

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



FY 2011-12 STAFF BUDGET BRIEFING

DEPARTMENT OF CORRECTIONS

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

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December 20, 2010**

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**FY 2011-12 BUDGET BRIEFING
STAFF PRESENTATION TO THE JOINT BUDGET COMMITTEE**

DEPARTMENT OF CORRECTIONS

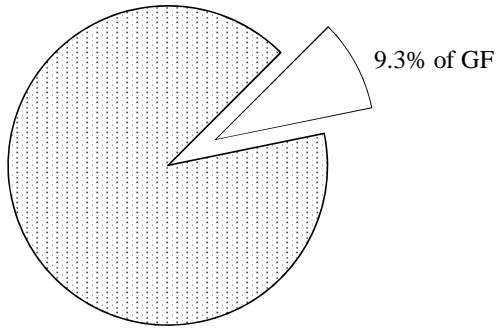
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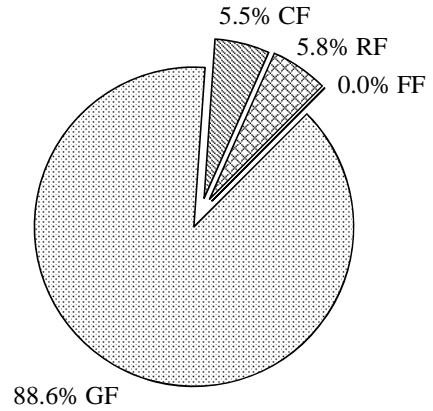
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**FY 2011-12 Joint Budget Committee Staff Budget Briefing
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 GRAPHIC OVERVIEW**

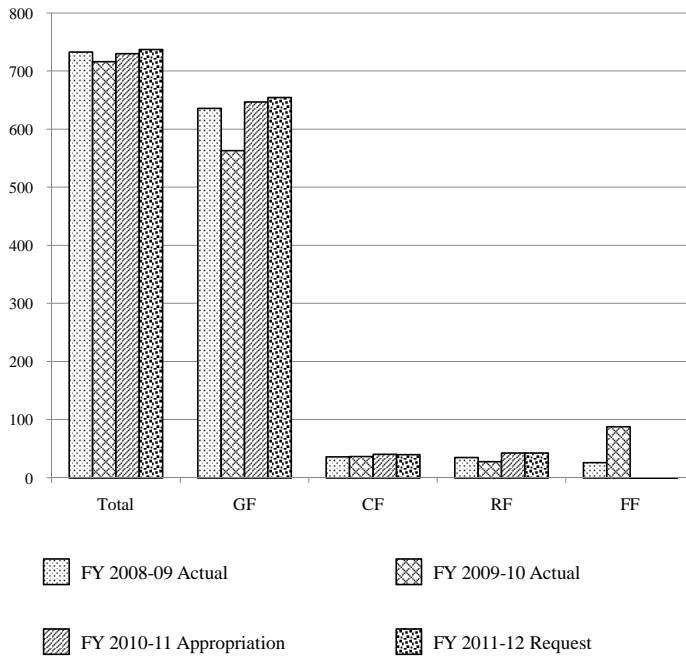
Department's Share of Statewide General Fund



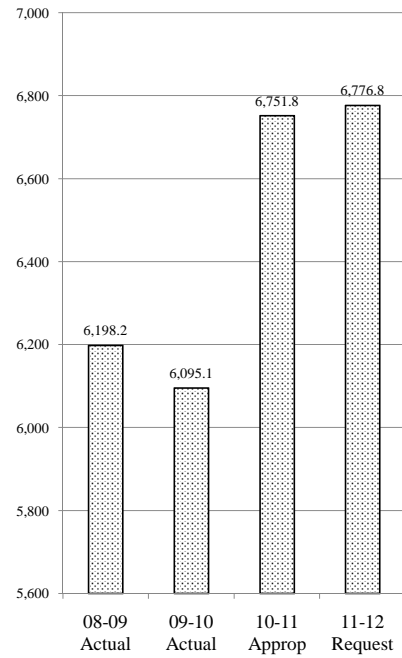
Department Funding Sources



**Budget History
 (Millions of Dollars)**

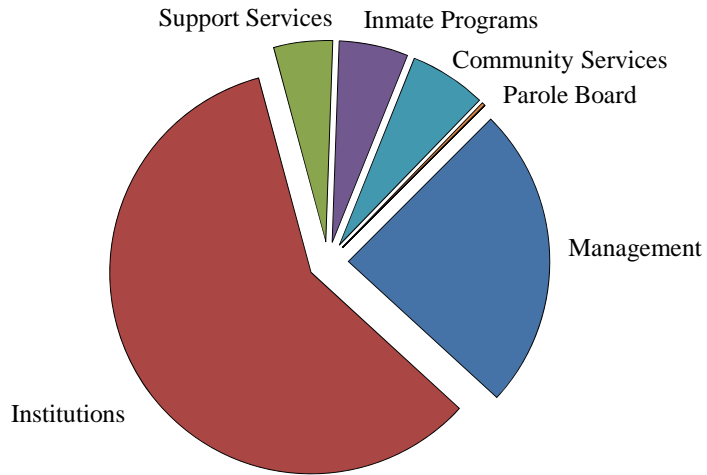


FTE History

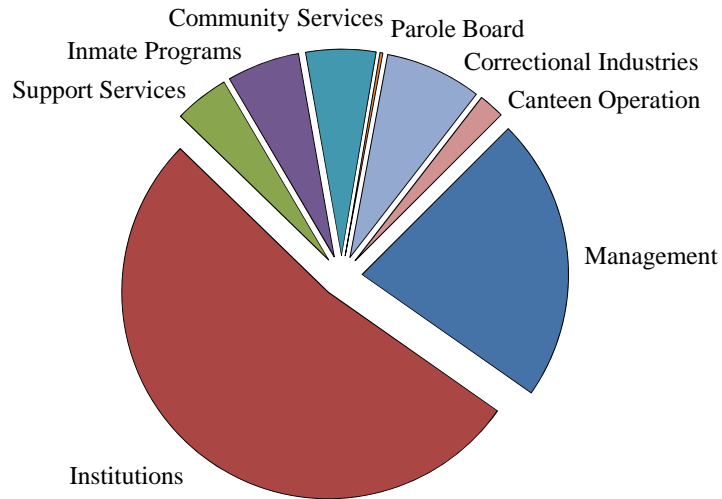


Unless otherwise noted, all charts are based on the FY 2010-11 appropriation.

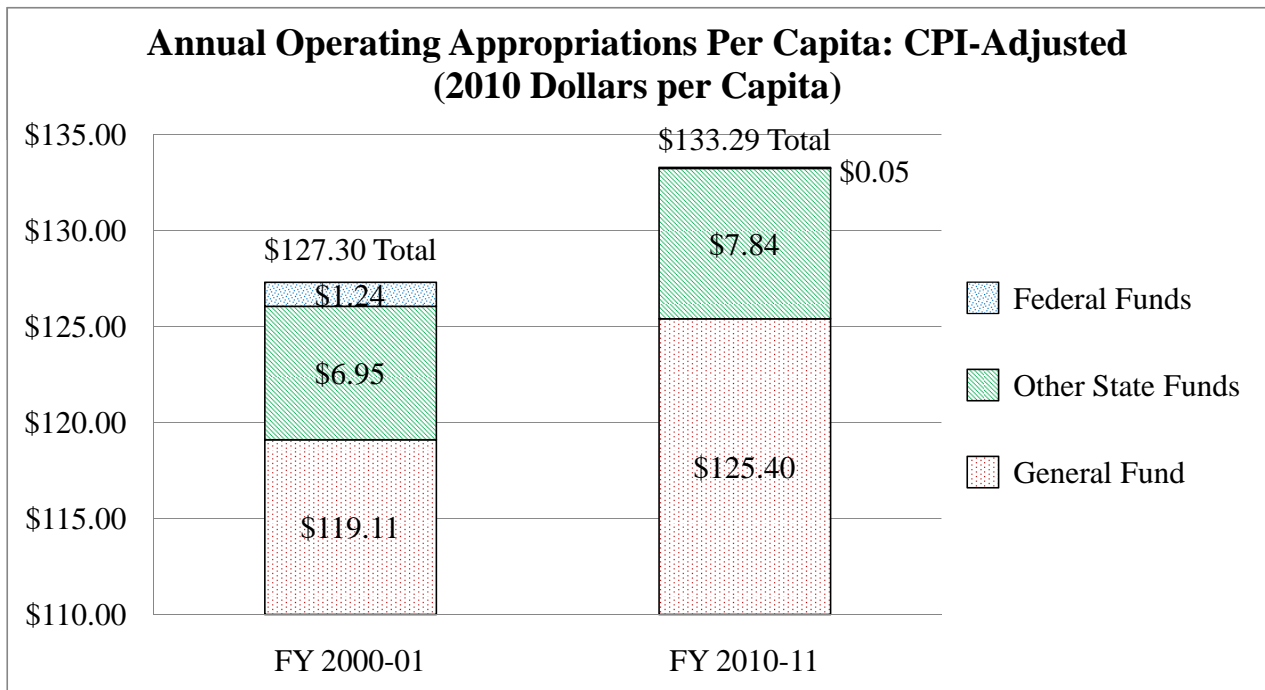
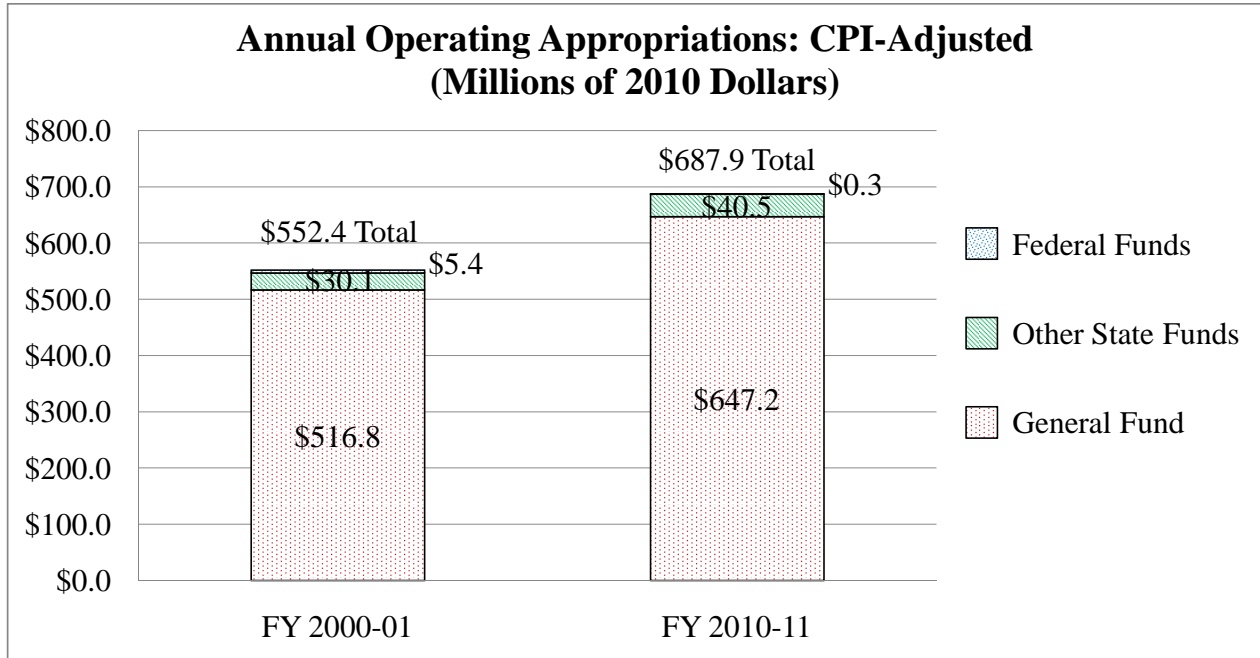
Distribution of General Fund by Division



Distribution of Total Funds by Division



FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections
COMPARISON OF FY 2000-01 AND FY 2010-11 APPROPRIATIONS



NOTES: (1) All appropriations above *exclude* duplicate appropriations (i.e., these appropriations exclude reappropriated funds for FY 2010-11 and, for FY 2000-01, exclude amounts that would have been classified as reappropriated funds). For this department, these excluded amounts primarily reflect transfers from the Department of Public Safety and Correctional Industries sales to other state agencies.

(2) For the purpose of providing comparable figures, FY 2000-01 appropriations are adjusted to reflect changes in the Denver-Boulder-Greeley consumer price index (CPI) from 2000 to 2010. Based on the Legislative Council Staff September 2010 Economic and Revenue Forecast, the CPI is projected to increase 21.9 percent over this period.

(3) In the per capita chart, above, appropriations are divided by the Colorado population (for 2000 and 2010, respectively). Based on the Legislative Council Staff September 2010 Economic and Revenue Forecast, Colorado population is projected to increase by 18.9 percent over this period.

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

DEPARTMENT OVERVIEW

Key Responsibilities

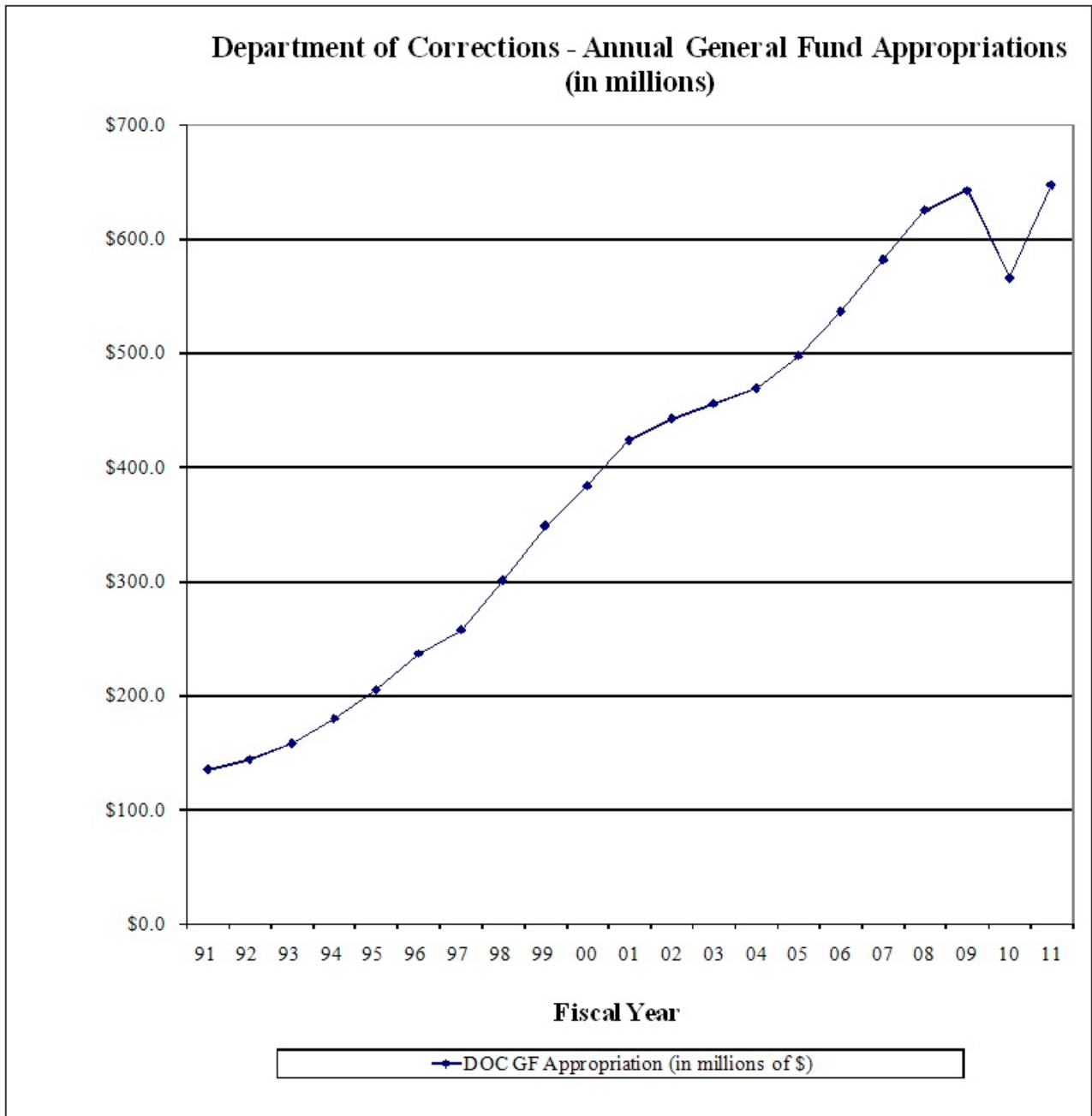
- Manage, supervise, and control the correctional facilities operated and supported by the State.
- Oversee privately operated prison facilities to monitor contract compliance with the Department.
- Provide programs to the inmate population in an effort to provide them with treatment and services designed to improve the likelihood of successfully reintegrating into society following their incarceration.
- Supervise and counsel inmates in community corrections programs and offenders who have been placed on parole.
- Develop a systematic building program providing for the projected, long-range needs of the institutions under the Department's control.
- Develop correctional industries within the institutions which have a rehabilitative or therapeutic value for inmates and which also supply necessary products for state institutions and other public purposes, as provided by law.
- Develop and operate the Youthful Offender System.

Factors Driving the Budget

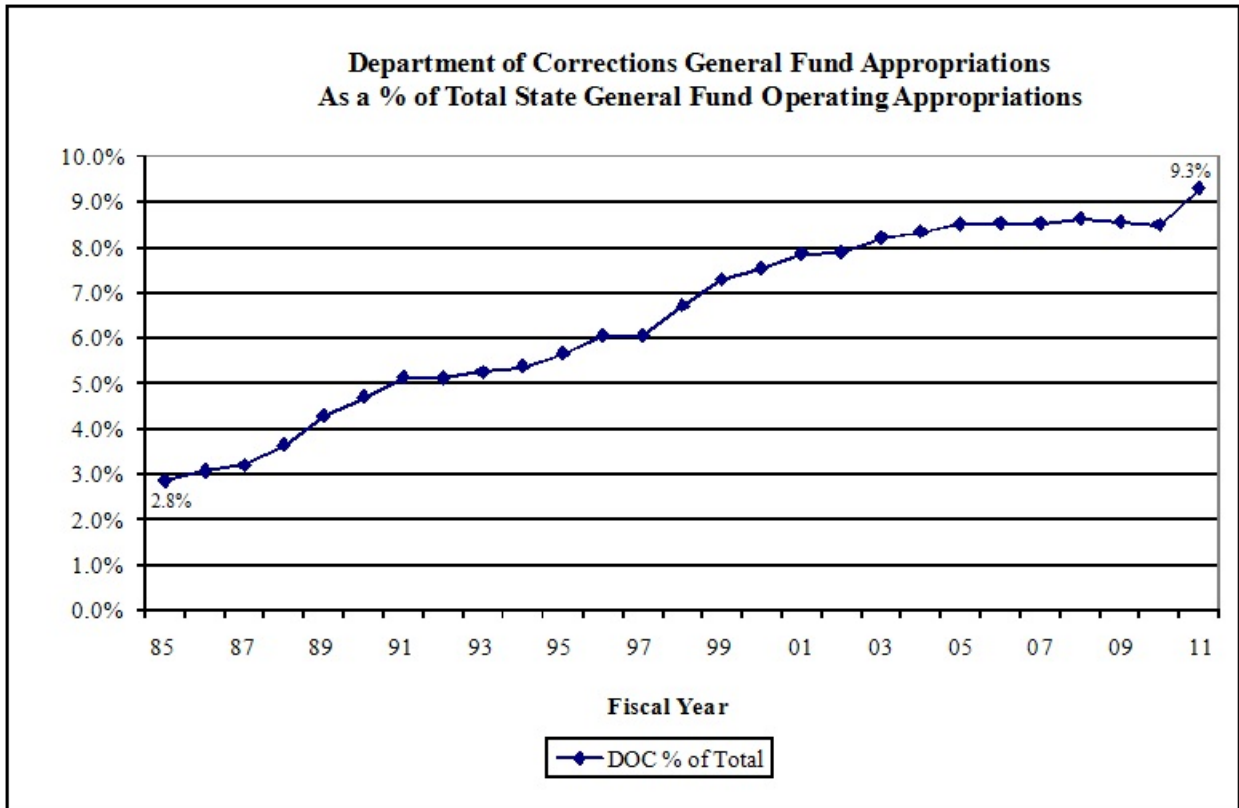
Significant Growth in Appropriations to the Department of Corrections

Background. The Department of Corrections (DOC) has grown significantly in the past 20 years. From FY 1990-91 through FY 2010-11, the General Fund appropriations to the Department grew from \$134.6 million to \$647.2 million, an increase of \$512.6 million. This growth represents a compound annual growth rate of 8.2 percent over the 20-year period.

Historical Growth. The following graph depicts the annual General Fund appropriations to the Department of Corrections for the past 20 years.

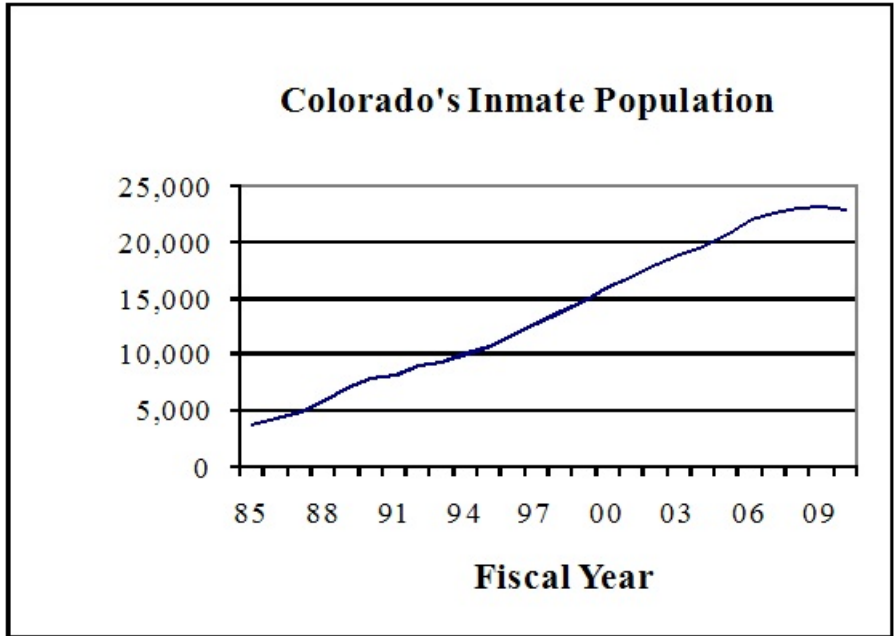


Department of Corrections Becoming Larger Share of State Operating Budget. The Department of Corrections comprises a larger share of the state budget than in prior years. This has occurred because of the significant growth in General Fund appropriations to the Department relative to limitations on available funds and statutory limitations on appropriations. In FY 1984-85, General Fund appropriations to the Department comprised 2.8 percent of the state operating budget. By FY 2010-11, General Fund appropriations to the Department have increased to 9.3 percent of the state operating budget (see the following graph).



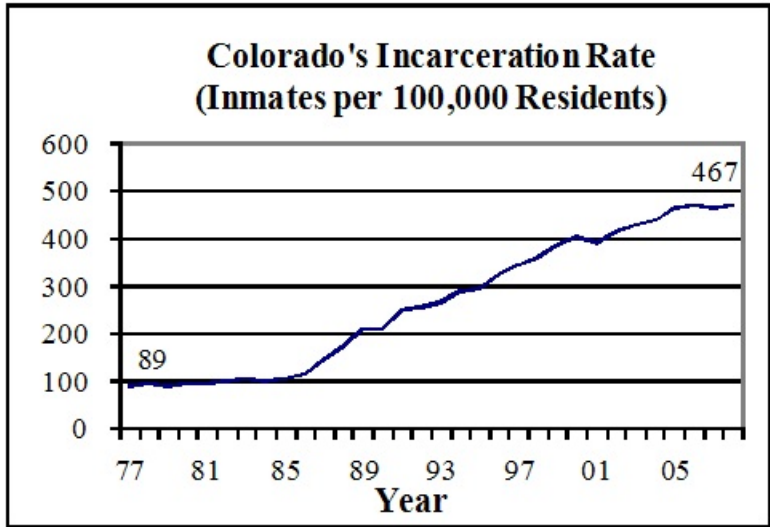
Inmate Population – Primary Factor Driving DOC's Budget

The growth in the inmate population is the primary factor driving the Department of Corrections' budget. The inmate population includes inmates sentenced to DOC including those who are in a transition community corrections placement. As shown in the following graph, the inmate population has grown steadily over the past 26 years.



Source: Colorado Department of Corrections, Monthly Population Reports.

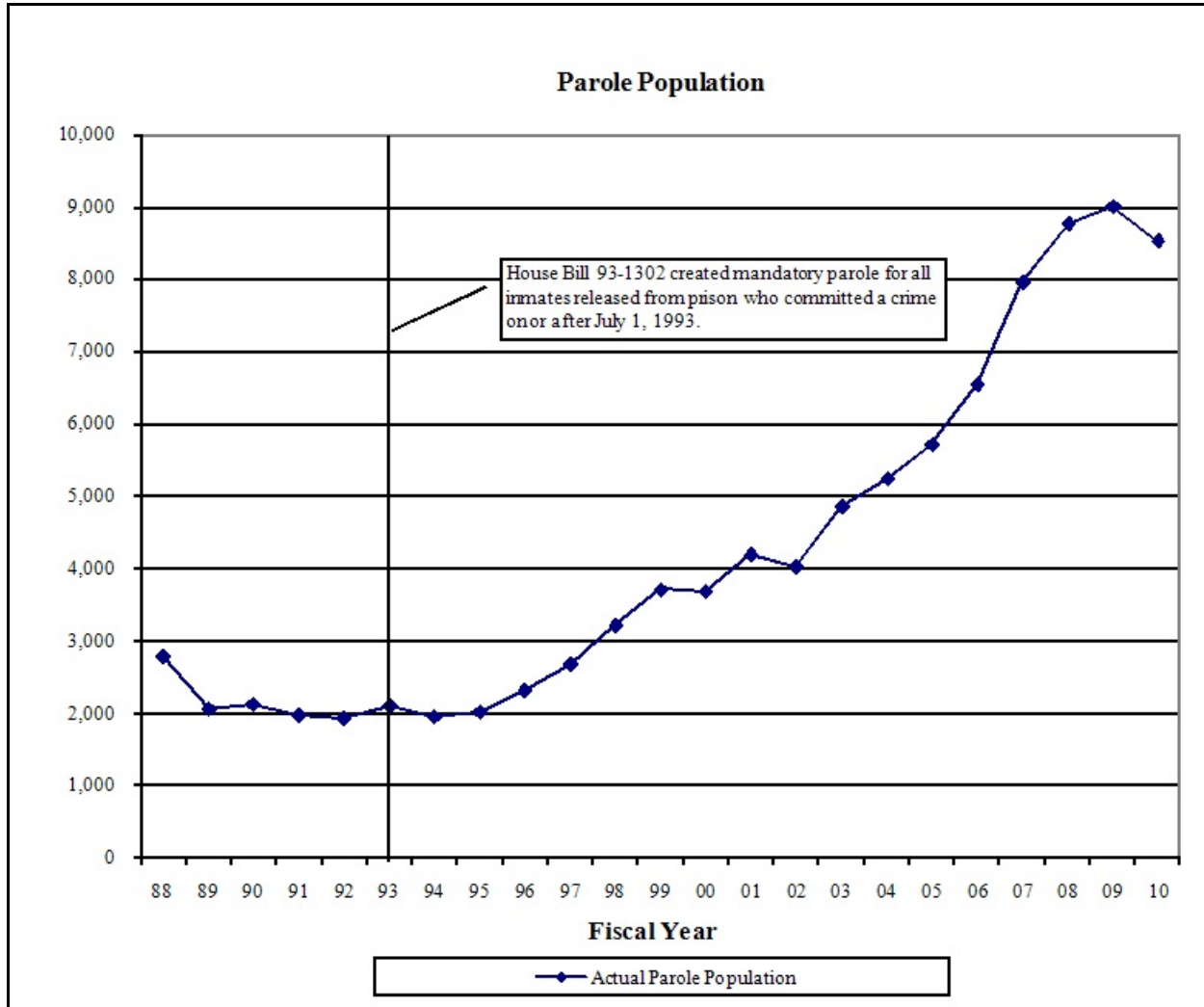
However, the increasing DOC budget cannot be explained entirely by the growth in the Colorado population. Over the past 26 years, the incarceration rate has also increased steadily. As such, a higher percent of Colorado's residents are incarcerated than in prior years, as seen in the following table.



Source: Bureau of Justice Statistics (<http://bjs.ojp.usdoj.gov/content/pub/pdf/p08.pdf>).

Parole Population Increase

The parole population also has an impact on the Department of Corrections' budget. Since FY 1993-94, the parole population has grown at a compound annual rate of 8.5 percent. The following graph illustrates the parole population growth since FY 1993-94.



Population Increase - Jail Backlog

Jail backlog occurs when inmates are sentenced to the Department of Corrections and the capacity does not exist in state prisons or private contract facilities to hold them. In these instances, counties hold the inmates in county jails until the DOC has the capacity to take them. Pursuant to Section 17-1-112, C.R.S., the Department, subject to available appropriations, is required to reimburse the counties for holding these inmates. The following information highlights the jail backlog history for the past six years.

	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
Avg. Daily Population	723	801	635	442	413	569
Cost of Jail Backlog	\$12,265,585	\$13,860,374	\$11,340,364	\$8,037,697	\$7,595,058	\$10,474,017
Daily Reimbursement Rate	\$46.49	\$47.42	\$48.96	\$49.69	\$50.44	\$50.44
Percent Change	n/a	2.0%	3.2%	1.5%	1.5%	0.0%

Population Increase - Private Contracts

In the early 1990s, the DOC began contracting with private prison operators in order to reduce the number of inmates in the jail backlog while state facilities were being constructed. As of June 30, 2010, the DOC had 4,795 inmates in contract facilities. Combined with the number of inmates held in the jail backlog, this represented approximately 22.4 percent of the existing population.¹ The following information highlights the private contracts over the past six years.

	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
Avg. Daily Pop.	2,812	3,797	4,440	4,583	5,425	5,088
Total Cost	\$50,865,321	\$69,679,801	\$84,119,878	\$88,388,521	\$104,323,294	\$97,844,779
Daily Rate	\$49.56	\$50.28	\$51.91	\$52.69	\$52.69	\$52.69
Percent Change	n/a	1.5%	3.2%	1.5%	0.0%	0.0%

* Note: in FY 2004-05, the Department placed inmates in a contract facility in Mississippi, at a cost of \$51.00 per inmate per day. The average daily population was 123.5 inmates at a total cost of \$2,298,162. These inmates are not reflected in the figures shown in this table. In addition, in FY 2006-07, the Department placed inmates in a contract facility in Oklahoma, at a cost of \$54.00 per inmate per day. The average daily population was 238 inmates at a total cost of \$4,699,470. These inmates are also not reflected in the figures shown in this table. In FY 2004-05, the daily rate was reduced by \$0.81 per inmate per day. As a result, the private prisons were no longer required to pay \$0.81 back to the State for the private prison monitoring unit. This change reduced TABOR revenue, but it did not have any net impact to the private prison providers. Finally, in FY 2008-09, the daily rate was reduced from \$54.93 to \$52.69 during the mid-year supplemental process. The rate shown is the final rate approved for the fiscal year.

¹ Including community corrections placements, 34.8 percent of the inmate population was in privately operated placements as of June 30, 2010.

Population and Parole Impact on Community Services

An expanding population results in an increase in the number of inmates placed in community corrections and on parole (see the following table). Community corrections allows inmates to transition to the community while still classified as a DOC inmate. Inmates assigned to community corrections are either placed in a halfway house or in an intensive supervision program (ISP). Inmates are released to parole based on the discretion of the Parole Board, or under mandatory parole statutes, depending on the statutes under which they were sentenced. There are two types of parole, regular and intensive supervision.

	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
Comm. Corr. Exp.	\$8,626,429	\$10,088,431	\$9,690,231	\$11,183,246	\$11,009,062	\$11,868,813
Percent Change	n/a	16.9%	(3.9)%	15.4%	(1.6)%	7.8%
Parole Expenditures	\$10,860,777	\$12,820,844	\$14,695,596	\$18,360,727	\$20,828,293	\$21,251,138
Percent Change	n/a	18.0%	14.6%	24.9%	13.4%	2.0%

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

DECISION ITEM PRIORITY LIST

Decision Item	GF	CF	RF	FF	Total	FTE
1	\$9,135,129	\$0	\$0	\$0	\$9,135,129	0.0
<p>External Capacity Caseload</p> <p>Management. The Department requests \$9,135,129 General Fund to meet the funding needs associated with the offender population. The Department has based this request on a funding deficiency equal to the 475 offenders who were in the custody of the Department on June 30, 2010, for which funding was not provided in FY 2010-11 by the General Assembly. <i>Statutory authority: Sections 17-1-105, 112, and 206.5, C.R.S.</i></p>						
2	197,643	0	0	0	197,643	3.0
<p>Parole/Parole Intensive Supervision Program Caseload</p> <p>Variou s. The Department requests \$197,643 General Fund and 3.0 FTE for personal services, operating, start-up, and contract funds to accommodate population increases in the Parole and Parole Intensive Supervision Program (ISP) subprograms. The Department has based this request on the August, 2010, Division of Criminal Justice population projections. This request annualizes to \$209,891 General Fund and 3.1 FTE in FY 2012-13. <i>Statutory authority: Sections 17-2-102 and 17-27.5-101, C.R.S.</i></p>						
NP-4	25,138	0	0	0	25,138	0.0
<p>Printing of Statewide Warrants and Mainframe Documents</p> <p>Management. This statewide decision item was submitted through the Department of Personnel (DPA) in order to transition statewide printing services for certain types of printing jobs from the Office of Information Technology (OIT) to DPA. <i>Statutory authority: Section 24-30-1101 through 1102, C.R.S.</i></p>						
Total	\$9,357,910	\$0	\$0	\$0	\$9,357,910	3.0

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
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BASE REDUCTION PRIORITY LIST

Base Reduction	GF	CF	RF	FF	Total	FTE
NP-1	(\$4,038,801)	\$0	\$0	\$0	(\$4,038,801)	0.0
<p>Statewide 2.0 Percent General Fund Personal Services Reduction</p> <p>Various. The Department requests a one-time 2.0 percent reduction to the General Fund portion of all personal services appropriations for FY 2011-12. <i>Statutory authority: Section 24-37-301, C.R.S., and Section 24-37-304, C.R.S.</i></p>						
NP-2	(7,868,220)	(99,856)	(132,218)	0	(8,100,294)	0.0
<p>Statewide PERA Adjustment</p> <p>Various. The Department requests a continuation of S.B. 10-146, concerning a one-time modification to contribution rates of the Public Employees' Retirement Association (PERA). This request would continue to require all state employees participating in PERA defined benefit and defined contribution pension plans to contribute an additional 2.5 percent of salary for retirement in FY 2011-12. <i>Statutory authority: N/A.</i></p>						
NP-3	(10,144)	0	0	0	(10,144)	0.0
<p>Pro-Rated Benefits</p> <p>Management. The Department requests an on-going change to the Health, Life, and Dental (HLD) policy coverage for part-time employees. As part of this request, the State will only fund a pro-rated portion of HLD benefits based on the number of hours each employee works. <i>Statutory authority: Section 24-50-603 (7), C.R.S., Section 24-50-604 (1), C.R.S., and Section 24-50-604 (3), C.R.S.</i></p>						
NP-5	(119,704)	(4,213)	0	0	(123,917)	0.0
<p>Statewide Vehicle Lease</p> <p>Support Services. This non-prioritized request reflects adjustments in costs for leased vehicles. Leases are managed on a centralized basis by the Department of Personnel. Adjustments are addressed by the Committee as part of common policy figure setting. <i>Statutory authority: Section 24-30-1104 (2) (a), C.R.S., and Section 24-30-1117, C.R.S.</i></p>						
Total	(\$12,036,869)	(\$104,069)	(\$132,218)	\$0	(\$12,273,156)	0.0

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Department of Corrections**

OVERVIEW OF NUMBERS PAGES

The following table summarizes the total change, in dollars and as a percentage, between the Department's FY 2010-11 appropriation and its FY 2011-12 request.

Total Requested Change, FY 2010-11 to FY 2011-12 (millions of dollars)

Category	GF	CF	RF	FF	Total	FTE
FY 2010-11 Appropriation	\$647.2	\$40.5	\$42.5	\$0.3	\$730.5	6,751.8
FY 2011-12 Request	654.7	40.2	42.6	0.3	737.8	6,776.8
Increase / (Decrease)	\$7.5	(\$0.3)	\$0.1	\$0.0	\$7.3	25.0
Percentage Change	1.2%	(0.7)%	0.2%	0.0%	1.0%	0.4%

The following table highlights the individual changes contained in the Department's FY 2011-12 budget request, as compared with the FY 2010-11 appropriation. For additional detail, see the numbers pages in Appendix A.

Requested Changes, FY 2010-11 to FY 2011-12

Category	GF	CF	RF	FF	Total	FTE
Department Base Request						
Employee benefits	\$9,652,007	\$209,326	\$0	\$0	\$9,861,333	0.0
Restore prior year PERA adjustment	7,809,709	101,071	147,222	0	8,058,002	0.0
Indirect cost assessment	(24,510)	29,433	4,997	4,997	14,917	0.0
Annualize prior year decision items and legislation	(4,988,486)	(482,584)	0	0	(5,471,070)	22.0
Annualize the Governor's August budget balancing actions	(1,555,836)	0	0	0	(1,555,836)	0.0
One-time appropriations	(734,307)	0	0	0	(734,307)	0.0
Subtotal - Base Request	\$10,158,577	(\$142,754)	\$152,219	\$4,997	\$10,173,039	22.0
Caseload Requests						
External capacity (DI #1)	9,135,129	0	0	0	9,135,129	0.0
Parole/Parole ISP (DI #2)	197,643	0	0	0	197,643	3.0
Subtotal - Caseload	\$9,332,772	\$0	\$0	\$0	\$9,332,772	3.0

Category	GF	CF	RF	FF	Total	FTE
Non-Prioritized Requests						
2.0 percent General Fund personal services cut (DI #NP-1)	(4,038,801)	0	0	0	(4,038,801)	0.0
2.5 percent PERA adjustment (DI #NP-2)	(7,868,220)	(99,856)	(132,218)	0	(8,100,294)	0.0
Pro-rate benefits adjustment (DI #NP-3)	(10,144)	0	0	0	(10,144)	0.0
Printing of statewide warrants and mainframe documents (DI #NP-4)	25,138	0	0	0	25,138	0.0
Annual fleet vehicle replacements (DI #NP-5)	(119,704)	(4,213)	0	0	(123,917)	0.0
Subtotal - Non-Prioritized	(\$12,011,731)	(\$104,069)	(\$132,218)	\$0	(\$12,248,018)	0.0
Total Change	\$7,479,618	(\$246,823)	\$20,001	\$4,997	\$7,257,793	25.0

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

BRIEFING ISSUE

ISSUE: Significant Actions Taken from FY 2007-08 to FY 2010-11 to Balance the Budget

Total appropriations to the Department of Corrections have increased since FY 2007-08, primarily due to inmate and parole caseload as well as initiatives implemented as part of the Governor's recidivism reduction efforts. Since the most recent economic downturn started in 2008, the General Assembly has taken several actions to mitigate General Fund increases in this department. However, the General Fund appropriations to the Department of Corrections increased by \$22.6 million (3.6 percent) from FY 2007-08 to FY 2010-11.

SUMMARY:

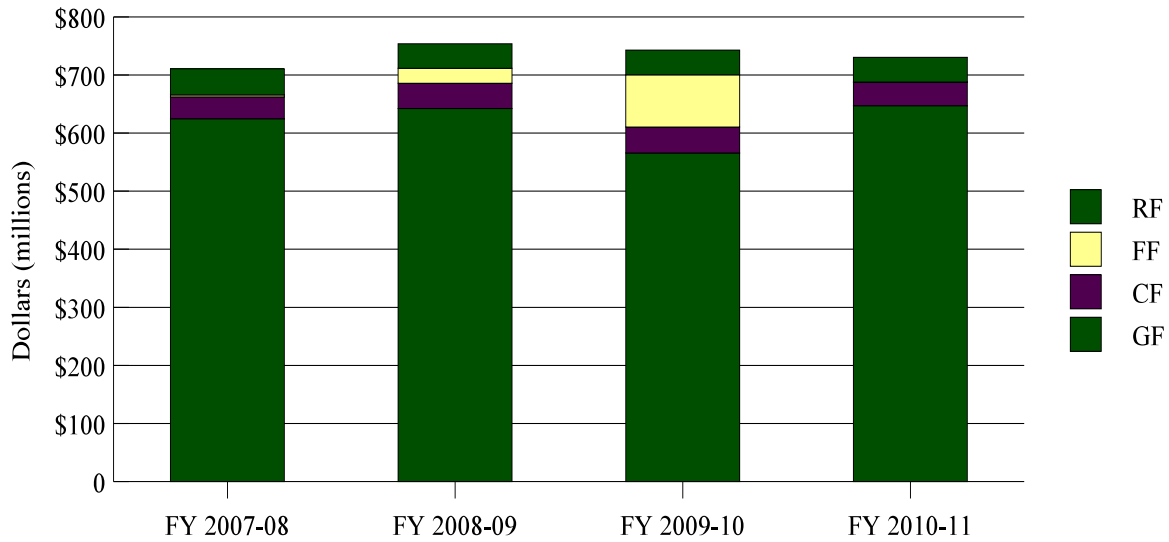
- The General Assembly approved the closure of the Colorado Women's Correctional Facility and the Colorado Corrections Alternative Program (Boot Camp), thereby reducing General Fund expenditures.
- The General Assembly eliminated programs initiated under the Governor's recidivism reduction and offender diversion package, thereby reducing General Fund expenditures.
- The General Assembly has used cash funds (Canteen funds) and federal American Recovery and Reinvestment Act of 2009 (ARRA) funds to replace General Fund support for a number of programs.

DISCUSSION:

From FY 2007-08 to FY 2010-11, total appropriations to the Department of Corrections increased by approximately 2.8 percent (\$19.8 million). Most of this increase was provided through state funds, including an increase of \$22.6 million General Fund and \$2.6 million cash funds. Primarily, state funding increased due to inmate and parole caseload as well as initiatives implemented as part of the Governor's recidivism reduction efforts.

Appropriations to the Department of Corrections for FY 2007-08 through FY 2010-11 are illustrated in the bar chart and detailed in the table below.

Department Appropriations FY 2007-08 to FY 2010-11



Department of Corrections Appropriations FY 2007-08 to FY 2010-11					
	Total Funds	General Fund	Cash Funds	Federal Funds	Reappropriated Funds
FY 2007-08 /a	\$710,611,718	\$624,606,171	\$37,833,736	\$3,221,289	\$44,950,522
FY 2008-09	753,884,358	642,348,257	43,346,045	25,895,554	42,294,502
FY 2009-10	742,980,190	565,603,106	44,731,991	89,946,175	42,698,918
FY 2010-11	730,453,742	647,180,811	40,465,186	257,931	42,549,814
Increase/(Decrease.) /b	\$19,842,024	\$22,574,640	\$2,631,450	(\$2,963,358)	(\$2,400,708)
Percent Change /b	2.8%	3.6%	7.0%	(92.0)%	(5.3)%

a/ FY 2007-08 Appropriations have been adjusted to reflect the same "cash funds" and "reappropriated funds" format implemented in FY 2008-09. Source: Page 41 of the FY 2008-09 Appropriations Report, plus 2009 legislation affecting FY 2007-08 appropriations (S.B. 09-184).

b/ Increase/(Decrease) and Percent Change compare FY 2007-08 and FY 2010-11.

As illustrated in the bar chart above, appropriations to the Department peaked in FY 2008-09 primarily due to a temporary increase in federal funds. Specifically, appropriations for FY 2008-09 reflected \$24.6 million in federal ARRA funds, and appropriations for FY 2009-10 reflected \$89.4 million in federal ARRA funds.

Beginning in January of 2009 and continuing through the 2010 Session, the General Assembly has taken a number of actions to reduce General Fund expenditures to this department. These actions are discussed in more detail below.

Major Budget Balancing Actions from FY 2007-08 to FY 2010-11

Facility Closures

The General Assembly approved the closure of the Colorado Women's Correctional Facility (CWCF) in FY 2009-10, saving \$5,245,475 General Fund and 71.2 FTE. The Department determined that CWCF was an appropriate facility to close primarily due to lower than anticipated female population growth. In addition, the General Assembly approved the decommission of the Colorado Corrections Alternative Program (Boot Camp) in FY 2010-11, saving \$971,055 General Fund and 32.7 FTE. The Department determined that the Boot Camp was an appropriate facility to decommission primarily due to the lack of effectiveness of the program.

Governor's Recidivism Reduction and Offender Diversion Package

The General Assembly reduced the funding for academic and vocational education programs by \$3,023,021 General Fund and 34.8 FTE in FY 2009-10. This action eliminated the increase for academic and vocational education programs approved by the General Assembly as part of the Governor's recidivism reduction and offender diversion package. In addition, the General Assembly eliminated the funding for parole wrap-around services in FY 2008-09, saving \$1.8 million General Fund. The funding for parole wrap-around services was approved by the General Assembly as part of the Governor's recidivism reduction and offender diversion package.

Refinancing General Fund

The General Assembly refinanced General Fund appropriations within the Department with various cash funds and federal funds. Specifically, the General Assembly approved refinancing General Fund with Canteen cash funds, Drug Offender Surcharge cash funds, and federal funds available pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA). The following table identifies those programs for which General Fund appropriations were refinanced.

Programs for Which General Fund Has Been Refinanced				
Program/ Function	Annual Savings (\$ millions)	One-time/ Ongoing	Fund Source	FY of Savings
Housing and Security Personal Services	\$89.0	One-time	ARRA	FY 2009-10
Housing and Security Personal Services	24.6	One-time	ARRA	FY 2008-09
Education Personal Services	2.5	One-time	Canteen funds	FY 2009-10
Education Personal Services	0.9	One-time	Canteen funds	FY 2008-09
Drug and Alcohol Treatment Contract Services	0.3	One-time	Drug Offender Surcharge Fund	FY 2009-10

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

BRIEFING ISSUE

ISSUE: Population Projections

Legislative Council Staff (LCS) and the Division of Criminal Justice (DCJ) both project the prison population to decrease through FY 2012-13. However, LCS projects the parole population to increase through FY 2012-13 while DCJ projects it to have relatively flat growth.

SUMMARY:

- ❑ Both the LCS and the DCJ December 2010 inmate population projections forecast a decrease in the prison population.
- ❑ The LCS December 2010 parole population projections forecast continued growth in the parole population, although the numbers are lower than the corresponding projections from December 2009. However, the DCJ December 2010 parole population projections forecast initial growth in the parole population but overall flat growth through FY 2012-13.
- ❑ Both the DCJ and LCS December 2010 inmate population projections forecast a decrease in the inmate population through FY 2012-13. However, the DCJ December 2010 inmate population projections forecast a greater decrease in comparison to the LCS December 2010 inmate population projections.

RECOMMENDATION:

Staff recommends that the Committee wait until closer to supplementals and figure setting to determine which projections to use to plan the required level of prison beds. Waiting will allow more time to determine which monthly growth looks more reasonable. This recommendation is consistent with the approach taken by the JBC in prior years.

DISCUSSION:

Comparison of 2010 LCS and DCJ Prison and Parole Population Projections. Legislative Council Staff and the Division of Criminal Justice are responsible for developing population projections for the adult inmate population and the adult parole population. The following table is a comparison of the December 2010 projections for each of these agencies:

Comparison of Adult Population Projections					
Population	Actual as of June 30, 2010	Projected Populations as of June 30, 2013			
		LCS Projection	% Change over Actual	DCJ Projection	% Change over Actual
Total Inmates	22,860	21,058	(7.9)%	20,968	(8.3)%
Male	20,766	19,144	(7.8)%	19,199	(7.5)%
Female	2,094	1,914	(8.6)%	1,769	(15.5)%
Parole	8,535	9,390	10.0%	8,508	(0.3)%

A comparison of the compound annual growth rates (based on the population figures from the previous table) are delineated in the following table.

Compound Annual Growth Rate		
	LCS Projection	DCJ Projection
Total Inmates	(2.7)%	(2.8)%
Male	(2.7)%	(2.6)%
Female	(3.0)%	(5.5)%
Parole	3.2%	(0.1)%

Comparison to Previous Year's Projections. The LCS December 2010 total inmate population projections are slightly higher than the December 2009 projections until FY 2011-12 (see Appendix D). However, the LCS December 2010 parole projections are lower than the corresponding December 2009 projections for each of the years in the planning horizon (see Appendix D).

Setting the Appropriation. Because the inmate growth varies by month and because of the differences between the two projections, staff recommends waiting until closer to the supplemental and figure setting process to decide which projection to use when planning appropriation levels for private prisons and jail backlog for the remainder of FY 2010-11 and for FY 2011-12.

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

LCS and DCJ Total Inmate Population Projections						
	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15
<i>Legislative Council Staff</i>						
Beginning Population	23,186	22,860	22,319	21,663	n/a	n/a
Growth	(326)	(541)	(656)	(605)	n/a	n/a
Ending Population	22,860	22,319	21,663	21,058	n/a	n/a
Avg. Monthly Growth	(27)	(45)	(55)	(50)	n/a	n/a
Annual Growth	(1.4)%	(2.4)%	(2.9)%	(2.8)%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	23,186	22,860	22,314	21,425	20,968	20,475
Growth	(326)	(546)	(889)	(457)	(493)	(594)
Ending Population	22,860	22,314	21,425	20,968	20,475	19,881
Avg. Monthly Growth	(27)	(46)	(74)	(38)	(41)	(50)
Annual Growth	(1.4)%	(2.4)%	(4.0)%	(2.1)%	(2.4)%	(2.9)%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	5	238	90	n/a	n/a

Total Inmate Growth. The actual average monthly growth rate for FY 2009-10 was a reduction of 27 inmates per month, lower than any year in the past decade. In addition, the inmate population has decreased by 18 inmates per month for the first five months of FY 2010-11.

Historical Monthly Population Growth – Total Inmates										
FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
106	70	101	67	60	95	109	42	39	16	(27)

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

LCS and DCJ Male Inmate Population Projections						
	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15
<i>Legislative Council Staff</i>						
Beginning Population	20,896	20,766	20,281	19,688	n/a	n/a
Growth	(130)	(485)	(593)	(544)	n/a	n/a
Ending Population	20,766	20,281	19,688	19,144	n/a	n/a
Avg. Monthly Growth	(11)	(40)	(49)	(45)	n/a	n/a
Annual Growth	(0.6)%	(2.3)%	(2.9)%	(2.8)%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	20,896	20,766	20,286	19,534	19,199	18,803
Growth	(130)	(480)	(752)	(335)	(396)	(485)
Ending Population	20,766	20,286	19,534	19,199	18,803	18,318
Avg. Monthly Growth	(11)	(40)	(63)	(28)	(33)	(40)
Annual Growth	(0.6)%	(2.3)%	(3.7)%	(1.7)%	(2.1)%	(2.6)%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	(5)	154	(55)	n/a	n/a

Male Inmate Growth. The actual average monthly growth rate for FY 2009-10 was a reduction of 11 male inmates per month, lower than any year in the past decade. In addition, the male inmate population has decreased by 19 inmates per month for the first five months of FY 2010-11.

Historical Monthly Population Growth – Male Inmates										
FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
99	63	87	57	49	68	97	32	42	18	(11)

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

LCS and DCJ Female Inmate Population Projections						
	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15
<i>Legislative Council Staff</i>						
Beginning Population	2,290	2,094	2,038	1,975	n/a	n/a
Growth	(196)	(56)	(63)	(61)	n/a	n/a
Ending Population	2,094	2,038	1,975	1,914	n/a	n/a
Avg. Monthly Growth	(16)	(5)	(5)	(5)	n/a	n/a
Annual Growth	(8.6)%	(2.7)%	(3.1)%	(3.1)%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	2,290	2,094	2,028	1,891	1,769	1,672
Growth	(196)	(66)	(137)	(122)	(97)	(109)
Ending Population	2,094	2,028	1,891	1,769	1,672	1,563
Avg. Monthly Growth	(16)	(6)	(11)	(10)	(8)	(9)
Annual Growth	(8.6)%	(3.2)%	(6.8)%	(6.5)%	(5.5)%	(6.5)%
<i>Difference Between Projections</i>						
LCS vs. DCJ (year end pop.)	0	10	84	145	n/a	n/a

Female Inmate Growth. The actual average monthly growth rate for FY 2009-10 was a reduction of 16 female inmates per month, lower than any year in the past decade. However, the female inmate population has increased by one inmate per month for the first five months of FY 2010-11.

Historical Monthly Population Growth – Female Inmates										
FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
7	6	14	10	11	27	12	10	(3)	(1)	(16)

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

LCS and DCJ Parole Population Projections						
	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15
<i>Legislative Council Staff</i>						
Beginning Population	9,016	8,535	8,851	9,232	n/a	n/a
Growth	(481)	316	381	158	n/a	n/a
Ending Population	8,535	8,851	9,232	9,390	n/a	n/a
Avg. Monthly Growth	(40)	26	32	13	n/a	n/a
Annual Growth	(5.3)%	3.7%	4.3%	1.7%	n/a	n/a
<i>Division of Criminal Justice</i>						
Beginning Population	9,016	8,535	8,735	8,994	8,508	8,065
Growth	(481)	200	259	(486)	(443)	(372)
Ending Population	8,535	8,735	8,994	8,508	8,065	7,693
Avg. Monthly Growth	(40)	17	22	(41)	(37)	(31)
Annual Growth	(5.3)%	2.3%	3.0%	(5.4)%	(5.2)%	(4.6)%
<i>Difference Between Projections</i>						
LCS vs. DCJ	0	116	238	882	n/a	n/a

Parole Population Growth. The actual average monthly growth rate for FY 2009-10 was a reduction of 40 parolees per month, lower than any year in the past decade. In addition, the parole population has decreased by 46 parolees per month for the first five months of FY 2010-11.

Historical Monthly Population Growth – Parole Population										
FY 00	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
(3)	42	(13)	68	32	39	70	116	70	19	(40)

FY 2010-11 Supplemental Request. The Department has submitted a FY 2010-11 supplemental request of \$9,135,129 General Fund related to the inmate population. During the 2010 session, the Department requested and the General Assembly approved funding the FY 2010-11 cost of the inmate population at a level that was below the level projected by Legislative Council Staff. This was based on actual data showing the inmate population declining more rapidly than the LCS projections. However, the ending inmate population for FY 2009-10 was actually higher than the

LCS projections. The requested amount represents the difference between the approved funding level for FY 2010-11 and the actual inmate population at the start of the fiscal year (475 offenders).

The Department plans to update this supplemental request in February based on year-to-date actual data and the most recent LCS projections. Staff believes that the updated request will likely be larger than this original request of \$9.1 million. As can be seen from the tables above, Legislative Council Staff projects that the inmate population will decline by 45 offenders per month in FY 2010-11. However, actual data for the first five months of the fiscal year indicate that the inmate population has only declined by an average of 18 offenders per month.

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

BRIEFING ISSUE

ISSUE: Appropriations Included for Criminal Sentencing Laws

Section 2-2-703, C.R.S., specifies that no bill may be passed by the General Assembly which results in a net increase in periods of imprisonment in state correctional facilities unless it contains an appropriation of money sufficient to cover the increased capital construction costs and operating costs in each of the first five fiscal years of the bill. An argument has been made that these criminal sentencing bills should no longer include appropriations for capital construction costs because of the State's reliance upon private prisons for the recent growth or reduction in the inmate population.

SUMMARY:

- ❑ In 1985, legislation was enacted to double the maximum sentence for Class 2 through Class 5 felonies (see House Bill 85-1320). A significant growth in the inmate population occurred in the years following the passage of this bill. Although this legislation had a future impact on the growth in the inmate population, it was deemed to have no fiscal impact by the legislature and was passed without an appropriations clause.
- ❑ In 1991, the General Assembly enacted legislation (Senate Bill 91-76) to establish procedures regarding criminal sentencing bills. Statutory provisions include the following: (1) a requirement for Legislative Council Staff to estimate the fiscal impact for criminal sentencing bills over a five-year period; (2) a requirement for such bills to be referred to the appropriations committee in the house of introduction; and (3) a requirement for such bills to contain a five-year statutory appropriations clause sufficient to support the associated capital construction and operating costs.
- ❑ The General Assembly has increasingly relied upon private prisons for the growth or reduction in the inmate population. This policy has allowed the State to avoid some capital construction costs associated with building new prisons. As a result, an argument has been made that criminal sentencing bills should no longer include appropriations for capital construction costs.

RECOMMENDATION:

Staff recommends that the General Assembly continue the practice of including appropriations for capital construction costs in criminal sentencing bills.

DISCUSSION:

Background. Section 7 of Article 2 of Title 2 of the Colorado Revised Statutes, which deals with the enactment of laws regarding sentencing of criminal offenders, was added by S.B. 91-76. This

section was later amended by H.B. 94-1340 and H.B. 94-1126. This section of statute ensures that bills which are estimated to impact sentencing laws contain appropriations to account for the fiscal impact of the bill. Criminal sentencing bills normally take longer than one year to impact the correctional system. Offenders must be arrested, adjudicated, and sentenced before they are sent to the correctional system. Additionally, an increase in the length of sentence results in inmates staying in the system longer which requires additional beds in the correctional system. Therefore, the General Assembly determined that all sentencing bills must be evaluated for five-year fiscal impact.

The following actions are required on bills which impact sentencing of criminal offenders:

- ▶ Section 2-2-701 (3), C.R.S., states (*emphasis added*), "...any bill which is introduced at any session of the general assembly which affects criminal sentencing and which may result in a net increase or a net decrease in periods of imprisonment in state correctional facilities shall be reviewed by the director of research of the legislative council for the purpose of providing information to the general assembly on the long-term fiscal impact which may result from the passage of the bill, including the increased capital construction costs and increased operating costs for the first five fiscal years following passage."
- ▶ Section 2-2-702, C.R.S., states (*emphasis added*), "...any bill which is introduced into either house of the general assembly which affects the sentencing of criminal offenders and which would result in a net increase in periods of imprisonment in state correctional facilities shall, as soon as such net increase is determined, in addition to the assignment or referral of such bill to any other legislative committee or committees, be assigned or referred to the appropriations committees of the house into which such bill is introduced."
- ▶ Section 2-2-703, C.R.S., states (*emphasis added*), "...no bill may be passed by the general assembly which would result in a net increase in periods of imprisonment in state correctional facilities unless, in such bill, there is an appropriation of moneys which is sufficient to cover any increased capital construction costs and any increased operating costs which are the result of such bill in each of the first five years in which there is a fiscal impact as a result of the bill."
- ▶ Section 2-2-703, C.R.S., further states (*emphasis added*), "Moneys sufficient to cover such increased capital construction costs and increased operating costs for the first five fiscal years in which there is a fiscal impact as a result of the bill shall be estimated by the appropriations committee, and after consideration of such estimate the general assembly shall make a determination as to the amount of moneys sufficient to cover the costs, and such moneys shall be appropriated in the bill in the form of a statutory appropriation from the general fund in the years affected."
- ▶ Section 2-2-703, C.R.S., further states (*emphasis added*), "Any such bill which is passed on or after July 1, 1991, which is silent as to whether it is intended to be an exception to this section, shall not be deemed to be such an exception. Any bill which is enacted which is intended to be an exception to this section shall expressly state such exception in such bill."

Capital Construction Costs. Due largely to a lack of funding for public prison facilities, the General Assembly has relied upon private prisons for the growth or reduction in the inmate population. Because the State does not contribute funds for the capital construction costs of private prisons and simply pays providers a daily rate per offender, an argument has been made that criminal sentencing bills should no longer include appropriations for capital construction costs. Staff has the following concerns about removing the capital construction appropriations from criminal sentencing bills:

1. The General Assembly authorized a lease-purchase agreement for the construction of Colorado State Penitentiary II (CSP II), which is now part of Centennial Correctional Facility. This lease-purchase agreement allowed the Department to issue Certificates of Participation (COPs) in order to fund the construction costs. These COPs will have a future annual payment of approximately \$18.4 million. Since the COP payments have been made, the General Assembly has chosen to use the capital construction appropriations from criminal sentencing bills to offset the annual COP payment. Therefore, those capital construction appropriations are effectively supporting the construction of state prison beds. Staff has concerns that removing the capital construction appropriations from criminal sentencing bills will require the General Assembly to fund the entire annual COP payment for CSP II without any offset from recently passed criminal sentencing bills.
2. As mentioned above, criminal sentencing bills normally take longer than one year to impact the correctional system. Offenders must be arrested, adjudicated, and sentenced before they are sent to the correctional system. Therefore, it is assumed for appropriations purposes that any operating costs associated with a criminal sentencing bill will not take affect until the second year after the bill's effective date. However, the General Assembly has historically appropriated capital construction funding in the first year after the bill's effective date in order to provide for the construction costs of the needed beds. If these capital construction appropriations are removed, there would be no first-year costs associated with criminal sentencing bills. Staff has concerns that the General Assembly may pass such bills because of the lack of fiscal impact in the first year without appreciating the long-terms costs of the bills.

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

BRIEFING ISSUE

ISSUE: Update on the Opening of Tower I at CSP II

The construction of Colorado State Penitentiary II (CSP II) has required funding of \$146.2 million. In addition, because CSP II was built using Certificates of Participation (COPs), the State has incurred capitalized interest associated with the project of \$18.1 million. CSP II added 948 high-security beds to the state correctional system. During the 2010 legislative session, the General Assembly approved funding to open one of the three towers at CSP II (316 beds) beginning in September 2010. In addition, the General Assembly approved funding to implement a new mental health program for offenders in Administrative Segregation. However, because the full implementation of this program has been delayed, it may be possible to reduce the appropriation for this purpose in the current fiscal year.

SUMMARY:

- ❑ The construction of CSP II, a 948-bed high-security facility, has required state funding of \$146.2 million to date. In addition, the State is obligated to pay \$18.1 million of capital interest that has accrued to date because CSP II was funded using COPs. In total, the COPs will cost the State \$164.3 million. The construction of CSP II was completed in June, 2010.
- ❑ During the 2010 legislative session, the General Assembly approved an appropriation of \$9,367,196 General Fund and 220.0 FTE to operate one of the three towers at CSP II beginning in September 2010. The funding allowed the Department to open up 316 beds to inmates at CSP II. The Department indicates that as of October 2010, sufficient inmates have been transferred into CSP II to fill the funded 316 beds.
- ❑ During the 2010 legislative session, the General Assembly also approved an appropriation of \$1,434,945 General Fund and 26.0 FTE to convert 192 beds at Colorado State Penitentiary (CSP) and 48 beds at Centennial Correctional Facility (CCF) to house offenders with mental illness (OMIs). However, it is staff's understanding that the full staffing for this program has not occurred to date. Therefore, it may be possible to reduce the appropriated funding for the OMI program in the current fiscal year.

RECOMMENDATION:

Staff recommends that the Committee discuss with the Department of Corrections its plans for implementing the new mental health program at CSP and CCF. In addition, staff recommends that the Committee reduce the FY 2010-11 appropriation for this program commensurate with the actual implementation of the program.

DISCUSSION:

CSP II Background. During the 2003 legislative session, the General Assembly enacted H.B. 03-1256 (Rep. Spradley / Sen. Anderson), which authorized a lease-purchase agreement for a 948-bed high-security facility to be built in Cañon City. This project is referred to as Colorado State Penitentiary II (CSP II). The legislation capped the total value of the certificates of participation (COPs) at \$102.8 million with a 15-year term. Before the Department could issue the COPs, a lawsuit was filed against the State which prohibited their issuance. The lawsuit was resolved; however, the Department received additional funding of \$36.9 million in FY 2007-08 due primarily to construction inflation that occurred since the time of original funding.

The projected completion date was June, 2010, and the total cost of the project to date is reflected in the following table:

CSP II Project Funding History					
	FY 2003-04	FY 2007-08	FY 2008-09	FY 2009-10	Fund Totals
Bill Number	H.B. 03-1256	S.B. 07-239	H.B. 08-1375	S.B. 09-259	
General Fund	\$0	\$36,911,874	\$2,000,000	\$0	\$38,911,874
Cash Funds	0	1,249,500	0	3,249,592	4,499,092
CFE/Reappropriated Funds COP's	102,800,000	0	0	0	102,800,000
Federal Funds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	\$102,800,000	\$38,161,374	\$2,000,000	\$3,249,592	\$146,210,966
Capitalized Interest	\$18,120,026	\$0	\$0	\$0	\$18,120,026

Note 1: The table above reflects a \$2,000,000 capital construction fund appropriation for CSP II equipment and furnishings in FY 2008-09, and a \$2,000,000 cash funds (Correctional Industries revenue) appropriation for CSP II equipment and furnishings in FY 2009-10.

Note 2: The table above reflects funds for the CSP II inmate in-cell services information technology project. Funding for CSP II inmate in-cell services includes \$1,249,500 appropriated through S.B. 07-239 and \$1,249,592 appropriated through S.B. 09-259.

Integration with Centennial Correctional Facility. CSP II was located beside the Centennial Correctional Facility (CCF) in the East Cañon Complex, and was integrated with CCF to become one complex during the construction process. For example, the two facilities share boiler, chiller, and HVAC systems. In addition, custody and control personnel staff a central control center and vehicle sally port, which are required for access and movement through both facilities.

Update on Use of Funding for Tower I. As indicated by the Department, offenders were moved into Tower I beginning in September 2010. As of September 30, 2010, Tower I was at funded capacity. The Department indicates that it is still too early know how these transfers will impact other facilities. However, the number of offenders classified as Administrative Segregation in facilities other than CSP and CCF has dropped from 387 in August to 171 in October.

Additional Mental Health Services. With the additional funding provided by the General Assembly for mental health services, the Department indicates that it will increase the mental health treatment for OMIs in Administrative Segregation. The Department plans to implement a specialized program at CSP (192 beds) to allow for initial treatment with a step down program at CCF (48 beds added to an existing program of 96 beds for a total of 144 beds) to allow for increased therapy, life skills training, and interaction with other offenders. The goal of the program is to progress mentally ill offenders in Administrative Segregation to a general population setting. When an offender is close to community release, the program will also provide enhanced assistance with reintegration into the community.

The additional staffing provided by the General Assembly will include both clinical staff and psychiatric nurses. The clinical staff will provide individual therapy, group therapy, and the coordination of services (education, drug and alcohol treatment, medications, etc.) while the psychiatric nurses will allow for 24 hour medical care for this population. The specific elements of the program will include:

- specially trained staff that includes mental health providers and select custody staff;
- increased controlled therapeutic group participation;
- cognitive education components delivered individually and in groups;
- a system to allow for small group interaction and recreation in the day halls and the gymnasium;
- improve the continuum of care for offenders as they progress to other facilities or the community; and
- additional assistance with re-entry into the community.

Update on Use of Funding for Additional Mental Health Services. It is staff's understanding that the specialized treatment program for OMIs in Administrative Segregation has not been fully implemented to date. The Department indicates that it has begun providing specialized services to 75 offenders. However, the remaining 117 offenders who would complete the program are on a waitlist due to difficulties in hiring appropriate staff for the program. As a result, it may be possible to reduce the appropriated funding for the OMI program in the current fiscal year commensurate with the actual implementation of the program.

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

BRIEFING ISSUE

ISSUE: Mandatory Parole

All offenders who are convicted on or after July 1, 1993, and sentenced to a term of incarceration, other than offenders who have been convicted of a Class 1 felony or who are on death row, must serve both a prison sentence and a required period of parole prior to discharge from the correctional system. This application of mandatory parole has had the effect of increasing both the parole and inmate populations. Savings could be achieved by making the periods of incarceration and parole concurrent rather than consecutive.

SUMMARY:

- ❑ House Bill 93-1302 created mandatory parole for all inmates released from prison who committed a crime on or after July 1, 1993, except those who have been convicted of a Class 1 felony or who are on death row. Before mandatory parole, the Parole Board tended to grant parole for those near the end of their sentences in order to provide some period of supervision in a community placement. With mandatory parole, every inmate receives an additional supervision period after the prison sentence. This has had the effect of decreasing the number of discretionary parolees and increasing the number of mandatory parolees. Despite the possibility of discretionary parole, 65 percent of offenders are not released to parole until their mandatory parole date. That is, most offenders are incarcerated for the maximum period allowable.
- ❑ Beginning in FY 1995-96, the parole population began to grow due to the flow of inmates with mandatory parole sentences that were completing their prison sentences. As a result of mandatory parole, the parole population more than tripled from June 1995 to June 2006, while the inmate population approximately doubled. This increase in the inmate population was at least partially the result of mandatory parole increasing the length of stay in prison for new court commitments. Because fewer inmates are discretionarily paroled and instead are not released to parole until their mandatory parole date, the length of stay in prison for new court commitments has increased since the adoption of mandatory parole.
- ❑ A mandatory parole period for every inmate has also increased the chances and opportunities for revocation. In recent years, supervision revocations in the form of technical parole violation and new crime parole returns have increased faster than court commitment admissions. Specifically, since FY 1996-97, the number of prison admissions for technical parole violation returns and new crime parole returns have increased by 297.5 percent and 262.5 percent, respectively, while the number of prison admissions for new court commitments only increased by 38.1 percent.

RECOMMENDATION:

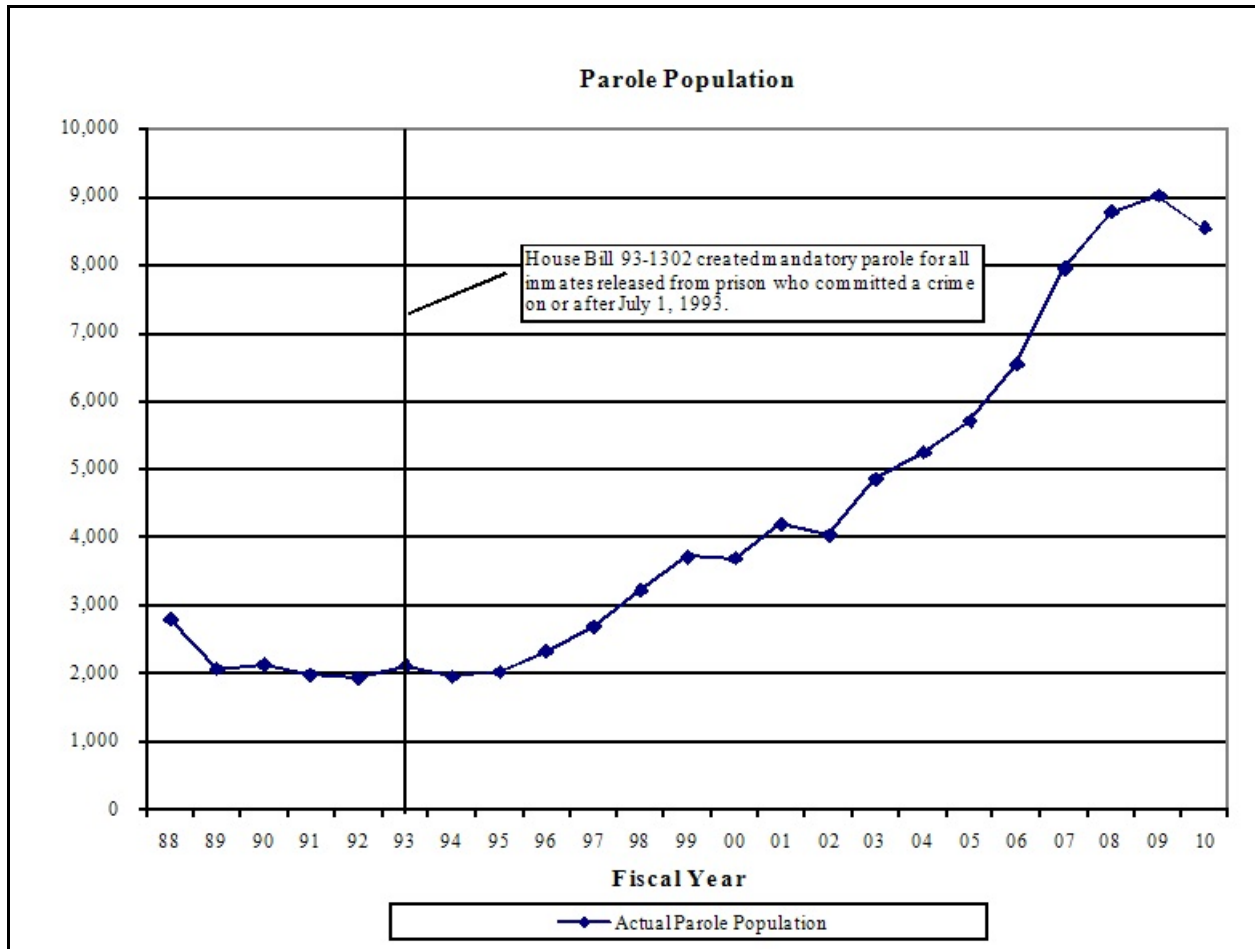
Staff recommends that the Committee discuss with the Department whether mandatory parole is a cost-effective method for maintaining public safety. Staff also recommends that the Committee consider making the periods of incarceration and parole concurrent rather than consecutive.

DISCUSSION:

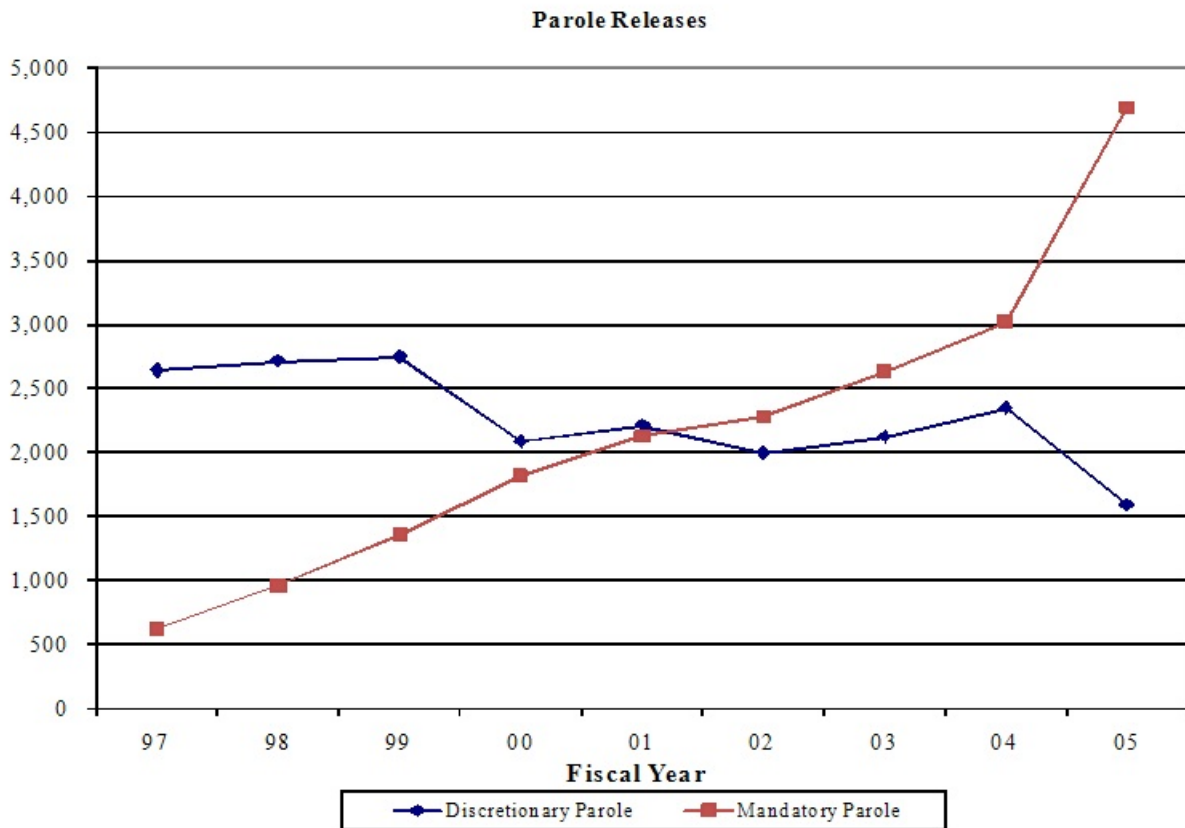
Background. According to Colorado's current sentencing laws (Section 18-1.3-401 (1) (a) (V) (A) and (B), C.R.S.), all offenders who are convicted on or after July 1, 1993, and sentenced to a term of incarceration, other than offenders who have been convicted of a Class 1 felony or who are on death row, must serve both a prison sentence and a required period of parole prior to discharge from the correctional system. In other words, an offender's sentence includes both periods of incarceration and parole. As a result, the majority (approximately 97 percent) of offenders released in Colorado are subject to the law requiring parole after release from prison. The remaining 3 percent of offenders were sentenced prior to 1993 and therefore are not subject to a required period of parole.

In Colorado there are two categories of parole: mandatory and discretionary. Generally, mandatory parole refers to the release of an offender on the latest possible date under the offender's sentence that he or she can be paroled. Discretionary parole refers to the early release of an offender (i.e., anytime between his or her parole eligibility date and mandatory parole date). Most offenders are eligible for discretionary parole once they have served one-half of their sentence less earned time received. An offender receives earned time for acceptable behavior while incarcerated. In general, the earliest an offender can be eligible for parole is after serving 37.5 percent of his or her sentence. Certain violent offenders, defined in statute, must serve 75 percent of their sentence, less earned time, before becoming eligible for parole. Despite the possibility of discretionary parole, 65 percent of offenders are not released to parole until their mandatory parole date. That is, most offenders are incarcerated for the maximum period allowable.

Factors Driving the Parole Population. Two factors drive the growth in the parole population: the number of releases to parole and the length of stay on parole. Both of these components have been significantly influenced by the implementation of mandatory parole. House Bill 93-1302 created mandatory parole for all inmates released from prison who committed a crime on or after July 1, 1993, except those who have been convicted of a Class 1 felony or who are on death row. Beginning in FY 1995-96, the parole population began to grow due to the flow of inmates with mandatory parole sentences that were completing their prison sentences. As a result of mandatory parole, the parole population more than tripled from June 1995 to June 2006, while the inmate population approximately doubled. However, these increases in supervision and incarceration were not commensurate with decreases in crime. During this same time period, the violent crime rate in Colorado dropped by only 3.2 percent and the property crime rate decreased by only 26.8 percent. The following graph illustrates the parole population growth in recent years.



Before mandatory parole, the Parole Board tended to grant parole for those near the end of their sentences in order to provide some period of supervision in a community placement. Otherwise, inmates could discharge their sentence in prison and avoid a supervised transition to the community. Therefore, some inmates were placed on parole before their sentences were discharged in prison and other inmates discharged their sentences in prison and re-entered the general public. With mandatory parole, every inmate receives an additional supervision period after the prison sentence. In the late 1990s, as the number of mandatory parole inmates approached the end of their prison sentence, the number of discretionary parolees decreased and mandatory parolees increased. This trend can be seen in the following graph.



Mandatory parole also had the consequence of increasing the length of stay on parole. Before mandatory parole, the Parole Board could discharge a parolee once it determined that the parolee could no longer benefit from supervision. With mandatory parole, there is a minimum period for parolees to serve. While mandatory parole initially increased the average length of stay on parole, from a low of 9.5 months in 1991 to a high of 15.8 months in 2003, the average length of stay on parole has dropped some since then to 14.3 months in 2009.

Factors Driving the Inmate Population. The average length of stay in prison has also increased over time. This is partly a result of mandatory parole passed by House Bill 93-1302. Before mandatory parole, the Parole Board would often choose to grant parole prior to discharge in order to provide an inmate with a supervised placement as a transition to the community. Inmates not receiving parole would complete their sentence in prison and would be discharged to the general public, avoiding supervision altogether. With the implementation of mandatory parole, the Parole Board was provided the option of deferring parole until an inmate completed the sentence (net earned time and time served in jail), at which point the inmate would still serve a parole period. One consequence of the implementation of mandatory parole has been an increase in deferring parole applications. In other words, the Parole Board has been able to use mandatory parole as a safety net to postpone an otherwise early parole. This has resulted in an increased prison length of stay for new court commitments as can be seen in the following table.

Prison Length of Stay by Admission Type				
	FY 1995-96	FY 2008-09	Growth Rate	Avg. Annual Growth Rate
Court Commitments	24.0 months	29.0 months	20.8%	1.6%
Technical Parole Returns*	9.6 months	8.0 months	(16.7)%	(1.3)%
New Crime Parole Returns	31.3 months	32.0 months	2.2%	0.2%

* The length of stay for technical parole returns has been influenced by S.B. 03-252, which limits the period of revocation for certain nonviolent offenders to no more than 180 days.

A mandatory parole period for every inmate not only has contributed to the growth in the parole population but has also increased the chances and opportunities for revocation. In recent years, supervision revocations in the form of technical parole violation and new crime parole returns have increased faster than court commitment admissions. This is shown in the following table.

Prison Admissions by Admission Type				
	Court Commitments	Technical Parole Returns	New Crime Parole Returns	Total Prison Admissions
FY 1996-97	4,288	950	312	5,765
FY 1997-98	4,396	1,269	364	6,192
FY 1998-99	4,335	1,680	425	6,602
FY 1999-00	4,212	2,059	413	6,853
FY 2000-01	4,475	1,895	402	6,952
FY 2001-02	5,076	2,181	410	7,802
FY 2002-03	5,283	1,999	433	7,799
FY 2003-04	5,318	2,300	450	8,165
FY 2004-05	5,789	2,649	835	9,433
FY 2005-06	6,149	2,792	1,034	10,168
FY 2006-07	6,380	3,047	1,014	10,625
FY 2007-08	6,296	3,353	1,221	11,038
FY 2008-09	5,922	3,776	1,131	10,992
Total Percentage Growth	38.1%	297.5%	262.5%	90.7%

During FY 2008-09, court commitments represented 53.9 percent of all prison admissions to the Department. This compares to technical parole violation returns and new crime parole returns, which represented 34.3 percent and 10.3 percent respectively of all prison admissions. The remaining 1.5 percent of prison admissions are categorized by the Department as "Other Admits".

Other admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence.

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

APPENDIX A: NUMBERS PAGES

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
DEPARTMENT OF CORRECTIONS					
Executive Director: Aristedes W. Zavaras					
I. MANAGEMENT					
(A) Executive Director's Office Subprogram					
(Primary Function: Responsible for providing oversight and developing policies for all operations throughout the Department.)					
Personal Services	1,306,523	1,520,960	1,693,195 a/	1,675,489	NP-1, NP-2
FTE	<u>16.2</u>	<u>18.2</u>	<u>28.5</u>	<u>28.5</u>	
General Fund	1,186,835	1,361,073	1,484,787	1,462,747	
FTE	14.5	16.5	24.5	24.5	
Reappropriated Funds	119,688	97,970	208,408	212,742	
FTE	1.7	1.7	4.0	4.0	
Federal Funds	0	61,917	0	0	
FTE	0.0	0.0	0.0	0.0	
Health, Life, and Dental	<u>31,714,829</u>	<u>36,092,498</u>	<u>36,136,950</u>	<u>38,138,539</u>	NP-3
General Fund	30,801,108	34,892,285	35,048,806	37,016,454	
Cash Funds	913,721	1,200,213	1,088,144	1,122,085	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Short-term Disability	<u>427,066</u>	<u>455,965</u>	<u>513,015</u>	<u>583,097</u>	
General Fund	415,644	443,411	498,268	566,653	
Cash Funds	11,422	12,554	14,747	16,444	
S.B. 04-257 Amortization Equalization					
Disbursement	<u>5,371,781</u>	<u>6,203,010</u>	<u>7,646,842</u>	<u>9,224,141</u>	
General Fund	5,232,759	6,031,275	7,418,488	8,964,002	
Cash Funds	139,022	171,735	228,354	260,139	
S.B. 06-235 Supplemental Amortization					
Equalization Disbursement	<u>2,589,788</u>	<u>3,809,532</u>	<u>5,523,303</u>	<u>7,412,256</u>	
General Fund	2,528,678	3,702,324	5,356,795	7,203,216	
Cash Funds	61,110	107,208	166,508	209,040	
Salary Survey and Senior Executive Service	<u>7,966,152</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	7,747,555	0	0	0	
Cash Funds	218,597	0	0	0	
Performance-based Pay Awards	<u>5,030,339</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	4,877,783	0	0	0	
Cash Funds	152,556	0	0	0	
Shift Differential	<u>6,358,425</u>	<u>5,944,232</u>	<u>6,164,005</u>	<u>6,076,380</u>	
General Fund	6,351,160	5,931,240	6,155,996	6,067,788	
Cash Funds	7,265	12,992	8,009	8,592	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Workers' Compensation	<u>6,027,568</u>	<u>5,978,850</u>	<u>6,065,207</u>	<u>7,484,947</u>	
General Fund	5,828,055	5,790,615	5,871,120	7,248,268	
Cash Funds	199,513	188,235	194,087	236,679	
Operating Expenses	<u>398,782</u>	<u>268,722</u>	<u>306,765</u> b/	<u>331,903</u>	NP-4
General Fund	191,450	182,433	183,687	208,825	
Reappropriated Funds	8,385	0	47,478	47,478	
Federal Funds	198,947	86,289	75,600	75,600	
Legal Services	<u>1,184,990</u>	<u>1,234,909</u>	<u>1,204,160</u>	<u>1,204,160</u>	
General Fund	1,142,603	1,192,522	1,163,219	1,163,219	
Cash Funds	42,387	42,387	40,941	40,941	
Payment to Risk Management and Property Funds	<u>5,405,253</u>	<u>4,246,414</u>	<u>1,299,105</u>	<u>3,674,834</u>	
General Fund	5,226,339	4,078,798	1,247,141	3,527,841	
Cash Funds	178,914	167,616	51,964	146,993	
Leased Space	<u>3,506,688</u>	<u>3,406,111</u>	<u>3,559,108</u>	<u>3,459,108</u>	
General Fund	3,297,639	3,216,964	3,348,903	3,248,903	
Cash Funds	209,049	189,147	210,205	210,205	
Capitol Complex Leased Space	<u>170,878</u>	<u>175,242</u>	<u>166,586</u>	<u>164,953</u>	
General Fund	98,646	106,094	92,481	128,372	
Cash Funds	72,232	69,148	74,105	36,581	
Planning & Analysis Contracts - GF	56,160	49,620	56,160	56,160	
Payments to District Attorneys - GF	244,330	144,108	144,108	144,108	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
Start-up Costs - GF	8,210	0	8,873 c/	0	
					Request v. Appropriation
Total (A) Executive Director's Office	77,767,762	69,530,173	70,487,382	79,630,075	13.0%
FTE	<u>16.2</u>	<u>18.2</u>	<u>28.5</u>	<u>28.5</u>	
General Fund	75,234,954	67,122,762	68,078,832	77,006,556	13.1%
Cash Funds	2,205,788	2,161,235	2,077,064	2,287,699	10.1%
Reappropriated Funds	128,073	97,970	255,886	260,220	1.7%
Federal Funds	198,947	148,206	75,600	75,600	1.7%

a/ The FY 2010-11 appropriation includes an increase of \$108,861 General Fund and 1.9 FTE pursuant to H.B. 10-1374.

b/ The FY 2010-11 appropriation includes an increase of \$1,805 General Fund pursuant to H.B. 10-1374.

c/ The FY 2010-11 appropriation includes an increase of \$8,873 General Fund pursuant to H.B. 10-1374.

(B) External Capacity Subprogram

(1) Private Prison Monitoring Unit

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

Personal Services - GF	1,450,116	1,434,401	1,368,199	1,337,177	NP-1, NP-2
FTE	19.5	18.8	20.5	20.5	
Operating Expenses - GF	231,509	226,239	224,316	224,316	
Start-up Costs - GF	4,174	0	0	0	
					Request v. Appropriation
(1) Private Prison Monitoring Unit - GF	1,685,799	1,660,640	1,592,515	1,561,493	-1.9%
FTE	19.5	18.8	20.5	20.5	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
(2) Payments to House State Prisoners					
(Primary Function: To reimburse county jails and private prisons for state inmates housed in these facilities.)					
Payments to Local Jails at a Rate of \$50.44 per Inmate per Day - GF	7,595,058	10,474,017	8,149,692	8,149,692	
Payments to Private Prisons at a Rate of \$54.93 per Inmate per Day	<u>90,735,091</u>	<u>84,561,358</u>	<u>52,647,622</u> a/	<u>55,049,832</u>	DI #1
General Fund	86,202,698	80,511,736	50,288,915	52,691,125	
Cash Funds	4,532,393	4,049,622	2,358,707	2,358,707	
Reappropriated Funds	0	0	0	0	
Payments to Pre-release Parole Revocation Facilities at a Rate of \$54.93 per Inmate Per Day - GF	13,588,203	13,283,421	12,985,082	12,985,082	
Payments to Community Corrections Programs - GF	3,395,999	3,912,275	12,147,733 b/	12,147,733	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v. Appropriation
Total (2) Payments to House State Prisoners	<u>115,314,351</u>	<u>112,231,071</u>	<u>85,930,129</u>	<u>88,332,339</u>	2.8%
General Fund	110,781,958	108,181,449	83,571,422	85,973,632	2.9%
Cash Funds	4,532,393	4,049,622	2,358,707	2,358,707	0.0%
Reappropriated Funds	0	0	0	0	N/A

a/ The FY 2010-11 appropriation includes General Fund reductions of \$2,541,810 pursuant to H.B. 10-1338, \$1,523,589 pursuant to H.B. 10-1352, \$12,693,494 pursuant to H.B. 10-1360, \$548,067 pursuant to H.B. 10-1374, and \$266,803 pursuant to H.B. 10-1413.

b/ The FY 2010-11 appropriation includes a General Fund increase of \$7,954,671 pursuant to H.B. 10-1360.

					Request v. Appropriation
Total (B) External Capacity Subprogram	117,000,150	113,891,711	87,522,644	89,893,832	2.7%
FTE	<u>19.5</u>	<u>18.8</u>	<u>20.5</u>	<u>20.5</u>	
General Fund	112,467,757	109,842,089	85,163,937	87,535,125	2.8%
Cash Funds	4,532,393	4,049,622	2,358,707	2,358,707	0.0%
Reappropriated Funds	0	0	0	0	N/A

(C) Inspector General Subprogram

(Primary Function: Investigate crimes within the state prison system.)

Personal Services	3,607,275	3,871,588	3,884,927	3,808,675	NP-1, NP-2
FTE	<u>47.4</u>	<u>49.2</u>	<u>49.2</u>	<u>49.2</u>	
General Fund	3,607,275	3,798,984	3,781,964	3,705,712	
Cash Funds	0	72,604	102,963	102,963	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Operating Expenses	<u>304,959</u>	<u>410,085</u>	<u>370,247</u>	<u>370,247</u>	
General Fund	299,999	315,125	287,060	287,060	
Cash Funds	4,960	94,960	83,187	83,187	
Inspector General Grants	358,579	168,187	84,551	84,551	
FTE	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	
Reappropriated Funds	132,160	0	84,551	84,551	
Federal Funds	226,419	168,187	0	0	
Start-up Costs - GF	0	0	0	0	
					Request v.
					Appropriation
Total (C) Inspector General Subprogram	4,270,813	4,449,860	4,339,725	4,263,473	-1.8%
FTE	<u>48.4</u>	<u>50.2</u>	<u>50.2</u>	<u>50.2</u>	
General Fund	3,907,274	4,114,109	4,069,024	3,992,772	-1.9%
Cash Funds	4,960	167,564	186,150	186,150	0.0%
Reappropriated Funds	132,160	0	84,551	84,551	0.0%
Federal Funds	226,419	168,187	0	0	N/A

* The amounts in this subprogram were included in the Executive Director's Office Subprogram prior to FY 2005-06.

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v.
					Appropriation
I. SUBTOTAL - MANAGEMENT	199,038,725	187,871,744	162,349,751	173,787,380	7.0%
FTE	<u>84.1</u>	<u>87.2</u>	<u>99.2</u>	<u>99.2</u>	
General Fund	191,609,985	181,078,960	157,311,793	168,534,453	7.1%
Cash Funds	6,743,141	6,378,421	4,621,921	4,832,556	4.6%
Reappropriated Funds	260,233	97,970	340,437	344,771	1.3%
Federal Funds	425,366	316,393	75,600	75,600	0.0%

II. INSTITUTIONS

(A) Utilities Subprogram

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

Energy Management Program - GF	316,268	313,249	323,446	318,420	NP-1, NP-2
FTE	2.8	3.0	3.0	3.0	
Utilities	<u>19,461,349</u>	<u>18,442,169</u>	<u>19,987,736</u>	<u>19,637,736</u>	
General Fund	18,555,586	17,571,672	19,017,855	18,667,855	
Cash Funds	905,763	870,497	969,881	969,881	
Reappropriated Funds	0	0	0	0	
Start-up Costs - GF	0	0	0	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v. Appropriation
Total (A) Utilities Subprogram	19,777,617	18,755,418	20,311,182	19,956,156	-1.7%
FTE	<u>2.8</u>	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>	
General Fund	18,871,854	17,884,921	19,341,301	18,986,275	-1.8%
Cash Funds	905,763	870,497	969,881	969,881	0.0%
Reappropriated Funds	0	0	0	0	N/A
(B) Maintenance Subprogram					
(Primary Function: Includes grounds maintenance, and maintenance of facilities, which includes the boiler house, janitorial, and life safety.)					
Personal Services - GF	18,086,058	17,478,337	18,842,618	18,546,417	NP-1, NP-2
FTE	295.0	295.3	320.3	322.0	
Operating Expenses - GF	5,246,193	5,176,376	5,434,237	5,508,899	
Purchase of Services - GF	1,106,064	1,088,323	1,111,424	1,111,424	
Start-up Costs - GF	0	0	0	0	
					Request v. Appropriation
Total (B) Maintenance Subprogram - GF	24,438,315	23,743,036	25,388,279	25,166,740	-0.9%
FTE	295.0	295.3	320.3	322.0	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
(C) Housing and Security Subprogram					
(Primary Function: Responsible for ongoing inmate supervision, including the implementation and management of security operations).					
Personal Services	152,158,810	152,385,904	159,091,647 a/	158,642,591	NP-1, NP-2
FTE	<u>2,988.7</u>	<u>2,857.0</u>	<u>3,116.7</u>	<u>3,131.8</u>	
General Fund	127,558,810	65,179,630	158,606,116	158,639,644	
Cash Funds	0	0	485,531	2,947	
Federal Funds	24,600,000	87,206,274	0	0	
Operating Expenses - GF	1,820,166	1,739,841	1,947,883	1,947,883	
Start-up Costs - GF	4,105	0	0	0	
					Request v. Appropriation
Total (C) Housing & Security Subprogram	153,983,081	154,125,745	161,039,530	160,590,474	-0.3%
FTE	<u>2,988.7</u>	<u>2,857.0</u>	<u>3,116.7</u>	<u>3,131.8</u>	
General Fund	129,383,081	66,919,471	160,553,999	160,587,527	0.0%
Cash Funds	0	0	485,531	2,947	-99.4%
Federal Funds	24,600,000	87,206,274	0	0	N/A

a/ The FY 2010-11 appropriation includes an increase of \$2,959,495 General Fund and \$485,531 cash funds pursuant to criminal sentencing laws.

(D) Food Service Subprogram

(Primary Function: Responsible for providing three meals daily to all inmates.)

Personal Services - GF	14,462,853	14,378,839	15,277,549	15,038,300	NP-1, NP-2
FTE	233.2	241.8	277.7	279.2	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Operating Expenses	<u>16,510,247</u>	<u>15,723,999</u>	<u>16,147,556</u>	<u>16,169,955</u>	
General Fund	16,510,247	15,723,999	16,067,556	16,089,955	
Federal Funds	0	0	80,000	80,000	
Purchase of Services - GF	856,030	857,828	859,098	859,098	
Start-up Costs - GF	0	0	0	0	
					Request v.
					Appropriation
Total (D) Food Service Subprogram	31,829,130	30,960,666	32,284,203	32,067,353	-0.7%
FTE	<u>233.2</u>	<u>241.8</u>	<u>277.7</u>	<u>279.2</u>	
General Fund	31,829,130	30,960,666	32,204,203	31,987,353	-0.7%
Federal Funds	0	0	80,000	80,000	0.0%

(E) Medical Services Subprogram

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

Personal Services	27,149,311	27,836,986	28,098,042	27,861,924	NP-1, NP-2
FTE	<u>320.4</u>	<u>353.2</u>	<u>444.0</u>	<u>444.8</u>	
General Fund	26,973,863	27,680,233	27,869,416	27,633,298	
FTE	317.4	350.2	441.0	441.8	
Cash Funds	175,448	156,753	228,626	228,626	
FTE	3.0	3.0	3.0	3.0	
Operating Expenses - GF	2,763,614	2,747,730	2,696,235	2,677,330	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Purchase of Pharmaceuticals - GF	9,970,520	9,733,410	9,770,658	9,770,658	
Purchase of Medical Services from Other Medical Facilities - GF	20,192,163	21,979,398	20,895,050	20,895,050	
Purchase of Medical Services from State Hospital - GF	665,687	16,050	0	0	
Catastrophic Medical Expenses - GF	8,970,755	7,948,051	7,906,222	7,906,222	
Service Contracts - GF	2,398,090	2,401,631	2,469,255	2,469,255	
Indirect Cost Recoveries - CF	0	4,723	39,695	49,288	
Start-up Costs - GF	0	0	0	0	
					Request v. Appropriation
Total (E) Medical Services Subprogram	72,110,140	72,667,979	71,875,157	71,629,727	-0.3%
FTE	<u>320.4</u>	<u>353.2</u>	<u>444.0</u>	<u>444.8</u>	
General Fund	71,934,692	72,506,503	71,606,836	71,351,813	-0.4%
FTE	317.4	350.2	441.0	441.8	
Cash Funds	175,448	161,476	268,321	277,914	3.6%
FTE	3.0	3.0	3.0	3.0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
(F) Laundry Subprogram					
(Primary Function: Issue and maintains all clothing, bedding, jackets, and footwear for inmates.)					
Personal Services - GF	2,216,375	2,161,658	2,327,269	2,296,048	NP-1, NP-2
FTE	37.2	34.9	40.1	40.4	
Operating Expenses - GF	2,191,334	2,222,217	2,205,612	2,207,588	
Start-up Costs - GF	0	0	0	0	
					Request v.
					Appropriation
Total (F) Laundry Subprogram - GF	4,407,709	4,383,875	4,532,881	4,503,636	-0.6%
FTE	37.2	34.9	40.1	40.4	

(G) Superintendents Subprogram

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

Personal Services - GF	10,261,898	9,869,648	10,090,650	9,901,951	NP-1, NP-2
FTE	166.8	158.9	169.1	169.2	
Operating Expenses - GF	3,237,012	2,979,124	3,364,781	3,364,781	
Dress out - GF	949,076	810,337	969,027	719,027	
Start-up Costs - GF	2,492	0	580,620	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v. Appropriation
Total (G) Superintendents Subprogram - GF	14,450,478	13,659,109	15,005,078	13,985,759	-6.8%
FTE	166.8	158.9	169.1	169.2	

Note: Prior to FY 2005-06, the "Dress Out" line item was included in the Community Reintegration Subprogram.

(H) Boot Camp Subprogram

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

Personal Services - GF	1,695,394	1,731,685	144,307	0	
FTE	32.2	28.3	0.0	0.0	
Operating Expenses - GF	52,415	52,413	0	0	
					Request v. Appropriation
Total (H) Boot Camp Subprogram - GF	1,747,809	1,784,098	144,307	0	-100.0%
FTE	32.2	28.3	0.0	0.0	

(I) Youthful Offender System Subprogram

(Primary Function: Target offenders [14 to 18 years of age at the time of offense] who have committed violent felonies [Class 3 - 6]. All sentences are determinate of 2-6 years.)

Personal Services - GF	9,744,360	9,985,377	9,872,515	9,786,053	NP-1, NP-2
FTE	165.6	162.5	171.9	171.9	
Operating Expenses - GF	197,663	197,670	333,350 a/	469,028	
Contract Services - GF	28,816	23,716	28,820	28,820	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
Purchase of Services - GF	621,460	620,218	624,589	624,589	
					Request v.
					Appropriation
Total (I) Y.O.S. Subprogram - GF	10,592,299	10,826,981	10,859,274	10,908,490	0.5%
FTE	165.6	162.5	171.9	171.9	
a/ The FY 2010-11 appropriation includes a General Fund increase of \$135,678 pursuant to H.B. 10-1413.					
(J) Case Management Subprogram					
(Primary Function: Responsible for case analysis, classification reviews, performance assessment, earned time evaluations, sentence computation, and parole preparations.)					
Personal Services - GF	15,243,172	15,002,633	15,604,701	15,337,557	NP-1, NP-2
FTE	228.9	212.0	234.2	234.7	
Operating Expenses - GF	153,664	150,874	160,578	160,578	
Start-up Costs - GF	0	0	0	0	
					Request v.
					Appropriation
Total (J) Case Management Subprogram - GF	15,396,836	15,153,507	15,765,279	15,498,135	-1.7%
FTE	228.9	212.0	234.2	234.7	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
(K) Mental Health Subprogram					
(Primary Function: Provide a full range of professional psychiatric, psychological, social work and other mental health services to inmates.)					
Personal Services - GF	7,236,432	7,255,423	9,038,796	8,965,524	NP-1, NP-2
FTE	83.5	83.2	138.2	141.1	
Operating Expenses - GF	91,846	91,904	266,162	266,162	
Medical Contract Services - GF	572,577	526,030	560,790	560,790	
Start-up Costs - GF	77,995	0	0	0	
					Request v. Appropriation
Total (K) Mental Health Subprogram - GF	7,978,850	7,873,357	9,865,748	9,792,476	-0.7%
FTE	83.5	83.2	138.2	141.1	
(L) Inmate Pay Subprogram					
(Primary Function: Provide nominal pay [\$0.23 to \$0.60/day] to inmates for labor positions such as janitorial services, facility maintenance, food services, laundry, grounds keeping, etc.)					
Inmate Pay - GF	1,501,642	1,457,836	1,527,421	1,531,902	
					Request v. Appropriation
Total (L) Inmate Pay Subprogram - GF	1,501,642	1,457,836	1,527,421	1,531,902	0.3%

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
(M) San Carlos Subprogram					
(Primary Function: Operate a 250-bed specialized facility designed to provide mental health treatment services to high needs mentally ill inmates.)					
Personal Services - GF	12,175,299	12,483,933	12,403,727	12,318,176	NP-1, NP-2
FTE	184.1	177.1	195.1	195.1	
Operating Expenses - GF	199,082	193,024	199,092	199,092	
Service Contracts - GF	725,309	708,746	725,309	725,309	
					Request v.
					Appropriation
Total (M) San Carlos Subprogram - GF	13,099,690	13,385,703	13,328,128	13,242,577	-0.6%
FTE	184.1	177.1	195.1	195.1	

(N) Legal Access Subprogram

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

Personal Services - GF	1,146,561	1,377,292	1,373,200	1,346,665	NP-1, NP-2
FTE	21.5	21.5	21.5	21.5	
Operating Expenses - GF	299,602	294,090	284,622	284,622	
Contract Services - GF	70,905	70,905	70,905	70,905	
Start-up Costs - GF	0	0	0	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v. Appropriation
Total (N) Legal Access Subprogram - GF	1,517,068	1,742,287	1,728,727	1,702,192	-1.5%
FTE	21.5	21.5	21.5	21.5	
					Request v. Appropriation
II. SUBTOTAL - INSTITUTIONS	372,830,664	370,519,597	383,655,194	380,575,617	-0.8%
FTE	<u>4,759.9</u>	<u>4,628.7</u>	<u>5,131.8</u>	<u>5,154.7</u>	
General Fund	347,149,453	282,281,350	381,851,461	379,244,875	-0.7%
Cash Funds	1,081,211	1,031,973	1,723,733	1,250,742	-27.4%
Reappropriated Funds	0	0	0	0	N/A
Federal Funds	24,600,000	87,206,274	80,000	80,000	0.0%

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
III. SUPPORT SERVICES					
(A) Business Operations Subprogram					
(Primary Function: Provide all fiscal management and budgeting services for the Department.)					
Personal Services	5,891,868	6,172,208	6,284,628 a/	6,173,081	NP-1, NP-2
FTE	<u>104.4</u>	<u>94.8</u>	<u>113.7</u>	<u>113.7</u>	
General Fund	5,413,027	5,714,564	5,852,618	5,726,154	
FTE	95.8	86.2	103.1	103.1	
Cash Funds	478,841	457,644	428,939	438,859	
FTE	8.6	8.6	10.6	10.6	
Reappropriated Funds	0	0	3,071	8,068	
FTE	0.0	0.0	0.0	0.0	
Operating Expenses - GF	231,627	230,733	225,195 b/	225,195	
Start-up Costs - GF	23,512	0	4,670 c/	0	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
					Request v. Appropriation
Total (A) Business Operations Subprogram	6,147,007	6,402,941	6,514,493	6,398,276	-1.8%
FTE	<u>104.4</u>	<u>94.8</u>	<u>113.7</u>	<u>113.7</u>	
General Fund	5,668,166	5,945,297	6,082,483	5,951,349	-2.2%
FTE	95.8	86.2	103.1	103.1	
Cash Funds	478,841	457,644	428,939	438,859	2.3%
FTE	8.6	8.6	10.6	10.6	
Reappropriated Funds	0	0	3,071	8,068	162.7%
FTE	0.0	0.0	0.0	0.0	

a/ The FY 2010-11 appropriation includes a General Fund increase of \$59,933 and 1.0 FTE pursuant to H.B. 10-1360.

b/ The FY 2010-11 appropriation includes a General Fund increase of \$950 pursuant to H.B. 10-1360.

c/ The FY 2010-11 appropriation includes a General Fund increase of \$4,670 pursuant to H.B. 10-1360.

(B) Personnel Subprogram

(Primary Function: Provide services, including recruitment, examination, position classification, personnel records, affirmative action, appeals, grievance, benefits administration, etc.)

Personal Services - GF	1,143,570	1,177,019	1,233,363	1,213,711	NP-1, NP-2
FTE	16.4	15.7	19.6	19.7	
Operating Expenses - GF	93,431	93,296	89,259	89,259	
Start-up Costs - GF	8,210	0	4,795	0	
					Request v. Appropriation
Total (B) Personnel Subprogram - GF	1,245,211	1,270,315	1,327,417	1,302,970	-1.8%
FTE	16.4	15.7	19.6	19.7	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
(C) Offender Services Subprogram					
(Primary Function: Provide offender population management, offender classification, offender case management, sentence computation, release operations, jail backlog monitoring, etc.)					
Personal Services - GF	2,562,522	2,880,983	2,923,482	2,862,959	NP-1, NP-2
FTE	40.8	42.0	47.9	47.9	
Operating Expenses - GF	95,944	58,182	55,332	55,332	
Start-up Costs - GF	0	31,368	0	0	
					Request v.
					Appropriation
Total (C) Offender Services Subprogram - GF	2,658,466	2,970,533	2,978,814	2,918,291	-2.0%
FTE	40.8	42.0	47.9	47.9	

(D) Communications Subprogram

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

Personal Services - GF	600,560	611,670	0	0
FTE	7.7	7.6	0.0	0.0
Operating Expenses - GF	1,501,168	1,522,718	1,538,605	1,538,605

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Multi-use Network	<u>1,242,017</u>	<u>1,242,017</u>	<u>2,338,576</u>	<u>2,294,944</u>	
General Fund	1,174,948	1,174,948	2,268,419	2,226,096	
Cash Funds	67,069	67,069	70,157	68,848	
Reappropriated Funds	0	0	0	0	
Dispatch Services - GF	163,492	129,836	230,270	230,270	
Communications Services Payments - GF	1,687,070	1,687,070	1,624,537	1,656,194	
					Request v.
					Appropriation
Total (D) Communications Subprogram	5,194,307	5,193,311	5,731,988	5,720,013	-0.2%
FTE	<u>7.7</u>	<u>7.6</u>	<u>0.0</u>	<u>0.0</u>	
General Fund	5,127,238	5,126,242	5,661,831	5,651,165	-0.2%
Cash Funds	67,069	67,069	70,157	68,848	-1.9%
Reappropriated Funds	0	0	0	0	N/A
(E) Transportation Subprogram					
(Primary Function: Manage the Department's vehicle fleet as well as the Central Transportation Unit.)					
Personal Services - GF	1,901,668	1,971,441	1,917,942	1,912,156	NP-1, NP-2
FTE	35.9	35.9	36.1	36.1	
Operating Expenses - GF	291,545	291,079	277,550	277,550	
Vehicle Lease Payments	<u>1,911,143</u>	<u>2,586,001</u>	<u>2,807,760</u>	<u>2,683,843</u>	NP-5
General Fund	1,848,075	2,507,693	2,712,296	2,592,592	
Cash Funds	63,068	78,308	95,464	91,251	
Reappropriated Funds	0	0	0	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Start-up Costs - GF	0	0	0	0	
					Request v.
					Appropriation
Total (E) Transportation Subprogram	4,104,356	4,848,521	5,003,252	4,873,549	-2.6%
FTE	<u>35.9</u>	<u>35.9</u>	<u>36.1</u>	<u>36.1</u>	
General Fund	4,041,288	4,770,213	4,907,788	4,782,298	-2.6%
Cash Funds	63,068	78,308	95,464	91,251	-4.4%
Reappropriated Funds	0	0	0	0	N/A
(F) Training Subprogram					
(Primary Function: Provide basic, extended, in-service and advanced training to DOC employees.)					
Personal Services - GF	1,878,492	1,972,439	1,989,218	1,956,246	NP-1, NP-2
FTE	26.1	27.0	27.3	27.3	
Operating Expenses - GF	278,971	273,333	270,526	270,526	
Start-up Costs - GF	0	0	0	0	
					Request v.
					Appropriation
Total (F) Training Subprogram - GF	2,157,463	2,245,772	2,259,744	2,226,772	-1.5%
FTE	26.1	27.0	27.3	27.3	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
(G) Information Systems Subprogram					
(Primary Function: Responsible for the development and maintenance of automated information systems within the DOC.)					
Personal Services - GF	3,787,041	3,822,764	0	0	
FTE	45.8	44.5	0.0	0.0	
Operating Expenses - GF	1,378,378	1,582,629	1,562,567	1,562,567	
Purchase of Services From Computer Center - GF	202,327	194,860	4,427,528	5,062,695	
Management and Administration of OIT - GF	142,138	128,028	434,410	443,514	
Start-up Costs - GF	0	0	14,385	0	
					Request v. Appropriation
Total (G) Information Systems Subprogram - GF	5,509,884	5,728,281	6,438,890	7,068,776	9.8%
FTE	45.8	44.5	0.0	0.0	

(H) Facility Services Subprogram

(Primary Function: Duties include contractor/design team selection, design review, contract administration, and fiscal management of the DOC's capital construction projects.)

Personal Services - GF	945,620	967,123	973,072	957,572	NP-1, NP-2
FTE	10.8	9.5	12.0	12.0	
Operating Expenses - GF	83,096	80,820	78,941	78,941	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
Start-up Costs - GF	8,210	0	0	0	
					Request v. Appropriation
Total (H) Facility Services Subprogram - GF	1,036,926	1,047,943	1,052,013	1,036,513	-1.5%
FTE	10.8	9.5	12.0	12.0	
					Request v. Appropriation
III. SUBTOTAL - SUPPORT SERVICES	28,053,620	29,707,617	31,306,611	31,545,160	0.8%
FTE	<u>287.9</u>	<u>277.0</u>	<u>256.6</u>	<u>256.7</u>	
General Fund	27,444,642	29,104,596	30,708,980	30,938,134	0.7%
Cash Funds	608,978	603,021	594,560	598,958	0.7%
Reappropriated Funds	0	0	3,071	8,068	162.7%

IV. INMATE PROGRAMS

(A) Labor Subprogram

(Primary Function: Supervise inmate work assignments involving physical labor to assist the DOC and outside agencies with reclamation, landscaping, construction, etc.)

Personal Services - GF	5,405,268	5,405,607	5,392,309	5,296,048	NP-1, NP-2
FTE	95.4	91.3	95.3	95.3	
Operating Expenses - GF	91,040	81,117	91,420	91,420	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
					Request v. Appropriation
Total (A) Labor Subprogram - GF	5,496,308	5,486,724	5,483,729	5,387,468	-1.8%
FTE	95.4	91.3	95.3	95.3	

(B) Education Subprogram

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

Personal Services - GF	14,049,903	14,343,937	14,730,521	14,441,333	NP-1, NP-2
FTE	<u>215.5</u>	<u>218.1</u>	<u>253.9</u>	<u>254.3</u>	
General Fund	12,265,337	10,943,992	13,830,576	13,541,388	
FTE	215.5	218.1	253.9	254.3	
Cash Funds	1,784,566	3,399,945	899,945	899,945	
FTE	0.0	0.0	0.0	0.0	
Operating Expenses	<u>1,541,903</u>	<u>1,582,173</u>	<u>2,491,472</u>	<u>2,491,472</u>	
General Fund	19,999	17,903	0	0	
Cash Funds	1,064,485	1,185,653	1,880,457	1,880,457	
Reappropriated Funds	457,419	378,617	611,015	611,015	
Contract Services	<u>591,984</u>	<u>67,715</u>	<u>73,276</u>	<u>73,276</u>	
General Fund	591,984	67,715	73,276	73,276	
Reappropriated Funds	0	0	0	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Education Grants	824,698	356,128	233,000	233,000	
FTE	<u>1.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	
Cash Funds	0	76	10,000	10,000	
Reappropriated Funds	59,852	0	223,000	223,000	
Federal Funds	764,846	356,052	0	0	
Indirect Cost Recoveries - FF	0	0	479	5,476	
Start-up Costs - GF	175,140	0	0	0	
					Request v.
					Appropriation
Total (B) Education Subprogram	17,183,628	16,349,953	17,528,748	17,244,557	-1.6%
FTE	<u>216.5</u>	<u>220.1</u>	<u>255.9</u>	<u>256.3</u>	
General Fund	13,052,460	11,029,610	13,903,852	13,614,664	-2.1%
Cash Funds	2,849,051	4,585,674	2,790,402	2,790,402	0.0%
Reappropriated Funds	517,271	378,617	834,015	834,015	0.0%
Federal Funds	764,846	356,052	479	5,476	1043.2%

(C) Recreation Subprogram

(Primary Function: Provide standardized, staff supervised recreational programs to inmates.)

Personal Services - GF	6,386,682	6,308,619	6,286,095	6,274,565	NP-1, NP-2
FTE	116.5	115.7	116.7	116.7	
Operating Expenses - CF	75,367	73,864	75,449	75,449	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
					Request v. Appropriation
Total (C) Recreation Subprogram	6,462,049	6,382,483	6,361,544	6,350,014	-0.2%
FTE	<u>116.5</u>	<u>115.7</u>	<u>116.7</u>	<u>116.7</u>	
General Fund	6,386,682	6,308,619	6,286,095	6,274,565	-0.2%
Cash Funds	75,367	73,864	75,449	75,449	0.0%

(D) Drug and Alcohol Treatment Subprogram

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

Personal Services - GF	2,877,770	4,281,165	5,004,043	4,901,892	NP-1, NP-2
FTE	40.8	57.0	103.0	103.0	
Operating Expenses - GF	74,000	117,580	117,580	117,580	
Drug Offender Surcharge Program - CF	995,127	995,127	995,127	995,127	
Contract Services	<u>2,074,956</u>	<u>2,309,908</u>	<u>2,389,016</u>	<u>2,400,190</u>	DI #2
General Fund	2,074,956	2,059,908	2,139,016	2,150,190	
Cash Funds	0	250,000	250,000	250,000	
Treatment Grants	<u>230,695</u>	<u>218,023</u>	<u>162,754</u>	<u>162,754</u>	
Reappropriated Funds	66,259	0	100,000	100,000	
Federal Funds	164,436	218,023	62,754	62,754	
Start-up Costs - GF	0	265,586	0	0	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
					Request v. Appropriation
Total (D) Drug/Alcohol Treatment Subprogram	6,252,548	8,187,389	8,668,520	8,577,543	-1.0%
FTE	<u>40.8</u>	<u>57.0</u>	<u>103.0</u>	<u>103.0</u>	
General Fund	5,026,726	6,724,239	7,260,639	7,169,662	-1.3%
Cash Funds	995,127	1,245,127	1,245,127	1,245,127	0.0%
Reappropriated Funds	66,259	0	100,000	100,000	0.0%
Federal Funds	164,436	218,023	62,754	62,754	0.0%

(E) Sex Offender Treatment Subprogram

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

Personal Services	2,690,004	2,366,527	2,728,009	2,672,510	NP-1, NP-2
FTE	<u>40.5</u>	<u>39.8</u>	<u>49.1</u>	<u>49.1</u>	
General Fund	2,666,469	2,345,044	2,699,198	2,643,699	
FTE	39.5	38.8	48.1	48.1	
Cash Funds	23,535	21,483	28,811	28,811	
FTE	1.0	1.0	1.0	1.0	
Operating Expenses	<u>102,704</u>	<u>84,776</u>	<u>84,776</u>	<u>84,776</u>	
General Fund	102,204	84,276	84,276	84,276	
Cash Funds	500	500	500	500	
Polygraph - GF	99,569	99,569	99,569	99,569	
Sex Offender Treatment Grants - FF	0	0	0	0	
Start-up Costs - GF	0	0	0	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v. Appropriation
Total (E) Sex Offender Treatment Subprogram	2,892,277	2,550,872	2,912,354	2,856,855	-1.9%
FTE	<u>40.5</u>	<u>39.8</u>	<u>49.1</u>	<u>49.1</u>	
General Fund	2,868,242	2,528,889	2,883,043	2,827,544	-1.9%
Cash Funds	24,035	21,983	29,311	29,311	0.0%
Federal Funds	0	0	0	0	N/A

(F) Volunteers Subprogram

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

Personal Services - CF	542,978	520,521	554,119	555,737	NP-2
FTE	7.6	7.2	9.0	9.0	
Operating Expenses - CF	17,912	17,518	17,912	17,912	
					Request v. Appropriation
Total (F) Volunteers Subprogram - CF	560,890	538,039	572,031	573,649	0.3%
FTE	7.6	7.2	9.0	9.0	

(G) Community Reintegration Subprogram

(Primary Function: Provide emergency assistance to inmates who require temporary shelter, work clothes, bus tokens, small work tools, or other short-term emergency assistance upon release from custody.)

In FY 2005-06, this program was moved to the Community Services section of the budget, and was renamed the Community Re-entry Subprogram. The budget figures for all four years are shown in the Community Services section.

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
					Request v. Appropriation
IV. SUBTOTAL - INMATE PROGRAMS	38,847,700	39,495,460	41,526,926	40,990,086	-1.3%
FTE	<u>517.3</u>	<u>531.1</u>	<u>629.0</u>	<u>629.4</u>	
General Fund	32,830,418	32,078,081	35,817,358	35,273,903	-1.5%
Cash Funds	4,504,470	6,464,687	4,712,320	4,713,938	0.0%
Reappropriated Funds	583,530	378,617	934,015	934,015	0.0%
Federal Funds	929,282	574,075	63,233	68,230	7.9%

V. COMMUNITY SERVICES

(A) Parole Subprogram

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

Personal Services - GF	9,901,590	10,724,211	10,455,050 a/	10,467,468	DI #2, NP-1,
FTE	159.1	165.4	184.2	185.9	NP-2
Operating Expenses - GF	1,078,376	1,116,326	1,119,121 b/	1,165,959	DI #2
Administrative Law Judge Services - GF	4,495	3,841	4,461	4,819	
Contract Services	<u>889,040</u>	<u>980,027</u>	<u>2,111,455</u> c/	<u>1,870,548</u>	DI #2
General Fund	889,040	980,027	2,036,455	1,795,548	
Reappropriated Funds	0	0	75,000	75,000	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
Wrap-Around Services Program - GF	0	0	1,807,225 d/	1,807,225	
Parole Grants	<u>55,612</u>	<u>32,301</u>	<u>0</u>	<u>0</u>	
Reappropriated Funds	55,612	0	0	0	
Federal Funds	0	32,301	0	0	
Start-up Costs - GF	245,578	58,257	116,294 e/	0	
					Request v. Appropriation
Total (A) Parole Subprogram	12,174,691	12,914,963	15,613,606	15,316,019	-1.9%
FTE	<u>159.1</u>	<u>165.4</u>	<u>184.2</u>	<u>185.9</u>	
General Fund	12,119,079	12,882,662	15,538,606	15,241,019	-1.9%
Reappropriated Funds	55,612	0	75,000	75,000	0.0%
Federal Funds	0	32,301	0	0	N/A

a/ The FY 2010-11 appropriation includes General Fund increases of \$154,213 and 4.1 FTE pursuant to H.B. 10-1360 and \$140,045 and 6.0 FTE pursuant to H.B. 10-1374.

b/ The FY 2010-11 appropriation includes General Fund increases of \$15,585 pursuant to H.B. 10-1360 and \$20,390 pursuant to H.B. 10-1374.

c/ The FY 2010-11 appropriation includes a General Fund increase of \$792,601 General Fund pursuant to H.B. 10-1360.

d/ The FY 2010-11 appropriation includes a General Fund increase of \$1,807,225 General Fund pursuant to H.B. 10-1360.

e/ The FY 2010-11 appropriation includes General Fund increases of \$42,482 pursuant to H.B. 10-1360 and \$73,812 pursuant to H.B. 10-1374.

(B) Parole ISP Subprogram

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

Personal Services - GF	5,059,772	5,180,138	4,946,002	4,869,974	DI #2, NP-1,
FTE	82.6	80.5	91.5	92.1	NP-2

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Operating Expenses - GF	487,061	508,384	486,246	488,778	DI #2
Contract Services - GF	1,642,164	1,451,178	1,653,903	1,670,348	DI #2
Non-residential Services - GF	1,265,879	1,006,856	1,222,425	1,235,102	DI #2
Home Detention - GF	69,383	35,647	69,383	69,383	
Start-up Costs - GF	129,343	30,660	0	0	
					Request v.
					Appropriation
Total (B) Parole ISP Subprogram - GF	8,653,602	8,212,863	8,377,959	8,333,585	-0.5%
FTE	82.6	80.5	91.5	92.1	

(C) Community ISP Subprogram

(Primary Function: Monitor and supervises offenders in who are in non-residential, transition community corrections programs.)

Personal Services - GF	3,377,793	3,440,743	3,217,874	3,138,733	NP-1, NP-2
FTE	52.3	50.8	52.2	51.8	
Operating Expenses - GF	535,728	519,823	515,732	515,732	
Contract Services - GF	2,777,375	3,775,111	3,445,642	3,195,642	
Start-up Costs - GF	0	0	0	0	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
					Request v. Appropriation
Total (C) Community ISP Subprogram - GF	6,690,896	7,735,677	7,179,248	6,850,107	-4.6%
FTE	52.3	50.8	52.2	51.8	

(D) Community Supervision Subprogram

(Primary Function: Supervise transition offenders who are placed in residential community corrections facilities.)

(1) Community Supervision

Personal Services - GF	2,997,587	3,017,184	2,916,389	2,844,368	NP-1, NP-2
FTE	41.2	39.4	47.6	47.3	
Operating Expenses - GF	178,297	171,323	151,099	151,099	
Community Mental Health Services - GF	584,491	471,702	549,450	554,094	DI #2
Psychotropic Medication - GF	131,400	119,975	178,860	178,860	
Contract Services for High Risk Offenders - GF	310,939	285,996	292,300	292,300	
Contract Services for Fugitive Returns	<u>73,036</u>	<u>66,956</u>	<u>74,524</u>	<u>74,524</u>	
General Fund	42,049	42,049	42,049	42,049	
Reappropriated Funds	30,987	24,907	32,475	32,475	
Start-up Costs - GF	42,416	0	0	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v. Appropriation
Total (D) (1) Community Supervision	4,318,166	4,133,136	4,162,622	4,095,245	-1.6%
FTE	<u>41.2</u>	<u>39.4</u>	<u>47.6</u>	<u>47.3</u>	
General Fund	4,287,179	4,108,229	4,130,147	4,062,770	-1.6%
Reappropriated Funds	30,987	24,907	32,475	32,475	0.0%
(2) Youthful Offender System Aftercare					
Personal Services - GF	611,005	628,307	633,252	620,930	NP-1, NP-2
FTE	7.8	7.8	9.5	9.5	
Operating Expenses - GF	141,063	130,903	140,362	140,362	
Contract Services - GF	1,062,382	1,031,196	1,062,396	1,062,396	
					Request v. Appropriation
Total (D) (2) Y.O.S. Aftercare - GF	1,814,450	1,790,406	1,836,010	1,823,688	-0.7%
FTE	7.8	7.8	9.5	9.5	
(E) Community Re-entry Subprogram					
(Primary Function: Provide emergency assistance to inmates who require temporary shelter, work clothes, bus tokens, small work tools, or other short-term emergency assistance upon release from custody.)					
Personal Services - GF	1,182,107	1,961,539	1,978,942	1,940,376	NP-1, NP-2
FTE	20.3	35.3	38.0	38.0	
Operating Expenses - GF	40,236	120,501	122,586	122,586	

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
Offender Emergency Assistance - GF	96,768	85,458	96,768	96,768	
Contract Services - GF	189,976	186,590	190,000	190,000	
Offender Re-employment	<u>100,000</u>	<u>363,618</u>	<u>374,000</u>	<u>374,000</u>	
General Fund	100,000	363,618	364,000	364,000	
Cash Funds	0	0	10,000	10,000	
Community Reintegration Grants	414,741	135,077	39,098	39,098	
FTE	<u>0.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	
Cash Funds	295,706	25,045	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	119,035	110,032	39,098	39,098	
Start-up Costs - GF	69,980	0	0	0	
Total (E) Community Re-entry Subprogram	2,093,808	2,852,783	2,801,394	2,762,828	Request v. Appropriation -1.4%
FTE	<u>20.3</u>	<u>36.3</u>	<u>39.0</u>	<u>39.0</u>	
General Fund	1,679,067	2,717,706	2,752,296	2,713,730	-1.4%
Cash Funds	295,706	25,045	10,000	10,000	0.0%
Reappropriated Funds	0	0	0	0	N/A
Federal Funds	119,035	110,032	39,098	39,098	0.0%

* Prior to FY 2005-06, the "Community Re-entry Subprogram" was called the "Community Reintegration Subprogram", and it was contained in "Inmate Programs" rather than in "Community Services".

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
					Request v. Appropriation
V. SUBTOTAL - COMMUNITY SERVICES	35,745,613	37,639,828	39,970,839	39,181,472	-2.0%
FTE	<u>363.3</u>	<u>380.2</u>	<u>424.0</u>	<u>425.6</u>	
General Fund	35,244,273	37,447,543	39,814,266	39,024,899	-2.0%
Cash Funds	295,706	25,045	10,000	10,000	0.0%
Reappropriated Funds	86,599	24,907	107,475	107,475	0.0%
Federal Funds	119,035	142,333	39,098	39,098	0.0%

VI. PAROLE BOARD

(Primary Function: Conduct all parole hearings and parole revocation hearings statewide.)

Personal Services - GF	1,322,359	1,361,506	1,417,788 a/	1,389,670	NP-1, NP-2
FTE	14.0	16.4	18.5	18.5	
Operating Expenses - GF	106,890	227,838	102,495 b/	102,495	
Contract Services - GF	151,993	152,000	152,000	152,000	
Start-up Costs - GF	54,369	0	4,670 c/	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v.
					Appropriation
VI. SUBTOTAL - PAROLE BOARD - GF	1,635,611	1,741,344	1,676,953	1,644,165	-2.0%
FTE	14.0	16.4	18.5	18.5	

a/ The FY 2010-11 appropriation includes a General Fund increase of \$69,380 and 1.0 FTE pursuant to H.B. 10-1360.

b/ The FY 2010-11 appropriation includes a General Fund increase of \$950 pursuant to H.B. 10-1360.

c/ The FY 2010-11 appropriation includes a General Fund increase of \$4,670 pursuant to H.B. 10-1360.

VII. CORRECTIONAL INDUSTRIES

(Primary Function: Employ inmates in profit-oriented industries in DOC facilities.)

Personal Services	9,246,893	8,223,700	10,112,940	10,129,320	NP-2
FTE	<u>143.2</u>	<u>139.5</u>	<u>163.0</u>	<u>163.0</u>	
Cash Funds	1,966,687	1,657,118	2,975,622	2,981,332	
Reappropriated Funds	7,280,206	6,566,582	7,137,318	7,147,988	
Operating Expenses	<u>5,285,330</u>	<u>5,429,374</u>	<u>5,928,190</u>	<u>5,928,190</u>	
Cash Funds	1,174,467	1,667,706	1,817,327	1,817,327	
Reappropriated Funds	4,110,863	3,761,668	4,110,863	4,110,863	
Raw Materials	<u>26,115,258</u>	<u>19,834,608</u>	<u>35,823,826</u>	<u>35,823,826</u>	
Cash Funds	5,356,709	4,609,638	8,441,080	8,441,080	
Reappropriated Funds	20,758,549	15,224,970	27,382,746	27,382,746	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
Inmate Pay	<u>1,582,845</u>	<u>1,491,700</u>	<u>1,649,702</u>	<u>1,649,702</u>	
Cash Funds	401,596	468,453	468,453	468,453	
Reappropriated Funds	1,181,249	1,023,247	1,181,249	1,181,249	
Capital Outlay	<u>804,794</u>	<u>447,392</u>	<u>1,406,200</u>	<u>1,406,200</u>	
Cash Funds	165,077	69,904	337,094	337,094	
Reappropriated Funds	639,717	377,488	1,069,106	1,069,106	
Indirect Cost Assessment	<u>372,933</u>	<u>354,981</u>	<u>339,024</u>	<u>347,654</u>	
Cash Funds	89,399	71,447	55,490	64,120	
Reappropriated Funds	283,534	283,534	283,534	283,534	
					Request v. Appropriation
VII. SUBTOTAL - CORRECTIONAL INDUSTRIES	43,408,053	35,781,755	55,259,882	55,284,892	0.0%
FTE	<u>143.2</u>	<u>139.5</u>	<u>163.0</u>	<u>163.0</u>	
Cash Funds	9,153,935	8,544,266	14,095,066	14,109,406	0.1%
Reappropriated Funds	34,254,118	27,237,489	41,164,816	41,175,486	0.0%

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Appropriation	FY 2011-12 Request	Change Requests
VIII. CANTEEN OPERATION					
(Primary Function: Provide various items for sale to DOC inmates at all DOC facilities.)					
Personal Services	1,732,446	1,661,975	1,765,376	1,759,263	NP-2
FTE	<u>28.5</u>	<u>26.6</u>	<u>29.7</u>	<u>29.7</u>	
Cash Funds	1,732,446	1,661,975	1,765,376	1,759,263	
Reappropriated Funds	0	0	0	0	
Operating Expenses	<u>11,673,987</u>	<u>11,558,167</u>	<u>12,851,987</u>	<u>12,851,987</u>	
Cash Funds	11,673,987	11,558,167	12,851,987	12,851,987	
Reappropriated Funds	0	0	0	0	
Inmate Pay	<u>40,386</u>	<u>40,386</u>	<u>40,386</u>	<u>40,386</u>	
Cash Funds	40,386	40,386	40,386	40,386	
Reappropriated Funds	0	0	0	0	
Indirect Cost Assessment	<u>67,416</u>	<u>64,171</u>	<u>49,837</u>	<u>51,127</u>	
Cash Funds	67,416	64,171	49,837	51,127	
Reappropriated Funds	0	0	0	0	
Start-up Costs	<u>51,100</u>	<u>356,317</u>	<u>0</u>	<u>0</u>	
General Fund	0	0	0	0	
Cash Funds	51,100	356,317	0	0	
Reappropriated Funds	0	0	0	0	

	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	Change
	Actual	Actual	Appropriation	Request	Requests
					Request v. Appropriation
VIII. SUBTOTAL - CANTEEN					
OPERATION	13,565,335	13,681,016	14,707,586	14,702,763	0.0%
FTE	<u>28.5</u>	<u>26.6</u>	<u>29.7</u>	<u>29.7</u>	
General Fund	0	0	0	0	N/A
Cash Funds	13,565,335	13,681,016	14,707,586	14,702,763	0.0%
Reappropriated Funds	0	0	0	0	N/A
					Request v. Appropriation
GRAND TOTAL - DEPARTMENT OF					
CORRECTIONS	733,125,321	716,438,361	730,453,742	737,711,535	1.0%
FTE	<u>6,198.2</u>	<u>6,086.7</u>	<u>6,751.8</u>	<u>6,776.8</u>	
General Fund	635,914,382	563,731,874	647,180,811	654,660,429	1.2%
Cash Funds	35,952,776	36,728,429	40,465,186	40,218,363	-0.6%
Reappropriated Funds	35,184,480	27,738,983	42,549,814	42,569,815	0.0%
Federal Funds	26,073,683	88,239,075	257,931	262,928	1.9%

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

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

APPENDIX B: SUMMARY OF MAJOR LEGISLATION

- ❑ **S.B. 10-128 (Hudak/Rice): Invasion of Privacy.** Moves the offense of invasion of privacy for sexual gratification from the unlawful sexual contact statute to its own statute. Raises the penalty for invasion of privacy for sexual gratification from a class 1 misdemeanor to a class 6 felony when it is the second or subsequent offense or the person observed or photographed is under the age of 15. Expands the definition of a "photograph" for the purpose of invasion of privacy for sexual gratification and criminal invasion of privacy to include a live feed. Lowers the penalty for the offense of eavesdropping from a class 6 felony to a class 1 misdemeanor. Makes the sections of the bill pertaining to invasion of privacy for sexual gratification effective July 1, 2012, and the remaining portions of the bill effective July 1, 2010. As required by Section 2-2-703, C.R.S., makes a five-year statutory appropriation as follows:
 - for FY 2012-13, transfers \$83,861 from the General Fund to the Capital Construction Fund, and appropriates \$83,861 from the Capital Construction Fund to the Corrections Expansion Reserve Fund; and
 - for FY 2013-14 and FY 2014-15, appropriates a total of \$32,496 General Fund to the Department of Corrections for operating expenses.

- ❑ **S.B. 10-140 (Mitchell/McCann): Human Trafficking.** Repeals and relocates, with amendments, statutory provisions related to trafficking in adults, trafficking in children, and coercion of involuntary servitude. Requires proof of force, fraud, or coercion for trafficking in adults or children, and requires proof of force or fraud for coercion of involuntary servitude. Adds all three offenses to the definition of "racketeering activity" under the Colorado Organized Crime Control Act.

- ❑ **S.B. 10-193 (Hudak/Levy): Restraints Used on Pregnant Inmates.** Prohibits the use of restraints on pregnant inmates in the Department of Corrections, private contract prisons, county and municipal jails, and Department of Human Services facilities during labor and delivery. Allows the use of restraints in the above situations if the restraints are necessary for a safe childbirth; the inmate poses serious risk of harm to herself, other patients, or the medical staff; or the inmate poses a substantial risk for escape. Prohibits leg shackles and waist restraints during labor and delivery of the child, postpartum recovery while in a medical facility, or transport to or from a medical facility for childbirth. Requires the facility to maintain a written record of the restraints used, why they were used, and for how long. Specifies that when an inmate is pregnant, facility staff are to use the least restrictive restraints necessary. Entitles an inmate who returns to custody after giving birth to have a medical staff person present to ensure that any strip search is conducted in a manner that does not increase the risk of infection or cause pain.

- ❑ **H.B. 10-1081 (Priola/Steadman): Money Laundering Criminal Fraud.** Relocates and amends provisions concerning money laundering, thereby allowing defendants to be charged with money laundering for activities other than those pertaining to drugs. As required by Section 2-2-703, C.R.S., makes a five-year statutory appropriation as follows:
 - for FY 2010-11, transfers \$91,370 from the General Fund to the Capital Construction Fund, and appropriates \$91,370 from the Capital Construction Fund to the Corrections Expansion Reserve Fund; and
 - for fiscal years 2011-12 through 2014-15, appropriates a total of \$115,200 General Fund (\$28,800 for each fiscal year) to the Department of Corrections for operating expenses.

Specifies that the act shall only take effect if H.B. 10-1338 is enacted and has a net reduction in General Fund appropriations for FY 2010-11 that is equal to or greater than the \$91,370 General Fund transfer required in H.B. 10-1081.

- ❑ **H.B. 10-1083 (Gardner B./Steadman): DOC Surgery Unit Lease Purchase.** Authorizes the Department of Corrections to enter into a lease-purchase agreement, for up to 12 years, to purchase a day surgery center to be located at the Denver Reception and Diagnostic Center. Allows the Department to execute a lease-purchase agreement of up to \$2.8 million in principal. Assumes the annual savings of approximately \$600,000 from performing surgeries at the surgery facility rather than contracting with hospitals will be used to fund the lease-purchase agreement.
- ❑ **H.B. 10-1089 (Waller/Newell): No SVP in Return-to-custody Facilities.** Requires that a parolee who is designated by the court as a sexually violent predator, and has his or her parole revoked by the Parole Board, be confined to a place of confinement designated by the Executive Director of the Department of Corrections. Currently, at the discretion of the Parole Board, some individuals on revoked parole may spend up to 180 days in a community return-to-custody facility, which are contract facilities with a greater amount of freedom and flexibility regarding offenders than other prison facilities.
- ❑ **H.B. 10-1112 (Miklosi/Newell): Corr Educ Vocational Prog Standards.** Adds vocational training to the Correctional Education Program offered to offenders in the Department of Corrections. Changes the objectives of the program to state that every offender in a correctional facility who has the expectation of release from custody within five years and lacks basic and functional literacy skills must receive basic education instruction and have the opportunity to acquire at least entry-level marketable vocational skills. Requires the Department to develop a plan for each educational or vocational program offered as a part of the program by December 31, 2010. Creates a new annual reporting requirement for the Department concerning educational and vocational programs.
- ❑ **H.B. 10-1277 (DelGrosso/Steadman): Sexual Conduct in Correctional Facility.** Extends the prohibition on an employee, contractor, or volunteer of a correctional facility engaging in sexual conduct with an individual in the custody of the facility to employees, contractors,

or volunteers of juvenile detention or commitment centers and community corrections facilities. As required by Section 2-2-703, C.R.S., makes a five-year statutory appropriation as follows:

- for FY 2010-11, transfers \$83,861 from the General Fund to the Capital Construction Fund, and appropriates \$83,861 from the Capital Construction Fund to the Corrections Expansion Reserve Fund; and
- for FY 2011-12 and FY 2012-13, appropriates a total of \$32,496 General Fund to the Department of Corrections for operating expenses.

Specifies that the act shall only take effect if H.B. 10-1338 is enacted and has a net reduction in General Fund appropriations for FY 2010-11 that is equal to or greater than the \$83,861 General Fund transfer required in H.B. 10-1277.

- ❑ **H.B. 10-1338 (McCann/Steadman): Probation Eligible Two Prior Felony.** Allows a person who has two or more prior felony convictions to be eligible for probation, with certain exceptions. For the implementation of H.B. 10-1338, appropriates \$308,628 General Fund and 5.2 FTE to the Judicial Department for probation services, and decreases the General Fund appropriation to the Department of Corrections for payments to house state prisoners by \$2,541,810. Also includes the following appropriations and adjustments for FY 2010-11:

- appropriates \$336,057 General Fund to the Department of Revenue for FY 2010-11 for the implementation of H.B. 09-1137;
- increases the appropriation to the Department of Human Services for FY 2010-11 for child welfare services by \$1,719,794 to mitigate the reduction in funding for county staff salaries and benefits, community provider rates, and Medicaid treatment rates (the appropriation includes \$991,919 General Fund, \$343,959 local cash funds, \$75,209 reappropriated funds transferred from the Department of Health Care Policy and Financing (DHCPF), and \$308,707 federal Title IV-E funds); and
- increases the appropriation to the DHCPF for child welfare services by \$75,209 (including \$28,887 General Fund and \$46,322 federal Medicaid funds).

- ❑ **H.B. 10-1352 (Waller/Steadman): Controlled Substance Crime Changes.** Makes a number of changes to offenses related to controlled substances. Directs the General Assembly to annually appropriate the General Fund savings generated by this bill to the Drug Offender Surcharge Fund, and requires that such moneys be allocated to cover the costs associated with the treatment of substance abuse or co-occurring disorders of adult offenders who are assessed to be in need of treatment and who are on diversion, on probation, on parole, in community corrections, or in jail. Makes the following appropriations and adjustments for FY 2010-11:

- appropriates \$1,468,196 General Fund to the Judicial Department, to be credited to the Drug Offender Surcharge Fund pursuant to Section 18-19-103 (3.5). C.R.S.;
- appropriates \$263,377 General Fund and 4.8 FTE to the Judicial Department for probation services;

- appropriates \$36,528 General Fund and 0.5 FTE to the Department of Public Safety, Division of Criminal Justice, for analyzing and reporting on the annual fiscal savings generated by H.B. 10-1352;
- decreases the General Fund appropriation to the Department of Corrections for payments to house state prisoners by \$1,523,589; and
- decreases General Fund appropriations to the Judicial Department for the Public Defender by \$244,512 and 5.6 FTE.

☐ **H.B. 10-1360 (Pace/Steadman): Parole Placement for Technical Violation.** Allows certain parolees to be placed in a community return-to-custody facility rather than a state correctional facility, including those who:

- commit a technical violation that does not involve the commission of a crime;
- have no active felony warrants, felony detainers, or pending felony criminal charges; and
- are on parole for a class 4 nonviolent felony (except menacing, stalking, any unlawful sexual behavior, or a crime against an at-risk adult or at-risk juvenile).

Makes the following appropriations and adjustments for FY 2010-11:

- appropriates \$1,285,409 General Fund and 0.8 FTE to the Department of Public Safety, Division of Criminal Justice, for community corrections residential treatment beds;
- appropriates \$260,000 General Fund to the Department of Public Safety, Division of Criminal Justice, for ten transition community corrections beds specifically for sex offenders;
- appropriates \$1,807,225 General Fund to the Department of Corrections, Parole Subprogram, for parole wrap-around services;
- appropriates \$500,000 General Fund to the Department of Corrections, Parole Subprogram, for employment and job training services for parolees;
- appropriates \$250,000 General Fund to the Department of Corrections, Parole Subprogram, for outpatient mental health treatment for transition parolees;
- appropriates \$174,107 General Fund and 2.1 FTE to the Department of Corrections, Parole Subprogram, for community parole officers;
- appropriates \$80,774 General Fund and 2.0 FTE to the Department of Corrections, Parole Subprogram, for administrative support;
- appropriates \$65,553 General Fund and 1.0 FTE to the Department of Corrections, Business Operations Subprogram, for information technology support; and
- decreases General Fund appropriations to the Department of Corrections for payments to house state prisoners by \$4,738,823.

☐ **H.B. 10-1373 (Carroll T./Hudak): Sentencing Changes for Escape Crimes.** Provides a court with the discretion to order that the mandatory sentence for an escape crime run either consecutively or concurrently with any other sentence being served by the offender who escapes, attempts to escape, or aids the escape of another while serving a direct sentence to

community corrections or after being placed in an intensive supervision parole program. Under current law, if an offender knowingly commits an escape crime while in custody or confinement following a felony conviction, the court is required to impose a sentence for the escape crime that runs consecutively with any other sentences being served by the offender.

- **H.B. 10-1374 (Ferrandino/Penry): Parole Changes Evidence-based Practices.** Directs the Sex Offender Management Board (in consultation with the Department of Corrections, the Judicial Branch, the Division of Criminal Justice in the Department of Public Safety, and the Parole Board) to develop specific sex offender release guidelines for use by the Parole Board in determining when to release a sex offender on parole. Directs the Division of Criminal Justice and the Parole Board to develop an administrative release guideline for use by the Parole Board in evaluating all applications for parole. Requires the Department of Corrections and the Parole Board to develop administrative revocation guidelines for use by the Board in making decisions about parole revocation. Repeals the statutory provision that requires a parole officer to arrest a parolee if he or she does not have lawful permission to be in a particular place (e.g., a county other than the one to which the individual was paroled). Allows up to 12 days of earned time each month be deducted from an offender's sentence provided he or she:

- is serving a sentence for a class 4, class 5, or class 6 felony;
- has not incurred a class I code of penal discipline violation within the 24 months immediately preceding the time of crediting or during his or her entire period of incarceration if such period is less than 24 months;
- has not incurred a class II code of penal discipline violation within the 12 months immediately preceding the time of crediting or during his or her entire period of incarceration if such period is less than 12 months;
- is program compliant; and
- was not convicted of certain specified felony offenses (four new offenses have been added to the existing list of disqualifying crimes).

Makes the following appropriations and adjustments for FY 2010-11:

- appropriates \$114,127 General Fund to the Department of Public Safety, Division of Criminal Justice, for costs associated with the Colorado Criminal and Juvenile Justice Commission;
- appropriates \$80,154 General Fund and 0.7 FTE to the Department of Public Safety, Division of Criminal Justice, for parole guideline duties and actuarial consultation;
- appropriates \$234,247 General Fund and 6.0 FTE to the Department of Corrections, Parole Subprogram, for parole services;
- appropriates \$119,539 General Fund and 1.9 FTE to the Department of Corrections, Executive Director's Office Subprogram, for research functions; and
- decreases General Fund appropriations to the Department of Corrections for payments to house state prisoners by \$548,067.

- ❑ **H.B. 10-1413 (Levy/Newell): Limitation on Juvenile Direct File.** Raises the minimum age to 16 from 14 for a district attorney to file criminal charges against a juvenile in district court, a process known as direct filing of charges, except in cases of:

- first degree murder;
- second degree murder; or
- a sex offense combined with one of the following:
 - the alleged crime is a crime of violence;
 - the juvenile used or threatened the use of a deadly weapon during the commission of the crime;
 - the juvenile has, within the previous two years, been adjudicated as a juvenile delinquent for committing a class 3 felony;
 - the juvenile has previously had charges direct filed or transferred, unless he or she was found not guilty of such charges; or
 - the juvenile is determined to be a habitual juvenile offender.

Allows judges the discretion to sentence juveniles who were convicted of class 2 felonies (excluding sex offenses) to the Youthful Offender System (YOS) in the Department of Corrections (DOC) except in the case of a second or subsequent sentence to the DOC or the YOS.

Makes the following appropriations and adjustments for FY 2010-11:

- appropriates \$371,880 General Fund to the Department of Human Services, Division of Youth Corrections, for the purchase of contract placements;
- appropriates \$135,678 General Fund to the Department of Corrections for the youthful offender system subprogram; and
- decreases General Fund appropriations to the Department of Corrections for payments to house state prisoners by \$266,803.

Specifies that the act shall only take effect if H.B. 10-1360 is enacted and has a net reduction in General Fund appropriations for FY 2010-11 that is equal to or greater than the \$240,755 General Fund appropriation required in H.B. 10-1413.

**FY 2011-12 Joint Budget Committee Staff Budget Briefing
Department of Corrections**

**APPENDIX C: UPDATE OF FY 2010-11
LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION**

Long Bill Footnotes

- 1 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division; and Division of Youth Corrections; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice** -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.

Comment: Of the funds listed, the Department of Corrections shares two with other state agencies: the Sex Offender Surcharge Fund, and the Drug Offender Surcharge Fund. The Department indicates that the Judicial Department is responsible for tracking the Drug Offender Surcharge Fund and the Sex Offender Surcharge Fund.

The Sex Offender Management Board (SOMB) determined the following allocation for state agencies in FY 2011-12:

- \$302,029 to the Judicial Department for direct services;
- \$163,591 to the Division of Criminal Justice for training;
- \$38,250 to the Department of Human Services to be used for training and technical assistance to county departments, the Division of Youth Corrections and the Division of Child Welfare; and
- \$29,311 to the Department of Corrections for sex offender data collection and risk assessment tests.

The Drug Offender Surcharge Fund is administered by the Judicial Department. The Judicial Department estimates the following allocation from the Drug Offender Surcharge Fund in FY 2011-12:

- \$1,745,479 to the Judicial Department;
- \$1,270,627 to the Department of Human Services;

- \$1,245,127 to the Department of Corrections; and
- \$1,107,813 to the Division of Criminal Justice.

2 Department of Corrections, Management, Executive Director's Office Subprogram, External Capacity Subprogram, Payments to House State Prisoners -- It is the intent of the General Assembly that the Department of Corrections be authorized to transfer 5.0 percent of the total appropriation for external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers.

Comment: The Department indicates that the following transfers were made in FY 2009-10:

<u>Transferred Line Item</u>	<u>Amount</u>
Payments to Local Jails:	\$806,747
Payments to In-State Private Prisons:	158,591
Payments to Pre-Release Parole Revocation Facilities:	651,512
Community Corrections Programs:	<u>3,356</u>
Total Amount Transferred:	\$1,620,206
Total Amount of Line Item:	\$87,531,859
5.0 Percent Transfer Authority:	4,376,593
Amount Transferred in FY 2009-10:	1,620,206
Percent of Amount Transferred to Appropriation:	3.7%

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

Comment: The Department indicates that it is not the Department's policy to withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities.

4 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to in-state private prisons at a rate of \$54.93 per inmate per day, and Payments to pre-release parole revocation facilities at a rate of \$54.93 per inmate per day -- Due to current fiscal restraints, it is the intent of the General Assembly not to fund any supplemental requests from the Department of Corrections that are requested as a result of the Department of Corrections paying a higher per diem rate to private prisons than \$52.69. If caseload changes would result in a negative supplemental from the Department of Corrections given a private prison per diem of \$52.69, it is further

the intent of the General Assembly to reduce the appropriation to the Department of Corrections accordingly.

Comment: The Department has submitted a supplemental request for FY 2010-11. Staff will evaluate any need for a supplemental appropriation once the updated FY 2010-11 prison population projections are released by Legislative Council Staff on December 20, 2010.

4a Department of Corrections, Institutions, Mental Health Subprogram -- It is the intent of the General Assembly that the funds being appropriated to convert beds at Colorado State Penitentiary (CSP) for use by offenders with mental illness (OMIs) are being appropriated to create an appropriate, secure, therapeutic environment for OMIs within CSP and that the beds shall not be occupied or managed solely for disciplinary purposes.

Comment: The Department has indicated that it will comply with this footnote request.

4b Department of Corrections, Institutions, Mental Health Subprogram -- It is the intent of the General Assembly that the Department of Corrections work with the Mentally Ill Task Force to develop a plan for the implementation and ongoing evaluation of the mental health unit at Colorado State Penitentiary (CSP). It is further the intent of the General Assembly that the Department of Corrections submit a report to the House Judiciary Committee and the Senate Judiciary Committee by January 31, 2011, detailing the progress related to the mental health unit at CSP.

Comment: The Department has indicated that it will comply with this footnote request. However, the report is not due to the General Assembly until January 31, 2011.

4c Department of Corrections, Institutions, Mental Health Subprogram -- It is the intent of the General Assembly that the Department of Corrections submit a plan to the House Judiciary Committee and the Senate Judiciary Committee before offenders with mental illness (OMIs) are placed in the beds at Colorado State Penitentiary (CSP) being converted for use by OMIs. Without limiting the scope of the report, the report shall include, at a minimum, plans in the following areas: (1) the basic purpose of the OMI beds at CSP in terms of the role those beds serve relative to the offender's mental health status; (2) the criteria the DOC will use to place offenders in the beds; (3) the services that will be provided to the offenders; (4) the classification levels that will be used and an explanation of the characteristics of those levels; (5) whether and, if so, how offenders will transition from CSP to the general population; and (6) a description of the conditions of confinement, such as the amount of time offenders will be out of their cells, the amount of time in solitary confinement, the availability of recreational, visitation, educational, therapeutic and other programming opportunities and conditions for participating in those opportunities.

Comment: The Department has indicated that it will comply with this footnote request. However, JBC staff has not received a report to date.

Requests for Information

- 1 All Departments, Totals** -- Every department is requested to submit to the Joint Budget Committee, by November 1, 2010, information on the number of additional federal and cash funds FTE associated with any federal grants or private donations that are applied for or received during FY 2010-11, and that are not otherwise included in the Long Bill.

Comment: The Department indicates the following with regard to federal and cash funds FTE associated with federal grants or private donations:

<u>Grants Receiving Awards in FY 2010-11</u>	<u>Amount</u>	<u>FTE</u>
Prisoner ReEntry Initiative (ends 8/31/10)*	\$29,065	1.0
ARRA Mountain ReEntry*	500,009	1.0
Colorado Information Analysis*	90,300	1.0
Residential Substance Abuse (ends 12/31/10)*	70,617	2.0
Offender Release of Information to Law Enforcement**	68,206	1.0
Total	\$758,197	6.0

*Amounts are awards carried forward into FY 2010-11.

** This grant has not yet started, but has an end date of 9/30/11.

<u>Grants Applied for in FY 2010-11</u>	<u>Amount</u>	<u>FTE</u>
Second Chance	\$748,514	2.0

- 2 Department of Corrections, Totals; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division, and Division of Youth Corrections; Department of Public Safety, Division of Criminal Justice** -- It is the intent of the Joint Budget Committee that the impacts of the Governor's Recidivism Reduction and Offender Diversion Package funded by the General Assembly in 2007, be analyzed using contract funding appropriated for this purpose to the Department of Public Safety, Division of Criminal Justice. The evaluation should specifically address: the Short-term Intensive Residential Remediation Treatment Program (STIRRT) in the Department of Human Services, Diversion Community Corrections Beds in the Department of Public Safety, Mental Health Beds in the Department of Public Safety, and any new programs or services created or implemented through additional budgetary flexibility provided to the Division of Youth Corrections in the Department of Human Services. It is the intent of the General Assembly that the contractor compare the outcomes for offenders who participate in these programs with outcomes for offenders in predetermined control groups. The Department of Public Safety, Division of Criminal Justice, in conjunction with other state departments, is requested to submit an annual progress report to the Joint Budget Committee by November 1 of each year. This report is requested to include a summary of the number of offenders served by each program and a summary of the program evaluation techniques that will be used to examine the effectiveness of each program. The Department of Public Safety, Division of Criminal Justice, is requested to submit a final report to the Joint Budget Committee on or before November 1, 2012. The final report should specifically address

whether any of the interventions funded were cost-effective and, based on this, recommendations for continuation, modification or elimination of each program.

Comment: The Division of Criminal Justice submitted a report by November 1, 2010 as requested. Appendix K summarizes the initiatives funded as well as the current findings of the report.

- 5 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners --** The Department of Corrections is requested to require private prison providers to break-out their respective operating expenses and capital construction costs in the invoices that they submit to the Department for housing Colorado inmates. The Department of Corrections is further requested to submit a report to the Joint Budget Committee by November 1, 2010, summarizing this information for each of the private prison providers reimbursed from the External Capacity Subprogram.

Comment: The Department indicates that it has requested this information from private prison providers; however, as of November 1, 2010, the Department had not received any responses. This information will be provided if responses are received.

- 6 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners --** The Department is requested to provide a report to the Joint Budget Committee on or before November 1, 2010, summarizing transfers that were made within this subprogram pursuant to the flexibility authorized by footnote.

Comment: The transfers that were made in FY 2009-10 pursuant to the flexibility authorized by footnote are detailed above under Footnote #2.

- 9 Department of Corrections, Institutions, Youthful Offender System Subprogram --** The Department of Corrections is requested to submit a report to the Joint Budget Committee by November 1, 2010, justifying the ongoing need for the Youthful Offender System. The report is requested to summarize the cost effectiveness of the program, including the cost per offender, taking into consideration drop-out rates and recidivism rates for the program.

The Department provided a report with its budget request on November 1, 2010. The following table illustrates the costs of the YOS program in FY 2009-10:

Youthful Offender System FY 2009-10 Costs		
Type of Service	Annual Cost per Offender	Daily Cost per Offender
YOS	\$70,614	\$193.46
YOS Aftercare (Phase III)	62,293	189.84
YOS Backlog	20,862	57.16
Adult Prison	32,334	88.59
Adult Parole	4,314	11.82
Adult Parole ISP	7,822	21.43

The YOS program has experienced a large percentage of successful discharges since its inception in FY 1993-94. The following table shows the categories of releases during the existence of the YOS:

Youthful Offender System Releases FY 2009-10		
Type of Release	Number of Releases	Percent of Releases
Successful Discharge	733	72%
Termination/Revocation	237	23%
Court Ordered Discharge	40	4%
Deceased	6	1%
Total	1,016	100%

In addition, the report indicates that the recidivism rates for YOS offenders is lower than the recidivism rate for the general adult prison population. The following table indicates the recidivism rates for YOS offenders versus the general adult prison population:

Recidivism Rates YOS vs. Adult		
Return	YOS	Adult
Within 1 year	7%	n/a
Within 3 years	21%	53%
Within 5 years	30%	n/a

10 Department of Corrections, Community Services, Community Supervision Subprogram, Community Supervision, Psychotropic Medication -- The Department is requested to submit a report to the Joint Budget Committee on or before February 1, 2011, summarizing the outcomes of offenders who were provided psychotropic medication from this line item. The report is requested to include the number of mentally ill offenders who receive medication from this line item, the regression rate of the offenders, and the number of offenders who commit new crimes. The report is requested to compare these outcomes with the population of mentally ill offenders in community corrections programs in FY 2005-06.

Comment: The Department indicates that it will provide a report as requested on February 1, 2011. In addition, the Department submitted a report on February 1, 2010, summarizing the outcomes of offenders who were provided psychotropic medication. The report indicates that a total of 2,201 prescriptions were filled for 325 offenders in FY 2008-09. The average price per prescription was \$59.70, and the number of issued prescriptions averaged almost seven per offender over the fiscal year.

The following table provides program completion information and return to prison data for participants in the psychotropic medication program compared with the offenders in community corrections programs in FY 2005-06:

	Program Participants FY 2008-09		Comparison Group FY 2005-06	
	Community Transition	Return to Custody	Community Transition	Return to Custody
Program Completion				
Escape status	2%	1%	2%	1%
Paroled	51%	60%	50%	33%
Discharged sentence	2%	8%	3%	10%
Regressed to prison	47%	33%	47%	56%
Prison Returns				
No return	72%	55%	75%	57%
Technical return	23%	34%	17%	28%
New crime	5%	11%	8%	16%

11 Capital Construction, Department of Corrections, Capital Construction, Correctional Industries, Minor Construction Projects -- The Department of Corrections is requested to submit an annual report to the Capital Development and Joint Budget Committees detailing expenditures made from this appropriation.

Comment: The Department provided a report with its budget request on November 1, 2010. The following table illustrates the expenditures made for minor Correctional Industries capital construction projects in FY 2009-10:

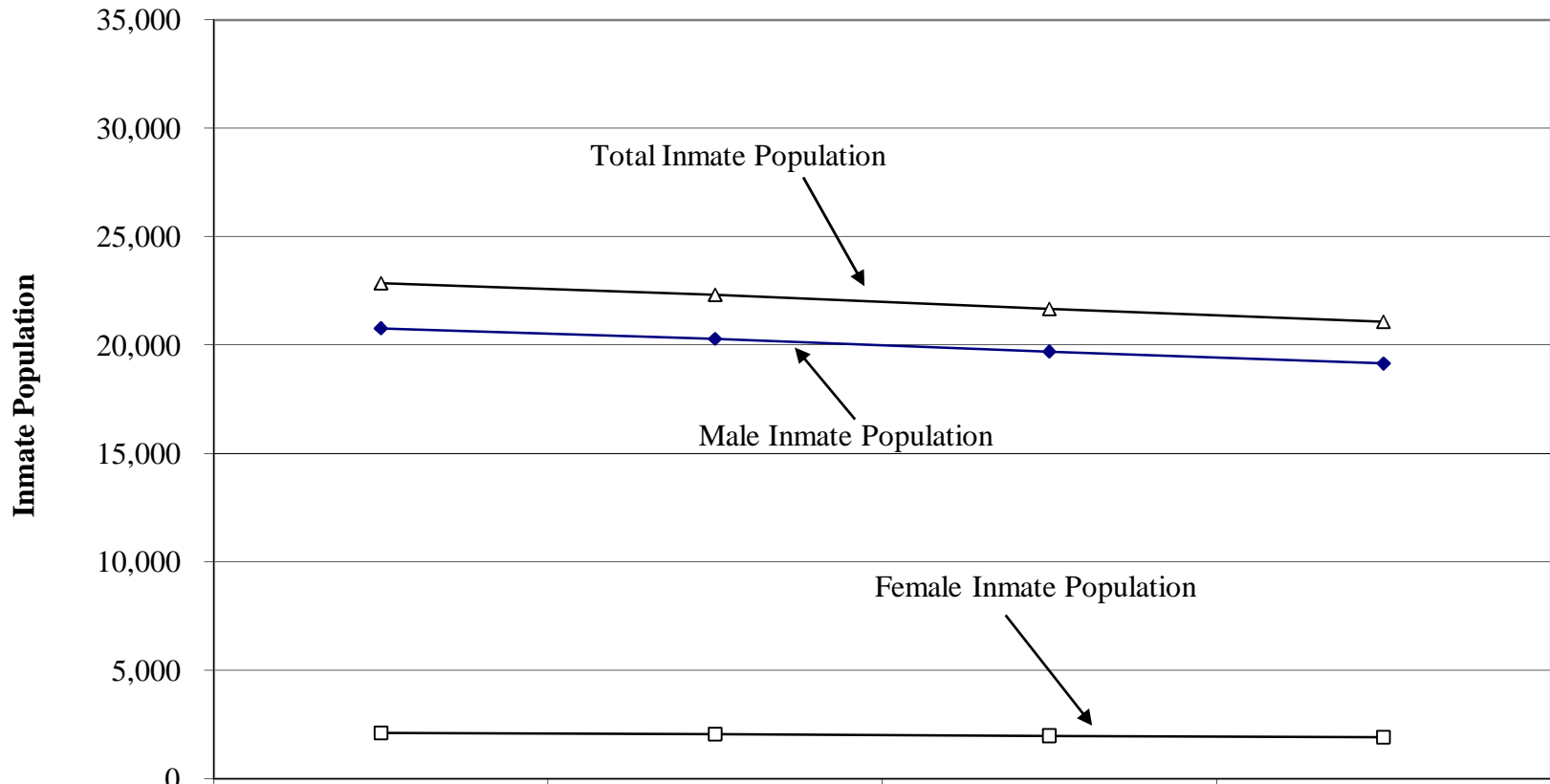
Correctional Industries Minor Construction Projects FY 2009-10 Costs		
Project Location	Description	Cost
East Canon Complex	Dairy lagoons	60,000
East Canon Complex	New structures for green house fishery	100,000
East Canon Complex	Feed storage building for goat dairy	100,000
East Canon Complex	Additional horse corrals for wild horse program	210,000
East Canon Complex	Miscellaneous small projects	<u>18,000</u>
Total		\$488,000

APPENDIX D

GRAPHICAL REVIEW OF 2010 POPULATION PROJECTIONS
Legislative Council and Division of Criminal Justice

December 2010 LCS Inmate Population Projections

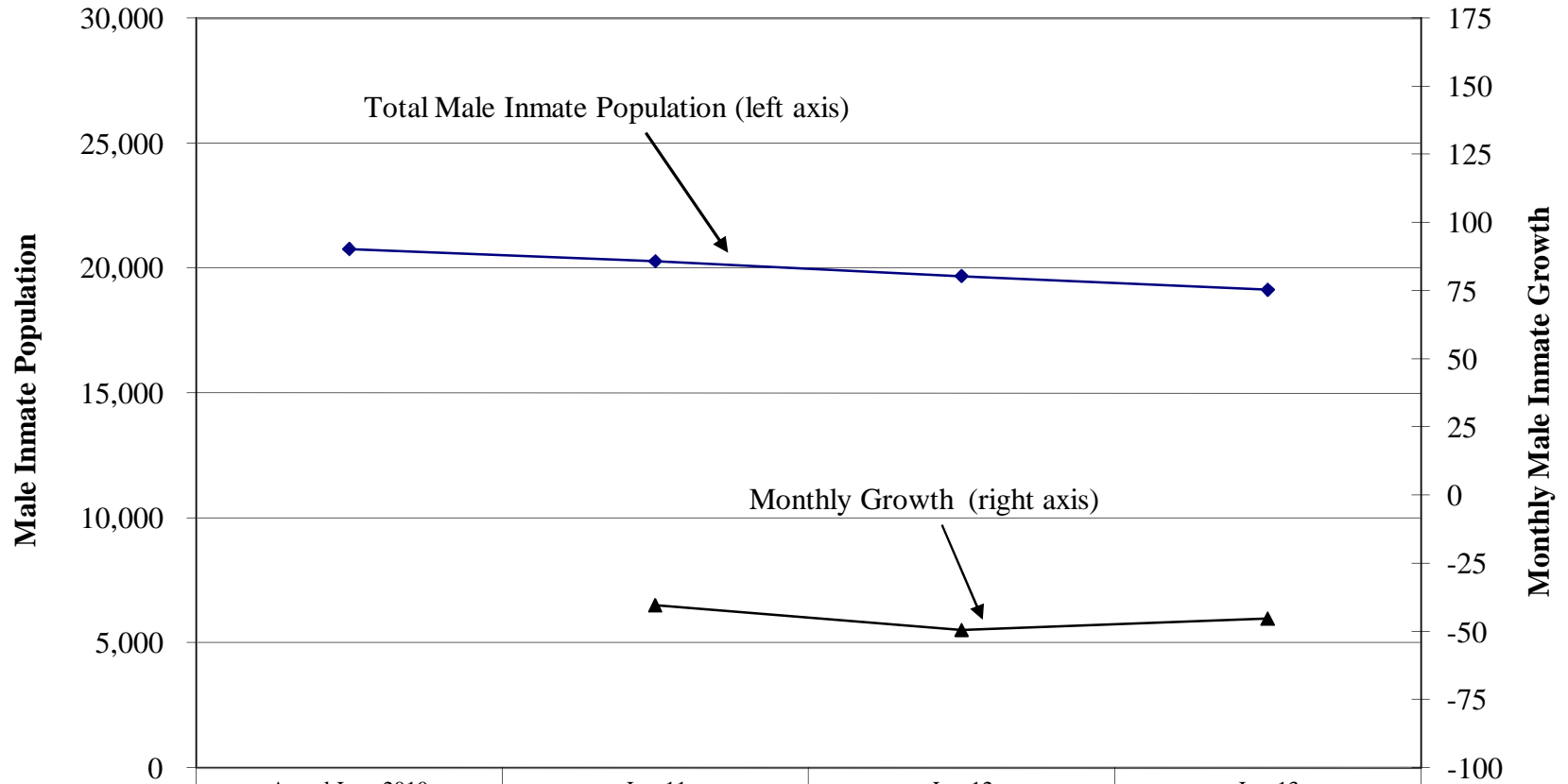
Chart #1



	Actual June 2010	Jun-11	Jun-12	Jun-13
—△— Total Inmate Population	22,860	22,319	21,663	21,058
—◆— Males Inmates	20,766	20,281	19,688	19,144
—□— Female Inmates	2,094	2,038	1,975	1,914

December 2010 LCS Male Inmate Population Projections

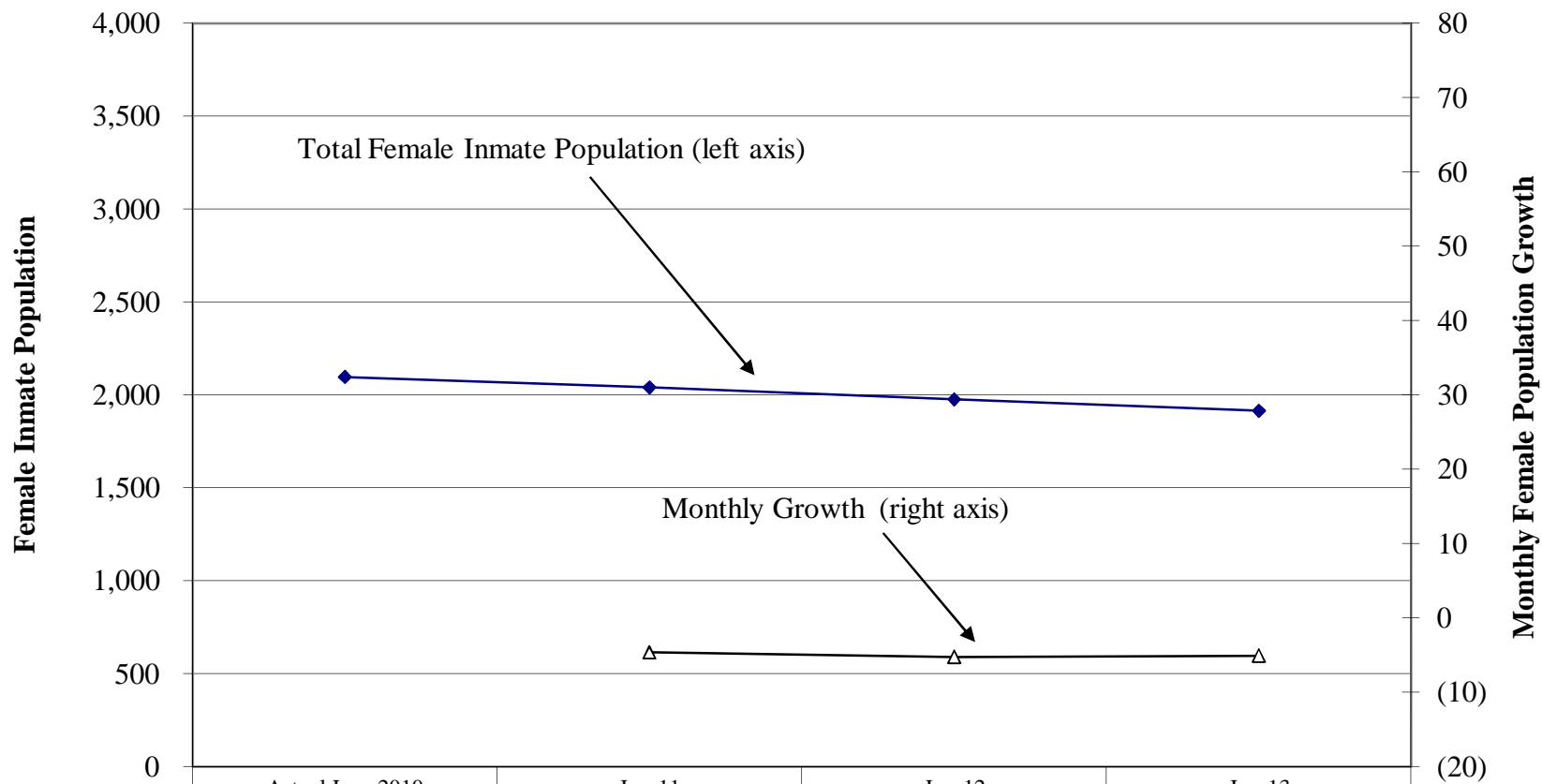
Chart #2



	Actual June 2010	Jun-11	Jun-12	Jun-13
◆ Males Inmates	20,766	20,281	19,688	19,144
▲ LCS Monthly Growth		(40)	(49)	(45)
LCS Annual Growth		-2.3%	-2.9%	-2.8%

December 2010 LCS Female Inmate Population Projections

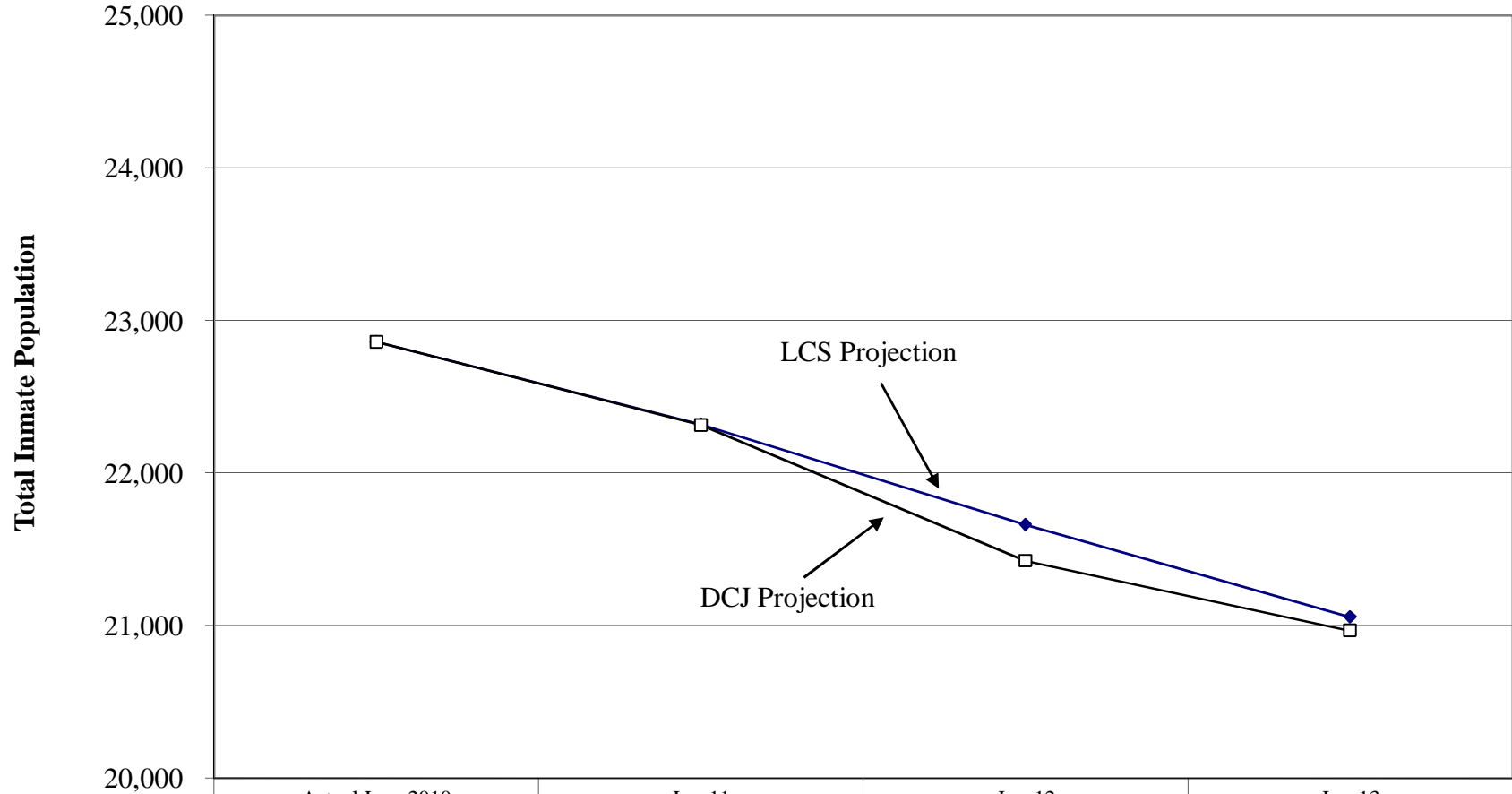
Chart #3



	Actual June 2010	Jun-11	Jun-12	Jun-13
◆ Female Inmates	2,094	2,038	1,975	1,914
△ LCS Monthly Growth		(5)	(5)	(5)
LCS Annual Growth		-2.7%	-3.1%	-3.1%

Comparison of Dec. 2010 Inmate Population Projections - LCS vs. DCJ

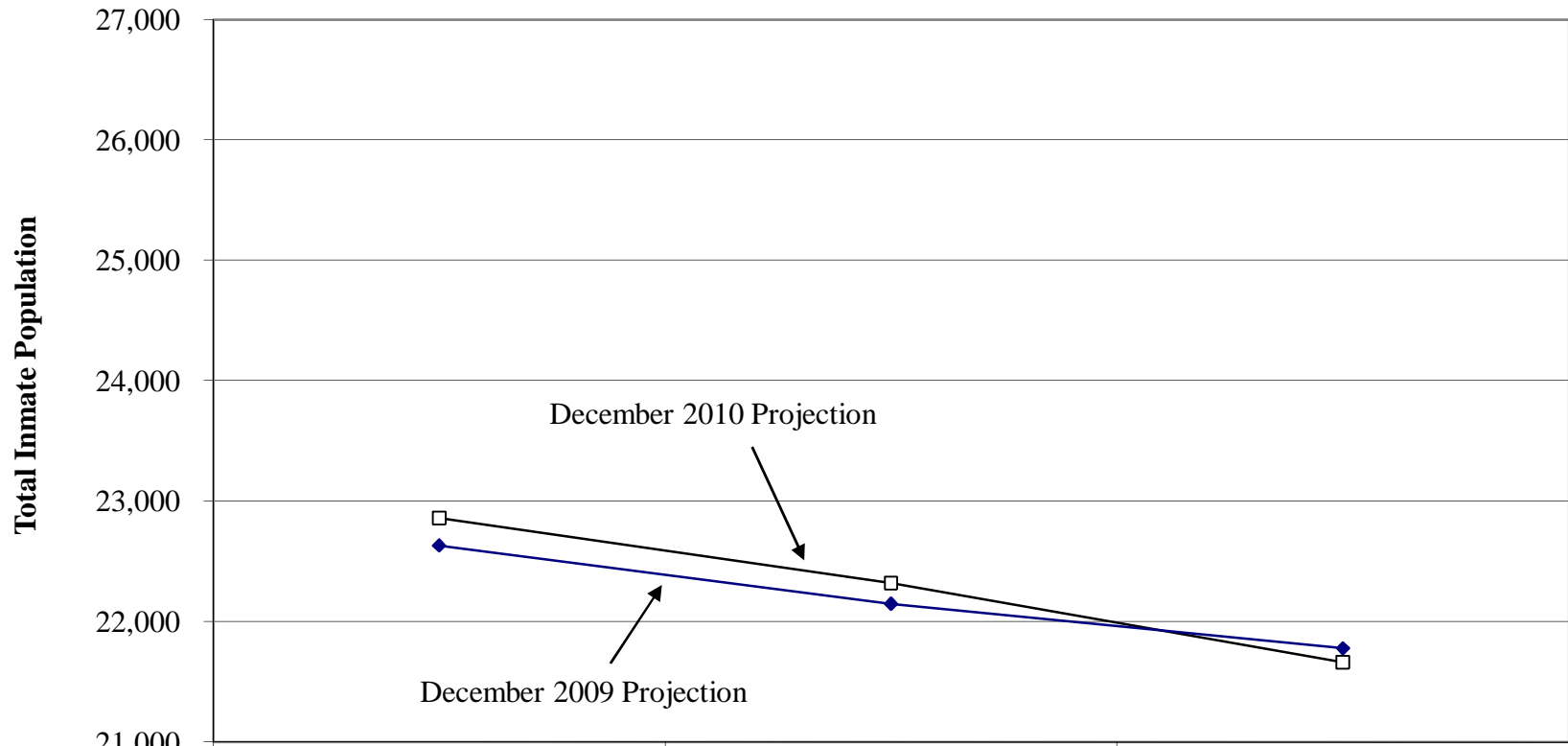
Chart #4



	Actual June 2010	Jun-11	Jun-12	Jun-13
—◆— LCS -- Dec. 2010	22,860	22,319	21,663	21,058
—□— DCJ -- Dec. 2010	22,860	22,314	21,425	20,968
Difference	0	5	238	90

Comparison of LCS Inmate Population Projections - Dec. 2010 vs. Dec. 2009

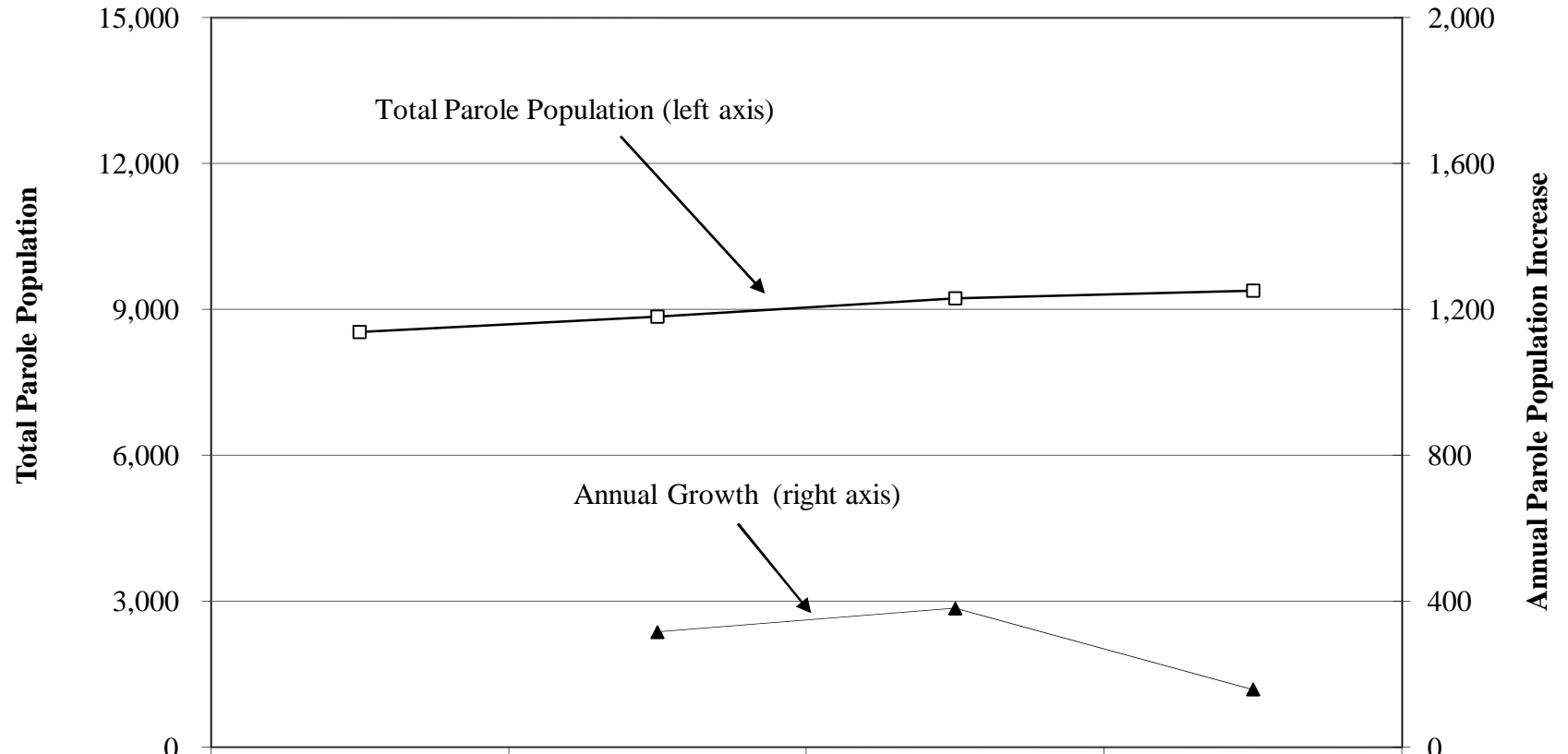
Chart #5



	Actual June 2010	Jun-11	Jun-12
—□— LCS -- Dec. 2010	22,860	22,319	21,663
—◆— LCS -- Dec. 2009	22,633	22,148	21,780
Increase / (Decrease)	227	171	(117)

LCS Parole Population Projections - December 2010

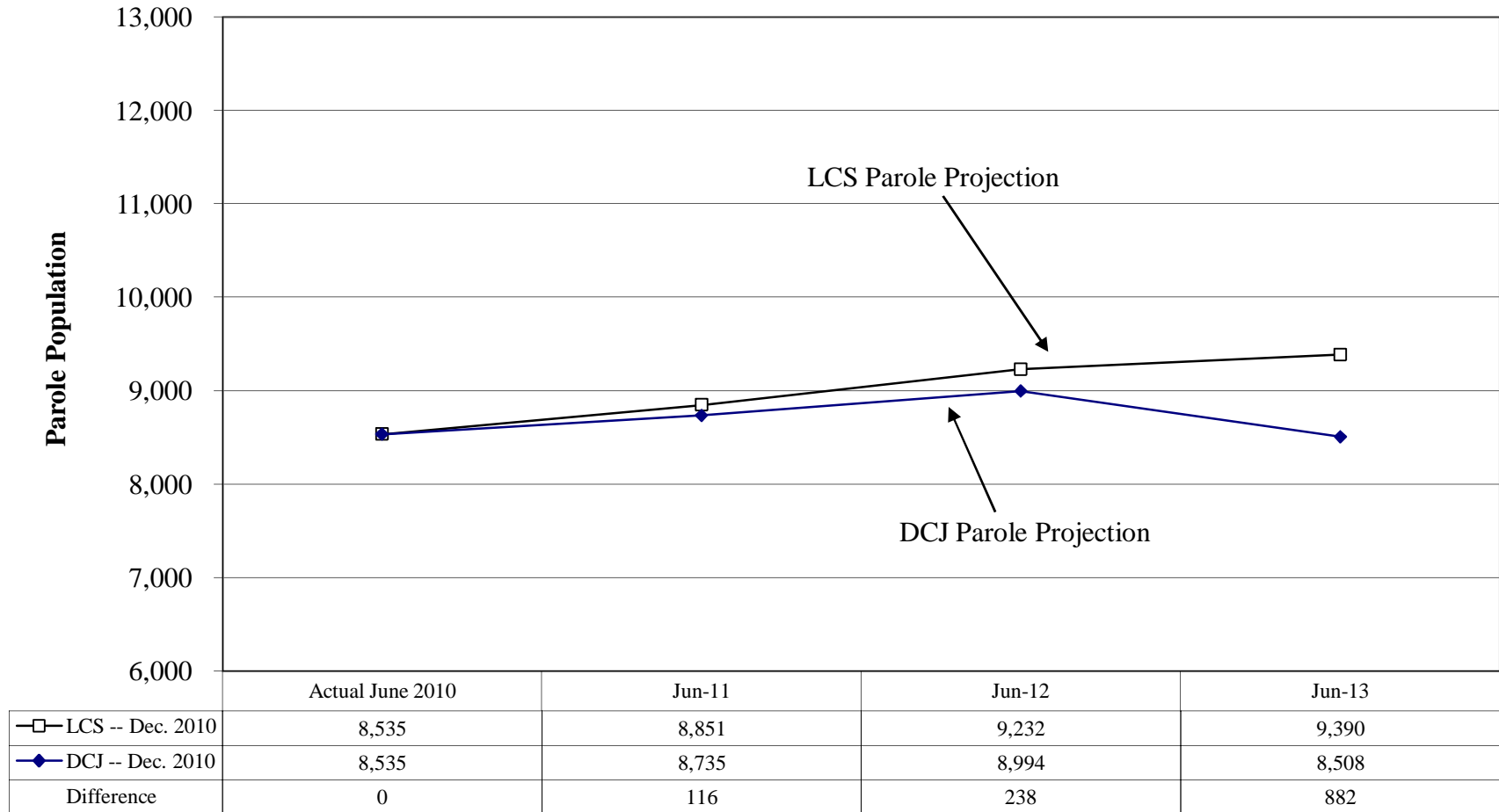
Chart #6



	Actual June 2010	Jun-11	Jun-12	Jun-13
—□— LCS -- Dec. 2010	8,535	8,851	9,232	9,390
—▲— Annual Increase		316	381	158
% Increase		3.7%	4.3%	1.7%

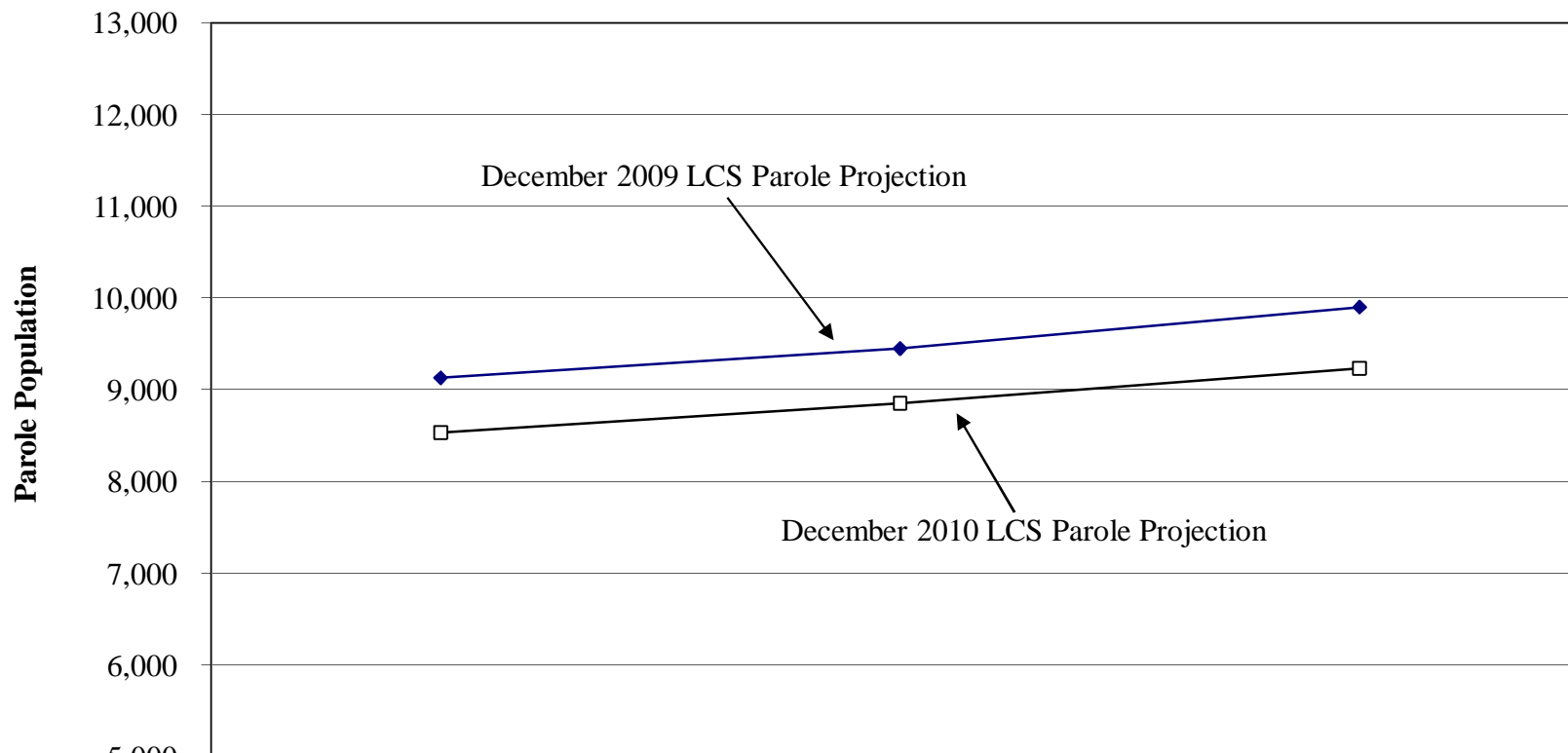
Comparison of December 2010 Parole Population Projections LCS vs. DCJ

Chart #7



Comparison of LCS Parole Population Projections - Dec. 2010 vs. Dec. 2009

Chart #8



	Actual June 2010	Jun-11	Jun-12
—□— LCS -- Dec. 2010	8,535	8,851	9,232
—◆— LCS -- Dec. 2009	9,130	9,449	9,898
Increase / (Decrease)	(595)	(598)	(666)

APPENDIX E

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

Appendix E

Capital Construction Request History for Additional Prison Beds in the Department of Corrections

Year	Project	Amount Requested	Amount Funded	Requested Beds	Built Beds	Security Level	Legislation	Status
FY 1999-00								
	TCF Phase II	\$77,889,123	\$0	710	0	V	-	Withdrawn
	DRDC Renovation/Expansion Design	\$1,019,047	\$0	0	0	V	-	Withdrawn
	SCCF Phase II Design	\$2,084,226	\$0	0	0	V	-	Withdrawn
FY 2000-01								
	SCCF Phase II Design	\$2,088,700	\$2,088,700	0	0	V	HB-00-1451	Complete
	DRDC Renovation/Expansion Design	\$1,092,594	\$1,092,594	0	0	V	HB-00-1451	Complete
	CWCF Expansion/Renovation Planning	\$410,887	\$0	0	0	IV	-	-
FY 2001-02								
	SCCF Phase II Construction (70%)	\$18,804,814	\$105,065	250	0	V	SB-01-212	Negative Appropriation
	AVCF High Custody Expansion (50%)	\$19,790,603	\$17,139	384	0	V	SB-01-212	Negative Appropriation
	DRDC Renovation/Expansion Construction	\$15,394,593	\$746,783	62	0	V	SB-01-212	Negative Appropriation
	CWCF Renovation Design	\$2,449,981	\$0	285 new	0	IV	-	Not Approved
	Fort Lyon Phases I and II	\$12,312,239	\$12,312,239	500	500	III	SB-01-212	Complete
FY 2002-03								
	AVCF High Custody Expansion (50%)	\$18,912,027	\$0	384	0	V	-	Not Approved
	DRDC Renovation/Expansion Construction	\$12,912,465	\$0	62	0	V	-	Not Approved
	SCCF Phase II Construction (70%)	\$18,371,304	\$0	250	0	V	-	Not Approved
	CCF High Custody Expansion (40%)	\$18,241,573	\$0	384	0	V	-	Not Approved
FY 2003-04								
	CSPII/CCF High Custody Expansion	\$102,800,000	\$102,800,000	948	n/a	V	HB 03-1256	Funded with COPs Lawsuit Delayed Project
FY 2004-05 and FY 2005-06								
	None	\$0	\$0	0	0	n/a	n/a	None Submitted
FY 2006-07								
	DRDC Renovation/Expansion Phase II	\$18,542,111	\$9,000,000	62	62	V	HB 06-1385	Approved in Phases
FY 2007-08								
	DRDC Renovation/Expansion Phase III	\$14,966,051	\$14,966,051	62	62	V	SB 07-239	Complete
	CSP II/CCF High Custody Expansion	\$36,911,874	\$36,911,874	948	948	V	SB 07-239	Complete
	CSP II/CCF High Custody Expansion	\$1,249,500	\$1,249,500	n/a	n/a	V	SB 07-239	Inmate In-Cell Services
FY 2008-09								
	CSP II/CCF High Custody Expansion	\$2,000,000	\$2,000,000	n/a	n/a	V	HB 08-1375	Equipment and Furnishings
FY 2009-10								
	CSP II/CCF High Custoday Expansion	\$2,000,000	\$2,000,000	n/a	n/a	V	SB 09-259	Equipment and Furnishings
	CSP II/CCF High Custoday Expansion	\$1,249,500	\$1,249,500	n/a	n/a	V	SB 09-259	Inmate In-Cell Services

Appendix E Bed Expansion Capital Construction Projects Since 1985

Facility	Beds	Legislation	Appropriation
Arkansas Valley - Phase I and Phase II construction	725	85-250	\$42,275,202
Denver Rec. Diagnostic Center - Initial Construction	408	88-1274	41,915,500
Various	282	87-1342	782,600
Limon - Phase I and Phase II construction	953	88-1274	52,290,550
Various - Double Bunking	108	88-1005	3,577,829
Colorado Women's	48	89-6	1,324,880
Arrowhead	288	89-6	10,826,040
Delta	144	89-6	5,243,210
Colo. State Penitentiary - Phase I	500	90-1327	48,636,600
San Carlos	250	90-1327	21,310,000
Boot Camp	100	90-1327	4,690,000
Colo. State Penitentiary - Phase II	256	94-1340	19,546,250
Delta	180	94-1340	7,482,200
Denver Women's	248	94-1340	17,599,816
Denver Women's	652	98-1401	67,065,770
YOS	180	94-1340	25,249,500
Sterling - Phase I	1,357	94-1340	77,927,119
Sterling - Phase II	1,088	98-1401	63,138,688
Territorial	94	95-1352	4,584,300
Fremont - Expansion and Double Occupancy	267	95-1352	23,198,800
Four Mile	192	97-1244	7,922,967
Pueblo Minimum	28	95-1352	641,088
Rifle	192	95-1352	6,800,000
Trinidad - Initial Construction	480	97-1244	29,950,000
Buena Vista	292	97-1244	14,078,764
Sub-total Beds Constructed	9,312		\$598,057,673
Colo. State Penitentiary	948	03-1256, 07-239	146,210,966
DRDC Expansion Project	62	06-1385, 07-239	25,553,635
Total Beds	10,322		\$744,268,639

* This list reflects the projects that added beds. It does not include all of the funds appropriated for renovation or planning of prison facilities, life safety projects, or other projects that did not add to the capacity of prison beds.

APPENDIX F

INCARCERATION RATES PER 100,000 RESIDENTS
NATIONAL COMPARISON

Appendix F

	Sentenced Inmates		Change in Inmates 1992 to 2008			Incarceration Rate				Change in Rates 1992 to 2008			
	CY 1992	CY 2008	Inmates	Total % Change	Compound Annual % Change	CY 1992		CY 2008		Change in Rate	Total % Change	Compound Annual % Change	Rank
						Rate	National Rank	Rate	National Rank				
Northeast	138,144	168,340	30,196	21.9%	1.2%	261		306		45	17.2%	1.0%	
Connecticut	11,403	14,271	2,868	25.2%	1.4%	268	25	407	25	139	51.9%	2.6%	27
Maine	1,519	1,985	466	30.7%	1.7%	121	47	151	50	30	24.8%	1.4%	43
Massachusetts	10,053	10,166	113	1.1%	0.1%	161	41	218	48	57	35.4%	1.9%	37
New Hampshire	1,777	2,904	1,127	63.4%	3.1%	160	42	220	47	60	37.5%	2.0%	36
New Jersey	22,653	25,953	3,300	14.6%	0.9%	290	21	298	39	8	2.8%	0.2%	49
New York	61,736	59,959	(1,777)	-2.9%	-0.2%	340	14	307	37	(33)	-9.7%	-0.6%	50
Pennsylvania	24,974	48,962	23,988	96.1%	4.3%	207	33	393	27	186	89.9%	4.1%	11
Rhode Island	2,775	2,522	(253)	-9.1%	-0.6%	170	39	240	44	70	41.2%	2.2%	33
Vermont	1,254	1,618	364	29.0%	1.6%	151	44	260	42	109	72.2%	3.5%	19
Midwest	167,023	261,397	94,374	56.5%	2.8%	273		392		119	43.6%	2.3%	
Illinois	31,640	45,474	13,834	43.7%	2.3%	271	24	351	33	80	29.5%	1.6%	39
Indiana	13,945	28,301	14,356	102.9%	4.5%	242	27	442	21	200	82.6%	3.8%	14
Iowa	4,518	8,766	4,248	94.0%	4.2%	160	42	291	40	131	81.9%	3.8%	16
Kansas	6,028	8,539	2,511	41.7%	2.2%	238	28	303	38	65	27.3%	1.5%	41
Michigan	39,113	48,738	9,625	24.6%	1.4%	413	5	488	14	75	18.2%	1.0%	45
Minnesota	3,822	9,406	5,584	146.1%	5.8%	85	49	179	49	94	110.6%	4.8%	7
Missouri	16,189	30,175	13,986	86.4%	4.0%	311	20	509	11	198	63.7%	3.1%	21
Nebraska	2,514	4,424	1,910	76.0%	3.6%	151	44	247	43	96	63.6%	3.1%	22
North Dakota	477	1,452	975	204.4%	7.2%	67	50	225	46	158	235.8%	7.9%	2
Ohio	38,378	51,686	13,308	34.7%	1.9%	347	12	449	20	102	29.4%	1.6%	40
South Dakota	1,487	3,333	1,846	124.1%	5.2%	208	32	412	24	204	98.1%	4.4%	10
Wisconsin	8,912	21,103	12,191	136.8%	5.5%	176	37	374	29	198	112.5%	4.8%	6
South	313,216	617,161	303,945	97.0%	4.3%	355		552		197	55.5%	2.8%	
Alabama	17,453	29,694	12,241	70.1%	3.4%	407	7	634	5	227	55.8%	2.8%	26
Arkansas	8,285	14,660	6,375	76.9%	3.6%	340	14	511	10	171	50.3%	2.6%	28
Delaware	4,051	4,067	16	0.4%	0.0%	390	8	463	19	73	18.7%	1.1%	44
Florida	48,302	102,388	54,086	112.0%	4.8%	355	11	557	7	202	56.9%	2.9%	25
Georgia	25,290	52,705	27,415	108.4%	4.7%	365	10	540	8	175	47.9%	2.5%	30
Kentucky	10,364	21,059	10,695	103.2%	4.5%	274	23	492	12	218	79.6%	3.7%	17
Louisiana	20,896	37,804	16,908	80.9%	3.8%	484	2	853	1	369	76.2%	3.6%	18
Maryland	19,977	22,749	2,772	13.9%	0.8%	381	9	403	26	22	5.8%	0.4%	48
Mississippi	8,780	21,698	12,918	147.1%	5.8%	327	17	735	2	408	124.8%	5.2%	4
North Carolina	20,454	34,229	13,775	67.3%	3.3%	290	21	368	31	78	26.9%	1.5%	42
Oklahoma	14,821	24,210	9,389	63.3%	3.1%	459	3	661	3	202	44.0%	2.3%	31
South Carolina	18,643	23,456	4,813	25.8%	1.4%	486	1	519	9	33	6.8%	0.4%	47
Tennessee	11,849	27,228	15,379	129.8%	5.3%	234	29	436	22	202	86.3%	4.0%	12
Texas	61,178	156,979	95,801	156.6%	6.1%	344	13	639	4	295	85.8%	3.9%	13
Virginia	21,199	38,216	17,017	80.3%	3.8%	327	17	489	13	162	49.5%	2.5%	29
West Virginia	1,674	6,019	4,345	259.6%	8.3%	92	48	331	35	239	259.8%	8.3%	1
West	174,139	310,805	136,666	78.5%	3.7%	299		436		137	45.8%	2.4%	
Alaska	2,865	2,966	101	3.5%	0.2%	327	17	430	23	103	31.5%	1.7%	38
Arizona	16,477	37,188	20,711	125.7%	5.2%	409	6	567	6	158	38.6%	2.1%	34
California	109,496	172,583	63,087	57.6%	2.9%	339	16	467	17	128	37.8%	2.0%	35
Colorado	8,997	23,274	14,277	158.7%	6.1%	256	26	467	17	211	82.4%	3.8%	15
Hawaii	2,926	4,304	1,378	47.1%	2.4%	164	40	332	34	168	102.4%	4.5%	9
Idaho	2,256	7,290	5,034	223.1%	7.6%	209	31	474	16	265	126.8%	5.3%	3
Montana	1,498	3,579	2,081	138.9%	5.6%	180	36	368	31	188	104.4%	4.6%	8
Nevada	6,049	12,743	6,694	110.7%	4.8%	448	4	486	15	38	8.5%	0.5%	46
New Mexico	3,271	6,315	3,044	93.1%	4.2%	197	34	316	36	119	60.4%	3.0%	23
Oregon	6,583	14,131	7,548	114.7%	4.9%	174	38	371	30	197	113.2%	4.8%	5
Utah	2,699	6,422	3,723	137.9%	5.6%	146	46	232	45	86	58.9%	2.9%	24
Washington	9,959	17,926	7,967	80.0%	3.7%	192	35	272	41	80	41.7%	2.2%	32
Wyoming	1,063	2,084	1,021	96.0%	4.3%	226	30	387	28	161	71.2%	3.4%	20
Total States	792,522	1,357,703	565,181	71.3%	3.4%	305		445		140	45.9%	2.4%	

* Incarceration rate is calculated as the number of inmates per 100,000 residents.
Source: U.S. Department of Justice, Office of Justice Programs, *Bureau of Justice Statistics Bulletin Annual Prison Reports*.
The 2008 data was obtained from <http://bjs.ojp.usdoj.gov/content/pub/pdf/p08.pdf>, accessed October 19, 2010.

APPENDIX G

CRIME RATES IN COLORADO

Appendix G

Reported Crime in Colorado - Bureau of Justice Statistics Online Data										
Year	Index offense rate	Violent Crime rate	Murder and nonnegligent manslaughter rate	Forcible rape rate	Robbery rate	Aggravated assault rate	Property crime rate	Burglary rate	Larceny-theft rate	Motor vehicle theft rate
1960	2,172.4	137.3	4.2	13.1	77.7	42.4	2,035.1	569.9	1,251.4	213.8
1961	2,404.0	149.3	4.7	12.9	91.7	40.0	2,254.7	655.9	1,322.3	276.5
1962	2,667.1	156.8	5.0	14.8	85.2	51.8	2,510.3	681.1	1,507.1	322.2
1963	2,660.8	130.3	4.8	14.5	68.3	42.6	2,530.5	670.5	1,553.5	306.5
1964	2,728.7	158.6	4.2	17.1	67.3	70.1	2,570.1	679.9	1,619.0	271.2
1965	2,704.5	152.7	3.5	16.2	54.5	78.6	2,551.8	650.9	1,652.2	248.7
1966	3,009.6	168.9	4.0	17.3	53.8	93.8	2,840.7	711.0	1,831.3	298.3
1967	3,309.1	191.8	4.1	20.9	67.9	98.9	3,117.2	789.4	2,019.5	308.4
1968	3,862.6	263.0	5.4	26.1	96.5	135.0	3,599.6	917.0	2,262.0	420.6
1969	4,498.2	298.8	5.3	28.8	110.7	154.0	4,199.4	1,133.2	2,559.2	507.0
1970	5,318.2	356.7	6.2	36.0	129.1	185.4	4,961.4	1,380.9	2,992.1	588.4
1971	5,517.0	373.6	6.5	38.4	134.9	193.8	5,143.3	1,450.0	3,128.5	564.8
1972	5,593.6	405.4	8.3	38.4	141.4	217.3	5,188.2	1,580.1	3,018.8	589.3
1973	5,495.8	414.0	7.9	38.7	162.9	204.4	5,081.9	1,598.8	2,910.6	572.5
1974	6,165.8	429.8	6.0	36.5	165.7	221.6	5,736.0	1,843.1	3,354.2	538.6
1975	6,675.5	463.1	7.4	41.5	174.1	240.1	6,212.4	2,001.2	3,744.0	467.2
1976	6,782.4	417.0	6.8	33.8	139.7	236.7	6,365.4	1,879.9	4,043.5	442.0
1977	6,827.5	511.9	6.3	42.0	170.7	292.9	6,315.6	1,935.2	3,903.2	477.1
1978	6,832.4	498.0	7.3	49.6	159.2	281.9	6,334.5	1,869.6	3,977.0	487.9
1979	7,051.1	522.1	5.8	53.1	157.0	306.1	6,529.0	1,794.4	4,253.2	481.4
1980	7,333.5	528.6	6.9	52.5	160.1	309.2	6,804.9	2,030.8	4,325.8	448.3
1981	7,353.2	531.7	8.1	45.6	159.5	318.5	6,821.4	2,031.6	4,375.9	413.9
1982	7,079.9	504.2	6.0	44.5	150.6	303.1	6,575.7	1,749.1	4,429.3	397.3
1983	6,627.1	476.4	6.4	41.9	126.4	301.7	6,150.7	1,532.4	4,245.7	372.7
1984	6,471.1	457.8	5.8	39.0	114.0	299.0	6,013.3	1,561.3	4,054.7	397.3
1985	6,919.1	471.0	5.8	40.9	124.2	300.1	6,448.0	1,748.1	4,267.0	432.9
1986	7,031.9	523.6	7.0	42.3	144.8	329.4	6,508.3	1,791.6	4,230.8	486.0
1987	6,451.3	467.5	5.8	40.8	118.8	302.1	5,983.8	1,534.6	4,012.9	436.3
1988	6,178.3	472.6	5.7	38.6	98.8	329.5	5,705.7	1,383.1	3,900.6	422.0
1989	6,039.4	471.4	4.4	36.2	90.0	340.8	5,568.0	1,250.4	3,864.8	452.9
1990	6,053.7	526.0	4.2	46.2	90.6	385.0	5,527.8	1,208.8	3,890.6	428.4
1991	6,074.1	559.3	5.9	47.0	107.4	398.9	5,514.8	1,158.3	3,930.0	426.4
1992	5,958.8	578.8	6.2	47.3	120.5	404.9	5,379.9	1,090.9	3,780.1	509.0
1993	5,526.8	567.3	5.8	45.8	116.7	399.0	4,959.5	1,009.8	3,499.4	450.3
1994	5,318.4	509.6	5.4	43.2	106.9	354.0	4,808.8	925.7	3,490.2	392.9
1995	5,396.3	440.2	5.8	39.5	96.2	298.7	4,956.1	934.1	3,634.5	387.5
1996	5,118.5	404.5	4.7	46.2	98.2	255.4	4,714.0	900.8	3,415.5	397.8
1997	4,650.4	363.2	4.0	43.1	83.3	232.8	4,287.2	796.1	3,077.3	413.7
1998	4,487.5	377.9	4.6	47.4	81.5	244.4	4,109.5	786.5	2,917.9	405.1
1999	4,063.4	340.5	4.6	41.4	75.3	219.2	3,722.9	665.2	2,693.0	364.8
2000	3,982.6	334.0	3.1	41.2	70.5	219.1	3,648.6	630.8	2,623.5	394.3
2001	4,218.9	350.7	3.6	43.7	80.5	222.9	3,868.2	645.9	2,747.1	475.2
2002	4,353.2	352.9	4.0	45.9	79.5	223.5	4,000.3	703.8	2,781.4	515.1
2003	4,298.1	346.5	4.1	42.1	82.2	218.2	3,951.6	712.3	2,737.6	501.7
2004	4,292.8	373.5	4.4	42.5	81.5	245.1	3,919.3	717.3	2,679.0	522.9
2005	4,436.0	396.5	3.7	43.4	84.6	264.7	4,039.5	744.8	2,735.2	559.5
2006	3,842.9	391.6	3.3	43.7	80.7	264.0	3,451.3	682.1	2,331.8	437.5
2007	3,353.9	347.8	3.1	41.1	71.0	232.5	3,006.1	591.4	2,069.3	345.4
2008	3,206.3	347.1	3.2	42.4	68.3	233.2	2,859.2	571.8	2,015.5	271.9
2009	3,004.0	337.8	3.5	44.6	67.4	222.3	2,666.2	530.4	1,887.9	247.9

Notes: When data are unavailable, the cells are blank or the year is not presented.

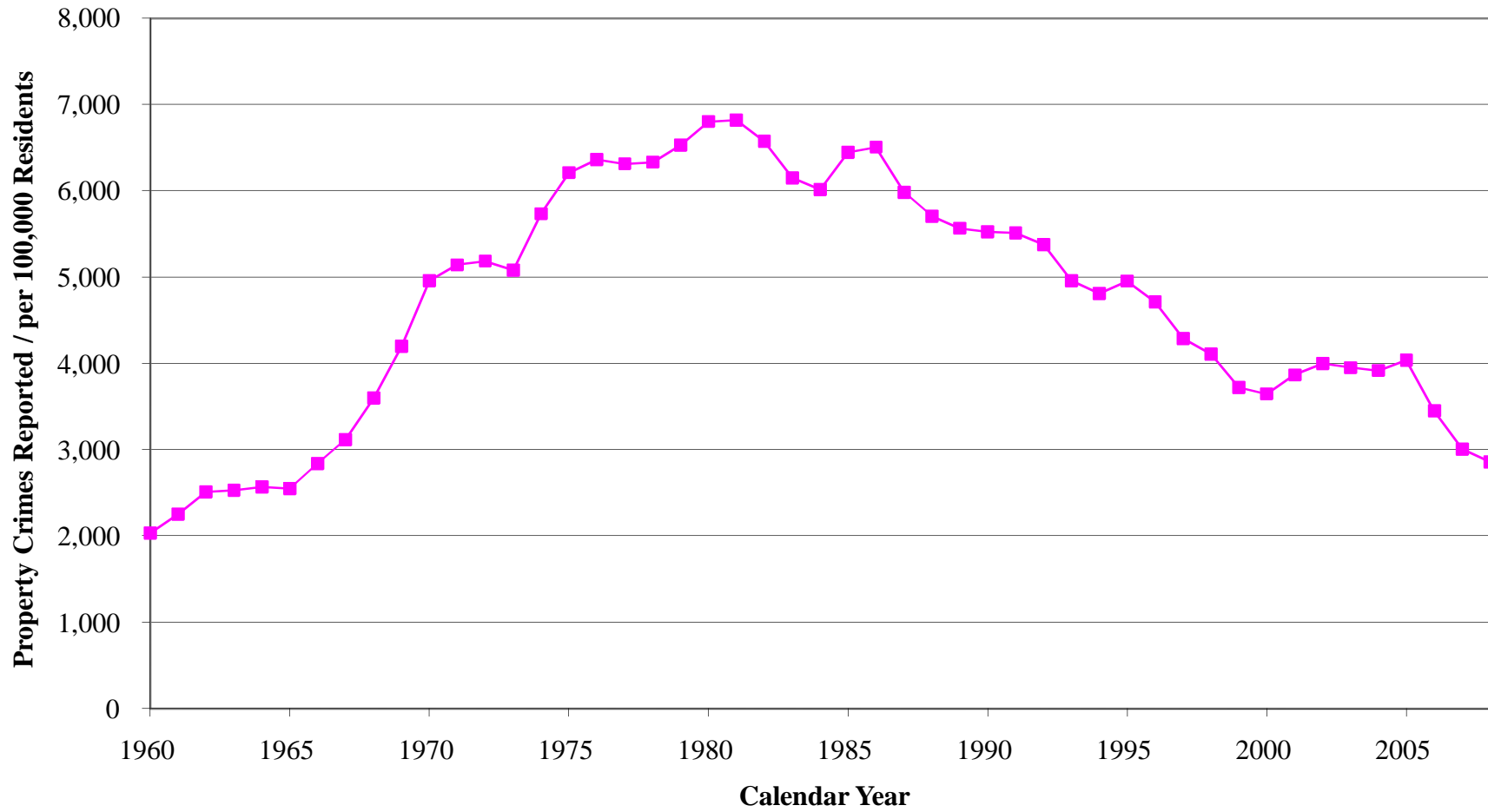
State offense totals are based on data from all reporting agencies and estimates for unreported areas.

Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data

Date of download: October 19, 2010 (<http://bjs.ojp.usdoj.gov>)

Appendix G

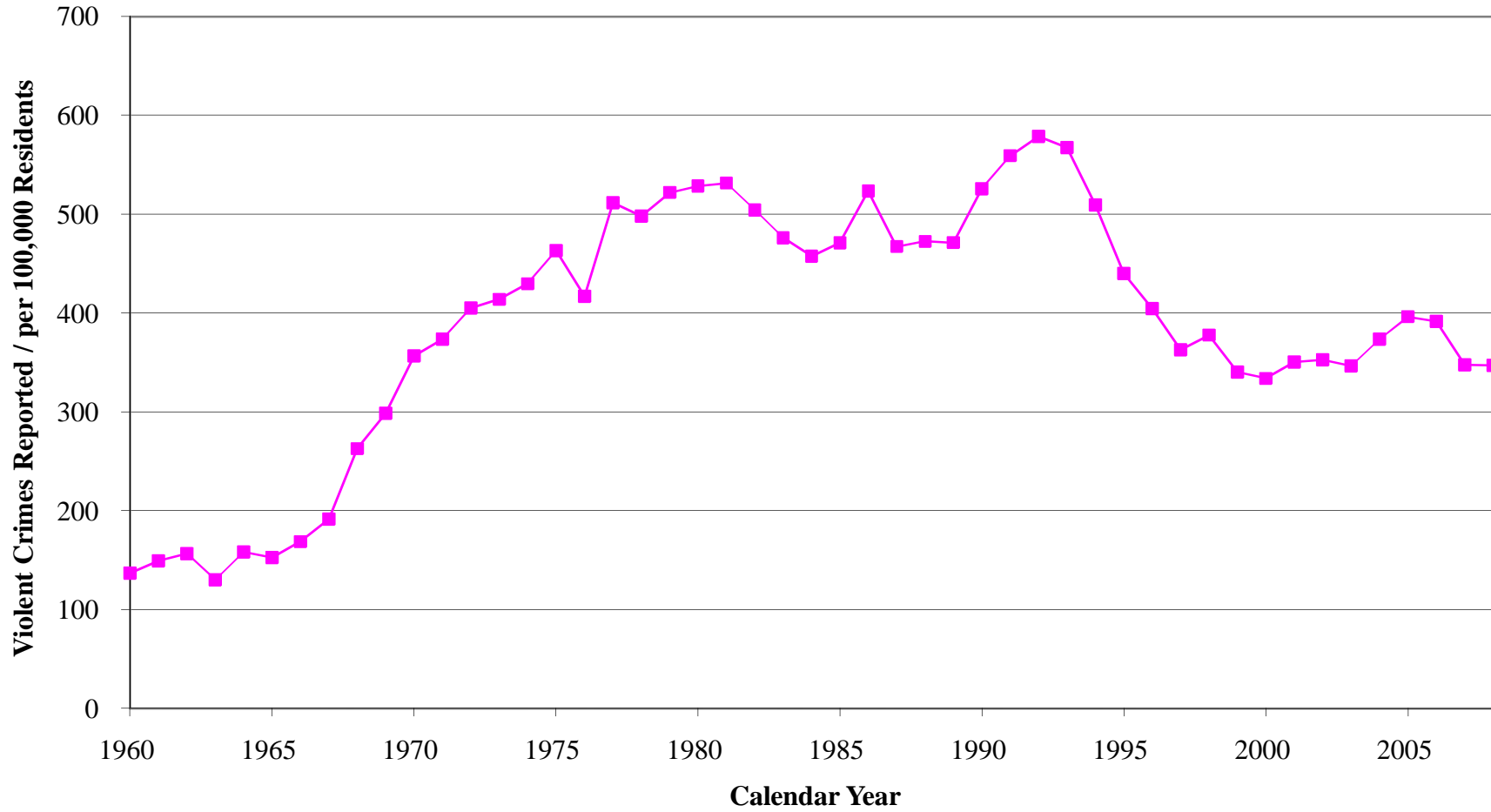
Colorado Property Crime Rates



Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data. Date of download: October 19, 2010 (<http://bjs.ojp.usdoj.gov>)

Appendix G

Colorado Violent Crime Rates



Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data. Date of download: October 19, 2010 (<http://bjs.ojp.usdoj.gov>)

APPENDIX H

COLORADO INMATE POPULATION BY CRIME TYPE

Appendix H

Inmate Population Most Serious Offenses
as of June 30 each Year

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Change 96 to 09	
VIOLENT:																
1st Degree Murder	446	469	678	712	748	788	817	859	894	n/a	971	1,015	1,100	1,227	781	175.1%
2nd Degree Murder	357	391	506	527	567	592	629	653	678	n/a	750	770	822	767	410	114.8%
Manslaughter	111	119	118	113	108	101	100	98	87	n/a	87	84	82	222	111	100.0%
Homicide	86	92	103	111	119	125	137	163	168	n/a	196	203	227	94	8	9.3%
Negligent Homicide	15	15	12	18	22	25	18	12	10	n/a	13	15	n/a	n/a	(15)	n/a
Aggravated Robbery	530	522	607	632	671	702	740	775	829	n/a	891	924	983	595	65	12.3%
Simple Robbery	297	292	321	346	372	393	411	411	468	n/a	483	443	549	1,009	712	239.7%
Kidnaping	235	245	270	258	287	301	330	334	353	n/a	373	473	500	551	316	134.5%
Assault	812	869	1,079	1,120	1,224	1,254	1,331	1,411	1,495	n/a	1,604	1,685	2,078	2,150	1,338	164.8%
Menacing	259	314	340	384	414	493	565	616	618	n/a	658	720	697	750	491	189.6%
Sexual Assault	451	481	629	739	796	794	762	736	671	n/a	624	432	839	905	454	100.7%
Sexual Assault/ Exploit of Child	773	851	968	946	1,010	1,031	933	886	816	n/a	704	860	1,646	1,638	865	111.9%
Incest	72	68	72	72	77	78	70	56	55	n/a	49	44	n/a	n/a	n/a	n/a
Vehicular Assault	55	51	63	89	87	105	122	123	139	n/a	133	151	n/a	n/a	(55)	n/a
Att/Consp/Acc to Violent Crimes	590	629	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson	39	40	48	60	64	60	63	61	58	n/a	69	57	71	62	23	59.0%
Weapons/Explosives	50	65	68	53	65	75	74	77	87	n/a	143	142	170	148	98	196.0%
Child Abuse	110	119	179	205	236	287	316	368	406	n/a	496	313	666	741	631	573.6%
Sex Offender Act	39	40	36	45	70	180	315	494	658	n/a	910	1,053	n/a	n/a	(39)	n/a
SUBTOTAL	5,327	5,672	6,097	6,430	6,937	7,384	7,733	8,133	8,490	n/a	9,154	9,384	10,430	10,859	5,532	103.8%
NON-VIOLENT:																
Drug Offenses	1,463	1,812	2,441	2,800	3,130	3,291	3,691	3,771	3,932	n/a	4,165	4,196	4,502	4,373	2,910	198.9%
Att/Consp/Acc to Non-violent Crimes	589	628	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Theft	701	816	1,087	1,058	1,169	1,191	1,322	1,392	1,459	n/a	1,754	1,771	2,144	1,832	1,131	161.3%
Escape/Contraband	875	990	975	1,015	1,183	1,234	1,309	1,295	1,334	n/a	2,021	2,559	1,073	1,074	n/a	n/a
Burglary	1,041	1,046	1,234	1,256	1,346	1,378	1,398	1,436	1,436	n/a	1,519	1,542	1,818	1,800	759	72.9%
Traffic	154	166	214	265	228	185	180	191	191	n/a	172	170	206	220	66	42.9%
Trespassing	263	272	367	396	400	416	452	500	460	n/a	524	509	719	689	426	162.0%
Forgery	172	181	212	223	233	223	266	257	250	n/a	383	354	380	374	202	117.4%
M. V. Theft	181	191	268	308	313	334	376	455	473	n/a	565	572	725	665	484	267.4%
Fraud/Embezzlement	82	81	88	71	83	83	102	98	93	n/a	94	115	63	388	306	373.2%
Family Crimes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Habitual	334	373	400	425	460	483	554	562	596	n/a	574	583	n/a	n/a	n/a	n/a
Miscellaneous	78	89	308	338	364	452	484	551	633	n/a	832	537	698	684	606	776.9%
SUBTOTAL	5,933	6,645	7,594	8,155	8,909	9,270	10,134	10,508	10,857	n/a	12,603	12,908	12,328	12,099	6,166	103.9%
TOTAL	11,260	12,317	13,691	14,585	15,846	16,654	17,867	18,641	19,347	n/a	21,757	22,292	22,758	22,958	11,698	103.9%

Appendix H

Inmate Population Most Serious Offenses
Percent Increase Over Prior Year

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
VIOLENT:														
1st Degree Murder	n/a	5.2%	44.6%	5.0%	5.1%	5.3%	3.7%	5.1%	4.1%	n/a	n/a	4.5%	8.4%	11.5%
2nd Degree Murder	n/a	9.5%	29.4%	4.2%	7.6%	4.4%	6.3%	3.8%	3.8%	n/a	n/a	2.7%	6.8%	-6.7%
Manslaughter	n/a	7.2%	-0.8%	-4.2%	-4.4%	-6.5%	-1.0%	-2.0%	-11.2%	n/a	n/a	-3.4%	-2.4%	170.7%
Vehicular Homicide	n/a	7.0%	12.0%	7.8%	7.2%	5.0%	9.6%	19.0%	3.1%	n/a	n/a	3.6%	11.8%	-58.6%
Negligent Homicide	n/a	0.0%	-20.0%	50.0%	22.2%	13.6%	-28.0%	-33.3%	-16.7%	n/a	n/a	15.4%	n/a	n/a
Aggravated Robbery	n/a	-1.5%	16.3%	4.1%	6.2%	4.6%	5.4%	4.7%	7.0%	n/a	n/a	3.7%	6.4%	-39.5%
Simple Robbery	n/a	-1.7%	9.9%	7.8%	7.5%	5.6%	4.6%	0.0%	13.9%	n/a	n/a	-8.3%	23.9%	83.8%
Kidnaping	n/a	4.3%	10.2%	-4.4%	11.2%	4.9%	9.6%	1.2%	5.7%	n/a	n/a	26.8%	5.7%	10.2%
Assault	n/a	7.0%	24.2%	3.8%	9.3%	2.5%	6.1%	6.0%	6.0%	n/a	n/a	5.0%	23.3%	3.5%
Menacing	n/a	21.2%	8.3%	12.9%	7.8%	19.1%	14.6%	9.0%	0.3%	n/a	n/a	9.4%	-3.2%	7.6%
Sexual Assault	n/a	6.7%	30.8%	17.5%	7.7%	-0.3%	-4.0%	-3.4%	-8.8%	n/a	n/a	-30.8%	94.2%	7.9%
Sexual Assault/ Exploit of Child	n/a	10.1%	13.7%	-2.3%	6.8%	2.1%	-9.5%	-5.0%	-7.9%	n/a	n/a	22.2%	91.4%	-0.5%
Incest	n/a	n/a	5.9%	0.0%	6.9%	1.3%	-10.3%	-20.0%	-1.8%	n/a	n/a	-10.2%	n/a	n/a
Vehicular Assault	n/a	-7.3%	23.5%	41.3%	-2.2%	20.7%	16.2%	0.8%	13.0%	n/a	n/a	13.5%	n/a	n/a
Att/Consp/Acc to Violent Crimes	n/a	6.6%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson	n/a	2.6%	20.0%	25.0%	6.7%	-6.3%	5.0%	-3.2%	-4.9%	n/a	n/a	-17.4%	24.6%	-12.7%
Weapons/Explosives	n/a	30.0%	4.6%	-22.1%	22.6%	15.4%	-1.3%	4.1%	13.0%	n/a	n/a	-0.7%	19.7%	-12.9%
Child Abuse	n/a	8.2%	50.4%	14.5%	15.1%	21.6%	10.1%	16.5%	10.3%	n/a	n/a	-36.9%	112.8%	11.3%
Sex Offender Act	n/a	2.6%	-10.0%	25.0%	55.6%	157.1%	75.0%	56.8%	33.2%	n/a	n/a	15.7%	n/a	n/a
SUBTOTAL	n/a	6.5%	7.5%	5.5%	7.9%	6.4%	4.7%	5.2%	4.4%	n/a	n/a	2.5%	13.9%	15.7%
NON-VIOLENT:														
Drug Offenses	n/a	23.9%	34.7%	14.7%	11.8%	5.1%	12.2%	2.2%	4.3%	n/a	n/a	0.7%	7.3%	-2.9%
Att/Consp/Acc to Non-violent Crimes	n/a	6.6%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Theft	n/a	16.4%	33.2%	-2.7%	10.5%	1.9%	11.0%	5.3%	4.8%	n/a	n/a	1.0%	21.1%	-14.6%
Escape/Contraband	n/a	13.1%	-1.5%	4.1%	16.6%	4.3%	6.1%	-1.1%	3.0%	n/a	n/a	26.6%	-58.1%	0.1%
Burglary	n/a	0.5%	18.0%	1.8%	7.2%	2.4%	1.5%	2.7%	0.0%	n/a	n/a	1.5%	17.9%	-1.0%
Traffic	n/a	7.8%	28.9%	23.8%	-14.0%	-18.9%	-2.7%	6.1%	0.0%	n/a	n/a	-1.2%	21.2%	6.8%
Trespassing	n/a	3.4%	34.9%	7.9%	1.0%	4.0%	8.7%	10.6%	-8.0%	n/a	n/a	-2.9%	41.3%	-4.2%
Forgery	n/a	5.2%	17.1%	5.2%	4.5%	-4.3%	19.3%	-3.4%	-2.7%	n/a	n/a	-7.6%	7.3%	-1.6%
M. V. Theft	n/a	5.5%	40.3%	14.9%	1.6%	6.7%	12.6%	21.0%	4.0%	n/a	n/a	1.2%	26.7%	-8.3%
Fraud/Embezzlement	n/a	-1.2%	8.6%	-19.3%	16.9%	0.0%	22.9%	-3.9%	-5.1%	n/a	n/a	22.3%	-45.2%	515.9%
Family Crimes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Habitual	n/a	11.7%	7.2%	6.3%	8.2%	5.0%	14.7%	1.4%	6.0%	n/a	n/a	1.6%	n/a	n/a
Miscellaneous	n/a	14.1%	246.1%	9.7%	7.7%	24.2%	7.1%	13.8%	14.9%	n/a	n/a	-35.5%	30.0%	-2.0%
SUBTOTAL	n/a	12.0%	14.3%	7.4%	9.2%	4.1%	9.3%	3.7%	3.3%	n/a	n/a	2.4%	-2.2%	-6.3%
TOTAL	n/a	9.4%	11.2%	6.5%	8.6%	5.1%	7.3%	4.3%	3.8%	n/a	n/a	2.5%	4.6%	3.0%

Appendix H

Inmate Population Most Serious Offenses
Percent of Total Population

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
VIOLENT:														
1st Degree Murder	4.0%	3.8%	5.0%	4.9%	4.7%	4.7%	4.6%	4.6%	4.6%	n/a	4.5%	4.6%	4.8%	5.3%
2nd Degree Murder	3.2%	3.2%	3.7%	3.6%	3.6%	3.6%	3.5%	3.5%	3.5%	n/a	3.4%	3.5%	3.6%	3.3%
Manslaughter	1.0%	1.0%	0.9%	0.8%	0.7%	0.6%	0.6%	0.5%	0.4%	n/a	0.4%	0.4%	0.4%	1.0%
Vehicular Homicide	0.8%	0.7%	0.8%	0.8%	0.8%	0.8%	0.8%	0.9%	0.9%	n/a	0.9%	0.9%	1.0%	0.4%
Negligent Homicide	0.1%	0.1%	0.1%	0.1%	0.1%	0.2%	0.1%	0.1%	0.1%	n/a	0.1%	0.1%	n/a	n/a
Aggravated Robbery	4.7%	4.2%	4.4%	4.3%	4.2%	4.2%	4.1%	4.2%	4.3%	n/a	4.1%	4.1%	4.3%	2.6%
Simple Robbery	2.6%	2.4%	2.3%	2.4%	2.3%	2.4%	2.3%	2.2%	2.4%	n/a	2.2%	2.0%	2.4%	4.4%
Kidnaping	2.1%	2.0%	2.0%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%	n/a	1.7%	2.1%	2.2%	2.4%
Assault	7.2%	7.1%	7.9%	7.7%	7.7%	7.5%	7.4%	7.6%	7.7%	n/a	7.4%	7.6%	9.1%	9.4%
Menacing	2.3%	2.5%	2.5%	2.6%	2.6%	3.0%	3.2%	3.3%	3.2%	n/a	3.0%	3.2%	3.1%	3.3%
Sexual Assault	4.0%	3.9%	4.6%	5.1%	5.0%	4.8%	4.3%	3.9%	3.5%	n/a	2.9%	1.9%	3.7%	3.9%
Sexual Assault/ Exploit of Child	6.9%	6.9%	7.1%	6.5%	6.4%	6.2%	5.2%	4.8%	4.2%	n/a	3.2%	3.9%	7.2%	7.1%
Incest	n/a	0.6%	0.5%	0.5%	0.5%	0.5%	0.4%	0.3%	0.3%	n/a	0.2%	0.2%	n/a	n/a
Vehicular Assault	0.5%	0.4%	0.5%	0.6%	0.5%	0.6%	0.7%	0.7%	0.7%	n/a	0.6%	0.7%	n/a	n/a
Att/Consp/Acc to Violent Crimes	5.2%	5.1%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson	0.3%	0.3%	0.4%	0.4%	0.4%	0.4%	0.4%	0.3%	0.3%	n/a	0.3%	0.3%	0.3%	0.3%
Weapons/Explosives	0.4%	0.5%	0.5%	0.4%	0.4%	0.5%	0.4%	0.4%	0.4%	n/a	0.7%	0.6%	0.7%	0.6%
Child Abuse	1.0%	1.0%	1.3%	1.4%	1.5%	1.7%	1.8%	2.0%	2.1%	n/a	2.3%	1.4%	2.9%	3.2%
Sex Offender Act	0.3%	0.3%	0.3%	0.3%	0.4%	1.1%	1.8%	2.7%	3.4%	n/a	4.2%	4.7%	n/a	n/a
SUBTOTAL	47.3%	46.1%	44.5%	44.1%	43.8%	44.3%	43.3%	43.6%	43.9%	n/a	42.1%	42.1%	45.8%	47.3%
NON-VIOLENT:														
Drug Offenses	13.0%	14.7%	17.8%	19.2%	19.8%	19.8%	20.7%	20.2%	20.3%	n/a	19.1%	18.8%	19.8%	19.0%
Att/Consp/Acc to Non-violent Crimes	5.2%	5.1%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Theft	6.2%	6.6%	7.9%	7.3%	7.4%	7.2%	7.4%	7.5%	7.5%	n/a	8.1%	7.9%	9.4%	8.0%
Escape/Contraband	7.8%	8.0%	7.1%	7.0%	7.5%	7.4%	7.3%	6.9%	6.9%	n/a	9.3%	11.5%	4.7%	4.7%
Burglary	9.2%	8.5%	9.0%	8.6%	8.5%	8.3%	7.8%	7.7%	7.4%	n/a	7.0%	6.9%	8.0%	7.8%
Traffic	1.4%	1.3%	1.6%	1.8%	1.4%	1.1%	1.0%	1.0%	1.0%	n/a	0.8%	0.8%	0.9%	1.0%
Trespassing	2.3%	2.2%	2.7%	2.7%	2.5%	2.5%	2.5%	2.7%	2.4%	n/a	2.4%	2.3%	3.2%	3.0%
Forgery	1.5%	1.5%	1.5%	1.5%	1.5%	1.3%	1.5%	1.4%	1.3%	n/a	1.8%	1.6%	1.7%	1.6%
M. V. Theft	1.6%	1.6%	2.0%	2.1%	2.0%	2.0%	2.1%	2.4%	2.4%	n/a	2.6%	2.6%	3.2%	2.9%
Fraud/Embezzlement	0.7%	0.7%	0.6%	0.5%	0.5%	0.5%	0.6%	0.5%	0.5%	n/a	0.4%	0.5%	0.3%	1.7%
Family Crimes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Habitual	3.0%	3.0%	2.9%	2.9%	2.9%	2.9%	3.1%	3.0%	3.1%	n/a	2.6%	2.6%	n/a	n/a
Miscellaneous	0.7%	0.7%	2.2%	2.3%	2.3%	2.7%	2.7%	3.0%	3.3%	n/a	3.8%	2.4%	3.1%	3.0%
SUBTOTAL	52.7%	53.9%	55.5%	55.9%	56.2%	55.7%	56.7%	56.4%	56.1%	n/a	57.9%	57.9%	54.2%	52.7%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	n/a	100.0%	100.0%	100.0%	100.0%

APPENDIX I

DEPARTMENT OF CORRECTIONS FACILITY COST

Appendix I

**Department of Correction
Summary of Average Bed Cost
1-Nov-2010
(based on report prepared by the DOC)**

	FY 2002-03	FY 2003-04	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	
Annual Costs:										
Level I Facilities	22,531	20,644	21,217	21,747	22,579	24,028	26,225	25,930	TBD	
Level II Facilities	24,729	22,867	22,685	22,995	23,397	24,532	26,875	26,703	TBD	
Level III Facilities	25,988	24,721	25,203	26,076	27,302	28,463	30,324	30,631	TBD	
Level IV Facilities	28,835	27,109	28,707	28,419	28,576	31,394	32,197	32,788	TBD	
Level V Facilities	31,912	30,153	30,682	31,930	33,544	35,679	37,913	37,332	TBD	
All Facilities	27,824	26,247	26,813	27,587	28,758	30,386	32,339	32,335	TBD	
Daily Costs:										
Level I	61.73	56.56	58.13	59.58	61.86	65.83	71.85	71.04	TBD	
Level II	67.75	62.65	62.15	63.00	64.10	67.21	73.63	73.16	TBD	
Level III	71.20	67.73	69.05	71.44	74.80	77.98	83.08	83.92	TBD	
Level IV	79.00	74.27	78.65	77.86	78.29	86.01	88.21	89.83	TBD	
Level V	87.43	82.61	84.06	87.48	91.90	97.75	103.87	102.28	TBD	
All Facilities	76.23	71.91	73.46	75.58	78.79	83.25	88.60	88.59	TBD	
Community Services										
Parole	3,311	3,343	3,154	3,318	3,402	3,562	3,975	4,314	TBD	
Parole ISP	6,946	6,873	6,333	6,344	8,318	9,162	9,198	7,822	TBD	
YOS Aftercare	58,123	66,985	55,097	63,568	66,456	70,741	67,098	69,292	TBD	
Community Return-to-Custody (S.B. 03-252)	n/a	21,269	18,524	<i>Moved to Ext. Capacity</i>						
Community	3,442	3,449	3,770	4,077	4,114	4,581	4,628	4,088	TBD	
Community ISF	9,946	10,333	9,877	9,910	9,600	10,180	10,716	11,446	TBD	
External Capacity:										
Private Prisons										
Daily Rate	52.47	50.37	49.56	50.28	51.91	52.69	52.69	52.69	52.69	
Annual Cost	19,152	18,385	18,089	18,352	18,999	19,232	19,232	19,232	19,232	
Out-of-State Contract										
Daily Rate	n/a	n/a	51.00	n/a	54.00	54.00	n/a	n/a	n/a	
Annual Cost	n/a	n/a	18,615	n/a	19,710	19,710	n/a	n/a	n/a	
Jail Backlog										
Daily Rate	51.65	46.49	46.49	47.42	48.96	49.69	50.44	50.44	50.44	
Annual Cost	18,852	16,969	16,969	17,308	17,919	18,137	18,411	18,411	18,411	
Average Daily Cost (including DOC overhead) for all external capacity.										
Annual Cost (including DOC overhead) for all external capacity programs	n/a	54.37	55.25	56.44	57.82	59.28	61.19	59.10	TBD	
Annual Cost (including DOC overhead) for all external capacity programs	n/a	19,845	20,166	20,601	21,104	21,637	22,334	21,572	TBD	
Construction Cost										
Total Cost	169,845,807 = Sterling Correctional Facility			146,210,966 = CSPII						
Total Beds	2,445			948						
Cost per Bed	69,467			154,231						Estimated = 130,046

* Effective FY 2003-04, the Department began tracking the per inmate per day cost data for private prisons by allocating their estimated share of the DOC overhead costs. This method will allow for better comparative data with state prison costs.

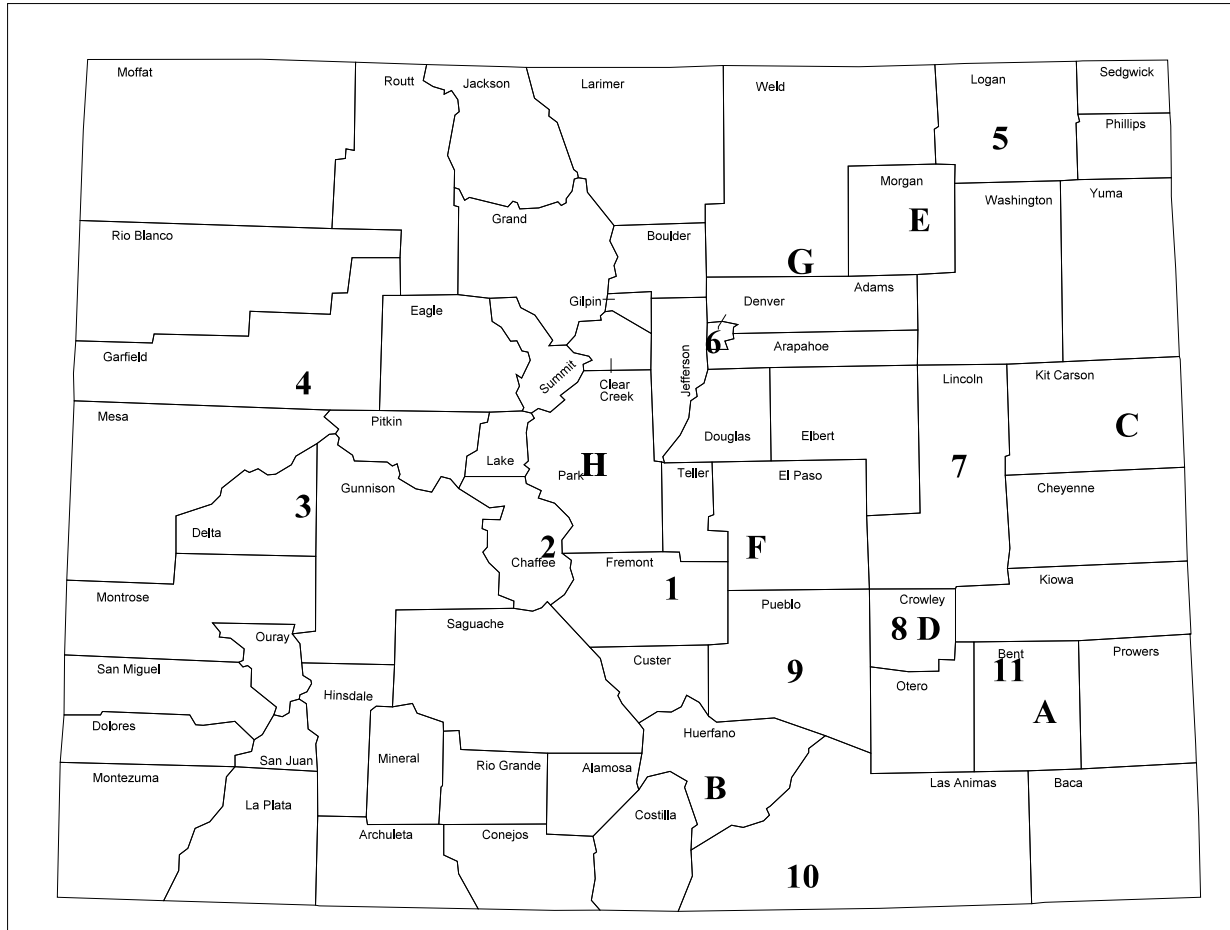
* Pursuant to the provisions of H.B. 04-1419, effective FY 2004-05, the private prisons do not have to reimburse the state for private prison monitoring costs. In FY 2003-04, this amount was \$0.81 per inmate per day. As such the total net reimbursement from the state to providers from FY 2003-04 to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

APPENDIX J

MAP OF CORRECTIONAL FACILITIES IN COLORADO

APPENDIX J

Map of Colorado Correctional Facilities



Colorado State Facilities:

- I. Cañon City Area Facilities
 - a. Colorado Territorial Correctional Facility
 - b. Arrowhead Correctional Facility
 - c. Centennial Correctional Facility
 - d. Colorado State Penitentiary
 - e. Four Mile Correctional Center
 - f. Fremont Correctional Facility
 - g. Skyline Correctional Center
2. Buena Vista Correctional Facility
3. Delta Correctional Center
4. Rifle Correctional Center
5. Sterling Correctional Facility
6. Denver Area Facilities
 - a. Colorado Correctional Center
 - b. Denver Reception and Diagnostic Center
 - c. Denver Women's Correctional Facility
7. Limon Correctional Facility
8. Arkansas Valley Correctional Facility
9. Pueblo Area Facilities
 - a. La Vista Correctional Facility
 - b. San Carlos Correctional System
 - c. Youthful Offender System
10. Trinidad Correctional Facility
11. Fort Lyon Correctional Facility

Colorado Contract Facilities:

- A. Bent County Correctional Facility (Corrections Corporation of America)
- B. Huerfano Correctional Facility (Corrections Corporation of America)
- C. Kit Carson Correctional Facility (Corrections Corporation of America)
- D. Crowley County Correctional Facility (Corrections Corporation of America)
- E. High Plains Correctional Facility (Cornell Corrections)
- F. Cheyenne Mountain Re-entry Center (Community Education Centers)
- G. Hudson Correctional Facility (Cornell Corrections)

County Jails:

- H. Park County Jail

APPENDIX K

RECIDIVISM REDUCTION SUMMARY MATRIX

**Summary Matrix: DCJ Report to OSPB
FY 2008, FY 2009 and FY 2010 Recidivism Reduction Packages**

FY08	Funding	Description	Status Today	Outcomes Stated in Decision Items	Findings End of FY 2008
DYC	\$1.9M	Flexible funding for Continuum of Care Initiative	1,695 youth served with \$2,636/youth expended in FY08, 1,715 youth served with \$2,761/youth expended in FY09.	Not available	<ul style="list-style-type: none"> • Fewer youth at risk of reoffending as measured by the CJRA. • Commitment ADP has steadily decreased since implementation, to lowest point observed in 10 years. • Recombitment rates of discharged youth declined by 11.6% over comparison cohort. • Recidivism reduced by 9% over comparison cohort. • Average days in residential placement declined by 9.9% in FY08 and by 5.5% FY09 over the LOS of the comparison cohort.
DBH	\$1.3M	Expand Short-Term Intensive Residential Remediation Treatment (STIRRT)	Implemented in 4 sites; 2 new/2 existing: 50 beds for men; 23 beds for women. However, services at the Mesa county site were discontinued in FY 2010. The other three programs are providing ongoing services.	Not available	<ul style="list-style-type: none"> • 914 total participants FY08. • 892 total participants in FY09. • Between January 2008 and June 2009: <ul style="list-style-type: none"> ○ 90.2% successfully completed. ○ 44.0% went on to continuing care. ○ 6 month recidivism rate was 14.8%. ○ 12 month recidivism rate was 24.9%.
DCJ	\$1.7M	Expand Community Corrections by: <ul style="list-style-type: none"> • 20 diversion substance abuse therapeutic community (TC) beds • 65 mental health beds (20 diversion and 45 transition) • 74 transition beds 	<p>20 TC beds implemented at Addiction Research and Treatment Services (ARTS)</p> <p>65 mental health beds implemented in 4 programs.</p> <p>Remainder implemented in transition programs across the state.</p>	Not available	<ul style="list-style-type: none"> • Between 43.1% and 59.0% of Haven participants successfully terminated between FY05 and FY07. In FY08, successful terminations increased to 70.4%. Of those at risk for 2 years, none recidivated. • 51.4% of Peer I terminations in FY08 were successful, with a 2-year recidivism rate of 12.5%. • Between FY09 and FY10, 394 mental health clients have been discharged with 51.4% successful. Recidivism data are not available as discharged clients have not been at risk for an adequate period of time. • Successful transition program completion rates improved between FY05 and FY08 from 58.8% to 65.9%. In FY09 and FY10, successful completions fell slightly to 62.0% One-year recidivism rates of FY08 terminations declined by 14.0 percent over the previous year. Two-year recidivism rates declined by 7.0%.

FY09	Funding	Description	Status Today	Outcomes Stated in Decision Items	Findings to date
DYC	\$359K	Functional Family Treatment parole officer training	These funds were eliminated in FY09 budget reductions and this program was never implemented.	--5 fewer youth recommitted to DYC --reduce pre-discharge recidivism from 38.5% in FY06 to 35% --75% employment /in-school rate at discharge	A parole task force was created and motivational interviewing training underway. However, these funds were eliminated in the FY09 budget reductions and this program was never implemented.
DYC	\$666K	Reinstate SB94 funding	Evidence-based programs implemented in 22 judicial districts, statewide implementation of the CJRA.	--No court FTAs --No new charges while in the program --Less duplication of services --Services match youth needs	Statewide implementation of the CJRA to assess juveniles, build case plans, and make placement decisions fulfills the first principle of evidence-based practice. <ul style="list-style-type: none"> • Over 96 percent of preadjudicated and sentenced youth discharged in FY09 avoided failures to appear in court. • Over 88 percent of the youth discharged in FY09 did not receive new charges while in the program. • Over 89 percent of youth had positive or neutral reasons for leaving SB 94 programs in FY09.

FY09 Continued	Funding	Description	Status Today	Outcomes Stated in Decision Items	Findings to date
DHS	\$122K	HB1451—Expands DHS' Collaborative Management Program to 8 new counties	In FY09 there were 24 Colorado counties participating. OMNI Institute retained to conduct ongoing evaluation.	--Reduce duplication /fragmentation of services --encourage cost sharing --better family outcomes	In FY06, 4,752 children were served in 6 counties. First-year implementation costs in these 6 counties were in excess of \$600,000. In FY07, 9,557 children were served in 10 counties. Cumulative implementation costs estimated to be in excess of \$2 million. In FY08, 10,290 children were served in 17 counties, with an estimated implementation cost of approximately \$2.9 million. In FY09, 12,718 children served in 24 counties with implementation costs of \$3.4 million. Numerous positive juvenile and family outcomes have been reported.
DOC	\$1.8M	Parole wrap-around services	Funds eliminated in budget reductions for both FY 2009 and FY10.	--Reduce recidivism by 1% each calendar year to 47.7% by 2010.	Contracts awarded Oct 1 to 8 service providers. However, funds eliminated in budget reductions for both FY09 and FY10.
DOC	\$375K	In-prison substance abuse TC programming	Arrowhead TC to expand to a total of 195 substance abuse beds, an increase of 99 from the previous 96 beds.	--Reduce recidivism by 1% each calendar year to 47.7% by 2010.	Inadequate time has elapsed for any clients served under these funds to be successfully discharged. Therefore, no discharge information or recidivism data are available at this time.

FY09 Continued	Funding	Description	Status Today	Outcomes Stated in Decision Items	Findings to date
DOC	\$1.75M	Increase services to mentally ill	All of the 19 positions created have been filled. One clinician has been placed at virtually every DOC facility, and two at facilities with high mental health needs.	--Reduce recidivism by 1% each calendar year to 47.7% by 2010.	None Available.
DOC	\$644K	Expand academic/vocational training	All positions have been filled, with 5 GED instructors and 3 technical education program instructors.	--Reduce recidivism by 1% each calendar year to 47.7% by 2010.	None Available.
DCJ	\$2.3M	Expand community corrections by 162 diversion beds	Allocated 162 diversion beds on 7/1/09 across the state.	--Improved program outcomes	Discharge rates for FY10 are not available at this time. Additionally, recidivism data for these discharges will not be available for another year.
DCJ	\$778K	Provide 40 TC outpatient beds	40 TC outpatient beds implemented at ARTS.	--Improved program outcomes	As the LOS for those completing OP TC treatment is almost 2 years, outcome data will not be available for several more years.

FY10	Funding	Description	Status Today	Outcomes Stated in Decision Items	Findings to date
DYC	\$3.3M	Functional Family Therapy services	Funds eliminated in FY10 budget reduction.	Serve 480 juveniles	Not applicable.
DCJ	\$1.6M	Expand community corrections by 152 diversion beds	152 beds were distributed across 32 programs statewide. Not all are in use as planned due to decline in diversion referrals	Serve 152 additional clients	Not available at this time.
DCJ	\$482K	Add 44 therapeutic community diversion beds in southern Colorado	44 beds added to augment existing 14 beds. All are now completely utilized	Serve 24 people	58 clients have been admitted, with 40 discharges to date. Accurate outcome data will not be available for several years.
DCJ	\$197K	Accelerated non-residential pilot program for diversion clients	Implementation in progress	Serve 40 people	Not available a this time.
DCJ	\$160K	Add transition discharge planning services	Funds eliminated in FY10 budget reduction and services were not implemented.	Serve 2500 people	Not applicable.
DCJ	\$194K	Increase length of stay in transition Intensive Residential Treatment programs	Fully subscribed as of the end of FY10.	Serve 120 people	172 admissions and 158 terminations occurred during FY10.
DOC	\$1.1M	Implement pre-release curriculum and planning program	All positions currently filled with services implemented at 17 facilities	Serve 2000 people	Not available.
DOC	\$2.0M	Expand Therapeutic Community by 418 beds	Five new TC programs have been added but are not yet fully operational .	Serve 418 people	An inadequate amount of time has elapsed for clients served under these funds to be successfully discharged. Therefore, no discharge information or recidivism data are available at this time.
DOC	\$3.0M	Expand academic/vocational training	Funds eliminated as part of the FY10 budget reduction package.	Serve 2,056 people	Not applicable.
DHS	\$250K	Outpatient treatment services	Funds allocated statewide to provide SSIC curriculum.	Serve 324 people	While complete data are not available, a minimum of 459 individuals have been served.