

**Department of Corrections and Rehabilitation
Budget No. 530
Senate Bill No. 2015; House Bill No. 1024**

	FTE Positions	General Fund	Other Funds	Total
2017-19 legislative appropriation	845.29	\$214,336,704	\$39,264,160	\$253,600,864
2015-17 legislative appropriation	<u>836.29</u>	<u>204,510,187</u>	<u>38,362,706</u>	<u>242,872,893</u>
2017-19 appropriation increase (decrease) to 2015-17 appropriation	9.00	\$9,826,517	\$901,454	\$10,727,971

Item Description

FTE changes - The Legislative Assembly authorized 845.29 FTE positions for the Department of Corrections and Rehabilitation (DOCR) for the 2017-19 biennium, an increase of 9 FTE positions from the 2015-17 biennium. The Legislative Assembly added 8 FTE Youth Correctional Center positions to maintain compliance with the federal Prison Rape Elimination Act of 2003 and 1 FTE position associated with the community behavioral health program.

One-time funding - The Legislative Assembly provided \$2,102,907 of one-time funding to DOCR:

	Other Funds
Roughrider Industries equipment	\$167,000
Electronic medical records system (strategic investment and improvements fund)	935,907
Justice reinvestment initiatives	500,000
Dakota Access Pipeline law enforcement (House Bill No. 1024)	500,000
Total	\$2,102,907

Free Through Recovery Program - In Section 4 of 2017 Senate Bill No. 2015, the Legislative Assembly appropriated \$7 million and authorized 6 FTE positions for the community behavioral health program in the Department of Human Services. The source of funds is DOCR. In Section 9 of Senate Bill No. 2015, the Legislative Assembly provided for a community behavioral health plan as a term of parole or an alternative to incarceration. The Department of Corrections and Rehabilitation was also authorized 1 FTE position for the community behavioral health program.

Status/Result

The Department of Corrections and Rehabilitation has filled the 9 new FTE positions.

The following is a summary of the status of DOCR's one-time funding:

Roughrider Industries equipment	The department has spent \$24,600 on Roughrider Industries equipment through April 2018. The remainder will be spent as needed, dependent upon available funding.
Electronic medical records system	The department has received \$935,907 from the strategic investment and improvements fund and is currently evaluating the appropriateness and feasibility of entering into a contract to join the Department of Human Services' electronic health records application.
Justice reinvestment initiatives	The department has received \$107,000 of justice reinvestment grant funding and has submitted a request for the final \$393,000.
Dakota Access Pipeline law enforcement	The department does not anticipate using any of the \$500,000 appropriated for Dakota Access Pipeline law enforcement costs.

The Department of Corrections and Rehabilitation, in cooperation with the Department of Human Services, has developed and implemented the Free Through Recovery Program. The Department of Corrections and Rehabilitation reported there are approximately 300 people currently in the program. The department reported the program should eventually grow to serve 600 people, but there is currently a lack of services available in certain geographic areas. The Department of Corrections and Rehabilitation has filled the community behavioral health program FTE position.

Missouri River Correctional Center housing unit purchase - In Section 7 of Senate Bill No. 2015, the Legislative Assembly designated \$844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center.

Inmate populations - The following table summarizes the 2017-19 biennium inmate population projections used to develop the legislative appropriation:

	Male	Female	Total
Fiscal Year 2018			
July	1,616	224	1,840
August	1,623	224	1,847
September	1,631	224	1,855
October	1,639	224	1,863
November	1,641	224	1,865
December	1,641	224	1,865
January	1,641	224	1,865
February	1,641	224	1,865
March	1,641	224	1,865
April	1,641	224	1,865
May	1,641	224	1,865
June	1,641	224	1,865
Fiscal Year 2019			
July	1,641	224	1,865
August	1,641	224	1,865
September	1,641	224	1,865
October	1,641	224	1,865
November	1,641	224	1,865
December	1,641	224	1,865
January	1,641	224	1,865
February	1,641	224	1,865
March	1,641	224	1,865
April	1,641	224	1,865
May	1,641	224	1,865
June	1,641	224	1,865

The Department of Corrections and Rehabilitation completed the purchase of the Missouri River Correctional Center housing unit for \$844,000 in July 2017.

The actual male and female inmate populations have been less than estimated. The tables below show the actual monthly average inmate populations compared to the estimated populations for the period July 2017 through April 2018:

	Male Inmate Population Comparison		
	Legislative Estimated Population	Actual Population	Actual More (Less) Than Estimates
Fiscal Year 2018			
July	1,616	1,603	(13)
August	1,623	1,593	(30)
September	1,631	1,600	(31)
October	1,639	1,591	(48)
November	1,641	1,566	(75)
December	1,641	1,541	(100)
January	1,641	1,521	(120)
February	1,641	1,530	(111)
March	1,641	1,541	(100)
April	1,641	1,535	(106)

	Female Inmate Population Comparison		
	Legislative Estimated Population	Actual Population	Actual More (Less) Than Estimates
Fiscal Year 2018			
July	224	220	(4)
August	224	223	(1)
September	224	223	(1)
October	224	207	(17)
November	224	201	(23)
December	224	199	(25)
January	224	193	(31)
February	224	195	(29)
March	224	197	(27)
April	224	197	(27)

Prioritization of admission of inmates - In Section 10 of Senate Bill No. 2015, the Legislative Assembly created a new section to North Dakota Century Code Chapter 12-44.1, relating to local management of inmate population. The section provides DOCR may refuse to admit inmates sentenced to the physical custody of DOCR when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in DOCR exceeding its authorized legislative appropriation.

The Department of Corrections and Rehabilitation has not reached operational capacity and has not had to prioritize admission of inmates. The Department of Corrections and Rehabilitation does not anticipate needing to prioritize admission of inmates in the 2017-19 biennium.