



# DEPARTMENT OF CORRECTIONS

John W. Hickenlooper  
Governor

*FY 2011-12 Supplemental  
January 3, 2012*

Tom Clements  
Executive Director

**Department Priority: S-3B, BA-4  
Security and Utility Expenses to Maintain the Fort Lyon Correctional Facility for Repurposing Efforts**

## **FY 2011-12 Supplemental Request:**

<b>Summary of Incremental Funding Change for FY 2011-12</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>FTE</b>
Funding to provide security and utilities expenses for the remainder of FY 2011-12 for the Fort Lyon Correctional Facility	\$410,570	\$410,570	1.3

## **FY 2012-13 Budget Amendment Request:**

<b>Summary of Incremental Funding Change for FY 2012-13</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>FTE</b>
Funding to provide security and utilities expenses for FY 2012-13 for the Fort Lyon Correctional Facility	\$934,089	\$934,089	6.0

### **Request Summary:**

The Department of Corrections (DOC) requests a supplemental increase of \$410,570 General Fund and 1.3 FTE for FY 2011-12 (5.1 positions for three months). These funds will be used to pay for utilities and one additional critical post (one post for 24 hours per day, 7 days per week) for three months (March through June) at the Fort Lyon Correctional Facility (FLCF). The utilities and light maintenance will provide the Department with the ability to provide sufficient electricity and heat necessary to keep building systems operational and prevent damage to the facility from adverse weather conditions. The critical post will provide security to the facility.

The associated budget amendment request for FY 2012-13 is for an increase in \$934,089 General Funds and 6.0 FTE (10.2 positions for six months, plus the June roll forward) to maintain

two maintenance posts. The budget amendment request will also provide funds for facility grounds maintenance and the annual state property insurance policy premium.

### **Problem or Opportunity Statement:**

Pursuant to the provisions of S.B. 11-214 (Concerning Decommissioning Fort Lyon Correctional Facility), the Department will cease operating FLCF as a correctional facility on March 1, 2012. The Department was not sufficiently funded to provide utilities, light maintenance, or security services for FLCF past this date. The Governor's Office and the Department of Corrections have collaborated extensively with local and federal officials to repurpose FLCF. Although there are promising leads and potentially interested parties in the facility, the Department does not anticipate that a

new tenant will be able to occupy and maintain this facility on March 1<sup>st</sup>. Without utilities and light maintenance, the Department will be required to shut down facility systems (water, electricity, heat, ventilation, etc.). Without security services, the facility cannot be monitored and protected from vandalism and other events (e.g., fire) that could jeopardize the facility. These services are critical to the repurposing efforts.

*History/Background.* The Department of Corrections acquired FLCF from the U.S. Department of Veterans Affairs through a Quit Claim Deed executed in 2002. This deed contains a provision that automatically transfers all rights, title, and legal interest in the property back to the federal government if the state ceases to operate FLCF as a correctional facility.

Since the facility was acquired, the Department has operated FLCF as a 500-bed, Level III prison, which houses offenders classified as medium custody or below. The facility also provides 24-hour nursing care for elderly and disabled offenders. Based on the declining inmate population and the high cost of operating this facility, the Department proposed closing this facility in February 2011.

During the 2011 legislative session, the General Assembly approved the Department's budget amendment to decommission FLCF effective March 1, 2012. In addition to reducing the Department's budget, the JBC also sponsored S.B. 11-214, which repealed the statutory provisions that authorized the Department to retain rights, title and legal interest in the property effective March 1, 2012.

When the budget request was submitted, the Department anticipated that the U.S. Department of Veterans Affairs would be responsible for maintaining the facility while repurposing efforts were made. It is the Department's understanding that the U.S. Department of Veterans Affairs does not have funding in its current budget to provide the services requested through this supplemental budget submission.

### **Proposed Solution:**

Funding the DOC FY 2011-12 supplemental request for \$410,570 General Fund, and associated FY 2012-13 budget amendment request for \$934,089 General Fund to allow FLCF to be secured and basic operating systems to be maintained through December 31, 2012.

### **Anticipated Outcomes:**

The funding will enable the Department to protect the facility and to keep critical building and utility systems operational through December 31, 2012, while efforts to identify a new purpose continue.

The funding will assist the state in marketing the facility, and it will provide additional time for a new purpose to be identified for FLCF. Also, the request will enable any potential future tenant to more easily and more cost effectively assume control and responsibility for the facility.

### **Assumptions for Calculations:**

The Department makes the following assumptions in submitting this request:

1. Utilities and maintenance costs will be 44% of the costs to fully operate the facility (40% plus a contingency of 10%).
2. Two 24-7 posts will be required to provide security and maintenance for the facility. One post is already funded through May to assist in closing the facility. Hence, the request is only for one additional post from March through June.
3. Security and maintenance provided after June 30, 2012, will require funding for two posts.
4. No additional costs for insurance are necessary in FY 2011-12. The Department of Personnel and Administration has informed the DOC that if the facility is retained after June 30, 2012, an annual cost of \$55,008 will be incurred.
5. The supplemental request is calculated based on four months operating (March – June) and three months personal services (March – May).

6. The budget amendment is calculated based on six months operating (July – December) and six months personal services (July – December), plus the roll forward month of June.

**Consequences if not Funded:**

The requested funds are necessary for the State to assist in the repurposing of the Fort Lyon Correctional Facility. If the funding is not approved, the Department will not have resources to provide security for the facility. Furthermore, the Department will be required to shut down all critical systems (water, electricity, heating, HVAC, etc.) for the facility. This will make it more difficult for the facility to be repurposed. Additionally, any new tenant may have significant challenges and expenses to bring the facility back online.

**Impact to Other State Government Agency:**

No impacts are identified for FY 2011-12. However, since the state is to retain a legal interest in the facility past June 30, 2012, the Department of Corrections will be required to reimburse the State Office of Risk Management in the Department of Personnel and Administration for FLCF to be covered by the State’s property insurance (annual costs estimated at \$55,008).

**Supplemental, 1331 Supplemental, or Budget Amendment Criteria:**

This funding request meets the supplemental and budget amendment criteria: “*Data that was not available when the original appropriate was made*”. When the Department’s budget was established for FY 2011-12, it was not anticipated that the Department would have any right, title, or legal interest in the property past March 1, 2012. It was anticipated that the U.S. Department of Veterans Affairs would retain this responsibility as repurposing efforts were made.

**Current Statutory Authority or Needed Statutory Change:**

Based on the Attorney General’s Office interpretation of the Colorado Revised Statutes,

no statutory changes are required for this supplemental appropriation.

Section 17-1-103, C.R.S., provides broad statutory authority for the Department of Corrections to manage facilities and lands associated with or under control of the Department of Corrections.

Pursuant to Section 17-1-104.3, C.R.S., as amended by S.B. 11-214, the Department does not have the authority to operate FLCF as a correctional facility after March 1, 2012. However, because the Department does not intend to use FLCF as a correctional facility, no amendments to this statutory provision are required.

Although no statutory change is required, the Department of Corrections will need to establish an agreement with the U.S. Department of Veterans Affairs for the DOC to have the authority to maintain the facility after March 1, 2012. Without such an agreement, all rights, title, and legal interest in the property automatically transfers back to the federal government on March 1, 2012.

*For Department and OSPB use only – the following information will not appear in final request.*

<b>Additional Request Information</b>	<b>Yes</b>	<b>No</b>	<b>Additional Information</b>
Is this request driven by a new statutory mandate?		<b>X</b>	
Will this request require a statutory change?		<b>X</b>	
Is this a one-time request?	<b>X</b>		<p>The request for \$410,570 General Fund and 5.1 FTE will allow the facility to be secured and basic operating systems to be maintained through June 30, 2012.</p> <p>If the services for the facility were to be funded through December 31, 2012, an additional \$146,514 would be required for each month, plus an annual appropriation of \$55,008 for insurance.</p>
Will this request involve any IT components?		<b>X</b>	

**Appendix:**

**(1)(A) Executive Director’s Office Subprogram  
Personal Services Benefits (POTS)**

POTS				
	FY 2011-12 Supplemental	FTE	FY 2012-13 Budget Amendment	FTE
Health, Life Dental	\$5,637		\$26,305	
Short-term Disability	\$111		\$528	
S.B. 04-257 Amortization Equalization Disbursement	\$2,000		\$9,541	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	\$1,719		\$8,198	
Shift Differential	\$1,458		\$6,956	
<b>Total</b>	<b>\$10,925</b>		<b>\$51,528</b>	

**(2)(A) Utilities**

The supplemental request will provide four (4) months of funding for sufficient electricity and heat necessary to keep building systems operational and prevent damage to the facility from adverse weather conditions. The budget amendment will provide six (6) months of funding for utilities.

(2)(A) Utilities Subprogram				
	FY 2011-12 Supplemental	FTE	FY 2012-13 Budget Amendment	FTE
<b>Utilities</b>	<b>\$200,164</b>		<b>\$300,247</b>	

**(2)(B) Maintenance Subprogram**

The supplemental request will provide a Maintenance post for the months of March – June 2012 (three months of salary, one month roll forward). The budget amendment will provide six (6) months of funding for a Maintenance post for the months of July – December 2012, plus the roll forward month of June. Operating expenses will include ground maintenance at the facility and pest control; in addition to the state property insurance.

(2)(B) Maintenance Subprogram				
	FY 2011-12 Supplemental	FTE	FY 2012-13 Budget Amendment	FTE
Personal Services	\$69,757	1.3	\$332,720	6.0
Operating Expenses	\$129,724		\$194,586	
Insurance (annual premium)	\$0		\$55,008	
<b>Total</b>	<b>\$199,481</b>	<b>1.3</b>	<b>\$582,314</b>	<b>6.0</b>

**Schedule 13**  
**Funding Request for the 2012-13 Budget Cycle**

**Department:** Corrections  
**Request Title:** Security and Utility Expenses to Maintain the Fort Lyon Correctional Facility for Repurposing Efforts  
**Priority Number:** S-3B, BA-4

**Dept. Approval by:** Tom Clements 01/03/12  
 Date

- Decision Item FY 2012-13  
 Base Reduction Item FY 2012-13  
 Supplemental FY 2011-12  
 Budget Amendment FY 2012-13

**OSPB Approval by:** \_\_\_\_\_  
 Date

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	102,309,800	410,570	105,811,731	934,089	-
	FTE	313.2	1.3	297.7	6.0	-
	GF	99,792,032	410,570	103,098,156	934,089	-
	GFE	-	-	-	-	-
	CF	2,517,768	-	2,713,575	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b> <b>(A) Executive Director's</b> <b>Office Subprogram</b> Health, Life, and Dental	<b>Total</b>	37,398,347	5,637	38,851,054	26,306	-
	FTE	-	-	-	-	-
	GF	36,323,985	5,637	37,703,989	26,306	-
	GFE	-	-	-	-	-
	CF	1,074,362	-	1,147,065	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b> <b>(A) Executive Director's</b> <b>Office Subprogram</b> Short-term Disability	<b>Total</b>	563,116	111	569,263	528	-
	FTE	-	-	-	-	-
	GF	547,299	111	552,416	528	-
	GFE	-	-	-	-	-
	CF	15,817	-	16,847	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b> <b>(A) Executive Director's</b> <b>Office Subprogram</b> S.B. 04-257 Amortization Equalization Disbursement	<b>Total</b>	8,852,868	2,000	10,296,034	9,541	-
	FTE	-	-	-	-	-
	GF	8,602,662	2,000	9,991,455	9,541	-
	GFE	-	-	-	-	-
	CF	250,206	-	304,579	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(1) Management</b>	<b>Total</b>	7,067,007	1,719	8,834,358	8,198	-
<b>(A) Executive Director's Office Subprogram</b>	<b>FTE</b>	-	-	-	-	-
S.B. 06-235 Supplemental	<b>GF</b>	6,865,949	1,719	8,572,610	8,198	-
Amortization Equalization	<b>GFE</b>	-	-	-	-	-
Disbursement	<b>CF</b>	201,058	-	261,748	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	4,572,613	1,458	6,188,480	6,956	-
<b>(A) Executive Director's Office Subprogram</b>	<b>FTE</b>	-	-	-	-	-
Shift Differential	<b>GF</b>	4,566,169	1,458	6,175,025	6,956	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	6,444	-	13,455	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(2) Institutions</b>	<b>Total</b>	18,964,769	200,164	18,202,841	300,246	-
<b>(A) Utilities Subprogram</b>	<b>FTE</b>	-	-	-	-	-
Utilities	<b>GF</b>	17,994,888	200,164	17,232,960	300,246	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	969,881	-	969,881	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(2) Institutions</b>	<b>Total</b>	18,271,027	69,757	17,828,752	332,720	-
<b>(B) Maintenance Subprogram</b>	<b>FTE</b>	313.2	1.3	297.7	6.0	-
Personal Services	<b>GF</b>	18,271,027	69,757	17,828,752	332,720	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(2) Institutions</b>	<b>Total</b>	6,620,053	129,724	5,040,949	249,594	-
<b>(B) Maintenance</b>	<b>FTE</b>	-	-	-	-	-
<b>Subprogram</b>	<b>GF</b>	6,620,053	129,724	5,040,949	249,594	-
Operating Expenses	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Letternote Text Revision Required?    Yes:     No:   
 If yes, describe the Letternote Text Revision:    None  
 Cash or Federal Fund Name and COFRS Fund Number:    None  
 Reappropriated Funds Source, by Department and Line Item Name:    None  
 Approval by OIT?    Yes:     No:     Not Required:   
 Schedule 13s from Affected Departments:    None  
 Other Information:    None



## Schedule 13 Funding Request for the 2012-13 Budget Cycle

**Department:** Corrections  
**Request Title:** Utilities Rate Increase  
**Priority Number:** S-4, BA-1

**Dept. Approval by:** Tom Clements 01/03/12  
Date

**OSPB Approval by:** \_\_\_\_\_  
Date

Decision Item FY 2012-13  
 Base Reduction Item FY 2012-13  
 Supplemental FY 2011-12  
 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	18,964,769	1,549,744	18,202,841	1,587,322	1,587,322
	<b>FTE</b>	-	-	-	-	-
	<b>GF</b>	17,994,888	1,470,707	17,232,960	1,506,369	1,506,369
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	969,881	79,037	969,881	80,953	80,953
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(2) Institutions</b>	<b>Total</b>	18,964,769	1,549,744	18,202,841	1,587,322	1,587,322
<b>(A) Utilities</b>	<b>FTE</b>	-	-	-	-	-
<b>Utilities</b>	<b>GF</b>	17,994,888	1,470,707	17,232,960	1,506,369	1,506,369
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	969,881	79,037	969,881	80,953	80,953
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Letternote Text Revision Required?    Yes:     No:

If yes, describe the Letternote Text Revision: N/A

Cash or Federal Fund Name and COFRS Fund Number:    Correctional Industries 507

Reappropriated Funds Source, by Department and Line Item Name:

Approval by OIT?    Yes:     No:     Not Required:

Schedule 13s from Affected Departments:    None

Other Information: None



# DEPARTMENT OF CORRECTIONS

John W. Hickenlooper  
Governor

FY 2011-12 Funding Request  
January 3, 2012

Tom Clements  
Executive Director

Department Priority: S-43, BA-1  
Utilities Rate Increase

## FY 2011-12 Supplemental Request

Summary of Incremental Funding Change for FY 2011-12	Total Funds	General Fund	Cash Funds	FTE
Utilities Subprogram	\$1,549,744	\$1,470,707	\$79,037	0.0

## FY 2012-13 Budget Amendment Request:

Summary of Incremental Funding Change for FY 2012-13	Total Funds	General Fund	Cash Funds	FTE
Utilities Subprogram	\$1,587,322	\$1,506,369	\$80,953	0.0

### Request Summary:

The Department of Corrections (DOC) requests an increase of \$1,549,744 (\$1,470,707 GF and \$79,037 CF) for FY 2011-12 and \$1,587,322 (\$1,506,369 GF and \$80,953 CF) in FY 2012-13 for the projected rate increases in Utilities.

### Problem or Opportunity Statement:

Utility rates for all of the four major utility commodities: electric, natural gas, water, and sewer have increased significantly. DOC requests a base-building Supplemental to the Utilities Subprogram to cover FY 2011-12 and subsequent year increased utility costs.

Significant electric rate increases occurred in FY 2010-11 for investor-owned utility territories Black Hills Energy (BHE) and Xcel Energy (Xcel). BHE rates have increased 19% and are impacting the utility costs at DOC southern Colorado correctional facilities. Xcel has projected an electric rate increase of 8%, and BHE projects an additional 11.6% electric rate increase plus a 2% rider fee for FY 2011-12.

Utilities are complying with the state requirement of stricter state emission standards. Investor-

owned utilities have opted to phase-out coal-fired electric generation plants in favor of alternatively-fueled plants. As coal plants are being de-commissioned and new natural gas-fired plants are constructed and brought on-line, BHE and Xcel are passing on those costs of the new plants including the costs of transmission from the new plants. The January 2010 to January 2011 blended electric unit cost increase was 27% in BHE territory. The average increase in unit costs for BHE over FY 2010-11 was 19%, and BHE plans another rate increase on January 1, 2012. The Public Utility Commission (PUC) is currently in hearings regarding the BHE increase request. BHE representatives indicate the increase will be 11.6% with an added increase of up to 2% for the Transmission Cost Adjustment. DOC is estimating the total impact to be roughly 13.5%. Xcel projection for January 2012 is an 8% increase in electrical costs.

Natural gas and propane costs are generally more volatile than electric costs. Natural gas and propane prices tend to rise and fall based on supply, demand, temperature impacts, and transmission constraints. Xcel projects an 8%

increase in natural gas rates, beginning January 2012.

The City of Sterling is constructing a new water treatment plant to address meeting Federal Primary Drinking Water Standards. The Sterling Water Treatment Plant Project will be funded through the State Drinking Water Revolving Fund which provides low interest loans to local government entities for drinking water public health and compliance purposes. In order to cover the cost of financing, design, construction, and operation of the new plant, the City approved an aggressive rate increase schedule. The water rates are scheduled to double over a two year period (July, 1, 2010 to June 30, 2012). Rates increased 23.7% in FY 2011-12 and are scheduled to increase 15% in January 2012. Usage has increased 8% over the last two years and anticipated to continue along with an additional 40 T-Building beds being added (Table 5).

Denver Water increased water rates on March 1, 2011 and an additional increase is approved for January 1, 2012. This fiscal year the average unit cost is \$3.28 compared to last fiscal year of \$2.75, a 19% increase (Table 7). On January 1, 2012 the Denver Water rates will again increase (\$2.31 compared to \$2.44 = 5.6%, see Table 10). The projected need is based upon the average unit cost of the July to October 2011 billings.

Since the beginning of FY 2011-12, DOC has seen an increase in the amount paid for water and sewage, natural gas, and electricity (Table 1). DOC has projected the usage and cost increase for these utilities for FY 2011-12. The Department has averaged the increases for the multiple utility providers and is requesting a 4% increase in water and sewer funding, a 9% increase in electricity funding, and an 8% increase in natural gas funding (Table 2). In addition DOC is requesting an increase for the Sterling and Denver water increases as outlined in Tables 6 & 9.

Within the Utilities line are other obligation expenses that are included in the total projected need for funding. Other committed expenses include maintenance, repairs, and replacement of utility equipment; water right fees; annual fees for testing and inspections of water; tap and sewer required by multiple agencies; legal issues; diesel fuel for generators; recycling fees; and salt for water softeners as examples. For FY 2011-12 the total projected cost for these expenses is \$1,342,723 (Table 4).

**Proposed Solution:**

Increase the Utilities Subprogram by \$1,549,744 whereby the Department can pay rising utility costs.

**Anticipated Outcomes:**

Additional funding of the Utilities Subprogram will provide the funds necessary to pay for the rising costs of utility expenses. Adequate funding will provide for safe and secure facilities for staff, offenders, and visitors.

**Assumptions for Calculations:**

Based on the input of the utility companies and calculations based on seasonal adjustments, DOC has calculated the increases (Table 2) required to provide adequate funding for the rate increases by BHE, Xcel, City of Sterling, and Denver Water (water & sewer).

**Consequences if not Funded:**

If the Utilities Subprogram is not funded sufficiently to cover the cost of utilities, DOC will overspend or be subject to late fee charges, administrative fees for permit or contract violations, and eventually, potential termination of utility services. Facilities that house offenders cannot be without power, heat, water, or wastewater services. Temperatures and lighting standards are mandated by the American Correctional Association (ACA) Standards, and deviation from those standards could cause non-compliance and loss of certification.

The Department currently incorporates every possible efficiency practice in its daily operation.

**Supplemental, 1331 Supplemental, or Budget Amendment Criteria:**

This supplemental request and budget amendment is based on the Department receiving new information on utility cost increases. These increases impact the Department budget for FY 2011-12, and will increase the FY 2012-13 budget request submitted on November 1, 2011.

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**Current Statutory Authority or Needed Statutory Change:**

C.R.S. 17-1-103 (2011) Duties of the Executive Director. There are no statutory changes required.

**Appendix:**

<b>Table 1: 1st Quarter Expense Comparison</b>			
	FY 2010-11	FY 2011-12	% of Increase
Water and Sewerage Services	\$1,032,849.69	\$1,216,661.04	17.8%
Electricity	\$2,514,104.53	\$2,613,489.48	4.0%
Natural Gas	\$538,789.08	\$617,266.52	14.6%

<b>Table 2: FY 2011-12 Projected Increase for Utilities</b>				
	Projected Need With New Rates	FY 2010-11 Expenses	Needed Increase	% of Increase
Water and Sewerage Services	\$3,820,810	\$3,673,856	\$146,954	4%
Electricity	\$10,416,022	\$9,555,984	\$860,038	9%
Natural Gas	\$4,743,582	\$4,392,206	\$351,376	8%
Sub-Total			\$1,358,368	
City of Sterling Rate Increases*	\$501,930	\$351,684	\$150,246	
Denver Water Rate Increases*	\$187,203	\$146,073	\$41,130	28%
	\$19,669,547		<b>\$1,549,744</b>	

\*Incremental rate increase only, previous expenses included under projected need dollars.

<b>Table 3: Projected Need for FY 2011-12</b>	
	Projected Need With Increases
Water and Sewerage Services	\$3,820,810
Electricity	\$10,416,022
Natural Gas	\$4,743,582
Sterling Water Increase	\$150,246
Denver Water Increase	\$41,130
Additional Obligations*	\$1,342,723
<b>Total Projected Utilities Need</b>	<b>\$20,514,513</b>
LB 11-209 Utilities Total Funding	\$18,964,769
<b>Projected Need for FY 2011-12</b>	<b>\$1,549,744</b>

\* Water right fees, water softening, media and salt, water testing fees, inspection fees, tap and sewer fees, repairs, legal issues, and other energy needs (i.e. bottled gas and diesel fuel) in addition to maintenance, repairs, and replacement of equipment due to the age of DOC facilities and aging equipment require funding.

<b>Table 4: Fund Split Calculation</b>			
	Total	GF	CF
FY 2011-12 LB 11-209 Funding	\$18,964,769	\$17,994,888	\$969,881
Funding Ratio Percentage		94.9%	5.1%
FY 2011-12 Supplemental Request	\$1,549,744	\$1,470,707	\$79,037
FY 2012-13 Budget Amendment Request	\$1,587,322	\$1,506,369	\$80,953

**Table 5: City of Sterling Water Average Unit Costs**

Water	FY 2009-10	FY 2010-11	FY 2011-12 July to October 2011	FY 2011-12 Total Projected Units*
Costs	\$262,855	\$351,684	\$178,893	
Units	153,911	166,515	68,544	179,836
Average Unit Cost	\$1.71	\$2.11	\$2.61	
Percentage Increase of Usage		8%	8%	8%

\*8% Increase Trend Continued Remainder of the Year

**Table 6: City of Sterling Projected Increases**

	Units	Average Units Per Month	Average Unit Cost July to October 2011	Projected Average Unit Cost January to June 2012	Extended Cost Projections
Projected November 2011 to June 2012	111,292	13,912	\$2.61	\$3.00	\$323,037
Used (July to October 2011)	68,544		\$2.61		\$178,893
Total	179,836				\$501,930
FY 2010-11 Costs					(\$351,684)
<b>Projected Increase FY 2011-12</b>					<b>\$150,246</b>
Projected Costs FY 2012-13*	179,836			\$3.00	\$539,508
FY 2010-11 Costs					(\$351,684)
<b>Total Projected Increase FY 2012-13</b>					<b>\$187,824</b>

\*Assumes continued trend of 8% usage increase and there are 40 additional T-Building beds being added.

**Table 7: Denver Water Average Unit Costs**

Water	FY 2009-10	FY 2010-11	FY 2011-12 July to October 2011
Costs	\$137,631	\$146,073	\$84,879
Units	54,129	53,154	25,860
Average Unit Cost	\$2.54	\$2.75	\$3.28

<b>Table 8: Denver Projected Increase in Units</b>		
<b>Usage</b>	<b>2010</b>	<b>2011</b>
July	6,568	9,891
August	5,588	5,469
September	6,787	6,084
October	5,141	4,416
Total Units	24,084	25,860
Increased Usage %		7%
Total Usage 2010 & 2011 Projected Usage	53,154	57,074

<b>Table 9: Denver Projected Increase Based on Units</b>			
	<b>Units</b>	<b>Average Unit Cost*</b>	<b>Extended Cost Projections</b>
Projected Usage November 2011 to June, 2012	31,214		
Actual Units (July to October 2011)	25,860		
Total Projected for FY 2011-12	57,074	\$3.28	\$187,203
FY 2010-11 Costs			(\$146,073)
<b>Projected Increase FY 2011-12 &amp; FY 2012-13</b>			<b>\$41,130</b>

\*July to October 2011, \$84,879 total cost divided by total units utilized 25,860 = \$3.28 Average Unit Cost

<b>Table 10: Denver Water Rate Comparison (Non-Residential, Non-Irrigation)</b>		
	<b>Monthly Consumption (Gallons)</b>	<b>Rate per 1,000 Gallons</b>
<b>2011</b>		
Winter	All Consumption	\$2.31
Summer	All Consumption	\$4.62
<b>2012</b>		
Winter	All Consumption	\$2.44
Summer	All Consumption	\$4.87

Winter rates billing periods are October 28 through May 2

Summer rates billing periods are May 3 through October 27

Source: [www.denverwater.org/billingrates/ratescharges](http://www.denverwater.org/billingrates/ratescharges)



# DEPARTMENT OF CORRECTIONS

*FY 2011-12 Funding Request  
January 3, 2012*

*John W. Hickenlooper  
Governor*

*Tom Clements  
Executive Director*

**Department Priority: S-7, BA-2  
Psychotropic Medication**

Summary of Incremental Funding Change for FY 2011-12	Total Funds	General Fund	FTE
Psychotropic Medication	\$0	\$0	0.0

Summary of Incremental Funding Change for FY 2012-13	Total Funds	General Fund	FTE
Psychotropic Medication	\$0	\$0	0.0

### **Request Summary:**

The Department of Corrections (DOC) requests a line item consolidation that combines the standalone funding for Psychotropic Medication with the Wrap-Around Services funding into one line item for flexibility in providing needed psychotropic medication for both parolees and Community offenders. The request results in \$0 change in funding.

### **Problem or Opportunity Statement:**

The current appropriation provides psychotropic medication for offenders under Community Supervision and parolees under Parole that require mental health medication. The Psychotropic Medication budget line was originally approved in SB 07-160 and provides psychotropic medication to offenders released to the community.

In 2010, HB 10-1360 provided funding assistance for parolees to secure employment, housing, transportation, substance abuse treatment, mental health treatment, mental health medication, or offender specific services to support their successful reintegration into the community. The

bill provided additional funding under the Parole program for Wrap-Around Services.

### **Proposed Solution:**

A line item consolidation of the Psychotropic Medication budget line into Wrap-Around Services will allow the DOC to provide assistance to the both the Parole and Community offender populations.

### **Anticipated Outcomes:**

Combining the two separate sources of funding into one appropriation will allow the flexibility to apply limited resources to the greater need.

### **Assumptions for Calculations:**

The FY 2011-12 Long Bill (SB 11-209) funded \$131,760 in the Psychotropic Medication line item for community offenders and \$1,207,225 in the Wrap-Around Services Program. This request moves the \$131,760 from Psychotropic Medication to the Wrap-Around Services Program. Beginning with FY 2011-12, this request eliminates the Psychotropic Medication funding line and increases the Wrap-Around



Services Program by \$131,760, to a total appropriation of \$1,338,985.

**Consequences if not Funded:**

The request creates flexibility to provide psychotropic medication to community offenders or parolees for the safety of the public.

**Supplemental Criteria:**

Analysis of FY 2010-11 expenditure data has identified an area of inefficiency. Combining the

two appropriations will allow for a more effective use of limited resources.

**Current Statutory Authority or Needed Statutory Change:**

No Statutory changes will be necessary to 17-2-102 C.R.S. or 17-27.5-101 C.R.S.



## Schedule 13 Funding Request for the 2012-13 Budget Cycle

Department: Corrections

Request Title: Psychotropic Medication

Priority Number: S-7, BA-2

Dept. Approval by: Tom Clements 01/03/12

Date

OSPB Approval by: \_\_\_\_\_

Date

- |   |
|---|
| <input type="checkbox"/> Decision Item FY 2012-13               |
| <input type="checkbox"/> Base Reduction Item FY 2012-13         |
| <input checked="" type="checkbox"/> Supplemental FY 2011-12     |
| <input checked="" type="checkbox"/> Budget Amendment FY 2012-13 |

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	1,338,985	-	1,338,625	-	-
	FTE	-	-	-	-	-
	GF	1,338,985	-	1,338,625	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(5) Community Services</b>	<b>Total</b>	1,207,225	131,760	1,207,225	131,400	-
<b>(A) Parole Subprogram</b>	FTE	-	-	-	-	-
Wrap-Around Services Program	GF	1,207,225	131,760	1,207,225	131,400	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(5) Community Services</b>	<b>Total</b>	131,760	(131,760)	131,400	(131,400)	-
<b>(D) Community Supervision Subprogram</b>	FTE	-	-	-	-	-
<b>(1) Community Supervision Community</b>	GF	131,760	(131,760)	131,400	(131,400)	-
Psychotropic Medication	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes:  No:  If yes, describe the Letternote Text Revision:  
 Cash or Federal Fund Name and COFRS Fund Number: None  
 Reappropriated Funds Source, by Department and Line Item Name: None  
 Approval by OIT? Yes:  No:  Not Required:   
 Schedule 13s from Affected Departments: None  
 Other Information: None

<b>Letternote Request Summary</b>			
<b>Subprogram Number and Name</b>	<b>Reference</b>	<b>Letter</b>	<b>Recommended Letternote Language</b>
<b>FY 2011-12 Supplemental Request:</b>			
(1)(A) Executive Director's Office - Personal Services	RF	a	Of these amounts, \$123,073 shall be from State Victims Assistance and Law Enforcement funds and \$120,732 shall be from Victims Of Crime Act Assistance funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	RF	c	Of these amounts, \$5,000 shall be from State Victims Assistance and Law Enforcement funds and \$6,750 shall be from Victims Of Crime Act Assistance funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	FF	d	This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding, and is shown for informational purposes only.
(1)(A) Executive Director's Office - Legal Services for 15,298 hours	GF	e	Of this amount, \$1,158,212 shall be used to purchase 15,298 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.
(1)(A) Executive Director's Office - Leased Space and Capitol Complex Leased Space	CF	f	The amounts shall be from sales revenues earned by Correctional Industries.
(1)(B)(1) External Capacity, Private Prison Monitoring Unit - Operating Expenses	CF	a	This amount shall be from revenues earned from private prison out of state offender monitoring.
(1)(C) Inspector General - Inspector General Grants	RF	b	Of this amount, \$68,603 shall be funds for the Colorado Informational Analysis Center from the Office of the Governor of the State of Colorado-Homeland Security and \$50,111 shall be funds for Offender release of Information to Law Enforcement from the Division of Criminal Justice in the Department of Public Safety.
(1)(C) Inspector General - Inspector General Grants	FF	c	Of this amount, \$20,000 shall be funds for Federal Equitable Forfeiture Sharing from the US Department of Justice and \$265,750 shall be funds for the Prison Rape Elimination Act from the US Department of Justice.
(2)(B) Maintenance - Maintenance Grants (New Line Item)	CF	a	This amount shall be from History Colorado, The Colorado Historical Society.
(2)(G) Superintendents - Operating Expenses	GF	a	It is the intent of the General Assembly to allow the Department of Corrections to roll forward the balance of appropriations for the Fort Lyon Correctional Facility staff moving and relocation expenses.
(2)(K) Mental Health - Mental Health Grants	RF	a	This amount shall be for the Mountain Re-entry Program for Male Offenders from appropriations made to the Division of Criminal Justice in the Department of Public Safety.
(4)(B) Education - Education Grants	RF	d	Of this amount, \$17,694 shall be for the Individuals with Disabilities Education Act, \$91,735 shall be for Special Education, \$92,670 shall be for Title I - No Child Left Behind, all from the Colorado Department of Education; \$41,636 shall be for a HIV Prevention Program from the Colorado Department of Public Health and Environment; and \$30,000 shall be for the Carl Perkins State Leadership Program from funds the Colorado Community College System.
(4)(B) Education - Education Grants	FF	e	Of this amount, \$282,787 shall be for Youthful Offenders Vocational Tuition Program from the US Department of Education and \$719,775 shall be for the Cisco Certified Network Academy from the US Department of Justice.

<b>Letternote Request Summary</b>			
<b>Subprogram Number and Name</b>	<b>Reference</b>	<b>Letter</b>	<b>Recommended Letternote Language</b>
(4)(D) Drug and Alcohol Treatment - Treatment Grants	RF	b	This amount shall be for the Residential Substance Abuse Treatment Program from the Division of Criminal Justice in the Department of Public Safety.
(4)(E) Sex Offender Treatment - Treatment Grants	FF	b	This amount shall be for the Sex Offender Community Reintegration Program from the US Department of Justice.
(5)(D)(1) Community Supervision - Community Mental Health Services	RF	a	This amount shall be for Intensive Residential Treatments Services for parolees from the Division of Criminal Justice in the Department of Public Safety.
(5)(D)(1) Community Supervision - Contract Services for Fugitive Returns	RF	b	This amount shall be from the Division of Criminal Justice in the Department of Public Safety.
(5)(E) Community Re-entry - Reintegration Grants	RF	b	Of this amount, \$7,431 shall be for the Geographic Information Systems Program from the Division of Criminal Justice in the Department of Public Safety and \$82,684 shall be for the Colorado Second Chance Housing and Prisoner Re-entry Program from the Colorado Department of Local Affairs, Division of Housing.
(7) Correctional Industries - Grants (New line Item)	FF	c	This amount shall be for the International Correctional Management Training Center from the US Department of State, Bureau of International Narcotics and Law Enforcement Affairs.
<b>FY 2012-13 Budget Amendment Request:</b>			
(1)(A) Executive Director's Office - Personal Services	RF	a	Of these amounts, \$123,073 shall be from State Victims Assistance and Law Enforcement funds and \$120,732 shall be from Victims Of Crime Act Assistance funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	RF	c	Of these amounts, \$5,000 shall be from State Victims Assistance and Law Enforcement funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	FF	d	This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding, and is shown for informational purposes only.
(1)(A) Executive Director's Office - Legal Services for 15,298 hours	GF	e	Of this amount, \$1,158,212 shall be used to purchase 15,298 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.
(1)(A) Executive Director's Office - Leased Space and Capitol Complex Leased Space	CF	f	The amounts shall be from sales revenues earned by Correctional Industries.
(1)(B)(1) External Capacity, Private Prison Monitoring Unit - Operating Expenses	CF	a	This amount shall be from revenues earned from private prison out of state offender monitoring.
(1)(C) Inspector General - Inspector General Grants	RF	b	This amount shall be funds for the Colorado Informational Analysis Center from the Office of the Governor of the State of Colorado-Homeland Security.
(1)(C) Inspector General - Inspector General Grants	FF	c	Of this amount, \$20,000 shall be funds for Federal Equitable Forfeiture Sharing from the US Department of Justice and \$187,912 shall be funds for the Prison Rape Elimination Act from the US Department of Justice.
(2)(B) Maintenance - Maintenance Grants (New Line Item)	CF	a	(Omit letternote a; no CF is anticipated in FY 2012-13.)

<b>Letternote Request Summary</b>			
<b>Subprogram Number and Name</b>	<b>Reference</b>	<b>Letter</b>	<b>Recommended Letternote Language</b>
(2)(C) Housing and Security - Personal Services	GF	a	In addition to the funding provided I this line, it is the intent of the General Assembly that the Department of Corrections utilize the \$486,664 General Fund appropriation contained in Sections 17-18-101 (1)(e)(II), 17-18-102 (1)(e), 17-18-103 (1)(e)(II), 17-18-104 (1)(e), 17-18-105 (1)(c), and 17-18-106 (1)(c), C.R.S. for these purposes.
(2)(G) Superintendents - Operating Expenses	GF	a	An unexpended balance of staff moving and relocation expenses appropriation from the decommissioning of the Fort Lyon Correctional Facility may be rolled forward from FY 2011-12.
(2)(K) Mental Health - Mental Health Grants	RF	a	This amount shall be for the Mountain Re-entry Program for Male Offenders from appropriations made to the Division of Criminal Justice in the Department of Public Safety.
(4)(B) Education - Education Grants	RF	d	Of this amount, \$42,410 shall be for Special Education and \$25,470 shall be for Title I - No Child Left Behind from the Colorado Department of Education; \$8,364 shall be for a HIV Prevention Program from the Colorado Department of Public Health and Environment.
(4)(B) Education - Education Grants	FF	e	This shall be for the Cisco Certified Network Academy from the US Department of Justice.
(4)(D) Drug and Alcohol Treatment - Treatment Grants	RF	b	This amount shall be for the Residential Substance Abuse Treatment Program from the Division of Criminal Justice in the Department of Public Safety.
(4)(E) Sex Offender Treatment - Treatment Grants	FF	b	This amount shall be for the Sex Offender Community Reintegration Program from the US Department of Justice.
(5)(D)(1) Community Supervision - Community Mental Health Services	RF	a	This amount shall be for Intensive Residential Treatments Services for parolees from the Division of Criminal Justice in the Department of Public Safety.
(5)(D)(1) Community Supervision - Contract Services for Fugitive Returns	RF	b	This amount shall be from the Division of Criminal Justice in the Department of Public Safety.
(5)(E) Community Re-entry - Reintegration Grants	RF	b	Of this amount, \$7,431 shall be for the Geographic Information Systems Program from the Division of Criminal Justice in the Department of Public Safety and \$82,684 shall be for the Colorado Second Chance Housing and Prisoner Re-entry Program from the Colorado Department of Local Affairs, Division of Housing.
(7) Correctional Industries - Grants (New line Item)	FF	c	This amount shall be for the International Correctional Management Training Center from the US Department of State, Bureau of International Narcotics and Law Enforcement Affairs.

## Schedule 13

### Funding Request for the 2012-13 Budget Cycle

**Department:** Corrections  
**Request Title:** Miscellaneous Adjustments  
**Priority Number:** S-8, BA-3

**Dept. Approval by:** Tom Clements      01/03/12  
Date

- |   |
|---|
| <input type="checkbox"/> Decision Item FY 2012-13               |
| <input type="checkbox"/> Base Reduction Item FY 2012-13         |
| <input checked="" type="checkbox"/> Supplemental FY 2011-12     |
| <input checked="" type="checkbox"/> Budget Amendment FY 2012-13 |

**OSPB Approval by:** \_\_\_\_\_  
Date

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
Fund		Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	23,800,411	3,198,613	23,520,679	(451,919)	(451,919)
	<b>FTE</b>	19.1	-	19.1	-	-
	<b>GF</b>	22,151,770	(40,052)	21,872,038	(585,000)	(585,000)
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	10,000	225,101	10,000	29,467	29,467
	<b>RF</b>	925,430	535,150	925,430	(191,482)	(191,482)
	<b>FF</b>	713,211	2,478,414	713,211	295,096	295,096
<b>(1) Management</b>						
<b>(A) Executive Director's Office</b>	<b>Total</b>	1,471,344	34,254	1,506,441	34,254	34,254
	<b>FTE</b>	17.1	-	17.1	-	-
<b>Personal Services</b>	<b>GF</b>	1,261,793	-	1,296,890	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	209,551	34,254	209,551	34,254	34,254
	<b>FF</b>	-	-	-	-	-
<b>(1) Management</b>						
<b>(A) Executive Director's Office</b>	<b>Total</b>	304,960	(26,328)	314,533	(33,078)	(33,078)
	<b>FTE</b>	-	-	-	-	-
<b>Operating Expenses</b>	<b>GF</b>	181,882	-	191,455	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	47,478	(35,728)	47,478	(42,478)	(42,478)
	<b>FF</b>	75,600	9,400	75,600	9,400	9,400
<b>(1) Management</b>						
<b>(B) External Capacity</b>	<b>Total</b>	172,170	30,053	183,976	29,467	29,467
	<b>FTE</b>	-	-	-	-	-
<b>(1) Private Prison Monitoring Unit</b>	<b>GF</b>	172,170	-	183,976	-	-
	<b>GFE</b>	-	-	-	-	-
<b>Operating Expenses</b>	<b>CF</b>	-	30,053	-	29,467	29,467
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(1) Management</b>						
<b>(C) Inspector General</b>	<b>Total</b>	40,301	364,163	40,301	195,348	195,348
<b>Inspector General Grants</b>	FTE	1.0	-	1.0	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	20,301	98,413	20,301	7,436	7,436
	FF	20,000	265,750	20,000	187,912	187,912
<b>(2) Institutions</b>						
<b>(B) Maintenance</b>	<b>Total</b>	-	195,048	-	-	-
<b>Maintenance Grants</b>	FTE	-	-	-	-	-
<b>(New Line Item)</b>	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	195,048	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(2) Institutions</b>						
<b>(D) Food Service</b>	<b>Total</b>	15,984,566	187,628	15,745,174	-	-
<b>Operating Expenses</b>	FTE	-	-	-	-	-
	GF	15,904,566	-	15,665,174	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	80,000	187,628	80,000	-	-
<b>(2) Institutions</b>						
<b>(G) Superintendents</b>	<b>Total</b>	3,944,006	-	3,847,190	(585,000)	(585,000)
<b>Operating Expenses</b>	FTE	-	-	-	-	-
	GF	3,944,006	-	3,847,190	(585,000)	(585,000)
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(2) Institutions</b>						
<b>(J) Mental Health</b>	<b>Total</b>	200,100	29,900	200,100	(135,301)	(135,301)
<b>Mental Health Grants</b>	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	200,100	29,900	200,100	(135,301)	(135,301)
	FF	-	-	-	-	-
<b>(3) Support Services</b>						
<b>(D) Communications</b>	<b>Total</b>	230,270	(40,052)	230,270	-	-
<b>Dispatch Services</b>	FTE	-	-	-	-	-
	GF	230,270	(40,052)	230,270	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-



Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(4) Inmate Programs (B) Education Education Grants</b>	<b>Total</b>	498,000	788,297	498,000	(384,106)	(384,106)
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	10,000	-	10,000	-	-
	RF	238,000	35,735	238,000	(161,756)	(161,756)
	FF	250,000	752,562	250,000	(222,350)	(222,350)
<b>(4) Inmate Programs (D) Drug and Alcohol Treatment Treatment Grants</b>	<b>Total</b>	125,000	187,461	125,000	1,682	1,682
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	125,000	187,461	125,000	1,682	1,682
	FF	-	-	-	-	-
<b>(4) Inmate Programs (E) Sex Offender Treatment Sex Offender Treatment Grants</b>	<b>Total</b>	248,513	263,074	248,513	(182,916)	(182,916)
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	248,513	263,074	248,513	(182,916)	(182,916)
<b>(5) Community Services (D) Community Supervision (1) Community Supervision Community Mental Health Services</b>	<b>Total</b>	457,083	180,000	457,083	180,000	180,000
	FTE	-	-	-	-	-
	GF	457,083	-	457,083	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	180,000	-	180,000	180,000
	FF	-	-	-	-	-
<b>(5) Community Services (E) Community Re-entry Community Reintegration Grants</b>	<b>Total</b>	124,098	5,115	124,098	(75,319)	(75,319)
	FTE	1.0	-	1.0	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	85,000	5,115	85,000	(75,319)	(75,319)
	FF	39,098	-	39,098	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(7) Correctional Industries Grants (New Line Item)</b>	<b>Total</b>	-	1,000,000	-	503,050	503,050
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	1,000,000	-	503,050	503,050
<p>Letternote Text Revision Required?      Yes: <input checked="" type="checkbox"/>      No: <input type="checkbox"/>      If yes, describe the Letternote Text Revision:                      See attached.</p> <p>Cash or Federal Fund Name and COFRS Fund Number:      See attached.</p> <p>Reappropriated Funds Source, by Department and Line Item Name:      See attached.</p> <p>Approval by OIT?      Yes: <input type="checkbox"/>      No: <input type="checkbox"/>      Not Required: <input checked="" type="checkbox"/></p> <p>Schedule 13s from Affected Departments:      N/A</p> <p>Other Information:      N/A</p>						



# DEPARTMENT OF CORRECTIONS

John W. Hickenlooper  
Governor

*FY 2011-12 Supplemental, FY 2012-13 Budget Amendment Request*  
January 3, 2012

Tom Clements  
Executive Director

**Department Priority: S-8, BA-3**  
**Miscellaneous Adjustments**

### FY 2011-12 Supplemental Request:

Summary of Incremental Funding Change for FY 2011-12	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Various Funding Lines	\$3,198,613	(\$40,052)	\$225,101	\$535,150	\$2,478,414	0.0

### FY 2012-13 Budget Amendment Request:

Summary of Incremental Funding Change for FY 2012-13	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Various Funding Lines	(\$451,919)	(\$585,000)	\$29,467	(\$191,482)	\$295,096	0.0

### Request Summary:

The Department of Corrections (DOC) requests a supplemental increase of \$3,198,613 in total funds to adjust various appropriations due to acquisition of alternate fund sources during FY 2011-12. The supplemental request also serves as a true-up of the alternate fund sources with current information, providing the most accurate reflection of funding available to the DOC.

The associated budget amendment request for FY 2012-13 is for a decrease in total funds of (\$451,919) and also performs a true-up of alternate fund sources. The budget amendment contains a technical correction that results in the return of \$585,000 of General Fund.

### Problem or Opportunity Statement:

The DOC applies for numerous grants and applicable alternate funding opportunities whenever possible. The intent of this supplemental and budget amendment request is to make adjustments to appropriated amounts, to address new data received during the course of the current fiscal year, and to provide technical corrections where appropriate. The majority of

the adjustments clarify actual amounts of grant funds that were estimated at the time of the budget submission, and to better align appropriations with expected revenues. Adjustments are being requested to provide a true and accurate display of various funds obtained by the Department.

Both requests contain a brief explanation of newly acquired funds, specifically grants, whereas the amounts of existing continuation funds are simply adjusted to reflect proper appropriations. Corresponding letternote verbiage is contained within each request to be included in the respective long bill.

### Proposed Solution:

Funding the DOC FY 2011-12 supplemental request for \$3,198,613 of total funds, and associated FY 2012-13 budget amendment request for (\$451,919) of total funds to properly reflect all funds available to the Department of Corrections.

**Anticipated Outcomes:**

The FY 2011-12 supplemental and FY 2012-13 budget amendment requests provide complete, accurate, and transparent information about the funding that the Department of Corrections receives.

**Assumptions for Calculations:**

All new requests for grant fund spending authority are based on the terms and conditions of the grant awards. Continuation grant and cash funds are generally based upon the ending FY 2010-11 fund balances, and any terms and conditions associated with the funds.

**Cash Fund Projections:**

Cash Funds spending authority within the FY 2011-12 supplemental request and the FY 2012-13 budget amendment request is generally limited to funds already received or for funding highly likely to be awarded to the DOC. The total Cash Funds appropriated in the FY 2011-12 budget is \$40,223,222. The supplemental request seeks to increase that amount by \$225,101. The FY 2012-13 November 1, 2011 request is for \$41,975,035 CF. The budget amendment request is for an additional \$29,467 of Cash Funds.

**Consequences if not Funded:**

Departmental expenditures of alternate fund sources money will have a distorted appearance without adequate spending authority via Long Bill appropriations.

**Supplemental, 1331 Supplemental, or Budget Amendment Criteria:**

This funding request meets Supplemental and Budget Amendment criteria of new data resulting in substantive changes in funding needs by acquisition of grant funds after the last regular cycle submission, current grant and cash fund ending balances are known after the end of FY 2010-11, and technical corrections are brought forward at the first opportunity for presentation.

**Current Statutory Authority or Needed Statutory Change:**

No statutory change is needed. 17-1-103 C.R.S. authorizes the DOC Executive Director to manage correctional facilities. 17-1-105 C.R.S. authorizes the DOC Executive Director to enter into contracts and agreements. 17-1-107 allows the DOC to accept, or refuse to accept, gifts, donations, and grants.

**Appendix:  
By Long Bill Subprogram  
FY 2011-12 Supplemental (Supp) and FY 2012-13 Budget Amendment (BA)**

**(1)(A) Executive Director's Office Subprogram**

**Personal Services**

Two grants providing Reappropriated Funds (RF):

-State Victims Assistance and Law Enforcement (VALE), RF from Division of Criminal Justice (DCJ), in the Department of Public Safety (DPS).

-Victims Of Crime Act Assistance (VOCA), RF from Division of Criminal Justice (DCJ), in the Department of Public Safety (DPS).

**Calculations:**

<b>(1)(A) Executive Director's Office Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Personal Services</b>					
<b>VALE (RF)</b>	\$209,551	\$123,073	(\$86,478)	\$123,073	(\$86,478)
<b>VOCA (RF)</b>	\$0	\$120,732	\$120,732	\$120,732	\$120,732
<b>Totals (RF)</b>	<b>\$209,551</b>	<b>\$243,805</b>	<b>\$34,254</b>	<b>\$243,805</b>	<b>\$34,254</b>

**(1)(A) Executive Director's Office Subprogram**

**Operating Expenses**

Two grants providing Reappropriated Funds (RF):

-State Victims Assistance and Law Enforcement (VALE), RF from Division of Criminal Justice, in the Department of Public Safety.

-Victims Of Crime Act Assistance (VOCA), RF from Division of Criminal Justice, in the Department of Public Safety.

One source of Federal Funds (FF):

-Social Security Administration (SSA).

**Calculations:**

<b>(1)(A) Executive Director's Office Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Operating Expenses</b>					
<b>VALE (RF)</b>	\$47,478	\$5,000	(\$42,478)	\$5,000	(\$42,478)
<b>VOCA (RF)</b>	\$0	\$6,750	\$6,750	\$0	\$0
<b>Sub-Total (RF)</b>	<b>\$47,478</b>	<b>\$11,750</b>	<b>(\$35,728)</b>	<b>\$5,000</b>	<b>(\$42,478)</b>
<b>SSA (FF)</b>	\$75,600	\$85,000	\$9,400	\$85,000	\$9,400
<b>Sub-Total (FF)</b>	<b>\$75,600</b>	<b>\$85,000</b>	<b>\$9,400</b>	<b>\$85,000</b>	<b>\$9,400</b>
<b>Totals (RF &amp; FF)</b>	<b>\$123,078</b>	<b>\$96,750</b>	<b>(\$26,328)</b>	<b>\$90,000</b>	<b>(\$33,078)</b>

**(1)(B)(1) External Capacity Subprogram, Private Prison Monitoring Unit**

**Operating Expenses**

A new source of Cash Funds (CF) is from revenues earned from Private Prison out of state offender monitoring. Hudson Correctional Facility (HCF) is occupied by offenders from Alaska during FY 2011-12 and continuing into FY 2012-13. As required by 17-1-202(1)(g), C.R.S., and provided in contractual

agreements, the DOC collects \$0.51 per day per offender for monitoring and investigative services. Previously, the funds collected for an Average Daily Population (ADP) of 991 offenders have been directed to Cash Funds in the Inspector General's subprogram for investigations. Recent plans to increase the Alaska offender population to 1,150 creates the need to increase the CF spending authority for services, and that the increased amount be authorized in the Private Prison Monitoring Unit (PPMU) Operating Expenses appropriation to provide funding for staff travel expenses to HCF.

**Calculations:**

<b>(1)(B)(1) External Capacity Subprogram, Private Prison Monitoring Unit (PPMU)</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate*</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate**</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Operating Expenses</b>					
<b>HCF Monitoring (CF) Totals</b>	<b>\$0</b>	<b>\$30,053</b>	<b>\$30,053</b>	<b>\$29,467</b>	<b>\$29,467</b>

\* FY 2011-12 Estimate = 1,150 Offenders x \$0.51 cost per offender x 366 days = \$214,659 - \$184,606 already authorized in the Inspector General Subprogram = \$30,053 request for PPMU.

\*\* FY 2012-13 Estimate = 1,150 Offenders x \$0.51 cost per offender x 365 days = \$214,073 - \$184,606 already authorized in the Inspector General Subprogram = \$29,467 request for PPMU.

**(1)(C) Inspector General Subprogram  
Inspector General Grants**

Two grants providing Reappropriated Funds (RF):

- Colorado Information Analysis Center (CIAC), RF from the Governor's Office of Homeland Security.
- Offender Release of Information to Law Enforcement (ORILE), RF from Division of Criminal Justice, in the Department of Public Safety.

Two grants providing Federal Funds (FF):

- Equitable Forfeiture Sharing (EFS), FF from the US Department of Justice, Criminal Division, Asset Forfeiture and Money Laundering Section.
- Prison Rape Elimination Act (PREA), FF from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

**Calculations:**

<b>(1)(C) Inspector General Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Inspector General Grants</b>					
<b>CIAC (RF)</b>	\$20,301	\$68,603	\$48,302	\$27,737	\$7,436
<b>ORILE (RF)</b>	\$0	\$50,111	\$50,111	\$0	\$0
<b>Sub-Total (RF)</b>	<b>\$20,301</b>	<b>\$118,714</b>	<b>\$98,413</b>	<b>\$27,737</b>	<b>\$7,436</b>
<b>EFS (FF)</b>	\$20,000	\$20,000	\$0	\$20,000	\$0
<b>PREA (FF)</b>	\$0	\$265,750	\$265,750	\$187,912	\$187,912
<b>Sub-Total (FF)</b>	<b>\$20,000</b>	<b>\$285,750</b>	<b>\$265,750</b>	<b>\$207,912</b>	<b>\$187,912</b>
<b>Totals (RF &amp; FF)</b>	<b>\$40,301</b>	<b>\$404,464</b>	<b>\$364,163</b>	<b>\$235,649</b>	<b>\$195,348</b>

**(2)(B) Maintenance Subprogram  
Maintenance Grants (New Line Item)**

One grant providing Cash Funds (CF):

-Colorado Historical Society, CF for roof replacement and repair at the Fort Lyon Correctional Facility. This grant was awarded in FY 2010-11, and has received approval by the State Controller to be rolled into FY 2011-12. Delay in expending the grant was caused by the process to determine the status of FLCF in FY 2011-12. The Department will be making this repair in FY 2011-12.

**Calculations:**

<b>(2)(B) Maintenance Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Maintenance Grants</b>					
<b>Historical Society (CF) Totals</b>	<b>\$0</b>	<b>\$195,048</b>	<b>\$195,048</b>	<b>\$0</b>	<b>\$0</b>

**(2)(C) Housing and Security Subprogram**

**Personal Services**

Legislative Session Bills providing General Fund (GF):

-Appropriations contained in Legislative bills that have prison bed impact are funded in the Housing and Security Personal Services appropriation via a letternote. There is no change in the FY 2011-12 Supplemental for these special bills. Appropriations during FY 2012-13 for special bills are addressed in this Budget Amendment as a letternote only.

**Calculations:**

<b>(2)(C) Housing and Security Subprogram - Letternote a (Informational Purposes Only)</b>			
	<b>Fund Source</b>	<b>FY 2012-13</b>	<b>C.R.S</b>
HB 08-1115 Retaliation Against a Judge	GF	\$28,758	17-18-101 (1)(e)(II)
HB 08-1194 Drunk Driving	GF	\$31,634	17-18-104 (1)(e)
HB 08-1352 Return to Custody Options	GF	\$217,566	17-18-102 (1)(e)
SB 08-239 Leaving the Scene of an Accident	GF	\$175,424	17-18-103 (1)(e)(II)
HB 10-1081 Money Laundering Criminal Fraud	GF	\$28,800	17-18-105 (1)(c)
HB 10-1277 Sexual Conduct in a Correctional Facility	GF	\$4,482	17-18-106 (1)(c)
<b>Total FY 2012-13 Special Bills Appropriation</b>	<b>GF</b>	<b>\$486,664*</b>	

\*Amount is for (2)(C) Housing and Security Personal Services Letternote a.

**(2)(D) Food Service Subprogram**

**Operating Expenses**

One source providing Federal Funds (FF):

-During FY 2011-12, the Department received a one time amount of US Department of Agriculture (USDA) surplus commodities consisting of turkey rolls, tortillas, and pancakes valued at \$267,628.

**Calculations:**

<b>(2)(D) Food Service Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Operating Expenses</b>					
<b>USDA (FF) Totals</b>	<b>\$80,000</b>	<b>\$267,628</b>	<b>\$187,628</b>	<b>\$0</b>	<b>\$0</b>

**(2)(G) Superintendents Subprogram**

**Operating Expenses**

FY 2011-12 letternote request and FY 2012-13 General Fund (GF) technical correction:

-With the decommissioning of the Fort Lyon Correctional Facility (FLCF) during FY 2011-12, the Department estimated staff moving and relocation expenses to be \$3,000 per each of the 195 FTE, resulting in \$585,000 being appropriated in the Superintendents operating expenses Long Bill line. As of November 14, 2011, only 28 of the staff have moved using \$38,456.98 of these funds. The Department cannot guarantee that all affected staff will be relocated by June 30, 2012; therefore, requests a letternote be added to the supplemental Long Bill indicating the expressed legislative intent that the funds for FLCF staff moving/relocation expenses be eligible to roll forward into FY 2012-13 in case there is a remaining balance of funds.

-The FY 2012-13 portion of this request is a technical correction of (\$585,000) GF, which is the funding for these same moving/relocation expenses. The intent of this appropriation was to be one time only in nature and not to be base continuation; therefore, the Department requests the removal of this funding.

**Calculations:**

<b>(2)(G) Superintendents Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Operating Expenses</b>					
<b>All Operating Expenses (GF) Totals</b>	<b>\$3,944,006</b>	<b>\$3,944,006</b>	<b>\$0*</b>	<b>\$3,359,006</b>	<b>(\$585,000)</b>

\*Request to add new letternote a: "It is the intent of the General Assembly to allow the Department of Corrections to roll forward the balance of appropriations for the Fort Lyon Correctional Facility staff moving and relocation expenses."

**(2)(J) Mental Health Subprogram**

**Mental Health Grants**

One grant providing Reappropriated Funds (RF):

-Mountain Re-Entry Program for Male Offenders, RF from Division of Criminal Justice, in the Department of Public Safety.

**Calculations:**

<b>(2)(J) Mental Health Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Mental Health Grants</b>					
<b>Mountain Re-Entry (RF) Totals</b>	<b>\$200,100</b>	<b>\$230,000</b>	<b>\$29,900</b>	<b>\$64,799</b>	<b>(\$135,301)</b>

**(3)(D) Communications Subprogram**

**Dispatch Services**

One source of General Fund (GF):

-This appropriation is for use of the Colorado State Patrol Dispatch Services. For FY 2011-12, the DOC has already paid the total amount due of \$190,218, leaving surplus funding of \$40,052 GF. The Department requests a decreased supplemental adjustment of (\$40,052). At this time, the Department requests no change in the FY 2012-13 appropriation, as the actual annual costs incurred have begun an upward trend.



**Calculations:**

<b>(3)(D) Communications Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Dispatch Services</b>					
<b>Totals (GF)</b>	<b>\$230,270</b>	<b>\$190,218</b>	<b>(\$40,052)</b>	<b>\$230,270</b>	<b>\$0</b>

**(4)(B) Education Subprogram****Education Grants**

Five grants providing Reappropriated Funds (RF):

- Individuals with Disabilities Education Act (IDEA) Part B, RF from the Colorado Department of Education (CDE).
- Special Education (SPED), RF from the Colorado Department of Education.
- Title I - No Child Left Behind, RF from the Colorado Department of Education.
- HIV Prevention Program, RF from the Colorado Department of Public Health and Environment (CDPHE).
- Carl Perkins State Leadership, RF from the Colorado Community College System (CCCS).

Two sources of Federal Funds (FF):

- Youthful Offenders Vocational Tuition Program (CYOPP) - FF from the US Department of Education (DOE).
- Cisco Certified Network Academy (Cisco), FF from the US Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance.

**Calculations:**

<b>(4)(B) Education Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Education Grants</b>					
<b>IDEA (RF)(CDE)</b>	\$0	\$17,694	\$17,694	\$0	\$0
<b>SPED (RF)(CDE)</b>	\$80,000	\$91,735	\$11,735	\$42,410	(\$37,590)
<b>Title I (RF)(CDE)</b>	\$100,000	\$92,670	(\$7,330)	\$25,470	(\$74,530)
<b>Sub-Total (RF)(CDE)</b>	<b>\$180,000</b>	<b>\$202,099</b>	<b>\$22,099</b>	<b>\$67,880</b>	<b>(\$112,120)</b>
<b>HIV (RF)(CDPHE)</b>	\$25,000	\$41,636	\$16,636	\$8,364	(\$16,636)
<b>Perkins (RF) (CCCS)</b>	\$33,000	\$30,000	(\$3,000)	\$0	(\$33,000)
<b>Sub-Total All (RF)</b>	<b>\$238,000</b>	<b>\$71,636</b>	<b>\$35,735</b>	<b>\$76,244</b>	<b>(\$161,756)</b>
<b>CYOPP (FF)(DOE)</b>	\$250,000	\$282,787	\$32,787	\$0	(\$250,000)
<b>Cisco (FF) (DOJ)</b>	\$0	\$719,775	\$719,775	\$27,650	\$27,650
<b>Sub-Total (FF)</b>	<b>\$250,000</b>	<b>\$1,002,562</b>	<b>\$752,562</b>	<b>\$27,650</b>	<b>(\$222,350)</b>
<b>Totals (RF &amp; FF)</b>	<b>\$488,000</b>	<b>\$1,276,297</b>	<b>\$788,297</b>	<b>\$103,894</b>	<b>(\$384,106)</b>

**(4)(D) Drug and Alcohol Treatment Subprogram****Treatment Grants**

One grant providing Reappropriated Funds (RF):

- Residential Substance Abuse Treatment (RSAT), RF from Division of Criminal Justice, in the Department of Public Safety.

**Calculations:**

<b>(4)(D) Drug and Alcohol Treatment Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Treatment Grants</b>					
<b>RSAT (RF) Totals</b>	<b>\$125,000</b>	<b>\$312,461</b>	<b>\$187,461</b>	<b>\$126,382</b>	<b>\$1,682</b>

**(4)(E) Sex Offender Treatment Subprogram**

**Sex Offender Treatment Grants**

One grant providing Federal Funds (FF):

- Sex Offender Community Reintegration (SORE), FF from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

**Calculations:**

<b>(4)(E) Sex Offender Treatment Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Sex Offender Treatment Grants</b>					
<b>SORE (FF) Totals</b>	<b>\$248,513</b>	<b>\$511,587</b>	<b>\$263,074</b>	<b>\$65,597</b>	<b>(\$182,916)</b>

**(5)(D)(1) Community Supervision Subprogram**

**Community Mental Health Services**

One source of Reappropriated Funds (RF):

- Intensive Residential Treatment (IRT), RF from the Department of Public Safety. The DOC has an interagency agreement with DPS to reimburse the DOC for payments made for contractually provided IRT services to parolees. The agreement, Contract Management System (CMS) #25616, contains a payment schedule of \$180,000 per year from FY 2011-12 through FY 2014-15.

**Calculations:**

<b>(5)(D)(1) Community Supervision Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Sex Offender Treatment Grants</b>					
<b>IRT (RF) Totals</b>	<b>\$0</b>	<b>\$180,000</b>	<b>\$180,000</b>	<b>\$180,000</b>	<b>\$180,000</b>

**(5)(E) Community Re-entry Subprogram**

**Community Reintegration Grants**

Two grants providing Reappropriated Funds (RF):

- Geographic Information Systems (GIS), RF from Division of Criminal Justice, in the Department of Public Safety.
- Colorado Second Chance Housing and Prisoner Re-entry Program (C-SCHARP), RF from the Colorado Department of Local Affairs (DLO), Division of Housing.

**Calculations:**

<b>(5)(E) Community Re-entry Subprogram</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Community Reintegration Grants</b>					
<b>GIS (RF)</b>	\$0	\$7,431	\$7,431	\$9,681	\$9,681
<b>C-SHARP (RF)</b>	\$85,000	\$82,684	(\$2,316)	\$0	(\$85,000)
<b>Totals (RF)</b>	<b>\$85,000</b>	<b>\$90,115</b>	<b>\$5,115</b>	<b>\$9,681</b>	<b>(\$75,319)</b>

**(7) Correctional Industries  
Grants (New Line Item)**

One source of Federal Funds (FF):

-International Correctional Management Training Center (ICMTC), FF from the US Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL). These funds are intended to develop a year round correctional training center for groups of staff from developing countries and correctional systems that can benefit from Colorado's Correctional System's management expertise.

**Calculations:**

<b>(7) Correctional Industries</b>					
	<b>FY 2011-12 Long Bill</b>	<b>FY 2011-12 Estimate</b>	<b>FY 2011-12 Supp Inc Diff</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2012-13 BA Inc Diff</b>
<b>Grants (New Line Item)</b>					
<b>ICMTC (FF) Totals</b>	<b>\$0</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>	<b>\$503,050</b>	<b>\$503,050</b>

**Miscellaneous Adjustments - Associated Letternote Request (in Long Bill Order):**

<b>Letternote Request Summary</b>			
<b>Subprogram Number and Name</b>	<b>Reference</b>	<b>Letter</b>	<b>Recommended Letternote Language</b>
<b>FY 2011-12 Supplemental Request:</b>			
(1)(A) Executive Director's Office - Personal Services	RF	a	Of these amounts, \$123,073 shall be from State Victims Assistance and Law Enforcement funds and \$120,732 shall be from Victims Of Crime Act Assistance funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	RF	c	Of these amounts, \$5,000 shall be from State Victims Assistance and Law Enforcement funds and \$6,750 shall be from Victims Of Crime Act Assistance funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	FF	d	This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding, and is shown for informational purposes only.
(1)(A) Executive Director's Office - Legal Services for 15,298 hours	GF	e	Of this amount, \$1,158,212 shall be used to purchase 15,298 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.
(1)(A) Executive Director's Office - Leased Space and Capitol Complex Leased Space	CF	f	The amounts shall be from sales revenues earned by Correctional Industries.

<b>Letternote Request Summary</b>			
<b>Subprogram Number and Name</b>	<b>Reference</b>	<b>Letter</b>	<b>Recommended Letternote Language</b>
(1)(B)(1) External Capacity, Private Prison Monitoring Unit - Operating Expenses	CF	a	This amount shall be from revenues earned from private prison out of state offender monitoring.
(1)(C) Inspector General - Inspector General Grants	RF	b	Of this amount, \$68,603 shall be funds for the Colorado Informational Analysis Center from the Office of the Governor of the State of Colorado-Homeland Security and \$50,111 shall be funds for Offender release of Information to Law Enforcement from the Division of Criminal Justice in the Department of Public Safety.
(1)(C) Inspector General - Inspector General Grants	FF	c	Of this amount, \$20,000 shall be funds for Federal Equitable Forfeiture Sharing from the US Department of Justice and \$265,750 shall be funds for the Prison Rape Elimination Act from the US Department of Justice.
(2)(B) Maintenance - Maintenance Grants (New Line Item)	CF	a	This amount shall be from History Colorado, The Colorado Historical Society.
(2)(G) Superintendents - Operating Expenses	GF	a	It is the intent of the General Assembly to allow the Department of Corrections to roll forward the balance of appropriations for the Fort Lyon Correctional Facility staff moving and relocation expenses.
(2)(K) Mental Health - Mental Health Grants	RF	a	This amount shall be for the Mountain Re-entry Program for Male Offenders from appropriations made to the Division of Criminal Justice in the Department of Public Safety.
(4)(B) Education - Education Grants	RF	d	Of this amount, \$17,694 shall be for the Individuals with Disabilities Education Act, \$91,735 shall be for Special Education, \$92,670 shall be for Title I - No Child Left Behind, all from the Colorado Department of Education; \$41,636 shall be for a HIV Prevention Program from the Colorado Department of Public Health and Environment; and \$30,000 shall be for the Carl Perkins State Leadership Program from funds the Colorado Community College System.
(4)(B) Education - Education Grants	FF	e	Of this amount, \$282,787 shall be for Youthful Offenders Vocational Tuition Program from the US Department of Education and \$719,775 shall be for the Cisco Certified Network Academy from the US Department of Justice.
(4)(D) Drug and Alcohol Treatment - Treatment Grants	RF	b	This amount shall be for the Residential Substance Abuse Treatment Program from the Division of Criminal Justice in the Department of Public Safety.
(4)(E) Sex Offender Treatment - Treatment Grants	FF	b	This amount shall be for the Sex Offender Community Reintegration Program from the US Department of Justice.
(5)(D)(1) Community Supervision - Community Mental Health Services	RF	a	This amount shall be for Intensive Residential Treatments Services for parolees from the Division of Criminal Justice in the Department of Public Safety.
(5)(D)(1) Community Supervision - Contract Services for Fugitive Returns	RF	b	This amount shall be from the Division of Criminal Justice in the Department of Public Safety.
(5)(E) Community Re-entry - Reintegration Grants	RF	b	Of this amount, \$7,431 shall be for the Geographic Information Systems Program from the Division of Criminal Justice in the Department of Public Safety and \$82,684 shall be for the Colorado Second Chance Housing and Prisoner Re-entry Program from the Colorado Department of Local Affairs, Division of Housing.

<b>Letternote Request Summary</b>			
<b>Subprogram Number and Name</b>	<b>Reference</b>	<b>Letter</b>	<b>Recommended Letternote Language</b>
(7) Correctional Industries - Grants (New line Item)	FF	c	This amount shall be for the International Correctional Management Training Center from the US Department of State, Bureau of International Narcotics and Law Enforcement Affairs.
<b>FY 2012-13 Budget Amendment Request:</b>			
(1)(A) Executive Director's Office - Personal Services	RF	a	Of these amounts, \$123,073 shall be from State Victims Assistance and Law Enforcement funds and \$120,732 shall be from Victims Of Crime Act Assistance funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	RF	c	Of these amounts, \$5,000 shall be from State Victims Assistance and Law Enforcement funds appropriated to the Division of Criminal Justice in the Department of Public Safety.
(1)(A) Executive Director's Office - Operating Expenses	FF	d	This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding, and is shown for informational purposes only.
(1)(A) Executive Director's Office - Legal Services for 15,298 hours	GF	e	Of this amount, \$1,158,212 shall be used to purchase 15,298 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.
(1)(A) Executive Director's Office - Leased Space and Capitol Complex Leased Space	CF	f	The amounts shall be from sales revenues earned by Correctional Industries.
(1)(B)(1) External Capacity, Private Prison Monitoring Unit - Operating Expenses	CF	a	This amount shall be from revenues earned from private prison out of state offender monitoring.
(1)(C) Inspector General - Inspector General Grants	RF	b	This amount shall be funds for the Colorado Informational Analysis Center from the Office of the Governor of the State of Colorado-Homeland Security.
(1)(C) Inspector General - Inspector General Grants	FF	c	Of this amount, \$20,000 shall be funds for Federal Equitable Forfeiture Sharing from the US Department of Justice and \$187,912 shall be funds for the Prison Rape Elimination Act from the US Department of Justice.
(2)(B) Maintenance - Maintenance Grants (New Line Item)	CF	a	(Omit letternote a; no CF is anticipated in FY 2012-13.)
(2)(C) Housing and Security - Personal Services	GF	a	In addition to the funding provided I this line, it is the intent of the General Assembly that the Department of Corrections utilize the \$486,664 General Fund appropriation contained in Sections 17-18-101 (1)(e)(II), 17-18-102 (1)(e), 17-18-103 (1)(e)(II), 17-18-104 (1)(e), 17-18-105 (1)(c), and 17-18-106 (1)(c), C.R.S. for these purposes.
(2)(G) Superintendents - Operating Expenses	GF	a	An unexpended balance of staff moving and relocation expenses appropriation from the decommissioning of the Fort Lyon Correctional Facility may be rolled forward from FY 2011-12.
(2)(K) Mental Health - Mental Health Grants	RF	a	This amount shall be for the Mountain Re-entry Program for Male Offenders from appropriations made to the Division of Criminal Justice in the Department of Public Safety.
(4)(B) Education - Education Grants	RF	d	Of this amount, \$42,410 shall be for Special Education and \$25,470 shall be for Title I - No Child Left Behind from the Colorado Department of Education; \$8,364 shall be for a HIV Prevention Program from the Colorado Department of Public Health and Environment.

<b>Letternote Request Summary</b>			
<b>Subprogram Number and Name</b>	<b>Reference</b>	<b>Letter</b>	<b>Recommended Letternote Language</b>
(4)(B) Education - Education Grants	FF	e	This shall be for the Cisco Certified Network Academy from the US Department of Justice.
(4)(D) Drug and Alcohol Treatment - Treatment Grants	RF	b	This amount shall be for the Residential Substance Abuse Treatment Program from the Division of Criminal Justice in the Department of Public Safety.
(4)(E) Sex Offender Treatment - Treatment Grants	FF	b	This amount shall be for the Sex Offender Community Reintegration Program from the US Department of Justice.
(5)(D)(1) Community Supervision - Community Mental Health Services	RF	a	This amount shall be for Intensive Residential Treatments Services for parolees from the Division of Criminal Justice in the Department of Public Safety.
(5)(D)(1) Community Supervision - Contract Services for Fugitive Returns	RF	b	This amount shall be from the Division of Criminal Justice in the Department of Public Safety.
(5)(E) Community Re-entry - Reintegration Grants	RF	b	Of this amount, \$7,431 shall be for the Geographic Information Systems Program from the Division of Criminal Justice in the Department of Public Safety and \$82,684 shall be for the Colorado Second Chance Housing and Prisoner Re-entry Program from the Colorado Department of Local Affairs, Division of Housing.
(7) Correctional Industries - Grants (New line Item)	FF	c	This amount shall be for the International Correctional Management Training Center from the US Department of State, Bureau of International Narcotics and Law Enforcement Affairs.

## Schedule 13 Funding Request for the 2012-13 Budget Cycle

**Department:** Corrections  
**Request Title:** FY 2011-12 Common Policy Allocation True-up  
**Priority Number:** NP-S

**Dept. Approval by:** Tom Clements      01/03/12  
Date

**OSPB Approval by:** \_\_\_\_\_  
Date

- Decision Item FY 2012-13  
 Base Reduction Item FY 2012-13  
 Supplemental FY 2011-12  
 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
Fund		Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	130,919	5,345	175,600	-	-
	FTE	-	-	-	-	-
	GF	102,815	4,217	139,966	-	-
	GFE	-	-	-	-	-
	CF	28,104	1,128	35,634	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>						
<b>(A) Executive Director's Office Subprogram</b> Capitol Complex Leased Space	<b>Total</b>	126,730	5,085	171,142	-	-
	FTE	-	-	-	-	-
	GF	98,626	3,957	135,508	-	-
	GFE	-	-	-	-	-
	CF	28,104	1,128	35,634	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(5) Community Services</b>						
<b>(A) Parole Subprogram</b> Administrative Law Judge Services	<b>Total</b>	4,189	260	4,458	-	-
	FTE	-	-	-	-	-
	GF	4,189	260	4,458	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

**Letternote Text Revision Required?**    Yes:     No:   
**If yes, describe the Letternote Text Revision:**    None  
**Cash or Federal Fund Name and COFRS Fund Number:**    None  
**Reappropriated Funds Source, by Department and Line Item Name:**    None  
**Approval by OIT?**    Yes:     No:     **Not Required:**   
**Schedule 13s from Affected Departments:** Department of Personnel and Administration  
**Other Information:**    None

**Schedule 13**  
**Funding Request for the 2012-13 Budget Cycle**

Department: Corrections  
 Request Title: State Fleet Vehicle Lease True Up  
 Priority Number: NP-S

Dept. Approval by: Tom Clements *Tom Clements* 01/03/12  
 Date

OSPB Approval by: Erin M. Sullivan *Erin M. Sullivan* 12/27/11  
 Date

<input type="checkbox"/> Decision Item FY 2012-13
<input type="checkbox"/> Base Reduction Item FY 2012-13
<input checked="" type="checkbox"/> Supplemental FY 2011-12
<input type="checkbox"/> Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	2,459,054	81,829	2,459,054	-	-
	FTE	-	-	-	-	-
	GF	2,204,858	84,867	2,204,858	-	-
	GFE	-	-	-	-	-
	CF	254,196	(3,038)	254,196	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(3) Support Services (E)</b>	<b>Total</b>	2,459,054	81,829	2,459,054	-	-
Transportation	FTE	-	-	-	-	-
Subprogram	GF	2,204,858	84,867	2,204,858	-	-
Vehicle Lease Payments	GFE	-	-	-	-	-
	CF	254,196	(3,038)	254,196	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required?    Yes:     No:

If yes, describe the Letternote Text Revision:    a: Of this amount, \$240,259 shall be from revenues earned by Correctional Industries, and \$10,899 shall be from sales revenues earned by the Canteen Operation.

Cash or Federal Fund Name and COFRS Fund Number:    None

Reappropriated Funds Source, by Department and Line Item Name:    None

Approval by OIT?    Yes:     No:     Not Required:

Schedule 13s from Affected Departments:    Department of Personnel and Administration

Other Information:    None



## Schedule 13

### Funding Request for the 2012-13 Budget Cycle

**Department:** Corrections  
**Request Title:** External Capacity Caseload  
**Priority Number:** S-1

**Dept. Approval by:** Tom Clements 01/03/12  
Date

**OSPB Approval by:** \_\_\_\_\_  
Date

Decision Item FY 2012-13  
 Base Reduction Item FY 2012-13  
 Supplemental FY 2011-12  
 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
		Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
	Fund					
<b>Total of All Line Items</b>	<b>Total</b>	83,843,802	15,106,180	77,984,557	-	-
	FTE	-	-	-	-	-
	GF	81,485,095	13,674,478	75,625,850	-	-
	GFE	-	-	-	-	-
	CF	2,358,707	1,431,702	2,358,707	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	7,919,786	2,838,041	7,898,147	-	-
<b>(B) External Capacity</b>	FTE	-	-	-	-	-
<b>(2) Payments to House</b>	GF	7,919,786	2,838,041	7,898,147	-	-
<b>State Prisoners</b>	GFE	-	-	-	-	-
<b>Local Jails</b>	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	60,161,219	12,450,489	54,366,681	-	-
<b>(B) External Capacity</b>	FTE	-	-	-	-	-
<b>(2) Payments to House</b>	GF	57,802,512	11,018,787	52,007,974	-	-
<b>State Prisoners</b>	GFE	-	-	-	-	-
<b>Private Prisons</b>	CF	2,358,707	1,431,702	2,358,707	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	12,245,683	(465,633)	12,212,225	-	-
<b>(B) External Capacity</b>	FTE	-	-	-	-	-
<b>(2) Payments to House</b>	GF	12,245,683	(465,633)	12,212,225	-	-
<b>State Prisoners</b>	GFE	-	-	-	-	-
<b>Pre-Release and Parole</b>	CF	-	-	-	-	-
<b>Revocation Facilities</b>	RF	-	-	-	-	-
	FF	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
(1) Management	Total	3,517,114	283,283	3,507,504	-	-
(B) External Capacity	FTE	-	-	-	-	-
(2) Payments to House	GF	3,517,114	283,283	3,507,504	-	-
State Prisoners	GFE	-	-	-	-	-
Community Corrections	CF	-	-	-	-	-
Programs	RF	-	-	-	-	-
	FF	-	-	-	-	-
<p>Letternote Text Revision Required?    Yes: <input type="checkbox"/>    No: <input checked="" type="checkbox"/>    If yes, describe the Letternote Text Revision:</p> <p>Cash or Federal Fund Name and COFRS Fund Number:    State Criminal Alien Assistance Program (SCAAP) #01410</p> <p>Reappropriated Funds Source, by Department and Line Item Name:    N/A</p> <p>Approval by OIT?    Yes: <input type="checkbox"/>    No: <input type="checkbox"/>    Not Required: <input checked="" type="checkbox"/></p> <p>Schedule 13s from Affected Departments:    N/A</p> <p>Other Information:    N/A</p>						

**Schedule 13**  
**Funding Request for the 2012-13 Budget Cycle**

Department: Corrections  
 Request Title: Medical Per Offender Per Month (POPM)  
 Priority Number: S-2  
 Dept. Approval by: Tom Clements 01-03-12  Decision Item FY 2012-13  
 Date  Base Reduction Item FY 2012-13  
 OSPB Approval by: Eric M. ... 12/27/11  Supplemental FY 2011-12  
 Date  Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	38,066,665	5,675,269	37,886,317	-	-
	FTE	-	-	-	-	-
	GF	38,066,665	5,675,269	37,886,317	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
(2) Institutions (E) Medical Services Subprogram Purchase of Pharmaceuticals	Total	9,680,484	2,648,636	9,500,136	-	-
	FTE	-	-	-	-	-
	GF	9,680,484	2,648,636	9,500,136	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
(2) Institutions (E) Medical Services Subprogram Purchase of Medical Services from Other Medical Facilities	Total	20,479,959	(528,451)	20,479,959	-	-
	FTE	-	-	-	-	-
	GF	20,479,959	(528,451)	20,479,959	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
(2) Institutions (E) Medical Services Subprogram Catastrophic Medical Expenses	Total	7,906,222	3,555,084	7,906,222	-	-
	FTE	-	-	-	-	-
	GF	7,906,222	3,555,084	7,906,222	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Letternote Text Revision Required?    Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> If yes, describe the Letternote Text Revision:						
Cash or Federal Fund Name and COFRS Fund Number:    N/A						
Reappropriated Funds Source, by Department and Line Item Name:    N/A						
Approval by OIT?    Yes: <input type="checkbox"/> No: <input type="checkbox"/> Not Required: <input checked="" type="checkbox"/>						
Schedule 13s from Affected Departments:    N/A						
Other Information:						



# DEPARTMENT OF CORRECTIONS

*FY 2012-13 Funding Request  
January 3, 2012*

*John W. Hickenlooper  
Governor*

*Tom Clements  
Executive Director*

*Department Priority: S-2  
Medical Per Offender Per Month (POPM)*

Summary of Incremental Funding Change for FY 2011-12	Total Funds	General Fund	FTE
Medical Per Offender Per Month (POPM)	\$5,675,269	\$5,675,269	0.0

### **Request Summary:**

The Department of Corrections requests an overall General Fund increase of \$5,675,269 in the Medical and Pharmaceutical appropriations calculated on projected population changes for the caseload Per Offender Per Month (POPM) and rate increases for medical services and pharmaceuticals.

### **Problem or Opportunity Statement:**

Prison population changes affect services and drive caseloads. The Division of Criminal Justice (DCJ) December 2011 projected prison population figures compared to FY 2011-12 Figure Setting recommended inmate population levels show a decrease in the number of offenders in prison for FY 2011-12 (Table 2). However, increasing medical costs, inflation, and contractual fees result in an additional funding need over the FY 2011-12 appropriated levels.

The Department is requesting funding adjustments to continue to provide adequate inpatient and outpatient medical services to the total number of offenders placed under the jurisdiction of the Department. DOC also provides pharmaceuticals to the same population, less private prisons (included in the private prison contract) and the projected Parole revocation population. This is based on the Department's pharmaceutical formulary and pharmaceuticals prescribed by providers.

Within the Medical Subprogram, the Purchase of Medical Services from Other Medical Facilities, the Catastrophic Medical Expenses, and the Purchase of Pharmaceuticals appropriations are adjusted during the change request process based on the actual and projected offender caseload. The POPM adjusted numbers are based on contractual increases and the Joint Budget Committee figure setting document for FY 2011-12 (adjusted for actual population through November 30, 2011).

The Department continues to realize an increase in the cost of pharmaceuticals. Costs for HIV, antipsychotic, respiratory, and diabetes medications are the most costly, and also increasing in use. In addition, catastrophic costs continue to rise due to more offenders requiring medical care that exceeds \$50,000. As an example, a male offender was recently hospitalized for nine days, and the total estimated cost is \$98,000.

The increase in General Funds will allow the DOC to provide essential inpatient and outpatient medical care along with necessary prescriptions to offenders based on projected population changes and anticipated POPM rate changes.

**Proposed Solution:**

The Department requests the additional funding for the projected population adjustments and increase in POPM rates for FY 2011-12.

**Anticipated Outcomes:**

The request for additional funds will allow the DOC to provide essential inpatient and outpatient medical care along with necessary prescriptions to offenders. The additional General Funds will accommodate the change in projected population as well as the anticipated rate changes to POPM.

**Assumptions for Calculations:**

Health care costs fluctuate every year due to the increased acuity levels of offenders, increases in the utilization of medically necessary health care services by offenders, and changes in offender caseload. Division of Criminal Justice (DCJ) and Legislative Council Staff (LCS) provide adult prison population projections annually. Actual population adjustments through November 30, 2011 were incorporated into the DCJ interim projections that were published in December, 2011.

The medical costs described on a Per Offender Per Month basis is one fiscal measure used in the evaluation of efficiency and effectiveness in the medical subprogram. Purchased medical services from other medical facilities expenditures are a component of this measure. Utilization is another key indicator and is measured by total number of authorizations, authorization turn around time, total number of appeals, appeal turn around time, and number of offenders whose healthcare cost exceed \$50,000 (catastrophic high cost claimant).

The Department calculates the Medical Services caseloads and the Pharmaceutical caseload based on the most current population projections published by the Division of Criminal Justice (DCJ) in December 2011 (see Appendix Tables 1 and 2). The Department calculates the projected POPM rate based on actual billing charges, projected contractual increases, inflation, and anticipated healthcare costs (see Appendix Tables 3-5).

A new managed care contract was awarded effective July 1, 2010 to Correctional Health Partners LLC. The contract was approved for a ten year award, which will benefit the Department for continuity of care, trending, and cost projection. The Managed Care Incentive Cap cost sharing maximum increased from \$350,000 to \$400,000. For the FY 2011-12 supplemental request, the Department used the actual administrative fee of \$8.23 and the actual security contract rate of \$3.11. These rates are negotiated within the contract and generally include an inflationary increase each year.

**Consequences if not Funded:**

If the requested funding changes are not made, the Department would not be able to continue to provide essential inpatient and outpatient medical care along with necessary prescriptions. This would compound the need for outside inpatient and emergency room care. The lack of funding changes would also increase the Department's liability for offender initiated litigation.

**Supplemental Criteria:**

This request fits the criteria required for a Supplemental Request as new data has resulted in substantive changes in funding needs due to projected population changes, increasing pharmaceutical prices, and increased catastrophic needs.

**Relation to Performance Measures:**

The request is based on offender caseload and prison population growth. The Medical POPM will be monitored by the following criteria:

- The number of bed days per 1,000 offenders.
- The pharmaceutical POPM.

**Current Statutory Authority or Needed Statutory Change:**

No Statutory changes will be necessary to 17-1-113.1 C.R.S. or 25-1.5-301 C.R.S. to allow for the additional funding from the General Fund.

**Appendix:**

**Table 1** summarizes the offender population projections from Division of Criminal Justice (DCJ) to determine the Medical Services caseloads and the Pharmaceutical caseload. The Table begins with the actual November 30, 2011 Prison Population and the DCJ projected June 2012 average yearly population which is reduced by jail back log, SB 03-252, and Community Corrections Populations to determine the Medical Services caseloads. The Medical Services caseloads are then reduced by the private prison population and the Pre-release Parole Revocation Population to determine the Pharmaceutical caseload.

<b>Table 1</b>	
<b>Summary of Offender Population Estimates Used for Line Items in the Medical Services Subprogram Based on December 2011 DCJ Population Projections</b>	
	<b>Offender Population</b>
November 30, 2011 Actual Population	22,064
DCJ December 2012 Projections (Adjusted for Actual Population thru November 2011)	21,438
<b>Avg. Monthly Population (w/o YOS)</b>	<b>21,751</b>
Plus YOS Population (Nov 2011 Actual)	200
<b>DOC Jurisdictional Population</b>	<b>21,951</b>
minus Jail Population	(583)
minus S.B. 03-252 Population	(238)
minus Community Corrections Population (11.5%)	(2,501)
<b>Medical Services Population</b>	<b>18,629</b>
minus Private Prison Population	(3,766)
minus Pre-release Parole Revocation Population	(611)
<b>Pharmaceutical Population</b>	<b>14,252</b>

**Table 2** demonstrates the changes in the Medical Services and Pharmaceutical figure setting populations from FY 2011-12 to the FY 2011-12 projections from Table 1 which were adjusted for the actual population through November 30, 2011.

<b>Table 2</b>			
<b>Changes in Offender Populations Covered by Medical Services and Pharmaceutical</b>			
	<b>JBC Recommended Inmate Population FY 2011-12</b>	<b>Projected ADP FY 2011-12</b>	<b>Change in ADP</b>
Pharmaceutical	14,972	14,252	(720)
Medical Services	19,002	18,629	(373)
Catastrophic	19,002	18,629	(373)

**Table 3** is the change to each appropriation based solely on the projected POPM changes along with the FY 2011-12 projected caseload from Table 1.

<b>Table 3</b>					
<b>Change in POPM Rate</b>					
	<b>Recommended by JBC FY 2011-12 POPM</b>	<b>Projected FY 2011-12 POPM</b>	<b>Rate Change POPM</b>	<b>Projected FY 2011-12 Caseload</b>	<b>FY 2011-12 Cost of POPM Rate Change*</b>
<b>Purchase of Pharmaceuticals**</b>	<b>\$57.97</b>	<b>\$72.09</b>	<b>\$14.12</b>	<b>14,252</b>	<b>\$2,414,859</b>
Purchase of Medical Services from Other Medical Facilities	\$76.12	\$76.12	\$0.00	18,629	\$0
Administrative Fees (FY 2011-12 Rate)	\$9.05	\$8.23	(\$0.82)	18,629	(\$183,309)
Security Contract (FY 2011-12 Rate)	\$3.11	\$3.11	\$0.00	18,629	\$0
<b>Total Purchase of Medical Services from Other Medical Facilities</b>	<b>\$88.28</b>	<b>\$87.46</b>	<b>(\$0.82)</b>	<b>18,629</b>	<b>(\$183,309)</b>
<b>Catastrophic Medical Expenses</b>	<b>\$51.27</b>	<b>\$51.27</b>	<b>\$0.00</b>	<b>18,629</b>	<b>\$0</b>

\* Calculation: Rate Change POPM x 12 Months x Caseload = Cost of POPM Change

\*\*Pharmaceutical rates adjusted for actual prescription usage through November 30, 2011, inflation, and changes in costs.



**Table 4** calculates the overall projected total funding need for Medical POPM based on the Projected POPM rates shown in Table 3 and the projected caseload as shown in Table 2.

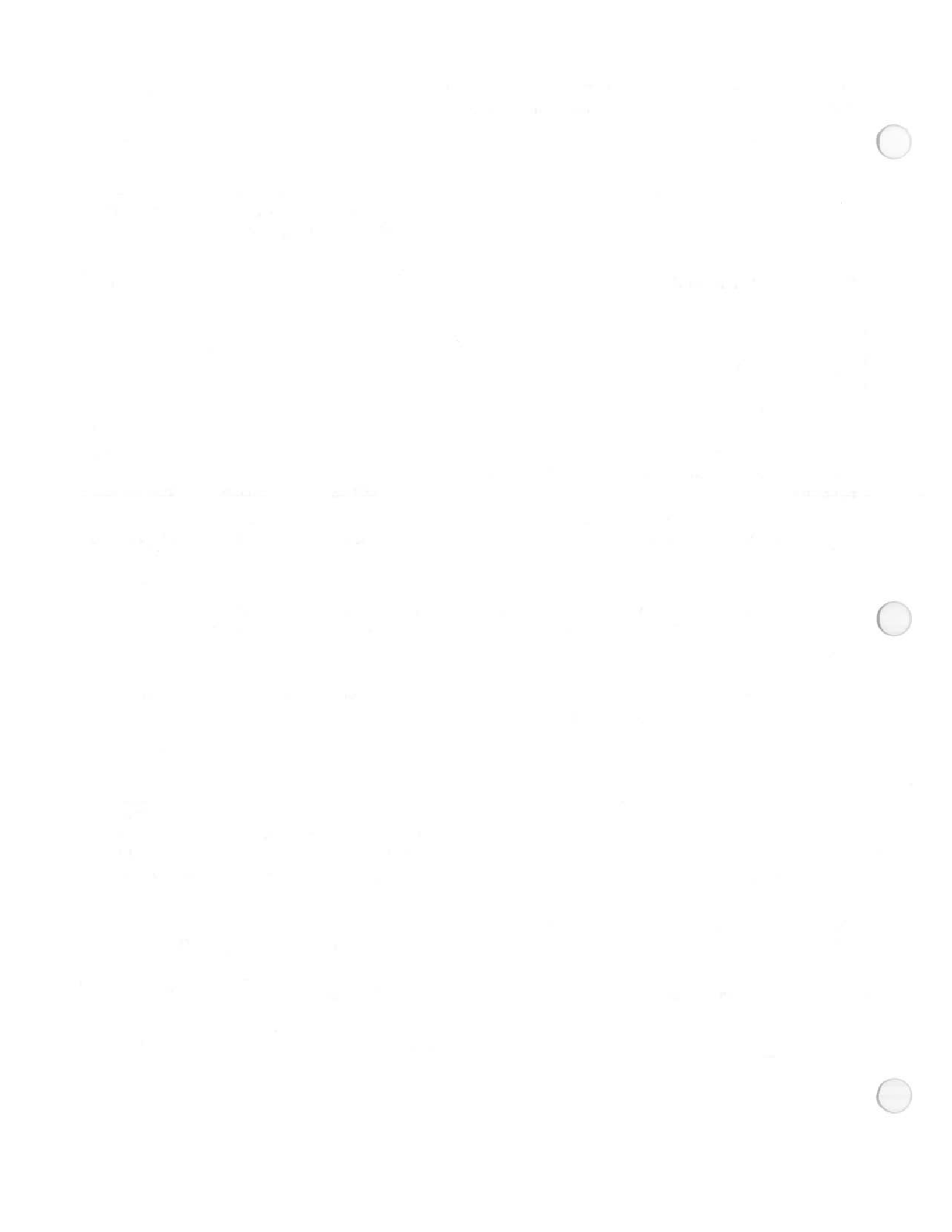
<b>Table 4</b>			
<b>Caseload and POPM Changes</b>			
	<b>Projected POPM Rates FY 2011-12</b>	<b>Projected Caseload FY 2011-12</b>	<b>FY 2011-12 Projected Need*</b>
<b>Purchase of Pharmaceuticals**</b>	<b>\$72.09</b>	<b>14,252</b>	<b>\$12,329,120</b>
Purchase of Medical Services from Other Medical Facilities	\$76.12	18,629	\$17,016,474
Administrative Fees (FY 2011-12 Rate)	\$8.23	18,629	\$1,839,800
Security Contract (FY 2011-12 Rate)	\$3.11	18,629	\$695,234
Managed Care Incentive Cap			\$400,000
<b>Total Purchase of Medical Services from Other Medical Facilities</b>	<b>\$87.46</b>	<b>18,629</b>	<b>\$19,951,508</b>
<b>Catastrophic Medical Expenses</b>	<b>\$51.27</b>	<b>18,629</b>	<b>\$11,461,306</b>
<b>Total</b>			<b>\$43,741,934</b>

\* Calculation: Projected POPM Rates x 12 Months x Projected Caseload = Projected Need

\*\*Pharmaceutical rates adjusted for actual prescription usage through November 30, 2011, inflation, and changes in costs.

**Table 5** calculates the estimated difference in FY 2011-12 funded levels in each appropriation and the FY 2011-12 projected need as shown in Table 4.

<b>Table 5</b>			
<b>Estimated Need</b>			
	<b>FY 2011-12 Funded</b>	<b>FY 2011-12 Projected Need</b>	<b>Estimated Difference in FY 2011-12</b>
<b>Purchase of Pharmaceuticals</b>	<b>\$9,680,484</b>	<b>\$12,329,120</b>	<b>\$2,648,636</b>
<b>Total Purchase of Medical Services from Other Medical Facilities</b>	<b>\$20,479,959</b>	<b>\$19,951,508</b>	<b>(\$528,451)</b>
<b>Catastrophic Medical Expenses</b>	<b>\$7,906,222</b>	<b>\$11,461,306</b>	<b>\$3,555,084</b>
<b>Total</b>	<b>\$38,066,665</b>	<b>\$43,741,934</b>	<b>\$5,675,269</b>





# DEPARTMENT OF CORRECTIONS

*FY 2012-13 Funding Request  
January 3, 2012*

*John W. Hickenlooper  
Governor*

*Tom Clements  
Executive Director*

**Department Priority: S-3A  
Fort Lyon Correctional Facility (FLCF) Personal Services**

Summary of Incremental Funding Change for FY 2011-12	Total Funds	General Fund	FTE
Fort Lyon Correctional Facility (FLCF) Personal Services	(\$866,339)	(\$866,339)	0.0

### **Request Summary:**

The Department of Corrections requests an overall funding decrease of \$866,339 for decreased staffing needs at Ft. Lyon Correctional Facility (FLCF). Reductions will be in various personal services lines, Health, Life and Dental (HLD), Short-term Disability (STD), Amortization Equalization Disbursement (AED), and Supplemental Amortization Equalization Disbursement (SAED).

### **Problem or Opportunity Statement:**

The Department of Corrections determined that decommissioning Ft. Lyon Correctional Facility (FLCF) and relocating offenders would be a more efficient use of departmental resources. During the 2011 Legislative Session, Senate Bill 11-214 (SB11-214) Decommissioning Fort Lyon Correctional Facility, was passed and signed by the Governor. The act shall take effect March 1, 2012.

As part of the decommissioning plan, the Department requested Personal Services funding for FLCF staff through February 29, 2012. However, as of October 31, 2011, a total of 42.5 of the 148.8 FTE have transferred to vacant positions at other DOC facilities, or have ended employment with DOC. As a result, the Department is overfunded by four months (November 2011, December 2011, January 2012, and February 2012) in FLCF personal services.

### **Proposed Solution:**

The Department requests a decrease in funding for four months of Personal Services dollars for the FTE that have transferred from FLCF or ended employment with DOC.

### **Anticipated Outcomes:**

The FY 2011-12 supplemental request to decrease Personal Services funding will more accurately align with Departmental need.

### **Assumptions for Calculations:**

- Salary and benefits were calculated for the months of November 2011, December 2011, January 2012, and February 2012.
- PERA is calculated at 7.65%.
- Medicare is calculated at 1.45%.
- Health, Life, and Dental is based on the employee's actual monthly costs.
- Amortization Equalization Disbursement (AED) is calculated at 2.8%.
- Supplemental Amortization Equalization Disbursement (SAED) is calculated at 2.25%.
- Short-term Disability (STD) is calculated at 0.177%.

### **Consequences if not Funded:**

If the request is not approved, the Department will be overfunded by four months in various Personal Services lines, Health, Life and Dental, Short-term Disability, AED, and SAED. Additionally, the State would not be able to

utilize these dollars for other needs if this request was not approved.

**Supplemental Criteria:**

This request fits the criteria required for a Supplemental Request as new data has resulted in substantive changes in funding needs due to FLCF staff transferring or ending employment with the Department prior to March 1, 2012.

**Relation to Performance Measures:**

N/A

**Current Statutory Authority or Needed Statutory Change:**

No Statutory changes will be necessary to 17-1-113.1 C.R.S. or 25-1.5-301 C.R.S. to allow for the decreased funding from the General Fund.

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<b>Additional Request Information</b>	<b>Yes</b>	<b>No</b>	<b>Additional Information</b>
Is this request driven by a new statutory mandate?		x	
Will this request require a statutory change?		x	
Is this a one-time request?	x		
Will this request involve any IT components?		x	

**Appendix:**

<b>Four Month Personal Services Calculation</b>									
<b>Program</b>	<b>Salary</b>	<b>PERA 7.65%</b>	<b>Medicare 1.45%</b>	<b>Salary + PERA+ Medicare</b>	<b>Health, Life, Dental</b>	<b>AED 2.80%</b>	<b>SAED 2.25%</b>	<b>STD 0.1770%</b>	<b>TOTAL</b>
(2)(B) Maintenance	(\$39,956)	(\$3,057)	(\$579)	(\$43,592)	(\$4,355)	(\$1,119)	(\$899)	(\$71)	(\$50,036)
(2)(C) Housing	(\$421,084)	(\$32,213)	(\$6,106)	(\$459,403)	(\$67,482)	(\$11,790)	(\$9,474)	(\$745)	(\$548,894)
(2)(D) Food Service	(\$43,504)	(\$3,328)	(\$631)	(\$47,463)	(\$6,054)	(\$1,218)	(\$979)	(\$77)	(\$55,791)
(2)(I) Case Management	(\$86,324)	(\$6,604)	(\$1,252)	(\$94,180)	(\$10,902)	(\$2,417)	(\$1,942)	(\$153)	(\$109,594)
(3)(F) Training	(\$16,920)	(\$1,294)	(\$245)	(\$18,459)	(\$2,841)	(\$474)	(\$381)	(\$30)	(\$22,185)
(4)(B) Education	(\$44,090)	(\$3,373)	(\$639)	(\$48,102)	(\$4,819)	(\$1,235)	(\$992)	(\$78)	(\$55,226)
(4)(C) Recreation	(\$20,124)	(\$1,539)	(\$292)	(\$21,955)	(\$1,606)	(\$563)	(\$453)	(\$36)	(\$24,613)
<b>Grand Total</b>	<b>(\$672,002)</b>	<b>(\$51,408)</b>	<b>(\$9,744)</b>	<b>(\$733,154)</b>	<b>(\$98,059)</b>	<b>(\$18,816)</b>	<b>(\$15,120)</b>	<b>(\$1,190)</b>	<b>(\$866,339)</b>

**Schedule 13**  
**Funding Request for the 2012-13 Budget Cycle**

Department: Corrections  
 Request Title: Fort Lyon Correctional Facility Personal Services  
 Priority Number: S-3A  
 Dept. Approval by: Tom Clements 01-03-12  
 Date  
 OSPB Approval by: \_\_\_\_\_  
 Date

- Decision Item FY 2012-13
- Base Reduction Item FY 2012-13
- Supplemental FY 2011-12
- Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	282,538,549	(866,339)	282,626,798	-	-
	<b>FTE</b>	4,176.9	-	4,072.6	-	-
	<b>GF</b>	280,082,845	(866,339)	279,979,351	-	-
	<b>GFE</b>	914,261	-	914,261	-	-
	<b>CF</b>	1,541,443	-	1,733,186	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	37,398,347	(98,059)	38,851,054	-	-
<b>(A) Executive Director's</b>	<b>FTE</b>	-	-	-	-	-
<b>Office Subprogram</b>	<b>GF</b>	36,323,985	(98,059)	37,703,989	-	-
Health, Life, and Dental	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	1,074,362	-	1,147,065	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	563,116	(1,190)	569,263	-	-
<b>(A) Executive Director's</b>	<b>FTE</b>	-	-	-	-	-
<b>Office Subprogram</b>	<b>GF</b>	547,299	(1,190)	552,416	-	-
Short-term Disability	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	15,817	-	16,847	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	8,852,868	(18,816)	10,296,034	-	-
<b>(A) Executive Director's</b>	<b>FTE</b>	-	-	-	-	-
<b>Office Subprogram</b>	<b>GF</b>	8,602,662	(18,816)	9,991,455	-	-
S.B. 04-257 Amortization	<b>GFE</b>	-	-	-	-	-
Equalization Disbursement	<b>CF</b>	250,206	-	304,579	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(1) Management</b>	<b>Total</b>	7,067,007	(15,120)	8,834,358	-	-
<b>(A) Executive Director's Office Subprogram</b>	<b>FTE</b>	-	-	-	-	-
S.B. 06-235 Supplemental	<b>GF</b>	6,865,949	(15,120)	8,572,610	-	-
Amortization Equalization	<b>GFE</b>	-	-	-	-	-
Disbursement	<b>CF</b>	201,058	-	261,748	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(2) Institutions</b>	<b>Total</b>	18,710,166	(43,592)	17,828,752	-	-
<b>(B) Maintenance Subprogram</b>	<b>FTE</b>	313.2	-	297.7	-	-
Personal Services	<b>GF</b>	18,710,166	(43,592)	17,828,752	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(2) Institutions</b>	<b>Total</b>	158,892,097	(459,403)	156,572,638	-	-
<b>(C) Housing and Security Subprogram</b>	<b>FTE</b>	3,057.9	-	2,995.0	-	-
Personal Services	<b>GF</b>	158,892,097	(459,403)	156,569,691	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	2,947	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(2) Institutions</b>	<b>Total</b>	15,248,796	(47,463)	14,832,192	-	-
<b>(D) Food Service Subprogram</b>	<b>FTE</b>	261.1	-	253.6	-	-
Personal Services	<b>GF</b>	15,248,796	(47,463)	14,832,192	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(2) Institutions</b>	<b>Total</b>	15,579,924	(94,180)	15,212,573	-	-
<b>(I) Case Management Subprogram</b>	<b>FTE</b>	218.8	-	213.6	-	-
Personal Services	<b>GF</b>	15,579,924	(94,180)	15,212,573	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(3) Support Services</b>	<b>Total</b>	1,924,989	(18,459)	1,874,998	-	-
<b>(F) Training Subprogram</b>	<b>FTE</b>	25.7		25.0	-	-
Personal Services	<b>GF</b>	1,924,989	(18,459)	1,874,998	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(4) Inmate Programs</b>	<b>Total</b>	12,021,677	(48,102)	11,631,729	-	-
<b>(B) Education</b>	<b>FTE</b>	185.4		175.9	-	-
Subprogram	<b>GF</b>	11,107,416	(48,102)	10,717,468	-	-
Personal Services	<b>GFE</b>	914,261	-	914,261	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(4) Inmate Programs</b>	<b>Total</b>	6,279,562	(21,955)	6,123,207	-	-
<b>(C) Recreation</b>	<b>FTE</b>	114.8		111.8	-	-
Subprogram	<b>GF</b>	6,279,562	(21,955)	6,123,207	-	-
Personal Services	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Letternote Text Revision Required? Yes:  No:  If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number:

Reappropriated Funds Source, by Department and Line Item Name:

Approval by OIT? Yes:  No:  Not Required:

Schedule 13s from Affected Departments:

Other Information:





# DEPARTMENT OF CORRECTIONS

John W. Hickenlooper  
Governor

*FY 2011-12 Supplemental  
January 3, 2012*

Tom Clements  
Executive Director

**Department Priority: S-5**  
**Payments to District Attorneys**

Summary of Incremental Funding Change for FY 2011-12	Total Funds	General Fund	FTE
Payments to District Attorneys	\$441,424	\$441,424	0.0

### Request Summary:

The Department of Corrections (DOC) is requesting a FY 2011-12 Supplemental General Fund (GF) increase of \$441,424 in the Payments to District Attorneys appropriation. Base continuation funding is not being requested for FY 2012-13.

### Problem or opportunity statement:

The Department was funded \$144,108 in GF Payments to District Attorneys to reimburse Judicial Districts for the prosecution of cases for crimes committed by offenders while in the custody of the DOC. The Department has been notified of two cases in fiscal year FY 2011-12 that will require additional funds to pay for estimated legal expenses.

In late July, 2011, the 18<sup>th</sup> Judicial District notified the Department that David Bueno, Case Number 05CR73, and Edward Montour, Case Number 02CR82, will be going to trial prior to June 30, 2012. The Montour case is a death penalty case involving the murder of a DOC employee. This case is expected to cost approximately \$323,850. The Bueno case is not a death penalty case, and estimated cost is \$76,660. The 18<sup>th</sup> Judicial District projects a total cost of \$465,532 for FY 2011-12, an increase of \$55,922 over a July 2011 estimate.

In FY 2010-11, the Department was approved a transfer of \$138,299 to cover additional payments

to district attorneys for an 18<sup>th</sup> Judicial District bill of \$207,847.18. This bill also included fees related to the Montour and Bueno cases.

CRS 16-18-101 (3) (2011) provides the authority for the payment to county district attorneys for prosecution of cases for the Department. The statute reads: “ (3) *The department of corrections, from annual appropriations made by the general assembly, shall reimburse the county or counties in a judicial district for the costs of prosecuting any crime alleged to have been committed by a person in the custody of the department. The county or counties shall certify these costs to the department, and upon approval of the executive director of the department, the costs shall be paid. The provisions of this subsection (3) shall apply to costs that are not otherwise paid by the state.*”

The Payments to District Attorneys Long Bill appropriation was created in HB 08-1282 (Supplemental Bill) under the Executive Director’s Office Subprogram. Prior to the separate appropriation, these expenses paid from the Executive Director Subprogram’s Personal Services appropriation averaged approximately \$150,000 per year. This funding line was established to provide a designated appropriation for these specific payments to District Attorneys.

Payments made to County District Attorney Offices are made generally for two purposes. The first purpose is of routine nature: to file charges and prosecute cases for crimes committed in the State's prison system. Routine cases involve such crimes as assault, drug possession, bartering, etc. The Long Bill appropriation of \$144,108 should be adequate to pay for the yearly routine cases referred to the District Attorneys.

The more extraordinary and second purpose for expenditures to County District Attorney Offices is for prosecution of cases that are of a serious enough nature to require a court trial. Such cases could include such crimes as aggravated assault or murder.

The David Bueno first degree murder case is on appeal regarding the District Court's vacating of the jury's guilty verdicts. If the Prosecution wins the appeal, further charges for this case will be minimal and involve sentencing. The death penalty is not a sentencing consideration under this scenario. If the Defense wins the appeal, Bueno will be returned to District Court for a new trial (See Table 2 for costs).

The Edward Montour case presently has 29 full court days set for motions between July 1, 2011 and February 2012. There are 59 full court days set for the sentencing hearing beginning February 6, 2012 and ending April 27, 2012. The Defense has filed several motions that may, or may not delay the next phase of sentencing. Assuming that the Montour case is not delayed, the DA will be billing the Department for their costs.

In addition, there are numerous cases from the Limon Correctional Facility in which the 18<sup>th</sup> Judicial District DA anticipates an additional \$65,022 in court costs associated with the trials (See Table 2). The DA increased their projection for these associated costs by \$55,922 in late October, 2011 (previous July estimate \$9,100).

The Department's Inspector General Subprogram and Legal Access Subprogram work to maintain constitutionally defensible programs to deter frivolous/recreational litigation which lessens the

courts' workload and creates the opportunity for finite resources to be expended on litigating meritorious claims. The County District Attorneys prosecute all classes of misdemeanor and felony cases for the Department. Some costs for prosecution are charged by the hour and may be minimal in some cases and others consist of hundreds of billable hours. Cases include, but are not limited to, investigations of serious assaults, homicides, possession and introduction of drugs, and dangerous contraband.

In FY 2011-12 through October 2011, the Department has paid \$55,191.31 to district attorneys for work this fiscal year. One of these bills was from the 18<sup>th</sup> Judicial District and is not related to either of the aforementioned cases. This is for cases out of the Limon Correctional Facility.

The Department requests a General Fund increase of \$441,424 in the Payments to District Attorneys appropriation to reimburse for anticipated costs in FY 2011-12.

**Proposed Solutions:**

Additional funding is requested to adequately reimburse Colorado district attorneys for costs associated with DOC offenders.

**Anticipated Outcomes:**

All invoices received from the District Attorneys must be certified by the counties in which the trial occurred. Upon receipt of the larger certified bills, the DOC Internal Auditor audits these bills for accuracy and appropriate expenses. By prompt payment of its obligations, the District Attorneys are more open to continue to take cases brought to them by the Department. Prosecuting offenders for crimes committed while incarcerated will help reduce those crimes from being committed, knowing there is a consequence for an offender's action.

**Assumptions for Calculations:**

Expenses charged to the Department include: professional services, witness fees, supplies, lodging, and per diem. Rates charged include:

Attorney hourly rates, Legal Assistants/Paralegals hourly rates, and Investigator hourly rates. The projected costs associated with this request were submitted by the Chief Deputy District Attorney for the 18<sup>th</sup> Judicial District. (Table 2)

Per C.R.S. 16-18-101, the Department shall reimburse county Judicial Districts for costs of prosecuting any crime alleged to have been committed by the person in custody of the Department.

**Consequences if not Funded:**

Without the additional funding, the Department will be unable to reimburse the 18<sup>th</sup> Judicial District for costs incurred in these two cases.

Historical expenditures for litigation services are depicted in Table 1 on page 4.

**Supplemental Criteria:**

The supplemental justification for new data exists as the Department was not aware these cases would be on the court docket for FY 2011-12 when the Department submitted its budget request for FY 2011-12. The 18<sup>th</sup> Judicial District notified the Department in late July, 2011 of projected costs, and adjusted their projected costs in late October, 2011.

**Current Statutory Authority or Needed Statutory Change:**

Colorado Revised Statutes 16-18-101 (3) provides the mechanism for the Department to reimburse counties for costs of prosecuting crimes alleged to have been committed in the custody of the Department of Corrections. No statutory change will be needed.

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*(for Department and OSPB use only – this will not appear in final request)*

<b>Additional Request Information</b>	<b>Yes</b>	<b>No</b>	<b>Additional Information</b>
Is this request driven by a new statutory mandate?		<b>X</b>	
Will this request require a statutory change?		<b>X</b>	
Is this a one-time request?	<b>X</b>		
Will this request involve any IT components?		<b>X</b>	

**Appendix:**

Judicial District	County Location	FY 09	FY 10	FY 11	FY 12 Projection
2 <sup>nd</sup>	Denver	\$0.00	\$747.65	\$1,825.97	\$1,000
3 <sup>rd</sup>	Las Animas	\$0.00	\$0.00	\$1,188.00	\$1,000
7 <sup>th</sup>	Montrose	\$0.00	\$371.58	\$0.00	\$1,000
10 <sup>th</sup>	Pueblo	\$0.00	\$700.00	\$212.50	\$1,000
11 <sup>th</sup>	Fremont	\$44,749.09	\$59,452.43	\$30,524.40	\$45,000
13 <sup>th</sup>	Logan	\$29,307.52	\$21,315.98	\$19,775.98	\$24,000
16 <sup>th</sup>	Bent, Crowley, Otero	\$50,475.25	\$43,018.18	\$46,334.18	\$47,000
18 <sup>th</sup>	Arapahoe, Douglas, Elbert, Lincoln	\$0.00	\$635,421.44	\$207,847.18	\$465,532
<b>Subtotal</b>		<b>\$124,531.86</b>	<b>\$761,027.26</b>	<b>\$307,708.21</b>	<b>\$585,532</b>
SB 11-209	Long Bill Appropriation				\$144,108
<b>Total Need</b>					<b>\$441,424</b>

Case	DA Employee Compensation	Associated DA Costs	Total
Bueno Case	\$37,550	\$39,110	\$76,660
Montour Case	\$293,850	\$30,000	\$323,850
Various Cases	\$0.00	\$65,022	\$65,022
<b>Total</b>			<b>\$465,532</b>

\* Source: John Topolnicki, 18<sup>th</sup> Judicial District Chief Deputy District Attorney

Judicial District	County Location	FY 12 Projection	FY 12 Paid Through October 31, 2011	FY 12 Remaining Need
2 <sup>nd</sup>	Denver	\$1,000	\$0	\$1,000
3 <sup>rd</sup>	Las Animas	\$1,000	\$0	\$1,000
7 <sup>th</sup>	Montrose	\$1,000	\$0	\$1,000
10 <sup>th</sup>	Pueblo	\$1,000	\$0	\$1,000
11 <sup>th</sup>	Fremont	\$45,000	\$20,449	\$24,551
13 <sup>th</sup>	Logan	\$24,000	\$2,133	\$21,867
16 <sup>th</sup>	Bent, Crowley, Otero	\$47,000	\$0	\$47,000
18 <sup>th</sup>	Arapahoe, Douglas, Elbert, Lincoln (Moutour and Bueno Only)	\$400,510	\$0	\$400,510
18 <sup>th</sup>	Other Cases from Limon	\$65,022	\$32,609	\$32,413
<b>Subtotal</b>		<b>\$585,632</b>	<b>\$55,191</b>	<b>\$530,341</b>
	Expenses Paid			\$55,191
<b>Subtotal</b>	Remaining Need plus Expenses			<b>\$585,532</b>
SB 11-209	Long Bill Appropriation	\$144,108		\$144,108
<b>Total Need</b>		<b>\$441,424</b>		<b>\$441,424</b>

## Schedule 13 Funding Request for the 2012-13 Budget Cycle

**Department:** Corrections  
**Request Title:** Payments to District Attorney  
**Priority Number:** S-5  
**Dept. Approval by:** Tom Clements 01/03/12  
Date

Decision Item FY 2012-13  
 Base Reduction Item FY 2012-13  
 Supplemental FY 2011-12  
 Budget Amendment FY 2012-13

**OSPB Approval by:** \_\_\_\_\_  
Date

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	144,108	441,424	144,108	-	-
	FTE	-	-	-	-	-
	GF	144,108	441,424	144,108	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	144,108	441,424	144,108	-	-
<b>(A) Executive Director's Office</b>	FTE	-	-	-	-	-
<b>Payments to District Attorney</b>	GF	144,108	441,424	144,108	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required?    Yes:     No:   
 If yes, describe the Letternote Text Revision: N/A  
 Cash or Federal Fund Name and COFRS Fund Number:  
 Reappropriated Funds Source, by Department and Line Item Name:  
 Approval by OIT?    Yes:     No:     Not Required:   
 Schedule 13s from Affected Departments: None  
 Other Information: None

**Schedule 13**  
**Funding Request for the 2012-13 Budget Cycle**

Department: Corrections

Request Title: Parole and Parole ISP Caseload

Priority Number: S-6

Dept. Approval by: Tom Clements 01/03/12 Date

OSPB Approval by: \_\_\_\_\_ Date

Decision Item FY 2012-13  
 Base Reduction Item FY 2012-13  
 Supplemental FY 2011-12  
 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>Total of All Line Items</b>	<b>Total</b>	82,715,701	(238,449)	87,864,227	-	-
	FTE	236.7	(2.9)	236.7	-	-
	GF	79,366,071	(238,449)	84,325,801	-	-
	GFE	-	-	-	-	-
	CF	1,874,630	-	2,063,426	-	-
	RF	1,475,000	-	1,475,000	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	37,398,347	(12,600)	38,851,054	-	-
<b>(A) Executive Director's</b>	FTE	-	-	-	-	-
<b>Office Subprogram</b>	GF	36,323,985	(12,600)	37,703,989	-	-
Health, Life, and Dental	GFE	-	-	-	-	-
	CF	1,074,362	-	1,147,065	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	563,116	(202)	569,263	-	-
<b>(A) Executive Director's</b>	FTE	-	-	-	-	-
<b>Office Subprogram</b>	GF	547,299	(202)	552,416	-	-
Short-term Disability	GFE	-	-	-	-	-
	CF	15,817	-	16,847	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(1) Management</b>	<b>Total</b>	8,852,868	(3,415)	10,296,034	-	-
<b>(A) Executive Director's</b>	FTE	-	-	-	-	-
<b>Office Subprogram</b>	GF	8,602,662	(3,415)	9,991,455	-	-
S.B. 04-257 Amortization	GFE	-	-	-	-	-
Equalization Disbursement	CF	250,206	-	304,579	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(1) Management</b>						
<b>(A) Executive Director's Office Subprogram</b>	<b>Total</b>	7,067,007	(2,846)	8,834,358	-	-
	<b>FTE</b>	-	-	-	-	-
S.B. 06-235 Supplemental Amortization Equalization	<b>GF</b>	6,865,949	(2,846)	8,572,610	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	201,058	-	261,748	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(1) Management</b>						
<b>(C) Inspector General Subprogram</b>	<b>Total</b>	338,611	(96)	347,753	-	-
	<b>FTE</b>	-	-	-	-	-
Operating Expenses	<b>GF</b>	255,424	(96)	264,566	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	83,187	-	83,187	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(3) Support Services</b>						
<b>(D) Communications Subprogram</b>	<b>Total</b>	1,478,755	(1,710)	1,520,660	-	-
	<b>FTE</b>	-	-	-	-	-
Operating Expenses	<b>GF</b>	1,478,755	(1,710)	1,520,660	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(3) Support Services</b>						
<b>(F) Training Subprogram</b>	<b>Total</b>	267,146	(96)	279,204	-	-
	<b>FTE</b>	-	-	-	-	-
Operating Expenses	<b>GF</b>	267,146	(96)	279,204	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(3) Support Services</b>						
<b>(G) Information Systems Subprogram</b>	<b>Total</b>	1,538,722	(758)	1,602,833	-	-
	<b>FTE</b>	-	-	-	-	-
Operating Expenses	<b>GF</b>	1,538,722	(758)	1,602,833	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	-	-	-	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-
<b>(4) Inmate Programs</b>						
<b>(D) Drug and Alcohol Treatment Subprogram</b>	<b>Total</b>	2,307,816	(16,859)	2,281,216	-	-
	<b>FTE</b>	-	-	-	-	-
Contract Services	<b>GF</b>	2,057,816	(16,859)	2,031,216	-	-
	<b>GFE</b>	-	-	-	-	-
	<b>CF</b>	250,000	-	250,000	-	-
	<b>RF</b>	-	-	-	-	-
	<b>FF</b>	-	-	-	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
<b>(5) Community Services (A) Parole Subprogram</b> Personal Services	<b>Total</b>	10,180,707	(80,700)	10,436,038	-	-
	FTE	162.4	(1.9)	162.4		
	GF	10,180,707	(80,700)	10,436,038		
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(5) Community Services (A) Parole Subprogram</b> Operating Expense	<b>Total</b>	1,120,865	(6,282)	1,126,812	-	-
	FTE	-	-	-	-	-
	GF	1,120,865	(6,282)	1,126,812		
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(5) Community Services (A) Parole Subprogram</b> Contract Services	<b>Total</b>	3,230,247	(13,658)	3,230,247	-	-
	FTE	-	-	-	-	-
	GF	1,755,247	(13,658)	1,755,247		
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	1,475,000	-	1,475,000	-	-
	FF	-	-	-	-	-
<b>(5) Community Services (B) Parole Intensive Supervision Subprogram</b> Personal Services	<b>Total</b>	4,690,703	(43,505)	4,805,231	-	-
	FTE	74.3	(1.0)	74.3		
	GF	4,690,703	(43,505)	4,805,231		
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(5) Community Services (B) Parole Intensive Supervision</b> Operating Expenses	<b>Total</b>	470,102	(3,372)	472,835	-	-
	FTE	-	-	-	-	-
	GF	470,102	(3,372)	472,835		
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<b>(5) Community Services (B) Parole Intensive Supervision</b> Contract Services	<b>Total</b>	1,575,551	(25,451)	1,575,551	-	-
	FTE	-	-	-	-	-
	GF	1,575,551	(25,451)	1,575,551		
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-



Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
(5) Community Services (B) Parole Intensive Supervision Subprogram Non-residential Services	Total	1,178,055	(19,619)	1,178,055	-	-
	FTE	-	-	-	-	-
	GF	1,178,055	(19,619)	1,178,055	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
(5) Community Services (D) Community Supervision Subprogram (1) Community Supervision Community Mental Health Services	Total	457,083	(7,280)	457,083	-	-
	FTE	-	-	-	-	-
	GF	457,083	(7,280)	457,083	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
<p>Letternote Text Revision Required?    Yes: <input type="checkbox"/>    No: <input checked="" type="checkbox"/>    If yes, describe the Letternote Text Revision:</p> <p>Cash or Federal Fund Name and COFRS Fund Number:    None</p> <p>Reappropriated Funds Source, by Department and Line Item Name:    None</p> <p>Approval by OIT?    Yes: <input type="checkbox"/>    No: <input type="checkbox"/>    Not Required: <input checked="" type="checkbox"/></p> <p>Schedule 13s from Affected Departments:    None</p> <p>Other Information:    None</p>						