

**Department of Corrections and Rehabilitation
Budget No. 530
House Bill No. 1015**

	FTE Positions	General Fund	Other Funds	Total
2019-21 legislative appropriation	899.79	\$229,678,076 ¹	\$41,955,889	\$271,633,965
2017-19 legislative appropriation	<u>845.29</u>	<u>214,336,704</u>	<u>39,264,160</u>	<u>253,600,864</u>
2019-21 appropriation increase (decrease) to 2017-19 appropriation	54.50	\$15,341,372	\$2,691,729	\$18,033,101

¹This amount includes \$1,391,250 of one-time funding. Excluding this amount, the agency's ongoing general fund appropriation is \$228,286,826.

Item Description

FTE changes - The Legislative Assembly authorized 899.79 FTE positions for DOCR for the 2019-21 biennium, an increase of 54.5 FTE positions from the 2017-19 biennium. The Legislative Assembly added 20 FTE correctional officer positions converted from temporary positions, 27.5 FTE positions relating to DOCR operating the Tompkins Rehabilitation and Corrections Center rather than DHS, and 7 FTE positions for a pretrial services pilot program in 3 judicial districts.

One-time funding - The Legislative Assembly provided \$3,222,950 of one-time funding for DOCR as follows:

	General Fund	Other Funds	Total
Elite servers	\$40,000		\$40,000
Roughrider Industries equipment		\$298,700	298,700
State Penitentiary extraordinary repairs	118,250	341,850	460,100
James River Correctional Center (JRCC) extraordinary repairs	386,000	44,888	430,888
Youth Correctional Center (YCC) extraordinary repairs	372,000	54,262	426,262
Roughrider Industries extraordinary repairs		15,000	15,000
Oracle offender management software upgrade		165,000	165,000
Contract payments and procurement system		100,000	100,000
Inmate tracking and management system		160,000	160,000
Inmate intake and movement system		240,000	240,000
Scan and screen devices		230,000	230,000
State Penitentiary redundant fence		160,000	160,000
JRCC portable x-ray device		22,000	22,000
YCC campus infrastructure study	75,000		75,000
DOCR Legislative Management study	400,000		400,000
Total	\$1,391,250	\$1,831,700	\$3,222,950

Status/Result

The Department of Corrections and Rehabilitation converted the 20 temporary correctional officer positions to FTE positions and filled the 27.5 FTE positions at the Tompkins Rehabilitation and Corrections Center by October 2019. The department has hired a pretrial services program manager and anticipates filling the six remaining pretrial services positions in July 2020.

The following is a summary of the status of DOCR's one-time funding:

Elite servers	The department has completed its replacement of the Elite servers.
Roughrider Industries equipment	The department has expended \$57,620 as of April 2020 and will continue replacing equipment as necessary.
Extraordinary repairs	The department has expended \$684,668 on extraordinary repairs as of April 2020. Projects include roof, gate, and sally port repair at the State Penitentiary; elevator, roof, fire alarm, and electrical repairs at JRCC; and roof, security locks, parking lot, gymnasium exterior, and other safety and security projects at YCC.
Oracle offender management software upgrade	The department has expended \$139,841 as of April 2020 and anticipates completing the software upgrade by the end of the biennium.
Contracts and payments and procurement system	The department has expended \$41,441 as of April 2020 and anticipates completing the system by the end of the biennium.
Inmate tracking and management system	The department is currently obtaining product specifications and has not expended any of the \$160,000 as of April 2020.

Inmate intake and movement system	The department is currently identifying system requirements and has not expended any of the \$240,000 as of April 2020.
Scan and screen devices	The department is currently obtaining product specifications and has not expended any of the \$230,000 as of April 2020.
State Penitentiary redundant fence	The department has expended \$78,833 as of April 2020 and anticipates completion of the project by the end of the biennium.
JRCC portable x-ray device	The department has completed its purchase of the portable x-ray device.
Studies	The department contracted with The Moss Group, Inc., in cooperation with CGL Companies for a total project cost of \$458,830 to assist with the YCC campus infrastructure study and the DOCR Legislative Management study. The Department of Corrections and Rehabilitation Review Committee met in August 2019, October 2019, and February 2020, during which it toured the State Penitentiary, Missouri River Correctional Center, and JRCC. The department anticipates receiving the final report from The Moss Group, Inc., in August 2020.

Free through recovery program - In Senate Bill No. 2015 (2017), the Legislative Assembly appropriated \$7 million from the general fund and authorized DOCR 1 FTE position for the community behavioral health program for the 2017-19 biennium. In addition, the Legislative Assembly appropriated \$7 million of special funds and authorized 6 FTE positions for the community behavioral health program in DHS. The source of funds appropriated to DHS was funding to be received from DOCR. In Section 9 of the bill, the Legislative Assembly provided for a community behavioral health plan as a term of parole or an alternative to incarceration.

The Department of Corrections and Rehabilitation, in cooperation with DHS, developed and implemented the free through recovery program during the 2017-18 interim. The Department of Corrections and Rehabilitation reported in April 2018 there were approximately 300 people participating in the program.

The 2019 Legislative Assembly continued the free through recovery program with ongoing funding of \$7 million from the general fund for the 2019-21 biennium. The Legislative Assembly also provided carryover authority for unspent funds appropriated from the general fund for the program in the 2017-19 biennium.

The Department of Corrections and Rehabilitation continued \$2,244,695 of unexpended 2017-19 biennium general fund authority for the free through recovery program into the 2019-21 biennium. The Department of Corrections and Rehabilitation reported 2,509 individuals have been involved in the free through recovery program since its inception and there were 1,131 active participants as of April 1, 2020. The Department of Corrections and Rehabilitation anticipates spending all appropriated funding for the program by the end of the 2019-21 biennium.

Prioritization of admission of inmates - In Section 10 of Senate Bill No. 2015 (2017), the Legislative Assembly created a new section to Chapter 12-44.1, relating to local management of inmate population. The section authorizes DOCR to refuse to admit inmates sentenced to the physical custody of DOCR when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in DOCR exceeding its authorized legislative appropriation.

Inmate populations - The following table summarizes the 2019-21 biennium inmate population projections used to develop the legislative appropriation:

	Male	Female	Total
Fiscal Year 2020			
July	1,482	203	1,685
August	1,486	205	1,691
September	1,490	207	1,697
October	1,495	209	1,704
November	1,499	211	1,710
December	1,503	213	1,716
January	1,507	215	1,722
February	1,511	217	1,728
March	1,515	219	1,734
April	1,519	221	1,740
May	1,524	223	1,747
June	1,528	225	1,753
Fiscal Year 2021			
July	1,532	227	1,759
August	1,536	228	1,764
September	1,541	229	1,770
October	1,545	229	1,774
November	1,549	229	1,778
December	1,554	229	1,783
January	1,558	229	1,787
February	1,562	229	1,791
March	1,565	229	1,794
April	1,565	229	1,794
May	1,565	229	1,794
June	1,565	229	1,794

The department estimated the maximum capacities at which it will need to prioritize admission of inmates are approximately 1,624 for men and 224 for women. The maximum capacities have limited flexibility due to the turnover of inmates in the facilities. The department reached operational capacity and had to prioritize admission of female inmates from July 2019 through October 2019. Due to the COVID-19 pandemic, DOCR has made an effort to "de-densify" facility populations, including the suspension of new inmate admissions. As of April 20, 2020, there were 87 individuals on COVID-19 deferred admission status. The department is working with county jail facilities to determine adequate reimbursement for the holding of inmates sentenced to DOCR.

The actual male and female inmate populations were more than estimated to begin the biennium; however, in response to the COVID-19 pandemic, 139 inmates have received early parole as of May 1, 2020, and DOCR has suspended the admission of new inmates. The tables below identify the actual monthly average inmate populations compared to the estimated populations for the period July 2019 through April 2020:

	Male Inmate Population Comparison			
	Legislative Estimated Population	Actual DOCR Population	Actual More (Less) Than Estimates	Deferred Admission
Fiscal Year 2020				
July	1,482	1,552	70	0
August	1,486	1,548	62	0
September	1,490	1,570	80	0
October	1,495	1,592	97	0
November	1,499	1,587	88	0
December	1,503	1,588	85	0
January	1,507	1,572	65	0
February	1,511	1,575	64	0
March	1,515	1,515	0	0
April	1,519	1,430	(89)	46

	Female Inmate Population Comparison			
	Legislative Estimated Population	Actual DOCR Population	Actual More (Less) Than Estimates	Deferred Admission
Fiscal Year 2020				
July	203	226	33	10
August	205	224	22	3
September	207	215	14	6
October	209	216	7	0
November	211	212	1	0
December	213	209	(4)	0
January	215	214	(1)	0
February	217	215	(2)	0
March	219	201	(18)	0
April	221	174	(47)	17