

JOINT BUDGET COMMITTEE



STAFF BUDGET BRIEFING FY 2018-19

DEPARTMENT OF CORRECTIONS

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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DEPARTMENT OF CORRECTIONS

DEPARTMENT OVERVIEW

The Department is responsible for:

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

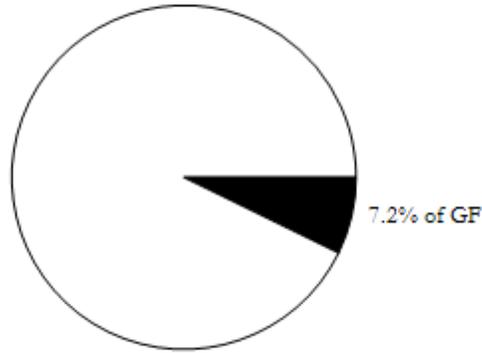
DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19 *
General Fund	\$763,812,924	\$751,095,253	\$769,192,172	\$826,995,444
Cash Funds	39,346,724	41,066,811	39,760,660	40,426,978
Reappropriated Funds	46,665,389	49,183,898	51,620,128	51,075,840
Federal Funds	1,259,937	1,357,641	4,167,290	3,516,067
TOTAL FUNDS	\$851,084,974	\$842,703,603	\$864,740,250	\$922,014,329
Full Time Equiv. Staff	6,239.8	6,242.7	6,247.0	6,228.5

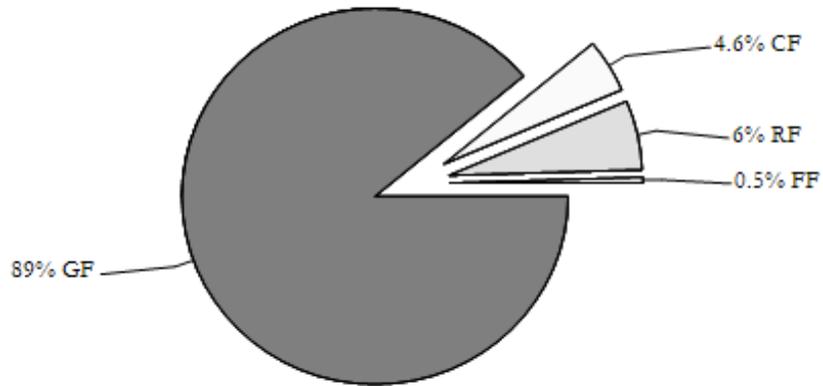
*Requested appropriation.

DEPARTMENT BUDGET: GRAPHIC OVERVIEW

Department's Share of Statewide General Fund

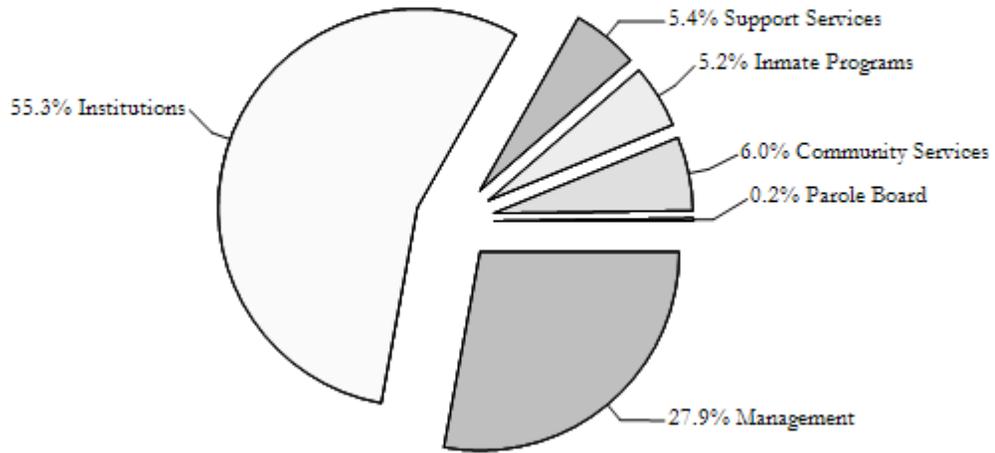


Department Funding Sources

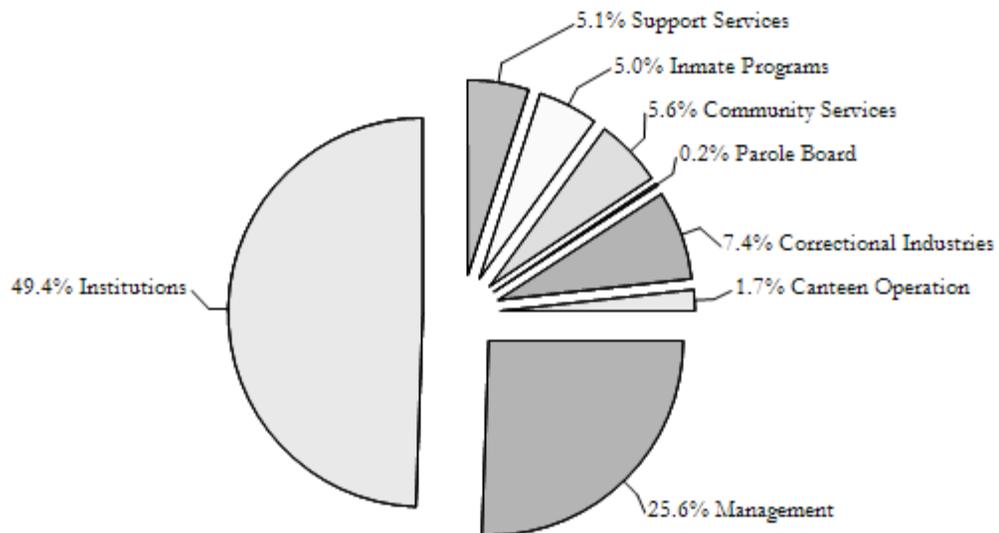


All charts are based on the FY 2017-18 appropriation.

Distribution of General Fund by Division



Distribution of Total Funds by Division



All charts are based on the FY 2017-18 appropriation.

GENERAL FACTORS DRIVING THE BUDGET

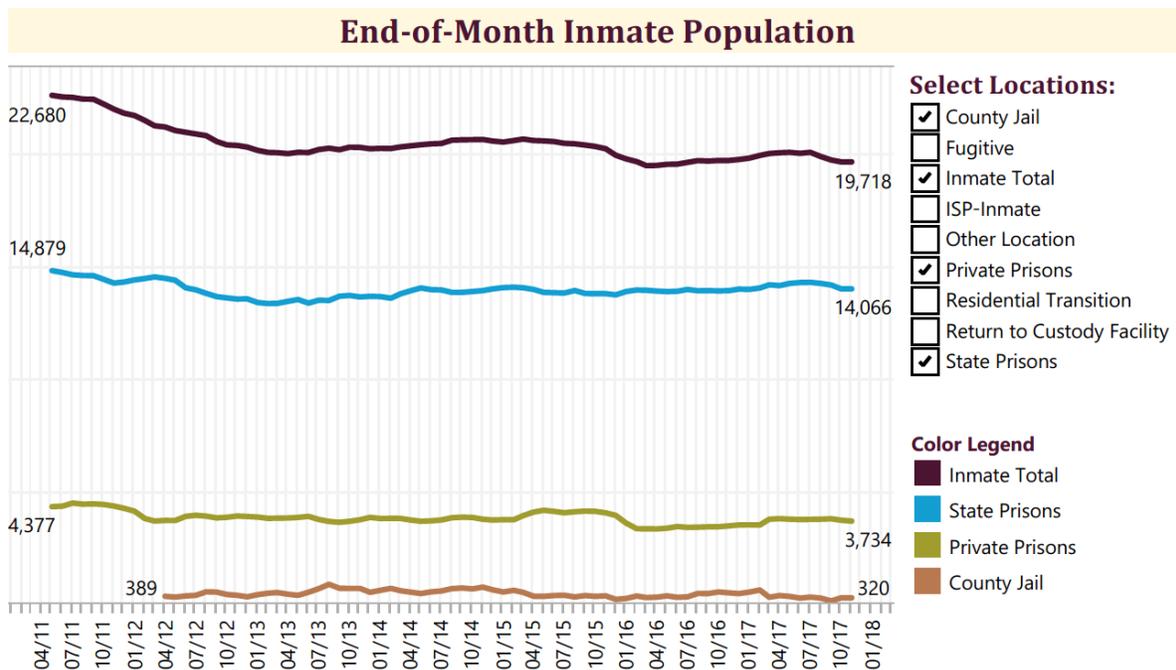
Funding for this department consists of 89.0 percent General Fund, 4.6 percent cash funds, 6.0 percent reappropriated funds, and 0.4 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

OPERATING APPROPRIATIONS

Appropriations for operating costs to the Department of Corrections (DOC) are primarily dependent upon two key components of prison caseload:

- The DOC inmate population, which consists of DOC offenders with "inmate" status. These offenders have been sentenced to the DOC but are not on parole. They are housed in state-operated prisons, private prisons, county jails, and community corrections facilities; a small portion live independently in the community under intensive supervision.
- The DOC parole population, which consists of DOC offenders who have been paroled but have not yet reached the end of their parole term. Parolees whose parole has been revoked are classified as inmates until reparaoled.

The following table, from the Department's dashboard measures, shows the population change since April 2011.



INMATE POPULATION

The following table and chart report the average DOC inmate population during recent fiscal years. The FY 2017-18 and FY 2018-19 estimated population numbers are based on the Division of Criminal Justice December 2017 prison population forecast. The second issue in this document will discuss the population projections.

AVERAGE DOC INMATE POPULATION								
	FY 2011-12 ACTUAL	FY 2012-13 ACTUAL	FY 2013-14 ACTUAL	FY 2014-15 ACTUAL	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ESTIMATE	FY 2018-19 ESTIMATE
Average DOC inmate population	21,890	20,437	20,346	20,652	20,062	20,101	19,786	20,900
Percentage change from prior year	n/a	(6.64%)	(0.45%)	1.50%	(2.86%)	0.19%	(1.57%)	5.63%

DOC OFFENDERS IN PRIVATE PRISONS

During the 1990s, the DOC began contracting with private prisons to house Colorado offenders. The following table summarizes the daily rate paid to private prisons since FY 2012-13.

PRIVATE PRISON DAILY REIMBURSEMENT RATE							
	FY 2012-13 ACTUAL	FY 2013-14 ACTUAL	FY 2014-15 ACTUAL	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 APPROPRIATION	FY 2018-19 REQUEST
Daily reimbursement rate per offender	\$53.69	\$53.74	\$55.08	\$56.02	\$56.02	\$56.80	\$57.37
Percentage change from prior year	0.00%	2.00%	2.50%	1.70%	0.00%	1.4%	1.0%

DOC OFFENDERS IN COUNTY JAILS

At any given time, there are department inmates and parolees housed in county jails. Some are newly sentenced by a court to the Department and await transfer from jail to the Denver Reception and Diagnostic Center. Other offenders were paroled and, following a parole violation, have been placed in jail for a few days to deter further misbehavior. Others with more severe parole violations are awaiting a parole revocation hearing or are awaiting trial for a new crime. If parole is revoked, the parolee remains in jail until transferred to another facility. Still other DOC offenders may have been transported from prison to a jail on a writ from a judge who needs them to appear in court. In addition, the DOC sometimes contracts with county jails and places offenders in these facilities on a long term basis. The DOC pays jails to house some, but not all, of the DOC offenders who are in jail. The following table and chart show the average "reimbursable" jail population during recent years, i.e. the average number of jailed DOC offenders for whom DOC pays reimbursement. (The substantial number of non-reimbursed DOC offenders who are in jails are excluded.)

REIMBURSABLE DOC OFFENDERS IN COUNTY JAILS							
	FY 2012-13 ACTUAL	FY 2013-14 ACTUAL	FY 2014-15 ACTUAL	FY 2015-16 ACTUAL	FY 2016-17 ESTIMATE	FY 2017-18 APPROP.	FY 2018-19 REQUEST
Average DOC reimbursable jail population	562	806	710	566	653	758	772
Percentage change from prior year	0.5%	43.4%	(11.9%)	(20.3%)	15.3%	16.1%	1.8%
Daily reimbursement rate per offender	\$50.44	\$51.45	\$52.74	\$53.64	\$53.64	\$54.39	\$54.93
Percentage change from prior year	0.00%	2.00%	2.50%	1.70%	0.00%	1.40%	1.00%
Total payments to jails	\$10,348,430	\$15,141,029	\$13,676,168	\$11,120,578	\$12,784,826	\$15,047,289	\$15,475,692
Percentage change from prior year	0.3%	46.3%	(9.7%)	(18.7%)	15.0%	17.7%	2.8%

TRANSITION AND PAROLE – COSTS OF RETURNING OFFENDERS TO THE COMMUNITY

The process of returning an offender to the community usually involves a period of parole. The process may include placement in a community corrections facility (also known as a halfway house) and a period of intensely supervised independent living in the community before parole begins (known as the *Intensive Supervision-Inmate* or *ISP-Inmate* Program). Inmates living in halfway houses or participating in the ISP-Inmate Program are often referred to as "transition" offenders.

The costs of returning offenders to the community are shared by the Department and the Division of Criminal Justice (DCJ), within the Department of Public Safety. DCJ is responsible for payments to community correction boards and halfway houses. The Department is responsible for oversight of parolees and ISP-Inmate offenders. In addition, the DOC pays (1) some of the jail costs that arise when community-corrections offenders, ISP-Inmate offenders, and parolees are jailed for violations, and (2) all the incarceration costs following revocation. Costs of parole supervision are tied to caseloads. The following table and chart report the average parole population in recent fiscal years. The FY 2017-18 and FY 2018-19 estimated population numbers are based on the Division of Criminal Justice December 2017 prison population forecast.

AVERAGE PAROLE POPULATION							
	FY 2012-13 ACTUAL	FY 2013-14 ACTUAL	FY 2014-15 ACTUAL	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ESTIMATE	FY 2018-19 ESTIMATE
Average parole population	8,650	8,415	7,947	8,048	8,286	8,670	7,766
Percentage change from prior year	5.30%	(2.70%)	(5.60%)	1.30%	(1.38%)	4.63%	(10.42%)

CAPITAL APPROPRIATIONS

In addition to the Department's operating costs, there are capital costs associated with new construction, controlled maintenance of existing capital resources, and payments for the certificates of participation that sometimes finance capital construction. These appropriations appear in the Department's Institutions Division and the Capital Construction Long Bill sections.

CERTIFICATES OF PARTICIPATION AND CAPITAL CONSTRUCTION APPROPRIATIONS						
FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18
\$18,952,353	\$20,798,083	\$27,225,308	\$29,120,526	\$26,583,095	\$20,258,268	\$28,310,552

SUMMARY: FY 2017-18 APPROPRIATION & FY 2018-19 REQUEST

DEPARTMENT OF CORRECTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2017-18 APPROPRIATION:						
SB 17-254 (Long Bill)	\$862,934,388	\$767,386,310	\$39,760,660	\$51,620,128	\$4,167,290	6,246.2
HB 17-1326 (Justice Reinvestment)	(5,865,182)	(5,865,182)	0	0	0	0.8
Other legislation	7,671,044	7,671,044	0	0	0	0.0
TOTAL	\$864,740,250	\$769,192,172	\$39,760,660	\$51,620,128	\$4,167,290	6,247.0
FY 2018-19 APPROPRIATION:						
FY 2017-18 Appropriation	\$864,740,250	\$769,192,172	\$39,760,660	\$51,620,128	\$4,167,290	6,247.0
R1 Staff retention	3,336,294	3,292,961	4,365	38,968	0	0.0
R2 Prison capacity	19,364,000	19,364,000	0	0	0	0.0
R3 Hepatitis C treatment	16,514,144	16,514,144	0	0	0	0.0
R4 Medical caseload	1,647,588	1,647,588	0	0	0	0.0
R5 La Vista food service	172,514	172,514	0	0	0	0.0
R6 DeCORuM operating	90,723	90,723	0	0	0	0.0
R7 Interstate probation position transfer	(92,913)	(92,913)	0	0	0	(2.0)
R8 Parole caseload	0	0	0	0	0	0.0
R9 Community supervision caseload	(2,061,362)	(2,061,362)	0	0	0	(17.4)
R10 Community provider rate	1,130,641	1,095,584	0	35,057	0	0.0
Non-prioritized request items	1,657,953	1,617,246	40,707	0	0	0.0
Centrally appropriated line items	16,611,416	16,113,208	498,208	0	0	0.0
CI wage increase	94,000	0	94,000	0	0	0.0
Fund source adjustment	0	0	0	0	0	0.0
Indirect cost assessment	(622,930)	614,827	31,779	(618,313)	(651,223)	0.0
Annualize prior year legislation	(452,461)	(452,461)	0	0	0	0.6
Annualize prior year budget actions	(114,650)	(111,909)	(2,741)	0	0	0.3
COP payment adjustment	(878)	(878)	0	0	0	0.0
TOTAL	\$922,014,329	\$826,995,444	\$40,426,978	\$51,075,840	\$3,516,067	6,228.5
INCREASE/(DECREASE)	\$57,274,079	\$57,803,272	\$666,318	(\$544,288)	(\$651,223)	(18.5)
Percentage Change	6.6%	7.5%	1.7%	(1.1%)	(15.6%)	(0.3%)

R1 STAFF RETENTION: The Department requests an increase of \$3,336,294 total funds, of which \$3,292,961 is General Fund for a 5.0 percent salary increase for the following six employee classifications:

- Correctional Officer I
- Correctional Officer II
- Correctional Support Trades Supervisor I
- Nurse I
- Nurse III
- Mid-Level Provider (physician assistants).

The salary increases, as proposed by the Department, would be for staff with two to seven years of experience with the Department. Raises would be effective July 2018. Note the request does not account for the statewide 3.0 percent salary survey increase or Governor's proposed 2.0 percent

increase of the employee Public Employees Retirement Association (PERA) contribution starting January 2019. The third issue in this document provides additional discussion of this request.

R2 PRISON CAPACITY: This request is a placeholder. The Department will submit an updated request on January 15, 2018 based on the December 2017 population projections. Information provided by private prison operations in response to the JBC's request will also be used to inform the Department's January 15, 2018 budget amendment. The placeholder request is for \$19,364,000 General Fund. The placeholder includes \$248,443 for 18 new private prison beds from July 2018 to February 2019. These beds will be needed because 18 beds at the Buena Vista Correctional Facility will be taken off-line for a controlled maintenance project approved in FY 2017-18. The remainder of the request is for caseload, including the continuation of the September 2-17 interim supplemental appropriation to lease a private prison. The second briefing issue provides additional discussion about prison capacity.

R3 HEPATITIS C TREATMENT: The Department requests \$16,514,144 General Fund to treat an additional 632 offenders at an average cost of \$26,166 per offender who have Hepatitis C. If this request is approved, the Department will have \$20,514,144 General Fund to treat 784 offenders with Hepatitis C. The Department's request cites the pending lawsuit filed by the American Civil Liberties regarding the provision of Hepatitis C treatment to offenders. The forth issue in this document will provide additional discussion about this request.

R4 MEDICAL CASELOAD: The Department requests an increase of \$1,647,588 General Fund for medical and pharmaceutical costs. The request assumes an additional 446 offenders will use medical services and 272 offenders will access pharmaceutical services. This increase is due to the projected growth of the offender population. This request will be revised as part of the January 15, 2018 caseload budget amendment.

The projected per offender per month (POPM) rate for medical services will increase by \$2.15 per month from the current \$113.66. This increase is due to the following contractual increases: a 4.0 percent increase in the administrative fee (paid to the third party administrator), and a 3.0 percent increase for the security contract. The pharmaceutical POPM rate is projected to increase by \$1.35 per month from the current rate of \$107.09. The pharmaceutical POPM rate is based on actual and projected expenses plus an inflation adjustment of 3.9 percent. The inflation adjustment is from the Consumer Price Index for all Urban Consumers (CPI-U) for prescription drugs.

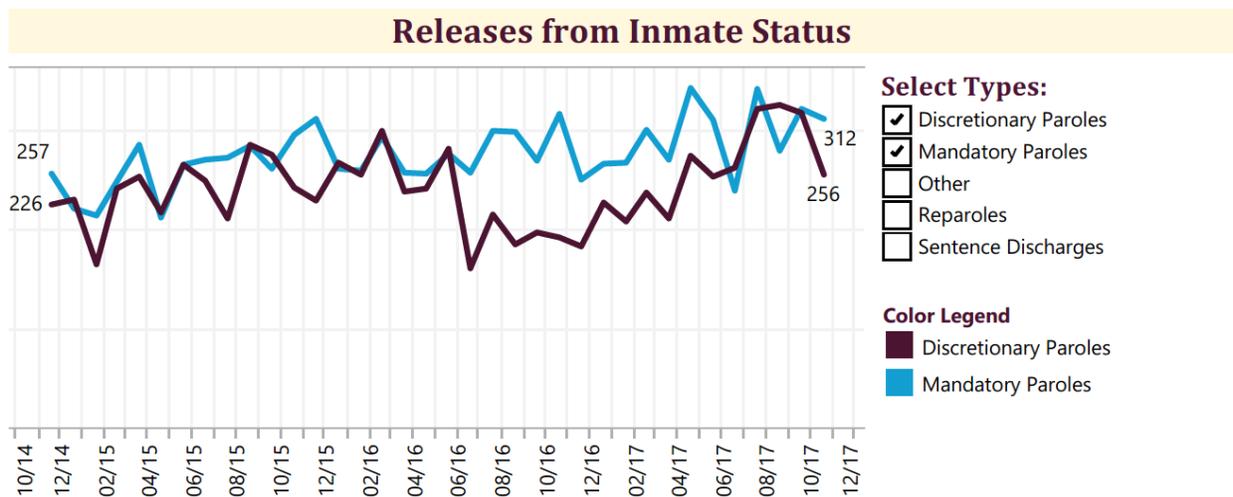
R5 LA VISTA FOOD SERVICE: The Department is requesting \$172,514 General Fund to pay for increased food service costs at the La Vista Correctional Facility. The Department has added 112 beds to the La Vista Correctional Facility to accommodate the female offender population increase. The La Vista Correctional Facility is located on the Colorado Mental Health Institute – Pueblo (CMHIP) campus. The La Vista Correctional Facility does not have a food preparation area and must purchase food services from the Department of Human Services (which operates CMHIP). Since there are 112 additional offenders, the Department is requesting the associated funds to pay for the additional food costs.

R6 DECORUM OPERATING: The Department requests an increase of \$90,723 General Fund for the maintenance costs associated with the Department of Corrections Offender Records Management System (DeCORuM). The Department noted in the FY 2017-18 capital construction request for the final phase of the DeCORuM construction that the maintenance costs would be included in the FY 2018-19 operating request. The request includes an associated increase of reappropriated funds in the Office of Information Technology who will provide the system maintenance.

R7 INTERSTATE PROBATION POSITION TRANSFER: The Department requests a reduction of \$92,913 General Fund and 2.0 FTE to transfer staff to the Judicial Department, Division of Probation Services. The two FTE identified in this request work on the Interstate Compact which is overseen by the Division of Probation Services. The Judicial Department expressed interest in managing these positions to streamline the training, data access, and oversight of staff working on the Interstate Compact. The difference between this request and the Judicial Department’s associated request is due to centrally appropriated costs. The Department’s request does not include a reduction for centrally appropriated costs, while the Judicial Department’s request includes an increase for centrally appropriated costs.

R8 PAROLE CASELOAD: The Department requests no change to funding and staffing for regular parole. The Department’s request includes the consolidation of three line items within the Division of Adult Parole based on the operational structure of the Division. The request indicates the appropriations to specific lines items does not match expenditures and the request would consolidate all the lines into a single contract line. Staff will make a recommendation on the proposed consolidation during figure setting.

The parole population does not increase as the prison population increases because the parole population is governed by different factors than those that govern the prison population. The prison population is governed by the number of new court committees and returns to prison. The parole population is largely governed by decisions of the Parole Board (discretionary parole, mandatory parole). The number of parolees depends on the length of mandatory parole (which ranges from one to five years depending upon felony type), as well as parolees with a parole violation or new crime that results in a return to prison. Through November 2017, more offenders are being paroled by the Parole Board than were over the past year.



The Division of Criminal Justice December 2017 prison population projections indicates the FY 2017-18 parole caseload will increase by 4.63 percent. The projected FY 2018-19 parole caseload is projected to drop by 904 parolees or 10.42 percent. The December 2017 changes to the projected parole population will be addressed in the Department's January 15, 2018 budget amendment.

R9 COMMUNITY SUPERVISION CASELOAD: The Department is requesting a reduction of \$2,061,362 General Fund and 17.4 FTE to the parole community supervision subprogram. This subprogram includes transitional offenders (inmate status and still considered under the custody of the Department) who are either living in their own home, an approved private residence, or who have been released to a community corrections facility. The Department's request indicates this reduction is due to a lower utilization of the Inmate Intensive Supervision Program and community supervision (i.e. offenders transitioned to community corrections facilities prior to being paroled). The request also includes the consolidation of five line items based on the operational structure. The request indicates the appropriations to specific lines items does not match expenditures and the request would consolidate all the lines into a single contract line. Staff will make a recommendation on the proposed consolidation during figure setting.

The second briefing issue in the December 20, 2017 Division of Criminal Justice JBC staff briefing discusses the downward trend of community corrections utilization by transition offenders. This request is a direct reflection of the reduction in the number of inmates transitioned to community corrections from prison. Any change in the utilization of community corrections by transition offenders could have an impact on the magnitude of this request.

R10 COMMUNITY PROVIDER RATE: The Department requests a 1.0 percent community provider rate increase. The largest increases are for payments to local jails (\$150,473 General Fund), payments to in-state private prisons (\$569,772 General Fund), and payments to pre-release parole revocation facilities (\$106,592 General Fund).

NON-PRIORITIZED REQUEST ITEMS: The Department request includes two adjustments for statewide programs overseen by the Department of Personnel and one adjustment to the cost of services provided by the Office of Information Technology in the Governor's Office. The two Department of Personnel change items will be addressed in a separate staff briefing presented by Scott Thompson for the Department of Personnel on Thursday, December 21, 2017. The Office of Information Technology change was addressed in a separate staff briefing presented by Kevin Neimond for the Office of the Governor on Wednesday November 15, 2017. The table below itemizes each requested non-prioritized item for FY 2018-19.

NON-PRIORITIZED REQUEST ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
NP2 Operating system suite (OIT)	\$1,116,829	\$1,110,129	\$6,700	\$0	\$0	0.0
NP Annual Fleet Supplemental (PER)	445,322	415,090	30,232	0	0	0.0
NP1 Cybersecurity liability insurance policy (PER)	95,802	92,027	3,775	0	0	0.0
TOTAL	\$1,657,953	\$1,617,246	\$40,707	\$0	\$0	0.0

CENTRALLY APPROPRIATED LINE ITEMS: The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; shift differential; salary survey; workers' compensation; legal services;

administrative law judges; payment to risk management and property funds; vehicle lease payments; Capitol complex leased space; payments to the Governor’s Office of Information Technology (OIT); and CORE operations.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Salary survey adjustment	\$10,825,001	\$10,516,363	\$308,638	\$0	\$0	0.0
Payments to OIT adjustment	4,671,258	4,643,225	28,033	0	0	0.0
Health, life, and dental adjustment	1,666,559	1,556,187	110,372	0	0	0.0
Workers’ compensation adjustment	559,530	541,849	17,681	0	0	0.0
Legal services adjustment	188,497	182,088	6,409	0	0	0.0
Leased space adjustment	151,856	140,966	10,890	0	0	0.0
Payment to risk management / property funds adjustment	(1,129,517)	(1,085,014)	(44,503)	0	0	0.0
AED adjustment	(95,735)	(119,622)	23,887	0	0	0.0
SAED adjustment	(95,735)	(119,622)	23,887	0	0	0.0
Short-term disability adjustment	(70,061)	(69,010)	(1,051)	0	0	0.0
Shift differential adjustment	(54,292)	(69,955)	15,663	0	0	0.0
Capitol Complex leased space adjustment	(5,945)	(4,247)	(1,698)	0	0	0.0
TOTAL	\$16,611,416	16,113,208	\$498,208	\$0	\$0	0.0

CI WAGE INCREASE: The request includes \$94,000 cash funds for the prevailing wage increase for Colorado Correctional Industries jobs. Colorado Correctional Industries (CCI) participates in Prison Industry Enhancement (PIE) programs. PIE was authorized under the Justice System Improvement Act of 1979 and continued indefinitely under the Crime Control Act of 1990. PIE is part of a federal program that exempts the Department from normal restrictions on the sale of offender-made goods in interstate commerce. The program places offenders in realistic work environments, pays them prevailing wages, and gives them a chance to develop marketable skills that will assist in a successful transition to the community. Colorado’s minimum wage is the starting point for setting prevailing wages for CCI’s PIE programs.

Colorado voters approved Amendment 70 in the November 2016 general election. This amendment triggers minimum wage increases in Colorado starting January 1, 2017. Prior to this change, the Colorado minimum wage was \$8.31 per hour. CCI’s current inmate pay cash funds spending authority is able absorb the increase to \$9.30 per hour on January 1, 2017 and the first six months of the \$10.20 per hour increase starting January 1, 2018.

INDIRECT COST ASSESSMENT: The appropriation includes a net decrease in the Department’s indirect cost assessment.

ANNUALIZE PRIOR YEAR LEGISLATION: The appropriation includes adjustments for the second- and third-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 16-180 (DOC for Juvenile Offenders)	\$13,062	\$13,062	\$0	\$0		0.4
HB 17-1326 (Justice Reinvestment)	(460,820)	(460,820)	0	0		0.2
TOTAL	(\$447,758)	(\$447,758)	\$0	\$0		0.6

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The request includes appropriation includes adjustments for the second- and third-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize merit base pay	(\$105,470)	(\$102,960)	(\$2,510)	\$0	\$0	0.0
Annualize prior year salary survey	(8,480)	(8,249)	(231)	0	0	0.0
FY16-17 Sterling Correctional Facility restrictive housing staffing	(700)	(700)	0	0	0	0.3
TOTAL	(\$114,650)	(\$111,909)	(\$2,741)	\$0	\$0	0.3

COP PAYMENT ADJUSTMENT: The request includes a reduction of \$878 General Fund for the final certificate of participation (COP) payment for the Centennial South Correctional Facility.

ISSUE #1 OVERVIEW OF THE COLORADO CORRECTIONAL SYSTEM

The Colorado correctional system is broken into five phases: laws, sentencing, incarceration, parole, and community corrections. Offenders typically move through the first two phases once per crime, but may visit the last three phases multiple times. The Colorado correctional system is largely funded with General Fund. The system encompasses programs within the Department of Corrections, a portion of the Judicial Branch, and Department of Public Safety. This informational issue will provide a brief overview of each phase.

SUMMARY

- The Colorado correctional system is broken into five phases: laws, sentencing, incarceration, parole, and community corrections.
- Funding for the Colorado correctional system is primarily General Fund. State appropriations for the correctional system occur in the Department of Corrections, Department of Public Safety, the Judicial Department, and the General Assembly.

RECOMMENDATION

This is an informational issue and requires no staff recommendation.

DISCUSSION

This issue is designed to provide the Committee with a high-level overview of the Colorado correctional system. JBC staff has broken the correctional system into five phases. For each phase, there will be a brief discussion of the entities involved in the phase, how funding is appropriated, and a description of the activities that occur during the phase.

PHASES

The five phases of the Colorado correctional system are:

- Phase 1 – Laws
- Phase 2 – Sentencing
- Phase 3 – Incarceration
- Phase 4 – Parole
- Phase 5 – Community Corrections

PHASE 1 - LAWS

This phase is primarily comprised of lawmakers including the General Assembly, Congress, and locally elected officials. Lawmakers are responsible for writing laws, which govern what society deems as acceptable and unacceptable behavior. When an individual is accused of violating one or more of these standards for behavior, they are charged with breaking the law. The cost for lawmakers is funded through the federal government, the Long Bill appropriation for the General Assembly, and the cost for local governments.

This is the first phase of the correctional system and governs the majority of decisions made in all subsequent phases. Laws can be prescriptive and provide little flexibility in implementation. Laws can also be less prescriptive, and clearly express legislative intent while providing the Executive Branch and local governments with the flexibility in implementation. The following are two examples of legislation, one that provided less flexibility (H.B. 15-1043) and one which provided more implementation flexibility (H.B. 16-180). Any statutory change to the laws governing crimes, sentencing, and parole that has a fiscal impact will usually be considered by the Appropriations Committee in each house.

- House Bill 15-1043 (Felony Offense for Repeat DUI Offenders) made a DUI, DUI per se, or DWAI a class 4 felony after three or more prior convictions of a DUI, DUI per se, DWAI, vehicular homicide, vehicular assault, or any combination thereof. The fiscal note assumed that the statutory changes would equate to 15.0 percent of cases sentenced to an average prison sentence of 30 months. The bill's fiscal note estimated that over five years an additional 1,463 offenders would be incarcerated.
- House Bill 16-180 (DOC Program for Juvenile Offenders) required the Department to create a specialized program for offenders who committed a felony as a juvenile and were sentenced as an adult. The bill established eligibility criteria for the program that ranged from a minimum time served requirement, to a broad "any other factor determined relevant". The bill required the Department to design a program that fosters independent living skills development and provide intensive supervision and monitoring. The Department was required to house the program in a minimum facility but had the latitude to design the operational aspects of the program.

PHASE 2 – SENTENCING

The following four entities are found in this phase:

- 1 Law enforcement including local police, county sheriffs, and Colorado State Patrol.
- 2 County jails staffed by sheriff deputies.
- 3 Court system including district attorney's, courts, and public defenders.
- 4 Individuals who has been accused/convicted of a crime.

This phase is where individuals are accused of breaking a law, and have initial contact with law enforcement. Law enforcement is responsible for identify individuals accused of breaking the law and detaining those individuals, usual in a local jail. Once an individual has been detained, law enforcement is responsible for submitting potential charges to district attorneys. District attorneys are responsible for deciding on whether to charge an individual with a crime. If an individual is charged with a crime, the court system becomes. The court system is responsible for determining whether or not an individual violated the law; and if the individual violated the law, setting the punishment. The Court System includes:

- County Courts have limited jurisdiction, handling civil cases under \$15,000, misdemeanors, civil and criminal traffic infractions, felony complaints, protection orders, and small claims.
- District Courts have general jurisdiction, handling felony criminal cases, large civil cases, probate and domestic matters, cases for and against the government, as well as juvenile and mental health cases.
- The Colorado Court of Appeals hears cases when either a plaintiff or a defendant believes that the trial court made errors in the conduct of the trial.

- The Colorado Supreme Court also hears appeals, but only when it considers the cases to have great significance. The Supreme Court may also answer legal questions from the General Assembly regarding proposed laws. The Supreme Court is also responsible for overseeing the regulation of attorneys and the practice of law, and for reviewing judges standing for retention during elections.¹

Phase 2 Funding Sources

Local law enforcement is funded by local funds appropriated within city and county budgets. Police departments are funded by cities and sheriff offices are funded by counties. The exception is the City and County of Denver, which funds both police and sheriffs. The Colorado State Patrol is funded within the Department of Public Safety primarily with Highway User Tax Funds (HUTF).

The Department of Corrections pays a daily rate to county jails that are holding eligible Department of Corrections' offenders, including offenders who have violated parole conditions, and those offenders sentenced to prison and awaiting an open prison bed. The daily rate paid by the Department Corrections does not fully cover the cost of housing the offender in the jail.

The cost of county and district courts are covered partially by the state (primarily for staff and furnishing), and partially by the county (building and security costs). The Court of Appeals and Supreme Court are funded through appropriations in the Judicial Department.

PHASE 3 – INCARCERATION

The prisons are run by the Department of Corrections and private operators. Also within this phase are county jails. In this phase, offenders are housed in a confined facility that eliminates their contact with society. Offenders have no choice in housing location, food, or cellmates. Based on behavior while incarcerated, offenders may gain the ability to make choices about work, educational opportunities, and canteen purchases. There are different types of therapies (e.g. sex offender therapy, and therapeutic communities) available to offenders. Offenders have access to medical treatment, medications, and mental health services. Prisons are classified based on the highest risk level offender they can safely house. There are five different prison levels. The higher the prison level, the more secure the prison.

- Level V – Maximum-security facilities. Level V facilities can house any risk level offender from close custody and below, as well as offenders assigned a status (close custody², protective custody, or residential treatment program). There are six Level V facilities and all are state run.
- Level IV – Second highest security level facilities. Level IV facilities can house mixed custody offenders including those in close and medium custody. An offender is eligible for assignment to a Level IV facility if their current custody level is medium or close. Limon Correctional Facility is the only Level IV facility.
- Level III – Medium level facilities can house medium level offenders and below. Lower custody level inmates may be housed at a Level III facility for specific work assignments as dictated by the needs of the facility. There are eight Level III facilities, five state run prisons and the three private prisons.

¹ From 2016 Justice System Background Information for 2016 New Member Orientation

² Close custody offenders are the highest risk offenders who spend the majority of their day in a cell.

- Level II – Minimum-restricted and minimum custody facilities. An offender is eligible for assignment to a Level II facility if their current custody level is minimum-restricted, or below, has not been identified as a sex offender. Offenders must be within 60 months of parole eligibility and have no restriction on their mandatory release date. There are three Level II facilities and all are state run.
- Level I – Minimum custody facilities. An offender is eligible to be considered for assignment to a Level I facility if their current custody level is minimum, has not been identified as a sex offender. Offenders at Rifle Correctional Center, Colorado Correctional Center, and Delta Correctional Center must be within 36 months of parole eligibility, or within seven years of a mandatory release date. Offenders at Skyline, which has a higher level of security, must be within 60 months of parole eligibility, or within 10 years of a mandatory release date.³ There are four Level I facilities and all are state run.

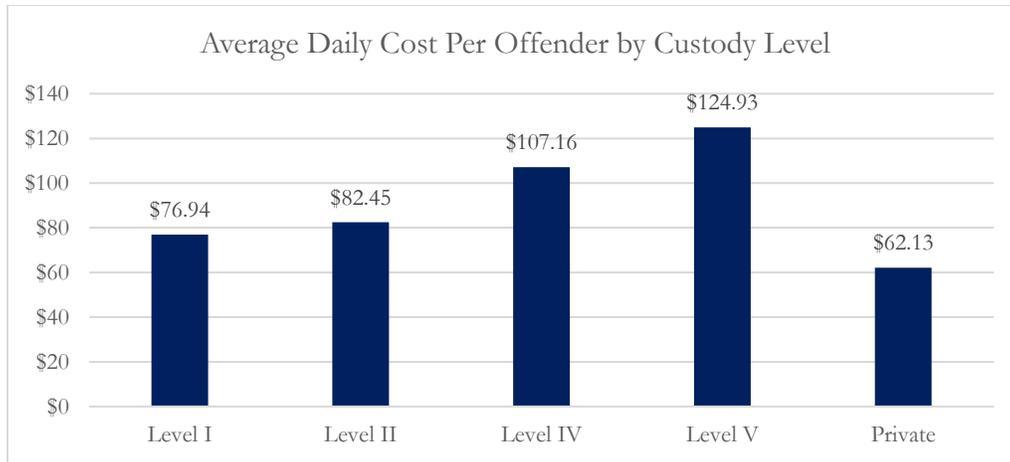
There are different types of beds within each facility. The following is a brief description of the bed types within the correctional system:

- General population – housing for the typical inmate generally assigned to a facility;
- Disciplinary segregation – restrictive housing for inmates in violation of major institutional rules;
- Close custody – restrictive housing for inmates who present a significant threat to an institution’s safety and security;
- Protective custody –voluntary housing for inmates seeking protection from other inmates;
- Infirmary – temporary or long-term housing for inmates requiring specific medically-determined treatment;
- Mental health – dedicated housing for inmates with diagnosed mental illness with integrated treatment provided in the housing unit;
- Unclassified/booking –initial separate housing of inmates newly admitted to a facility while they undergo classification and initial orientation; and
- Emergency beds – available for use when facilities exceed normal population levels.⁴

Funding for state run prisons and private prisons is primarily General Fund. A small portion of the funding is from cash funds related to canteen purchases and Correctional Industries. The following table summarizes the average daily rate by custody level of state run prisons and the average daily rate paid to private prisons.

³ Facility type description is from the “Colorado Prison Utilization Study.” Becker, Karl, etc. June 2013. Page 20 and 21

⁴ Bed type description is from the “Colorado Prison Utilization Study.” Becker, Karl, etc. June 2013. Page 18



There are nineteen prisons operated by the Department. Appendix F includes the Department’s FY 2016-17 cost per offender by facility. This provides a high-level overview of the size and cost of each facility. There are three in-state private prisons operated by private companies. Private prisons house medium and low-level custody offenders. Private prisons provide general equivalency diploma (GED) classes and medical services, but do not provide specialized therapies or Correctional Industry work opportunities. The privately run Cheyenne Mountain ReEntry Center provides intensive reentry services to offenders (including sex offenders) prior to parole.

The Department operates the Youthful Offender System (YOS). YOS is a sentencing option for offenders who committed a violent offense as a youth (18 years old or younger). Instead of being sentenced to an adult prison, youth offenders are sentenced to YOS. YOS offenders receive an adult sentence that is suspended pending successful completion of the YOS sentence.

PHASE 4 – PAROLE

The Parole Board is responsible for making discretionary and mandatory parole decisions for eligible offenders. Once an offender is paroled, the Division of Adult Parole, within the Department of Corrections, is responsible for monitoring parolees for compliance with their parole plans. In this phase, offenders are reentering society through release to parole (the next phase will discuss release to community corrections). Parole officers and management are funded through the Department of Corrections Division of Adult Parole. Funding for parole is General Fund. The Parole Board is funded by General Fund within a separate division in the Department of Corrections.

There are three types of parole: regular parole, inmate intensive supervision parole, and parole intensive supervision parole. Inmate Intensive Supervision Parole is for offenders who are low risk, within 180 days of their parole eligibility date, and considered safe to be managed in the community prior to their actual parole (therefore they are still called offenders and not parolees). Regular Parole is granted to offenders who have not yet completed their prison sentence and agree to comply with certain conditions. Parole Intensive Supervision Parole (ISP) is used as a condition of parole for parolees who are the highest risk offenders. There are nineteen parole offices throughout the state. Offenders can be paroled to any location if the parole officer, Parole Board, and case manager has approved it. Offenders can also be paroled out of state.

Offenders are released to parole with some or all of the following conditions⁵:

- Conduct: Parolee shall obey all state and federal laws and municipal ordinances. Parolee shall follow the directives of the parole officer at all times.
- Report: Parolee shall make written and in person reports as directed to the parole officer and shall permit visits to his/her place of residence as required by the parole officer/parolee shall submit urinalysis or other tests for narcotics or chemical agents upon the request of the parole officer, and is required to pay for all tests.
- Weapons: Parolee shall not own, possess, nor have under his control or his custody, firearms or other deadly weapons.
- Association: Parolee shall not associate with any person with a criminal record without the permission of the parole officer.
- Employment: Parolee shall seek and obtain employment, or shall participate in a full time educational or vocational program, unless waived by the parole officer.
- Alcohol/Drugs: Parolee shall not abuse alcoholic beverages, medical or recreational marijuana or possess and/or use illegal drugs.
- Child Support: Parolee shall comply with any court or administrative order to pay child support

Mandatory and Discretionary Parole

When an offender arrives in prison, there is a range of dates on which they can be paroled.

- The mandatory release date, or MRD, is the date by which the parole board must grant parole. Initially the MRD equals the end of the judge's prison sentence.
- The parole eligibility date, or PED, is the first date on which the offender can be paroled. The PED depends on the sentence and the offense. The PED occurs prior to the MRD.

Offenders who committed non-violent felonies are generally eligible for parole at the 50.0 percent point of their MRD; offenders who commit certain violent felonies are eligible for parole at the 75.0 percent of their MRD. Once an offender is paroled, the prison sentence no longer matters; only the length of the parole term matters. The sentence discharge date, i.e. the date on which parole ends, initially equals the end of the mandatory parole period; the offender is discharged from parole when he reaches this date. Discharge is automatic at the sentence discharge date; there is no review by the Parole Board.

PHASE 5 COMMUNITY CORRECTIONS

The Division of Criminal Justice within the Department of Public Safety oversees the community corrections boards, providers and facilities. Community correction board members are appointed by commissioners of the counties that make up each of Colorado's 22 judicial districts. Community correction providers can be non-profits, for-profits, or local governments. Colorado's community corrections programs, also known as halfway houses, provide clients with supervision and structure in both residential and nonresidential settings. They are operated by local governments, private providers, and non-profits. Residential clients live in residential facilities and go out during the day to work or seek work.

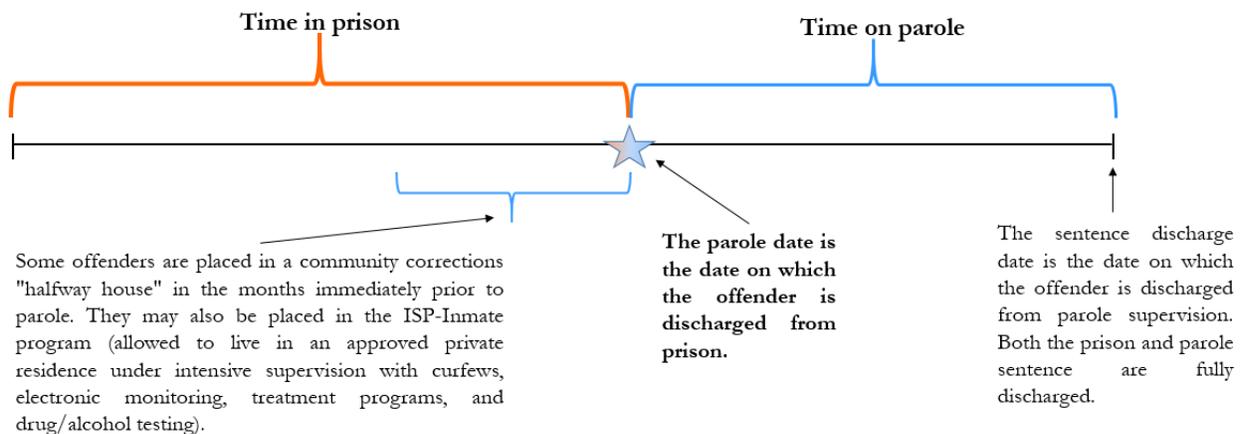
⁵ <https://www.colorado.gov/pacific/cdoc/adult-parole>

Community corrections is funded through the Department of Public Safety, Division of Criminal Justice. Funding for community corrections is primarily General Fund. There are 32 residential facilities throughout the state comprising approximately 4,000 beds. Of the 32 facilities, 10 are located in Denver, 3 each are located in the 17th and 18th judicial districts, and 2 each are located in the 20th, 1st, and 4th judicial districts. There are residential, non-residential and specialized beds. The first briefing issue in the December 20, 2017 JBC staff briefing on the Division of Criminal Justice within the Department of Public Safety provides a detailed overview of community corrections.

SENTENCING AND EARNED TIME OVERVIEW

SENTENCING OVERVIEW

Offenders sent to the Colorado Department of Corrections are sentenced to a period of imprisonment and to a period of parole. For example, an offender who committed a class 4 felony might be sentenced to 5 years of imprisonment followed by 3 years of parole. The court has some discretion regarding the length of the prison term but the parole period is mandatory (set in statute) and depends on the felony classification.

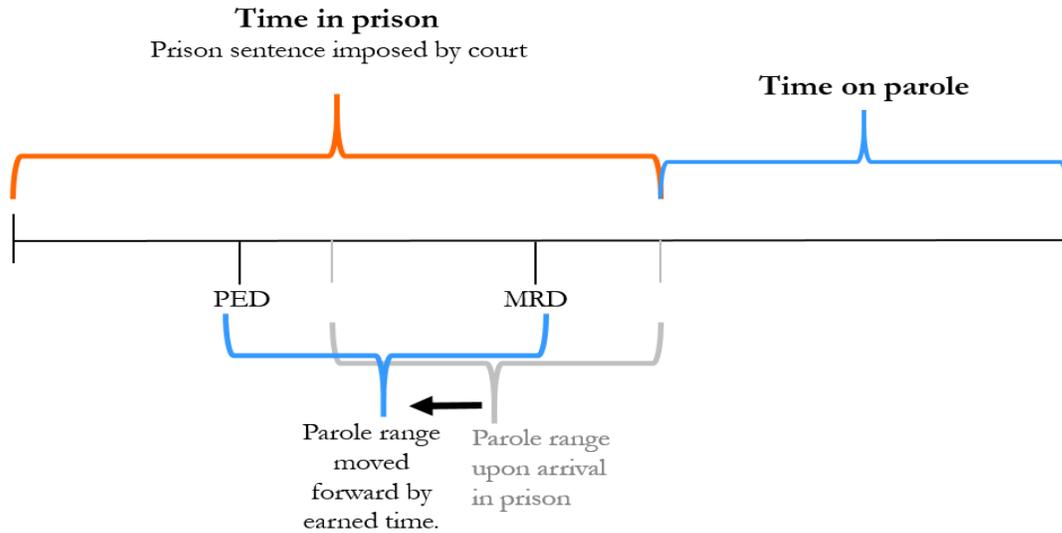


EARNED TIME

Offenders with good behavior (i.e. obey prison rules), and comply with their assigned programs, are awarded "earned time," which moves the parole range forward by the amount of earned time. Offenders who committed class 4, 5, or 6 felonies receive 12 days of earned time per month. Offenders who committed class 2 and 3 felonies receive 10 days of earned time per month. Maximum allowable earned time (regular earned time plus achievement earned time) per incarceration is 120 days. The Parole Board must parole the offender when reaches their mandatory release date as adjusted for earned time. The Parole Board may parole the offender as early as their parole eligibility date, as adjusted for earned time. With a few exceptions, earned time, can at most, move the parole eligibility date and mandatory release date forward by 30.0 percent of the sentence pursuant to Section 17-22.5-405 (4), C.R.S. Earned time can also be accumulated while in community corrections or while on "Intensive Supervision Parole-Inmate" status.

Achievement Earned Time

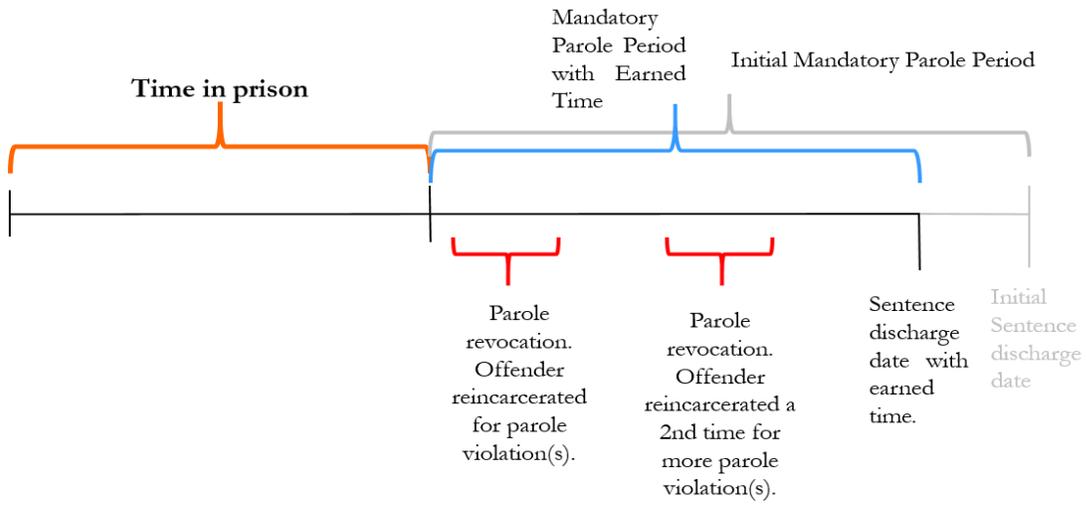
The Department can award up to 60 days of "achievement earned time" to offenders who are incarcerated or on parole who successfully complete a milestone or phase of an educational, vocational, therapeutic, or reentry program. Achievement time can also be awarded for offenders who, through exceptional conduct, promote the safety of correctional staff, volunteers, contractors, or other persons at the DOC.



PAROLE EARNED TIME AND PAROLE VIOLATIONS

Most parolees can receive earned time by complying with their conditions of parole. Earned time awards equal 10 days per month for class 2 and 3 felonies and 12 days per month for class 4, 5 and 6 felonies. The sentence discharge date moves forward as the earned time accumulates. Two types of offenders can receive earned time while on parole: (1) offenders who committed non-violent crimes after June 1992 and (2) offenders who committed violent crimes after June 1992 and were paroled after 2009.

If a parolee violates his conditions of parole, either by committing a technical violation or a new crime, their parole may be revoked by the Parole Board, resulting in reincarceration. An offender can be reincarcerated more than once while on parole. The offender keeps progressing toward their sentence discharge date while reincarcerated. When the offender reaches his sentence discharge date, as moved left by earned time, they are discharged. In some cases, offenders may reach this discharge date while reincarcerated for a parole violation. If this occurs, the offender is released from reincarceration on this date.



ISSUE #2 PRISON UTILIZATION AND R2 PRISON CAPACITY

The recent prison population dropped from a high of 20,144 in July 2017 to 19,718 on November 30, 2017. The population is projected to raise by up to 244 offenders by the end of FY 2017-18. The population is projected to increase beyond current system capacity by the end of FY 2018-19. Based on the projections, the prison population will grow between 700 to 1,200 offenders in FY 2018-19. Currently the Centennial South Correctional Facility is vacant. The 2016 Prison Utilization Study Update recommended structural changes to three facilities to increase the capacity of the State to house offenders.

SUMMARY

- The recent prison population dropped from a high of 20,144 offenders in July 2017 to 19,718 offenders on November 30, 2017. The recommended bed vacancy rate is 2.0 percent. The bed vacancy rate in July 2017 was 0.9 percent. The November 2017 bed vacancy rate was 3.0 percent.
- The prison population is projected to grow slightly through the end of FY 2017-18. Legislative Council projects the population to be 19,962 at the end of FY 2017-18 (an increase of 244 offenders from the November 2017 level). The Division of Criminal Justice projects the population to be 19,786 at the end of FY 2017-18 (an increase of 68 offenders).
- Legislative Council projects the FY 2018-19 population to grow by 751 offenders. The Division of Criminal Justice projects the FY 2018-19 population to grow by 1,114 offenders. Both projections indicate the population will grow beyond current system capacity.
- The Committee approved an interim supplement to add 250 beds by leasing a private prison. The Department has not yet signed a lease with the private prison.
- The Committee received responses from private prison operators about their cost to reopen and operate a private prison in Colorado. It would cost private prison operators between \$67.00 per day and \$85.00 per day (\$12.3 million to \$15.5 million annually for 500 offenders) to reopen and operate a private prison in Colorado.
- The February 2016 Colorado Prison Utilization Study Update made four recommendations for how the Department could reconfigure/repurpose facilities to make use of Centennial South. If the recommendations are adopted, the State's bed capacity would increase by 820 beds.

RECOMMENDATION

Staff recommends the Committee sponsor legislation to remove the statutory prohibition on using Centennial South. Staff also recommends the Committee fund the capital construction costs associated with the recommendations of the February 2016 Prison Utilization Study Update.

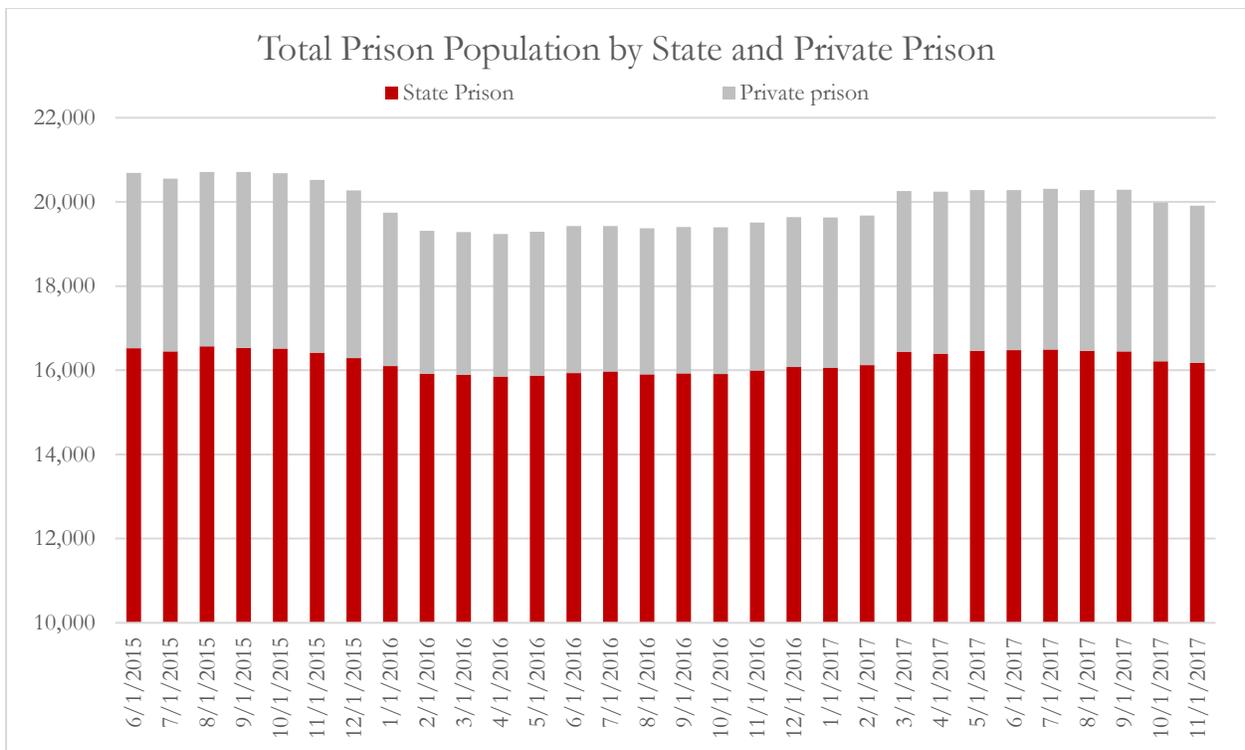
DISCUSSION

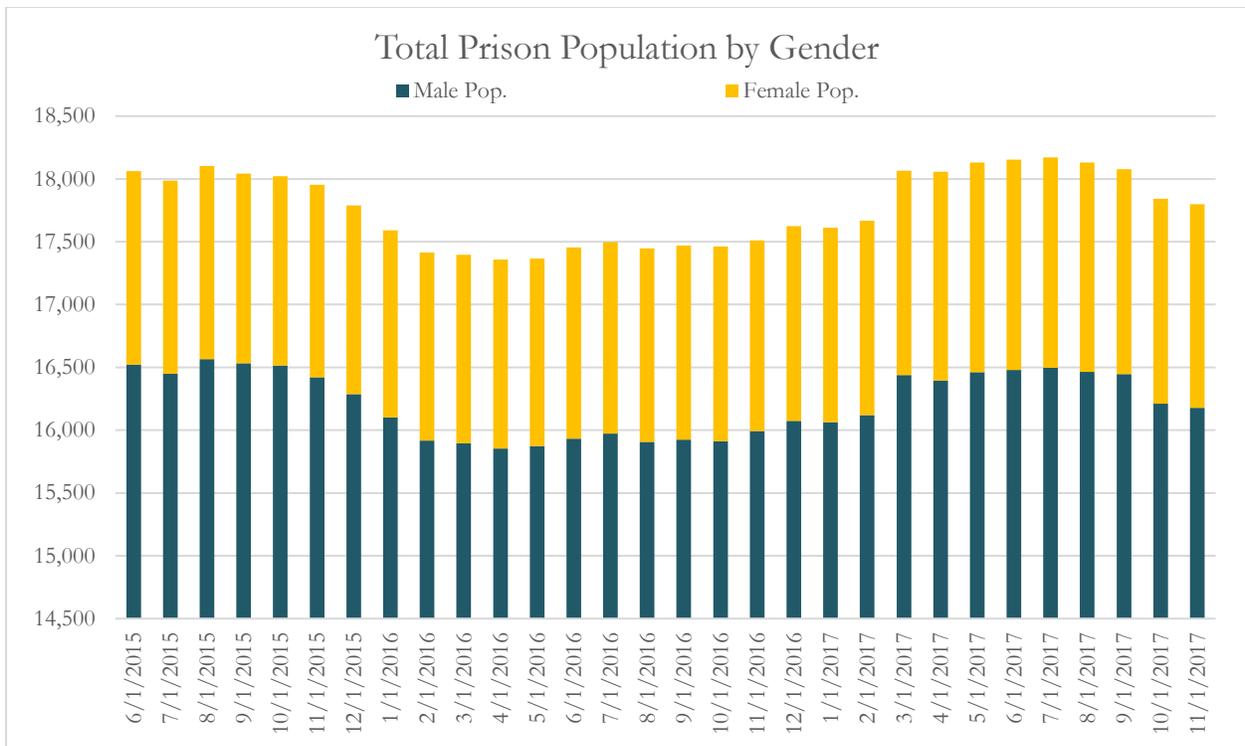
This issue will cover the following four topics:

- 1 A summary of the past 28 months of data on the number of offenders and vacancy rates;
- 2 An overview of the December 2017 DCJ and Legislative Council prison population forecasts;
- 3 A summary of the 2013 Prison Utilization Study; and
- 4 A summary of the recommendations made in the 2016 Prison Utilization Study Update.

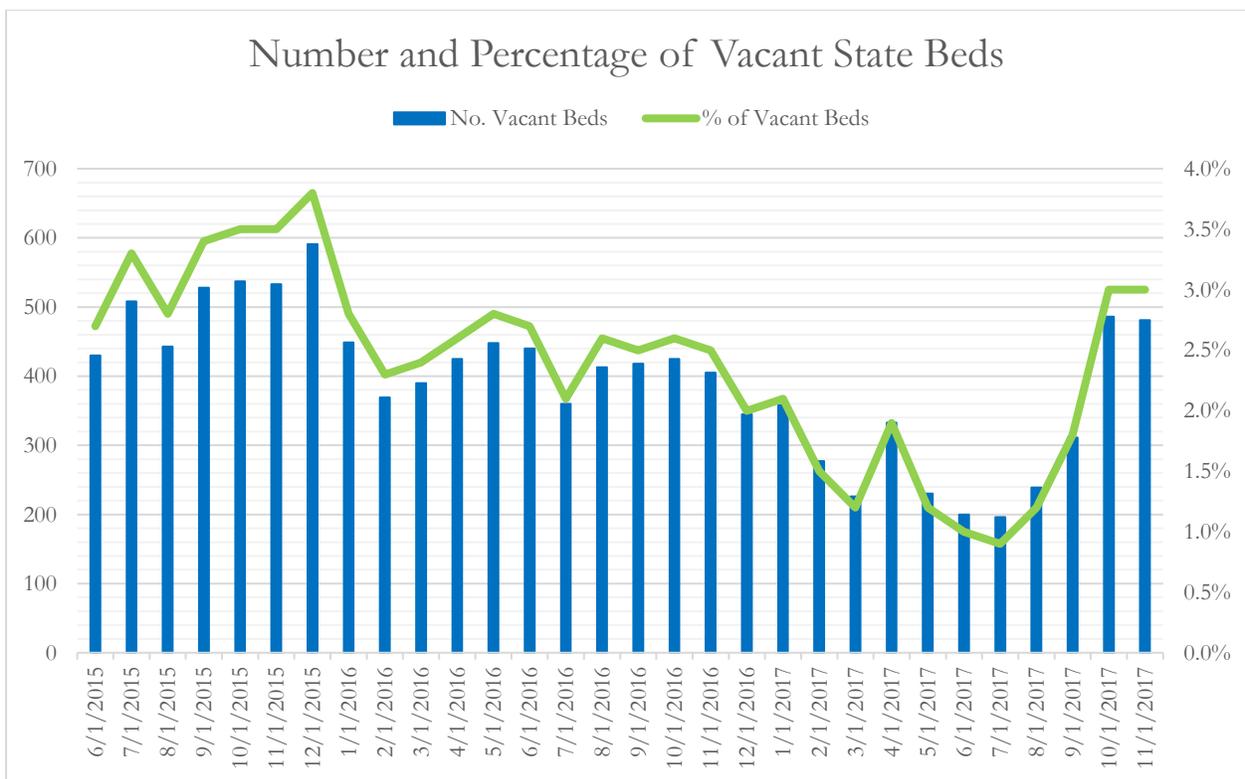
HISTORICAL DATA

This section focuses on recent actual prison data (June 2015 through November 2017). The purpose of this section is to provide the Committee with an understanding of where the prison population and bed vacancy numbers have been. This should help contextualize the magnitude of changes included in the next section's discussion of the population forecasts. The following two tables show the total number of offenders by type of prison (state or private prison) and by gender.

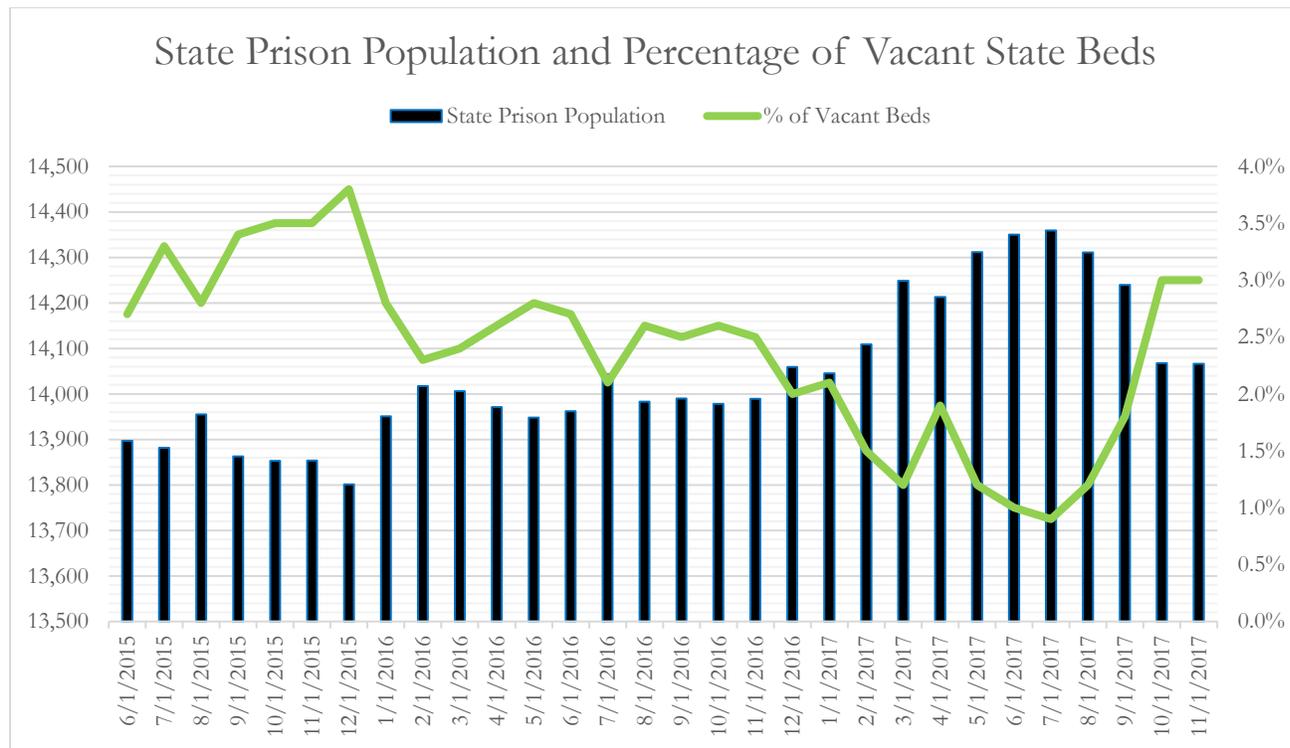




The following table shows the number and percentage of vacant state prison. The 2013 Prison Utilization Study recommended a 2.0 percent vacant rate. The July 2017 bed vacancy percent was 0.9 percent. As of November 30, 2017, there were 481 vacant beds, a 3.0 percent vacancy rate.



The following graph shows the relationship between the state prison population (i.e. offenders in state-run prison) and the bed vacancy rate.



DECEMBER 2017 PRISON POPULATION FORECASTS

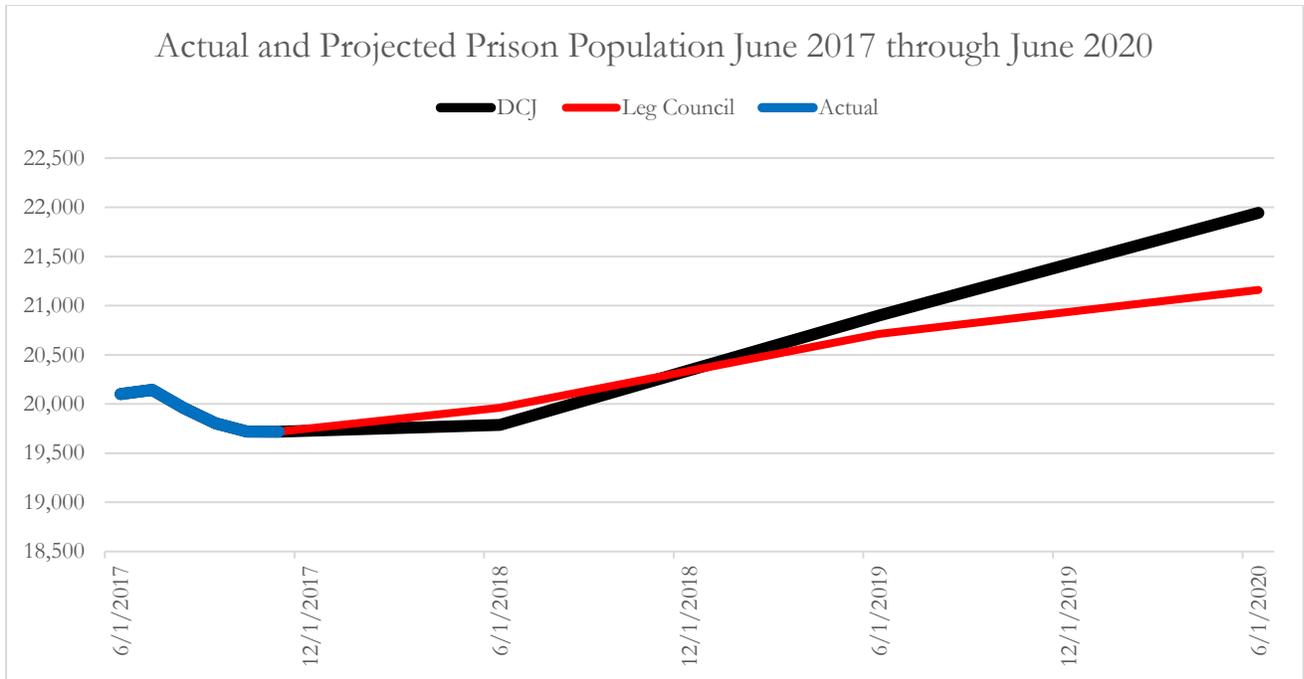
The following chart compares the Legislative Council and Division of Criminal Justice December 2017 prison population forecasts.

FY 2017-18 Prison Population Forecast

In both forecasts, the prison population is projected to grow slightly through the end of FY 2017-18. Legislative Council projects the population to be 19,962 at the end of FY 2017-18 (an increase of 244 offenders from November 2017). The Division of Criminal Justice projects the population to be 19,786 at the end of FY 2017-18 (an increase of 68 offenders).

FY 2018-19 Prison Population Forecast

Both forecasts project a large growth in the prison population in FY 2018-19. Legislative Council projects the FY 2018-19 population to grow by 751 offenders. The Division of Criminal Justice projects the FY 2018-19 population to grow by 1,114 offenders. Both projections indicate the population will grow beyond current system capacity.



2013 COLORADO PRISON UTILIZATION STUDY

House Bill 12-1336 required the Office of State Planning and Budgeting to contract for a prison utilization study “that identifies the most appropriate and cost-effective uses of the available public and private inmate beds that house the Department of Corrections’ jurisdictional population. The analysis shall consider different possible scenarios of population growth or decline and changes in the composition of the inmate population and including level of risk, length of sentence, and associated programmatic needs.” The 2013 Prison Utilization Study categorized the state prisons into three tiers based on their functional value to the correctional system⁶. Appendix F includes a description of each tier and the explanation of the tier placement of facilities.

Tier 1	Tier 2	Tier 3
Denver Reception	Sterling	Cheyenne Mountain ReEntry Center
Denver Women’s	Centennial North	Rifle
San Carlos	Limon	Four Mile
Colorado State Penitentiary	Arkansas Valley	Skyline
Colorado Territorial Correctional Facility	<i>Bent County</i>	Colorado Correctional Center (Camp George West)
	Buena Vista	Youthful Offender System
	<i>Crowley County</i>	Kit Carson
	Fremont	
	La Vista	
	Arrowhead	
	Trinidad	
	Delta	

*Prisons in italics are privately run.

⁶ Colorado Prison Utilization Study. Becker, Karl, et. All. June 2013. Pages 2 and 3.

RECOMMENDATIONS IN THE 2016 PRISON UTILIZATION STUDY UPDATE

Other than the closure of the privately run Kit Carson facility, no action has been taken to close or repurpose any of the remaining prisons in recent years. The 2013 Prison Utilization Study noted that the vacant Centennial Correctional Facility South “has left the State with significant ongoing expenditures to pay for its construction without any operational benefit. The potential for a sale or lease of the facility to another jurisdiction is quite limited due to the location of the facility in the middle of a state correctional complex shared with another facility (Centennial North).” The study noted that Centennial South “could be beneficial to the Department if a specific, cost-effective mission for the facility could be identified.”⁷ The potential beneficial use of Centennial South spurred the February 2016 Colorado Prison Utilization Study Update that made the following recommendations for how the Department could reconfigure/repurpose facilities to make use of Centennial South.

- 1 Move central reception and diagnostic review of all intakes into DOC from the Denver Reception and Diagnostic Center (DRDC) to Centennial South. Support of this function will require 442 beds.
- 2 Establish a centralized re-entry program at CCF South that will provide transitional preparation and support for inmates from throughout the prison system who are approaching the end of their terms of incarceration. This program will require 506 beds and result in full utilization of CCF South.
- 3 Designate Centennial Correctional Facility North (CCF North or Centennial North) as the central transportation unit hub and support facility for CCF South. The transportation unit will require 192 beds, or four housing units, at CCF North. Establishing an inmate worker cadre to perform facility support functions at both CCF South and North will require 144 beds, making full use of available capacity at the facility.
- 4 Relocate the residential treatment program (RTP) from CCF North to DRDC. This program, which provides mental health treatment services to inmates diverted from administrative segregation, will require three housing units at DRDC, providing 340 beds.
- 5 Centralize housing for inmates with long-term care needs at DRDC. These inmates, who have physical, cognitive, and medical conditions that require special care, will have 238 beds at the facility designated for their housing and care.⁸

The report noted the recommendations accomplish three department objectives: “(1) provides a strategy to make effective use of Centennial South. (2) Centralizes and improves services to inmates with long-term care needs, medical issues, and ongoing mental health treatment in a facility that is both well-designed to manage these inmates and located in a metropolitan area that can support the facility’s clinical staff and service needs. (3) Creates a central re-entry program to address the needs of inmates as they prepare to transition back into the community.”⁹ Overall, the recommended changes would increase the state prison bed count by 820.

⁷ Becker, K., McGinnis, K., Austin, J., & Fisher, M., *Colorado Prison Utilization Study*, CNA, June 2013, p. 137.

⁸ CGL. Colorado Prison Utilization Study Update. February 2016. Page 1.

⁹ CGL. Colorado Prison Utilization Study Update. February 2016. Page 3.

FACILITY	CURRENT	PROPOSED	CHANGE
DRDC	572	552	(20)
Centennial South	0	948	948
CCF North	320	336	16
CTCF – Central Transportation Unit	124	0	(124)
La Vista Correctional Facility – Southern Transportation Unit (Males)	30	0	(30)
La Vista Correctional Facility (Females)	560	590	30
Total Capacity Change			820

The 2016 Prison Utilization Study Update included the following pros and cons of the repurposing existing facilities.

Pros

- Full utilization of CCF South, a new state-of-the-art correctional facility that has stood vacant for the past four years.
- Assignment of housing and programs for offenders with special medical and mental health treatment needs to the facility that has the most resources available to provide effective services. The DRDC's infirmary, ample medical treatment resources, and access to mental health treatment resources in the Denver metropolitan area make it the optimal choice to house these populations.
- Addition of 820 beds to correctional system capacity. The additional capacity provides a means to potentially reduce the DOC's private prison contracts by shifting inmates back to available state facility beds and provides needed flexibility in managing overall system capacity.
- Establishment of a centralized point for re-entry programming for soon-to-be released offenders. Standardizing and upgrading re-entry services for all inmates exiting the correctional system have been long-term goals for the DOC and an important component of strategies to reduce offender recidivism.

Cons

- Significant capital costs required to modify current facilities to meet new operational and program responsibilities. None of the facilities were designed to support the functions proposed by the DOC, and therefore will require physical plant modifications to support their new responsibilities.
- Significant increased annual operating costs.
- Moving reception away from the DRDC, a facility specifically designed to manage intake processing in a highly efficient and effective manner. DRDC has an optimal design and location for processing new admissions into the state prison system. While the facility can be effectively repurposed to serve other functions, its effectiveness and efficiency as an intake and diagnostic center is outstanding.
- Significantly increasing the distance to prison system intake for northern Colorado counties. Locating central intake at CCF South will substantially increase transportation responsibilities for the DOC, as inmates from northern Colorado counties will probably continue to drop off new inmates at DRDC, which will then have to develop a staging process to very quickly move these offenders to CCF South. Approximately 65 percent of the DOC's annual intake comes from northern and central Colorado counties. The required logistics increase the complexity and expense of the inmate transportation system.

In response to staff questions, the Department indicated they would support funding to implement the 2016 Prison Utilization Study Update recommendations. The Department provided updated cost estimates and a timeline in which those changes could be made. The following table summarizes the cost estimates and timeline.

INFLATION ADJUSTED ESTIMATE TO IMPLEMENT PRISON UTILIZATION STUDY 2.0 RECOMMENDATIONS		
	INITIAL ESTIMATE FY14 15	INFLATED ESTIMATE FY19 20*
Capital Construction Costs		
Centennial Correction Facility - South (CCF-S)	\$2,800,705	\$3,170,398
Centennial Correction Facility - North (CCF-N)	3,157,273	3,574,033
Denver Reception & Diagnostic Center (DRDC)	3,314,101	3,751,562
<i>Subtotal</i>	<i>\$9,272,079</i>	<i>\$10,495,993</i>
Startup Expense		
Software **	\$240,320	\$240,320
Data and Communications Equipment	128,380	128,380
IT Technical Staff Support	200,000	200,000
CO Uniforms	33,626	38,065
Misc. Equipment/Commodities	43,864	49,654
Staff Relocation	60,000	60,000
Re-Entry Program Materials	39,001	44,149
<i>Subtotal</i>	<i>\$745,191</i>	<i>\$760,568</i>
Annual Operating Costs		
Personal Services	\$14,548,294	\$14,754,730
Office of Information Technology	146,934	166,329
Support Costs	3,727,508	3,913,883
<i>Subtotal</i>	<i>\$18,422,736</i>	<i>\$18,834,943</i>

If funding is approved to begin July 1, 2018, the first year will be contract and selection, design, bidding, and contract award. Construction and updates could start in approximately May 2019 through June 2020 (Centennial South improvements May through August 2019; Denver Reception and Diagnostic Center renovation October 2019 through February 2020; Centennial North American with Disabilities Act (ADA) improvements May through June 2020. Staffing hiring could begin in spring 2019. The Department identified three possible issues if the recommended changes are made:

- Logistical challenges to arrange transportation and processing for intakes and releases for the northern counties within the State.
- Human resources challenges related to relocating the 38 diagnostic positions from Denver Reception and Diagnostic Center to Centennial South.
- There will be challenges recruiting and retaining the thirty additional clinical positions allocated for Centennial South for the diagnostic process

R2 PRISON CAPACITY

The Department has requested a \$19.4 million General Fund placeholder for prison capacity costs (Department request R2). The Department will submit a January 15, 2018 caseload budget amendment with additional details of what comprises the \$19.4 million General Fund. The placeholder includes \$248,443 for 18 new private prison beds from July 2018 to February 2019. These beds will be needed because 18 beds at the Buena Vista Correctional Facility will be taken off-line for a controlled maintenance project.

THINGS TO CONSIDER

The work and recommendations have been made for structural changes to the system what would utilize existing facilities while also making improvements to reentry services. In order to inform supplemental and figure setting decisions, staff recommends the Committee consider the following points:

- Is leasing a private prison and staffing with state employees, a long-term solution? If the caseload forecasts hold true, this option will not generate enough new beds.
- The prison population is forecasted to increase significantly in FY 2018-19 and FY 2019-20.
- Incarceration in a prison is not the start of the correctional process, but the midpoint. Housing offenders sentenced to prison is not optional.
- The General Assembly has invested significant resources to construct Centennial South.
- Would a large-scale system change encourage better reentry services?

ISSUE #3 CORRECTIONAL OFFICER STEP PLANS AND R1 STAFF RETENTION

The Department has requested \$3,336,294 total funds, of which \$3,292,961 is General Fund for a 5.0 percent salary increase to employees within the Correctional Office I and II, Correctional Support Trades Supervisor I, Nurse I and III, and Mid-Level Provider classifications with two to seven years of service. The primary purpose of the Department's request is to improve staff retention, align with other law enforcement agencies, and provide a safe work environment within institutions. In place of the 5.0 percent increase, JBC staff proposes the General Assembly fund a step plan for Correctional Officers I, II and Correctional Support Trades Supervisor I in FY 2018-19.

SUMMARY

- The Department has requested \$3,336,294 total funds, of which \$3,292,961 is General Fund for a 5.0 percent salary increase for Correctional Office I and II, Correctional Support Trades Supervisor I, Nurse I and III, and Mid-Level Provider classifications with two to seven years of service. The Department's request is intended to improve staff retention.
- Combing the Department's request with the Governor's proposed changes to employee contributions to the Public Employees Retirement Association (PERA) reduces the proposed increases to 2.9 percent.
- An across the board increase does not address the issue that Department employees are not moving through the pay range and leaving the Department for better paying jobs. Funding a step plan for correctional officers would ensure movement through the pay range and align with how other law enforcement officers are paid.
- The cost of implementing the correctional officer step plan option 1 across all classifications discussed in this issue is \$25.2 million. The cost of implementing the correctional officer step plan option 2 across all classifications discussed in this issue is \$13.1 million.
- The Department of Human Services received funding in FY 2017-18 to increase salaries for nurses working at the Colorado Mental Health Institute - Pueblo. The Department of Corrections' request for compensation increases for nurses and mid-level providers is not structured the same as the funding approved for similarly classified employees working in the Department of Human Services.
- Based on the methodology used in the Department of Human Services' compensation request, it will cost \$8,841,356 General Fund to adjust salaries for nurses and mid-level providers in the Department of Corrections.

RECOMMENDATIONS

Staff recommends the Committee the sponsor legislation to eliminate the Department of Corrections personal services reversion transfers to the SERF and allow these funds to revert to the General Fund. This change would enable personal services reversions to pay for the following fiscal year step increases.

Staff recommends the adjustment to the nurse I, II, and III classifications, as well as the mid-level provider classification, be adjusted using the same methodology that is approved for the Department of Human Services R1 request.

Staff recommends the Committee discuss with the Department during the hearing the logics of implementing of a step plan for Correctional Officer I, II, and Correctional Support Trades Supervisor I in FY 2018-19. Staff also recommends the Department discuss what other classifications in future years should be included in a step plan.

DISCUSSION

This issue will cover the following topics:

- Summary of the Department's R1 Staff Retention request and staff concerns with the request.
- Overview of the JBC staff proposed step plan.
- Summary of the implementation process for the step plan for the Correctional Officer I, Correctional Officer II, and Correctional Support Trade Supervisor I classifications.
- Discussion of the compensation adjustments approved for the Department of Human Services nurses and mid-level providers.

DEPARTMENT R1 STAFF RETENTION

The Department is requesting \$3,336,294 total funds, of which \$3,292,961 is General Fund for 5.0 percent salary increase to eligible employees in six classifications. The eligible employees must have between two and seven years of services with the Department. The classifications identified in this request and associated annual increase are:

- 1 Correctional Officer I - \$2,100 annual increase
- 2 Correctional Officer II - \$2,352 annual increase
- 3 Correctional Support Trades Supervisor - \$2,328 annual increase
- 4 Nurse I - \$3,216 annual increase
- 5 Nurse III - \$3,684 annual increase
- 6 Mid-Level Provider - \$4,512 annual increase.

The request indicates the majority of employees in these classifications are in the lowest pay range quartile. The reason for this is due to the elimination of the step plans in the early 2000s because of General Fund constraints. The lack of salary progression, work life balance (mandatory overtime) due to requirements to maintain minimum staffing patterns to ensure appropriate public safety, compounded by a competitive job market have contributed to high turnover in these classifications. The staff within these classifications comprise 59.4 percent of the Department's FTE, but account for 69.9 percent of the turnover.

JBC STAFF CONCERNS WITH R1

One-Time Increase Does Not Provide Long-term Incentives

JBC staff is not convinced a 5.0 percent one-time increase for these classifications would improve long-term retention because a 5.0 percent increase does not address the underlying issue about the lack of progression through the pay range. Employees within the Correctional Officer I and II classifications can easily move to county sheriff departments or local police departments after a couple of years with the Department and start out at a substantially higher salary. This request does not provide a continuous incentive for employees to stay with the Department for more than an additional

year. Additionally, historical across the board salary increases have not improved the Department's ability to retain staff.

Inequity between Departments for Similarly Classified Employees

The Department of Human Services requested and received \$2,853,305 General Fund in a FY 2017-18 September interim request for salary increases for registered nurses (Nurse I, II, and III) who worked at the Colorado Mental Health Institute – Pueblo (CMHIP). The Department of Human Services has requested for FY 2018-19 the continuation of these increases (\$8,901,740 General Fund). The Department of Human Services increases are structured as follows:

- Newly hired CMHIP staff in the Nurse I, II, and III classifications are paid a starting salary that equals the midpoint of the corresponding State pay ranges for FY 2017-18. The FY 2017-18 funding assumes that half of the current vacancies will be filled for four months in FY 2017-18; projections for ongoing costs in FY 2018-19 assume all vacancies will be filled for the full fiscal year.
- Effective October 1, 2017, increase salaries for existing staff in the Nurse I, II, and III classifications to at least the midpoint of the corresponding State pay range for FY 2017-18. Salary increases will be limited to employees who are performing satisfactorily (based on a rating of 2 or 3 on the most recent performance evaluations). Existing employee's salaries will be increased above this midpoint based on the number of years employed by the State.¹⁰

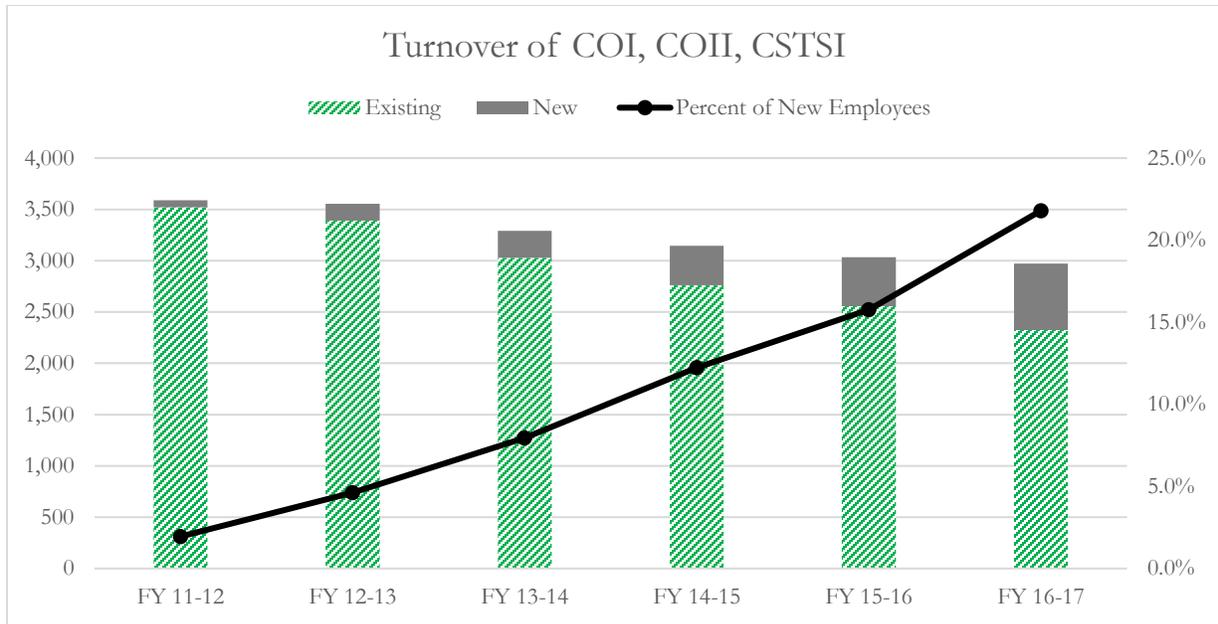
Using the Department of Human Services' methodology for salary adjustments for the Nurse I, Nurse II, Nurse III, and Mid-level Providers at the Department of Corrections, would cost \$8,841,356 General Fund. The cost includes current vacant positions at range midpoint, uses years of service in the current classification, and places current staff along the compression pay table used for the funding approved for the Department of Human Services.

Nurses and mid-level providers who are working in Department of Corrections' facilities, especially San Carlos, are on the same campus as the Department of Human Services nurses who are receiving these raises. It is unclear to staff why nurses who are doing similar job functions in institutional facilities should be treated differently. Therefore, staff recommends the Committee apply the same compensation methodology to the Department of Corrections nurses and mid-level providers that is provided to similarly classified staff in the Department of Human Services.

STEP PLAN

The Department had a step plan prior to FY 2001-02. The step plan was eliminated because of the economic downturn requiring General Fund reductions. There is a tipping point where the mental and physical demands of working as a correctional officer outweigh the pay and benefit incentives the State can offer. Based on the turnover rates, the Department is close to this point. The following table shows, for the four correctional officer classifications, how turnover has increased since FY 2011-12 despite periodic funding for salary survey and merit pay.

¹⁰ Kampman, Carolyn. Department of Human Services, September 20, 2017 interim supplemental JBC Staff recommendation. Pages 22 and 23.



Many law enforcement agencies, including county sheriffs and local police departments, use a step plan for officer pay. Step plans are used to minimize officer turnover and maintain officer morale. The current relationship between the public and law enforcement, as well the demands and expectations placed on law enforcement officers is evolving and challenging. High staff turnover leads to:

- Increased overtime costs to cover shifts while new officers are in training;
- High costs to train and equip new officers;
- Decreased work life balance due to forced overtime and limited time off; and
- Unsafe conditions within the prisons¹¹.

Ensuring that the Department is able to maintain, and even reduce, officer turnover would lead to future cost avoidances. Additionally, incentivizing officers to stay within the Department and promote through the ranks ensures there are officers able and willing to take over leadership positions as the current leadership retires. There can be any number of steps to a step plan. The JBC staff proposed step plan is broken out into ten steps based on the structure of county sheriff's step plans, PERA vestment timelines, and state annual leave amounts. The steps at each classification discussed in this issue follow the same principles:

- 1 Largest increases are provided in step years one through six.
- 2 Minimal increases are provided in step years seven through nine.
- 3 A larger increase is provided in step year ten.

State employees become vested in their retirement benefits through PERA after five years, which can incentivize employees to stay at the Department through at least five years. The Department has found that if an employee stays for at least seven years, they are more likely to complete their tenure with the Department. Therefore, the proposed plan provides larger steps through step year six (steps start after

¹¹ Staff shortages were noted as a contributor in the February 2017 Delaware prison riot that claimed the life of one employee and the October 2017 North Carolina prison escape attempt that claimed the lives of four employees.

the first year of service). In order to keep staff past the seventh year of service, the plan includes a larger increase in step year ten to provide employees with an incentive to stay. Annual leave and sick leave allowances increase in service years eleven and sixteen. The following table summarizes the steps by correctional officer classifications.

STEP PLAN STEPS							
STEP	PERCENT INCREASE	CORRECTIONAL OFFICER I		CORRECTIONAL OFFICER II		CORRECTIONAL SUPPORT TRADES SUPERVISOR 1	
		MONTHLY	ANNUAL	MONTHLY	ANNUAL	MONTHLY	ANNUAL
Base		\$3,448	\$41,376	\$4,031	\$41,376	\$4,031	\$41,376
1	5.0%	3,620	43,440	4,233	50,796	4,233	50,796
2	4.8%	3,794	45,528	4,436	53,232	4,436	53,232
3	4.4%	3,961	47,532	4,631	55,572	4,631	55,572
4	3.8%	4,112	49,344	4,807	57,684	4,807	57,684
5	3.4%	4,252	51,024	4,970	59,640	4,970	59,640
6	3.0%	4,380	52,560	5,119	61,428	5,119	61,428
7	1.5%	4,446	53,352	5,196	62,352	5,196	62,352
8	1.5%	4,513	54,156	5,274	63,288	5,274	63,288
9	1.5%	4,581	54,972	5,353	64,236	5,353	64,236
10	5.0%	4,810	57,720	5,621	67,452	5,621	67,452

Similar to how the Department of Human Services implemented the pay increases for nurses, employees would need to have a rating of 2 or 3 on the most recent performance evaluation to be eligible to progress to the next step. The final detail to the step plan is how to ensure that new employees are not paid above current employees with more experience. The proposed plan has the following two components to address new and current staff.

COMPONENT 1

The step plan as shown in the above table would apply to all staff hired starting July 1, 2017 and going forward. This would affect the new staff approved through the September 2017 interim supplemental. Staff in this category would move through the steps and, if they do not promote to a higher classification, would max out after step year ten.

COMPONENT 2

For all existing staff (hire on or before June 30, 2017), there would need to be salary adjustments to ensure new employees are not paid above current employees. This component has at least two options for how to implement. Implementing a step plan without moving existing staff to steps would create inequities and could lead to a higher turnover rate. See slide 19 for a graphical illustration of how option 1 and option 2 work. The following table summarizes the total cost to implement the step plan.

STEP PLAN TOTAL COST	
Correctional Officer I	
Option 1	\$14,918,537
Option 2	\$8,075,582
Correctional Officer II	
Option 1	\$5,130,186
Option 2	\$2,113,199
Correctional Support Trades Supervisor	
Option 1	\$5,129,237
Option 2	\$2,882,137
Total Cost	
Option 1	\$25,177,959
Option 2	\$13,070,918

Option 1 – All In

Option 1 would jump all employees within each of the classifications to the step equaling their years of service. JBC staff recommends the step plan be funded at the option 1 level because it eliminates any future compression issues and ensures all employees within these classifications are treated equally.

Option 2 – Double Step Jumps

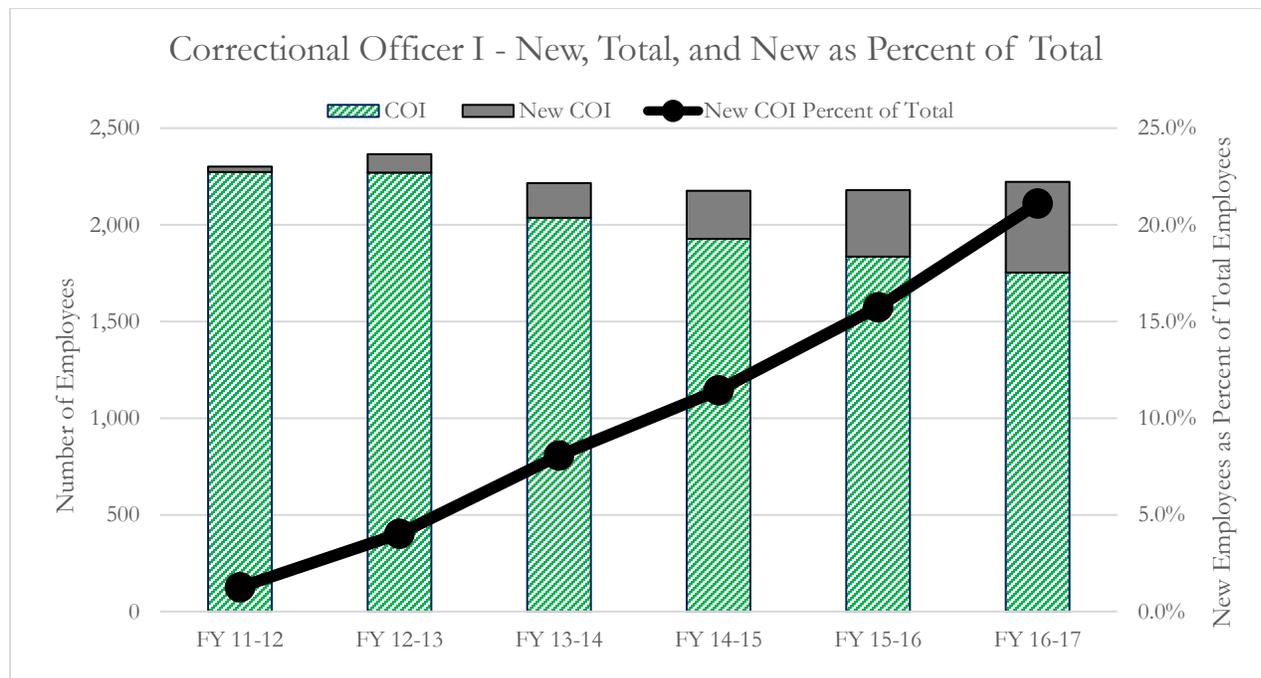
This option would group two years of employees together for each jump. The issue with this option is that it could create issues with staff hired in the first year being paid the same as those in the second year (i.e. an employee is hired in July 2015 would be moved to the same step as an employee hired June 2017). Based on the current compensation data there is little (as little as \$30 per month) difference in the average salary of employees hired in one fiscal year compared to the next.

SUMMARY OF IMPLEMENTATION - CORRECTIONAL OFFICER I

The minimum requirements to be a Correctional Officers I is a high school diploma or General Education Diploma. Correctional Officer Is maintain public safety and security of facility and work sites through various housing and security duties. Appendix F includes additional details on the duties of a Correctional Officer I.

CORRECTIONAL OFFICER I TURNOVER

The following graphic shows the turnover percentage for Correctional Officer Is over the past five years. Part of the reason for the increased turnover is once the officer obtains two or more years of experience, they leave for a county deputy sheriff position with better pay and benefits.



PROPOSE CORRECTIONAL OFFICER I STEP PLAN

The following table summarizes the monthly and annual changes for an employee within the Correctional Office I classification.

COI STEP PLAN			
STEP	PERCENT INCREASE	MONTHLY SALARY	ANNUAL SALARY
Base		\$3,448	\$41,376
1	5.0%	3,620	43,440
2	4.8%	3,794	45,528
3	4.4%	3,961	47,532
4	3.8%	4,112	49,344
5	3.4%	4,252	51,024
6	3.0%	4,380	52,560
7	1.5%	4,446	53,352
8	1.5%	4,513	54,156
9	1.5%	4,581	54,972
10	5.0%	4,810	57,720

The range for a Correctional Officer I is \$3,448 per month to a maximum of \$5,123 per month. As shown in the above table the steps do not move a Correctional Officer I to the range maximum. Salary data from the Department demonstrates that employees with more than ten years of experience are approximately \$1,000 per month below the range maximum.

ESTIMATED COST TO IMPLEMENT STEP PLAN FOR CORRECTIONAL OFFICER I

Based on the average salary of existing Correctional Officer Is, the following table summarizes the JBC staff estimated cost to move existing Correctional Officer Is to the step plan.

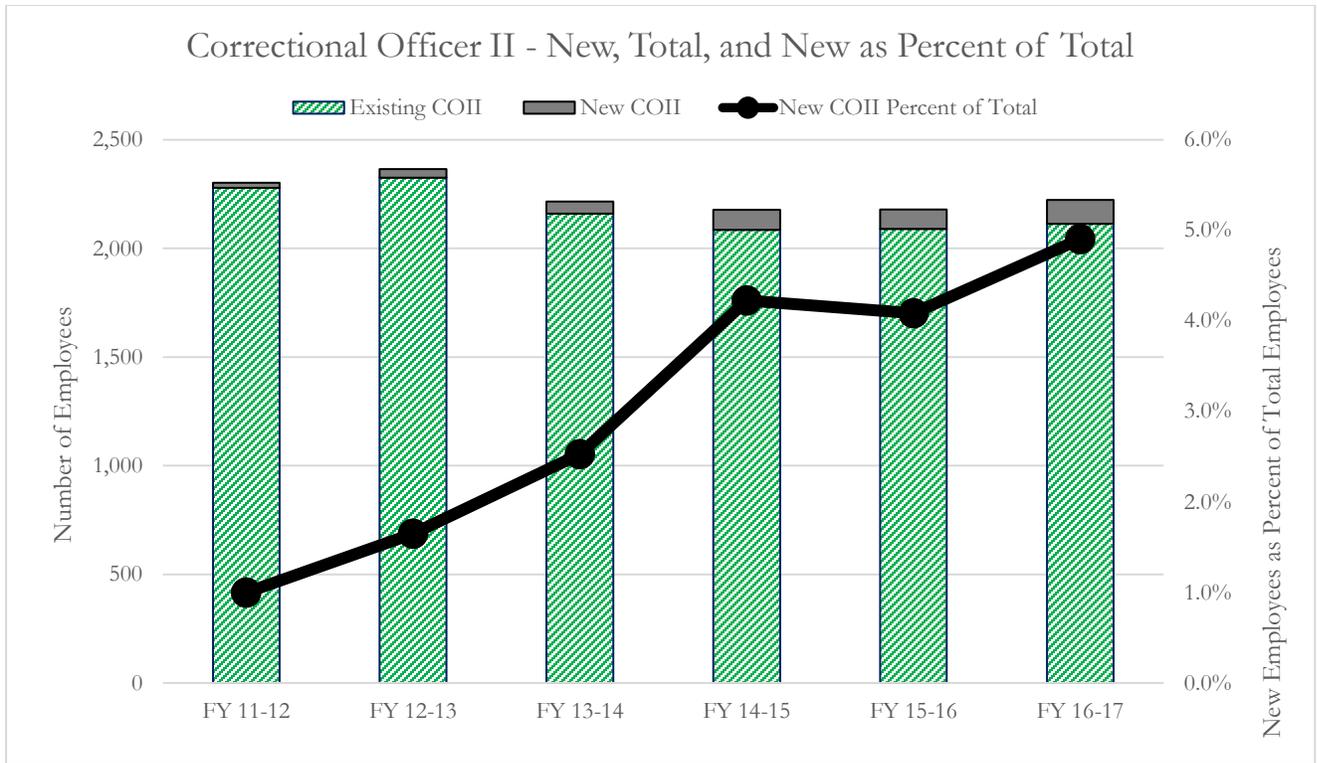
CORRECTIONAL OFFICER I STEP PLAN OPTION COSTS			
	SALARY	AED/SAED/STD	TOTAL COST
Option 1	\$13,385,856	\$1,532,681	\$14,918,537
Option 2	7,245,924	829,658	8,075,582

SUMMARY OF IMPLEMENTATION - CORRECTIONAL OFFICER II

The minimum requirements to be a Correctional Officers II is a high school diploma or General Education Diploma and two years of experience. Correctional Officer IIs are first line supervisors of Correctional Officer Is and hold the title of Sergeant. Appendix F includes additional details on the duties of a Correctional Officer II.

CORRECTIONAL OFFICER II TURNOVER

The following graphic shows the turnover percentage for Correctional Officer IIs over the past five years. Part of the reason for the turnover is lack of progression through the pay range at a rate similar to counterparts in other law enforcement agencies. This lack of progression means employees will leave for a county deputy sheriff position that can pay upwards of \$8,000 more per year.



PROPOSE CORRECTIONAL OFFICER II STEP PLAN

The following table summarizes the monthly and annual changes for an officer within the Correctional Officer II classification.

CORRECTIONAL OFFICER II STEP PLAN			
STEP	PERCENT INCREASE	MONTHLY SALARY	ANNUAL SALARY
Base		\$4,031	\$41,376
1	5.0%	4,233	50,796
2	4.8%	4,436	53,232
3	4.4%	4,631	55,572
4	3.8%	4,807	57,684
5	3.4%	4,970	59,640
6	3.0%	5,119	61,428
7	1.5%	5,196	62,352
8	1.5%	5,274	63,288
9	1.5%	5,353	64,236
10	5.0%	5,621	67,452

The range for a Correctional Officer II is \$3,800 per month to \$5,649 per month. As shown in the above table the steps do not move a Correctional Officer II to the range maximum. Salary data from the Department indicates that even with ten or more years of experience there is no Correctional Office II within \$500 per month of the range maximum. Salary data from the Department demonstrates that all Correctional Officer IIs make at least \$4,096 on average a month, therefore the step plan moves the base to the midpoint of the range. This is designed to ensure no new Correctional Officer II is paid less than a Correctional Office I and is paid similarly, to how other Correctional Officer IIs are paid.

ESTIMATED COST TO IMPLEMENT STEP PLAN FOR CORRECTIONAL OFFICER II

Based on the average salary of existing Correctional Officer IIs, the following table summarizes the JBC staff estimated cost to move existing Correctional Officer IIs to the step plan.

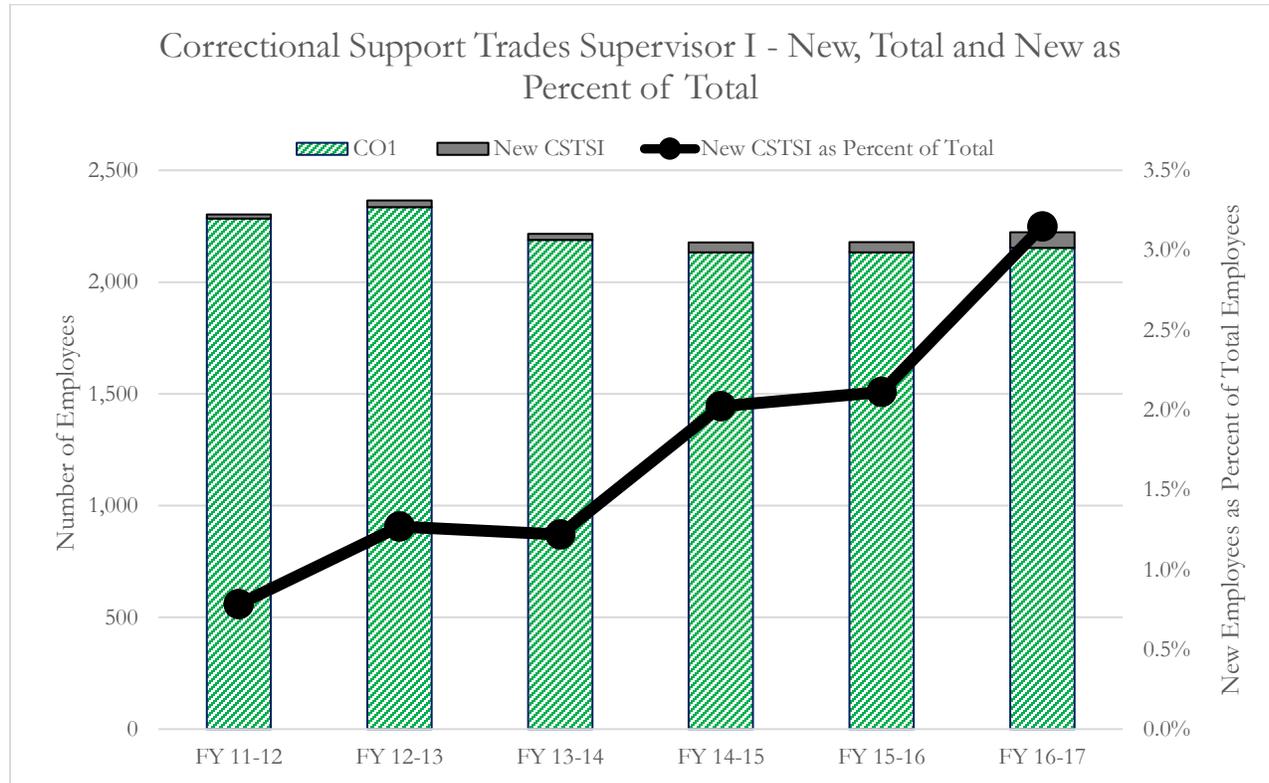
CORRECTIONAL OFFICER II STEP PLAN OPTION COSTS			
	SALARY	AED/SAED/STD	TOTAL COST
Option 1	\$4,603,128	\$527,058	\$5,130,186
Option 2	1,896,096	217,103	2,113,199

SUMMARY OF IMPLEMENTATION - CORRECTIONAL SUPPORT TRADES SUPERVISOR I

The minimum requirements to be a Correctional Support Trades Supervisor I is a high school diploma or General Education Diploma and four years of experience. The Correctional Support Trades Supervisor I (CSTS I) works in several different areas that are responsible for facility or industry operations, including Food Service, Laundry, Maintenance, Warehouse Operations, and Correctional Industries. They hold the title of Sergeant.

CORRECTIONAL SUPPORT TRADES SUPERVISOR I TURNOVER

The following graphic shows for the turnover percentage for Correctional Support Trades Supervisor Is over the past five years. Part of the reason for the turnover is lack of progression through the pay range at a rate similar to counterparts in other law enforcement agencies. This lack of progression means employees will leave for a county deputy sheriff position that can pay upwards of \$8,000 per year more.



PROPOSE CORRECTIONAL SUPPORT TRADES SUPERVISOR I STEP PLAN

The following table summarizes the monthly and annual changes for an employee within the Correctional Support Trades Supervision I classification.

CORRECTIONAL SUPPORT TRADES SUPERVISOR I STEP PLAN			
STEP	PERCENT INCREASE	MONTHLY SALARY	ANNUAL SALARY
Base		\$4,031	\$41,376
1	5.0%	4,233	50,796
2	4.8%	4,436	53,232
3	4.4%	4,631	55,572
4	3.8%	4,807	57,684
5	3.4%	4,970	59,640
6	3.0%	5,119	61,428
7	1.5%	5,196	62,352
8	1.5%	5,274	63,288
9	1.5%	5,353	64,236
10	5.0%	5,621	67,452

Since the Correctional Support Trades Supervisor I and Correctional Officer II are both considered sergeants, the pay ranges are the same. The range for a Correctional Support Trades Supervisor I is \$3,800 per month to a maximum of \$5,649 per month. As shown in the above table, the steps do not move a Correctional Support Trades Supervisor I to the range maximum. Salary data from the Department indicates that even with ten or more years of experience, Correctional Support Trades Supervisor Is are at least \$500 below the range maximum. In order to maintain equity between classifications and department ranks, the step plan moves the base to the midpoint of the range, same as the Correctional Officer II.

ESTIMATED COST TO IMPLEMENT STEP PLAN FOR CORRECTIONAL SUPPORT TRADES SUPERVISOR I

Based on the average salary of existing Correctional Support Trades Supervisor I, the following table summarizes the JBC staff estimated cost to move existing Correctional Officer Is to the step plan.

CORRECTIONAL SUPPORT TRADES SUPERVISOR I STEP PLAN COSTS			
	SALARY	AED/SAED/STD	TOTAL COST
Option 1	\$4,602,276	\$526,961	\$5,129,237
Option 2	2,586,036	296,101	2,882,137

FUTURE STEPS

Staff recommends the Department discuss at the hearing which classifications should be included in the step plan in future years. Staff at this time does not have enough information to determine whether or not having higher level correctional officers in a step would improve employee morale issues or retention issues.

ISSUE #4 HEPATITIS C TREATMENT (R3)

The Department has requested \$16.5 million General Fund to treat an additional 632 offenders infected with Hepatitis C. If this request is approved, the Department will have \$20,514,144 General Fund to treat 784 total offenders with Hepatitis C. The Department is being sued by the American Civil Liberties Union for failure to treat all offenders with Hepatitis C. The lawsuit seeks to obtain treatment for all offenders with Hepatitis C. There are currently thirteen other states that have been, or are being, sued for failure to treat offenders with Hepatitis C.

SUMMARY

- The Department was appropriated \$4.0 million General Fund to treat approximately 75 offenders with Hepatitis C in FY 2017-18. The Department has requested an additional \$16.5 million to treat an additional 632 offenders in FY 2018-19. If the Department's request is approved a total of \$20.5 million General Fund would be appropriated to treat approximately 784 offenders.
- Currently there are thirteen other states in addition to Colorado being sued for failure to treat offenders with Hepatitis C. The lawsuits are similar and seek to require the state to provide treatment to all offenders in prison with Hepatitis C.
- The 1974 Supreme Court decision in the *Estelle v. Gamble* affirmed offenders' entitlement to adequate medical care under the U.S. Constitution's Eight Amendment.
- The Department's cost for Hepatitis C treatment drugs is determined by the drug manufacturer contract, which does not include discounted prices or rebates due to the complicated negotiation process. The average cost for Hepatitis C treatment drugs is \$26,166 per offender.

RECOMMENDATION

This is an informational issue and there is no staff recommendation at this time.

DISCUSSION

This issue will cover the following topics:

- The Department's current and FY 2018-19 funding request for Hepatitis C treatment drugs;
- Similar lawsuits related to Hepatitis C treatment for offenders.
- What other states have done about Hepatitis C treatment and associated costs.

HISTORICAL AND CURRENT HEPATITIS C TREATMENT DRUGS

Hepatitis C is a virus transmitted by contact with the blood of an infected person, most commonly through intravenous drug use. It can also be transmitted through tattooing with shared equipment that is not sterilized. The Department tests inmates for Hepatitis C with a blood test when they arrive at the Denver Reception and Diagnostic Center. Offenders may decline to be tested, and if they do, they are strongly encouraged to participate. Currently there are 2,242 offenders infected with Hepatitis C.

From FY 2014-17 through FY 2016-17 the Department treated approximately 32 offenders per year for Hepatitis C at a cost of \$2.0 million General Fund. The Department would identify the sickest offenders and select them for treatment. In FY 2017-18 the appropriation for Hepatitis C treatment was increased to \$4.0 million General Fund. The expectation was that approximately 75 offenders per year would be treated for Hepatitis C.

THE DEPARTMENT'S FY 2018-19 R3 HEPATITIS C

The Department requests an increase of \$16,514,144 General Fund to treat an additional 632 offenders with Hepatitis C per year. The average treatment cost cited in the request is \$26,166 per offender. The Department's request cites the pending lawsuit filed against the Department by the American Civil Liberties Union. The lawsuit complaints states, "there is no medical justification for the CDOC's decision to withhold a life-saving cure from the thousands of prisoners living with chronic HCV. The inability of the Department to treat all offenders diagnosed with HCV is based on available funding." The request does not directly say that the request is a result of the lawsuit, but by referencing the lawsuit in the problem statement leads staff to connect the lawsuit with the reason for the request.

The Department uses a combination of three drugs to treatment offenders with Hepatitis C. The Department has a single line item appropriation for all drugs. The line item is titled Purchase of Pharmaceuticals and there is not a separate appropriation for Hepatitis C drugs. Federal regulations prohibit the use of Medicaid funds to pay for services rendered to individuals who are involuntarily confined to a public institution, including correctional facilities. However, there is an exception to the Medicaid funding prohibition when an inmate is admitted as an inpatient in a hospital for greater than 24 hours. Under that exception, Medicaid may pay for Medicaid covered hospital and physician services, drugs, and durable medical equipment rendered and provided during that qualifying inpatient stay¹².

OTHER STATES

In total thirteen states¹³ have lawsuits related to treatment for offenders with Hepatitis C. In 1976, the Supreme Court ruled in the *Estelle v. Gamble* case that all prisoners are entitled to adequate medical care. Subsequent federal rulings have established the requirement prisons provide health care in a manner that does not demonstrate "a deliberate indifference to serious medical need."¹⁴

The Florida Department of Corrections, like the Colorado Department of Corrections, is requesting funding to treat offenders with Hepatitis C. The Florida Department of Corrections was sued in May 2017 by the Florida Justice Institute for failure to provide Hepatitis C treatment to offenders. As of October 2017, the Florida Department of Corrections is requesting \$19.3 million to treat 500 offenders with Hepatitis C¹⁵. On November 17, 2017, U.S. District Court Judge Mark Walker required

¹² Department of Health Care Policy and Financing FY 2018-19 hearing response provided to the Joint Budget Committee on December 14, 2017.

¹³ Colorado, Missouri, Tennessee, Florida, Pennsylvania, Illinois, Virginia, Arizona, Minnesota, Iowa, California, Oregon, and Washington

¹⁴ "The Current State of Public and Private Prison Health Care." February 24, 2017.

https://publicpolicy.wharton.upenn.edu/live/news/1736-the-current-state-of-public-and-private-prison#_edn4

¹⁵ "Amid Ongoing Lawsuit, Florida's Prison Agency Asks for Millions to Treat Inmates with Hep C." Sascha Cordner. October 25, 2017. <http://news.wfsu.org/post/amid-ongoing-lawsuit-floridas-prison-agency-asks-millions-treat-inmates-hep-c>

the Florida Department of Corrections to begin immediate treatment of offenders with Hepatitis C¹⁶. The cost of treating all offenders in Florida prisons could range from \$200 million to \$700 million.

State prisons are omitted from many of the programs that allow federal prisons to receive discounted drugs. The negotiation process for lower prices is so complicated that only 16 states are working to receive discounts through that pathway. In the absence of help from these programs, many states are left to negotiate directly with the pharmaceutical companies, leading to wildly varying costs for the treatments.¹⁷ The Department purchases Hepatitis C drugs through the Minnesota Multistate Contracting Alliance for Pharmacy¹⁸. The following table summarizes for the two most recent fiscal years the level of treatment that has been provided by various states to offenders with Hepatitis C¹⁹.

TREATMENT OF OFFENDERS WITH HEPATITIS C				
	FY 2015-16		FY 2016-17	
	EST. NO. OF OFFENDERS	AVERAGE TREATMENT COST	EST. NO. OF OFFENDERS	AVERAGE TREATMENT COST
Arkansas	1,627	n/a	1,739	n/a
California	772	\$74,172	1,036	\$73,553
Colorado	33	\$60,088	45	\$52,075
Hawaii	19	\$64,000	19	\$64,000
Indiana	50	\$30,000	50	\$30,000
Iowa	16	\$26,733	20	\$54,455
Louisiana	29	n/a	37	\$31,802
Minnesota	27	\$57,624	35	\$54,803
Missouri	35	n/a	38	n/a
Nevada	6	\$93,799	21	\$46,625
New Hampshire	5	\$25,983	15	\$59,554
North Carolina	158	\$45,424	320	\$58,445
Oregon	197	\$51,416	n/a	n/a
South Dakota	5	\$76,727	9	\$64,489
Vermont	2	\$150,167	2	\$101,408
Virginia	139	\$47,911	138	\$43,226

¹⁶ “Florida let hepatitis C go untreated in prisons. Now it may cost taxpayers millions.” Mary Ellen Klas. November 17, 2017. <http://www.miamiherald.com/news/state/florida/article185341808.html>

¹⁷ “Inconsistent Treatment for Prisoners with Hepatitis C Provokes Lawsuits.” Christina Mattina. October 17, 2016. <http://www.ajmc.com/newsroom/inconsistent-treatment-for-prisoners-with-hepatitis-c-provokes-lawsuits>

¹⁸ <http://www.mmd.admin.state.mn.us/mmcap/>

¹⁹ Data provided by the National Conference on State Legislatures at the request of JBC Staff.

ISSUE #5 PAROLE BOARD HEARING TOPICS

Each year the Committee sets aside time in the schedule for a hearing with the Parole Board. This issue provides a summary of topics the Committee may wish to discuss with the Parole Board during their hearing.

SUMMARY

- The Parole Board is comprised of seven members, appointed by the Governor, and confirmed by the Senate for three-year terms. The Parole Board is charged with evaluating an inmate's ability to re-integrate into society, and balancing that ability against the need to ensure public safety.
- The Parole Board has voiced numerous concerns with reentry services provided by the Department of Corrections to offenders preparing to exit prison. The Parole Board also expressed concerns with the quality of data provided to Parole Board Members that is used to inform parole decisions.
- The General Assembly will consider legislation during the 2018 session that directly affects parole and the Parole Board. Obtaining feedback from the Parole Board on the legislation, and on the larger question of what role the Parole Board can and should play in the Colorado correctional system, would benefit the Committee and General Assembly as they consider legislation.

RECOMMENDATION:

Staff recommends the Parole Board discuss the following two topics during their hearing with the Committee:

- 1 What is the biggest challenge the Parole Board faces in the upcoming fiscal year?
- 2 What are possible solutions to the concerns about reentry and data quality that have been raised by the Parole Board?

DISCUSSION

WHAT IS THE PAROLE BOARD

There are seven members of the Parole Board. Members are appointed by the Government and confirmed by the Senate for three-year terms. Members must have knowledge about parole, rehabilitation, correctional administration, and how the criminal justice system functions. Members must have at least five years of education and/or experience. Of the seven members: two are from law enforcement; one is a former parole or probation officer; and four are citizen representatives. The Parole Board is charged with evaluating an inmate's ability to re-integrate into society and balancing that ability against the need to ensure public safety. The Parole Board accomplishes this through discretionary and mandatory parole releases.

TYPES OF PAROLE DATES

The parole eligibility date (PED) is the first date an offender is eligible to see the Parole Board. The Parole Board generally conducts initial Parole Application Hearings approximately three months prior to an offender's PED. If an offender is deferred at the time of the application hearing (i.e. not given a discretionary release), they are typically seen by the Board one year from the time of the deferral action.²⁰ Any discretionary release of an inmate that has been convicted of a violent or sexual crime is required to be reviewed by the Full Board. An offender seen by the Full Board requires at least four affirmative votes to be released discretionarily. The Parole Board sits as a Full Board at least once a week.²¹

CHALLENGES FACING THE PAROLE BOARD

JBC staff inquired about any challenges the Parole Board is experiencing. The following is a snap shot of the issues identified by the Parole Board. The Committee may want to discuss with the Parole Board the challenges they experience and possible solutions.

- Individuals are not getting the treatment they need prior to leaving the facilities. Offenders seen by the Parole Board can have significant criminogenic needs that require intervention but remain untreated in prison.
- Inconsistencies with parole holding hold parolees accountable to stay in programs while on parole.
- The Parole Board has experienced numerous hearings with offenders who are at facilities which lack the services offenders require based on their criminogenic needs and intervention requirements. For instance, it is a common occurrence to conduct hearings with inmates at Level I facilities such as Delta, Skyline, Rifle, Camp George West, etc. who have a high levels of criminogenic need, however there is no access to any treatment because of where they are located.
- A lack of programs to address domestic violence while in prison despite a need for these programs.

The Parole Board also expressed concerns about the offender data they are provided which is used to inform parole decisions. Information lacking from data provided to the Parole Board includes the amount and effectiveness of treatment, community correction referrals and refusals, parole plan details, and recent Code of Penal Discipline (COPDs) violation.

The Parole Board, in the current structure of the Colorado correctional system, plays a critical role in determining what offenders are appropriate for release to parole and/or community corrections. The General Assembly has recently, and will again in 2018, consider legislation that would have a significant impact on the Parole Board. Obtaining feedback from the Parole Board on the legislation and on the larger question of what role the Parole Board can and should play in the Colorado correctional system, would benefit the Committee and General Assembly as they consider legislation.

²⁰ https://www.colorado.gov/pacific/sites/default/files/01-17_Joint%20Budget%20Committee.pdf Page 11

²¹ https://www.colorado.gov/pacific/sites/default/files/01-17_Joint%20Budget%20Committee.pdf Page 13

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
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DEPARTMENT OF CORRECTIONS Rick Raemisch, Executive Director

(1) MANAGEMENT

Primary Functions: Central management, appropriations for private prisons, and the Inspector General's Office.

(A) Executive Director's Office, Subprogram

Primary Function: Provide oversight and develop policies for the entire Department.

Personal Services	<u>1,820,825</u>	<u>3,409,527</u>	<u>3,443,975</u>	<u>3,500,244</u>	
FTE	29.0	28.5	26.8	26.8	
General Fund	1,586,735	3,185,281	3,200,170	3,256,439	
Reappropriated Funds	134,601	224,246	243,805	243,805	
Federal Funds	99,489	0	0	0	
Restorative Justice Program with Victim-Offender Dialogues in Department Facilities	<u>75,000</u>	<u>74,998</u>	<u>75,000</u>	<u>75,000</u>	
FTE	0.0	1.2	1.2	1.2	
General Fund	75,000	74,998	75,000	75,000	
Health, Life, and Dental	<u>51,579,140</u>	<u>50,481,587</u>	<u>54,108,968</u>	<u>55,632,838</u>	*
General Fund	50,015,018	48,999,350	52,536,256	53,949,754	
Cash Funds	1,564,122	1,482,237	1,572,712	1,683,084	
Short-term Disability	<u>733,991</u>	<u>617,301</u>	<u>628,089</u>	<u>561,589</u>	*
General Fund	711,870	598,986	610,911	545,394	
Cash Funds	22,121	18,315	17,178	16,195	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
S.B. 04-257 Amortization Equalization Disbursement	<u>15,015,963</u>	<u>15,955,728</u>	<u>16,892,514</u>	<u>16,893,069</u>	*
General Fund	14,570,654	15,491,590	16,439,123	16,414,013	
Cash Funds	445,309	464,138	453,391	479,056	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<u>14,498,673</u>	<u>15,789,522</u>	<u>16,892,514</u>	<u>16,893,069</u>	*
General Fund	14,068,545	15,330,219	16,439,123	16,414,013	
Cash Funds	430,128	459,303	453,391	479,056	
Salary Survey	<u>2,016,911</u>	<u>583,577</u>	<u>6,294,313</u>	<u>10,825,001</u>	
General Fund	1,906,474	580,443	6,122,116	10,516,363	
Cash Funds	110,437	3,134	172,197	308,638	
Merit Pay	<u>3,485,908</u>	<u>0</u>	<u>2,777,553</u>	<u>0</u>	
General Fund	3,384,324	0	2,711,425	0	
Cash Funds	101,584	0	66,128	0	
Shift Differential	<u>7,687,883</u>	<u>7,940,718</u>	<u>8,125,195</u>	<u>8,172,797</u>	*
General Fund	7,648,987	7,906,423	8,085,286	8,116,484	
Cash Funds	38,896	34,295	39,909	56,313	
Workers' Compensation	<u>8,583,237</u>	<u>7,886,908</u>	<u>6,857,483</u>	<u>7,417,013</u>	
General Fund	8,312,007	7,637,682	6,640,787	7,182,636	
Cash Funds	271,230	249,226	216,696	234,377	
Operating Expenses	<u>326,684</u>	<u>344,445</u>	<u>357,759</u>	<u>357,759</u>	
General Fund	267,753	267,759	267,759	267,759	
Reappropriated Funds	5,000	5,000	5,000	5,000	
Federal Funds	53,931	71,686	85,000	85,000	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Legal Services	<u>1,752,463</u>	<u>1,824,116</u>	<u>1,890,448</u>	<u>2,078,945</u>	
General Fund	1,748,419	1,820,503	1,826,938	2,009,026	
Cash Funds	4,044	3,613	63,510	69,919	
Payment to Risk Management and Property Funds	<u>4,203,591</u>	<u>4,241,910</u>	<u>5,020,275</u>	<u>3,986,560</u> *	
General Fund	4,037,970	4,074,779	4,822,476	3,829,489	
Cash Funds	165,621	167,131	197,799	157,071	
Leased Space	<u>4,116,123</u>	<u>4,491,661</u>	<u>4,841,708</u>	<u>4,993,564</u>	
General Fund	3,882,449	4,240,493	4,572,941	4,713,907	
Cash Funds	233,674	251,168	268,767	279,657	
Capitol Complex Leased Space	<u>56,300</u>	<u>58,367</u>	<u>63,551</u>	<u>57,606</u>	
General Fund	40,218	41,695	45,398	41,151	
Cash Funds	16,082	16,672	18,153	16,455	
Planning and Analysis Contracts	<u>82,410</u>	<u>82,410</u>	<u>82,410</u>	<u>82,410</u>	
General Fund	82,410	82,410	82,410	82,410	
Payments to District Attorneys	<u>427,726</u>	<u>469,979</u>	<u>681,102</u>	<u>681,102</u>	
General Fund	427,726	469,979	681,102	681,102	
Payments to Coroners	<u>0</u>	<u>32,175</u>	<u>32,175</u>	<u>32,175</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	32,175	32,175	32,175	
Clinical Employee Bonuses	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	

SUBTOTAL - (A) Executive Director's Office,					
Subprogram	116,462,828	114,284,929	129,065,032	132,240,741	2.5%
<i>FTE</i>	<u>29.0</u>	<u>29.7</u>	<u>28.0</u>	<u>28.0</u>	<u>(0.0%)</u>
General Fund	112,766,559	110,834,765	125,191,396	128,127,115	2.3%
Cash Funds	3,403,248	3,149,232	3,539,831	3,779,821	6.8%
Reappropriated Funds	139,601	229,246	248,805	248,805	0.0%
Federal Funds	153,420	71,686	85,000	85,000	0.0%

(B) External Capacity Subprogram

Primary Function: Oversee and fund private prisons

(1) Private Prison Monitoring Unit

Personal Services	<u>1,075,564</u>	<u>1,058,680</u>	<u>1,090,250</u>	<u>1,116,234</u>	
<i>FTE</i>	<u>14.1</u>	<u>15.7</u>	<u>15.7</u>	<u>15.7</u>	
General Fund	1,075,564	1,058,680	1,090,250	1,116,234	
Operating Expenses	<u>196,291</u>	<u>183,969</u>	<u>213,443</u>	<u>213,443</u>	
General Fund	183,974	183,969	183,976	183,976	
Cash Funds	12,317	0	29,467	29,467	
SUBTOTAL -	1,271,855	1,242,649	1,303,693	1,329,677	2.0%
<i>FTE</i>	<u>14.1</u>	<u>15.7</u>	<u>15.7</u>	<u>15.7</u>	<u>0.0%</u>
General Fund	1,259,538	1,242,649	1,274,226	1,300,210	2.0%
Cash Funds	12,317	0	29,467	29,467	0.0%

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
(2) Payments to House State Prisoners					
Payments to local jails	<u>11,120,578</u>	<u>14,094,232</u>	<u>15,047,289</u>	<u>15,475,695</u>	*
General Fund	11,120,578	14,094,232	15,047,289	15,475,695	
Payments to in-state private prisons	<u>65,036,792</u>	<u>59,925,149</u>	<u>59,054,933</u>	<u>65,491,520</u>	*
General Fund	65,036,746	55,364,356	56,977,213	63,413,800	
Cash Funds	46	4,560,793	2,077,720	2,077,720	
Payments to pre-release parole revocation facilities	<u>11,150,004</u>	<u>12,471,659</u>	<u>10,659,198</u>	<u>12,009,710</u>	*
General Fund	11,150,004	12,471,659	10,659,198	12,009,710	
Payments to Community Return to Custody Facilities	<u>3,045,400</u>	<u>2,038,156</u>	<u>465,372</u>	<u>0</u>	
General Fund	3,045,400	2,038,156	465,372	0	
Inmate Education and Benefit Programs at In-state Private Prisons	<u>534,079</u>	<u>534,079</u>	<u>541,566</u>	<u>541,566</u>	
General Fund	534,079	534,079	541,566	541,566	
Inmate Education and Benefit Programs at Pre-release Parole Revocation Facilities	<u>119,476</u>	<u>119,476</u>	<u>121,151</u>	<u>121,151</u>	
General Fund	119,476	119,476	121,151	121,151	
External Capacity Sustainability	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL -	91,006,329	89,182,751	85,889,509	93,639,642	9.0%
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	0.0%
General Fund	91,006,283	84,621,958	83,811,789	91,561,922	9.2%
Cash Funds	46	4,560,793	2,077,720	2,077,720	0.0%

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
SUBTOTAL - (B) External Capacity Subprogram	92,278,184	90,425,400	87,193,202	94,969,319	8.9%
<i>FTE</i>	14.1	15.7	15.7	15.7	0.0%
General Fund	92,265,821	85,864,607	85,086,015	92,862,132	9.1%
Cash Funds	12,363	4,560,793	2,107,187	2,107,187	0.0%

(C) Inspector General Subprogram

Primary Function: Investigate crimes within the prison system.

Personal Services	<u>3,860,552</u>	<u>4,004,198</u>	<u>4,145,719</u>	<u>4,241,991</u>	
<i>FTE</i>	47.2	0.0	48.2	48.2	
General Fund	3,860,552	4,004,198	4,039,486	4,135,758	
Cash Funds	0	0	106,233	106,233	
Operating Expenses	<u>357,847</u>	<u>370,261</u>	<u>428,866</u>	<u>428,398</u> *	
General Fund	345,530	370,261	345,679	345,211	
Cash Funds	12,317	0	83,187	83,187	
Inspector General Grants	<u>207,222</u>	<u>64,636</u>	<u>207,912</u>	<u>207,912</u>	
<i>FTE</i>	0.0	0.0	0.0	0.0	
Reappropriated Funds	0	0	0	0	
Federal Funds	207,222	64,636	207,912	207,912	
SUBTOTAL - (C) Inspector General Subprogram	4,425,621	4,439,095	4,782,497	4,878,301	2.0%
<i>FTE</i>	47.2	0.0	48.2	48.2	0.0%
General Fund	4,206,082	4,374,459	4,385,165	4,480,969	2.2%
Cash Funds	12,317	0	189,420	189,420	0.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	207,222	64,636	207,912	207,912	0.0%

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
TOTAL - (1) Management	213,166,633	209,149,424	221,040,731	232,088,361	5.0%
<i>FTE</i>	<u>90.3</u>	<u>45.4</u>	<u>91.9</u>	<u>91.9</u>	<u>(0.0%)</u>
General Fund	209,238,462	201,073,831	214,662,576	225,470,216	5.0%
Cash Funds	3,427,928	7,710,025	5,836,438	6,076,428	4.1%
Reappropriated Funds	139,601	229,246	248,805	248,805	0.0%
Federal Funds	360,642	136,322	292,912	292,912	0.0%

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
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(2) INSTITUTIONS

ent, mental health, inmate pay, legal resources for inmates, and capital lease purchase payments.

(A) Utilities Subprogram

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

Personal Services	<u>242,719</u>	<u>281,503</u>	<u>309,434</u>	<u>316,808</u>	
FTE	<u>2.7</u>	<u>3.0</u>	<u>2.6</u>	<u>2.6</u>	
General Fund	<u>242,719</u>	<u>281,503</u>	<u>309,434</u>	<u>316,808</u>	
Utilities	<u>21,012,799</u>	<u>21,936,410</u>	<u>22,062,941</u>	<u>22,062,941</u>	
General Fund	<u>19,865,260</u>	<u>20,691,398</u>	<u>20,658,871</u>	<u>20,658,871</u>	
Cash Funds	<u>1,147,539</u>	<u>1,245,012</u>	<u>1,404,070</u>	<u>1,404,070</u>	
SUBTOTAL - (A) Utilities Subprogram	21,255,518	22,217,913	22,372,375	22,379,749	0.0%
<i>FTE</i>	<u>2.7</u>	<u>3.0</u>	<u>2.6</u>	<u>2.6</u>	<u>0.0%</u>
General Fund	<u>20,107,979</u>	<u>20,972,901</u>	<u>20,968,305</u>	<u>20,975,679</u>	<u>0.0%</u>
Cash Funds	<u>1,147,539</u>	<u>1,245,012</u>	<u>1,404,070</u>	<u>1,404,070</u>	<u>0.0%</u>

(B) Maintenance Subprogram

Primary Functions Provide grounds and facilities maintenance, including the boiler house, janitorial services, and life safety.

Personal Services	<u>17,983,087</u>	<u>19,751,802</u>	<u>19,673,603</u>	<u>20,172,962</u> *	
FTE	<u>286.2</u>	<u>283.3</u>	<u>276.8</u>	<u>276.8</u>	
General Fund	<u>17,983,087</u>	<u>19,751,802</u>	<u>19,673,603</u>	<u>20,172,962</u>	
Operating Expenses	<u>5,714,042</u>	<u>5,714,110</u>	<u>7,114,522</u>	<u>7,114,522</u>	
General Fund	<u>5,714,042</u>	<u>5,714,110</u>	<u>7,114,522</u>	<u>7,114,522</u>	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Maintenance Pueblo Campus	<u>1,545,553</u>	<u>1,545,552</u>	<u>2,059,181</u>	<u>2,059,181</u>	
General Fund	1,545,553	1,545,552	2,059,181	2,059,181	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Maintenance Grants	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (B) Maintenance Subprogram	25,242,682	27,011,464	28,847,306	29,346,665	1.7%
<i>FTE</i>	<u>286.2</u>	<u>283.3</u>	<u>276.8</u>	<u>276.8</u>	0.0%
General Fund	25,242,682	27,011,464	28,847,306	29,346,665	1.7%

(C) Housing and Security Subprogram

Primary Function: Provide inmate supervision, including the implementation and management of security operations.

Personal Services	<u>168,351,679</u>	<u>167,393,010</u>	<u>167,498,055</u>	<u>173,461,380</u> *
FTE	2,996.9	2,990.3	2,974.4	2,974.4
General Fund	168,351,679	167,390,063	167,495,108	173,458,433
Cash Funds	0	2,947	2,947	2,947
Operating Expenses	<u>1,808,935</u>	<u>1,808,940</u>	<u>1,848,941</u>	<u>1,848,941</u>
General Fund	1,808,935	1,808,940	1,848,941	1,848,941
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
SUBTOTAL - (C) Housing and Security Subprogram	170,160,614	169,201,950	169,346,996	175,310,321	3.5%
<i>FTE</i>	<u>2,996.9</u>	<u>2,990.3</u>	<u>2,974.4</u>	<u>2,974.4</u>	0.0%
General Fund	170,160,614	169,199,003	169,344,049	175,307,374	3.5%
Cash Funds	0	2,947	2,947	2,947	0.0%

(D) Food Service Subprogram

Primary Function: Provide three meals daily to all inmates.

Personal Services	<u>17,896,616</u>	<u>17,825,748</u>	<u>17,812,705</u>	<u>18,403,482</u> *	
<i>FTE</i>	315.1	328.7	317.8	317.8	
General Fund	17,896,616	17,825,748	17,812,705	18,403,482	
Operating Expenses	<u>16,646,929</u>	<u>17,010,023</u>	<u>17,804,557</u>	<u>17,804,557</u>	
General Fund	16,646,929	16,930,023	17,804,557	17,804,557	
Federal Funds	0	80,000	0	0	
Food Service Pueblo Campus	<u>1,719,343</u>	<u>1,792,915</u>	<u>1,827,855</u>	<u>2,000,369</u> *	
General Fund	1,719,343	1,792,915	1,827,855	2,000,369	
SUBTOTAL - (D) Food Service Subprogram	36,262,888	36,628,686	37,445,117	38,208,408	2.0%
<i>FTE</i>	<u>315.1</u>	<u>328.7</u>	<u>317.8</u>	<u>317.8</u>	0.0%
General Fund	36,262,888	36,548,686	37,445,117	38,208,408	2.0%
Federal Funds	0	80,000	0	0	0.0%

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(E) Medical Services Subprogram

Primary Function: Provide acute and long-term health care services for all inmates, using both state employees and contracted health care providers.

Personal Services	<u>31,116,755</u>	<u>31,902,960</u>	<u>32,101,298</u>	<u>33,180,749</u> *
FTE	370.0	387.5	387.5	387.5
General Fund	30,962,247	31,664,577	31,862,915	32,942,366
Cash Funds	154,508	238,383	238,383	238,383
Operating Expenses	<u>2,579,052</u>	<u>2,579,051</u>	<u>2,579,052</u>	<u>2,579,052</u>
General Fund	2,579,052	2,579,051	2,579,052	2,579,052
Purchase of Pharmaceuticals	<u>14,681,545</u>	<u>15,156,481</u>	<u>18,227,911</u>	<u>35,320,005</u> *
General Fund	14,681,545	15,156,481	18,227,911	35,320,005
Purchase of Medical Services from Other Medical Facilities	<u>22,140,857</u>	<u>23,737,167</u>	<u>23,926,924</u>	<u>24,996,562</u> *
General Fund	22,140,857	23,737,167	23,926,924	24,996,562
Service Contracts	<u>2,417,890</u>	<u>2,490,075</u>	<u>2,524,981</u>	<u>2,550,231</u> *
General Fund	2,417,890	2,490,075	2,524,981	2,550,231
Indirect Cost Assessment	<u>0</u>	<u>1,835</u>	<u>730</u>	<u>1,522</u>
General Fund	0	0	0	0
Cash Funds	0	1,835	730	1,522
Catastrophic Medical Expenses	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
SUBTOTAL - (E) Medical Services Subprogram	72,936,099	75,867,569	79,360,896	98,628,121	24.3%
<i>FTE</i>	<u>370.0</u>	<u>387.5</u>	<u>387.5</u>	<u>387.5</u>	<u>0.0%</u>
General Fund	72,781,591	75,627,351	79,121,783	98,388,216	24.4%
Cash Funds	154,508	240,218	239,113	239,905	0.3%

(F) Laundry Subprogram

Primary Function: Issue, clean, and maintain all inmate clothing, bedding, coats, and footwear.

Personal Services	<u>2,128,016</u>	<u>2,223,488</u>	<u>2,343,112</u>	<u>2,411,144</u> *	
<i>FTE</i>	<u>35.3</u>	<u>35.2</u>	<u>37.4</u>	<u>37.4</u>	
General Fund	2,128,016	2,223,488	2,343,112	2,411,144	
Operating Expenses	<u>2,197,539</u>	<u>2,197,542</u>	<u>2,197,545</u>	<u>2,197,545</u>	
General Fund	2,197,539	2,197,542	2,197,545	2,197,545	
SUBTOTAL - (F) Laundry Subprogram	4,325,555	4,421,030	4,540,657	4,608,689	1.5%
<i>FTE</i>	<u>35.3</u>	<u>35.2</u>	<u>37.4</u>	<u>37.4</u>	<u>0.0%</u>
General Fund	4,325,555	4,421,030	4,540,657	4,608,689	1.5%

(G) Superintendents Subprogram

Primary Function: Develop facility policies, procedures, and practices that conform with applicable laws, consent decrees, court orders, legislative mandates, and executive orders.

Personal Services	<u>10,521,900</u>	<u>10,915,180</u>	<u>11,059,874</u>	<u>11,323,461</u>	
<i>FTE</i>	<u>160.5</u>	<u>162.7</u>	<u>156.9</u>	<u>156.9</u>	
General Fund	10,521,900	10,915,180	11,059,874	11,323,461	
Operating Expenses	<u>5,181,501</u>	<u>5,186,951</u>	<u>5,202,001</u>	<u>17,177,333</u> *	
General Fund	5,181,501	5,186,951	5,202,001	17,177,333	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Dress-Out	<u>735,432</u>	<u>735,432</u>	<u>735,433</u>	<u>735,433</u>	
General Fund	735,432	735,432	735,433	735,433	
Start-up Costs	<u>38,830</u>	<u>45,328</u>	<u>7,800</u>	<u>0</u>	
General Fund	38,830	45,328	7,800	0	
Superintendents Grants	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
SUBTOTAL - (G) Superintendents Subprogram	16,477,663	16,882,891	17,005,108	29,236,227	71.9%
<i>FTE</i>	<u>160.5</u>	<u>162.7</u>	<u>156.9</u>	<u>156.9</u>	(0.0%)
General Fund	16,477,663	16,882,891	17,005,108	29,236,227	71.9%
Cash Funds	0	0	0	0	0.0%

(H) Youthful Offender System Subprogram

Primary Function: Target offenders aged 14 to 18 years at the time of offense who have committed violent class 2 to 6 felonies. All sentences are between 2 and 7 years.

Personal Services	<u>10,399,799</u>	<u>10,151,332</u>	<u>10,109,863</u>	<u>10,438,919</u> *
FTE	164.1	167.2	160.7	160.7
General Fund	10,399,799	10,151,332	10,109,863	10,438,919
Operating Expenses	<u>604,705</u>	<u>604,704</u>	<u>604,705</u>	<u>604,705</u>
General Fund	604,705	604,704	604,705	604,705
Contract Services	<u>28,820</u>	<u>23,350</u>	<u>28,820</u>	<u>28,820</u>
General Fund	28,820	23,350	28,820	28,820
Maintenance and Food Services	<u>681,031</u>	<u>681,030</u>	<u>1,029,249</u>	<u>1,029,249</u>
General Fund	681,031	681,030	1,029,249	1,029,249

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
SUBTOTAL - (H) Youthful Offender System					
Subprogram	11,714,355	11,460,416	11,772,637	12,101,693	2.8%
<i>FTE</i>	<u>164.1</u>	<u>167.2</u>	<u>160.7</u>	<u>160.7</u>	<u>0.0%</u>
General Fund	11,714,355	11,460,416	11,772,637	12,101,693	2.8%

(I) Case Management Subprogram

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

Personal Services	<u>17,519,409</u>	<u>17,028,581</u>	<u>16,959,241</u>	<u>17,363,426</u>	
<i>FTE</i>	<u>247.8</u>	<u>245.8</u>	<u>247.3</u>	<u>247.3</u>	
General Fund	17,519,409	17,028,581	16,959,241	17,363,426	
Operating Expenses	<u>172,581</u>	<u>172,581</u>	<u>172,581</u>	<u>172,581</u>	
General Fund	172,581	172,581	172,581	172,581	
Offender ID Program	<u>314,601</u>	<u>278,214</u>	<u>341,135</u>	<u>341,135</u>	
General Fund	314,601	278,214	341,135	341,135	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (I) Case Management Subprogram	18,006,591	17,479,376	17,472,957	17,877,142	2.3%
<i>FTE</i>	<u>247.8</u>	<u>245.8</u>	<u>247.3</u>	<u>247.3</u>	<u>0.0%</u>
General Fund	18,006,591	17,479,376	17,472,957	17,877,142	2.3%

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(J) Mental Health Subprogram

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

Personal Services	<u>6,087,174</u>	<u>11,773,155</u>	<u>10,466,533</u>	<u>10,746,173</u> *	
FTE	121.8	122.2	152.9	153.1	
General Fund	6,087,174	11,773,155	10,466,533	10,746,173	
Reappropriated Funds	0	0	0	0	
Operating Expenses	<u>280,266</u>	<u>280,266</u>	<u>280,716</u>	<u>280,766</u>	
General Fund	280,266	280,266	280,716	280,766	
Medical Contract Services	<u>4,005,437</u>	<u>4,034,957</u>	<u>4,091,521</u>	<u>4,132,436</u> *	
General Fund	4,005,437	4,034,957	4,091,521	4,132,436	
Start-up Costs	<u>61,139</u>	<u>0</u>	<u>4,703</u>	<u>0</u>	
General Fund	61,139	0	4,703	0	
Mental Health Grants	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
Reappropriated Funds	0	0	0	0	
SUBTOTAL - (J) Mental Health Subprogram	10,434,016	16,088,378	14,843,473	15,159,375	2.1%
FTE	121.8	122.2	152.9	153.1	0.1%
General Fund	10,434,016	16,088,378	14,843,473	15,159,375	2.1%
Reappropriated Funds	0	0	0	0	0.0%

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(K) Inmate Pay Subprogram

, education assignments (such as adult basic education or GED), and vocational education assignments. Health care aides are paid at higher rates. Offenders in Correctional Industries are paid from a separate appropriation.

Inmate Pay	<u>1,947,885</u>	<u>2,247,885</u>	<u>2,247,885</u>	<u>2,247,885</u>	
General Fund	1,947,885	2,247,885	2,247,885	2,247,885	
SUBTOTAL - (K) Inmate Pay Subprogram	1,947,885	2,247,885	2,247,885	2,247,885	0.0%
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	0.0%
General Fund	1,947,885	2,247,885	2,247,885	2,247,885	0.0%

(L) Legal Access Subprogram

Primary Function: Provide inmates with resources to research and file claims with the courts.

Personal Services	<u>1,378,570</u>	<u>1,369,731</u>	<u>1,381,191</u>	<u>1,414,108</u>	
FTE	21.4	23.3	21.5	21.5	
General Fund	1,378,570	1,369,731	1,381,191	1,414,108	
Operating Expenses	<u>299,597</u>	<u>299,602</u>	<u>299,602</u>	<u>299,602</u>	
General Fund	299,597	299,602	299,602	299,602	
Contract Services	<u>70,905</u>	<u>70,905</u>	<u>70,905</u>	<u>70,905</u>	
General Fund	70,905	70,905	70,905	70,905	
SUBTOTAL - (L) Legal Access Subprogram	1,749,072	1,740,238	1,751,698	1,784,615	1.9%
<i>FTE</i>	<u>21.4</u>	<u>23.3</u>	<u>21.5</u>	<u>21.5</u>	0.0%
General Fund	1,749,072	1,740,238	1,751,698	1,784,615	1.9%

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
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(M) Capital Lease Purchase Payments

Primary Function: Fund the payments that must be made on the Certificates of Participation for Centennial South Correctional Facility (formerly called CSP II).

Lease Purchase of Colorado State Penitentiary II	<u>20,254,768</u>	<u>20,258,268</u>	<u>20,256,546</u>	<u>20,255,668</u>	
General Fund	20,254,768	20,258,268	20,256,546	20,255,668	
SUBTOTAL - (M) Capital Lease Purchase Payments	20,254,768	20,258,268	20,256,546	20,255,668	NaN
<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	20,254,768	20,258,268	20,256,546	20,255,668	0.0%
TOTAL - (2) Institutions	410,767,706	421,506,064	427,263,651	467,144,558	9.3%
<i>FTE</i>	<u>4,721.8</u>	<u>4,749.2</u>	<u>4,735.8</u>	<u>4,736.0</u>	<u>0.0%</u>
General Fund	409,465,659	419,937,887	425,617,521	465,497,636	9.4%
Cash Funds	1,302,047	1,488,177	1,646,130	1,646,922	0.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	80,000	0	0	0.0%

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(3) SUPPORT SERVICES

Primary Functions: Contains the costs associated with the Department's support programs, including business operations, personnel, offender services, transportation, training, information services, and facility services.

(A) Business Operations Subprogram

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

Personal Services	<u>6,043,719</u>	<u>6,105,068</u>	<u>6,192,084</u>	<u>6,304,815</u> *	
FTE	102.4	102.2	99.8	99.8	
General Fund	5,238,206	5,227,744	4,430,488	5,160,243	
Cash Funds	38,991	40,297	40,297	41,897	
Reappropriated Funds	766,522	837,027	1,721,299	1,102,675	
Federal Funds	0	0	0	0	
Operating Expenses	<u>234,199</u>	<u>234,199</u>	<u>234,201</u>	<u>234,201</u>	
General Fund	234,199	234,199	234,201	234,201	
SUBTOTAL - (A) Business Operations Subprogram	6,277,918	6,339,267	6,426,285	6,539,016	1.8%
FTE	<u>102.4</u>	<u>102.2</u>	<u>99.8</u>	<u>99.8</u>	<u>(0.0%)</u>
General Fund	5,472,405	5,461,943	4,664,689	5,394,444	15.6%
Cash Funds	38,991	40,297	40,297	41,897	4.0%
Reappropriated Funds	766,522	837,027	1,721,299	1,102,675	(35.9%)
Federal Funds	0	0	0	0	0.0%

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(B) Personnel Subprogram

Primary Function: Provides human resources services, including recruitment, examination, position classification, personnel records, affirmative action, appeals, grievance, and benefits administration.

Personal Services	<u>1,255,169</u>	<u>1,271,310</u>	<u>1,368,076</u>	<u>1,393,681</u>	
FTE	18.3	16.9	18.7	18.7	
General Fund	1,255,169	1,271,310	1,368,076	1,393,681	
Operating Expenses	<u>86,925</u>	<u>86,927</u>	<u>86,931</u>	<u>86,931</u>	
General Fund	86,925	86,927	86,931	86,931	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	

SUBTOTAL - (B) Personnel Subprogram	1,342,094	1,358,237	1,455,007	1,480,612	1.8%
FTE	<u>18.3</u>	<u>16.9</u>	<u>18.7</u>	<u>18.7</u>	0.0%
General Fund	1,342,094	1,358,237	1,455,007	1,480,612	1.8%

(C) Offender Services Subprogram

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

Personal Services	<u>3,074,995</u>	<u>2,848,778</u>	<u>3,025,806</u>	<u>3,097,919</u>	
FTE	48.3	47.1	44.1	44.1	
General Fund	3,074,995	2,848,778	3,025,806	3,097,919	
Operating Expenses	<u>62,044</u>	<u>62,041</u>	<u>62,044</u>	<u>62,044</u>	
General Fund	62,044	62,041	62,044	62,044	

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Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (C) Offender Services Subprogram	3,137,039	2,910,819	3,087,850	3,159,963	2.3%
<i>FTE</i>	<u>48.3</u>	<u>47.1</u>	<u>44.1</u>	<u>44.1</u>	0.0%
General Fund	3,137,039	2,910,819	3,087,850	3,159,963	2.3%

(D) Communications Subprogram

Primary Function: Manage communication systems, including radio, cellular telephones, pagers, and video conferences.

Operating Expenses	<u>1,624,365</u>	<u>1,624,770</u>	<u>1,626,840</u>	<u>1,618,965</u> *	
General Fund	1,624,365	1,624,770	1,626,840	1,618,965	
Dispatch Services	<u>177,544</u>	<u>176,715</u>	<u>224,477</u>	<u>224,477</u>	
General Fund	177,544	176,715	224,477	224,477	
SUBTOTAL - (D) Communications Subprogram	1,801,909	1,801,485	1,851,317	1,843,442	(0.4%)
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	0.0%
General Fund	1,801,909	1,801,485	1,851,317	1,843,442	(0.4%)

(E) Transportation Subprogram

Primary Function: Manage the Department's vehicle fleet as well as the Central Transportation Unit, which transports offenders.

Personal Services	<u>2,052,663</u>	<u>2,125,150</u>	<u>2,124,172</u>	<u>2,197,884</u> *	
FTE	<u>35.6</u>	<u>36.6</u>	<u>35.9</u>	<u>35.9</u>	
General Fund	2,052,663	2,125,150	2,124,172	2,197,884	
Operating Expenses	<u>433,536</u>	<u>433,535</u>	<u>433,538</u>	<u>433,538</u>	
General Fund	433,536	433,535	433,538	433,538	

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Vehicle Lease Payments	<u>2,636,792</u>	<u>2,733,735</u>	<u>3,206,280</u>	<u>3,650,882</u> *	
General Fund	2,255,806	2,255,538	2,608,657	3,023,027	
Cash Funds	380,986	478,197	597,623	627,855	
SUBTOTAL - (E) Transportation Subprogram	5,122,991	5,292,420	5,763,990	6,282,304	9.0%
<i>FTE</i>	<u>35.6</u>	<u>36.6</u>	<u>35.9</u>	<u>35.9</u>	0.0%
General Fund	4,742,005	4,814,223	5,166,367	5,654,449	9.4%
Cash Funds	380,986	478,197	597,623	627,855	5.1%

(F) Training Subprogram

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

Personal Services	<u>2,333,210</u>	<u>2,235,497</u>	<u>2,277,827</u>	<u>2,332,114</u>	
FTE	32.8	32.2	33.0	33.0	
General Fund	2,333,210	2,235,497	2,277,827	2,332,114	
Operating Expenses	<u>286,978</u>	<u>287,002</u>	<u>287,124</u>	<u>286,656</u> *	
General Fund	286,978	287,002	287,124	286,656	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (F) Training Subprogram	2,620,188	2,522,499	2,564,951	2,618,770	2.1%
<i>FTE</i>	<u>32.8</u>	<u>32.2</u>	<u>33.0</u>	<u>33.0</u>	0.0%
General Fund	2,620,188	2,522,499	2,564,951	2,618,770	2.1%

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(G) Information Systems Subprogram

Primary Function: Develop and maintain of automated information systems within the DOC. The services are provided by OIT.

Operating Expenses	<u>1,644,122</u>	<u>1,644,322</u>	<u>1,645,262</u>	<u>1,387,417</u>	*
General Fund	1,644,122	1,644,322	1,645,262	1,387,417	
Payments to OIT	<u>17,719,596</u>	<u>16,631,013</u>	<u>19,723,993</u>	<u>25,856,908</u>	*
General Fund	17,613,316	16,531,206	19,606,251	25,704,433	
Cash Funds	106,280	99,807	117,742	152,475	
CORE Operations	<u>611,121</u>	<u>404,620</u>	<u>418,183</u>	<u>413,877</u>	
General Fund	539,192	356,852	368,814	365,017	
Cash Funds	34,467	22,903	23,671	23,427	
Reappropriated Funds	37,462	24,865	25,698	25,433	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (G) Information Systems Subprogram	19,974,839	18,679,955	21,787,438	27,658,202	26.9%
<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	19,796,630	18,532,380	21,620,327	27,456,867	27.0%
Cash Funds	140,747	122,710	141,413	175,902	24.4%
Reappropriated Funds	37,462	24,865	25,698	25,433	(1.0%)

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(H) Facility Services Subprogram

Primary Function: Contractor/design team selection, design review, contract administration, and fiscal management of the DOC's capital construction and controlled maintenance projects.

Personal Services	<u>918,858</u>	<u>893,622</u>	<u>960,387</u>	<u>983,276</u>	
FTE	10.0	9.8	9.7	9.7	
General Fund	918,858	893,622	960,387	983,276	
Operating Expenses	<u>83,092</u>	<u>83,096</u>	<u>83,096</u>	<u>83,096</u>	
General Fund	83,092	83,096	83,096	83,096	
SUBTOTAL - (H) Facility Services Subprogram	1,001,950	976,718	1,043,483	1,066,372	2.2%
FTE	<u>10.0</u>	<u>9.8</u>	<u>9.7</u>	<u>9.7</u>	0.0%
General Fund	1,001,950	976,718	1,043,483	1,066,372	2.2%
TOTAL - (3) Support Services	41,278,928	39,881,400	43,980,321	50,648,681	15.2%
FTE	<u>247.4</u>	<u>244.8</u>	<u>241.2</u>	<u>241.2</u>	(0.0%)
General Fund	39,914,220	38,378,304	41,453,991	48,674,919	17.4%
Cash Funds	560,724	641,204	779,333	845,654	8.5%
Reappropriated Funds	803,984	861,892	1,746,997	1,128,108	(35.4%)
Federal Funds	0	0	0	0	0.0%

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(4) INMATE PROGRAMS

Primary Function: Includes the Department's educational, vocational, recreational, and labor programs for offenders, as well as Sex Offender Treatment and Drug and Alcohol Treatment.

(A) Labor Subprogram

p inmates with job skills.

Personal Services	<u>5,452,497</u>	<u>5,187,610</u>	<u>5,243,173</u>	<u>5,414,492</u> *	
FTE	85.6	92.8	88.7	88.7	
General Fund	5,452,497	5,187,610	5,243,173	5,414,492	
Operating Expenses	<u>88,011</u>	<u>88,014</u>	<u>88,017</u>	<u>88,017</u>	
General Fund	88,011	88,014	88,017	88,017	
SUBTOTAL - (A) Labor Subprogram	5,540,508	5,275,624	5,331,190	5,502,509	3.2%
<i>FTE</i>	<u>85.6</u>	<u>92.8</u>	<u>88.7</u>	<u>88.7</u>	0.0%
General Fund	5,540,508	5,275,624	5,331,190	5,502,509	3.2%

(B) Education Subprogram

Primary Function: Assist inmates in improving basic skills such as English, reading, writing, spelling, and math.

Personal Services	<u>12,368,274</u>	<u>13,116,015</u>	<u>13,289,402</u>	<u>13,633,002</u>	
FTE	195.6	197.0	192.6	193.1	
General Fund	12,368,274	13,116,015	13,289,402	13,633,002	
Operating Expenses	<u>3,854,800</u>	<u>3,898,708</u>	<u>4,520,963</u>	<u>4,521,163</u>	
General Fund	2,814,746	2,814,746	2,816,546	2,816,746	
Cash Funds	996,947	918,482	1,293,402	1,293,402	
Reappropriated Funds	43,107	165,480	411,015	411,015	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Contract Services	<u>237,128</u>	<u>237,128</u>	<u>237,128</u>	<u>237,128</u>	
General Fund	237,128	237,128	237,128	237,128	
Education Grants	<u>62,192</u>	<u>91,865</u>	<u>80,060</u>	<u>80,060</u>	
FTE	0.0	2.0	2.0	2.0	
Cash Funds	0	0	10,000	10,000	
Reappropriated Funds	0	0	42,410	42,410	
Federal Funds	62,192	91,865	27,650	27,650	
Start-up Costs	<u>0</u>	<u>0</u>	<u>18,812</u>	<u>0</u>	
General Fund	0	0	18,812	0	
Indirect Cost Assessment	<u>0</u>	<u>377</u>	<u>311</u>	<u>0</u>	
General Fund	0	0	0	0	
Federal Funds	0	377	311	0	
SUBTOTAL - (B) Education Subprogram	16,522,394	17,344,093	18,146,676	18,471,353	1.8%
<i>FTE</i>	<u>195.6</u>	<u>199.0</u>	<u>194.6</u>	<u>195.1</u>	<u>0.3%</u>
General Fund	15,420,148	16,167,889	16,361,888	16,686,876	2.0%
Cash Funds	996,947	918,482	1,303,402	1,303,402	0.0%
Reappropriated Funds	43,107	165,480	453,425	453,425	0.0%
Federal Funds	62,192	92,242	27,961	27,650	(1.1%)

(C) Recreation Subprogram

Primary Function: Develop, implement, and supervise recreational programs including leisure time activities and outdoor exercise.

Personal Services	<u>6,619,731</u>	<u>6,766,178</u>	<u>6,722,303</u>	<u>6,967,074</u> *
FTE	124.2	123.1	116.7	116.7
General Fund	6,619,731	6,766,178	6,722,303	6,967,074

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Operating Expenses	<u>71,116</u>	<u>71,229</u>	<u>71,232</u>	<u>71,232</u>	
Cash Funds	71,116	71,229	71,232	71,232	
SUBTOTAL - (C) Recreation Subprogram	6,690,847	6,837,407	6,793,535	7,038,306	3.6%
<i>FTE</i>	<u>124.2</u>	<u>123.1</u>	<u>116.7</u>	<u>116.7</u>	0.0%
General Fund	6,619,731	6,766,178	6,722,303	6,967,074	3.6%
Cash Funds	71,116	71,229	71,232	71,232	0.0%

(D) Drug and Alcohol Treatment Subprogram

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

Personal Services	<u>4,691,872</u>	<u>4,970,855</u>	<u>5,297,790</u>	<u>5,424,050</u>	
FTE	83.6	74.5	85.4	85.4	
General Fund	4,691,872	4,970,855	5,297,790	5,424,050	
Operating Expenses	<u>110,932</u>	<u>110,927</u>	<u>110,932</u>	<u>110,932</u>	
General Fund	110,932	110,927	110,932	110,932	
Services for Substance Abuse and Co-occurring Disorders	<u>995,127</u>	<u>995,127</u>	<u>1,009,077</u>	<u>1,019,168</u>	*
Reappropriated Funds	995,127	995,127	1,009,077	1,019,168	
Contract Services	<u>2,420,458</u>	<u>2,277,864</u>	<u>2,459,804</u>	<u>2,484,402</u>	*
General Fund	2,070,458	1,927,864	2,104,898	2,125,947	
Reappropriated Funds	350,000	350,000	354,906	358,455	
Treatment Grants	<u>134,661</u>	<u>133,837</u>	<u>126,682</u>	<u>126,682</u>	
Reappropriated Funds	0	0	126,682	126,682	
Federal Funds	134,661	133,837	0	0	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (D) Drug and Alcohol Treatment					
Subprogram	8,353,050	8,488,610	9,004,285	9,165,234	1.8%
<i>FTE</i>	<u>83.6</u>	<u>74.5</u>	<u>85.4</u>	<u>85.4</u>	0.0%
General Fund	6,873,262	7,009,646	7,513,620	7,660,929	2.0%
Reappropriated Funds	1,345,127	1,345,127	1,490,665	1,504,305	0.9%
Federal Funds	134,661	133,837	0	0	0.0%

(E) Sex Offender Treatment Subprogram

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

Personal Services	<u>2,461,570</u>	<u>3,525,727</u>	<u>3,037,564</u>	<u>3,110,435</u>
FTE	40.2	47.1	55.8	55.8
General Fund	2,432,759	3,496,186	3,007,523	3,079,201
Cash Funds	28,811	29,541	30,041	31,234
Operating Expenses	<u>92,276 0.0</u>	<u>92,273 0.0</u>	<u>92,276 0.0</u>	<u>92,276 0.0</u>
General Fund	91,776	91,773	91,776	91,776
Cash Funds	500	500	500	500
Polygraph Testing	<u>242,500</u>	<u>230,675</u>	<u>242,500</u>	<u>242,500</u>
General Fund	242,500	230,675	242,500	242,500
Sex Offender Treatment Grants	<u>111,872</u>	<u>78,232</u>	<u>65,597</u>	<u>65,597</u>
Federal Funds	111,872	78,232	65,597	65,597

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (E) Sex Offender Treatment					
Subprogram	2,908,218	3,926,907	3,437,937	3,510,808	2.1%
<i>FTE</i>	<u>40.2</u>	<u>47.1</u>	<u>55.8</u>	<u>55.8</u>	0.0%
General Fund	2,767,035	3,818,634	3,341,799	3,413,477	2.1%
Cash Funds	29,311	30,041	30,541	31,734	3.9%
Federal Funds	111,872	78,232	65,597	65,597	0.0%

(F) Volunteers Subprogram

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

Personal Services	<u>497,967</u>	<u>426,933</u>	<u>424,144</u>	<u>434,252</u>	
FTE	<u>7.0</u>	<u>7.1</u>	<u>8.0</u>	<u>8.0</u>	
General Fund	497,967	426,933	424,144	434,252	
Cash Funds	0	0	0	0	
Operating Expenses	<u>17,908</u>	<u>17,908</u>	<u>17,912</u>	<u>17,912</u>	
General Fund	17,908	17,908	17,912	17,912	
SUBTOTAL - (F) Volunteers Subprogram					
<i>FTE</i>	<u>7.0</u>	<u>7.1</u>	<u>8.0</u>	<u>8.0</u>	0.0%
General Fund	515,875	444,841	442,056	452,164	2.3%
Cash Funds	0	0	0	0	0.0%

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
TOTAL - (4) Inmate Programs	40,530,892	42,317,482	43,155,679	44,140,374	2.3%
<i>FTE</i>	<u>536.2</u>	<u>543.6</u>	<u>549.2</u>	<u>549.7</u>	<u>0.1%</u>
General Fund	37,736,559	39,482,812	39,712,856	40,683,029	2.4%
Cash Funds	1,097,374	1,019,752	1,405,175	1,406,368	0.1%
Reappropriated Funds	1,388,234	1,510,607	1,944,090	1,957,730	0.7%
Federal Funds	308,725	304,311	93,558	93,247	(0.3%)

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(5) COMMUNITY SERVICES

Primary Function: Monitors and supervises offenders who are on parole, in community corrections facilities prior to parole, living in private residences under intensive supervision prior to parole, and in Youthful Offender System aftercare.

(A) Parole Subprogram

Primary Function: Supervise offenders who have been placed on parole by the Parole Board, including high-risk offenders who are on intensive supervision parole.

Personal Services	<u>14,881,685</u>	<u>17,350,072</u>	<u>17,555,701</u>	<u>17,889,390</u>	*
FTE	248.7	254.9	294.0	292.2	
General Fund	14,881,685	17,350,072	17,555,701	17,889,390	
Operating Expenses	<u>2,612,239</u>	<u>2,612,237</u>	<u>2,617,703</u>	<u>2,612,740</u>	
General Fund	2,612,239	2,612,237	2,617,703	2,612,740	
Contract Services	<u>7,625,895</u>	<u>7,637,953</u>	<u>7,732,631</u>	<u>9,094,909</u>	*
General Fund	5,488,978	5,500,853	5,565,923	6,906,784	
Reappropriated Funds	2,136,917	2,137,100	2,166,708	2,188,125	
Wrap-Around Services Program	<u>1,834,290</u>	<u>1,834,291</u>	<u>1,860,004</u>	<u>1,878,604</u>	*
General Fund	1,834,290	1,834,291	1,860,004	1,878,604	
Grants to Community-based Organizations for Parolee Support	<u>1,708,910</u>	<u>1,710,000</u>	<u>1,733,971</u>	<u>1,733,971</u>	
General Fund	1,708,910	1,710,000	1,733,971	1,733,971	
Non-residential Services	<u>1,215,818</u>	<u>1,215,818</u>	<u>1,215,818</u>	<u>0</u>	*
General Fund	1,215,818	1,215,818	1,215,818	0	
Home Detention	<u>69,383</u>	<u>69,383</u>	<u>69,383</u>	<u>0</u>	*
General Fund	69,383	69,383	69,383	0	

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (A) Parole Subprogram	29,948,220	32,429,754	32,785,211	33,209,614	1.3%
<i>FTE</i>	<u>248.7</u>	<u>254.9</u>	<u>294.0</u>	<u>292.2</u>	(0.6%)
General Fund	27,811,303	30,292,654	30,618,503	31,021,489	1.3%
Reappropriated Funds	2,136,917	2,137,100	2,166,708	2,188,125	1.0%

(Formerly B) Parole Intensive Supervision Subprogram

This subprogram was combined into the Parole Subprogram.

Contract Services	<u>0</u>	
General Fund	0	
Non-residential Services	<u>0</u>	
General Fund	0	
Home Detention	<u>0</u>	
General Fund	0	
Start-up Costs	<u>0</u>	
General Fund	0	
SUBTOTAL - (Formerly B) Parole Intensive Supervision Subprogram	0	0.0%
<i>FTE</i>	<u>0.0</u>	<u>0.0%</u>
General Fund	0	0.0%

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(Formerly C) Community Intensive Supervision Subprogram

This subprogram was combined into the Community Supervision Subprogram.

Contract Services	<u>0</u>				
General Fund	0				

SUBTOTAL - (Formerly C) Community Intensive Supervision Subprogram	0	0.0%			
<i>FTE</i>	<u>0.0</u>	<u>0.0%</u>			
General Fund	0	0.0%			

(B) Community Supervision Subprogram

et been paroled; these offenders are now living in the community under the Intensive-supervision Inmate program.

(1) Community Supervision

Personal Services	<u>5,789,583</u>	<u>5,922,197</u>	<u>5,951,926</u>	<u>5,185,148</u> *
FTE	81.4	84.5	83.8	66.4
General Fund	5,789,583	5,922,197	5,951,926	5,185,148
Operating Expenses	<u>632,648</u>	<u>632,650</u>	<u>632,650</u>	<u>603,566</u> *
General Fund	632,648	632,650	632,650	603,566
Community Mental Health Services	<u>640,062</u>	<u>640,062</u>	<u>649,034</u>	<u>6,490</u> *
General Fund	640,062	640,062	649,034	6,490
Psychotropic Medication	<u>131,400</u>	<u>77,961</u>	<u>131,400</u>	<u>131,400</u>
General Fund	131,400	77,961	131,400	131,400

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Contract Services	<u>2,901,864</u>	<u>2,703,453</u>	<u>2,952,822</u>	<u>3,043,132</u> *	
General Fund	2,901,864	2,703,453	2,952,822	3,010,657	
Reappropriated Funds	0	0	0	32,475	
Contract Services for High Risk Offenders	<u>221,200</u>	<u>221,200</u>	<u>221,200</u>	<u>0</u> *	
General Fund	221,200	221,200	221,200	0	
Contract Services for Fugitive Returns	<u>72,880</u>	<u>64,589</u>	<u>74,524</u>	<u>0</u> *	
General Fund	42,049	42,049	42,049	0	
Reappropriated Funds	30,831	22,540	32,475	0	
SUBTOTAL -	10,389,637	10,262,112	10,613,556	8,969,736	(15.5%)
<i>FTE</i>	<u>81.4</u>	<u>84.5</u>	<u>83.8</u>	<u>66.4</u>	<u>(20.8%)</u>
General Fund	10,358,806	10,239,572	10,581,081	8,937,261	(15.5%)
Reappropriated Funds	30,831	22,540	32,475	32,475	0.0%
(2) Youthful Offender System Aftercare					
Personal Services	<u>508,414</u>	<u>364,257</u>	<u>519,737</u>	<u>532,124</u>	
FTE	7.0	5.2	8.0	8.0	
General Fund	508,414	364,257	519,737	532,124	
Operating Expenses	<u>141,067</u>	<u>141,067</u>	<u>141,067</u>	<u>141,067</u>	
General Fund	141,067	141,067	141,067	141,067	
Contract Services	<u>1,062,396</u>	<u>1,062,396</u>	<u>1,022,396</u>	<u>1,022,396</u>	
General Fund	1,062,396	1,062,396	1,022,396	1,022,396	
SUBTOTAL -	1,711,877	1,567,720	1,683,200	1,695,587	0.7%
<i>FTE</i>	<u>7.0</u>	<u>5.2</u>	<u>8.0</u>	<u>8.0</u>	<u>0.0%</u>
General Fund	1,711,877	1,567,720	1,683,200	1,695,587	0.7%

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
SUBTOTAL - (B) Community Supervision					
Subprogram	12,101,514	11,829,832	12,296,756	10,665,323	(13.3%)
<i>FTE</i>	88.4	89.7	91.8	74.4	(19.0%)
General Fund	12,070,683	11,807,292	12,264,281	10,632,848	(13.3%)
Reappropriated Funds	30,831	22,540	32,475	32,475	0.0%

(C) Community Re-entry Subprogram

ase, including access to community services and assistance in securing employment.

Personal Services	<u>1,814,204</u>	<u>2,366,942</u>	<u>2,380,990</u>	<u>2,437,735</u>
FTE	36.7	38.2	41.6	41.6
General Fund	1,814,204	2,366,942	2,380,990	2,437,735
Operating Expenses	<u>146,200</u>	<u>146,199</u>	<u>146,202</u>	<u>146,202</u>
General Fund	146,200	146,199	146,202	146,202
Offender Emergency Assistance	<u>96,768</u>	<u>96,763</u>	<u>96,768</u>	<u>96,768</u>
General Fund	96,768	96,763	96,768	96,768
Contract Services	<u>189,999</u>	<u>166,571</u>	<u>190,000</u>	<u>190,000</u>
General Fund	189,999	166,571	190,000	190,000
Offender Re-employment Center	<u>364,000</u>	<u>364,000</u>	<u>374,000</u>	<u>374,000</u>
General Fund	364,000	364,000	364,000	364,000
Cash Funds	0	0	10,000	10,000

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	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Community Reintegration Grants	<u>512,137</u>	<u>177,831</u>	<u>39,098</u>	<u>39,098</u>	
FTE	0.0	1.0	1.0	1.0	
Reappropriated Funds	0	0	0	0	
Federal Funds	512,137	177,831	39,098	39,098	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
SUBTOTAL - (C) Community Re-entry Subprogram	3,123,308	3,318,306	3,227,058	3,283,803	1.8%
<i>FTE</i>	<u>36.7</u>	<u>39.2</u>	<u>42.6</u>	<u>42.6</u>	0.0%
General Fund	2,611,171	3,140,475	3,177,960	3,234,705	1.8%
Cash Funds	0	0	10,000	10,000	0.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	512,137	177,831	39,098	39,098	0.0%
TOTAL - (5) Community Services	45,173,042	47,577,892	48,309,025	47,158,740	(2.4%)
<i>FTE</i>	<u>373.8</u>	<u>383.8</u>	<u>428.4</u>	<u>409.2</u>	(4.5%)
General Fund	42,493,157	45,240,421	46,060,744	44,889,042	(2.5%)
Cash Funds	0	0	10,000	10,000	0.0%
Reappropriated Funds	2,167,748	2,159,640	2,199,183	2,220,600	1.0%
Federal Funds	512,137	177,831	39,098	39,098	0.0%

Appendix A: Number Pages

	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
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(6) PAROLE BOARD

Primary Function: Conduct all parole application and parole revocation hearings.

Personal Services	<u>1,305,431</u>	<u>1,289,440</u>	<u>1,305,657</u>	<u>1,401,775</u>	
FTE	17.3	17.8	17.5	17.5	
General Fund	1,305,431	1,289,440	1,305,657	1,401,775	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Operating Expenses	<u>104,808</u>	<u>101,042</u>	<u>106,390</u>	<u>106,390</u>	
General Fund	104,808	101,042	106,390	106,390	
Contract Services	<u>233,141</u>	<u>225,012</u>	<u>272,437</u>	<u>272,437</u>	
General Fund	233,141	225,012	272,437	272,437	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	

TOTAL - (6) Parole Board	1,643,380	1,615,494	1,684,484	1,780,602	5.7%
FTE	<u>17.3</u>	<u>17.8</u>	<u>17.5</u>	<u>17.5</u>	0.0%
General Fund	1,643,380	1,615,494	1,684,484	1,780,602	5.7%
Cash Funds	0	0	0	0	0.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%

Appendix A: Number Pages

	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
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(7) CORRECTIONAL INDUSTRIES

Primary Function: Employ inmates in profit-oriented industries, usually within DOC facilities.

Personal Services	<u>9,615,711</u>	<u>8,892,732</u>	<u>10,649,298</u>	<u>10,840,129</u> *
FTE	135.6	135.4	155.0	155.0
Cash Funds	3,350,744	1,721,729	3,478,295	3,630,158
Reappropriated Funds	6,264,967	7,171,003	7,171,003	7,209,971
Operating Expenses	<u>5,875,636</u>	<u>4,758,093</u>	<u>6,689,926</u>	<u>6,689,926</u>
Cash Funds	1,816,591	289,381	1,817,327	1,817,327
Reappropriated Funds	4,059,045	4,468,712	4,872,599	4,872,599
Raw Materials	<u>28,052,347</u>	<u>20,306,391</u>	<u>38,878,810</u>	<u>38,878,810</u>
Cash Funds	8,326,464	2,539,257	8,441,080	8,441,080
Reappropriated Funds	19,725,883	17,767,134	30,437,730	30,437,730
Inmate Pay	<u>2,161,033</u>	<u>2,084,367</u>	<u>2,498,992</u>	<u>2,592,992</u>
Cash Funds	823,367	580,375	861,343	955,343
Reappropriated Funds	1,337,666	1,503,992	1,637,649	1,637,649
Capital Outlay	<u>524,676</u>	<u>138,772</u>	<u>1,406,200</u>	<u>1,406,200</u>
Cash Funds	23,884	46,825	337,094	337,094
Reappropriated Funds	500,792	91,947	1,069,106	1,069,106
Correctional Industries Grants	<u>2,509,851</u>	<u>5,295,893</u>	<u>2,500,000</u>	<u>2,500,000</u>
Federal Funds	2,509,851	5,295,893	2,500,000	2,500,000

Appendix A: Number Pages

	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
Indirect Cost Assessment	<u>426,356</u>	<u>755,946</u>	<u>1,650,611</u>	<u>1,019,890</u>	
Cash Funds	140,983	131,587	115,923	135,538	
Reappropriated Funds	285,373	275,402	292,966	293,542	
Federal Funds	0	348,957	1,241,722	590,810	
TOTAL - (7) Correctional Industries	49,165,610	42,232,194	64,273,837	63,927,947	(0.5%)
<i>FTE</i>	<u>135.6</u>	<u>135.4</u>	<u>155.0</u>	<u>155.0</u>	0.0%
Cash Funds	14,482,033	5,309,154	15,051,062	15,316,540	1.8%
Reappropriated Funds	32,173,726	31,278,190	45,481,053	45,520,597	0.1%
Federal Funds	2,509,851	5,644,850	3,741,722	3,090,810	(17.4%)

Appendix A: Number Pages

	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
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(8) CANTEEN OPERATION

Primary Function: Sell snacks, personal care products, TV's, phone time, and other items to DOC inmates at all DOC facilities.

Personal Services	<u>1,771,932</u>	<u>1,800,878</u>	<u>2,037,260</u>	<u>2,118,188</u>	
FTE	26.4	28.0	28.0	28.0	
Cash Funds	1,771,932	1,800,878	2,037,260	2,118,188	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Operating Expenses	<u>14,776,210</u>	<u>15,362,528</u>	<u>12,851,987</u>	<u>12,851,987</u>	
Cash Funds	14,776,210	15,362,528	12,851,987	12,851,987	
Inmate Pay	<u>49,626</u>	<u>52,930</u>	<u>73,626</u>	<u>73,626</u>	
Cash Funds	49,626	52,930	73,626	73,626	
Indirect Cost Assessment	<u>85,741</u>	<u>78,870</u>	<u>69,649</u>	<u>81,265</u>	
General Fund	0	0	0	0	
Cash Funds	85,741	78,870	69,649	81,265	
Start-up Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	

TOTAL - (8) Canteen Operation	16,683,509	17,295,206	15,032,522	15,125,066	0.6%
FTE	<u>26.4</u>	<u>28.0</u>	<u>28.0</u>	<u>28.0</u>	0.0%
General Fund	0	0	0	0	0.0%
Cash Funds	16,683,509	17,295,206	15,032,522	15,125,066	0.6%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%

Appendix A: Number Pages

	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Appropriation	FY 2018-19 Request	Request vs. Appropriation
TOTAL - Department of Corrections	818,409,700	821,575,156	864,740,250	922,014,329	6.6%
<i>FTE</i>	<u>6,148.8</u>	<u>6,148.0</u>	<u>6,247.0</u>	<u>6,228.5</u>	<u>(0.3%)</u>
General Fund	740,491,437	745,728,749	769,192,172	826,995,444	7.5%
Cash Funds	37,553,615	33,463,518	39,760,660	40,426,978	1.7%
Reappropriated Funds	36,673,293	36,039,575	51,620,128	51,075,840	(1.1%)
Federal Funds	3,691,355	6,343,314	4,167,290	3,516,067	(15.6%)

APPENDIX B

RECENT LEGISLATION AFFECTING DEPARTMENT BUDGET

2016 SESSION BILLS

S.B. 16-034 (TAMPERING WITH A DECEASED HUMAN BODY): Creates the crime of tampering with a deceased human body, a class 3 felony, which occurs when a person acting without legal right or authority, believing that an official proceeding is pending or in progress, willfully destroys, mutilates, conceals, removes, or alters a human body with the intent of hindering the official proceeding.

S.B. 16-051 (JUDGE'S DISCRETION REGARDING CONSECUTIVE SENTENCES): Eliminates the requirement that a person convicted of 2 or more separate crimes of violence arising out of the same incident be sentenced consecutively rather than concurrently. Potentially reduces Department expenditures starting in FY 2021-22 by an indeterminate amount.

S.B. 16-095 (5 YEAR DOC APPROPRIATIONS FOR CRIMES FIXES): Clarifies how many years of appropriations must be included in the fiscal note for a criminal sentencing bill and in the related bill. Specifies that only Department of Corrections expenditures are to be included and identifies the expenditures to include, which include parole costs. Clarifies that the statute applies when offenders are placed in private prisons.

S.B. 16-102 (REPEAL CERTAIN MANDATORY MINIMUM PRISON SENTENCES): Removes the mandatory term of incarceration that must accompany convictions of certain types of second degree assault or violations of bail bond conditions. Appropriates \$65,788 General Fund to the Judicial Department for FY 2016-17 based on the assumption that the Judicial Department will require 0.9 additional FTE. Reduces the FY 2016-17 General Fund appropriation to the Department of Corrections for private prison placements by \$721,496.

S.B. 16-142 (MISCELLANEOUS UPDATES TO ELECTIONS LAWS): Makes various changes and updates to election statutes, including creation of a class 6 felony for knowingly accessing the statewide voter registration system without authorization. Includes a 5-year statutory General Fund appropriation to the Department that provides \$21,864 for FY 2017-18 and \$546 for FY 2018-19. For more information, see the corresponding bill description in the "Recent Legislation" section of the Department of State.

S.B. 16-180 (DOC PROGRAM FOR JUVENILE OFFENDERS): Requires the Department to create a specialized program for offenders in the custody of the Department who committed a felony as a juvenile but were sentenced as an adult under adult laws. Requires the program to include best and promising practices in independent living skills development and reentry services for long-term offenders. Establishes eligibility criteria for program acceptance. Allows offenders who did not commit first degree murder to apply for the program after serving 20 years of their sentence. Allows first degree murderers to apply after 30 years. Requires offenders to participate for at least three years in order to complete the program. If the program has been successfully completed, an offender who did not commit first degree murder and has served at least 25 years of his or her sentence is presumed to have met the factual burden of presenting extraordinary mitigating circumstances and his release to

early parole is presumed compatible with the safety and welfare of society unless rebutted by relevant evidence. The same presumption applies after 30 years for offenders who committed first degree murder. Makes offenders who complete the program eligible to apply for early parole. Directs the parole application to the parole board and the governor. Requires the parole board to make a recommendation to the governor and the governor to make the final parole decision. Appropriates \$95,504 General Fund to the Department for FY 2016-17.

S.B. 16-181 (SENTENCING JUVENILES CONVICTED OF CLASS 1 FELONIES): Establishes a procedure for resentencing persons who committed a class 1 felony while a juvenile and upon whom a court imposed a mandatory life sentence without the possibility of parole. If the related felony is first-degree murder committed in the course of any of several described offenses, then the district court may sentence the person to 30 to 50 years in prison, less any earned time granted, if the court finds extraordinary mitigating circumstances. Alternatively, the court may sentence the person to a term of life imprisonment with the possibility of parole after serving 40 years, less any earned time granted. If the related felony is not first-degree murder committed in the course of any of several described offenses, then the district court shall sentence the person to a term of life imprisonment with the possibility of parole after serving 40 years, less any earned time granted. Prohibits the awarding of good time to a resentenced offender but allows the retroactive award of earned time as if the person had been eligible for earned time from the beginning of his or her incarceration. The state board of parole may conduct parole hearings for resentenced offenders beginning in June 2017. Potentially reduces Department expenditures starting in FY 2017-18 by an indeterminate amount.

H.B. 16-1080 (ASSAULT BY STRANGULATION): Classifies strangulation with the intent to cause serious bodily injury as first degree assault, and strangulation with intent to cause bodily injury as second degree assault. Designates second degree assault by strangulation as an extraordinary risk crime, thus increasing the maximum presumptive sentence range. Includes a 5-year statutory General Fund appropriation to the Department that provides \$43,727 for FY 2017-18, \$87,454 for FY 2018-19, \$131,181 for FY 2019-20, and \$170,900 for FY 2020-21.

H.B. 16-1117 (RECORD CUSTODIAL INTERROGATIONS): Requires law enforcement officials who are investigating a class 1 or 2 felony or a felony sexual assault to make an audio-video recording of custodial interrogations occurring in a detention facility. Appropriates \$24,700 General Fund to the Department for FY 2016-17.

H.B. 16-1190 (EXCLUDE DETENTION FACILITIES FROM DEADLY FORCE LAW): Establishes that that prison cells and other places of habitation in detention facilities are not dwellings for purposes of Colorado's "Make my day" law, thus depriving inmates in those facilities of immunity from prosecution and civil liability when they use force, including deadly force, against another inmate who (1) has unlawfully entered the inmate-occupant's place of habitation, (2) the inmate-occupant reasonably believes is committing or intends to commit a crime against a person or property, in addition to the uninvited entry, and (3) the inmate-occupant reasonably believes might use physical force against the occupant, no matter how slight. The bill may result in increased sentences to the Department, but the amount and timing of the resulting costs was not estimated in the Legislative Council Staff Fiscal Note.

H.B. 16-1260 (EXTEND STATUTE OF LIMITATIONS SEXUAL ASSAULT): Extends the criminal statute of limitations for felony sexual assault to 20 years. Potentially increases Department expenditures starting in FY 2026-27 by an indeterminate amount.

H.B. 16-1362 (LICENSE PLATE AUCTION TRANSFER DISABILITY BENEFIT): Transfers the functions of the License Plate Auction Group, currently housed in the Governor's Office, to the Disability-Benefit Support Contract Committee, housed in the Department of Personnel, and renames the new entity the Colorado Disability Funding Committee. Allows the committee to contract with an entity to sell and auction license registration numbers, for which it will also determine a reasonable commission. Directs that profits be used to aid people with disabilities in accessing disability benefits. Appropriates \$42,283 cash funds and 0.5 FTE from the Disability Support Fund to the Department of Personnel. Directs that any money used to implement additional license plate options be transferred to the Division of Correctional Industries in the Department of Corrections. For more information, see the corresponding bill description in the "Recent Legislation" section of the Department of Personnel.

H.B. 16-1405 (LONG BILL): General appropriations act for FY 2016-17.

H.B. 16-1406 (COUNTY CORONERS REIMBURSEMENT BY DOC): Requires the Department to reimburse a county for reasonable and necessary costs related to investigations or autopsies for persons who were in the custody of the DOC at the time of their death. For FY 2016-17 appropriates \$32,175 General Fund to the Department.

H.B. 16-1411 (FORT LYON RESIDENTIAL COMMUNITY STUDY): Authorizes the State Auditor to contract for a study of the Fort Lyon Supportive Residential Community to evaluate the program's costs, benefits, and outcomes. This program serves approximately 250 chronically homeless individuals at a historic facility in Bent County. A preliminary findings report is due August 1, 2017 and a final report is due August 1, 2018. For FY 2016-17, appropriates \$200,000 General Fund to the Legislative Department for the Office of the State Auditor to contract for the study and \$11,875 General Fund to the Department of Corrections for contract services related to compiling data for the study. Unspent amounts may be rolled forward for expenditure in FY 2017-18. The total cost of the study from FY 2016-17 until its completion in FY 2018-19 is not expected to exceed \$450,000 General Fund.

2017 SESSION BILLS

S.B. 17-159 (SUPPLEMENTAL APPROPRIATION): Supplemental appropriation to the Department of Corrections to modify FY 2016-17 appropriations included in the FY 2016-17 Long Bill (H.B. 16-1405).

S.B. 17-176 (Motor Vehicle License Plate Appropriation): Authorizes the use of the Colorado State Titling and Registration (CSTAR) Account in the Highway Users Tax Fund by the Department of Revenue to purchase license plates, decals, and validating tabs from the Department of Corrections. Provides \$2,435,572 reappropriated funds to the Department of Corrections from the Department of Revenue to produce these items. For more information, see the corresponding bill description in the "Recent Legislation" section at the end of Part III of the Department of Revenue.

S.B. 17-256 (LONG BILL): General appropriations act for FY 2017-18.

S.B. 17-048 (REQUIRE ARREST OF INTENSIVE SUPERVISION PAROLEES WHO ESCAPE FROM DOC): Specifies that knowingly removing or tampering with an electronic monitoring device required to be worn as a condition of parole is considered escape from custody. Requires arrest of a parolee participating in an intensive supervision program if there is probable cause to believe that the parolee has committed such an act. The arresting officer is required to submit charges to the district attorney for consideration of filing. May increase costs of the Department of Corrections because some parolees may be sentenced for escape rather than being returned to custody for a technical parole violation, thereby increasing their length of stay upon return to prison.

H.B. 17-1072 (HUMAN TRAFFICKING SEXUAL SERVITUDE): Adds to the definition of human trafficking for sexual servitude the act of purchasing another person for the purpose of coercing him or her to engage in commercial sexual activity. Also adds this element to the definition of human trafficking of a minor. May increase the number of persons sentenced to the Department of Corrections.

H.B. 17-1125 (SERVICES IN CORRECTIONAL FACILITIES): Removes from statute the requirement that Correctional Industries provide vehicle maintenance, physical plant and facility maintenance, and food and laundry services for each of the state's correctional facilities. The changes make statute accord with current practice.

H.B. 17-1172 (PENALTIES FOR CHILD SEX TRAFFICKERS): Requires that any person convicted of human trafficking of a minor for sexual servitude be sentenced to the Department of Corrections (DOC) for at least 8 years. May increase the length of sentences to the DOC.

H.B. 17-1308 (INDIVIDUALIZED CONDITIONS OF PAROLE): Removes from statute the mandatory imposition of certain parole conditions, which is expected to reduce workload and state General Fund costs for the Department by an indeterminate amount.

H.B. 17-1330 (NO ESCAPE CONVICTION FOR HABITUAL CRIMINALS): Clarifies that escape from a community-corrections facility and prior convictions for escape or attempted escape may not be used to adjudicate an offender as an habitual criminal. Habitual criminals are subject to longer periods of incarceration so the bill may reduce future Department costs.

H.B. 17-1326 (JUSTICE REINVESTMENT CRIME PREVENTION INITIATIVE): Changes maximum parole revocation periods for technical parole violations. Depending on the nature of the parolee's sentence, decreases or increases the revocation period with decreases expected to predominate. Reduces the maximum time a revoked parolee can be held in the Preparole Release and Revocation Facility from 180 to 90 days. Eliminates parole revocation placements in Community Return-to-custody Facilities. Directs the Parole Board to conduct a parole release review in lieu of a hearing, without the presence of the inmate, if (1) the inmate is assessed as being "low" or "very low" risk using a validated risk assessment instrument, (2) the inmate meets readiness criteria, and (3) victim notification is not required. Requires the Division of Adult Parole to investigate the parole release plans of prospective parolees.

Establishes a new crime-prevention program in the Department of Local Affairs (DOLA) to provide small business loans and grants that are designed to reduce crime and promote community development in the target communities of north Aurora and southeast Colorado Springs. Establishes a new Parole Savings Fund to which some of the General Fund savings from the bill's parole

revocation rules are appropriated. In FY 2017-18 the DOLA grant and loan program receives direct General Fund appropriations. In subsequent years the grant and loan program will be supported by appropriations from the Parole Savings Fund and that fund will receive General Fund appropriations. Adjusts FY 2017-18 appropriations to the DOC and DOLA as follows:

APPROPRIATION ADJUSTMENTS IN H.B. 17-1326	
	GENERAL FUND
Department of Corrections Appropriation Changes	
Payments to local jails	\$13,595
Payments to in-state private prisons	(2,165,720)
Payments to pre-release parole revocation facilities	(1,082,860)
Payments to Community Return-to-custody Facilities	(2,775,738)
Parole personal services	36,254
FTE	(0.8 FTE)
Parole operating expenses	5,463
Computer programming	<u>103,824</u>
Total DOC adjustments	(\$5,865,182)
DOLA Appropriation Changes	
Division of Local Government	\$51,001
FTE	(0.8 FTE)
Computer programming	48,288
Legal services	4,753
Small business loans	1,000,000
Grants for crime reduction and community development	3,000,000
Parole Savings Fund	<u>1,761,140</u>
Total DOLA Adjustments	\$5,865,182
Overall General Fund Adjustments	\$0

H.B. 17-1369 (BONDS FOR PERSONS WHO FAIL TO APPEAR DUE TO IMMIGRATION ISSUES):

Allows a person or professional bail bonding agent who posts a bail bond for a defendant to recover the bond if the surety can provide the court satisfactory evidence that the defendant was deported and the District Attorney does not object. Reduces cash fund revenue to the Corrections Expansion Reserve Fund and County Jail Assistance Fund in the Department of Corrections. The revenue reduction is estimated to be \$8,869 annually for each fund.

APPENDIX C FOOTNOTES AND INFORMATION REQUESTS

UPDATE ON LONG BILL FOOTNOTES

- 2 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- The Department of Corrections is authorized to transfer up to 5.0 percent of the total appropriation for the external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community return to custody providers

COMMENT: The Department is in compliance with this footnote.

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

COMMENT: The Department is in compliance with this footnote.

- 4 Department of Corrections, Institutions, Housing and Security Subprogram, Personal Services -- The amount appropriated in this line item does not include the \$7,671,044 of FY 2017-18 General Fund appropriations for the Department of Corrections set forth in sections 108, 111, 116, 114, 115, 121, 120, 117, 118, 119, 122, and 123 of Title 17, Article 18, C.R.S. In calculating the amount appropriated in this line item, it is assumed that these statutory appropriations will be used for the same line item.

COMMENT: The Department is in compliance with this footnote. The footnote outlines the General Fund appropriations included in the required appropriation clauses for five-year criminal sentencing bills to pay for personal services in the housing and security subprogram.

- 4a Department of Corrections, Institutions, Housing and Security Subprogram, Operating Expenses -- This appropriation includes \$40,000 General Fund for the purpose of providing tampons for offenders.

COMMENT: This footnote was added to the FY 2017-18 as part of the conference committee report. The Department is in compliance with this footnote.

UPDATE ON REQUESTS FOR INFORMATION

MULTIPLE DEPARTMENT REQUEST FOR INFORMATION

- 1 Department of Corrections; Department of Human Services; Judicial Department; Department of Public Safety; and Department of Transportation -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from: the Alcohol and Drug Driving Safety Program Fund, the Law Enforcement Assistance Fund, the Offender Identification Fund, the Persistent Drunk Driver Cash Fund, and the Sex Offender Surcharge Fund, among other programs.

COMMENT: This request for information is intended to ensure that Departments coordinate requests that draw on the same cash fund. Each Department is required to include, as part of its budget request, a Cash Fund Report for each cash fund it administers to comply with the statutory limit on cash fund reserves. For funds that are shared by multiple departments, the department that administers the fund is responsible for coordinating submission of expenditure and revenue information from all departments to construct a schedule 9 that incorporates all activity in the fund. One of the funds referenced in this RFI pertains to the Department of Corrections.

Sex Offender Surcharge Fund [Section 18-21-103 (3), C.R.S.] – This fund consists of 95.0 percent of sex offender surcharge revenues. These surcharges range from \$150 to \$3,000 for each conviction or, in the case of juveniles, adjudication. Money in this fund is subject to annual appropriation in the Judicial Department, the Department of Corrections, the Department of Public Safety’s Division of Criminal Justice, and the Department of Human Services to cover the direct and indirect costs associated with the evaluation, identification, and treatment and the continued monitoring of sex offenders. Pursuant to 16-11.7-103 (4)(c), C.R.S., the Sex Offender Management Board is required to develop and submit to the General Assembly the plan for the allocation of money deposited in this fund. The Department of Corrections receives a direct appropriation from the Sex Offender Surcharge Fund to support treatment and services for sex offenders in prison (\$30,041 for FY 2017-18). Under the plan submitted by the SOMB, this appropriation would not change for FY 2018-19.

DEPARTMENT OF CORRECTIONS

- 1 Department of Corrections, Institutions, Mental Health Subprogram -- It is requested that the Department of Corrections submit a report to the House Judiciary Committee and the Senate Judiciary Committee by January 31, 2018, detailing progress related to the mental health unit at the Centennial Correctional Facility.

COMMENT: The Department will submit this report on January 31, 2018.

APPENDIX D

DEPARTMENT ANNUAL PERFORMANCE REPORT

Pursuant to Section 2-7-205 (1)(b), C.R.S., the Department of Corrections is required to publish an **Annual Performance Report** for the *previous fiscal year* by November 1 of each year. This report is to include a summary of the Department's performance plan and most recent performance evaluation for the designated fiscal year. In addition, pursuant to Section 2-7-204 (3)(a)(I), C.R.S., the Department is required to develop a **Performance Plan** and submit the plan for the *current fiscal year* to the Joint Budget Committee and appropriate Joint Committee of Reference by July 1 of each year.

For consideration by the Joint Budget Committee in prioritizing the Department's FY 2018-19 budget request, the FY 2016-17 Annual Performance Report dated October 2017 and the FY 2017-18 Performance Plan can be found at the following link:

<https://www.colorado.gov/pacific/performancemanagement/department-performance-plans>

APPENDIX E

COST PER OFFENDER BY FACILITY

COLORADO DEPARTMENT OF CORRECTIONS								
Cost Per Offender by Facility								
FY 2016-17								
	Facility ADP	Direct Facility Cost Per Day	Clinical Services Cost Per Day	Facility Cost Per Day Total	Centralized Cost Per Day	Administrative Cost Per Day	Total Cost Per Day	Annual Cost
State Prison Facilities								
Level I								
Colorado Correctional Center	148	\$56.38	\$4.76	\$61.14	\$7.33	\$3.75	\$72.22	\$26,360
Delta Correctional Center	474	\$60.22	\$9.56	\$69.78	\$7.33	\$3.75	\$80.86	\$29,514
Rifle Correctional Center	191	\$64.43	\$7.70	\$72.13	\$7.33	\$3.75	\$83.21	\$30,372
Skyline Correctional Center	251	\$52.20	\$4.28	\$56.48	\$7.33	\$3.75	\$67.56	\$24,659
Total Level I	1,064						\$76.94	\$28,084
Level II								
Arrowhead Correctional Center	517	\$56.09	\$17.26	\$73.35	\$7.33	\$3.75	\$84.43	\$30,817
Four Mile Correctional Center	524	\$55.29	\$11.04	\$66.33	\$7.33	\$3.75	\$77.41	\$28,255
Trinidad Correctional Facility	501	\$64.63	\$9.98	\$74.61	\$7.33	\$3.75	\$85.69	\$31,277
Total Level II	1,542						\$82.45	\$30,096
Level III								
Arkansas Valley Correctional Facility	971	\$68.09	\$17.03	\$85.12	\$7.33	\$3.75	\$96.20	\$35,113
Buena Vista Correctional Facility	1,228	\$63.59	\$13.69	\$77.28	\$7.33	\$3.75	\$88.36	\$32,251
Colorado Territorial Correctional Facility	945	\$71.32	\$38.24	\$109.56	\$7.33	\$3.75	\$120.64	\$44,034
Fremont Correctional Facility	1,613	\$57.69	\$15.05	\$72.74	\$7.33	\$3.75	\$83.82	\$30,594
La Vista Correctional Facility	588	\$74.81	\$18.40	\$93.21	\$7.33	\$3.75	\$104.29	\$38,066
Total Level III	5,345						\$95.87	\$34,994
Level IV								
Limon Correctional Facility	839	\$81.71	\$14.37	\$96.08	\$7.33	\$3.75	\$107.16	\$39,113
Total Level IV	839						\$107.16	\$39,113
Level V								
Centennial Correctional Facility	301	\$157.60	\$42.80	\$200.40	\$7.33	\$3.75	\$211.48	\$77,190
Colorado State Penitentiary	685	\$112.03	\$18.65	\$130.68	\$7.33	\$3.75	\$141.76	\$51,742
Denver Reception & Diagnostic Center	594	\$97.16	\$69.72	\$166.88	\$7.33	\$3.75	\$177.96	\$64,955
Denver Women's Correctional Facility	981	\$71.54	\$27.25	\$98.79	\$7.33	\$3.75	\$109.87	\$40,103
San Carlos Correctional Facility	223	\$175.34	\$79.11	\$254.45	\$7.33	\$3.75	\$265.53	\$96,918
Sterling Correctional Facility	2,468	\$65.26	\$13.89	\$79.15	\$7.33	\$3.75	\$90.23	\$32,934
Total Level V	5,252						\$124.93	\$45,601
Grand Total Level I-V	14,042						\$104.51	\$38,146
Youthful Offender System								
Youthful Offender System Aftercare	33	\$107.77	\$0.00	\$107.77	\$0.00	\$3.75	\$111.52	\$40,705
Youthful Offender System	185	\$221.57	\$13.55	\$235.12	\$7.33	\$3.75	\$246.20	\$89,863
STU at YOS	25	\$81.92	\$3.79	\$85.71	\$7.33	\$3.75	\$96.79	\$35,328
YOS Jail Backlog	2	\$53.64	\$0.00	\$53.64	\$0.00	\$0.00	\$53.64	\$19,579
Community Services								
Parole	8,230	\$12.43	\$0.60	\$13.03	\$0.00	\$3.75	\$16.78	\$6,125
Fugitive Apprehension	685	\$4.83	\$0.00	\$4.83	\$0.00	\$3.75	\$8.58	\$3,132
Community Supervision	1,495	\$22.42	\$0.00	\$22.42	\$0.00	\$3.75	\$26.17	\$9,552
External Capacity								
	Facility ADP	Facility Cost Per Day	PPMU Cost Per Day	Clinical Services Cost Per Day	Centralized Cost Per Day	Administrative Cost Per Day	Total Cost Per Day	Annual Cost
Bent County	1,386	\$56.02	\$1.01	\$1.19	\$0.00	\$3.73	\$61.95	\$22,611
Crowley County	1,569	\$56.02	\$1.09	\$1.42	\$0.00	\$3.73	\$62.26	\$22,723
Kit Carson	17	\$56.02	\$0.03	\$1.86	\$0.00	\$3.73	\$61.64	\$22,498
Cheyenne Mountain ReEntry Center	632	\$56.02	\$1.20	\$1.23	\$0.00	\$3.73	\$62.18	\$22,697
County Jails	720	\$53.64	\$0.00	\$0.56	\$0.00	\$3.73	\$57.93	\$21,145
Community Corrections Programs	196	\$50.17	\$0.00	\$0.00	\$0.00	\$3.73	\$53.90	\$19,674

Medical cost per day includes medical and mental health costs that are not facility specific, such as external medical care, pharmaceuticals, centralized x-ray and dental expenses, capital equipment, centralized personal services, and central service contracts.

Centralized cost per day includes centralized expenses that are not facility specific, such as centralized personal services, inspector general, superintendent's, offender ID, legal access, transportation, facility services, education, communications, and information systems.

Administrative cost per day includes expenses that would apply to the entire department, such as the executive director's office, business operations (budget, accounts payable, inmate bank, payroll, general accounting), personnel, offender services, and training.

APPENDIX F

CLASSIFICATION JOB DUTIES

CORRECTIONAL OFFICER I

The minimum requirements to be a Correctional Officers I is a high school diploma or General Education Diploma. Correctional Officer Is are responsible to maintain public safety and security of facility and work sites through various housing and security duties. Duties include: direct/indirect supervision of offenders; controlling facility access and egress; monitoring and inspecting security devices; conducting offender counts; conducting searches to control contraband; managing offender movement; maintaining control over tools, keys, and chemicals; providing transportation for offenders; responding to emergency situations; and completing relative incident reports. Officers maintain positive professional communications with offenders and teach offenders how to interact in a prosocial manner.

CORRECTIONAL OFFICER II

The minimum requirements to be a Correctional Officers II is a high school diploma or General Education Diploma and two years of experience. Correctional Officer IIs are first line supervisors of Correctional Officer Is and hold the title of Sergeant. Correctional Officer IIs are responsible to provide lead work and oversight to CO Is assigned to the work area to ensure adherence to policies and procedures.

They also are responsible for determining the workflow of the assigned area; ensuring daily tasks are completed; appropriately logging daily activities; completing appropriate documentation in accordance with policies; and training/mentoring CO Is in daily operations and security practices. They inspect the work area to maintain health, safety and sanitation standards; manage offender behavior; and encourage personal accountability through effective and professional communication and by modeling pro-social behavior. They provide offenders with second level of staff contact for counseling and contribute to case planning of offenders.

SUMMARY OF IMPLEMENTATION - CORRECTIONAL SUPPORT TRADES SUPERVISOR I

The minimum requirements to be a Correctional Support Trades Supervisor I is a high school diploma or General Education Diploma and four years of experience. The Correctional Support Trades Supervisor I (CSTS I) works in several different areas that are responsible for facility or industry operations, including Food Service, Laundry, Maintenance, Warehouse Operations, and Correctional Industries. They hold the title of Sergeant. CSTS Is are responsible for maintaining security and safety within their assigned work area; supervising and training offender work crews in their specific trades and skill sets; ensuring key/tool control and appropriate use. CSTS Is are responsible for generating offender payroll records and verifying work hours; evaluating offender work performance; conducting offender counts, conducting searches to control contraband, transporting offenders to work sites (for off-site work crews); ensuring quality products or operations. CSTS Is also provide offenders with the first level of staff contact for counseling and interaction in their work areas.

APPENDIX G

PRISON UTILIZATION STUDY FACILITY TIERS

From pages two and three of the Colorado Prison Utilization Study, the following is the description of the facility tiers and the explanation for why facilities were placed in the respective tier.

- Tier 1: Facilities essential to the operation of the correctional system. These facilities provide critical services that support all CDOC facilities, perform functions that are critical to the overall management and daily operation of the CDOC, or fulfill mandatory missions that cannot be cost-effectively transferred to other facilities.
- Tier 2: Facilities best suited to meet the system's projected custody level housing needs. These facilities house general population inmates in each classification category. They provide great value to the correctional system by virtue of the number and type of beds provided, cost efficiency, operational effectiveness, program offerings, and role-played in overall system management.
- Tier 3: Facilities that may be considered for temporary or permanent closure depending upon long-term prison population trends. These facilities represent the least critical facilities in the correctional system and could be considered for temporary or permanent closure if the prison population classification level drops significantly. The types of beds offered in these facilities may not be aligned with the overall capacity needs of the CDOC. These facilities may present challenges in terms of efficient management and utilization, or may provide services and functions that could be more effectively provided by other facilities.

The following is a summary from the report for why facilities were placed into the tier's they were: The Tier 1 facilities all provide essential functions for the correctional system.

- Denver Reception processes in admissions to the prison system.
- Denver Women's is the primary facility for female offenders.
- San Carlos is specifically designed to manage offenders with serious mental health issues.
- The Colorado State Penitentiary (CSP) is the primary close custody facility for the state.
- *Territorial, despite an aging physical plan, manages one of only two infirmaries in the correctional system and houses most of the elderly and special needs population.

The facilities categorized in Tier 2 provide the bulk of the correctional system's capacity, particularly in the critical medium custody category. Recent revisions in the Department's offender classification system indicate a significant redistribution of the population into medium custody.

CNA's analysis of the Tier 3 facilities concludes that while these facilities are currently necessary and provide good programs, they are less essential to the core functions of the CDOC. Accordingly, in the event of a significant drop in the prison population, these facilities should receive serious consideration for closure.

- A potential change in re-entry programming from a centralized to a decentralized model currently under consideration by the CDOC could make the Cheyenne Mountain Re-Entry Center (CMRC) expendable.
- Rifle's remote location is problematic for a minimum custody facility pre-paring offenders to re-enter society.

- Similarly, Kit Carson’s location makes staff hiring and the delivery of medical and mental health services comparatively difficult²².
- Colorado Correctional Center has an aging physical plant and its historical site status makes needed updates to the facility difficult.
- Four Mile and Skyline are limited to minimum and minimum-restricted custody offenders.
- Finally, the Youthful Offender System (YOS) facility is not well-suited to support this program due to inadequate program and recreational facilities²³.

²² The private prison operator of Kit Carson closed this facility in 2016.

²³ The text in quotes is directly from page 3 of the 2016 Utilization 2.0 report. Since the publication of the study, the YOS multiuse support building (which includes a gym, music room, and library) was opened July 2017.

APPENDIX H

2017 INTERIM COMMITTEE LEGISLATION

Two 2017 legislative interim committees have received approval from Legislative Council to introduce legislation which could have a large fiscal impact. This appendix is intended to provide the Committee with an overview of the legislation that will be introduced during the 2018 Session. The Committee may want to use a portion of the meeting time with the Joint Judiciary Committee in January 2018 to discuss the legislation.

2017 COUNTY COURTHOUSE AND COUNTY JAIL FUNDING AND OVERCROWDING SOLUTIONS INTERIM STUDY COMMITTEE

This committee received approval to introduce a bill titled “Concerning the Amount that the Department of Corrections is Required to Reimburse a County or City and County for the Confinement and Maintenance in a Local Jail of Any Person who is Sentenced to a Term of Imprisonment in a Correctional Facility.”

Bill Description

Under current law, the General Assembly establishes in the annual General Appropriations bill the amount that the Department of Corrections must reimburse a county or city and county for a portion of the costs incurred in confining and maintaining in a local jail a person who is sentenced to a term of imprisonment in a correctional facility. The bill establishes this amount in statute as \$108.78 per day.

Estimated Fiscal Impact as Prepared by Legislative Council Fiscal Note Staff

Under current law, the Department of Corrections pays \$54.39 per person per day to reimburse county jails for housing DOC offenders. For a full year, this amounts to about \$15.0 million for 758 beds. Assuming the same inmate population for FY 2018-19, this bill will increase the annual amount needed to reimburse county jails to about \$30.0 million. This increase will vary in future years based on the number of actual beds funded. For FY 2017-18, it was assumed that the new rate would take effect in June 2017, increasing DOC expenditures for the current fiscal year by \$1,254,007. This appropriation may vary depending on the inmate population and the date this law is passed.

Fiscal Impact Summary	FY 2017-2018 <i>(current year)</i>	FY 2018-2019	FY 2019-2020
State Revenue			
State Expenditures	<u>\$1,254,007</u>	<u>\$15,048,081</u>	<u>\$15,048,081</u>
General Fund	1,254,007	15,048,081	15,048,081
Appropriation Required: \$1,254,007 - Department of Corrections (FY 2017-18). \$15,048,081 - Department of Corrections (FY 2018-19).			
Future Year Impacts: Ongoing expenditure increase.			

2017 SENTENCING IN THE CRIMINAL JUSTICE SYSTEM INTERIM STUDY COMMITTEE

MANDATORY PAROLE PERIOD LEGISLATION

This committee received approval from Legislative Council to introduce a bill titled “Concerning Lowering the Period of Mandatory Parole from Five years to Three years for certain Felony Offenses.” Under current law, the length of a mandatory parole sentence for a class 2 or 3 felony is five years. The bill reduces the length of mandatory parole for a class 2 or 3 felony to three years.

Estimated Fiscal Impact as Prepared by Legislative Council Fiscal Note Staff

The December 2016 Legislative Council Staff forecast anticipates that 9,052 offenders will be admitted to prison during FY 2018-19. It is assumed that approximately 105 offenders will be admitted because of a class 2 felony sentence and 475 offenders will be admitted as a result of a class 3 felony sentence. For fiscal years beyond FY 2018-19, these figures are grown by the State Demography Office population forecast. Actual admissions will vary greatly as a result of demographic, criminological, prosecutorial, judicial, and policy factors, and cannot be estimated with accuracy over this length of time. This fiscal note assumes that the bill will reduce parole caseload by 300 offenders during FY 2028-29, 700 offenders during FY 2030-31, and 935 offenders during FY 2038-39.

	FY 2028-29	FY 2030-31	FY 2038-39
Change in Average Daily Parole Caseload	(300 offenders)	(700 offenders)	(935 offenders)
Assumed Parole Cost Per Day	\$18.31	\$19.57	\$25.58
Impact on Parole Costs - General Fund	(\$2.0 million)	(\$5.0 million)	(\$8.7 million)

SENTENCING PRACTICES LEGISLATION

This committee also received approval to introduce a bill titled “Concerning Requiring the Colorado Commission on Criminal and Juvenile Justice to Contract for a Study of Effective Criminal Sentencing Practices.” The bill directs the Colorado commission on criminal and juvenile justice (commission) to contract for a study of the most effective criminal sentencing practices available. The commission must establish an advisory committee to review the study and make recommendations regarding changes to the Colorado sentencing scheme based on the study. The following table summarizes the fiscal impact of the bill.

Fiscal Impact Summary	FY 2018-2019	FY 2019-2020
State Revenue		
State Expenditures	<u>\$93,000</u>	
General Fund	93,000	
Appropriation Required: \$93,000 - Department of Public Safety (FY 2018-19).		
Future Year Impacts: None.		

APPENDIX I
PRIVATE PRISON RESPONSE LETTERS TO COMMITTEE
INQUIRIES ON OPERATIONAL COSTS

Core Civic and The Geo Group responded to the Committee’s September 2017 letters asking about the cost to reopen and operate a private prison in Colorado. Included on the following pages are copies of the responses sent to the Committee.



Damon T. Hininger
President and CEO
CoreCivic Facility Support Center

November 1, 2017

Senator Kent Lambert, Chair
Joint Budget Committee
200 East 14th Avenue
13th Floor Legislative Services Building
Denver, CO 80203

Dear Senator Lambert:

CoreCivic appreciates the opportunity to respond to your request from September 20th with a cost estimate to open an additional private prison under private prison management in Colorado.

CoreCivic owns four facilities in Colorado: Bent County Correctional Center (Las Animas), Crowley County Correctional Center (Olney Springs), Kit Carson Correctional Center (Burlington), and Huerfano County Correctional Center (Walsenburg). CoreCivic currently houses approximately 3,100 Colorado offenders at the Bent and Crowley Correctional Centers. Huerfano County Correctional Center closed in 2010 and Kit Carson Correctional Center closed in 2016 as a result of available bed capacity in state-operated facilities.

CoreCivic recently responded to the Department of Corrections' request for a potential short term lease of the Huerfano County Correctional Center. Under the terms of a proposed lease, the facility would be operated by the Department and CoreCivic would provide maintenance and facility repairs. The size and location of our Huerfano facility is a good fit to meet the CDOC's current need for beds and we are hopeful the lease arrangement will come to fruition. A lease arrangement also provides maximum flexibility as the state explores options for addressing its prison capacity challenges.

CoreCivic is proud of our more than 600 Colorado employees who have been providing correctional and re-entry services to the State for over 20 years. CoreCivic would welcome the opportunity to re-open our Burlington and Walsenburg facilities. Given however the significant role staff plays in a correctional facility, we would need an operating contract that provides significantly more time than the seven (7) months duration potentially envisioned in a lease. Unlike a lease, in keeping with a traditional private operations agreement, CoreCivic would need to hire several hundred new staff which in order to attract we would have to have a multi-year contract from the State.

Based on an initial review of operating requirements at our Burlington and Walsenburg facilities, we anticipate the cost to open and operate one of our vacant facilities in Colorado would require a per diem range of \$67.00 to \$75.00. Narrowing that range estimate and providing the committee with a more specific per diem rate is difficult due to uncertainty regarding population size, program and staffing requirements. Additionally, it depends which facility (Kit Carson or Huerfano) would be selected, as property taxes, local employment conditions and community involvement vary from location to location. The rate assumes full facility utilization and no impact upon current population levels in the Bent and Crowley facilities.

Under the traditional public-private correctional partnership in Colorado, the State pays a daily amount to the operator based on each offender under the operator's care. The per diem or private prison provider rate has always been set by the Joint Budget Committee annually. In previous years, Joint Budget Committees have increased the per diem rate when possible, decreased the per diem rate when necessary or continued a flat rate from the prior year. Unfortunately, given the long term pressure on the state's budget, the current per diem rate has not kept up with the long term rate of inflation.

CoreCivic believes in the delivery of life-changing reentry programming and high-quality corrections and detention services. Our commitment to safety is built upon our mission to better the public good. CoreCivic values our longstanding relationship with the state of Colorado. Thank you for the opportunity to provide the above information and we hope that it is helpful to the Committee.

Sincerely,



Damon Hininger
President and Chief Executive Officer
CoreCivic

cc:

John Ziegler, Staff Director, Joint Budget Committee
Megan Davisson, Joint Budget Committee Staff

November 1, 2017

The Honorable Kent Lambert, Chair
Joint Budget Committee
Colorado State Senate
Legislative Services Building
200 E Colfax, RM 346
Denver, CO 80203



Corporate Headquarters
One Park Place, Suite 700
621 Northwest 53rd Street
Boca Raton, Florida 33487

TEL: 561 893 0101
866 301 4436

www.geogroup.com
dventurella@geogroup.com

Re: Private Operation of the Hudson Correctional Facility

Dear Senator Lambert,

Thank you for the opportunity to provide information to the Joint Budget Committee on the private operation of GEO's Hudson Correctional Facility.

GEO is the world's largest provider of detention, corrections and reentry services to government agencies worldwide with operations in the United States, Australia, South Africa, and the United Kingdom. GEO's worldwide operations include the ownership and/or management of 140 facilities totaling approximately 96,000 beds, including projects under development, with a growing workforce of approximately 23,000 professionals.

GEO is a leading provider of rehabilitation services through its proprietary GEO Continuum of Care program. This program provides enhanced in-prison offender rehabilitation programs including evidence-based treatment, integrated with post-release support services. We deliver comprehensive approaches to the management, treatment, and rehabilitation of offenders while in custody and throughout the community. Approximately 35,000 participants are enrolled in evidence-based rehabilitation programs at GEO facilities worldwide.

Through the GEO Continuum of Care we offer a nationwide capability to treat and support culturally unique, vulnerable populations through intensive in-custody, residential, and community-based treatment and support services. The programs vary from in-custody and intensive residential treatment, to community-based correctional services and day reporting centers. By properly assessing offender needs and developing effective rehabilitation programs while individuals are in custody and transitioning to community-based programs upon release, GEO can facilitate consistency in treatment and promote effective reintegration for offenders back into their communities, ultimately reducing recidivism.

Per your request, GEO is providing an estimate to open and manage the 1,000 bed Hudson Correctional Facility, located in Hudson, Weld County, Colorado. The actual per diem rate would vary based on the specific scope of work; however, we estimate comprehensive services for 1,000 general population offenders could be provided for a per diem rate ranging between \$70.00 and \$85.00. This estimate includes delivery of the following:

- A state-of-the-art, fully equipped and operational correctional facility that features:
 - 1,000 general population beds, in double-bunked cellular housing
 - 124 Restrictive Housing Unit beds
 - Upgraded security systems with state-of-the-art touch screen security electronic door controls, integrated CCTV and intercom, and perimeter intrusion system
 - Compliant with American Correctional Association standards
 - All preventative and routine maintenance provided
- A full service Correctional Healthcare Unit to provide medical, dental and mental health services.
- All personnel and supplies to provide full facility operations including administrative, security, medical, rehabilitation, and support services.
- Evidence based rehabilitation programs to include academic classes such as GED, ABE, and ESL; vocational and life skills training; religious services; substance abuse counseling, cognitive behavioral treatment, and, if needed, transition/post release support services.
- Facility activation within 120 days.

Thank you in advance for your consideration. If you have any questions or need any additional information, please don't hesitate to contact me or Jennifer Houston, Executive Vice President, Proposal Development, at 866-301-4436.

Regards,



David J. Venturella
Senior Vice President, Business Development



JBC Staff FY 2018-19 Briefing Department of Corrections

**Presented by:
Megan Davisson, JBC Staff
December 20, 2017**

DECISION ITEMS NOT COVERED IN BRIEFING ISSUES

R4 Medical Caseload

R5 La Vista Food Service

R6 DeCORuM Operating

R7 Interstate Probation Position Transfer

R8 Parole Caseload

R9 Community Supervision Caseload

R10 Community Provider Rate

ISSUE #1 OVERVIEW OF THE COLORADO CORRECTIONAL SYSTEM

Issue Summary: The Colorado correctional system is broken into five phases: laws, sentencing, incarceration, parole, and community corrections. Offenders typically move through the first two phases once per crime, but may visit the last three phases multiple times. The Colorado correctional system is largely funded with General Fund. The system encompasses programs within the Department of Corrections, a portion of the Judicial Branch, and Department of Public Safety. This informational issue will provide a brief overview of each phase.

PHASES COVERED IN THIS ISSUE

Phase 1

Phase 2

Phase 3

Phase 4

Phase 5

BRIEFING PAGES 13-21

PHASES OF THE COLORADO CORRECTIONAL SYSTEM

Phase 1

Where laws are established, amended, or repealed.

Phase 2

Where an individual first encounters law enforcement and violates existing laws.

If guilty of violating the law, individual becomes an offender.

Phase 3

Where an offender is either:
(a) on probation
or
(b) in prison

Phase 4

Where an offender in prison meets with the Parole Board regarding possibility of parole.

Parole Board can:
(a) Release an offender or
(b) Table or
(c) Defer parole

Phase 5

Community Corrections

PHASES OF THE COLORADO CORRECTIONAL SYSTEM

Phase 1

No issues in this document.

Appendix H

Phase 2

No issues in this document.

Phase 3

DOC Issue #2

DOC Issue #3

DOC Issue #4

Phase 4

DOC Issue #5

Phase 5

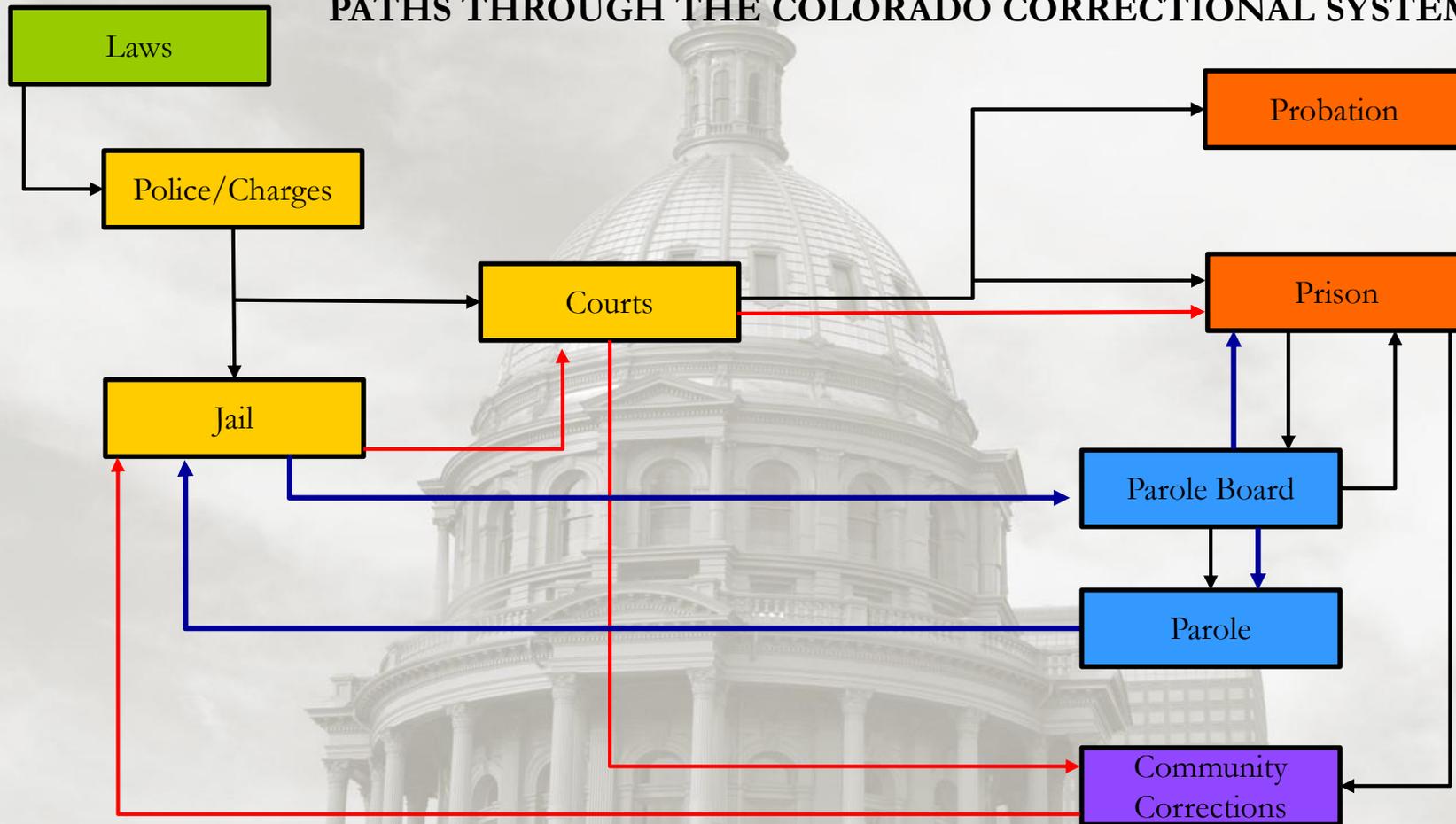
DCJ Issue #1

DCJ Issue #2

DCJ Issue #3

DOC Issue #1 – Overview of the Colorado Correctional System

PATHS THROUGH THE COLORADO CORRECTIONAL SYSTEM



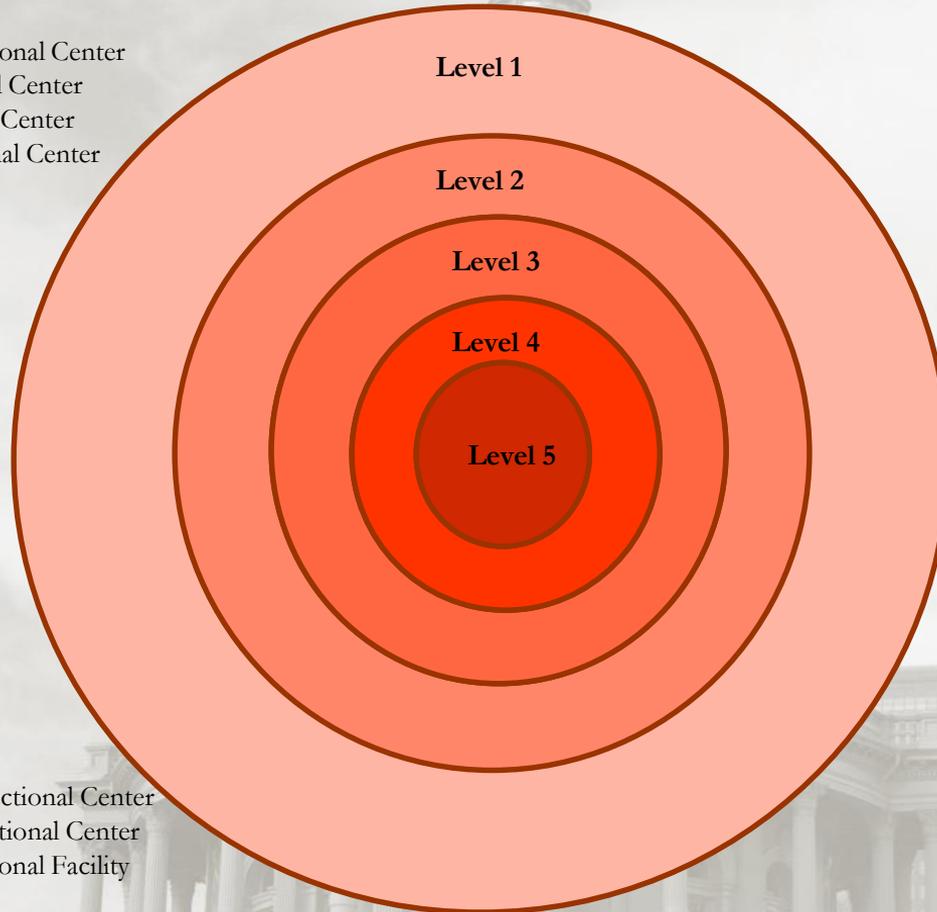
PHASE 3 – INSTITUTIONAL CUSTODY LEVELS

Level I

1. Colorado Correctional Center
2. Delta Correctional Center
3. Rifle Correctional Center
4. Skyline Correctional Center

Level III

1. Arkansas Valley Correctional Facility
2. Buena Vista Correctional Facility
3. Territorial Correctional Facility
4. Fremont Correctional Facility
5. La Vista Correctional Facility
6. Bent County Correctional Facility
7. Crowley County Correctional Facility
8. Cheyenne Mountain Reentry Center



Level II

1. Arrowhead Correctional Center
2. Four Mile Correctional Center
3. Trinidad Correctional Facility

Level IV

1. Limon Correctional Facility

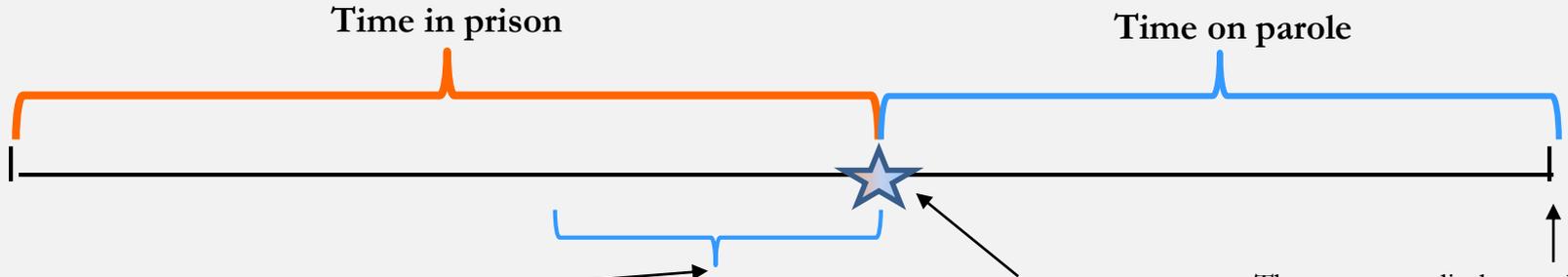
Level V

1. Centennial Correctional Facility
2. Colorado State Penitentiary
3. Denver reception & Diagnostic Facility
4. Denver Women's Correctional Facility
5. San Carlos Correctional Facility
6. Sterling Correctional Facility

PHASE 3 – AVERAGE DAILY COST BY CUSTODY LEVEL



SENTENCING OVERVIEW



Some offenders are placed in a community corrections "halfway house" in the months immediately prior to parole. They may also be placed in the ISP-Inmate program (allowed to live in an approved private residence under intensive supervision with curfews, electronic monitoring, treatment programs, and drug/alcohol testing).

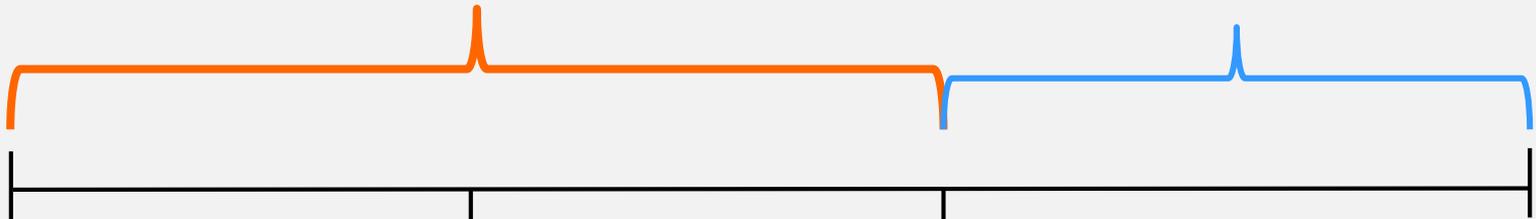
The parole date is the date on which the offender is discharged from prison.

The sentence discharge date is the date on which the offender is discharged from parole supervision. Both the prison and parole sentence are fully discharged.

PAROLE TYPES – MANDATORY RELEASE AND PROLE ELIGIBILITY

Time in prison
Prison sentence imposed by court

Time on parole



PED

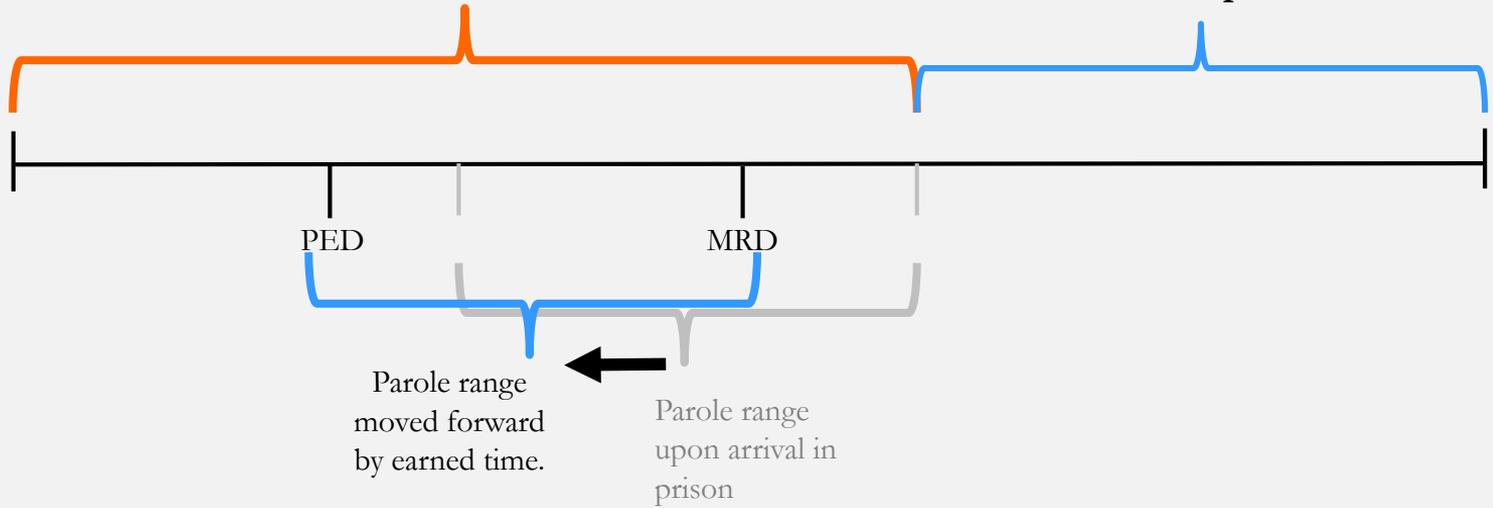
MRD

Parole range upon arrival
in prison

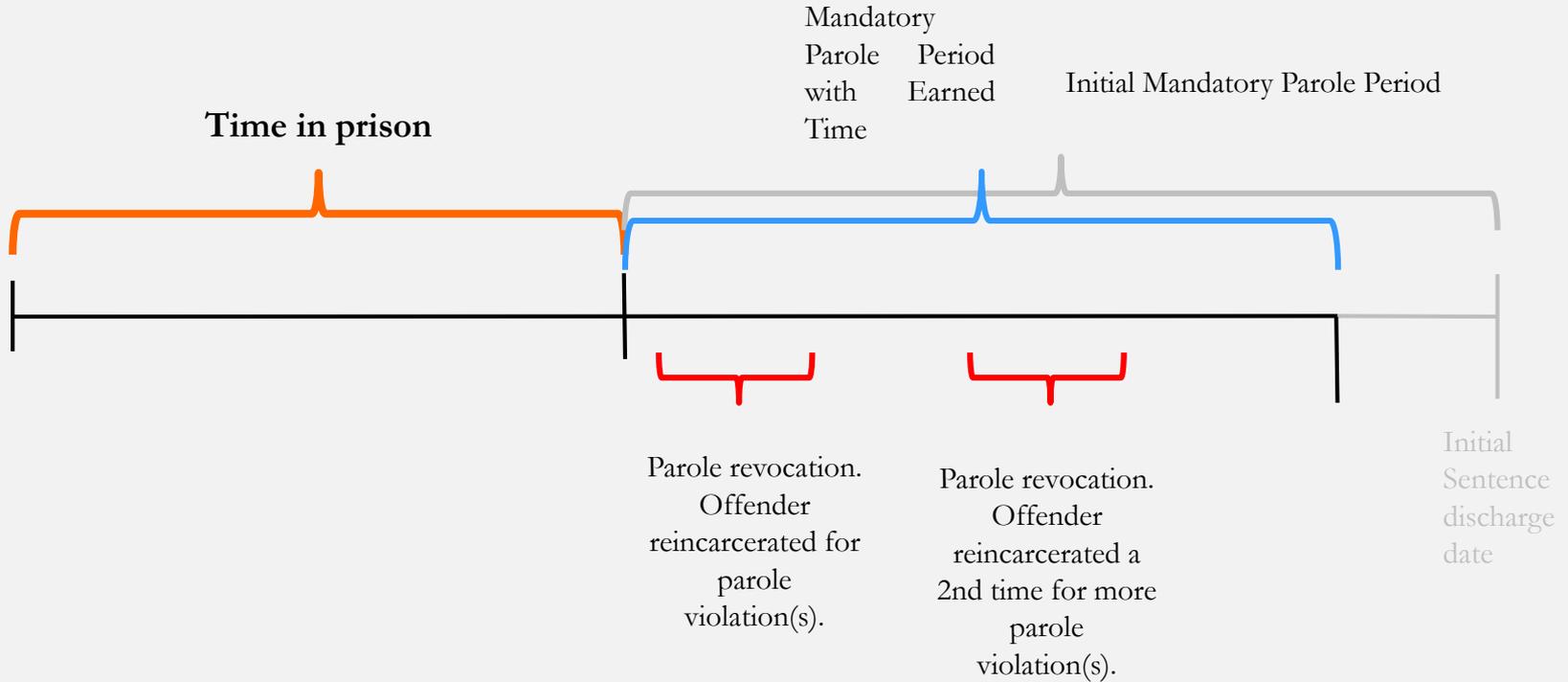
EARNED TIME

Time in prison
Prison sentence imposed by court

Time on parole



PAROLE VIOLATIONS AND SENTENCE DISCHARGE DATE



ISSUE #2 PRISON UTILIZATION AND R2 PRISON CAPACITY

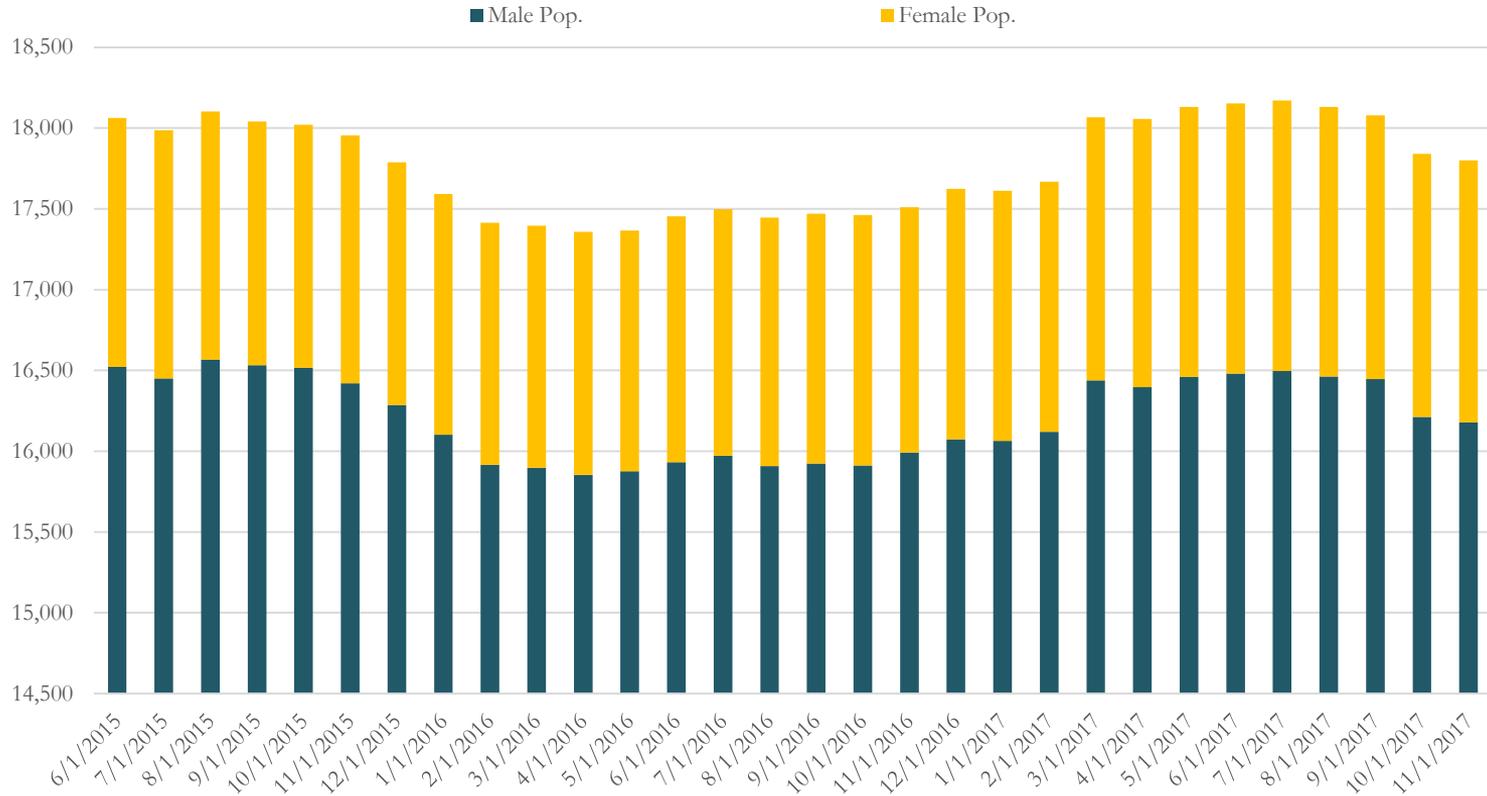
Issue Summary: The recent prison population dropped from a high of 20,144 in July 2017 to 19,718 on November 30, 2017. The population is projected to raise by up to 244 offenders by the end of FY 2017-18. The population is projected to increase beyond current system capacity by the end of FY 2018-19. Based on the projections, the prison population will grow between 700 to 1,200 offenders in FY 2018-19. Currently the Centennial South Correctional Facility is vacant. The 2016 Prison Utilization Study Update recommended structural changes to three facilities to increase the capacity of the State to house offenders.

PHASES COVERED IN THIS ISSUE

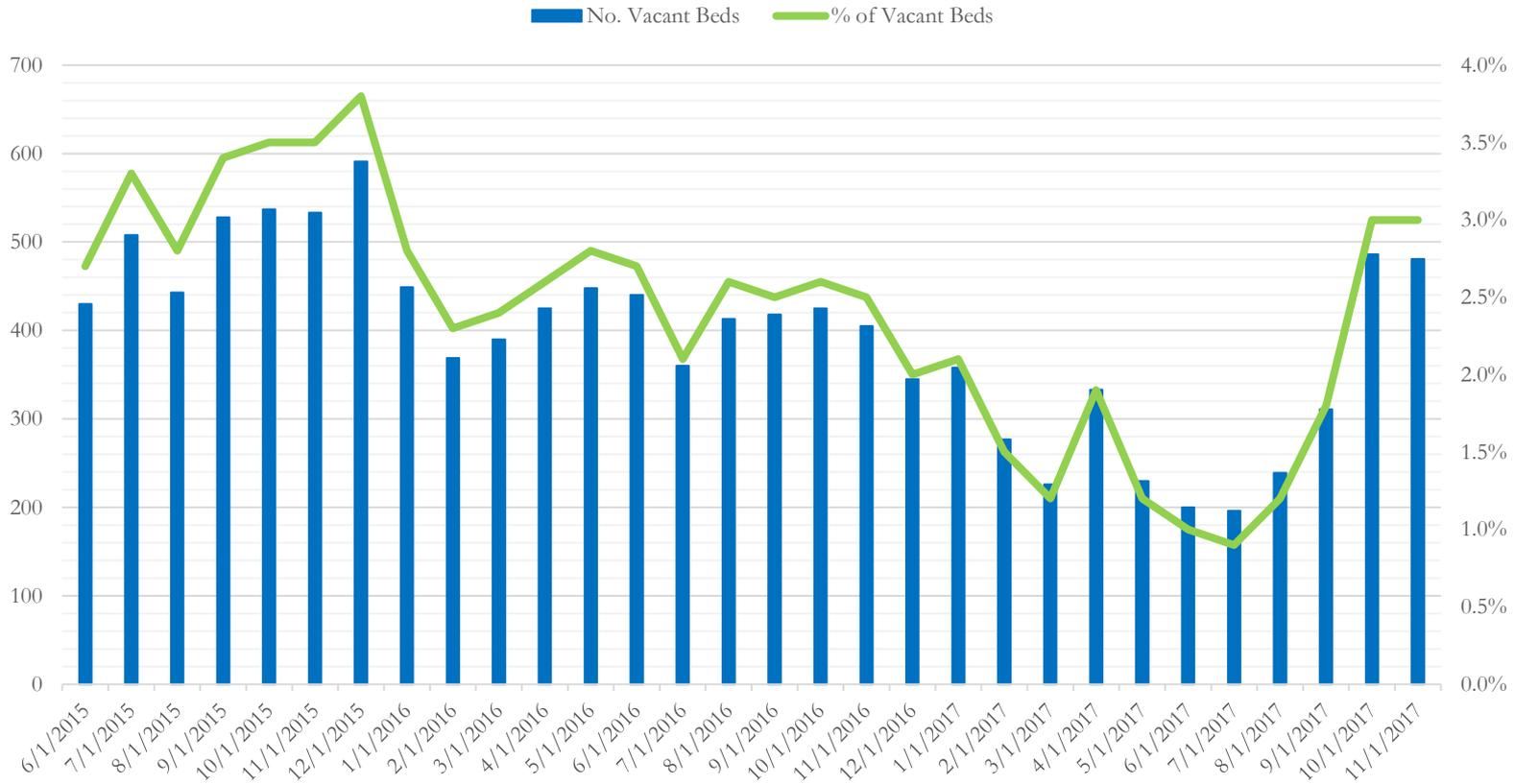
Phase 3

BRIEFING PAGES 22-30

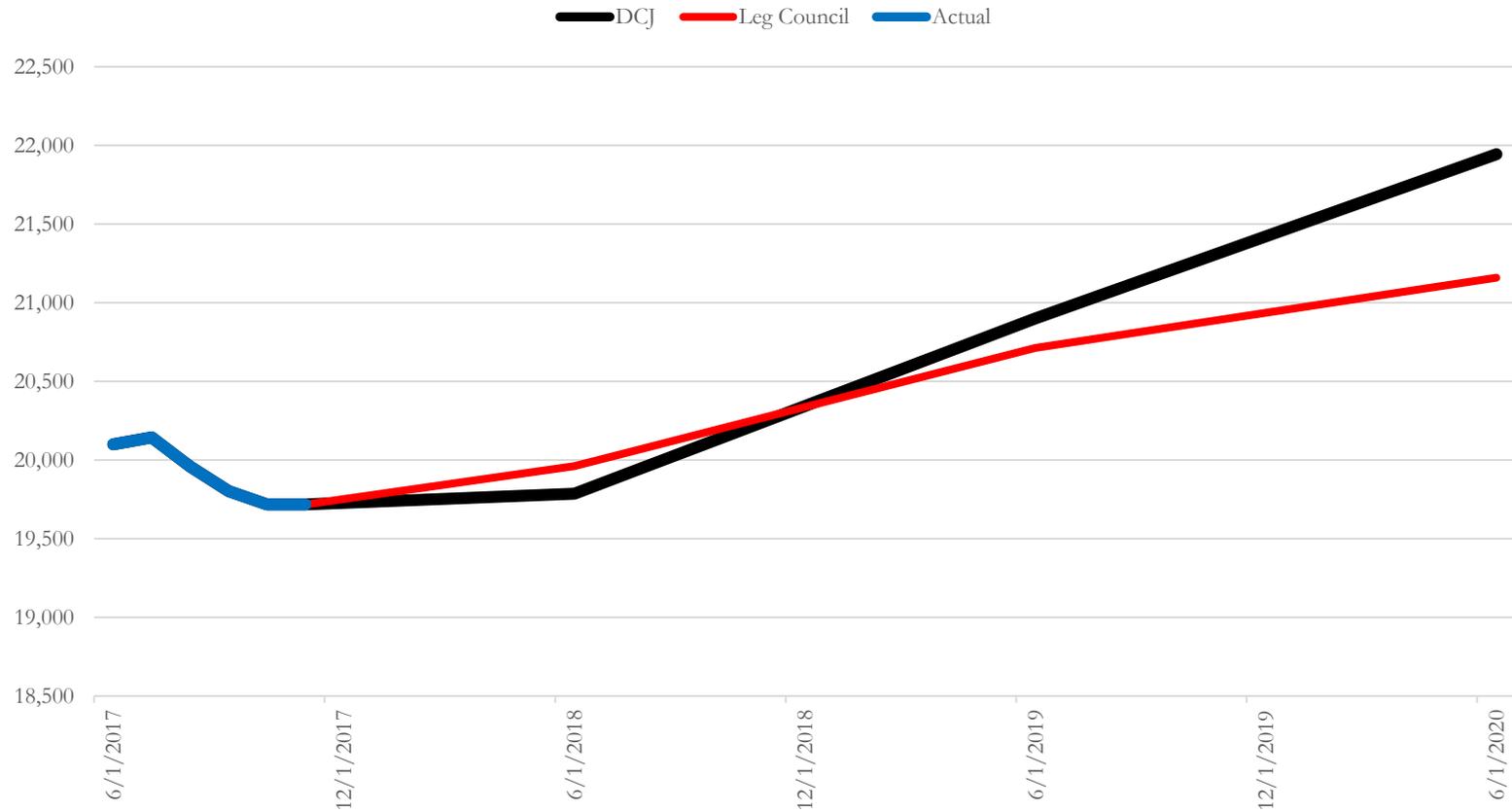
Total Prison Population by Gender



Number and Percentage of Vacant State Beds



Actual and Projected Prison Population June 2017 through June 2020



STATE BED CHANGE BASED ON 2016 PRISON UTILIZATION STUDY UPDATE RECOMMENDATIONS

FACILITY	CURRENT	PROPOSED	CHANGE
DRDC	572	552	(20)
Centennial South	0	948	948
CCF North	320	336	16
CTCF – Central Transportation Unit	124	0	(124)
La Vista Correctional Facility – Southern Transportation Unit (Males)	30	0	(30)
La Vista Correctional Facility (Females)	560	590	30
Total Capacity Change			820

ISSUE #3 CORRECTIONAL OFFICER STEP PLANS AND R1 STAFF RETENTION

Issue Summary: The Department has requested \$3,336,294 total funds, of which \$3,292,961 is General Fund for a 5.0 percent salary increase to employees within the Correctional Office I and II, Correctional Support Trades Supervisor I, Nurse I and III, and Mid-Level Provider classifications with two to seven years of service. The primary purpose of the Department's request is to improve staff retention, align with other law enforcement agencies, and provide a safe work environment within institutions. In place of the 5.0 percent increase, JBC staff proposes the General Assembly fund a step plan for Correctional Officers I, II and Correctional Support Trades Supervisor I in FY 2018-19.

PHASES COVERED IN THIS ISSUE

Phase 3

BRIEFING PAGES 31-40

CORRECTIONAL OFFICER PROGRESSION

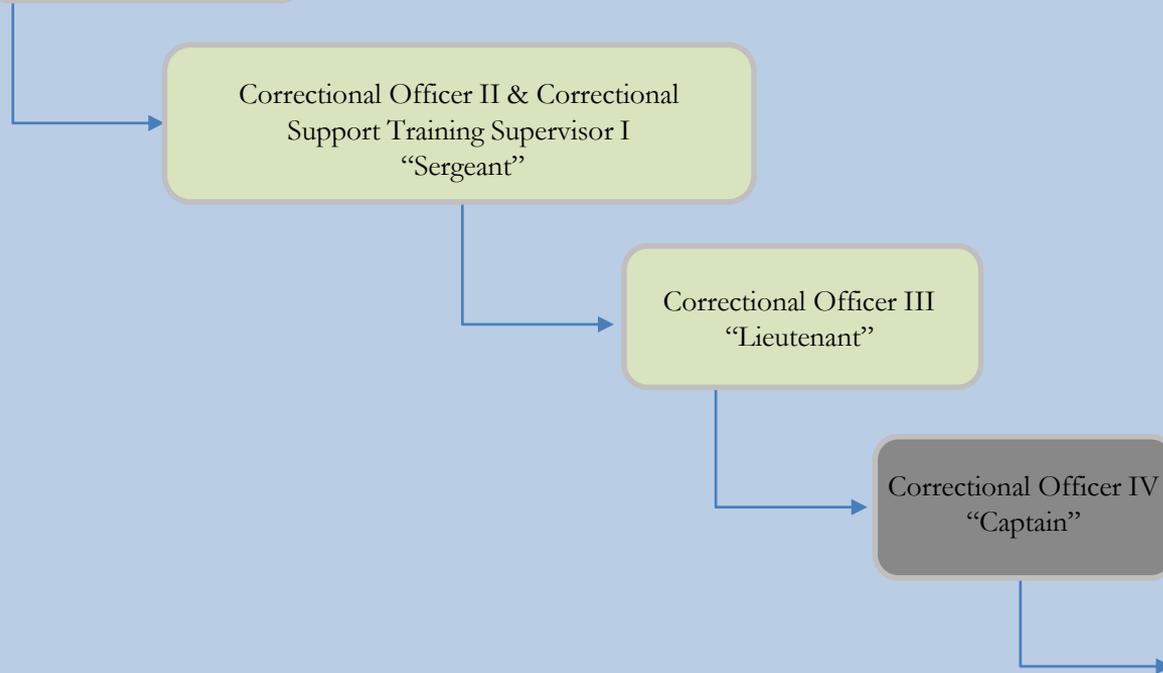
Correctional Officer I
"Officer"

Correctional Officer II & Correctional
Support Training Supervisor I
"Sergeant"

Correctional Officer III
"Lieutenant"

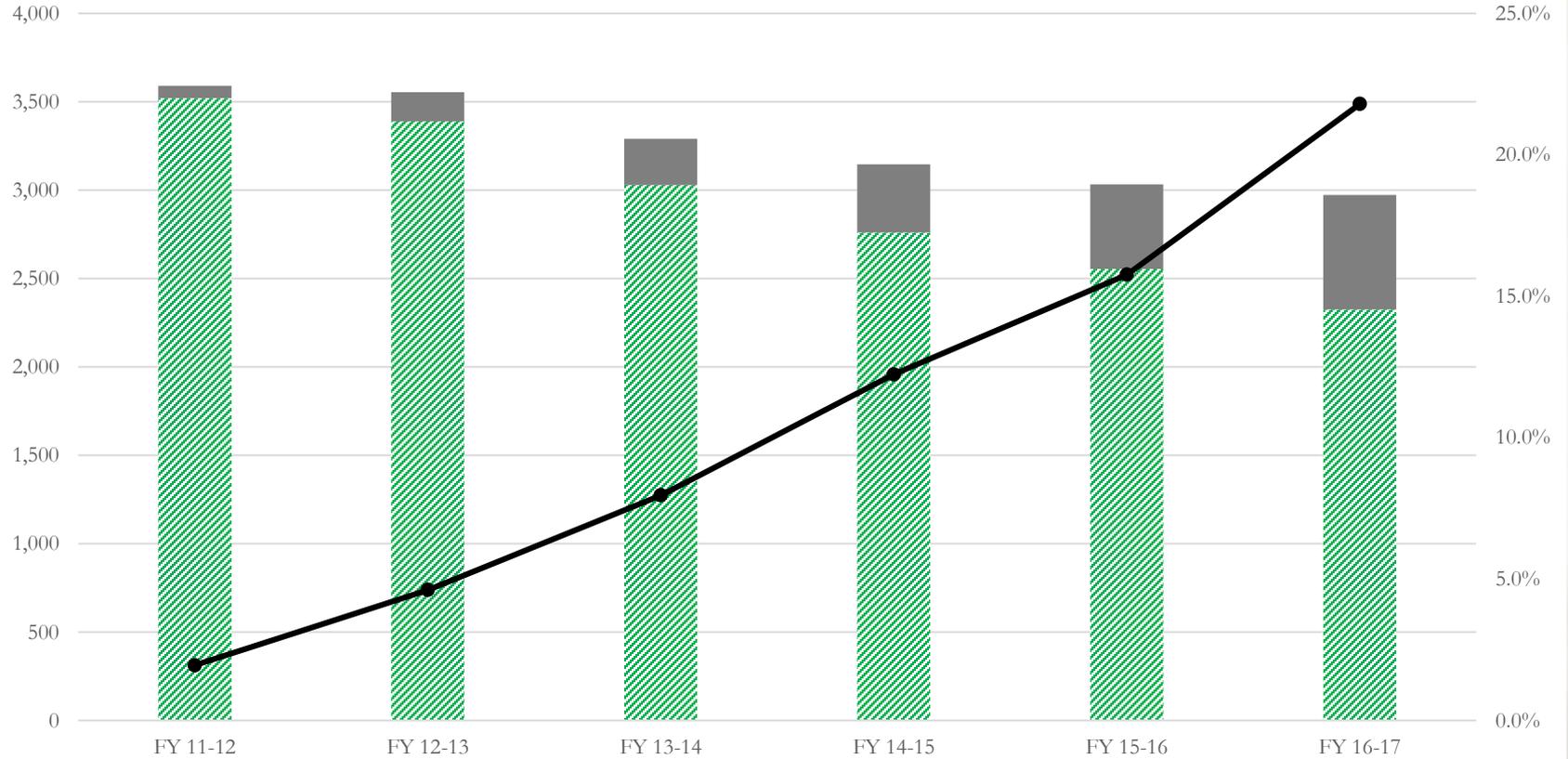
Correctional Officer IV
"Captain"

Correctional Officer IV
"Major"



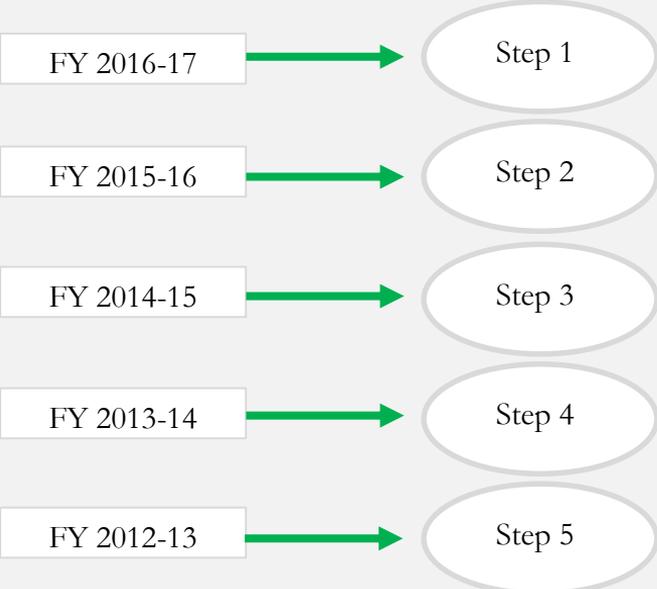
Turnover of COI, COII, CSTSI

Existing New Percent of New Employees

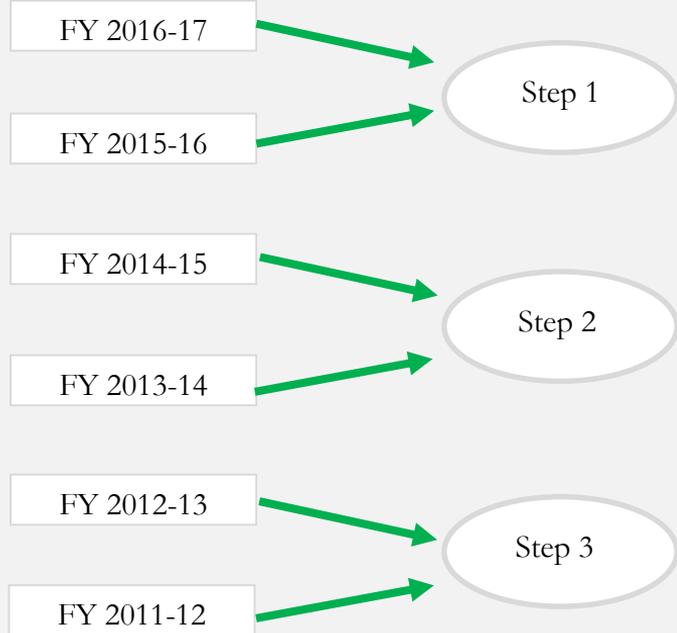


STEP PLAN OPTIONS

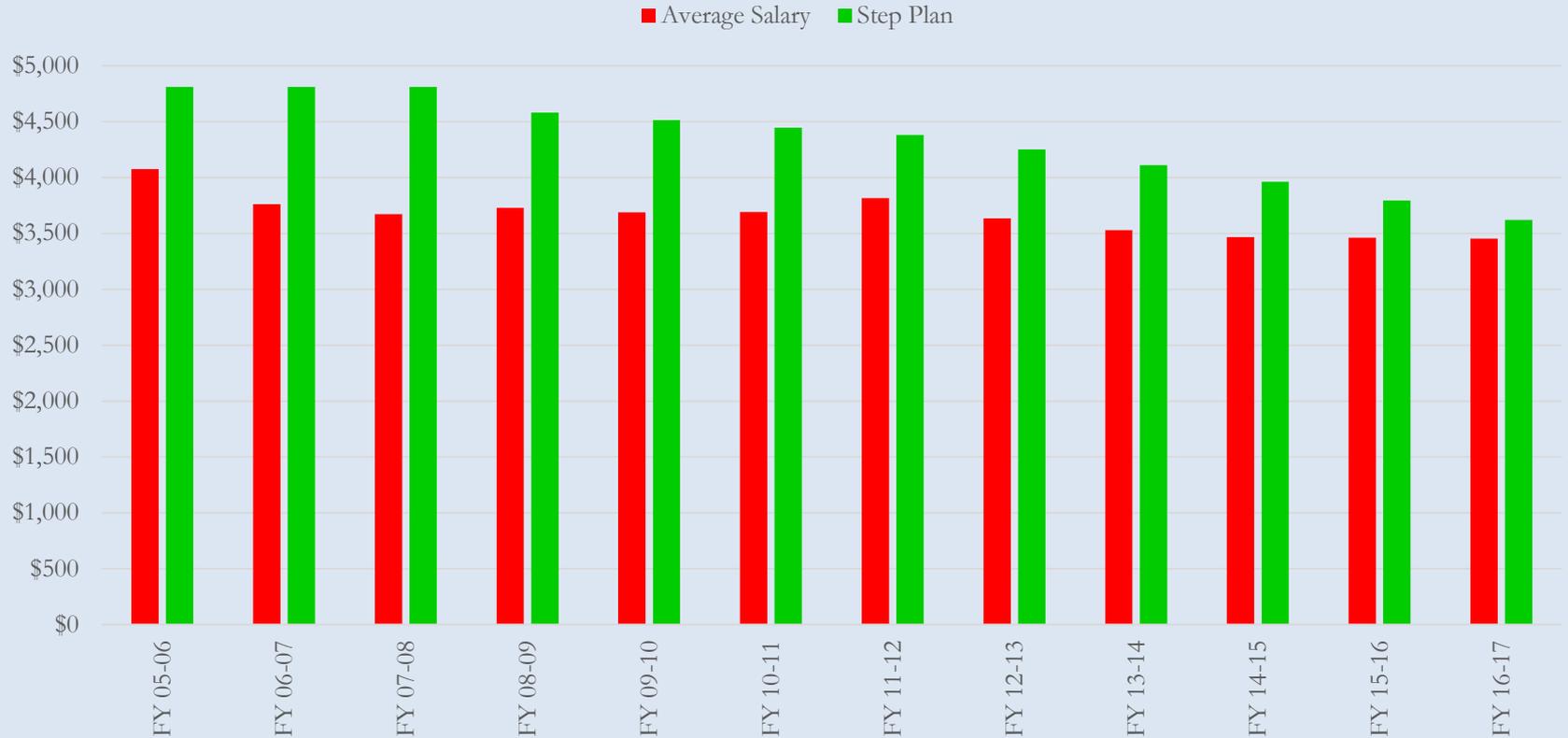
OPTION 1 – ALL IN



OPTION 2 – DOUBLED UP STEPS

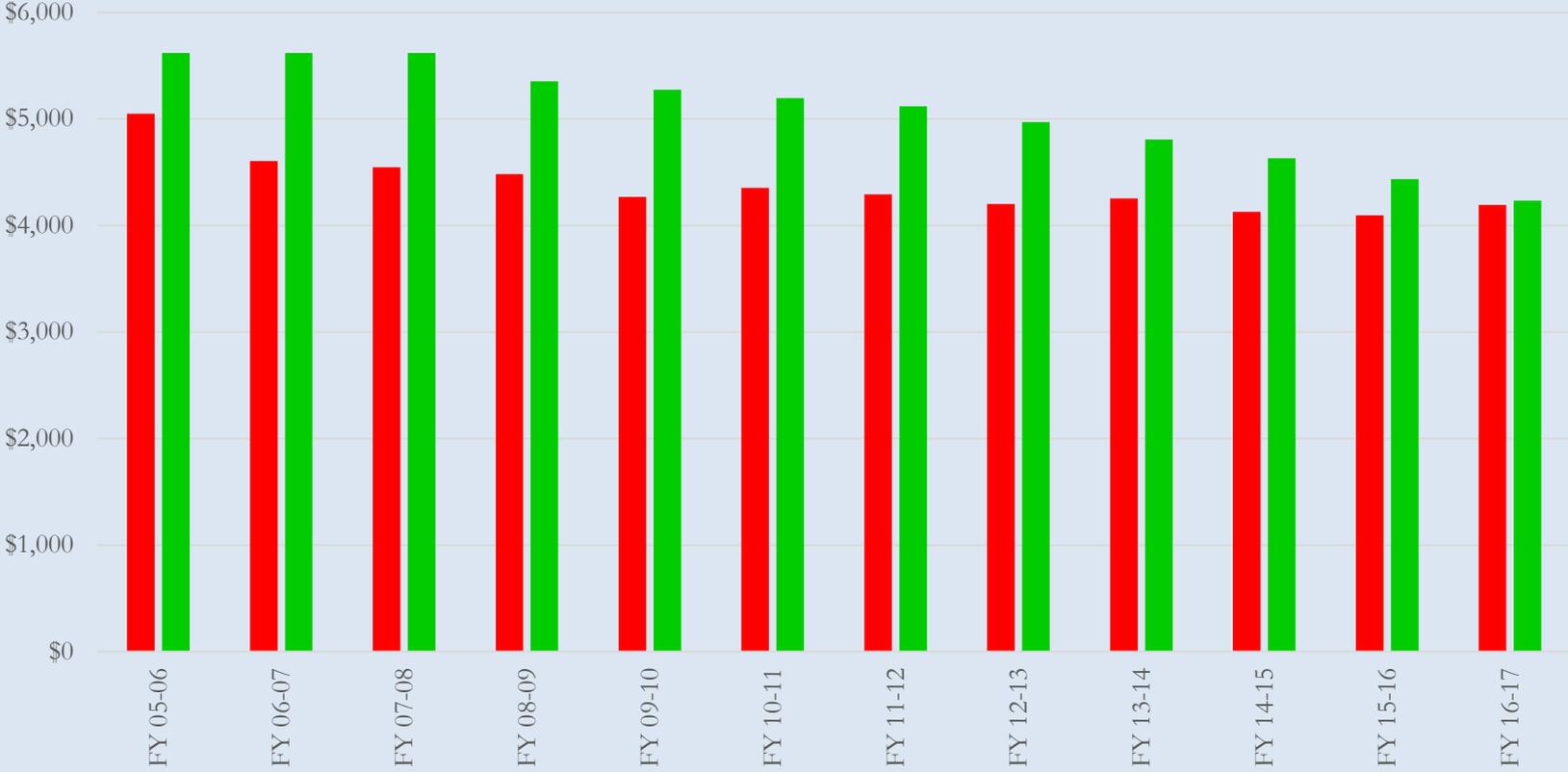


Correctional Officer I Comparison of Average Monthly Base Salary with Associated Step

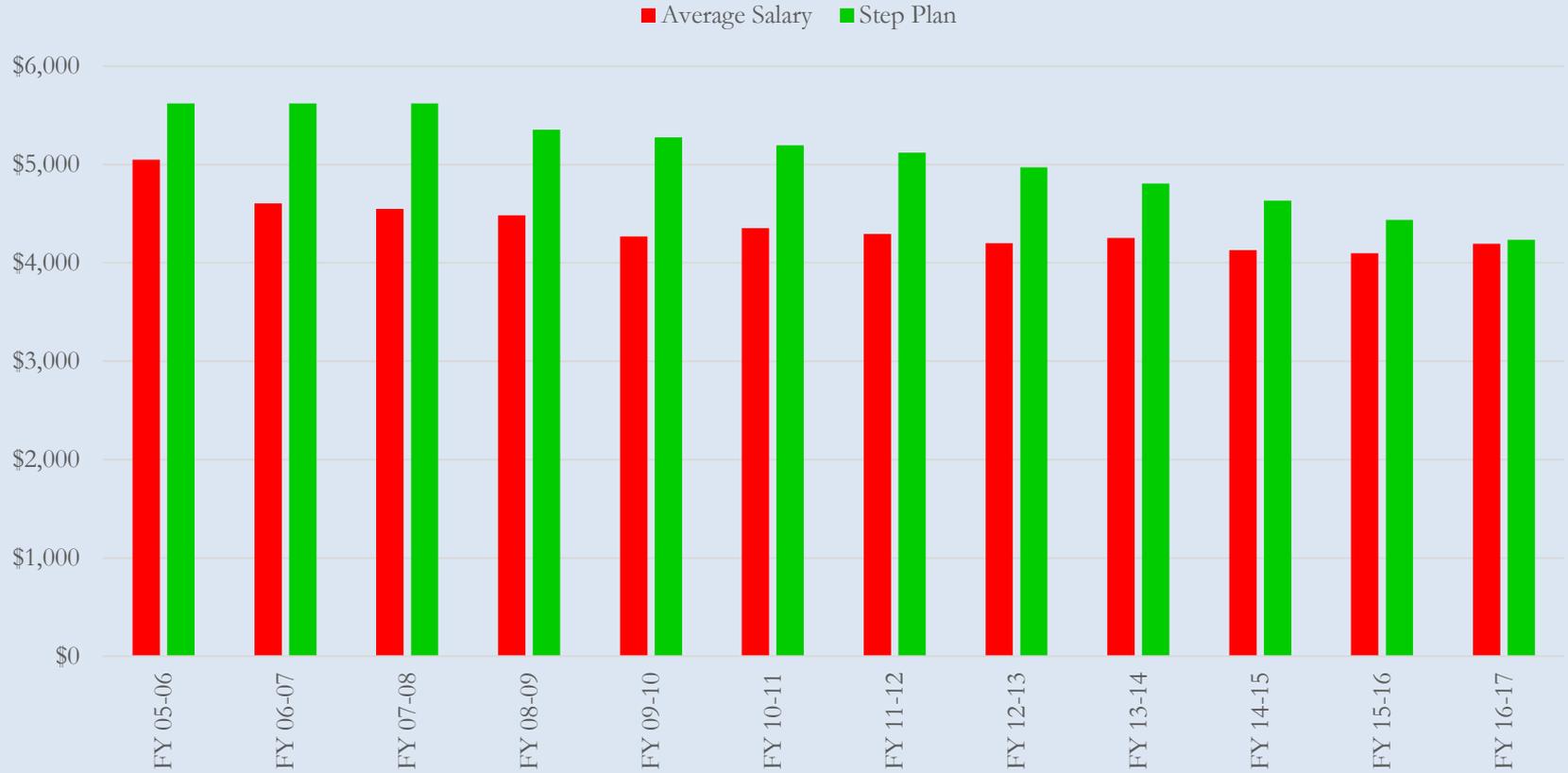


COII Comparison of Average Monthly Base Salary with Associated Step

Average Salary Step Plan



CSTSI Comparison of Average Monthly Base Salary with Associated Step



ISSUE #4 HEPATITIS C TREATMENT (R3)

Issue Summary: The Department has requested \$16.5 million General Fund to treat an additional 632 offenders infected with Hepatitis C. If this request is approved, the Department will have \$20,514,144 General Fund to treat 784 total offenders with Hepatitis C. The Department is being sued by the American Civil Liberties Union for failure to treat all offenders with Hepatitis C. The lawsuit seeks to obtain treatment for all offenders with Hepatitis C. There are currently thirteen other states that have been, or are being, sued for failure to treat offenders with Hepatitis C.

PHASES COVERED IN THIS ISSUE

Phase 3

BRIEFING PAGES 41-43

ISSUE #5 PAROLE BOARD HEARING TOPICS

Issue Summary: Each year the Committee sets aside time in the schedule for a hearing with the Parole Board. This issue provides a summary of topics the Committee may wish to discuss with the Parole Board during their hearing.

PHASES COVERED IN THIS ISSUE

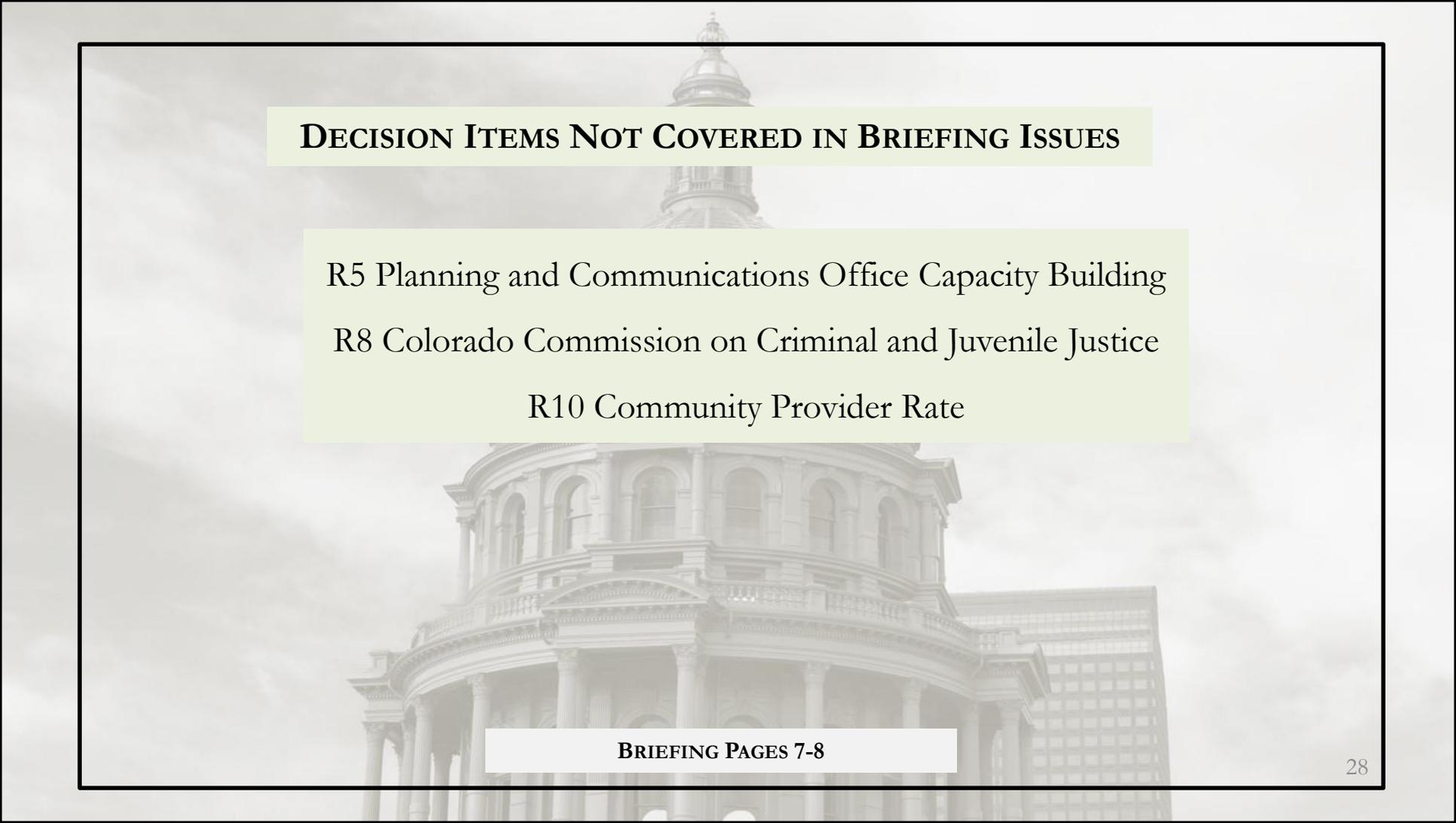
Phase 4

BRIEFING PAGES 44-45



JBC Staff FY 2018-19 Briefing
Department of Public Safety
(Division of Criminal Justice Only)

Presented by:
Megan Davisson, JBC Staff
December 20, 2017



DECISION ITEMS NOT COVERED IN BRIEFING ISSUES

R5 Planning and Communications Office Capacity Building

R8 Colorado Commission on Criminal and Juvenile Justice

R10 Community Provider Rate

DCJ ISSUE #1 OVERVIEW OF THE OFFICE OF COMMUNITY CORRECTIONS

Issue Summary: The Office of Community Corrections oversees community corrections providers and facilities and administers funding to the local Community Corrections Boards. This issue provides an overview of the community corrections system, including types of providers and facilities, how offenders enter a community corrections program, and services offered.

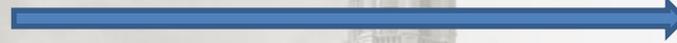
PHASES COVERED IN THIS ISSUE

Phase 5

BRIEFING PAGES 9-12

HOW OFFENDERS GET TO COMMUNITY CORRECTIONS

Courts



Diversion Sentence from Courts

Prison



Community Corrections Referral

Parole Board



Parole Board Requirement as Condition of Parole

Parole Board

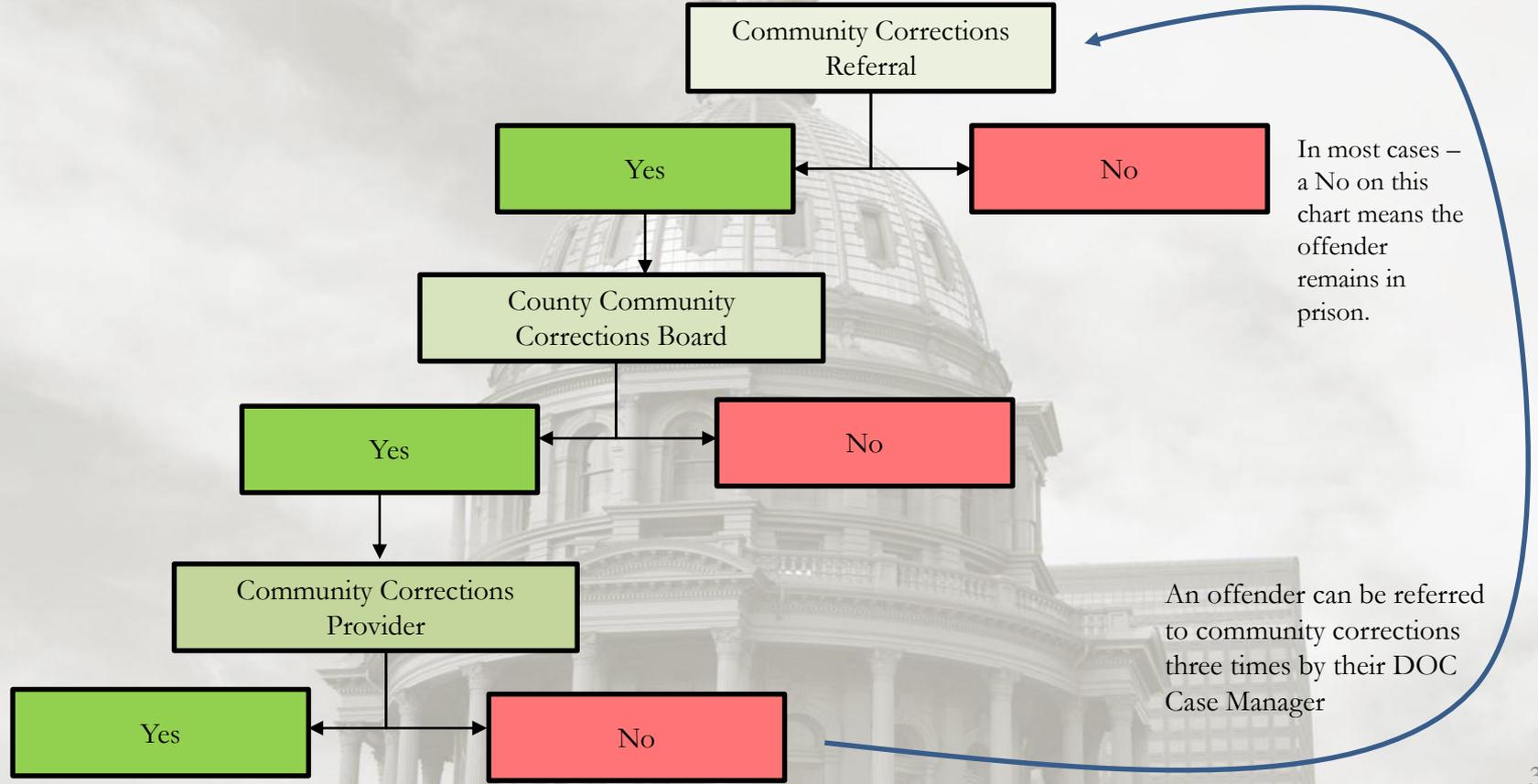


Parole and Probation Officers



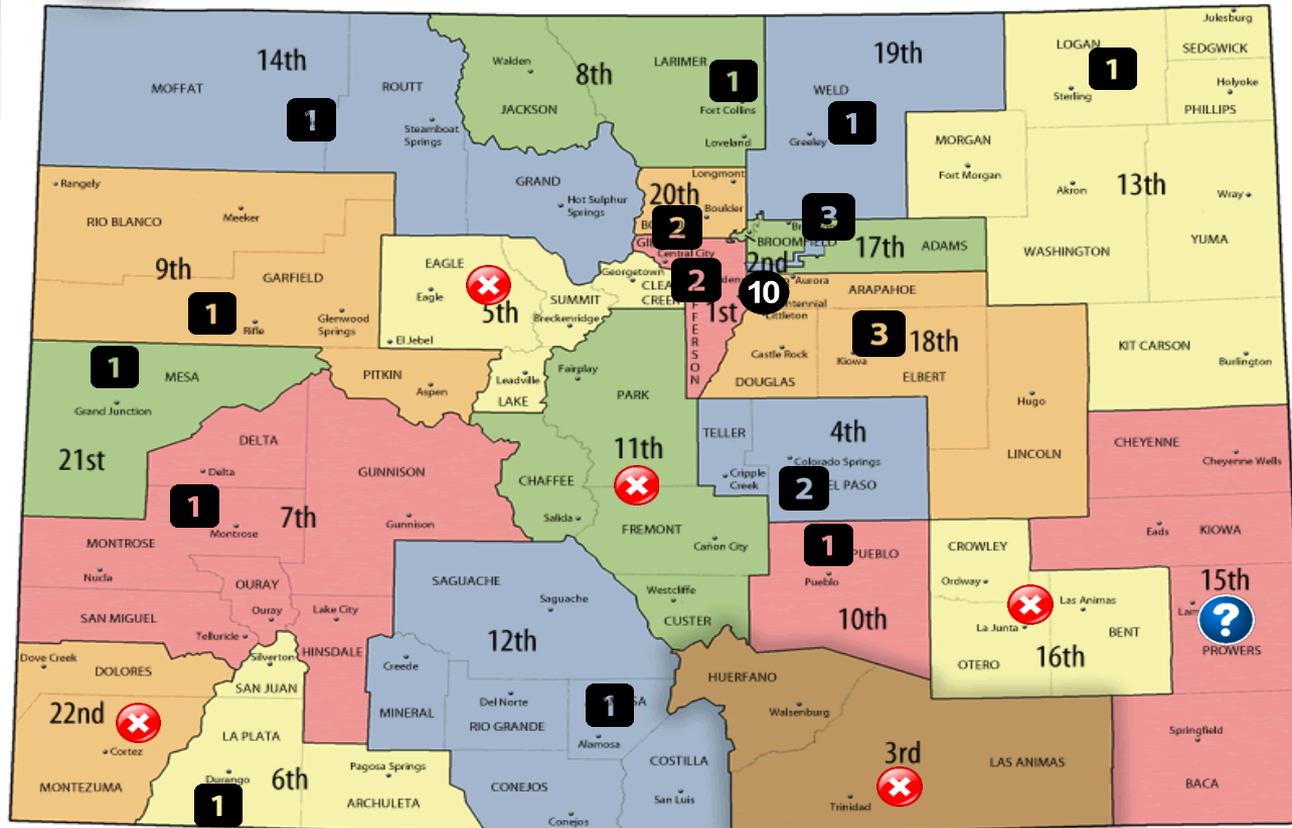
Parole Violation – Condition in Lieu of Prison

HOW OFFENDERS GET REFERRED TO COMMUNITY CORRECTIONS FROM PRISON





COLORADO JUDICIAL DISTRICTS



of Facilities in District



No Facility in District



Facility Pending/Planned

TYPES OF COMMUNITY CORRECTION PROGRAMS

Regular Residential Programs (32)

Non-Residential Programs (27)

Sex Offender Supervision and Treatment (11)

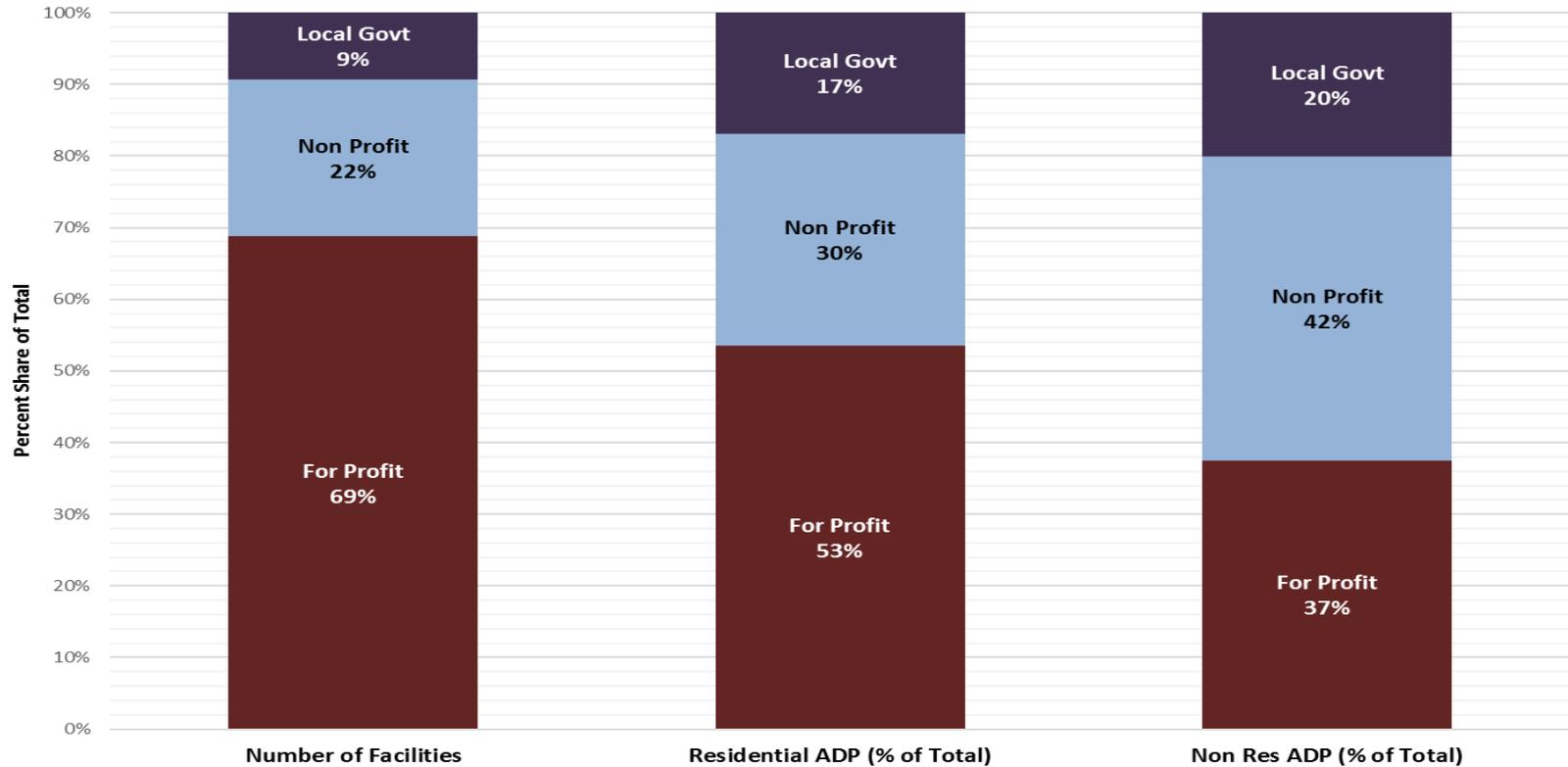
Intensive Residential Treatment (8)

Residential Dual Diagnosis Treatment (8)

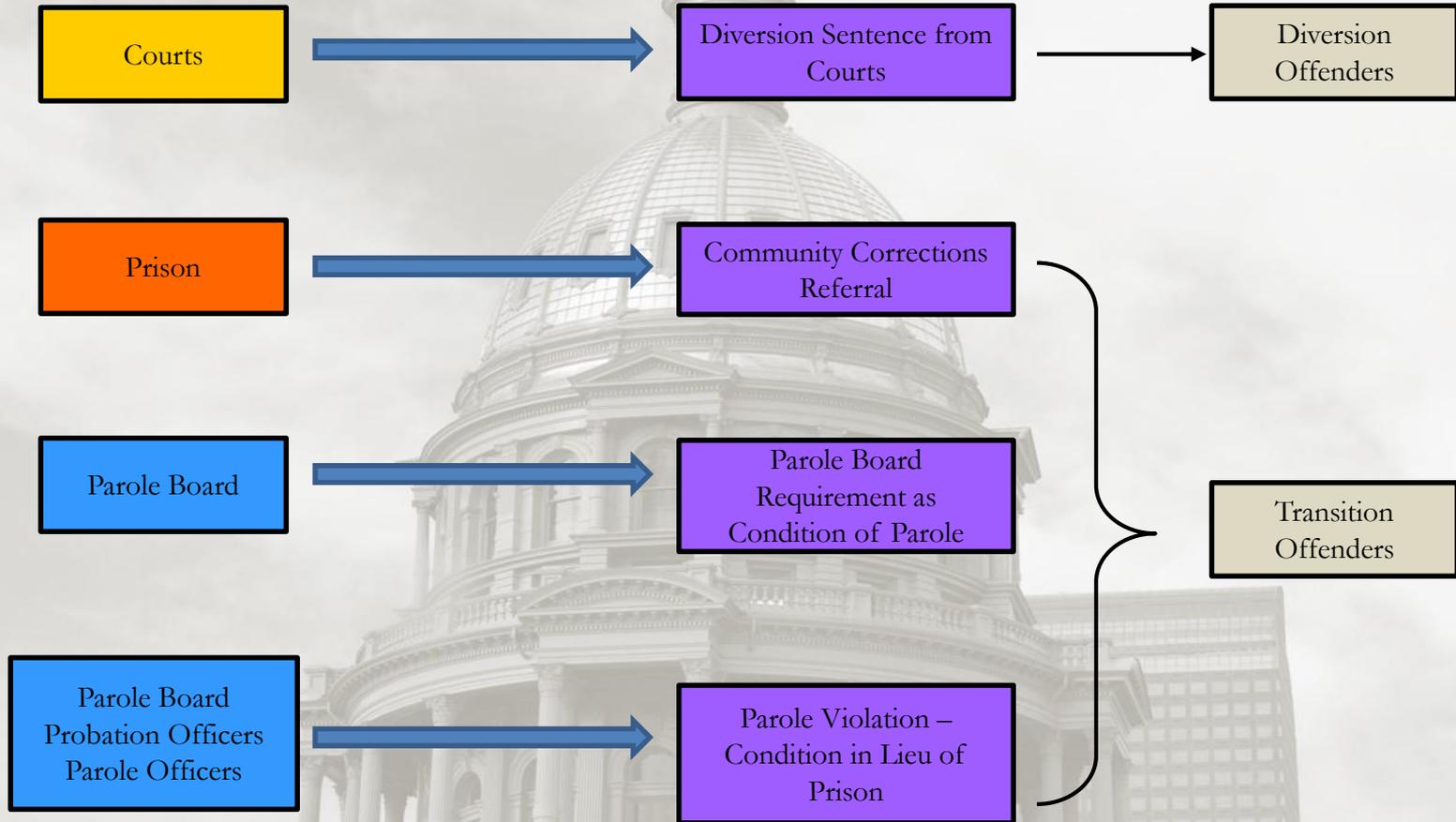
Therapeutic Communities (2)

Cognitive Behavioral Therapy (1)

Figure 1A - Percent Share of Beds in Community Corrections
 (Expressed in Overall Average Daily Population [ADP])
Residential Includes Regular and Specialized Populations Combined
 December 2017



TYPES OF OFFENDERS IN COMMUNITY CORRECTIONS



SERVICES AND REQUIREMENTS OF COMMUNITY CORRECTION PROGRAMS

Provider Service Requirements

Housing

Food

Provision of treatment services –
specialized providers

Provision of education
services – all providers

Compliance with Division of
Criminal Justice standards

Offender Requirements

Employment

Clothing

Payment of financial
responsibilities

Compliance with behavioral
and facility rules

DCJ ISSUE #2 COMMUNITY CORRECTIONS UTILIZATION

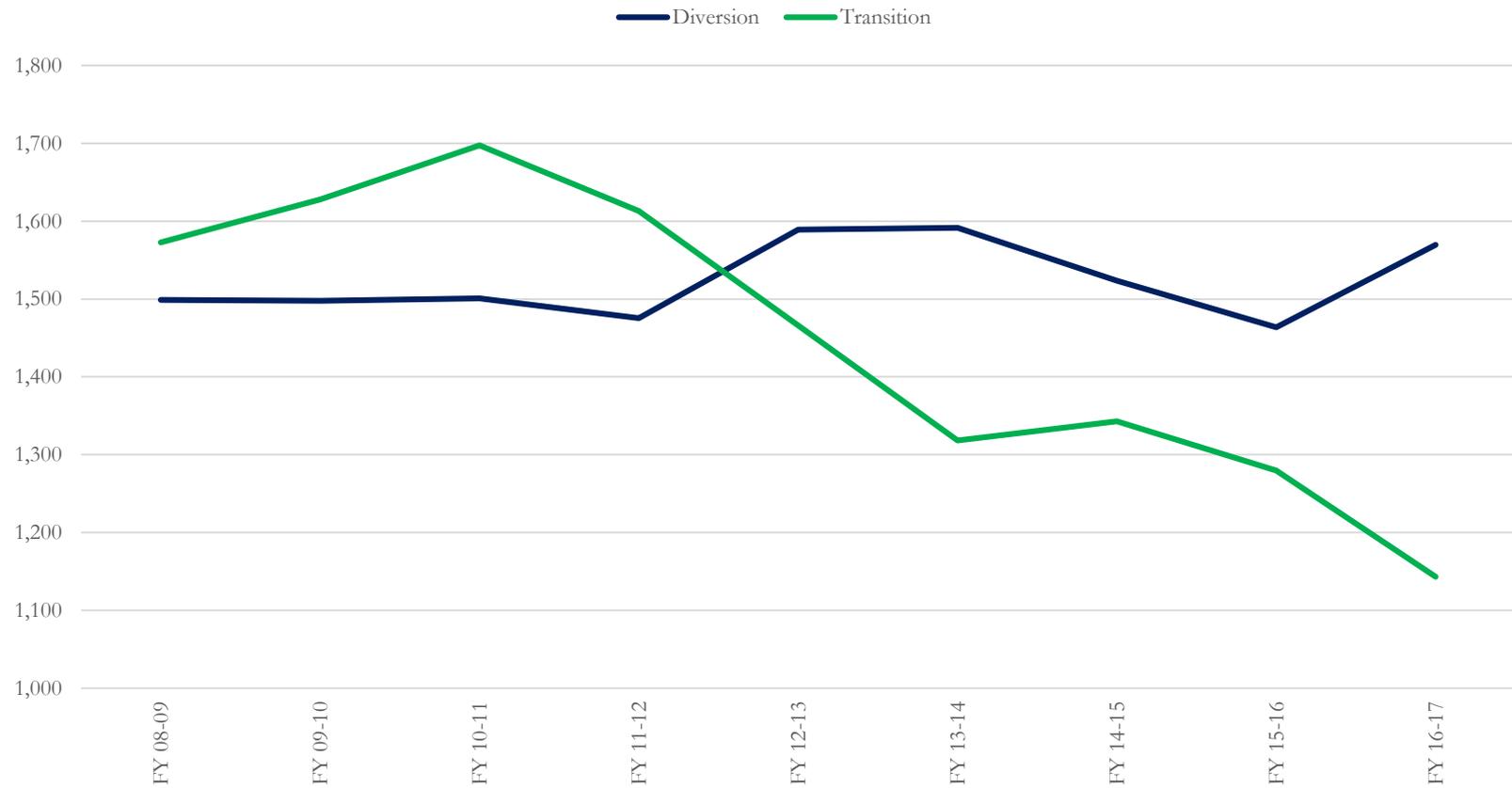
Issue Summary: This issue looks at the historical and current utilization of community corrections. This issue also looks at the type of offender referred to community corrections, as well as, the type of offender who would gain the most benefit from community corrections.

PHASES COVERED IN THIS ISSUE

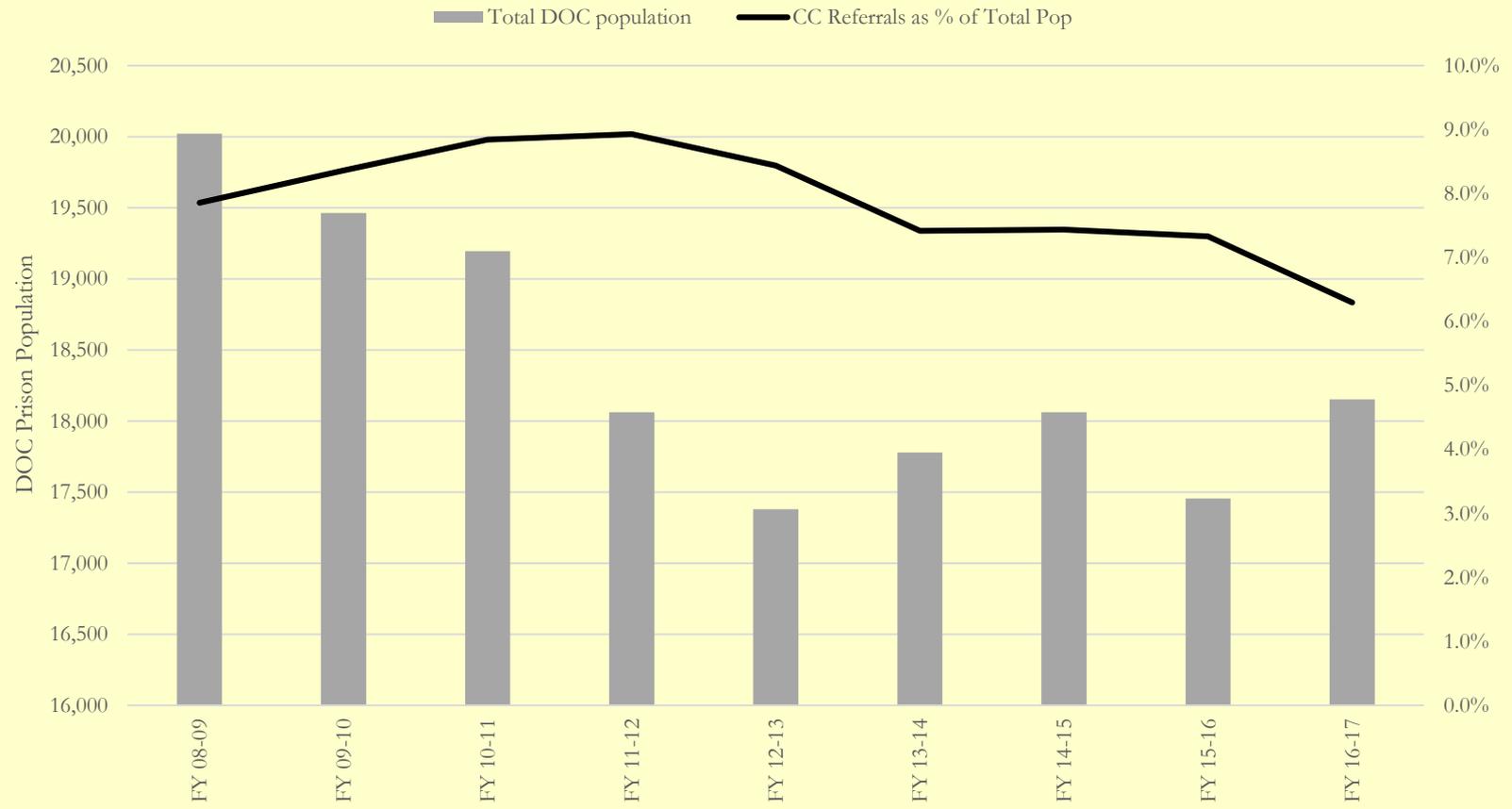
Phase 5

BRIEFING PAGES 13-20

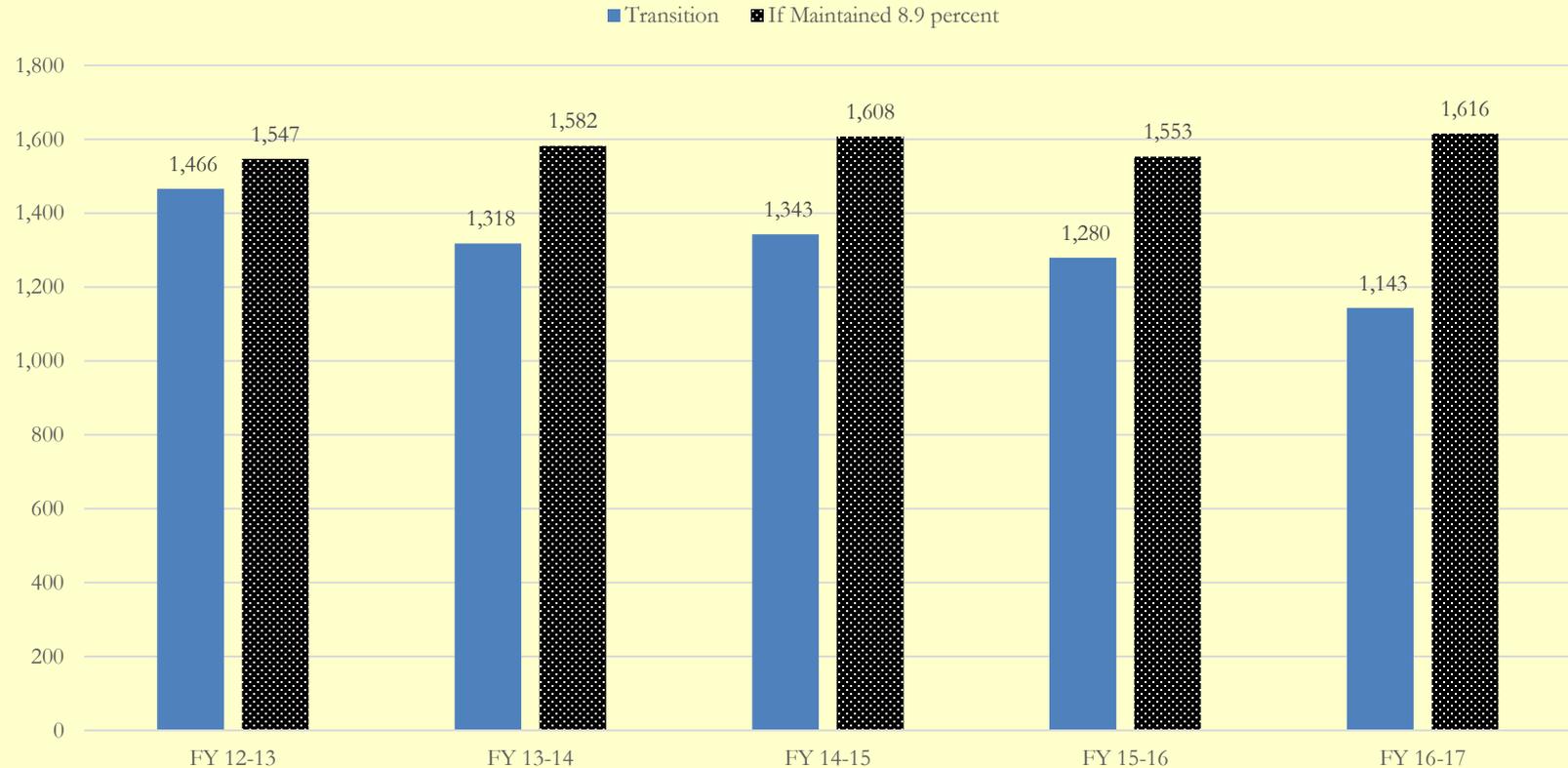
Number of Diversion and Transition Placements in Community Corrections



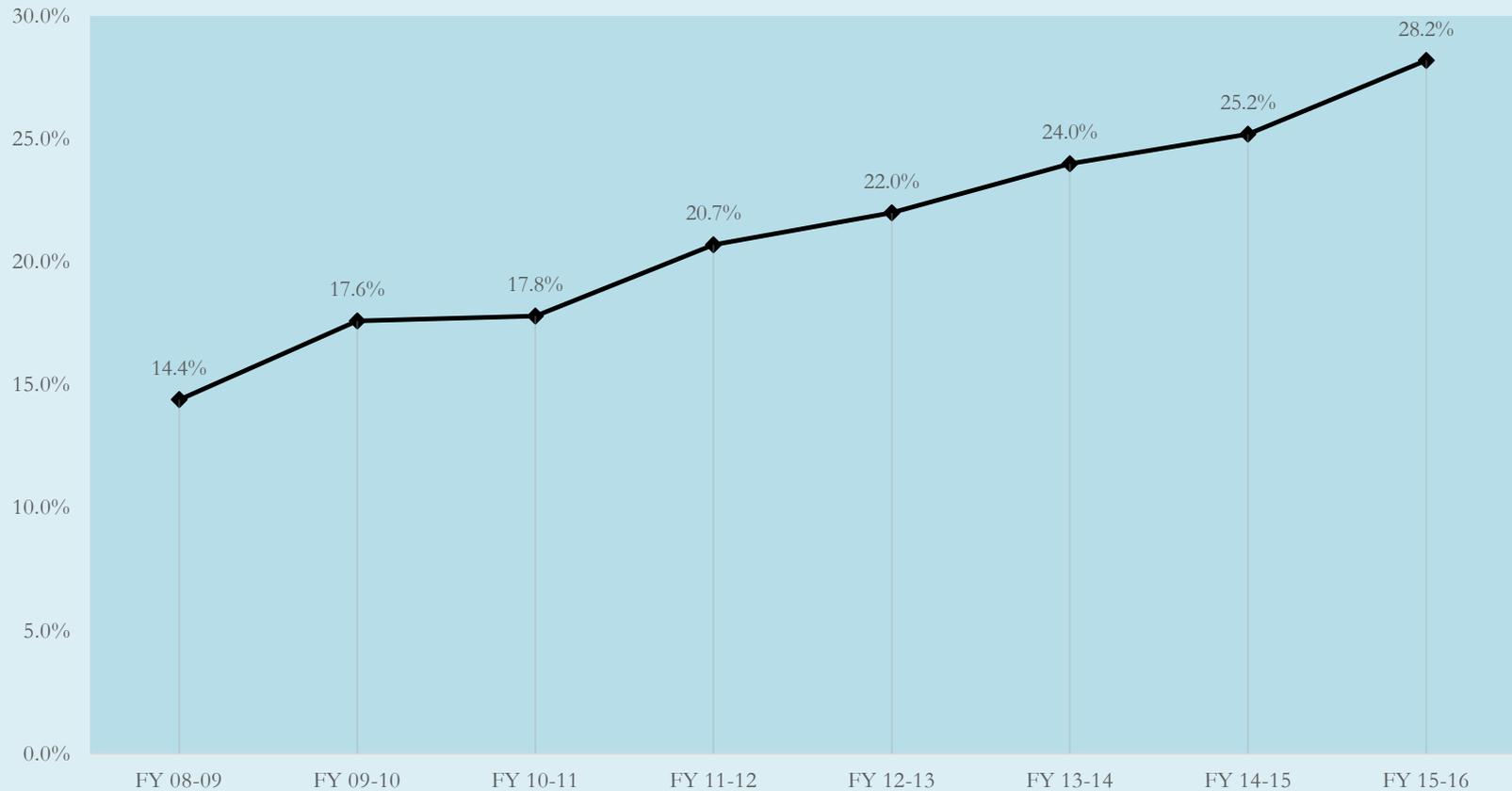
Community Correction Referrals as Percent of DOC Prison Population



If Community Correction Referrals Had Been Maintained at 8.9 percent of DOC Population



Mental Illness Rate Of Offenders in Community Corrections



DCJ ISSUE #3 FUNDING FOR COMMUNITY CORRECTIONS

Issue Summary: The current budgeting and contracting structure for community corrections does not account for the quality of provider services and outcome measures. The Committee discussed, during the FY 2013-14 budget process, how the Division could implement performance based contracting for community corrections, but tabled the issue because of the complexity. In 2017 the

Division of Criminal Justice released new standards for community corrections providers. As part of the new standards, the Department began using the Program Assessment for Correctional Excellence tool to evaluate community corrections providers.

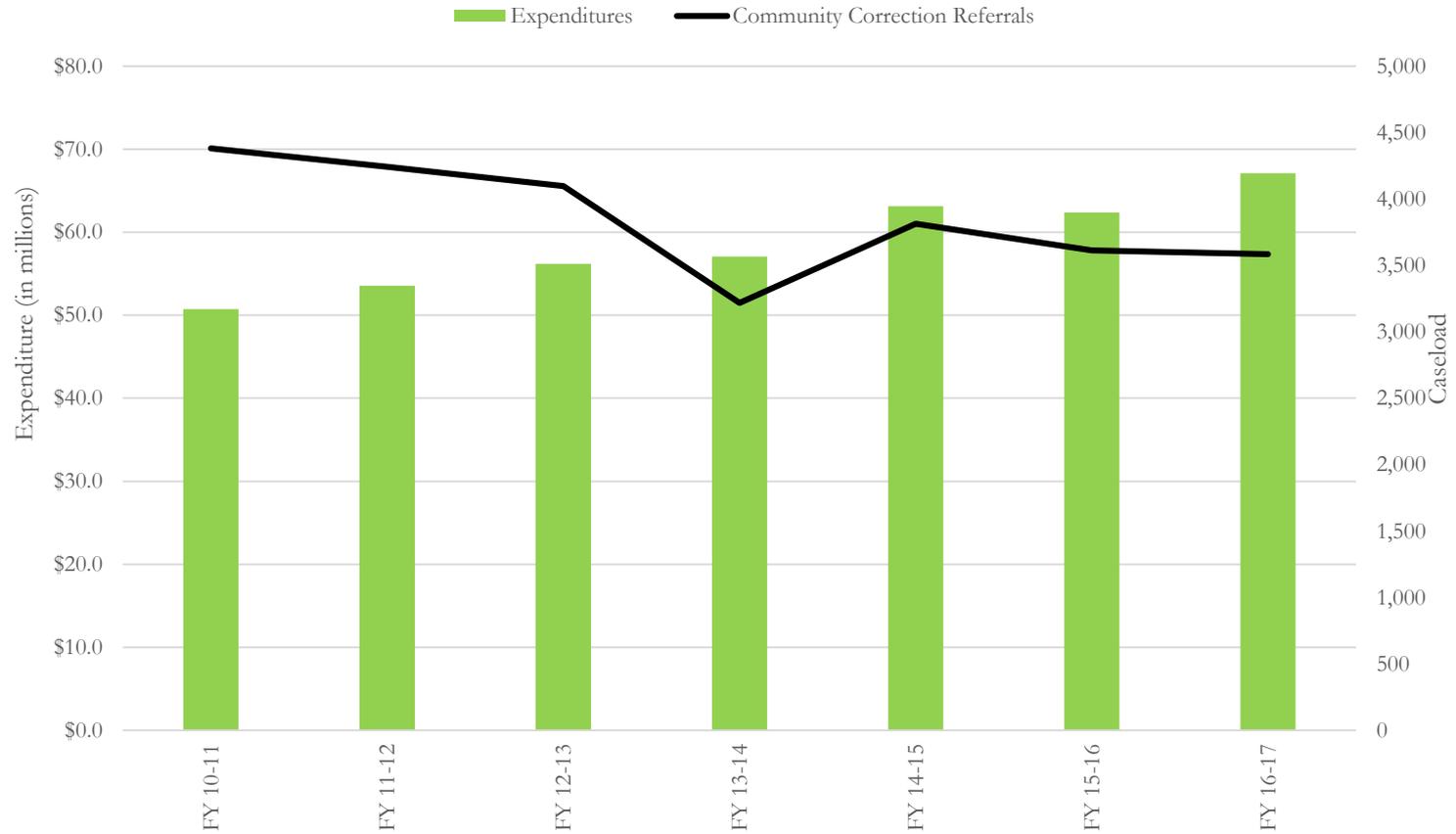
The Program Assessment for Correctional Excellence tool provides a measurement standard the Division can use to implement performance based contracting. Senate Bill 17-021 (Assistance to Released Mentally Ill Offenders) created a housing grant program in the Department of Local Affairs. Funding for the program was a one-time transfer of the unexpended funds appropriated for community corrections in FY 2016-17.

PHASES COVERED IN THIS ISSUE

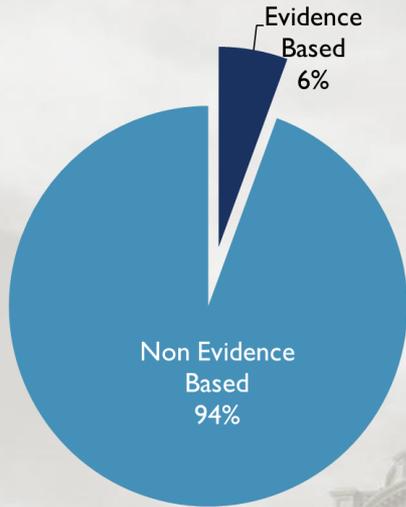
Phase 5

BRIEFING PAGES 21-27

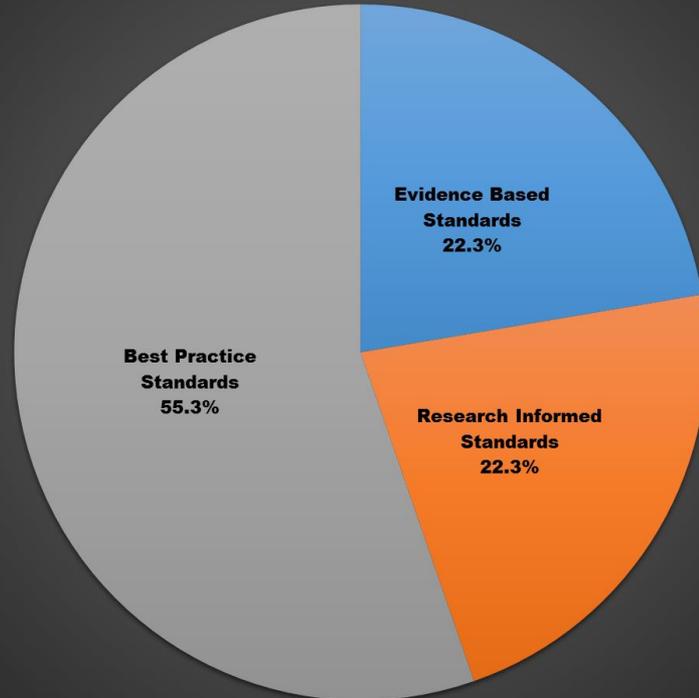
Community Corrections Expenditures and Caseload



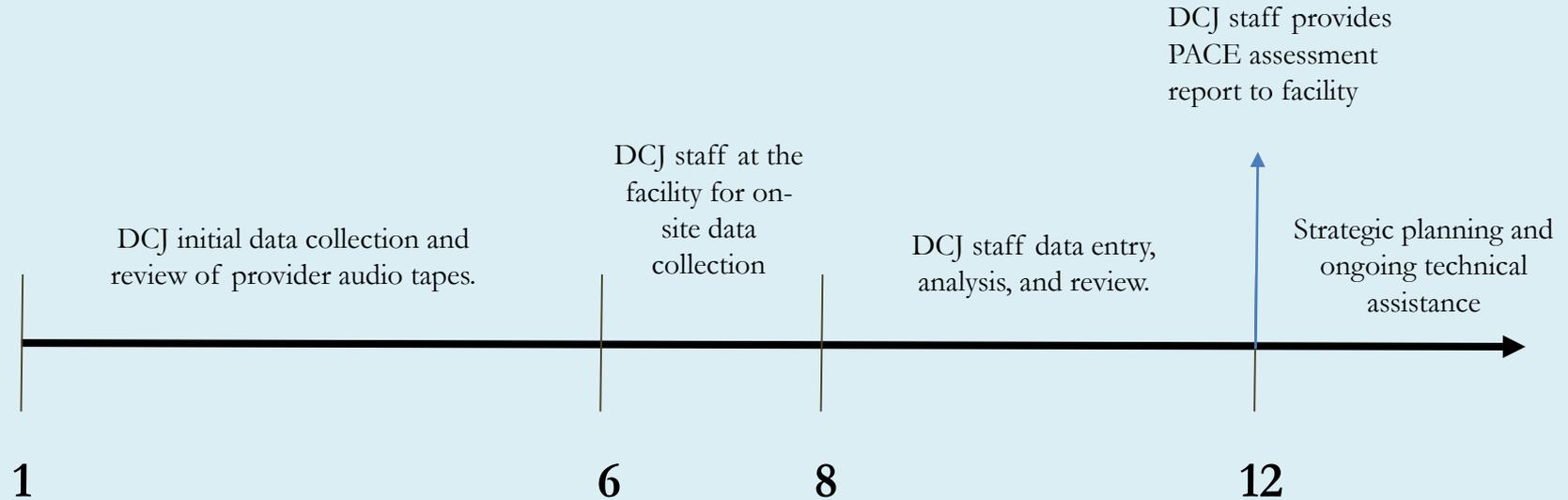
2010 Standards



2017 Colorado Community Corrections Standards New Status of Science-Informed Standards

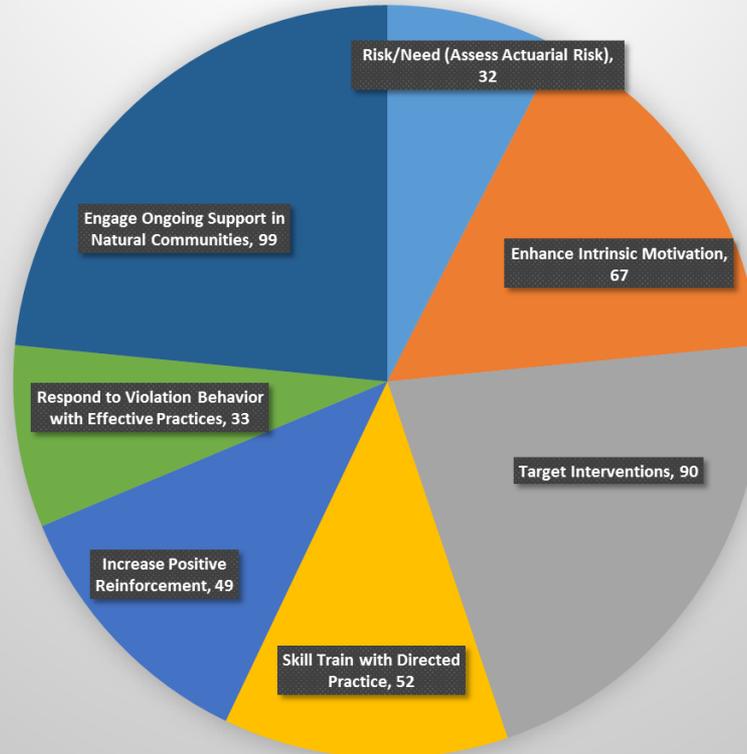


PACE TOOL ASSESSMENT TIMELINE



weeks are approximate

PACE Bibliography
(Number of Published Studies Behind Each PACE Factor/Scale)
422 Total Studies in Support of PACE Items



PACE TOOL PRACTICES – PART 1

Effective Correctional Practices	
Risk/Need (Assess Actuarial Risk)	0-4
1-1) SOA-R Assessments are demonstrated to meet fidelity/accuracy measures obtained through a semi-structured interview.	
1-2) Using a current, accurate, aggregate profile of the client population, clients are provided normative feedback on their top criminogenic needs, strengths, and other relevant factors.	
Subscale Score	

Enhance Intrinsic Motivation	
0-4	
2-1) Staff use an MI style to mutually identify target behaviors and goals with individual clients.	
2-2) IMPACT staff are able to demonstrate Motivational Interviewing (MI) in ways that are conducive for clients to find and express their own motivation to change.	
2-3) Program staff and client interactions are genuinely engaging, real and respectful.	
Subscale Score	

Target Intervention (Responsivity)	
0-4	
3-1) Medium and high risk clients will have case plans that prioritize the central eight criminogenic risk factors in a manner that is consistent with each client's assessment in consideration of correlation to recidivism.	
3-2) Case plan action steps related to targeted interventions are individualized and take into consideration identified client responsivity factors.	
3-3) Interactions among Program staff and clients emphasize criminogenic needs over terms & conditions and rule compliance.	
3-4) Client treatment needs identified in the SOA-R or other assessments are matched with appropriate treatment intensity, setting, and dosage referrals and services.	
3-5) Program differentiates structured intervention hours according to risk level.	
Subscale Score	

PACE TOOL PRACTICES – PART 2

Skill Train with Directed Practice		0-4
4-1)	IMPACT Staff regularly facilitate skill practice in IMPACT meetings with clients that address the clients' prioritized criminogenic needs.	
4-2)	Cognitive-Behavioral coaching (skill practice) is emphasized throughout in-house programming and interventions.	
4-3)	IMPACT staff clarify their respective roles with clients on a regular basis.	
Subscale Score		

Increase Positive Reinforcement		0-4
5-1)	Client progression through program level system is a function of client's demonstrated behavioral progress, stability factors, and is in compliance with case plan	
5-2)	Programs adheres to principles and practices that are consistent with contingency management.	
5-3)	Program staff regularly focus on and affirm client strengths.	
Subscale Score		

Respond to Violation Behavior with Effective Practices		0-4
6-1)	When violation behaviors occur, program records indicate response through the regular use of procedural justice.	
6-2)	Program records indicate regular use of individualized behavioral interventions and responses to client serious behavior trends and/or serious violations (e.g., criminogenic need related or responsivity).	
6-3)	Program uses Evidence-Informed Decision Making for program terminations.	
Subscale Score		

PACE TOOL PRACTICES – PART 3

Engage Ongoing Support in Natural Communities		0-4
7-1)	IMPACT staff work on an ongoing basis to help clients identify and engage pro-social support systems.	
7-2)	Clients are required to make a prosocial contribution in more advanced levels of the program (e.g. levels 3 and 4) to their family or community through involvement in a community-based program.	
7-3)	Program supports ongoing exposure to prosocial support networks via hosting community based organization group activities (e.g., 12-step, church, martial arts) within the facility.	
Subscale Score		

Scoring

Effective Correctional Practices	Program Score
1. Risk/Need (Assess Actuarial Risk)	
2. Enhance Intrinsic Motivation	
3. Target Intervention and Address Responsivity Factors	
4. Skill Train with Directed Practice	
5. Increase Positive Reinforcement	
6. Respond to Violation Behavior with Effective Practices	
7. Engage Ongoing Support in Natural Communities	
OVERALL SCORE	

SENATE BILL 17-021

COMMUNITY CORRECTIONS REVERSIONS FY 2006-07 THROUGH FY 2016-17

	APPROPRIATION	EXPENDITURE	REVERSION
FY 2006-07	\$44,981,089	\$43,885,475	1,095,614
FY 2007-08	47,456,881	46,900,963	(555,918)
FY 2008-09	51,380,099	50,085,976	(1,294,123)
FY 2009-10	52,951,463	50,733,241	(2,218,222)
FY 2010-11	54,443,786	52,559,455	(1,884,331)
FY 2011-12	56,441,796	53,579,207	(2,862,589)
FY 2012-13	53,781,933	53,030,594	(751,339)
FY 2013-14	58,789,749	56,490,160	(2,299,589)
FY 2014-15	65,969,196	63,135,355	(2,833,841)
FY 2015-16	65,424,062	62,389,012	(3,035,050)
FY 2016-17	67,437,308	62,353,921	(5,083,387)



JBC Staff FY 2018-19 Briefing
Department of Corrections and
Department of Public Safety
(Division of Criminal Justice Only)

Presented by:
Megan Davisson, JBC Staff
Date, 2017