserve to sustain State operations during a multi-year economic recession; and
- *State Emergency Reserve*: A constitutionally required emergency reserve that is used to respond to fires, floods, and other disaster emergencies.

STATUTORY GENERAL FUND RESERVE

Staff recommends that the JBC consider introducing legislation to increase the State's statutory General Fund reserve [Section 24-75-201.1 (1)(d), C.R.S.]. The draft bill would include a title that is broad enough to allow the JBC to increase or decrease the reserve over the next four fiscal years. The specific adjustments would be blank, to be determined by the JBC as it makes final budget balancing decisions next week.

BACKGROUND INFORMATION

This reserve has historically been used to mitigate State revenue uncertainty, unexpected expenditures, and revenue declines in the initial year of an economic recession. Since FY 2000-01, the statutorily required reserve has ranged from 0.0 to 7.25 percent of annual General Fund appropriations. The actual fiscal year-end General Fund reserve has ranged from 2.1 percent (in FY 2009-10) to 19.4 percent (in FY 2012-13).

In November 2019 the Office of State Planning and Budgeting (OSPB) proposed raising the statutory reserve to the national average of 7.6 percent. Ultimately, following the onset of the COVID-19 health emergency and the related economic recession, the JBC sponsored HB 20-1383 to temporarily decrease the statutory General Fund reserve requirement from 7.25 percent of General Fund appropriations at the end of each fiscal year to:

- 3.07 percent of appropriations for FY 2019-20, and
- 2.86 percent of appropriations for FY 2020-21 and 2021-22.

For FY 2022-23 and subsequent fiscal years, the reserve requirement remains unchanged at 7.25 percent of General Fund appropriations.

An OSPB March 15, 2021 comeback request proposes that the FY 2021-22 General Fund reserve be increased to 13.5 percent of annual General Fund appropriations to address a projected operating

budget gap in FY 2022-23. OSPB also proposes a \$460 million reserve in the State Education Fund to cover an expected funding shortfall for education. **Staff recommends that the JBC consider introducing legislation to increase the required reserve for FY 2021-22 from 2.86 percent to at least 7.25 percent, and ideally to an amount closer to 15.0 percent so the State is better positioned to address a potential budget shortfall in FY 2022-23.**

EXTENDED RECESSION RECOVERY ACCOUNT [NEW RESERVE]

Staff recommends that the JBC consider introducing legislation to establish a longer-term reserve designed to sustain State operations during a multi-year economic recession. Staff specifically suggests considering a redraft of a legislative proposal that was considered by the JBC last year (LLS 20-1102).

BACKGROUND INFORMATION

In November 2019 the Governor and the State Treasurer proposed that the General Assembly establish a new reserve that would better equip the State to budget and maintain essential services during economic recessions. The JBC authorized OLLS and JBC staff to work with staff from OSPB and the State Treasurer's office to draft legislation to establish a longer-term reserve account intended to be available to cover the second, third, and potentially fourth years of the next recession.

The resulting legislative proposal included provisions to:

- establish a new Extended Recession Recovery Account (ERRA) within the General Fund that is separate from the statutory General Fund reserve;
- create a mechanism to establish and replenish this reserve using a portion (70 percent) of annual General Fund reversions;
- place a cap on the balance of the ERRA account (25 percent of prior year General Fund revenues), and limit or eliminate annual transfers of General Fund reversions when this cap is reached;
- allow the money in ERRA to constitute a portion or all of the State Emergency Reserve; and
- limit the General Assembly's ability to appropriate money from ERRA to certain economic circumstances:
 - the General Assembly may appropriate from ERRA a fiscal year in which General Fund revenues decline by at least 5.0 percent (based on the Legislative Council Staff revenue forecast);
 - in the next fiscal year, the General Assembly may appropriate from ERRA again as long as General Fund revenues decline at least 3.0 percent; and
 - in fiscal years three and four, the General Assembly may appropriate from ERRA as long as GF revenues remain below pre-recession levels.

Staff notes that such a fund would have two other positive impacts:

- A longer-term reserve would assist the State in managing cash flow throughout the fiscal year, avoiding a potential negative cash balance in the General Fund (which occurred on June 30, 2020). This longer-term reserve would provide a real cash reserve, while the existing General Fund reserve can be subject to accrual-related adjustments such as the large receivable that was booked for FY 2019-20 for taxes that were paid in July rather than April.
- A well-funded "rainy day fund" generally results in a better bond rating for a state.

STATE EMERGENCY RESERVE

Staff recommends that the Committee authorize two bill draft options for consideration next week.

The first bill would:

- **create a new cash fund that would function similar to the Controlled Maintenance Trust Fund (CMTF) but would be established specifically for the purpose of constituting the main corpus of the required State Emergency Reserve;**
- **transfer money from the General Fund (an amount to be determined) and potentially a portion of the balance in the CMTF as of June 30, 2021 to the new cash fund;**
- **designate this new fund and potentially other cash funds or capital assets as constituting the FY 2021-22 State Emergency Reserve; and**
- **include language similar to the provision in SB 20B-004 that would require the State Treasurer to transfer any federal or other reimbursements received for State Emergency Reserve expenditures for disaster emergencies back to State Emergency Reserve cash fund(s).**

The second bill draft would simply transfer money from the General Fund (an amount to be determined) to the CMTF. This bill draft would be used if the JBC chooses to designate the FY 2021-22 State Emergency Reserve fund sources in the 2021 Long Bill headnotes.

BACKGROUND INFORMATION

The Taxpayer's Bill of Rights (TABOR) requires the State set aside an emergency reserve equal to at least three percent of fiscal year spending, and limits expenditures from this reserve for declared emergencies. TABOR defined "emergency" to exclude economic conditions, revenue shortfalls, and salary or fringe benefit increases. Unused reserves apply to the next year's State Emergency Reserve. [see Section 20 (5) of Article X of the Colorado Constitution and Section 24-77-104, C.R.S.]

Use of State Emergency Reserve

The TABOR emergency reserve may be expended in any given fiscal year upon:

- The declaration of a state emergency by the passage of a joint resolution which is approved by a two-thirds majority of the members of both houses of the General Assembly and which is approved by the Governor; or
- The declaration of a disaster emergency by the Governor.

Declaring a disaster emergency of any kind gives the Governor access to the Disaster Emergency Fund (DEF). Pursuant to Section 24-33.5-706 (4), C.R.S., the stated legislative intent is that money required during a disaster first be paid from money regularly appropriated to state and local agencies. If these existing resources prove insufficient, the Governor may make money available from the DEF. If money in the DEF is insufficient, the Governor may transfer to the DEF and expend money that has been appropriated for other purposes. The declaration of a disaster emergency also authorizes expenditures from the State Emergency Reserve.

If the DEF is credited with reimbursements for previous State expenditures for a particular disaster, the Governor *may* transfer money to the State Emergency Reserve fund(s) as repayment for the amounts the Governor originally transferred from said fund(s) to the DEF.

From FY 1994-95 through FY 2017-18, annual transfers from the State Emergency Reserve to the DEF ranged from \$0 to \$53.4 million, with an average of \$6.9 million over this 24-year period. These transfers were typically related to wildfire and flood disaster emergencies. The number and magnitude of transfers from the State Emergency Reserve have increased significantly in recent years, demonstrating that the amount of liquid assets in the Reserve should be increased.

Last December, the General Assembly passed a bill (SB 20B-004) to transfer an additional \$100.0 million from the General Fund to the CMTF to cover public health and emergency response costs associated with the COVID-19 pandemic emergency. This bill required that if the State receives reimbursement for any expenditures made from this source, the State Treasurer shall deposit the reimbursement into the CMTF. By February the Governor had transferred the full \$100.0 million from the CMTF to the DEF, and subsequently repaid this amount. However, most of these funds were subsequently again transferred to the DEF. As of March 14, 2021, only \$41.3 million remained available in the cash funds designated for the State Emergency Reserve. This included \$21.3 million in the CMTF and \$20.0 million in the Major Medical Insurance Fund.

Designation and Composition of Reserve

Pursuant to Section 24-77-104, C.R.S., the State Emergency Reserve “shall consist of moneys as are annually designated by the general assembly in the general appropriation bill or by separate bill to constitute said emergency reserve”. The General Assembly typically designates the fund sources and assets that comprise the annual Reserve in the headnotes at the beginning of the annual Long Bill.

The JBC’s practice has been to estimate the size of the required State Emergency Reserve for the next fiscal year based on the preceding March revenue forecasts. The components of the Reserve have been based on the available balances in certain cash funds, and the replacement values of certain State properties provided by the Department of Personnel’s Risk Management Unit.

Since FY 1993-94, the General Assembly has designated the General Fund, various cash funds, and capital assets to satisfy the reserve requirement.

- In FY 1995-96, the Reserve consisted entirely of General Fund.
- From FY 1996-97 through FY 2000-01, the Reserve consisted entirely of the CMTF.
- In all other fiscal years the Reserve has included amounts in multiple cash funds.
- Since FY 2003-04, the Reserve has also included capital assets. In all but one fiscal year these assets have comprised less than 40 percent of the Reserve.

FY 2020-21 State Emergency Reserve

The FY 2020-21 Long Bill designated a total of \$409.0 million from various sources to constitute the State Emergency Reserve:

		FY 2020-21	
		HB 20-1360	
STATE EMERGENCY RESERVE			
<u>Cash Fund Balances Listed in Headnote:</u>			
Disaster Emergency Fund	a)	\$75,000,000	
Controlled Maintenance Trust Fund	b)	73,000,000	*
Unclaimed Property Tourism Promotion Trust Fund	c)	5,000,000	
Colorado Water Conservation Board Construction Fund	d)	33,000,000	
Major Medical Insurance Fund	e)	<u>63,000,000</u>	
Subtotal: Cash Funds		\$249,000,000	60.9%
State Properties, value up to:		\$160,000,000	39.1%
<i>Value of State Properties Listed in Headnote:</i>			
<i>State Parking Garage (1350 Lincoln Street, Denver)</i>		<i>\$11,986,350</i>	
<i>Legislative Services Building (200 E 14th Ave, Denver)</i>		<i>17,357,350</i>	
<i>Centennial Building (1313 Sherman Street, Denver)</i>		<i>37,308,975</i>	
<i>State Services Building (1525 Sherman Street, Denver)</i>		<i>44,879,625</i>	
<i>Human Services Building (1575 Sherman Street, Denver)</i>		<i>32,180,900</i>	
<i>Capitol Annex Building (1375 Sherman Street, Denver)</i>		<i>28,930,625</i>	
<i>Grant Street Building (1570 Grant Street, Denver)</i>		<i><u>6,004,338</u></i>	
<i>Subtotal: State Properties</i>		<i>\$178,648,163</i>	
TOTAL		\$409,000,000	
TABOR Reserve Requirement		\$384,600,000	

Recommendations for FY 2021-22 State Emergency Reserve

As of March 14, 2021, only \$41.3 million remained available from the \$349.0 million in liquid assets made available in the State Emergency Reserve (including \$249.0 million in the initially designated Reserve plus the additional \$100.0 million transferred to the CMTF in SB 20B-004).

In the OSPB March 15, 2021 comebacks, OSPB indicated that they anticipate the receipt of sufficient federal funds and reimbursements to repay the amounts drawn down from the State Emergency Reserve in FY 2020-21. OSPB also indicated support for action to replace capital assets in the State Emergency Reserve with liquid assets. However, the OSPB does not support the use of General Fund to constitute the State Emergency Reserve. Finally, OSPB recently recommended that the FY 2021-22 TABOR reserve continue to include amounts designated from the Unclaimed Property Tourism Promotion Trust Fund, the Colorado Water Conservation Board Construction Fund, and the Major Medical Insurance Fund, but at reduced levels.

At this point staff is concerned about the current depleted state of the cash funds that were designated to constitute the FY 2020-21 State Emergency Reserve, and the uncertainty about the timing of potential transfers of federal and other reimbursements to repay these cash funds. There are still more than three months remaining in the current fiscal year, with wildfire season beginning soon. While staff is continuing to explore alternative cash funds with significant balances, at this point staff does not have a defensible alternative to propose for the JBC.

Staff recommends that the Committee:

- **designate funds to comprise a State Emergency Reserve that is sufficient to exceed the higher of the two TABOR reserve requirements projected in the March revenue forecasts (based on the December 2020 forecasts this would be \$460.0 million);**
- **eliminate or substantially reduce the designation of capital assets as part of the State Emergency Reserve; and**
- **plan to transfer General Fund to the CMTF (or a newly created cash fund) to constitute all or a majority of the State Emergency Reserve for FY 2021-22.**

Staff also recommends that the JBC authorize a bill draft to be prepared that would:

- **create a new cash fund that would function similar to the CMTF but would be established specifically for the purpose of constituting the main corpus of the required State Emergency Reserve;**
- **transfer money from the General Fund (an amount to be determined) and potentially a portion of the balance in the CMTF as of June 30, 2021 to the new cash fund;**
- **designate this new fund and potentially other cash funds or capital assets as constituting the FY 2021-22 State Emergency Reserve; and**
- **include language similar to the provision in SB 20B-004 that would require the State Treasurer to transfer any federal or other reimbursements received for State Emergency Reserve expenditures for disaster emergencies back to State Emergency Reserve cash fund(s).**

The JBC could also choose to continue to designate the State Emergency Reserve in the 2021 Long Bill headnotes. Thus, in the event that that JBC chooses to do so, staff recommends that the JBC authorize a bill draft to transfer money from the General Fund (amount to be determined) to the CMTF.

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee
 FROM Tom Dermody, JBC Staff (303-866-4963)
 DATE March 19, 2021
 SUBJECT Technical Correction – DHS, (10) Adult Assistance Programs, (E) Adult Protective Services, Adult Protective Services line item fund split adjustment

During Figure Setting for the Department of Human Services on March 5, 2021, the Committee approved JBC staff recommendation for the Adult Protective Services line item. The fund splits recommended by staff overweight the cash funds and federal funds in the line, while underweighting the General Fund. This discrepancy affects the Department’s ability to access federal funds. Cash funds are from local funds and federal funds are from the Title XX Social Services Block Grant. Staff recommends the following adjustments to the fund splits.

FY21-22 ADULT PROTECTIVE SERVICES LINE ITEM – COMEBACK ADJUSTMENT				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FEDERAL FUNDS
Figure Setting	\$18,618,424	\$12,714,959	\$3,761,440	\$2,142,025
Recommended Adjustment	18,618,424	12,753,620	3,723,685	2,141,119
<i>Difference</i>	\$0	\$38,661	(\$37,755)	(\$906)

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee
FROM Justin Brakke, JBC Staff (303-866-4958)
DATE March 19, 2021
SUBJECT JBC Staff Comeback #2-Corrections Figure Setting FY 2021-22

This memo contains the following items:

- 1 Tabled decision items
 - a. BA02 Align prison caseload
 - b. BA03 Align medical caseload

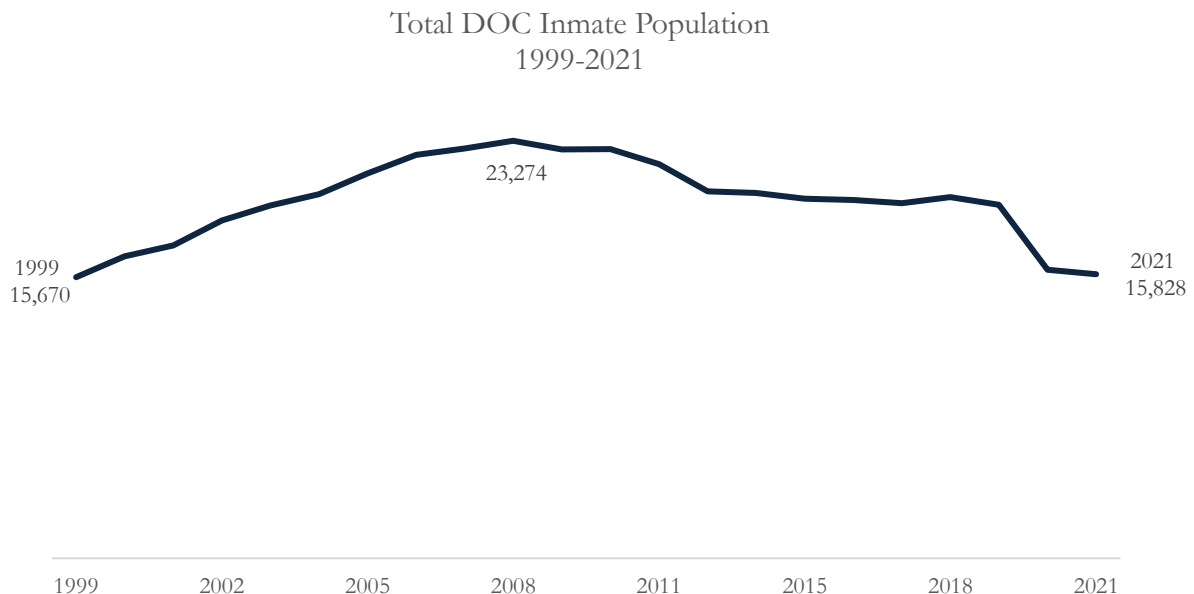
TABLED DECISION ITEMS

→ BA02 ALIGN PRISON CASELOAD

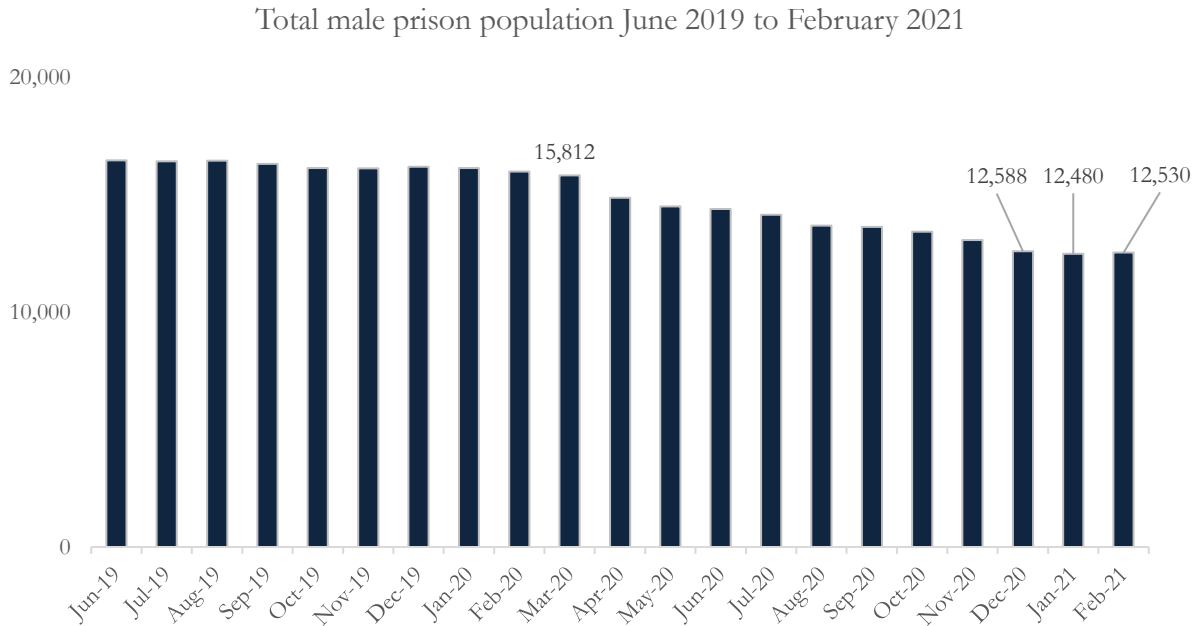
This section addresses questions and comments that came up during the original comeback on March 17.

Factors driving staff's recommendations on BA02 original and revised

In general, JBC staff takes a conservative approach to changes in appropriations related to caseload. Staff typically encourages the Committee to select the forecast that results in a larger appropriation to avoid the need for large supplemental increases in funding. With regards to recommendations for FY 2021-22, staff concluded that that a significant COVID-19-related drop in the prison population and uncertainty regarding future caseload justified a similarly conservative approach. The following graph shows that DOC's total inmate population as of February 2021 is at a 22-year low.



For the male prison population, recent trends do not provide a clear indication of future trends. The graph below shows that the male prison population decreased steadily from March 2020 to December 2020, but has since leveled out.



Future growth in the prison population depends on a number of factors: the State's adult population, laws, number of violations of those laws, law enforcement and prosecution intensity, the number of arrestees that are sentenced to prison, and the average length of stay once an offender arrives in prison. Here is what JBC staff knows and does not know about some of these factors:

Crime

- *Knowns:* 3.9 percent year-over-year increase in total crime in 2020, including an increase of 10.4 percent for property crimes and an increase of 6.5 percent for violent crimes.
- *Unknowns:* Whether this trend will persist through FY 2021-22 and beyond

Recent arrest rates

- No data available after 2019

Judicial backlog

- *Knowns:* Backlog of about 14,600 jury trials, including about 10,000 criminal trials
- *Unknowns:* How fast each judicial district will work through the backlog, the severity of the charges in each case, the outcomes of each trial, the outcomes of potential plea deals, the number of defendants that will be sentenced to prison, and the length of stay for individuals sentenced to prison

Another important variable is the impact of recent legislation on the future prison population. The LCS forecast assumed that legislative changes have "...placed downward pressure on admissions." The forecast highlighted the following bills:

- *S.B. 19-143*: Tightened criteria for revocation to prison for a technical parole violation.
- *H.B. 20-1019*: Reclassified some types of absences or attempted absences from non-prison supervision from a felony to a misdemeanor (depending on prior conviction).
- *H.B. 19-1263*: Reclassified several existing drug felonies as drug misdemeanors for offenses committed on or after March 1, 2020, which is expected to substantially reduce felony case filings for drug offenses, and to reduce the prison and parole population. However, the bill is expected to have less of an impact on the prison population because offenders previously convicted for low-level drug felonies often did not receive prison sentences.

Regarding S.B. 19-143, the Division of Criminal Justice, which provides the other forecast, has a different view about the impact of this legislation. The bill was signed in late May 2019, but technical parole returns remained stable from June to December 2019. DCJ acknowledged a slight dip in January and February 2020, but the data from March 2020 onward is not useful given the impact of COVID-19. Additionally, the data shows that the length of stay in prison for those on technical parole violation *increased* from 5.1 months in FY 2018 to 8.6 months in FY 2020.

Regarding H.B. 20-1019, DCJ also has a different view about its impact on the prison population. In its December 2020 forecast, DCJ said, "more recent analysis indicates [H.B. 20-1019] may have less impact than initially believed." It is JBC staff's understanding that that DCJ based this statement on information that suggests length of stay for an 'unauthorized absence' may be substantially reduced by H.B. 20-1019, but few individuals will actually be diverted from prison. For example, if an individual in community corrections is deemed 'absent,' they may have their parole/probation/community inmate status revoked and be returned/resentenced to prison.

The Committee adopted the LCS forecast and the DOC used that forecast to come up with its BA02 request, so DCJ's numbers/assumptions are not incorporated into the requested and recommended appropriations. However, DCJ's analysis was a factor in the sense that it increased the amount of uncertainty in staff's mind regarding future projections for the prison population. The combination of all of the factors discussed in this section led staff to recommend both the original and the revised BA02.

The original request is the safest option. However, staff concluded that the revised proposal for additional reductions was viable because the original request's assumptions about caseload were invalid because of the outcome of requested \$22.0 million reduction to community corrections in Public Safety (which was denied by the Committee). The revised proposal focuses on reductions in minimum security units, which leaves the more flexible mixed custody units at Level III or higher prisons available to manage the prison population.

Prison closure possibilities

During the original comeback, the Committee inquired about closing whole prisons, rather than the Department proposed and staff recommended approach of closing living units within prisons and avoiding prison closures. Here is the Department’s full response:

“During the JBC staff comeback on the Department of Corrections (DOC) prison caseload request, the Committee wanted to know why DOC was not recommending closing prisons since this would save more money than the requested closure of prison living units. The Department provides the following response to this question.

The Department does not recommend closing any prisons in FY 2021-22 for several reasons.

First, there is great concern with accurately forecasting future prison populations in the current environment (because of the continuing impacts of the pandemic and delays in courts) and predicting the timing on when the abnormally low DOC population will rebound to the predicted higher levels from previous forecasts. There is an increased likelihood of errors in the prison forecasts due to the major disruptions brought on by the pandemic and the resulting backlog in the court system. This concern has been expressed by the Division of Criminal Justice and the Legislative Council Staff who provided the forecasts.

Second, the Department also has concerns with the unintended consequences of the potential closure of a private prison facility at this time. Closing one of the two current private facilities could cause them to close both pre-emptively. Currently, DOC does not have sufficient medium custody beds; closure of one or both of the private facilities could not be absorbed by the remaining capacity. Without the additional capacity the private prisons currently provide, staff and inmates will be placed at risk by being housed at security levels that do not meet their appropriate security level.

Finally, given the expected volatility in the population once the court and prison systems resume normal operations, the Department would be challenged with reopening prisons (private or public) in a short period of time should the population forecasts prove to be too low. This is an especially challenging proposition since most of the Department’s prisons are in rural areas.

Therefore, the Department is not recommending a prison closure at this time. Per the Committee’s request, the estimated savings from operating the Level I and II facilities that house lower custody inmates is provided below. These costs factor in staff and operating expenses (direct facility costs), but exclude clinical and overhead costs.”

Colorado Department of Corrections				
Cost Per Offender by Facility FY 2019-20				
State Prison Facilities	# Beds	FY 20 ADP	Direct Facility Cost Per Day (does not include clinical or central costs)	Annual Savings ADP x CPD x 366 days
Level I				
Colorado Correctional Center	126	116	\$82.68	\$3,510,262
Delta Correctional Center	477	447	\$69.62	\$11,389,971
Rifle Correctional Center	192	189	\$69.89	\$4,834,571

Colorado Department of Corrections				
Cost Per Offender by Facility FY 2019-20				
State Prison Facilities	# Beds	FY 20 ADP	Direct Facility Cost Per Day (does not include clinical or central costs)	Annual Savings ADP x CPD x 366 days
Level II				
Arrowhead Correctional Center	520	502	\$63.20	\$11,611,862
Four Mile Correctional Center	521	501	\$62.94	\$11,541,056
Trinidad Correctional Facility	500	482	\$74.66	\$13,170,920
Level III - Private Prisons				
Bent & Crowley Counties	Funded Beds 3,044		Daily Per Diem \$57.36	FY 21 Funding \$63,730,014

The Department’s revised BA02 proposal provided a reduction of 1,356 male prison beds. This would leave a 10.0 percent vacancy rate to allow the Department to manage COVID-19 and possible increases in the prison population. If the Committee agrees with this principle, the Committee could make the following reductions and get close to that 1,356 figure. Staff included daily administrative and centrally appropriated costs in the calculations, but left out clinical costs.

Potential prison closures and estimated savings			
Male prisons	FY 20 ADP	FTE	Savings
Trinidad (Full closure)	482	157.0	\$15,622,584
Delta (Full closure)	447	116.0	13,665,863
Private (Reduction)	203	N/A	4,250,089
Limon (Reduce one close custody unit)	154	19.2	1,826,741
Sterling (Reduce one min. security unit)	100	7.0	685,210
Subtotal	1386	299.2	\$36,050,487
Revised BA02	1356	85.4	12,948,471
Difference	30	213.8	\$23,102,016
Female prisons			
Denver Women's	Beds 216	FTE 17.5	Savings \$1,742,428
La Vista	80	7.3	671,411
Subtotal	296	24.8	\$2,413,839
Total	1682	324.0	\$38,464,326

If reductions focused on private prisons

The table on the following page shows what appropriations for private prisons would look like based on the options that have either been presented to or discussed by the Committee.

VARIOUS APPROPRIATION SCENARIOS FOR PRIVATE PRISONS	
Current	Amount
FY 21-22 approved per-diem	\$58.79
FY 20-21 funded beds	3,044
FY 21-22 appropriation (w/out action on BA02)	\$65,319,217
Scenario #1: BA02 Original	
FY 21-22 approved per-diem	\$58.79
FY 21-22 proposed funded beds	2,902
FY 21-22 appropriation	\$62,272,132
Difference from FY 20-21 appropriation	(\$1,457,882)
Scenario #2: BA02 Revised	
FY 21-22 approved per-diem	\$58.79
FY 21-22 proposed funded beds	2,841
FY 21-22 appropriation	\$60,963,172
Difference from FY 20-21 appropriation	(\$2,766,842)
Scenario #3: Close Bent County Correctional (smaller facility)	
FY 21-22 approved per-diem	\$58.79
FY 21-22 estimated funded beds (2.0% vacancy at Crowley County)	1,764
FY 21-22 estimated appropriation	\$37,852,529
Difference from FY 20-21 appropriation	(\$25,877,485)
Additional pharmaceutical costs for DOC	\$2,131,194
Total reduction	(\$23,746,291)

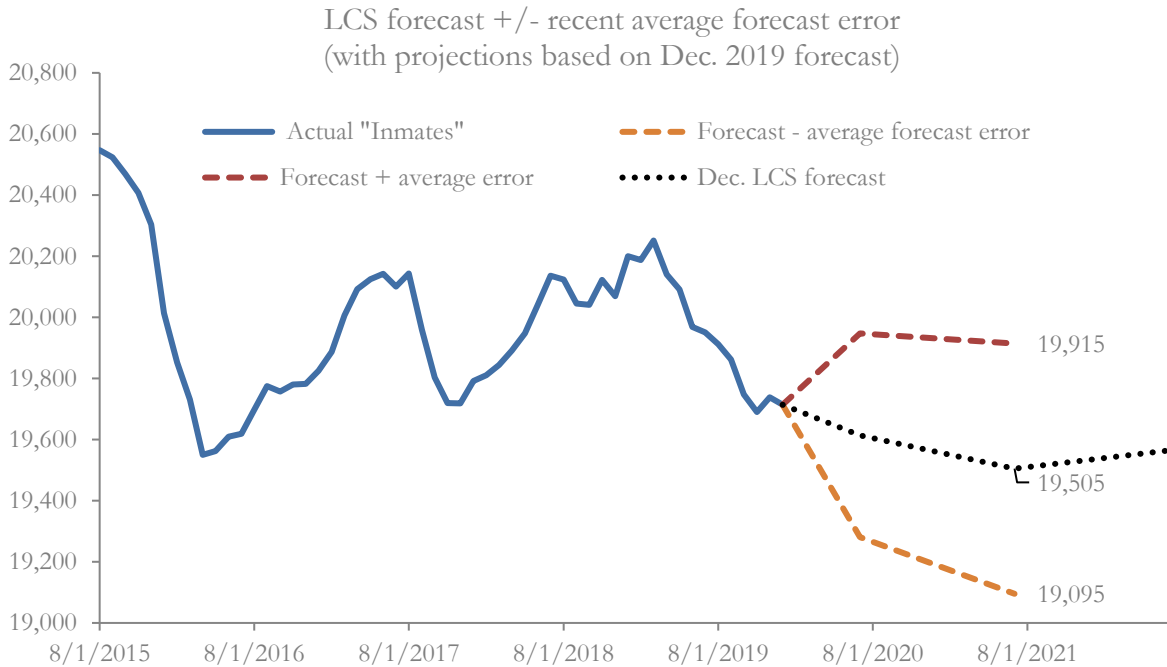
The \$25.9 million reduction shown in Scenario #3 exceeds the total reduction for the revised BA02 by \$10,515,175. However, the closure of a private facility would increase pharmaceutical caseload costs for DOC because the DOC does not currently pay for pharmaceuticals in private facilities. Staff estimates that this would increase costs for the DOC by \$2,131,194 General Fund.

The table on the follow page shows the impact on system capacity, occupancy, and vacancies in the DOC prison system if one or both private facilities closed.

Scenario #3 Close Bent County Correctional: Capacity, Occupancy, and Vacancies			
Line	FY 2021-22 Male Capacity	Bent County closure only	If both private prisons close
A	New Level 3 capacity (All state capacity + 1,764 funded private beds)	12,557	10,793
B	Medium custody or higher capacity (All state capacity + 1,764 funded private beds)	11,157	9,393
C	Min.res custody or lower capacity	1,400	1,400
D	Level 2 or lower capacity	2,144	2,144
E	Total FY 21-22 male capacity	14,701	12,937
	FY 2021-22 Male Occupancy	Bent County closure only	If both private prisons close
F	LCS Forecast FY 22 Male ADP	13,504	13,504
G	February 2021 male pop	12,526	12,526
H	Medium or higher custody population	9,140	9,140
I	Min.res or lower custody population	3,386	3,386
J	LCS projected growth	973	973
	Medium custody occupancy and vacancy	Bent County closure only	If both private prisons close
K	Medium custody growth based on February 2021 proportions (73.0% of male pop medium custody or higher)	710	710
L	Estimated FY 21-22 medium or higher ADP	9,850	9,850
M	Estimated FY 21-22 medium or higher vacancy rate based on LCS forecast and closure of private facility	11.7%	(4.9%)
	Low custody occupancy and vacancy	Bent County closure only	If both private prisons close
N	Low custody growth based on February 2021 proportions (27.0% of male pop min.res custody or lower)	263	263
P	Estimated FY 21-22 low custody ADP	3,649	3,649
Q	Estimated FY 21-22 min.res or lower vacancy rate based on LCS forecast and closure of Bent County CC	(3.0%)	(3.0%)
R	Number min.res to put in medium custody or higher beds to achieve 2.0 percent min.res vacancy rate	176	
S	New medium custody or higher vacancy rate	10.1%	
T	New min.res or lower vacancy rate	2.0%	
	Statewide occupancy and vacancy	Bent County closure only	If both private prisons close
U	Male total capacity	14,701	12,937
V	LCS Male ADP	13,504	13,504
W	System-wide total vacancy rate	8.1%	(4.4%)
	Add CSP II 3 rd tower to expand capacity	Bent County closure only	If both private prisons close
X	Medium or higher custody beds at Centennial South II by opening 3 rd tower	316	316
Y	New medium custody or higher capacity	11,473	9,709
Z	New medium custody or higher vacancy rate	14.1%	(1.5%)

Forecasting margin of error

Prior JBC staff analysis found that the LCS average inmate population forecast error was +/- 410 inmates in the years preceding the pandemic. Staff discussed this during figure setting for FY 2020-21 and used the following graph to demonstrate that error relative to the actual population from previous years.



The 410 figure applies to the whole inmate population, not just the prison population, so in reality the standard error for the prison population itself probably closer to 369 (90.0 percent of total inmate population). However, staff is using 410 because it is the larger and more conservative figure.

If both private prisons closed, thereby removing 3,044 medium custody beds from the state’s prison capacity, the state would need the LCS forecast/JBC staff calculations to overestimate growth in the medium custody or higher population by 645 to maintain a 2.0 percent medium custody or higher vacancy rate (which ignores the Department’s desire for a 10.0 percent rate to deal with COVID-19). An overestimation of 645 is 36.5 percent higher than the standard margin of error. If the 3rd tower of CSP II were added to expand capacity, the overestimation would have to be 335, which is within the standard margin of error. These calculations are shown in the following table.

How far off would the LCS forecast have to be to have a 2.0 percent medium custody vacancy rate in FY 2021-22 if both private prisons close?	
FY 21-22 LCS forecast medium custody ADP (as calculated by JBC staff)	9,850
Medium custody or higher capacity if both privates close	9,393
Medium custody or higher vacancy rate	(4.9%)
Medium custody or higher capacity if both close privates close but CSP II 3rd tower added	9,709
Medium custody or higher revised vacancy w/ CSP II 3rd tower	(1.5%)

How far off would the LCS forecast have to be to have a 2.0 percent medium custody vacancy rate in FY 2021-22 if both private prisons close?	
Needed medium vacancy rate	2.0%
Needed medium custody ADP	9,205
Allowable medium custody increase	65
Forecast error +/-	645
Forecast error % higher/(lower) than standard error	36.5%
Needed medium custody ADP with addition of CSP II 3rd tower	
Needed medium custody ADP with addition of CSP II 3rd tower	9,515
Allowable medium custody increase	375
Forecast error +/-	335
Forecast error % higher/(lower) than standard error	(22.3%)

If one assumes that the third tower at CSP II comes online, then the key question is this: Is it justifiable to assume that the LCS forecast/JBC staff calculations overestimate the projected FY 2021-22 prison population by, *at most*, 335? The answer depends on assumptions about the impact of numerous variables on the prison population. Staff currently lacks the data necessary to arrive at a defensible conclusion about those assumptions.

Other facilities that were closed in the past

In response to the Committee’s questions during the original comeback, the Department provided the following table.

Closed Prisons in Colorado			
Fiscal Year	Closure	Facility	# Beds
2008-09	April 1, 2009	Huerfano County Correctional Facility (private)	774
2008-09	May 31, 2009	Colorado Women's Correctional Facility (state)	224
2009-10	July 1, 2010	High Plains Correctional Facility (private)	272
2010-11	July 1, 2010	Boot Camp (state)	100
2011-12	November 1, 2011	Fort Lyon Correctional Facility (state)	500
2016-17	July 31, 2016	Kit Carson Correctional Center (private)*	1,562
2019-20	March 1, 2020	Cheyenne Mountain Re-entry Center (private)	710
2020-21	January 15, 2021	Skyline Correctional Center (state)	252
Total Bed Reductions			4,394
Does not include Hudson Correctional Facility 1,200 beds, which did not house Colorado offenders.			
*Kit Carson beds reflect 720 funded/used by DOC and 842 unfunded beds on closure date.			

Notes on State Facilities:

1. The Colorado Women's Correctional Facility is the site for the International Corrections Management Training Center.
2. The Boot Camp facility at Buena Vista is currently being used for the Transitional Work Center (Take TWO program).
3. The Fort Lyon facility was transferred to DOLA in 2013 and is now used as a supportive residential community.
4. Two towers of the Centennial Correctional Facility-South were reopened in FY 2019-20; the unopened third tower has a total of 316 beds.

Private prison programs, services, and staffing and related footnote

During the original comeback there was an inquiry about the possibility of a footnote related to the provision of services or levels of staffing at private facilities. Staff's draft of that footnote is shown below:

N Department of Corrections, Management, Executive Director's Office Subprogram, External Capacity Subprogram, Payments to in-state private prisons at a rate of \$58.79 per inmate per day – It is the General Assembly's intent that in-state private prisons use funds provided through this appropriation to provide levels of staffing and services similar to comparable state prisons to the extent possible.

The remainder of this section discusses programs, services, and staffing at private facilities.

Programs

According to the Department, "The programming that's offered at the private prisons is basic but it's in line with the current per diem. If they were expected to provide the same services [as state facilities], they would have to hire more staff and possibly make capital improvements to add more space for classrooms, offices, etc. This would require an increase to the per diem rate."

Staff reviewed the contract for FY 2019-20 between the DOC and Crowley County, a private facility operated by CoreCivic (Appendix A). Staff confirmed that the contract does require a baseline level of services, including, but not limited to:

- Educational and vocational training, such as General Education Development (GED) or English as a Second Language Classes. Both of these use a curriculum specified in a different part of the contract.
- Substance abuse programming, such as counseling or support groups
- Work programs and pre-release and reentry programs

The table on the next page shows a full list of program at both private contract facilities. Staff does not have data that speaks to the effectiveness of those programs.

Program Overview			
Type	Program	Bent County Correctional Facility	Crowley County Correctional Facility
Education	Adult Basic Education (ABE)	✓	✓
	English as a Second Language (ESL)	✓	✓
	General Equivalency Diploma (GED)	✓	✓
Vocational Education	Braille	✓	✓
	Career Programs (Core Foundations)	✓	✓
	Commercial Driver's License (CDL)	✓	✓
	Construction Technology I and II	✓	✓
	Construction Truss Program	✓	✓
	Customer Service	✓	✓
	Electronics	✓	✓
	Fresh Start Program (Red Rocks CC, Pikes Peak CC and Solid Rock DC)	✓	✓
	Horticulture (Nursery and Greenhouse)	✓	✓
	Introduction to Computer Information Systems	✓	✓
	OSHA Program (HVAC and Gas/Oil)	✓	✓
	Woodshop Apprentice Program	✓	✓
Re-entry/ Pre-Release	7 Habits on the Inside	✓	✓
	CBI-SA	✓	✓
	DOC Pre-Release	✓	✓
	Go Further	✓	✓
	Living in Balance	✓	✓
	Parents on a Mission	✓	✓
	Thinking for a Change	✓	✓

Source: DOC Annual Report Concerning the Status of Private Contract Prisons, December 2020

Medical Services

In FY 2019-20, the median daily cost of clinical services at state Level III prisons was \$26.21. Staff does not know what clinical costs are at private facilities, but staff does know that private facilities do not accept inmates with certain medical conditions. DOC Administrative Regulation 700-02 shows where offenders with certain needs can be placed within the DOC system (See Appendix B). The primary difference between state Level III facilities and private facilities is that state facilities accept and treat offenders with severe psychological needs (4 or 5 on a five-point scale). If private facilities were required to provide those services, staff would likely recommend an increase in the per-diem rate. However, staff is anecdotally aware that it could be difficult to recruit additional clinicians to work at the Bent and Crowley County Correctional Facilities. As of March 12, there were 162 clinical position vacancies across the entire DOC system, suggesting clinical recruiting is a system-wide challenge.

Staffing

Neither state facilities nor contracts with private prisons require a certain staff-to-inmate ratio. Rather, there are guidelines that govern staffing according to custody level and number of inmates thereof. In the case of the private prison contract reviewed by JBC staff, the guidelines are based on a prison population of 1,850. These guidelines specify minimum staff coverage for that number of offenders according to job type, shift (e.g. 1st, 2nd, 3rd shift), and operational category. In some cases, these guidelines are mandatory. For example, a kitchen officer must be present seven days a week for 1st & 2nd shift. If an audit finds that this position is vacant, private prison operators are assessed “liquidated damages,” or foregone revenue, of \$187.00 for every eight hours that they are in violation of this requirement.

MARCH 19, 2021

Cost differences between state and private prisons

The following table shows the costs to the state if private facilities had comparable costs for clinical services. At this time staff cannot say what an appropriate per-diem would be if private facilities were expected to provide the same non-clinical services and programs as state facilities, so it is possible that the difference in cost might be less than what is shown in the table. However, staff notes that these costs do not include capital construction costs; private facilities pay for their own capital construction projects. From FY 2015-16 to FY 2019-20, the state paid about \$14.9 million for capital construction at Level III male facilities, with a project backlog of about \$246.9 million.¹

FY 2019-20 COST PER OFFENDER BY FACILITY					
LEVEL III STATE PRISONS	DIRECT FACILITY COSTS	CLINICAL SERVICES	CENTRALIZED COSTS	ADMINISTRATIVE COSTS	TOTAL DAILY COST PER OFFENDER
Arkansas Valley	\$70.09	\$27.06	\$9.42	\$4.72	\$111.29
Buena Vista	72.98	21.30	9.42	4.72	108.42
Colorado Territorial	85.80	44.74	9.42	4.72	144.68
Fremont	65.67	25.01	9.42	4.72	104.82
La Vista	81.78	26.21	9.42	4.72	122.13
<i>Average</i>	<i>75.26</i>	<i>28.86</i>	<i>9.42</i>	<i>4.72</i>	<i>118.27</i>
<i>Median</i>	<i>72.98</i>	<i>26.21</i>	<i>9.42</i>	<i>4.72</i>	<i>111.29</i>
LEVEL III PRIVATE PRISONS	FY 21-22 APPROVED PER-DIEM	CLINICAL SERVICES	CENTRALIZED COSTS	ADMINISTRATIVE COSTS	TOTAL DAILY COST PER OFFENDER
Bent County	\$58.79	\$2.76	\$0	\$5.91	\$67.46
Crowley County	58.79	3.26	0	5.91	\$67.96
If private prisons had median state Level 3 clinical costs	\$58.79	\$26.21	\$0	\$5.91	\$90.91
Difference between state and private (\$)					\$20.38
Private cost as % of state Level III					81.7%

ORIGINAL COMEBACK

REASON FOR COMEBACK

The Committee tabled this decision item so the Department of Corrections could formally propose a larger reduction than requested in BA02. The Department's calculations for BA02 included an increase in caseload related to a decision item in the Department of Public Safety (R02 Community Corrections Grants). The Committee approved staff's recommendation to deny the Public Safety request, which means that the DOC will need fewer prison beds than expected in the original request. This comeback discusses DOC's proposal for additional reductions.

ORIGINAL REQUEST AND RECOMMENDATION

DEPARTMENT REQUEST: The Department requests a reduction of \$8,198,076 total funds, including \$8.16 million General Fund, \$37,241 cash funds, and 51.2 FTE. This results in a decrease of 142 private prison beds and 676 state prison beds. The request annualizes to an additional reduction of \$327,357 General Fund and 4.8 FTE in FY 2022-23.

¹ Colorado State Prison Utilization Study, CGL Companies LLC., January 21, 2021.

The request factors in a vacancy rate of 10.0 percent for males and 13.2 percent for females, as opposed to the historical norm of 2.0 percent. The Department is doing this for two reasons: (1) To manage COVID-19, and (2) To allow for larger than expected caseload growth as the criminal justice system returns to normal operations. The Department spread out the requested reduction across multiple prisons to avoid prison closures. Low security beds make up the majority of bed reductions.

STAFF RECOMMENDATION #1: Staff recommends approval of the request. Staff agrees with the Department’s conservative approach to caseload given the uncertainty around the pace of new admissions and the resumption of normal operations in the judicial system. Staff also agrees with the approach of avoiding prison closures, which provides the Department with the flexibility necessary to manage the prison population amid considerable uncertainty. The request allows more flexibility to manage prison admissions during the FY 2021-22 fiscal year, thereby reducing the likelihood of a supplemental request for a large increase in funding.

ALTERNATIVE PROPOSAL AND RECOMMENDATION

DEPARTMENT PROPOSAL: The Department proposes a reduction of \$15,362,310 total funds, including \$15,289,686 General Fund and \$72,624 cash funds, and 110.2 FTE. The reduction equates to 1,652 total beds, including 1,356 male beds and 296 female beds. The proposal annualizes to an additional reduction of \$665,949 total funds and 9.8 FTE. Including the revised proposal for BA03, the total caseload reduction for FY 2021-22 would be \$24,063,136 total funds.

The approach is similar to the original request: a 10.0 percent vacancy rate for male beds, a 10.8 percent vacancy rate for female beds (down from 13.2 percent in the original), and it avoids prison closures. The table below shows reductions by prison, most of which are minimum security units. The Department focused on minimum security beds for two reasons: (1) There is currently a surplus of these beds across the DOC system, and (2) It believes recent legislation will reduce the number of low custody inmates. Additionally, medium custody units are also more flexible than minimum custody units because medium custody or higher inmates (54.9 percent of total male prison population) cannot be placed in minimum security units.

TOTAL REDUCTIONS BY PRISON FY 2021-22 (REVISED PROPOSAL)				
MALE	APPROPRIATIONS	FTE	BEDS	CUSTODY LEVEL OF REDUCED BEDS
Sterling	\$2,055,630	19.4	300	Minimum
Trinidad	2,579,361	26.6	300	Minimum
Limon	1,826,741	19.2	154	Close
Delta	1,307,308	12.8	192	Minimum
Buena Vista	498,815	3.7	100	Minimum
Four Mile	430,527	3.7	107	Minimum
Private	4,250,089	N/A	203	Medium (based on most common custody level in private facilities)
Subtotal	\$12,948,471	85.4	1,356	n/a
FEMALE	APPROPRIATIONS	FTE	BEDS	CUSTODY LEVEL OF REDUCED BEDS
Denver Women's	\$1,742,428	17.5	216	Primarily minimum custody
La Vista	671,411	7.3	80	n/a
Subtotal	\$2,413,839	24.8	296	n/a
Total	\$15,362,310	110.2	1,652	n/a

STAFF RECOMMENDATION #2: Staff recommends approval of the revised proposal and requests permission to adjust the affected line items accordingly. Like the original request, this proposal avoids prison closures and builds in a larger-than-normal vacancy rate. This will allow the Department to manage COVID-19 and retain capacity increases in the prison population. As of March 11, 2021, eleven prisons were in Phase III operations, representing the most stringent COVID-19 protocols. The following table shows the estimated prison population after the proposed reductions.

FORECASTED FY 2021-22 MALE PRISON CASELOAD AFTER REDUCTIONS	
Total capacity	14,961
LCS FY 2021-22 ADP	13,504
Vacancies	1,457
Vacancy rate	9.7%
FORECASTED FY 2021-22 FEMALE PRISON CASELOAD AFTER REDUCTIONS	
Total capacity	1,248
LCS FY 2021-22 ADP	1,113
Vacancies	135
Vacancy rate	10.8%

Displaced FTE

During the original figure setting presentation, the Committee asked what would happen to displaced staff. The Department responded with the following:

The first step in this process is to halt the filling of vacant positions in the job classes that will be eliminated at the eight affected facilities. The second step will be to identify vacancies at locations that are feasible reassignment facilities if the current facility doesn't have available positions. OHR will recommend position transfers based on affected employees' current work assignment, location of residence, and state service time. Throughout this process, OHR will communicate the plan with staff, the public, and other stakeholders such as WINS. While the goal will be to complete the reassignments by July 1, 2021, the Department recognizes there may be exceptions to this timeline, particularly for the Trinidad and Delta locations.

For awareness, the staff at the Trinidad Correctional Facility will be considered for vacancies in Pueblo, Canon City, and the Arkansas Valley Correctional Facility. For the Delta Correctional Center staff, vacancies at the Rifle Correctional Center and in Grand Junction would be the placement considerations. For the other affected facilities, the number of current vacancies and routine turnover should ease the placement of staff.

The following table shows the reductions by job class and existing vacancies within the system as of March 12, 2021. For most affected job classes, there are enough vacancies across the entire DOC system to cover the reductions. Staff notes that case managers are considered lieutenant grade and could fill other positions within the DOC, such as CO III.

BA02 REVISED REDUCTIONS BY JOB CLASS (FY 2021-22 AND FY 2022-23)			
CLASS	REDUCTIONS	SYSTEM-WIDE VACANCIES AS OF 3/12/2021	NOTES
CO I	65	138	
CO II	13	42	
CSTS I	8	25	
CSTS II	2	3	
Case Manager I	16	3	
State Teacher I	10	16	
Other	6	248	(All other vacancies except Temp Aides; approximately 169 are Clinical positions)
Total	120	475	

➔ BA03 ALIGN MEDICAL CASELOAD

DEPARTMENT REQUEST: The Department requested a decrease of \$5,949,576 General Fund, comprised of a decrease of \$1,629,956 for *Purchases of Pharmaceuticals* and a decrease of \$4,319,620 for *External Medical Services*. The request assumed an increase in beds related to the same decision item in Public Safety discussed in BA02.

STAFF RECOMMENDATION #1: Staff recommended approval of the request, which is based on the LCS forecast.

ALTERNATIVE PROPOSAL AND RECOMMENDATION

DEPARTMENT PROPOSAL: The Department proposes a reduction of \$8,700,826 General Fund.

STAFF RECOMMENDATION #2: Staff recommended approval of the alternative proposal, which is based on the LCS forecast.

ANALYSIS: The following tables show how the Department arrived at the proposal, which is based on the LCS prison population forecast, which is the forecast the Committee approved.

Table 1: Summary of Offender Population Estimates for Line Items in the Medical Services Subprogram, FY 2021-22	
FY 2021-22 Male Average Daily Population (ADP) Projection	13,504
FY 2021-22 Female ADP Projection	1,113
DOC Jurisdictional Population	14,617
Plus: YOS Population (rolling 12-month average)	171
External Medical Services Population	14,788
Private Prison Population (<i>reduction</i>)	(2,841)
Pharmaceutical Population	11,947

Table 2: External Medical Services - COVID-19 POPM* Adjustment				
	Current POPM	Revised POPM	FY 2021-22 Projected Caseload	FY 2021-22 Projected Need
External Medical Services	\$206.98		14,788	\$36,729,843
Less COVID-19 Expenses:				
Ambulance & Emergency Room Costs				(\$277,421)
Inpatient Costs				(\$3,846,027)
Revised External Medical Services		\$183.74	14,788	\$32,606,395

*POPM = Per offender per month

Table 3: FY 2021-22 Estimated Need			
	Projected POPM Rates FY 2021-22	Projected Caseload FY 2021-22	FY 2021-22 Projected Need
Purchase of Pharmaceuticals	\$100.68	11,947	\$14,433,888
External Medical Services	\$183.74	14,788	\$32,605,765
Administrative Fees			\$2,500,000
Security Contract			\$385,000
Total External Medical Services			\$35,490,765
Total External Medical Services and Purchase of Pharmaceuticals			\$49,924,653

Table 4: FY 2021-22 Medical Caseload Proposed Reduction			
	FY 2020-21 Long Bill Funding	FY 2021-22 Estimated Need	Estimated Difference in FY 2021-22
Purchase of Pharmaceuticals	\$16,914,388	\$14,433,888	(\$2,480,500)
External Medical Services	\$41,711,091	\$35,490,765	(\$6,220,326)
Total	\$58,625,479	\$49,924,653	(\$8,700,826)

EXHIBIT E Offender Programs

The Subcontractor shall provide the following work, training and treatment programs to CDOC Offenders:

Education and Vocational Training:

- Adult Basic Education (ABE) *
 - General Education Development (GED) *
 - English as a Second Language (ESL) *
 - One to one tutorial programs
 - Career and Technical Education (varies by facility)
- CTE may be expanded during the FY19 contract period pursuant to section 12.7.

* The Facility instructor shall use the curriculum outlines on Exhibit J for these courses.

Substance Abuse Programming:

- Counseling (Group and Individual)
- Support Groups (such as Alcoholics Anonymous, etc.)
- Education
- Urinalysis (a minimum of five percent [5%] of CDOC Offenders per month)

Work Programs:

CDOC Offenders will be assigned to Facility jobs depending on their skills, knowledge, and preferences. The types of paid jobs will include:

- | | |
|------------------------------|-------------------|
| Food Service | Commissary |
| Janitorial | Library |
| Facility/Grounds Maintenance | Clothing Repair |
| Clerical | Facility Property |
| Laundry | Tutors |
| Warehouse | Recreation |

and other jobs as agreed upon by the Subcontractor and CDOC.

Pre-Release Programs/Reentry:

Eligible CDOC Offenders will be assigned to a ten module Pre-Release program held at the Facility. CoreCivic Go Further Program

Facilities will provide meaningful work and/or program opportunities to the offender population so that 80% of the eligible population is engaged in meaningful employment for at least three (3) hours per day, five days per week. This provision is expressly subject to CDOC Administrative Regulation 850-03, including the definition of “eligible offender.” A meaningful work assignment is staff supervised, promotes pro-social connections and behaviors, engages the offender in an activity/assignment which increases skill level, breadth of job experience, and opportunities for greater earning levels upon release.

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COLORADO DEPARTMENT OF CORRECTIONS

Cost Per Offender by Facility

FY 2019-20

	2020 Facility ADP	Direct Facility Cost Per Day	Clinical Services Cost Per Day	Facility Cost Per Day Total	Centralized Cost Per Day	Administrative Cost Per Day	Total Cost Per Day	Annual Cost
State Prison Facilities								
Level I								
Colorado Correctional Center	116	\$82.68	\$14.29	\$96.97	\$9.42	\$4.72	\$111.12	\$40,669
Delta Correctional Center	447	\$69.62	\$20.70	\$90.32	\$9.42	\$4.72	\$104.47	\$38,236
Rifle Correctional Center	189	\$69.89	\$16.65	\$86.54	\$9.42	\$4.72	\$100.69	\$36,853
Skyline Correctional Center	223	\$66.79	\$14.66	\$81.45	\$9.42	\$4.72	\$95.60	\$34,991
Total Level I	975						\$102.50	\$37,515
Level II								
Arrowhead Correctional Center	502	\$63.20	\$16.78	\$79.98	\$9.42	\$4.72	\$94.13	\$34,452
Four Mile Correctional Center	501	\$62.94	\$21.88	\$84.81	\$9.42	\$4.72	\$98.96	\$36,220
Trinidad Correctional Facility	482	\$74.66	\$23.83	\$98.49	\$9.42	\$4.72	\$112.64	\$41,226
Total Level II	1,485						\$101.77	\$37,247
Level III								
Arkansas Valley Correctional Facility	1,060	\$70.09	\$27.06	\$97.16	\$9.42	\$4.72	\$111.31	\$40,738
Buena Vista Correctional Facility	1,192	\$72.98	\$21.30	\$94.28	\$9.42	\$4.72	\$108.43	\$39,685
Colorado Territorial Correctional Facility	888	\$85.80	\$44.74	\$130.55	\$9.42	\$4.72	\$144.70	\$52,959
Fremont Correctional Facility	1,598	\$65.67	\$25.01	\$90.68	\$9.42	\$4.72	\$104.82	\$38,366
La Vista Correctional Facility	634	\$81.78	\$26.21	\$107.99	\$9.42	\$4.72	\$122.14	\$44,703
Total Level III	5,372						\$115.54	\$42,287
Level IV								
Limon Correctional Facility	916	\$89.06	\$21.55	\$110.61	\$9.42	\$4.72	\$124.76	\$45,662
Total Level IV	916						\$124.76	\$45,662
Level V								
Centennial Corrections Facility	310	\$183.51	\$58.33	\$241.83	\$9.42	\$4.72	\$255.98	\$93,689
Centennial Corrections Facility South *	219	\$54.32	\$18.14	\$72.46	\$9.42	\$4.72	\$86.60	\$9,700
Colorado State Penitentiary	690	\$124.09	\$26.70	\$150.79	\$9.42	\$4.72	\$164.94	\$60,369
Denver Reception & Diagnostic Center	527	\$120.70	\$107.74	\$228.43	\$9.42	\$4.72	\$242.58	\$88,785
Denver Women's Correctional Facility	913	\$88.18	\$32.46	\$120.63	\$9.42	\$4.72	\$134.78	\$49,330
San Carlos Correctional Facility	208	\$221.01	\$87.02	\$308.03	\$9.42	\$4.72	\$322.18	\$117,916
Sterling Correctional Facility	2,398	\$79.48	\$22.43	\$101.91	\$9.42	\$4.72	\$116.06	\$42,478
Total Level V	5,265						\$153.53	\$56,193
Grand Total Level I-V	14,013	\$84.99	\$29.76	\$113.90			\$128.05	\$46,866
Youthful Offender System								
Youthful Offender System Aftercare	40	\$103.08	\$0.00	\$103.08	\$0.00	\$4.72	\$107.81	\$39,457
Youthful Offender System	183	\$231.03	\$12.01	\$243.04	\$9.42	\$4.72	\$257.19	\$94,131
YOS Jail Backlog	3	\$58.56	\$0.00	\$58.56	\$0.00	\$0.00	\$58.56	\$21,433
Community Service								
Parole	9,473	\$13.65	\$0.54	\$14.19	\$0.00	\$4.72	\$18.92	\$6,924
Fugitive Apprehension	895	\$4.23	\$0.00	\$4.23	\$0.00	\$4.72	\$8.96	\$3,278
Community Supervision	1,465	\$25.27	\$0.00	\$25.27	\$0.00	\$4.72	\$29.99	\$10,978
External Capacity								
Bent County	1,372	\$57.94	\$1.08	\$2.76	\$0.00	\$4.83	\$66.61	\$24,380
Crowley County	1,786	\$57.94	\$1.08	\$3.26	\$0.00	\$4.83	\$67.11	\$24,562
Cheyenne Mountain ReEntry Center **	556	\$57.94	\$1.08	\$2.13	\$0.00	\$4.83	\$65.98	\$16,033
County Jails	523	\$58.56	\$0.00	\$0.00	\$0.00	\$4.83	\$63.39	\$23,202
Community Corrections Programs	49	\$50.17	\$0.00	\$0.00	\$0.00	\$4.83	\$55.00	\$20,131

* Centennial Corrections Facility South opened on 3/10/2020. The annual cost is based on 112 days.

** Cheyenne Mountain Reentry Center closed this year. The annual cost is based on 243 days.

Medical cost per day includes medical and mental health costs that are not facility specific, such as external medical care, pharmaceuticals, centralized x-ray and dental expenses, capital equipment, centralized personal services, and central service contracts.

Centralized cost per day includes centralized expenses that are not facility specific, such as centralized personal services, inspector general, superintendent's, offender ID, legal access, transportation, facility services, education, communications, and information systems.

Administrative cost per day includes expenses that would apply to the entire department, such as the executive director's office, business operations (budget, accounts payable, inmate bank, payroll, general accounting), personnel, information systems, offender services, and training. Administrative costs will vary between state and private facilities as they are based on the total average daily population for state and external facilities. These costs may differ between state and private facilities depending on the total ratio of private facility ADP to total ADP, and will increase as total administrative costs increase.