

Department of Corrections
HB 16-1405
Long Bill Footnotes and Request for Information Report 2016-17

Footnote # Statement

- 2** Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners – The Department of Corrections is authorized to transfer up to 5.0 percent of the total appropriation for the external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers. **The Department complies with this footnote request and provides the following summary information of transfers made within the line items of the External Capacity Subprogram, Payments to House State Prisoners appropriation during FY 2015-16:**

<u>Transferred Line Item</u>	<u>Amount</u>
Payments to Local Jails:	(\$618,566)
Payments to In-State Private Prisons:	\$2,414,040
Payments to Pre-Release Parole Revocation Facilities:	(\$885,215)
Community Corrections Programs:	<u>(\$910,259)</u>
Total amount transferred within the External Capacity Subprogram funding lines:	\$2,414,040
Total amount of the External Capacity Subprogram, Payments to House State Prisoners Appropriation	\$93,514,397
5.0% Transfer Authority:	\$4,675,720
Amount Transferred in FY 2015-16:	\$2,414,040
% of Amount Transferred to Appropriated Total:	2.6%

- 3** Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners – It is the intent of the General Assembly that the appropriations made for payments to private facilities to house state inmates be used exclusively for the purpose of per-diem payments. It is further the intent of the General Assembly that the Department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities because appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities. **It is not the Department’s policy to withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities.**
- 4** Department of Corrections, Institutions, Housing and Security Subprogram, Personal Services – The amount appropriated in this line item does not include the \$3,344,870 of FY 2016-17 General Fund appropriations for the Department of Corrections set forth in sections 17-18-108, 17-18-111, 17-18-112, 17-18-113, 17-18-114, 17-18-116, 17-18-117, 17-18-118,

17-18-119, 17-18-120, and 17-18-121, C.R.S. In calculating the amount appropriated in this line item, it is assumed that these statutory appropriations will be used for the same line item. **The Department intends to utilize the funds as stated in this footnote request.**

Request for Information # Statement

Requests Affecting Multiple Departments:

RFI #4 **Department of Corrections; Department of Human Services; Judicial Department; Department of Public Safety; and Department of Transportation** -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from: the Alcohol and Drug Driving Safety Program Fund, the Law Enforcement Assistance Fund, the Offender Identification Fund, the Persistent Drunk Driver Cash Fund, and the Sex Offender Surcharge Fund, among other programs. **The Sex Offender Surcharge Funds are tracked by the Judicial Department. The Department reports the total Colorado Mental Health Institute at Pueblo (CMHIP) expenditures for Youthful Offender System (YOS), San Carlos Correctional Facility (SCCF), and La Vista Correctional Facility (LVCF) in its November 1 budget submission.**

RFI #6 **Department of Corrections, Management; and Department of Human Services, Services for People with Disabilities, Regional Centers** – The Departments are requested to provide by November 1, 2016, the assessments the Department of Corrections uses to identify individuals with intellectual and developmental disabilities, including who administers the assessment, what specific assessments are used, and in what setting the assessment is administered. The Departments are also requested to include how many individuals in the corrections system received services from the Regional Centers prior to entering the corrections system.
Department of Corrections: The intellectual and developmental disability need level is determined at the Denver Reception and Diagnostic Center (DRDC) by diagnostic programmers based on the findings from psychometric testing, records review, and interview information. The intellectual and developmental disability need level (DD code) is a five-point scale. The Culture Fair Group IQ score and the reading level score obtained on the Test of Adult Basic Education (TABE) are the primary determinants of the need level.

Offenders who receive a group tested IQ of 80 or below as indicated by the Culture Fair and a TABE reading level of 5.9 or below, and/or have significant deficits in adaptive functioning related to intellectual functioning, and/or have a history of receiving developmental disability services, are determined to have a DD3-T code.

Diagnostic programmers can determine the DD code of offenders at the level of 1, 2, or 3-T only. Monthly reports by facility of offenders who have DD codes of 3-5 are distributed to mental health supervisors. The mental health supervisors are to follow-up with these offenders and revise the DD code to 1 or 2 if appropriate. If the offender meets the qualifications for intellectual and developmental disability, the mental health supervisor will complete a referral for the positive development program.

Department of Human Services: According to the Department of Health Care Policy and Finance there were two offenders in the corrections system as of April 30, 2016 (of a total 30,484 individuals in prisons or on parole, including Youthful Offenders) that had received services from the Regional Centers prior to entering the corrections system. Data was pulled for the time period of July 1, 2010 through September 30, 2016.

Department of Corrections

RFI # 1 Department of Corrections, Institutions, Mental Health Subprogram – The Department is requested to submit a report to the House Judiciary Committee and the Senate Judiciary Committee by January 31, 2017, detailing the progress related to the mental health unit at Centennial Correctional Facility. The Department will comply with this request for information and will provide the requested report to the House and Senate Judiciary Committees by January 31, 2017.

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