

FISCAL NOTE

This bill contains appropriations totaling \$2,834,396 from the GENERAL FUND to the Department of Corrections (DOC).

This bill contains an authorization of 2 full-time position(s). The DOC shall include these positions in its 2019-20 standard biennial budget request.

DETAIL OF APPROPRIATION

Agency #: 080 Agency Name: Department of Corrections
Unit: (new) Criminal Justice Reform

EXPENDITURE BY SERIES AND YEAR	FY 2017	FY 2018	FY 2019
0100 Personnel/Benefit Costs	\$0	\$66,840	\$0
0900 Contractual Services Costs	\$0	\$1,873,275	\$0
Total Expenditure Per Year:	\$0	\$1,940,115	\$0
Grand Total Expenditure:	\$1,940,115		
Total Appropriated to Agency:	\$2,834,396		
Total Appropriated by Fund:			
GENERAL FUND	\$2,834,396		

Description of appropriation:

The appropriation in the bill will allow the DOC to meet the bill's requirements for FY18 only. The contractual services will provide the treatment programming and intermediate jail sanctions required, but additional funding must occur after FY18 to allow for these services to extend into the 2019-20 biennium.

While the bill authorizes two additional positions, the additional duties will require only one additional probation & parole agent. Some responsibilities of this position will be oversight and assurance regarding offender referrals and compliance in the treatment program; collaborating with treatment providers to ensure case plan goals are met by offenders while in treatment; and facilitating the offender's transition from the treatment program to the community. This position will also provide the necessary quality assurance with the treatment providers and county jails to ensure they are meeting expectations outlined by the DOC. The funding needed for the one position is \$66,840 per year.

The reoccurring costs of the bill are estimated at \$2,535,740 per year (the \$2,468,900 appropriation in section 3(a) plus \$66,840 for one probation & parole agent). The cost in FY18 is less because of the time needed to implement the bill and the decreased personnel costs. The bill states the \$2,468,900 appropriated in section 3(a) shall not be included in DOC's 2019-20 standard budget request.

Overall, the ability to predict the number of offenders who will need the services outlined in the bill is indeterminable. Data shows approximately 70% of revocations are results of substance abuse issues (i.e. positive urinalysis screening, failure to complete treatment, etc.). This qualifies as an estimated total number of 300 offenders who are revoked annually and sentenced to a term of confinement as a result of substance abuse issues. The following costs are conservative estimates based on this data. Also included are estimates of avoided future costs for each section discussed. Avoided future costs are calculated as the total anticipated costs without the bill minus the costs of the bill.

The bill under W.S. 7-13-304(e), requires contractual services for sanctioned inpatient treatment. The bill appropriates \$1,788,500 for this in FY18. The FY18 expenditure is estimated at 75% of this amount, \$1,341,375, to allow three months for implementation. \$1,788,500 is also the anticipated cost for FY19. \$1,788,500 would serve a 70 bed unit; the estimated cost per day to meet the needs in the bill is \$70 ($\$70/\text{day} \times 70 \times 365 = \$1,788,500$). These numbers are believed to be conservative given the number of offenders revoked due to substance abuse related issues, but they also are reasonable for the DOC's ability to meet capacity. Please note that should the need for beds increase, the cost would also increase. This number is based on the rate of revocations associated with substance abuse issues. Assuming that probationers sanctioned to inpatient treatment fail at the same average rate as others sent to substance abuse treatment, the State would benefit from an estimated \$2,679,100 per year in avoided future confinement costs as a result of this part of the bill.

The bill under W.S. 7-13-1107(a)(b)(iii)(A) will cost DOC roughly \$86,400/year. The bill appropriates \$86,400 for FY18. This cost is based on an estimate of 80 offenders serving sanctions at the maximum number of 18 days to be placed in the county jail. The cost/day for jail sanction is estimated at \$60 ($80 \times 18 \times \$60 = \$86,400$). These estimates are based on the total number of revocations resulting in substance abuse related violations and excluding the number of offenders who may be placed in the treatment unit. Assuming probationers receiving administrative sanctions fail at the same average rate as others that previously received administrative sanctions under other processes, the State would benefit from an estimated \$2,962,000 per year in avoided future confinement costs as a result of this part of the bill.

The bill under W.S. 7-13-1107 (a)(b)(iii)(D) will cost \$594,000/year. The bill appropriates \$594,000 for FY18. The FY18 expenditure is estimated at 75% of this amount, \$445,500 to allow three months for implementation. This cost is based on an estimate that 4 county jails would participate with 5 offenders per location. This would serve a total of 20 offenders at a time with the average length at 90 days. A total of 80 offenders could participate in the contracted substance abuse treatment program per year. The cost per day for the jail is approximately \$60, and the additional treatment costs are an estimated \$156,000 annually. ($20 \times \$60 \times 365 = \$438,000 + \$156,000 = \$594,000$). This is a conservative estimate based on the number of offenders revoked as a result of substance abuse violations. Assuming that probationers sanctioned to jail fail at the same average rate as others previously sanctioned to jail under other processes, the State would benefit from an estimated \$1,987,280 per year in avoided future confinement costs as a result of this part of the bill.

The total future confinement costs avoided as a result of these three proposals is an estimated \$7,628,380 per year ($\$2,679,100 + \$2,962,000 + \$1,987,280$).

In addition to the avoided confinement costs described above, it is anticipated that this bill could also help the State avoid the cost of constructing between 144 and 160 additional prison beds prior to the year 2020 in order to house the current projected increase in prison population.

Prepared by: Jennifer Lockwood/Dean Temte, LSO Phone: 777-7881
(Information provided by Kayla Opdahl, Department of Corrections, 307-777-5983)