

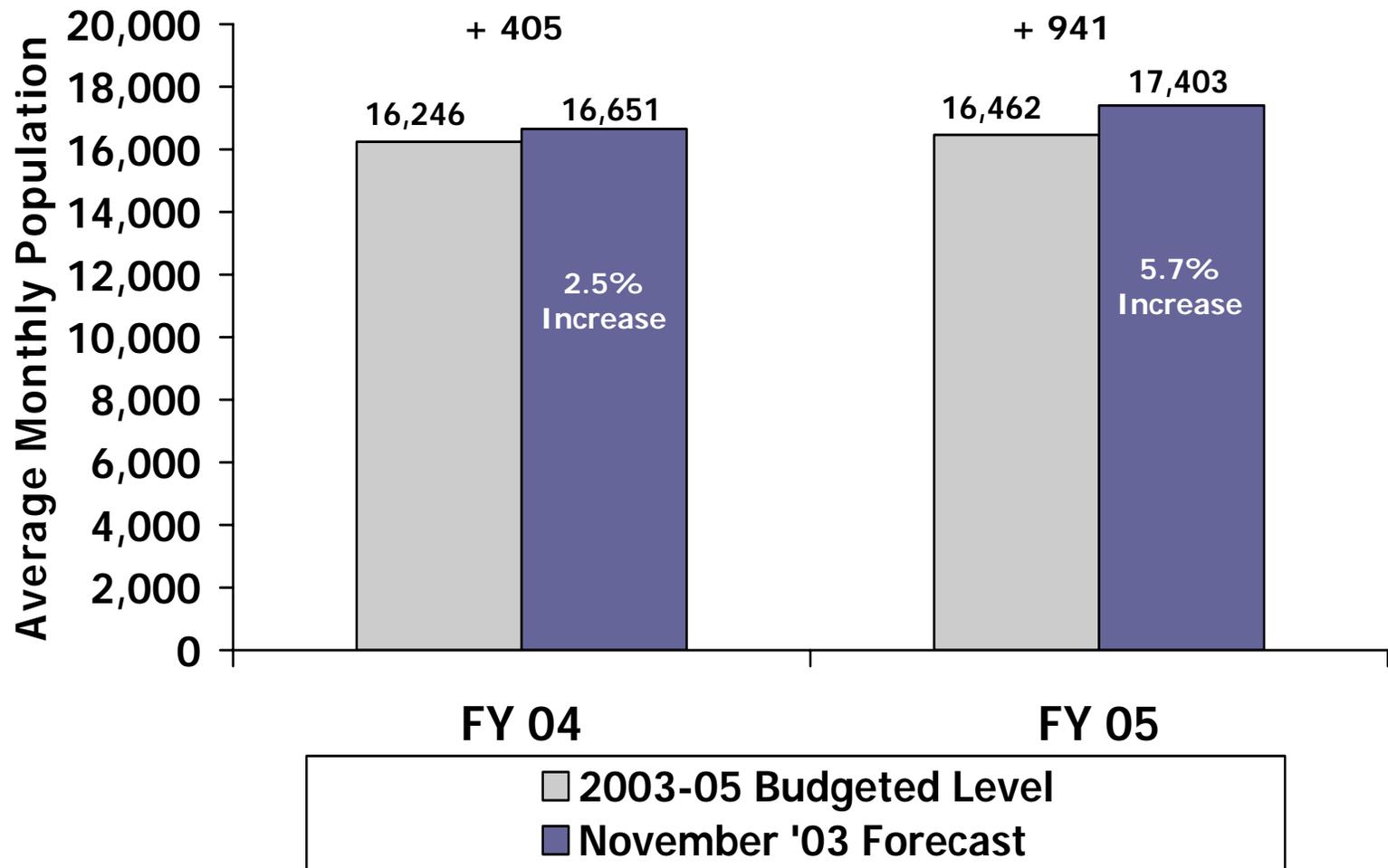
Department of Corrections 2004 Operating & Capital Budget Overview

**Senate Ways & Means Committee
January 26, 2004 (Revised)**



First, the bad news...

By FY 05, the inmate population will be about 6% higher than expected.



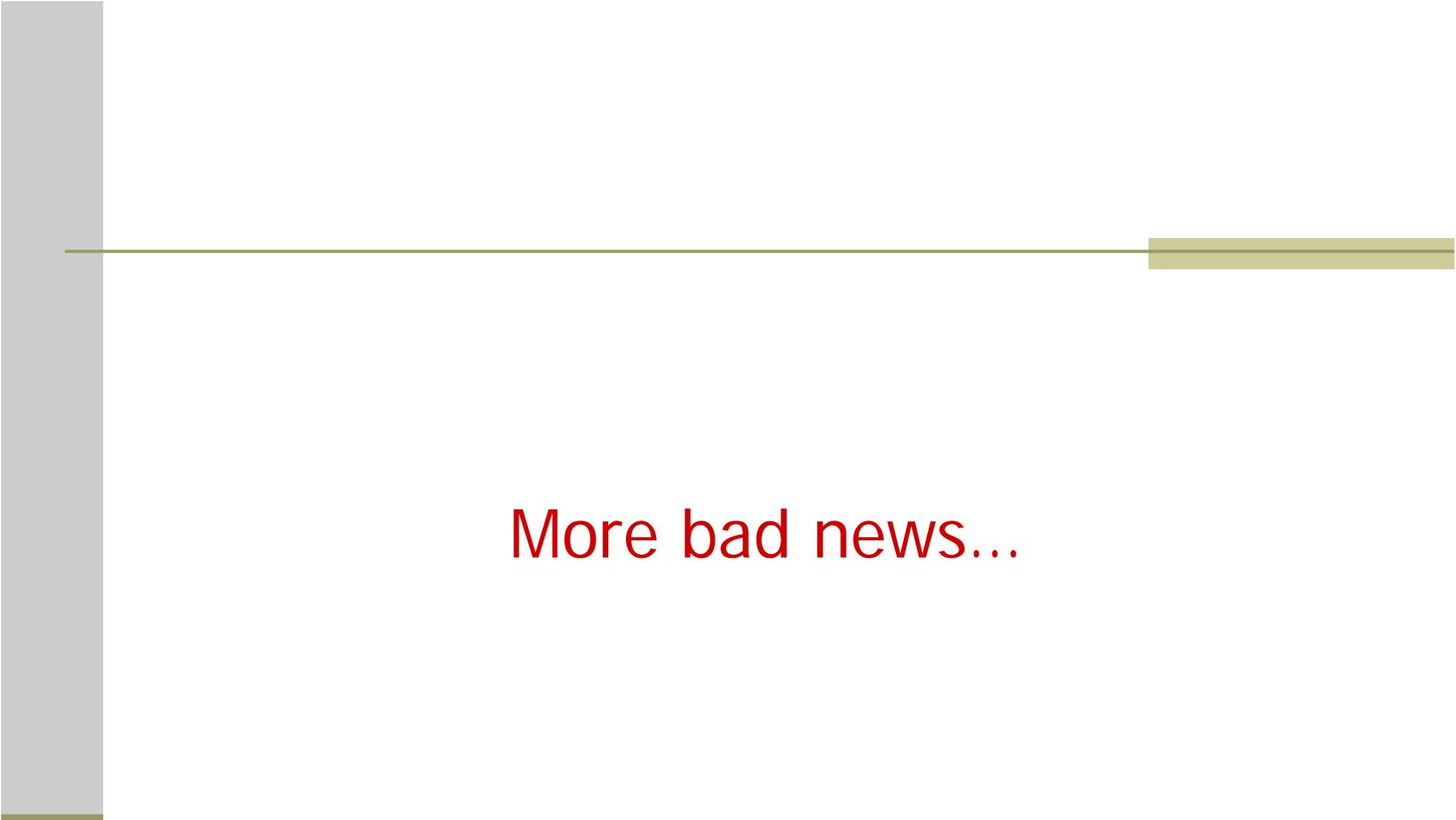
On the capital side, the increase in inmates is driving the Governor's request for additional prison beds.

Coyote Ridge Corrections Center (Connell, WA):

- Expansion advanced by one year to add 768 medium custody beds by FY 07.
- 2004 supplemental capital request: \$46 M.
(Covers design, site work, and pre-construction.)
- Total project cost: \$138 M.

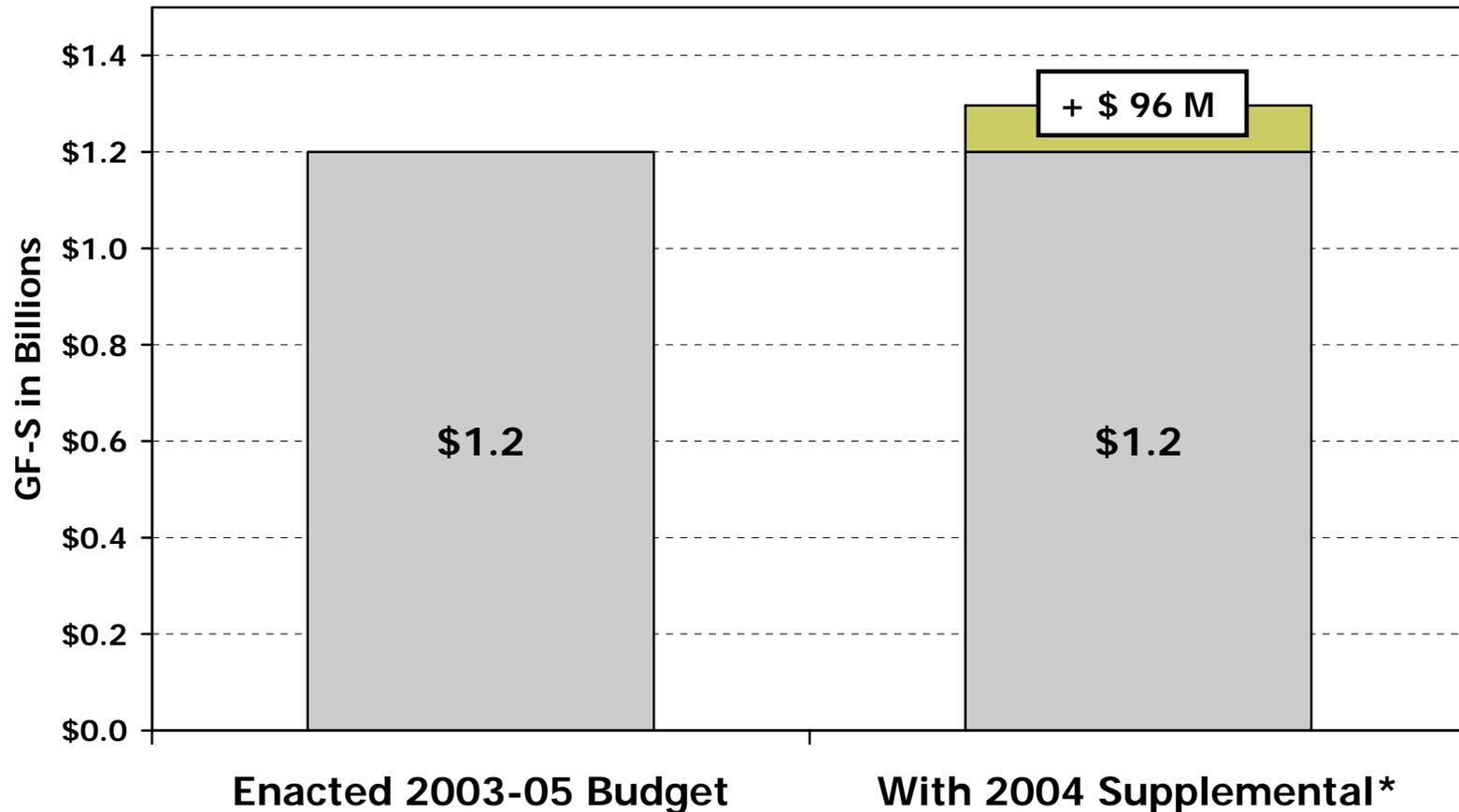
The 2003 Legislature made capital investments but more bed capacity may eventually be needed.

- Funding was provided for a master planning process for capacity and facility needs. Report is expected in fall of 2004.
- Funding was provided to add 768 close custody beds & 100 intensive management beds at the State Penitentiary by FY 07.
- Expansion of Coyote Ridge was postponed until FY 08, based on sentencing and supervision changes that reduced population.
- Facilities are still very crowded, especially in close custody.
- To manage its current population, the Department of Corrections is “renting” beds from the state of Nevada. 240 are rented currently, over 1000 are projected by the end of FY 05. 5



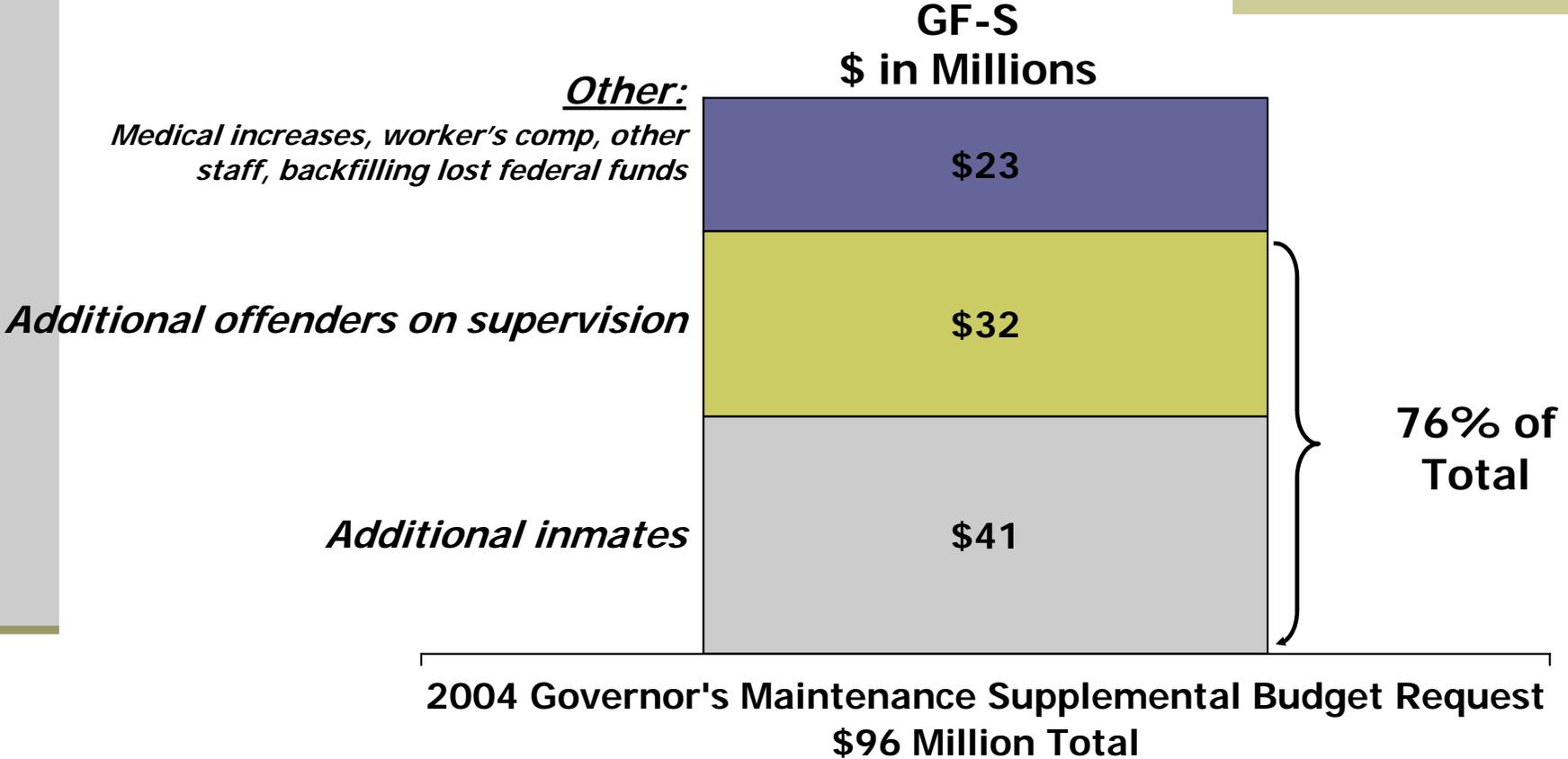
More bad news...

On the operating side, the Governor's 2004 Supplemental increases the current \$1.2 billion corrections budget by about 8 percent.*

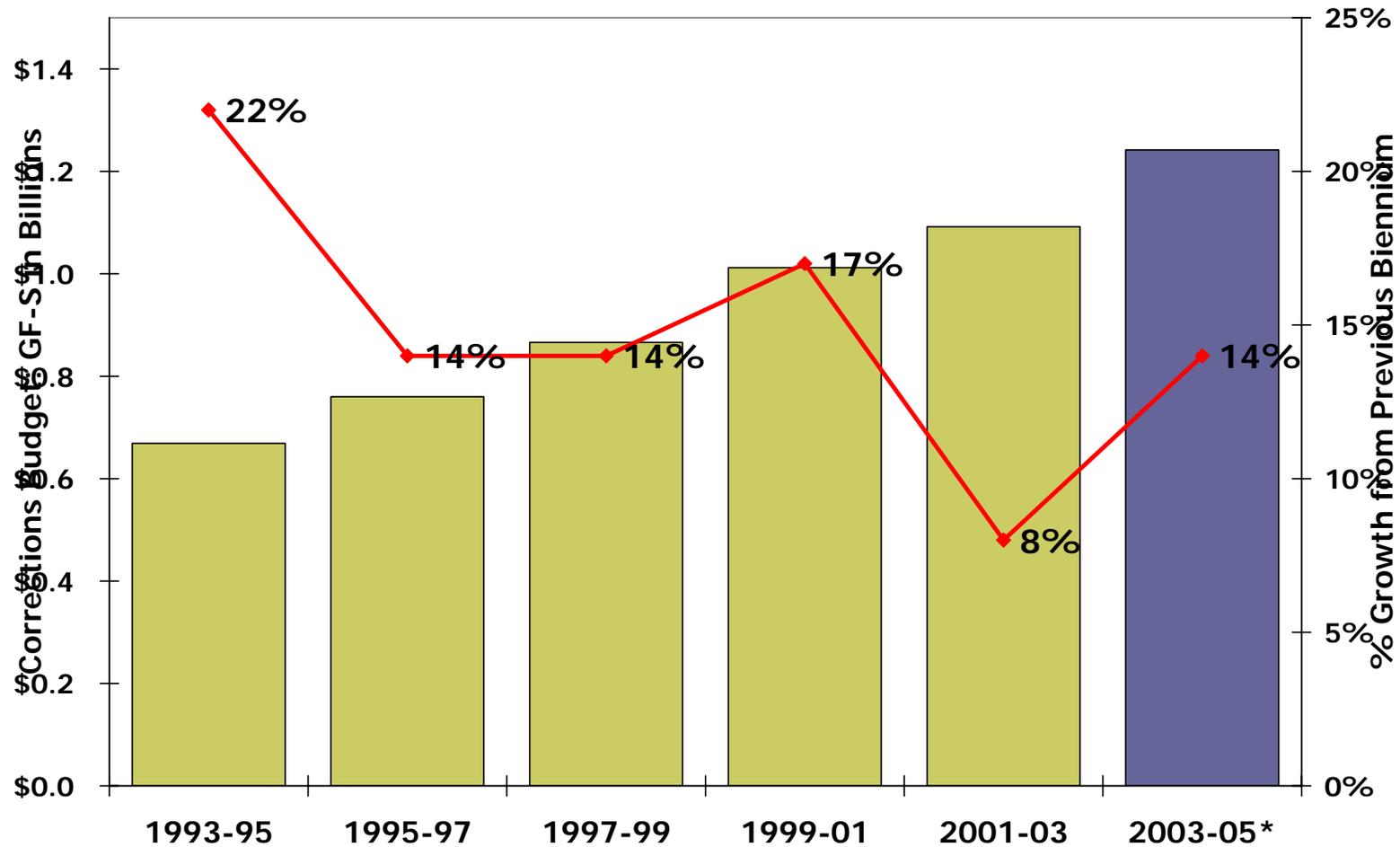


**The Governor's proposal assumes that \$96 million in maintenance level costs will be offset by \$18 million in savings from additional sentencing legislation.*

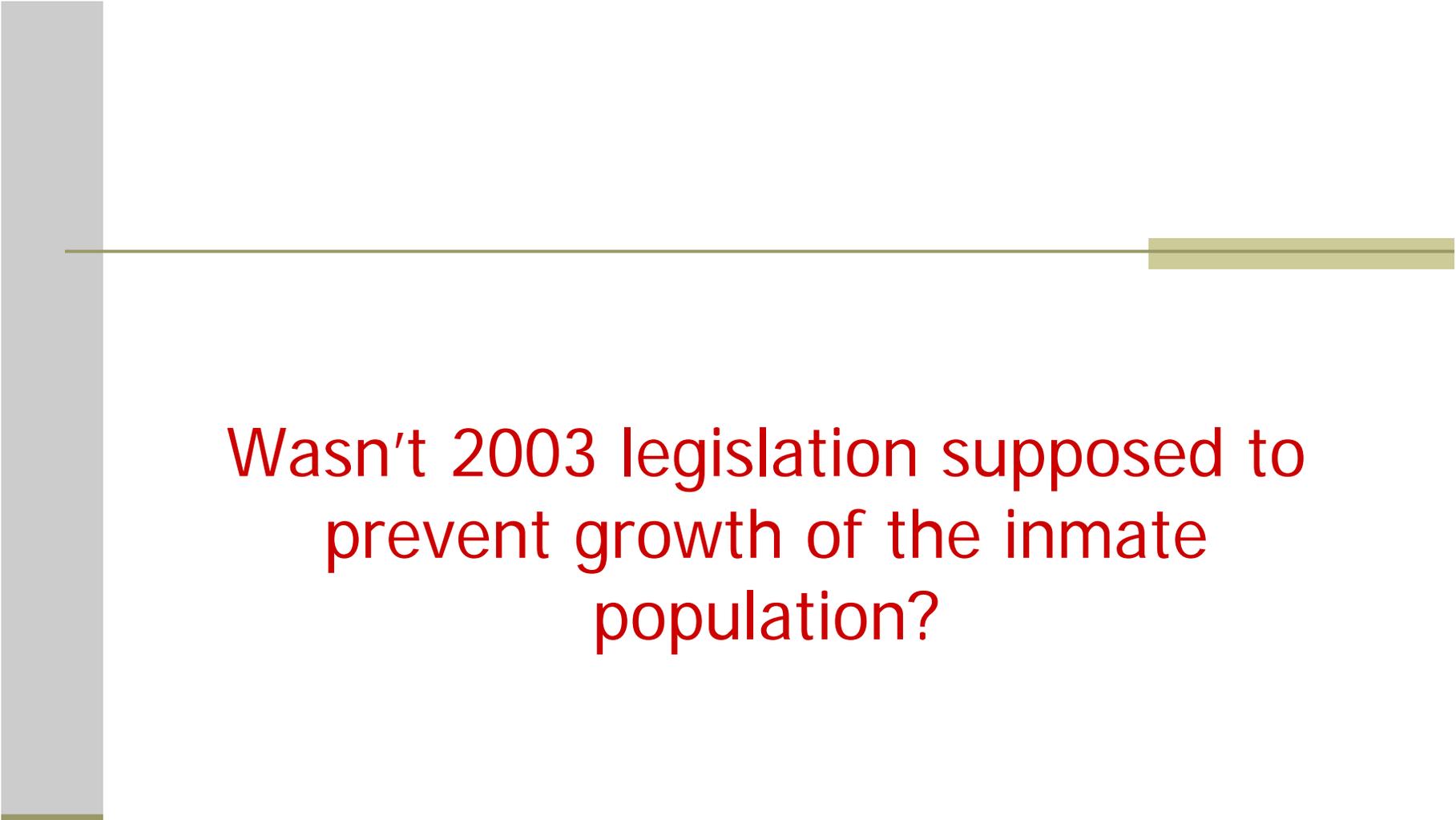
The majority of the operating request is for required caseload increases, and most of that is for inmates.



Even with the increase, the growth in the corrections budget is not inconsistent with growth rates over the last decade.



* 2003-05 includes the Governor's 2004 proposed maintenance level budget.



Wasn't 2003 legislation supposed to prevent growth of the inmate population?

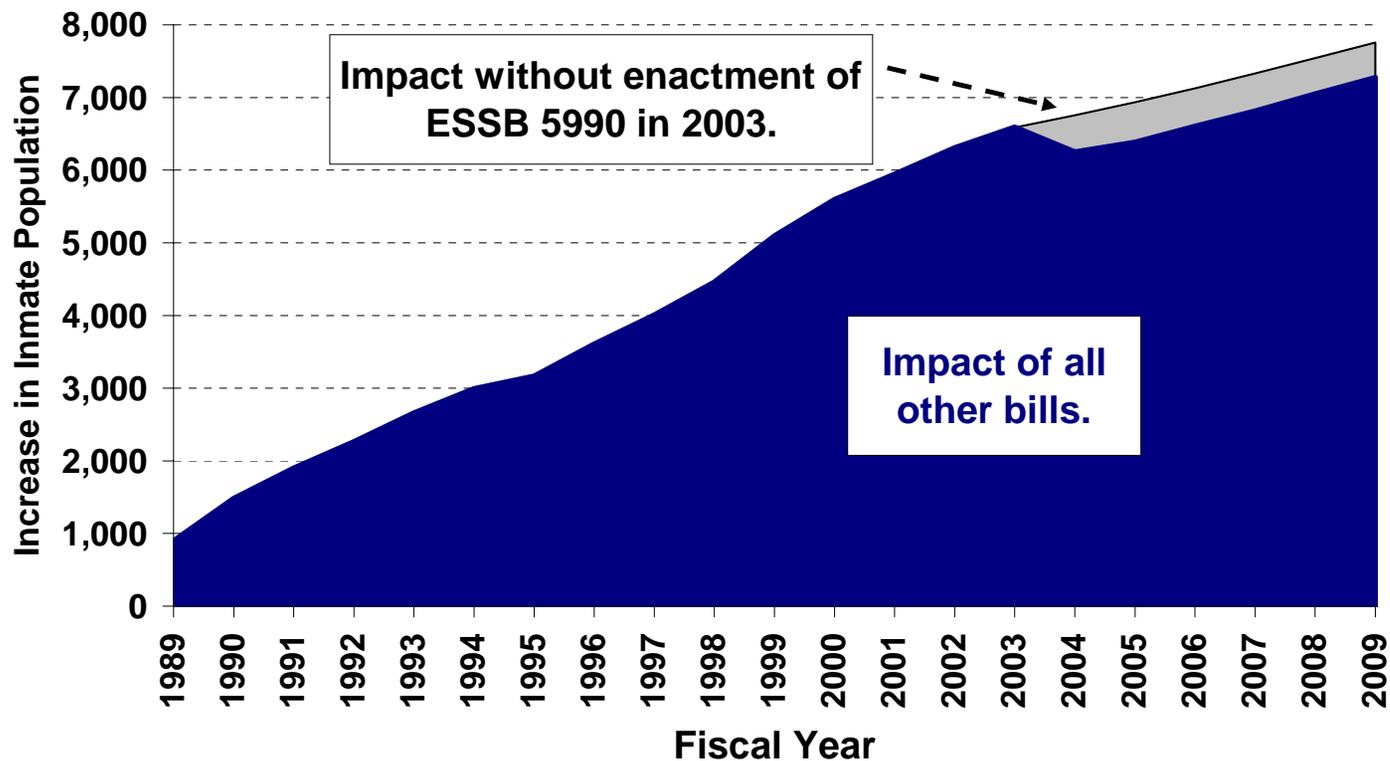
The 2003 Legislature saved \$40 M with sentencing & supervision legislation and also delayed Coyote Ridge.

ESSB 5990:

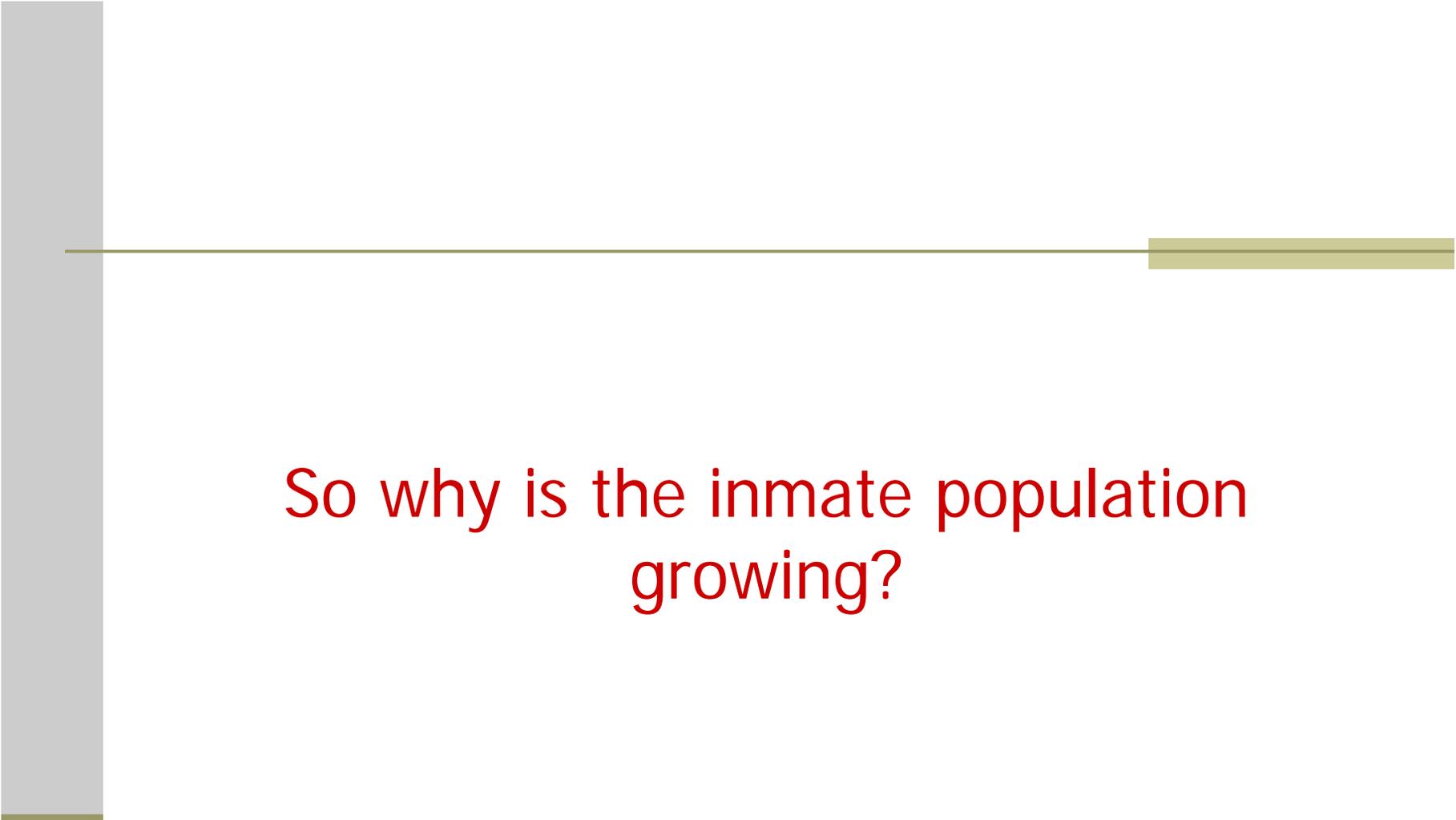
- Expanded early release for certain low and moderate risk drug and property offenders.
- Advanced the effective date of the new drug sentencing grid by one year.
- Eliminated supervision requirements for certain low and moderate risk felons.

Without legislation passed in 2003, the inmate population would be even greater.

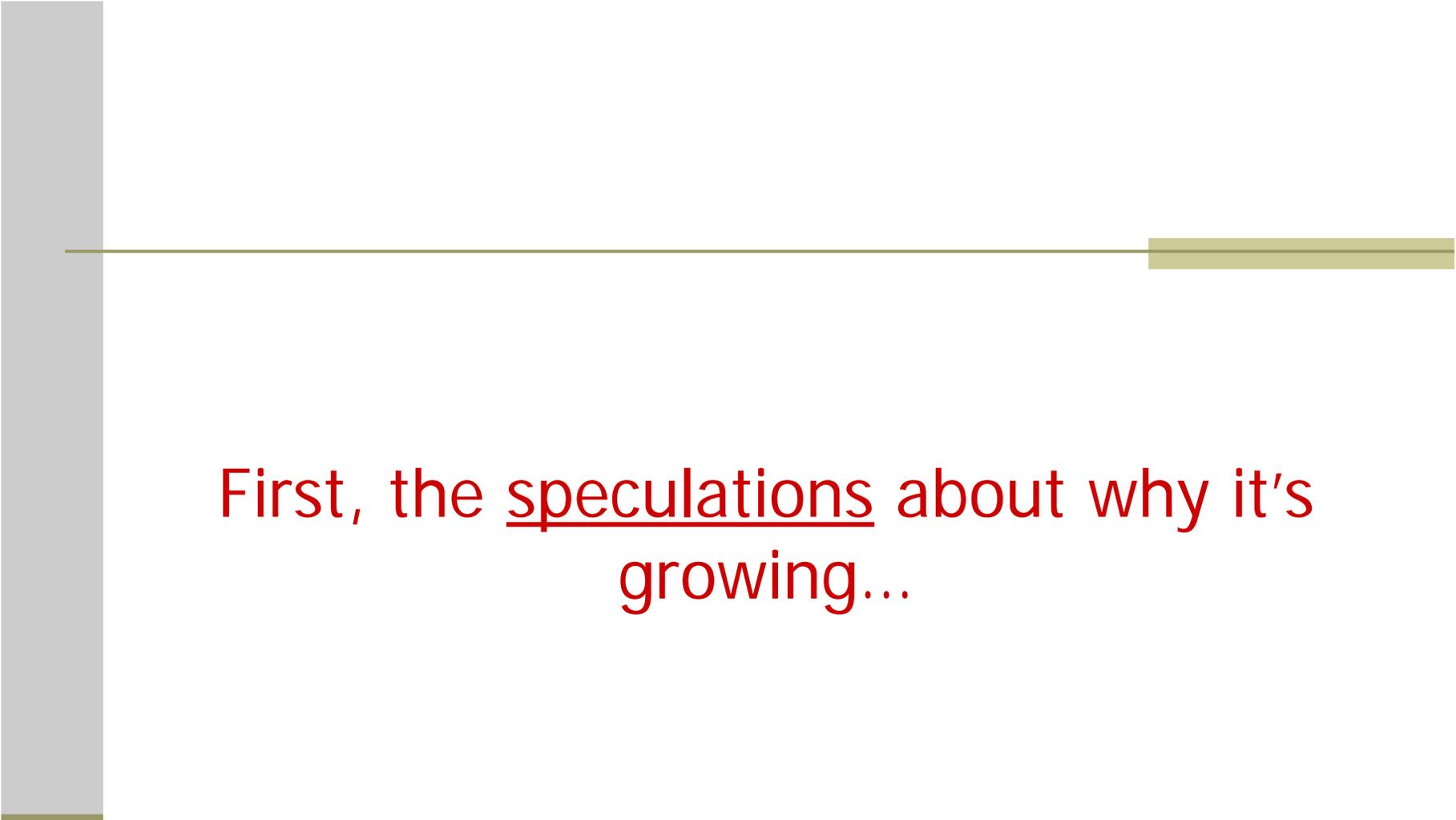
Estimated Cumulative Effects of Legislation on Inmate Population



Note: Impact of ESSB 5990 reflects the actual step adjustment made to the June 2003 forecast, which was lower than the fiscal note assumption. Other combined impacts shown are the from the original fiscal notes, and are therefore an illustration of the expected policy impact at the time the legislation was enacted, holding demographic factors constant. Legislation enacted between 1986-2003 is included.



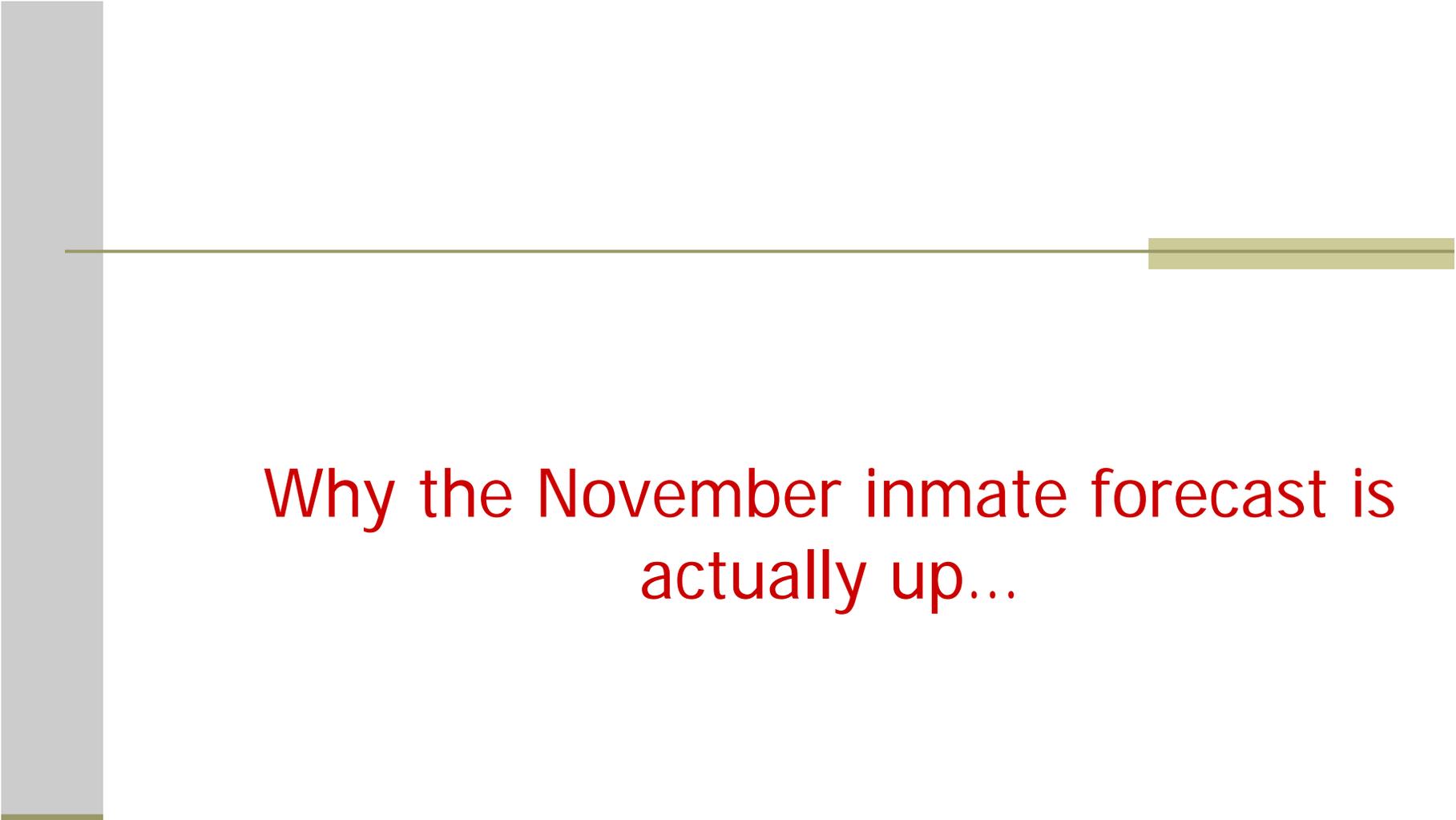
So why is the inmate population growing?



First, the speculations about why it's
growing...

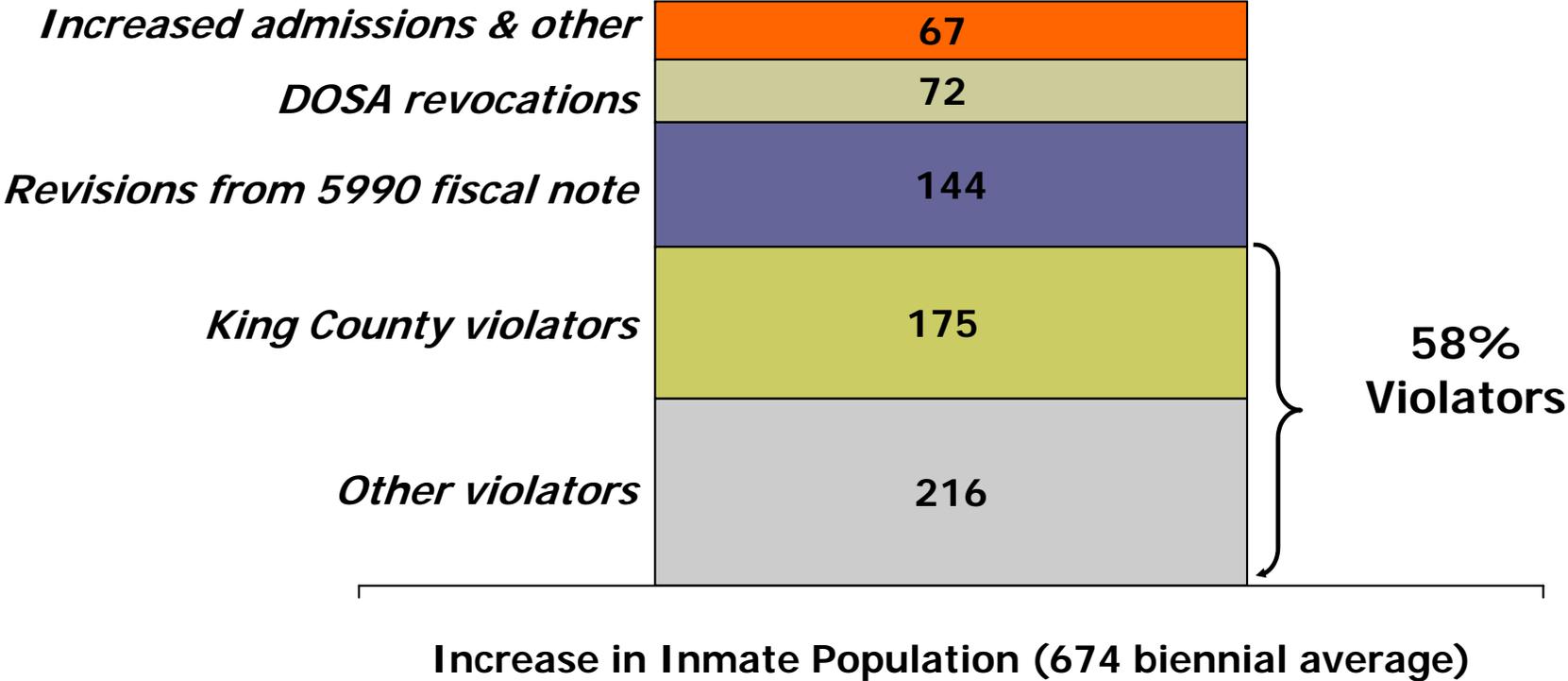
These factors are not the reason for the current forecast increase, although they could eventually have an effect:

- Prisons now allow 50% early release, and jails still have 30%. This inconsistency may result in additional offenders sentenced to prison rather than jail.
- The newly enacted drug grid provides an opportunity for some felony sentences to be served in prison vs. jail, and vice versa.
- Judges may be reluctant to provide the Drug Offender Sentencing Alternative (DOSA) given that early release has been expanded to 50%.



Why the November inmate forecast is
actually up...

Nearly 60% of the additional inmates are community custody violators, a population that was historically held in jails.



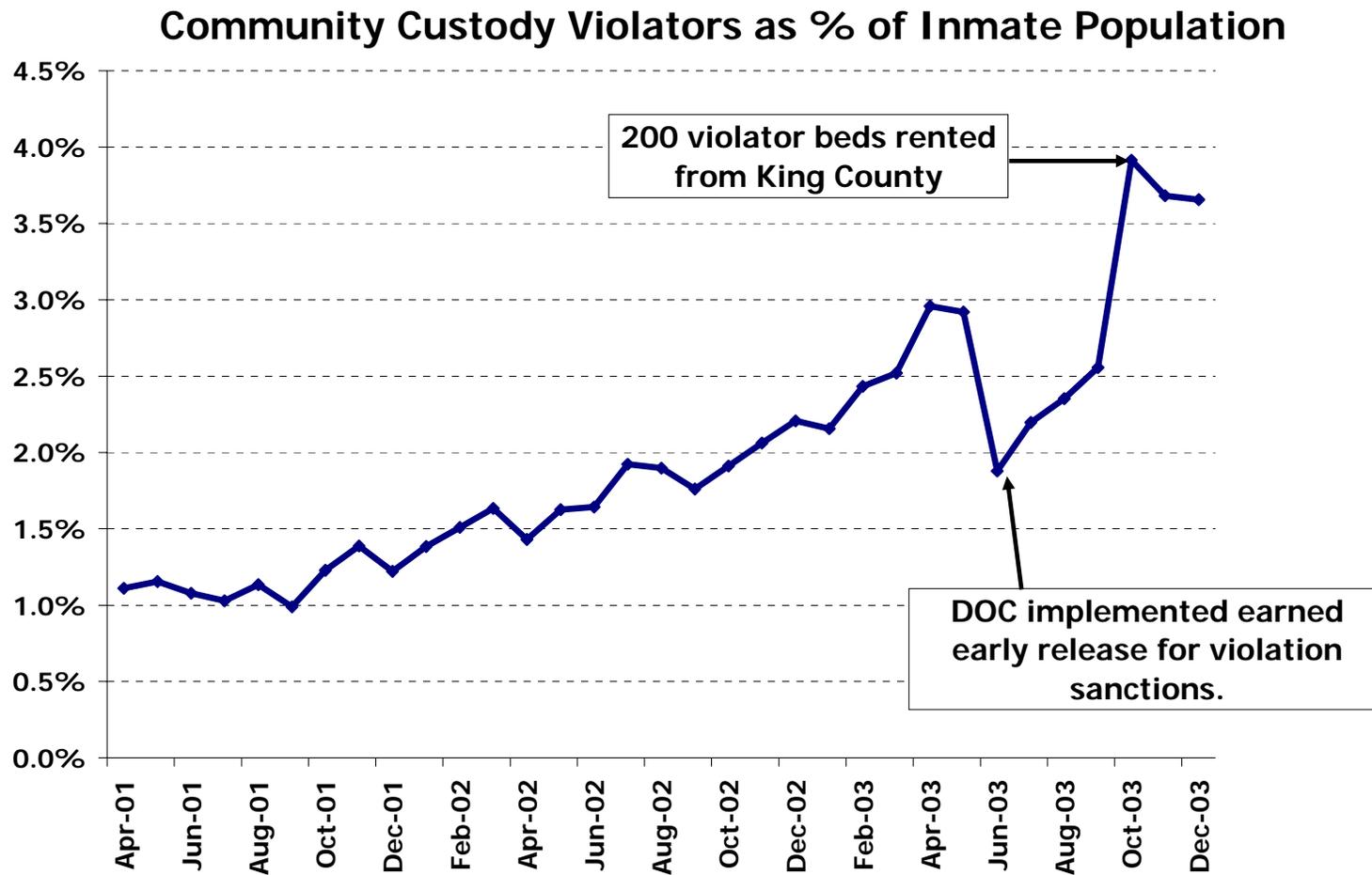
What is a violator, and why are there so many?

- Local jails provide housing for felony offenders with sentences of less than a year. The state Department of Corrections (DOC) is responsible for their community custody.
- When felons violate their community custody, they can be sent back to jail or prison.
- The Offender Accountability Act (OAA), enacted in 1999, shifted the violation responsibility for offenders on community custody from the courts to DOC.
- More offenders are on community custody than before the OAA.

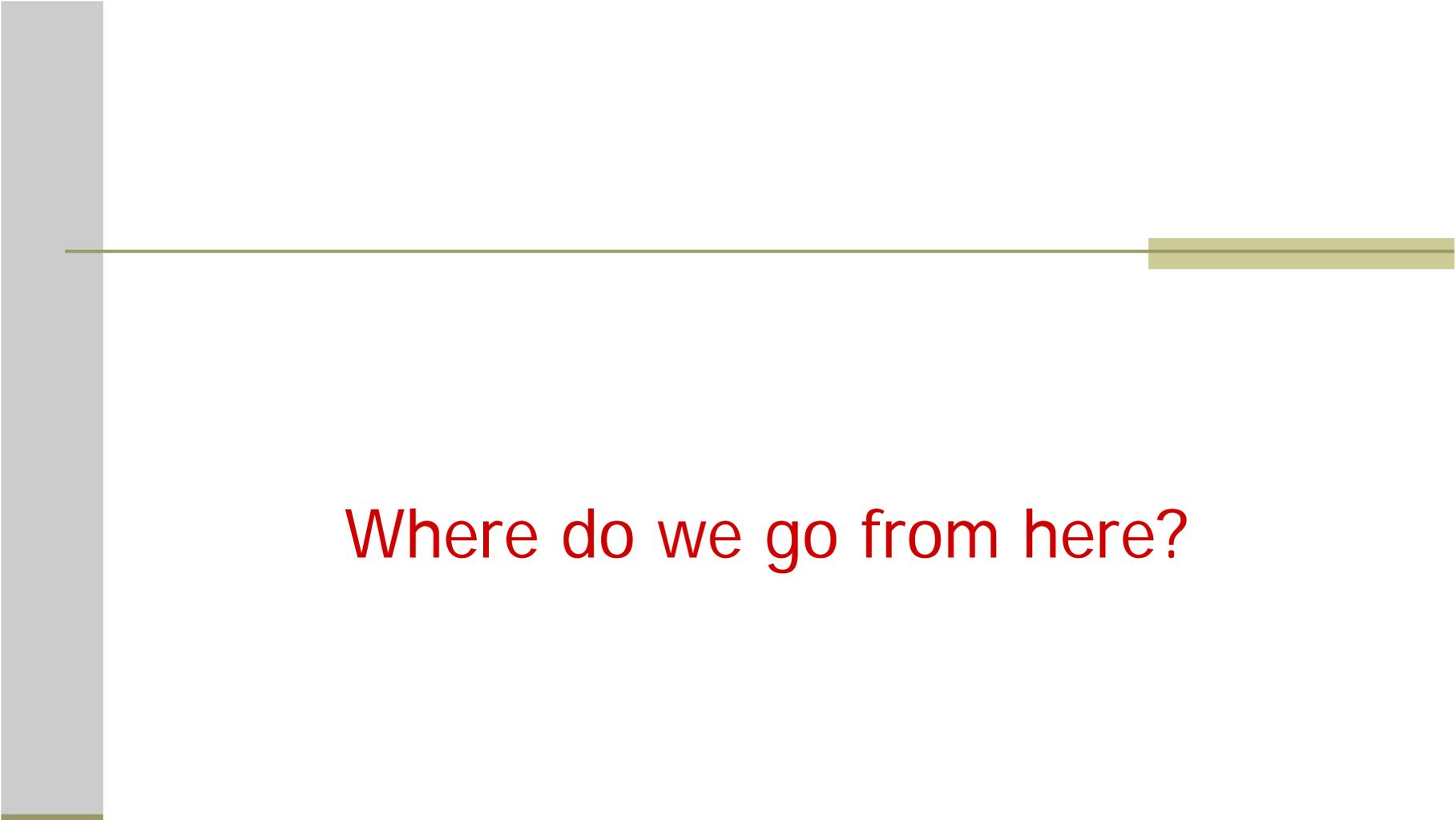
Violators have been a shared state & local responsibility, but capacity is short at both levels of government.

- Under the OAA, offenders returned to jail are the counties' fiscal responsibility, unless the level of offenders exceeds the 1998 level.
- Generally, monitoring of this level of offenders has not occurred and counties have not billed DOC for violators.
- As jails have become increasingly crowded and/or counties have fewer resources than needed for corrections, violators have increasingly been turned over to DOC, or payment has been requested.

Community custody violators are a rapidly growing percent of the inmate population.



Data source: Caseload Forecast Council.



Where do we go from here?

Questions that can guide corrections operating & capital spending in 2004:

- What options exist to cooperate with local governments on housing violators?
- What kind of facility is most suitable for housing violators, revocations, and felons with jail sentences?
- How can the state and local governments better combine efforts on operating and capital corrections costs?
- Given the above, when will additional prison beds be needed?