

**Schedule 13**  
**Change Request for FY 2010-11 Budget Request Cycle**

Decision Item FY 2010-11  Base Reduction Item FY 2010-11  Supplemental FY 2009-10  Budget Amendment FY 2010-11

Request Title: External Capacity Caseload  
 Department: Corrections  
 Priority Number: BA-2  
 Dept. Approval by: *[Signature]* Aristedes W. Zavaras Date: 02/16/10  
 OSPB Approval: *[Signature]* Date: 2-11-10

	Fund	1	2	3	4	5	6	7	8	9	10
		Prior-Year Actual FY 2008-09	Appropriation FY 2009-10	Supplemental Request FY 2009-10	Total Revised Request FY 2009-10	Base Request FY 2010-11	Decision/ Base Reduction FY 2010-11	November 1 Request FY 2010-11	Budget Amendment FY 2010-11	Total Revised Request FY 2010-11	Change from Base (Column 5) FY 2011-12
<b>Total of All Line Items</b>	<b>Total</b>	118,102,189	120,102,145	0	120,102,145	92,745,098	3,004,724	95,749,822	(10,066,439)	85,683,383	(7,061,715)
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	113,564,836	117,738,478	0	117,738,478	90,386,391	3,004,724	93,391,115	(10,066,439)	83,324,676	(7,061,715)
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	4,537,353	2,363,667	0	2,363,667	2,358,707	0	2,358,707	0	2,358,707	0
	CFE/RF	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
(1) Management	<b>Total</b>	7,595,058	8,427,112	0	8,427,112	8,427,112	(340,748)	8,086,364	63,328	8,149,692	(277,420)
(B) External Capacity	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(2) Payments to House	GF	7,595,058	8,427,112	0	8,427,112	8,427,112	(340,748)	8,086,364	63,328	8,149,692	(277,420)
State Prisoners	GFE	0	0	0	0	0	0	0	0	0	0
Payments to	CF	0	0	0	0	0	0	0	0	0	0
Local Jails	CFE/RF	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
(1) Management	<b>Total</b>	90,735,091	91,782,615	0	91,782,615	64,431,478	1,693,999	66,125,477	(8,560,910)	57,564,567	(6,866,911)
(B) External Capacity	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(2) Payments to House	GF	86,202,698	89,423,908	0	89,423,908	62,072,771	1,693,999	63,766,770	(8,560,910)	55,205,860	(6,866,911)
State Prisoners	GFE	0	0	0	0	0	0	0	0	0	0
Payments to In-State	CF	4,532,393	2,358,707	0	2,358,707	2,358,707	0	2,358,707	0	2,358,707	0
Private Prisons	CFE/RF	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
(1) Management	<b>Total</b>	13,588,203	12,885,340	0	12,885,340	12,885,340	1,557,779	14,443,119	(1,458,037)	12,985,082	99,742
(B) External Capacity	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(2) Payments to House	GF	13,588,203	12,885,340	0	12,885,340	12,885,340	1,557,779	14,443,119	(1,458,037)	12,985,082	99,742
State Prisoners	GFE	0	0	0	0	0	0	0	0	0	0
Payments to	CF	0	0	0	0	0	0	0	0	0	0
Pre-Release	CFE/RF	0	0	0	0	0	0	0	0	0	0
Parole Revocation	FF	0	0	0	0	0	0	0	0	0	0
Facilities		0	0	0	0	0	0	0	0	0	0
(1) Management	<b>Total</b>	3,395,999	4,145,232	0	4,145,232	4,145,232	93,694	4,238,926	(45,864)	4,193,062	47,830
(B) External Capacity	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(2) Payments to House	GF	3,395,999	4,145,232	0	4,145,232	4,145,232	93,694	4,238,926	(45,864)	4,193,062	47,830
State Prisoners	GFE	0	0	0	0	0	0	0	0	0	0
Community	CF	0	0	0	0	0	0	0	0	0	0
Corrections Programs	CFE/RF	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0

**Schedule 13**  
**Change Request for FY 2010-11 Budget Request Cycle**

Decision Item FY 2010-11  Base Reduction Item FY 2010-11  Supplemental FY 2009-10  Budget Amendment FY 2010-11

Request Title: External Capacity Caseload  
 Department: Corrections Dept. Approval by: Aristedes W. Zavaras Date: 02/16/10  
 Priority Number: BA-2 OSPB Approval: Date:

	Fund	1	2	3	4	5	6	7	8	9	10
		Prior-Year Actual FY 2008-09	Appropriation FY 2009-10	Supplemental Request FY 2009-10	Total Revised Request FY 2009-10	Base Request FY 2010-11	Decision/ Base Reduction FY 2010-11	November 1 Request FY 2010-11	Budget Amendment FY 2010-11	Total Revised Request FY 2010-11	Change from Base (Column 5) FY 2011-12
(1) Management (C) Inspector General Operating Expenses	Total	304,959	321,309	0	321,309	315,399	0	315,399	(12,125)	303,274	(12,125)
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	299,999	316,349	0	316,349	315,399	0	315,399	(12,125)	303,274	(12,125)
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	4,960	4,960	0	4,960	0	0	0	0	0	0
	CFE/RF	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
(2) Institutions (F) Laundry Operating Expenses	Total	2,191,334	2,242,416	0	2,242,416	2,242,416	0	2,242,416	(47,166)	2,195,250	(47,166)
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	2,191,334	2,242,416	0	2,242,416	2,242,416	0	2,242,416	(47,166)	2,195,250	(47,166)
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	0	0	0	0	0	0	0	0	0	0
	CFE/RF	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
(3) Support Services (E) Transportation Operating Expenses	Total	291,545	298,121	0	298,121	298,121	0	298,121	(5,665)	292,456	(5,665)
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	291,545	298,121	0	298,121	298,121	0	298,121	(5,665)	292,456	(5,665)
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	0	0	0	0	0	0	0	0	0	0
	CFE/RF	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0

Non-Line Item Request: None  
 Letternote Revised Text: None  
 Cash or Federal Fund Name and COFRS Fund Number: State Criminal Alien Assistance Program (SCAAP) #18Y; Inspector General - Offender Identification Fund 01425.  
 Reappropriated Funds Source, by Department and Line Item Name: None  
 Approval by OIT? Yes:  No:  N/A:   
 Schedule 13s from Affected Departments: None

**CHANGE REQUEST for FY 2010-11 BUDGET REQUEST CYCLE**

Department:	Corrections
Priority Number:	BA-2
Change Request Title:	External Capacity Caseload

**SELECT ONE (click on box):**

- Decision Item FY 2010-11
- Base Reduction Item FY 2010-11
- Supplemental Request FY 2009-10
- Budget Request Amendment FY 2010-11

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

The Department of Corrections submits a FY 2010-11 Budget Amendment request for (\$10,066,439) of General Fund (GF), annualizing to (\$7,061,715) General Fund in FY 2011-12. This request aligns funding needs in subprograms that are caseload driven to reflect the downward trend in prison population projections. Funding need calculations are based on a combination of the Legislative Council Staff (LCS) December, 2009 prison population projections and the actual prison population as of December 31, 2009. Based on anticipated caseload changes, this request adjusts line items that pay for private contracted bed space by (\$10,001,483) General Fund and adjusts line items associated with central services for the offender population by (\$64,956) General Fund.

Background and Appropriation History:

The Department's External Capacity Subprogram was created to provide alternatives to house the State's increasing offender population. To meet the need for housing offenders and parole revocations, contracts are negotiated with private prison providers, pre-release and parole revocation center operators, and community corrections program service providers. If the number of offenders sentenced to the Department exceeds the number

of state and contracted beds available, offenders must remain in local jails until a suitable bed is available.

Division of Criminal Justice (DCJ) and Legislative Council Staff (LCS) provide adult prison population growth projections bi-annually. The most recent projections issued in December, 2009 by LCS were used to develop this Budget Amendment request. To calculate the most current need for contracted bed space, the Department projects the Average Daily Population (ADP) in specific placement types, based on growth, availability, and capacity. Appropriations are requested to reflect the expected cost of populations by placement type. Calculations supporting the request are reflected in **Tables 1-7 and in Exhibit A.**

Funds in the Local Jails line are associated with offenders sentenced to the Department who are being held until an appropriate bed is available. This includes offenders with new commitments, parole violators, or community corrections regressions who are awaiting Parole Board dispositions or transport to a prison facility. The Local Jails line also includes appropriations for offenders at the Park County Jail who are being held until sent to the Boot Camp program at Buena Vista. Offenders held in local jails are not receiving program services to address criminal behavior.

Funds in the In-State Private Prisons appropriations line are associated with placing offenders in private prison facilities in-state on a long term basis. Currently, the Department maintains contractual arrangements with three private prison facilities to house male state offenders in Colorado: Bent County Correctional Facility, Kit Carson Correctional Facility, and Crowley County Correctional Facility. The Department has contracted with High Plains Correctional Facility, a private prison facility in Brush, Colorado, to house female state offenders.

Funds in the Pre-Release Parole Revocation Facilities are used to house Colorado offenders in the Cheyenne Mountain Re-Entry Center (CMRC), in Colorado Springs. The first appropriation was approved during the FY 2005-06 Legislative Session to house offenders who are eligible to receive this program's services authorized under HB 01-

1370. The Department may initiate placement of offenders in this facility prior to parole, based upon criteria defined in 17-1-206.5, for periods of either nine months or nineteen months. Additionally, the Parole Board is authorized to revoke the parole of offenders and to direct placement in this program for a maximum period of 180 days based upon set eligibility criteria. As with Community Corrections Programs, the expectation is to avert the need to revoke the offender back to a regular prison setting.

Funds in the Community Corrections Programs line are associated with population targets and corresponding costs to house placements by the Parole Board of qualified technical parole violators. SB 03-252 stipulated only non-violent, class 5 or class 6 felons may be sentenced by the Parole Board for up to 180 days in this program in an effort to stem the number of parolees who return to the Department of Corrections for technical parole violations. Short-term program services are provided to address specific violations by offenders while in placement.

General Description of Request:

The “**Payments to House State Prisoners**” section of the External Capacity Subprogram (1)(B)(2) is comprised of separate funding lines that are designated as: Payments to Local Jails, In-State Private Prisons, Pre-Release Parole Revocation Facilities, and Community Corrections Programs. This amendment adjusts the FY 2010-11 budget request to reflect recent caseload projections. The requested adjustment by line item is shown below and is incremental to the November 6, 2009 request.

Payments to House State Prisoners Payments to Local Jails:	\$63,328
Payments to House State Prisoners Payments to In-State Private Prisons:	(\$8,560,910)
Payments to House State Prisoners Payments to Pre-Release Parole Revocation Facilities:	(\$1,458,037)
Payments to House State Prisoners Community Corrections Programs:	(\$45,864)

In addition, this request adjusts three other subprograms that are directly related to the offender population. Those subprograms are: Inspector General, Laundry, and Transportation. The Inspector General Subprogram receives operating funds to perform

ongoing drug testing on the offender population. The Laundry Subprogram issues the initial clothing to all offenders during the intake process into the DOC system. The Transportation Subprogram receives funding to transport offenders to a prison facility and subsequent movement and other transportation needs during the period of incarceration. **Tables 8-11** display the revised downward trend in prison populations and the related reduced funding impacts to these Subprograms.

Consequences if Not Funded:

The projected funding need is less than the appropriated amount. This situation will cause a reversion of General Fund that could otherwise be used to resolve fiscal needs throughout the State.

Calculations for Request:

<b>Summary of Request FY 2010-11 Budget Amendment</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	(\$10,066,439)	(\$10,066,439)	\$0	\$0	\$0	0.0
(1)(B)(2) Local Jails	\$63,328	\$63,328	\$0	\$0	\$0	0.0
(1)(B)(2) In-State Private Prisons	(\$8,560,910)	(\$8,560,910)	\$0	\$0	\$0	0.0
(1)(B)(2) Pre-Release/Parole Revocation Facilities	(\$1,458,037)	(\$1,458,037)	\$0	\$0	\$0	0.0
(1)(B)(2) Community Corrections Programs	(\$45,864)	(\$45,864)	\$0	\$0	\$0	0.0
(1)(C) Inspector General - Operating Expenses	(\$12,125)	(\$12,125)	\$0	\$0	\$0	0.0
(2)(F) Laundry - Operating Expenses	(\$47,166)	(\$47,166)	\$0	\$0	\$0	0.0
(3)(E) Transportation - Operating Expenses	(\$5,665)	(\$5,665)	\$0	\$0	\$0	0.0

Summary of Request FY 2011-12 Budget Amendment	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	(\$7,061,715)	(\$7,061,715)	\$0	\$0	\$0	0.0
(1)(B)(2) Local Jails	(\$277,420)	(\$277,420)	\$0	\$0	\$0	0.0
(1)(B)(2) In-State Private Prisons	(\$6,866,911)	(\$6,866,911)	\$0	\$0	\$0	0.0
(1)(B)(2) Pre-Release/Parole Revocation Facilities	\$99,742	\$99,742	\$0	\$0	\$0	0.0
(1)(B)(2) Community Corrections Programs	\$47,830	\$47,830	\$0	\$0	\$0	0.0
(1)(C) Inspector General - Operating Expenses	(\$12,125)	(\$12,125)	\$0	\$0	\$0	0.0
(2)(F) Laundry - Operating Expenses	(\$47,166)	(\$47,166)	\$0	\$0	\$0	0.0
(3)(E) Transportation - Operating Expenses	(\$5,665)	(\$5,665)	\$0	\$0	\$0	0.0

**Table 1: FY 2009-10 Legislative Council Staff (LCS) Prison Population Projections (December, 2009)**

	Males	Females	Total
June 30, 2010 Total Population Projection	20,440	2,193	22,633
Less June 30, 2009 Actual Population	(20,896)	(2,290)	(23,186)
Total Projected Decline in FY 2009-10	(456)	(97)	(553)
Monthly Projected Decline in FY 2009-10	(38)	(8)	(46)

**Table 2: FY 2009-10 December, 2009 LCS Prison Population Projections Adjusted to June 30, 2010**

	Males	Females	Total
December 31, 2009 Actual Population	20,523	2,138	22,661
Monthly Projection 01/01/10-06/30/10 (6 mos)	(38*6) = (228)	(8*6) = (48)	(276)
06/30/10 LCS Adjusted Population Projection	20,295	2,090	22,385
06/30/10 LCS Original Population Projection	20,440	2,193	22,633
FY 2009-10 Adjustment Deviation to 06/30/10	(145)	(103)	(248)

LCS Projection; carried forward to FY 2010-11			
---	--	--	--

<b>Table 3: FY 2010-11 Legislative Council Staff (LCS) Prison Population Projections (December, 2009)</b>			
	<b>Males</b>	<b>Females</b>	<b>Total</b>
June 30, 2011 LCS Total Population Projection	20,061	2,087	22,148
June 30, 2010 LCS Total Population Projection	20,440	2,193	22,633
LCS Projected Population Change	(379)	(106)	(485)

<b>Table 4: FY 2010-11 Adjusted Legislative Council Staff (LCS) Prison Population Projections (to account for FY 2009-10 actual information shown in table 2)</b>			
	<b>Males</b>	<b>Females</b>	<b>Total</b>
June 30, 2010 Adjusted LCS Total Population Projection	20,295	2,090	22,385
LCS Projected Growth Rate	(379)	(106)	(485)
Adjusted June 30, 2011 LCS Total Population Projection	19,916	1,984	21,900

**Tables 5 - 8 Reference Exhibit A for Bed Usage Projections**

<b>Table 5: (1)(B)(2) Payments to Local Jails - FY 2010-11 Funding Requirements Estimate</b>	
<b>Calculation:</b>	<b>Funding</b>
FY 2010-11 Projected Bed Days Need	161,572
FY 2010-11 Daily Rate	\$50.44
<b>Total FY 2010-11 Need</b>	<b>\$8,149,692</b>
FY 2010-11 November 1 Request	\$8,086,364
<b>FY 2010-11 Increased Local Jails Budget Amendment Request</b>	<b>\$63,328</b>

<b>Table 6: (1)(B)(2) Payments to In-State Private Prisons - FY 2010-11 Funding Requirements Estimate</b>	
<b>Calculation:</b>	<b>Funding</b>
FY 2010-11 Projected Bed Days Need	1,452,009
FY 2010-11 Daily Rate	\$52.69
<b>Total FY 2010-11 Need</b>	<b>\$76,506,354</b>
FY 2010-11 November 1 Request*	\$85,067,264



**Table 6: (1)(B)(2) Payments to In-State Private Prisons - FY 2010-11 Funding Requirements Estimate**

<b>Calculation:</b>	<b>Funding</b>
<b>FY 2010-11 Decreased In-State Private Prisons Budget Amendment Request</b>	<b>(\$8,560,910)</b>

\*This represents the full November 1 request, which includes caseload and the Accelerated Transition Pilot Program. The schedule 13 only shows the caseload request.

**Table 7: (1)(B)(2) Payments to Pre-Release Parole Revocation Facilities - FY 2010-11 Funding Requirements Estimate**

<b>Calculation:</b>	<b>Funding</b>
FY 2010-11 Projected Bed Days Need	246,443
FY 2010-11 Daily Rate	\$52.69
<b>Total FY 2010-11 Need</b>	<b>\$12,985,082</b>
FY 2010-11 November 1 Request	\$14,443,119
<b>FY 2010-11 Decreased Pre-Release Parole Revocation Facilities Budget Amendment Request</b>	<b>(\$1,458,037)</b>

**Table 8: (1)(B)(2) Community Corrections Programs - FY 2010-11 Funding Requirements Estimate**

<b>Calculation:</b>	<b>Funding</b>
FY 2010-11 Projected Bed Days Need	95,995
FY 2010-11 Daily Rate	\$43.68
<b>Total FY 2010-11 Need</b>	<b>\$4,193,062</b>
FY 2010-11 November 1 Request	\$4,238,926
<b>FY 2009-10 Decreased Community Corrections Programs Budget Amendment Request</b>	<b>(\$45,864)</b>

**Tables 9-12 Refer to Subprograms With Caseload Impact Funding:**

**Table 9: FY 2010-11 Legislative Council Staff (LCS) Prison Population Projections (December, 2009)**

	<b>Males</b>	<b>Females</b>	<b>Total</b>
June 30, 2011 Total Population Projection	20,061	2,087	22,148
Less June 30, 2010 Population Projection	(20,440)	(2,193)	(22,633)
Total Projected Population Decline During FY 2010-11	(379)	(106)	(485)

**Table 10: (1)(C) Inspector General Operating Expenses - FY 2010-11 Population Impacts Funding Level Revision**

<b>Calculation:</b>	<b>Funding</b>
FY 2010-11 Funding = \$25 Per Offender/Drug Testing	\$25.00
(485) Population Decline	(485)
<b>Total FY 2010-11 Decreased Need, Budget Amendment Request</b>	<b>(\$12,125)</b>

<b>Table 11: (2)(F) Laundry Operating Expenses - FY 2010-11 Population Impacts Funding Level Revision</b>	
<b>Calculation:</b>	<b>Funding</b>
FY 2010-11 Funding = \$97.25 Per Offender/Initial Clothing Issue	\$97.25
(485) Population Decline	(485)
<b>Total FY 2010-11 Decreased Need, Budget Amendment Request</b>	<b>(\$47,166)</b>

<b>Table 12: (3)(E) Transportation Operating Expenses - FY 2010-11 Population Impacts Funding Level Revision</b>	
<b>Calculation:</b>	<b>Funding</b>
FY 2010-11 Funding = \$11.68 Per Offender/Transportation Costs	\$11.68
(485) Population Decline	(485)
<b>Total FY 2010-11 Decreased Need, Budget Amendment Request</b>	<b>(\$5,665)</b>

Cash Funds Projections:

This request does not change cash funds so no cash fund projection is provided.

Assumptions for Calculations:

The Budget Amendment Request is calculated by applying the prison population projections to the anticipated bed usage and multiplying by the daily rate for the type of bed used to identify the funding need for each of the External Capacity Long Bill line items.

Prison Population Projections: **Table 1** shows the LCS December, 2009 prison population forecast for FY 2009-10, detailed to reflect an expected monthly population decrease of (46). **Table 2** combines the anticipated monthly population decrease for the last six month period of FY 2009-10 with the actual prison population for the first six months of FY 2009-10 using a blended method to adjust the LCS population projection for June 30, 2011. The (248) population deviation is the downward trend from FY 2009-

10 that is expected to carry into FY 2010-11 that will not be realized. **Table 3** applies the (248) downward trend from FY 2009-10 to the LCS population projections to revise the population used in the FY 2010-11 Budget Amendment.

The following adjustments to the FY 2010-11 Decision Item are being submitted as a Budget Amendment to the four External Capacity Payments to House State Prisoners appropriations lines. The Budget Amendment calculations are based on the adjusted LCS projections shown in **Table 3** and the bed plan projection, titled **Exhibit A**.

**(1)(B)(2) Local Jails**

**Increased Request for Local Jails = \$63,328 GF.**

The expected FY 2010-11 daily rate for jail bed usage is \$50.44. The expected ADP for local jails is 161,572.

**(1)(B)(2) In-State Private Prison Facilities**

**Decreased Request for In-State Private Prisons = (\$8,560,910) GF.**

The expected FY 2010-11 daily rate for private prison bed usage is \$52.69. The expected ADP for private prisons is 3,978.

**(1)(B)(2) Pre-Release Parole Revocation Facilities**

**Decreased Request for Pre-Release Parole Revocation Facilities = (\$1,458,037) GF.**

The daily rate per offender for pre-release/parole revocation services in FY 2010-11 is expected to be \$52.69. The expected ADP for pre-release and parole revocation facilities is 675.

**(1)(B)(2) Community Corrections Programs**

**Decreased Request for Community Corrections Programs = (\$45,864) GF.**

The FY 2010-11 daily rate per offender for placement in a Community Corrections Programs averages \$43.68 and is significantly less than other prison placement alternatives. The expected ADP for community corrections programs is 263.

Additional funding reductions included in this Budget Amendment request originate from the following three separate caseload driven Subprograms impacted by offender population declines:

**(1)(C) Inspector General Subprogram - Operating Expenses  
Decreased Request of = (\$12,125) GF.**

The Office of the Inspector General (OIG) has drug interdiction programs in DOC facilities that often include mass urinalysis testing. \$25 per offender has been the traditional level of funding to provide resources to support drug eradication efforts in Colorado prison facilities. The (\$12,125) Budget Amendment request for FY 2010-11 returns the funding received, representing the (485) fewer offenders supported by the latest LCS prison population estimates. See **Tables 8 and 9**.

**(2)(F) Laundry Subprogram - Operating Expenses  
Decreased Request of = (\$47,166) GF.**

One of the many duties of the Laundry Subprogram is to supply the initial set of prison clothing issue to all offenders at the time of intake processing. Operating expenses appropriations in the Laundry Subprogram is the funding for the initial set of offender clothing. In FY 2009-10, the combined average rate of male and female clothing was set at \$97.25 per offender. The (\$47,166) Budget Amendment request for FY 2010-11 returns the funding received, representing the (485) fewer offenders supported by the latest LCS prison population estimates. See **Tables 8 and 10**.

**(3)(E) Transportation Subprogram - Operating Expenses  
Decreased Request of = (\$5,665) GF.**

The Transportation Subprogram provides the initial facility placement transports and other offender transportation such as: medical appointments, court appearances, and various types of movement between facilities. In FY 2009-10, the DOC received \$11.68 per offender for the projected prison population growth. The FY 2010-11 Budget Amendment request of (\$5,665) returns the funding received, representing the (485) fewer offenders supported by the latest LCS prison population estimates. See **Tables 8 and 11.**

Impact on Other Government Agencies: None.

Cost Benefit Analysis: Not applicable. The Budget Amendment request reflects changes in Departmental caseload.

Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
Monitor Prison Population Numbers in all Privately Operated Facilities	Monthly
Review and Audit Provider Invoices	Monthly

Statutory and Federal Authority: **17-1-103, C.R.S. (2009) Duties of the executive director.**

(a) To manage, supervise, and control the correctional institutions operated and supported by the state; to monitor and supervise the activities of private contract prisons; to manage and supervise the divisions, agencies, boards, and commissions that are or may be transferred to or established within the department by law or by the executive director pursuant to section [17-1-101](#) (2); to provide work and self-improvement opportunities; and to establish an environment that promotes habilitation for successful reentry into society;

**17-1-105, C.R.S. (2009) Powers of the executive director.**

(a) All the right and power to transfer an inmate between correctional facilities.

(c) The authority to enter into contracts and agreements with other jurisdictions, including other states, the federal government, and political subdivisions of this state, for the confinement and maintenance in state correctional facilities of inmates sentenced to imprisonment by the courts of such other jurisdictions. The executive director shall notify the appropriate authorities of other jurisdictions, as the executive director deems appropriate, of the availability of space in state correctional facilities for the confinement and maintenance of inmates from other jurisdictions.

(e) The authority to enter into contracts with any county for the placement of inmates pursuant to section [16-11-308.5](#), C.R.S.;

(f) The authority to enter into contracts and agreements with other jurisdictions, including other states, the federal government, and political subdivisions of this state, for the confinement and maintenance of offenders sentenced to imprisonment by the courts of this state and the authority to reimburse such jurisdictions for the expenses incurred by such jurisdictions in the confinement and maintenance of said offenders.

**17-1-112 (2009) Expenses-reimbursement by department.**

1) Subject to available appropriations the department shall reimburse any county or city and county for a portion of the expenses and costs incurred by that county or city and county in the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility. The general assembly shall annually establish the amount of reimbursement in the general appropriations bill. Such reimbursement shall be for each day following seventy-two hours after such sentence is imposed but prior to the transmittal of the sentenced inmate to a department facility. Subject to available appropriations, the department may contract with any county or city and county for the expenses incurred by that county or city and county in the

confinement and maintenance of any person who is sentenced to a term of imprisonment pursuant to section [16-11-308.5](#), C.R.S.

(1.5) In no event shall any agreement to reimburse any city and county or county affect or reduce any city and county's or county's duty to exercise reasonable care and use its best efforts to supervise and use reasonable precautions to assure the adequate care of any state inmate.

**17-1-206.5 (2009) Preparole release and revocation facility-community return-to-custody facility.**

(1) On or before December 1, 2001, the department shall issue a request for proposal for the construction and operation of a private contract prison to serve as a preparole and revocation center, that shall be a level III facility, as described in section [17-1-104.3](#) (1) (a) (III).

(b) The scope of the facilities' programming shall be limited to services and monitoring that address the failure of a nonviolent parolee whose parole is revoked pursuant to section [17-2-103](#) (11) (b) (III) and will allow for limited performance-based access to the community. A request for proposals for such services and monitoring shall be issued by the department on or before August 31, 2003, and the contracts awarded by November, 2003.

Performance Measures:

Not applicable; request is based on caseload and prison population. The External Capacity Subprogram will be monitored for the following criteria:

- The number of offenders processed into prisons from local jails.
- Invoices received from service providers are accurate and paid in a timely manner.
- Actual offender populations will be compared and adjusted monthly to projected amounts.