

COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE



FY 2008-09 STAFF BUDGET BRIEFING
DEPARTMENT OF CORRECTIONS

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

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**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS**

TABLE OF CONTENTS

Graphic Overview 1

Department Overview 2

Decision Item Priority List 13

Base Reduction Priority List 20

Overview of Numbers Pages 21

Long Bill Format 23

Numbers Pages 24

Long Bill Footnote Update 63

Briefing Issues:

 Issue #1 Comparison of December 2007 Population Projections 70

 Issue #2 Estimated Prison Bed Shortage 76

 Issue #3 Five-year Capital Construction Funds Request 79

 Issue #4 Shortage of High-Custody Beds 83

 Issue #5 Percentage of Private Prison Beds 87

 Issue #6 External Capacity Footnote Flexibility 90

 Issue #7 Options for Reducing the Department of Corrections' Caseload 95

Appendices:

Appendix A Graphical Overview of 2006 December Population Projections

Appendix B Historical Summary of Capital Construction Requests for Prison Beds

Appendix C National Comparison of Incarceration Rates

Appendix D Historical Crime Rates in Colorado

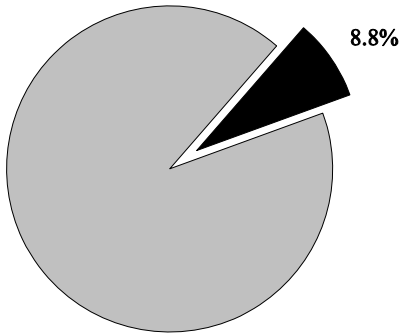
Appendix E Historical Profile of Colorado Inmate Population (by offense type)

Appendix F Historical Facility Bed Costs (by custody level)

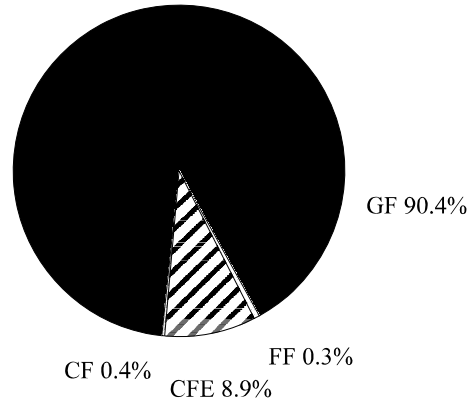
Appendix G Map of Correctional Facilities

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
GRAPHIC OVERVIEW**

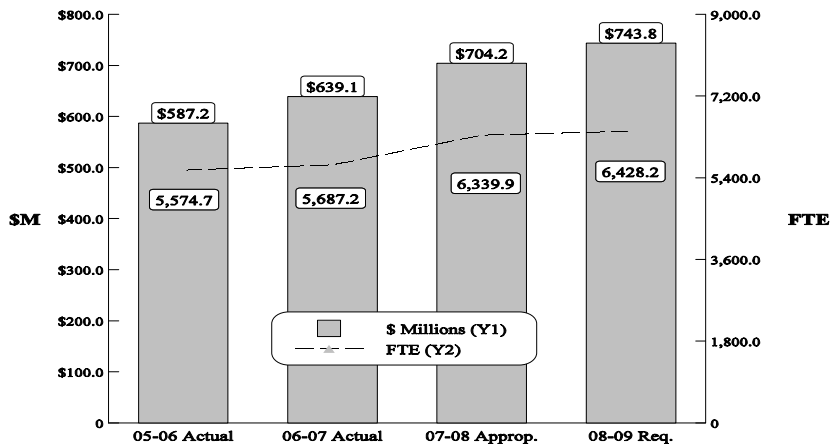
**Share of State General Fund
FY 2007-08**



**Funding Source Split
FY 2007-08**



Budget History



**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
OVERVIEW**

Key Responsibilities

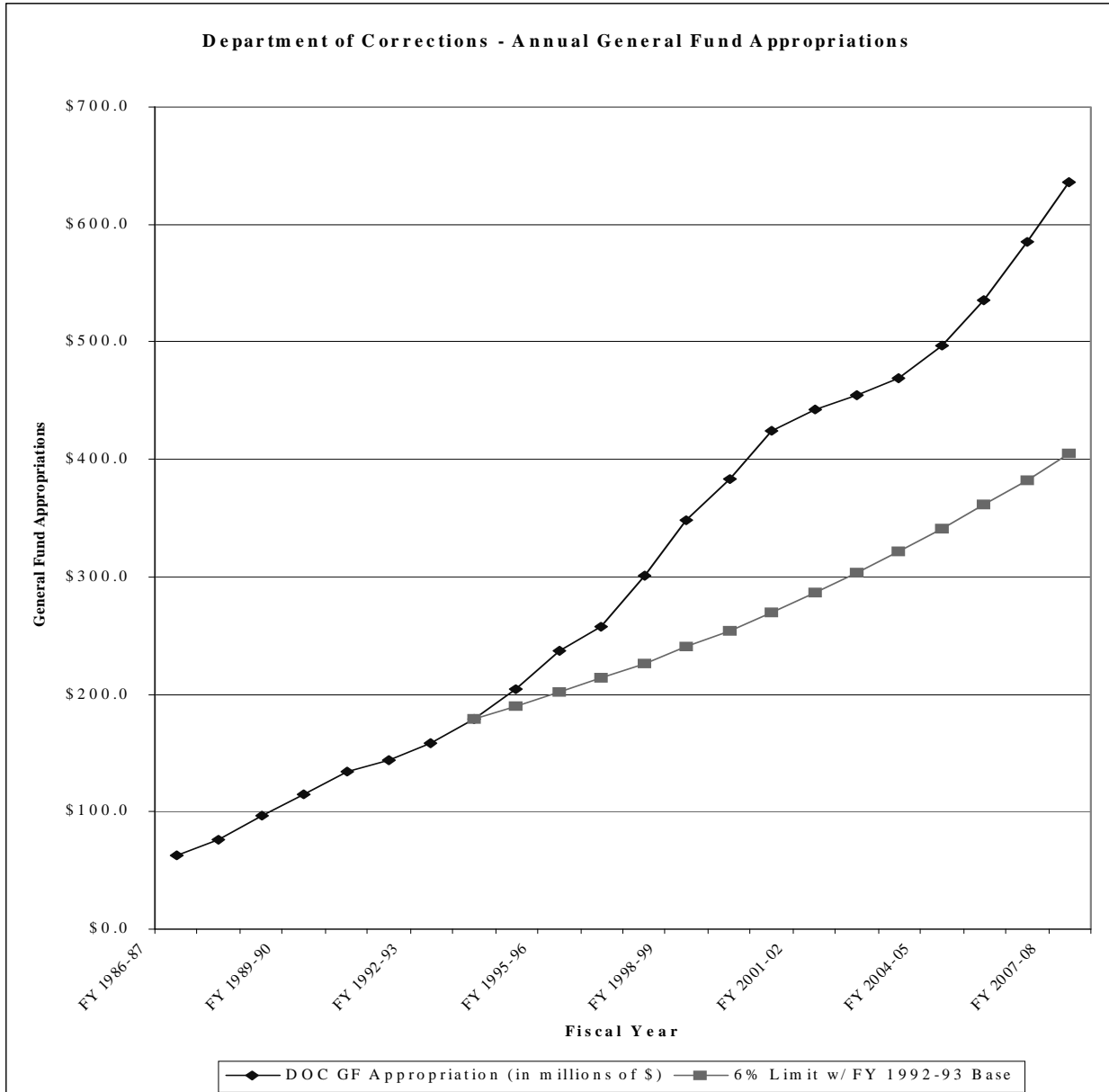
- ▶ Manage, supervise, and control the correctional facilities operated and supported by the State.
- ▶ Oversee privately operated prison facilities to monitor contract compliance with the Department.
- ▶ Provide programs to the inmate population in an effort to provide them with treatment and services 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

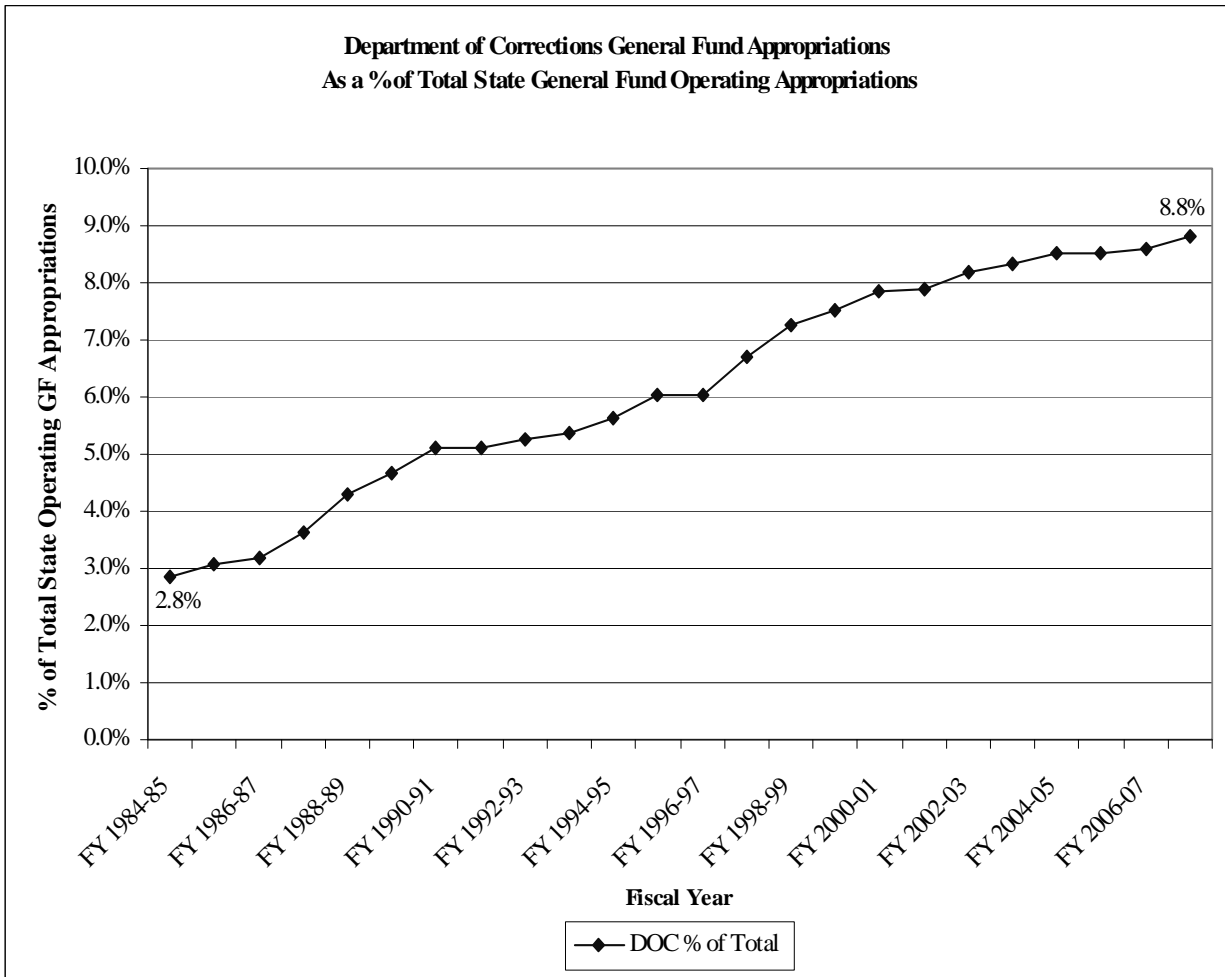
Significant Growth in Appropriations to the Department of Corrections

Background. The Department of Corrections (DOC) has grown significantly in the past 20 years. From FY 1987-88 through FY 2007-08, the General Fund appropriation to the Department grew from \$76.4 million to \$636.5 million, an increase of \$560.1 million. This growth rate represents a compound annual growth rate of 11.2 percent over the 20-year period. During the 15 years since the 6.0 percent limit on General Fund appropriations was established, General Fund appropriations to the Department have grown at a compound annual rate of 9.8 percent.

Historical Growth. The following graph depicts the annual General Fund appropriations to the Department of Corrections for the past 20 years. From FY 1992-93, the graph also contains a hypothetical line that demonstrates the growth that would have occurred had General Fund appropriations to the Department of Corrections been limited to an annual growth rate of 6.0 percent. The FY 2007-08 General Fund appropriation is 56.9 percent higher (\$230.9 million) than it would have been had appropriations to the Department of Corrections been limited to 6.0 percent annual compound growth during this time period. This difference is illustrated by the difference between the two lines on the graph.

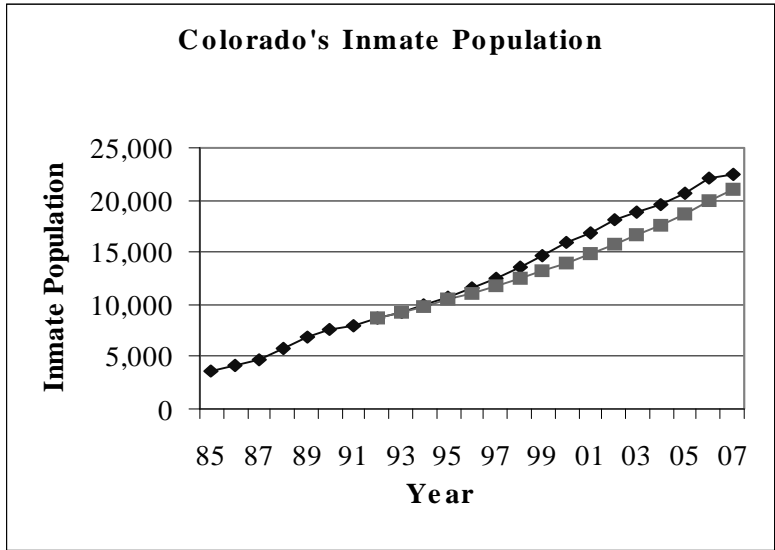


Department of Corrections Becoming Larger Share of State Operating Budget. The Department of Corrections comprises a larger share of the state budget than in prior years. This has occurred because of the significant growth in General Fund appropriations to the Department of Corrections relative to limitations 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 2007-08, DOC General Fund appropriations have increased to 8.8 percent of the state operating budget (see the following graph).



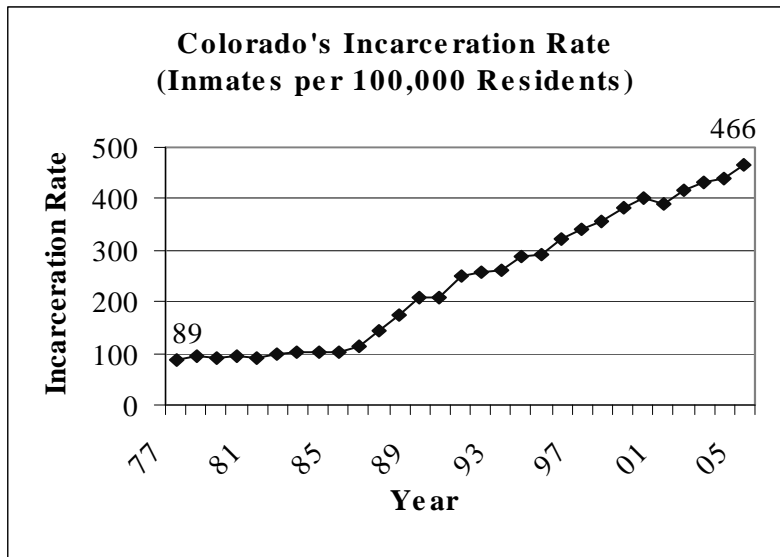
Inmate Population – Primary Factor Driving DOC's Budget

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 growth has exceeded the 6.0 percent limit.



Source: Colorado Department of Corrections, Monthly Population Reports.

This increase cannot be explained entirely by the growth in the Colorado population. Over the past 20 years, the incarceration rate has increased steadily. As such, a higher percent of Colorado's residents are incarcerated than in prior years.

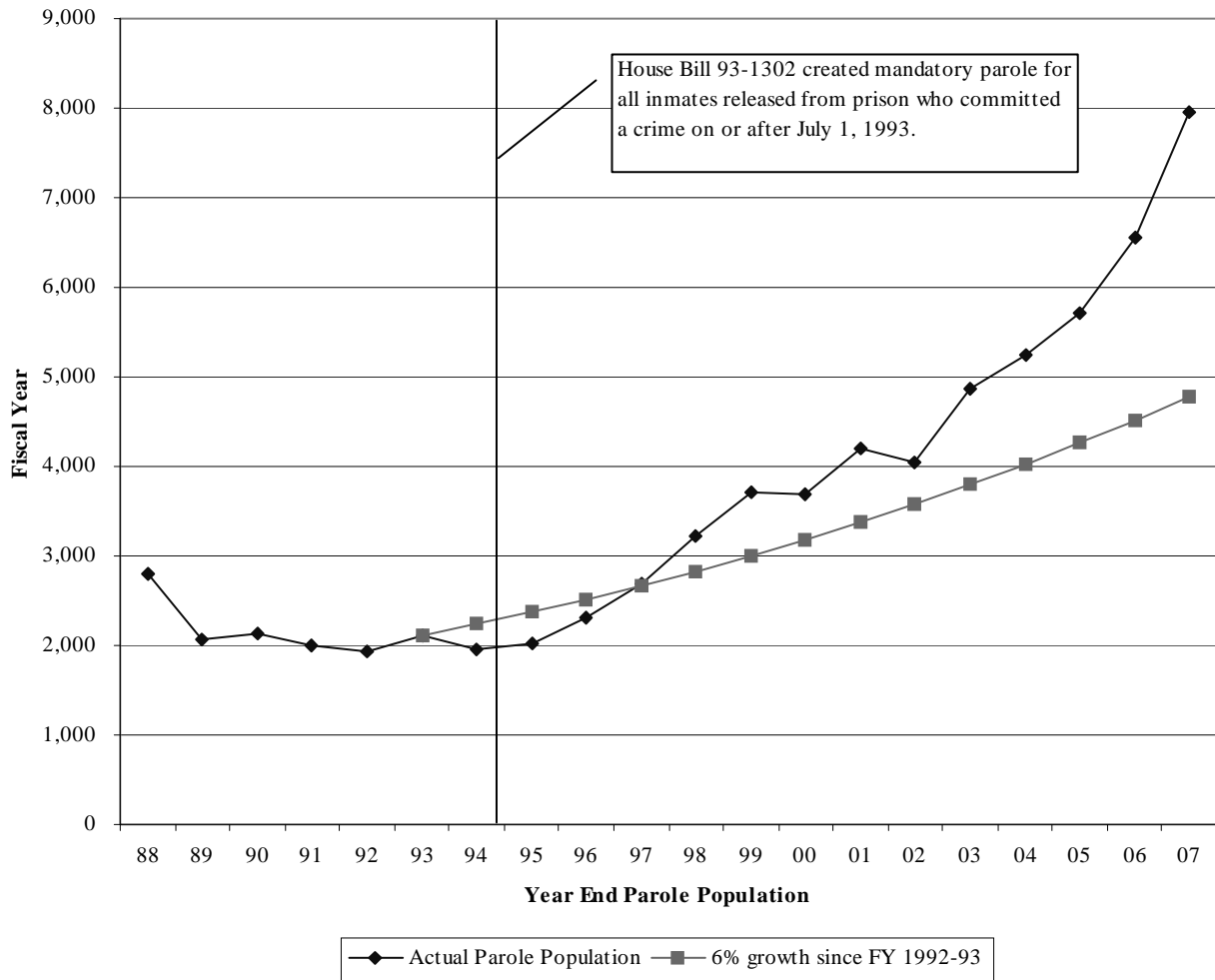


Source: Bureau of Justice Statistics (<http://www.ojp.usdoj.gov/bjs/pubalp2.htm#Prisoners>).

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 9.9 percent.

Parole Population



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 five-year period from June 2007 through June 2012, Legislative Council Staff anticipates the total inmate population to increase by 5,725 inmates (a 25.4 percent increase). Currently, Colorado's prisons cannot accommodate the projected prison growth. All of the state beds will be full by the end of FY 2007-08. In its five-year capital construction plan, the Department requests \$821.1 million for prison expansion projects in order to add 5,766 state prison beds through FY 2007-13.

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 beds were not funded due to revenue shortfalls. A summary of recently requested capital construction projects is included in Appendix B.

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 956-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. Before the Department could issue the COPs, a lawsuit was filed against the State which prohibited their issuance. The lawsuit was recently 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.

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 seven years.

	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07
Avg. Daily Population	287	316	433	462	723	801	635
Cost of Jail Backlog	\$5,284,233	\$5,951,969	\$8,169,693	\$7,861,908	\$12,265,585	\$13,860,374	\$11,340,364
Daily Reimbursement Rate	\$50.39	\$51.65	\$51.65	\$46.49	\$46.49	\$47.42	\$48.96
Percent Change	N/A	2.5%	0.0%	-10.0%	0.0%	2.0%	3.2%

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, 2007, the DOC had 4,949 inmates in contract facilities. Combined with the number of inmates held in the jail backlog, this represented approximately 22.9 percent of the existing population.¹ In October 2006, DOC received permission to begin sending inmates to a private prison in Oklahoma. The following information highlights the private contracts over the past seven years.

¹ Including community corrections placements, 34.3 percent of the inmate population was in privately operated placements as of June 30, 2007.

	FY 00-01	FY 01-02	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07
Avg. Daily Pop.	1,995	2,271	2,447	2,885	2,804	3,786	4,428
Total Cost	\$38,836,679	\$45,301,729	\$46,854,454	\$53,190,046	\$50,865,321	\$69,679,801	\$84,119,878
Daily Rate	\$53.33	\$54.66	\$52.47	\$50.37	\$49.56	\$50.28	\$51.91
Percent Rate Increase/(Decrease)	N/A	2.5%	-4.0%	-4.0%	-1.6%	1.5%	3.2%

* 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. Finally, in FY 2004-05, the 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.

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 00-01	FY 01-02	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07
Community Corr. Exp.	\$6,879,418	\$7,454,131	\$7,317,576	\$7,454,466	\$8,626,429	\$10,088,431	\$9,690,231
Percent Change	N/A	8.4%	-1.8%	1.9%	15.7%	16.9%	-3.9%
Parole Expenditures	\$8,315,715	\$9,424,032	\$10,044,407	\$10,454,716	\$10,860,777	\$12,820,844	\$14,695,596
Percent Change	N/A	13.3%	6.6%	4.1%	3.9%	18.0%	14.6%

Summary of Major Legislation

- ✓ **Various Sentencing Bills.** During recent legislative sessions, several sentencing bills were enacted which will have an impact on future appropriations for the Department of Corrections. As a result of five-year appropriations in accordance with Section 2-2-703, C.R.S., the following General Fund is statutorily appropriated to the Department of Corrections in FY 2007-08:

Summary of 5-year Appropriations for FY 2007-08				
Statutory Citation	Bill	Sponsors	Short Title	Amount
17-1-146 (1) (b) (II)	H.B. 03-1004	Rhodes/Reeves	Child Abuse Crime for Child in Drug Lab	\$118,516
17-1-147 (1) (c)	H.B. 03-1138	Hefley/Hillman	Crimes Against Women Affecting Unborn Child	107,228
17-1-148 (1) (f)	H.B. 03-1213	R. Johnson/Dyer	No Commercial Purpose in Child Exploitations	56,436
17-1-149 (1) (d) (II)	H.B. 03-1317	Fritz/Dyer	Sale of Controlled Substance Materials	84,654
17-1-150 (1) (b)	H.B. 04-1016	R. Johnson/Dyer	Sex Offender Registry for Obscenity to Minors	27,824
17-1-151 (1) (d)	H.B. 04-1003	McCluskey/S. Johnson	Peace Officer Impersonation	61,200
17-1-152 (1) (c) (II)	H.B. 04-1021	Briggs/McElhany	Alcohol Consumption	42,425
17-1-153 (1) (b) (II)	S.B. 06-207	Groff/Borodkin	Human Trafficking	53,626
17-1-154 (1) (b) (II)	H.B. 06-1151	Hefley/Groff	Felony Child Abuse	26,813
17-1-155 (1) (b) (II)	H.B. 06-1011	McCluskey/Sandoval	Internet Crimes Against Children	160,878
17-1-156 (1) (b)	H.B. 06-1145	Solano/Teck	Methamphetamine Task Force	26,813
17-1-157 (1) (b) (II)	H.B. 06-1326	Crane/Grossman	Identity Theft	187,691
17-1-158 (1) (b) (II)	S.B. 06-206	Groff/Green	Human Smuggling	53,626
17-1-159 (1) (b)	H.B. 06-1092	Schultheis/Jones	Possession of Sexually Explicit Penalty	134,065
17-1-160 (1) (b)	S.B. 06S-004	Shaffer/McFadyen	Immigration Extortion	26,813
17-1-161 (1) (b) (II)	S.B. 06S-005	Williams/Hodge	Involuntary Servitude	53,626
17-1-162 (1) (b)	S.B. 06S-007	Gordon/Buescher	Voting by Persons Not Entitled to Vote	<u>26,813</u>
TOTAL				\$1,249,047

- ✓ **H.B. 07-1358 (T. Carroll/Gordon):** Created the Colorado Criminal and Juvenile Justice Commission in the Department of Public Safety to examine Colorado's sentencing policies and practices, alternatives to incarceration, recidivism reduction strategies, and cost-effective crime prevention efforts. Once fully implemented, the commission will prepare an annual report of its findings on these matters.
- ✓ **S.B. 07-260 (Tapia/White):** Revised the property value thresholds for felony and misdemeanor classification, including vehicle theft, check fraud, and computer crime. Increased the misdemeanor threshold for such crimes from \$500 to \$1,000 and the felony threshold from \$15,000 to \$20,000, which reclassified some felonies downward, and resulted in some felony crimes being reduced to misdemeanors. Expected to save approximately \$1.5 million in prison costs over five years.

- ✓ **H.B. 03-1256 (Spradley/Anderson):** Authorized lease-purchase agreements for a high-custody correctional facility and several buildings at the University of Colorado Health Sciences Center at Fitzsimons. Authorized the executive director of the Department of Corrections to enter into a 15-year, lease-purchase agreement not to exceed \$102.8 million, plus necessary administrative, monitoring, interest, and closing costs.
- ✓ **S.B. 03-252 (Kester/Stengel):** After a revocation of parole, allows the parole board to place a parolee who was on parole for a nonviolent class 5 or class 6 felony, with some exceptions, in a community return to custody facility. Delineates the authority for the department of corrections to operate community return to custody facilities. Limits the time a parolee can serve in the department of corrections to 180 days for a revocation that was not the result of the commission of a new offense.
- ✓ **S.B. 03-318 (Gordon/Hefley):** Decreases the penalty for use and possession of certain controlled substances. Creates the drug offender treatment fund. Creates the interagency task force ("task force") on treatment. Directs the task force to allocate the moneys in the drug offender treatment fund. Requires the task force to report to the judiciary committees of the house and senate regarding the anticipated savings generated by the act on or before January 31, 2005, and on or before January 31, 2007. Requires all portions of the act to return to existing language if the expected savings from the act of \$2.2 million are not applied to the drug offender treatment fund each year beginning in FY 2007-08.
- ✓ **H.B. 98-1156 (Anderson/Wells): Sex Offenders - Lifetime Supervision:** Enacted the "Colorado Sex Offender Lifetime Supervision Act of 1998" which requires life time supervision for any offender sentenced for a sex offense after November 1, 1998. Lifetime supervision includes a sentence of lifetime probation, or a sentence to the Department of Corrections with lifetime parole upon release from prison. Established a sex offender intensive supervision program for probation and parole. Offenders are supervised until it is determined they are no longer a threat to society.
- ✓ **H.B. 95-1352 (Adkins/Wham): Measures to Improve the Systems for Confinement of Offenders:** Provided funds for construction of correctional facilities for both adult prisons and juvenile commitment facilities. Clarified duties of the Department of Corrections in contracting with non-state entities for the provision of additional bed space. Provided for the expansion of the Intensive Supervision Program administered by the Judicial Department to reduce the need for future adult prison beds. Funding was included for expansion and renovation of several existing adult facilities, as well as funding for new construction at the Sterling Correctional Facility.
- ✓ **H.B. 94-1340 (Adkins/Wham): Facilities for Housing of Offenders within the Criminal Justice System:** Provided funds for construction of correctional facilities to meet new bed needs for both adult prisons and juvenile detention centers. Directed the Department of Administration (the Department of Administration merged with the Department of Personnel as a result of H.B. 95-1362) to hire a private firm for contract administration and oversight of

various construction projects. Made the Director of Research of the Legislative Council Staff responsible for the forecasting of adult and juvenile offender populations within the criminal justice system for the General Assembly.

- ✓ **S.B. 93-S9 (Wham/Berry): Juveniles Against Whom Criminal Charges are Filed Directly in District Court:** Required that the DOC create the Youthful Offender System, which provides as a sentencing option a controlled and regimented environment that affirms dignity of self and others, promotes the value of work and self-discipline, and develops useful skills and abilities through enriched programming. Youthful offenders are first sentenced to the Department of Corrections, then that sentence is suspended conditioned on the completion of a sentence to the Youthful Offender System.

- ✓ **H.B. 93-1302 (Tucker/Wells): Restructuring of the Criminal Justice System in the State of Colorado:** Made changes to the criminal justice system by reducing the maximum sentence for offenders convicted of non-violent Class 3, 4, 5, and 6 felonies. Made a period of parole mandatory for all non-Class 1 felonies.

- ✓ **S. B. 91-76 (Bird/Grampas): Enactment of Laws by the General Assembly Regarding the Sentencing of Criminal Offenders:** Required the General Assembly to provide for the expenses of increasing criminal sentences by appropriating the necessary funds for each bill that increases sentences. Also required bills that increase or decrease sentences be referred to the appropriations committee once a fiscal impact is determined from the proposed sentencing change.

- ✓ **H.B. 85-1320 (Mielke/Arnold): Imposition and Administration of Criminal Justice:** Doubled the maximum sentence in the presumptive ranges for Class 2 through 5 felonies. Made parole discretionary.

Major Funding Changes FY 2006-07 to FY 2007-08

Action	General Fund	Other Funds	Total Funds	Total FTE
Salary and Benefits Adjustments	\$22,009,323	\$621,849	\$22,631,172	0.0
External Capacity Caseload Growth	11,466,346	0	11,466,346	1.5
Annualize Double Bunking of Male Inmates	7,554,535	34,477	7,589,012	127.6
Miscellaneous Decision (e.g., Housing & Security Staff, Psychotropic Meds, IT Contracts, and Parole Hearing Officers)	2,686,003	1,086,087	3,772,090	8.2
Annualize Additional Beds at La Vista Correctional Facility	2,964,642	3,287	2,967,929	37.3
Parole Caseload Growth	2,466,471	0	2,466,471	28.1
Medical Services Caseload Growth	2,249,147	0	2,249,147	0.0
Fund Double Bunking of Female Inmates	1,668,143	4,942	1,673,085	17.6
Provider Rate Increase	1,560,289	0	1,560,289	0.0
Medical and Food Inflation	1,229,909	0	1,229,909	0.0
Annualize Supplementals	1,121,837	0	1,121,837	15.1
Community Corrections Caseload Growth	749,972	0	749,972	7.1
Miscellaneous Annualization	353,995	0	353,995	0.0
Leap Year Adjustment	303,992	0	303,992	0.0
Fund Mix and Indirect Cost Adjustments	(14,393)	14,625	232	0.0
Base Reduction to Personal Services	(1,589,854)	(60,437)	(1,650,291)	0.0
Recidivism Reduction and Offender Diversion Package	(2,979,482)	0	(2,979,482)	0.0
Eliminate One-time Appropriations	(3,478,931)	(3,438)	(3,482,369)	(0.7)
Total	50,321,944	1,701,392	52,023,336	241.8

FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Decision Item Priority List

Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF	CFE	FF	Total	FTE
1	Management: External Capacity Subprogram External Capacity Caseload Increase <i>[The Executive Director has the authority to enter into contracts with local jails in Sections 17-1-105 (1) (f) and is authorized to place inmates classified as medium and below in private prisons in Section 17-1-104.9, C.R.S.]</i>	\$8,647,406	\$0	\$0	\$0	\$8,647,406	1.5
2	Community Services: Parole and Parole ISP Subprograms Parole Population Caseload Increase <i>[Authority and duties for the division of adult parole are established in Section 17-2-102, C.R.S.]</i>	4,169,798	0	0	0	4,169,798	44.4
3	Community Services: Parole Subprogram Wraparound Contract Services <i>[Authority and duties for the division of adult parole are established in Section 17-2-102, C.R.S.]</i>	1,800,000	0	0	0	1,800,000	0.0

FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Decision Item Priority List

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4	Institutions: Mental Health Subprogram Mental Health Caseload Increase <i>[The authority for the Executive Director to direct the administration or monitoring of medications is established in Section 17-1-113.1, C.R.S. The Department is authorized to provide mental health services pursuant to Article 23 of Title 17, C.R.S.]</i>	1,753,092	0	0	0	1,753,092	17.4
5	Community Supervision: Community ISP and Community Supervision Subprograms Inmate Population Caseload Increase <i>[General authority for community corrections programs is established in Sections 17-27-101 through 17-27-108, C.R.S. The duties of community corrections officers are established in Section 17-27-105.5, C.R.S.]</i>	252,377	0	0	0	252,377	2.9
6	Various Divisions External Capacity Impacts <i>[General authority for the Executive Director of the Department of Corrections to manage, supervise, and control the correctional institutions operated and supported by the state is established in Section 17-1-103, C.R.S.]</i>	252,695	0	726,356	0	979,051	1.0

FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Decision Item Priority List

Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF	CFE	FF	Total	FTE
7	Inmate Programs: Education Subprogram Academic and Vocational Instructors <i>[Authority for the Department of Corrections to administer the educational programs for inmates in correctional facilities is established in Section 17-32-106, C.R.S.]</i>	644,120	0	0	0	644,120	7.3
8	Inmate Programs: Drug and Alcohol Treatment Subprogram Contract Services <i>[Authority for the Department of Corrections to provide services to inmates and offenders on parole or in community corrections is established in Section 16-11.5-102, C.R.S.]</i>	374,990	0	0	0	374,990	0.0
9	Institutions: Maintenance and Food Service Subprograms Operating Adjustments <i>[General authority for the Executive Director of the Department of Corrections to manage, supervise, and control the correctional institutions operated and supported by the state is established in Section 17-1-103, C.R.S.]</i>	550,000	0	0	0	550,000	0.0

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
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10	Various Divisions Utilities, SAFE, and Personnel and Facility Services FTE <i>[General authority for the Executive Director of the Department of Corrections to manage, supervise, and control the correctional institutions operated and supported by the state is established in Section 17-1-103, C.R.S.]</i>	230,498	0	0	0	230,498	6.3
11	Management: Executive Director's Office Planning and Analysis Statisticians <i>[General authority for the Executive Director of the Department of Corrections to manage, supervise, and control the correctional institutions operated and supported by the state is established in Section 17-1-103, C.R.S.]</i>	126,142	0	0	0	126,142	1.8
12	External Capacity Provider Rate Increase Provider Rate Increase <i>[The Department, subject to available appropriations, is authorized to reimburse county jails in pursuant to Section 17-1-112, C.R.S. The General Assembly establishes the reimbursement rate for private prisons in the Long Bill pursuant to Section 17-1-105.5, C.R.S.]</i>	1,917,792	0	0	0	1,917,792	0.0
Subtotal Prioritized Decision Items		\$20,718,910	\$0	\$726,356	\$0	\$21,445,266	82.6

FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
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Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF	CFE	FF	Total	FTE
Unprioritized Decision Items							
#a	Administrative Law Judge Services Reduce payments for administrative law judge services. <i>[The Department of Personnel has the statutory authority under Sections 24-30-1001 through 1003, C.R.S., to bill state agencies for administrative law judge services.]</i>	(1,010)	0	0	0	(1,010)	0.0
#b	Capitol Complex Leased Space Adjust payments to reflect requested billing rates. <i>[Statutory authority for the Department of Personnel to manage state buildings is established in Section 24-30-1301 through 1307, C.R.S.]</i>	57,103	0	(19,110)	0	37,993	0.0
#c	Communications Services Adjust payments to reflect requested billing rates. <i>[The Department of Personnel has the statutory authority under Section 24-30-908 (1) and (2), C.R.S., to bill state agencies for telecommunications services.]</i>	147,472	0	0	0	147,472	0.0

FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Decision Item Priority List

Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF	CFE	FF	Total	FTE
#d	Data Center Services GGCC payment adjustments <i>[The Department of Personnel has the statutory authority under Section 24-30-1606, C.R.S., to bill state agencies for data center services.]</i>	2,233	0	0	0	2,233	0.0
#e	Payments to Risk Management and Property Fund Adjust payments for risk management <i>[The Department of Personnel has the statutory authority under Section 24-30-1510, C.R.S., to bill state agencies for risk management services.]</i>	1,202,990	0	41,182	0	1,244,172	0.0
#f	Indirect Cost Allocation Adjustment for indirect costs <i>[None.]</i>	(13,832)	13,524	7,779	308	7,779	0.0
#g	Workers' Compensation Adjustment for payments for worker's compensation insurance <i>[The Department of Personnel has the statutory authority under Section 24-30-1510.7, C.R.S., to bill state agencies for workers' compensation services.]</i>	771,528	0	26,412	0	797,940	0.0
#h	Statewide C-SEAP Program Staffing for the C-SEAP program <i>[The Department of Personnel has the statutory authority under Section 24-50-604, C.R.S., to bill state agencies for the statewide C-SEAP program.]</i>	62,669	0	2,145	0	64,814	0.0

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Decision Item Priority List**

Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF	CFE	FF	Total	FTE
#i	Multiuse Network (MNT) Payments Change payments for the State's MNT service <i>[The Department of Personnel has the statutory authority under Section 24-30-908 (1) and (2), C.R.S., to bill state agencies for telecommunications services.]</i>	132,273	0	7,506	0	139,779	0.0
#j	Vehicle Reconciliation Purchase new vehicles to replace existing state fleet vehicles meeting replacement criteria. <i>[Statutory authority to purchase vehicles exists under Section 24-30-1104 (2) (f), C.R.S.]</i>	105,777	0	0	0	105,777	0.0
Subtotal Unprioritized Decision Items		\$2,467,203	\$13,524	\$65,914	\$308	\$2,546,949	0.0
Total Decision Items		\$23,186,113	\$13,524	\$792,270	\$308	\$23,992,215	82.6

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Base Reduction Priority List**

Priority	Division: Description <i>[Statutory Authority]</i>	GF	CF	CFE	FF	Total	FTE
1	Institutions: Medical Subprogram Medical Pharmacy -- Per Offender Per Month Base Adjustments <i>[Duties of the Executive Director are delineated in Section 17-1-103, C.R.S. The authority for the Executive Director to direct the administration or monitoring of medications is established in Section 17-1-113.1, C.R.S.]</i>	(\$1,072,918)	\$0	\$0	\$0	(\$1,072,918)	0.0
2	Management: External Capacity Subprogram External Capacity Caseload Decrease <i>[The Executive Director has the authority to enter into contracts with local jails in Sections 17-1-105 (1) (f) and is authorized to place inmates classified as medium and below in private prisons in Section 17-1-104.9, C.R.S.]</i>	(3,109,790)	0	0	0	(3,109,790)	0.0
Total Base Reductions		(\$4,182,708)	\$0	\$0	\$0	(\$4,182,708)	0.0

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
OVERVIEW OF NUMBERS PAGES**

The following table highlights the overall increases contained in the Department's request.

Requested Changes FY 2007-08 to FY 2008-09						
Category	FTE	GF	CF	CFE	FF	Total
Decision Items						
#1 – External Capacity Caseload	1.5	\$8,647,406	\$0	\$0	\$0	\$8,647,406
#2 – Parole / Parole ISP Caseload	44.4	4,169,798	0	0	0	4,169,798
#3 – Parole Wraparound Services	0.0	1,800,000	0	0	0	1,800,000
#4 – Mental Health Caseload	17.4	1,753,092	0	0	0	1,753,092
#5 – Community & ISP Caseload	2.9	252,377	0	0	0	252,377
#6 – External Capacity Impacts	1.0	252,695	0	726,356	0	979,051
#7 – Academic & Vocational Instr.	7.3	644,120	0	0	0	644,120
#8 – Therapeutic Community	0.0	374,990	0	0	0	374,990
#9 – Maintenance and Food Services	0.0	550,000	0	0	0	550,000
#10 – Utilities, SAFE, Pers./Fac. Serv.	6.3	230,498	0	0	0	230,498
#11 – Planning and Analysis	1.8	126,142	0	0	0	126,142
Base Reductions						
#1 – Medical/Pharmacy Caseload	0.0	(1,072,918)	0	0	0	(1,072,918)
#2 – External Capacity, Diversion	0.0	(3,109,790)	0	0	0	(3,109,790)
Misc. Unprioritized Decision Items	0.0	2,467,203	13,524	65,914	308	2,546,949
Provider Rate Increase	0.0	1,917,792	0	0	0	1,917,792
S.B. 07-228 State Contract Monitoring	2.0	0	0	124,244	0	124,244
Sal. Survey, Perf. Pay, HLD, & Shift	0.0	17,706,654	0	588,465	0	18,295,119
AED, SAED & Short-term Disability	0.0	2,632,247	16,372	73,421	0	2,722,040
Personal Services Base Reduction	0.0	(1,753,092)	0	0	0	(1,753,092)
Annualize FY 2007-08 Appropriations	3.7	1,575,222	0	624	0	1,575,846
FY 2007-08 one-time costs	0.0	(1,112,789)	0	(3,438)	0	(1,116,227)
Total Change	88.3	\$38,051,647	\$29,896	\$1,575,586	\$308	\$39,657,437

Category	FTE	GF	CF	CFE	FF	Total
FY 2008-09 Request	6,428.2	\$674,523,127	\$3,004,328	\$64,144,833	\$2,143,505	\$743,815,793
FY 2007-08 Approp.	(6,339.9)	(636,471,480)	(2,974,432)	(62,569,247)	(2,143,197)	(704,158,356)
Requested Increase	88.3	\$38,051,647	\$29,896	\$1,575,586	\$308	\$39,657,437

FTE Increase. The overall increase of 88.3 FTE is attributable to the following changes: (a) 47.3 FTE for additional community and parole officers; (b) 17.4 FTE associated with additional mental health professionals; (c) 7.3 FTE for additional academic and vocational instructors; (d) 6.3 FTE related to utilities, SAFE, and facility services personnel; (e) 3.7 FTE to annualize appropriations made in FY 2007-08; (f) 2.5 FTE for external capacity caseload related decision items; (g) 2.0 FTE associated with the monitoring of state contracts pursuant to S.B. 07-228; and (h) 1.8 FTE for additional planning and analysis statisticians.

General Fund Increase. The increase of \$38.1 million General Fund can be attributed to the following factors:

1. An increase of \$20.7 million General Fund for decision items. Of these, five requests constitute the majority of the funding associated with decision items: (a) an \$8.6 million increase for external capacity; (b) a \$4.2 million increase for community and parole officers based on caseload; (c) a \$1.9 million increase for an increase in provider rates; (d) a \$1.8 million increase for additional parole wraparound services; and (e) a \$1.7 million increase for additional mental health professionals due to caseload growth.
2. An \$18.6 million General Fund increase for employee benefits: (a) \$10.0 million for salary survey; (b) \$4.0 million for performance-based pay awards; (c) \$3.1 million for health, life, and dental; and (d) \$0.6 million for shift differential.
3. An increase of \$2.6 million General Fund to amortize the unfunded liability of the PERA trust fund pursuant to S.B. 04-257 and 06-235, and to provide an increase in short-term disability funding.
4. A \$1.6 million General Fund increase to annualize prior year decision items: (a) \$1.1 million to double bunk inmates; (b) \$0.2 million for additional parole officers; (c) plus four miscellaneous decision items approved in FY 2007-08.

The following table depicts the Long Bill structure for the Department. The budget for each of the major programs and subprograms are contained in the spreadsheets that follow.

Department of Corrections – Overview of Long Bill Structure		
(1) Management	Appropriation = \$181.4 million General Fund and 92.0 FTE	
(A) Executive Director's Office		
(B) External Capacity		
(1) Private Prison Monitoring Unit		
(2) Payments to House State Prisoners		
(C) Inspector General		
(2) Institutions	Appropriation = \$361.6 million General Fund and 4,959.4 FTE	
(A) Utilities	(F) Laundry	(K) Mental Health
(B) Maintenance	(G) Superintendents	(L) Inmate Pay
(C) Housing and Security	(H) Boot Camp	(M) San Carlos
(D) Food Service	(I) Youthful Offenders System	(N) Legal Access
(E) Medical Services	(J) Case Management	
(3) Support Services	Appropriation = \$25.7 million General Fund and 302.4 FTE	
(A) Business Operations	(D) Communications	(G) Information Systems
(B) Personnel	(E) Transportation	(H) Facility Services
(C) Offender Services	(F) Training	
(4) Inmate Programs	Appropriation = \$32.2 million General Fund and 419.5 FTE	
(A) Labor	(D) Drug and Alcohol	
(B) Education	(E) Sex Offender Treatment	
(C) Recreation	(F) Volunteers	
(5) Community Services	Appropriation = \$34.2 million General Fund and 369.4 FTE	
(A) Parole	(D) Community Supervision	(E) Community Re-entry
(B) Parole SP	(1) Community Supervision	
(C) Community ISP	(2) Youthful Offender Supervision Aftercare	
(6) Parole Board	Appropriation = \$1.4 million General Fund and 13.5 FTE	
(7) Correctional Industries	Appropriation = \$40.0 million cash funds exempt and 155.0 FTE	
(8) Canteen Operation	Appropriation = \$14.0 million cash funds exempt and 28.7 FTE	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
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DEPARTMENT OF CORRECTIONS
Executive Director: Aristedes W. Zavaras

I. MANAGEMENT

(A) Executive Director's Office Subprogram

(Primary Function: Responsible for providing oversight and developing policies for all operations throughout the Department.)

Personal Services	1,370,762	1,392,186	1,389,552	1,597,569	DI #11
FTE	<u>16.6</u>	<u>16.2</u>	<u>22.3</u>	<u>24.1</u>	
General Fund	1,268,621	1,290,045	1,282,285	1,490,302	
FTE	14.9	14.5	20.6	22.4	
Cash Funds Exempt	102,141	102,141	107,267	107,267	
FTE	1.7	1.7	1.7	1.7	
Health, Life, and Dental	<u>15,525,203</u>	<u>20,149,648</u>	<u>25,157,817</u>	<u>28,760,847</u>	DI #2, 4
General Fund	15,482,080	20,074,389	24,395,549	27,838,897	
Cash Funds Exempt	43,123	75,259	762,268	921,950	
Short-term Disability	<u>391,242</u>	<u>316,362</u>	<u>403,991</u>	<u>432,295</u>	DI #2, 4
General Fund	389,577	314,966	391,488	418,262	
Cash Funds	0	0	0	954	
Cash Funds Exempt	1,665	1,396	12,503	13,079	

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
S.B. 04-257 Amortization Equalization					
Disbursement	<u>624,777</u>	<u>2,001,161</u>	<u>3,627,912</u> S/	<u>5,335,903</u>	DI #1, 2, 4, 5, 6,
General Fund	621,954	1,991,895	3,512,492	5,162,493	7, 10, 11
Cash Funds	0	0	0	11,747	
Cash Funds Exempt	2,823	9,266	115,420	161,663	
S.B. 06-235 Supplemental Amortization					
Equalization Disbursement	n/a	n/a	<u>645,392</u> S/	<u>1,724,708</u>	DI #1, 2, 4, 5, 6,
General Fund			621,346	1,669,368	7, 10, 11
Cash Funds			0	3,671	
Cash Funds Exempt			24,046	51,669	
Salary Survey and Senior Executive Service					
General Fund	<u>8,496,817</u>	<u>9,042,844</u>	<u>10,885,467</u>	<u>10,313,997</u>	
Cash Funds Exempt	8,452,510	9,000,741	10,605,180	10,015,288	
	44,307	42,103	280,287	298,709	
Performance-based Pay Awards					
General Fund	<u>0</u>	<u>0</u>	<u>4,508,469</u>	<u>4,986,844</u>	
Cash Funds Exempt	0	0	4,369,413	4,834,498	
	0	0	139,056	152,346	
Shift Differential					
General Fund	<u>4,636,921</u>	<u>4,805,037</u>	<u>5,760,369</u>	<u>6,368,077</u>	
Cash Funds Exempt	4,636,854	4,804,621	5,752,626	6,354,795	
	67	416	7,743	13,282	
Workers' Compensation					
General Fund	<u>5,537,837</u>	<u>4,428,224</u>	<u>5,325,800</u>	<u>6,123,740</u>	NP #7, 8
Cash Funds Exempt	5,354,538	4,228,914	5,149,516	5,921,044	
	183,299	199,310	176,284	202,696	

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Operating Expenses	<u>211,514</u>	<u>197,297</u>	<u>205,898</u>	<u>206,898</u>	DI #11
General Fund	190,452	183,079	190,455	191,455	
Cash Funds Exempt	21,062	14,218	15,443	15,443	
Legal Services	<u>1,107,661</u>	<u>1,002,029</u>	<u>1,183,661</u>	<u>1,183,661</u>	
General Fund	1,073,704	988,341	1,142,892	1,142,892	
Cash Funds Exempt	33,957	13,688	40,769	40,769	
Payment to Risk Management and Property Funds	<u>1,493,102</u>	<u>4,982,853</u>	<u>4,329,261</u>	<u>5,638,247</u>	NP #5
General Fund	1,443,682	4,817,924	4,185,962	5,451,621	
Cash Funds Exempt	49,420	164,929	143,299	186,626	
Leased Space	<u>2,408,634</u>	<u>2,876,318</u>	<u>3,289,494</u> S/	<u>3,542,757</u>	DI #2, 5
General Fund	2,268,591	2,666,113	3,079,289	3,332,552	
Cash Funds Exempt	140,043	210,205	210,205	210,205	
Capitol Complex Leased Space	<u>157,600</u>	<u>168,832</u>	<u>139,891</u>	<u>177,884</u>	NP #2
General Fund	111,485	113,140	78,632	135,735	
Cash Funds Exempt	46,115	55,692	61,259	42,149	
Planning & Analysis Contracts - GF	n/a	n/a	28,080 a/	56,160	
Start-up Costs - GF	n/a	n/a	n/a	8,210	DI #11

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v.
					Appropriation
Total (A) Executive Director's Office	41,962,070	51,362,791	66,881,054	76,457,797	14.3%
FTE	<u>16.6</u>	<u>16.2</u>	<u>22.3</u>	<u>24.1</u>	
General Fund	41,294,048	50,474,168	64,785,205	74,023,572	14.3%
Cash Funds	0	0	0	16,372	N/A
Cash Funds Exempt	668,022	888,623	2,095,849	2,417,853	15.4%

a/ Includes an appropriation of \$28,080 pursuant to H.B. 07-1358.

(B) External Capacity Subprogram

(1) Private Prison Monitoring Unit

(Primary Function: Monitor private prison operations pursuant to Section 17-1-202 (1) (g), C.R.S.)

Personal Services	1,215,914	1,242,435	1,330,048	1,487,845	DI #1
FTE	<u>16.6</u>	<u>17.3</u>	<u>20.5</u>	<u>22.0</u>	
General Fund	1,212,489	1,242,435	1,330,048	1,487,845	
Cash Funds	3,425	0	0	0	
Operating Expenses	<u>177,642</u>	<u>218,664</u>	<u>264,233</u>	<u>287,151</u>	DI #1
General Fund	177,642	218,664	264,233	287,151	
Cash Funds	0	0	0	0	
Start-up Costs - GF	0	6,310	4,733	6,957	DI #1

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
(1) Private Prison Monitoring Unit	1,393,556	1,467,409	1,599,014	1,781,953	11.4%
FTE	<u>16.6</u>	<u>17.3</u>	<u>20.5</u>	<u>22.0</u>	
General Fund	1,390,131	1,467,409	1,599,014	1,781,953	11.4%
Cash Funds	3,425	0	0	0	N/A
(2) Payments to House State Prisoners					
(Primary Function: To reimburse county jails and private prisons for state inmates housed in these facilities.)					
Payments to Local Jails at a Rate of \$49.69 per Inmate per Day - GF	13,860,374	11,340,364	6,885,991	9,461,776	DI #1, 12
Payments to Private Prisons at a Rate of \$52.69 per Inmate per Day	<u>63,719,957</u>	<u>74,808,495</u>	<u>78,391,800</u> S/	<u>83,297,832</u>	DI #1, 12, BR #2
General Fund	63,719,957	73,437,232	76,033,093	80,939,125	
Cash Funds Exempt	0	1,371,263	2,358,707	2,358,707	
Federal Funds	0	0	0	0	
Payments to Out-of-State Private Prisons at a Rate of \$54.00 per Inmate Per Day - GF	0	4,699,470	10,382,742	9,604,815	DI #1, 12
Payments to Pre-release Parole Revocation Prisons at a Rate of \$52.69 per Inmate Per Day - GF	5,959,844	9,311,383	13,186,147	14,643,452	DI #1, 12

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Payments to Community Corrections Programs - GF	3,045,564	3,075,768	4,725,382	4,806,853	DI #1, 12 Request v. Appropriation
Total (2) Payments to House State Prisoners	<u>86,585,739</u>	<u>103,235,480</u>	<u>113,572,062</u>	<u>121,814,728</u>	7.3%
General Fund	86,585,739	101,864,217	111,213,355	119,456,021	7.4%
Cash Funds Exempt	0	1,371,263	2,358,707	2,358,707	0.0%
Federal Funds	0	0	0	0	N/A
					Request v. Appropriation
Total (B) External Capacity Subprogram	87,979,295	104,702,889	115,171,076	123,596,681	7.3%
FTE	<u>16.6</u>	<u>17.3</u>	<u>20.5</u>	<u>22.0</u>	
General Fund	87,975,870	103,331,626	112,812,369	121,237,974	7.5%
Cash Funds	3,425	0	0	0	N/A
Cash Funds Exempt	0	1,371,263	2,358,707	2,358,707	0.0%
Federal Funds	0	0	0	0	N/A
(C) Inspector General Subprogram					
(Primary Function: Investigate crimes within the state prison system.)					
Personal Services - GF	3,084,152	3,427,621	3,517,463	3,685,002	
FTE	43.0	44.7	49.2	49.2	
Operating Expenses	<u>251,771</u>	<u>253,065</u>	<u>278,133</u> S/	<u>310,050</u>	DI #1, 2, 4, 5, 6,
General Fund	251,771	253,065	273,173	305,090	7, 10, 11
Cash Funds	0	0	4,960	4,960	

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
Inspector General Grants	<u>559,082</u>	<u>252,408</u>	<u>662,775</u>	<u>662,775</u>	
Cash Funds Exempt	0	0	144,591	144,591	
Federal Funds	559,082	252,408	518,184	518,184	
Start-up Costs - GF	0	19,314	30,229	0	
					Request v.
					Appropriation
Total (C) Inspector General Subprogram - GF	3,895,005	3,952,408	4,488,600	4,657,827	3.8%
FTE	<u>43.0</u>	<u>44.7</u>	<u>49.2</u>	<u>49.2</u>	
General Fund	3,335,923	3,700,000	3,820,865	3,990,092	4.4%
Cash Funds	0	0	4,960	4,960	0.0%
Cash Funds Exempt	0	0	144,591	144,591	0.0%
Federal Funds	559,082	252,408	518,184	518,184	0.0%
* The amounts in this subprogram were included in the Executive Director's Office Subprogram prior to FY 2005-06.					
					Request v.
					Appropriation
I. SUBTOTAL - MANAGEMENT	133,836,370	160,018,088	186,540,730	204,712,305	9.7%
FTE	<u>76.2</u>	<u>78.2</u>	<u>92.0</u>	<u>95.3</u>	
General Fund	132,605,841	157,505,794	181,418,439	199,251,638	9.8%
Cash Funds	3,425	0	4,960	21,332	330.1%
Cash Funds Exempt	668,022	2,259,886	4,599,147	4,921,151	7.0%
Federal Funds	559,082	252,408	518,184	518,184	0.0%

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
II. INSTITUTIONS					
(A) Utilities Subprogram					
(Primary Function: Provide heat, power, water, and sanitation at all facilities.)					
Energy Management Program - GF	0	149,356	149,469	316,310	DI #10
FTE		1.0	1.0	2.8	
Utilities	<u>20,389,326</u>	<u>19,659,500</u>	<u>19,770,403</u>	<u>19,612,427</u>	DI #10
General Fund	19,461,441	18,689,619	18,800,522	18,642,546	
Cash Funds Exempt	927,885	969,881	969,881	969,881	
Start-up Costs - GF	0	511,071	336,000	0	
					Request v. Appropriation
Total (A) Utilities Subprogram	20,389,326	19,808,856	20,255,872	19,928,737	-1.6%
FTE	<u>0.0</u>	<u>1.0</u>	<u>1.0</u>	<u>2.8</u>	
General Fund	19,461,441	18,838,975	19,285,991	18,958,856	-1.7%
Cash Funds Exempt	927,885	969,881	969,881	969,881	0.0%

(B) Maintenance Subprogram

(Primary Function: Includes grounds maintenance, and maintenance of facilities, which includes the boiler house, janitorial, and life safety.)

Personal Services - GF	16,078,891	17,205,896	17,515,816	18,190,933	
FTE	281.6	278.8	308.4	308.9	
Operating Expenses - GF	4,235,636	4,315,499	4,891,212	5,263,028	DI #9

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Purchase of Services - GF	168,877	1,023,537	1,111,424	1,111,424	
					Request v.
					Appropriation
Total (B) Maintenance Subprogram - GF	20,483,404	22,544,932	23,518,452	24,565,385	4.5%
FTE	281.6	278.8	308.4	308.9	
(C) Housing and Security Subprogram					
(Primary Function: Responsible for ongoing inmate supervision, including the implementation and management of security operations).					
Personal Services - GF	136,478,033	140,946,224	147,757,324	152,688,322	DI #10
FTE	2,725.2	2,793.9	3,000.3	3,003.2	
Operating Expenses	<u>1,594,324</u>	<u>1,656,758</u>	<u>1,817,864</u>	<u>1,838,488</u>	DI #10
General Fund	1,594,276	1,656,758	1,817,864	1,838,488	
Cash Funds	48	0	0	0	
Rollforward	218,277	67,359	0	0	
Start-up Costs - GF	2,684	0	0	4,105	DI #10
					Request v.
					Appropriation
Total (C) Housing & Security Subprogram - GF	138,293,318	142,670,341	149,575,188	154,530,915	3.3%
FTE	<u>2,725.2</u>	<u>2,793.9</u>	<u>3,000.3</u>	<u>3,003.2</u>	
General Fund	138,293,270	142,670,341	149,575,188	154,530,915	3.3%
Cash Funds	48	0	0	0	N/A

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(D) Food Service Subprogram					
(Primary Function: Responsible for providing three meals daily to all inmates.)					
Personal Services - GF	13,103,469	13,356,482	14,010,500	14,540,889	
FTE	248.4	246.7	266.0	266.2	
Operating Expenses	<u>14,724,340</u>	<u>15,103,943</u>	<u>15,921,948</u>	<u>16,199,502</u>	DI #9
General Fund	14,724,340	15,103,943	15,841,948	16,119,502	
Federal Funds	0	0	80,000	80,000	
Purchase of Services - GF	483,294	680,256	859,098	859,098	
Start-up Costs - GF	0	32,318	0	0	
					Request v. Appropriation
Total (D) Food Service Subprogram	28,311,103	29,172,999	30,791,546	31,599,489	2.6%
FTE	<u>248.4</u>	<u>246.7</u>	<u>266.0</u>	<u>266.2</u>	
General Fund	28,311,103	29,172,999	30,711,546	31,519,489	2.6%
Federal Funds	0	0	80,000	80,000	0.0%

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(E) Medical Services Subprogram					
(Primary Function: Provide acute and long-term health care services to all inmates, using both state employees and contracted health care providers.)					
Personal Services	22,876,594	23,498,284	26,078,781	27,385,478	NP #6
FTE	<u>332.5</u>	<u>316.9</u>	<u>442.9</u>	<u>443.3</u>	
General Fund	22,652,409	23,238,853	25,844,102	27,156,852	
FTE	329.5	313.9	439.9	440.3	
Cash Funds	224,185	259,431	234,679	228,626	
FTE	3.0	3.0	3.0	3.0	
Operating Expenses - GF	2,544,305	2,589,588	2,764,756	2,780,480	
Purchase of Pharmaceuticals - GF	9,664,000	9,626,416	10,647,119	10,166,772	BR #1
Purchase of Medical Services from Other Medical Facilities	<u>19,442,078</u>	<u>18,716,693</u>	<u>22,247,012</u>	<u>19,454,738</u>	BR #1
General Fund	18,747,746	18,716,693	22,247,012	19,454,738	
Cash Funds Exempt	694,332	0	0	0	
Purchase of Medical Services from State Hospital - GF	1,012,482	1,006,681	1,093,116	1,254,690	BR #1
Catastrophic Medical Expenses - GF	3,919,380	6,033,095	6,546,300	8,584,429	BR #1
Service Contracts - GF	1,567,715	1,697,212	2,402,552	2,416,071	
Start-up Costs - GF	12,998	70,783	7,907	0	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Indirect Cost Recoveries - CF (<i>New Line</i>)	n/a	n/a	n/a	6,053	NP #6 Request v. Appropriation
Total (E) Medical Services Subprogram	61,039,552	63,238,752	71,787,543	72,048,711	0.4%
FTE	<u>332.5</u>	<u>316.9</u>	<u>442.9</u>	<u>443.3</u>	
General Fund	60,121,035	62,979,321	71,552,864	71,814,032	0.4%
FTE	329.5	313.9	439.9	440.3	
Cash Funds	224,185	259,431	234,679	234,679	0.0%
FTE	3.0	3.0	3.0	3.0	
Cash Funds Exempt	694,332	0	0	0	N/A
(F) Laundry Subprogram					
(Primary Function: Issue and maintains all clothing, bedding, jackets, and footwear for inmates.)					
Personal Services - GF	2,080,655	2,066,872	2,141,949	2,221,733	
FTE	36.1	35.2	37.4	37.4	
Operating Expenses - GF	1,866,790	1,971,471	2,109,953	2,214,203	DI #6
Start-up Costs - GF	0	114,442	0	0	
Total (F) Laundry Subprogram - GF	3,947,445	4,152,785	4,251,902	4,435,936	Request v. Appropriation 4.3%
FTE	36.1	35.2	37.4	37.4	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(G) Superintendents Subprogram					
(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	9,419,082	9,886,365	9,839,058	10,182,176	
FTE	160.4	167.0	171.2	171.2	
Operating Expenses - GF	2,904,700	2,988,498	3,235,829	3,260,589	
Dress out - GF	581,097	690,735	822,358	949,082	DI #6
Start-up Costs - GF	345,600	1,017,500	167,894	0	
					Request v. Appropriation
Total (G) Superintendents Subprogram - GF	13,250,479	14,583,098	14,065,139	14,391,847	2.3%
FTE	160.4	167.0	171.2	171.2	

* Prior to FY 2005-06, the "Dress Out" line item was included in the Community Reintegration Subprogram. Historical expenditures are shown in the Superintendents Subprogram to enable readers to compare across fiscal years.

(H) Boot Camp Subprogram

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

Personal Services - GF	1,571,926	1,657,855	1,641,978	1,699,532	
FTE	31.5	30.7	32.7	32.7	
Operating Expenses - GF	52,276	52,416	52,419	52,419	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
Total (H) Boot Camp Subprogram - GF	1,624,202	1,710,271	1,694,397	1,751,951	3.4%
FTE	31.5	30.7	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	9,554,771	9,197,507	9,396,762	9,737,078	
FTE	169.1	161.4	172.9	172.9	
Operating Expenses	<u>182,315</u>	<u>182,323</u>	<u>182,323</u>	<u>182,323</u>	
General Fund	182,151	182,323	182,323	182,323	
Cash Funds	164	0	0	0	
Contract Services - GF	24,000	27,000	28,820	28,820	
Purchase of Services - GF	1,324,932	624,504	624,589	624,589	
					Request v. Appropriation
Total (I) Y.O.S. Subprogram - GF	11,086,018	10,031,334	10,232,494	10,572,810	3.3%
FTE	<u>169.1</u>	<u>161.4</u>	<u>172.9</u>	<u>172.9</u>	
General Fund	11,085,854	10,031,334	10,232,494	10,572,810	3.3%
Cash Funds	164	0	0	0	N/A

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(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	13,725,991	14,421,211	14,572,791	15,329,498	
FTE	213.0	219.0	231.5	231.7	
Operating Expenses - GF	150,449	151,360	158,839	161,264	
Start-up Costs - GF	17,190	17,169	3,438	0	
					Request v. Appropriation
Total (J) Case Management Subprogram - GF	13,893,630	14,589,740	14,735,068	15,490,762	5.1%
FTE	213.0	219.0	231.5	231.7	

(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	4,608,290	4,945,570	5,671,386	6,863,844	DI #4
FTE	53.2	53.9	77.5	95.1	
Operating Expenses - GF	53,497	56,872	61,260	79,392	DI #4
Medical Contract Services - GF	469,730	501,595	568,561	1,085,191	DI #4
OSMI / City and County of Denver Grant - FF	49,004	24,969	0	0	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Start-up Costs - GF	3,434	14,476	3,438	77,995	DI #4 Request v. Appropriation
Total (K) Mental Health Subprogram	5,183,955	5,543,482	6,304,645	8,106,422	28.6%
<u>FTE</u>	<u>53.2</u>	<u>53.9</u>	<u>77.5</u>	<u>95.1</u>	
General Fund	5,134,951	5,518,513	6,304,645	8,106,422	28.6%
Federal Funds	49,004	24,969	0	0	N/A

(L) Inmate Pay Subprogram

(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	1,376,374	1,411,768	1,502,398	1,513,498	Request v. Appropriation
Total (L) Inmate Pay Subprogram - GF	1,376,374	1,411,768	1,502,398	1,513,498	0.7%

(M) San Carlos Subprogram

(Primary Function: Operate a 250-bed specialized facility designed to provide mental health treatment services to high needs mentally ill inmates.)

Personal Services - GF	10,690,588	11,484,163	11,780,273	12,204,603
FTE	181.2	186.4	196.1	196.1
Operating Expenses - GF	198,672	199,092	199,092	199,092
Service Contracts - GF	721,642	725,309	725,309	725,309

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
Total (M) San Carlos Subprogram - GF	11,610,902	12,408,564	12,704,674	13,129,004	3.3%
FTE	181.2	186.4	196.1	196.1	
(N) Legal Access Subprogram					
(Primary Function: Provide inmates with resources to research and file claims with the courts.)					
Personal Services - GF	884,827	1,055,529	1,098,861	1,149,425	
FTE	16.7	19.1	21.5	21.5	
Operating Expenses - GF	245,388	262,652	296,427	299,602	
Contract Services - GF	50,331	113,628	70,905	70,905	
Start-up Costs - GF	0	19,496	0	0	
					Request v. Appropriation
Total (N) Legal Access Subprogram - GF	1,180,546	1,451,305	1,466,193	1,519,932	3.7%
FTE	16.7	19.1	21.5	21.5	

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v.
					Appropriation
II. SUBTOTAL - INSTITUTIONS	331,670,254	343,318,227	362,885,511	373,585,399	2.9%
FTE	<u>4,448.9</u>	<u>4,510.0</u>	<u>4,959.4</u>	<u>4,983.0</u>	
General Fund	329,774,848	342,063,946	361,600,951	372,300,839	3.0%
Cash Funds	224,185	259,431	234,679	234,679	0.0%
Cash Funds Exempt	1,622,217	969,881	969,881	969,881	0.0%
Federal Funds	49,004	24,969	80,000	80,000	0.0%

III. SUPPORT SERVICES

(A) Business Operations Subprogram

(Primary Function: Provide all fiscal management and budgeting services for the Department.)

Personal Services	5,279,929	5,517,895	5,575,063	5,952,013	NP #6
FTE	<u>98.9</u>	<u>96.0</u>	<u>108.7</u>	<u>110.7</u>	
General Fund	4,827,183	5,047,126	5,103,299	5,342,173	
FTE	90.5	87.4	100.1	100.1	
Cash Funds	452,746	470,769	471,370	484,894	
FTE	8.4	8.6	8.6	8.6	
Cash Funds Exempt	0	0	394	124,946	
FTE	0.0	0.0	0.0	2.0	
Operating Expenses - GF	229,139	229,483	229,487	229,487	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Start-up Costs - GF	4,048	0	0	0	
					Request v. Appropriation
Total (A) Business Operations Subprogram	5,513,116	5,747,378	5,804,550	6,181,500	6.5%
FTE	<u>98.9</u>	<u>96.0</u>	<u>108.7</u>	<u>110.7</u>	
General Fund	5,060,370	5,276,609	5,332,786	5,571,660	4.5%
FTE	90.5	87.4	100.1	100.1	
Cash Funds	452,746	470,769	471,370	484,894	2.9%
FTE	8.4	8.6	8.6	8.6	
Cash Funds Exempt	0	0	394	124,946	31612.2%
FTE	0.0	0.0	0.0	2.0	
(B) Personnel Subprogram					
(Primary Function: Provide services, including recruitment, examination, position classification, personnel records, affirmative action, appeals, grievance, benefits administration, etc.)					
Personal Services - GF	841,778	937,900	965,491	1,138,211	DI #10
FTE	15.8	17.4	16.7	18.5	
Operating Expenses - GF	92,343	92,431	92,431	93,431	DI #10
Start-up Costs - GF	0	0	0	8,210	DI #10
					Request v. Appropriation
Total (B) Personnel Subprogram - GF	934,121	1,030,331	1,057,922	1,239,852	17.2%
FTE	15.8	17.4	16.7	18.5	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(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	2,100,094	2,315,587	2,363,160	2,564,880	
FTE	35.2	39.9	41.8	41.8	
Operating Expenses - GF	51,000	51,619	52,499	52,544	
Start-up Costs - GF	0	6,876	3,155	0	
					Request v. Appropriation
Total (C) Offender Services Subprogram - GF	2,151,094	2,374,082	2,418,814	2,617,424	8.2%
FTE	35.2	39.9	41.8	41.8	

(D) Communications Subprogram

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

Personal Services - GF	495,470	506,596	562,454	597,558	
FTE	7.1	8.0	8.2	8.2	
Operating Expenses - GF	1,286,178	1,362,265	1,466,240 S/	1,507,220	DI #1, 2, 4, 5, 7, 10, 11
Multi-use Network	<u>1,052,531</u>	<u>955,861</u>	<u>1,078,262</u>	<u>1,218,041</u>	NP #9
General Fund	996,011	904,532	1,020,360	1,152,633	
Cash Fund Exempt	56,520	51,329	57,902	65,408	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Dispatch Services - GF	230,270	221,431	230,270	230,270	
Communications Services Payments - GF	1,368,791	1,562,881	1,559,575	1,707,047	NP #3
Total (D) Communications Subprogram	4,433,240	4,609,034	4,896,801	5,260,136	Request v. Appropriation 7.4%
FTE	<u>7.1</u>	<u>8.0</u>	<u>8.2</u>	<u>8.2</u>	
General Fund	4,376,720	4,557,705	4,838,899	5,194,728	7.4%
Cash Fund Exempt	56,520	51,329	57,902	65,408	13.0%

(E) Transportation Subprogram

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

Personal Services - GF	1,481,111	1,538,236	1,866,510	1,906,375	
FTE	27.2	29.9	36.1	36.1	
Operating Expenses - GF	184,470	218,348	289,230	290,849	DI #6
Vehicle Lease Payments	<u>1,536,797</u>	<u>1,614,159</u>	<u>1,835,752</u> S/	<u>2,084,785</u>	DI #1, 2, 5,
General Fund	1,488,143	1,565,173	1,788,351	2,037,384	NP #10
Cash Funds Exempt	48,654	48,986	47,401	47,401	
Start-up Costs - GF	0	116,426	3,091	0	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
Total (E) Transportation Subprogram	3,202,378	3,487,169	3,994,583	4,282,009	7.2%
FTE	<u>27.2</u>	<u>29.9</u>	<u>36.1</u>	<u>36.1</u>	
General Fund	3,153,724	3,438,183	3,947,182	4,234,608	7.3%
Cash Funds Exempt	48,654	48,986	47,401	47,401	0.0%

(F) Training Subprogram

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

Personal Services - GF	1,795,755	1,769,604	1,826,389	1,883,053	
FTE	26.5	27.1	27.3	27.3	
Operating Expenses - GF	274,138	275,050	277,376 S/	279,176	DI #1, 2, 4, 5, 6, 7, 10, 11
					Request v. Appropriation
Total (F) Training Subprogram - GF	2,069,893	2,044,654	2,103,765	2,162,229	2.8%
FTE	26.5	27.1	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	3,134,847	3,672,160	3,682,196	3,879,639	
FTE	45.1	48.6	53.6	53.6	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Operating Expenses - GF	874,061	914,381	1,360,865 S/	1,380,378	DI #1, 2, 4, 5, 7, 10, 11
Purchase of Services From Computer Center - GF	32,779	0	12,160	14,393	NP #4
Montez Contract Services - GF	0	135,712	0	0	
Grants (Historical Assesment) - CFE	34,000	0	0	0	
Start-up Costs - GF	0	9,748	0	0	
H.B. 06-1315 (Juv. Parole for Class I felony)	n/a	4,480	0	0	
					Request v. Appropriation
Total (G) Information Systems Subprogram	4,075,687	4,736,481	5,055,221	5,274,410	4.3%
FTE	<u>45.1</u>	<u>48.6</u>	<u>53.6</u>	<u>53.6</u>	
General Fund	4,041,687	4,736,481	5,055,221	5,274,410	4.3%
Cash Funds Exempt	34,000	0	0	0	N/A

(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; currently, the CSP II project is valued at \$141 million.)

Personal Services - GF	611,283	773,216	824,510	941,334	DI #10
FTE	7.0	8.0	10.0	11.8	
Operating Expenses - GF	75,027	79,692	82,096	83,096	DI #10

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Start-up Costs - GF	0	17,845	0	8,210	DI #10 Request v. Appropriation
Total (H) Facility Services Subprogram - GF	686,310	870,753	906,606	1,032,640	13.9%
FTE	7.0	8.0	10.0	11.8	Request v. Appropriation
III. SUBTOTAL - SUPPORT SERVICES	23,065,839	24,899,882	26,238,262	28,050,200	6.9%
FTE	<u>262.8</u>	<u>274.9</u>	<u>302.4</u>	<u>308.0</u>	
General Fund	22,473,919	24,328,798	25,661,195	27,327,551	6.5%
Cash Funds	452,746	470,769	471,370	484,894	2.9%
Cash Funds Exempt	139,174	100,315	105,697	237,755	124.9%

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	5,041,857	5,063,410	5,227,879	5,418,333
FTE	94.3	92.0	97.3	97.3
Operating Expenses - GF	87,008	88,160	91,065	91,420

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
Total (A) Labor Subprogram - GF	5,128,865	5,151,570	5,318,944	5,509,753	3.6%
FTE	94.3	92.0	97.3	97.3	

(B) Education Subprogram

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

Personal Services - GF	8,447,999	8,765,594	8,377,882	9,173,128	DI #7
FTE	138.6	135.5	145.4	152.9	
Operating Expenses	<u>1,229,682</u>	<u>1,435,045</u>	<u>1,895,723</u>	<u>1,916,236</u>	DI #7
General Fund	0	0	0	20,000	
Cash Funds	533,625	660,663	1,238,985	1,238,985	
Cash Funds Exempt	696,057	774,382	656,738	657,251	
Contract Services	<u>4,621,148</u>	<u>5,093,300</u>	<u>5,991,743</u>	<u>6,065,019</u>	
General Fund	3,625,183	4,095,835	4,991,743	5,065,019	
Cash Funds Exempt	995,965	997,465	1,000,000	1,000,000	
Education Grants	246,673	203,832	651,288	651,288	
FTE	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	
Cash Funds Exempt	224	190	194,896	194,896	
Federal Funds	246,449	203,642	456,392	456,392	
Vocational Grants - CFE	<u>379,582</u>	<u>360,517</u>	0	0	
Cash Funds Exempt	0	0	0	0	
Federal Funds	379,582	360,517	0	0	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Indirect Cost Recoveries - FF	0	0	394	702	NP #6
Start-up Costs	n/a	n/a	<u>3,438</u>	<u>175,140</u>	DI #7
General Fund			0	175,140	
Cash Funds Exempt			3,438	0	
					Request v. Appropriation
Total (B) Education Subprogram	14,925,084	15,858,288	16,920,468	17,981,513	6.3%
FTE	<u>139.6</u>	<u>136.5</u>	<u>146.4</u>	<u>153.9</u>	
General Fund	12,073,182	12,861,429	13,369,625	14,433,287	8.0%
Cash Funds	533,625	660,663	1,238,985	1,238,985	0.0%
Cash Funds Exempt	1,692,246	1,772,037	1,855,072	1,852,147	-0.2%
Federal Funds	626,031	564,159	456,786	457,094	0.1%
(C) Recreation Subprogram					
(Primary Function: Provide standardized, staff supervised recreational programs to inmates.)					
Personal Services - GF	5,851,556	5,877,007	6,177,042	6,402,113	
FTE	114.5	119.9	118.2	118.2	
Operating Expenses - CFE	72,032	71,693	76,754	76,865	
					Request v. Appropriation
Total (C) Recreation Subprogram	5,923,588	5,948,700	6,253,796	6,478,978	3.6%
FTE	<u>114.5</u>	<u>119.9</u>	<u>118.2</u>	<u>118.2</u>	
General Fund	5,851,556	5,877,007	6,177,042	6,402,113	3.6%
Cash Funds Exempt	72,032	71,693	76,754	76,865	0.1%

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(D) Drug and Alcohol Treatment Subprogram					
(Primary Function: Provide drug and alcohol treatment services to inmates.)					
Personal Services - GF	196,938	206,062	213,857	224,465	
FTE	2.1	2.5	3.5	3.5	
Alcohol Treatment Program - GF	670,147	0	0	0	
Drug Treatment Program	<u>494,805</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	182,198	0	0	0	
Cash Funds	312,607	0	0	0	
Drug Offender Surcharge Program - CF	339,159	636,867	995,127	995,127	
Contract Services - GF	1,973,736	3,692,662	4,394,294 S/	4,864,937	DI #2, 5, 8
Treatment Grants	<u>384,554</u>	<u>168,139</u>	<u>512,704</u>	<u>512,704</u>	
Cash Funds Exempt - (FF transfer from DCJ)	384,554	168,139	212,726	212,726	
Federal Funds	0	0	299,978	299,978	
					Request v. Appropriation
Total (D) Drug/Alcohol Treatment Subprogram	4,059,339	4,703,730	6,115,982	6,597,233	7.9%
FTE	<u>2.1</u>	<u>2.5</u>	<u>3.5</u>	<u>3.5</u>	
General Fund	3,023,019	3,898,724	4,608,151	5,089,402	10.4%
Cash Funds	651,766	636,867	995,127	995,127	0.0%
Cash Funds Exempt	384,554	168,139	212,726	212,726	0.0%
Federal Funds	0	0	299,978	299,978	0.0%

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(E) Sex Offender Treatment Subprogram					
(Primary Function: Provide treatment to sex offenders who are motivated to eliminate such behavior.)					
Personal Services	1,820,873	2,429,504	2,413,838	2,548,542	
FTE	<u>27.1</u>	<u>29.2</u>	<u>45.1</u>	<u>45.1</u>	
General Fund	1,794,928	2,400,693	2,385,027	2,519,731	
FTE	26.1	28.2	44.1	44.1	
Cash Funds	25,945	28,811	28,811	28,811	
FTE	1.0	1.0	1.0	1.0	
Operating Expenses	<u>256,481</u>	<u>265,344</u>	<u>269,516</u>	<u>269,516</u>	
General Fund	255,981	264,844	269,016	269,016	
Cash Funds	500	500	500	500	
Polygraph - GF	95,656	94,898	99,569	99,569	
Sex Offender Treatment Grants	<u>53,206</u>	<u>41,006</u>	<u>209,076</u>	<u>209,076</u>	
Cash Funds Exempt	0	0	41,000	41,000	
Federal Funds	53,206	41,006	168,076	168,076	
Start-up Costs - GF	0	36,190	0	0	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
Total (E) Sex Offender Treatment Subprogram	2,226,216	2,866,942	2,991,999	3,126,703	4.5%
FTE	<u>27.1</u>	<u>29.2</u>	<u>45.1</u>	<u>45.1</u>	
General Fund	2,146,565	2,796,625	2,753,612	2,888,316	4.9%
Cash Funds	26,445	29,311	29,311	29,311	0.0%
Cash Funds Exempt	0	0	41,000	41,000	0.0%
Federal Funds	53,206	41,006	168,076	168,076	0.0%

(F) Volunteers Subprogram

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

Personal Services - CFE	438,007	436,388	519,114	543,935	
FTE	7.4	7.6	9.0	9.0	
Operating Expenses - CFE	17,912	17,912	17,912	17,912	
					Request v. Appropriation
Total (F) Volunteers Subprogram - CFE	455,919	454,300	537,026	561,847	4.6%
FTE	7.4	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 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v.
					Appropriation
IV. SUBTOTAL - INMATE PROGRAMS	32,719,011	34,983,530	38,138,215	40,256,027	5.6%
FTE	<u>385.0</u>	<u>387.7</u>	<u>419.5</u>	<u>427.0</u>	
General Fund	28,223,187	30,585,355	32,227,374	34,322,871	6.5%
Cash Funds	1,211,836	1,326,841	2,263,423	2,263,423	0.0%
Cash Funds Exempt	2,604,751	2,466,169	2,722,578	2,744,585	0.8%
Federal Funds	679,237	605,165	924,840	925,148	0.0%

V. COMMUNITY SERVICES

(A) Parole Subprogram

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

Personal Services - GF	6,362,856	7,128,318	8,751,474 S/	10,367,933	DI #2
FTE	98.8	109.3	159.2	182.4	
Operating Expenses - GF	732,917	845,495	1,016,260 S/	1,092,013	DI #2
ALJ Services - GF	7,747	5,317	5,556	4,546	NP #1
Contract Services - GF	531,945	543,323	782,660 S/	826,006	DI #2
Wrap-Around Services Program - GF (<i>New Line</i>)	n/a	n/a	n/a	1,800,000	DI #3

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Parole Grants - FF	86,137	145,882	0	0	
Start-up Costs - GF	116,804	263,937	415,230 S/	349,825	DI #2 Request v. Appropriation
Total (A) Parole Subprogram	7,838,406	8,932,272	10,971,180	14,440,323	31.6%
FTE	98.8	109.3	159.2	182.4	
General Fund	7,752,269	8,786,390	10,971,180	14,440,323	31.6%
Federal Funds	86,137	145,882	0	0	N/A

(B) Parole ISP Subprogram

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

Personal Services - GF	2,660,278	3,068,594	4,282,045 S/	5,139,290	DI #2
FTE	41.4	56.2	83.4	95.4	
Operating Expenses - GF	304,159	375,780	454,967 S/	493,629	DI #2
Contract Services - GF	1,063,888	1,155,343	1,579,185 S/	1,666,354	DI #2
Non-residential Services - GF	820,115	918,649	1,217,338 S/	1,284,533	DI #2
Home Detention - GF	69,383	69,383	69,383	69,383	
Start-up Costs - GF	64,615	175,575	148,791	181,544	DI #2

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
Total (B) Parole ISP Subprogram - GF	4,982,438	5,763,324	7,751,709	8,834,733	14.0%
FTE	41.4	56.2	83.4	95.4	
(C) Community ISP Subprogram					
(Primary Function: Monitor and supervises offenders in who are in non-residential, transition community corrections programs.)					
Personal Services - GF	2,884,593	2,643,100	3,120,680	3,408,478	DI #5
FTE	44.1	43.6	57.5	58.0	
Operating Expenses - GF	495,672	513,810	535,728	537,874	DI #5
Contract Services - GF	3,314,181	3,270,440	3,698,184	3,743,157	DI #5
Start-up Costs - GF	24,852	40,926	101,844 S/	7,929	DI #5
					Request v. Appropriation
Total (C) Community ISP Subprogram - GF	6,719,298	6,468,276	7,456,436	7,697,438	3.2%
FTE	44.1	43.6	57.5	58.0	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
(D) Community Supervision Subprogram					
(Primary Function: Supervise transition offenders who are placed in residential community corrections facilities.)					
(1) Community Supervision					
Personal Services - GF	2,417,265	2,305,180	2,670,882	2,966,978	DI #5
FTE	33.3	36.6	46.8	49.2	
Operating Expenses - GF	131,306	150,641	166,954	174,716	DI #5
Community Mental Health Services - GF	487,674	350,453	565,488	573,210	DI #5
Psychotropic Medication - GF	n/a	6,872	1,346,880	1,346,880	
Contract Services for High Risk Offenders - GF	259,436	274,220	300,832	304,940	DI #5
Contract Services for Fugitive Returns	<u>32,446</u>	<u>61,058</u>	<u>74,524</u>	<u>74,524</u>	
General Fund	0	28,583	42,049	42,049	
Cash Funds Exempt	32,446	32,475	32,475	32,475	
Community Corrections Grant - CFE	0	29,775	0	0	
Start-up Costs - GF	41,006	43,756	34,628	29,157	DI #5

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
Total (D) (1) Community Supervision	3,369,133	3,221,955	5,160,188	5,470,405	6.0%
FTE	<u>33.3</u>	<u>36.6</u>	<u>46.8</u>	<u>49.2</u>	
General Fund	3,336,687	3,159,705	5,127,713	5,437,930	6.0%
Cash Funds Exempt	32,446	62,250	32,475	32,475	0.0%
(2) Youthful Offender System Aftercare					
Personal Services - GF	530,983	528,404	574,117	607,931	
FTE	7.8	7.5	9.5	9.5	
Operating Expenses - GF	141,067	141,067	141,067	141,067	
Contract Services - GF	1,062,396	811,176	1,062,396	1,062,396	
					Request v. Appropriation
Total (D) (2) Y.O.S. Aftercare - GF	1,734,446	1,480,647	1,777,580	1,811,394	1.9%
FTE	7.8	7.5	9.5	9.5	
(E) Community Re-entry 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.)					
Personal Services - GF	417,514	591,273	674,544	1,176,869	
FTE	7.4	8.3	13.0	22.2	
Operating Expenses - GF	12,500	14,500	15,000	42,430	DI #2

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
Offender Emergency Assistance - GF	86,844	86,843	86,844	86,844	DI #2
Contract Services - GF	50,000	190,000	190,000	203,588	
Offender Re-employment	984,602	165,345	110,000	110,000	
FTE	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	
General Fund	100,000	100,000	100,000	100,000	
Cash Funds Exempt	0	0	10,000	10,000	
Federal Funds	884,602	65,345	0	0	
Community Reintegration Grants	<u>250,952</u>	<u>145,494</u>	<u>739,092</u>	<u>739,092</u>	
Cash Funds Exempt	250,952	145,494	118,919	118,919	
Federal Funds	0	0	620,173	620,173	
Start-up Costs - GF	0	20,114	5,248	69,980	DI #2
					Request v.
					Appropriation
Total (E) Community Re-entry Subprogram	1,802,412	1,213,569	1,820,728	2,428,803	33.4%
FTE	<u>7.4</u>	<u>8.3</u>	<u>13.0</u>	<u>22.2</u>	
General Fund	666,858	1,002,730	1,071,636	1,679,711	56.7%
Cash Funds Exempt	250,952	145,494	128,919	128,919	0.0%
Federal Funds	884,602	65,345	620,173	620,173	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".

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
V. SUBTOTAL - COMMUNITY SERVICES	26,446,133	27,080,043	34,937,821	40,683,096	16.4%
FTE	<u>232.8</u>	<u>261.5</u>	<u>369.4</u>	<u>416.7</u>	
General Fund	25,191,996	26,661,072	34,156,254	39,901,529	16.8%
Cash Funds Exempt	283,398	207,744	161,394	161,394	0.0%
Federal Funds	970,739	211,227	620,173	620,173	0.0%
VI. PAROLE BOARD					
(Primary Function: Conduct all parole hearings and parole revocation hearings statewide.)					
Personal Services - GF	1,162,720	1,310,463	1,150,377	1,161,809	
FTE	12.4	13.2	13.5	13.5	
Operating Expenses - GF	104,889	104,890	104,890	104,890	
Contract Services - GF	76,998	77,000	152,000	152,000	
					Request v. Appropriation
VI. SUBTOTAL - PAROLE BOARD - GF	1,344,607	1,492,353	1,407,267	1,418,699	0.8%
FTE	12.4	13.2	13.5	13.5	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
VII. CORRECTIONAL INDUSTRIES					
(Primary Function: Employ inmates in profit-oriented industries in DOC facilities.)					
Personal Services - CFE	7,831,540	7,511,874	9,364,192	9,651,606	
FTE	133.0	134.3	155.0	155.0	
Operating Expenses	<u>3,965,284</u>	<u>4,880,351</u>	<u>5,409,030</u>	<u>5,409,030</u>	
Cash Funds Exempt	3,898,484	4,880,351	5,409,030	5,409,030	
Federal Funds	66,800	0	0	0	
Raw Materials - CFE	14,516,596	21,065,298	21,928,799	21,928,799	
Inmate Pay - CFE	1,367,916	1,312,257	1,553,702	1,553,702	
Land Improvement - CFE	6,430	0	0	0	
Capital Outlay - CFE	839,488	908,969	1,406,200	1,406,200	
Indirect Cost Assessment - CFE	346,706	365,270	365,761	372,933	NP #6

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v.
					Appropriation
VII. SUBTOTAL - CORRECTIONAL INDUSTRIES	28,873,960	36,044,019	40,027,684	40,322,270	0.7%
FTE	<u>133.0</u>	<u>134.3</u>	<u>155.0</u>	<u>155.0</u>	
Cash Funds Exempt	28,807,160	36,044,019	40,027,684	40,322,270	0.7%
Federal Funds	66,800	0	0	0	N/A

VIII. CANTEEN OPERATION

(Primary Function: Provide various items for sale to DOC inmates at all DOC facilities.)

Personal Services - CFE	1,194,313	1,318,993	1,618,683	1,746,459	DI #6
FTE	23.6	27.4	28.7	29.7	
Operating Expenses - CFE	7,926,898	9,876,151	12,262,080	12,933,536	DI #6
Inmate Pay - CFE	30,953	34,986	34,986	40,386	DI #6
Indirect Cost Assessment - CFE	67,548	67,007	67,117	67,416	NP #6
Start-up Costs - CFE	14,833	2,808	0	0	

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Appropriation	FY 2008-09 Request	Change Requests
					Request v. Appropriation
VIII. SUBTOTAL - CANTEEN					
OPERATION - Cash Funds Exempt	9,234,545	11,299,945	13,982,866	14,787,797	5.8%
FTE	23.6	27.4	28.7	29.7	
					Request v. Appropriation
GRAND TOTAL - DEPARTMENT OF					
CORRECTIONS	587,190,719	639,136,087	704,158,356	743,815,793	5.6%
FTE	<u>5,574.7</u>	<u>5,687.2</u>	<u>6,339.9</u>	<u>6,428.2</u>	
General Fund	539,614,398	582,637,318	636,471,480	674,523,127	6.0%
Cash Funds	1,892,192	2,057,041	2,974,432	3,004,328	1.0%
Cash Funds Exempt	43,359,267	53,247,644	62,569,247	64,144,833	2.5%
Federal Funds	2,324,862	1,194,084	2,143,197	2,143,505	0.0%

BR = Base Reduction Item

S = Supplemental

BA = Budget Amendment

NP = Non-Prioritized Decision Item

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

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
FY 2007-08 FOOTNOTE UPDATE**

- 4 All Departments, Totals** -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly.

Comment: The Department's budget request indicates that it intends to continue to comply with this request.

- 5 All Departments, Totals** -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.

Comment: *The Governor vetoed this footnote on May 2, 2007 on the grounds that: (1) it violates the separation of powers by attempting to administer the appropriation and by attaching requirements to federal funds and private donations which are not subject to legislative appropriation; (2) it constitutes substantive legislation; and (3) it constitutes an unfunded mandate.. After the General Assembly overrode all Long Bill vetoes, the Department was directed to comply with the footnote to the extent feasible pursuant to the August 16, 2007 letter from the director of the Office of State Planning and Budgeting to the leadership of the General Assembly.*

The Department's budget request includes \$2,143,197 in federal funds as follows:

- ◆ \$518,184 in the Inspector General Subprogram for grants to protect inmates.
- ◆ \$80,000 in the Food Service Subprogram. This amount reflects anticipated revenue received from the U.S. Department of Agriculture.
- ◆ \$457,094 in the Education Subprogram. This amount reflects (a) \$456,392 in anticipated revenue for "Youth Tuition" received from the U.S. Department of Education; and (b) \$702 in indirect cost recoveries.
- ◆ \$168,076 in the Sex Offender Treatment Subprogram for treating sex offenders.

In addition to these federal funds, the following requests reflect cash funds exempt that originate as federal funds.

- ◆ \$2,358,707 in cash funds exempt in the External Capacity Subprogram. This amount reflects estimated federal reimbursements for housing illegal aliens. Upon receipt, the funds are credited to a state cash fund for appropriation to the Department.
- ◆ \$194,896 in federal funds transferred to the Department for educational programs.
- ◆ \$212,726 in cash funds exempt funds (federal funds transferred from the Division of Criminal Justice) for the Drug and Alcohol Treatment Subprogram.
- ◆ \$32,475 for a community corrections grant.
- ◆ \$118,919 in community reintegration grants.

6 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: The Governor vetoed this footnote on May 2, 2007 on the grounds that: (1) it violates the separation of powers by attempting to administer the appropriation and by attempting to dictate the format of the executive budget request; and (2) it constitutes substantive legislation. After the General Assembly overrode all Long Bill vetoes, the Department was directed to comply with the footnote to the extent feasible pursuant to the August 16, 2007 letter from the director of the Office of State Planning and Budgeting to the leadership of the General Assembly.

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 determined the following allocation for state agencies:

1. \$163,591 to the Division of Criminal Justice for training;
2. \$253,704 to the Judicial Department for direct services;
3. \$29,311 to the Department of Corrections for sex offender data collection and risk assessment tests; and

4. \$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.

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 2008-09:

1. \$894,542 to the Division of Criminal Justice;
2. \$1,445,479 to the Judicial Department;
3. \$995,127 to the Department of Corrections; and
4. \$1,002,616 to the Department of Human Services.

- 7 Department of Corrections, Management, 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. It is further the intent of the General Assembly that the Department provide a report to the Joint Budget Committee on November 1, 2007, summarizing transfers that were made pursuant to the provisions of this footnote.

Comment: The Department provided a report with its budget request on November 1, 2007. The Department indicated that the following transfers were made in FY 2006-07:

<u>Transferred Line Item</u>	<u>Amount</u>
Payments to Local Jails:	\$2,260,144
Payments to In-State Private Prisons:	\$1,537,503
Payments to Out-of-State Prisons:	\$7,950
Payments to Pre-Release Parole Revocation Facilities:	\$12,174
Community Corrections Programs:	<u>(\$742,765)</u>
Total Amount Transferred:	\$2,280,268
Total Amount of Line Item:	\$104,222,925
5.0 Percent Transfer Authority:	\$5,211,146
Amount Transferred in FY 2006-07:	\$2,280,268
Percent of Amount Transferred to Appropriation:	2.9%

- 8 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 Governor vetoed this footnote on May 2, 2007 on the grounds that: (1) it violates the separation of powers by attempting to administer the appropriation; and (2) it constitutes substantive legislation. After the General Assembly overrode all Long Bill vetoes, the Department was directed to comply with the footnote to the extent feasible pursuant to the August 16, 2007 letter from the director of the Office of State Planning and Budgeting to the leadership of the General Assembly.*

Although the footnote was vetoed, 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. Therefore, the Department is in compliance with this footnote.

8a 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, 2007, summarizing this information for each of the private prison providers reimbursed from the External Capacity Subprogram.

Comment: *The Governor vetoed this footnote on May 2, 2007 on the grounds that: (1) it violates the separation of powers by attempting to administer the appropriation; (2) it constitutes substantive legislation; (3) it dictates the provision of financial information from private contractors over which neither the Department nor the State has authority. After the General Assembly overrode all Long Bill vetoes, the Department was directed to comply with the footnote to the extent feasible pursuant to the August 16, 2007 letter from the director of the Office of State Planning and Budgeting to the leadership of the General Assembly.*

The Department submitted a report on November 1, 2007. The Department provided the request for information to each private prison contractor. Each vendor provided a response, which the Department included in its report. Those responses, in short, stated that the private prison providers were unable to provide the requested information for a variety of reasons.

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, 2007, 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.

Comment: The Governor vetoed this footnote on May 2, 2007 on the grounds that: (1) it violates the separation of powers by attempting to administer the appropriation; and (2) it constitutes substantive legislation. After the General Assembly overrode all Long Bill vetoes, the Department was directed to comply with the footnote to the extent feasible pursuant to the August 16, 2007 letter from the director of the Office of State Planning and Budgeting to the leadership of the General Assembly.

The Department provided a report with its budget request on November 1, 2007. The following table illustrates the costs of the YOS program in FY 2006-07:

Youthful Offender System FY 2006-07 Costs		
Type of Service	Annual Cost per Offender	Daily Cost per Offender
YOS	\$68,653	\$188.09
YOS Aftercare (Phase III)	55,455	182.07
YOS Backlog	19,883	54.47
Total	\$67,438	\$184.76

The FY 2006-07 costs reflect a 13.0 percent reduction from the previous fiscal year. The YOS has taken action to reduce the overall cost by relocating to a smaller campus and will continue to look at cost saving measures, such as reducing costs associated with jail backlog and considering contract services for meal expenses through another DOC facility rather than the Mental Health Institute at Pueblo.

The YOS program also experienced a large percentage of successful discharges in FY 2006-07. The following table shows the categories of releases during FY 2006-07:

Youthful Offender System Releases FY 2006-07		
Type of Release	Number of Releases	Percent of Releases
Successful Discharge	55	79%
Termination/Revocation	11	16%
Reconsideration	3	4%
Deceased	1	1%
Total	70	100%

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	6%	41%
Within 3 years	19%	50%
Within 5 years	30%	55%

Finally, the report makes the assumption that it would cost an additional \$543,735 per year if the YOS program did not exist. Under this assumption, the Department presumes 80 admissions per year to YOS and compares that total to the cost of those same individuals through their adult suspended sentence, serving 65 percent of the adult prison and average parole sentence. Under this model, the YOS program is more cost effective because the length of time served is much shorter in the YOS program.

- 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, 2008, 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 Governor vetoed this footnote on May 2, 2007 on the grounds that: (1) it violates the separation of powers by attempting to administer the appropriation; (2) it constitutes substantive legislation; and (3) it constitutes an unfunded mandate.. After the General Assembly overrode all Long Bill vetoes, the Department was directed to comply with the footnote to the extent feasible pursuant to the August 16, 2007 letter from the director of the Office of State Planning and Budgeting to the leadership of the General Assembly.

The Department plans to provide a report on February 1, 2008 in compliance with the footnote. Therefore, at this time, no report is due.

- 11 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 General Assembly 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 Governor vetoed this footnote on May 2, 2007 on the grounds that: (1) it violates the separation of powers by attempting to administer the appropriation; and (2) it constitutes substantive legislation. After the General Assembly overrode all Long Bill vetoes, the Department was directed to comply with the footnote to the extent feasible pursuant to the August 16, 2007 letter from the director of the Office of State Planning and Budgeting to the leadership of the General Assembly.*

The Division of Criminal Justice (DCJ) provided a memo on November 7, 2007 regarding the Recidivism Reduction and Offender Diversion Package and the evaluation techniques that will be used. However, because of timing issues (the Recidivism Reduction and Offender Diversion Package did not take effect until the beginning of FY 2007-08), the Division of Criminal Justice did not have adequate data in which to provide a full status report.

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Comparison of December 2007 Population Projections**

ISSUE:

Legislative Council Staff (LCS) and the Division of Criminal Justice (DCJ) both project the prison population and the parole population to increase steadily through FY 2011-12.

SUMMARY:

- ❑ Both the LCS and the DCJ December 2007 inmate population projections forecast continued growth in the prison population.
- ❑ Both the LCS and the DCJ December 2007 parole population projections forecast continued growth in the parole population. Both parole forecasts project a faster rate of growth in the parole population than the corresponding projections from December 2006.
- ❑ Both the DCJ December 2007 parole and inmate population projections forecast slower overall growth through FY 2011-12 as compared with the LCS December 2007 parole and inmate population projections. However, the DCJ December 2007 inmate population projection forecasts greater growth in the female inmate population and less growth in the male population in comparison to the LCS December 2007 inmate population projection.

RECOMMENDATIONS:

1. Staff recommends the Committee utilize the Legislative Council Staff population projections to plan the required level of prison beds. This recommendation is consistent with the approach taken by the JBC in prior years. Following this issue is a presentation of the JBC staff bed plan that utilizes the LCS inmate population projection.
2. Staff recommends the Committee wait until closer to supplemental and figure setting to determine which projections to use for these purposes. 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 2007 LCS and DCJ Prison and Parole Population Projections. Legislative Council Staff (LCS) and the Division of Criminal Justice (DCJ) 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 2007 projections for each of these agencies:

Comparison of Adult Population Projections					
Population	Actual as of June 30, 2007	Projected Populations as of June 30, 2012			
		LCS Projection	% Increase over Actual	DCJ Projection	% Increase over Actual
Total Inmates	22,519	28,243	25.4%	27,419	21.8%
Male	20,178	25,301	25.4%	23,767	17.8%
Female	2,341	2,942	25.7%	3,652	56.0%
Parole	7,947	12,844	61.6%	10,959	37.9%

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	4.6%	4.0%
Male	4.6%	3.3%
Female	4.7%	9.3%
Parole	10.1%	6.6%

Comparison to Previous Year's Projections. The LCS December 2007 total inmate population projections are significantly lower than the December 2006 projections (see Appendix A-5). However, the LCS December 2007 parole projections are higher than the corresponding December 2006 projections for each of the years in the planning horizon (see Appendix A-8).

Setting the Appropriation. Because the inmate growth varies by month and because of the significant 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 2007-08 and for FY 2008-09.

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

LCS and DCJ Total Inmate Population Projections						
	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12
<i>Legislative Council Staff</i>						
Beginning Population	22,012	22,519	23,322	24,327	25,410	26,717
Growth	507	803	1,005	1,083	1,307	1,527
Ending Population	22,519	23,322	24,327	25,410	26,717	28,244
Avg. Monthly Growth	42	67	84	90	109	127
Annual Growth	2.3%	3.6%	4.3%	4.5%	5.1%	5.7%
<i>Division of Criminal Justice</i>						
Beginning Population	22,012	22,519	23,456	24,327	25,182	26,329
Growth	507	937	871	855	1,147	1,090
Ending Population	22,519	23,456	24,327	25,182	26,329	27,419
Avg. Monthly Growth	42	78	73	71	96	91
Annual Growth	2.3%	4.2%	3.7%	3.5%	4.6%	4.1%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	(134)	0	228	388	825

Total Inmate Growth. The actual average monthly growth rate for FY 2006-07 was 42 inmates per month, lower than any year in the past decade. However, the inmate population has grown by 55 inmates per month for the first five months of FY 2007-08.

Historical Monthly Population Growth – Total Inmates										
FY 97	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07
89	89	89	106	70	101	67	60	95	109	42

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

LCS and DCJ Male Inmate Population Projections						
	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12
<i>Legislative Council Staff</i>						
Beginning Population	19,792	20,178	20,926	21,863	22,850	23,995
Growth	386	748	937	987	1,145	1,306
Ending Population	20,178	20,926	21,863	22,850	23,995	25,301
Avg. Monthly Growth	32	62	78	82	95	109
Annual Growth	2.0%	3.7%	4.5%	4.5%	5.0%	5.4%
<i>Division of Criminal Justice</i>						
Beginning Population	19,792	20,178	21,014	21,618	22,139	23,013
Growth	386	836	604	521	874	754
Ending Population	20,178	21,014	21,618	22,139	23,013	23,767
Avg. Monthly Growth	32	70	50	43	73	63
Annual Growth	2.0%	4.1%	2.9%	2.4%	3.9%	3.3%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	(88)	245	711	982	1,534

Male Inmate Growth. The actual average monthly growth rate for FY 2006-07 was 32 male inmates per month, which was the lowest monthly growth in the past ten years. However, the male inmate population has grown by 52 inmates per month for the first five months of FY 2007-08.

Historical Monthly Population Growth – Male Inmates										
FY 97	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07
73	81	75	99	63	87	57	49	68	97	32

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

LCS and DCJ Female Inmate Population Projections						
	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12
<i>Legislative Council Staff</i>						
Beginning Population	2,220	2,341	2,396	2,464	2,561	2,722
Growth	121	55	68	97	161	220
Ending Population	2,341	2,396	2,464	2,561	2,722	2,942
Avg. Monthly Growth	10	5	6	8	13	18
Annual Growth	5.5%	2.3%	2.8%	3.9%	6.3%	8.1%
<i>Division of Criminal Justice</i>						
Beginning Population	2,220	2,341	2,442	2,709	3,043	3,316
Growth	121	101	267	334	273	336
Ending Population	2,341	2,442	2,709	3,043	3,316	3,652
Avg. Monthly Growth	10	8	22	28	23	28
Annual Growth	5.5%	4.3%	10.9%	12.3%	9.0%	10.1%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	(46)	(245)	(482)	(594)	(710)

Female Inmate Growth. The actual average monthly growth rate for FY 2006-07 was 10 female inmates per month, which is similar to the monthly growth in the past decade. However, the female inmate population has grown by 4 inmates per month for the first five months of FY 2007-08.

Historical Monthly Population Growth – Female Inmates										
FY 97	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07
12	9	14	7	6	14	10	11	27	12	10

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

LCS and DCJ Parole Population Projections						
	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12
<i>Legislative Council Staff</i>						
Beginning Population	6,551	7,947	8,871	9,765	11,045	11,905
Growth	1,396	924	894	1,280	860	939
Ending Population	7,947	8,871	9,765	11,045	11,905	12,844
Avg. Monthly Growth	116	77	75	107	72	78
Annual Growth	21.3%	11.6%	10.1%	13.1%	7.8%	7.9%
<i>Division of Criminal Justice</i>						
Beginning Population	6,551	7,947	8,712	9,495	10,152	10,448
Growth	1,396	765	783	657	296	511
Ending Population	7,947	8,712	9,495	10,152	10,448	10,959
Avg. Monthly Growth	116	64	65	55	25	43
Annual Growth	21.3%	9.6%	9.0%	6.9%	2.9%	4.9%
<i>Difference Between Projections</i>						
LCS vs. DCJ	0	159	270	893	1,457	1,885

Parole Population Growth. The actual average monthly growth rate for FY 2006-07 was 116 parolees per month, which is significantly higher than the monthly growth in the past decade. The parole population has grown by 50 parolees per month for the first five months of FY 2007-08, which is closer to the historical growth over the past decade.

Historical Monthly Population Growth – Parole Population										
FY 97	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07
31	44	42	(3)	42	(13)	68	32	39	70	116

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Estimated Prison Bed Shortage**

ISSUE:

Because of the projected inmate population growth, the State needs approximately 5,100 additional prison beds over the next five years. During this time period, approximately 1,150 state beds and 2,400 private prison beds are anticipated to come on line. Therefore, an additional 1,500 prison beds will be needed by FY 2011-2012.

SUMMARY:

- All state-owned prison beds are estimated to be full by the end of FY 2007-08. In-state private prisons are also near capacity. In December 2006, the State sent 240 inmates out-of-state to a private prison in Oklahoma. Currently, 480 inmates are housed in Oklahoma; however, the Department plans to bring those inmates back to Colorado as soon as in-state private prison beds become available. The Community Education Centers (CEC) facility in Colorado Springs is expected to bring 220 beds on line as soon as the beginning of next year. In addition, the Corrections Corporation of America (CCA) projects in Bent and Kit Carson will add as many as 600 beds by May 2008.
- Based on the existing capacity of beds and the anticipated growth in the inmate population, JBC staff estimates that 5,100 additional prison beds will be required by FY 2011-12. Based on existing plans, approximately 1,150 state beds and 2,400 private prison beds are anticipated to come on line over the next five years. As a result, the State will need an additional 1,500 beds by FY 2011-12.
- If the private prison beds do not come on line as planned, even more state beds will be required.

RECOMMENDATION:

Staff recommends that the Committee discuss with the Department at its budget hearing how the Department plans to manage the projected prison population growth given the shortage of prison beds, and whether the Department envisions relying upon private prisons or state-operated facilities to accommodate the shortfall.

DISCUSSION:

Colorado Prisons Full. As discussed in the previous issue brief, Legislative Council Staff (LCS) projects the inmate population projection to grow significantly over the next five years. Available bed space is at a premium. The state-owned and operated prisons are estimated to be full by the end of the current fiscal year.¹

Inmate Population Growth. Based on the LCS inmate population projection, the State will add 5,725 inmates over the next five years. This figure reflects *net* growth into the prison system. In FY 2006-07, the Department of Corrections released 10,087 inmates, a 12.7 percent increase over the prior year. Despite these releases, the State admitted 10,594 inmates in the same year, a 3.5 percent increase over the prior year. This trend is expected to become even more pronounced over the five-year period according to the LCS projection.

Estimated Bed Need. For purposes of estimating the bed need, JBC staff assumed that 11.25 percent of the inmate population would be placed in community corrections. Using this assumption and the December 2007 LCS inmate population projections, JBC staff estimates that an additional 5,081 prison beds will be needed over the next five years.

	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Total
Beginning Population	22,519	23,322	24,327	25,410	26,717	n/a
Ending Population	23,322	24,327	25,410	26,717	28,244	n/a
Gross Annual Growth	803	1,005	1,083	1,307	1,527	5,725
Minus Comm. Corr. (11.25 percent)	(90)	(113)	(122)	(147)	(172)	(644)
Total Beds Needed	713	892	961	1,160	1,355	5,081

Approved State-Operated Beds. To address the growing inmate population, the General Assembly has already approved two projects that will add 1,010 beds to the existing prison capacity in FY 2009-10. Specifically, Colorado State Penitentiary II (CSP II) will add 948 high-custody beds. In addition, the General Assembly approved a 62-bed addition to the Denver Reception and Diagnostic Center in 2006.

Private Prison Expansion. The Department of Corrections has made efforts to expand the capacity of the prison system by contracting with private prison providers. The Department provided the following summary of anticipated private prison beds in the planning horizon.

¹ The Department of Corrections has the ability to double bunk up to 540 male inmates through facility modifications that were made in FY 2005-06. Furthermore, the Department received funding to bring 400 of these beds on line in FY 2006-07 and the remaining 140 on line in FY 2007-08. After these beds are full, the only state-operated beds that are expected to be vacant will be in the Youthful Offender System.

Anticipated Private Prison Beds*							
Vendor	Location	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-02	Total
CEC	Colorado Springs	220	0	0	0	0	220
CCA	Kit Carson County	300	420	0	0	0	720
CCA	Bent County	300	420	0	0	0	720
Cornell**	Ault	<u>0</u>	<u>750</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>750</u>
Total		820	1,590	0	0	0	2,410

* The Department had anticipated 500 beds to become available in Pueblo for a Pre-release Parole Revocation Facility and 1,400 beds in Ault. However, the Department has advised staff that it is terminating its agreement with the vendor (GEO). As such, these beds have not been included.

** The Cornell facility will be for female inmates.

Estimated Bed Shortage. With the anticipated private prison beds and the funded state prison beds, staff believes that there will be a shortage of prisons beds in the planning horizon.

Estimated Bed Shortage						
	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-02	Total
Private Prison Beds	820	1,590	0	0	0	2,410
State Beds*	<u>140</u>	<u>0</u>	<u>1,010</u>	<u>0</u>	<u>0</u>	<u>1,150</u>
Anticipated Capacity Expansion	960	1,590	1,010	0	0	3,560
Minus Bed Need	<u>(713)</u>	<u>(892)</u>	<u>(961)</u>	<u>(1,160)</u>	<u>(1,355)</u>	<u>(5,081)</u>
Surplus (Deficit)	247	698	49	(1,160)	(1,355)	(1,521)
Cumulative Surplus (Deficit)	247	945	994	(166)	(1,521)	

* In FY 2007-08, the Department anticipates an additional 140 beds will be available for "double bunking".

FY 2008-09 Capital Construction Request for Additional Beds. The Department's five-year capital construction plan requests \$821.1 million for new projects to expand the prison capacity based on the anticipated need for beds. Because it takes nearly three years to construct a prison, and therefore three years before the beds can come on line, the General Assembly would need to begin funding these expansion projects during the current fiscal year in order to have beds available to offset the bed shortage that JBC staff is projecting for FY 2011-12. However, according to the most recent economic forecast, there will not be sufficient capital construction funds in FY 2008-09 to support a large prison expansion. Therefore, it may be appropriate for the General Assembly to look for additional ways to fund prison expansion. Alternatively, the General Assembly could explore methods for reducing the DOC caseload (see the issue brief on page 95 for options for reducing the DOC caseload).

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Five-year Capital Construction Funds Request**

ISSUE:

The Department has developed a five-year capital construction plan that requests \$849.6 million through FY 2012-13. Of the amount requested, \$821.1 million is dedicated for prison expansion projects to address the growing caseload.

SUMMARY:

- The Department's capital construction plan requests \$849.6 million over the next five years. Beginning in FY 2009-10, an additional \$13.9 million will be required for certificates of participation (COPs) used to build CSP II.
- The plan includes requests for three primary purposes:
 1. \$4.0 million in FY 2008-09 to complete prison expansion projects to add 1,010 beds. These projects were already approved by the General Assembly;
 2. \$821.1 million from FY 2008-09 through FY 2012-13 for projects to add 5,766 prison beds; and
 3. \$24.5 million for other miscellaneous projects.
- If capital construction appropriations are made to expand the number of prison beds, General Fund appropriations will be required to bring these beds online. These appropriations would be subject to the 6.0 percent limit. In FY 2006-07, the cost of a state-operated bed averaged \$28,758 per bed.
- Given the need for prison beds, the General Assembly may want to develop its own plan for expanding prison capacity. The General Assembly will need to prioritize capital construction projects for the Department with competing capital construction needs for the State.

RECOMMENDATION:

Staff recommends that the Committee discuss the Department's five-year capital construction plan with the Department at its hearing. Specifically, staff recommends that the Committee discuss with the Department how the State can fund the Department's capital construction needs and whether any alternative funding sources exist for prison expansion projects.

DISCUSSION:

Capital Construction Needs for the Department. The Department of Corrections' five-year capital construction plan calls for \$849.6 million in capital constructions needs through FY 2012-13. The projects can be categorized for one of three primary purposes: (1) \$4.0 million to finish existing prison expansion projects that were previously approved by the General Assembly and are underway; (2) \$821.1 million for new projects to expand the prison capacity based on the anticipated need for beds; and (3) \$24.5 million for miscellaneous requests for capital renewal, information technology, and parole records. The request is summarized in the following table.

Summary of Capital Construction Request							
Purpose	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13	Total
Existing Projects							
CSP II *	0	4,000,000	0	0	0	0	4,000,000
<u>DRDC*</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Existing Projects	0	4,000,000	0	0	0	0	4,000,000
Expansion Projects							
Fort Lyon	0	10,449,694	0	0	0	0	10,449,694
San Carlos	0	59,617,763	0	0	0	0	59,617,763
Trinidad	0	12,094,325	175,153,335	115,142,123	0	0	302,389,783
Arkansas Valley	0	5,442,477	55,472,541	0	0	0	60,915,018
Colorado Women's	0	4,589,853	42,108,513	0	0	0	46,698,366
TBD	<u>0</u>	<u>0</u>	<u>0</u>	<u>16,000,000</u>	<u>185,000,000</u>	<u>140,000,000</u>	<u>341,000,000</u>
Expansion Projects	0	92,194,112	272,734,389	131,142,123	185,000,000	140,000,000	821,070,624

Summary of Capital Construction Request							
Purpose	FY 08	FY 09	FY 10	FY 11	FY 12	FY 13	Total
Misc. Projects							
IT Disaster Recovery	0	782,250	0	0	0	0	782,250
Capital Renewal	0	0	1,000,000	0	0	0	1,000,000
DCIS Upgrade	0	0	1,366,575	1,818,915	1,378,965	2,190,405	6,754,860
CTCF Renewal	0	0	1,500,000	13,000,000	0	0	14,500,000
Parole Records	<u>0</u>	<u>1,280,577</u>	<u>100,000</u>	<u>100,000</u>	<u>0</u>	<u>0</u>	<u>1,480,577</u>
Misc. Projects	0	2,062,827	3,966,575	14,918,915	1,378,965	2,190,405	24,517,687
Grand Total	0	98,256,939	276,700,964	146,061,038	186,378,965	142,190,405	849,588,311

*The CSP II project received an appropriation of \$36,911,874 in FY 2007-08, and the DRDC project received an appropriation of \$14,966,051 in FY 2007-08. However, these figures are not shown in this table. This table is intended to show requests that have not already been funded.

Requests for Projects Already Underway. The Department of Corrections has requested \$4.0 million for two projects that have received initial approval by the General Assembly: (1) the Colorado State Penitentiary II; and (2) expansion of the Denver Reception and Diagnostic Center.

	Beds	Prior Funding	Additional Funds Required	Total Funds
CSP II	948	139,711,874	4,000,000	143,711,874
DRDC Expansion Project	<u>62</u>	<u>23,966,051</u>	<u>0</u>	<u>23,966,051</u>
Total	1,010	163,677,925	4,000,000	167,677,925

Construction Inflation CSP II. The Department has advised staff that construction inflation for prisons is approximately *one percent per month*. It is staff's understanding that the global demand for steel is a significant factor for this high rate of inflation. The Department estimates that the capital construction cost for one prison bed is currently \$125,165 per bed. In 1999, the Sterling Correctional Facility came on line at a cost of \$69,467 per bed.

The CSP II project was delayed by three years due to a lawsuit. Because of inflation, the Department estimated that \$36.9 million in additional funds would be required. This amount was appropriated to the Department in FY 2007-08.

Department Five-year Plan. The Department has advised staff that the Office of State Planning and Budgeting has approved the Department's five-year plan for prison construction to address the shortage of prison beds. This plan is summarized in the following table. Given the construction

inflation that has occurred in recent years, staff is concerned that the cost estimates may not be accurate, particularly those for out years. The plan does not include \$13.9 million in annual payments that will be required from 2009-10 through FY 2020-21 to pay for the certificates of participation for CSP II.

Department Bed Expansion Plan								
Facility	Custody Level	Beds	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	Total
Fort Lyon	Medium	250	10,449,694	0	0	0	0	10,449,694
San Carlos	Medium / Spec. Needs	250	59,617,763	0	0	0	0	59,617,763
Trinidad	Mixed	2,057	12,094,325	175,153,335	115,142,123	0	0	302,389,783
Arkansas Valley	High Custody	384	5,442,477	55,472,541	0	0	0	60,915,018
Colorado Women's	Mixed	284	4,589,853	42,108,513	0	0	0	46,698,366
TBD	Mixed	<u>2,541</u>	<u>0</u>	<u>0</u>	<u>16,000,000</u>	<u>185,000,000</u>	<u>140,000,000</u>	<u>341,000,000</u>
Bed Expansion		5,766	92,194,112	272,734,389	131,142,123	185,000,000		821,070,624

Need for General Assembly to Plan. Given the shortage of prison beds, the General Assembly may want to consider developing its own plan for expanding state prisons. Based on the September 2007 revenue forecast, it is not certain that the Department's capital construction needs can be met. Even if there is sufficient revenue to support the Department's capital construction request, the General Assembly will have competing demands for these funds. Furthermore, if prison facilities are built, they will need to be staffed using General Fund appropriations that are subject to the 6.0 percent limit. Based on the average cost in FY 2006-07 for state-operated beds (\$28,758 per bed), staff estimates that \$165.8 million would be required to operate the 5,766 beds that are in the Department's plans. This amount would be subject to the 6.0 percent limit on General Fund appropriations.

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Shortage of High-Custody Beds**

ISSUE:

A shortage of high-custody beds exists. Pursuant to statute, private prisons cannot be used to house high-custody inmates on a long-term basis. In addition, more high-custody beds will not be available until early 2010.

SUMMARY:

- ❑ Colorado State Penitentiary II (CSP II) is not expected to come on line until early 2010. This facility will add 948 high-custody male beds.
- ❑ The shortage of high-custody beds is acute. All high-custody beds are full. Additionally, in June 2007, 112 inmates classified as "administrative segregation" inmates were housed in facilities that were not designed to accommodate them based on their designated custody levels. Furthermore, 44 high custody inmates (16 administrative segregation and 28 close custody) were housed in private facilities in October 2007. Long-term placement of high-custody inmates in private prisons is prohibited by law.
- ❑ By June 2010, JBC staff estimates that there will be a shortage of 629 high-custody beds. CSP II will help to alleviate this shortfall. However, until then, staff believes that the Department may have challenges associated with managing the inmate population. After CSP II is built, it may be necessary to begin planning for another prison to accommodate the need for high-custody beds.

RECOMMENDATION:

Staff recommends that the Committee discuss with the Department at its budget hearing the Department's short-term and long-term management plan for its high-custody inmate population, given the shortage of high-custody prison beds prior to and after CSP II is built.

DISCUSSION:

Current Facilities Not Sufficient to Manage High-Custody Inmates. All high-custody beds are full. No high custody beds have come online since 1999 (approximately 960 close custody and administrative segregation beds at the Sterling Correctional Facility). At the January 2006 hearing before the JBC, the Department testified that it estimated that 21.8 percent of the inmate population will not be eligible for placement in private prisons because of their classification as "close custody" or "administrative segregation".

The current prison facilities are not sufficient to manage the inmate population. At the beginning of the current fiscal year, 112 inmates classified as "administrative segregation" were in facilities not designed to house them on a long-term basis because of their custody level.

Administrative Segregation Inmates Housed in Level III or Level IV Facilities							
Correctional Facility	Facility Classification	June 30, 2006			June 30, 2007		
		Total Beds	No. Of Inmates	% of Beds	Total Beds	No. Of Inmates	% of Beds
Centennial	IV	327	142	43.4%	315	53	16.8%
Limon	IV	954	14	1.5%	951	6	0.6%
Arkansas Valley	III	1,020	7	0.7%	1,019	0	0.0%
Buena Vista	III	834	15	1.8%	927	12	1.3%
Territorial	III	793	2	0.3%	795	10	1.3%
Fort Lyon	III	482	0	0.0%	504	1	0.2%
Fremont	III	1,478	18	1.2%	1,476	19	1.3%
Private Prisons	III	4,362	5	0.1%	4,804	11	0.2%
Total		10,250	203	2.0%	10,791	112	1.0%

The shortage of high-custody beds has been an issue discussed by the JBC in recent years. However, because of the shortage of capital construction funds, no additional beds have been built. It has been assumed that the additional growth in the inmate population would be accommodated substantially by the private sector.

Colorado's Private Prisons Cannot Be Used to Mitigate Shortage of High-custody Beds. Because of safety concerns, inmates classified as "close" or "administrative segregation" cannot be placed in private prisons in Colorado pursuant to Section 17-1-104.9, C.R.S. In FY 2004-05, Colorado housed 121 inmates in high-custody beds in Mississippi. The Department returned these inmates in FY 2005-06. During the 2006 session, legislation was adopted to clarify that out-of-state private prisons cannot house high-custody inmates.

High-Custody Inmates Currently Housed in Private Prisons. The Department continues to house high-custody inmates in private prisons. As of October 2007, the Department of Corrections reports that 44 high-custody inmates are housed in private prisons (16 administrative segregation inmates and 28 close custody inmates). Section 17-1-104.9, C.R.S., prohibits high-custody inmates from being housed in private prisons on a long-term basis. An April 2005 audit of private prisons found that in 79 instances in FY 2003-04, the Department violated state law by transferring high-custody inmates to private prisons. It is not clear if any of the 44 high-custody inmates currently in private prisons were transferred to these prisons.

Safety Concerns. Until the shortage of high-custody beds is addressed, staff believes that there could be significant challenges associated with managing the inmate population. At the time the Department moved high-custody inmates to Mississippi in 2004, the Department advised staff that major incidents had increased in recent years. More recently, the Department has reported that the number of disruptive incidents has continued to increase. For example, the Department reported 82 incidents in FY 2006-07 in which facilities had to be locked down, compared with only 8 such incidents in FY 1999-2000. These lock downs are largely attributable to the lack of segregation beds in facilities. Therefore, when disruptions occur, facilities do not have the option to move inmates to segregation beds and instead are forced to lock down the facility.

Pursuant to Section 17-1-104.3 (1), C.R.S., Level IV facilities are prohibited from housing inmates classified as "administrative segregation". This section reads as follows:

(1) (a) Each facility operated by or under contract with the department shall have a designated security level. Designation of security levels shall be as follows:

(IV) Level IV facilities shall generally have towers, a wall or double perimeter fencing with razor wire, and detection devices. The perimeter of level IV facilities shall be continuously patrolled. **Close classified inmates and inmates of lower classification levels may be incarcerated in level IV facilities, but generally inmates of higher classifications shall not be incarcerated in level IV facilities on a long-term basis.** [emphasis added]

Because of the statutory limitations on the placement of high-custody inmates in private prisons, it is likely that higher custody inmates will be housed in less secure cells in state-operated prisons until CSP II is built. The table below summarizes major incidents reported by the Department for calendar years 1997 through 2005.

Department of Corrections – Major Incident Summary									
	1997	1998	1999	2000	2001	2002	2003	2004	2005
Inmate assaults on staff	58	111	179	173	n/a	n/a	n/a	n/a	139
Inmate assaults on inmates	75	105	116	168	n/a	n/a	n/a	n/a	378
Inmate sexual assaults on inmates	2	5	4	4	n/a	n/a	n/a	n/a	16
Fighting	69	97	120	266	n/a	n/a	n/a	n/a	482
Self-inflicted injuries	69	89	106	138	n/a	n/a	n/a	n/a	337
Inmate deaths by homicide	2	3	2	1	2	1	1	4	2
Inmate deaths by suicide	2	5	1	0	1	8	5	4	6

* Source: Department of Corrections' annual reports.

Note: In 2001, 2002, 2003, and 2004 the Department only reported inmate deaths because it was redesigning its incident tracking system.

Shortage of High Custody Beds. By FY 2009-10, JBC staff estimates there will be a shortage of 629 high-custody beds for the male inmate population.

	<u>Inmates</u>	
June 30, 2010 — Male Inmate Population	22,850	
June 30, 2007 — Male Inmate Population	—	<u>20,178</u>
Anticipated Growth	2,672	
Minus Current % in Community	—	<u>301</u> 11.25%
Number of Prison Beds Needed	2,371	
Number of High-Custody Beds Needed	517	21.8%
Existing Shortfall of High-Custody Beds	+	<u>112</u>
Total Needed		629

* In January 2006, the Department testified that 21.8 percent of the inmate population requires an administrative segregation placement.

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Percentage of Private Prison Beds**

ISSUE:

Private prison beds currently comprise approximately 25.7 percent of the total inmate population in the Department of Corrections (DOC). This percentage has increased more than 10 percent in the past four years and is projected by staff to increase another 10 percent in the next five years.

SUMMARY:

- ❑ The number of private prison beds as a percentage of the total inmate population has increased from approximately 15.0 percent in FY 2002-03 to approximately 25.7 percent in FY 2006-07. The Department has indicated that it would prefer to see the percentage of private prison beds between 20 and 25 percent.
- ❑ The only two state-operated prison expansion projects currently underway are the Colorado State Penitentiary II (CSP II) and the expansion of the Denver Reception and Diagnostic Center (DRDC). These two projects will add a total of 1,010 beds in 2010. However, despite these expansion projects, the percentage of private prison beds is estimated to increase to 36.1 percent by FY 2011-12, assuming that no additional state-operated prison beds come on line.
- ❑ The problem facing DOC is that as the percentage of private prison beds increases, the population in state-operated facilities becomes increasingly more difficult to manage because private prison providers do not generally accept inmates with high levels of mental health or medical needs, or those displaying assaultive behavior. As a result, increased capacity in the private sector to account for growth in the inmate population may not alleviate the need for more state-operated, high-custody prison beds.

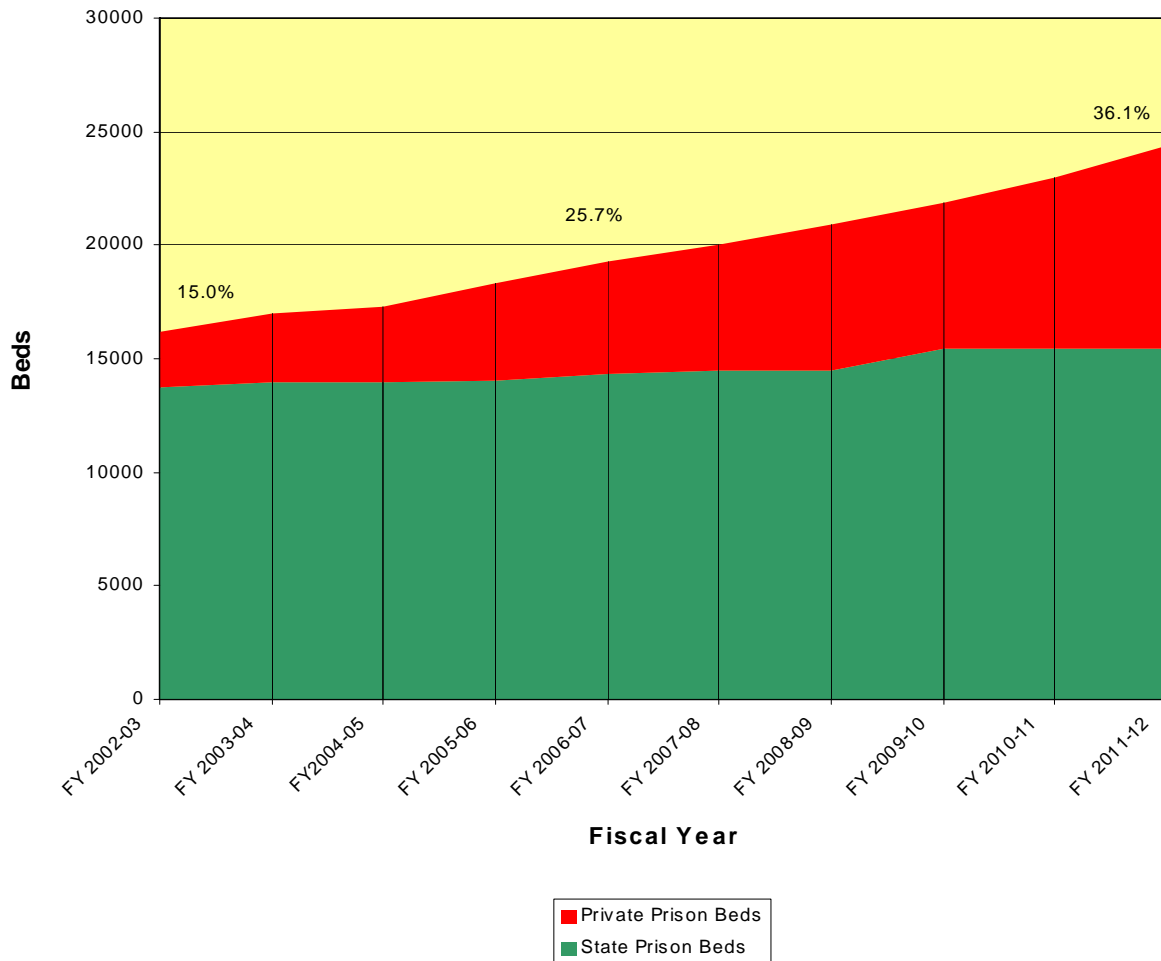
RECOMMENDATION:

Staff recommends that the Committee discuss with the Department at its budget hearing the increasing percentage of private prison beds and whether the Department and the General Assembly are comfortable with the estimated increase that is projected to occur over the next five years, assuming that no additional state-operated prison beds come on line (excluding CSP II and the DRDC expansion).

DISCUSSION:

Private Prison Percentage. Currently, approximately 25.7 percent of the DOC inmate population is housed in private prison beds. This compares with private prisons beds comprising only 15.0 percent of the DOC inmate population in FY 2002-03. The graph below shows the historical growth of private prison beds along with the projected growth in accordance with the LCS December 2007 inmate population projection, assuming that no additional state-operated prison beds come on line (excluding CSP II and the DRDC expansion).

Private Prison Bed Percentage



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). The only major bed expansion project currently underway is the CSP II project, which will add 948 high-custody beds; however, CSP II is not expected to come on line until 2010. Therefore, given the growth projected in the LCS December 2007 inmate population projection and the lack of state beds on the construction horizon, the percentage of private prison beds is going to continue to increase. As can be seen on the graph above, JBC staff estimates that approximately 36.1 percent of the inmate population will be in private prison beds by FY 2011-12.

Future Growth of Inmate Population. Under both the LCS and DCJ projections, the inmate population is anticipated to rise steadily over the next five years. Unless additional state beds are built to accommodate this growth, much of this increase will occur in private prison beds. Therefore, according to the LCS and DCJ projections, if there are no additional state beds built, the percentage of private prison beds will continue to rise through FY 2011-12.

December 2007 Prison Population Projections DCJ vs. LCS						
	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12
Division of Criminal Justice						
December 2007 Projection	22,519	23,456	24,327	25,182	26,329	27,419
Growth From Prior Year	n/a	937	871	855	1,147	1,090
Percent Growth From Prior Year	n/a	4.2%	3.7%	3.5%	4.6%	4.1%
Legislative Council Staff						
December 2006 Projection	22,519	23,322	24,327	25,410	26,717	28,244
Growth From Prior Year	n/a	803	1,005	1,083	1,307	1,527
Percent Growth From Prior Year	n/a	3.6%	4.3%	4.5%	5.1%	5.7%

The Department has indicated that it would prefer to see the percentage of private prison beds between 20 and 25 percent. Private prison providers are not statutorily authorized to house "close" or "administrative segregation" inmates in the long-term. In addition, private prison providers do not generally accept inmates with high levels of mental health or medical needs, or those displaying assaultive behavior. Therefore, as the percentage of private prison beds increases, the Department will have an increasingly more difficult inmate population to manage in state-operated facilities. This affects the Department negatively because the Department relies upon lower risk inmates for general facility maintenance as well as for Correctional Industries and other facility jobs.

**FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
External Capacity Footnote Flexibility**

ISSUE:

The Department's in-state private prison line item is currently funded based on the projected inmate population. As a result, the Department is required to request supplemental transfers when the actual inmate population deviates from the projected inmate population. However, this supplemental procedure could be avoided by allowing the Department the flexibility to transfer funds from its in-state private prison line item to other areas of the Department.

SUMMARY:

- The annual Legislative Council Staff prison population projection is typically used to determine the funding level for the Department's in-state private prison line item. However, the Department must request a supplemental transfer if its actual inmate population does not match the projected inmate population. This supplemental procedure could be avoided by allowing the Department the flexibility to transfer funds from its in-state private prison line item to other areas of the Department.
- Other state agencies, including the Divisions of Child Welfare and Youth Corrections in the Department of Human Services and the Division of Criminal Justice in the Department of Public Safety, have been given the flexibility to transfer funds among line items.
- The Committee could provide differing levels of flexibility by specifying the line items between which funds could be transferred, or by specifying the types of expenditures that could be funded with the transfers.
- It may be premature to provide funding flexibility to the Department based on its recent reduction in the growth of its inmate population. This reduction may have been the result of a one-time outflow of inmates to parole, as can be seen by the increase in the parole population over the past year. It may be more appropriate for the Committee to delay any funding flexibility until the Department has shown a longer period of reduced growth.

RECOMMENDATION:

Staff recommends that the Committee discuss with the Department at its budget hearing the possibility of providing funding flexibility within the in-state private prison line item, and specifically how the Department would foresee using such flexibility.

DISCUSSION:

Background -- Prison Population Projections Used to Calculate DOC Budget. The General Assembly annually receives prison population projections from the Division of Criminal Justice (DCJ) in the Department of Public Safety and the Legislative Council Staff (LCS). These population projections have historically been taken into consideration by the General Assembly when determining the appropriations for the Department of Corrections.

In addition, the Department may request supplemental changes to its funding in order to react to trends in the prison population. For example, this past October the JBC approved a supplemental request to move \$899,938 from the in-state private prison line item to multiple other line items in support of parole services. The table below shows the supplemental changes that were approved:

Department of Corrections Requested Adjustments to FY 2007-08 Appropriations Approved by JBC					
	Total	General Fund	Cash Funds	Cash Funds Exempt	Federal Funds
Management, Executive Director's Office, S.B. 04-257 Amortization Equalization Disbursement	\$2,636	\$2,636	\$0	\$0	\$0
Management, Executive Director's Office, S.B. 06-235 Supplemental Amortization Equalization Disbursement	1,098	1,098	0	0	0
Management, Executive Director's Office, Leased Space	35,293	35,293	0	0	0
External Capacity Subprogram, Payments to House State Prisoners, Payments to in-state private prisons at a rate of \$52.69 per inmate per day	(899,938)	(899,938)	0	0	0
Inspector General Subprogram, Operating Expenses	275	275	0	0	0
Support Services, Communications Subprogram, Operating Expenses	6,600	6,600	0	0	0
Support Services, Transportation Subprogram, Vehicle Lease Payments	12,178	12,178	0	0	0
Support Services, Training Subprogram, Operating Expenses	220	220	0	0	0
Support Services, Information Systems Subprogram, Operating Expenses	2,200	2,200	0	0	0
Inmate Programs, Drug and Alcohol Treatment Subprogram, Contract Services	92,557	92,557	0	0	0
Community Services, Parole Subprogram, Personal Services	159,127	159,127	0	0	0

Department of Corrections Requested Adjustments to FY 2007-08 Appropriations Approved by JBC					
	Total	General Fund	Cash Funds	Cash Funds Exempt	Federal Funds
Community Services, Parole Subprogram, Operating Expenses	19,612	19,612	0	0	0
Community Services, Parole Subprogram, Contract Services	70,408	70,408	0	0	0
Community Services, Parole Subprogram, Start-up Costs	98,913	98,913	0	0	0
Community Services, Parole Intensive Supervision Subprogram, Personal Services	86,087	86,087	0	0	0
Community Services, Parole Intensive Supervision Subprogram, Operating Expenses	10,211	10,211	0	0	0
Community Services, Parole Intensive Supervision Subprogram, Contract Services	140,383	140,383	0	0	0
Community Services, Parole Intensive Supervision Subprogram, Non-residential Services	108,216	108,216	0	0	0
Community Services, Parole Intensive Supervision Subprogram, Start-up Costs	53,924	53,924	0	0	0
Total	\$0	\$0	\$0	\$0	\$0

This supplemental request was the result of the Department experiencing a higher number of parolees and a lower number of inmates than had been projected and budgeted for FY 2007-08. The Department had originally requested the supplemental change for the August JBC meeting; however, because that meeting was cancelled, the Department had to wait until October to get the transfer approved. This created a lag time between the need for resources and the timing of the funding. This lag time, along with the need to request supplemental funding, could be avoided if the Department were provided with flexibility within its in-state private prison line item to transfer funds to other areas of the Department.

Funding Flexibility in Other Agencies. The Division of Criminal Justice within the Department of Public Safety has statutory flexible to transfer funding between its community corrections line items. Pursuant to Section 17-27-108 (5), C.R.S., the Division of Criminal Justice may transfer appropriations among line items for community corrections programs. This section reads as follows:

(5) The division of criminal justice is authorized to transfer up to ten percent of annual appropriations among or between line items for community corrections program services. Advance notice of such transfers shall be provided to the general assembly, the governor, the executive director of the department of corrections, and the chief justice of the supreme court.

In addition, the Division of Youth Corrections within the Department of Human Services has footnote flexibility to spend up to 15 percent of its Purchase of Contract Placements line item on community-based parole program services. The FY 2007-08 footnote read as follows:

Department of Human Services, Division of Youth Corrections, Community Programs, Purchase of Contract Placements -- It is the intent of the General Assembly that up to 15.0 percent of the General Fund appropriation to this line may be used to provide treatment, transition, and wrap-around services to youths in the Division of Youth Correction's system in residential and non-residential settings. The Division is requested to provide a report to the Joint Budget Committee on November 1, 2007. This report should include the following information: (1) The amount spent serving youths in residential and non-residential settings from this line item in FY 2006-07; (2) the type of services purchased with such expenditures; (3) the number of committed and detained youths treated with such expenditures; (4) baseline data that will serve to measure the effectiveness of such expenditures; and (5) an evaluation of the effectiveness of this footnote in addressing the need for flexibility in treating and transitioning youth from residential to non-residential settings.

Finally, the Division of Child Welfare within the Department of Human Services is provided with footnote authorization to spend funds in the most appropriate, least restrictive manner. This FY 2007-08 footnote read as follows:

Department of Human Services, Division of Child Welfare -- It is the intent of the General Assembly to encourage counties to serve children in the most appropriate and least restrictive manner. For this purpose, the Department may transfer funds among all line items in this long bill group total for the division of child welfare.

Funding Flexibility for DOC. The Department of Corrections may benefit from funding flexibility similar to that which is provided to other state departments. This could be done either through footnote or statutory authorization. Staff has provided three options below for providing funding flexibility to DOC:

1. Provide the Department with the flexibility to spend up to 5.0 percent of its in-state private prison line item on parole program services. This option would limit the transfer to parole program services only rather than also allowing the Department to increase parole FTE. The FY 2007-08 appropriation for the in-state private prison line item is \$78,391,800; therefore, 5.0 percent spending flexibility would allow the Department to transfer up to \$3,919,590 for parole program services.

2. Provide the Department with the flexibility to spend up to 5.0 percent of its in-state private prison line item on its parole program. This option differs from the one above in that it allows the Department to transfer funding from the in-state private prison contract line item to support additional parole FTE.
3. Provide the Department with the flexibility to spend up to 5.0 percent of its in-state private prison line item anywhere throughout its budget. This option differs from the two above in that it provides the Department with the most flexibility to spend its appropriations in what it considers to be the most appropriate manner. It would also allow the Department to react more quickly to changing trends that occur within its populations.

Concerns About Reduction in Growth. Staff believes it may be premature to provide funding flexibility to the Department based on its recent reduction in the growth of the inmate population. This reduction may have been the result of a one-time outflow of inmates to parole, as can be seen by the increase in the parole population over the past year. Additionally, after seeing very low growth during FY 2006-07 and the first few months of FY 2007-08, the Department has seen its inmate population grow by 123 inmates in November 2007. Because of this pattern, staff has concerns that the reduction in inmate growth may have simply been a bubble that was created by a large number of inmates going on parole. If this is the case, one would expect the growth rate to level out to more historical patterns, in which case funding flexibility may not be helpful to the Department because it would not be experiencing savings in the in-state private prison line item.

FY 2008-09 Joint Budget Committee Staff Budget Briefing
DEPARTMENT OF CORRECTIONS
Options for Reducing the Department of Corrections' Caseload
Informational Issue

ISSUE:

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:

- Despite significant budget reductions to the Department of Corrections, increases related to caseload have offset the savings achieved.
- 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 2008 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.

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.

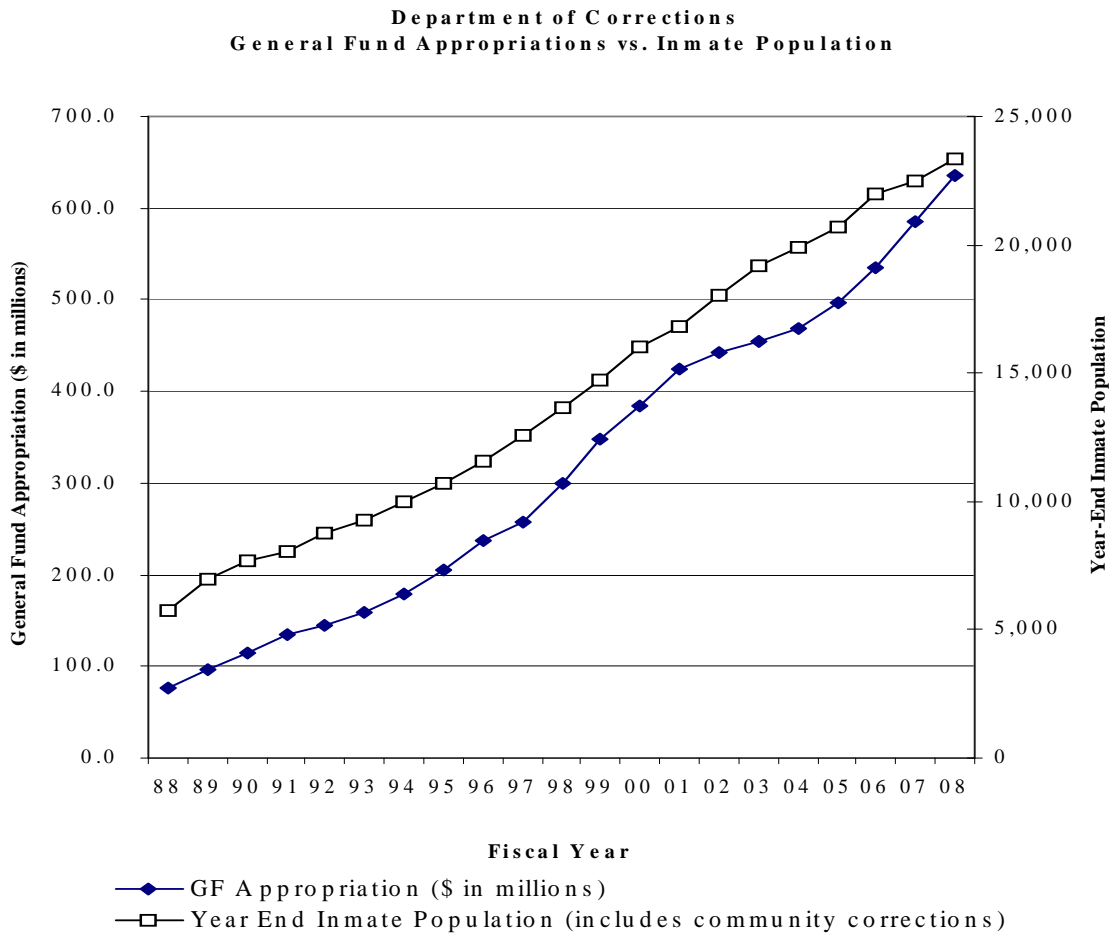
The Department of Corrections' budget continues to grow because these savings were offset by growing caseload. With a larger inmate population, more private and state-operated prison beds were brought on line; more dollars were appropriated for more correctional officers and other expenses related to 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.

2. **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).

An example for the Department of Corrections could be a program like the one outlined in response to a footnote in the 2005 Long Bill. The footnote outlined the potential for a 50-bed pilot program for mentally ill inmates. The percentage of inmates with mental illness is at a record high (18 to 19 percent of inmates compared with 3 percent of the inmate population in the early 1990s). The report included cost estimates of \$2,256,747 General Fund for a 50-bed pilot program (\$123.66 per inmate per day). The three-month program

was designed to provide a step-down facility for mentally ill offenders with the goal of increasing public safety and reducing recidivism by preparing offenders to re-enter society. The Department also estimated costs of \$4,255,900 in annual after care costs (\$58.30 per inmate for a period of 180 days).¹

The program suggested by the Department would provide intensive clinical, correctional, and pre-release needs for 50 offenders for a period of three months. As such, 200 inmates could be served per year. The Department proposed that the program operate as a separate, free-standing, minimum security facility in a community setting. Offenders could be placed in the program in one of two ways: (a) prior to being paroled, or (b) regressed to the facility while on parole (similar to Cheyenne Mountain pre-release parole revocation facility in Colorado Springs). Statutory changes to authorize the program would be necessary.

A recent study from the state of Washington examined potential options to reduce the inmate caseload. Programs identified were largely based on providing treatment to offenders (programs examined reduced crime from 4.5 percent to 16.7 percent). Notably, the study indicated that a *moderate* investment in preventative programs would require \$63 million per year. The study estimated significant long-term savings. However, *net* benefits were not estimated until year 5.

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.²
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.

¹ Staff believes that the cost estimates for the after care should be \$2,127,950 per year because the inmates only need services for 6 months. DOC's calculation was for an entire year of after care services.

² 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

Felony Classifications and Penalties (for felonies committed on or after July 1, 1993)			
Class	Minimum Sentence	Maximum Sentence	Mandatory Parole
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.
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.

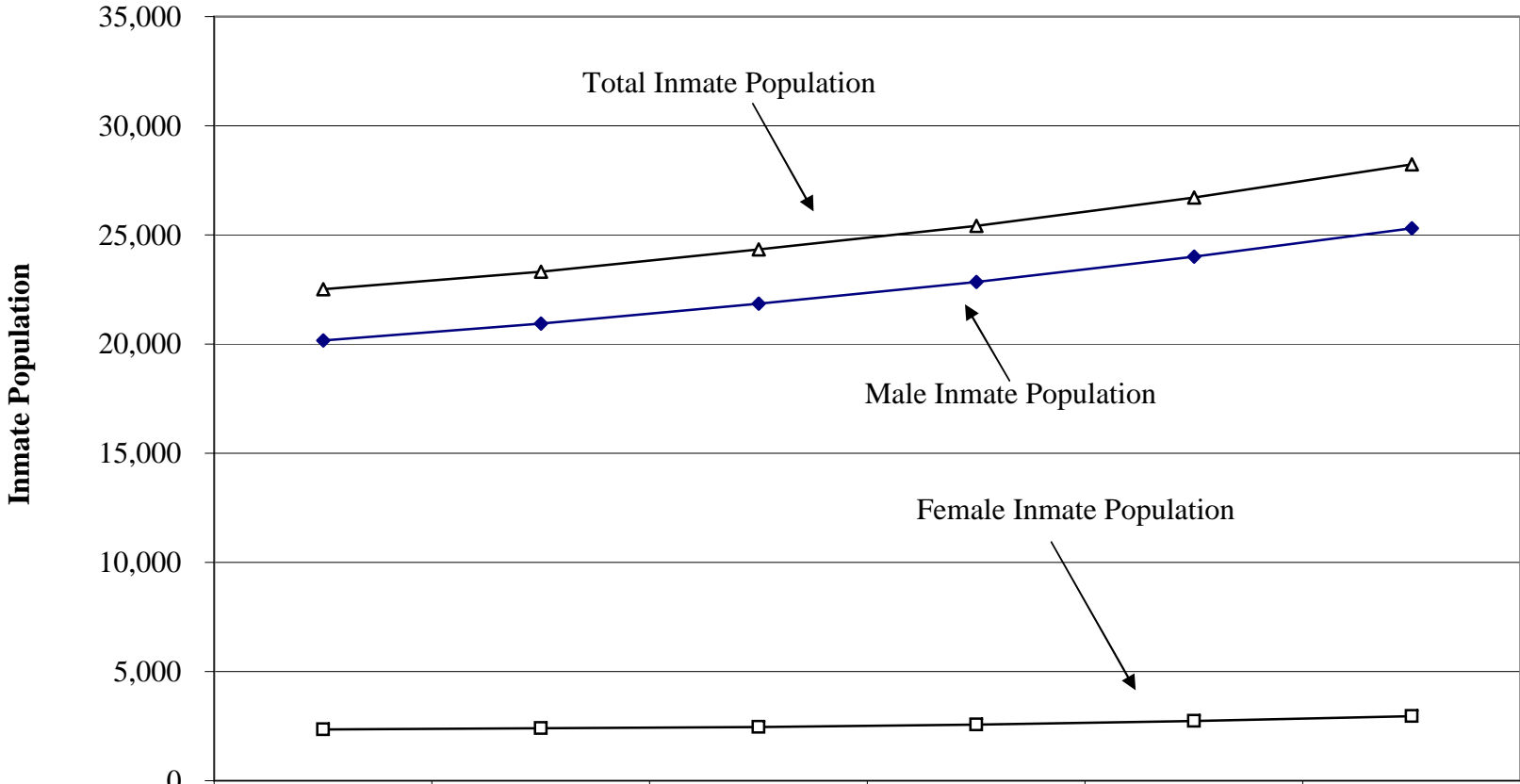
8. Increase earned time or change parole eligibility date. The formula for calculating parole eligibility could be modified. In general, inmates are eligible after serving half of their sentence. Repeat violent offenders are eligible after serving 75 percent of the sentence. Alternatively, more credit for time served could be granted to offenders. Currently, inmates may earn up to 40 days credit for each month served – 10 days of "earned time" per month can be accrued.
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. The Parole Board's discretion to revoke or deny parole could be reduced through statutory changes.

APPENDIX A

GRAPHICAL REVIEW OF 2006 POPULATION PROJECTIONS
Legislative Council and Division of Criminal Justice

December 2007 LCS Inmate Population Projections

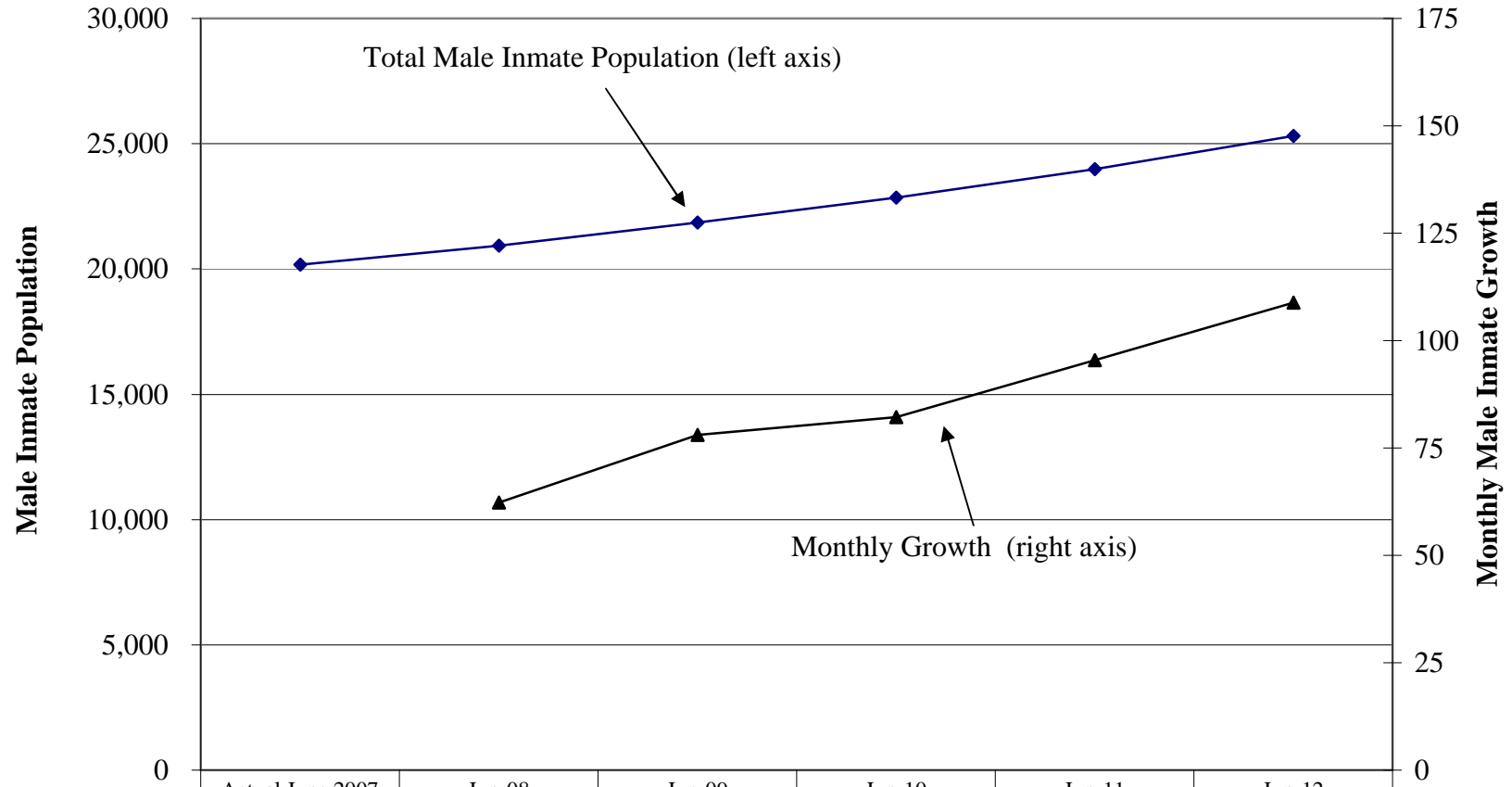
Chart #1



	Actual June 2007	Jun-08	Jun-09	Jun-10	Jun-11	Jun-12
—△— Total Inmate Population	22,519	23,322	24,327	25,411	26,717	28,243
—◆— Males Inmates	20,178	20,926	21,863	22,850	23,995	25,301
—□— Female Inmates	2,341	2,396	2,464	2,561	2,722	2,942

December 2007 LCS Male Inmate Population Projections

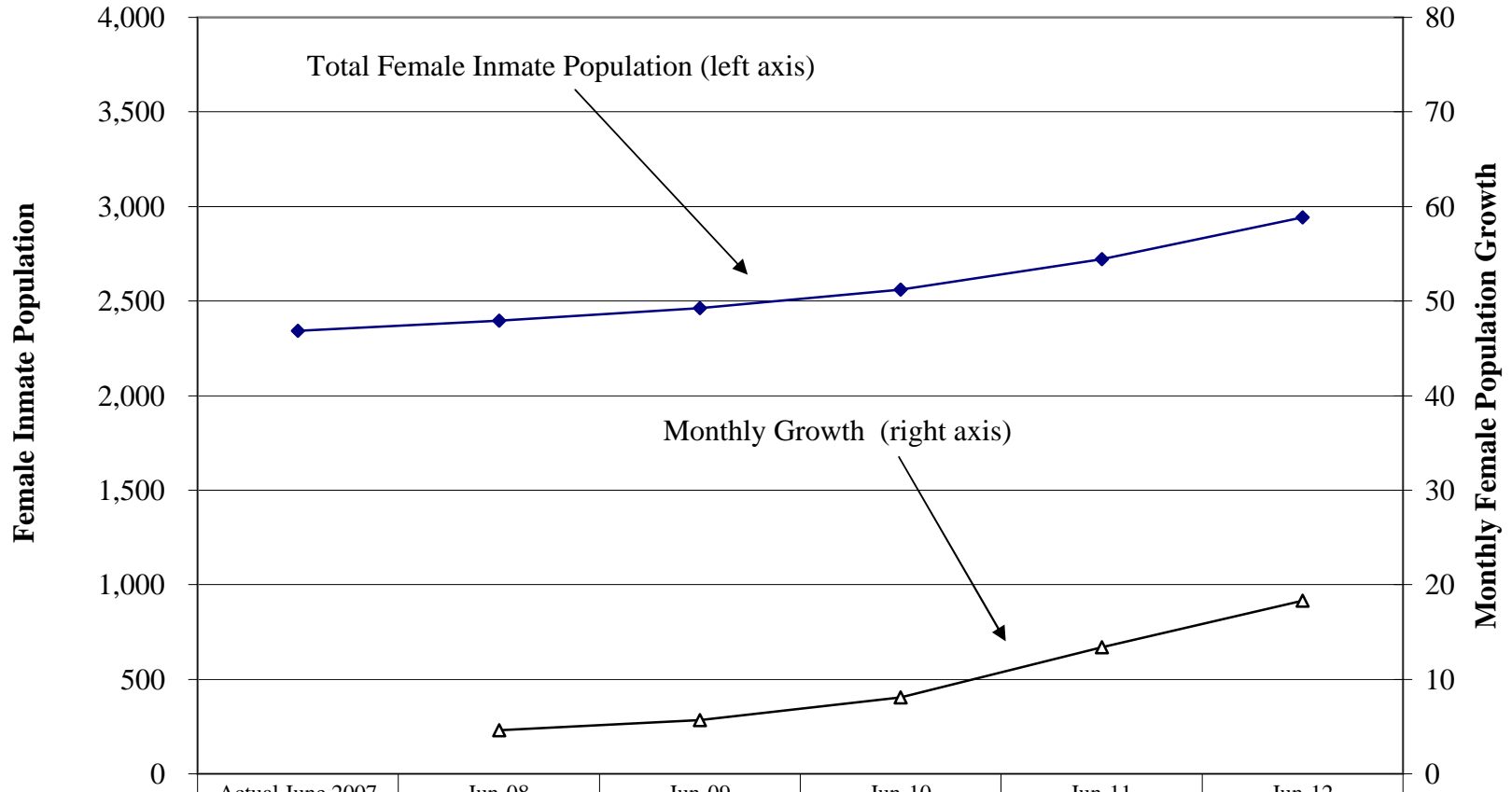
Chart #2



◆ Males Inmates	20,178	20,926	21,863	22,850	23,995	25,301
▲ LCS Monthly Growth		62	78	82	95	109
LCS Annual Growth		3.7%	4.5%	4.5%	5.0%	5.4%

December 2007 LCS Female Inmate Population Projections

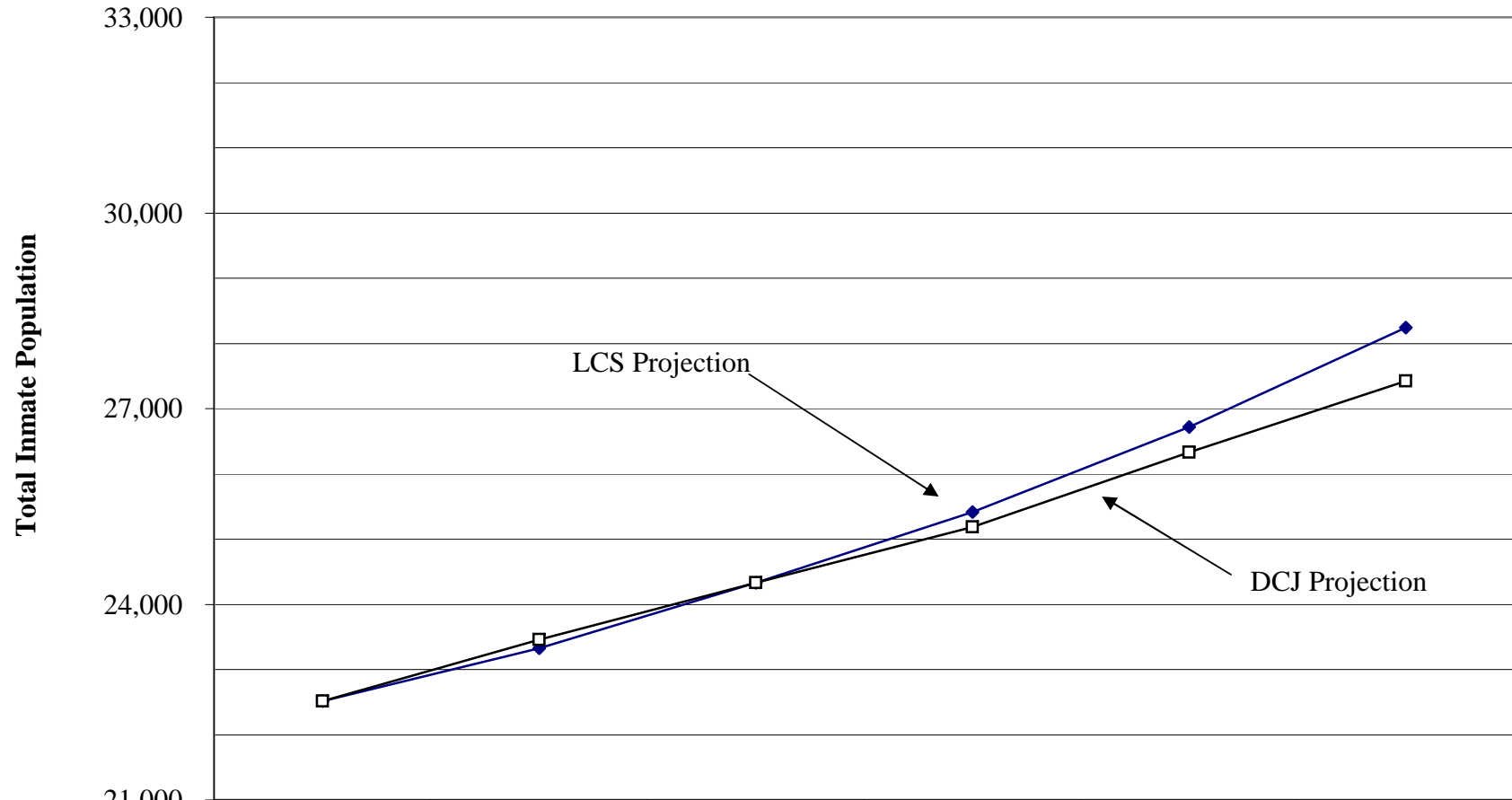
Chart #3



	Actual June 2007	Jun-08	Jun-09	Jun-10	Jun-11	Jun-12
◆ Female Inmates	2,341	2,396	2,464	2,561	2,722	2,942
▲ LCS Monthly Growth		5	6	8	13	18
LCS Annual Growth		2.3%	2.8%	3.9%	6.3%	8.1%

Comparison of Dec. 2007 Inmate Population Projections - LCS vs. DCJ

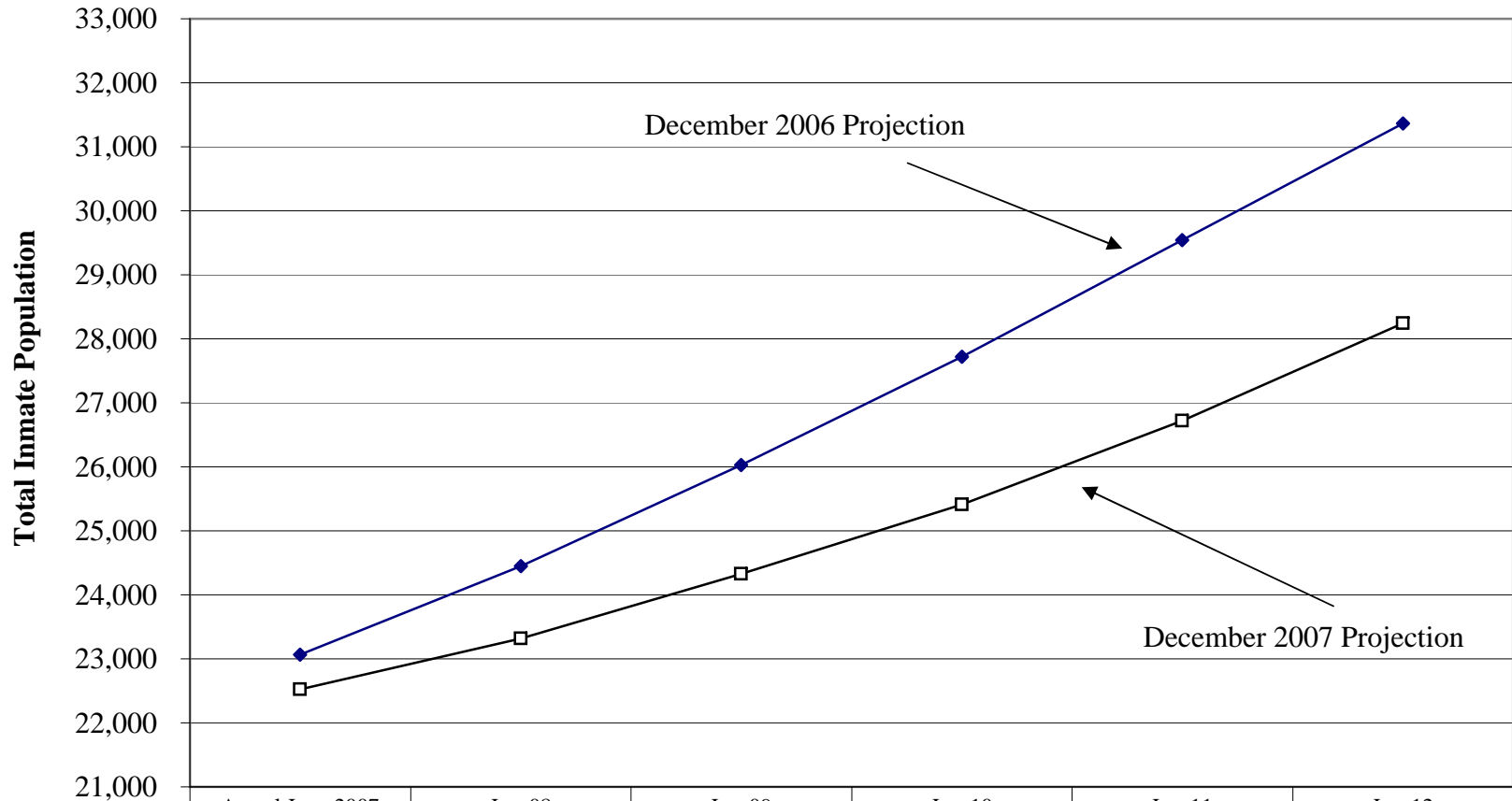
Chart #4



	Actual June 2007	Jun-08	Jun-09	Jun-10	Jun-11	Jun-12
—◆— LCS -- Dec. 2007	22,519	23,322	24,327	25,411	26,717	28,243
—□— DCJ -- Dec. 2007	22,519	23,456	24,327	25,182	26,329	27,419
Difference	0	(134)	0	229	388	824

Comparison of LCS Inmate Population Projections - Dec. 2007 vs. Dec. 2006

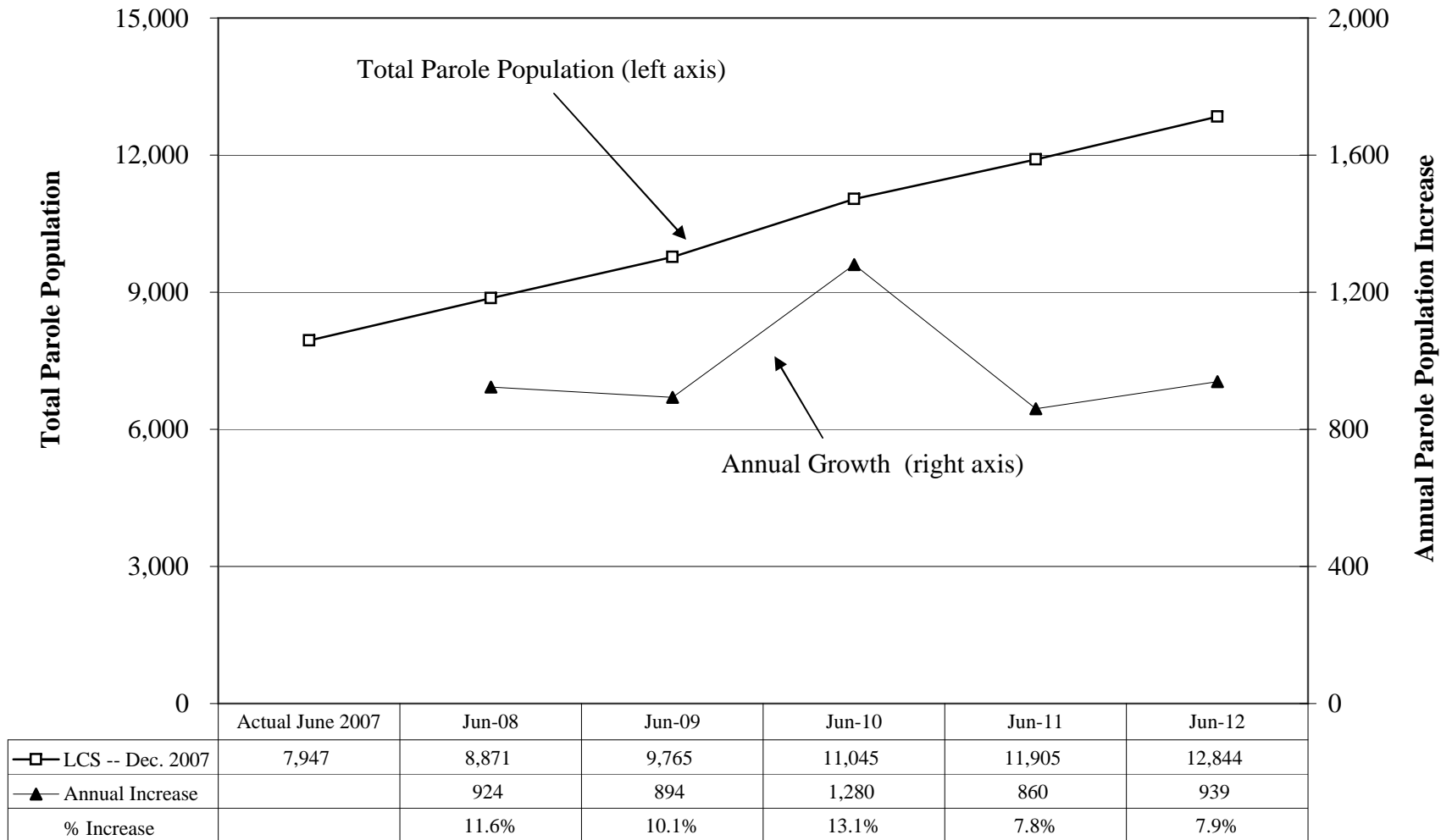
Chart #5



	Actual June 2007	Jun-08	Jun-09	Jun-10	Jun-11	Jun-12
—□— LCS -- Dec. 2007	22,519	23,322	24,327	25,411	26,717	28,243
—◆— LCS -- Dec. 2006	23,065	24,448	26,029	27,719	29,540	31,368
Increase / (Decrease)	(546)	(1,126)	(1,702)	(2,308)	(2,823)	(3,125)

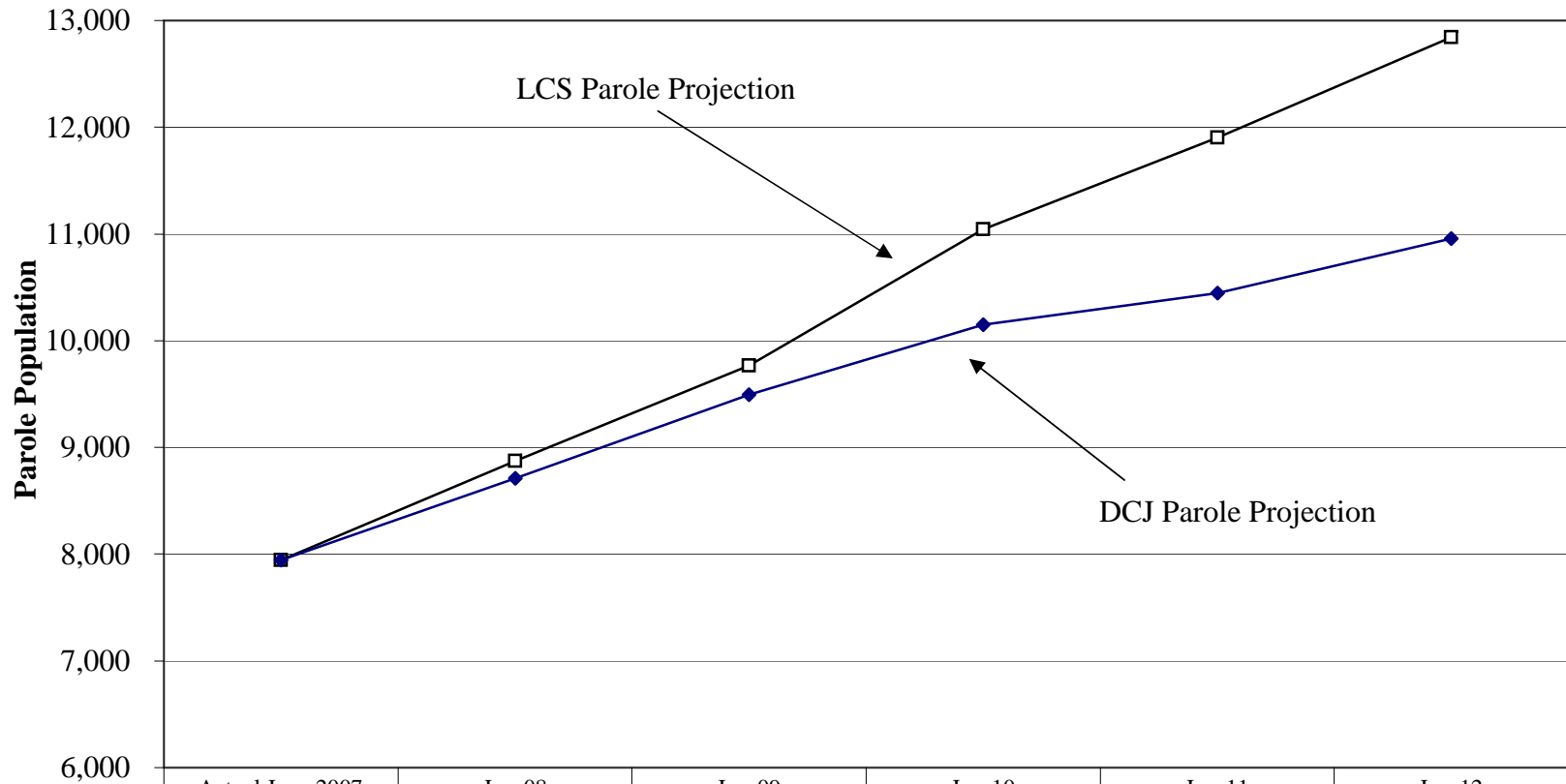
LCS Parole Population Projections - December 2007

Chart #6



Comparison of December 2007 Parole Population Projections LCS vs. DCJ

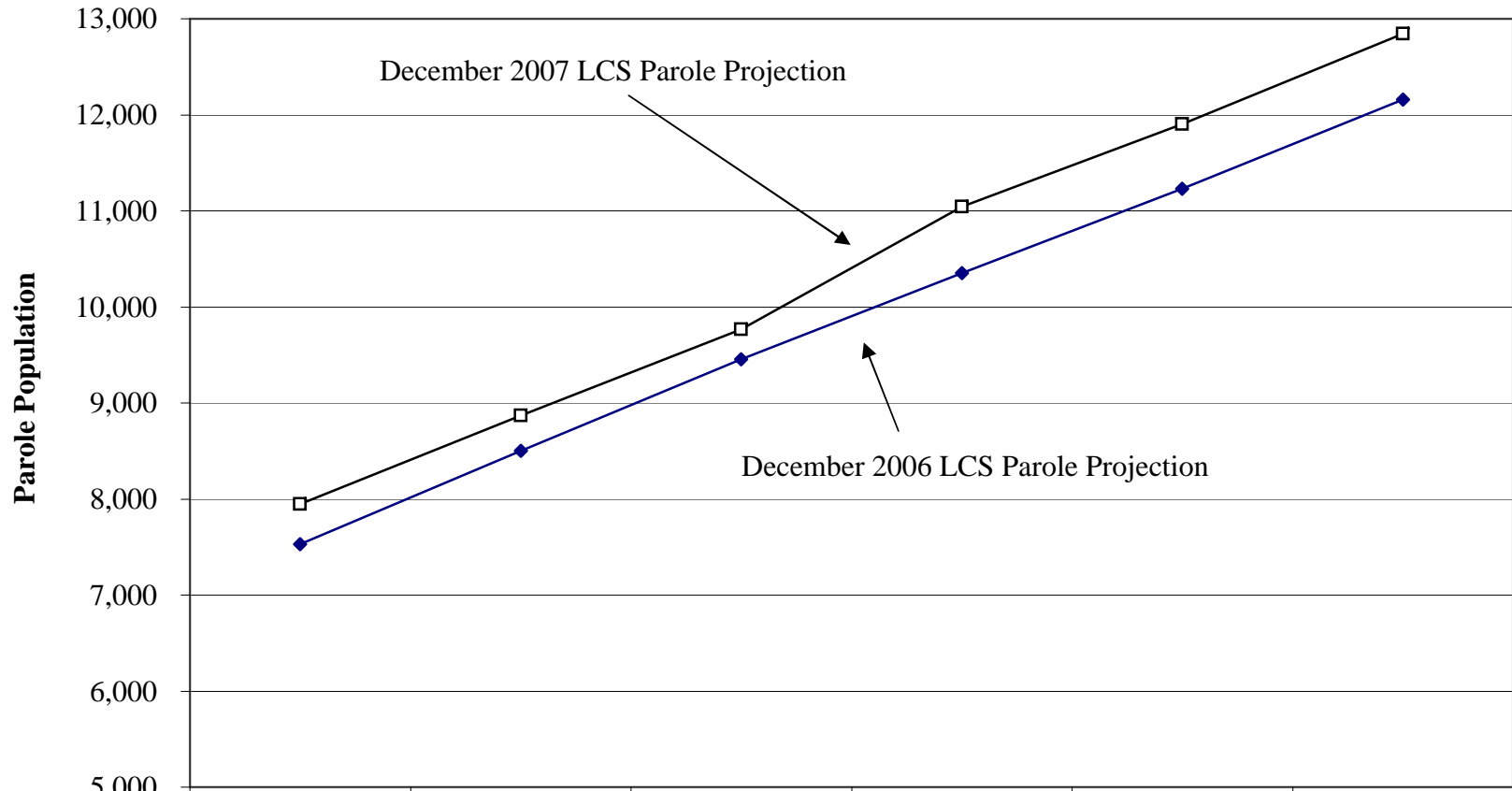
Chart #7



	Actual June 2007	Jun-08	Jun-09	Jun-10	Jun-11	Jun-12
—□— LCS -- Dec. 2007	7,947	8,871	9,765	11,045	11,905	12,844
—◆— DCJ -- Dec. 2007	7,947	8,712	9,495	10,152	10,448	10,959
Difference	0	159	270	893	1,457	1,885

Comparison of LCS Parole Population Projections - Dec. 2007 vs. Dec. 2006

Chart #8



	Actual June 2007	Jun-08	Jun-09	Jun-10	Jun-11	Jun-12
—□— LCS -- Dec. 2007	7,947	8,871	9,765	11,045	11,905	12,844
—◆— LCS -- Dec. 2006	7,527	8,501	9,455	10,349	11,229	12,161
Increase / (Decrease)	420	370	310	696	676	683

APPENDIX B

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

Appendix B

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
FY 1999-00								
	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
FY 2000-01								
	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	-	-
FY 2001-02								
	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
FY 2002-03								
	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
FY 2003-04								
	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
FY 2004-05 and FY 2005-06								
	None	\$0	\$0	0	0	n/a	n/a	None submitted
FY 2006-07								
	DRDC Renovation/Expansion Construction	\$18,542,111	\$9,000,000	62	62	V	HB 06-1385	Approved in Phases
FY 2007-08								
	DRDC Phase II	\$14,966,051	\$14,966,051	62	62	V	SB 07-239	Under Construction

APPENDIX C

**INCARCERATION RATES PER 100,000 RESIDENTS
NATIONAL COMPARISON**

Appendix C

	Change in Inmates 1992 to 2004			Incarceration Rate				Change in Rates 1992 to 2006			
	Inmates	Total % Change	Compound Annual % Change	FY 1992		FY 2006		Change in Rate	Total % Change	Compound Annual % Change	Rank Incarceration Rate Growth
				Rate	Rank	Rate	Rank				
Northeast	32,838	23.8%	1.8%	261		302		41	15.7%	1.0%	
Connecticut	8,094	71.0%	4.6%	268	25	382	29	114	42.5%	3.0%	30
Maine	505	33.2%	2.4%	121	47	141	50	20	16.5%	1.3%	44
Massachusetts	91	0.9%	0.1%	161	41	241	44	80	49.7%	3.4%	26
New Hampshire	671	37.8%	2.7%	160	42	200	47	40	25.0%	1.9%	38
New Jersey	4,104	18.1%	1.4%	290	21	326	36	36	12.4%	1.0%	46
New York	2,015	3.3%	0.3%	340	14	326	36	(14)	-4.1%	-0.3%	50
Pennsylvania	15,989	64.0%	4.2%	207	33	346	33	139	67.1%	4.4%	22
Rhode Island	655	23.6%	1.8%	170	39	195	48	25	14.7%	1.1%	45
Vermont	714	56.9%	3.8%	151	44	258	42	107	70.9%	4.6%	18
Midwest	83,576	50.0%	3.4%	273		392		119	43.6%	2.7%	
Illinois	12,414	39.2%	2.8%	271	24	354	32	83	30.6%	2.3%	36
Indiana	10,063	72.2%	4.6%	242	27	435	21	193	79.8%	5.0%	16
Iowa	4,007	88.7%	5.4%	160	42	290	40	130	81.3%	5.1%	14
Kansas	2,938	48.7%	3.4%	238	28	323	38	85	35.7%	2.6%	34
Michigan	9,770	25.0%	1.9%	413	5	502	10	89	21.5%	1.6%	42
Minnesota	4,936	129.1%	7.2%	85	49	189	49	104	122.4%	6.9%	4
Missouri	14,892	92.0%	5.6%	311	20	524	9	213	68.5%	4.4%	21
Nebraska	1,616	64.3%	4.2%	151	44	247	43	96	63.6%	4.2%	24
North Dakota	850	178.2%	8.9%	67	50	211	46	144	214.9%	10.0%	2
Ohio	6,428	16.7%	1.3%	347	12	414	23	67	19.3%	1.5%	43
South Dakota	1,608	108.1%	6.3%	208	32	449	20	241	115.9%	6.6%	6
Wisconsin	14,054	157.7%	8.2%	176	37	386	27	210	119.3%	6.8%	5
South	285,864	91.3%	5.6%	355		540		185	52.1%	3.6%	
Alabama	8,434	48.3%	3.3%	407	7	587	5	180	44.2%	3.1%	28
Arkansas	5,522	66.7%	4.3%	340	14	478	14	138	40.6%	2.9%	31
Delaware	2,876	71.0%	4.6%	390	8	481	13	91	23.3%	1.8%	40
Florida	37,231	77.1%	4.9%	355	11	492	12	137	38.6%	2.8%	33
Georgia	25,814	102.1%	6.0%	365	10	550	6	185	50.7%	3.5%	25
Kentucky	7,450	71.9%	4.6%	274	23	464	19	190	69.3%	4.5%	20
Louisiana	16,043	76.8%	4.9%	484	2	835	1	351	72.5%	4.6%	17
Maryland	3,308	16.6%	1.3%	381	9	400	25	19	5.0%	0.4%	49
Mississippi	12,203	139.0%	7.5%	327	17	661	3	334	102.1%	6.0%	10
North Carolina	14,980	73.2%	4.7%	290	21	361	31	71	24.5%	1.8%	39
Oklahoma	8,498	57.3%	3.8%	459	3	658	4	199	43.4%	3.0%	29
South Carolina	4,785	25.7%	1.9%	486	1	527	8	41	8.4%	0.7%	48
Tennessee	14,035	118.4%	6.7%	234	29	433	22	199	85.0%	5.3%	12
Texas	106,927	174.8%	8.8%	344	13	687	2	343	99.7%	5.9%	11
Virginia	14,365	67.8%	4.4%	327	17	472	17	145	44.3%	3.1%	27
West Virginia	3,393	202.7%	9.7%	92	48	295	39	203	220.7%	10.2%	1
West	121,501	69.8%	4.5%	299		437		138	46.2%	3.0%	
Alaska	1,689	59.0%	3.9%	327	17	400	25	73	22.3%	1.7%	41
Arizona	16,038	97.3%	5.8%	409	6	529	7	120	29.3%	2.2%	37
California	57,060	52.1%	3.6%	339	16	476	15	137	40.4%	2.9%	32
Colorado	11,296	125.6%	7.0%	256	26	466	18	210	82.0%	5.1%	13
Hawaii	3,034	103.7%	6.1%	164	40	345	34	181	110.4%	6.4%	9
Idaho	4,119	182.6%	9.0%	209	31	476	15	267	127.8%	7.1%	3
Montana	2,379	158.8%	8.2%	180	36	384	28	204	113.3%	6.5%	7
Nevada	5,316	87.9%	5.4%	448	4	494	11	46	10.3%	0.8%	47
New Mexico	3,108	95.0%	5.7%	197	34	334	35	137	69.5%	4.5%	19
Oregon	6,600	100.3%	6.0%	174	38	368	30	194	111.5%	6.4%	8
Utah	3,290	121.9%	6.9%	146	46	240	45	94	64.4%	4.2%	23
Washington	6,655	66.8%	4.4%	192	35	260	41	68	35.4%	2.6%	35
Wyoming	917	86.3%	5.3%	226	30	407	24	181	80.1%	5.0%	15
Total States	523,779	66.1%	4.3%	305		440		135	44.3%	3.1%	

* 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*.

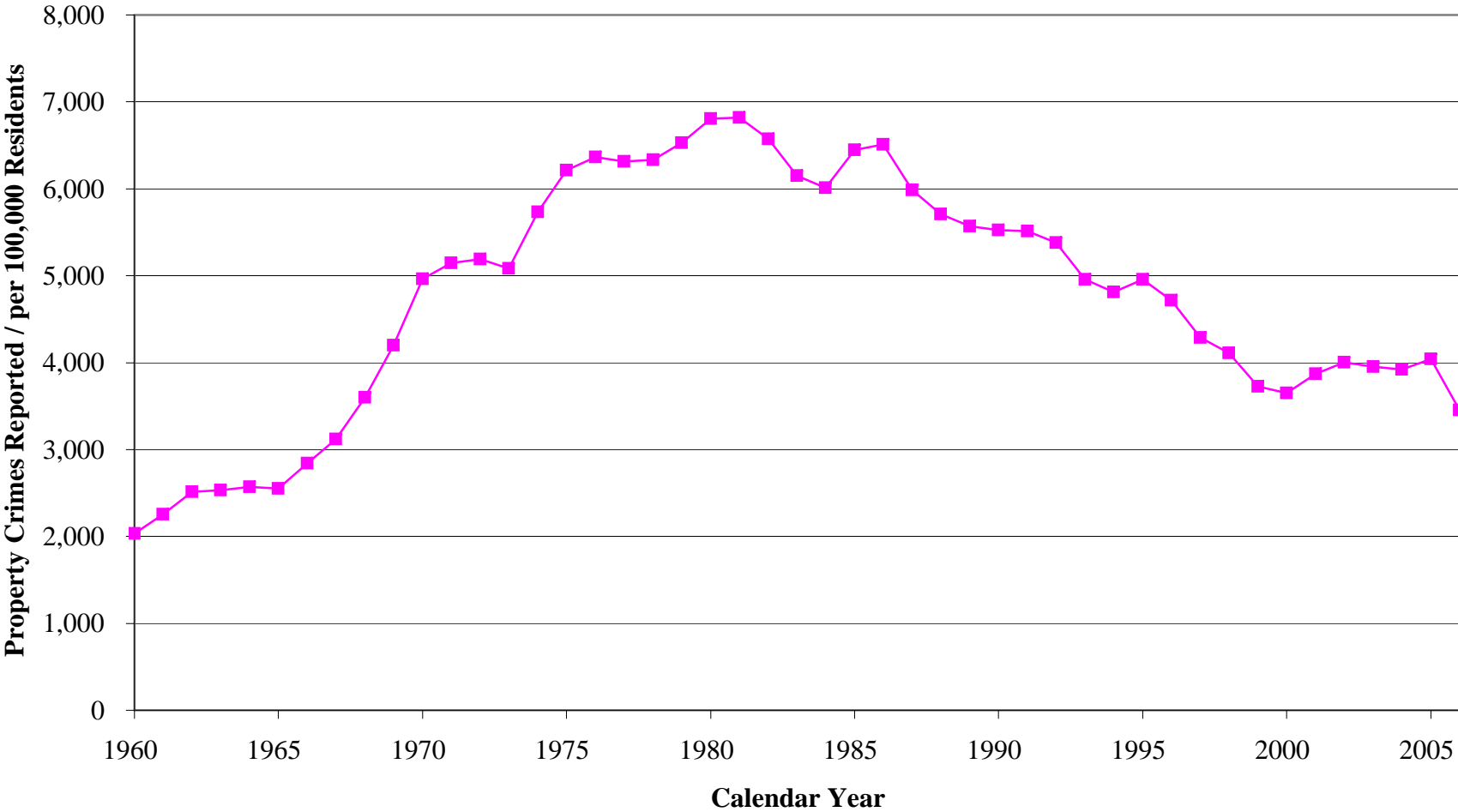
The 2006 data was obtained from <http://www.ojp.usdoj.gov/bjs/pub/pdf/p05.pdf>, accessed October 12, 2007.

APPENDIX D

CRIME RATES IN COLORADO

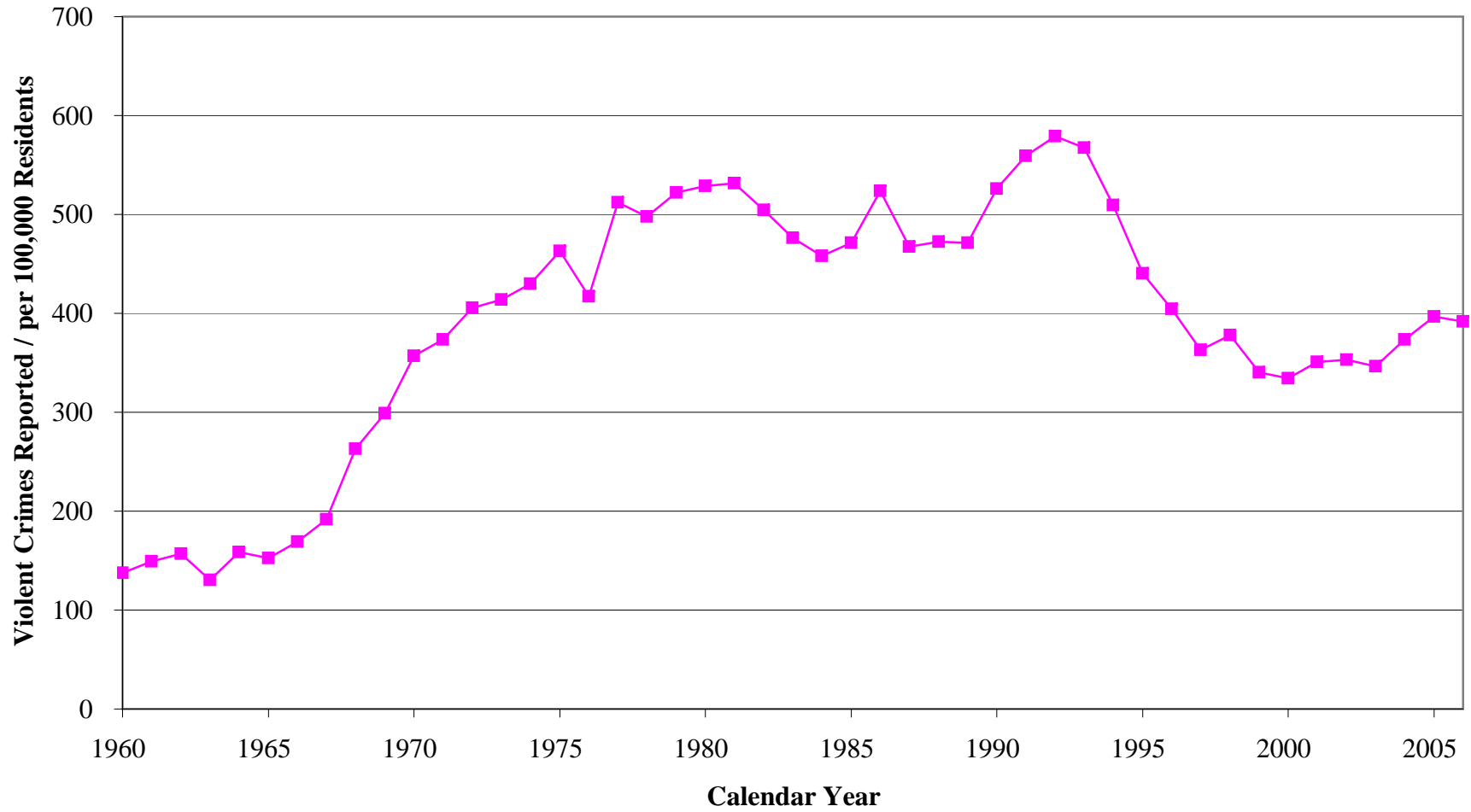
Appendix D

Colorado Property Crime Rates



Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data. Date of download: October 12, 2007 (<http://www.ojp.usdoj.gov/bjs>)

Colorado Violent Crime Rates



Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data. Date of download: October 12, 2007 (<http://www.ojp.usdoj.gov/bjs>)

APPENDIX E

COLORADO INMATE POPULATION BY CRIME TYPE

Appendix E

**Inmate Population Most Serious Offenses
as of June 30 each Year**

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	Change 93 to 06	
VIOLENT:																
1st Degree Murder	341	381	412	446	469	678	712	748	788	817	859	894	n/a	971	630	184.8%
2nd Degree Murder	276	295	314	357	391	506	527	567	592	629	653	678	n/a	750	474	171.7%
Manslaughter	91	95	99	111	119	118	113	108	101	100	98	87	n/a	87	(4)	-4.4%
Vehicular Homicide	71	77	81	86	92	103	111	119	125	137	163	168	n/a	196	125	176.1%
Negligent Homicide	15	11	11	15	15	12	18	22	25	18	12	10	n/a	13	(2)	-13.3%
Aggravated Robbery	482	508	484	530	522	607	632	671	702	740	775	829	n/a	891	409	84.9%
Simple Robbery	254	277	270	297	292	321	346	372	393	411	411	468	n/a	483	229	90.2%
Kidnaping	130	134	206	235	245	270	258	287	301	330	334	353	n/a	373	243	186.9%
Assault	561	603	709	812	869	1,079	1,120	1,224	1,254	1,331	1,411	1,495	n/a	1,604	1,043	185.9%
Menacing	175	204	224	259	314	340	384	414	493	565	616	618	n/a	658	483	276.0%
Sexual Assault	437	441	425	451	481	629	739	796	794	762	736	671	n/a	624	187	42.8%
Sexual Assault/ Exploit of Child	553	619	699	773	851	968	946	1,010	1,031	933	886	816	n/a	704	151	27.3%
Incest	n/a	n/a	76	72	68	72	72	77	78	70	56	55	n/a	49	n/a	n/a
Vehicular Assault	32	42	48	55	51	63	89	87	105	122	123	139	n/a	133	101	315.6%
Att/Consp/Acc to Violent Crimes	361	410	521	590	629	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson	25	19	26	39	40	48	60	64	60	63	61	58	n/a	69	44	176.0%
Weapons/Explosives	31	41	45	50	65	68	53	65	75	74	77	87	n/a	143	112	361.3%
Child Abuse	79	85	90	110	119	179	205	236	287	316	368	406	n/a	496	417	527.8%
Sex Offender Act	29	29	29	39	40	36	45	70	180	315	494	658	n/a	910	881	3037.9%
SUBTOTAL	3,943	4,271	4,769	5,327	5,672	6,097	6,430	6,937	7,384	7,733	8,133	8,490	n/a	9,154	5,211	132.2%
NON-VIOLENT:																
Drug Offenses	974	1,033	1,114	1,463	1,812	2,441	2,800	3,130	3,291	3,691	3,771	3,932	n/a	4,165	3,191	327.6%
Att/Consp/Acc to Non-violent Crimes	571	617	533	589	628	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Theft	684	696	627	701	816	1,087	1,058	1,169	1,191	1,322	1,392	1,459	n/a	1,754	1,070	156.4%
Escape/Contraband	300	305	765	875	990	975	1,015	1,183	1,234	1,309	1,295	1,334	n/a	2,021	1,721	573.7%
Burglary	1,054	1,071	956	1,041	1,046	1,234	1,256	1,346	1,378	1,398	1,436	1,436	n/a	1,519	465	44.1%
Traffic	106	94	92	154	166	214	265	228	185	180	191	191	n/a	172	66	62.3%
Trespassing	217	229	216	263	272	367	396	400	416	452	500	460	n/a	524	307	141.5%
Forgery	175	165	135	172	181	212	223	233	223	266	257	250	n/a	383	208	118.9%
M. V. Theft	175	185	153	181	191	268	308	313	334	376	455	473	n/a	565	390	222.9%
Fraud/Embezzlement	72	87	80	82	81	88	71	83	83	102	98	93	n/a	94	22	30.6%
Family Crimes	73	70	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	269	282	313	334	373	400	425	460	483	554	562	596	n/a	574	305	113.4%
Miscellaneous	141	132	47	78	89	308	338	364	452	484	551	633	n/a	832	691	490.1%
SUBTOTAL	4,811	4,966	5,031	5,933	6,645	7,594	8,155	8,909	9,270	10,134	10,508	10,857	n/a	12,603	7,792	162.0%
TOTAL	8,754	9,237	9,800	11,260	12,317	13,691	14,585	15,846	16,654	17,867	18,641	19,347	n/a	21,757	13,003	148.5%

**Inmate Population Most Serious Offenses
Percent Increase Over Prior Year**

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
VIOLENT:														
1st Degree Murder	n/a	11.7%	8.1%	8.3%	5.2%	44.6%	5.0%	5.1%	5.3%	3.7%	5.1%	4.1%	n/a	8.6%
2nd Degree Murder	n/a	6.9%	6.4%	13.7%	9.5%	29.4%	4.2%	7.6%	4.4%	6.3%	3.8%	3.8%	n/a	10.6%
Manslaughter	n/a	4.4%	4.2%	12.1%	7.2%	-0.8%	-4.2%	-4.4%	-6.5%	-1.0%	-2.0%	-11.2%	n/a	0.0%
Vehicular Homicide	n/a	8.5%	5.2%	6.2%	7.0%	12.0%	7.8%	7.2%	5.0%	9.6%	19.0%	3.1%	n/a	16.7%
Negligent Homicide	n/a	-26.7%	0.0%	36.4%	0.0%	-20.0%	50.0%	22.2%	13.6%	-28.0%	-33.3%	-16.7%	n/a	30.0%
Aggravated Robbery	n/a	5.4%	-4.7%	9.5%	-1.5%	16.3%	4.1%	6.2%	4.6%	5.4%	4.7%	7.0%	n/a	7.5%
Simple Robbery	n/a	9.1%	-2.5%	10.0%	-1.7%	9.9%	7.8%	7.5%	5.6%	4.6%	0.0%	13.9%	n/a	3.2%
Kidnaping	n/a	3.1%	53.7%	14.1%	4.3%	10.2%	-4.4%	11.2%	4.9%	9.6%	1.2%	5.7%	n/a	5.7%
Assault	n/a	7.5%	17.6%	14.5%	7.0%	24.2%	3.8%	9.3%	2.5%	6.1%	6.0%	6.0%	n/a	7.3%
Menacing	n/a	16.6%	9.8%	15.6%	21.2%	8.3%	12.9%	7.8%	19.1%	14.6%	9.0%	0.3%	n/a	6.5%
Sexual Assault	n/a	0.9%	-3.6%	6.1%	6.7%	30.8%	17.5%	7.7%	-0.3%	-4.0%	-3.4%	-8.8%	n/a	-7.0%
Sexual Assault/ Exploit of Child	n/a	11.9%	12.9%	10.6%	10.1%	13.7%	-2.3%	6.8%	2.1%	-9.5%	-5.0%	-7.9%	n/a	-13.7%
Incest	n/a	n/a	n/a	-5.3%	-5.6%	5.9%	0.0%	6.9%	1.3%	-10.3%	-20.0%	-1.8%	n/a	-10.9%
Vehicular Assault	n/a	31.3%	14.3%	14.6%	-7.3%	23.5%	41.3%	-2.2%	20.7%	16.2%	0.8%	13.0%	n/a	-4.3%
Att/Consp/Acc to Violent Crimes	n/a	13.6%	27.1%	13.2%	6.6%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson	n/a	-24.0%	36.8%	50.0%	2.6%	20.0%	25.0%	6.7%	-6.3%	5.0%	-3.2%	-4.9%	n/a	19.0%
Weapons/Explosives	n/a	32.3%	9.8%	11.1%	30.0%	4.6%	-22.1%	22.6%	15.4%	-1.3%	4.1%	13.0%	n/a	64.4%
Child Abuse	n/a	7.6%	5.9%	22.2%	8.2%	50.4%	14.5%	15.1%	21.6%	10.1%	16.5%	10.3%	n/a	22.2%
Sex Offender Act	n/a	0.0%	0.0%	34.5%	2.6%	-10.0%	25.0%	55.6%	157.1%	75.0%	56.8%	33.2%	n/a	38.3%
SUBTOTAL	n/a	8.3%	11.7%	11.7%	6.5%	7.5%	5.5%	7.9%	6.4%	4.7%	5.2%	4.4%	n/a	7.8%
NON-VIOLENT:														
Drug Offenses	n/a	6.1%	7.8%	31.3%	23.9%	34.7%	14.7%	11.8%	5.1%	12.2%	2.2%	4.3%	n/a	5.9%
Att/Consp/Acc to Non-violent Crimes	n/a	8.1%	-13.6%	10.5%	6.6%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Theft	n/a	1.8%	-9.9%	11.8%	16.4%	33.2%	-2.7%	10.5%	1.9%	11.0%	5.3%	4.8%	n/a	20.2%
Escape/Contraband	n/a	1.7%	150.8%	14.4%	13.1%	-1.5%	4.1%	16.6%	4.3%	6.1%	-1.1%	3.0%	n/a	51.5%
Burglary	n/a	1.6%	-10.7%	8.9%	0.5%	18.0%	1.8%	7.2%	2.4%	1.5%	2.7%	0.0%	n/a	5.8%
Traffic	n/a	-11.3%	-2.1%	67.4%	7.8%	28.9%	23.8%	-14.0%	-18.9%	-2.7%	6.1%	0.0%	n/a	-9.9%
Trespassing	n/a	5.5%	-5.7%	21.8%	3.4%	34.9%	7.9%	1.0%	4.0%	8.7%	10.6%	-8.0%	n/a	13.9%
Forgery	n/a	-5.7%	-18.2%	27.4%	5.2%	17.1%	5.2%	4.5%	-4.3%	19.3%	-3.4%	-2.7%	n/a	53.2%
M. V. Theft	n/a	5.7%	-17.3%	18.3%	5.5%	40.3%	14.9%	1.6%	6.7%	12.6%	21.0%	4.0%	n/a	19.5%
Fraud/Embezzlement	n/a	20.8%	-8.0%	2.5%	-1.2%	8.6%	-19.3%	16.9%	0.0%	22.9%	-3.9%	-5.1%	n/a	1.1%
Family Crimes	n/a	-4.1%	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	4.8%	11.0%	6.7%	11.7%	7.2%	6.3%	8.2%	5.0%	14.7%	1.4%	6.0%	n/a	-3.7%
Miscellaneous	n/a	-6.4%	-64.4%	66.0%	14.1%	246.1%	9.7%	7.7%	24.2%	7.1%	13.8%	14.9%	n/a	31.4%
SUBTOTAL	n/a	3.2%	1.3%	17.9%	12.0%	14.3%	7.4%	9.2%	4.1%	9.3%	3.7%	3.3%	n/a	16.1%
TOTAL	n/a	5.5%	6.1%	14.9%	9.4%	11.2%	6.5%	8.6%	5.1%	7.3%	4.3%	3.8%	n/a	12.5%

**Inmate Population Most Serious Offenses
Percent of Total Population**

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
VIOLENT:														
1st Degree Murder	3.9%	4.1%	4.2%	4.0%	3.8%	5.0%	4.9%	4.7%	4.7%	4.6%	4.6%	4.6%	n/a	4.5%
2nd Degree Murder	3.2%	3.2%	3.2%	3.2%	3.2%	3.7%	3.6%	3.6%	3.6%	3.5%	3.5%	3.5%	n/a	3.4%
Manslaughter	1.0%	1.0%	1.0%	1.0%	1.0%	0.9%	0.8%	0.7%	0.6%	0.6%	0.5%	0.4%	n/a	0.4%
Vehicular Homicide	0.8%	0.8%	0.8%	0.8%	0.7%	0.8%	0.8%	0.8%	0.8%	0.8%	0.9%	0.9%	n/a	0.9%
Negligent Homicide	0.2%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.2%	0.1%	0.1%	0.1%	n/a	0.1%
Aggravated Robbery	5.5%	5.5%	4.9%	4.7%	4.4%	4.4%	4.3%	4.2%	4.2%	4.1%	4.2%	4.3%	n/a	4.1%
Simple Robbery	2.9%	3.0%	2.8%	2.6%	2.4%	2.3%	2.4%	2.3%	2.4%	2.3%	2.2%	2.4%	n/a	2.2%
Kidnaping	1.5%	1.5%	2.1%	2.1%	2.0%	2.0%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%	n/a	1.7%
Assault	6.4%	6.5%	7.2%	7.2%	7.1%	7.9%	7.7%	7.7%	7.5%	7.4%	7.6%	7.7%	n/a	7.4%
Menacing	2.0%	2.2%	2.3%	2.3%	2.5%	2.5%	2.6%	2.6%	3.0%	3.2%	3.3%	3.2%	n/a	3.0%
Sexual Assault	5.0%	4.8%	4.3%	4.0%	3.9%	4.6%	5.1%	5.0%	4.8%	4.3%	3.9%	3.5%	n/a	2.9%
Sexual Assault/ Exploit of Child	6.3%	6.7%	7.1%	6.9%	6.9%	7.1%	6.5%	6.4%	6.2%	5.2%	4.8%	4.2%	n/a	3.2%
Incest	n/a	n/a	0.8%	0.6%	0.6%	0.5%	0.5%	0.5%	0.5%	0.4%	0.3%	0.3%	n/a	0.2%
Vehicular Assault	0.4%	0.5%	0.5%	0.5%	0.4%	0.5%	0.6%	0.5%	0.6%	0.7%	0.7%	0.7%	n/a	0.6%
Att/Consp/Acc to Violent Crimes	4.1%	4.4%	5.3%	5.2%	5.1%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson	0.3%	0.2%	0.3%	0.3%	0.3%	0.4%	0.4%	0.4%	0.4%	0.4%	0.3%	0.3%	n/a	0.3%
Weapons/Explosives	0.4%	0.4%	0.5%	0.4%	0.5%	0.5%	0.4%	0.4%	0.5%	0.4%	0.4%	0.4%	n/a	0.7%
Child Abuse	0.9%	0.9%	0.9%	1.0%	1.0%	1.3%	1.4%	1.5%	1.7%	1.8%	2.0%	2.1%	n/a	2.3%
Sex Offender Act	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.4%	1.1%	1.8%	2.7%	3.4%	n/a	4.2%
SUBTOTAL	45.0%	46.2%	48.7%	47.3%	46.1%	44.5%	44.1%	43.8%	44.3%	43.3%	43.6%	43.9%	n/a	42.1%
NON-VIOLENT:														
Drug Offenses	11.1%	11.2%	11.4%	13.0%	14.7%	17.8%	19.2%	19.8%	19.8%	20.7%	20.2%	20.3%	n/a	19.1%
Att/Consp/Acc to Non-violent Crimes	6.5%	6.7%	5.4%	5.2%	5.1%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Theft	7.8%	7.5%	6.4%	6.2%	6.6%	7.9%	7.3%	7.4%	7.2%	7.4%	7.5%	7.5%	n/a	8.1%
Escape/Contraband	3.4%	3.3%	7.8%	7.8%	8.0%	7.1%	7.0%	7.5%	7.4%	7.3%	6.9%	6.9%	n/a	9.3%
Burglary	12.0%	11.6%	9.8%	9.2%	8.5%	9.0%	8.6%	8.5%	8.3%	7.8%	7.7%	7.4%	n/a	7.0%
Traffic	1.2%	1.0%	0.9%	1.4%	1.3%	1.6%	1.8%	1.4%	1.1%	1.0%	1.0%	1.0%	n/a	0.8%
Trespassing	2.5%	2.5%	2.2%	2.3%	2.2%	2.7%	2.7%	2.5%	2.5%	2.5%	2.7%	2.4%	n/a	2.4%
Forgery	2.0%	1.8%	1.4%	1.5%	1.5%	1.5%	1.5%	1.5%	1.3%	1.5%	1.4%	1.3%	n/a	1.8%
M. V. Theft	2.0%	2.0%	1.6%	1.6%	1.6%	2.0%	2.1%	2.0%	2.0%	2.1%	2.4%	2.4%	n/a	2.6%
Fraud/Embezzlement	0.8%	0.9%	0.8%	0.7%	0.7%	0.6%	0.5%	0.5%	0.5%	0.6%	0.5%	0.5%	n/a	0.4%
Family Crimes	0.8%	0.8%	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	3.1%	3.1%	3.2%	3.0%	3.0%	2.9%	2.9%	2.9%	2.9%	3.1%	3.0%	3.1%	n/a	2.6%
Miscellaneous	1.6%	1.4%	0.5%	0.7%	0.7%	2.2%	2.3%	2.3%	2.7%	2.7%	3.0%	3.3%	n/a	3.8%
SUBTOTAL	55.0%	53.8%	51.3%	52.7%	53.9%	55.5%	55.9%	56.2%	55.7%	56.7%	56.4%	56.1%	n/a	57.9%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	n/a	100.0%

APPENDIX F

DEPARTMENT OF CORRECTIONS FACILITY COST

Department of Corrections
Summary of Average Bed Cost
15-Nov-2007
(based on report prepared by the DOC)

	FY 1999-00	FY 2000-01	FY 2001-02	FY 2002-03	FY 2003-04	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08
Annual Costs:									
Level I Facilities	20,761	21,754	21,798	22,531	20,644	21,217	21,747	22,579	TBD
Level II Facilities	22,221	23,718	26,050	24,729	22,867	22,685	22,995	23,397	TBD
Level III Facilities	23,681	25,181	26,685	25,988	24,721	25,203	26,076	27,302	TBD
Level IV Facilities	25,875	27,747	28,233	28,835	27,109	28,707	28,419	28,576	TBD
Level V Facilities	36,153	31,781	32,069	31,912	30,153	30,682	31,930	33,544	TBD
All Facilities	26,689	27,251	28,218	27,824	26,247	26,813	27,587	28,758	TBD
Daily Costs:									
Level I	56.88	59.60	59.72	61.73	56.56	58.13	59.58	61.86	TBD
Level II	60.88	64.98	71.37	67.75	62.65	62.15	63.00	64.10	TBD
Level III	64.88	68.99	73.11	71.20	67.73	69.05	71.44	74.80	TBD
Level IV	70.89	76.02	77.35	79.00	74.27	78.65	77.86	78.29	TBD
Level V	99.05	87.07	87.86	87.43	82.61	84.06	87.48	91.90	TBD
All Facilities	73.12	74.66	77.31	76.23	71.91	73.46	75.58	78.79	TBD
Community Services:									
Parole	2,938	3,103	3,478	3,311	3,343	3,154	3,318	3,402	TBD
Parole ISP	6,475	6,515	7,180	6,946	6,873	6,333	6,344	8,318	TBD
YOS Aftercare	40,537	47,793	55,133	58,123	66,985	55,097	63,568	66,456	TBD
Community Return-to-Custody (S.B. 03-252)					21,269	18,524	<i>Moved to Ext. Capacity</i>		
Community	2,818	3,325	3,318	3,442	3,449	3,770	4,077	4,114	TBD
Community ISP	8,782	11,727	11,027	9,946	10,333	9,877	9,910	9,600	TBD
External Capacity:									
Private Prisons									
Daily Rate	52.28	53.33	54.66	52.47	50.37	49.56	50.28	51.91	52.69
Annual Cost	19,082	19,465	19,951	19,152	18,435	18,089	18,352	18,947	19,232
Out-of-State Contract									
Daily Rate						51.00	n/a	54.00	54.00
Annual Cost						18,615	n/a	19,710	19,710
Jail Backlog									
Daily Rate	49.40	50.39	51.65	51.65	46.49	46.49	47.42	48.96	49.69
Annual Cost	18,031	18,392	18,852	18,852	17,015	16,969	17,308	17,870	18,137
Average Daily Cost (including DOC overhead) for all external capacity.					54.37	55.50	56.44	57.82	TBD
Annual Cost (including DOC overhead) for all external capacity programs					19,845	20,258	20,601	21,104	TBD
Construction Cost:									
Total Cost	169,845,807 = Sterling Correctional Facility				140,961,374 = CSPII				
Total Beds	2,445				948				
Cost per Bed	69,467				148,693				
							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.

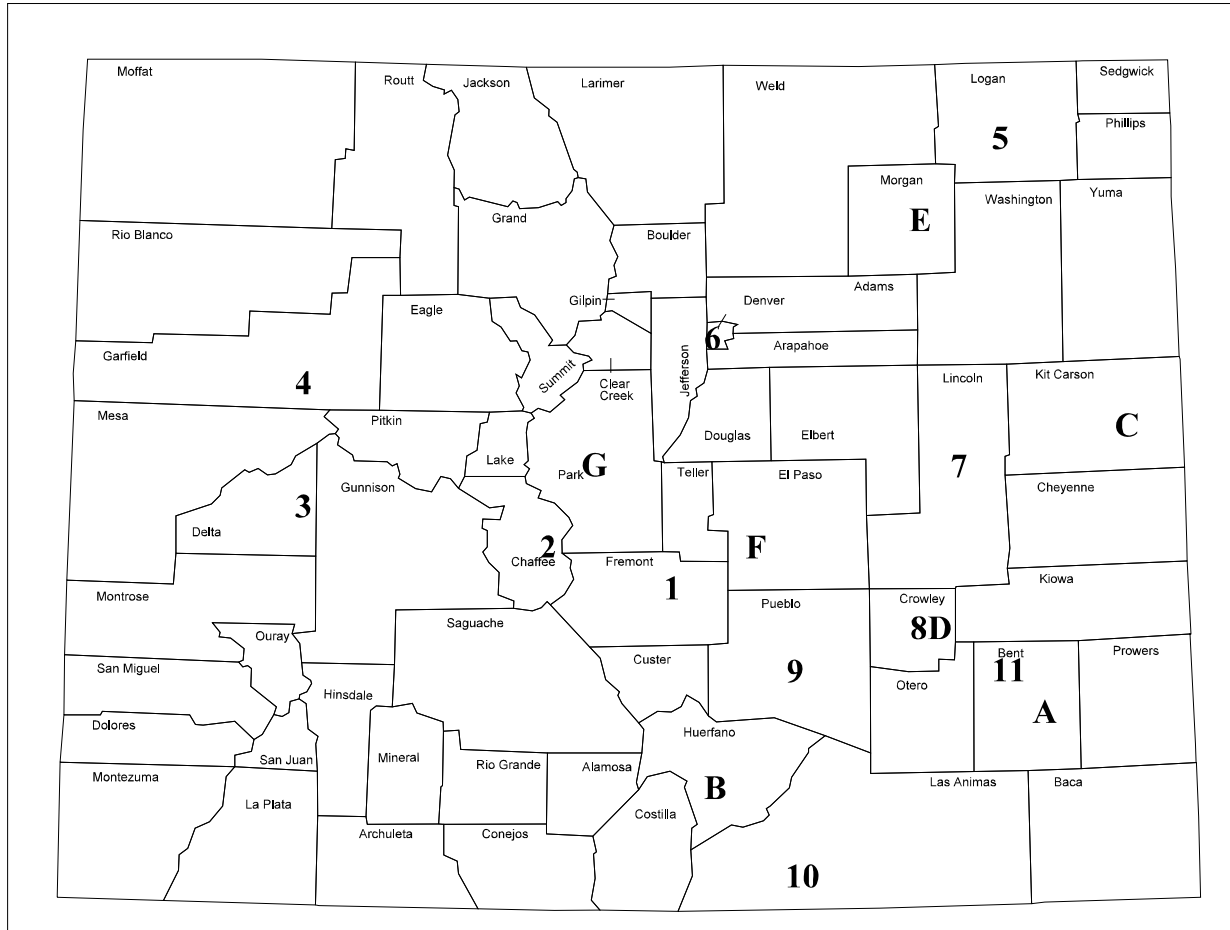
* Pursuant to the provisions of H.B. 04-1419, effective FY 2004-05, the private prisons do not have to reimburse the state for private prison monitoring costs. In FY 2003-04, this amount was \$0.81 per inmate per day. As such the total net reimbursement from the state to providers from FY 2003-04 to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

APPENDIX G

MAP OF CORRECTIONAL FACILITIES IN COLORADO

APPENDIX G

Map of Colorado Correctional Facilities



Colorado State Facilities:

- I. Cañon City Area Facilities
 - a. Colorado Territorial Correctional Facility
 - b. Colorado Women's Correctional Facility
 - c. Arrowhead Correctional Facility
 - d. Centennial Correctional Facility
 - e. Colorado State Penitentiary
 - f. Four Mile Correctional Center
 - g. Fremont Correctional Facility
 - h. 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 Facility
 - 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)

County Jails:

- G. Park County Jail

In addition to the facilities shown, the Department of Corrections has contracted with a private prison facility in Oklahoma.