

# Joint Budget Committee



## Supplemental Budget Requests FY 2024-25

### Department of Corrections

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

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# Overview of Department

The Department of Corrections manages the State's prison and parole systems.

## Summary of Staff Recommendations

Department of Corrections: Recommended Changes for FY 2024-25						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
<b>FY 2024-25 Appropriation</b>						
H.B. 24-1430 (Long Bill)	\$1,170,146,402	\$1,075,804,841	\$46,022,851	\$45,071,575	\$3,247,135	6,423.5
Other legislation	4,574,391	-323,996,350	328,570,741	0	0	0.9
<b>Current FY 2024-25 Appropriation</b>	<b>\$1,174,720,793</b>	<b>\$751,808,491</b>	<b>\$374,593,592</b>	<b>\$45,071,575</b>	<b>\$3,247,135</b>	<b>6,424.4</b>
<b>Recommended Changes</b>						
Current FY 2024-25 Appropriation	\$1,174,720,793	751,808,491	\$374,593,592	\$45,071,575	\$3,247,135	6,424.4
S1/BA1 Male prison caseload	-2,287,640	-2,287,640	0	0	0	0.0
S1.5/BA1.5 Female prison caseload	-1,507,083	-1,463,816	-43,267	0	0	-14.3
S2/BA2 Medical caseload	3,932,065	3,932,065	0	0	0	0.0
S3 Open Centennial South C-tower	0	0	0	0	0	0.0
S4/BA3 Pueblo campus food service inflation	0	0	0	0	0	0.0
S5 Correctional industries spending auth.	0	0	0	0	0	0.0
S6/BA4 Contain inmate call cost growth	578,859	578,859	0	0	0	0.0
S7 Vehicle variable rate mileage	0	0	0	0	0	0.0
S8/BA6 Technical adjustments	0	0	0	0	0	0.0
S9 Reduce unused parole insurance payments	-364,196	-364,196	0	0	0	0.0
S10 Reduce utilities appropriation	-750,000	-750,000	0	0	0	0.0
S11 Remove education virtual reality program	-427,073	-427,073	0	0	0	-4.0
S12 Reduce staff mentorship program	-742,940	-742,940	0	0	0	0.0
Staff-initiated Amend statute for transfers between appropriations	0	0	0	0	0	0.0
Non-prioritized requests	120,904	118,232	2,672	0	0	0.0
<b>Recommended FY 2024-25 Appropriation</b>	<b>\$1,173,273,689</b>	<b>\$750,401,982</b>	<b>\$374,552,997</b>	<b>\$45,071,575</b>	<b>\$3,247,135</b>	<b>6,406.1</b>
<b>Recommended Increase/-Decrease from 2024-25</b>						
	-\$1,447,104	-\$1,406,509	-\$40,595	\$0	\$0	-18.3
Percentage Change	-0.1%	-0.2%	0.0%	0.0%	0.0%	-0.3%
<b>FY 2024-25 Executive Request</b>						
	\$1,182,190,078	\$759,220,218	\$374,651,150	\$45,071,575	\$3,247,135	6,407.7
Staff Rec. Above/-Below Request	-\$8,916,389	-\$8,818,236	-\$98,153	\$0	\$0	-1.6

## FY 2024-25 Description of Incremental Changes

**S1/BA1 Male prison caseload:** The request includes a reduction of \$1,865,108 General Fund and 12.7 FTE. The recommendation is a reduction of \$2,287,640 General Fund and 0.0 FTE. This includes a \$2.6 million reduction for DOC inmates in local jails, a \$348,000 increase for private prisons, and reduced footnote flexibility in the External Capacity subprogram. Staff also recommends delaying action on prison bed adjustments until figure setting in early March, with the goal of making current-year adjustments that can be sustained in the next fiscal year.

**S1.5/BA1.5 Female prison caseload:** The request includes a net-zero reallocation of funding for multiple line items. It also strikes 88 funded female prison beds from the prison caseload formula. The recommendation is a reduction of \$1,507,083 total funds, including \$1,463,816 General Fund, and 14.3 FTE.

**S2/BA2 Medical caseload:** The request includes an increase of \$3,879,047 General Fund. The recommendation is an increase of \$3,932,065 General Fund.

**S3 Open Centennial South C-tower [legislation requested]:** The request includes an increase of \$4,570,000 General Fund and legislation to strike the statutory prohibition on using Centennial South Correctional Facility's C-tower to house close custody inmates. Staff recommends denial of the request.

**S4/BA3 Pueblo campus food service inflation:** The request includes an increase of \$616,829 General Fund. Staff recommends denial of the request.

**S5 Correctional Industries spending authority:** The request includes a net-zero reallocation of funding between line items in the Correctional Industries division, which is a state enterprise. Staff recommends approval of the request.

**S6/BA4 Contain inmate call cost growth [legislation requested]:** The request includes an increase of \$578,859. The Department also requests JBC-sponsored legislation to delay the phase-in of H.B. 23-1133 (Cost of Phone Calls for Persons in Custody) by one year. Staff recommends approval of the request.

**S7 Vehicle variable rate mileage:** The request includes an increase of \$756,728 General Fund across 18 different line items. Staff recommends denial of the request.

**S8 Technical adjustments:** The request includes three net zero technical adjustments to move money and FTE between line items. Staff recommends approval of two of the three adjustments.

**S9 Reduce unused parole insurance payments:** The request includes a reduction of -\$364,196 General Fund. Staff recommends approval of the request.

**S10 Reduce utilities appropriation [legislation recommended]:** The request includes a reduction of -\$750,000 General Fund. Staff recommends approval of the request, legislation to strike a statutory roll-forward authority, splitting the *Utilities* line item into two line items, and zero-basing the *Utilities* line item for FY 2025-26 as a way to figure out costs within that line item.

**S11 Remove education virtual reality program:** The request includes a decrease of -\$427,073 General Fund and 4.0 FTE. Staff recommends approval of the request.

**S12 Reduce staff mentorship program:** The request includes a reduction of \$742,940 General Fund. Staff recommends approval of the request.

**Staff-initiated Amend statute for transfers between appropriations [legislation recommended]:** Staff recommends clarifying what is not a "like purpose" for transfers between line items within a department.

# Context: DOC Compensation Issues

## Personal services shortfalls

Staff thinks the JBC should be aware that the Department expects a shortfall of personal services appropriations for the second consecutive year. Like last year, shift differential, unfunded PERA liability payments, and contract medical expense are driving the shortfall. The following table shows the Department’s calculations. JBC staff has not independently vetted all of these, but some of them track with staff’s preliminary analysis of year-to-date expenditures.

FY 2024-25 Projected Compensation Over/-Under Expenditures			
	Projected Expenditure (full year)	FY 2024-25 Appropriation	Projected over/-under expenditure
Contract medical expenses	\$29,000,000	\$0	\$29,000,000
PERA Unfunded Liability	46,179,024	42,652,444	3,526,580
Shift Differential	21,242,089	17,949,518	3,292,571
Annual/sick leave payouts	2,777,069	0	2,777,069
Other contract services	1,000,000	0	1,000,000
Tuition reimbursement	500,000	0	500,000
Unemployment insurance	375,000	0	375,000
Short-term Disability	635,603	545,183	90,420
Incentives	14,334,002	14,334,002	0
FAMLI	1,870,110	1,946,512	-76,402
Health, Life, and Dental	79,707,139	80,050,656	-343,517
Overtime	32,850,605	35,340,753	-2,490,148
Personal Services*	467,938,273	498,109,376	-30,171,103
<b>Total projected over/-under expenditure</b>			<b>\$7,480,469</b>

## Possible reasons for gap between appropriations and expenses

- Total compensation process does not appear to account for certain parts of the COWINS Partnership Agreement.** This mainly applies to shift differential, but it applies to other things too. The total compensation process bases the shift differential request on prior year actual expenditures. This creates a two-year lag. The COWINS agreement significantly increased shift differential premiums. The DOC has a lot of employees working a lot of applicable shift differential hours, but the total compensation process does not account for the change. In theory, this will work itself out over time as actual expenditures catch up with policy. But it creates significant short-term shortfalls. If shift differential premiums change in the next Partnership Agreement, it follows that the problem will repeat itself if the total compensation process is not updated to account for it.
- Hiring more employees than the total compensation request expects.** The total compensation request is built in huge Microsoft Excel spreadsheets. These spreadsheets show all of the actual employees that exist in the State’s payroll system at a certain point in time, usually mid to late summer preceding the November 1 budget request package. These spreadsheets sometimes also include employees that a department expects or hopes to hire. The total compensation request is built on a multitude of calculations stemming from the number of employees, their job classifications, etc. If the department

ends up employing more people than the total compensation process contemplates, it will likely face a shortfall in multiple line items. The DOC has reportedly been very successful with hiring as of late, but JBC staff does not have enough information at this time to verify whether it might be driving the projected shortfall.

- 3 **Large numbers of employees on leave driving up overtime expenses?** The General Assembly invested a lot of money in recent years to address a very high number of vacant positions at the DOC and reduce overtime costs. The Department reports significant progress in hiring. The staffing vacancy rate is reportedly closer to 15.0%, as compared to more than 25.0% a couple of years ago.

Overtime costs have diminished but not as much as one would expect given much-improved staff levels. One reason for this might be the number of DOC employees on leave. It is JBC staff's understanding that overtime costs are still elevated because there are a lot of DOC employees on leave. So, the overtime is still necessary but not because positions are vacant.

- 4 **Cascading costs?** When certain costs go up, or do not go down (e.g. overtime), other costs go up as well. It is not clear that the total compensation process accounts for this. For example, changes in base compensation drive many other related costs, like overtime, shift differential, unfunded PERA liability, etc. If an employee's base pay goes up 15.0%, and they are getting double what they previously received for shift differential premiums due to the Partnership Agreement, and they are working a lot of overtime because many of their colleagues are on leave, it is possible that the budget does not include enough money to pay for all of that. If that situation plays out on a much larger scale across a huge department with thousands of employees, JBC staff can see how it might produce shortfalls in appropriations for personal services.

## No recommendation at this time

JBC staff is not recommending any changes at this time because staff has not vetted all of the assumptions and data points in the DOC's projected shortfall. But it seems like something needs to change, though staff does not yet know what. Consistent shortfalls in personal services might have knock on effects across the DOC budget and the requests that it submits to the JBC. For example, staff can see how the Department might seek to hold on to as much money as it possibly can and submit budget requests accordingly, even if the explicit justification is questionable.

# Staff-initiated Amend statute for transfers between appropriations [legislation recommended]

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$0	\$0	\$0	\$0	\$0	0.0
Recommendation	0	0	0	0	0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the recommendation meets the Joint Budget Committee's supplemental criteria?** YES  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** This recommendation stems from information that was not known by JBC staff during the last legislative session.

## Context

Section 24-75-108 (1), C.R.S, says, “Upon approval by the governor, the head of a principal department of state government may, on or after May 1 of any fiscal year and before the forty-fifth day after the close of such fiscal year, transfer moneys from one item of appropriation made to the principal department in the general appropriation act to another item of appropriation made to the same principal department in said act; except that such transfers shall be made only between appropriations for like purposes. All transfers made pursuant to this section shall be between appropriations made for the expiring fiscal year.”

Subsection (2) says, “None of the following transfers shall be deemed to be between like purposes within the meaning of subsection 1 of this section:” Subsection (8) limits the total amount of transfers to \$10.0 million across all principal departments and the Governor’s Office.

## Recommendation

Staff recommends adding the following provisions to Subsection (2):

- (h) Personal services as defined in Section 24-75-112 (1)(m) and operating expenses as defined in Section 24-75-112 (1)(l).
- (i) Any line item of appropriation in the Department of Corrections that is not explicitly authorized in a Long Bill footnote.

The first bullet applies to all state agencies. The second applies only to the Department of Corrections.

The JBC does not need to authorize a bill draft at this time. A bill is already being drafted to extend the repeal date for this section of statute (it currently repeals on Sept. 1, 2025). So, if the JBC approves staff’s recommendations, they can be incorporated into the existing draft.

## Analysis

Summary: JBC staff is not confident that the DOC will spend line-item appropriations for their specific purpose. There is a misalignment between the Executive Branch’s total compensation request/process and the DOC’s actual compensation spending. This misalignment is driving the Department to overspend its pool of personal services appropriations.

The DOC and the Governor’s Office have considered a broad interpretation of statute as a way to cover these costs. Specifically, they have considered cutting back on certain operating expenses to pay for personal services. This interpretation links operating and personal services costs through broad “like purpose” categories such as “safety and security.”

### Statute describes things that are not “like purposes”

Statute does not positively define the phrase “like purposes.” Rather, it says what “like purposes” are not.

For example, it says that they are not transfers from any item of appropriation into a lease purchase item. It says that they are not transfers between governing boards of institutions of higher education. Nor are they transfers between capital construction projects unless authorized as such in the Long Bill. There are a few other exemptions but the list is relatively short.

### Historical use of transfer authority

These transfers typically amount to less than \$1.0 million across all state agencies.<sup>1</sup> Most transfers occur within the Department of Health Care Policy and Financing (HCPF). One of the more common transfer reasons is indirect cost recoveries, in both HCPF and other state agencies like Public Health and Environment. JBC staff did not see any examples of operating expenses transferred to personal services line items prior to the DOC’s transfers in FY 2023-See Appendix B for this list of transfers.

### Recent use of transfer authority for DOC appropriations

The DOC faced a \$7.2 million shortfall for personnel services expenditures at the end of FY 2023-24. The Governor authorized transfers from other line items in the DOC budget to cover this shortfall. Per the letter from OSPB, contract medical services and shift differential expenses drove the shortfall. The following table shows the affected line items and the rationale provide by the Office of State Planning and Budgeting.

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<sup>1</sup> The Office of the State Controller provided JBC staff with a list of transfers for “like purposes” going back to FY 2016-17.



FY 2023-24 transfers to cover personnel funding shortfall

Transfer Source Line Item	Transfer Destination Line Item	Amount	Rationale
Payments to Local Jails	Housing and Security Personal Services	\$4,000,000	Both line items serve the same purpose of protecting the safety and security of inmates who have been committed to DOC custody.
Drug and Alcohol Treatment-Contract Services	Medical Services-Personal Services	2,163,571	Both line items serve the purpose of supporting the medical needs of inmates.
Utilities	Maintenance-Personal Services	1,000,000	Both line items serve the same purpose of maintaining the physical plant of DOC facilities.
<b>Total</b>		<b>\$7,163,571</b>	

These transfers show that the Governor’s Office interpreted the term “purpose” in a broadly categorical sense rather than the line item’s more specific purpose. The *Payments to Local Jails* line item allows the DOC to reimburse local jails for holding DOC inmates. The Housing and Security Subprogram mainly pays for over 3,000 FTE working in state prisons. Most of these FTE are correctional officers. The specific purpose of these line items is very different. But the Governor’s Office approved the transfer between these line items because they are appropriations aimed at holding inmates in custody. The “safety and security” of those inmates is an interpretation that may be applied much more broadly.

The transfer from *Utilities* to personal services for Maintenance *Personal Services* is, in JBC staff’s view, an even broader interpretation of “like purposes.” The transfer statute defines utilities as,

“...water, sewer service, electricity, or other fuel sources, equipment purchased for the purpose of utility cost savings, payments made to private companies for services rendered or equipment installed for the purpose of reducing utility costs, financed purchase of an asset or certificate of participation payments to private companies for the purpose of reducing utility costs, and all heating fuels.”

The Maintenance *Personal Services* line item pays for almost 300.0 FTE who, along with DOC inmates, maintain the DOC’s prisons, vehicles, grounds, etc. In the interpretation of the Governor’s Office, utilities in the form of heating for a building and an individual working on that building are a “like purpose.” In this interpretation, one might assume that the heat for the building keeps the pipes from breaking, whereas a maintenance employee might also keep the pipes from breaking through other means.

Staff does not think there is anything explicitly wrong with these interpretations. The reality is that statute may be broadly interpreted when a positive definition is not present and specific interpretations are not explicitly prohibited.

## Are personal services (PS) and operating expenses (OE) “like purposes?”

### How statute defines personal services and operating expenses

In short, personal services appropriations are for people. Operating expenses are for things and services, *except* for personal services, legal services, or capital construction.

## Personal Services [Section 24-75-112 (1)(m)]

“Personal services” means:

- All salaries and wages, including overtime, whether to full-time, part-time, or temporary employees of the state, and also includes the state’s contribution to the public employees’ retirement association and the state’s share of federal medicare tax paid for state employees;
- Professional services, meaning services requiring advanced study in a specialized discipline that are rendered or performed by firms or individuals for the state other than for employment compensation as an employee of the state, including but not limited to accounting, consulting, architectural, engineering, physician, nurse, specialized computer, and construction management services. No appropriation for such services shall be expended on the provision of legal services by the department of law or by a private attorney or law firm prior to notifying the joint budget committee in writing of such change. Payments for professional services shall be in compliance with section 24-30-202 (2) and (3).
- Temporary services, meaning clerical, administrative, and casual labor rendered or performed by firms or individuals for the state other than for employment compensation as an employee of the state. Payments for temporary services shall be in compliance with section 24-30-202 (2) and (3).
- Tuition, meaning payments for graduate or undergraduate courses taken by state employees at institutions of higher education; or
- Payments for unemployment claims or insurance as required by the department of labor and employment.

## Operating Expenses [Section 24-75-112 (1)(l)]

“Operating expenses” means those supplies, materials, items, services, and travel-related expenses needed to administer the programs delegated to the departments, except for personal services, legal services, or capital construction.

## Recent consideration of Personal Services and Operating Expenses as “like purposes”

Near the end of FY 2023-24, the DOC and the Governor’s Office were thinking about a much broader interpretation than the above. JBC staff met with the DOC and OSPB in late May 2024 to discuss over expenditures for personal services. The DOC and OSPB unveiled the following possibilities for “like purpose” transfers. Only three of these actually occurred but they show the line of thinking about the statute.

- Food Service Operating Expenses—> Food Service Personal Services
- Parole Operating—> Parole Personal Services
- Payments to District Attorney’s—> Legal Access Personal Services

- Restorative Justice Program—> Victim Services Unit in Executive Director’s Office Personal Services
- Payments to Coroners—> Inspector General Personal Services
- Payments to Local Jails—> Housing and Security Personal Services
- Utilities Operating—> Utilities or Maintenance Personal Services
- Superintendent’s Dress Out<sup>2</sup>—> Superintendent’s Personal Services
- Youthful Offender Services Contract Services—>Youthful Offender System Personal Services
- Inmate Pay—> Housing and Security Personal Services
  - Meeting attendees expressed much hesitation at this
- Drug & Alcohol or Sex Offender Treatment operating and/or contracts—> Medical Services Personal Services
- Parolee Supervision and Support—> Parole Personal Services
- Various community reentry lines—> Parole Personal Services

It is JBC staff’s understanding that the Office of the State Controller (OSC) defers to the Governor’s Office as the final authority for these transfers. State agencies must fill out an OSC form, but ultimately these transfers do not occur without the Governor’s approval.

## Possible impact of broad interpretation of the term “purpose”

All line items have a purpose. Sometimes that purpose is broad and so too is the spending within that line item. Sometimes the purpose of a line item is very specific and the spending within it should, in theory, also be specific.

In JBC staff’s view, the Executive Branch’s broad interpretation of the term “purpose” could produce unintended negative consequences. One such consequence is reduced trust. Trust that the Department needs what it says it needs; that it needs appropriations to meet those needs; that those appropriations are serving the specific purpose for which they exist—as designated by the budgetary line item where those appropriations reside—and not some other purpose.

Statute limits the “like purpose” transfer amount to \$10.0 million across most of Colorado’s state government. This cap limits widespread and significant use of the mechanism. But it does not limit targeted use of the mechanism to obfuscate the impact of certain Executive Branch decisions. To JBC staff’s knowledge, the only other statutory mechanism to discourage creative “like purpose” budget practices is the subsection of statute that says what a “like purpose” is not. Staff therefore recommends amending that subsection to say that operating expenses and personal services are not like purposes. Staff further recommends exempting the DOC from “like purpose” transfer authorities not explicitly laid out in Long Bill footnotes.

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<sup>2</sup> Provides clothing, \$100, and transportation fare within state lines for inmates paroled or discharged from DOC facilities.

# S10 Reduce utilities appropriation [legislation recommended]

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	-\$750,000	-\$750,000	\$0	\$0	\$0	0.0
Recommendation	-\$750,000	-\$750,000	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of an unforeseen contingency, that being the size of the budget shortfall for FY 2024-25.

## Request

The Department requests a one-time reduction of \$750,000 General Fund in the *Utilities* line item in FY 2024-25. The Department underspent its FY 2023-24 appropriation for *Utilities* by about \$2.4 million. Of this amount, \$1.4 million rolled-forward into FY 2024-25. This money may be used to “purchase utilities conservation equipment or services.”<sup>3</sup> The Department says it has “committed” \$594,374 for these purposes, but can “forgo the remaining balance in order to ensure other crucial areas are funded appropriately.”

Per the request, the reduction will not compromise essential utilities. It also says that the reduction demonstrates “the value of statewide greening government efforts...in terms of providing real taxpayer benefits from reduced utilities bills.”

## Recommendation

There are four parts to this recommendation. The JBC may exclude any part that it does not wish to approve.

- 1 Staff recommends approval of the requested reduction.
- 2 Staff recommends legislation to strike the statutory roll-forward authority. The JBC may choose to include this with other possible changes to statutory roll-forward or continuous appropriation authority in a broader bill.
- 3 Staff recommends appropriating funding for utilities in two separate line items: *Core Utilities* and *Energy Conservation and Operating*. Applies to FY 2024-25 and FY 2025-26.
- 4 Staff recommends setting the FY 2025-26 base appropriation for *Core Utilities* and *Energy Conservation and Operating* at \$0 and requiring the Department to justify the entire appropriation with a facility by facility cost plan.

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<sup>3</sup> Section 24-75-114 (2), C.R.S.

## Reasons for the recommendation

In JBC staff's view, the statutory roll-forward mechanism complicates efforts to assess whether there is enough funding for core utilities costs (e.g. electricity, gas, water). Funds appropriated for one purpose, such as an increase in the number of prison beds, may be used in the following year for energy conservation purposes.

In recent years, the Department requested millions of General Fund dollars for utilities through prison caseload and other budget requests. Yet it underspent that line item by about \$2.0 million in each of the last two fiscal years. Rather than reverting back to the General Fund, these funds rolled forward into the following fiscal year for spending on energy conservation measures (with one exception noted in the analysis).

There are questionable issues with utilities in prison caseload requests even when the roll-forward issue is not considered. When prison caseload decreases, the Department requests a very small or no decrease to utilities. When prison caseload increases, the Department requests much larger increases for utilities.

Furthermore, the request offers no evidence to support the claim that energy conservation spending has produced any savings. It could also be the case that the line item is simply over-appropriated due to previous prison caseload requests. And there are many other factors that could produce savings: utilities rates, seasonal temperature variations, discretionary usage, etc. When savings occur, for whatever reason, these savings do not revert back to the General Fund. Instead, they roll-forward into the next fiscal year.

## Analysis

Senate Bill 22-239 (Buildings in the Capitol Complex) provided state agencies with one-year of roll-forward spending authority for utilities appropriations.<sup>4</sup> Specifically, any unexpended and unencumbered money in a specific line item for utilities remains available for expenditure in the following fiscal year for utilities conservation equipment or services. This applies to all state agencies and all utilities line items, regardless of whether they connect to the capitol complex. The full text of the statute reads as follows:

“Subject to fiscal rules promulgated by the state controller, any unexpended and unencumbered money appropriated to a department in a specific line item for utilities in a fiscal year commencing on or after July 1, 2021, remains available for expenditure in the next fiscal year without further appropriation for the department to purchase utilities conservation equipment or services. At the end of the next fiscal year, money that is unexpended or unencumbered reverts to the fund from which it was appropriated.”

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<sup>4</sup> Statute defines “utilities” in the context of the Long Bill as “...water, sewer service, electricity, payments to energy service companies, purchase of energy conservation equipment, and all heating fuels.” Section 24-75-112 (1)(q), C.R.S.

JBC staff asked the Department of Personnel (DPA) about the intent of this provision and its inclusion in a bill about the capitol complex. DPA responded with,

“The intent was to provide all agencies the ability to invest any budgetary savings from utilities (e.g. gas, electric, water, steam, etc) to offset utility cost increases and/or additional savings in the future. Due to weather unpredictability, agencies often do not know how much savings they may have in their utility lines until late in the fiscal year. This is not enough time to complete larger utilities investments so the bill was written to provide a year roll forward.

[The reason that section] was added to the capitol complex renovation legislation (SB22-239) was two fold. One, to support Capitol Complex's ongoing need to improve utility efficiency in order to mitigate cost increases and reduce costs for tenants. Second, we felt it would also help offset costs, although admittedly only a small percentage, to renovate capitol complex facilities. Due to decades of under investment, the renovation projects outlined in SB22-239 greatly exceed the sources of funding provided through the bill.”

## Underspending in the DOC’s *Utilities* line item

In the two fiscal years following the passage of the bill, the DOC underspent its *Utilities* appropriation by 7.1% in FY 2022-23 and 9.6% in FY 2023-24. None of this money reverted back to the General Fund.

**FY 2022-23, \$1.9 million unspent:** The Department underspent the \$27.2 million General Fund appropriation by \$1.9 million. The \$1.9 million rolled forward into FY 2023-24.

**FY 2023-24, \$2.4 million unspent:** The Department underspent the \$24.8 million General Fund appropriation by \$2.4 million. The Department transferred \$1.0 million to *Personal Services* in the Maintenance Subprogram to address a personnel funding shortfall. The remainder, a little under \$1.4 million, rolled forward into FY 2024-25. The current request reduces the FY 2024-25 appropriation by \$750,000, or a little over half of the amount that rolled forward from FY 2023-24.

JBC staff was not aware of the provision in S.B. 22-239 and its applicability to DOC facilities until Department submitted the current request. The DOC’s budget documents show that roll-forward occurred but not why or under what legal authority (see below).

Utilities				
HB22-1329 Long Bill	\$22,678,039	0.0	\$21,378,039	\$1,300,000
SB23-113 Department of Corrections Supplemental	\$2,657,745	0.0	\$2,509,623	\$148,122
SB23-214 FY 2023-24 Long Bill	\$3,451,630	0.0	\$3,267,935	\$183,695
<b>FY 2022-23 Final Appropriation</b>	<b>\$28,787,414</b>	<b>0.0</b>	<b>\$27,155,597</b>	<b>\$1,631,817</b>
EA-03 Rollforward Authority	(\$1,916,264)	0.0	(\$1,916,264)	\$0
<b>FY 2022-23 Final Expenditure Authority</b>	<b>\$26,871,150</b>	<b>0.0</b>	<b>\$25,239,333</b>	<b>\$1,631,817</b>
<b>FY 2022-23 Actual Expenditures</b>	<b>\$25,913,955</b>	<b>0.0</b>	<b>\$25,239,333</b>	<b>\$674,621</b>
<b>FY 2022-23 Reversion (Overexpenditure)</b>	<b>\$957,196</b>	<b>0.0</b>	<b>\$0</b>	<b>\$957,196</b>
<b>FY 2022-23 Total All Other Operating Allocation</b>	<b>\$25,913,955</b>	<b>0.0</b>	<b>\$25,239,333</b>	<b>\$674,621</b>

# Roll-forward authority and prison caseload requests

**Summary: Current practice casts doubt on prison caseload-related requests for utilities funding.** Prison caseload requests for utilities work in the Department’s favor, regardless of what is happening with caseload. The Department requests minimal or no changes when prison caseload decreases. The Department requests much larger increases for utilities when prison caseload increases.

It is not clear whether these increases were/are necessary in their own right. Their necessity is even less clear when one considers the Department’s ability to roll forward any unspent *Utilities* appropriations. It appears that money appropriated for prison caseload purposes may be used in the following year for energy conservation purposes.

The following table shows the *Utilities* component of prison caseload requests since FY 2021-22. Specifically, it shows that decreases are small or nonexistent when caseload goes down, but increases are relatively large when caseload goes up.

Utilities funding in DOC prison caseload requests, select facilities					
	FY 21-22	FY 23-24	FY 24-25	FY 25-26 (Nov. request)	FY 25-26 (Jan. request)
Total requested appropriations	-\$196,600	\$944,972	\$0	\$628,000	\$0
Total requested state prison beds	-1,449	1,583	-326	200	-322
<b>Buena Vista</b>					
Requested appropriations	-21,100	\$27,063	0	\$628,000	0
Prison beds	-100	100	-200	200	0
<b>La Vista</b>					
Requested appropriations	0	\$187,792	\$36,034	0	0
Prison beds	-80	130	80	0	0
<b>Trinidad</b>					
Requested appropriations	-\$65,300	\$186,063	0	0	0
Prison beds	-300	300	0	0	0

Why? The Department contends that, “Unless a facility is to be closed permanently, there will continue to be utility costs and costs associated with maintaining and preserving beds and living units. Continuing to maintain these living units and facilities prevents infrastructure damage and reduces costs when beds need to come back online in the future.”<sup>5</sup> JBC staff accepts that there is some truth to this.

But it does not explain why there are no savings when a living unit or facility is depopulated. Nor does it explain:

- 1 why the Department would request more than \$100,000 to bring those beds back online when no money was removed from the budget to begin with, or
- 2 why beds at the same facility would cost 27 times more in one year than another. For example, the November 2024 prison caseload request sought \$628,000 General Fund for

<sup>5</sup> FY 2024-25 DOC S1/BA1 Prison Caseload, page 7.



utilities related to 200 beds at Buena Vista. In a request submitted in January 2023, 100 of those beds at that facility cost just \$27,063 General Fund.

Staff investigated the issue of the \$628,000 General Fund increase for *Utilities* in the November 1 prison caseload request. It was calculated as follows:

FY 2025-26 R1 Prison Caseload Calculations for <i>Utilities</i> for Buena Vista Correctional Complex		
Line		Amount
A	FY 2024-25 Allocation	\$3,140,000
B	FY 2024-25 Funded prison capacity	1,034
C	Per offender cost [ A ÷ B ]	\$3,037
D	Requested bed increase	200
E	Inflation	3.4%
F	FY 2025-26 <i>Utilities</i> increase [ C * D * 1.034 ]	\$628,000

The Department has argued that reducing beds does not produce utilities savings. If true, the utilities allocation for a given facility (Line A) will not change when beds go offline. But the way the formula works, reducing funded prison capacity (Line B) in one year will actually *increase* the utilities request in future years (Line F) to bring those same beds back online. That is because the cost per inmate (Line C) goes up when bed count goes down.

FY 2025-26 R1 Prison Caseload Calculations for Utilities for Buena Vista Correctional Complex (adjusted for reduction of 200 beds)		
Line		Amount
A	FY 2024-25 Allocation	\$3,140,000
B	FY 2024-25 Funded prison capacity	834
C	Per offender cost [ A ÷ B ]	\$3,765
D	Requested bed increase	200
E	Inflation	3.4%
F	FY 2025-26 requested <i>Utilities</i> increase [ C * D * 1.034 ]	\$778,600

## Conclusion

The variability, lack of transparency, and self-benefiting nature of *Utilities* funding in the DOC's prison caseload requests cause JBC staff to doubt their necessity and accuracy. In JBC staff's view, the ability to roll prison caseload funds forward for a different purpose—energy conservation—amplifies that doubt. So too does using *Utilities* funding to cover personal services shortfalls elsewhere.

The Department should clearly explain how it arrives at its figures for utilities and any other operating expense in its prison caseload requests. It should also justify the entire utilities appropriation, with the aim of separating core utilities expenses from other types of expenses, including energy conservation.

JBC staff does not question the value of energy conservation as a policy goal. The point is that the General Assembly cannot make informed policy and funding decisions if it does not know what is happening or why. In this instance, it cannot see when or how energy conservation efforts produce savings, especially if one mixes questionable budget practices into the same appropriation.



# S7 Vehicle variable rate mileage

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$756,728	\$756,728	\$0	\$0	\$0	0.0
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	-\$756,728	-\$756,728	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made. Per the request, rates are set after the Long Bill is signed.

## Request

The Department requests one-time increase of \$756,728 General Fund in FY 2024-25. The requested funds are spread across 18 different line items.<sup>6</sup> The request aims to address a projected shortfall in appropriations stemming from certain rates set by the Department of Personnel (DPA). Per the request, the accident (insurance) and variable (fuel and mileage) rates increased from FY 2023-24 levels. The request looks at FY 2023-24 expenses for these purposes, looks at the change in the rate, and then applies the increase to the relevant line item. The following table shows the requested changes by line item.

S7 Variable Rate Mileage, changes to Operating Expenses line items				
Division	Sub Division	Current General Fund Appropriation	Requested Increase	Change (%)
Support Services	Transportation Subprogram	\$643,538	\$204,196	31.7%
Institutions	Housing and Security Subprogram	2,105,156	197,980	9.4%
Inmate Programs	Education Subprogram	3,139,277	126,916	4.0%
Community Services	Parole Subprogram	2,875,425	109,464	3.8%
Community Services	Community Supervision Subprogram	505,042	27,042	5.4%
Management	Inspector General Subprogram	390,718	19,004	4.9%
Support Services	Business Operations Subprogram	231,951	12,069	5.2%
Management	Executive Director's Office	326,761	11,836	3.6%
Institutions	Maintenance Subprogram	13,538,111	10,715	0.1%
Institutions	Youthful Offender System Subprogram	607,455	8,455	1.4%
Correctional Industries		0	6,174	n/a
Institutions	Medical Services Subprogram	2,677,873	6,132	0.2%
Support Services	Offender Services Subprogram	62,044	5,751	9.3%
Support Services	Facility Services Subprogram	84,096	4,254	5.1%
Support Services	Communications Subprogram	1,685,707	2,312	0.1%
Support Services	Information Systems Subprogram	1,404,369	2,205	0.2%
Support Services	Training Subprogram	383,057	1,153	0.3%
Support Services	Personnel Subprogram	737,981	1,070	0.1%
<b>Total</b>		<b>\$31,398,561</b>	<b>\$756,728</b>	

<sup>6</sup> This request is in addition to \$257,906 General Fund requested through the Department of Personnel's annual fleet supplemental.

# Recommendation

Staff recommends denial of the request. The recommendation stems from three issues.

- 1 **Staff does not accept the assumption that all 18 *Operating Expenses* line items are completely maxed out.** The request presumes that these line items are maxed out and, consequently, those line items need increased appropriations to compensate for DPA’s decisions. The request does not attempt to justify that presumption. JBC staff finds evidence that the presumption is not justified.
- 2 **Other budget documents undermine information provided in this request.** For example, the request includes \$197,980 General Fund for the Housing and Security Subprogram *Operating Expenses* line item. This increase is based on an alleged actual expenditure of \$984,918 in FY 2023-24. If true, that expenditure accounted for a little less than half of the \$2.1 million General Fund for that fiscal year.

However, other Department documents suggest that the Department did not spend almost a \$1.0 million on mileage rates. Those documents show an actual expenditure of \$66,471 for “Rental/Motor Pool Mile Charge.”<sup>7</sup> The single largest expense in that line item was not variable mileage. It was “Supplies and Materials.” JBC staff consequently distrusts the FY 2023-24 base expense for the other 17 line items as well.

**Department of Corrections**

Line Item Object Code Detail	FY 2022-23 Actual		FY 2023-24 Actual
	Expenditure	FTE	Expenditure
2252 Rental/Motor Pool Mile Charge	\$76,997		\$66,471
3110 Supplies & Materials	\$1,255,797		\$1,173,307

- 3 **Significant prior increases cast doubt on the necessity of much smaller increases sought by this request.** This request seeks an \$11,000 increase for the Maintenance Subprogram *Operating Expenses* line item. The General Assembly increased appropriations for this line item by \$6.6 million General Fund over the past few fiscal years, with about \$5.0 million occurring in the current fiscal year. The total line item appropriation is \$13.5 million General Fund. JBC staff finds it extremely difficult to conclude that an \$11,000 increase is absolutely necessary.

Maintenance Subprogram Operating Expenses Changes (\$) over last 3 fiscal years	
FY 2022-23 final appropriation	General Fund
Base appropriation	6,990,024
DPA S03 Variable vehicle adjustments	298,296
S1/BA1 Prison caseload	25,847
S05 Increase facilities maintenance budget	1,101,621
<b>Total FY 2022-23 Appropriation</b>	<b>\$8,415,788</b>

<sup>7</sup> FY 2025-26 DOC Schedule 14B, page 74, object code 2252.

Maintenance Subprogram Operating Expenses Changes (\$) over last 3 fiscal years	
FY 2023-24 final appropriation	General Fund
Base appropriation	8,415,788
FY23 S1 Prison caseload	51,695
FY23 S5 Maintenance increase	-1,101,621
FY23 Variable vehicle adjust.	-298,296
R03 Facilities maintenance increase	1,438,844
BA1 Prison caseload	0
<b>Total FY 2023-24 Appropriation</b>	<b>\$8,506,410</b>
FY 2024-25 current appropriation	General Fund
Base appropriation	8,506,410
FY24 Prison caseload	117,647
R1 Prison caseload	0
R4 Transgender unit and healthcare	0
R7 Disabilities Act compliance	2,000,000
R8 Transportation	914,054
R9 Maintenance	2,000,000
<b>Total FY 2024-25 Appropriation</b>	<b>\$13,538,111</b>
Change since FY 2021-22 (%)	93.7%
Change since FY 2021-22 (\$)	6,548,087

- 4 **Relationship to prison caseload requests.** The *Maintenance Operating Expenses* line item is one of those line items that the Department increases when prison caseload increases, but exempts from a decrease when prison caseload decreases. Given a much lower prison population than the current budget expected, does the Department really need an \$11,000 increase for that line item to pay for increased mileage and accident rates?
- 5 **Correctional Industries is a cash-funded state enterprise.** Does it really need a \$6,174 General Fund plus-up for increased mileage and accident rates?

# S6/BA4 Contain inmate call cost growth [legislation requested]

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$578,859	\$578,859	\$0	\$0	\$0	0.0
Recommendation	\$578,859	\$578,859	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

## Request

The Department requests an increase of \$578,859 General Fund in FY 2024-25. These funds would help the Department cover 35.0% of the cost of inmate phone calls, as required by statute. Per the request, inmates are spending more time on the phone because: (1) the cost to inmates has decreased, and (2) inmates now have on demand access to phone calls due to the issuance of individual tablets.

The Department also requests JBC-sponsored legislation to delay the phase-in of H.B. 23-1133 (Cost of Phone Calls for Persons in Custody) by one year. Statute requires that the Department cover 100.0% of the cost of phone calls in FY 2025-26. The current request proposes 50.0% coverage in FY 2025-26 and 100.0% coverage in FY 2026-27. **The JBC does not need to vote on this legislation until figure setting for FY 2025-26.**

The request also seeks increased appropriations in FY 2025-26 and FY 2026-27. The following table shows the total cost of the request. The JBC does not need to act on future fiscal years until the figure setting process.

S6/BA4 Contain Inmate Call Cost Growth						
	FY23-24 appropriations	FY 24-25 appropriations	FY 24-25 requested	FY 25-26 requested*	FY 26-27 requested	Total cost (sum FY 24-25 to FY 26-27)
Inmate phone calls	\$379,458	\$717,712	\$1,296,571	\$1,907,176	\$3,920,217	7,123,964
Change (\$)			578,859	610,605	2,013,041	3,202,505
Change (%)			80.7%	47.1%	105.6%	233.3%

\* The change for FY 2025-26 represents a combination of funding from the fiscal note for H.B. 23-1133 and the current request.

# Recommendation

Staff recommends approval of the requested increase of \$578,859 General Fund in FY 2024-25. Staff found that the Department’s calculations were sound.

Staff also recommends that the JBC sponsor the requested legislation for the purpose of saving money in FY 2025-26. The Department expects that doing so will save about \$3.2 million General Fund. Staff thinks the Department’s estimates are reasonable. It is difficult to know exactly what phone usage will look like when the State begins covering 100% of the cost.

# Analysis

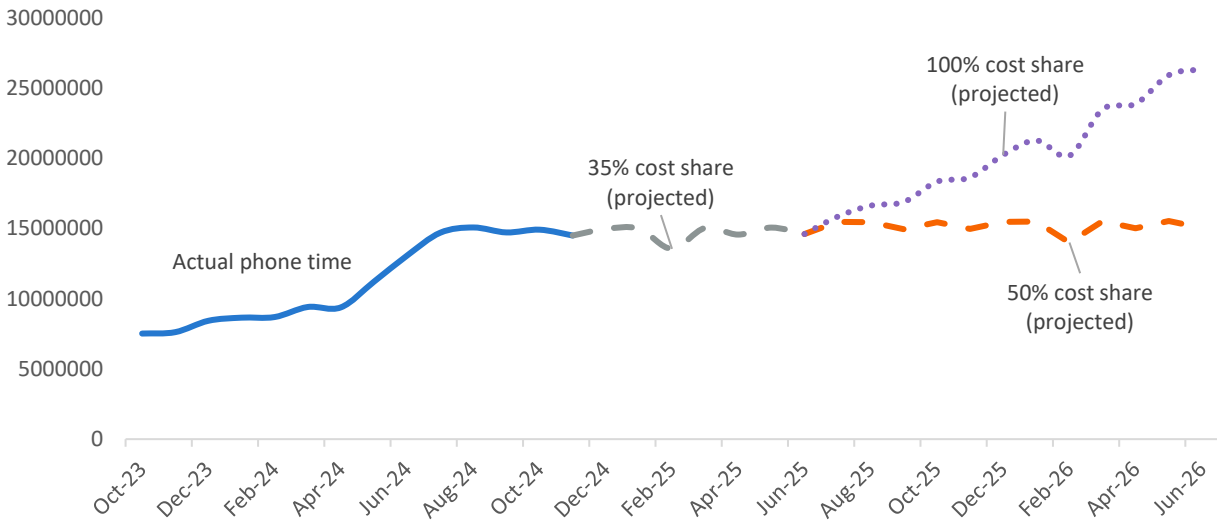
Statute requires that the Department pay 35.0% of the cost of inmate phone calls. Statute requires the Department to cover 100% of the cost in FY 2025-26.

The Department requests legislation to delay 100% coverage by year, covering 50.0% of the cost in FY 2025-26 and 100.0% of the cost in FY 2026-27.

The cost of inmate phone calls depends on the number of minutes that inmates spend on the phone. The phone service provider bills the Department based a per-minute rate of \$0.19, with the Department picking up a percentage of that bill (35.0% currently).

The request states, “If the request is not approved and inmate cost sharing remains at 100% [state coverage in FY 2025-26], the Department estimates that utilization will increase dramatically in FY 2025-26. With zero cost for inmates and 24/7 access to a tablet with phone capabilities, it is difficult to know exactly when utilization will flatten out.” The Department therefore proposes to cover 50.0% of the cost of inmate phone calls in FY 2025-26. The following graph shows the Department’s projections for both scenarios.

Total phone minutes, actual and projected  
 (Projections = estimated average inmate usage per day \* projected inmate population \* days)



## FY 2024-25 costs: 35.0% coverage

The Department paid \$578,859 to cover 35.0% of the cost of inmate phone calls from July 2024 to November 2024. The Department use the average per inmate per day usage during that time period to project expenses for the rest of the year. It also factored in projected growth in the prison population. The table below, taken from the request, summarizes how the Department arrived at its FY 2024-25 request. JBC staff agrees with the Department’s assessment.

**Table 7. FY 2024-25 Summary of Request**

FY 2024-25 Billed (Jul-Nov 2024)	\$(544,299)
FY 2024-25 Projected Cost (Dec 2024-Jun 2025)	\$(752,272)
FY 2024-25 Appropriation (H.B. 24-1430)	\$717,712
FY 2024-25 Projected Shortfall (Request)	\$(578,859)

## FY 2025-26: Estimated cost of 100% coverage = \$5.2 million

The Department expects usage to increase significantly in FY 2025-26 if the Department covers 100% of the cost of phone calls. It based this expectation on data from the first year of implementation, FY 2023-24, when the Department began covering 25.0% of the cost of inmate phone calls.

During that year, phone minutes per inmate per day increased by 5.0% month over month. A large part of this stems from the distribution of individual tablets to inmates in May 2024. The total number of minutes from April to May 2024 increased by 19.5%. Total minutes increased by another 16.6% from May to June 2024.

The following table assumes that the amount of phone minutes would increase by 5.0% month over month for a total cumulative increase of 71.0%. After factoring in growth in the prison population and existing appropriations, the Department estimates an FY 2025-26 shortfall of \$3.7 million General Fund.

**Table 11. FY 2025-26 Projected Shortfall at 100% Cost Sharing**

FY 2025-26 Projected Cost	\$(5,179,033)
FY 2025-26 Appropriation (H.B. 23-1133)	\$1,102,956
FY 2025-26 Appropriation (H.B. 24-1430)	\$331,678
FY 2025-26 Projected Shortfall (at 100% Cost Sharing)	\$(3,744,399)

## FY 2025-26: Estimated cost of 50% coverage = \$1.9 million

The Department's request seeks legislation to have the State cover 50% of the cost of inmate phone calls in FY 2025-26. The estimated cost of \$1.9 million assumes no month over month growth in the amount of minutes per inmate per day. The exception is from June 2025 to July 2025, when the Department expects a 2.5% increase in phone usage as the State's share increases from 35.0% to 50.0%. This and projected prison population growth put the FY 2025-26 cost of a 50% share at \$1.9 million.

**Table 9. FY 2025-26 Summary of Request**

FY 2025-26 Projected Cost	\$(1,907,176)
FY 2025-26 Appropriation (H.B. 23-1133)	\$1,102,956
FY 2025-26 Appropriation (H.B. 24-1430)	\$331,678
FY 2024-25 Projected Shortfall (Request)	\$(472,542)

# S1.5/BA1.5 Female prison caseload

(The DOC’s request title is “S1.5/BA1.5 LVCF Funding Reconciliation.” JBC staff adjusted the title because the request and recommendation deal with broader female prison caseload issues.)

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$0	\$0	\$0	\$0	\$0	0.0
Recommendation	-1,507,083	-1,463,816	-\$43,267	0	0	-14.3
Staff Recommendation Higher/-Lower than Request	-1,507,083	-1,463,816	-\$43,267	0	0	-14.3

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request relates to an error in calculating the original appropriation. Staff disagrees with the assertion that the request is technical. The request represents a desire to retain funding for non-technical reasons.

## Request

### Keep \$0.9 million General Fund for 80 beds mistakenly requested and funded through FY 2022-23 supplemental

The Department wants to keep \$883,121 General Fund and 7.8 FTE it mistakenly requested two years ago when it lost track of 80 funded female prison beds. JBC staff identified the error and communicated it to the Department on October 22, 2024.

The Department wants to keep the money for these beds pay for something that was omitted from the Transgender Unit and Healthcare request last year. The JBC approved that request as the Department requested it.

### Keep \$0.7 million General Fund for 50 beds, reduce local jail appropriation \$0.3 million or about 40 beds

The Department also wants to keep \$672,959 General Fund and 6.3 FTE for 50 female prison beds. The prison caseload formula suggests that these beds should be removed from the budget. The Department wants to keep the funding for the 50 beds to decrease an “unusually high female local jail backlog” of about 40 inmates. The Department is therefore proposing to reduce its appropriation for DOC inmates in local jails by \$280,862 General Fund, or 40 jail beds for 91 days. JBC staff estimates that the Department will underspend this appropriation by about \$2.6 million General Fund.

The request warns, “If this request is not approved, the Department will need to utilize contingency funds typically reserved for department-wide emergency situations to pay for this ongoing expenditure.”



## Impact of request on prison caseload formula

The Department included the following table in S1/BA1 Prison Caseload. The key takeaway is that it removes 88 funded beds from funded capacity without reducing appropriations. Presumably those are the 80-ish-beds the Department mistakenly requested during the FY 2022-23 supplemental process. The request frames this as a “reconciliation.” Rather than reduce the 55-bed surplus, the Department proposes a modest reduction of by \$280,862 General Fund to the *Payments to local jails* line item, or about 40 beds.

DOC female prison caseload calculations (Table 7 in S1/BA1 Prison Caseload)		
Line	FY 2024-25	Female Bed Count
A	Current Funded State Bed Capacity	1,378
B	S-1.5 LVCF Funding Reconciliation	-88
C	Transgender Integration Unit at DWCF	48
D	State General Population Beds Online (A+B+C)	1,338
E	Less 2.5% Vacancy (C * 0.025)	-33
F	Subtotal available state female beds (C+D)	1,305
G	FY 25 projected female prison population	1,250
H	Female Bed Surplus (E-F)	55

## Recommendation

Staff recommends a reduction of \$1,463,816 General Fund; \$43,267 cash funds; and 14.3 FTE. This accounts for a reduction of 130 female prison beds at La Vista while also reallocating money to the Housing and Security *Operating Expenses* as requested by the Department.

### Reasons for recommendation

There are three main factors driving the recommendation. First, last year’s request to create a 48-bed transgender unit at Denver Women’s prison (DWCF) made no mention of a need to transfer inmates from DWCF to La Vista. Per the current request, the real cost of that request was closer to 100 prison beds, not 48. JBC staff does not know why it was omitted.

The Department contends that it could not move the displaced inmates at DWCF into other beds at the facility, including a 216-bed living unit that is currently closed. So, it moved those displaced inmates to La Vista. The funding and staff related to the supervision of those inmates remained at DWCF.

Second, the request presumes that keeping more prison beds online will help the Department keep a lid on the jail backlog. The data show the opposite: the jail backlog actually increases when the number of vacant prison beds increase.

Third, staff is uncomfortable with an affirmative recommendation that would let the Department retain that it requested by mistake, money that it omitted from other requests, and money for purposes that are unsupported by the data. Furthermore, staff disagrees with the assertion that the Department would have to tap into emergency funds if the JBC denies this request.

## S1.5 Female Prison Caseload-DOC request vs. JBC staff recommendation (General Fund changes)

Sub Division	Line Item	DOC Request	JBC Staff Rec.	FTE
Executive Director's Office	Health, Life, and Dental	\$0	-\$95,249	0
Executive Director's Office	Short-term Disability	0	-715	0
Executive Director's Office	Unfunded Liability Amortization Equalization	0	-44,720	0
Executive Director's Office	Additional prison capacity - Personal Services	0	-485,218	-6
Executive Director's Office	Additional prison capacity - Operating Expenses	0	-156,165	0
Executive Director's Office	Additional prison capacity - Facility start-up	0	-7,326	0
Executive Director's Office	Additional prison capacity - Personnel start-up	0	-24,250	0
Utilities Subprogram	Utilities	-40,447	-115,564	0
Housing and Security Subprogram	Personal Services	0	-382,574	-6
Housing and Security Subprogram	Operating Expenses	69,798	69,798	0
Food Service Subprogram	Operating Expenses	-15,228	-43,508	0
Medical Services Subprogram	Operating Expenses	-1,410	-5,440	0
Laundry Subprogram	Operating Expenses	-2,805	-8,015	0
Superintendents Subprogram	Operating Expenses	-6,084	-17,381	0
Case Management Subprogram	Personal Services	0	-67,336	-1
Case Management Subprogram	Operating Expenses	-111	-318	0
Inmate Pay Subprogram	Inmate Pay	-3,713	-10,608	0
Education Subprogram	Personal Services	0	-69,227	-1
<b>Total</b>		<b>\$0</b>	<b>-\$1,463,816</b>	<b>-14.3</b>

## Alternative option

If the JBC wants to let the Department retain money for 130 prison beds, but wants find a an almost equal reduction elsewhere, the JBC could implement a 10.0% cut to base compensation for 73 high-level DOC employees. These positions are high-level administrative, management, or policy-oriented positions (Level V or above). The average total compensation amount for these positions is \$161,000, excluding Health, Life, and Dental.

Prorating the cut for 4 months of the current fiscal year saves \$393,109 General Fund. Continuing the cut through FY 2025-26 saves \$1,582,799 General Fund, which includes \$403,472 by exempting those positions from the requested total compensation increase for FY 2025-26.

## Analysis

### Impact of forecast on female prison caseload formula

Under the LCS forecast, the prison caseload formula suggests that that staff's recommended reduction can be sustained through FY 2025-26. Under the DCJ forecast, the formula suggests that 50 of the 130 beds should be added back into the budget for FY 2025-26. The JBC will select a forecast for FY 2025-26 in early March.

### Division of Criminal Justice forecast

Under the DCJ forecast, the caseload formula shows a surplus of 139 female prison beds in the current fiscal year. If the JBC makes no reductions in the current year, the projected surplus in

FY 2025-26 would be 131 prison beds. If the JBC makes no reductions in either the current or next fiscal year, the DOC's current budget could support female prison population growth through FY 2026-27 and still have about 117 beds to spare.

Female Prison Bed Capacity (Dec. 2024 DCJ Forecast)							
Line		FY 21-22	FY 22-23	FY 23-24	FY 24-25*	FY 25-26*	FY 26-27*
A	Funded state bed capacity	1,248	1,328	1,328	1,378	1,378	1,378
	Add 48 bed Transgender Integration Unit at						
B	Denver Women's	0	0	0	48	48	48
C	Subtotal starting state bed capacity [ A + B ]	1,248	1,328	1,328	1,426	1,426	1,426
D	Less: 2.5% vacancy rate [E * 0.025]	-31	-33	-33	-36	-36	-36
E	Subtotal available state female beds [ C + D ]	1,217	1,295	1,295	1,390	1,390	1,390
	Projected average female prison population						
F	(Dec. 2024 DCJ forecast)	1,052	1,181	1,248	1,251	1,259	1,273
G	Bed surplus/-shortfall [ E-F ]	165	114	47	139	131	117
H	Estimated female prison bed reduction	-165	-114	-47	-139	-131	-117

\*Projected

### Legislative Council Staff forecast

Under the LCS forecast, the caseload formula shows a surplus of 130 female prison beds in the current fiscal year. If the JBC makes no reductions in the current year, the projected surplus in FY 2025-26 would be 97 prison beds. If the JBC makes no reductions in either FY 2024-25 or FY 2025-26, the DOC's current budget could support female prison population growth through FY 2026-27 and still have about 67 beds to spare.

Female Prison Bed Capacity (Dec. 2024 LCS Forecast)							
Line		FY 21-22	FY 22-23	FY 23-24	FY 24-25*	FY 25-26*	FY 26-27*
A	Funded state bed capacity	1,248	1,248	1,328	1,378	1,378	1,378
	Add 48 bed Transgender Integration Unit at						
B	Denver Women's	0	0	0	48	48	48
C	Subtotal starting state bed capacity [ A + B ]	1,248	1,248	1,328	1,426	1,426	1,426
D	Less: 2.5% vacancy rate [E * 0.025]	-31	-31	-33	-36	-36	-36
E	Subtotal available state female beds [ C + D ]	1,217	1,217	1,295	1,390	1,390	1,390
	Projected average female prison population						
F	(Dec. 2024 LCS forecast)	1,052	1,181	1,248	1,260	1,293	1,323
G	Bed surplus/-shortfall [ E-F ]	165	36	47	130	97	67
H	Estimated female prison bed reduction	-165	-36	-47	-130	-97	-67

\*Projected

## Reasons for request to retain appropriations

### Transgender Integration Unit at Denver Women's Correctional Facility

Summary: The current DOC budget includes funding that was erroneously requested in a prior fiscal year. In lieu of a budget reduction, Department wants to use this money to pay for an issue that was omitted from last year's request to create a transgender unit at the Denver Women's Correctional Facility (DWCF).

The DOC erroneously asked for 80 female prison beds at La Vista through the FY 2022-23 supplemental process.<sup>8</sup> The request was erroneous because Department took 80 beds offline outside of the budget process in August 2021 and then asked for money to bring them back online in January 2023. In other words, the Department asked for money that was already in its budget. The JBC approved this request following an OSPB comeback on the issue. The DOC's FY 2024-25 budget therefore includes \$883,121 General Fund and 7.8 FTE related to this mistake.

The Department wants to use these duplicated funds to pay for an issue that was omitted from previous request: FY 2024-25's R4 Transgender Unit and Healthcare.<sup>9</sup> The Department requested \$7.9 million General Fund and 28.3 FTE for FY 2024-25. This included funding to create and open a 48-bed Transgender Integration Unit at the Denver Women's Correctional Facility (DWCF). The JBC approved this request as requested.<sup>10</sup>

However, the Department relocated about 50 inmates from DWCF to La Vista to accommodate the new transgender unit. The Department says it opened 52 beds in an 80-bed living unit at La Vista to do this. The current request says "no appropriation was made to open the 52 beds in the FY 2024-25 Long Bill." Additional information provided by the Department says these 52 beds were "already fully staffed."

JBC staff notes that the FY 2024-25 Long Bill does, in fact, include funding for 50 beds at La Vista (\$672,959 General Fund and 6.3 FTE). But it stems from JBC staff's original prison caseload calculations for the FY 2024-25 Prison Caseload request. In that request, the Department sought funding for 80 female prison beds. It did not identify any relationship between those 80 beds and the Transgender Integration Unit. Staff concludes that what the Department means is that last year's Transgender Unit and Healthcare request did not include funding to open 52 beds at La Vista.

The current request (S1.5/BA1.5) acknowledges that operating funding in the budget for 80 beds is more than 52 beds require. The difference is about \$75,000 General Fund. In lieu of a reduction, the request these funds among various line items. This reallocation would help pay for feminine hygiene products. Statute requires the Department to provide these products at no cost to the inmate.<sup>11</sup>

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<sup>8</sup> Link to FY 2022-23 S1 and FY 2023-24 BA1 Prison Caseload, January 27, 2023: [https://drive.google.com/drive/folders/1W5X1bti139SMBQwVBO5Bmle\\_QWYY2fBg](https://drive.google.com/drive/folders/1W5X1bti139SMBQwVBO5Bmle_QWYY2fBg)

<sup>9</sup> Link to request (Nov. 1, 2023): <https://drive.google.com/drive/folders/17VeeXPk3AJec2Uy1USqt7ttfkTBBdRZV>

<sup>10</sup> The original request R4 Transgender Unit and Healthcare was for \$9.0 million General Fund, but this included a \$1.02 million error, bringing the total request down to about \$8.0 million. The error pertained to broadband funding that was duplicated in another request (FY 2024-25 R5 Broadband).

<sup>11</sup> Section 17-1-113.6, (1), C.R.S. Statute created by H.B. 19-1224 (Free Menstrual Hygiene Products in Custody).

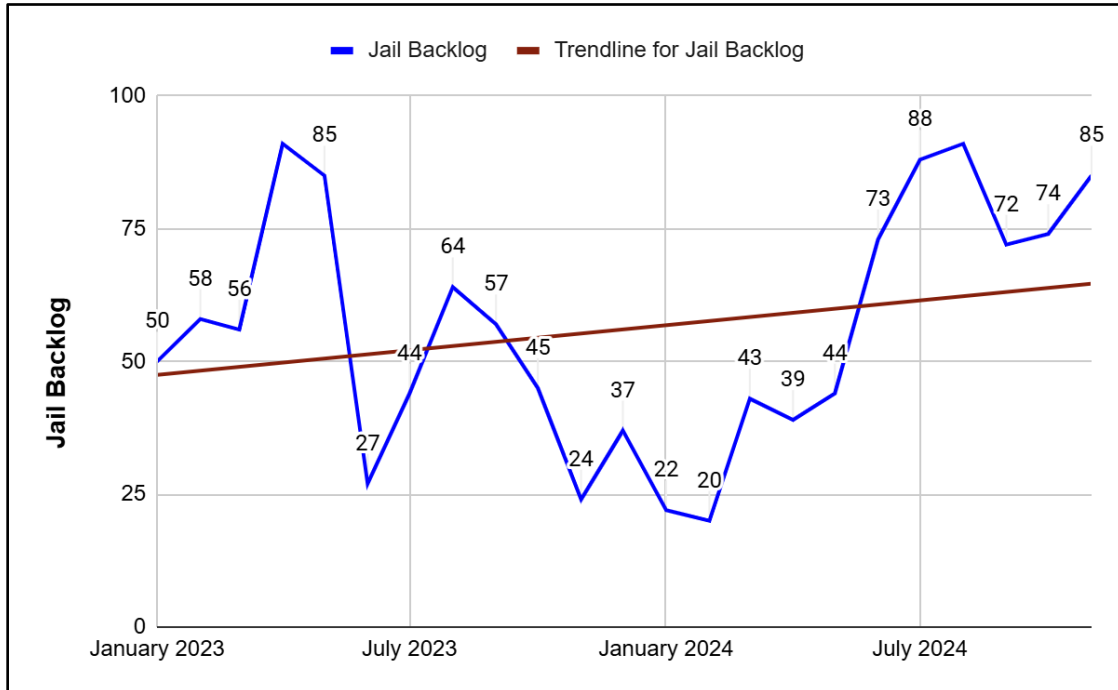
## Keep funding for 50 beds at La Vista and instead reduce funding for local jails by 40 beds

Both the current request and S1/BA1 provide information about this component. The DOC's FY 2024-25 budget includes appropriation of \$716,226 total funds, including \$672,959 General Fund, and 6.3 FTE. JBC staff recommended and the JBC approved this appropriation to support an increase of 50 female prison beds at the La Vista facility in FY 2024-25.

The Department wants to keep this funding and instead reduce the *Payments to Local Jails* line item by 40 beds. For FY 2024-25, this would be a reduction of \$280,862 General Fund.<sup>12</sup> For FY 2025-26, this would be a reduction of \$1.1 million General Fund.<sup>13</sup>

The Department contends that the female local jail backlog is “unusually high.” The Department says it would rather continue to reduce its local jail backlog than reduce facility capacity. The request includes the graph on the following page.

Figure 1. Monthly Female Jail Backlog, January 2023 through November 2024



JBC staff concludes that this graph does not tell the whole story. The request asserts that providing more prison beds will lower the jail backlog. This assertion is not supported by the data. The data actually show that the jail backlog increases when funded female prison bed vacancies increase.

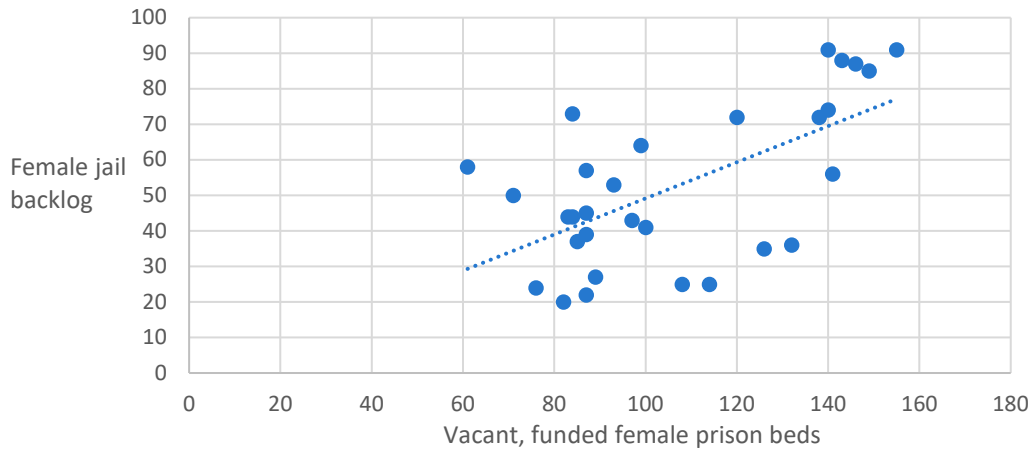
<sup>12</sup> 40 beds \* daily rate of \$77.16 \* 91 days = \$280,862

<sup>13</sup> 40 beds \* daily rate of \$77.16 \* 365 days = \$1,126,536

The following graph shows a positive relationship between vacant & funded female prison beds and the female jail backlog over the same time period as the Department’s graph. Like the Department’s graph, this graph is based on point-in-time data at the end of each month.

As the independent variable increases (x-axis, vacant beds in female prisons), the dependent variable (y-axis, female jail backlog) also increases. JBC staff experimented with different ways to organize the data (e.g. a one-month lag) and the same basic trend was always present. Staff notes that the graph excludes the 48-bed Transgender Integration Unit.

As the number of funded and vacant female prison beds increases, so too does the female jail backlog



# S3 Open Centennial South C-tower [legislation requested]

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$4,570,000	\$4,570,000	\$0	\$0	\$0	0.0
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than request	-\$4,570,000	-\$4,570,000	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **NO**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** Per the Department, the finalized timeline for the capital project at Sterling Correctional Facility was not available when the original appropriation was made. Even if true, staff is not convinced that supplemental legislation and funding are necessary for a project beginning halfway through the next fiscal year.

## Request for funding and legislation

**Amount requested:** The Department requests a one-time increase of \$4,570,000 General Fund in FY 2024-25. The request includes roll-forward authority through FY 2025-26. The Department would use these funds to open 316 close custody beds in the C-tower of the Centennial South Correctional Facility (CCF-S).

**Purpose:** The request stems from the impact of a capital renewal project to replace security access controls at Sterling Correctional Facility (SCF). The Department says it needs to close entire living units at SCF as the project progresses. As these units close, the Department would move inmates from SCF to CCF-S. Those inmates would move back to SCF when that phase of the project completes. This mainly applies to the close custody inmates (Level IV) in SCF's four close custody living units. But it also applies to medium custody inmates in SCF's three Level III living units. These units range from 64 to 300 beds.

Sterling Correctional Facility Living Units			
Bed Type	Security Level (I-IV)	Number of Living Units (LUs)	Number of Total Beds
Protective Custody	IV (close)	3 (1 96 bed LU, 2 64 bed LUs)	224
Close Custody	IV (close)	1x 300 bed LU	300
General Population	III (medium)	3x 300 bed LUs	900
General Population	II (min.-restricted)	7x 100 bed LU	700
Voluntary Transgender Unit	II (min.-restricted)	1x 100 bed LU	100
Drug and Alcohol Program	II (min.-restricted)	1x 96 bed LU	96
Unfunded, Closed Beds	II (min.-restricted)	2x 100 bed LU	200
Restrictive Housing	N/A	1x 64 bed LU	64
Total			2,584

**Costs:** The request only includes funding for facility start-up costs. This includes cameras, beds, door controls, American Disability Act (ADA) adjustments, HVAC recertification and repair, furniture, and contingency funds.

The request does not include FTE. Per the request, the current FTE at SCF and CCF will be sufficient for the custody control and transportation of inmates between SCF and CCF C-Tower.

Additional operating expenses (i.e., food service, laundry, medical, inmate pay) will be transferred between facilities when the inmates are transported.

**Legislation requested:** Statute currently prohibits the use of C-tower to hold close custody inmates.<sup>14</sup> The Department wants to permanently strike this section of statute to “render these 316 beds an option for future consideration by the JBC for future caseload needs.”

## Recommendation

Staff recommends denial of the request. Staff’s analysis finds that supplemental legislation and funding are not necessary. There are many other issues driving the recommendation. Staff will revisit the issue during figure setting for FY 2025-26. It is possible that staff will recommend partial funding for FY 2025-26 along with more modest amendments to the statute.

## Reasons for recommendation

### Timing issues

- **JBC staff concludes that supplemental legislation and funding are not necessary.** Based on the information provided by the Department, staff concludes that the Department does not need to operate all 316 C-tower beds when the Sterling project begins. Furthermore, the Department has not been consistent about when exactly C-tower would need to open, nor has it been consistent about the lead time required to open it.

### Budget issues

- **Can the current budget cover some of the requested increase?** The FY 2024-25 Long Bill included an increase of \$6.2 million General Fund, of which \$4.2 million is ongoing through FY 2025-26. This increase stemmed from DOC requests for ADA compliance, maintenance, and camera replacement funding. The current request seeks about \$3.4 million for those same things. The JBC may want to ask the Department to explain why it cannot prioritize existing funding to deal with the impact of a high-priority capital project at Sterling.

## Issues pertaining to the Sterling facility and capital project

- 1 **Misinformation about Sterling’s bed capacity by security level, which has implications for the impact of the capital project.** The Department has apparently been supplying the JBC and JBC staff with inaccurate information Sterling’s capacity by security level since at least FY 2021-22. This most recently happened in November 2024, when the Department said there were 224 close custody beds at Sterling. The present request says there are 524 close custody beds at Sterling, an increase of 300. The Department said that these 300 beds “have always been Close Custody beds.” It was “an error that they were previously counted as [medium custody] Level III beds.” It matters because these 300 beds are all in one living unit that would have to go offline during the capital project. The challenge of

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<sup>14</sup> Section 17-1-104.3 (1)(b.5), C.R.S.



relocating 300 close custody inmates at one time is different from relocating 300 medium custody inmates.

2 **Sterling’s close custody capacity and/or population increased shortly after the DOC submitted the request for the second phase of the capital project in June 2023.** From July 2021 to July 2023, Sterling’s close custody population was an average of 184. This is consistent the capacity figures provided by the Department at the time: 192 close custody beds at the facility. From July 2023 to present, Sterling’s close custody population averaged 352.

3 **It appears that Centennial South’s C-tower was the only real (conceptual) close custody option for dealing with the impact of the Sterling capital project.** The request says that when the Department submitted the capital request in June 2023, it thought it might be able to house Sterling’s close custody inmates at Limon or Fremont. However, “due to subsequent population growth, both of those units are filled now...”

Staff finds it difficult to conclude that Limon and Fremont were ever an option. There were 9 close custody vacancies at Fremont in June 2023. The Department filled most of Limon’s close custody beds in July 2023 after having asked for money to do that in a January 2023 request. Staff concludes that CCF-S’ C-tower was the only real conceptual option for relocating up to 300 close custody inmates from Sterling at one-time.

4 **The November 1 prison caseload request and this request treat the impacts of the Sterling project very differently.** Both requests share key assumptions. For example, they both assume that entire living units will go offline for the capital project. But they make very different assertions about the number of beds needed elsewhere to compensate for that. The November 1 request shows an average of 82 beds offline across 7 months (Dec. 2025-June 2026) for the Sterling capital project. The prison caseload formula would have added 82 beds to the budget as an offset. Now the Department needs 316 beds online to offset the Sterling project.

5 **The Department has wanted to open CCF-S’ C-tower for many years.** One reason is to mitigate staffing vacancies at Sterling by moving close custody inmates from Sterling to CCF-S (which it has already done for a certain population). Another reason is to move the Central Transportation Unit from Colorado Territorial to CCF-S. Staff thinks these desires are worthy of discussion in the context of larger prison capacity and caseload issues. They are mentioned here so the JBC knows how the Department may seek to use C-tower in future years.

Relatedly, the JBC should be aware that the ongoing cost to operate the 316-bed C-tower at CCF-S is triple what the State would saving in closing the 300-bed close custody unit at Sterling.

Cost comparison: Centennial South C-tower and Sterling Close Custody unit (\$, millions)

CCF-S C-tower (add 316 close custody/Level V beds)      Sterling (reduce 300 close custody/Level IV beds)



Source: DOC data

# Analysis

## Are supplemental funding and legislation necessary?

JBC staff concludes that supplemental legislation and funding are not necessary. It is possible that the Department only needs, at most, 96 beds to offset living unit closures at Sterling in FY 2025-26.

### Does the Department need all 316 of CCF-S' C-tower beds in December 2025?

**No, not according to the information provided by the Department.** JBC staff finds that it could be possible to relocate a maximum of 96 close custody inmates at a single time in FY 2025-26. The Department did not provide a project schedule in the request.

The C-tower at CCF-S includes 316 beds in two living units: 126 beds and 190 beds. Some of the affected living units at Sterling are smaller: 64 beds (two such living units) and 96 beds (one such living unit). The Department has said that each living unit will be taken offline separately, not concurrently. The request says that the length of the project for the 7 close and medium custody living units will take 490 days (7 units X 70 days per unit).

If the Department only takes the two 64-bed units and the one 96-bed unit offline for a total of 210 days (3 units X 70 days per unit), the maximum impact of the project in FY 2025-26 (Dec. 2025-June 2026) would be 96 beds. JBC staff is therefore unsure why the Department needs 316 beds at the beginning of December 2025.

Potential Sterling project schedule for FY 2025-26							
	Dec. 2025	Jan. 2026	Feb. 2026	Mar. 2026	Apr. 2026	May. 2026	Jun. 2026
Beds per unit		96		64		64	
Days per unit		70		70		70	

### How many close custody inmates would need to be moved at one time?

**As of Dec. 31, 2024, the estimated number of close custody inmates in Sterling's 300-bed close custody living unit (180) could fit into one of C-tower's two living units (190).**

The number of close custody beds and inmates at Sterling provide the strongest justification for the request. Close custody inmates require the highest levels of security and therefore cannot, per the Department's policies, be placed in lower security living units. There are many vacant beds at the minimum-restricted and minimum levels but they are not an option for close custody inmates.

The request says that up to 300 close custody beds must be taken offline at the same time, which means that up to 300 close custody inmates must be moved at the same time. JBC staff does not think the Department will need to move 300 close custody inmates at the same time. JBC staff estimates that the number of close custody inmates in Sterling's 300-bed close custody living unit is closer to 180, which could fit into C-tower's 190-bed living unit.

It appears that medium custody inmates occupy the remainder of the 300-bed close custody unit at Sterling. Per the request, there were 200 vacant medium custody beds in the DOC

system as of November 20, 2024. So, if the Department chooses to close the 300-bed close custody living unit first, which is not clear to begin with, current population figures suggest that the Department does not need to open and occupy all 316 beds in the C-tower with close custody inmates.

Sterling Close Custody Living Units vs. December 2024 Population					
Bed Type	Number of Living Units (LUs)	Total Number of Beds	Close custody population (12/31/24)	Beds not occupied by close custody inmates (12/31/24)	Vacant beds per request (12/10/24)
Protective	1 X 96, 2 X 64	224	213	11	5
Close Custody	1x 300 bed LU	300	180	120	-4
<b>Total</b>	<b>4 living units</b>	<b>524</b>	<b>393</b>	<b>131</b>	<b>1</b>

### When exactly does the C-tower need to open?

JBC staff is not sure how to reconcile different dates provided by the Department. The request says that the Sterling project will begin in December 2025. Additional information provided by the Department says that construction at the C-tower “must be completed in early November 2025.” The Department’s JBC hearing document (12/13/24) says the Sterling project will not impact beds until January 2026.

### Questions about the time needed to get C-tower ready

The Department’s FY 2022-23 supplemental prison caseload request put the timeline at 4 months. In that request, the Department asked for \$3.4 million General Fund to open C-tower. It asserted that supplemental funding would allow the Department open and operate beds by July 2024. Supplemental bills are typically signed around the end of February, which means the Department was planning to get C-tower operational in about 4 months (March-June).

The current request seeks supplemental funding to open and operate beds in December 2025 (or January 2026, depending on which document one reads). Staff asked the Department about the different timelines in the current request and the prior request. The Department replied with,

“In the original FY 2022-23 supplemental request, construction may have had to continue for several months after inmates moved into the facility. The improvements may occur over a ten-month period. The opening of CCF-S must align with the need for Department beds, which requires the use of CCF-S in December 2025 to move the inmates in. This means that construction must be completed in early November 2025. The construction itself will take 4-6 months, meaning that construction will start in May. This does not include the contracting, permitting, and contractor planning that must occur prior to construction. Lead times for the components required and the subsequent installation of said components require the 10-month time frame as opposed to just the construction schedule of 4-6 months.”

The Department did not supply evidence to support the assertion that it will take 10-months to get C-tower ready. JBC staff acknowledges that circumstances may change over two years. A 4-month timeframe can turn into a 10-month timeframe. But the assertions above are not evidence.

## Can the current budget support the requested increase?

Possibly. The FY 2024-25 Long Bill included an increase of \$6.2 million General Fund for maintenance, ADA compliance, and security cameras, which are the biggest cost drivers in the present request.

### Current request to open CCF-S C-tower

The following table shows the various components of the current request. The biggest costs are for HVAC recertification, ADA adjustments, and cameras.

CCF-S C-tower start-up costs	
Expenditure	FY 2024-25
Door Controls (physical hardware, integration, and labor)	1,350,000
HVAC recertification and repairs (replacement of ducts, actuators, filters, etc., and labor)	1,050,000
Visiting/Library/ ADA Adjustments (e.g. widening door frames, expanding the visitation space)	980,000
Cameras (Current cameras are 18 years old - costs include replacement, digitization, integration, labor)	515,000
Telecommunications/Network (Phone switches, Phones, Computers, network switches, printers)	365,000
Contingency	150,000
Furniture (Refrigerators, Microwaves, Office Chairs, Desks, Dayhall tables, Couches, Bookshelves, etc.)	125,000
Beds (Mattresses, Pillows, Sheets, Pillowcases, Blankets)	35,000
<b>Total</b>	<b>\$4,570,000</b>

### Previously approved requests

The FY 2024-25 Long Bill included increases totaling about \$6.2 million General Fund.

- **Disabilities Act (ADA) Compliance:** The JBC approved an ongoing increase of \$2.1 million General Fund to help the DOC make its facilities ADA compliant. Almost all of this money went into the Maintenance Subprogram's *Operating Expenses* line item.
- **Maintenance:** The JBC approved a one-time increase of \$2.0 million General Fund for general maintenance issues. The Department said it needed an increase in its operating budget to deal with an annual deficit in controlled maintenance funding. This money went into the Maintenance Subprogram's *Operating Expenses* line item.
- **Replacement Cameras and Software:** The JBC approved an ongoing increase of \$1,476,000 General Fund to allow the Department to replace about 738 security cameras every year.

## Misinformation about Sterling's bed capacity and security levels

**The Department has apparently been supplying misinformation about Sterling's bed capacity by custody classification/security level since at least 2021.** New information affects what the Department says it needs in this supplemental request. The request says there are 524 close custody beds at Sterling, an increase of 300 from the numbers it reported in November 2024. It also shows big changes in the numbers for lower security levels.<sup>15</sup>

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<sup>15</sup> JBC staff's recent analyses of custody levels are therefore inaccurate and unusable. JBC staff will strike the relevant sections of those analyses and include a note about the inaccuracies passed onto the JBC and the public.

Changes in Sterling capacity, information provided by Department				
Custody/Security level	Minimum	Minimum-restricted	Medium	Close
Spring 2021	600	496	1,200	192
Dec. 2022	600	496	1,200	192
Nov. 2024	600	496	1,200	224
Jan. 2025	0	1,096	900	524

The Department states that the 300 newly-reported close custody beds “have always been Close Custody beds.” There was “a misalignment in bed counts between Prison Operations and the facility.” It was “an error that they were previously counted as Level III beds.”

It matters because these 300 close custody beds are all in one living unit. This entire living unit would have to go offline during the capital project. The challenge of relocating 300 close custody inmates at one time—a debatable assumption to being with—is different from relocating 300 medium custody inmates.

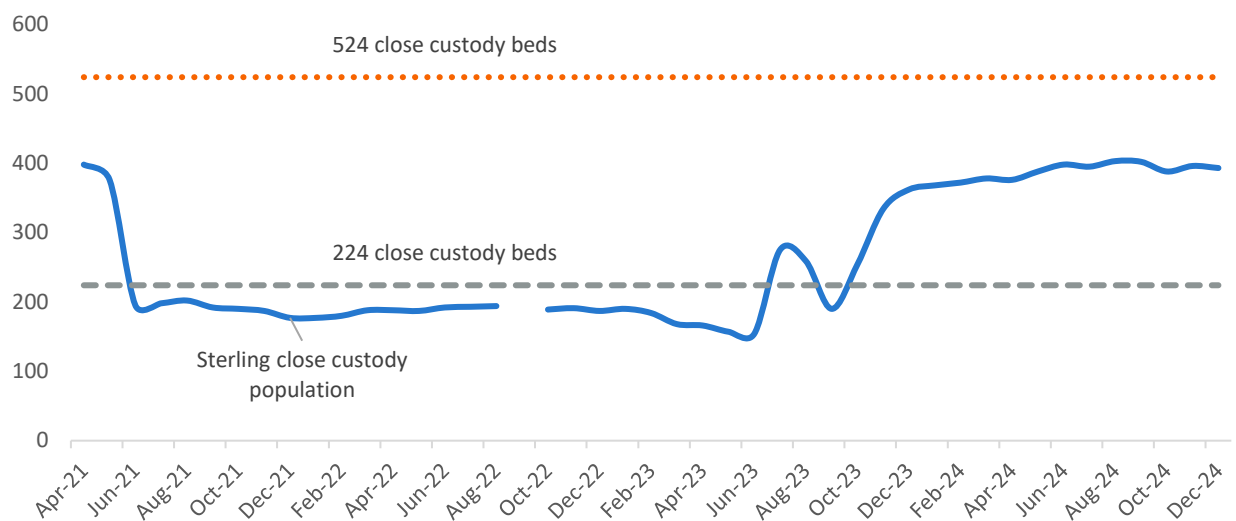
## Sterling’s close custody population increased in mid-2023

**It does not appear that Sterling’s close custody capacity or population has “always” been what the Department now says it has been.** Sterling’s close custody population doubled after the Department submitted the request for the second phase of the Sterling capital project in June 2023.

The following graph shows Sterling’s close custody population from April 2021 to December 2024. Sterling’s close custody population exceeded 300-400 inmates prior to and through the first year of the coronavirus pandemic.

However, from June 2021 to July 2023, Sterling’s close custody population was an average of 184. This is consistent the capacity figures provided by the Department at the time: 192 close custody beds at the facility. From July 2023 to present, Sterling’s close custody population averaged 352.

Sterling Correctional Facility's Close Custody Population



Why? JBC staff does not know for sure, but staff is aware of a series of events that took place in mid-2023.<sup>16</sup> The Department moved 192 extremely high security beds and/or inmates from Sterling to open and funded living units in CCF-S, decreasing Sterling's close custody population. It then moved protective custody beds and/or inmates from two Level III medium security prisons: Arkansas Valley (approx. 136 beds) and Buena Vista (approx. 50 beds). Sterling's close custody prison population increased after these movements. Could the Department temporarily move some of these protective custody beds back to Arkansas Valley or Buena Vista?

## Limited alternatives to C-tower

**It appears that Centennial South's C-tower was the only conceptual close custody option for dealing with the impact of the Sterling capital project.**

The current request says that when the Department submitted the capital request in June 2023, it thought it might be able to house Sterling's close custody inmates at Limon or Fremont. However, "due to subsequent population growth, both of those units are filled now..."

Staff finds it difficult to conclude that Limon and Fremont were ever an option. There were 9 close custody bed vacancies at Fremont in June 2023. The Department filled most of Limon's close custody beds in July 2023 after having asked for money to do that in a Jan. 2023 request.

If one makes the following assumptions, it follows that the CCF's C-tower was the only conceptual option for dealing with the impact of the Sterling capital project.

- There has always been a 300-bed close custody living unit at Sterling
- This living unit is or will be full of 300 close custody inmates
- The Department will have to move these inmates out of Sterling all at once
- There is no other close custody facility or living unit in the DOC's system with enough open beds to handle an influx of 300 close custody inmates at one time.

## Difference between current request and November 1 prison caseload request

**The November 1, 2024 prison caseload request and this supplemental request treat the impacts of the Sterling project very differently.** Both requests share key assumptions. For example, they both assume that entire living units will go offline for the capital project. But they make very different assertions about the number of beds needed elsewhere to compensate for that.

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<sup>16</sup> In response to JBC staff questions in November 2023, the Department said, "The change at SCF was part of a population realignment to move Protective Custody from AVCF to BVCC. In order to accomplish this, the Department had to move the MCC population of 192 from SCF to CCF, where it currently resides. The cells have been inactivated until they can be repopulated after maintenance. The movement of Protective Custody was completed on November 4th and 5th."

The November 1 request shows an average of 82 beds offline across 7 months (Dec. 2025-June 2026) for the Sterling capital project. The impact increases to an average of 140 beds in FY 2026-27. This suggests that the Department may have planned to do the smaller living units first. The prison caseload formula would have added 82 beds to the budget in FY 2025-26 to offset the impact of the project (see table on following page).

**Table 4. Beds Needed Due to Capital Renewal/ Controlled Maintenance Projects**

Projects	FY 26 # of Months	FY 26 # of Beds	FY 27 # of Months	FY 27 # of Beds
AVCF Shower/Drain/Toilet Room Improvements	12	60	5	25
SCF Access Controls, Phase 2 of 2	7	82	12	140
BVCF Critical Security Improvements	4	24	0	0
<b>Total Beds Offline</b>		<b>166</b>		<b>165</b>

Source: FY 2025-26 R1 Prison Caseload.

AVCF = Arkansas Valley Correctional Facility. SCF = Sterling Correctional Facility. BVCF = Buena Vista Correctional Facility.

Now the Department needs 316 beds online to offset the impact of the project. JBC staff does not know what changed from November to January.

## A long-time goal to open CCF-S' C-tower

The Department has wanted to open CCF-S' C-tower for many years. One reason is to mitigate staffing vacancies at Sterling by moving close custody inmates from Sterling to CCF-S (which it has already done for a certain population).

Per information provided by the Department in February 2023, "Using [C-tower] also allows the Department to move high staff resource beds from Sterling...to CCF-S, freeing the remaining SCF staff to be used more efficiently." An FY 2020-21 request made a similar argument, saying that facilities with staffing problems, like Sterling, would benefit from moving close custody inmates to CCF-S. JBC staff has also heard the Department mention that it would like to move the Central Transportation Unit from Colorado Territorial to CCF-S.

Staff thinks these desires are worthy of discussion in the context of larger prison capacity and caseload issues. They are mentioned here so the JBC knows how the Department may seek to use C-tower in future years.

Relatedly, the JBC should be aware that the ongoing cost to operate the 316-bed C-tower at CCF-S is triple what the State would save if it closed the 300-bed close custody unit at Sterling.



Cost comparison: Centennial South C-tower and Sterling Close Custody unit (\$, millions)

CCF-S C-tower (add 316 close custody/Level V beds)

Sterling (reduce 300 close custody/Level IV beds)



Cost comparison: Centennial South C-tower and Sterling Close Custody unit

Line Item	CCF-S C-tower (add 316 close custody beds)		Sterling Close Custody (reduce 300 close custody beds)	
	Personal Services	FTE	Personal Services	FTE
1A Health life dental	1,679,912	n/a	-573,040	n/a
1A Short-term disability	10,563	n/a	-3,669	n/a
1A FAMILI	29,703	n/a	-10,320	n/a
1A Unfunded liability PERA	660,091	n/a	-229,351	n/a
2B Maintenance FTE	367,115	5.0	0	0.0
2C Housing/Security FTE	5,033,651	73.8	-2,257,415	-33.0
2D Food Service FTE	211,757	3.0	0	0.0
2G Superintendents FTE	114,968	2.0	0	0.0
2I Case Management FTE	300,975	4.0	-225,731	-3.0
3E Transportation FTE	846,939	12.6	0	0.0
4B Education FTE	332,750	5.0	-161,776	-2.0
4C Recreation FTE	399,179	6.0	0	0.0
<b>Total Personal Services</b>	<b>\$9,987,603</b>	<b>111.4</b>	<b>-\$3,461,302</b>	<b>-38.0</b>

Line Item	Operating Expenses	FTE	Operating Expenses	FTE
1C Inspector General Operating	7,718	n/a	0	n/a
2A Utilities	231,335	n/a	0	n/a
2B Maintenance Operating	100,138	n/a	0	n/a
2C Housing/Security Operating	123,480	n/a	-25,274	n/a
2D Food Service Operating	503,659	n/a	-452,191	n/a
2E Medical Services Operating	56,183	n/a	-10,417	n/a
2F Laundry Operating	45,399	n/a	-25,444	n/a
2G Superintendents Operating	131,198	n/a	-24,883	n/a
2I Case Management Operating	7,718	n/a	-3,027	n/a
2J Mental Health Operating	15,435	n/a	0	n/a
2K Inmate Pay	58,043	n/a	-98,552	n/a
3E Transportation Operating	364,017	n/a	0	n/a



Cost comparison: Centennial South C-tower and Sterling Close Custody unit				
Line Item	CCF-S C-tower (add 316 close custody beds)		Sterling Close Custody (reduce 300 close custody beds)	
	Personal Services	FTE	Personal Services	FTE
3H Facility Management Services Operating	500,000	n/a	0	n/a
4B Education Operating	77,175	n/a	0	n/a
4C Recreation Operating	3,087	n/a	0	n/a
4D Drug & Alcohol Operating	3,396	n/a	0	n/a
2G Superintendents Start-up (Basic Training & Uniforms)	298,880	n/a	0	n/a
PC	22,000	n/a	0	n/a
Cubicle	30,000	n/a	0	n/a
FTE Ongoing Operating	124,880	n/a	0	n/a
<b>Total Operating</b>	<b>\$2,703,740</b>	<b>n/a</b>	<b>-\$639,788</b>	<b>n/a</b>
<b>Facility Total</b>	<b>\$12,691,343</b>	<b>111.4</b>	<b>-\$4,101,090</b>	<b>-38.0</b>

## Conclusion

JBC staff recommends denial of the supplemental request. Staff is not convinced that the Department needs money and legislation immediately. Staff is also not convinced that the Department needs all of the C-tower's 316-beds at the very beginning of the Sterling project.

Furthermore, JBC staff is uncomfortable recommending approval of this request in light of the misinformation about Sterling's close custody population and capacity, the road taken to get to this point, and the difference between this request and the November 1 prison caseload request, among other things.

However, the Department may need a lesser number of C-tower beds in the second half of FY 2025-26. The JBC may consider drafting legislation to open C-tower on a limited basis. The JBC will have an opportunity to discuss funding options for FY 2025-26 during figure setting in March.

# S1/BA1 Male prison caseload

(The DOC's request title is "S1/BA1 Prison Caseload." JBC staff adjusted the title because the recommendation and analysis focus on male prison caseload. S1.5/BA1.5 addresses female prison caseload separately.)

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	-\$1,865,108	-\$1,865,108	\$0	\$0	\$0	-12.7
Recommendation	-2,287,640	-2,287,640	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	-\$422,532	-\$422,532	\$0	\$0	\$0	12.7

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

## Request

**FY 2024-25:** The Department requests a reduction of \$1.9 million General Fund and 12.7 FTE. This includes a reduction of 322 male prison beds, as well as other changes. The table below summarizes the request.

FY 2024-25 S1 Prison Caseload Requested Changes				
Prison/Program	Beds	General Fund	FTE	Description
The Beacon at Skyline Correctional Center	-126	-\$1,126,569	-9.7	Depopulates the Skyline Correctional Center. Per the request, this is "the most viable option for bed closure given the relative ease with which DOC can physically idle and restart operations. These beds would remain offline in FY 2025-26.
Sterling Correctional Facility	-100	-235,763	-1.9	The Department brought a 100 Level II bed living unit online in FY 2024-25 to align with funding levels. However, Sterling had difficulty staffing the unit and so it remains unused. These beds would remain offline in FY 2025-26.
Delta Correctional Center	-96	-153,838	-1.1	There is low demand for minimum security beds. These beds would come back online in FY 2025-26, so they would online be offline for about 4 months.
<b>Subtotal male prison bed changes</b>	<b>-322</b>	<b>-\$1,516,170</b>	<b>-12.7</b>	
Local jails	-40	-280,862		Per the request, the reduction is equivalent to 40 beds, which is around the difference between the current and prior fiscal year female backlog.
Arkansas Valley Correctional Facility	0	-68,077	0.0	The Department expects a capital project to take over a year and will impact 60 beds. Given the duration of the project, the Department proposes to reduce the operating allocation for FY 2024-25 and 2025-26.
<b>Subtotal other changes</b>	<b>-40</b>	<b>-\$348,939</b>	<b>0.0</b>	
<b>Total</b>	<b>-362</b>	<b>-\$1,865,109</b>	<b>-12.7</b>	

The request asks that the JBC consider alternatives to the requested reduction of 322 beds. “DOC requests alternatives be considered that would better balance overall operational stability with funded capacity and caseload expectations.”

**FY 2025-26:** The Department requests a reduction of \$4.7 million General Fund and 45.0 FTE. In other words, the FY 2024-25 reduction of \$1.9 million is further reduced by \$2.8 million in FY 2025-26. The Department would add 196 beds back into the budget: 100 private prison beds and the 96 beds at Delta temporarily reduced in FY 2024-25.

The request includes an increase of \$426,596 General Fund and 1.8 FTE to expand the Beacon program at other facilities. The Department aims to relocate the program across three other facilities: Four Mile (Level II), Delta, (Level I), and Rifle (Level I). They also aim to expand the program from 126 to potentially 350. The table below summarizes the entire request for FY 2025-26.

FY 2025-26 BA1 Prison Caseload Requested Changes			
Prison/Program	Beds	General Fund	FTE
Private prisons	100	\$2,427,980	0.0
The Beacon at Skyline Correctional Center	-126	-4,507,105	-38.0
Sterling Correctional Facility	-100	-1,363,234	-7.0
<b>Subtotal male prison bed changes</b>	<b>-226</b>	<b>-\$3,442,359</b>	<b>-45.0</b>
The Beacon program relocation and expansion	0	\$426,596	1.8
Local jails	-40	-1,126,536	0.0
Arkansas Valley Correctional Facility	0	-137,282	0.0
<b>Subtotal other changes</b>	<b>-40</b>	<b>-\$837,222</b>	<b>0.0</b>
<b>Total</b>	<b>-266</b>	<b>-\$4,279,581</b>	<b>-45.0</b>

JBC staff note: The figure of \$4.3 million shown above is inconsistent with other budget documents, which show a reduction of \$4.7 million. JBC staff will work with the Department to resolve the discrepancy.

## JBC staff recommendations

### For supplemental action: S1 Male Prison Caseload capacity adjustments

- **Deny the supplemental request in its entirety. Revisit the request and make sustainable current-year adjustments during figure setting in early March.** For current-year bed adjustments, JBC staff expects to recommend only those reductions that are sustained through FY 2025-26. The Department’s supplemental request only reduces funding for three months of the current fiscal year (April, May, June), so delaying action should not affect the current-year savings. Furthermore, staff does not expect to recommend closing the Skyline Correctional Center and the Beacon Program, nor does staff expect to recommend relocating and expanding the program. The final recommendation may change pending more analysis.
- **\$2.6 million General Fund reduction to appropriation for DOC inmates in local jails in FY 2024-25.** The Department requested a reduction of \$280,862 General Fund. Year-to-date

data show a projected reversion of about \$2.6 million, or 91 beds. If the Department retains that many, or more, prison beds in its budget for the current fiscal year, staff sees no reason to leave excess General Fund in the local jails line item as well. Furthermore, JBC staff is not confident that the Department will spend this appropriation for its intended purpose. It is possible that the Department intends to use it to offset a projected shortfall in the DOC's personal services appropriations, like it did last year.

- **Increase appropriation for private prisons by \$348,000 (14 male prison beds).** This approximates year-to-date use of private prisons. It is offset by the recommended reduction for local jails.
- **Reduce Long Bill footnote transfer authority for private prisons and local jails from 5.0% to 1.0%.** The DOC may transfer up to 5.0% of the total appropriation for local jails and private prisons between those line items. Five percent of the total appropriation is about \$4.0 million General Fund. That amount roughly equals 150 beds.

JBC staff concludes that this level of flexibility has outlived its purpose and can no longer be justified. The Department's prison caseload requests largely ignore it even though its existence increases the Department's actual capacity to house male inmates in private prisons. JBC staff recommends reducing the transfer authority to 1.0% of the General Fund appropriation. This is about \$775,000, or about 30 beds.

Given the budget situation, staff thinks it is fiscally prudent to reduce the flexibility this footnote affords, tighten up the related appropriations, and require the Department to submit a June interim supplemental if it needs one or both line items adjusted.

- **Operating reduction for Arkansas Valley capital project.** The Department requested a reduction of \$68,077 General Fund while 60 beds are offline for a capital project. Staff recommends approval of this portion of the request.

## For figure setting in March: Prison caseload capacity adjustments

- **Permanently close a minimum-security prison facility, in part to offset the future cost of opening and staffing CCF-S' C-tower.** The Department's request to shut down Skyline hinges on the fact that it sees the shutdown as temporary. Skyline is located among many other prisons in the Canon City area, so it is easier to move staff from Skyline to those other prisons. JBC staff agrees with this logic. But it assumes that the closure is temporary, not permanent.

JBC staff finds it difficult to defend the continued existence of three minimum-security (Level I) prisons from both a fiscal and public safety risk perspective. At the end of December 2024, about 37.0% of the DOC's total Level I prison beds were vacant. Staff concludes that it would be more fiscally prudent to permanently shut down the Delta or Rifle facilities because they are bigger and more isolated than Skyline, sell or repurpose the land, and find less expensive ways to house, treat, and employ lower-risk inmates. There

may be other good reasons to keep these facilities open, but these reasons are largely beyond nonpartisan staff's purview.

JBC staff's analysis in the December 2024 budget briefing discussed two main issues: prison capacity limits and capacity by custody classification/security level. In short, the Department has too many minimum custody beds and too few beds in some of the other classifications.<sup>17</sup> Reduced prison population forecasts alleviate overall capacity concerns. But lower forecasts do not do anything about the mismatch in custody/security levels.

Staff thinks it is possible, perhaps likely, that minimum security beds will remain in low demand as the Department seeks funding for beds at higher classifications. In this scenario, the State keeps paying tens of millions of General Fund dollars for underutilized minimum-security beds while paying tens of millions to bring higher custody beds online.

Furthermore, in April 2022, the Executive Branch shut down the minimum-security, 126-bed Colorado Correctional Center at Camp George West to make way for Global Energy Park development.<sup>18</sup> The budget was never adjusted to reflect this change. If the Executive Branch closed a minimum-security prison to make way for one of its priorities, why should the General Assembly not consider the same to make way for some of its priorities, while at the same time offsetting future costs?

- **Adjustments to community corrections and the intensive supervision-inmate program:** The General Assembly can mitigate growth in the prison population by increasing the number of lower risk DOC inmates in the community. Doing so would also mitigate the impact of reducing the number of minimum custody prison beds. Placing lower risk inmates in the community is not a no-risk proposition. But it considerably less expensive than housing these inmates in prisons.

JBC staff plans to bring options to the JBC during the figure setting process to address this issue. There are some statutory changes that could or should be implemented in the current legislative session. Others may need to wait until the 2026 session.

## For figure setting in March: Long Bill and process adjustments

- **Reorganize the FY 2026-27 Long Bill to show cost by facility and function. Add a statutory requirement that the DOC report its FY 2025-26 Long Bill allocation by facility and function by July 31, 2025.** Since the mid-1990s, the DOC's Long Bill has been structured by function, like food service, maintenance, and utilities, etc. JBC staff concludes that the Long Bill needs to show more specific appropriations for each prison facility. Staff based this

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<sup>17</sup> JBC staff will have to strike the custody classification section of the FY 2025-26 budget briefing (pgs. 36-38) because the Department provided inaccurate information about bed security levels at Sterling. Sterling is the DOC's biggest prison. Revising the numbers for that facility throws off the entire analysis.

<sup>18</sup> Gov. Polis Applauds Capital Development Committee Taking Key Step to Establish "Glo Park" & Maintain Colorado's Position as Renewable Energy Leader. October 12, 2021. <https://www.colorado.gov/governor/news/6451-gov-polis-applauds-capital-development-committee-taking-key-step-establish-glo-park>

conclusion on difficulty acquiring those numbers and a lack of confidence in them, despite what staff perceives as a strong effort by the Department to produce them. For example, the Department did not tell JBC staff what the current budget includes for utilities and maintenance at individual facilities.

The primary goal is to help the General Assembly make informed policy decisions about the costs and benefits of operating different prison facilities. It cannot compare benefits and costs if it does not know what those costs are. The secondary goal is to require the Department to be more specific about what it wants or needs and make its budget requests more comprehensible. It is JBC staff's hope that the ongoing evaluation of the DOC's budget process will shed some light on how to improve the quality of information produced by the DOC. But staff thinks that reorganizing the Long Bill is a good place to start.

- **Amend statute to enhance reporting requirements and accountability.** Require monthly reporting of bed capacity and population by facility, living unit, and custody level. Require monthly reporting and explanation of capacity changes and bed movements. Require reporting of average daily jail and private prison population throughout the previous month.<sup>19</sup>

The recommendation aims to ensure that the Department is accurately tracking and reporting its bed capacity by custody level. The Department has been unable to accurately track the number of beds in its system and provide accurate reporting to the JBC.

- **Consider making the private prison per-diem rate contingent on approval by the Joint Budget Committee.** The Department plans to renegotiate the private prison per-diem rate for FY 2026-27. The JBC and General Assembly may wish to include statutory provisions that make the outcome of the negotiation subject to the JBC's approval. The purpose is to avoid a situation where the Department negotiates one rate and the JBC and General Assembly would rather pay a different rate.

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<sup>19</sup> Amend Section 17-1-104.3 (5), C.R.S.

# Analysis

## Recommendations for supplemental action

### Reduce appropriations for DOC inmates in local jails, increase appropriation for private prisons

Per DOC data, the average daily reimbursable backlog of DOC inmates in local jails in FY 2024-25 been 263. The current appropriation supports a daily backlog of 354. JBC staff therefore estimates a year-end reversion of \$2,567,564 General Fund. JBC staff therefore recommends reducing the appropriation by the same amount.

The recommendation stems from an assumption that the DOC will keep funding in its budget for more prison beds than the prison caseload formula says are necessary. If that is the case, and in light of the Department’s stated desire to reduce the jail backlog, JBC staff sees no reason to leave excess General Fund in the line item for local jails.

JBC staff recommended appropriation for <i>Payments to Local Jails</i>					
	Appropriation	Average daily population	Days	Daily Rate	
Current (FY 2024-25 Long Bill)	\$9,969,844	354	365	\$77.16	
Recommended (Supplemental)	7,402,280	263	365	\$77.16	
Change (#)	-\$2,567,564	-91	n/a	n/a	
Change (%)	-25.8%	-25.8%			

Furthermore, JBC staff is not confident that the Department will spend this appropriation for its intended purpose. It is possible that the Department intends to use the appropriation to offset a projected shortfall in the DOC’s personal services appropriations, like it did last year.

Staff also recommends increasing the private prisons line item by \$348,000 General Fund to reflect year-to-date estimated utilization of the appropriation. This equals 14 prison beds.

JBC staff recommended appropriation for <i>Payments to in-state Private Prisons</i>					
	Appropriation	Average daily population	Days	Rate	
Current (FY 2024-25 Long Bill)	\$69,950,104	2,881	365	\$66.52	
Recommended (Supplemental)	70,298,114	2,895	365	\$66.52	
Change (#)	\$348,010	14	n/a	n/a	
Change (%)	0.5%	0.5%			

### Reduce footnote transfer authority for external capacity

The DOC may transfer up to 5.0% of the total appropriation for local jails and private prisons between those line items. Five percent of the total appropriation is about \$4.0 million General Fund. That amount roughly equals 150 beds.

JBC staff concludes that this level of flexibility has outlived its purpose and can no longer be justified. It is largely ignored in the Department’s budget requests, even though its existence increases the Department’s actual capacity to house male inmates in private prisons. JBC staff recommends reducing the transfer authority to 1.0% of the General Fund appropriation. This is about \$753,486, or about 30 beds.

Given the budget situation, staff thinks it is fiscally prudent to reduce the flexibility this footnote affords, tighten up the related appropriations, and require the Department to submit a June interim supplemental if it needs one or both line items adjusted.

External Capacity Long Bill Footnote Transfer Authority			
Line Item	Total	General Fund	Cash Funds
<b>Current footnote and appropriations</b>			
Local Jails	\$9,969,844	\$9,969,844	\$0
Private prisons	69,950,104	67,056,718	2,893,386
Inmate education	541,566	541,566	0
<b>Total</b>	<b>\$80,461,514</b>	<b>\$77,568,128</b>	<b>\$2,893,386</b>
Transfer authority = 5% of total appropriations	\$4,023,076		
Possible private prison beds supported by transfer	166		
Possible jail beds supported by transfer	143		
<b>JBC staff recommended footnote and appropriations</b>			
Local Jails (with recommended reduction)	\$7,402,280	\$7,402,280	\$0
Private prisons (with recommended increase)	70,298,104	67,404,718	2,893,386
Inmate education	541,566	541,566	0
<b>Total</b>	<b>\$78,241,950</b>	<b>\$75,348,564</b>	<b>\$2,893,386</b>
Transfer authority = 1% of General Fund appropriation		\$753,486	
Possible private prison beds supported by transfer		31	
Possible jail beds supported by transfer		27	

### Operating reduction for Arkansas Valley (AVCF)

Per the request, “The shower and toilet improvements at AVCF are expected to take over a year and will impact 60 beds. Given the duration of the project, the Department is proposing to reduce the operating allocation at AVCF for FY 2024-25 and 2025-26.” Staff recommends approval of this portion of the request.

AVCF Operating Reduction (FY 24-25, 6 months)		
Line Item	DOC request	JBC staff recommendation
2C - Housing	-\$2,863	-\$2,863
2D - Food Service	-45,352	-45,352
2E - Medical	-1,233	-1,233
2F - Laundry	-2,480	-2,480
2G - Superintendents	-2,669	-2,669
2I - Case Management	-269	-269
2K - Inmate Pay	-13,210	-13,210
<b>Total - Operating</b>	<b>-\$68,077</b>	<b>-\$68,077</b>



## Prison population forecast vs. capacity

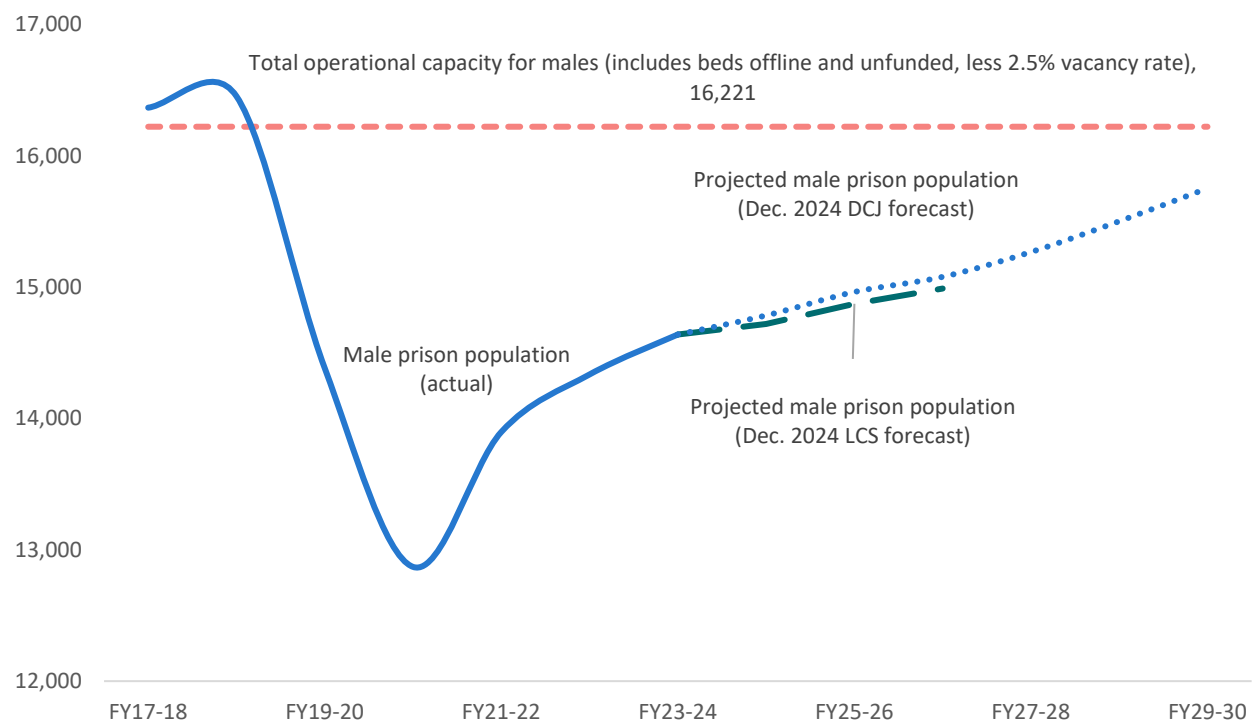
Summary: The December 2024 forecasts from the Division of Criminal Justice (DCJ) and Legislative Council Staff (LCS) show slowing prison population growth. These forecasts point to sufficient overall male prison capacity beyond FY 2029-30 (see graph below). Whether the Department has the right kind of prison capacity is a different question. The timeline for the prison population to reach prison capacity limits would be much longer if the percentage of inmates in the community increased.

### Scenario 1: More inmates in prison, fewer in community (current assumptions)

The graph below makes assumptions about the number of DOC inmates in prison versus those who are supervised in the community. Population forecasts focus on the “total inmate population,” which includes both prison and community inmates. Prison caseload budgeting focuses only on the prison population. So, one must estimate the projected number of inmates in prison within the larger projected inmate population. The DOC’s male prison caseload request assumes that 92.5% of DOC inmates will be in prison and 7.5% will be in the community. The graph below reflects these percentages.

Chart 1: Male prison population forecast compared to male prison capacity

Graph assumes that 92.5% of total male inmate population will be in prisons and 7.5% will be in the community.

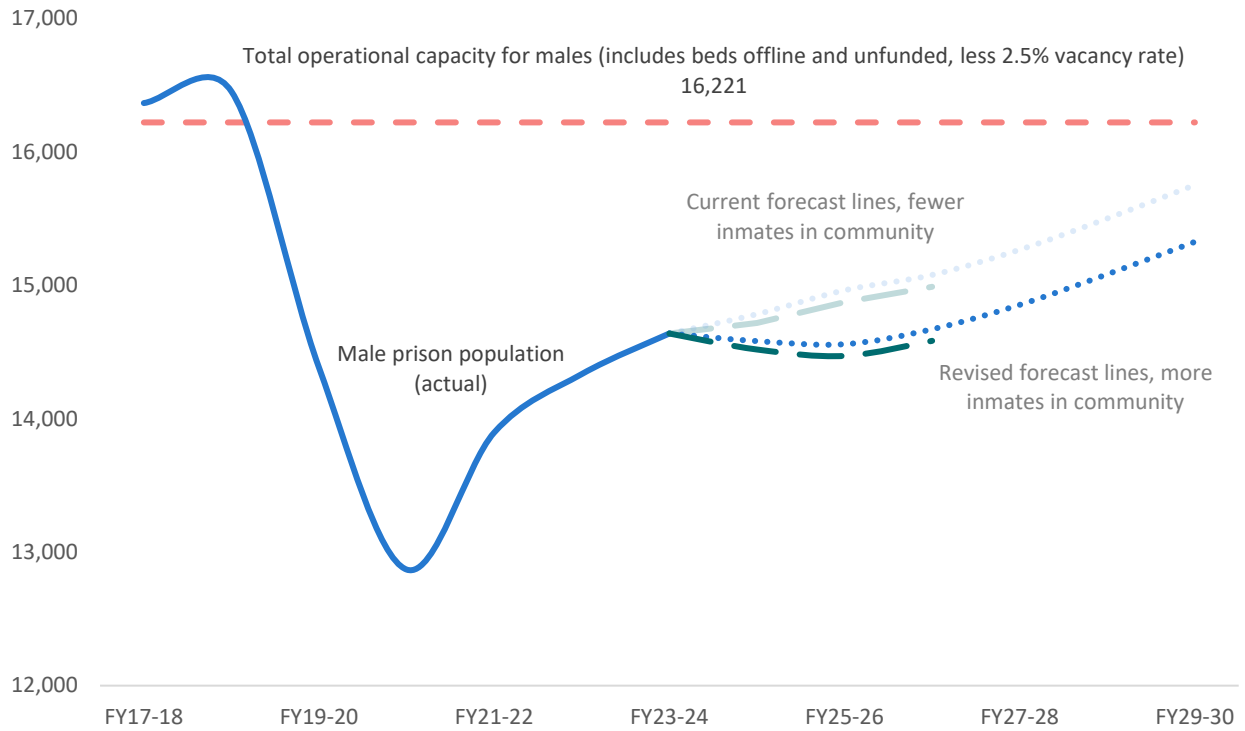


## Scenario 2: Fewer inmates in prison, more in community

The forecast trendline looks much different if the DOC community inmate population increased by 2.5%, or about 400 inmates.

Chart 2: Male prison population forecast compared to male prison capacity

Graph assumes that 90.0% of total male inmate population will be in prisons and 10.0% will be in the community.



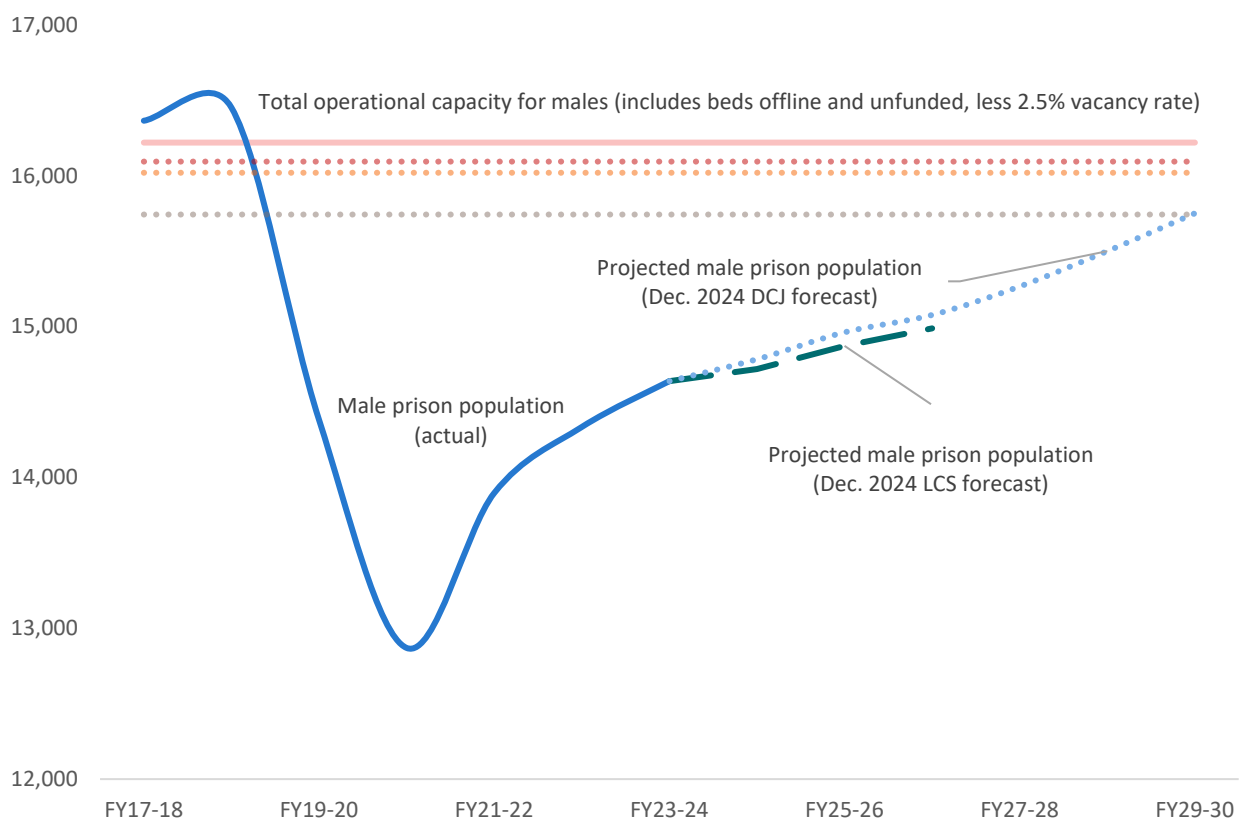
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### Scenario 3: More inmates in prison, fewer in community, with minimum security prison closures

This graph shows the relationship between forecasted prison growth and prison capacity following the closure of a minimum-security prison. For example, if the 477-bed Delta facility were closed, the prison population would start bumping up against prison capacity limits in FY 2029-30 (accounting for a 2.5% male prison bed vacancy rate).

Chart 3: Male prison population forecast compared to male prison capacity with minimum security prison closures

- Graph assumes that 92.5% of total male inmate population will be in prisons and 7.5% will be in the community.
- Dotted horizontal lines are reduced capacity following closure of Skyline, Rifle, or Delta (in order from top to bottom)



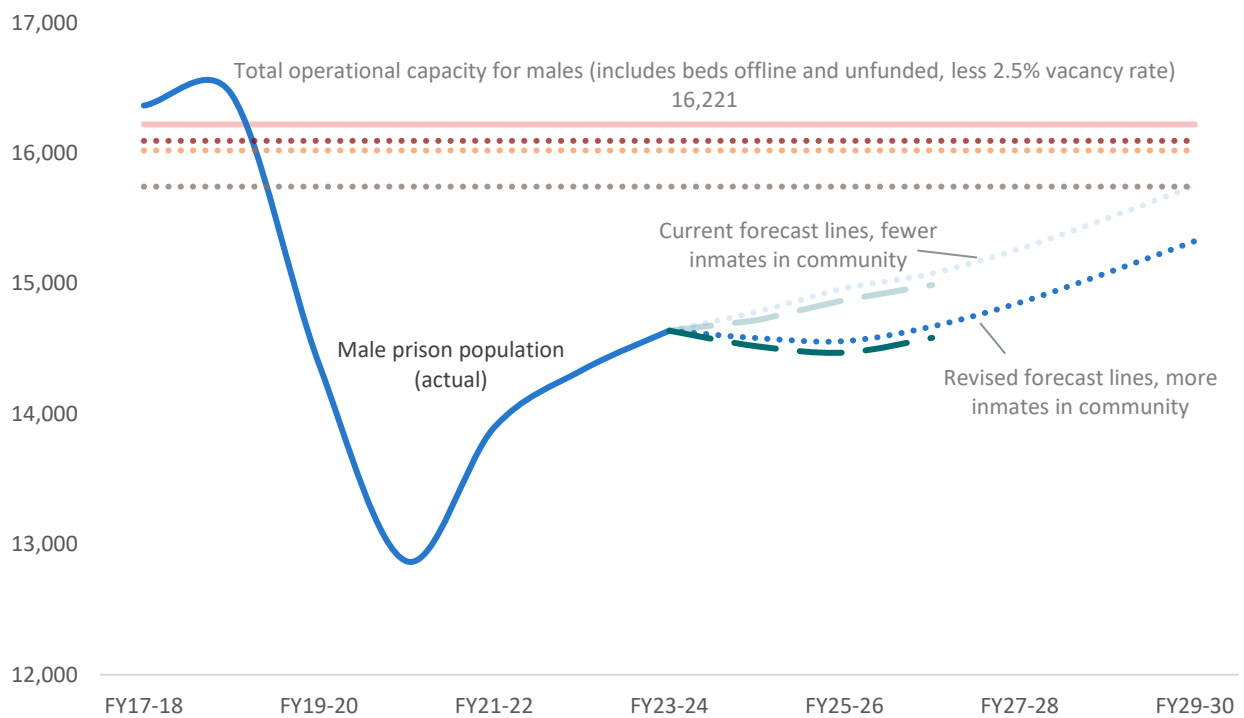
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## Scenario 4: Fewer inmates in prison, more in community, with minimum security prison closures

This graph shows the relationship between forecasted prison growth and prison capacity if the percentage of inmates in the community increased and a minimum-security prison closed. For example, if the 477-bed Delta facility were closed and the number of inmates in the community increased by 2.5%, the prison population would not hit prison capacity limits until well after FY 2029-30 (accounting for a 2.5% male prison bed vacancy rate).

Chart 4: Male prison population forecast compared to male prison capacity with minimum security prison closures

- Graph assumes that 90.0% of total male inmate population will be in prisons and 10.0% will be in the community.
- Dotted horizontal lines are reduced capacity following closure of Skyline, Rifle, or Delta (in order from top to bottom)



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# Impact of forecast on male prison caseload formula

## Division of Criminal Justice forecast

Under the DCJ forecast, the caseload formula shows a surplus of 331 prison beds in the current fiscal year. If the JBC makes no reductions in the current year, the projected surplus in FY 2025-26 would be 129 prison beds. If the JBC makes no reductions in either the current or next fiscal year, the DOC’s current budget could support male prison population growth through FY 2026-27 without any changes to funded bed counts (per the formula). This table very closely resembles the DOC’s request.

Male Prison Bed Capacity (Dec. 2024 DCJ Forecast)				
Line		FY 24-25	FY 25-26	FY 26-27
A	Funded state bed capacity	12,508	12,508	12,508
B	Add 100 bed for Transgender Unit at Sterling	100	100	100
C	Subtotal starting state bed capacity [ A + B ]	12,608	12,608	12,608
D	Beds offline due to maintenance projects	-60	-84	-84
E	State beds online [ C + D ]	12,548	12,524	12,524
F	Less: 2.5% vacancy rate [E * 0.025]	-314	-313	-313
G	Subtotal available state male beds [ E + F ]	12,234	12,211	12,211
H	Funded private prison beds	2,881	2,881	2,881
I	Subtotal available male prison capacity [G + H]	15,115	15,092	15,092
J	Projected average male prison population (Dec. 2024 DCJ forecast)	14,784	14,963	15,078
K	Bed surplus/-shortfall [ I-J ]	331	129	14
L	<b>Estimated male prison bed increase/-decrease from current levels</b>	<b>-331</b>	<b>-129</b>	<b>-14</b>
M	Year over year population change [Row J]		179	115

## Legislative Council Staff forecast

Under the LCS forecast, the caseload formula shows a surplus of 396 prison beds in the current fiscal year. If the JBC makes no reductions in the current year, the projected surplus in FY 2025-26 would be 219 prison beds. If the JBC makes no reductions in either FY 2024-25 or FY 2025-26, the DOC’s current budget could support male prison population growth through FY 2026-27 without any changes to funded bed counts.

Male Prison Bed Capacity (Dec. 2024 LCS Forecast)				
Line		FY 24-25	FY 25-26	FY 26-27
A	Funded state bed capacity	12,508	12,508	12,508
B	Add 100 bed for Transgender Unit at Sterling	100	100	100
C	Subtotal starting state bed capacity [ A + B ]	12,608	12,608	12,608
D	Beds offline due to maintenance projects	-60	-84	-84
E	State beds online [ C + D ]	12,548	12,524	12,524
F	Less: 2.5% vacancy rate [E * 0.025]	-314	-313	-313
G	Subtotal available state male beds [ E + F ]	12,234	12,211	12,211
H	Funded private prison beds	2,881	2,881	2,881
I	Subtotal available male prison capacity [G + H]	15,115	15,092	15,092
J	Projected average male prison population (Dec. 2024 LCS forecast)	14,719	14,873	14,989
K	Bed surplus/-shortfall [ I-J ]	396	219	103
L	<b>Estimated male prison bed reduction</b>	<b>-396</b>	<b>-219</b>	<b>-103</b>
M	Year over year population change [Row J]		154	116

## Discussion: Minimum custody prisons

Summary: Minimum security inmates are relatively low risk. Because they are lower risk, they are more likely to be placed in the community. Because they are more likely to be placed in the community, there are fewer of them in the DOC prison system. The demand for minimum-security beds is consequently far less than the supply of minimum-security inmates. About 37.0% of all Level I beds were vacant at the end of December 2024 (27.0% of funded beds). This is one of the factors driving the Department’s request to depopulate Skyline. It is central to JBC staff’s recommendation to permanently close a Level I facility.

### Custody classification overview

Custody classification is basically a risk management tool. The DOC classifies every inmate based on the level of security required to safely supervise that inmate. Close custody inmates are the riskiest and require the highest level of security and supervision. Minimum security inmates are the least risky and require much less supervision.

DOC prisons offer varying levels of security, which guides where the Department can place an inmate. Level 5 facilities are the most secure. Per statute, they require double perimeter fencing with razor wire and detection devices. They also require towers or stun-lethal fencing, controlled sally ports, and continuous perimeter patrols. In contrast, minimum security facilities “shall have designated boundaries, but need not have perimeter fencing.”<sup>20</sup>

Generally, inmates needing high levels of security cannot be placed in low-security facilities and living units. But inmates needing low levels of security can be placed in higher security facilities. The following table demonstrates the general relationship between inmate and facility security levels. A “Yes” means that an inmate with that classification can be placed in a facility with the corresponding security level.

Security/Custody	Level V (Most secure)	Level IV	Level III	Level II	Level I
Close (Most secure)	Yes			No	
Medium	Yes			No	
Minimum-restricted	Yes				No
Minimum	Yes				

### Far fewer minimum custody inmates than other classifications

Minimum custody inmates make up the smallest share the prison population. Medium custody inmates make up the largest share. The exact proportions change over time but the rule stays the same.

For example, in June 2017, the minimum population was 9.1% of the total population. The medium population was 54.1%. In December 2024, minimum custody was 4.3% of the total and the medium custody was 61.8%.

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<sup>20</sup> Section 17-1-104.3 (1)(a)(I)

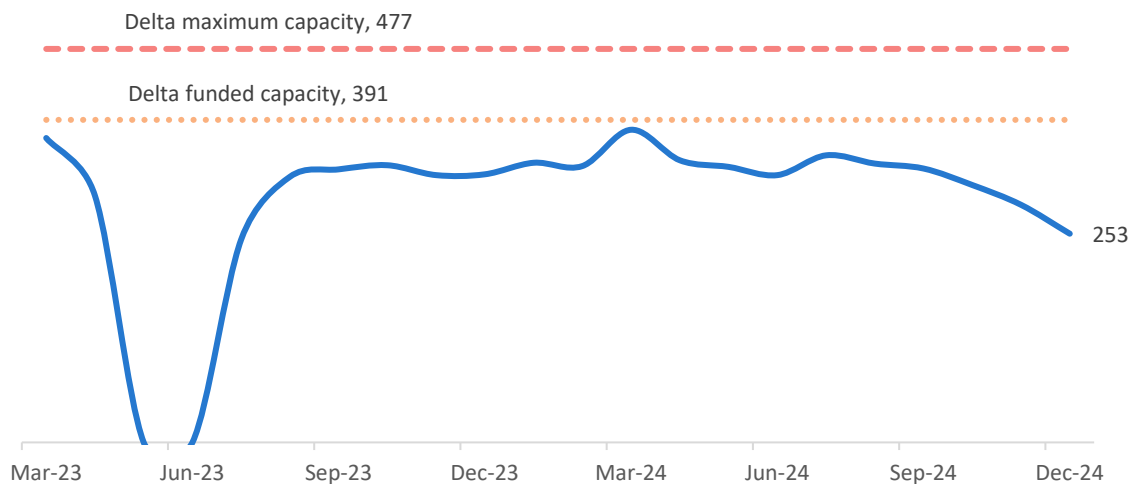
It not easy to be classified as minimum custody, which is one reason there are relatively few of them. Per the DOC and OSPB, minimum custody beds “are some of the hardest beds to keep occupied due to the classification criteria required to qualify for this level.”<sup>21</sup>

The DOC’s policy lists ten different criteria and more sub criteria.<sup>22</sup> At the top of the list is a “scored custody rating” of minimum. This refers to an actuarial assessment that the DOC uses to “score” an inmate. The higher the score, the more risk and the higher the custody classification. Minimum security inmates score 2-4 points on a scale ranging from the high 30s to the mid-40s.<sup>23</sup>

A lower risk profile produces fewer minimum custody inmates in prison. Per the DOC’s request, minimum custody inmates are “preferred candidates for parole and community placements...” They also “are also closer to their release date and have shorter sentence lengths.”<sup>24</sup> This produces a “naturally high rate of turnover.”

The DOC is staffing and operating many more minimum-security beds than it needs. As of December 2024, about 37.0% of all Level I minimum security beds were vacant. When accounting for only for funded beds, the number is closer to 27.0%. The following graphs show the population and capacity of Delta, Rifle, and Skyline.

Delta population vs. funded and maximum capacity



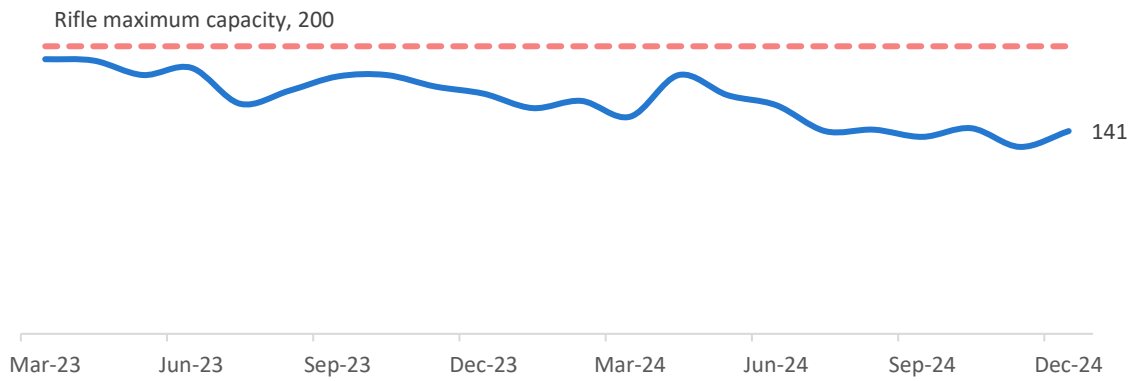
<sup>21</sup> OSPB comeback, January 25, 2024, page 4.

<sup>22</sup> Administrative Regulation 600-01 Offender Classification, October 1, 2024. Pages 11-12.

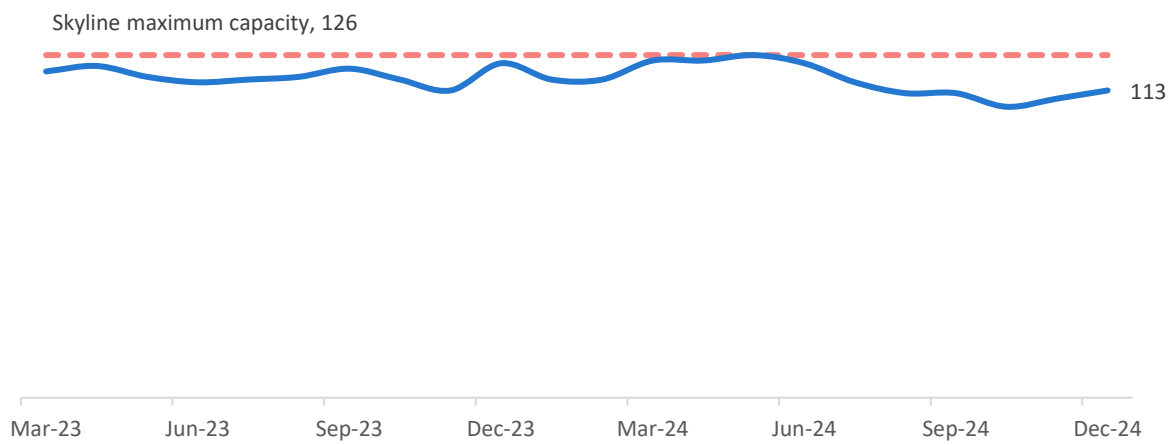
<sup>23</sup> Applies to initial classification and reclassification assessments.

<sup>24</sup> Per DOC AR 600-01, an inmate must be less than 36 months away from their parole eligibility date and less than 10 years from their mandatory parole date.

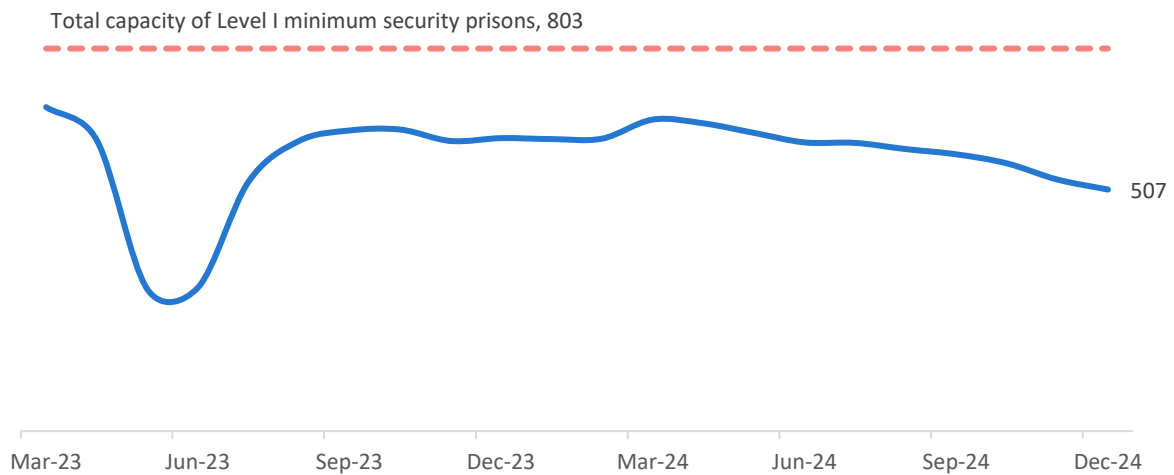
Rifle population vs. maximum capacity (funded capacity is 192)



Skyline population vs. maximum/funded capacity



Total Level I minimum security prison population vs. total capacity





## Appropriations by minimum security facility

JBC staff is still working through the data that the Department provided last week. JBC staff developed the following estimates based on that data but has not vetted the underlying calculations. Lastly, JBC staff had to guess at savings from utilities and maintenance because the Department did not provide facility-specific figures for those appropriations.

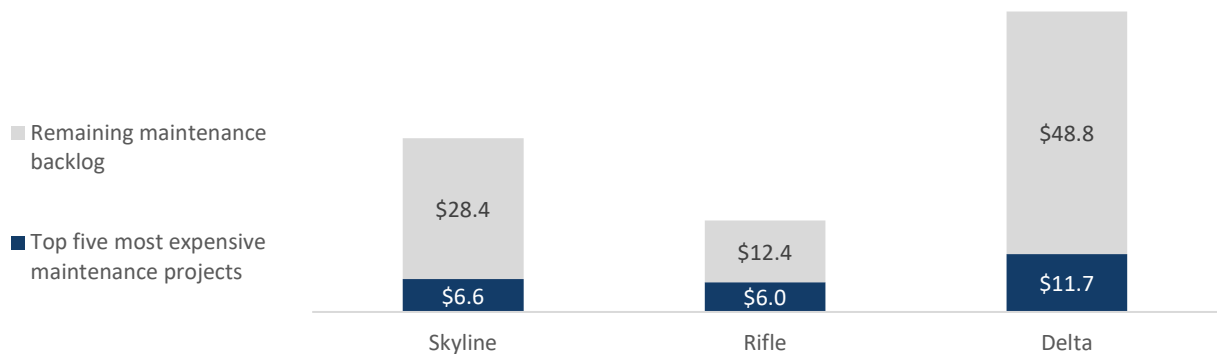
- The 477-bed Delta facility: \$11.6 million General Fund and 102.0 FTE.
- The 200-bed Rifle facility: \$6.6 million General Fund and 51.0 FTE.

The Department’s request to shut down Skyline shows savings of \$4.5 million General Fund. But it excludes utilities and maintenance costs, neither of which would be necessary in the case of a permanent closure. The savings from a permanent closure would probably be higher than the \$4.5 million General Fund shown in the request.

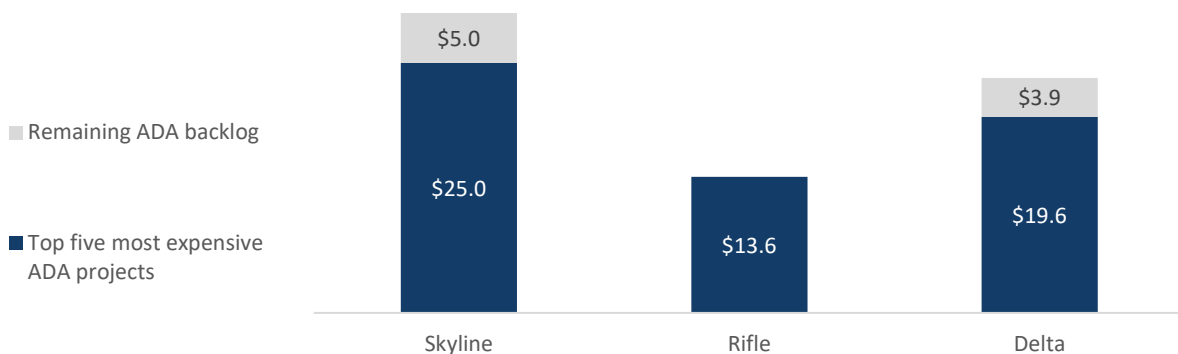
## Cost avoidance: Maintenance and ADA projects

JBC staff inquired about the backlog of maintenance and ADA (American Disabilities Act) projects at the three minimum security facilities. Specifically, staff asked for a list of the five most expensive projects and a total figure for all projects. The following graphs summarize the Department’s responses.

Maintenance Backlog at Skyline, Rifle, and Delta  
(\$, millions)



ADA Backlog at Skyline, Rifle, and Delta  
(\$, millions)



## Skyline Maintenance and ADA Projects

Skyline Maintenance Project Backlog	
Project name	Estimated cost
Campus Electrical Distribution	\$3,918,417
Freezer Cooler Replacement	\$1,261,561
Fire Suppression System	\$825,196
Replace Swamp Coolers and AHU	\$375,000
Outdoor Rec Area	\$250,000
Subtotal select projects	\$6,630,174
<b>Total maintenance backlog</b>	<b>\$34,990,337</b>

Skyline ADA Project Backlog	
Project name	Estimated cost
Living Unit A ADA Compliance	\$5,005,623
Living Unit B ADA Compliance	\$5,005,623
Living Unit C ADA Compliance	\$5,005,623
Living Unit D ADA Compliance	\$5,005,623
Living Unit E ADA Compliance	\$5,005,623
Subtotal select projects	\$25,028,118
<b>Total ADA project backlog</b>	<b>\$30,033,741</b>

## Rifle Maintenance and ADA Projects

Rifle Maintenance Project Backlog	
Project name	Estimated cost
Fire Protection System Upgrade	\$2,693,128
Remaining Building Controls, Evaporation Cooling	\$1,905,600
New Water Replacement Tank	\$655,050
Pave Road Maintenance	\$442,906
Generator Docking Station	\$297,750
Subtotal select projects	\$5,994,434
<b>Total maintenance backlog</b>	<b>\$18,384,035</b>

Rifle ADA Project Backlog	
Project name	Estimated cost
North Living Unit	\$3,486,092
South Living Unit	\$3,486,092
Central Services Compliance	\$5,648,123
Gender Neutral Bathrooms	\$25,000
Subtotal select projects	\$13,645,307
<b>Total ADA project backlog</b>	<b>\$13,645,307</b>

## Delta Maintenance and ADA Projects

Delta Maintenance Project Backlog	
Project name	Estimated cost
Waste Water Pond Liner Replacement	\$3,780,681
Waste Water Aeration Equipment Replacement	\$2,578,100
Generator & Controls replacement	\$2,592,205
Roof Replacement Phase 3 of 3	\$1,877,583

Delta Maintenance Project Backlog	
Project name	Estimated cost
Replace DMS Controls	\$833,243
Subtotal select projects	\$9,321,812
<b>Total maintenance backlog</b>	<b>\$60,504,115</b>

Delta ADA Project Backlog	
Project name	Estimated cost
Living Unit 1	\$3,923,853
Living Unit 2	\$3,923,853
Living Unit 3	\$3,923,853
Living Unit 4	\$3,923,853
Living Unit 5	\$3,923,853
Subtotal select projects	\$19,619,268
<b>Total ADA project backlog</b>	<b>\$23,543,122</b>

# S2/BA2 Medical caseload

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$3,879,047	\$3,879,047	\$0	\$0	\$0	0.0
Recommendation	\$3,932,065	\$3,932,065	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	\$53,018	\$53,018	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

## Request

For FY 2024-25 the Department requests a net increase of \$3,879,047 General Fund across three line items in the Medical Services Subprogram. The request increases by another \$1,068,301 General Fund in FY 2025-26.

Summary of FY 24-25 S2 Medical Caseload	
Medical Services Subprogram	FY 2024-25
External Medical Services	\$5,718,073
Hepatitis C Treatment Costs	\$2,623,883
Purchase of Pharmaceuticals	-\$4,462,909
<b>Request Total</b>	<b>-\$4,462,909</b>

## Recommendation

Staff recommends approval of the request with one slight variation (discussed below).

## Analysis

Medical caseload adjustments usually affect two line items: (1) External medical services, and (2) Purchase of pharmaceuticals. The following table summarizes the populations that qualify for care under each appropriation. These lines are typically adjusted annually to account for changes in the prison population and changes in the costs for medical drugs and services. The third line item in the current request—Hepatitis C Treatment—is different and is addressed separately.

Population	Used to compute appropriation for	Offenders in DOC facilities (including YOS*)	Offenders in private prisons	Offenders in community corrections, jails, on parole, ISP-I*
Pharmaceutical population	<i>Purchase of Pharmaceuticals</i>	Yes	No	No
External medical services population	<i>External medical services</i>	Yes	Yes	No

\*YOS is the Youthful Offender System. ISP-I is Intensive Supervision-Inmate status under which inmates are placed in the community and intensively supervised.

# Line by line recommendations and cost drivers noted in request

## External Medical Services

Medical care to inmates can be divided into two categories: internal care provided within DOC facilities, and external care provided outside of DOC facilities by contracted health care providers that offer specialty services, outpatient tests and procedures, more extensive emergency services, and inpatient hospital care. Inmates who receive external services must be accompanied by corrections officers, or by contractors who provide security.

The Department contracts with Correctional Health Partners (CHP) to manage external health care services for inmates. CHP reviews requests for external services, making sure that all suitable internal care options have been utilized before an inmate is sent out for external care. CHP also establishes a network of external specialty and institutional providers who treat DOC inmates. CHP verifies the resulting bills but the DOC makes the payments.

To determine its caseload adjustments for external medical services, the DOC and CHP extrapolate trends in monthly per offender costs (POPM). The Department then multiplies projected per offender costs by the projected population. The Department’s request shows a 14.8% increase in the External Medical Services POPM.

DOC request and JBC staff recommended changes to External Medical Services		
Line		Amount
A	FY 24-25 Current external medical services appropriation	\$59,173,755
B	FY 24-25 Original projected population (Dec. 2023 DCJ forecast)	16,538
C	FY 24-25 Supplemental projected population (Dec. 2024 DCJ forecast)	16,227
D	FY 24-25 Funded per-offender per-month rate (POPM)	\$279.59
E	FY 24-25 Projected POPM rate	\$320.84
F	Subtotal projected base funding [ C * E * 12 ]	\$62,475,248
Administrative charges		
G	\$13.22 per inmate up to 14,000 inmates	2,220,960
H	\$7.32 per inmate above 14,000 (2,227)	195,620
I	Subtotal administrative charges [ G + H ]	\$2,416,580
J	Total projected need [ F + I ]	\$64,891,828
K	Change from current levels [ J - A ]	\$5,718,073

A few of factors driving the increase in the per-offender per month cost rate are:

- Outside provider rate increases coupled with a slight trend in increased emergency services.
- A large hospital authority revised its contract with DOC, which resulted in an annual increase of 2.0%.
- The Department paid \$11.7 million in emergency care over the last 12 months, an increase of 13.5% over the prior 12-month period.

## Purchase of Pharmaceuticals

This line item includes pharmaceutical expenses for inmates in DOC facilities, including the Youthful Offender System. It excludes inmates housed in private prisons, jails, and other non-DOC facilities. The per-offender per-month rate (POPM) is derived from actual incurred expenses and projected expenses. The Department’s request shows a 17.6% decline in the POPM rate, as shown in the following table. The recommendation is slightly lower than the request because it accounts for staff’s recommendation to increase private prison beds by 14.

Recommended Changes to Purchase of Pharmaceuticals		
Line		Amount
A	FY 24-25 Current Purchase of Pharmaceuticals appropriation	\$22,552,077
B	FY 24-25 Original projected prison population	16,538
C	FY 24-25 Supplemental projected prison population	16,227
D	Less FY 24-25 recommended private prison population	-2,895
E	Total revised FY 24-25 pharmaceutical population [ C + D ]	13,332
F	FY 24-25 Original projected POPM	\$137.61
G	FY 24-25 Supplemental projected POPM	\$113.40
H	Total supplemental projected need [ E * G * 12 ]	\$18,142,186
I	Recommended change from current levels	-\$4,409,891

As to why, the Department’s request explains:

“The Purchase of Pharmaceuticals line item includes all pharmaceutical expenses for drug purchases for inmates in DOC facilities, including the Youthful Offender System (YOS), but does not include those housed in private prisons, jails, or other non-DOC facilities. The DCJ projections do not include inmates housed at YOS, but it does include those in private facilities, so the projected population figure is adjusted to add YOS counts and to reduce by the Private Prison population to arrive at a more accurate pharmaceutical need count. Similar to the external medical services, the pharmaceutical funding need is calculated using a POPM figure derived from actual incurred expenses and projected expenses based on the cost of the Department’s pharmaceutical formulary and pharmaceuticals prescribed by providers for inmates. While the Department participates in the Federal 340B drug pricing program, increases in specialty medications and inmate admissions for which existing conditions require particular formularies have risen. According to the DOC Pharmacy records, the Department has seen an inflation rate of 6.38% on 811 comparable drugs and an overall cost increase of \$135,089 this past year, while pharmaceutical spending has decreased from \$8.47M to \$8.34M. For the remainder of FY 2024-25, the Department projects overall expenditures in the pharmaceuticals line of \$18M, creating a pharmaceutical POPM of \$112.95. This POPM reflects a decrease of \$24.66 from the current FY 2024-25 funded level, and a decrease of \$24.21 for FY 2025-26. However, even given these reductions in POPM calculations, it is important to remember that the 340B drug pricing program is still in the infancy stage for the DOC, as it has not been able to fully utilize the program for all medications purchased due to low staffing and inadequate software necessary to

properly dispense and track the medications per Federal regulations. The Department is working to be able to add more drugs through this program as it progresses, and as they can, purchase necessary equipment and products, and increase staffing to see the benefit of the program fully. One overall goal of the 340B program is to realize consistent price reductions and to be able to reinvest savings, as legislated, back into the various medical programs necessary for optimal inmate healthcare. The Department is taking steps toward this goal by purchasing a new medication management software program that will aid in ordering, dispensing, and tracking various medications and ensure adherence to Federal guidelines governing continued use of the 340B program. Funding for ongoing maintenance of this new pharmacy system was requested in the Department’s November 01 R-03 request.”

## Hepatitis C Treatment

This line item is not reliant on a POPM calculation, unlike the other two line items in the request. But like the other two it considers year-to-date expenses and projects those forward. The following table shows JBC

JBC staff recommendation for Hepatitis C treatment		
Line		Amount
A	Current Hepatitis C appropriation	8,368,384
B	Expended and pending invoices July-Nov. 14	4,293,007
C	Average monthly expense [ B ÷ 4.5 ]	954,002
D	Months remaining in fiscal year	7
E	Projected expenditure rest of fiscal year [ C * D ]	\$6,678,014
F	Unencumbered budget remaining [ A - B ]	4,075,377
G	Projected need [ E - F ]	\$2,602,637
H	Staff recommended increase	\$2,623,882

Note: Staff’s calculations varied slightly but they are very close to the Department’s request, so that is what staff recommends.

As to why, the request explains:

“In 2022, the Centers for Disease Control (CDC) recommended that “all persons receive opt-out HCV screening upon entry into a carceral setting”<sup>25</sup>, which means that HCV testing/screening of incarcerated persons should be performed on all incoming inmates barring a refusal. This is a change from the previous approach, which tested inmates only upon request. In July 2023, the CDC further recommended that complete HCV RNA testing be performed on all HCV antibody reactive samples,<sup>26</sup> which eliminates the need for separate follow-up appointments to confirm an HCV infection. Per the DOC pharmacist, HCV RNA testing looks for whether someone has an active infection, whereas the antibody reactive samples look for whether someone was previously infected with HCV, as if someone carries the antibodies, it means that they could be

<sup>25</sup> [https://wwwnc.cdc.gov/eid/article/30/13/23-0859\\_article#:~:text=To%20achieve%20national%20hepatitis%20C,entry%20into%20a%20carceral%20setting](https://wwwnc.cdc.gov/eid/article/30/13/23-0859_article#:~:text=To%20achieve%20national%20hepatitis%20C,entry%20into%20a%20carceral%20setting)

<sup>26</sup> <https://www.cdc.gov/hepatitis-c/hcp/diagnosis-testing/index.html>

currently infected or that they had HCV prior and were since cured. The DOC updated its policy regarding HCV testing in July 2024 and has made this additional screening and testing process a standard part of the clinical duties to test for HCV-related conditions. These policy adjustments were not fully operationalized at the time of the drafting of the November 01 request, and the impacts on cost have driven the increased Hep C cost estimates in this request. As a result of these changes, more inmates have received HCV treatment, a trend DOC would like to sustain.

The DOC currently houses 884 inmates with active HCV infections, with 151 of those receiving HCV therapy. That number has increased from 46 in December 2022 due to additional treatment programs and regimens becoming available, and the ability to procure HCV drugs at a cost reduction through the 340B program. There are another 136 active cases of HCV at the private prisons, which are not eligible for the 340B drug program pricing, thereby creating a cost to the DOC of \$7,595.99/mo to \$20,348.92/mo for at least 3 months (per inmate receiving treatment), depending on the treatment therapy required. HCV treatments typically range from eight to twelve weeks.”



# S4/BA3 Pueblo campus food service inflation

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$616,829	\$616,829	\$0	\$0	\$0	0.0
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	-\$616,829	-\$616,829	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made. Specifically, the interagency agreement between the DOC and the Department of Human Services was not signed until the end of the last fiscal year.

## Request

The Department requests an increase of \$616,829 General Fund in FY 2024-25. These funds aim to address food inflation costs in an interagency agreement with the Department of Human Services. This agreement pertains to food services provided by the Colorado Mental Health Hospital Pueblo (CMHHIP), which is adjacent to three DOC facilities: the Youthful Offender System, San Carlos, and La Vista. Of the requested amount:

- \$369,992 is for the Youthful Offender System’s *Maintenance and Food Service* line item
- \$246,837 is for the San Carlos and La Vista facilities via the *Food Service Pueblo Campus* line item.

The Department also requests that appropriation be increased by 4.34% in FY 2025-26 and every year thereafter. The table below shows how appropriations would increase through FY 2029-30. The Change (\$) row shows the incremental change year-over-year.

S4/BA3 Food Service Pueblo Campus Requested change over time								
	FY 24-25 appropriations	FY 24-25 requested	FY 25-26 requested	FY 26-27 requested	FY 27-28 requested	FY 28-29 requested	FY 29-30 requested	Total appropriations (sum FY 24-25 to FY 29-30)
Youthful Offender System	\$609,570	\$979,562	\$1,022,075	\$1,066,433	\$1,112,716	\$1,161,008	\$1,211,396	\$6,553,190
San Carlos	776,874	921,417	961,406	1,003,131	1,046,667	1,092,092	1,139,489	6,164,202
La Vista	1,890,780	1,993,074	2,079,573	2,169,826	2,263,996	2,362,253	2,464,775	13,333,497
<b>Total</b>	<b>\$3,277,224</b>	<b>\$3,894,053</b>	<b>\$4,063,054</b>	<b>\$4,239,390</b>	<b>\$4,423,379</b>	<b>\$4,615,353</b>	<b>\$4,815,660</b>	<b>\$26,050,889</b>
Change (\$)		616,829	169,001	176,336	183,989	191,974	200,307	1,538,436
Change (%)		18.82%	4.34%	4.34%	4.34%	4.34%	4.34%	40.5%

## Reasons for request

The request attributes the need for additional funding to “continued increases in food prices and growth in the inmate population...” The Department based the request on actual invoices from July 2024 through September 2024.

## Recommendation

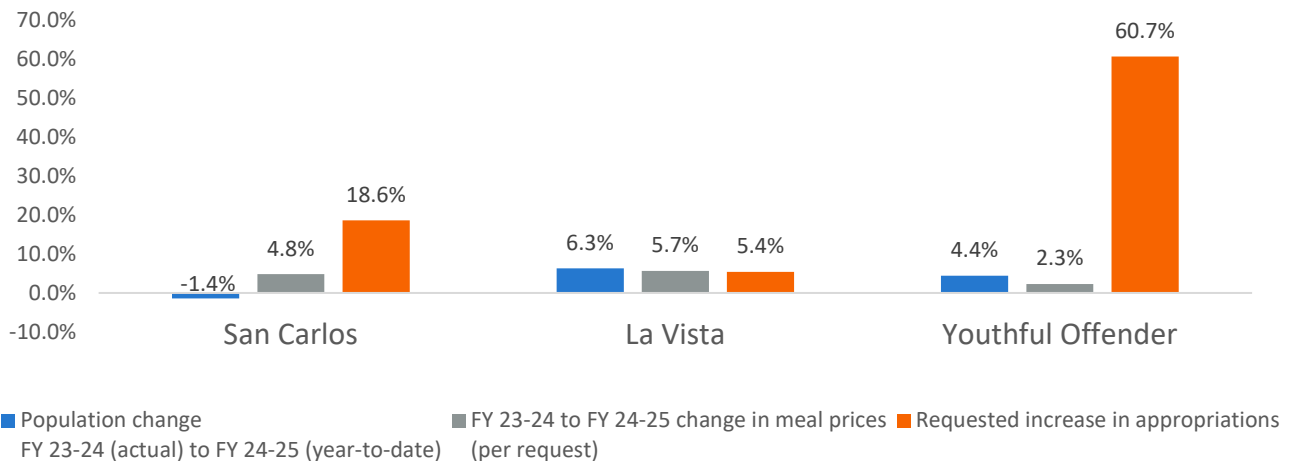
**Staff recommends denial of the request, at least during the supplemental process.** Staff cannot make the numbers make sense. Staff appreciates that the Department based the request on actual invoices. But it is not clear what is driving the invoices.

The amounts requested for San Carlos and the Youthful Offender System greatly exceed changes in the prison population and changes in meal costs. San Carlos’ population has actually declined year-over-year.

The requested increase for La Vista makes more sense in the context of this request, but less sense in the context of the overall budget. When the Department requests money to add beds to La Vista, it requests increases in the Food Service *Operating Expenses* line item. For example, last year’s prison caseload request sought \$141,912 General Fund for food service for an increase of 80 prison beds at La Vista. Yet this supplemental request says that the Department of Human Services produces food for the inmates at La Vista, paid for out of a different line item. Staff does not know how to reconcile the two.

From left to right, year-over-year % change for each facility:

Population change, weighted average meal price change, requested increase in appropriations



Staff finds it difficult to conclude that food costs and inmate population growth are driving the request. It is JBC staff’s understanding that State FTE run the CMHHIP kitchen. If true, it seems possible that significantly increased pay (e.g. step pay, across-the-board salary increases, etc.) significantly increased the cost of the interagency agreement. But the request only mentions labor costs in passing. Staff therefore recommends denial of the request until such a time as the Department can explain what is happening or that JBC staff erred in their analysis.

# Analysis

The request says the following,

“The Department maintains an IA with DHS to prepare and deliver meals from the CMHHIP for the YOS, LVCF, and SCCF. This IA is agreed upon after allocations from the Long Bill are decided, causing a shortfall in funding in the event that the costs of the IA increase from the previous year. Due to continued increases in food prices and growth in inmate population, DOC projects that the costs of feeding inmates will exceed the available funding in the current year and subsequent years. The timing for completion of the IA makes it essential to pursue true-up funding through the supplemental process.

As part of the IA, CMHHIP provides breakfast, lunch, dinner, religious diets, beverages, sack lunches, and snacks (as needed), delivered to each facility at a set price per meal. The DOC must pay for the food, transportation, and labor costs to CMHHIP. This agreement includes any special diets or religious meals provided to the offenders housed at these facilities. Food prices have risen throughout 2024 and are predicted to increase 2.2% overall in 2024 and 1.6% in 2025<sup>1</sup>. The costs of religious-specific food items, which are purchased in bulk from an outside vendor, have also grown at a rate far above overall food inflation. This funding increase is necessary to ensure DOC and CMHHIP can serve more meals to meet the needs of a growing population despite recent food inflation.”

The request includes the following tables, which show changes in meal prices at each facility. The request does not include information about inmate populations.

YOS meal prices	FY 2023-24		FY 2024-25		% Increase	
	YOS Male	YOS Female	YOS Male	YOS Female	YOS Male	YOS Female
Breakfast	\$2.35	\$2.01	\$2.39	\$2.04	1.67%	1.67%
Lunch	\$3.39	\$2.98	\$3.27	\$2.71	-3.67%	-3.67%
Dinner	\$3.14	\$2.75	\$3.37	\$2.82	6.82%	6.82%
Sack Lunch	\$3.05	\$2.08	\$3.30	\$2.08	7.58%	7.58%
Religious Diet: breakfast	\$1.96	\$1.96	\$2.42	\$2.42	19.01%	19.01%
Religious Diet: lunch	\$3.55	\$3.55	\$5.29	\$5.29	32.89%	32.89%
Religious Diet: dinner	\$6.53	\$6.53	\$7.02	\$7.02	6.98%	6.98%
Religious Diet: Sack lunch	\$4.28	\$4.28	\$5.56	\$5.56	23.02%	23.02%
<b>Weighted Average Meal increase %</b>					<b>2.3%</b>	<b>2.3%</b>

**Table 5 - SCCF FY 2023-24 vs. FY 2024-25 Meal Price Comparison**

SCCF Meal Prices	FY 2023-24	FY 2024-25	% increase
Breakfast	\$2.16	\$2.39	9.62%
Lunch	\$3.21	\$3.27	1.83%
Dinner	\$2.81	\$3.37	16.62%
Religious Diet: breakfast	\$1.96	\$2.42	19.01%
Religious Diet: lunch	\$3.55	\$5.29	32.89%
Religious Diet: dinner	\$6.53	\$7.02	6.98%
Religious Diet: Sack lunch	\$4.28	\$5.56	23.02%
<b>Weighted Average Meal Increase %</b>			<b>4.8%</b>

**Table 6 - LVCF FY 2023-24 vs. FY 2024-25 Meal Price Comparison**

LVCF Meal Prices	FY 2023-24	FY 2024-25	% increase
Breakfast	\$1.68	\$2.04	17.65%
Lunch	\$2.18	\$2.71	19.56%
Dinner	\$2.26	\$2.82	19.86%
Religious Diet: breakfast	\$1.96	\$2.42	19.01%
Religious Diet: lunch	\$3.55	\$5.29	32.89%
Religious Diet: dinner	\$6.53	\$7.02	6.98%
Religious Diet: Sack lunch	\$4.28	\$5.56	23.02%
<b>Weighted Average Meal Increase %</b>			<b>5.69%</b>

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The request also provides the following, which shows actual invoices, projected costs based on those invoices, and their relationship to the current appropriation.

**Table 3 - FY 2024-25 Estimated Costs Based on Monthly Averages**

Invoice costs actual/projected	YOS	SCCF	LVCF
July 2024-actual	\$82,298	\$77,541	\$165,603
August 2024-actual	\$82,364	\$77,613	\$166,435
September 2024-actual	\$80,227	\$75,200	\$166,230
October 2024-projected	\$84,263	\$77,496	\$174,905
November 2024-projected	\$81,631	\$76,785	\$166,089
December 2024-projected	\$81,630	\$76,785	\$166,090
January 2025-projected	\$81,630	\$76,785	\$166,089
February 2025-projected	\$81,631	\$76,784	\$166,090
March 2025-projected	\$81,630	\$76,785	\$166,089
April 2025-projected	\$81,630	\$76,784	\$166,090
May 2025-projected	\$81,630	\$76,785	\$166,090
June 2025-projected	\$81,630	\$76,785	\$166,089
<b>Total expected expenses</b>	<b>\$979,562</b>	<b>\$921,417</b>	<b>\$1,993,074</b>
FY 2024-25 Funding	\$609,570	\$776,874	\$1,890,780
Expected shortfall	(\$369,992)	(\$144,543)	(\$102,294)
<b>Combined Total shortfall expected</b>	<b>(\$616,829)</b>		

It is one thing to know what an invoice shows. It is another to know why it shows what it shows. The meal price data provided in the request do not appear to support the assertion that meal prices are driving the request.

# S5 Correctional Industries spending authority

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$0	\$0	\$0	\$0	\$0	0.0
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of data that was not available when the original appropriation was made.

## Request

The Department requests a net-zero transfer of \$4.0 million reappropriated funds from the *Raw Materials* line item to the *Operating Expenses* line item in the Correctional Industries Division. It aims to accurately account for certain expenses.

## Recommendation

Staff recommends approval of the request.

# S8 Technical adjustments

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$0	\$0	\$0	\$0	\$0	0.0
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES and NO**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff mostly agrees with the Department that part of request stems from technical errors. However, one component of the request is not a technical correction. Rather, it is a substantive reallocation of money from one line item to another for the purposes of budgetary efficiency.

## Request

The Department requests three technical adjustments to the FY 2024-25 Long Bill.

- 1 Correctly align FTE for a previously approved decision item. This moves 12.0 FTE from the Inspector General Subprogram back to the Parole Subprogram where they belong.
- 2 Reallocate \$4,100 General Fund within the Superintendent’s Subprogram. This corrects an error in the annualization of a previous decision item.
- 3 Transfer \$2.2 million General Fund from the Superintendent’s Subprogram Operating Expenses line item to the Training Subprogram’s Operating Expenses line item. The move aims to consolidate expenses for the DOC’s basic training program within the Training Subprogram. The request says it will allow for more efficient budget tracking.

## Recommendation

Staff recommends approval of items 1 and 2 above, as they are technical in nature. Staff recommends denial of the request to transfer \$2.2 million General Fund from one line item to another because it is not a technical correction. The JBC will have an opportunity to approve the transfer during figure setting for FY 2025-26.

# S9 Reduce unused parole insurance payments

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	-\$364,196	-\$364,196	\$0	\$0	\$0	0.0
Recommendation	-\$364,196	-\$364,196	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **Yes**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of an unforeseen contingency, that being the size of the budget shortfall for FY 2024-25.

## Request

The Department requests an ongoing reduction of \$364,196 General Fund in FY 2024-25. The request accounts for zero utilization of an appropriation from S.B. 21-146 (Improve Prison Release Outcomes).

The bill required the DOC to ensure that any inmate who is 65 years of age or older and is being released from prison is enrolled in the most appropriate medical insurance benefit plan. It also required the DOC to pay any insurance premiums and penalties for up to 6 months from the start of coverage, which result in the appropriation addressed in this request.

Per the request, no parolees over 65 years old have been without Medicaid or Medicare coverage in the first six months after their release. This means that the entirety of the appropriation for that purpose has been reverted since passage of the bill.

## Recommendation

Staff recommends approval of the request. The Department originally requested this reduction for FY 2025-26 (R9 Parole insurance payments). Staff sees no reason to delay the reduction. Staff also recommends that the reduction carry forward into FY 2025-26, avoiding the need to act on the FY 2025-26 request.



# S11 Remove education virtual reality program

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	-\$427,073	-\$427,073	\$0	\$0	\$0	-4.0
Recommendation	-\$427,073	-\$427,073	\$0	\$0	\$0	-4.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** YES  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of an unforeseen contingency, that being the size of the budget shortfall for FY 2024-25.

## Request

The Department requests an ongoing a reduction of \$427,073 General Fund and 4.0 FTE. This eliminates a program that was not implemented after being requested by the Department and approved by the JBC for FY 2023-24.

In short, technology problems stopped the program. For example, the vendor made changes to their platform that were not compatible with the DOC’s policies and security protocols. The Department made efforts to resolve these problems. In late June 2024, the program appeared ready for implementation. But the vendor performed another update and all progress was lost.

The request says that fully-immersive virtual reality programs are proving to be an impractical model. For example, they rely heavily on social media connections and frequent updates. Every time an update occurs, the system goes offline and it is weeks before the Office of Information Technology can resolve the issues. The social media connectivity requires extensive monitoring and adjustments to the platform. Lastly, they require significant and stable high-speed broadband connectivity which does not exist in some DOC facilities.

The Department submitted a similar request for FY 2025-26. The supplemental request moves the bulk of the reduction into FY 2024-25.

## Recommendation

Staff recommends approval of the request.

# S12 Reduce staff mentorship program

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	-\$742,940	-\$742,940	\$0	\$0	\$0	0.0
Recommendation	-\$742,940	-\$742,940	\$0	\$0	\$0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?** **YES**  
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** JBC staff and the Department agree that this request is the result of an unforeseen contingency, that being the size of the budget shortfall for FY 2024-25.

## Request

The request includes a reduction of \$742,940 General Fund in FY 2024-25. The current budget includes a one-time appropriation of \$1.0 million for a staff mentorship program at four DOC facilities, which included stipends for participating staff. This request reduces those stipends. Per the request, the program is still in its implementation stage due to challenges in hiring and the time it takes to develop a strong program. The request also says that, in lieu of stipends, mentorship responsibilities will be incorporated into ongoing expectations of correctional staff as they are promoted to higher-level positions.

The request also transfers \$50,000 from the Housing and Security Subprogram *Personal Services* line item to the Training Subprogram *Operating Expenses* line item. This would support curriculum development and training materials to assist mentors and mentees across all 19 DOC prison facilities.

## Recommendation

Staff recommends approval of this request.

**JBC Staff Supplemental Recommendations - FY 2024-25  
Staff Working Document - Does Not Represent Committee Decision**

**Appendix A: Numbers Pages**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
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Department of Corrections  
Moses 'Andre' Stancil, Executive Director

**Staff-initiated Amend statute for transfers between appropriations**

**(1) Management**

**(A) Executive Director's Office Subprogram**

Personal Services	4,380,792	4,794,793	0	0	4,794,793
FTE	44.4	45.9	0.0	0.0	45.9
General Fund	4,263,295	4,550,988	0	0	4,550,988
Cash Funds	0	0	0	0	0
Reappropriated Funds	117,497	243,805	0	0	243,805

**Total for Staff-initiated Amend statute for transfers  
between appropriations**

FTE	44.4	45.9	0.0	0.0	45.9
General Fund	4,263,295	4,550,988	0	0	4,550,988
Cash Funds	0	0	0	0	0
Reappropriated Funds	117,497	243,805	0	0	243,805

**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S1/BA1 Prison caseload</b>					
<b>(1) Management</b>					
<b>(A) Executive Director's Office Subprogram</b>					
Health, Life, and Dental General Fund	74,635,154	81,334,107	-170,610	0	81,334,107
Cash Funds	73,061,188	80,050,656	(170,610)	0	80,050,656
Reappropriated Funds	1,573,966	1,283,451	0	0	1,283,451
Federal Funds	0	0	0	0	0
Short-term Disability General Fund	659,914	554,707	-1,301	0	554,707
Cash Funds	648,249	545,183	(1,301)	0	545,183
Reappropriated Funds	11,665	9,524	0	0	9,524
Federal Funds	0	0	0	0	0
Paid Family and Medical Leave Insurance General Fund	0	1,946,778	-4,199	0	1,946,778
Cash Funds	0	1,918,225	(4,199)	0	1,918,225
Reappropriated Funds	0	28,553	0	0	28,553
Federal Funds	0	0	0	0	0
Unfunded Liability Amortization Equalization Disbursement Payments General Fund	0	43,286,954	-91,797	0	43,286,954
Cash Funds	0	42,652,444	(91,797)	0	42,652,444
Reappropriated Funds	0	634,510	0	0	634,510
Federal Funds	0	0	0	0	0

**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
Shift Differential	11,047,379.0.0	17,982,314	-21,145	0	17,982,314
General Fund	11,015,805	17,949,518	(21,145)	0	17,949,518
Cash Funds	31,574	32,796	0	0	32,796
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(1) Management</b>					
<b>(B) External Capacity Subprogram</b>					
<b>(2) Payments to House State Prisoners</b>					
Payments to local jails					
General Fund	<u>11,054,514</u>	<u>9,969,844</u>	<u>-280,862</u>	<u>-2,567,564</u>	<u>7,402,280</u>
Cash Funds	11,054,514	9,969,844	(280,862)	(2,567,564)	7,402,280
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Payments to in-state private prisons					
General Fund	<u>65,665,342</u>	<u>69,950,104</u>	<u>0</u>	<u>348,000</u>	<u>70,298,104</u>
Cash Funds	63,034,424	67,056,718	0	348,000	67,404,718
Reappropriated Funds	2,630,918	2,893,386	0	0	2,893,386
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					

**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(B) Maintenance Subprogram</b>					
Personal Services	<u>22,379,306</u>	<u>23,625,951</u>	<u>-58,936</u>	<u>0</u>	<u>23,625,951</u>
FTE	273.4	293.0	-0.8	0.0	293.0
General Fund	22,379,306	23,625,951	(58,936)	0	23,625,951
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(C) Housing and Security Subprogram</b>					
Personal Services	<u>186,388,482</u>	<u>199,155,681</u>	<u>-650,550</u>	<u>0</u>	<u>199,155,681</u>
FTE	2,814.7	3,050.8	-7.9	0.0	3,050.8
General Fund	186,388,482	199,155,681	(650,550)	0	199,155,681
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Operating Expenses	<u>2,046,192</u>	<u>2,105,156</u>	<u>-10,306</u>	<u>-2,863</u>	<u>2,102,293</u>
General Fund	2,046,192	2,105,156	(10,306)	(2,863)	2,102,293
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					

**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(D) Food Service Subprogram</b>					
Personal Services	20,008,068	20,958,785	-89,523	0	20,958,785
FTE	271.4	318.8	-1.0	0.0	318.8
General Fund	20,008,068	20,958,785	(89,523)	0	20,958,785
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Operating Expenses	21,418,753	22,654,004	-166,918	-45,352	22,608,652
General Fund	21,418,753	22,654,004	(166,918)	(45,352)	22,608,652
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(E) Medical Services Subprogram</b>					
Operating Expenses	2,660,005	2,677,873	-3,916	-1,233	2,676,640
General Fund	2,660,005	2,677,873	(3,916)	(1,233)	2,676,640
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					

**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(F) Laundry Subprogram</b>					
Operating Expenses	2,436,502	2,492,993	-9,298	-2,480	2,490,513
General Fund	2,436,502	2,492,993	(9,298)	(2,480)	2,490,513
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(G) Superintendents Subprogram</b>					
Personal Services	12,587,486	13,232,652	-49,682	0	13,232,652
FTE	174.7	168.9	-0.5	0.0	168.9
General Fund	12,587,486	13,232,652	(49,682)	0	13,232,652
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Operating Expenses	7,281,830	9,039,601	-13,932	-2,669	9,036,932
General Fund	7,281,830	9,039,601	(13,932)	(2,669)	9,036,932
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					



**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(I) Case Management Subprogram</b>					
Personal Services	<u>18,163,494</u>	<u>19,397,629</u>	<u>-114,483</u>	<u>0</u>	<u>19,397,629</u>
FTE	242.7	247.8	-1.4	0.0	247.8
General Fund	18,163,494	19,397,629	(114,483)	0	19,397,629
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Operating Expenses	<u>182,167</u>	<u>184,560</u>	<u>-1,212</u>	<u>-269</u>	<u>184,291</u>
General Fund	182,167	184,560	(1,212)	(269)	184,291
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(K) Inmate Pay Subprogram</b>					
Inmate Pay	<u>2,373,004</u>	<u>4,664,514</u>	<u>-46,111</u>	<u>-13,210</u>	<u>4,651,304</u>
General Fund	2,373,004	4,664,514	(46,111)	(13,210)	4,651,304
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(4) Inmate Programs</b>					

**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(A) Labor Subprogram</b>					
Personal Services	5,559,153	6,061,490	-18,208	0	6,061,490
FTE	70.6	81.4	-0.3	0.0	81.4
General Fund	5,559,153	6,061,490	(18,208)	0	6,061,490
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(4) Inmate Programs</b>					
<b>(B) Education Subprogram</b>					
Personal Services	14,751,589	15,800,444	-62,119	0	15,800,444
FTE	169.2	198.7	-0.8	0.0	198.7
General Fund	14,751,589	15,800,444	(62,119)	0	15,800,444
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>Total for S1/BA1 Prison caseload</b>					
FTE	481,298,334	567,076,141	(1,865,108)	(2,287,640)	564,788,501
	4,016.7	4,359.4	(12.7)	0.0	4,359.4
General Fund	477,050,211	562,193,921	(1,865,108)	(2,287,640)	559,906,281
Cash Funds	4,248,123	4,882,220	0	0	4,882,220
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

**JBC Staff Supplemental Recommendations - FY 2024-25  
Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S2/BA2 Medical caseload</b>					
<b>(2) Institutions</b>					
<b>(E) Medical Services Subprogram</b>					
Purchase of Pharmaceuticals					
General Fund	21,687,807	22,552,077	-4,462,909	-4,409,891	18,142,186
Cash Funds	21,687,807	22,552,077	(4,462,909)	(4,409,891)	18,142,186
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Hepatitis C Treatment Costs					
General Fund	8,368,384	8,368,384	2,623,883	2,623,883	10,992,267
Cash Funds	8,368,384	8,368,384	2,623,883	2,623,883	10,992,267
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Purchase of Medical Services from Other Medical Facilities					
General Fund	56,861,820	59,173,755	5,718,073	5,718,073	64,891,828
Cash Funds	56,861,820	59,173,755	5,718,073	5,718,073	64,891,828
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>Total for S2/BA2 Medical caseload</b>	86,918,011	90,094,216	3,879,047	3,932,065	94,026,281
<i>FTE</i>	0.0	0.0	0.0	0.0	0.0
General Fund	86,918,011	90,094,216	3,879,047	3,932,065	94,026,281
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

**JBC Staff Supplemental Recommendations - FY 2024-25  
Staff Working Document - Does Not Represent Committee Decision**

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
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**JBC Staff Supplemental Recommendations - FY 2024-25**  
**Staff Working Document - Does Not Represent Committee Decision**

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S3 Open Centennial South 3rd tower</b>					
<b>(2) Institutions</b>					
<b>(G) Superintendents Subprogram</b>					
Operating Expenses	7,281,830	9,039,601	4,570,000	0	9,039,601
General Fund	7,281,830	9,039,601	4,570,000	0	9,039,601
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>Total for S3 Open Centennial South 3rd tower</b>					
FTE	7,281,830	9,039,601	4,570,000	0	9,039,601
General Fund	0	0	0	0	0
Cash Funds	7,281,830	9,039,601	4,570,000	0	9,039,601
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S4/BA3 Pueblo campus food service inflation</b>					
<b>(2) Institutions</b>					
<b>(D) Food Service Subprogram</b>					
Food Service Pueblo Campus	2,518,729	2,578,959	246,837	0	2,578,959
General Fund	2,518,729	2,578,959	246,837	0	2,578,959
Cash Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(H) Youthful Offender System Subprogram</b>					
Maintenance and Food Services	1,122,936	1,252,987	369,992	0	1,252,987
General Fund	1,122,936	1,252,987	369,992	0	1,252,987
Cash Funds	0	0	0	0	0
<b>Total for S4/BA3 Pueblo campus food service inflation</b>					
FTE	3,641,665	3,831,946	616,829	0	3,831,946
General Fund	0.0	0.0	0.0	0.0	0.0
Cash Funds	3,641,665	3,831,946	616,829	0	3,831,946

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S5 Correctional industries true-up</b>					
<b>(7) Correctional Industries</b>					
Operating Expenses	<u>5,607,687</u>	<u>5,846,798</u>	<u>4,000,000</u>	<u>4,000,000</u>	<u>9,846,798</u>
General Fund	0	0	0	0	0
Cash Funds	1,546,956	1,546,956	0	0	1,546,956
Reappropriated Funds	4,060,731	4,299,842	4,000,000	4,000,000	8,299,842
Raw Materials	<u>9,501,417</u>	<u>30,547,207</u>	<u>-4,000,000</u>	<u>-4,000,000</u>	<u>26,547,207</u>
General Fund	0	0	0	0	0
Cash Funds	0	6,055,860	0	0	6,055,860
Reappropriated Funds	9,501,417	24,491,347	(4,000,000)	(4,000,000)	20,491,347
<b>Total for S5 Correctional industries true-up</b>	<b>15,109,104</b>	<b>36,394,005</b>	<b>0</b>	<b>0</b>	<b>36,394,005</b>
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	0	0	0	0	0
Cash Funds	1,546,956	7,602,816	0	0	7,602,816
Reappropriated Funds	13,562,148	28,791,189	0	0	28,791,189

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S6/BA4 Contain inmate call cost growth</b>					
<b>(2) Institutions</b>					
<b>(G) Superintendents Subprogram</b>					
Inmate Telephone Calls	379,458	717,712	578,859	578,859	1,296,571
General Fund	379,458	717,712	578,859	578,859	1,296,571
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>Total for S6/BA4 Contain inmate call cost growth</b>					
FTE	379,458	717,712	578,859	578,859	1,296,571
General Fund	0.0	0.0	0.0	0.0	0.0
Cash Funds	379,458	717,712	578,859	578,859	1,296,571
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0



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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
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**S7 Variable rate mileage**

**(1) Management**

**(A) Executive Director's Office Subprogram**

Operating Expenses	446,289	<u>416,761 0.0</u>	11,836	0	<u>416,761 0.0</u>
General Fund	318,939	326,761	11,836	0	326,761
Cash Funds	0	0	0	0	0
Reappropriated Funds	5,000	5,000	0	0	5,000
Federal Funds	122,350	85,000	0	0	85,000

**(1) Management**

**(C) Inspector General Subprogram**

Operating Expenses	380,885	<u>473,905</u>	19,004	0	<u>473,905</u>
General Fund	380,885	390,718	19,004	0	390,718
Cash Funds	0	83,187	0	0	83,187

**(2) Institutions**

**(B) Maintenance Subprogram**

Operating Expenses	8,440,483	<u>13,538,111</u>	10,715	0	<u>13,538,111</u>
General Fund	8,440,483	13,538,111	10,715	0	13,538,111
Cash Funds	0	0	0	0	0

**(2) Institutions**

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(C) Housing and Security Subprogram</b>					
Operating Expenses	<u>2,046,192</u>	<u>2,105,156</u>	<u>197,980</u>	<u>0</u>	<u>2,105,156</u>
General Fund	2,046,192	2,105,156	197,980	0	2,105,156
Cash Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(E) Medical Services Subprogram</b>					
Operating Expenses	<u>2,660,005</u>	<u>2,677,873</u>	<u>6,132</u>	<u>0</u>	<u>2,677,873</u>
General Fund	2,660,005	2,677,873	6,132	0	2,677,873
Cash Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(H) Youthful Offender System Subprogram</b>					
Operating Expenses	<u>607,455</u>	<u>607,455</u>	<u>8,455</u>	<u>0</u>	<u>607,455</u>
General Fund	607,455	607,455	8,455	0	607,455
Cash Funds	0	0	0	0	0
<b>(3) Support Services</b>					
<b>(A) Business Operations Subprogram</b>					
Operating Expenses	<u>234,201</u>	<u>231,951</u>	<u>12,069</u>	<u>0</u>	<u>231,951</u>
General Fund	234,201	231,951	12,069	0	231,951
Cash Funds	0	0	0	0	0
<b>(3) Support Services</b>					

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(B) Personnel Subprogram</b>					
Operating Expenses	<u>110,754</u>	<u>737,981</u>	<u>1,070</u>	<u>0</u>	<u>737,981</u>
General Fund	110,754	737,981	1,070	0	737,981
Cash Funds	0	0	0	0	0
<b>(3) Support Services</b>					
<b>(C) Offender Services Subprogram</b>					
Operating Expenses	<u>62,044</u>	<u>62,044</u>	<u>5,751</u>	<u>0</u>	<u>62,044</u>
General Fund	62,044	62,044	5,751	0	62,044
Cash Funds	0	0	0	0	0
<b>(3) Support Services</b>					
<b>(D) Communications Subprogram</b>					
Operating Expenses	<u>1,640,322</u>	<u>1,685,942</u>	<u>2,312</u>	<u>0</u>	<u>1,685,942</u>
General Fund	1,640,322	1,685,707	2,312	0	1,685,707
Cash Funds	0	235	0	0	235
<b>(3) Support Services</b>					
<b>(E) Transportation Subprogram</b>					
Operating Expenses	<u>483,538</u>	<u>643,538</u>	<u>204,196</u>	<u>0</u>	<u>643,538</u>
General Fund	483,538	643,538	204,196	0	643,538
Cash Funds	0	0	0	0	0
<b>(3) Support Services</b>					

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(F) Training Subprogram</b>					
Operating Expenses	<u>345,524</u>	<u>383,057</u>	<u>1,153</u>	<u>0</u>	<u>383,057</u>
General Fund	345,524	383,057	1,153	0	383,057
Cash Funds	0	0	0	0	0
<b>(3) Support Services</b>					
<b>(G) Information Systems Subprogram</b>					
Operating Expenses	<u>1,396,409</u>	<u>1,404,569</u>	<u>2,205</u>	<u>0</u>	<u>1,404,569</u>
General Fund	1,396,409	1,404,369	2,205	0	1,404,369
Cash Funds	0	200	0	0	200
<b>(3) Support Services</b>					
<b>(H) Facility Services Subprogram</b>					
Operating Expenses	<u>83,096</u>	<u>84,596</u>	<u>4,254</u>	<u>0</u>	<u>84,596</u>
General Fund	83,096	84,096	4,254	0	84,096
Cash Funds	0	500	0	0	500
<b>(4) Inmate Programs</b>					
<b>(B) Education Subprogram</b>					
Operating Expenses	<u>3,349,605</u>	<u>4,625,962</u>	<u>126,916</u>	<u>0</u>	<u>4,625,962</u>
General Fund	3,118,746	3,139,277	126,916	0	3,139,277
Cash Funds	202,293	1,197,770	0	0	1,197,770
Reappropriated Funds	28,566	288,915	0	0	288,915
<b>(5) Community Services</b>					

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(A) Parole Subprogram</b>					
Operating Expenses	2,106,065	2,875,425	109,464	0	2,875,425
General Fund	2,106,065	2,875,425	109,464	0	2,875,425
Cash Funds	0	0	0	0	0
<b>(5) Community Services</b>					
<b>(B) Community Supervision Subprogram</b>					
<b>(1) Community Supervision</b>					
Operating Expenses	505,042	505,042	27,042	0	505,042
General Fund	505,042	505,042	27,042	0	505,042
Cash Funds	0	0	0	0	0
<b>(7) Correctional Industries</b>					
Operating Expenses	5,607,687	5,846,798	6,174	0	5,846,798
General Fund	0	0	6,174	0	0
Cash Funds	1,546,956	1,546,956	0	0	1,546,956
Reappropriated Funds	4,060,731	4,299,842	0	0	4,299,842
<b>Total for S7 Variable rate mileage</b>	30,505,596	38,906,166	756,728	0	38,906,166
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	24,539,700	31,398,561	756,728	0	31,398,561
Cash Funds	1,749,249	2,828,848	0	0	2,828,848
Reappropriated Funds	4,094,297	4,593,757	0	0	4,593,757
Federal Funds	122,350	85,000	0	0	85,000

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
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**S8/BAG Technical adjustments**

**(1) Management**

**(C) Inspector General Subprogram**

Personal Services	4,715,152	4,999,370	0	0	4,999,370
FTE	55.3	62.8	-12.0	-12.0	50.8
General Fund	4,715,152	4,893,137	0	0	4,893,137
Cash Funds	0	106,233	0	0	106,233

**(2) Institutions**

**(G) Superintendents Subprogram**

Operating Expenses	7,281,830	9,039,601	-2,201,918	-2,201,918	6,837,683
General Fund	7,281,830	9,039,601	(2,201,918)	(2,201,918)	6,837,683
Cash Funds	0	0	0	0	0

Start-up Costs

General Fund	14,350	79,775	-4,100	-4,100	75,675
Cash Funds	14,350	77,725	(4,100)	(4,100)	73,625
	0	2,050	0	0	2,050

**(3) Support Services**

**(F) Training Subprogram**

Operating Expenses	345,524	383,057	2,206,018	2,206,018	2,589,075
General Fund	345,524	383,057	2,206,018	2,206,018	2,589,075
Cash Funds	0	0	0	0	0

**(5) Community Services**

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(A) Parole Subprogram</b>					
Personal Services	21,517,226	22,590,205	0	0	22,590,205
FTE	272.5	314.5	12.0	12.0	326.5
General Fund	21,517,226	22,590,205	0	0	22,590,205
Cash Funds	0	0	0	0	0
<b>Total for S8/BA6 Technical adjustments</b>					
FTE	33,874,082	37,092,008	0	0	37,092,008
General Fund	327.8	377.3	0.0	0.0	377.3
Cash Funds	33,874,082	36,983,725	0	0	36,983,725
	0	108,283	0	0	108,283

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S9 Reduce parole insurance payments</b>					
<b>(5) Community Services</b>					
<b>(A) Parole Subprogram</b>					
Insurance Payments	0	389,196	-364,196	-364,196	25,000
General Fund	0	389,196	(364,196)	(364,196)	25,000
Cash Funds	0	0	0	0	0
<b>Total for S9 Reduce parole insurance payments</b>	0	389,196	(364,196)	(364,196)	25,000
<i>FTE</i>	0.0	0.0	0.0	0.0	0.0
General Fund	0	389,196	(364,196)	(364,196)	25,000
Cash Funds	0	0	0	0	0



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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S10 Reduce utilities for energy savings</b>					
<b>(2) Institutions</b>					
<b>(A) Utilities Subprogram</b>					
Utilities					
General Fund	23,829,820	26,584,011	-750,000	-750,000	25,834,011
Cash Funds	23,243,547	25,093,539	(750,000)	(750,000)	24,343,539
	586,273	1,490,472	0	0	1,490,472
<b>Total for S10 Reduce utilities for energy savings</b>	<b>23,829,820</b>	<b>26,584,011</b>	<b>(750,000)</b>	<b>(750,000)</b>	<b>25,834,011</b>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	23,243,547	25,093,539	(750,000)	(750,000)	24,343,539
Cash Funds	586,273	1,490,472	0	0	1,490,472

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S11 Remove education virtual reality program</b>					
<b>(4) Inmate Programs</b>					
<b>(B) Education Subprogram</b>					
Personal Services	14,751,589	15,800,444	-122,473	-122,473	15,677,971
FTE	169.2	198.7	-4.0	-4.0	194.7
General Fund	14,751,589	15,800,444	(122,473)	(122,473)	15,677,971
Cash Funds	0	0	0	0	0
Operating Expenses	3,349,605	4,625,962	-304,600	-304,600	4,321,362
General Fund	3,118,746	3,139,277	(304,600)	(304,600)	2,834,677
Cash Funds	202,293	1,197,770	0	0	1,197,770
Reappropriated Funds	28,566	288,915	0	0	288,915
<b>Total for S11 Remove education virtual reality program</b>					
FTE	18,101,194	20,426,406	(427,073)	(427,073)	19,999,333
General Fund	169.2	198.7	(4).0	(4).0	194.7
Cash Funds	17,870,335	18,939,721	(427,073)	(427,073)	18,512,648
Reappropriated Funds	202,293	1,197,770	0	0	1,197,770
	28,566	288,915	0	0	288,915

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>S12 Reduce staff mentorship program</b>					
<b>(2) Institutions</b>					
<b>(C) Housing and Security Subprogram</b>					
Personal Services	186,388,482	199,155,681	-792,940	-792,940	198,362,741
FTE	2,814.7	3,050.8	0.0	0.0	3,050.8
General Fund	186,388,482	199,155,681	(792,940)	(792,940)	198,362,741
Cash Funds	0	0	0	0	0
<b>(3) Support Services</b>					
<b>(F) Training Subprogram</b>					
Operating Expenses	345,524	383,057	50,000	50,000	433,057
General Fund	345,524	383,057	50,000	50,000	433,057
Cash Funds	0	0	0	0	0
<b>Total for S12 Reduce staff mentorship program</b>					
FTE	2,814.7	3,050.8	0.0	0.0	3,050.8
General Fund	186,734,006	199,538,738	(742,940)	(742,940)	198,795,798
Cash Funds	0	0	0	0	0

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<b>S1.5/BA1.5 La Vista funding reconciliation</b>					
<b>(1) Management</b>					
<b>(A) Executive Director's Office Subprogram</b>					
Health, Life, and Dental General Fund	74,635,154 73,061,188	81,334,107 80,050,656	-95,249 (95,249)	81,238,858 79,955,407	
Cash Funds	1,573,966	1,283,451	0	1,283,451	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Short-term Disability General Fund	659,914 648,249	554,707 545,183	-715 (715)	553,992 544,468	
Cash Funds	11,665	9,524	0	9,524	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Unfunded Liability Amortization Equalization Disbursement Payments General Fund	0 0	43,286,954 42,652,444	-44,720 (44,720)	43,242,234 42,607,724	
Cash Funds	0	634,510	0	634,510	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
Additional prison capacity - Personal Services	3,143,404	525,466	-525,466	0	0
FTE	0.0	6.3	-6.3	0.0	0.0
General Fund	3,143,404	485,218	(485,218)	0	0
Cash Funds	0	40,248	(40,248)	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Additional prison capacity - Operating Expenses	1,150,425	159,184	-159,184	0	0
General Fund	1,150,425	156,165	(156,165)	0	0
Cash Funds	0	3,019	(3,019)	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Additional prison capacity - Facility start-up	113,763	7,326	-7,326	0	0
General Fund	113,763	7,326	(7,326)	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Additional prison capacity - Personnel start-up	198,578	24,250	-24,250	0	0
General Fund	198,578	24,250	(24,250)	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

**(2) Institutions**

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(A) Utilities Subprogram</b>					
Utilities					
General Fund	23,829,820	26,584,011	-40,447	-115,564	26,468,447
Cash Funds	23,243,547	25,093,539	(40,447)	(115,564)	24,977,975
Reappropriated Funds	586,273	1,490,472	0	0	1,490,472
Federal Funds	0	0	0	0	0
	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(C) Housing and Security Subprogram</b>					
Personal Services					
FTE	186,388,482	199,155,681	0	-382,574	198,773,107
General Fund	2,814.7	3,050.8	0.0	-6.0	3,044.8
Cash Funds	186,388,482	199,155,681	0	(382,574)	198,773,107
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
	0	0	0	0	0
Operating Expenses					
General Fund	2,046,192	2,105,156	69,798	69,798	2,174,954
Cash Funds	2,046,192	2,105,156	69,798	69,798	2,174,954
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
	0	0	0	0	0
<b>(2) Institutions</b>					

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(D) Food Service Subprogram</b>					
Operating Expenses	21,418,753	22,654,004	-15,228	-43,508	22,610,496
General Fund	21,418,753	22,654,004	(15,228)	(43,508)	22,610,496
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(E) Medical Services Subprogram</b>					
Operating Expenses	2,660,005	2,677,873	-1,410	-5,440	2,672,433
General Fund	2,660,005	2,677,873	(1,410)	(5,440)	2,672,433
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(F) Laundry Subprogram</b>					
Operating Expenses	2,436,502	2,492,993	-2,805	-8,015	2,484,978
General Fund	2,436,502	2,492,993	(2,805)	(8,015)	2,484,978
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					

**JBC Staff Supplemental Recommendations - FY 2024-25**  
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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(G) Superintendents Subprogram</b>					
Operating Expenses	7,281,830	9,039,601	-6,084	-17,381	9,022,220
General Fund	7,281,830	9,039,601	(6,084)	(17,381)	9,022,220
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					
<b>(I) Case Management Subprogram</b>					
Personal Services	18,163,494	19,397,629	0	-67,336	19,330,293
FTE	242.7	247.8	0.0	-1.0	246.8
General Fund	18,163,494	19,397,629	0	(67,336)	19,330,293
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Operating Expenses	182,167	184,560	-111	-318	184,242
General Fund	182,167	184,560	(111)	(318)	184,242
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(2) Institutions</b>					



**JBC Staff Supplemental Recommendations - FY 2024-25**  
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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>(K) Inmate Pay Subprogram</b>					
Inmate Pay	2,373,004	4,664,514	-3,713	-10,608	4,653,906
General Fund	2,373,004	4,664,514	(3,713)	(10,608)	4,653,906
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>(4) Inmate Programs</b>					
<b>(B) Education Subprogram</b>					
Personal Services	14,751,589	15,800,444	-69,227	15,731,217	
FTE	169.2	198.7	-1.0	197.7	
General Fund	14,751,589	15,800,444	(69,227)	15,731,217	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
<b>Total for S1.5/BA1.5 La Vista funding reconciliation</b>					
FTE	361,433,076	430,648,460	0	(1,507,083)	429,141,377
General Fund	3,226.6	3,503.6	0.0	(14.3)	3,489.3
Cash Funds	359,261,172	427,187,236	0	(1,463,816)	425,723,420
Reappropriated Funds	2,171,904	3,461,224	0	(43,267)	3,417,957
Federal Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

**JBC Staff Supplemental Recommendations - FY 2024-25**  
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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
<b>Totals Excluding Pending Items</b>					
<b>CORRECTIONS</b>					
<b>TOTALS for ALL Departmental line items</b>	1,058,407,361	1,174,720,793	6,252,146	-1,568,008	1,173,152,785
<i>FTE</i>	5,736.2	6,424.4	(16.7)	(18.3)	6,406.1
General Fund	503,637,736	751,808,491	6,252,146	(1,524,741)	750,283,750
Cash Funds	528,544,314	374,593,592	0	(43,267)	374,550,325
Reappropriated Funds	25,158,894	45,071,575	0	0	45,071,575
Federal Funds	1,066,417	3,247,135	0	0	3,247,135

# Appendix B: Like purpose transfers from FY 16-17 to FY 23-24

Approved Like purposes transfers per CRS 24-75-108					
	Dept	Source Appropriation	Target Appropriation	Amount	Rationale
FY24					
	Corrections	Payments to Local Jails	Housing & Security Personal services	4,000,000.00	Both line items serves the same purpose of protecting the safety and security of inmates, who have been committed to DOC custody
		Drug and Alcohol Treatment Contract Services	Medical Services - Personal Services	2,163,571.00	Both line items serve the purpose of supporting the medical needs of inmates
		Utilities	Maintenances - Personal Services	1,000,000.00	Both line items serve the same purpose of maintaining the physical plant of COD facilities.
			<b>Total</b>	<b>7,163,571.00</b>	
FY23					
	Health Care Policy & Financing to Human Services	Colorado Benefits Management system Operating and Contracts expenses	CDHS Operating and Contract expenses	757,919.28	HCPF and CDHS share costs associated with the Colorado Benefits Management System (CBMS) with appropriations made based on historical allocation statistic. Actual allocations shifted costs more to CDHS resulting in a General Fund short fall
	Health Care Policy & Financing	Colorado Benefits Management system Operating and Contracts expenses	Health Care and Economic Security staff development Center	106,389.49	HCPF and CDHS share costs associated with the Colorado Benefits Management System (CBMS) with appropriations made based on historical allocation statistic. Actual allocations shifted costs more to CDHS resulting in a General Fund short fall
			<b>Total</b>	<b>864,308.77</b>	
FY22					
	Dept. of Higher Ed	Workstudy	Veterans/Law/POW Tuition Assistance	313,536.07	DTAP is an entitlement program with specific eligibility guidelines and must be paid out prior to any other state financial aid. DRAP is a "like purpose" program.
	Health Care Policy & Financing	Medical Services Premiums	EDO Recoveries and Recoup	30,527.45	This transfer use funding gained through estate recoveries to pay the contractor for fees that exceed the appropriated amount due to a higher amount of funding gained through estate recoveries than previously anticipated. This has a similar purpose to the cash fund .

**Approved Like purposes transfers per CRS 24-75-108**

	<b>Dept</b>	<b>Source Appropriation</b>	<b>Target Appropriation</b>	<b>Amount</b>	<b>Rationale</b>
			<b>Total</b>	<b>344,063.52</b>	
<b>FY21</b>					
	Health Care Policy & Financing	Medical Services Premiums	EDO Recoveries and Recoup	141,090.65	This transfer use funding gained through estate recoveries to pay the contractor for fees that exceed the appropriated amount due to a higher amount of funding gained through estate recoveries than previously anticipated. This has a military purpose to the cash fund .
			<b>Total</b>	<b>141,090.65</b>	
<b>FY20</b>					
	Dept. of Higher Ed	Workstudy	Veterans/Law/POW Tuition Assistance	309,137.46	DTAP is an entitlement program with specific eligibility guidelines and must be paid out prior to any other state financial aid. DRAP is a "like purpose program.
			<b>Total</b>	<b>309,137.46</b>	
<b>FY19</b>					
	Human Services	Grand Junction Regional Center Depreciation	Grand Junction Regional Center depreciation	200,000.00	Since the assets are part of normal operations, depreciation is therefore considered an operating expenses.
	Dept. of Higher Ed	Workstudy	Veterans/Law/POW Tuition Assistance	220,000.00	DTAP is an entitlement program with specific eligibility guidelines and must be paid out prior to any other state financial aid. DRAP is a "like purpose program.
	Health Care Policy & Financing	Medical Services Premiums	EDO Recoveries and Recoup	468,667.76	This transfer use funding gained through estate recoveries to pay the contractor for fees that exceed the appropriated amount due to a higher amount of funding gained through estate recoveries than previously anticipated. This has a similar purpose to the cash fund .
	Treasury	Promotion & Correspondence	Operating expenses	35,000.00	The purpose of the Unclaimed property program is to reunited Colorado Citizens with forgotten or "abandoned" property to which they are entitled. To serve that purpose, the staff educates and promotes the program through various medias and unutilized its KAPs system abilities to search available database necessary to match properties to the rightful owner.
			<b>Total</b>	<b>923,667.76</b>	

Approved Like purposes transfers per CRS 24-75-108

	Dept	Source Appropriation	Target Appropriation	Amount	Rationale
FY18	Health Care Policy & Financing	Medical Services Premiums	EDO Recoveries and Recoup	147,222.00	This transfer use funding gained through estate recoveries to pay the contractor for fees that exceed the appropriated amount due to a higher amount of funding gained through estate recoveries than previously anticipated. This has a similar purpose to the cash fund .
	Public Health and Environment	HMWMD - Indirect Cost Assessment	PSD Indirect Cost Assessment	385,200.00	All the line items fund indirect cost assessment.
	Public Health and Environment	HEFMSE- Indirect Cost Assessment	ADM - Indirect Cost assessment	637.00	All the line items fund indirect cost assessment.
	Health Care Policy & Financing	Medical Services Premiums	EDO Recoveries and Recoup	147,222.00	This transfer use funding gained through estate recoveries to pay the contractor for fees that exceed the appropriated amount due to a higher amount of funding gained through estate recoveries than previously anticipated. This has a similar purpose to the cash fund .
	Health Care Policy & Financing	MMIS Maintenance and projects	MMIS Reprocurement Contracts	18,027.00	In FY18, both appropriation are for expenses of system of the MMIS.
			<b>Total</b>	<b>698,308.00</b>	
FY17	Public Health and Environment	Various Indirect Cost Assessment lines	Indirect cost assessment lines	847,000.00	All the line items fund indirect cost assessment.
	Public Health and Environment	PSD Indirect Cost Assessment	OEHS Indirect Cost Assessment	480.00	All the line items fund indirect cost assessment.
	Human Services	Community Programs personal Services	Community Program Purchase of Contact Placement	1,125,000.00	Both lines are in Community programs and serve youth who are in /CDHS custody.
	Health Care Policy & Financing	Public School Health Services	Transfer to Dept of Education for public school Health Svs	7,749.00	All administrative expenditures for the public school Health Services program are paid using federal funds from the same funding source. Both of the appropriations use appropriated federal funds originally appropriated.
	Health Care Policy & Financing	Medical Services Premiums	EDO Recoveries and Recoup	121,000.00	This transfer use funding gained through estate recoveries to pay the contractor for fees that exceed the appropriated amount due to a higher amount of funding gained through estate recoveries than previously anticipated. This has a similar purpose to the cash fund .
	Military and Veterans Affairs	Operating expense	CORE operations	62,856.96	Both appropriations are operational in nature.
	Nature Resources	Capital Outlay	CORE operations	86,663.00	for CORE operations
			<b>Total</b>	<b>2,250,748.96</b>	