



Colorado General Assembly
Joint Budget Committee

Joint Budget Committee Staff

FY 2016-17 Budget Briefing Summary

Department of Corrections

The Department of Corrections is responsible for the following activities:

- Managing, supervising, and controlling the correctional facilities operated and supported by the State;
- Supervising the population of offenders placed in the custody of the Department, including inmates in prison, parolees, and transition inmates who are placed into community corrections programs and other community settings;
- Planning for the projected, long-range needs of the institutions under the Department's control; and
- Developing educational programs, treatment programs, and correctional industries within the facilities that have a rehabilitative or therapeutic value for inmates and supply necessary products for state institutions and other public purposes, as provided by law.

The Department's FY 2015-16 appropriation represents 3.0 percent of statewide operating appropriations and 8.1 percent of statewide General Fund appropriations.

FY 2015-16 Appropriation and FY 2016-17 Request

Department of Corrections						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2015-16 Appropriation						
15-16 Long Bill	\$868,560,106	\$779,703,369	\$40,931,411	\$46,665,389	\$1,259,937	6,239.8
Appropriations in 5 year sentencing bills passed in prior sessions	249,731	249,731	0	0	0	0.0
H.B. 15-1341 Increase penalties for sexual exploitation of child	11,034	11,034	0	0	0	0.0
S.B. 15-185 Police Data Collection and Community Policing	9,800	9,800	0	0	0	0.0
S.B. 15-195 Spending Earned Time Savings	0	1,500,000	(1,500,000)	0	0	0.0
S.B. 15-123 Reduce Parole Revocations for Technical Violations	(853,476)	(853,476)	0	0	0	0.0
TOTAL	\$867,977,195	\$780,620,458	\$39,431,411	\$46,665,389	\$1,259,937	6,239.8
FY 2016-17 Requested Appropriation						
FY 2015-16 Appropriation	\$867,977,195	780,620,458	\$39,431,411	\$46,665,389	\$1,259,937	6,239.8
Annualize prior year budget actions	4,900,130	4,708,003	192,127	0	0	2.1
R3 Medical caseload	378,881	378,881	0	0	0	0.0
R2 Utilities inflation	333,230	315,236	17,994	0	0	0.0

Department of Corrections						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
R1 Food service inflation	328,981	328,981	0	0	0	0.0
Non-prioritized requests	305,955	280,033	25,922	0	0	0.0
Indirect cost assessment adjustments	70,506	(70,505)	(17,227)	60,534	97,704	0.0
R4 External capacity caseload	(5,994,665)	(5,994,665)	0	0	0	0.0
Centrally appropriated line item adjustments	(4,495,355)	(4,228,166)	(255,032)	(12,157)	0	0.0
R5 Provider rate decrease	(1,273,348)	(1,273,348)	0	0	0	0.0
Annualize prior legislation	<u>(9,800)</u>	<u>(9,800)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
TOTAL	\$862,521,710	\$775,055,108	\$39,395,195	\$46,713,766	\$1,357,641	6,241.9
Increase/(Decrease)	(\$5,455,485)	(\$5,565,350)	(\$36,216)	\$48,377	\$97,704	2.1
Percentage Change	(0.6%)	(0.7%)	(0.1%)	0.1%	7.8%	0.0%

Summary of Issues Presented to the Joint Budget Committee

Changing Appropriations in Criminal Sentencing Bills and Changes to the Statute Governing Those Bills. A changed fiscal note assumption about the use of private prison beds has altered projected fiscal note costs and appropriations in criminal sentencing bills, substantially lowering costs by eliminating capital appropriations and reducing future operating costs. This issue finds that many bills now arguably require a six-year cost forecast and six-year appropriation to satisfy Section 2-2-703, C.R.S., which governs criminal sentencing bills. The issue recommends that the Committee carry a bill to fix potential conflicts within Sections 2-2-701 to 703, C.R.S., and clarify several of its provisions.

S.B. 15-195, Inmate Phone Rates, and Private Prisons. Last year, the General Assembly enacted S.B. 15-195 (Spending Savings from Earned Time in the Department of Corrections), which required the Department of Corrections to set inmate phone rates so that they cover the department's direct and indirect cost of operating the inmate phone system and generate no profit for the DOC (Department of Corrections). Phone profits formerly equaled \$1.5 million so the General Assembly backfilled the lost profit with a \$1.5 million General Fund appropriation that derived from savings generated by H.B. 12-1223, an earlier JBC bill. Early in FY 2015-16, the Department reduced inmate phone rates substantially, though not as much as some other states have recently reduced their rates. Recently it was discovered that the appropriations in S.B. 15-195 were incorrect because they did not account for the phone profits that are paid each year to CCA and CEC, two companies that operated private prisons in Colorado. This problem can be remedied in the DOC's January supplemental bill.

Where have informative DOC budgets gone? DOC (Department of Corrections) budget requests formerly contained extended narrative explanations of DOC subprograms as well as performance metrics. These explanations were virtually eliminated following 2008 and have not been restored. The only significant narratives that remain in the budget are those for Decision Items. The lack of subprogram narratives makes it more difficult to keep figure setting documents current and to keep abreast of developments that may affect subprograms.

December 2015 Offender Population Projections. The Department of Corrections' inmate prison population has declined in 10 of the last 12 months. The December forecasts released by Legislative Council Staff (LCS) and by the Division of Criminal Justice (DCJ) both project that this population will continue to decline but will subsequently rise. DCJ predicts that the upturn will occur in January 2017. LCS predicts a rise in July 2017. LCS projects a larger decrease before the upturn than does DCJ. The difference between the forecasts is substantially larger than it has been in either of the past two years. The parole forecasts differ substantially. DCJ predicts that the population will grow for 18 months and then decline. LCS predicts steady decline.

For More Information

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To read the entire briefing: http://www.tornado.state.co.us/gov_dir/leg_dir/jbc/2015-16/Corbrf.pdf