

**DEPARTMENT OF CORRECTIONS  
FY 2012-13 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Wednesday, January 5, 2012  
2:30 – 5:00 pm**

**2:30-2:45      INTRODUCTIONS AND OPENING COMMENTS**

**2:45-3:05      OVERVIEW QUESTIONS**

1. *[Sen. Lambert]* How does the General Fund growth shown in the chart on page 6 compare with growth in other states? Is Colorado number one on spending for Corrections as a percentage of the General Fund? What about spending per inmate?
2. *[Sen. Steadman]* What impact have the recent changes in Earned Time had on the prison population? How close to the Fiscal Note projections are the actual population changes? What groups of inmates are ineligible for Earned Time? For what reasons are they ineligible? If this was changed so that they are eligible for Earned Time, what would the impact be on the population? Can the General Assembly change the law so that they are now eligible?
3. *[Rep. Levy]* Is the Division of Criminal Justice the best place to locate community corrections? Is that the best place to locate the appropriations? Should it alternately be in the Department of Corrections or in the Judicial Branch?
4. *[Rep. Levy]* How many DOC FTE deal with offenders as compared to the number of FTE that are in administration? What are the ratios of correctional officers to inmates in the different facilities?
5. *[Rep. Gerou]* How does the Department define FTE? Is the Department using more FTE than are appropriated to the Department in the Long Bill and other legislation? How many vacant FTE did the Department have in FY 2009-10 and FY 2010-11?
6. *[Staff suggested]* How is the Department adjusting to the lower level of FTE in the FY 11-12 appropriation?
7. *[Rep. Tyler]* Does the state handle all transportation between prisons whether they be state or private?
8. *[Rep. Tyler]* Please report on the progress the department has made in determining the correct amount of time that offenders should remain in administrative segregation.

**3:05-3:40      DECISION ITEMS**

(Decision Item 3, Consolidate appropriations for San Carlos Correctional Facility with other DOC facilities)

9. *[Sen. Steadman]* Please explain why this facility has not been combined previously. What was the reason that San Carlos was appropriated separately in the Long Bill in the first place? What has changed to now make it more appropriate to combine San Carlos with the other programs?

(Decision Item 4, External Capacity Caseload)

10. *[Rep. Levy]* JBC staff calculates that the appropriation is 724 offenders too low. Is that an unusually large adjustment given that the population is falling?
11. *[Rep. Gerou and Sen. Steadman]* How does Colorado's percentage of private prisons compare with other states? How much would be saved by sending offenders to private prisons as opposed to state prisons? Please discuss how you calculate the difference in cost between a private and a state facility. Please give an apples-to-apples comparison that definitively answers the question of how private prisons costs compare to state prison costs.
12. *[Sen. Steadman]* What is the unused capacity available at private and state prisons in the state, including closed facilities? What is the capacity, both used and unused in state prisons?
13. *[Sen. Steadman]* Is there a wait list to step inmates down from Administrative Segregation to less restrictive facilities? If there is unused capacity, why is this happening?

(Decision Item 5, Per Offender Per Month Medical Expenses)

14. *[Sen. Steadman]* If population projections are going down, why are medical costs going up? Is it due to aging inmates? Is it due to inflation? Is it due to something else?
15. *[Sen. Lambert]* How does the cost of drugs in DOC compare to that of Medicaid? How do their formularies differ? What is driving the increase in medical costs? Break it down into all the factors that are causing the projected increases.
16. *[Rep. Gerou]* When was the last time the medical program in DOC was audited? What was the result of that audit?
17. *[Rep. Tyler]* Does this expense pertain to parole inmates, as well as inmates in prison?
18. *[Sen. Lambert]* Can parolees qualify for Medicaid? If they can, do we have difficulty getting parolees onto Medicaid? If they can't qualify for Medicaid, why not?

(NP-1, Fleet Replacement)

19. *[Sen. Lambert]* What percentage of the DOC fleet does this represent? How does this compare to other departments?

(Decision Item 2, Colorado Correctional Industries (CCi) Program Expansion)

20. *[Rep. Becker]* Shouldn't this save some General Fund? Will this harm private sector businesses? What impact does the catering operation at Sterling have on catering businesses in and around Sterling?

21. *[Rep. Becker]* When was the last time CCi was audited? What were the results of that audit?

(Base Reduction Item 1, Conservation Camp Program)

22. *[Rep. Becker]* Why doesn't the department do this in Ft. Lyon rather than in the boot-camp program? Please explain what process was used to suggest this as opposed to utilizing Ft. Lyon. Please explain how the cost structure for this BR is going to work, especially how the costs are offset by savings when a closed building has to be reopened.

23. *[Rep. Gerou]* Please explain why the JBC should not see this as scope creep.

### **3:40-3:50 NUMBERS PAGES OVERVIEW**

24. *[Rep. Becker]* What is the status of the closure of Ft. Lyon? What would it cost to delay the closure for six months? Please explain the 10 employee option that they are thinking about proposing as compared to what they are planning to do now? What is the status of repurposing the facility?

25. *[Sen. Lambert]* Should DOC have to take care of this facility? Why wouldn't it revert to the Department of Personnel and Administration for disposal? Isn't there a division in the Department of Personnel and Administration to decommission state properties?

### **3:50-4:00 BREAK**

### **4:00-4:15 PERFORMANCE-BASED GOALS AND THE DEPARTMENT'S FY 2012-13 BUDGET REQUEST ISSUE**

26. *[Rep. Gerou]* Please describe the process the Department used to develop its strategic plan.

27. *[Rep. Levy]* (Parole/Transition category) DOC proposes targets based on community-corrections progression and regression rates for offenders but these are not DOC-run programs, so how can DOC be responsible for them? How can DOC affect the community-corrections regression and progression rates?

28. *[Sen. Steadman]* (Parole/Transition category) What is the department doing to implement more evidence based programs to advance the goals of this area? Why isn't the Cheyenne Mountain Reentry Center being utilized more if the goal is to increase success in transition?
29. *[Sen. Lambert]* Do the measures of inmate-on-inmate and inmate-on-employee violence include private prisons?

**4:15-4:25      SEX OFFENDER TREATMENT ISSUE**

30. *[Sen. Lambert]* Are sex offenders moved among facilities more or less frequently than the rest of the population? Differentiate sex offenders who are undergoing treatment from those who are not if the answers are different. Are these moves from more secure to less secure, less to more, or lateral? If movement is different than the normal population, why? Why in general do inmates move between facilities?
31. *[Rep. Ryden]* Where does DOC get the people to staff the sex offender treatment program now? Does DOC have a problem getting qualified people?
32. *[Sen. Lambert]* Is sex offender treatment more analogous to a medical treatment?
33. *[Ryden and Rep. Levy]* How many offenders are eligible for sex offender treatment in DOC? How much would it cost to serve them all? What would be the funding impact if these inmates could be released from prison? How much money would that save?
34. *[Sen. Lambert]* Can the model used for treating sex offenders at the Grand Junction regional center for the developmentally disabled population be translated to DOC?
35. *[Rep. Levy and Ryden]* If the strategic plan goal is to increase the number of offenders participating in sex offender treatment services by 5 percent per year, how long will it take catch up with sex offender inmates who are beyond their parole eligibility dates? Is the strategic plan goal of a 5 percent per year increase in sex offenders participating in sex offender treatment in sync with Decision Item 1?

**4:25-4:35      THE STRUCTURE OF SALARIES AT THE DEPARTMENT OF CORRECTIONS ISSUE**

36. *[Rep. Levy]* What are the effects of the department's salary structure on employee safety, morale, and turnover?
37. *[Rep. Ryden]* Please provide a chart on turnover rates over time. How does this affect training costs?
38. *[Sen. Lambert]* How does this compare with private prisons? Do private prisons have a similar rank structure? Is there a morale problem in private prisons as well?

**4:35-4:45 REIMBURSEMENT OF DISTRICT ATTORNEY PROSECUTION COSTS**

39. *[Sen. Steadman]* What is the status of FY 2011-12 reimbursements to DA's? From where will it be paid if there is no supplemental? Should the JBC anticipate another supplemental request on this issue?
40. *[Sen. Steadman]* Does DOC expect the 13<sup>th</sup> judicial district DA to seek the death penalty for any of the murder cases in Sterling Correctional Facility?
41. *[Sen. Steadman]* In general, what is the value to DOC of prosecuting these inmate crimes. What is the deterrent effect of prosecuting an offender who already has a long sentence?

**4:45-5:00 PAROLE BOARD QUESTIONS - PRESENTED BY THE CHAIRMAN OF THE PAROLE BOARD, DR. ANTHONY P. YOUNG**

**INTRODUCTORY COMMENTS**

**PAROLE BOARD QUESTIONS**

1. *[Sen. Steadman]* Please update the committee on the status of changes in parole policy presumptions that were contained in H.B. 11-1064 (Parole Presumption for Certain Drug Offenders) and on the changes in S.B. 11-241 (Parole Board Changes). How are these bills working? Are they meeting the estimates that were laid out in the Fiscal Notes?
2. *[Rep. Levy]* What is the status of parole eligibility of offenders who are terminally ill? Is the parole board looking at any of these offenders for parole? Has the number changed since the implementation of the bill? If so, by how much? If not, why not?

**ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED (QUESTIONS COMMON TO ALL DEPARTMENTS)**

1. What is the Department's entire Information Technology (IT) budget for FY 2011-12 and FY 2012-13? Does the Office of Information Technology (OIT) manage the Department's entire IT budget? If not, what IT activities is the Department managing separate from OIT and what percentage is that of the entire IT budget for the Department for FY 2011-12 and FY 2012-13? Of the IT activities the Department still manages outside of OIT, what could be moved to OIT?

2. What hardware/software systems, if any, is the Department purchasing independently of the Office of Information Technology (OIT)? If the Department is making such purchases, explain why these purchases are being made outside of OIT?
3. Please list and briefly describe any programs that the Department administers or services that the Department provides that directly benefit public schools (e.g., school based health clinics, educator preparation programs, interest-free cash flow loan program, etc.).