

**COLORADO GENERAL ASSEMBLY  
JOINT BUDGET COMMITTEE**



**FY 2010-11 STAFF BUDGET BRIEFING**

**DEPARTMENT OF CORRECTIONS**

**JBC Working Document - Subject to Change  
Staff Recommendation Does Not Represent Committee Decision**

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December 22, 2009**

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**FY 2010-11 BUDGET BRIEFING  
STAFF PRESENTATION TO THE JOINT BUDGET COMMITTEE**

**DEPARTMENT OF CORRECTIONS**

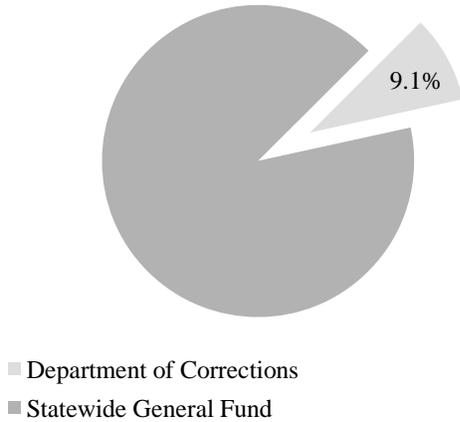
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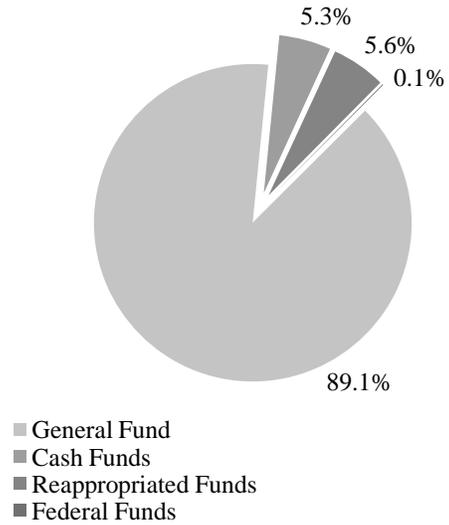
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GRAPHIC OVERVIEW**

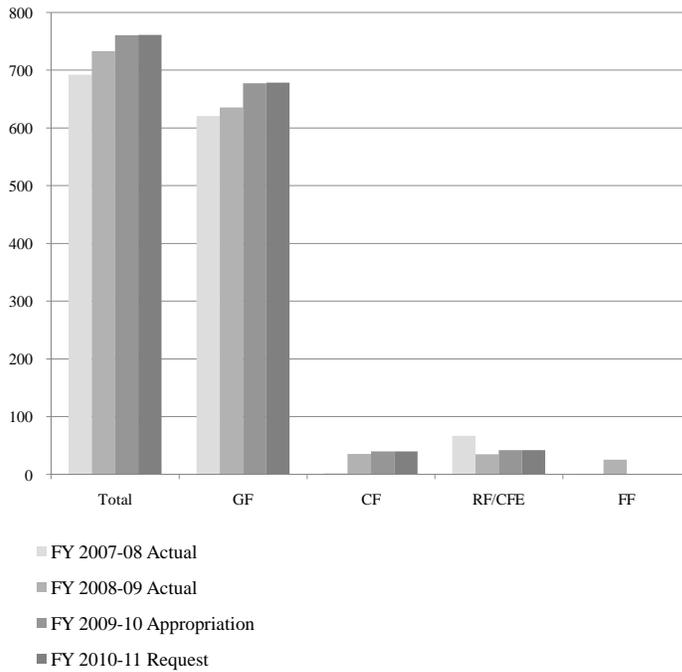
**Department's Share of Statewide General Fund**



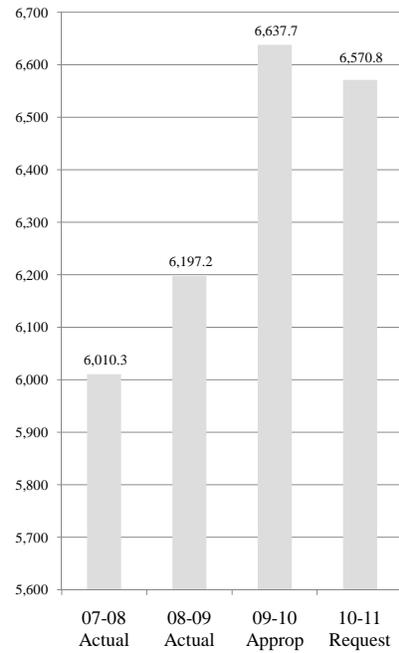
**Department Funding Sources**



**Budget History  
(Millions of Dollars)**

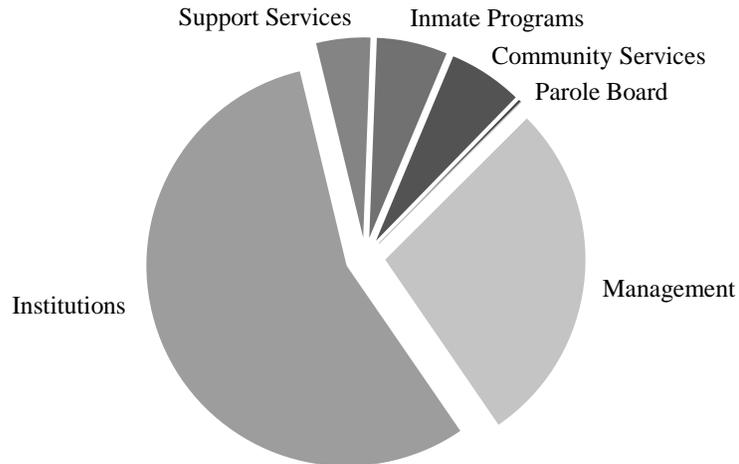


**FTE History**

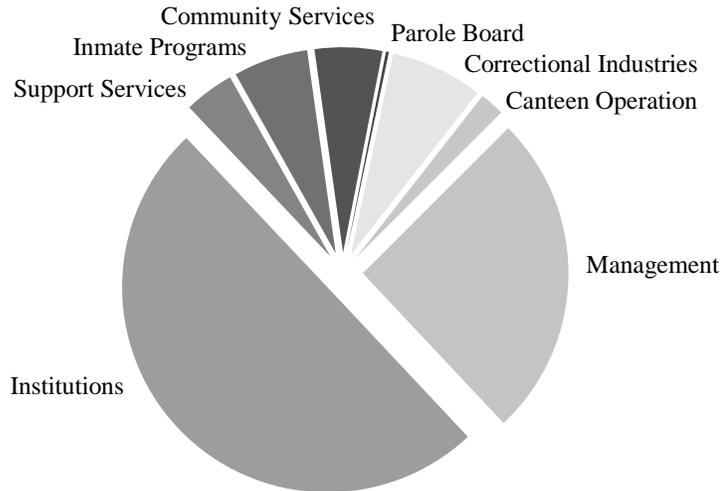


Unless otherwise noted, all charts are based on the FY 2009-10 appropriation.

**Distribution of General Fund by Division**



**Distribution of Total Funds by Division**



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**DEPARTMENT OVERVIEW**

**Key Responsibilities**

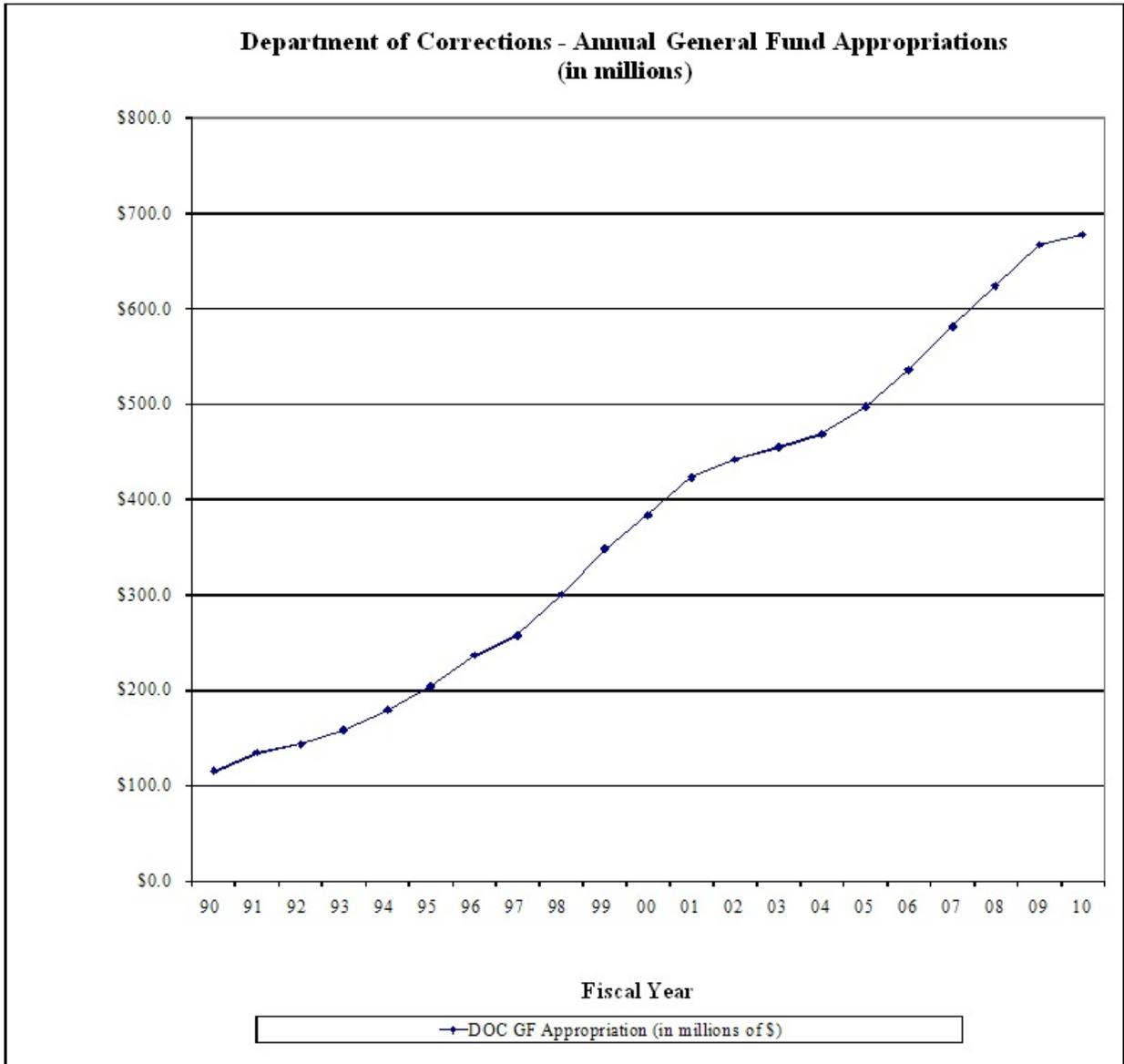
- Manage, supervise, and control the correctional facilities operated and supported by the State.
- Oversee privately operated prison facilities to monitor contract compliance with the Department.
- Provide programs to the inmate population in an effort to provide them with treatment and services designed to improve the likelihood of successfully reintegrating into society following their incarceration.
- Supervise and counsel inmates in community corrections programs and offenders who have been placed on parole.
- Develop a systematic building program providing for the projected, long-range needs of the institutions under the Department's control.
- Develop correctional industries within the institutions which have a rehabilitative or therapeutic value for inmates and which also supply necessary products for state institutions and other public purposes, as provided by law.
- Develop and operate the Youthful Offender System.

**Factors Driving the Budget**

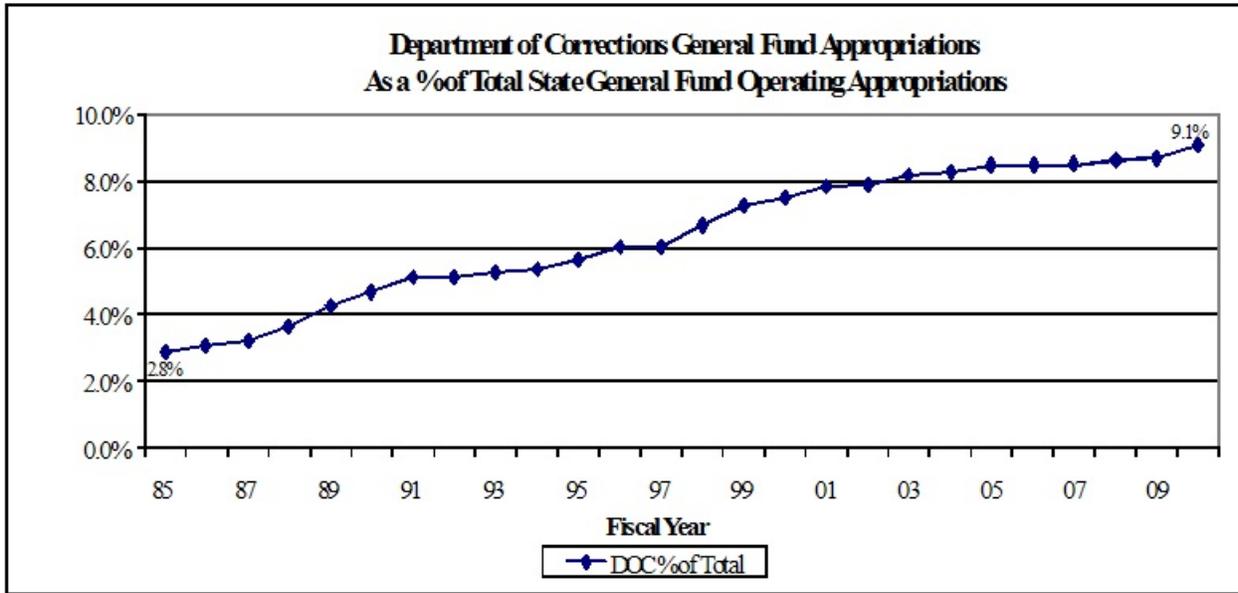
**Significant Growth in Appropriations to the Department of Corrections**

**Background.** The Department of Corrections (DOC) has grown significantly in the past 20 years. From FY 1989-90 through FY 2009-10, the General Fund appropriation to the Department grew from \$115.0 million to \$677.8 million, an increase of \$562.8 million. This growth rate represents a compound annual growth rate of 9.3 percent over the 20-year period.

**Historical Growth.** The following graph depicts the annual General Fund appropriations to the Department of Corrections for the past 20 years.

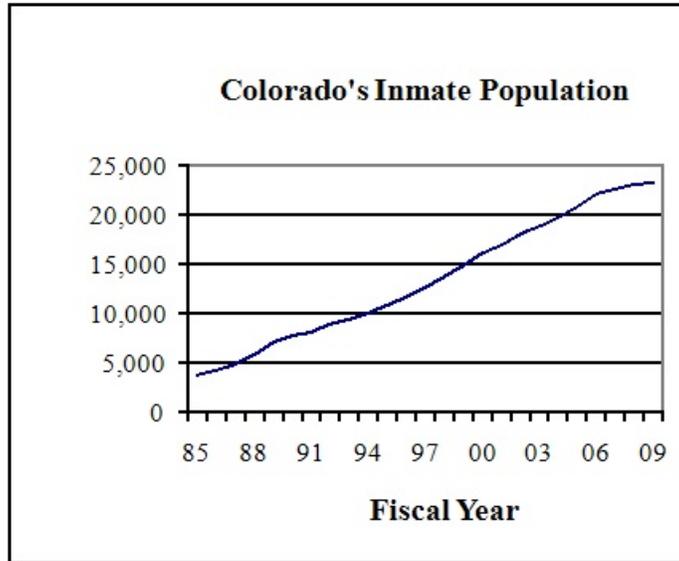


**Department of Corrections Becoming Larger Share of State Operating Budget.** The Department of Corrections comprises a larger share of the state budget than in prior years. This has occurred because of the significant growth in General Fund appropriations to the Department of Corrections relative to limitations on available funds and statutory limitations on appropriations. In FY 1984-85, General Fund appropriations to the Department of Corrections comprised 2.8 percent of the state operating budget. By FY 2009-10, DOC General Fund appropriations have increased to 9.1 percent of the state operating budget (see the following graph).



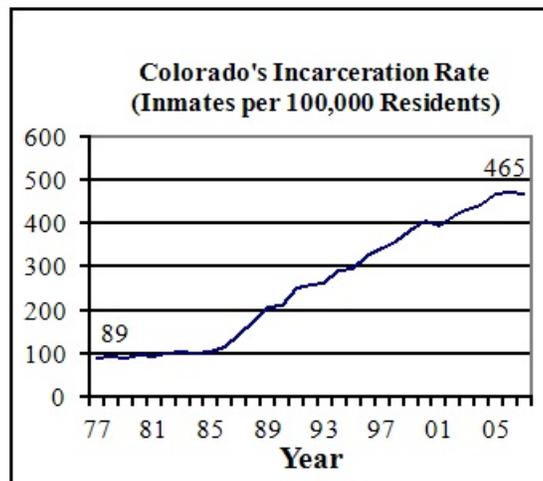
**Inmate Population – Primary Factor Driving DOC's Budget**

The growth in the inmate population is the primary factor driving the Department of Corrections' budget. The inmate population includes inmates sentenced to DOC including those who are in a transition community corrections placement. As shown in the following graph, the inmate population has grown steadily over the past 25 years.



Source: Colorado Department of Corrections, Monthly Population Reports.

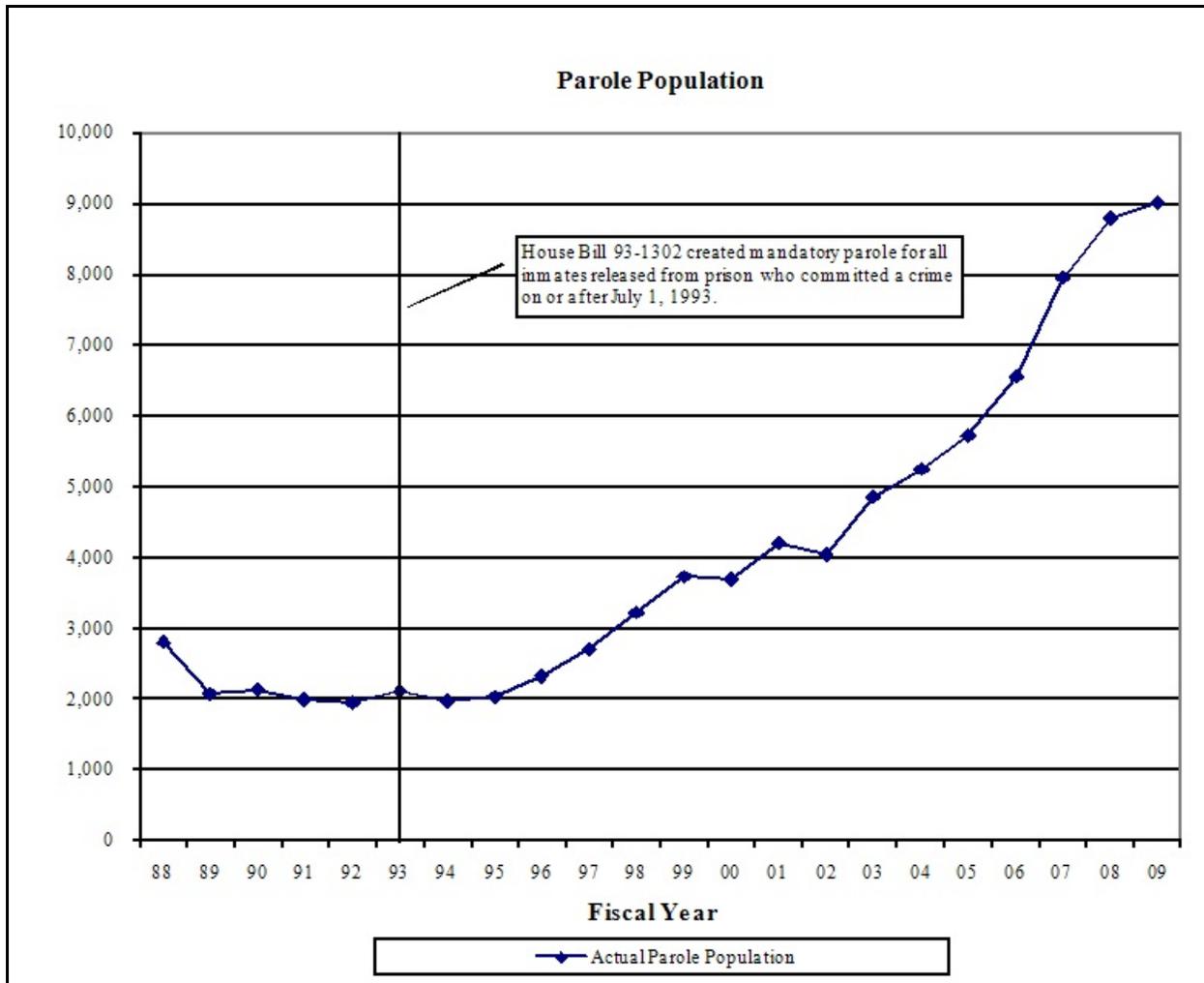
However, the increasing DOC budget cannot be explained entirely by the growth in the Colorado population. Over the past 25 years, the incarceration rate has also increased steadily. As such, a higher percent of Colorado's residents are incarcerated than in prior years.



Source: Bureau of Justice Statistics  
(<http://www.ojp.usdoj.gov/bjs/pub/pdf/p07.pdf>).

### Parole Population Increase

The parole population also has an impact on the Department of Corrections' budget. Since FY 1993-94, the parole population has grown at a compound annual rate of 10.0 percent.



### Population Increase - Impact on Capital Construction

Since 2002, no state-owned and operated facilities have come on line. In 2002, 1,000 male beds became available (500 in Ft. Lyon and 500 in Trinidad). In the three year period from June 2009 through June 2012, Legislative Council Staff anticipates the total inmate population to decrease by 1,406 inmates (a 6.1 percent decrease).

When Governor Owen's administration took office in 1999, the capital construction requests for new prisons were withdrawn. This was done to give the new administration an opportunity to review options other than state prison construction, including the use of private facilities. Since that time, most projects for new state prison beds were not funded due to revenue shortfalls.

**Certificates of Participation.** During the 2003 legislative session, the General Assembly enacted H.B. 03-1256 (Rep. Spradley / Sen. Anderson), which authorized a lease-purchase agreement for a 948-bed high-security facility to be built in Cañon City. This project is referred to as Colorado State Penitentiary II (CSP II), although it will become part of the Centennial Correctional Facility upon completion as the two facilities will be connected. The legislation capped the total value of the certificates of participation (COPs) at \$102.8 million. Before the Department could issue the COPs, a lawsuit was filed against the State which prohibited their issuance. The lawsuit was resolved; however, the Department received additional funding of \$36.9 million General Fund in FY 2007-08 due primarily to construction inflation that occurred since the time of original funding. The annual COP payment is approximately \$13.9 million.

**Population Increase - Jail Backlog**

Jail backlog occurs when inmates are sentenced to the Department of Corrections and the capacity does not exist in state prisons or private contract facilities to hold them. In these instances, counties hold the inmates in the county jail until the DOC has the capacity to take them. Pursuant to Section 17-1-112, C.R.S., the DOC, subject to available appropriations, is required to reimburse the counties for holding these inmates. The following information highlights the jail backlog history for the past six years.

	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09
Avg. Daily Population	462	723	801	635	442	413
Cost of Jail Backlog	\$7,861,908	\$12,265,585	\$13,860,374	\$11,340,364	\$8,037,697	\$7,595,058
Daily Reimbursement Rate	\$46.49	\$46.49	\$47.42	\$48.96	\$49.69	\$50.44
Percent Change	0.0%	0.0%	2.0%	3.2%	1.5%	1.5%

**Population Increase - Private Contracts**

In the early 1990s, the DOC began contracting with private prison operators in order to reduce the number of inmates in the jail backlog while state facilities were being constructed. As of June 30, 2009, the DOC had 5,383 inmates in contract facilities. Combined with the number of inmates held in the jail backlog, this represented approximately 23.9 percent of the existing population.<sup>1</sup> The following information highlights the private contracts over the past six years.

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<sup>1</sup> Including community corrections placements, 35.8 percent of the inmate population was in privately operated placements as of June 30, 2009.

	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09
Avg. Daily Pop.	2,885	2,812	3,797	4,440	4,583	5,425
Total Cost	\$53,190,046	\$50,865,321	\$69,679,801	\$84,119,878	\$88,388,521	\$104,323,294
Daily Rate	\$50.37	\$49.56	\$50.28	\$51.91	\$52.69	\$52.69
Percent Change	0.0%	-1.6%	1.5%	3.2%	1.5%	0.0%

\* Note: in FY 2004-05, the Department placed inmates in a contract facility in Mississippi, at a cost of \$51.00 per inmate per day. The average daily population was 123.5 inmates at a total cost of \$2,298,162. These inmates are not reflected in the figures shown in this table. In addition, in FY 2006-07, the Department placed inmates in a contract facility in Oklahoma, at a cost of \$54.00 per inmate per day. The average daily population was 238 inmates at a total cost of \$4,699,470. These inmates are also not reflected in the figures shown in this table. In FY 2004-05, the daily rate was reduced by \$0.81 per inmate per day. As a result, the private prisons were no longer required to pay \$0.81 back to the State for the private prison monitoring unit. This change reduced TABOR revenue, but it did not have any net impact to the private prison providers. Finally, in FY 2008-09, the daily rate was reduced from \$54.93 to \$52.69 during the mid-year supplemental process. The rate shown is the final rate approved for the fiscal year.

### **Population and Parole Impact on Community Services**

An expanding population results in an increase in the number of inmates placed on community corrections and parole (see the following table). Community corrections allows inmates to transition to community while still classified as a DOC inmate. Inmates assigned to community corrections are either placed in a halfway house or in an intensive supervision program (ISP). Inmates are released to parole based on the discretion of the Parole Board, or under mandatory parole statutes, depending on the statutes under which they were sentenced. There are two types of parole, regular and intensive supervision.

	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09
Comm. Corr. Exp.	\$7,454,466	\$8,626,429	\$10,088,431	\$9,690,231	\$11,183,246	\$11,009,062
Percent Change	0.0%	15.7%	16.9%	-3.9%	15.4%	-1.6%
Parole Expenditures	\$10,454,716	\$10,860,777	\$12,820,844	\$14,695,596	\$18,360,727	\$20,828,293
Percent Change	0.0%	3.9%	18.0%	14.6%	24.9%	13.4%

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Department of Corrections**

**DECISION ITEM PRIORITY LIST**

Decision Item	GF	CF	RF	FF	Total	FTE
1	3,004,724	0	0	0	3,004,724	0.0
<p><b>External Capacity Caseload</b></p> <p><b>Management.</b> The Department requests \$3,004,724 General Fund to meet the funding needs associated with offender population growth. The Department has based this request on the July, 2009, Division of Criminal Justice population projections. <i>Statutory authority: Sections 17-1-105, 112, and 206.5, C.R.S.</i></p>						
2	1,634,545	0	0	0	1,634,545	16.1
<p><b>Parole/Parole Intensive Supervision Program Caseload</b></p> <p><b>Various.</b> The Department requests \$1,634,545 General Fund and 16.1 FTE for personal services, operating, start-up, and contract funds to accommodate population increases in the Parole and Parole Intensive Supervision Program (ISP) subprograms. The Department has based this request on the July, 2009, Division of Criminal Justice population projections. This request annualizes to \$1,546,169 General Fund and 17.5 FTE in FY 2011-12. <i>Statutory authority: Sections 17-2-102 and 17-27.5-101, C.R.S.</i></p>						
3	429,992	0	0	0	429,992	0.0
<p><b>Medical Per Offender Per Month (POPM)</b></p> <p><b>Institutions.</b> The Department requests \$429,992 General Fund for projected changes in the medical caseload and contractual increases for medical services. The Department has based this request on the July, 2009, Division of Criminal Justice population projections. <i>Statutory authority: Section 17-1-103, C.R.S.</i></p>						
4	956,218	0	0	0	956,218	10.7
<p><b>Colorado State Penitentiary II and Denver Reception and Diagnostic Center Operating</b></p> <p><b>Institutions.</b> The Department requests \$956,218 General Fund for personal services, operating, and start-up costs to maintain the systems and the facility at the Colorado State Penitentiary II (CSP II) and Denver Reception and Diagnostic Center (DRDC) new expansion area. The request annualizes to \$1,360,682 General Fund and 11.6 FTE in FY 2011-12. <i>Statutory authority: Sections 17-1-103 and 105, C.R.S.</i></p>						
5	18,017,672	0	0	0	18,017,672	(6.5)
<p><b>Accelerated Transition Pilot Program</b></p> <p><b>Various.</b> The Department requests an increase of \$18,017,672 General Fund and a reduction of 6.5 FTE for the accelerated transition pilot program. The request is based on the fact that savings are not accruing at the rate anticipated in the Governor's August 25, 2009, budget balancing fact sheet. The request therefore modifies the anticipated savings downward. <i>Statutory authority: Sections 17-2-102, and 17-27.5-101, C.R.S.</i></p>						

Decision Item	GF	CF	RF	FF	Total	FTE
NP-1	(475,876)	0	0	0	(475,876)	(69.8)
<p><b>Statewide Information Technology Staff Consolidation</b></p> <p><b>Various.</b> The Department requests a reduction of \$475,876 General Fund and 69.8 FTE for the statewide information technology staff consolidation. This request will be discussed in detail during the presentation for the Governor's Office. <i>Statutory authority: Sections 24-37.5-110 (1) (a), C.R.S.</i></p>						
NP-2	142,701	0	0	0	142,701	0.0
<p><b>Annual Fleet Vehicle Replacement</b></p> <p><b>Support Services.</b> The Department requests \$142,701 General Fund to accommodate increases in statewide vehicle costs. This request will be discussed in detail during the presentation for the Department of Personnel and Administration. <i>Statutory authority: Sections 24-30-1104 (2), C.R.S.</i></p>						
<b>Total</b>	<b>23,709,976</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>23,709,976</b>	<b>(49.5)</b>

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**AUGUST 2009 BASE REDUCTION PRIORITY LIST  
Requested FY 2010-11 Annualization of August 24, 2009 Reduction Proposals**

Base Reduction	GF	CF	RF	FF	Total	FTE
1	(1,800,000)	0	0	0	(1,800,000)	0.0
<b>Parole Wrap Around Services</b>						
<b>Community Services.</b> The Department requests a reduction of \$1,800,000 General Fund related to the elimination of the parole wrap around services program. <i>Statutory authority: Sections 17-2-102, C.R.S.</i>						
2	(3,023,021)	0	0	0	(3,023,021)	(34.8)
<b>Academic and Vocational Instructors</b>						
<b>Various.</b> The Department requests a reduction of \$3,023,021 General Fund and 34.8 FTE to remove additional funding for General Educational Development (GED) and vocational instruction that was included in the FY 2009-10 Long Bill. <i>Statutory authority: Sections 17-32-101 through 103 and 105, C.R.S.</i>						
3	(23,923,963)	0	0	0	(23,923,963)	8.7
<b>Accelerated Transition Pilot Program</b>						
<b>Various.</b> The Department requests a reduction of \$23,923,963 General Fund and an increase of 8.7 FTE for the accelerated transition pilot program. This request annualizes the initial savings anticipated in the Governor's August, 2009, executive order. Those savings are subsequently modified by Decision Item #5 discussed above. <i>Statutory authority: Sections 17-2-102, and 17-27.5-101, C.R.S.</i>						
<b>Total</b>	<b>(28,746,984)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(28,746,984)</b>	<b>(26.1)</b>

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Department of Corrections**

**OVERVIEW OF NUMBERS PAGES**

The following table summarizes the total change, in dollars and as a percentage, between the Department's FY 2009-10 appropriation and its FY 2010-11 request.

**Total Requested Change, FY 2009-10 to FY 2010-11 (millions of dollars)**

Category	GF	CF	RF	FF	Total	FTE
FY 2009-10 Appropriation	\$677.8	\$40.4	\$42.3	\$0.6	\$761.1	6,637.7
FY 2010-11 Request	678.1	39.9	42.5	0.6	761.1	6,570.8
Increase / (Decrease)	\$0.3	(\$0.5)	\$0.2	\$0.0	\$0.0	(66.9)
Percentage Change	0.0%	-1.2%	0.5%	0.0%	0.0%	-1.0%

The following table highlights the individual changes contained in the Department's FY 2010-11 budget request, as compared with the FY 2009-10 appropriation. For additional detail, see the numbers pages in Appendix A.

**Requested Changes, FY 2009-10 to FY 2010-11**

Category	GF	CF	RF	FF	Total	FTE
<b>Department Base Request</b>						
Restore prior year personal services reduction	\$6,579,055	\$112,825	\$135,008	\$0	\$6,826,888	0.0
Employee benefits	712,735	(177,869)	0	0	534,866	0.0
Annualize Governor's executive orders	(28,746,984)	0	0	0	(28,746,984)	(26.1)
Annualize prior year decision items and legislation	(1,708,799)	(404,783)	0	0	(2,113,582)	8.7
One-time appropriations	(265,586)	0	0	0	(265,586)	0.0
Indirect cost assessment	(7,273)	(25,610)	2,592	2,592	(27,699)	0.0
<b>Subtotal - Base Request</b>	<b>(\$23,436,852)</b>	<b>(\$495,437)</b>	<b>\$137,600</b>	<b>\$2,592</b>	<b>(\$23,792,097)</b>	<b>(17.4)</b>
<b>Staffing New or Expanded Facilities</b>						
CSP II staffing (DI #4)	\$897,419	\$0	\$0	\$0	\$897,419	10.7
DRDC expansion (DI #4)	58,799	0	0	0	58,799	0.0
<b>Subtotal - Facilities</b>	<b>\$956,218</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$956,218</b>	<b>10.7</b>

<b>Category</b>	<b>GF</b>	<b>CF</b>	<b>RF</b>	<b>FF</b>	<b>Total</b>	<b>FTE</b>
<b>Caseload Requests</b>						
External capacity (DI #1)	\$3,004,724	\$0	\$0	\$0	\$3,004,724	0.0
Parole/Parole ISP (DI #2)	1,634,545	0	0	0	1,634,545	16.1
Medical POPM (DI #3)	429,992	0	0	0	429,992	0.0
<b>Subtotal - Caseload</b>	<b>\$5,069,261</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,069,261</b>	<b>16.1</b>
<b>Non-Prioritized Requests</b>						
Statewide IT staff consolidation (DI #NP-1)	(\$475,876)	\$0	\$0	\$0	(\$475,876)	(69.8)
Annual fleet vehicle replacements (DI #NP-2)	142,701	0	0	0	142,701	0.0
<b>Subtotal - Non-Prioritized</b>	<b>(\$333,175)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$333,175)</b>	<b>(69.8)</b>
<b>New/Expanded Programs</b>						
Accelerated transition pilot program (DI #5)	\$18,017,672	\$0	\$0	\$0	\$18,017,672	(6.5)
<b>Subtotal - New Programs</b>	<b>\$18,017,672</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$18,017,672</b>	<b>(6.5)</b>
<b>Total Change</b>	<b>\$273,124</b>	<b>(\$495,437)</b>	<b>\$137,600</b>	<b>\$2,592</b>	<b>(\$82,121)</b>	<b>(66.9)</b>

**FY 2010-11 Joint Budget Committee Staff Budget Briefing  
Department of Corrections**

**BRIEFING ISSUE**

**ISSUE: Population Projections**

Legislative Council Staff (LCS) and the Division of Criminal Justice (DCJ) both project the prison population to decrease through FY 2011-12. However, LCS projects the parole population to increase through FY 2011-12 while DCJ projects it to decrease.

**SUMMARY:**

- ❑ Both the LCS and the DCJ December 2009 inmate population projections forecast a decrease in the prison population.
- ❑ The LCS December 2009 parole population projections forecast continued growth in the parole population, although at a slower rate of growth than the corresponding projections from December 2008. However, the DCJ December 2009 parole population projections forecast initial growth in the parole population but an overall decrease through FY 2011-12.
- ❑ Both the DCJ and LCS December 2009 inmate population projections forecast a decrease in the inmate population through FY 2011-12, as compared with an increase in the corresponding projections from December 2008. However, the DCJ December 2009 inmate population projections forecast a greater decrease in comparison to the LCS December 2009 inmate population projections.

**RECOMMENDATION:**

Staff recommends that the Committee wait until closer to supplementals and figure setting to determine which projections to use to plan the required level of prison beds. Waiting will allow more time to determine which monthly growth looks more reasonable. This recommendation is consistent with the approach taken by the JBC in prior years.

**DISCUSSION:**

*Comparison of 2009 LCS and DCJ Prison and Parole Population Projections.* Legislative Council Staff and the Division of Criminal Justice are responsible for developing population projections for the adult inmate population and the adult parole population. The following table is a comparison of the December 2009 projections for each of these agencies:

Comparison of Adult Population Projections					
Population	Actual as of June 30, 2009	Projected Populations as of June 30, 2012			
		LCS Projection	% Change over Actual	DCJ Projection	% Change over Actual
Total Inmates	23,186	21,780	-6.1%	21,530	-7.1%
Male	20,896	19,800	-5.2%	19,582	-6.3%
Female	2,290	1,980	-13.5%	1,948	-14.9%
Parole	9,016	9,898	9.8%	8,932	-0.9%

A comparison of the compound annual growth rates (based on the population figures from the previous table) are delineated in the following table.

Compound Annual Growth Rate		
	LCS Projection	DCJ Projection
Total Inmates	-2.1%	-2.4%
Male	-1.8%	-2.1%
Female	-4.7%	-5.2%
Parole	3.2%	-0.3%

**Comparison to Previous Year's Projections.** The LCS December 2009 total inmate population projections are significantly lower than the December 2008 projections (see Appendix D). In addition, the LCS December 2009 parole projections are lower than the corresponding December 2008 projections for each of the years in the planning horizon (see Appendix D).

**Setting the Appropriation.** Because the inmate growth varies by month and because of the differences between the two projections, staff recommends waiting until closer to the supplemental and figure setting process to decide which projection to use when planning appropriation levels for private prisons and jail backlog for the remainder of FY 2009-10 and for FY 2010-11.

Staff prepared graphs to illustrate the comparisons between the LCS and DCJ projections (see Appendix D). The tables on the following four pages contain the backup data used to prepare the graphs in Appendix D.

<b>LCS and DCJ Total Inmate Population Projections</b>						
	<b>FY 09</b>	<b>FY 10</b>	<b>FY 11</b>	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>
<i>Legislative Council Staff</i>						
Beginning Population	22,989	23,186	22,633	22,148	n/a	n/a
Growth	197	(553)	(485)	(368)	n/a	n/a
Ending Population	23,186	22,633	22,148	21,780	n/a	n/a
Avg. Monthly Growth	16	(46)	(40)	(31)	n/a	n/a
Annual Growth	0.9%	-2.4%	-2.1%	-1.7%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	22,989	23,186	22,280	21,669	21,530	21,662
Growth	197	(906)	(611)	(139)	132	155
Ending Population	23,186	22,280	21,669	21,530	21,662	21,817
Avg. Monthly Growth	16	(76)	(51)	(12)	11	13
Annual Growth	0.9%	-3.9%	-2.7%	-0.6%	0.6%	0.7%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	353	479	250	n/a	n/a

*Total Inmate Growth.* The actual average monthly growth rate for FY 2008-09 was 16 inmates per month, lower than any year in the past decade. In addition, the inmate population has decreased by 98 inmates per month for the first five months of FY 2009-10.

<b>Historical Monthly Population Growth – Total Inmates</b>										
<b>FY 99</b>	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>	<b>FY 05</b>	<b>FY 06</b>	<b>FY 07</b>	<b>FY 08</b>	<b>FY 09</b>
89	106	70	101	67	60	95	109	42	39	16

**Comparison of Male Population Projections.** The following table summarizes the male population for the two projections.

<b>LCS and DCJ Male Inmate Population Projections</b>						
	<b>FY 09</b>	<b>FY 10</b>	<b>FY 11</b>	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>
<i>Legislative Council Staff</i>						
Beginning Population	20,684	20,896	20,440	20,061	n/a	n/a
Growth	212	(456)	(379)	(261)	n/a	n/a
Ending Population	20,896	20,440	20,061	19,800	n/a	n/a
Avg. Monthly Growth	18	(38)	(32)	(22)	n/a	n/a
Annual Growth	1.0%	-2.2%	-1.9%	-1.3%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	20,684	20,896	20,185	19,690	19,582	19,764
Growth	212	(711)	(495)	(108)	182	163
Ending Population	20,896	20,185	19,690	19,582	19,764	19,927
Avg. Monthly Growth	18	(59)	(41)	(9)	15	14
Annual Growth	1.0%	-3.4%	-2.5%	-0.5%	0.9%	0.8%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	255	371	218	n/a	n/a

**Male Inmate Growth.** The actual average monthly growth rate for FY 2008-09 was 18 male inmates per month, lower than any year in the past decade. In addition, the male inmate population has decreased by 70 inmates per month for the first five months of FY 2009-10.

<b>Historical Monthly Population Growth – Male Inmates</b>										
<b>FY 99</b>	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>	<b>FY 05</b>	<b>FY 06</b>	<b>FY 07</b>	<b>FY 08</b>	<b>FY 09</b>
75	99	63	87	57	49	68	97	32	42	18

**Comparison of Female Population Projections.** The table below summarizes the female population for the two projections.

<b>LCS and DCJ Female Inmate Population Projections</b>						
	<b>FY 09</b>	<b>FY 10</b>	<b>FY 11</b>	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>
<i>Legislative Council Staff</i>						
Beginning Population	2,305	2,290	2,193	2,087	n/a	n/a
Growth	(15)	(97)	(106)	(107)	n/a	n/a
Ending Population	2,290	2,193	2,087	1,980	n/a	n/a
Avg. Monthly Growth	(1)	(8)	(9)	(9)	n/a	n/a
Annual Growth	-0.7%	-4.2%	-4.8%	-5.1%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	2,305	2,290	2,095	1,979	1,948	1,898
Growth	(15)	(195)	(116)	(31)	(50)	(8)
Ending Population	2,290	2,095	1,979	1,948	1,898	1,890
Avg. Monthly Growth	(1)	(16)	(10)	(3)	(4)	(1)
Annual Growth	-0.7%	-8.5%	-5.5%	-1.6%	-2.6%	-0.4%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	98	108	32	n/a	n/a

**Female Inmate Growth.** The actual average monthly growth rate for FY 2008-09 was a reduction of one female inmate per month. In addition, the female inmate population has decreased by 28 inmates per month for the first five months of FY 2009-10.

<b>Historical Monthly Population Growth – Female Inmates</b>										
<b>FY 99</b>	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>	<b>FY 05</b>	<b>FY 06</b>	<b>FY 07</b>	<b>FY 08</b>	<b>FY 09</b>
14	7	6	14	10	11	27	12	10	(3)	(1)

**Comparison of Parole Projections.** The table below summarizes the parole population for the two projections.

<b>LCS and DCJ Parole Population Projections</b>						
	<b>FY 09</b>	<b>FY 10</b>	<b>FY 11</b>	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>
<i>Legislative Council Staff</i>						
Beginning Population	8,783	9,016	9,130	9,449	n/a	n/a
Growth	233	114	319	449	n/a	n/a
Ending Population	9,016	9,130	9,449	9,898	n/a	n/a
Avg. Monthly Growth	19	10	27	37	n/a	n/a
Annual Growth	2.7%	1.3%	3.5%	4.8%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	8,783	9,016	9,322	8,962	8,932	8,987
Growth	233	306	(360)	(30)	55	31
Ending Population	9,016	9,322	8,962	8,932	8,987	9,018
Avg. Monthly Growth	19	26	(30)	(3)	5	3
Annual Growth	2.7%	3.4%	-3.9%	-0.3%	0.6%	0.3%
<i>Difference Between Projections</i>						
LCS vs. DCJ	0	(192)	487	966	n/a	n/a

**Parole Population Growth.** The actual average monthly growth rate for FY 2008-09 was 19 parolees per month. However, the parole population has decreased by 35 parolees per month for the first five months of FY 2009-10.

<b>Historical Monthly Population Growth – Parole Population</b>										
<b>FY 99</b>	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>	<b>FY 05</b>	<b>FY 06</b>	<b>FY 07</b>	<b>FY 08</b>	<b>FY 08</b>
42	(3)	42	(13)	68	32	39	70	116	70	19

**FY 2010-11 Joint Budget Committee Staff Budget Briefing  
Department of Corrections**

**BRIEFING ISSUE**

**ISSUE: Update on Accelerated Transition Program**

In August 2009, Governor Ritter proposed an accelerated transition program for certain offenders transitioning from prison to parole and for certain offenders transitioning from parole to the community. Because fewer offenders have been approved by the Parole Board for transition than originally estimated, the Department of Corrections has requested that its August 2009 cost savings estimates for the program be reduced by 75 percent.

**SUMMARY:**

- ❑ Governor Ritter's accelerated transition program established an accelerated process for offenders convicted of a class 6, 5, 4, or 3 felony, currently parole eligible, and within six months of their mandatory release date to transition from prison to parole. In addition, the program allowed for the transition of offenders from parole to the community once they had completed 50 percent of their mandatory parole term as long as they were in compliance with their parole conditions.
- ❑ The Department originally estimated a FY 2009-10 savings of \$18.9 million associated with the accelerated transition program. However, because fewer actual offenders have been approved by the Parole Board for transition than initially projected, the Department has requested that this savings be reduced by 75 percent to \$4.6 million.
- ❑ As of December 2, 2009, the number of inmates transitioning from prison to parole appears to be consistent with the updated cost savings requested by the Department. However, the actual number of offenders transitioning from parole to the community appears to be almost double what was estimated by the Department. These transitions represent an approximate savings in parole of \$3.6 million in FY 2009-10.

**RECOMMENDATION:**

Staff recommends that the Committee discuss with the Department of Corrections the progress and effectiveness of the accelerated transition program to date.

**DISCUSSION:**

**Background.** In August 2009, the Governor proposed an accelerated transition program establishing an accelerated process for offenders transitioning from the Department of Corrections (DOC) to parole supervision and into the community. Offenders eligible to participate in the prison to parole aspect of the program are those convicted of a class 6, 5, 4, or 3 felony, currently parole eligible, and within six months of their mandatory release date (MRD). Offenders convicted of a sex offense are

not eligible. Offenders are assessed by the Parole Board and must abide by the conditions set forth in order to be transitioned to parole or to the community. The accelerated transition program includes an increase in services provided by current contract providers to enhance successful re-entry and ensure public safety by delivering treatment services, surveillance and monitoring, housing, transportation, employment services, and assistance with psychotropic medication.

Offenders eligible for the program are reviewed by the Parole Board for discretionary release. Currently 50 percent of offenders supervised by the DOC have passed their parole eligibility date. The Parole Board assesses each offender for need level and places offenders into three categories: (1) low; (2) medium; and (3) elevated needs. Supervision and services are provided based upon level of need. For example, offenders with elevated needs receive specialized services and increased supervision for six months while offenders with medium and low needs receive specialized services for three months. The supervision strategies designed to ensure public safety include GPS devices, paging and electronic monitoring for those with elevated needs; paging and electronic monitoring devices for medium needs offenders; and increased drug and alcohol testing for low needs offenders.

***Summary of August Proposal.*** In August 2009, the accelerated transition program included the following assumptions in calculating the savings associated with the program:

- The Parole Board would use its existing authority to transition those offenders who fit within the scope of the accelerated transition program. The Parole Board's decisions are discretionary, therefore, the Department assumed a transition rate from prison to parole of 80 percent of eligible offenders.
- Offenders eligible for transition to parole would be past their parole eligibility date and within 180 days of their mandatory release date.
- No offenders convicted of a sex offense would be eligible.
- The Parole Board would conduct a file review of all eligible offenders who have had a parole hearing within the previous 12 months. A transition decision may be reached on these offenders based on specific criteria resulting from the review. All other eligible offenders would receive a 60-day advance notification of a parole board hearing.
- Eighty percent of eligible parolees would be transitioned from parole to the community (when 50 percent of their sentence is complete and they are in compliance with all parole conditions) by the Parole Board.
- Elevated needs parolees were calculated at 10 percent of the total projected transitions, medium needs parolees were calculated at 54 percent, and low needs parolees were calculated at 36 percent.
- Savings from parole transitions to community would be used to provide dollars for enhanced parolee services.
- Treatment services would include mental health and substance abuse services through current providers. Mental health treatment was calculated at \$387 per year per parolee. Substance abuse treatment was calculated at \$334 per parolee per year.
- Psychotropic medications were calculated at a cost of \$238 per offender per year. Currently, only offenders on inmate status are eligible for psychotropic medications. Parolees would need to be added as an eligible population to benefit from psychotropic medication.

- Surveillance to elevated needs parolees would include global positioning system (GPS) devices, paging, and electronic monitoring. Medium needs parolees will use paging and electronic monitoring devices and low needs parolees would have random drug screening.

The following table illustrates the savings estimated by the Department for the program in August 2009:

	<b>Offenders</b>	<b>FY 2009-10 Cost/Savings</b>	<b>FY 2010-11 Cost/Savings</b>
Prison transitions to parole	3,474	(\$21,296,096)	(\$27,517,670)
Parole transitions to community	2,634	(2,734,686)	(1,982,118)
Parole admits	3,127	2,734,686	2,543,427
Dress out impact		132,798	132,798
Parole Board impact		122,060	99,600
Parole contract services impact		<u>2,100,000</u>	<u>2,800,000</u>
	<b>Total Savings</b>	<b>(\$18,941,238)</b>	<b>(\$23,923,963)</b>

The following table shows the savings estimated by the Department for the program by line item in August 2009:

<b>Cost Savings by Line Item - August 2009</b>		
	<b>FY 2009-10</b>	<b>FY 2010-11</b>
Payments to In-State Private Prisons	(\$19,895,665)	(\$25,255,716)
Purchase of Medical Services from Other Medical Facilities	(448,070)	(723,715)
Catastrophic Medical Expenses	(952,361)	(1,538,238)
Dress Out	132,798	132,798
Drug and Alcohol Treatment Contract Services	0	33,757
Parole Personal Services	0	251,399
Parole Operating Expenses	0	16,144
Parole Contract Services	1,983,761	2,649,900
Parole ISP Personal Services	0	120,575
Parole ISP Operating Expenses	0	7,990
Parole ISP Contract Services	0	52,795
Parole ISP Non-Residential Services	0	38,908
Psychotropic Medication	116,239	189,840
Parole Board Contract Services	<u>122,060</u>	<u>99,600</u>
<b>Total</b>	<b>(\$18,941,238)</b>	<b>(\$23,923,963)</b>

The Department has subsequently submitted a FY 2009-10 supplemental and a FY 2010-11 decision item to reduce the savings estimated from the accelerated transition program. Essentially, these requests reduce the projected savings from the proposal by 75 percent.

The following table shows the new savings estimated by the Department for the program in December 2009 as well as the difference between the new estimate and the August estimate:

Cost Savings by Line Item - December 2009		
	FY 2009-10	FY 2010-11
Payments to In-State Private Prisons	(\$4,973,916)	(\$6,313,929)
Purchase of Medical Services from Other Medical Facilities	(112,018)	(180,929)
Catastrophic Medical Expenses	(238,090)	(384,559)
Dress Out	33,200	33,199
Drug and Alcohol Treatment Contract Services	0	8,439
Parole Personal Services	0	62,850
Parole Operating Expenses	0	4,036
Parole Contract Services	495,940	662,475
Parole ISP Personal Services	0	30,144
Parole ISP Operating Expenses	0	1,997
Parole ISP Contract Services	0	13,199
Parole ISP Non-Residential Services	0	9,727
Psychotropic Medication	29,060	47,460
Parole Board Contract Services	<u>122,060</u>	<u>99,600</u>
<b>Total</b>	<b>(\$4,643,764)</b>	<b>(\$5,906,291)</b>
Difference from August Estimates	\$14,297,474	\$18,017,672

In addition, the Department indicates that as of December 2, 2009, 214 offenders have been transitioned from prison to parole, and 391 offenders have been transitioned from parole to the community under the accelerated transition program. Because the accelerated transition program was commenced in September 2009, these numbers represent approximately three months of actual data for the program.

Extrapolating these numbers out for a full year, staff estimates that 856 offenders will transition from prison to parole and 1,564 offenders will transition from parole to the community in FY 2009-10. This compares to an estimate by the Department of 869 offenders transitioning from prison to parole and 659 offenders transitioning from parole to the community. Although the estimate of transition from prison to parole is fairly accurate, the projection of transition from parole to the community is less than half what the actual data indicates. As such, staff believes that there may be additional parole savings in FY 2009-10 associated with the accelerated transition program. At a daily cost of \$10.89, the parole savings in FY 2009-10 could be as high as \$3.6 million. This savings will depend upon the actual transitions for the remainder of the fiscal year and may decrease if the trend of transitions does not remain constant.

**FY 2010-11 Joint Budget Committee Staff Budget Briefing  
Department of Corrections**

**BRIEFING ISSUE**

**ISSUE: Update on CSP II Construction and DRDC Expansion**

The construction of Colorado State Penitentiary II (CSP II) and the expansion of the Denver Reception and Diagnostic Center (DRDC) have required funding of \$141.7 million and \$25.6 million to date, respectively. In addition, because CSP II was built using Certificates of Participation (COPs), the State has incurred capitalized interest associated with the project of \$18.6 million. CSP II will add 948 high-security beds and is expected to be completed by June, 2010, and DRDC will add 62 transitional beds and has already been completed.

**SUMMARY:**

- ❑ The construction of CSP II, a 948-bed high-security facility, has required state funding of \$141.7 million to date. In addition, the State is obligated to pay \$18.6 million of capital interest that has accrued to date because CSP II was funded using COPs. In total, the COPs will cost the State \$167.3 million. CSP II is projected to complete in June, 2010.
  
- ❑ The expansion of DRDC by 62 transitional beds has required state funding of \$25.6 million to date. The project will also add 14 infirmary beds and will expand the intake capabilities with additional cell capacity. The expansion will allow for the processing of five additional offenders per day through assessment and classification in order to help reduce the jail backlog population.

**RECOMMENDATION:**

Staff recommends that the Committee discuss with the Department of Corrections its short-term and long-term plans for the utilization of CSP II and DRDC.

**DISCUSSION:**

***CSP II Background.*** During the 2003 legislative session, the General Assembly enacted H.B. 03-1256 (Rep. Spradley / Sen. Anderson), which authorized a lease-purchase agreement for a 948-bed high-security facility to be built in Cañon City. This project is referred to as Colorado State Penitentiary II (CSP II). The legislation capped the total value of the certificates of participation (COPs) at \$102.8 million with a 15-year term. Before the Department could issue the COPs, a lawsuit was filed against the State which prohibited their issuance. The lawsuit was resolved; however, the Department received additional funding of \$36.9 million in FY 2007-08 due primarily to construction inflation that occurred since the time of original funding.

The projected completion date is June, 2010, and the total cost of the project to date is reflected in the following table:

<b>CSP II Project Funding History</b>					
	<b>FY 2003-04</b>	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>Fund Totals</b>
Bill Number	H.B. 03-1256	S.B. 07-239	H.B. 08-1375	S.B. 09-259	
General Fund	\$0	\$36,911,874	\$2,000,000	\$0	\$38,911,874
Cash Funds	0	1,249,500	0	3,249,592	4,499,092
CFE/Reappropriated Funds COP's	102,800,000	0	0	0	102,800,000
Federal Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Total</b>	<b>\$102,800,000</b>	<b>\$38,161,374</b>	<b>\$2,000,000</b>	<b>\$3,249,592</b>	<b>\$146,210,966</b>
Capitalized Interest	\$18,594,477	\$0	\$0	\$0	\$18,594,477

Note 1: The table above reflects a \$2,000,000 capital construction fund appropriation for CSP II equipment and furnishings in FY 2008-09, and a \$2,000,000 cash funds (Correctional Industries revenue) appropriation for CSP II equipment and furnishings in FY 2009-10.

Note 2: The table above reflects funds for the CSP II inmate in-cell services information technology project. Funding for CSP II inmate in-cell services includes \$1,249,500 appropriated through S.B. 07-239 and \$1,249,592 appropriated through S.B. 09-259.

***Integration with Centennial Correctional Facility.*** CSP II is located beside the Centennial Correctional Facility (CCF) in the East Canon Complex, and will integrate with CCF to become one complex during the construction process. With the target construction completion date for CSP II of June 2010, the Department is requesting funding for specialized technical trades technicians, skilled trade technicians, and custody and control staff to operate the new systems that are under warranty and to provide essential security to the expanded complex. The boiler and chiller systems will be fully utilized once construction is complete as they will replace the existing boiler and chiller at the CCF facility, and the two facilities will be operated by one heating and HVAC system. Custody and control personnel will staff the CSP II control center and vehicle sally port, which are required for access and movement through both facilities.

***Requested Funding for CSP II.*** The Department requests \$897,419 General Fund and 10.7 FTE in FY 2010-11 for personal services, operating, and start-up for CSP II. This request annualizes to \$1,301,883 General Fund and 11.6 FTE in FY 2011-12. The FTE at CSP II will include 2.9 FTE to operate and maintain the new boiler and chiller system and 7.8 FTE to provide critical security services at the master control center and new vehicle sally port, both of which will affect CSP II and CCF.

These staff will ensure that costly equipment in which the State has already invested will be ready for operation when CSP II is opened. The Department indicates that the first year after construction, a majority of the equipment must be exercised and put under full operating loads to determine if there are warranty issues. Warranty periods begin when the facility is turned over to DOC possession at the end of construction. With the delay of opening the facility, warranty periods will be expired before the building is fully occupied. Therefore, the Department states that without the requested staff, it is likely that the systems will decay and will require replacement before the facility can be occupied.

Specifically, the Department is requesting \$301,546 General Fund for utility services at CSP II. The request for utilities has been calculated based on a 50.0 percent need for gas and electric.

In addition, the Department is requesting \$143,311 General Fund and 2.9 FTE (annualized to 3.1 FTE) for maintenance staff. These staff will operate the CSP II boiler and chiller systems (performing necessary monitoring, record-keeping, and preventive and corrective maintenance as mandated by the manufacturer's recommendations and under manufacturer warranty). The request seeks to have this post funded 24/7, and therefore includes an additional 3.1 staff (annualized) above the 2.0 FTE that currently operate the CCF boiler system. The CSP II boiler/chiller systems will replace the smaller antiquated systems currently in use at CCF, and will service both facilities once online. The Department requests funding for specialized training to work with the newer technologies associated with the equipment. This portion of the request also includes \$94,462 General Fund for general maintenance at CSP II, which was calculated at 50.0 percent based on the fact that the facility will be unoccupied.

Finally, the Department is requesting \$358,100 General Fund and 7.8 FTE for housing and security staff. These positions will provide physical security to CSP II and CCF. These posts will include master control, and the vehicle sally port. The CSP II master control is requested as a 24/7 post as it will be the main control point for access to the combined facility of CCF and CSP II. For example, gate and door access for both CCF and CSP II will be controlled through this post. In addition, the sounding of alarms for gates, fences, and doors take place within the CSP II master control room. Smoke detection and suppression system controls as well as a variety of other security electronic features are also located within CSP II master control.

The vehicle sally port post is requested to be operational 17 hours per day to process vendor deliveries and all vehicle access (including offender transports) in and out of the facility from 5:30 a.m. to 10:30 p.m., seven days a week. The vehicle entrance point will be the first point of contact for all vehicles entering the facility, and staff will perform vehicle searches upon entrance and prior to exiting the facility as required for facility security. The staff at the vehicle sally port will also patrol the one mile new perimeter fence around the conjoined CCF/CSP II facility.

***DRDC Background.*** The Denver Reception and Diagnostic Center (DRDC) is the prison facility that processes the intake of all inmates entering DOC, including inmates who are sentenced by the courts, and inmates returned to DOC on prior convictions because of parole violations. According to the Department, DRDC was originally designed to accommodate 15 to 18 inmates per day. As the population growth has increased over time, additional resources have been appropriated to the Department to accommodate the growing caseload. For example, in 1998, the Department received an appropriation of \$3.1 million and 63.5 FTE to increase the intake from 23 inmates per day to 35 inmates per day. Currently, DRDC's funded intake capacity provides an intake of 40 inmates per day.

Over the past three years, the admissions to DOC have increased by 8.0 percent (from 10,168 in FY 2005-06 to 10,977 in FY 2008-09). This correlates with an average annual increase of 2.6 percent (see the table below).

DOC Inmate Admissions				
	FY 2006	FY 2007	FY 2008	FY 2009
Total admissions	10,168	10,625	11,038	10,992
Avg. admissions per day (260 days per year)	39.1	40.9	42.5	42.3
Percent over prior year	n/a	4.5%	3.9%	-0.4%
Cumulative percent over CY 2006	n/a	4.5%	8.6%	8.1%

If admissions are not processed quickly, inmates backup in county jails. Many county jails are currently experiencing overcrowding, and the jail backlog as of November 30, 2009, was 126 inmates. Additional staff and resources could increase DOC's ability to process more inmates per day. However, the Department is currently admitting 42 inmates per day, just slightly more than the 40 inmates per day funded capacity.

The DRDC expansion has been completed and the total cost of the project to date is reflected in the following table:

DRDC Project Funding History						
	FY 2000-01	FY 2001-02	FY 2002-03	FY 2006-07	FY 2007-08	Totals
Bill Number	H.B. 00-1451	S.B. 01-212, S.B. 01S2-23	H.B. 02-1438	H.B. 06-1385	S.B. 07-239	
Phase I	\$1,092,594	\$746,783	(\$251,793)	\$0	\$0	\$1,587,584
Phase II	0	0	0	9,000,000	0	9,000,000
Phase III	0	0	0	0	14,966,051	14,966,051
<b>Totals</b>	<b>\$1,092,594</b>	<b>\$746,783</b>	<b>(\$251,793)</b>	<b>\$9,000,000</b>	<b>\$14,966,051</b>	<b>\$25,553,635</b>

**Requested Funding for DRDC.** The Department requests \$58,799 General Fund in FY 2010-11 for utilities and maintenance operating expenses for the unoccupied DRDC expansion, which includes 62 transitional beds, 14 infirmary beds, and an expanded intake area with additional cell capacity, for a total of 30,527 square feet. Specifically, the request includes \$44,264 General Fund for utility costs and \$14,535 General Fund for general maintenance. These costs were based on 100.0 percent of the need as opposed to the 50.0 percent level requested for CSP II for utilities and general maintenance costs.

**FY 2010-11 Joint Budget Committee Staff Budget Briefing  
Department of Corrections**

**BRIEFING ISSUE**

**ISSUE: Options for Reducing the Department of Corrections' Caseload**

To achieve significant, long-term savings in the Department of Corrections, the caseload of offenders needs to be reduced. Although many factors affecting caseload cannot be controlled by the General Assembly, options are available.

**SUMMARY:**

- ❑ Long-term savings in the DOC could be possible through legislation to reform the criminal justice system, or through funding preventative programs such as mental health treatment or drug and alcohol treatment programs. Even if significant reforms were enacted in the 2010 session, short-term savings would likely be relatively small. However, long-term savings could be significant.
- ❑ Staff makes no recommendations regarding legislative options to reduce caseload. However, a discussion (with a list of broad options) is included for consideration by the Joint Budget Committee. Although the options included in this briefing issue could yield budgetary savings to the State, there may also be public safety implications associated with reducing the inmate or parole population.

**RECOMMENDATION:**

Staff recommends that the Committee discuss with the Department of Corrections options for reducing the inmate and/or parole populations.

**DISCUSSION:**

1. ***Recent Budget Reductions Not Effective Long-term Strategy to Save General Fund.*** In response to the shortage of General Fund dollars, the Joint Budget Committee approved significant reductions to the Department of Corrections' budget in recent years. From 2001 to 2005, over \$56 million in reductions were approved. Because of growing caseload, these reductions were offset by other increases.

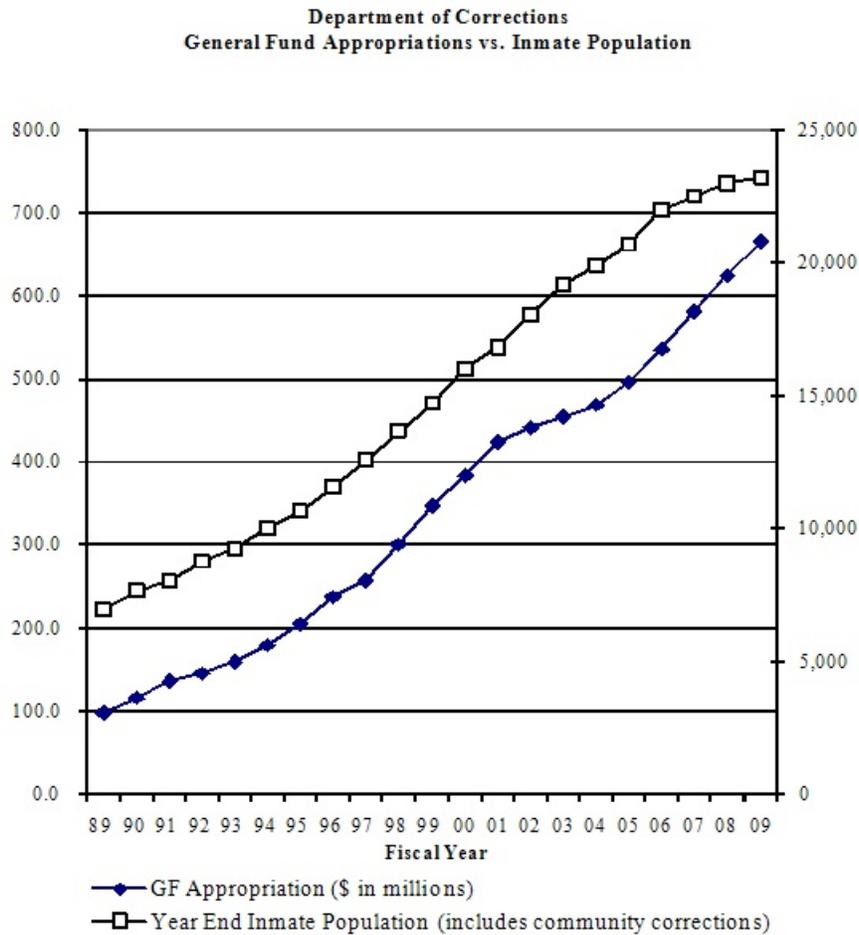
The Department of Corrections' budget continued to grow because these savings were offset by growing caseload. With a larger inmate population, more private and state-operated prison beds were brought on line; more dollars were appropriated for more correctional officers and other expenses related to housing a larger inmate population (food, medical, utilities, etc.). Because the State is currently at capacity for prison beds, the additional population drives costs for private prisons, which are reimbursed at a daily rate of \$52.69 per

inmate. From FY 2001-02 to FY 2005-06, the DOC budget grew as a result of caseload, despite the budget reductions that took place (see the following table).

Department of Corrections - Budget and Caseload Changes				
	FY 2001-02	FY 2005-06	Change	
			Amount	%
General Fund	\$442,129,467	\$535,840,416	\$93,710,949	21.2%
Year End Inmate Population	18,045	22,012	3,967	22.0%
Year End Parole Population	4,037	6,551	2,514	62.3%

\* Population figures are year end figures.

- DOC Budget Driven by Caseload.** The Department of Corrections' budget is driven by caseload. The inmate and parole populations drive expenses. The graph below shows the change in General Fund appropriations and the change in inmate population over a 20-year period.



3. ***Factors that Drive Caseload.*** Caseload in the Department of Corrections is driven by a number of factors, many of which cannot be controlled by the General Assembly. Factors include the following:

1. Level of criminality in the State.
2. Level of effort and effectiveness of law enforcement agencies.
3. Judicial discretion in sentencing convicted felons.
4. Inmate behavior while incarcerated, which affects their earned time, parole eligibility date, and mandatory release date.
5. Policies to punish inmates while incarcerated, which affects their earned time, parole eligibility date, and mandatory release date.
6. Parole Board discretion in granting parole.
7. Behavior of parolees, which may lead to parole revocation.
8. Parole Board discretion in revoking parole.
9. Statutory provisions which do the following (a) establish activities that are classified as crimes, (b) mandate sentences for convicted felons, (c) mandate parole supervision, (d) grant credit for time served, and (e) establish parole eligibility criteria.
10. Statutory provisions which could affect any of the other factors in this list.

4. ***Broad Strategies to Reduce Caseload.*** Staff has identified three broad strategies to reduce the DOC caseload.

1. Reduce the number of offenders entering the criminal justice system.
2. Reduce the length of stay for inmates in DOC's custody (incarceration and parole).
3. Reduce the number of parolees who are supervised in the community following their release from a DOC correctional facility.

5. ***Preventative Programs.*** The JBC could consider investing in community-based programs that target high-risk populations. Programs in these areas could potentially reduce the number of inmates entering prison, or they could potentially reduce the number of inmates who fail while on parole.

These programs could be implemented through the Judicial Department (e.g., probation programs or drug courts), through the Department of Human Services (e.g., mental health programs or drug and alcohol treatment programs), through the Department of Public Safety (community corrections programs), or through the Department of Corrections (e.g., parole programs, or newly designed transition/step down programs). However, given the current economic situation, funding additional community-based programs is likely not a viable option.

6. ***Legislative Options for Reducing Caseload.*** Potential options for reducing caseload include the following types of changes:

1. Decriminalize certain behavior(s). This will reduce the number of offenders in the system.<sup>2</sup>
2. Reduce the felony classifications of certain crimes. Felonies are classified into six categories based on their severity. Legislation to reclassify a crime from a higher class felony to a lower class felony will reduce the presumptive range of a defendant's sentence. Section 18-1.3-401, C.R.S., establishes the following felony classifications including sentencing ranges and the statutory period of mandatory parole (see the following table). Reclassifying a felony to a misdemeanor would also save state General Fund dollars. Misdemeanors are punishable by sentences to county jails, which are not funded with state dollars.

<b>Felony Classifications and Penalties (for felonies committed on or after July 1, 1993)</b>			
<b>Class</b>	<b>Minimum Sentence</b>	<b>Maximum Sentence</b>	<b>Mandatory Parole</b>
1	Life imprisonment No Fine	Death No Fine	None
2	8 years imprisonment \$5,000 fine	24 years imprisonment \$1,000,000 fine	5 years
3	4 years imprisonment \$5,000 fine	12 years imprisonment \$750,000 fine	5 years
4	2 years imprisonment \$5,000 fine	6 years imprisonment \$500,000 fine	3 years
5	1 year imprisonment \$5,000 fine	3 years imprisonment \$100,000 fine	2 years
6	1 year imprisonment \$5,000 fine	1.5 years imprisonment \$100,000 fine	1 year

\* Established in Section 18-1.2-401, C.R.S.

3. Reduce the length of sentences for crime classifications. The presumptive sentencing ranges for felony classes could be changed (see the previous table).
4. Change habitual offender laws. Current law requires offenders with two prior felony convictions to be sentenced to three times the maximum of the presumptive range of the felony conviction. Four times the maximum of the range must be imposed for habitual offenders with three prior convictions. Lifetime sentences are imposed for habitual offenders who are convicted of a crime of violence. These provisions could be modified to reduce the length of stay for these offenders.

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<sup>2</sup> In April 2002, Legislative Council Staff developed a list of statutory crimes in Colorado (Research Publication No. 499). This list can be obtained from the Internet at the following site:  
[http://www.state.co.us/gov\\_dir/leg\\_dir/lcsstaff/2002/research/Crime%20Class/02CrimeTOC.htm](http://www.state.co.us/gov_dir/leg_dir/lcsstaff/2002/research/Crime%20Class/02CrimeTOC.htm)

5. Change crimes of violence. Current law requires defendants convicted of violent crimes (defined in statute) to be sentenced to a term of incarceration of at least the midpoint of the presumptive range up to twice the maximum of the presumptive range.
6. Reduce judicial discretion for imposing more severe sentences. For example, sentences which cost less money could be required for some offenses (e.g., community corrections sentences or home detention could be required for certain types of offenses before a prison term could be imposed). Alternatively, judges could be prohibited from imposing sentences that are longer than maximum ranges. Current law allows such sentences to be imposed if specified aggravating circumstances exist. Judges could also be prohibited from allowing sentences to be served consecutively.
7. Increase judicial discretion for imposing more lenient sentences. More discretion could be granted for judges to impose probation or community corrections sentences. Current law prohibits such sentences if a defendant has 2 or more prior felony convictions.
8. Increase earned time or change parole eligibility date. The formula for calculating parole eligibility could be modified. In general, inmates are eligible after serving half of their sentence. Repeat violent offenders are eligible after serving 75 percent of the sentence. Alternatively, more credit for time served could be granted to offenders. Currently, class 4, 5, and 6 inmates may earn up to 12 days credit for each month served – 12 days of "earned time" per month can be accrued (10 days for other inmate classes). In addition, class 4 and 5 inmates may earn release 60 days prior to their mandatory release date, and class 6 inmates may earn release 30 days prior to their mandatory release date.
9. Reduce post incarceration supervision. The requirements for mandatory parole or lifetime sex offender supervision could be modified or eliminated.
10. Modify Parole Board discretion. The discretion of the Parole Board could be modified for certain offenders or for certain types of revocations. As an example, the General Assembly enacted S.B. 03-252, which allowed the Parole Board to place certain parolees into a community return to custody facility for up to 6 months. In addition, the Parole Board's discretion to revoke or deny parole could be reduced through statutory changes.

For example, the General Assembly could limit the use of revocations for technical parole violations. A technical parole violation includes any violation of the conditions of parole other than commission of a crime. These violations can include a misdemeanor charge, a traffic violation, a positive urinalysis test, or missed appointments with a parole officer or treatment provider. Technical parole violations account for nearly 30 percent of the admissions to the Department of Corrections.

The Colorado Commission on Criminal and Juvenile Justice, in its 2008 annual report, provided data related to the costs averted assuming parole technical violations (no new crime) are reduced by 15 percent each year over the previous year. Those savings are as follows:

- Year 2 savings: 228 beds and \$4.6 million
- Year 3 savings: 431 beds and \$8.7 million
- Year 4 savings: 517 beds and \$10.4 million

Also, statute provides that inmates revoked to prison based on a technical parole violation may be imprisoned for a period of not more than six months (longer periods are allowed for inmates that present a higher risk to the community); therefore, some inmates could be revoked to prison for a period shorter than six months. However, it is staff's understanding that all inmates who are revoked based on a technical parole violation receive at least a six month prison period regardless of their original crime or the reason for the revocation.

In addition, the General Assembly could alter mandatory parole. Currently, all inmates are statutorily required to have a parole period of 12 months, 36 months, or 60 months depending upon their assessed risk to the community. For those required to serve 12 months of mandatory parole, statute allows the Parole Board to discharge an offender from parole before the 12 month period upon the determination that the offender has been sufficiently rehabilitated and reintegrated into society and can no longer benefit from parole supervision. The General Assembly could reduce these mandatory parole periods or eliminate mandatory parole. Eliminating mandatory parole would not involve the elimination of parole altogether. Instead, it would give the Parole Board discretion as to the parole period for all offenders, rather than requiring a minimum period of at least 12 months for all offenders.

**FY 2010-11 Joint Budget Committee Staff Budget Briefing  
Department of Corrections**

**APPENDIX A: NUMBERS PAGES**

	<b>FY 2007-08 Actual</b>	<b>FY 2008-09 Actual</b>	<b>FY 2009-10 Appropriation</b>	<b>FY 2010-11 Request</b>	<b>Change Requests</b>
<b>DEPARTMENT OF CORRECTIONS</b>					
<b>Executive Director: Aristedes W. Zavaras</b>					
<b>I. MANAGEMENT</b>					
<b>(A) Executive Director's Office Subprogram</b>					
(Primary Function: Responsible for providing oversight and developing policies for all operations throughout the Department.)					
Personal Services	1,284,932	1,306,523	1,591,421	1,619,675	
FTE	<u>15.5</u>	<u>16.2</u>	<u>26.6</u>	<u>26.6</u>	
General Fund	1,284,932	1,186,835	1,381,363	1,406,933	
FTE	15.5	14.5	22.6	22.6	
Reappropriated Funds	0	119,688	210,058	212,742	
FTE	0.0	1.7	4.0	4.0	
Health, Life, and Dental	<u>24,841,802</u>	<u>31,714,829</u>	<u>36,421,943</u>	<u>35,485,646</u>	NP-1
General Fund	24,127,205	30,801,108	35,221,730	34,446,705	
Cash Funds	0	913,721	1,200,213	1,038,941	
Cash Funds Exempt/Reappropriated Funds	714,597	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Short-term Disability	<u>390,952</u>	<u>427,066</u>	<u>468,135</u>	<u>503,899</u>	NP-1
General Fund	380,627	415,644	455,057	489,449	
Cash Funds	0	11,422	13,078	14,450	
Cash Funds Exempt/Reappropriated Funds	10,325	0	0	0	
S.B. 04-257 Amortization Equalization					
Disbursement	<u>3,592,547</u>	<u>5,371,781</u>	<u>6,323,291</u>	<u>7,802,744</u>	NP-1
General Fund	3,495,766	5,232,759	6,144,795	7,579,015	
Cash Funds	0	139,022	178,496	223,729	
Cash Funds Exempt/Reappropriated Funds	96,781	0	0	0	
S.B. 06-235 Supplemental Amortization					
Equalization Disbursement	<u>641,392</u>	<u>2,589,788</u>	<u>3,886,963</u>	<u>5,689,543</u>	NP-1
General Fund	621,458	2,528,678	3,775,403	5,526,406	
Cash Funds	0	61,110	111,560	163,137	
Cash Funds Exempt/Reappropriated Funds	19,934	0	0	0	
Salary Survey and Senior Executive Service	<u>10,885,467</u>	<u>7,966,152</u>	<u>0</u>	<u>0</u>	
General Fund	10,605,180	7,747,555	0	0	
Cash Funds	0	218,597	0	0	
Cash Funds Exempt/Reappropriated Funds	280,287	0	0	0	
Performance-based Pay Awards	<u>4,508,469</u>	<u>5,030,339</u>	<u>0</u>	<u>0</u>	
General Fund	4,369,413	4,877,783	0	0	
Cash Funds	0	152,556	0	0	
Cash Funds Exempt/Reappropriated Funds	139,056	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Shift Differential	<u>5,759,853</u>	<u>6,358,425</u>	<u>5,944,232</u>	<u>6,145,524</u>	
General Fund	5,752,626	6,351,160	5,931,240	6,137,515	
Cash Funds	0	7,265	12,992	8,009	
Cash Funds Exempt/Reappropriated Funds	7,227	0	0	0	
Workers' Compensation	<u>4,726,112</u>	<u>6,027,568</u>	<u>6,332,672</u>	<u>6,610,925</u>	
General Fund	4,569,678	5,828,055	6,133,159	6,402,780	
Cash Funds	0	199,513	199,513	208,145	
Cash Funds Exempt/Reappropriated Funds	156,434	0	0	0	
Operating Expenses	<u>275,098</u>	<u>398,782</u>	<u>314,533</u>	<u>314,533</u>	
General Fund	190,455	191,450	191,455	191,455	
Reappropriated Funds	15,443	8,385	47,478	47,478	
Federal Funds	69,200	198,947	75,600	75,600	
Legal Services	<u>932,483</u>	<u>1,184,990</u>	<u>1,234,909</u>	<u>1,234,909</u>	
General Fund	928,693	1,142,603	1,192,522	1,192,522	
Cash Funds	0	42,387	42,387	42,387	
Cash Funds Exempt/Reappropriated Funds	3,790	0	0	0	
Payment to Risk Management and Property Funds	<u>4,187,498</u>	<u>5,405,253</u>	<u>4,532,412</u>	<u>1,588,249</u>	
General Fund	4,048,891	5,226,339	4,353,498	1,525,561	
Cash Funds	0	178,914	178,914	62,688	
Cash Funds Exempt/Reappropriated Funds	138,607	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Leased Space	<u>2,893,383</u>	<u>3,506,688</u>	<u>3,652,058</u>	<u>3,748,308</u>	DI #2
General Fund	2,697,358	3,297,639	3,441,853	3,538,103	
Cash Funds	0	209,049	210,205	210,205	
Cash Funds Exempt/Reappropriated Funds	196,025	0	0	0	
Capitol Complex Leased Space	<u>174,826</u>	<u>170,878</u>	<u>188,753</u>	<u>166,586</u>	
General Fund	98,269	98,646	109,014	92,481	
Cash Funds	0	72,232	79,739	74,105	
Cash Funds Exempt/Reappropriated Funds	76,557	0	0	0	
Planning & Analysis Contracts - GF	n/a	56,160	56,160	56,160	
Payments to District Attorneys - GF	468,551	244,330	144,108	144,108	
Start-up Costs - GF	n/a	8,210	0	0	
					<b>Request v.</b>
					<b>Appropriation</b>
<b>Total (A) Executive Director's Office</b>	65,563,365	77,767,762	71,091,590	71,110,809	0.0%
FTE	<u>15.5</u>	<u>16.2</u>	<u>26.6</u>	<u>26.6</u>	
General Fund	63,639,102	75,234,954	68,531,357	68,729,193	0.3%
Cash Funds	0	2,205,788	2,227,097	2,045,796	-8.1%
Cash Funds Exempt/Reappropriated Funds	1,855,063	128,073	257,536	260,220	1.0%
Federal Funds	69,200	198,947	75,600	75,600	1.0%

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>(B) External Capacity Subprogram</b>					
<b>(1) Private Prison Monitoring Unit</b>					
(Primary Function: Monitor private prison operations pursuant to Section 17-1-202 (1) (g), C.R.S.)					
Personal Services - GF	1,318,571	1,450,116	1,452,536	1,399,178	NP-1
FTE	19.2	19.5	21.5	20.5	
Operating Expenses - GF	264,233	231,509	236,122	236,122	
Start-up Costs - GF	4,728	4,174	0	0	
					<b>Request v. Appropriation</b>
<b>(1) Private Prison Monitoring Unit - GF</b>	1,587,532	1,685,799	1,688,658	1,635,300	-3.2%
FTE	19.2	19.5	21.5	20.5	
<b>(2) Payments to House State Prisoners</b>					
(Primary Function: To reimburse county jails and private prisons for state inmates housed in these facilities.)					
Payments to Local Jails at a Rate of \$50.44 per Inmate per Day - GF	8,037,697	7,595,058	8,427,112	8,086,364	DI #1
Payments to Private Prisons at a Rate of \$54.93 per Inmate per Day	<u>77,452,558</u>	<u>90,735,091</u>	<u>91,782,615</u> a/	<u>85,067,264</u>	DI #1, 5, Aug #3
General Fund	74,248,014	86,202,698	89,423,908	82,708,557	
Cash Funds	0	4,532,393	2,358,707	2,358,707	
Cash Funds Exempt/Reappropriated Funds	3,204,544	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Payments to Out-of-State Private Prisons at a Rate of \$54.00 per Inmate Per Day - GF	8,477,784	0	0	0	
Payments to Pre-release Parole Revocation Prisons at a Rate of \$54.93 per Inmate Per Day - GF	10,935,963	13,588,203	12,885,340	14,443,119	DI #1
Payments to Community Corrections Programs - GF	3,282,623	3,395,999	4,145,232	4,238,926	DI #1
					<b>Request v. Appropriation</b>
<b>Total (2) Payments to House State Prisoners</b>	<u>108,186,625</u>	<u>115,314,351</u>	<u>117,240,299</u>	<u>111,835,673</u>	-4.6%
General Fund	104,982,081	110,781,958	114,881,592	109,476,966	-4.7%
Cash Funds	0	4,532,393	2,358,707	2,358,707	0.0%
Cash Funds Exempt/Reappropriated Funds	3,204,544	0	0	0	N/A
					<b>Request v. Appropriation</b>
<b>Total (B) External Capacity Subprogram</b>	109,774,157	117,000,150	118,928,957	113,470,973	-4.6%
FTE	<u>19.2</u>	<u>19.5</u>	<u>21.5</u>	<u>20.5</u>	
General Fund	106,569,613	112,467,757	116,570,250	111,112,266	-4.7%
Cash Funds	0	4,532,393	2,358,707	2,358,707	0.0%
Cash Funds Exempt/Reappropriated Funds	3,204,544	0	0	0	N/A

a/ The FY 2009-10 appropriation includes a reduction of \$2,811,910 General Fund pursuant to H.B. 09-1351.

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>(C) Inspector General Subprogram</b>					
(Primary Function: Investigate crimes within the state prison system.)					
Personal Services - GF	3,516,118	3,607,275	3,800,462	3,870,811	
FTE	47.8	47.4	49.2	49.2	
Operating Expenses	<u>275,547</u>	<u>304,959</u>	<u>321,309</u>	<u>315,836</u>	DI #2, Aug #2
General Fund	270,587	299,999	316,349	315,836	
Cash Funds	4,960	4,960	4,960	0	
Inspector General Grants	398,536	358,579	37,000	37,000	
FTE	<u>0.0</u>	<u>0.0</u>	<u>1.0</u>	<u>1.0</u>	
Cash Funds Exempt/Reappropriated Funds	0	132,160	32,000	32,000	
Federal Funds	398,536	226,419	5,000	5,000	
Start-up Costs - GF	30,229	0	0	0	
					<b>Request v. Appropriation</b>
<b>Total (C) Inspector General Subprogram</b>	4,220,430	4,270,813	4,158,771	4,223,647	1.6%
FTE	<u>47.8</u>	<u>47.4</u>	<u>50.2</u>	<u>50.2</u>	
General Fund	3,816,934	3,907,274	4,116,811	4,186,647	1.7%
Cash Funds	4,960	4,960	4,960	0	-100.0%
Cash Funds Exempt/Reappropriated Funds	0	132,160	32,000	32,000	0.0%
Federal Funds	398,536	226,419	5,000	5,000	0.0%

\* The amounts in this subprogram were included in the Executive Director's Office Subprogram prior to FY 2005-06.

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
					<b>Request v.</b>
					<b>Appropriation</b>
<b>I. SUBTOTAL - MANAGEMENT</b>	179,557,952	199,038,725	194,179,318	188,805,429	-2.8%
FTE	<u>82.5</u>	<u>83.1</u>	<u>98.3</u>	<u>97.3</u>	
General Fund	174,025,649	191,609,985	189,218,418	184,028,106	-2.7%
Cash Funds	4,960	6,743,141	4,590,764	4,404,503	-4.1%
Reappropriated Funds	5,059,607	260,233	289,536	292,220	0.9%
Federal Funds	467,736	425,366	80,600	80,600	0.0%

## II. INSTITUTIONS

### (A) Utilities Subprogram

(Primary Function: Provide heat, power, water, and sanitation at all facilities.)

Energy Management Program - GF	149,460	316,268	329,707	329,707	
FTE	1.0	2.8	3.0	3.0	
Utilities	<u>19,233,240</u>	<u>19,461,349</u>	<u>19,290,530</u>	<u>19,636,340</u>	DI #4
General Fund	18,345,300	18,555,586	18,320,649	18,666,459	
Cash Funds	0	905,763	969,881	969,881	
Cash Funds Exempt/Reappropriated Funds	887,940	0	0	0	
Start-up Costs - GF	0	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
					<b>Request v. Appropriation</b>
<b>Total (A) Utilities Subprogram</b>	19,382,700	19,777,617	19,620,237	19,966,047	1.8%
FTE	<u>1.0</u>	<u>2.8</u>	<u>3.0</u>	<u>3.0</u>	
General Fund	18,494,760	18,871,854	18,650,356	18,996,166	1.9%
Cash Funds	0	905,763	969,881	969,881	0.0%
Cash Funds Exempt/Reappropriated Funds	887,940	0	0	0	N/A
<b>(B) Maintenance Subprogram</b>					
(Primary Function: Includes grounds maintenance, and maintenance of facilities, which includes the boiler house, janitorial, and life safety.)					
Personal Services - GF	17,120,084	18,086,058	18,040,277	18,517,009	DI #4
FTE	288.5	295.0	302.9	305.8	
Operating Expenses - GF	4,861,676	5,246,193	5,211,420	5,321,967	DI #4
Purchase of Services - GF	1,106,925	1,106,064	1,111,424	1,111,424	
Start-up Costs - GF	0	0	0	4,495	DI #4
					<b>Request v. Appropriation</b>
<b>Total (B) Maintenance Subprogram - GF</b>	23,088,685	24,438,315	24,363,121	24,954,895	2.4%
FTE	288.5	295.0	302.9	305.8	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
<b>(C) Housing and Security Subprogram</b>					
(Primary Function: Responsible for ongoing inmate supervision, including the implementation and management of security operations).					
Personal Services	146,309,067	152,158,810	152,420,486 a/	155,224,670	DI #4
FTE	<u>2,951.9</u>	<u>2,988.7</u>	<u>2,952.1</u>	<u>2,959.9</u>	
General Fund	146,309,067	127,558,810	152,017,716	155,221,723	
Cash Funds	0	0	402,770	2,947	
Cash Funds Exempt/Reappropriated Funds	0	0	0	0	
Federal Funds	0	24,600,000	0	0	
Operating Expenses - GF	1,746,744	1,820,166	1,823,101	1,827,351	DI #4
Start-up Costs - GF	0	4,105	0	12,325	DI #4
					<b>Request v.</b>
					<b>Appropriation</b>
<b>Total (C) Housing &amp; Security Subprogram</b>	148,055,811	153,983,081	154,243,587	157,064,346	1.8%
FTE	<u>2,951.9</u>	<u>2,988.7</u>	<u>2,952.1</u>	<u>2,959.9</u>	
General Fund	148,055,811	129,383,081	153,840,817	157,061,399	2.1%
Cash Funds	0	0	402,770	2,947	-99.3%
Cash Funds Exempt/Reappropriated Funds	0	0	0	0	N/A
Federal Funds	0	24,600,000	0	0	N/A

a/ The FY 2009-10 appropriation includes an increase of \$2,403,613 General Fund and \$402,770 cash funds pursuant to criminal sentencing laws.

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>(D) Food Service Subprogram</b>					
(Primary Function: Responsible for providing three meals daily to all inmates.)					
Personal Services - GF	13,797,580	14,462,853	14,520,862	14,794,300	
FTE	253.6	233.2	261.2	261.2	
Operating Expenses	<u>15,723,651</u>	<u>16,510,247</u>	<u>15,979,022</u>	<u>15,979,022</u>	
General Fund	15,723,651	16,510,247	15,899,022	15,899,022	
Federal Funds	0	0	80,000	80,000	
Purchase of Services - GF	850,700	856,030	859,098	859,098	
Start-up Costs - GF	0	0	0	0	
					<b>Request v. Appropriation</b>
<b>Total (D) Food Service Subprogram</b>	30,371,931	31,829,130	31,358,982	31,632,420	0.9%
FTE	<u>253.6</u>	<u>233.2</u>	<u>261.2</u>	<u>261.2</u>	
General Fund	30,371,931	31,829,130	31,278,982	31,552,420	0.9%
Federal Funds	0	0	80,000	80,000	0.0%

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>(E) Medical Services Subprogram</b>					
(Primary Function: Provide acute and long-term health care services to all inmates, using both state employees and contracted health care providers.)					
Personal Services	25,501,079	27,149,311	27,946,458	28,049,621	NP-1
FTE	<u>346.5</u>	<u>320.4</u>	<u>439.3</u>	<u>434.3</u>	
General Fund	25,235,629	26,973,863	27,721,987	27,820,995	
FTE	343.5	317.4	436.3	431.3	
Cash Funds	265,450	175,448	224,471	228,626	
FTE	3.0	3.0	3.0	3.0	
Operating Expenses - GF	2,704,009	2,763,614	2,763,684	2,763,684	
Purchase of Pharmaceuticals - GF	9,719,793	9,970,520	10,489,712	10,566,337	DI #3
Purchase of Medical Services from Other Medical Facilities - GF	19,024,186	20,192,163	23,684,978 a/	23,771,219	DI #3, 5, Aug #3
Purchase of Medical Services from State Hospital - GF	1,422,447	665,687	327,485	327,485	
Catastrophic Medical Expenses - GF	9,500,963	8,970,755	11,165,514	10,851,205	DI #3, 5, Aug #3
Service Contracts - GF	2,382,146	2,398,090	2,401,631	2,401,631	
Indirect Cost Recoveries - CF	n/a	0	4,723	39,695	
Start-up Costs - GF	0	0	0	0	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					<b>Request v. Appropriation</b>
<b>Total (E) Medical Services Subprogram</b>	70,254,623	72,110,140	78,784,185	78,770,877	0.0%
FTE	<u>346.5</u>	<u>320.4</u>	<u>439.3</u>	<u>434.3</u>	
General Fund	69,989,173	71,934,692	78,554,991	78,502,556	-0.1%
FTE	343.5	317.4	436.3	431.3	
Cash Funds	265,450	175,448	229,194	268,321	17.1%
FTE	3.0	3.0	3.0	3.0	

a/ The FY 2009-10 appropriation includes a decrease of \$121,767 General Fund pursuant to H.B. 09-1351.

**(F) Laundry Subprogram**

(Primary Function: Issue and maintains all clothing, bedding, jackets, and footwear for inmates.)

Personal Services - GF	2,122,694	2,216,375	2,161,659	2,202,917	
FTE	36.1	37.2	36.4	36.4	
Operating Expenses - GF	2,093,698	2,191,334	2,242,416	2,242,416	
Start-up Costs - GF	0	0	0	0	
					<b>Request v. Appropriation</b>
<b>Total (F) Laundry Subprogram - GF</b>	4,216,392	4,407,709	4,404,075	4,445,333	0.9%
FTE	36.1	37.2	36.4	36.4	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>(G) Superintendents Subprogram</b>					
(Primary Function: Develop facility policy, procedures, and practices that conform with applicable laws, consent decrees, court orders, legislative mandates, and executive orders.)					
Personal Services - GF	9,743,471	10,261,898	10,093,975	10,288,460	
FTE	168.9	166.8	168.2	168.2	
Operating Expenses - GF	2,951,071	3,237,012	3,243,499	3,243,499	
Dress out - GF	803,761	949,076	1,046,627	1,079,826	DI #5, Aug #3
Start-up Costs - GF	91,894	2,492	0	0	
					<b>Request v. Appropriation</b>
<b>Total (G) Superintendents Subprogram - GF</b>	13,590,197	14,450,478	14,384,101	14,611,785	1.6%
FTE	168.9	166.8	168.2	168.2	

Note: Prior to FY 2005-06, the "Dress Out" line item was included in the Community Reintegration Subprogram.

**(H) Boot Camp Subprogram**

(Primary Function: Operate 90-day minimum security military discipline training program - 100 beds.)

Personal Services - GF	1,626,802	1,695,394	1,731,686	1,763,740
FTE	31.0	32.2	32.7	32.7
Operating Expenses - GF	52,419	52,415	52,419	52,419

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					<b>Request v. Appropriation</b>
<b>Total (H) Boot Camp Subprogram - GF</b>	1,679,221	1,747,809	1,784,105	1,816,159	1.8%
FTE	31.0	32.2	32.7	32.7	

**(I) Youthful Offender System Subprogram**

(Primary Function: Target offenders [14 to 18 years of age at the time of offense] who have committed violent felonies [Class 3 - 6]. All sentences are determinate of 2-6 years.)

Personal Services - GF	9,307,755	9,744,360	9,985,379	10,093,371	NP-1
FTE	163.6	165.6	172.9	171.9	
Operating Expenses - GF	182,323	197,663	197,672	197,672	
Contract Services - GF	28,820	28,816	28,820	28,820	
Purchase of Services - GF	617,389	621,460	624,589	624,589	
					<b>Request v. Appropriation</b>
<b>Total (I) Y.O.S. Subprogram - GF</b>	10,136,287	10,592,299	10,836,460	10,944,452	1.0%
FTE	163.6	165.6	172.9	171.9	

**(J) Case Management Subprogram**

(Primary Function: Responsible for case analysis, classification reviews, performance assessment, earned time evaluations, sentence computation, and parole preparations.)

Personal Services - GF	14,355,918	15,243,172	15,401,696	15,690,176
FTE	228.0	228.9	228.7	228.7

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Operating Expenses - GF	148,099	153,664	160,714	160,714	
Start-up Costs - GF	0	0	0	0	
					<b>Request v.</b>
					<b>Appropriation</b>
<b>Total (J) Case Management Subprogram - GF</b>	14,504,017	15,396,836	15,562,410	15,850,890	1.9%
FTE	228.0	228.9	228.7	228.7	

**(K) Mental Health Subprogram**

(Primary Function: Provide a full range of professional psychiatric, psychological, social work and other mental health services to inmates.)

Personal Services - GF	5,546,481	7,236,432	7,440,781	7,579,411	
FTE	57.3	83.5	107.2	107.2	
Operating Expenses - GF	59,864	91,846	91,904	91,904	
Medical Contract Services - GF	558,035	572,577	526,030	526,030	
Start-up Costs - GF	0	77,995	0	0	
					<b>Request v.</b>
					<b>Appropriation</b>
<b>Total (K) Mental Health Subprogram - GF</b>	6,164,380	7,978,850	8,058,715	8,197,345	1.7%
FTE	57.3	83.5	107.2	107.2	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>(L) Inmate Pay Subprogram</b>					
(Primary Function: Provide nominal pay [\$0.23 to \$0.60/day] to inmates for labor positions such as janitorial services, facility maintenance, food services, laundry, grounds keeping, etc.)					
Inmate Pay - GF	1,485,644	1,501,642	1,493,325	1,493,325	
					<b>Request v. Appropriation</b>
<b>Total (L) Inmate Pay Subprogram - GF</b>	1,485,644	1,501,642	1,493,325	1,493,325	0.0%
<b>(M) San Carlos Subprogram</b>					
(Primary Function: Operate a 250-bed specialized facility designed to provide mental health treatment services to high needs mentally ill inmates.)					
Personal Services - GF	11,597,006	12,175,299	12,483,934	12,659,977	NP-1
FTE	187.3	184.1	196.1	195.1	
Operating Expenses - GF	199,092	199,082	199,092	199,092	
Service Contracts - GF	725,309	725,309	725,309	725,309	
					<b>Request v. Appropriation</b>
<b>Total (M) San Carlos Subprogram - GF</b>	12,521,407	13,099,690	13,408,335	13,584,378	1.3%
FTE	187.3	184.1	196.1	195.1	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
<b>(N) Legal Access Subprogram</b>					
(Primary Function: Provide inmates with resources to research and file claims with the courts.)					
Personal Services - GF	1,096,340	1,146,561	1,377,293	1,402,787	
FTE	21.3	21.5	21.5	21.5	
Operating Expenses - GF	296,427	299,602	299,602	299,602	
Contract Services - GF	68,993	70,905	70,905	70,905	
Start-up Costs - GF	0	0	0	0	
					<b>Request v.</b>
					<b>Appropriation</b>
<b>Total (N) Legal Access Subprogram - GF</b>	<b>1,461,760</b>	<b>1,517,068</b>	<b>1,747,800</b>	<b>1,773,294</b>	<b>1.5%</b>
FTE	21.3	21.5	21.5	21.5	
					<b>Request v.</b>
					<b>Appropriation</b>
<b>II. SUBTOTAL - INSTITUTIONS</b>	<b>356,913,055</b>	<b>372,830,664</b>	<b>380,049,438</b>	<b>385,105,546</b>	<b>1.3%</b>
FTE	<u>4,735.0</u>	<u>4,759.9</u>	<u>4,922.2</u>	<u>4,925.9</u>	
General Fund	355,759,665	347,149,453	378,367,593	383,784,397	1.4%
Cash Funds	265,450	1,081,211	1,601,845	1,241,149	-22.5%
Cash Funds Exempt/Reappropriated Funds	887,940	0	0	0	N/A
Federal Funds	0	24,600,000	80,000	80,000	0.0%

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>III. SUPPORT SERVICES</b>					
<b>(A) Business Operations Subprogram</b>					
(Primary Function: Provide all fiscal management and budgeting services for the Department.)					
Personal Services	5,541,439	5,891,868	6,242,879	6,358,559	
FTE	104.5	104.4	112.7	112.7	
General Fund	5,070,069	5,413,027	5,793,753	5,926,130	
FTE	95.9	95.8	102.1	102.1	
Cash Funds	471,370	478,841	448,241	428,939	
FTE	8.6	8.6	10.6	10.6	
Cash Funds Exempt/Reappropriated Funds	0	0	885	3,490	
FTE	0.0	0.0	0.0	0.0	
Operating Expenses - GF	229,487	231,627	236,047	236,047	
Start-up Costs - GF	0	23,512	0	0	
					<b>Request v. Appropriation</b>
<b>Total (A) Business Operations Subprogram</b>	5,770,926	6,147,007	6,478,926	6,594,606	1.8%
FTE	104.5	104.4	112.7	112.7	
General Fund	5,299,556	5,668,166	6,029,800	6,162,177	2.2%
FTE	95.9	95.8	102.1	102.1	
Cash Funds	471,370	478,841	448,241	428,939	-4.3%
FTE	8.6	8.6	10.6	10.6	
Cash Funds Exempt/Reappropriated Funds	0	0	885	3,490	294.4%
FTE	0.0	0.0	0.0	0.0	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
<b>(B) Personnel Subprogram</b>					
(Primary Function: Provide services, including recruitment, examination, position classification, personnel records, affirmative action, appeals, grievance, benefits administration, etc.)					
Personal Services - GF	965,392	1,143,570	1,208,380	1,208,380	
FTE	16.7	16.4	18.7	18.7	
Operating Expenses - GF	92,431	93,431	93,431	93,431	
Start-up Costs - GF	0	8,210	0	0	
					<b>Request v. Appropriation</b>
<b>Total (B) Personnel Subprogram - GF</b>	1,057,823	1,245,211	1,301,811	1,301,811	0.0%
FTE	16.7	16.4	18.7	18.7	

**(C) Offender Services Subprogram**

(Primary Function: Provide offender population management, offender classification, offender case management, sentence computation, release operations, jail backlog monitoring, etc.)

Personal Services - GF	2,360,603	2,562,522	2,912,361 a/	2,982,545	
FTE	40.0	40.8	47.4	47.9	
Operating Expenses - GF	52,499	95,944	58,244 b/	58,244	
Start-up Costs - GF	3,118	0	31,368 c/	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
					<b>Request v. Appropriation</b>
<b>Total (C) Offender Services Subprogram - GF</b>	2,416,220	2,658,466	3,001,973	3,040,789	1.3%
FTE	40.0	40.8	47.4	47.9	

a/ The FY 2009-10 appropriation includes an increase of \$224,796 General Fund and 5.5 FTE pursuant to H.B. 09-1351.

b/ The FY 2009-10 appropriation includes an increase of \$5,700 General Fund pursuant to H.B. 09-1351.

c/ The FY 2009-10 appropriation includes an increase of \$31,368 General Fund pursuant to H.B. 09-1351.

**(D) Communications Subprogram**

(Primary Function: Manage staff voice communication, radio systems and equipment, cellular telephones, pagers, and video conferences.)

Personal Services - GF	562,447	600,560	630,366	0	NP-1
FTE	7.9	7.7	8.2	0.0	
Operating Expenses - GF	1,446,920	1,501,168	1,542,125	1,532,900	DI #2, Aug #3
Multi-use Network	<u>1,201,263</u>	<u>1,242,017</u>	<u>1,242,017</u>	<u>2,355,946</u>	NP-1
General Fund	1,136,756	1,174,948	1,174,948	2,285,445	
Cash Funds		67,069	67,069	70,501	
Cash Funds Exempt/Reappropriated Funds	64,507	0	0	0	
Dispatch Services - GF	200,562	163,492	230,270	230,270	
Communications Services Payments - GF	1,615,195	1,687,070	1,687,070	1,643,909	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					<b>Request v. Appropriation</b>
<b>Total (D) Communications Subprogram</b>	5,026,387	5,194,307	5,331,848	5,763,025	8.1%
FTE	<u>7.9</u>	<u>7.7</u>	<u>8.2</u>	<u>0.0</u>	
General Fund	4,961,880	5,127,238	5,264,779	5,692,524	8.1%
Cash Funds	0	67,069	67,069	70,501	5.1%
Cash Funds Exempt/Reappropriated Funds	64,507	0	0	0	N/A

**(E) Transportation Subprogram**

(Primary Function: Manage the Department's vehicle fleet as well as the Central Transportation Unit.)

Personal Services - GF	1,849,791	1,901,668	1,926,268	1,961,924	
FTE	35.5	35.9	36.1	36.1	
Operating Expenses - GF	289,230	291,545	298,121	298,121	
Vehicle Lease Payments	<u>1,603,471</u>	<u>1,911,143</u>	<u>2,586,001</u>	<u>2,760,442</u>	DI #2, NP-2
General Fund	1,562,116	1,848,075	2,500,110	2,674,551	
Cash Funds	0	63,068	85,891	85,891	
Cash Funds Exempt/Reappropriated Funds	41,355	0	0	0	
Start-up Costs - GF	3,091	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
					<b>Request v. Appropriation</b>
<b>Total (E) Transportation Subprogram</b>	3,745,583	4,104,356	4,810,390	5,020,487	4.4%
FTE	<u>35.5</u>	<u>35.9</u>	<u>36.1</u>	<u>36.1</u>	
General Fund	3,704,228	4,041,288	4,724,499	4,934,596	4.4%
Cash Funds	0	63,068	85,891	85,891	0.0%
Cash Funds Exempt/Reappropriated Funds	41,355	0	0	0	N/A

**(F) Training Subprogram**

(Primary Function: Provide basic, extended, in-service and advanced training to DOC employees.)

Personal Services - GF	1,810,290	1,878,492	1,997,161	2,034,130	
FTE	26.8	26.1	27.3	27.3	
Operating Expenses - GF	276,744	278,971	280,177	279,767	DI #2, Aug #2
Start-up Costs - GF	0	0	0	0	
					<b>Request v. Appropriation</b>
<b>Total (F) Training Subprogram - GF</b>	2,087,034	2,157,463	2,277,338	2,313,897	1.6%
FTE	26.8	26.1	27.3	27.3	

**(G) Information Systems Subprogram**

(Primary Function: Responsible for the development and maintenance of automated information systems within the DOC.)

Personal Services - GF	3,676,702	3,787,041	3,858,800	0	NP-1
FTE	48.9	45.8	50.6	0.0	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
Operating Expenses - GF	1,354,625	1,378,378	1,591,018 a/	1,397,478	DI #2, Aug #2
Purchase of Services From Computer Center - GF	8,818	202,327	202,327	4,357,893	NP-1
Montez Contract Services - GF	0	0	0	0	
H.B. 06-1315 (Juv. Parole for Class I felony) - GF	0	0	0	0	
Management and Administration of OIT - GF	n/a	142,138	149,175	436,902	NP-1
Start-up Costs - GF	0	0	0	0	
					<b>Request v. Appropriation</b>
<b>Total (G) Information Systems Subprogram - GF</b>	5,040,145	5,509,884	5,801,320	6,192,273	6.7%
FTE	48.9	45.8	50.6	0.0	

a/ The FY 2009-10 appropriation includes an increase of \$189,440 General Fund pursuant to H.B. 09-1351.

### (H) Facility Services Subprogram

(Primary Function: Duties include contractor/design team selection, design review, contract administration, and fiscal management of the DOC's capital construction projects.)

Personal Services - GF	824,443	945,620	992,216	992,216	
FTE	9.6	10.8	12.0	12.0	
Operating Expenses - GF	82,096	83,096	83,096	83,096	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Start-up Costs - GF	0	8,210	0	0	
					<b>Request v. Appropriation</b>
<b>Total (H) Facility Services Subprogram - GF</b>	906,539	1,036,926	1,075,312	1,075,312	0.0%
FTE	9.6	10.8	12.0	12.0	
					<b>Request v. Appropriation</b>
<b>III. SUBTOTAL - SUPPORT SERVICES</b>	26,050,657	28,053,620	30,078,918	31,302,200	4.1%
FTE	<u>289.9</u>	<u>287.9</u>	<u>313.0</u>	<u>254.7</u>	
General Fund	25,473,425	27,444,642	29,476,832	30,713,379	4.2%
Cash Funds	471,370	608,978	601,201	585,331	-2.6%
Cash Funds Exempt/Reappropriated Funds	105,862	0	885	3,490	294.4%

#### IV. INMATE PROGRAMS

##### (A) Labor Subprogram

(Primary Function: Supervise inmate work assignments involving physical labor to assist the DOC and outside agencies with reclamation, landscaping, construction, etc.)

Personal Services - GF	5,177,533	5,405,268	5,415,170	5,517,364	
FTE	95.8	95.4	95.3	95.3	
Operating Expenses - GF	90,527	91,040	91,420	91,420	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					<b>Request v. Appropriation</b>
<b>Total (A) Labor Subprogram - GF</b>	5,268,060	5,496,308	5,506,590	5,608,784	1.9%
FTE	95.8	95.4	95.3	95.3	

**(B) Education Subprogram**

(Primary Function: Assist inmates in improving basic skills [English, reading, writing, spelling, and math].)

Personal Services - GF	8,211,425	14,049,903	16,570,865	14,788,632	Aug #2
FTE	<u>139.6</u>	<u>215.5</u>	<u>284.1</u>	<u>249.3</u>	
General Fund	8,211,425	12,265,337	15,687,276	13,888,687	
FTE	139.6	215.5	284.1	249.3	
Cash Funds	0	1,784,566	883,589	899,945	
FTE	0.0	0.0	0.0	0.0	
Operating Expenses	<u>2,210,530</u>	<u>1,541,903</u>	<u>2,623,514</u>	<u>2,528,514</u>	Aug #2
General Fund	0	19,999	115,000	20,000	
Cash Funds	602,524	1,064,485	1,897,499	1,897,499	
Cash Funds Exempt/Reappropriated Funds	1,608,006	457,419	611,015	611,015	
Contract Services	<u>5,991,401</u>	<u>591,984</u>	<u>73,276</u>	<u>73,276</u>	
General Fund	4,991,743	591,984	73,276	73,276	
Cash Funds Exempt/Reappropriated Funds	999,658	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Education Grants	733,082	824,698	612,047	612,047	
FTE	<u>0.0</u>	<u>1.0</u>	<u>2.0</u>	<u>2.0</u>	
Cash Funds	0	0	10,000	10,000	
Cash Funds Exempt/Reappropriated Funds	54	59,852	233,038	233,038	
Federal Funds	733,028	764,846	369,009	369,009	
Vocational Grants - FF	0	0	0	0	
Indirect Cost Recoveries - FF	0	0	898	3,490	
Start-up Costs - GF	0	175,140	844,864	0	
					<b>Request v.</b>
					<b>Appropriation</b>
<b>Total (B) Education Subprogram</b>	17,146,438	17,183,628	20,725,464	18,005,959	-13.1%
FTE	<u>139.6</u>	<u>216.5</u>	<u>286.1</u>	<u>251.3</u>	
General Fund	13,203,168	13,052,460	16,720,416	13,981,963	-16.4%
Cash Funds	602,524	2,849,051	2,791,088	2,807,444	0.6%
Cash Funds Exempt/Reappropriated Funds	2,607,718	517,271	844,053	844,053	0.0%
Federal Funds	733,028	764,846	369,907	372,499	0.7%

**(C) Recreation Subprogram**

(Primary Function: Provide standardized, staff supervised recreational programs to inmates.)

Personal Services - GF	6,120,787	6,386,682	6,308,620	6,428,102	
FTE	116.6	116.5	116.7	116.7	
Operating Expenses - CF	75,143	75,367	75,449	75,449	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					<b>Request v. Appropriation</b>
<b>Total (C) Recreation Subprogram</b>	6,195,930	6,462,049	6,384,069	6,503,551	1.9%
FTE	<u>116.6</u>	<u>116.5</u>	<u>116.7</u>	<u>116.7</u>	
General Fund	6,120,787	6,386,682	6,308,620	6,428,102	1.9%
Cash Funds	75,143	75,367	75,449	75,449	0.0%

**(D) Drug and Alcohol Treatment Subprogram**

(Primary Function: Provide drug and alcohol treatment services to inmates.)

Personal Services - GF	213,386	2,877,770	4,829,167	5,062,081	
FTE	2.6	40.8	99.9	103.0	
Operating Expenses - GF	n/a	74,000	117,580	117,580	
Drug Offender Surcharge Program - CF	995,127	995,127	995,127	995,127	
Contract Services	<u>4,276,060</u>	<u>2,074,956</u>	<u>2,325,630</u> a/	<u>2,503,548</u>	DI #2, 5, Aug #3
General Fund	4,276,060	2,074,956	2,075,630	2,253,548	
Cash Funds	0	0	250,000	250,000	
Treatment Grants	<u>173,350</u>	<u>230,695</u>	<u>40,000</u>	<u>40,000</u>	
Cash Funds Exempt/Reappropriated Funds	0	66,259	0	0	
Federal Funds	173,350	164,436	40,000	40,000	
Start-up Costs - GF	0	0	265,586	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
					<b>Request v. Appropriation</b>
<b>Total (D) Drug/Alcohol Treatment Subprogram</b>	5,657,923	6,252,548	8,573,090	8,718,336	1.7%
FTE	<u>2.6</u>	<u>40.8</u>	<u>99.9</u>	<u>103.0</u>	
General Fund	4,489,446	5,026,726	7,287,963	7,433,209	2.0%
Cash Funds	995,127	995,127	1,245,127	1,245,127	0.0%
Cash Funds Exempt/Reappropriated Funds	0	66,259	0	0	N/A
Federal Funds	173,350	164,436	40,000	40,000	0.0%

a/ The FY 2009-10 appropriation includes an increase of \$11,394 General Fund pursuant to H.B. 09-1351.

#### **(E) Sex Offender Treatment Subprogram**

(Primary Function: Provide treatment to sex offenders who are motivated to eliminate such behavior.)

Personal Services	2,376,441	2,690,004	2,730,515	2,781,059
FTE	<u>29.6</u>	<u>40.5</u>	<u>49.1</u>	<u>49.1</u>
General Fund	2,352,320	2,666,469	2,702,228	2,752,248
FTE	28.6	39.5	48.1	48.1
Cash Funds	24,121	23,535	28,287	28,811
FTE	1.0	1.0	1.0	1.0
Operating Expenses	<u>269,516</u>	<u>102,704</u>	<u>84,776</u>	<u>84,776</u>
General Fund	269,016	102,204	84,276	84,276
Cash Funds	500	500	500	500
Polygraph - GF	99,569	99,569	99,569	99,569
Sex Offender Treatment Grants - FF	73,587	0	0	0

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
Start-up Costs - GF	0	0	0	0	
<b>Total (E) Sex Offender Treatment Subprogram</b>	2,819,113	2,892,277	2,914,860	2,965,404	Request v. Appropriation 1.7%
FTE	<u>29.6</u>	<u>40.5</u>	<u>49.1</u>	<u>49.1</u>	
General Fund	2,720,905	2,868,242	2,886,073	2,936,093	1.7%
Cash Funds	24,621	24,035	28,787	29,311	1.8%
Federal Funds	73,587	0	0	0	N/A

**(F) Volunteers Subprogram**

(Primary Function: Manage volunteer programs including volunteer chaplain services to inmates.)

Personal Services - CF	479,356	542,978	563,802	563,802	
FTE	8.2	7.6	9.0	9.0	
Operating Expenses - CF	17,912	17,912	17,912	17,912	
<b>Total (F) Volunteers Subprogram - CF</b>	497,268	560,890	581,714	581,714	Request v. Appropriation 0.0%
FTE	8.2	7.6	9.0	9.0	

**(G) Community Reintegration Subprogram**

(Primary Function: Provide emergency assistance to inmates who require temporary shelter, work clothes, bus tokens, small work tools, or other short-term emergency assistance upon release from custody.)

In FY 2005-06, this program was moved to the Community Services section of the budget, and was renamed the Community Re-entry Subprogram. The budget figures for all four years are shown in the Community Services section.

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					Request v. Appropriation
<b>IV. SUBTOTAL - INMATE PROGRAMS</b>	37,584,732	38,847,700	44,685,787	42,383,748	-5.2%
FTE	<u>392.4</u>	<u>517.3</u>	<u>656.1</u>	<u>624.4</u>	
General Fund	31,802,366	32,830,418	38,709,662	36,388,151	-6.0%
Cash Funds	2,194,683	4,504,470	4,722,165	4,739,045	0.4%
Cash Funds Exempt/Reappropriated Funds	2,607,718	583,530	844,053	844,053	0.0%
Federal Funds	979,965	929,282	409,907	412,499	0.6%

## V. COMMUNITY SERVICES

### (A) Parole Subprogram

(Primary Function: Supervise offenders who have been placed on parole by the Parole Board.)

Personal Services - GF	8,664,962	9,901,590	10,953,940 a/	11,695,764	DI #2, 5, NP-1,
FTE	147.2	159.1	185.1	198.2	Aug #3
Operating Expenses - GF	1,016,260	1,078,376	1,132,992 b/	1,189,466	DI #2, 5, Aug #3
Administrative Law Judge Services - GF	4,603	4,495	3,841	4,525	
Contract Services - GF	800,398	889,040	898,354 c/	1,631,484	DI #2, 5, Aug #3
Wrap-Around Services Program - GF	n/a	0	1,800,000	0	Aug #1

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
Parole Grants	<u>49,208</u>	<u>55,612</u>	<u>0</u>	<u>0</u>	
Cash Funds Exempt/Reappropriated Funds	0	55,612	0	0	
Federal Funds	49,208	0	0	0	
Start-up Costs - GF	415,230	245,578	58,257 d/	205,753	DI #2 Request v. Appropriation
<b>Total (A) Parole Subprogram</b>	10,950,661	12,174,691	14,847,384	14,726,992	-0.8%
FTE	<u>147.2</u>	<u>159.1</u>	<u>185.1</u>	<u>198.2</u>	
General Fund	10,901,453	12,119,079	14,847,384	14,726,992	-0.8%
Cash Funds Exempt/Reappropriated Funds	0	55,612	0	0	N/A
Federal Funds	49,208	0	0	0	N/A

a/ The FY 2009-10 appropriation includes an increase of \$156,741 General Fund and 3.5 FTE pursuant to H.B. 09-1351.

b/ The FY 2009-10 appropriation includes an increase of \$11,753 General Fund pursuant to H.B. 09-1351.

c/ The FY 2009-10 appropriation includes an increase of \$9,272 General Fund pursuant to H.B. 09-1351.

d/ The FY 2009-10 appropriation includes an increase of \$58,257 General Fund pursuant to H.B. 09-1351.

### (B) Parole ISP Subprogram

(Primary Function: Manage high-risk offenders who are placed on parole by the Parole Board.)

Personal Services - GF	4,242,687	5,059,772	5,290,428 a/	5,751,751	DI #2, 5, Aug #3
FTE	76.9	82.6	96.5	104.8	
Operating Expenses - GF	454,967	487,061	513,979 b/	546,502	DI #2, 5, Aug #3
Contract Services - GF	1,379,975	1,642,164	1,658,949 c/	1,803,638	DI #2, 5, Aug #3
Non-residential Services - GF	1,060,339	1,265,879	1,278,826 d/	1,389,914	DI #2, 5, Aug #3

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Home Detention - GF	69,383	69,383	69,383	69,383	
Start-up Costs - GF	202,715	129,343	30,660 e/	111,320	DI #2 Request v. Appropriation
<b>Total (B) Parole ISP Subprogram - GF</b>	<b>7,410,066</b>	<b>8,653,602</b>	<b>8,842,225</b>	<b>9,672,508</b>	<b>9.4%</b>
FTE	76.9	82.6	96.5	104.8	

a/ The FY 2009-10 appropriation includes an increase of \$82,495 General Fund and 1.8 FTE pursuant to H.B. 09-1351.

b/ The FY 2009-10 appropriation includes an increase of \$6,186 General Fund pursuant to H.B. 09-1351.

c/ The FY 2009-10 appropriation includes an increase of \$16,777 General Fund pursuant to H.B. 09-1351.

d/ The FY 2009-10 appropriation includes an increase of \$12,933 General Fund pursuant to H.B. 09-1351.

e/ The FY 2009-10 appropriation includes an increase of \$30,660 General Fund pursuant to H.B. 09-1351.

### (C) Community ISP Subprogram

(Primary Function: Monitor and supervises offenders in who are in non-residential, transition community corrections programs.)

Personal Services - GF	3,092,328	3,377,793	3,489,256	3,503,919	NP-1
FTE	49.4	52.3	57.5	56.5	
Operating Expenses - GF	535,728	535,728	535,728	535,728	
Contract Services - GF	3,552,631	2,777,375	3,777,380	3,777,380	
Start-up Costs - GF	47,920	0	0	0	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					Request v. Appropriation
<b>Total (C) Community ISP Subprogram - GF</b>	7,228,607	6,690,896	7,802,364	7,817,027	0.2%
FTE	49.4	52.3	57.5	56.5	

**(D) Community Supervision Subprogram**

(Primary Function: Supervise transition offenders who are placed in residential community corrections facilities.)

**(1) Community Supervision**

Personal Services - GF	2,647,802	2,997,587	3,045,123	3,101,490	
FTE	39.7	41.2	50.3	50.3	
Operating Expenses - GF	166,954	178,297	180,697	180,697	
Community Mental Health Services - GF	565,488	584,491	604,683 a/	668,151	DI #2
Psychotropic Medication - GF	167,314	131,400	131,400	295,128	DI #2, 5, Aug #3
Contract Services for High Risk Offenders - GF	297,929	310,939	310,944	310,944	
Contract Services for Fugitive Returns	<u>74,524</u>	<u>73,036</u>	<u>74,524</u>	<u>74,524</u>	
General Fund	42,049	42,049	42,049	42,049	
Cash Funds Exempt/Reappropriated Funds	32,475	30,987	32,475	32,475	
Community Corrections Grant - CFE/RF	0	0	0	0	

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Start-up Costs - GF	34,628	42,416	0	0	
					<b>Request v. Appropriation</b>
<b>Total (D) (1) Community Supervision</b>	3,954,639	4,318,166	4,347,371	4,630,934	6.5%
FTE	<u>39.7</u>	<u>41.2</u>	<u>50.3</u>	<u>50.3</u>	
General Fund	3,922,164	4,287,179	4,314,896	4,598,459	6.6%
Cash Funds Exempt/Reappropriated Funds	32,475	30,987	32,475	32,475	0.0%
b/ The FY 2009-10 appropriation includes an increase of \$20,187 General Fund pursuant to H.B. 09-1351.					
<b>(2) Youthful Offender System Aftercare</b>					
Personal Services - GF	569,209	611,005	646,486	646,486	
FTE	7.8	7.8	9.5	9.5	
Operating Expenses - GF	141,067	141,063	141,067	141,067	
Contract Services - GF	1,023,130	1,062,382	1,062,396	1,062,396	
					<b>Request v. Appropriation</b>
<b>Total (D) (2) Y.O.S. Aftercare - GF</b>	1,733,406	1,814,450	1,849,949	1,849,949	0.0%
FTE	7.8	7.8	9.5	9.5	
<b>(E) Community Re-entry Subprogram</b>					
(Primary Function: Provide emergency assistance to inmates who require temporary shelter, work clothes, bus tokens, small work tools, or other short-term emergency assistance upon release from custody.)					
Personal Services - GF	669,770	1,182,107	2,002,896	2,025,527	
FTE	11.4	20.3	38.0	38.0	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
Operating Expenses - GF	15,000	40,236	121,954	123,202	
Offender Emergency Assistance - GF	86,844	96,768	96,768	96,768	
Contract Services - GF	190,000	189,976	190,000	190,000	
Offender Re-employment	<u>100,000</u>	<u>100,000</u>	<u>374,000</u>	<u>374,000</u>	
General Fund	100,000	100,000	364,000	364,000	
Cash Funds	0	0	10,000	10,000	
Community Reintegration Grants	197,067	414,741	25,000	25,000	
FTE	<u>0.0</u>	<u>0.0</u>	<u>1.0</u>	<u>1.0</u>	
Cash Funds	0	295,706	0	0	
Cash Funds Exempt/Reappropriated Funds	0	0	0	0	
Federal Funds	197,067	119,035	25,000	25,000	
Start-up Costs - GF	5,248	69,980	0	0	
<b>Total (E) Community Re-entry Subprogram</b>	1,263,929	2,093,808	2,810,618	2,834,497	<b>Request v. Appropriation</b> 0.8%
FTE	<u>11.4</u>	<u>20.3</u>	<u>39.0</u>	<u>39.0</u>	
General Fund	1,066,862	1,679,067	2,775,618	2,799,497	0.9%
Cash Funds	0	295,706	10,000	10,000	0.0%
Cash Funds Exempt/Reappropriated Funds	0	0	0	0	N/A
Federal Funds	197,067	119,035	25,000	25,000	0.0%

\* Prior to FY 2005-06, the "Community Re-entry Subprogram" was called the "Community Reintegration Subprogram", and it was contained in "Inmate Programs" rather than in "Community Services".

**Request v.**

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					<b>Appropriation</b>
<b>V. SUBTOTAL - COMMUNITY SERVICES</b>	32,541,308	35,745,613	40,499,911	41,531,907	2.5%
FTE	<u>332.4</u>	<u>363.3</u>	<u>437.9</u>	<u>458.3</u>	
General Fund	32,262,558	35,244,273	40,432,436	41,464,432	2.6%
Cash Funds	0	295,706	10,000	10,000	0.0%
Cash Funds Exempt/Reappropriated Funds	32,475	86,599	32,475	32,475	0.0%
Federal Funds	246,275	119,035	25,000	25,000	0.0%

#### VI. PAROLE BOARD

(Primary Function: Conduct all parole hearings and parole revocation hearings statewide.)

Personal Services - GF	1,172,363	1,322,359	1,375,696	1,375,696	
FTE	12.8	14.0	17.5	17.5	
Operating Expenses - GF	105,390	106,890	106,890	106,890	
Contract Services - GF	152,000	151,993	152,000	251,600	Aug #3
Start-up Costs - GF	20,220	54,369	0	0	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
					Request v. Appropriation
<b>VI. SUBTOTAL - PAROLE BOARD - GF</b>	1,449,973	1,635,611	1,634,586	1,734,186	6.1%
FTE	12.8	14.0	17.5	17.5	

## VII. CORRECTIONAL INDUSTRIES

(Primary Function: Employ inmates in profit-oriented industries in DOC facilities.)

Personal Services	8,465,791	9,246,893	10,135,091	10,315,543
FTE	<u>138.1</u>	<u>143.2</u>	<u>163.0</u>	<u>163.0</u>
Cash Funds	0	1,966,687	2,987,196	3,035,337
Cash Funds Exempt/Reappropriated Funds	8,465,791	7,280,206	7,147,895	7,280,206
Operating Expenses	<u>4,997,702</u>	<u>5,285,330</u>	<u>5,928,190</u>	<u>5,928,190</u>
Cash Funds	0	1,174,467	1,817,327	1,817,327
Cash Funds Exempt/Reappropriated Funds	4,997,702	4,110,863	4,110,863	4,110,863
Raw Materials	<u>29,986,242</u>	<u>26,115,258</u>	<u>35,823,826</u> a/	<u>35,823,826</u>
Cash Funds	0	5,356,709	8,441,080	8,441,080
Cash Funds Exempt/Reappropriated Funds	29,986,242	20,758,549	27,382,746	27,382,746
Inmate Pay	<u>1,512,408</u>	<u>1,582,845</u>	<u>1,649,702</u>	<u>1,649,702</u>
Cash Funds	0	401,596	468,453	468,453
Cash Funds Exempt/Reappropriated Funds	1,512,408	1,181,249	1,181,249	1,181,249

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
Capital Outlay	<u>470,589</u>	<u>804,794</u>	<u>1,406,200</u>	<u>1,406,200</u>	
Cash Funds	0	165,077	337,094	337,094	
Cash Funds Exempt/Reappropriated Funds	470,589	639,717	1,069,106	1,069,106	
Indirect Cost Assessment	<u>365,761</u>	<u>372,933</u>	<u>354,981</u>	<u>339,024</u>	
Cash Funds	0	89,399	71,447	55,490	
Cash Funds Exempt/Reappropriated Funds	365,761	283,534	283,534	283,534	
					<b>Request v. Appropriation</b>
<b>VII. SUBTOTAL - CORRECTIONAL</b>					
<b>INDUSTRIES</b>	45,798,493	43,408,053	55,297,990	55,462,485	0.3%
FTE	<u>138.1</u>	<u>143.2</u>	<u>163.0</u>	<u>163.0</u>	
Cash Funds	0	9,153,935	14,122,597	14,154,781	0.2%
Cash Funds Exempt/Reappropriated Funds	45,798,493	34,254,118	41,175,393	41,307,704	0.3%
a/ The FY 2009-10 appropriation includes an increase of \$67,027 reappropriated funds pursuant to S.B. 09-003 and an increase of \$528,000 reappropriated funds pursuant to H.B. 09-1133.					
<b>VIII. CANTEEN OPERATION</b>					
(Primary Function: Provide various items for sale to DOC inmates at all DOC facilities.)					
Personal Services	1,540,757	1,732,446	1,764,389	1,797,049	
FTE	<u>27.2</u>	<u>28.5</u>	<u>29.7</u>	<u>29.7</u>	
Cash Funds	0	1,732,446	1,764,389	1,797,049	
Cash Funds Exempt/Reappropriated Funds	1,540,757	0	0	0	

	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Appropriation	FY 2010-11 Request	Change Requests
Operating Expenses	<u>11,270,081</u>	<u>11,673,987</u>	<u>12,851,987</u>	<u>12,851,987</u>	
Cash Funds	0	11,673,987	12,851,987	12,851,987	
Cash Funds Exempt/Reappropriated Funds	11,270,081	0	0	0	
Inmate Pay	<u>34,986</u>	<u>40,386</u>	<u>40,386</u>	<u>40,386</u>	
Cash Funds	0	40,386	40,386	40,386	
Cash Funds Exempt/Reappropriated Funds	34,986	0	0	0	
Indirect Cost Assessment	<u>67,117</u>	<u>67,416</u>	<u>64,171</u>	<u>49,837</u>	
Cash Funds	0	67,416	64,171	49,837	
Cash Funds Exempt/Reappropriated Funds	67,117	0	0	0	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
Cash Funds Exempt/Reappropriated Funds	0	0	0	0	
					<b>Request v. Appropriation</b>
<b>VIII. SUBTOTAL - CANTEEN OPERATION</b>	12,912,941	13,514,235	14,720,933	14,739,259	0.1%
FTE	<u>27.2</u>	<u>28.5</u>	<u>29.7</u>	<u>29.7</u>	
General Fund	0	0	0	0	N/A
Cash Funds	0	13,514,235	14,720,933	14,739,259	0.1%
Cash Funds Exempt/Reappropriated Funds	12,912,941	0	0	0	N/A

	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>Change</b>
	<b>Actual</b>	<b>Actual</b>	<b>Appropriation</b>	<b>Request</b>	<b>Requests</b>
					<b>Request v.</b>
					<b>Appropriation</b>
<b>GRAND TOTAL - DEPARTMENT OF CORRECTIONS</b>	692,809,111	733,074,221	761,146,881	761,064,760	0.0%
FTE	<u>6,010.3</u>	<u>6,197.2</u>	<u>6,637.7</u>	<u>6,570.8</u>	
General Fund	620,773,636	635,914,382	677,839,527	678,112,651	0.0%
Cash Funds	2,936,463	35,901,676	40,369,505	39,874,068	-1.2%
Cash Funds Exempt/Reappropriated Funds	67,405,036	35,184,480	42,342,342	42,479,942	0.3%
Federal Funds	1,693,976	26,073,683	595,507	598,099	0.4%

Please note: Actual years reflect records of the State Controller. Appropriation year equals Long Bill, special bills, roll forwards, and other adjustments.

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Department of Corrections**

**APPENDIX B: SUMMARY OF MAJOR LEGISLATION**

- ❑ **S.B. 09-093 (Williams/Marostica): Identity Theft.** Modifies the existing statutes concerning identity theft in the following ways: (1) makes criminal possession of one or more identification documents issued to the same person a class 1 misdemeanor; (2) makes criminal possession of two or more people's identification a class 6 felony; (3) removes attempted identity theft from the identity theft statute; and (4) starts the statute of limitations for identity theft at the time the crime was discovered. The bill does not contain an appropriation clause because the section of the bill that creates the new crime of criminal possession of an identification document does not take effect until July 1, 2011.
- ❑ **S.B. 09-135 (Penry/Miklosi): Parole Decision Reporting and Statistics.** Requires the Parole Board to track data concerning the Board's rationale for granting and denying parole. Requires the Division of Criminal Justice (DCJ) to analyze these data and provide the Parole Board with a report on a quarterly basis. Also requires DCJ to provide the Board with training so that the Board may use the data more effectively to make decisions. The bill contains a no appropriation clause in which the General Assembly determined that the bill could be implemented within existing resources.
- ❑ **H.B. 09-1081 (Looper/Morse): Vehicular Homicide Statute of Limitation.** Extends the statute of limitations for vehicular homicide and leaving the scene of an accident that resulted in the death of a person from three years to five years. The bill does not contain an appropriation clause because it includes an exception clause to Section 2-2-703, C.R.S., in which the General Assembly found the fiscal impact of the bill to be insignificant.
- ❑ **H.B. 09-1120 (Stephens/Penry): Public Servant Safety Crimes.** Expands the circumstances for committing third degree assault to include a person who, with the intent to infect; injure; harm; harass; annoy; threaten; or alarm a peace officer, a firefighter, or an emergency medical technician causes that person to come into contact with certain biological or hazardous materials. An individual who commits third degree assault in the manner described is required by the bill to submit to a medical test for communicable diseases. The results of the test must be disclosed to the victim of the assault if the victim so requests. If the offender voluntarily submits to a test for communicable diseases, that voluntary submission may be used as a mitigating factor for the purposes of sentencing. The bill is silent on the subject of who pays for such medical tests, although the court is permitted to order the offender to pay for the test and any treatment prescribed for the victim. Third degree assault is a class 1 misdemeanor that carries the possibility of jail time and/or a fine. Because the costs of jail will be born by the county, there is no cost to the State associated with this bill.
- ❑ **H.B. 09-1123 (Lambert/Schultheis): Human Smuggling Trafficking Servitude.** Modifies existing laws regarding human trafficking to: (1) define an adult as a person who

is 18 years or older; (2) define a child as a person who is under the age of 18; and (3) increase the penalty for trafficking in children from a class 3 felony to a class 2 felony. Adds the following elements to the crime of coercion of involuntary servitude: (1) threats of serious harm or physical restraint against that person or another person; (2) a scheme, plan, or pattern intended to cause a person to believe that the person or another person will suffer serious harm or physical restraint if labor or services are not performed; and (3) abuse or threatened abuse of the law or legal process. The bill does not contain an appropriation clause because any additional fiscal impact will occur after the five-year statutory sentencing period required by Section 2-2-703, C.R.S.

- ❑ **H.B. 09-1132 (Murray/Heath): Using Text Messaging for Unlawful Acts.** Adds text messaging and instant messaging to the list of means to commit the crimes of internet luring of a child, internet sexual exploitation of a child, and harassment. Also adds text messaging and instant messaging to the means of committing computer dissemination of indecent material to a child. The bill does not contain an appropriation clause because it includes an exception clause to Section 2-2-703, C.R.S., in which the General Assembly found the fiscal impact of the bill to be insignificant.
- ❑ **H.B. 09-1133 (Sonnenberg/Kester): Setting Fees for License Plates.** Authorizes the Director of the Division of Correctional Industries in the Department of Corrections, with input from the Department of Revenue and the Governor's Office of State Planning and Budgeting, to set fees to recover license plate production costs (license plate fees were previously set in statute). Also requires the Director of the Division of Correctional Industries to file a report every five years with the House and Senate Transportation Committees detailing any changes within the preceding five years in the amount of fee changes and the reasons for the change. For FY 2009-10, includes an appropriation of \$528,000 cash funds to the Department of Revenue from the License Plate Cash Fund and an appropriation of \$528,000 reappropriated fund to the Department of Corrections, from funds received from the Department of Revenue.
- ❑ **H.B. 09-1157 (Waller/Kopp): Makes BZP a Schedule I Narcotic.** Makes any material compound or mixture containing the stimulant N-benzylpiperazine (BZP) a schedule I controlled substance. The bill does not contain an appropriation clause because it includes an exception clause to Section 2-2-703, C.R.S., in which the General Assembly found the fiscal impact of the bill to be insignificant.
- ❑ **H.B. 09-1163 (Gardner C./Romer): Child Victim Crimes.** Clarifies that the crime of internet sexual exploitation of a child applies to an individual the actor knows or believes to be under the age of 15 and at least four years younger than the actor. Clarifies that previous convictions for child abuse in Colorado or another state apply to the aggravated sentencing provisions for that offense. Makes other clarifications with regard to extraordinary aggravating conduct related to child abuse. Modifies the crime of sexual exploitation of a child by possession of sexually exploitative material to include the possession of one video recording of child pornography.

- ❑ **H.B. 09-1263 (Casso/Carroll M.): Time Deductions Corrections County Jail.** Allows individuals who are in jail to receive a two-day sentence reduction for every 30 days of incarceration, rather than every month. Also clarifies that individuals who are designated as trusty prisoners may be granted earned time, not to exceed 10 days, in any 30-day period, rather than in a month. Provides the sheriff with the discretion to allow earned time of up to three days for every 30 days of incarceration, if the individual demonstrates particularly good behavior by participating in educational activities or other programs. Also amends the earned time provisions for individuals who are confined to jail pending a parole revocation hearing. Allows those individuals to be entitled to credit for their time in jail pending the parole revocation hearing against any reincarceration period imposed by the parole board.
  
- ❑ **H.B. 09-1351 (Pommer/Carroll M.): Increase Earned Time Allowance.** Increases the maximum monthly earned time for prison inmates from 10 days to 12 days and increases the limit on the amount that earned time can reduce a sentence from 25.0 percent to 30.0 percent. Allows the Executive Director of the Department of Corrections to deduct up to 60 days from a class 4 or 5 felony offender's sentence, and up to 30 days from a class 6 felony offender's sentence. Specifies certain criteria that these offenders must meet in order to be eligible for the additional earned time.

**FY 2010-11 Joint Budget Committee Staff Budget Briefing  
Department of Corrections**

**APPENDIX C: UPDATE OF FY 2009-10  
LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION**

**Long Bill Footnotes**

- 1 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division; and Division of Youth Corrections; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice** -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.

Comment: Of the funds listed, the Department of Corrections shares two with other state agencies: the Sex Offender Surcharge Fund, and the Drug Offender Surcharge Fund. The Department indicates that the Judicial Department is responsible for tracking the Drug Offender Surcharge Fund and the Sex Offender Surcharge Fund.

The Sex Offender Management Board (SOMB) determined the following allocation for state agencies in FY 2010-11:

- \$302,029 to the Judicial Department for direct services;
- \$163,591 to the Division of Criminal Justice for training;
- \$38,250 to the Department of Human Services to be used for training and technical assistance to county departments, the Division of Youth Corrections and the Division of Child Welfare; and
- \$29,311 to the Department of Corrections for sex offender data collection and risk assessment tests.

The Drug Offender Surcharge Fund is administered by the Judicial Department. The Judicial Department estimates the following allocation from the Drug Offender Surcharge Fund in FY 2010-11:

- \$1,745,479 to the Judicial Department;
- \$1,270,627 to the Department of Human Services;
- \$1,245,127 to the Department of Corrections; and
- \$1,107,813 to the Division of Criminal Justice.

**2 Department of Corrections, Management, Executive Director's Office Subprogram, External Capacity Subprogram, Payments to House State Prisoners** -- It is the intent of the General Assembly that the Department of Corrections be authorized to transfer 5.0 percent of the total appropriation for external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers.

Comment: The Department indicates that the following transfers were made in FY 2008-09:

<u>Transferred Line Item</u>	<u>Amount</u>
Payments to Local Jails:	\$11,651
Payments to In-State Private Prisons:	(185,707)
Payments to Pre-Release Parole Revocation Facilities:	199,303
Community Corrections Programs:	<u>25,248</u>
Total Amount Transferred:	\$421,909
Total Amount of Line Item:	\$117,133,141
5.0 Percent Transfer Authority:	5,856,657
Amount Transferred in FY 2008-09:	421,909
Percent of Amount Transferred to Appropriation:	0.3%

**3 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners** -- It is the intent of the General Assembly that the appropriations made for payments to private facilities housing state inmates be used exclusively for the purpose of per diem payments. It is the intent of the General Assembly that the department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities. It is the intent of the General Assembly that appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.

Comment: The Department indicates that it is not the Department's policy to withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities.

**3a Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to in-state private prisons at a rate of \$54.93 per inmate per day, and Payments to pre-release parole revocation facilities at a rate of**

**\$54.93 per inmate per day** -- Due to current fiscal restraints, it is the intent of the General Assembly not to fund any supplemental requests from the Department of Corrections that are requested as a result of the Department of Corrections paying a higher per diem rate to private prisons than \$52.69. If caseload changes would result in a negative supplemental from the Department of Corrections given a private prison per diem of \$52.69, it is further the intent of the General Assembly to reduce the appropriation to the Department of Corrections accordingly.

Comment: The Department has not submitted a supplemental request for FY 2009-10 to date. Staff will evaluate any need for a negative supplemental once the updated FY 2009-10 prison population projections are released by Legislative Council Staff on December 21, 2009.

## Requests for Information

- 1 All Departments, Totals** -- Every department is requested to submit to the Joint Budget Committee, by November 1, 2009, information on the number of additional federal and cash funds FTE associated with any federal grants or private donations that are applied for or received during FY 2009-10, and that are not otherwise included in the Long Bill.

Comment: The Department indicates that there have been 3.5 FTE added by the Department in FY 2009-10 that have been associated with federal grants or private donations. These FTE are funded through the American Recovery and Reinvestment Act (ARRA). Of the additional 3.5 FTE, 1.5 FTE are funded through a Justice Assistance Grant for re-entry programs (\$280,196) and 2.0 FTE are funded through a Justice Assistance Grant for multi-agency training (\$156,124). In addition, the Department indicates that it has applied for a grant for a bio-diesel plant of \$20,343,172 and 13.0 FTE.

- 2 Department of Corrections, Totals; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division, and Division of Youth Corrections; Department of Public Safety, Division of Criminal Justice** -- It is the intent of the Joint Budget Committee that the impacts of the Governor's Recidivism Reduction and Offender Diversion Package funded by the General Assembly in 2007, be analyzed using contract funding appropriated for this purpose to the Department of Public Safety, Division of Criminal Justice. The evaluation should specifically address: the Short-term Intensive Residential Remediation Treatment Program (STIRRT) in the Department of Human Services, Diversion Community Corrections Beds in the Department of Public Safety, Mental Health Beds in the Department of Public Safety, and any new programs or services created or implemented through additional budgetary flexibility provided to the Division of Youth Corrections in the Department of Human Services. It is the intent of the General Assembly that the contractor compare the outcomes for offenders who participate in these programs with outcomes for offenders in predetermined control groups. The Department of Public Safety, Division of Criminal Justice, in conjunction with other state departments, is requested to submit an annual progress report to the Joint Budget Committee by November 1 of each year. This report is requested to include a summary of the number

of offenders served by each program and a summary of the program evaluation techniques that will be used to examine the effectiveness of each program. The Department of Public Safety, Division of Criminal Justice, is requested to submit a final report to the Joint Budget Committee on or before November 1, 2012. The final report should specifically address whether any of the interventions funded were cost-effective and, based on this, recommendations for continuation, modification or elimination of each program.

Comment: The Division of Criminal Justice did not submit a report by November 1, 2009 as requested.

- 7 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners** -- The Department is requested to provide a report to the Joint Budget Committee on or before November 1, 2009, summarizing transfers that were made within this subprogram pursuant to the flexibility authorized by footnote.

Comment: The transfers that were made in FY 2008-09 pursuant to the flexibility authorized by footnote are detailed above under Footnote #2.

- 8 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners** -- The Department of Corrections is requested to require private prison providers to break-out their respective operating expenses and capital construction costs in the invoices that they submit to the Department for housing Colorado inmates. The Department of Corrections is further requested to submit a report to the Joint Budget Committee by November 1, 2009, summarizing this information for each of the private prison providers reimbursed from the External Capacity Subprogram.

Comment: The Department indicates that it has requested this information from private prison providers; however, as of November 1, 2009, the Department had not received any responses. This information will be provided once responses are received.

- 9 Department of Corrections, Institutions, Youthful Offender System Subprogram** -- The Department of Corrections is requested to submit a report to the Joint Budget Committee by November 1, 2009, justifying the ongoing need for the Youthful Offender System. The report is requested to summarize the cost effectiveness of the program, including the cost per offender, taking into consideration drop-out rates and recidivism rates for the program.

The Department provided a report with its budget request on November 1, 2009. The following table illustrates the costs of the YOS program in FY 2008-09:

Youthful Offender System FY 2008-09 Costs		
Type of Service	Annual Cost per Offender	Daily Cost per Offender
YOS	\$75,863	\$207.84
YOS Aftercare (Phase III)	67,098	183.83
YOS Backlog	11,391	31.21

The YOS program has experienced a large percentage of successful discharges since its inception in FY 1993-94. The following table shows the categories of releases during the existence of the YOS:

Youthful Offender System Releases FY 2008-09		
Type of Release	Number of Releases	Percent of Releases
Successful Discharge	693	72%
Termination/Revocation	229	24%
Court Ordered Discharge	40	4%
Deceased	6	1%
<b>Total</b>	<b>968</b>	<b>100%</b>

In addition, the report indicates that the recidivism rates for YOS offenders is lower than the recidivism rate for the general adult prison population. The following table indicates the recidivism rates for YOS offenders versus the general adult prison population:

Recidivism Rates YOS vs. Adult		
Return	YOS	Adult
Within 1 year	7%	n/a
Within 3 years	21%	53%
Within 5 years	31%	n/a

- 10 Department of Corrections, Community Services, Community Supervision Subprogram, Community Supervision, Psychotropic Medication** -- The Department is requested to submit a report to the Joint Budget Committee on or before February 1, 2010, summarizing the outcomes of offenders who were provided psychotropic medication from this line item. The report is requested to include the number of mentally ill offenders who

receive medication from this line item, the regression rate of the offenders, and the number of offenders who commit new crimes. The report is requested to compare these outcomes with the population of mentally ill offenders in community corrections programs in FY 2005-06.

Comment: The Department indicates that it will provide a report as requested on February 1, 2010. In addition, the Department submitted a report on February 1, 2009, summarizing the outcomes of offenders who were provided psychotropic medication. The report indicates that a total of 1,226 prescriptions were filled for 208 offenders in FY 2007-08. The average price per prescription was \$136.47, and the number of issued prescriptions averaged almost six per offender over the fiscal year.

The following table provides program completion information and return to prison data for participants in the psychotropic medication program compared with the offenders in community corrections programs in FY 2005-06:

	Program Participants FY 2007-08		Comparison Group FY 2005-06	
	Community Transition	Return to Custody	Community Transition	Return to Custody
Program Completion				
Escape status	2%	0%	1%	1%
Paroled	57%	81%	49%	33%
Discharged sentence	4%	16%	3%	10%
Regressed to prison	37%	3%	47%	56%
Prison Returns				
No return	40%	41%	59%	43%
Technical return	51%	49%	29%	38%
New crime	9%	10%	12%	19%

**11 Capital Construction, Department of Corrections, Capital Construction, Correctional Industries, Minor Construction Projects** -- The Department of Corrections is requested to submit an annual report to the Capital Development and Joint Budget Committees detailing expenditures made from this appropriation.

Comment: The Department provided a report with its budget request on November 1, 2009. The following table illustrates the expenditures made for minor Correctional Industries capital construction projects in FY 2008-09:

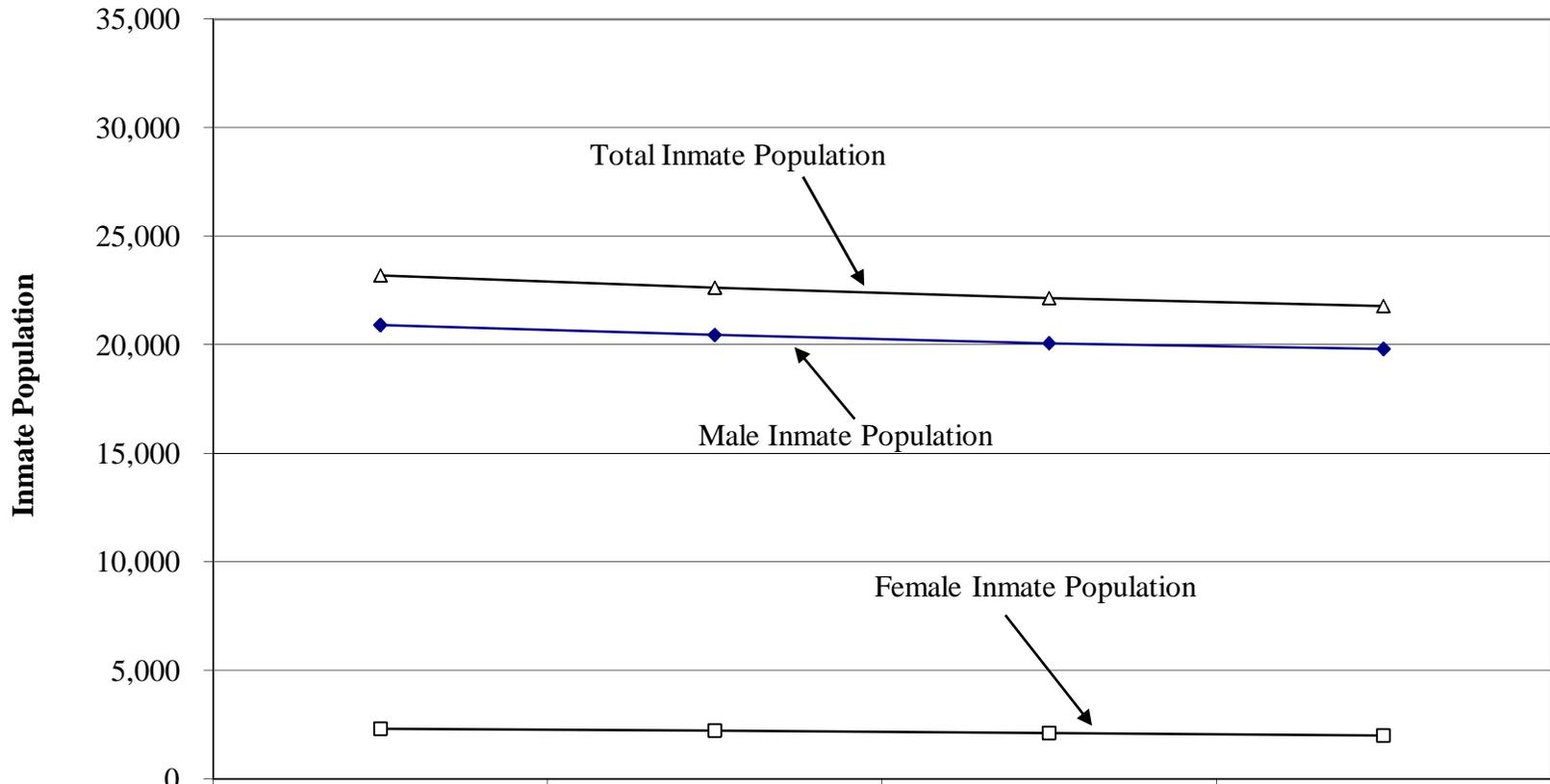
<b>Correctional Industries Minor Construction Projects FY 2008-09 Costs</b>		
<b>Project Location</b>	<b>Description</b>	<b>Cost</b>
East Canon Complex	Dairy cooler for milk distribution	\$64,000
East Canon Complex	Dairy lagoons	20,000
Fremont Correctional Facility	Metal shop storage area	134,000
East Canon Complex	New structures for green house fishery	35,000
East Canon Complex	Additional horse corrals for wild horse program	50,000
East Canon Complex	Auto body repair facility	0
East Canon Complex	Miscellaneous small projects	<u>4,000</u>
<b>Total</b>		<b>\$307,000</b>

**APPENDIX D**

**GRAPHICAL REVIEW OF 2009 POPULATION PROJECTIONS**  
Legislative Council and Division of Criminal Justice

# December 2009 LCS Inmate Population Projections

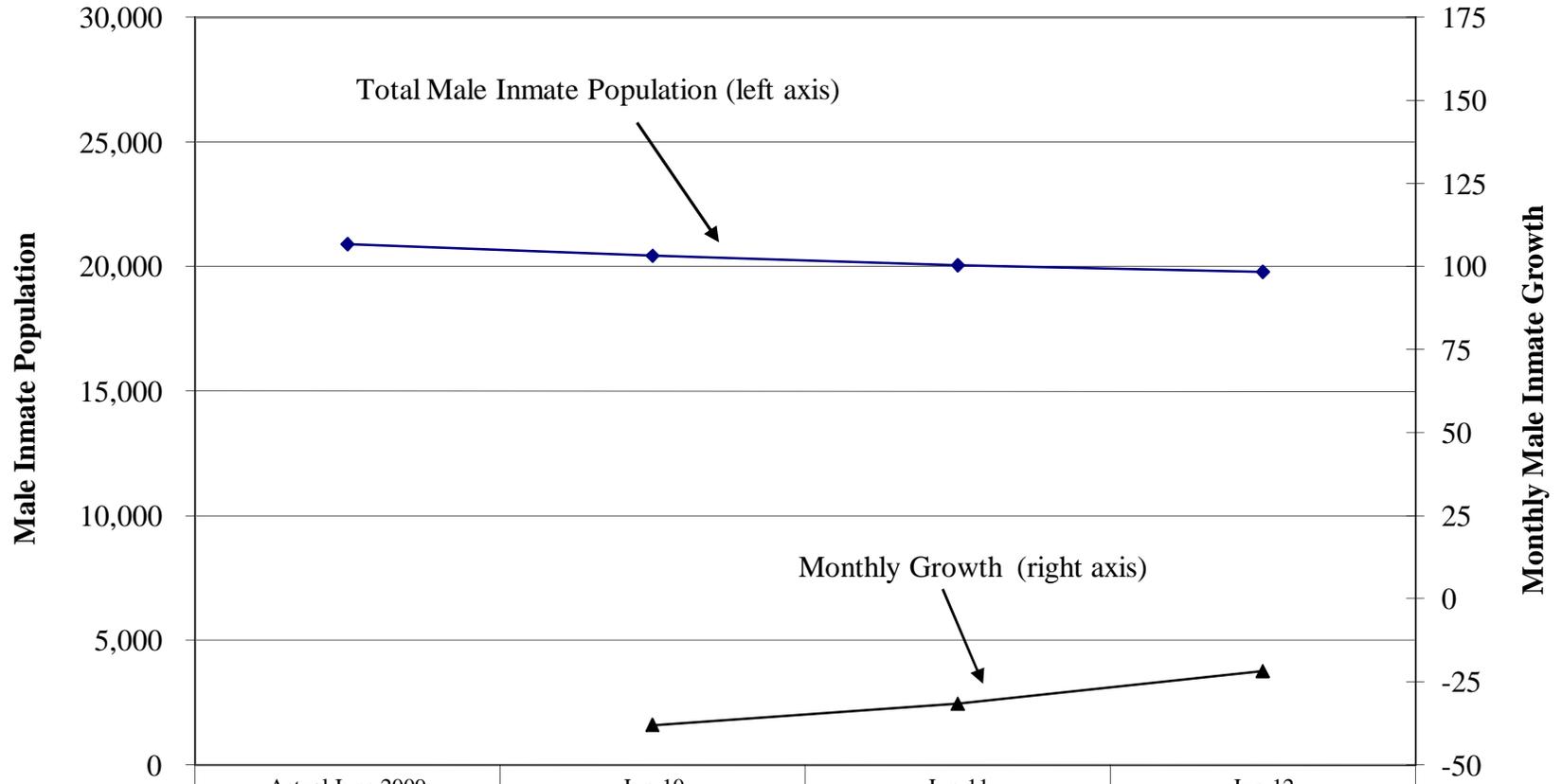
Chart #1



	Actual June 2009	Jun-10	Jun-11	Jun-12
—△— Total Inmate Population	23,186	22,633	22,148	21,780
—◆— Males Inmates	20,896	20,440	20,061	19,800
—□— Female Inmates	2,290	2,193	2,087	1,980

## December 2009 LCS Male Inmate Population Projections

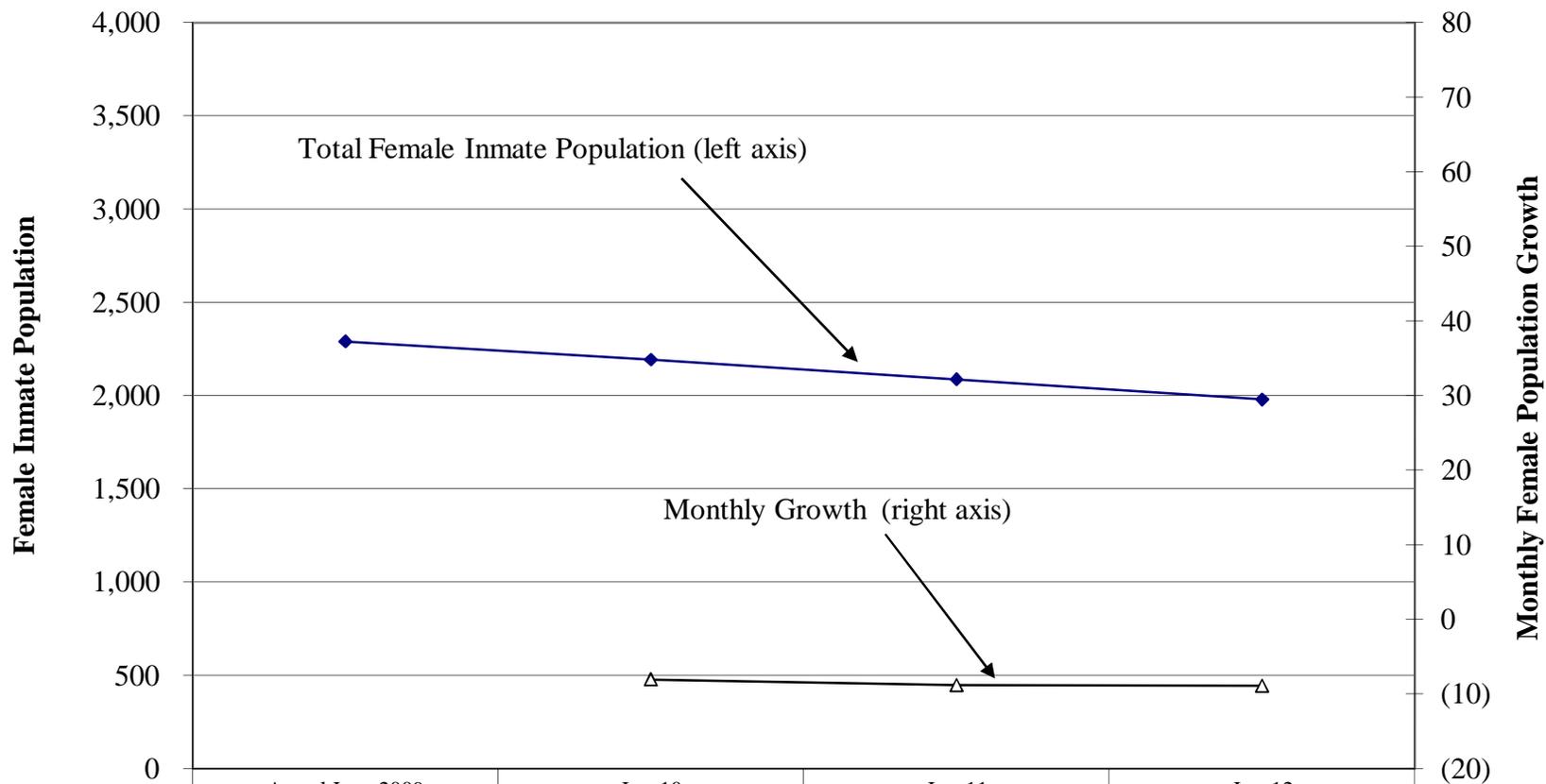
Chart #2



	Actual June 2009	Jun-10	Jun-11	Jun-12
◆ Males Inmates	20,896	20,440	20,061	19,800
▲ LCS Monthly Growth		(38)	(32)	(22)
LCS Annual Growth		-2.2%	-1.9%	-1.3%

## December 2009 LCS Female Inmate Population Projections

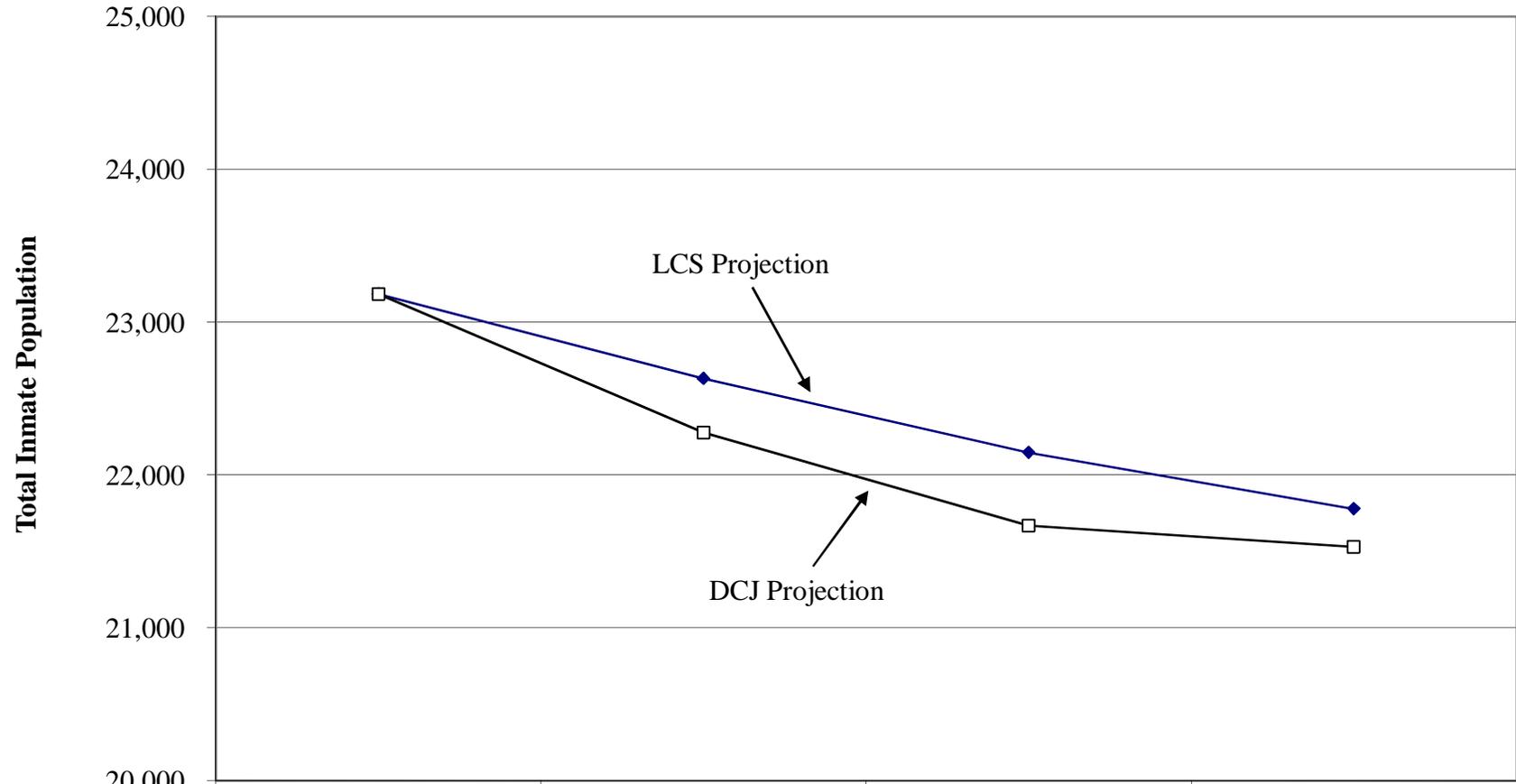
Chart #3



◆ Female Inmates	Actual June 2009	Jun-10	Jun-11	Jun-12
△ LCS Monthly Growth				
LCS Annual Growth				

## Comparison of Dec. 2009 Inmate Population Projections - LCS vs. DCJ

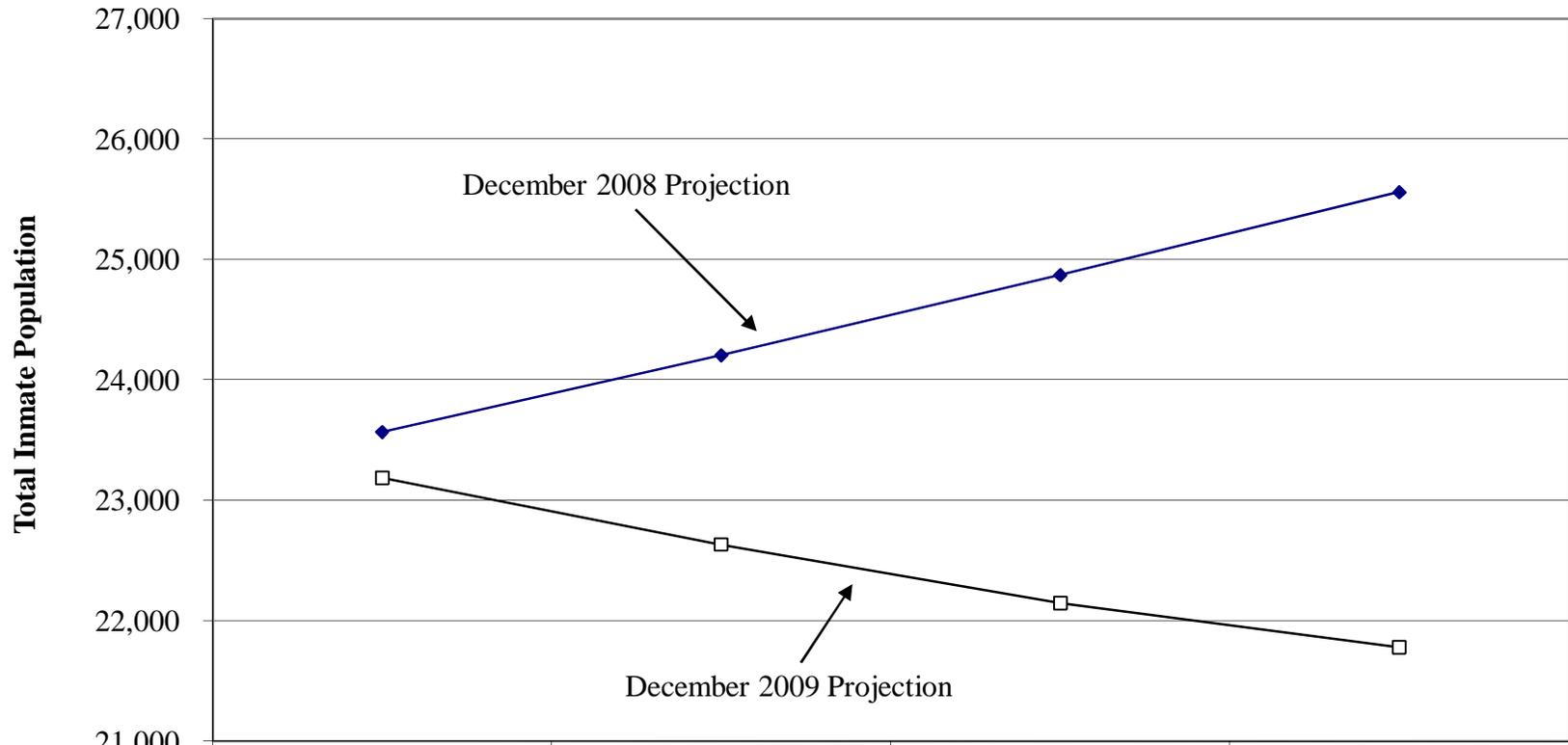
Chart #4



	Actual June 2009	Jun-10	Jun-11	Jun-12
—◆— LCS -- Dec. 2009	23,186	22,633	22,148	21,780
—□— DCJ -- Dec. 2009	23,186	22,280	21,669	21,530
Difference	0	353	479	250

## Comparison of LCS Inmate Population Projections - Dec. 2009 vs. Dec. 2008

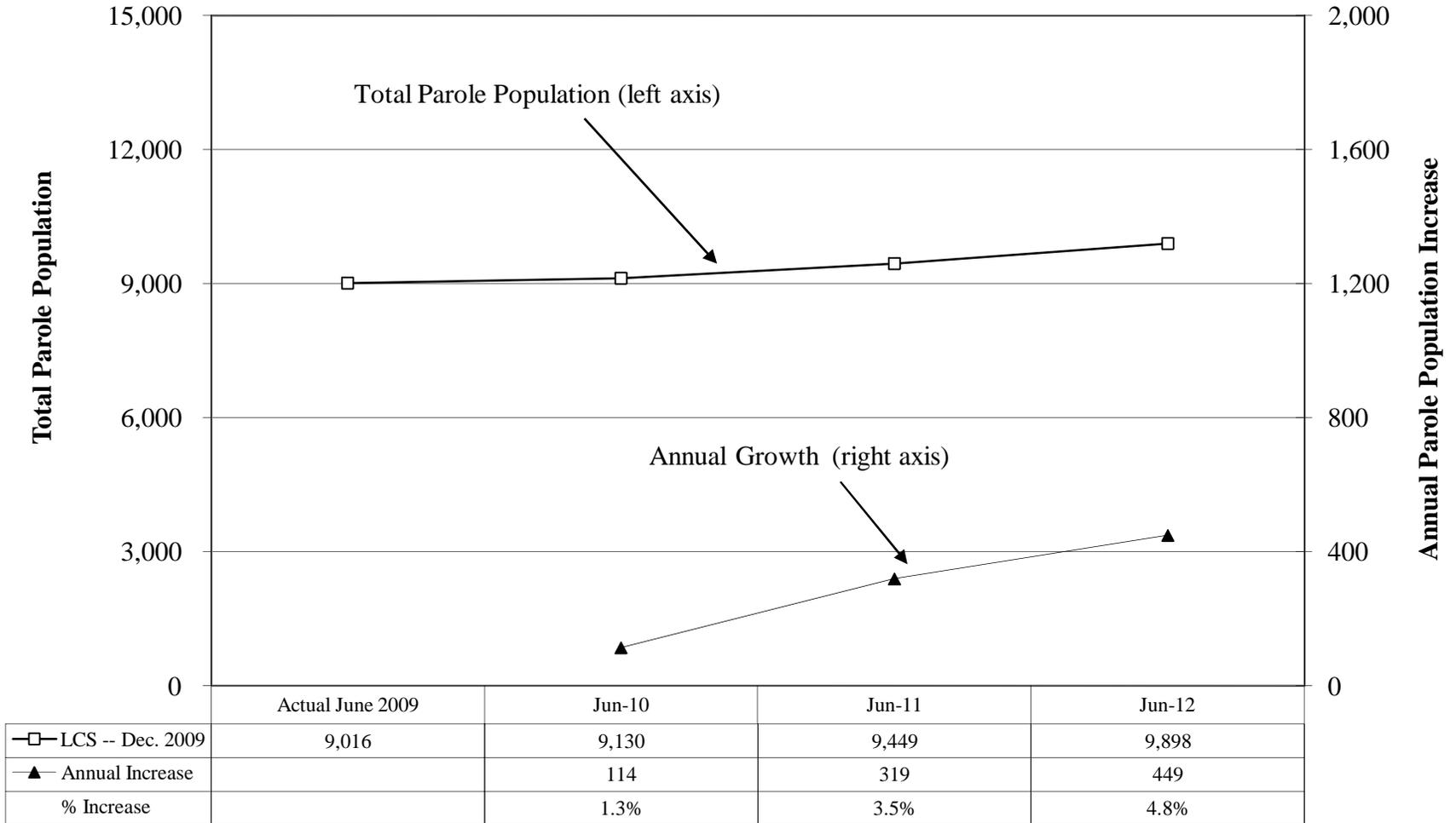
Chart #5



	Actual June 2009	Jun-10	Jun-11	Jun-12
—□— LCS -- Dec. 2009	23,186	22,633	22,148	21,780
—◆— LCS -- Dec. 2008	23,568	24,204	24,871	25,558
Increase / (Decrease)	(382)	(1,571)	(2,723)	(3,778)

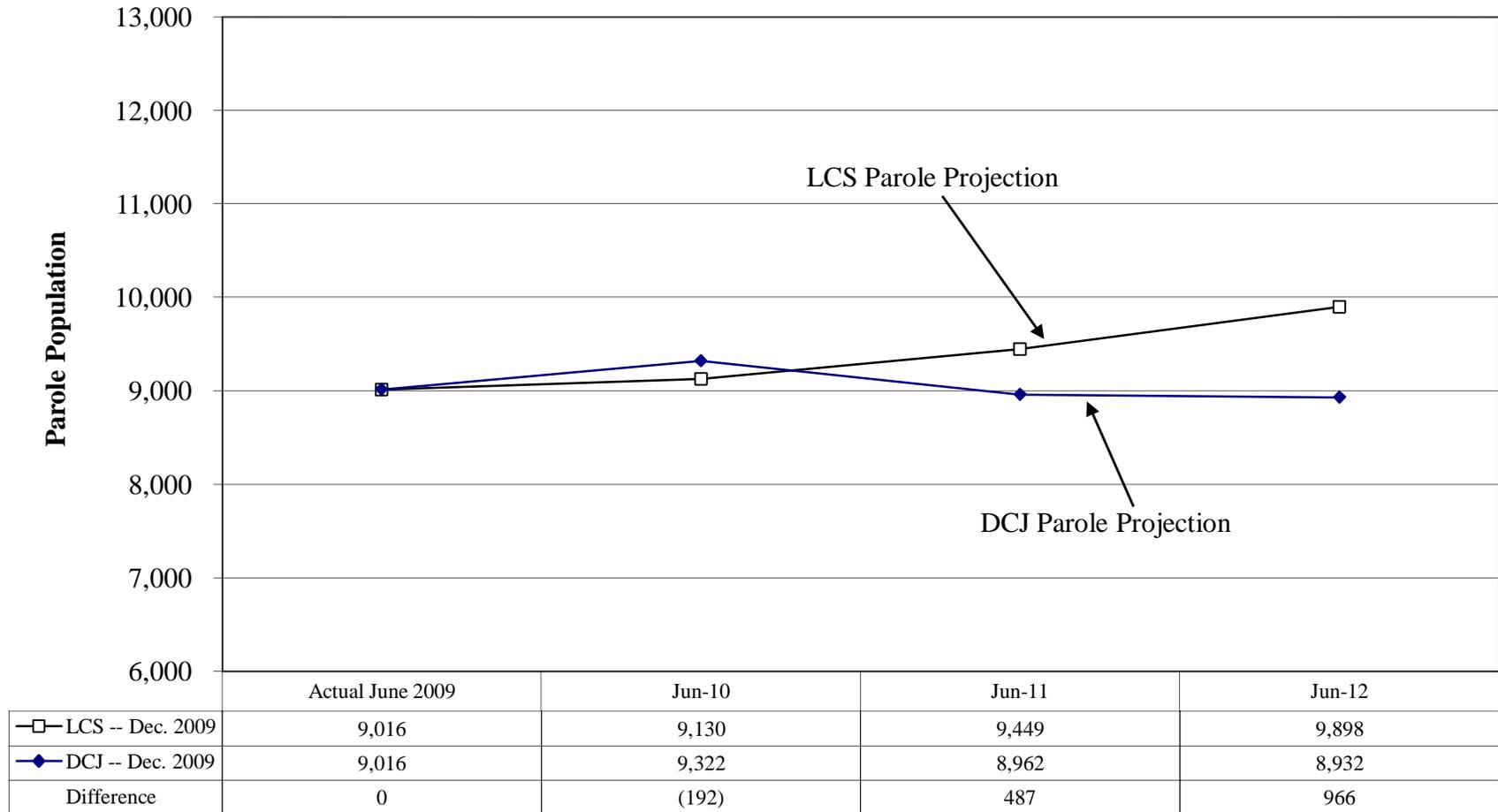
# LCS Parole Population Projections - December 2009

Chart #6



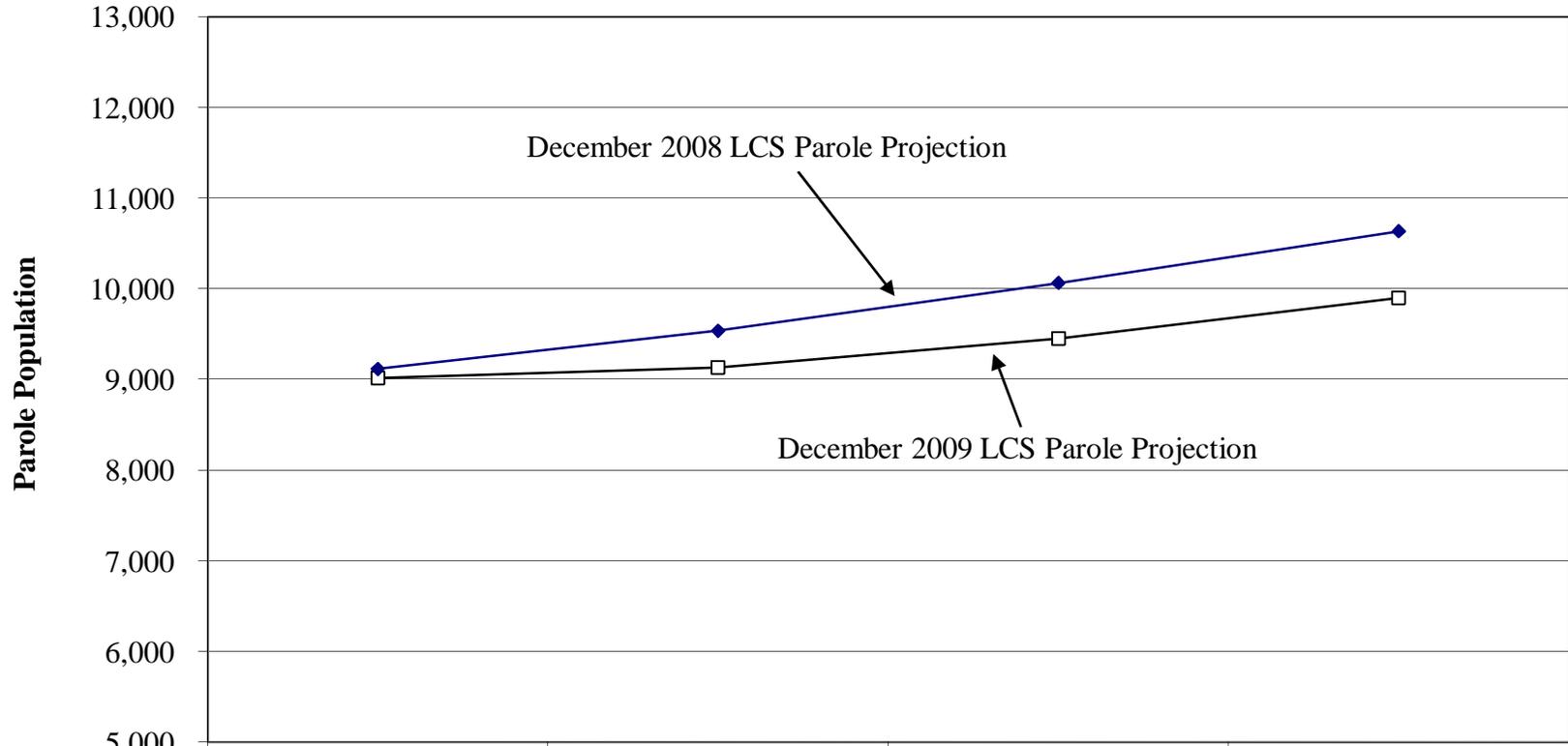
## Comparison of December 2009 Parole Population Projections LCS vs. DCJ

Chart #7



## Comparison of LCS Parole Population Projections - Dec. 2009 vs. Dec. 2008

Chart #8



	Actual June 2009	Jun-10	Jun-11	Jun-12
—□— LCS -- Dec. 2009	9,016	9,130	9,449	9,898
—◆— LCS -- Dec. 2008	9,119	9,539	10,065	10,635
Increase / (Decrease)	(103)	(409)	(616)	(737)

**APPENDIX E**

**5-YEAR SUMMARY OF CAPITAL CONSTRUCTION REQUESTS  
FOR ADDITIONAL PRISON BEDS**

## Appendix E

### Capital Construction Request History for Additional Prison Beds in the Department of Corrections

Year	Project	Amount Requested	Amount Funded	Requested Beds	Built Beds	Security Level	Legislation	Status
<b>FY 1999-00</b>								
	TCF Phase II	\$77,889,123	\$0	710	0	V	-	Withdrawn
	DRDC Renovation/Expansion Design	\$1,019,047	\$0	0	0	V	-	Withdrawn
	SCCF Phase II Design	\$2,084,226	\$0	0	0	V	-	Withdrawn
<b>FY 2000-01</b>								
	SCCF Phase II Design	\$2,088,700	\$2,088,700	0	0	V	HB-00-1451	Complete
	DRDC Renovation/Expansion Design	\$1,092,594	\$1,092,594	0	0	V	HB-00-1451	Complete
	CWCF Expansion/Renovation Planning	\$410,887	\$0	0	0	IV	-	-
<b>FY 2001-02</b>								
	SCCF Phase II Construction (70%)	\$18,804,814	\$105,065	250	0	V	SB-01-212	Negative Appropriation
	AVCF High Custody Expansion (50%)	\$19,790,603	\$17,139	384	0	V	SB-01-212	Negative Appropriation
	DRDC Renovation/Expansion Construction	\$15,394,593	\$746,783	62	0	V	SB-01-212	Negative Appropriation
	CWCF Renovation Design	\$2,449,981	\$0	285 new	0	IV	-	Not Approved
	Fort Lyon Phases I and II	\$12,312,239	\$12,312,239	500	500	III	SB-01-212	Complete
<b>FY 2002-03</b>								
	AVCF High Custody Expansion (50%)	\$18,912,027	\$0	384	0	V	-	Not Approved
	DRDC Renovation/Expansion Construction	\$12,912,465	\$0	62	0	V	-	Not Approved
	SCCF Phase II Construction (70%)	\$18,371,304	\$0	250	0	V	-	Not Approved
	CCF High Custody Expansion (40%)	\$18,241,573	\$0	384	0	V	-	Not Approved
<b>FY 2003-04</b>								
	CSPII/CCF High Custody Expansion	\$102,800,000	\$102,800,000	948	n/a	V	HB 03-1256	Funded with COPs Lawsuit delayed project
	FY 2007-08 Additional Funding	\$36,911,874	\$36,911,874				SB 07-239	Under Construction
<b>FY 2004-05 and FY 2005-06</b>								
	None	\$0	\$0	0	0	n/a	n/a	None submitted
<b>FY 2006-07</b>								
	DRDC Renovation/Expansion Construction	\$18,542,111	\$9,000,000	62	62	V	HB 06-1385	Approved in Phases
<b>FY 2007-08</b>								
	DRDC Phase II	\$14,966,051	\$14,966,051	62	62	V	SB 07-239	Complete

**APPENDIX F**

INCARCERATION RATES PER 100,000 RESIDENTS  
NATIONAL COMPARISON

Appendix F

	Change in Inmates 1992 to 2008			Incarceration Rate				Change in Rates 1992 to 2008			
	Inmates	Total % Change	Compound Annual % Change	FY 1992		FY 2008		Change in Rate	Total % Change	Compound Annual % Change	Rank Incarceration Rate Growth
				Rate	National Rank	Rate	National Rank				
<b>Northeast</b>	<b>29,523</b>	<b>21.4%</b>	<b>1.2%</b>	<b>261</b>		<b>306</b>		<b>45</b>	<b>17.2%</b>	<b>1.0%</b>	
Connecticut	2,994	26.3%	1.5%	268	25	410	25	142	53.0%	2.7%	26
Maine	574	37.8%	2.0%	121	47	159	50	38	31.4%	1.7%	39
Massachusetts	(354)	-3.5%	-0.2%	161	41	246	43	85	52.8%	2.7%	27
New Hampshire	1,153	64.9%	3.2%	160	42	222	47	62	38.8%	2.1%	35
New Jersey	4,174	18.4%	1.1%	290	21	308	39	18	6.2%	0.4%	48
New York	441	0.7%	0.0%	340	14	322	36	(18)	-5.3%	-0.3%	50
Pennsylvania	20,472	82.0%	3.8%	207	33	365	30	158	76.3%	3.6%	17
Rhode Island	(294)	-10.6%	-0.7%	170	39	235	46	65	38.2%	2.0%	36
Vermont	363	28.9%	1.6%	151	44	260	42	109	72.2%	3.5%	20
<b>Midwest</b>	<b>94,368</b>	<b>56.5%</b>	<b>2.8%</b>	<b>273</b>		<b>393</b>		<b>120</b>	<b>44.0%</b>	<b>2.3%</b>	
Illinois	13,575	42.9%	2.3%	271	24	350	33	79	29.2%	1.6%	41
Indiana	13,169	94.4%	4.2%	242	27	426	22	184	76.0%	3.6%	18
Iowa	4,214	93.3%	4.2%	160	42	291	40	131	81.9%	3.8%	13
Kansas	2,668	44.3%	2.3%	238	28	312	38	74	31.1%	1.7%	40
Michigan	11,120	28.4%	1.6%	413	5	499	14	86	20.8%	1.2%	45
Minnesota	5,646	147.7%	5.8%	85	49	181	49	96	112.9%	4.8%	6
Missouri	13,655	84.3%	3.9%	311	20	506	12	195	62.7%	3.1%	22
Nebraska	1,815	72.2%	3.5%	151	44	243	44	92	60.9%	3.0%	23
North Dakota	939	196.9%	7.0%	67	50	221	48	154	229.9%	7.7%	2
Ohio	12,353	32.2%	1.8%	347	12	442	21	95	27.4%	1.5%	42
South Dakota	1,819	122.3%	5.1%	208	32	413	24	205	98.6%	4.4%	9
Wisconsin	13,395	150.3%	5.9%	176	37	397	27	221	125.6%	5.2%	4
<b>South</b>	<b>302,319</b>	<b>96.5%</b>	<b>4.3%</b>	<b>355</b>		<b>556</b>		<b>201</b>	<b>56.6%</b>	<b>2.8%</b>	
Alabama	11,152	63.9%	3.1%	407	7	615	5	208	51.1%	2.6%	28
Arkansas	6,025	72.7%	3.5%	340	14	502	13	162	47.6%	2.5%	31
Delaware	150	3.7%	0.2%	390	8	482	17	92	23.6%	1.3%	44
Florida	49,917	103.3%	4.5%	355	11	535	8	180	50.7%	2.6%	29
Georgia	28,942	114.4%	4.9%	365	10	563	6	198	54.2%	2.7%	25
Kentucky	11,459	110.6%	4.8%	274	23	512	10	238	86.9%	4.0%	12
Louisiana	16,445	78.7%	3.7%	484	2	865	1	381	78.7%	3.7%	16
Maryland	2,803	14.0%	0.8%	381	9	404	26	23	6.0%	0.4%	49
Mississippi	12,722	144.9%	5.8%	327	17	734	2	407	124.5%	5.2%	5
North Carolina	12,562	61.4%	3.0%	290	21	361	31	71	24.5%	1.4%	43
Oklahoma	9,376	63.3%	3.1%	459	3	665	4	206	44.9%	2.3%	32
South Carolina	4,671	25.1%	1.4%	486	1	524	9	38	7.8%	0.5%	47
Tennessee	14,418	121.7%	5.1%	234	29	424	23	190	81.2%	3.8%	15
Texas	100,517	164.3%	6.3%	344	13	669	3	325	94.5%	4.2%	11
Virginia	16,785	79.2%	3.7%	327	17	490	15	163	49.8%	2.6%	30
West Virginia	4,375	261.4%	8.4%	92	48	333	35	241	262.0%	8.4%	1
<b>West</b>	<b>134,881</b>	<b>77.5%</b>	<b>3.6%</b>	<b>299</b>		<b>438</b>		<b>139</b>	<b>46.5%</b>	<b>2.4%</b>	
Alaska	207	7.2%	0.4%	327	17	447	20	120	36.7%	2.0%	37
Arizona	19,013	115.4%	4.9%	409	6	554	7	145	35.5%	1.9%	38
California	63,360	57.9%	2.9%	339	16	471	18	132	38.9%	2.1%	34
Colorado	13,844	153.9%	6.0%	256	26	465	19	209	81.6%	3.8%	14
Hawaii	1,441	49.2%	2.5%	164	40	338	34	174	106.1%	4.6%	8
Idaho	5,063	224.4%	7.6%	209	31	483	16	274	131.1%	5.4%	3
Montana	1,933	129.0%	5.3%	180	36	356	32	176	97.8%	4.4%	10
Nevada	7,196	119.0%	5.0%	448	4	509	11	61	13.6%	0.8%	46
New Mexico	2,954	90.3%	4.1%	197	34	313	37	116	58.9%	2.9%	24
Oregon	7,335	111.4%	4.8%	174	38	369	29	195	112.1%	4.8%	7
Utah	3,716	137.7%	5.6%	146	46	239	45	93	63.7%	3.1%	21
Washington	7,798	78.3%	3.7%	192	35	273	41	81	42.2%	2.2%	33
Wyoming	1,021	96.0%	4.3%	226	30	394	28	168	74.3%	3.5%	19
<b>Total States</b>	<b>561,091</b>	<b>70.8%</b>	<b>3.4%</b>	<b>305</b>		<b>440</b>		<b>135</b>	<b>44.3%</b>	<b>2.3%</b>	

\* Incarceration rate is calculated as the number of inmates per 100,000 residents.

Source: U.S. Department of Justice, Office of Justice Programs, *Bureau of Justice Statistics Bulletin Annual Prison Reports*.

The 2008 data was obtained from <http://www.ojp.usdoj.gov/bjs/pub/pdf/p07.pdf>, accessed October 7, 2009.

**APPENDIX G**

**CRIME RATES IN COLORADO**

Appendix G

Reported Crime in Colorado - Bureau of Justice Statistics Online Data										
Year	Index offense rate	Violent Crime rate	Murder and nonnegligent manslaughter rate	Forcible rape rate	Robbery rate	Aggravated assault rate	Property crime rate	Burglary rate	Larceny-theft rate	Motor vehicle theft rate
1960	2,172.4	137.3	4.2	13.1	77.7	42.4	2,035.1	569.9	1,251.4	213.8
1961	2,404.0	149.3	4.7	12.9	91.7	40.0	2,254.7	655.9	1,322.3	276.5
1962	2,667.1	156.8	5.0	14.8	85.2	51.8	2,510.3	681.1	1,507.1	322.2
1963	2,660.8	130.3	4.8	14.5	68.3	42.6	2,530.5	670.5	1,553.5	306.5
1964	2,728.7	158.6	4.2	17.1	67.3	70.1	2,570.1	679.9	1,619.0	271.2
1965	2,704.5	152.7	3.5	16.2	54.5	78.6	2,551.8	650.9	1,652.2	248.7
1966	3,009.6	168.9	4.0	17.3	53.8	93.8	2,840.7	711.0	1,831.3	298.3
1967	3,309.1	191.8	4.1	20.9	67.9	98.9	3,117.2	789.4	2,019.5	308.4
1968	3,862.6	263.0	5.4	26.1	96.5	135.0	3,599.6	917.0	2,262.0	420.6
1969	4,498.2	298.8	5.3	28.8	110.7	154.0	4,199.4	1,133.2	2,559.2	507.0
1970	5,318.2	356.7	6.2	36.0	129.1	185.4	4,961.4	1,380.9	2,992.1	588.4
1971	5,517.0	373.6	6.5	38.4	134.9	193.8	5,143.3	1,450.0	3,128.5	564.8
1972	5,593.6	405.4	8.3	38.4	141.4	217.3	5,188.2	1,580.1	3,018.8	589.3
1973	5,495.8	414.0	7.9	38.7	162.9	204.4	5,081.9	1,598.8	2,910.6	572.5
1974	6,165.8	429.8	6.0	36.5	165.7	221.6	5,736.0	1,843.1	3,354.2	538.6
1975	6,675.5	463.1	7.4	41.5	174.1	240.1	6,212.4	2,001.2	3,744.0	467.2
1976	6,782.4	417.0	6.8	33.8	139.7	236.7	6,365.4	1,879.9	4,043.5	442.0
1977	6,827.5	511.9	6.3	42.0	170.7	292.9	6,315.6	1,935.2	3,903.2	477.1
1978	6,832.4	498.0	7.3	49.6	159.2	281.9	6,334.5	1,869.6	3,977.0	487.9
1979	7,051.1	522.1	5.8	53.1	157.0	306.1	6,529.0	1,794.4	4,253.2	481.4
1980	7,333.5	528.6	6.9	52.5	160.1	309.2	6,804.9	2,030.8	4,325.8	448.3
1981	7,353.2	531.7	8.1	45.6	159.5	318.5	6,821.4	2,031.6	4,375.9	413.9
1982	7,079.9	504.2	6.0	44.5	150.6	303.1	6,575.7	1,749.1	4,429.3	397.3
1983	6,627.1	476.4	6.4	41.9	126.4	301.7	6,150.7	1,532.4	4,245.7	372.7
1984	6,471.1	457.8	5.8	39.0	114.0	299.0	6,013.3	1,561.3	4,054.7	397.3
1985	6,919.1	471.0	5.8	40.9	124.2	300.1	6,448.0	1,748.1	4,267.0	432.9
1986	7,031.9	523.6	7.0	42.3	144.8	329.4	6,508.3	1,791.6	4,230.8	486.0
1987	6,451.3	467.5	5.8	40.8	118.8	302.1	5,983.8	1,534.6	4,012.9	436.3
1988	6,178.3	472.6	5.7	38.6	98.8	329.5	5,705.7	1,383.1	3,900.6	422.0
1989	6,039.4	471.4	4.4	36.2	90.0	340.8	5,568.0	1,250.4	3,864.8	452.9
1990	6,053.7	526.0	4.2	46.2	90.6	385.0	5,527.8	1,208.8	3,890.6	428.4
1991	6,074.1	559.3	5.9	47.0	107.4	398.9	5,514.8	1,158.3	3,930.0	426.4
1992	5,958.8	578.8	6.2	47.3	120.5	404.9	5,379.9	1,090.9	3,780.1	509.0
1993	5,526.8	567.3	5.8	45.8	116.7	399.0	4,959.5	1,009.8	3,499.4	450.3
1994	5,318.4	509.6	5.4	43.2	106.9	354.0	4,808.8	925.7	3,490.2	392.9
1995	5,396.3	440.2	5.8	39.5	96.2	298.7	4,956.1	934.1	3,634.5	387.5
1996	5,118.5	404.5	4.7	46.2	98.2	255.4	4,714.0	900.8	3,415.5	397.8
1997	4,650.4	363.2	4.0	43.1	83.3	232.8	4,287.2	796.1	3,077.3	413.7
1998	4,487.5	377.9	4.6	47.4	81.5	244.4	4,109.5	786.5	2,917.9	405.1
1999	4,063.4	340.5	4.6	41.4	75.3	219.2	3,722.9	665.2	2,693.0	364.8
2000	3,982.6	334.0	3.1	41.2	70.5	219.1	3,648.6	630.8	2,623.5	394.3
2001	4,218.9	350.7	3.6	43.7	80.5	222.9	3,868.2	645.9	2,747.1	475.2
2002	4,353.2	352.9	4.0	45.9	79.5	223.5	4,000.3	703.8	2,781.4	515.1
2003	4,298.1	346.5	4.1	42.1	82.2	218.2	3,951.6	712.3	2,737.6	501.7
2004	4,292.8	373.5	4.4	42.5	81.5	245.1	3,919.3	717.3	2,679.0	522.9
2005	4,436.0	396.5	3.7	43.4	84.6	264.7	4,039.5	744.8	2,735.2	559.5
2006	3,842.9	391.6	3.3	43.7	80.7	264.0	3,451.3	682.1	2,331.8	437.5
2007	3,353.9	347.8	3.1	41.1	71.0	232.5	3,006.1	591.4	2,069.3	345.4
2008	3,192.1	343.1	3.2	42.5	68.1	229.3	2,849.0	572.0	2,003.3	273.7

Notes: When data are unavailable, the cells are blank or the year is not presented.

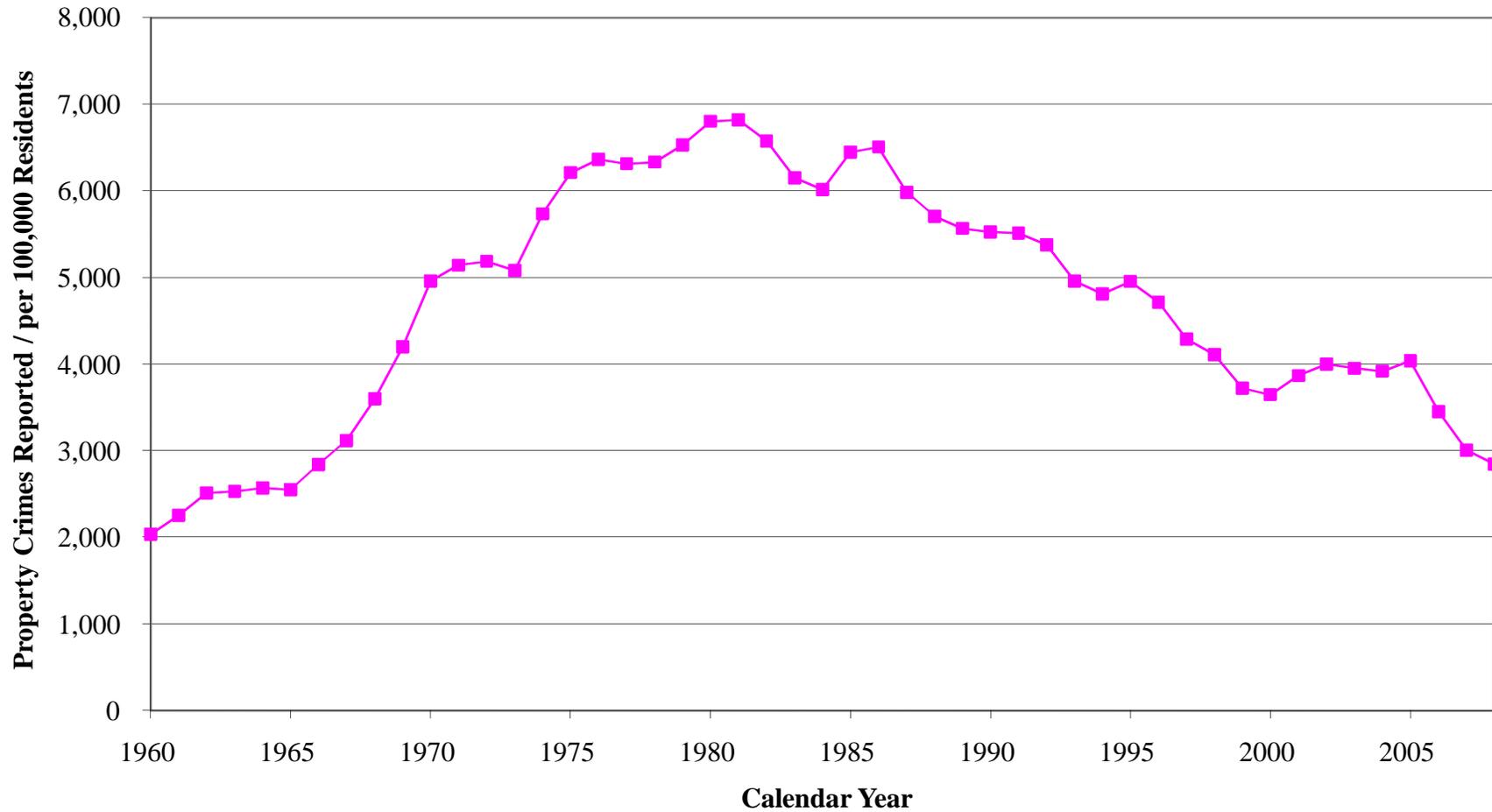
State offense totals are based on data from all reporting agencies and estimates for unreported areas.

Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data

Date of download: October 7, 2009 (<http://www.ojp.usdoj.gov/bjs>)

## Appendix G

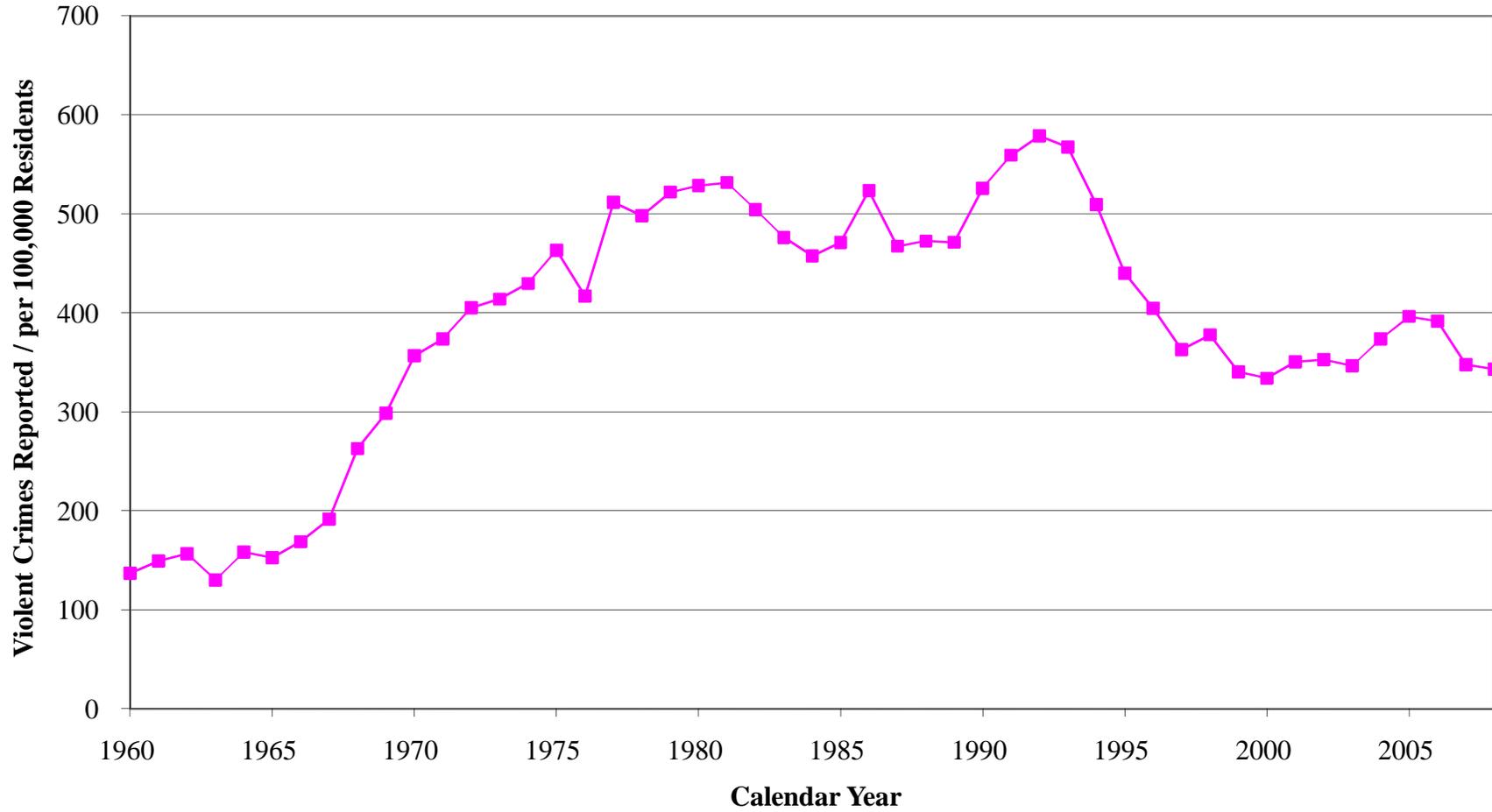
### Colorado Property Crime Rates



Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data. Date of download: October 7, 2009 (<http://www.ojp.usdoj.gov/bjs>)

## Appendix G

### Colorado Violent Crime Rates



Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data. Date of download: October 7, 2009 (<http://www.ojp.usdoj.gov/bjs>)

**APPENDIX H**

**COLORADO INMATE POPULATION BY CRIME TYPE**

Appendix H

Inmate Population Most Serious Offenses  
as of June 30 each Year

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Change 95 to 08	
<b>VIOLENT:</b>																
1st Degree Murder	412	446	469	678	712	748	788	817	859	894	n/a	971	1,015	1,100	688	167.0%
2nd Degree Murder	314	357	391	506	527	567	592	629	653	678	n/a	750	770	822	508	161.8%
Manslaughter	99	111	119	118	113	108	101	100	98	87	n/a	87	84	82	(17)	-17.2%
Homicide	81	86	92	103	111	119	125	137	163	168	n/a	196	203	227	146	180.2%
Negligent Homicide	11	15	15	12	18	22	25	18	12	10	n/a	13	15	n/a	(11)	n/a
Aggravated Robbery	484	530	522	607	632	671	702	740	775	829	n/a	891	924	983	499	103.1%
Simple Robbery	270	297	292	321	346	372	393	411	411	468	n/a	483	443	549	279	103.3%
Kidnaping	206	235	245	270	258	287	301	330	334	353	n/a	373	473	500	294	142.7%
Assault	709	812	869	1,079	1,120	1,224	1,254	1,331	1,411	1,495	n/a	1,604	1,685	2,078	1,369	193.1%
Menacing	224	259	314	340	384	414	493	565	616	618	n/a	658	720	697	473	211.2%
Sexual Assault	425	451	481	629	739	796	794	762	736	671	n/a	624	432	839	414	97.4%
Sexual Assault/ Exploit of Child	699	773	851	968	946	1,010	1,031	933	886	816	n/a	704	860	1,646	947	135.5%
Incest	76	72	68	72	72	77	78	70	56	55	n/a	49	44	n/a	n/a	n/a
Veicular Assault	48	55	51	63	89	87	105	122	123	139	n/a	133	151	n/a	(48)	n/a
Att/Consp/Acc to Violent Crimes	521	590	629	n/a	n/a	n/a	n/a	n/a	n/a	n/a						
Arson	26	39	40	48	60	64	60	63	61	58	n/a	69	57	71	45	173.1%
Weapons/Explosives	45	50	65	68	53	65	75	74	77	87	n/a	143	142	170	125	277.8%
Child Abuse	90	110	119	179	205	236	287	316	368	406	n/a	496	313	666	576	640.0%
Sex Offender Act	29	39	40	36	45	70	180	315	494	658	n/a	910	1,053	n/a	(29)	n/a
<b>SUBTOTAL</b>	<b>4,769</b>	<b>5,327</b>	<b>5,672</b>	<b>6,097</b>	<b>6,430</b>	<b>6,937</b>	<b>7,384</b>	<b>7,733</b>	<b>8,133</b>	<b>8,490</b>	<b>n/a</b>	<b>9,154</b>	<b>9,384</b>	<b>10,430</b>	<b>5,661</b>	<b>118.7%</b>
<b>NON-VIOLENT:</b>																
Drug Offenses	1,114	1,463	1,812	2,441	2,800	3,130	3,291	3,691	3,771	3,932	n/a	4,165	4,196	4,502	3,388	304.1%
Att/Consp/Acc to Non-violent Crimes	533	589	628	n/a	n/a	n/a	n/a	n/a	n/a	n/a						
Theft	627	701	816	1,087	1,058	1,169	1,191	1,322	1,392	1,459	n/a	1,754	1,771	2,144	1,517	241.9%
Escape/Contraband	765	875	990	975	1,015	1,183	1,234	1,309	1,295	1,334	n/a	2,021	2,559	1,073	n/a	n/a
Burglary	956	1,041	1,046	1,234	1,256	1,346	1,378	1,398	1,436	1,436	n/a	1,519	1,542	1,818	862	90.2%
Traffic	92	154	166	214	265	228	185	180	191	191	n/a	172	170	206	114	123.9%
Trespassing	216	263	272	367	396	400	416	452	500	460	n/a	524	509	719	503	232.9%
Forgery	135	172	181	212	223	233	223	266	257	250	n/a	383	354	380	245	181.5%
M. V. Theft	153	181	191	268	308	313	334	376	455	473	n/a	565	572	725	572	373.9%
Fraud/Embezzlement	80	82	81	88	71	83	83	102	98	93	n/a	94	115	63	(17)	-21.3%
Family Crimes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Habitual	313	334	373	400	425	460	483	554	562	596	n/a	574	583	n/a	n/a	n/a
Miscellaneous	47	78	89	308	338	364	452	484	551	633	n/a	832	537	698	651	1385.1%
<b>SUBTOTAL</b>	<b>5,031</b>	<b>5,933</b>	<b>6,645</b>	<b>7,594</b>	<b>8,155</b>	<b>8,909</b>	<b>9,270</b>	<b>10,134</b>	<b>10,508</b>	<b>10,857</b>	<b>n/a</b>	<b>12,603</b>	<b>12,908</b>	<b>12,328</b>	<b>7,297</b>	<b>145.0%</b>
<b>TOTAL</b>	<b>9,800</b>	<b>11,260</b>	<b>12,317</b>	<b>13,691</b>	<b>14,585</b>	<b>15,846</b>	<b>16,654</b>	<b>17,867</b>	<b>18,641</b>	<b>19,347</b>	<b>n/a</b>	<b>21,757</b>	<b>22,292</b>	<b>22,758</b>	<b>12,958</b>	<b>132.2%</b>

Appendix H

Inmate Population Most Serious Offenses  
Percent Increase Over Prior Year

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>VIOLENT:</b>														
1st Degree Murder	n/a	8.3%	5.2%	44.6%	5.0%	5.1%	5.3%	3.7%	5.1%	4.1%	n/a	n/a	4.5%	8.4%
2nd Degree Murder	n/a	13.7%	9.5%	29.4%	4.2%	7.6%	4.4%	6.3%	3.8%	3.8%	n/a	n/a	2.7%	6.8%
Manslaughter	n/a	12.1%	7.2%	-0.8%	-4.2%	-4.4%	-6.5%	-1.0%	-2.0%	-11.2%	n/a	n/a	-3.4%	-2.4%
Vehicular Homicide	n/a	6.2%	7.0%	12.0%	7.8%	7.2%	5.0%	9.6%	19.0%	3.1%	n/a	n/a	3.6%	11.8%
Negligent Homicide	n/a	36.4%	0.0%	-20.0%	50.0%	22.2%	13.6%	-28.0%	-33.3%	-16.7%	n/a	n/a	15.4%	n/a
Aggravated Robbery	n/a	9.5%	-1.5%	16.3%	4.1%	6.2%	4.6%	5.4%	4.7%	7.0%	n/a	n/a	3.7%	6.4%
Simple Robbery	n/a	10.0%	-1.7%	9.9%	7.8%	7.5%	5.6%	4.6%	0.0%	13.9%	n/a	n/a	-8.3%	23.9%
Kidnaping	n/a	14.1%	4.3%	10.2%	-4.4%	11.2%	4.9%	9.6%	1.2%	5.7%	n/a	n/a	26.8%	5.7%
Assault	n/a	14.5%	7.0%	24.2%	3.8%	9.3%	2.5%	6.1%	6.0%	6.0%	n/a	n/a	5.0%	23.3%
Menacing	n/a	15.6%	21.2%	8.3%	12.9%	7.8%	19.1%	14.6%	9.0%	0.3%	n/a	n/a	9.4%	-3.2%
Sexual Assault	n/a	6.1%	6.7%	30.8%	17.5%	7.7%	-0.3%	-4.0%	-3.4%	-8.8%	n/a	n/a	-30.8%	94.2%
Sexual Assault/ Exploit of Child	n/a	10.6%	10.1%	13.7%	-2.3%	6.8%	2.1%	-9.5%	-5.0%	-7.9%	n/a	n/a	22.2%	91.4%
Incest	n/a	n/a	n/a	5.9%	0.0%	6.9%	1.3%	-10.3%	-20.0%	-1.8%	n/a	n/a	-10.2%	n/a
Vehicular Assault	n/a	14.6%	-7.3%	23.5%	41.3%	-2.2%	20.7%	16.2%	0.8%	13.0%	n/a	n/a	13.5%	n/a
Att/Consp/Acc to Violent Crimes	n/a	13.2%	6.6%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson	n/a	50.0%	2.6%	20.0%	25.0%	6.7%	-6.3%	5.0%	-3.2%	-4.9%	n/a	n/a	-17.4%	24.6%
Weapons/Explosives	n/a	11.1%	30.0%	4.6%	-22.1%	22.6%	15.4%	-1.3%	4.1%	13.0%	n/a	n/a	-0.7%	19.7%
Child Abuse	n/a	22.2%	8.2%	50.4%	14.5%	15.1%	21.6%	10.1%	16.5%	10.3%	n/a	n/a	-36.9%	112.8%
Sex Offender Act	n/a	34.5%	2.6%	-10.0%	25.0%	55.6%	157.1%	75.0%	56.8%	33.2%	n/a	n/a	15.7%	n/a
<b>SUBTOTAL</b>	<b>n/a</b>	<b>11.7%</b>	<b>6.5%</b>	<b>7.5%</b>	<b>5.5%</b>	<b>7.9%</b>	<b>6.4%</b>	<b>4.7%</b>	<b>5.2%</b>	<b>4.4%</b>	<b>n/a</b>	<b>n/a</b>	<b>2.5%</b>	<b>13.9%</b>
<b>NON-VIOLENT:</b>														
Drug Offenses	n/a	31.3%	23.9%	34.7%	14.7%	11.8%	5.1%	12.2%	2.2%	4.3%	n/a	n/a	0.7%	7.3%
Att/Consp/Acc to Non-violent Crimes	n/a	10.5%	6.6%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Theft	n/a	11.8%	16.4%	33.2%	-2.7%	10.5%	1.9%	11.0%	5.3%	4.8%	n/a	n/a	1.0%	21.1%
Escape/Contraband	n/a	14.4%	13.1%	-1.5%	4.1%	16.6%	4.3%	6.1%	-1.1%	3.0%	n/a	n/a	26.6%	-58.1%
Burglary	n/a	8.9%	0.5%	18.0%	1.8%	7.2%	2.4%	1.5%	2.7%	0.0%	n/a	n/a	1.5%	17.9%
Traffic	n/a	67.4%	7.8%	28.9%	23.8%	-14.0%	-18.9%	-2.7%	6.1%	0.0%	n/a	n/a	-1.2%	21.2%
Trespassing	n/a	21.8%	3.4%	34.9%	7.9%	1.0%	4.0%	8.7%	10.6%	-8.0%	n/a	n/a	-2.9%	41.3%
Forgery	n/a	27.4%	5.2%	17.1%	5.2%	4.5%	-4.3%	19.3%	-3.4%	-2.7%	n/a	n/a	-7.6%	7.3%
M. V. Theft	n/a	18.3%	5.5%	40.3%	14.9%	1.6%	6.7%	12.6%	21.0%	4.0%	n/a	n/a	1.2%	26.7%
Fraud/Embezzlement	n/a	2.5%	-1.2%	8.6%	-19.3%	16.9%	0.0%	22.9%	-3.9%	-5.1%	n/a	n/a	22.3%	-45.2%
Family Crimes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Habitual	n/a	6.7%	11.7%	7.2%	6.3%	8.2%	5.0%	14.7%	1.4%	6.0%	n/a	n/a	1.6%	n/a
Miscellaneous	n/a	66.0%	14.1%	246.1%	9.7%	7.7%	24.2%	7.1%	13.8%	14.9%	n/a	n/a	-35.5%	30.0%
<b>SUBTOTAL</b>	<b>n/a</b>	<b>17.9%</b>	<b>12.0%</b>	<b>14.3%</b>	<b>7.4%</b>	<b>9.2%</b>	<b>4.1%</b>	<b>9.3%</b>	<b>3.7%</b>	<b>3.3%</b>	<b>n/a</b>	<b>n/a</b>	<b>2.4%</b>	<b>-2.2%</b>
<b>TOTAL</b>	<b>n/a</b>	<b>14.9%</b>	<b>9.4%</b>	<b>11.2%</b>	<b>6.5%</b>	<b>8.6%</b>	<b>5.1%</b>	<b>7.3%</b>	<b>4.3%</b>	<b>3.8%</b>	<b>n/a</b>	<b>n/a</b>	<b>2.5%</b>	<b>4.6%</b>

Appendix H

Inmate Population Most Serious Offenses  
Percent of Total Population

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>VIOLENT:</b>														
1st Degree Murder	4.2%	4.0%	3.8%	5.0%	4.9%	4.7%	4.7%	4.6%	4.6%	4.6%	n/a	4.5%	4.6%	4.8%
2nd Degree Murder	3.2%	3.2%	3.2%	3.7%	3.6%	3.6%	3.6%	3.5%	3.5%	3.5%	n/a	3.4%	3.5%	3.6%
Manslaughter	1.0%	1.0%	1.0%	0.9%	0.8%	0.7%	0.6%	0.6%	0.5%	0.4%	n/a	0.4%	0.4%	0.4%
Vehicular Homicide	0.8%	0.8%	0.7%	0.8%	0.8%	0.8%	0.8%	0.8%	0.9%	0.9%	n/a	0.9%	0.9%	1.0%
Negligent Homicide	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.2%	0.1%	0.1%	0.1%	n/a	0.1%	0.1%	n/a
Aggravated Robbery	4.9%	4.7%	4.2%	4.4%	4.3%	4.2%	4.2%	4.1%	4.2%	4.3%	n/a	4.1%	4.1%	4.3%
Simple Robbery	2.8%	2.6%	2.4%	2.3%	2.4%	2.3%	2.4%	2.3%	2.2%	2.4%	n/a	2.2%	2.0%	2.4%
Kidnaping	2.1%	2.1%	2.0%	2.0%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%	n/a	1.7%	2.1%	2.2%
Assault	7.2%	7.2%	7.1%	7.9%	7.7%	7.7%	7.5%	7.4%	7.6%	7.7%	n/a	7.4%	7.6%	9.1%
Menacing	2.3%	2.3%	2.5%	2.5%	2.6%	2.6%	3.0%	3.2%	3.3%	3.2%	n/a	3.0%	3.2%	3.1%
Sexual Assault	4.3%	4.0%	3.9%	4.6%	5.1%	5.0%	4.8%	4.3%	3.9%	3.5%	n/a	2.9%	1.9%	3.7%
Sexual Assault/ Exploit of Child	7.1%	6.9%	6.9%	7.1%	6.5%	6.4%	6.2%	5.2%	4.8%	4.2%	n/a	3.2%	3.9%	7.2%
Incest	n/a	n/a	0.6%	0.5%	0.5%	0.5%	0.5%	0.4%	0.3%	0.3%	n/a	0.2%	0.2%	n/a
Vehicular Assault	0.5%	0.5%	0.4%	0.5%	0.6%	0.5%	0.6%	0.7%	0.7%	0.7%	n/a	0.6%	0.7%	n/a
Att/Consp/Acc to Violent Crimes	5.3%	5.2%	5.1%	n/a	n/a	n/a	n/a	n/a						
Arson	0.3%	0.3%	0.3%	0.4%	0.4%	0.4%	0.4%	0.4%	0.3%	0.3%	n/a	0.3%	0.3%	0.3%
Weapons/Explosives	0.5%	0.4%	0.5%	0.5%	0.4%	0.4%	0.5%	0.4%	0.4%	0.4%	n/a	0.7%	0.6%	0.7%
Child Abuse	0.9%	1.0%	1.0%	1.3%	1.4%	1.5%	1.7%	1.8%	2.0%	2.1%	n/a	2.3%	1.4%	2.9%
Sex Offender Act	0.3%	0.3%	0.3%	0.3%	0.3%	0.4%	1.1%	1.8%	2.7%	3.4%	n/a	4.2%	4.7%	n/a
<b>SUBTOTAL</b>	<b>48.7%</b>	<b>47.3%</b>	<b>46.1%</b>	<b>44.5%</b>	<b>44.1%</b>	<b>43.8%</b>	<b>44.3%</b>	<b>43.3%</b>	<b>43.6%</b>	<b>43.9%</b>	<b>n/a</b>	<b>42.1%</b>	<b>42.1%</b>	<b>45.8%</b>
<b>NON-VIOLENT:</b>														
Drug Offenses	11.4%	13.0%	14.7%	17.8%	19.2%	19.8%	19.8%	20.7%	20.2%	20.3%	n/a	19.1%	18.8%	19.8%
Att/Consp/Acc to Non-violent Crimes	5.4%	5.2%	5.1%	n/a	n/a	n/a	n/a	n/a						
Theft	6.4%	6.2%	6.6%	7.9%	7.3%	7.4%	7.2%	7.4%	7.5%	7.5%	n/a	8.1%	7.9%	9.4%
Escape/Contraband	7.8%	7.8%	8.0%	7.1%	7.0%	7.5%	7.4%	7.3%	6.9%	6.9%	n/a	9.3%	11.5%	4.7%
Burglary	9.8%	9.2%	8.5%	9.0%	8.6%	8.5%	8.3%	7.8%	7.7%	7.4%	n/a	7.0%	6.9%	8.0%
Traffic	0.9%	1.4%	1.3%	1.6%	1.8%	1.4%	1.1%	1.0%	1.0%	1.0%	n/a	0.8%	0.8%	0.9%
Trespassing	2.2%	2.3%	2.2%	2.7%	2.7%	2.5%	2.5%	2.5%	2.7%	2.4%	n/a	2.4%	2.3%	3.2%
Forgery	1.4%	1.5%	1.5%	1.5%	1.5%	1.5%	1.3%	1.5%	1.4%	1.3%	n/a	1.8%	1.6%	1.7%
M. V. Theft	1.6%	1.6%	1.6%	2.0%	2.1%	2.0%	2.0%	2.1%	2.4%	2.4%	n/a	2.6%	2.6%	3.2%
Fraud/Embezzlement	0.8%	0.7%	0.7%	0.6%	0.5%	0.5%	0.5%	0.6%	0.5%	0.5%	n/a	0.4%	0.5%	0.3%
Family Crimes	n/a	n/a	n/a	n/a	n/a									
Habitual	3.2%	3.0%	3.0%	2.9%	2.9%	2.9%	2.9%	3.1%	3.0%	3.1%	n/a	2.6%	2.6%	n/a
Miscellaneous	0.5%	0.7%	0.7%	2.2%	2.3%	2.3%	2.7%	2.7%	3.0%	3.3%	n/a	3.8%	2.4%	3.1%
<b>SUBTOTAL</b>	<b>51.3%</b>	<b>52.7%</b>	<b>53.9%</b>	<b>55.5%</b>	<b>55.9%</b>	<b>56.2%</b>	<b>55.7%</b>	<b>56.7%</b>	<b>56.4%</b>	<b>56.1%</b>	<b>n/a</b>	<b>57.9%</b>	<b>57.9%</b>	<b>54.2%</b>
<b>TOTAL</b>	<b>100.0%</b>	<b>n/a</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>									

**APPENDIX I**

**DEPARTMENT OF CORRECTIONS FACILITY COST**

**Appendix I**

**Department of Correction  
Summary of Average Bed Cost  
1-Nov-2009  
(based on report prepared by the DOC)**

	<b>FY 2001-02</b>	<b>FY 2002-03</b>	<b>FY 2003-04</b>	<b>FY 2004-05</b>	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>
<b>Annual Costs:</b>									
Level I Facilities	21,798	22,531	20,644	21,217	21,747	22,579	24,028	26,225	TBD
Level II Facilities	26,050	24,729	22,867	22,685	22,995	23,397	24,532	26,875	TBD
Level III Facilities	26,685	25,988	24,721	25,203	26,076	27,302	28,463	30,324	TBD
Level IV Facilities	28,233	28,835	27,109	28,707	28,419	28,576	31,394	32,197	TBD
Level V Facilities	32,069	31,912	30,153	30,682	31,930	33,544	35,679	37,913	TBD
All Facilities	28,218	27,824	26,247	26,813	27,587	28,758	30,386	32,339	TBD
<b>Daily Costs:</b>									
Level I	59.72	61.73	56.56	58.13	59.58	61.86	65.83	71.85	TBD
Level II	71.37	67.75	62.65	62.15	63.00	64.10	67.21	73.63	TBD
Level III	73.11	71.20	67.73	69.05	71.44	74.80	77.98	83.08	TBD
Level IV	77.35	79.00	74.27	78.65	77.86	78.29	86.01	88.21	TBD
Level V	87.86	87.43	82.61	84.06	87.48	91.90	97.75	103.87	TBD
All Facilities	77.31	76.23	71.91	73.46	75.58	78.79	83.25	88.60	TBD
<b>Community Services</b>									
Parole	3,478	3,311	3,343	3,154	3,318	3,402	3,562	3,975	TBD
Parole ISP	7,180	6,946	6,873	6,333	6,344	8,318	9,162	9,198	TBD
YOS Aftercare	55,133	58,123	66,985	55,097	63,568	66,456	70,741	67,098	TBD
Community Return-to-Custody (S.B. 03-252)			21,269	18,524	<i>Moved to Ext. Capacity</i>				
Community	3,318	3,442	3,449	3,770	4,077	4,114	4,581	4,628	TBD
Community ISP	11,027	9,946	10,333	9,877	9,910	9,600	10,180	10,716	TBD
<b>External Capacity:</b>									
<b>Private Prisons</b>									
Daily Rate	54.66	52.47	50.37	49.56	50.28	51.91	52.69	52.69	52.69
Annual Cost	19,951	19,152	18,385	18,089	18,402	18,947	19,232	19,232	19,232
<b>Out-of-State Contract</b>									
Daily Rate				51.00	n/a	54.00	54.00	n/a	n/a
Annual Cost				18,615	n/a	19,710	19,710	n/a	n/a
<b>Jail Backlog</b>									
Daily Rate	51.65	51.65	46.49	46.49	47.42	48.96	49.69	50.44	50.44
Annual Cost	18,852	18,852	16,969	16,969	17,356	17,870	18,137	18,411	18,411
Average Daily Cost (including DOC overhead) for all external capacity.					56.44	57.82	59.28	61.19	TBD
Annual Cost (including DOC overhead) for all external capacity programs					20,601	21,104	21,637	22,334	TBD
<b>Construction Cost</b>									
Total Cost	169,845,807 = Sterling Correctional Facility				146,210,966 = CSPII				
Total Beds	2,445				948				
Cost per Bed	69,467				154,231				
							Estimated =	125,165	

\* Effective FY 2003-04, the Department began tracking the per inmate per day cost data for private prisons by allocating their estimated share of the DOC overhead costs. This method will allow for better comparative data with state prison costs.

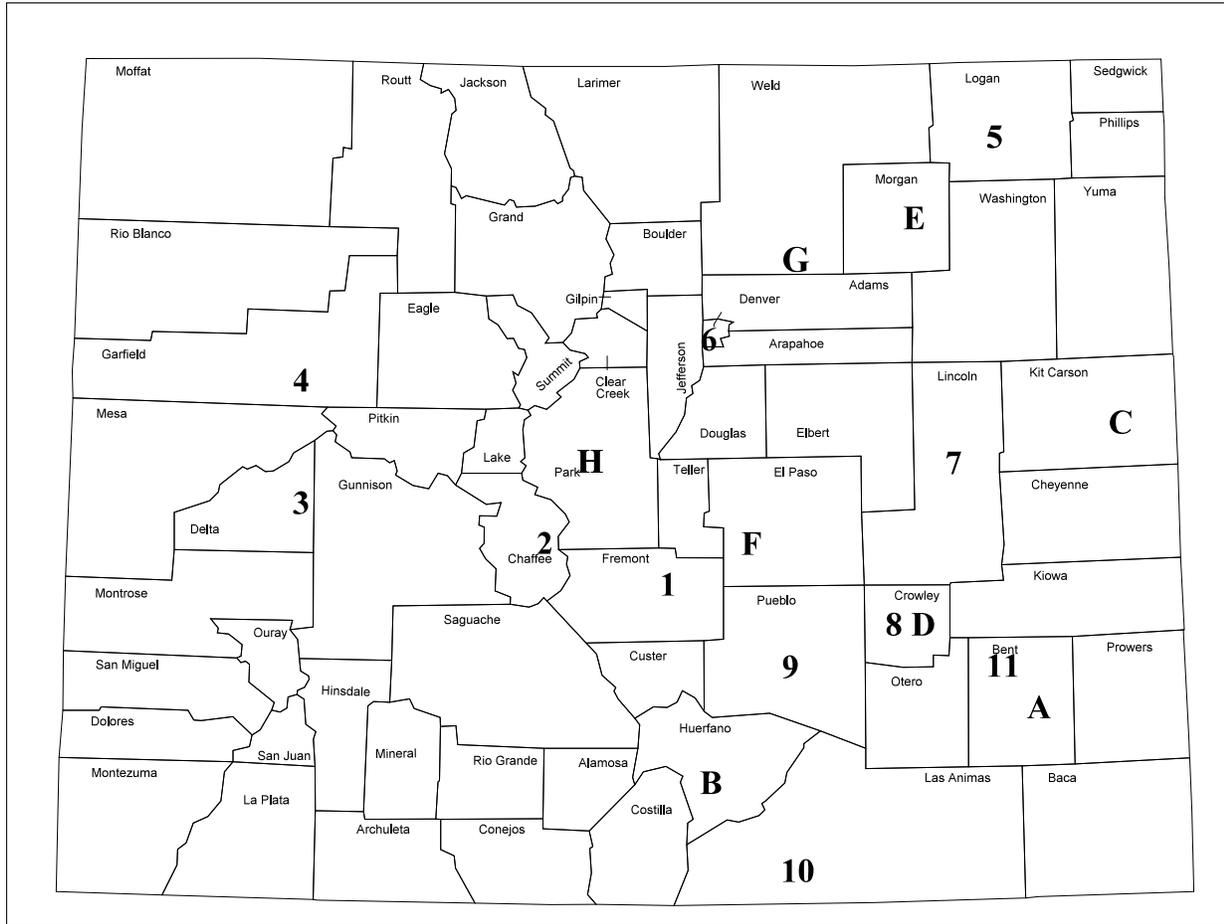
\* Pursuant to the provisions of H.B. 04-1419, effective FY 2004-05, the private prisons do not have to reimburse the state for private prison monitoring costs. In FY 2003-04, this amount was \$0.81 per inmate per day. As such the total net reimbursement from the state to providers from FY 2003-04 to FY 2004-05 did not change. Comparisons with prior years must consider this policy change.

**APPENDIX J**

**MAP OF CORRECTIONAL FACILITIES IN COLORADO**

## APPENDIX J

### Map of Colorado Correctional Facilities



**Colorado State Facilities:**

- I. Cañon City Area Facilities
  - a. Colorado Territorial Correctional Facility
  - b. Arrowhead Correctional Facility
  - c. Centennial Correctional Facility
  - d. Colorado State Penitentiary
  - e. Four Mile Correctional Center
  - f. Fremont Correctional Facility
  - g. Skyline Correctional Center
2. Buena Vista Correctional Facility
3. Delta Correctional Center
4. Rifle Correctional Center
5. Sterling Correctional Facility
6. Denver Area Facilities
  - a. Colorado Correctional Center
  - b. Denver Reception and Diagnostic Center
  - c. Denver Women's Correctional Facility
7. Limon Correctional Facility
8. Arkansas Valley Correctional Facility
9. Pueblo Area Facilities
  - a. La Vista Correctional Facility
  - b. San Carlos Correctional System
  - c. Youthful Offender System
10. Trinidad Correctional Facility
11. Fort Lyon Correctional Facility

**Colorado Contract Facilities:**

- A. Bent County Correctional Facility (Corrections Corporation of America)
- B. Huerfano Correctional Facility (Corrections Corporation of America)
- C. Kit Carson Correctional Facility (Corrections Corporation of America)
- D. Crowley County Correctional Facility (Corrections Corporation of America)
- E. High Plains Correctional Facility (Cornell Corrections)
- F. Cheyenne Mountain Re-entry Center (Community Education Centers)
- G. Hudson Correctional Facility (Cornell Corrections)

**County Jails:**

- H. Park County Jail