

**DEPARTMENT OF CORRECTIONS
FY 2009-10 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Tuesday, January 6, 2009
1:30 pm – 5:00 pm**

1:30-2:15 INTRODUCTIONS AND OPENING COMMENTS

2:15-2:40 QUESTIONS COMMON TO ALL DEPARTMENTS

1. What are your department's three top goals for the current year? How will they be achieved?
2. How do your requested decision items tie to your goals?
3. Could your department shift to a four day work week that begins on Wednesday and ends on Saturday? If not, why not? If only a portion of the department can go to a four day week, what portion can and what portion cannot and why?
4. Has your department been able to fill new or vacant positions? Can your department quantify the benefits it has seen as a result of adding additional FTE or filling vacant positions?
5. What is the status of your department's implementation of S.B.08-155, Centralize IT Management in OIT? Is your department experiencing any difficulties?
6. If you have submitted a General Fund decision item, justify why it must be funded in FY 2009-10 and why it cannot be postponed until FY 2010-11.
7. How many employees, especially among upper management, are assigned a state vehicle for them to use to travel between home and work? How many state vehicles does your department use to transport staff? Would it be more cost effective to reimburse employees for using their personal vehicles for these purposes?

2:40-3:00 GENERAL QUESTIONS

8. Can management funding component be broken down so the piece on private prisons can be seen?
9. Does the Department expect the number of offenders in private prisons to increase, decrease, or stabilize when CSP II comes on-line? Why has jail backlog fallen in the past several years? How has this reduction been accomplished?
10. If all or a portion of CSP II did not open, does the department believe that level V inmates could be placed in private?
11. What would the movement of level V inmates to privates mean to public safety?

12. What is the current percentage of inmates in private prisons? What does the department believe the appropriate level of inmates in private prisons should be?

13. How does Colorado's usage of private prison beds compare to that of other states?

3:00-3:15 BREAK

3:15-4:00 DECISION ITEMS

Decision Item #1 – CSP II Staffing

[See Briefing Document pg. 10]

14. What happens if we do not open CSP II? What is the department's fall back plan?

Decision Item #2 – DRDC Expansion

[See Briefing Document pg. 10]

15. What is the status of the back log at DRDC? Please provide a history of where we were and where we are now? What would be the consequence of not opening this expansion?

Decision Item #4 – Parole/Parole ISP Caseload

[See Briefing Document pg. 10]

16. Do we have any studies that show what the value of mandatory parole is? If so, please provide this information? How much would we save if we did away with mandatory parole?

Decision Item #8 – Therapeutic Communities

[See Briefing Document pg. 11]

17. How many therapeutic communities do we have now? What type of proven success can you show from the existing programs?

18. How much of this request is for sex offender treatment vs. substance abuse treatment?

19. Please provide a comparison of the recidivism rates of offenders who have taken part in therapeutic communities as compared to that of offenders who do not.

Decision Item #9 – Tamarisk Removal

[See Briefing Document pg. 11]

20. Will this removal be on public or private land? How many acres or square feet can be removed with this amount of money? How many inmates will be employed by this effort?

21. Why is the department asking for General Fund? Why isn't this reappropriated funds or cash funds rather than General Fund? Isn't Correctional Industries supposed to be self-supported?

Decision Item #12 – Inflation for Utilities, Food, and Medical

[See Briefing Document pg. 11]

22. Please breakdown the portions of the request that are for utilities, food, and medical. What percent increase is this, by component, and how does it compare to the requested private increase of 4.25 percent? What portion of this request is driven by private prisons?

Decision Item #13 – Academic and Vocational Instructors

[See Briefing Document pg. 12]

23. Is this funding for contracts with community colleges or is it for within prisons? Does DOC plan to expand the use of community college contracts?

Decision Item #18 – Lease Escalator Increase

[See Briefing Document pg. 12]

24. Please provide more information on what is included in this request. What are the per square foot costs for the requested lease increases?

Decision Item #19 – Provider Rate Increase

[See Briefing Document pg. 13]

25. What was the agreement on provider rate increases for private prisons? Who made the agreement? Is it a signed contract? How firm is this commitment to private prison providers? Is it year to year? Has the General Assembly committed to this? What happens if we don't give this increase?

4:00-4:05 NUMBERS PAGES OVERVIEW

26. What kind of lag time does the Department need to train new employees for expanding or opening new facilities? What type of lag time does the Department need to open CSP II and the DRDC expansion?

27. How many vehicles are included in the vehicle reconciliation request?

4:05-4:10 NO SHORTAGE OF PRISON BEDS

[See Briefing Document pg. 25-27]

28. [Background Information: The staff briefing discussed the projected need for prison beds over the next four years as it compares to the projected capacity increases. Using the Legislative Council Staff population projection, there is not a shortage of prison beds over the next four years.]

- a. What is the Department's opinion of capping the inmate population?

- b. Does the department need to expand the San Carlos facility? If so, when would they request funding to do so? When do they think they could open the facility?

4:10-4:15 UPDATE ON CSP II CONSTRUCTION AND DRDC EXPANSION

[See Briefing Document pg. 28-30]

29. [Background Information: The construction of Colorado State Penitentiary II (CSP II) and the expansion of the Denver Reception and Diagnostic Center (DRDC) have required funding of \$141.7 million and \$25.6 million to date, respectively. In addition, because CSP II was built using Certificates of Participation (COPs), the State has incurred capitalized interest associated with the project of \$18.6 million. CSP II will add 948 high-security beds and is expected to open in April, 2010, and DRDC will add 62 transitional beds and is expected to open in April, 2009.]

- a. What were the successes and failures of the department being their own general contractor for CSP II?

4:15-4:20 DNC FUNDING FOR DOC EMPLOYEES

[See Briefing Document pg. 31-32]

30. [Background Information: The Department of Corrections (DOC) has sought reimbursement for salaries, overtime, and operating costs associated with services provided by its employees during the Democratic National Convention (DNC) in Denver. The total amount being requested is approximately \$846,000, which includes \$385,000 for overtime, \$15,000 for operating expenses, and \$417,000 for salaries. The Department indicates that it cannot quantitatively determine the cost of overtime for backfilling staff for covering shifts or case workload; however, it is staff's understanding that employees, including parole officers, handled their regular caseload even while working the DNC. Therefore, staff believes that the Department is requesting reimbursement for approximately \$446,000 of salaries that have already been funded by the General Assembly.]

- a. Did the Controller make the same decision in this Department that he did in the Department of Public Safety that these reimbursed funds are custodial?
- b. What departments are seeking reimbursement for the DNC and how much is being requested by each department?

4:20-4:25 LACK OF FUNDS AVAILABLE TO SUPPORT H.B. 07-1040

[See Briefing Document pg. 33-34]

31. [Background Information: House Bill 07-1040 included a five-year appropriations clause because it was a sentencing bill projected to increase the number of individuals in state prisons. However, unlike other five-year sentencing bills that rely upon General Fund appropriations, H.B. 07-1040 attempts to fund the operating costs associated with increased prison beds with forfeited bond revenue from bonding agents who post surety bonds for

individuals who are deported due to being in the country illegally. However, because the bonding agents are notified of a defendant's immigration status, very little revenue has resulted from forfeited bonds. As a result, the General Assembly has had to increase the General Fund appropriation to the Department of Corrections to make up for the lack of bond revenue available to support the statutorily required appropriations of H.B. 07-1040.]

- a. Do the statutory appropriation amounts match the fiscal note for H.B. 07-1040?

4:25-4:30 REVOCATION FOR TECHNICAL PAROLE VIOLATIONS

[See Briefing Document pg. 35-37]

32. [Background Information: Technical parole violations (without a new crime) account for almost 30 percent of the prison admissions to Department of Corrections. These admissions will cost the State at least \$42.1 million during FY 2008-09. Although the costs associated with these technical parole violators are high, there are few guidelines provided to parole officers to determining when an individual's parole should be revoked for a technical violation.]

- a. How often to parolees self-revocate?

4:30-5:00 PAROLE BOARD

33. General discussion of parole activities.