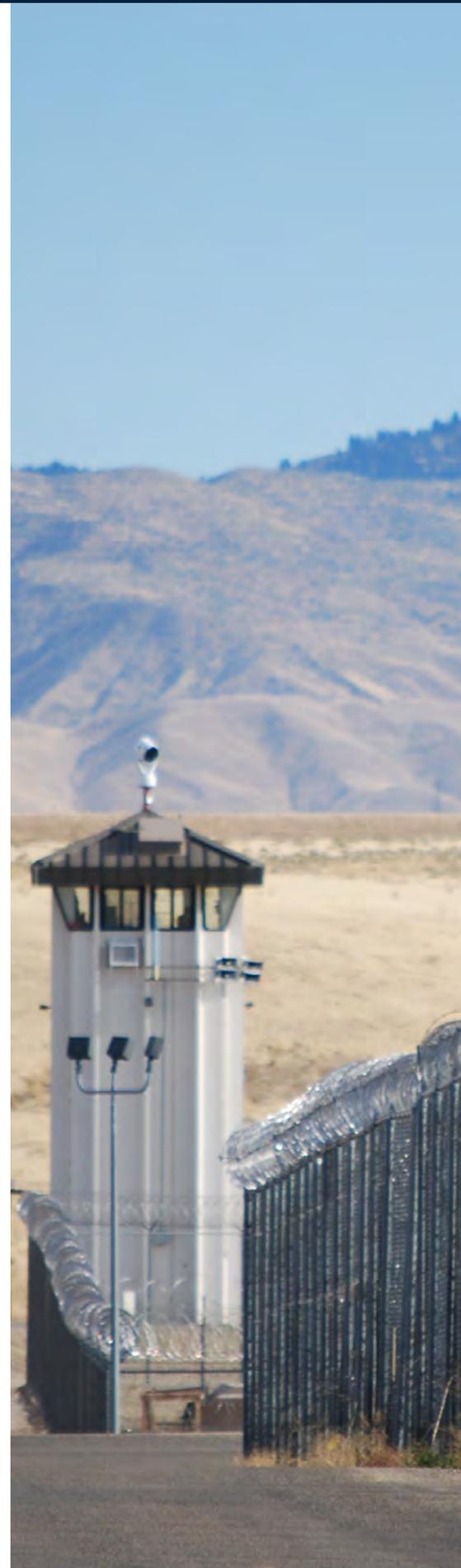


Evaluation report
January 2020

Managing Correctional Capacity

Office of Performance Evaluations
Idaho Legislature





Office of Performance Evaluations

Established in 1994, the legislative Office of Performance Evaluations (OPE) operates under the authority of Idaho Code §§ 67-457-464. Its mission is to promote confidence and accountability in state government through independent assessment of state programs and policies. The OPE work is guided by professional standards of evaluation and auditing.

Joint Legislative Oversight Committee 2020

The eight-member, equally bipartisan Joint Legislative Oversight Committee (JLOC) selects evaluation topics; OPE staff conduct the evaluations. Reports are released in a public meeting of the committee. The findings, conclusions, and recommendations in OPE reports are not intended to reflect the views of the Oversight Committee or its individual members.

Senators



Mark Harris

Dan Johnson

Michelle Stennett

Cherie Buckner-Webb

Representatives



Ilana Rubel

Caroline Nilsson Troy

Paul Amador

Elaine Smith

Senator Mark Harris (R) and Representative Ilana Rubel (D) cochair the committee.

From the director

January 27, 2020

Members
Joint Legislative Oversight Committee
Idaho Legislature

Over the past decade, the state's approach to managing correctional issues has been designed for relatively short-term budget planning. As a result, the Department of Correction is less equipped to address facility planning and changes in inmate population than it was a decade ago.

Moving forward, both Governor Little and Director Tewalt are planning to address correctional challenges facing the state in a more comprehensive way. I believe this report could help them and the Legislature with addressing immediate problems and setting a road map to guide long-term policies and investments.

Our recommendation to develop a system-wide master plan is a necessary step to manage Idaho's correctional capacity. The plan should include the following:

- Producing and regularly updating a long-term inmate population forecast

- Building a system-wide staffing model

- Prioritizing facility maintenance and replacement needs based on operational efficiency and effectiveness

I would like to express my sincere thanks to Director Tewalt and his staff for providing valuable assistance needed for us to conduct this evaluation.



Sincerely,

A handwritten signature in blue ink that reads "Rakesh Mohan".

Rakesh Mohan, Director
Office of Performance Evaluations



954 W. Jefferson Street
Suite 202
Boise, Idaho 83702
Ph. 208.332.1470
legislature.idaho.gov/ope/

Formal responses from the Governor and the Department of Correction are in the back of the report.



Lance McCleve, Susie Bergeron, and Casey Petti conducted this evaluation. Margaret Campbell copyedited and desktop published the report.

Bob Thomas of Robert C. Thomas and Associates provided technical assistance.

Jim Brock of Kinion Marsh and Co. conducted a quality control review.

Cover page photo courtesy of Chad Page, Chief, Division of Prisons.

Contents

| | Page |
|---|--------|
| Executive summary | 5 |
| 1. Introduction..... | 12 |
| 2. Staffing..... | 17 |
| 3. Growth | 24 |
| 4. Crowded, aging, outdated facilities | 30 |
| 5. Qualitative differences among facilities | 41 |
| 6. Cost comparison of facilities..... | 49 |
| 7. Moving forward | 58 |
| Appendices | |
| A. Request for evaluation..... | 61 |
| B. Evaluation scope..... | 63 |
| C. Methodology | 64 |
| D. Cost calculation details | 66 |
| Responses to the evaluation | 70 |

Executive summary



Why we were asked to do this evaluation

In 2010 our office conducted an evaluation on the operational efficiency of Idaho's prison system. In that evaluation, we found several deficiencies in the operational practices of the Department of Correction.

We learned that management of the employee roster was conducted in an inconsistent manner, relying on either outdated tools or without any system-wide guidance. In addition, poor facility design and increased maintenance costs from aging facilities contributed to the rising cost of housing inmates. We recommended that the department develop a comprehensive staffing model and phase out the older and inefficient housing units at prisons.

Our follow-up in 2012 found that most of the issues identified in the initial evaluation were still ongoing.

The prison system has experienced notable changes since our 2010 evaluation and 2012 follow-up. Rapid inmate population growth since 2016 has led to inmate housing capacity shortages, resulting in inmates being sent out of state to privately operated prisons in Texas since 2018. Additionally, county jails have been increasingly relied on to accommodate inmate population growth.

Legislative interest for this evaluation was driven in part by a desire to know what changes and improvements have been made to improve operational efficiency since 2010. Additionally, requesters wanted to know what other changes the prison system has undergone since 2010, and how and when the department can resume housing all Idaho inmates in-state.

The RELIEF FACTOR is a mathematical tool used to determine the number of staff needed to fill posts.

The department still lacks a unified staffing model for correctional officers.



What we found

Roster management has improved since our last evaluation, though the department is still lacking a staffing model.

Changes in the relief factor tool used for facilities have contributed to better roster management. At the time of our previous report, the department was using an outdated, single relief factor for all prisons. The department now calculates a relief factor for each facility and updates it annually to ensure it meets the needs of facilities.

Our last report found that budget holdbacks and furloughs routinely caused the department to leave correctional officer posts unstaffed. The department did not use a set of prescribed rules to determine which posts should always be staffed for safe, secure operations.

Correctional officer posts critical to safety are now classified as either mandatory (posts that must be always staffed) or essential (posts that should be staffed though can be unstaffed in rare circumstances). This distinction allows the department to ensure that mandatory posts are always filled and essential posts are filled whenever possible.

The department still lacks a system-wide staffing model for correctional officers. While the new relief factor and post classifications help the department with staff management, they do not inform the department on the actual staffing and resource needs of prisons.

Recommendation

The department should work with professional correction organizations to conduct a robust staffing analysis and create a system-wide staffing model. A staffing model would identify staffing deficiencies and help inform related budgeting decisions.

The department does not use a long-term forecast to anticipate and plan for growth.

Since December 2016, inmate population has grown by nearly 18 percent, far outpacing the growth of Idaho's population over the same time period. Inmate population is now above what the department can reasonably house within the state and has led to increased inmate placement in county jails and emergency contracting with an out-of-state prison (Eagle Pass, Texas).

Projecting future growth is necessary for policymakers to address housing capacity shortages. The department forecasts growth over a two-year projection period, which allows short-term budgetary planning but is insufficient for long-term decisions. In addition to a two-year forecast, a 5- to 10-year forecast would give the department and policymakers needed information to better plan for the long-term housing needs of inmates.

Recommendation

The department should develop and routinely produce a long-term forecast for inmate population. This forecast should be shared with criminal justice partners and policymakers to assist in policymaking and identifying how policy or regulation changes may affect future prison populations.

Challenges facing the facilities are worse today than in 2010.

To accommodate some inmate population growth, the department has increased the number of inmates housed in department-operated prisons by 203 since 2010, only a 3 percent increase. Most of the increase came by adding bunks to existing housing units. But this incremental solution was not sustainable over a long period.

At the time of our last evaluation, subject-matter experts expressed concerns that several housing units were overcrowded based on industry best practice standards. The decision to add bunks to these housing units have taken the units further away from those standards.



The outdated design of the older facilities limits the ability of security staff to continuously observe inmates. Failure to continuously observe inmates can lead to safety and security risks for both staff and inmates. In total, 2,835 bunks in housing units are not conducive to continuous observation.

The maintenance status of facilities is worse today than it was at the time of our last evaluation. In 2010 we found a maintenance backlog equivalent to \$40.5 million in 2019 dollars. As of October 2019, deferred maintenance has increased by 45 percent to \$58.6 million. Because facilities lack a recent condition assessment, the new deferred maintenance does not include smaller maintenance needs at facilities, and the true deferred maintenance amount is certainly higher.

Recommendation

The department should work with facility management organizations to conduct a facility condition assessment of the prison system. The facility condition assessment would inform the department of the true maintenance status of the prisons, as well as identify facilities with disproportionately high maintenance needs. The assessment can be used to inform capital budgeting decisions, which would allow the department to save money long term by undertaking preventative maintenance when appropriate.

Inmates have better opportunities and services in department-operated prisons when compared with alternative placements.

Services at department-operated prisons exceed those in county jails or out-of-state placement. Cognitive behavioral programs, access to educational programs, and work opportunities all are present within department prisons, while access is either limited or nonexistent in the alternative placements.

The distance between Eagle Pass and Idaho limits the opportunity for inmates to receive family visitations. County jails are not designed to house inmates for long periods. Jails conform to regulations aimed at short-term housing. Inmates receive minimal medical care at most county jails and must be transferred into a department prison to receive care.

Differences in inmate experiences and services that depend on placement type may affect inmate wellbeing and recidivism risks.

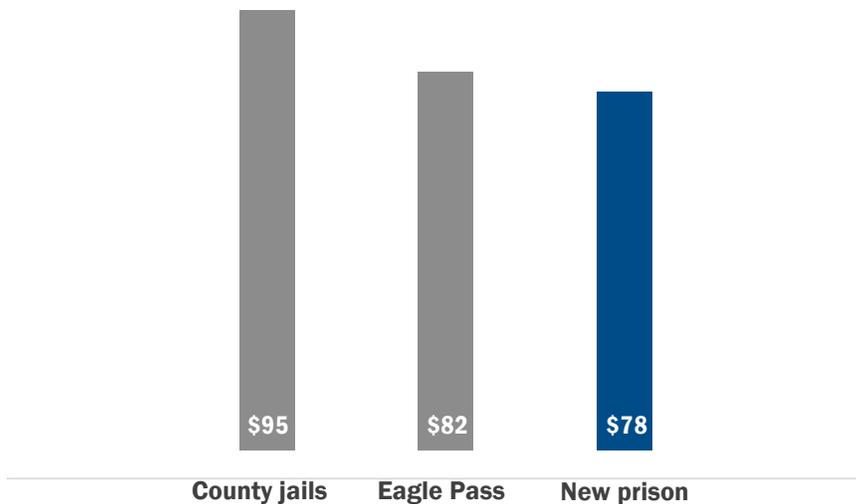


The state could realize cost savings through new prison construction.

The costs of housing inmates at county jails and the out-of-state prison are different from the costs of housing inmates in department-operated prisons. As shown in exhibit 1, when accounting for housing, medical care, transportation, and contract oversight, the cost of an inmate placement at Eagle Pass is \$82.33 per day. This number is about even with the most *inefficient* medium security prison in Idaho, which costs \$82.34 per inmate per day, but is higher than the newer, more efficient department prisons.

Exhibit 1

Estimated cost per inmate day at a new prison is less than county jails and Eagle Pass.



Source: Analysis of data from the Department of Correction and Carter, Goble, and Lee, *A System Master Plan for the Idaho Department of Correction*, February 2008.

In contrast, inmate placement in county jails is more expensive than placement within any department prison. An inmate at a county jail costs the department \$95.45 per day when allocating costs of department provided services. This number is not what the state pays to the counties, which averages \$71.15 per inmate per day, but the cost when factoring in medical care, programming, and education an inmate will receive from the department.

Inmate placement in county jails is more expensive than placement within any department prison.

The failure of the state to adequately plan since our 2010 evaluation is a contributing cause of many problems it faces today.

The high cost of inmate placement at Eagle Pass and county jails makes construction of a new prison a less expensive alternative long term. We estimate a new medium security prison would cost about \$77.41 per inmate per day if it is operated at the same efficiency as the department’s most efficient medium security prison. This cost per day includes construction and financing costs spread over 50 years of the useful life of the prison.

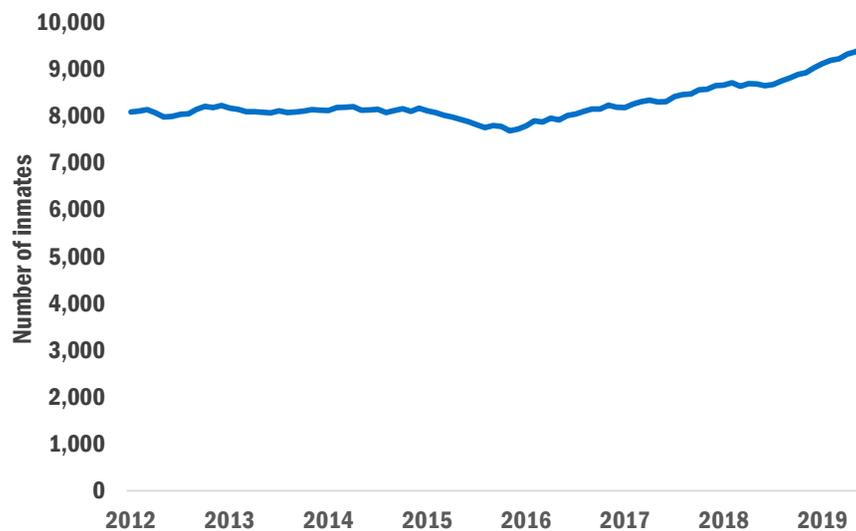
Moving forward

A common theme emerged throughout the report. The department lacks the necessary tools and in-house capability to conduct effective, long-term strategic planning. As shown in exhibit 2, prison populations have continued to grow since 2016.

The state needs to prepare for future growth while solving today’s problems. The department must improve its operations and capacity planning to address these concerns. The failure of the department to adequately plan since our 2010 evaluation is a contributing cause of many problems it faces today.

Exhibit 2

Idaho has experienced a continued growth in inmate population since 2016.



Source: Department of Correction data.

The lack of capital planning and a long-term population forecast led to the department implementing small, incremental changes to increase housing capacity. After inmate populations increased beyond what could be reasonably housed in the prisons, the department had to look elsewhere for placement.

The immediate need for inmate placement in 2018 led the department to enter a contract to send inmates out of state. The emergency nature of the contract lacked necessary provisions to cover all costs of housing inmates, such as off-site medical care. This lack of provisions increased the price of housing inmates at the out-of-state contract prison. Moving forward, the department should take advantage of these lessons.

Recommendation

The department should develop a system-wide master plan that draws upon our recommendations. The master plan can guide the department on how to address immediate problems and set a long-term road map for the department to follow. The system master plan should be updated regularly as information changes.

Additionally, the system master plan would help the department demonstrate to policymakers the need and purpose of budgetary requests, such as an increase in full-time employees or capital projects.



◀ Photo courtesy of Division of Prisons Chief Chad Page.

1

Introduction

Background and legislative interest

In 2009 the Joint Legislative Oversight Committee assigned us to evaluate staffing practices and facility conditions of Idaho's nine prisons. We released the report, *Operational Efficiencies of Idaho's Prison System*, in 2010. Our results found that many of Idaho's prisons were operating both inefficiently and ineffectively. The lack of a staffing model led to inconsistency in staffing standards throughout the prison system. Poor facility design and aging facilities contributed to the rising costs of housing inmates. We recommended that the Department of Correction develop and implement a system-wide staffing model and phase out poorly performing facilities and housing units.

In 2012 the Oversight Committee asked us to follow up on the department's efforts to address findings and implement recommendations. We found that issues identified in our evaluation were still ongoing, though the department had taken steps to identify needs in correctional officer staffing.

During the 2019 legislative session, the Oversight Committee directed our office to conduct a new evaluation of the prison system. Legislative interest for a new evaluation was driven in part to understand the department's progress on improving operational efficiency. Additionally, requesters wanted to know the effects of recent changes necessitated by prison population growth (the request for evaluation is in appendix A).

Since 2010 the prison population has surpassed in-state prison capacity, leading to inmates being housed in county jails or sent out of state during much of this period. While it was well understood that inmates are no longer all housed in Idaho, the financial costs and effects of sending inmates out of state were unclear. Requesters wanted to know what would need to be done to house all inmates in Idaho again.

Evaluation approach

To address the questions raised in the request, we split the evaluation into four primary components: (1) changes in operational efficiency since our last evaluation, (2) projecting needed inmate housing capacity, (3) steps taken to address capacity issues, and (4) the comparative costs of housing inmates in different settings (see appendix B for our evaluation scope).

Our 2010 evaluation relied on visits to all nine Idaho prisons and reviewing previously published third-party studies about the prison system to determine operational efficiency. Our approach for this evaluation differed from the prior evaluation because of a lack of recent studies on the prison system. We visited three of the nine prisons and interviewed wardens at the remaining facilities. In place of data from third-party studies, we relied on first-hand interviews and data from the department for information on staffing and facility conditions.

Additionally, we interviewed and corresponded with department staff to gather information on inmate programming, contract oversight, facility maintenance, population forecasting, and costs of housing inmates (our methodology is in appendix C).

During the process of evaluating the costs of out-of-state inmate placement, we incorporated into our analysis inmate placement in county jails. County jails are often used to house inmates when department facilities are at capacity. The true costs of placing inmates in county jails are not well understood. By including county inmate placements in the analysis, we gained a clear picture of the true costs of prison system capacity shortages.

Department information and prison facilities

In December 2019 the department employed around 1,950 people. Employees include correctional officers, probation and parole officers, rehabilitation specialists, teachers, support staff, and administrators. Over half of all department staff, approximately 1,000, work in security at department-operated prisons and community reentry centers.

Nearly 26,000 individuals in Idaho are under departmental control, either in incarceration or on probation or parole under departmental supervision.

Idaho's prison system comprises nine prisons throughout the state. As shown in exhibit 3, five prisons are located south of Boise, two in northern Idaho, and two in eastern Idaho.

In addition to the nine prisons, the department runs four community reentry centers across the state. A tenth prison in Idaho, the Correctional Alternative Placement Program (CAPP), is privately operated by the Management Training Corporation.

Definitions

Bed: A physical space where a person can sleep. Not all beds are available for assignment to inmates.

Bunk: A bed that has been identified for a specific purpose and to which an inmate may be assigned. There are several bunk types, such as general population, medical, and disciplinary.

Total capacity: The total number of bunks in a prison regardless of type.

Operational capacity: The number of bunks in a prison that can be filled at any one time. Operational capacity accounts for the temporary nature of some bunk types that cannot be permanently occupied, such as medical and disciplinary bunks.



For this evaluation, “prison system” refers only to the nine department-operated prisons. When included in our analysis, we refer to community reentry centers and CAPP by name.

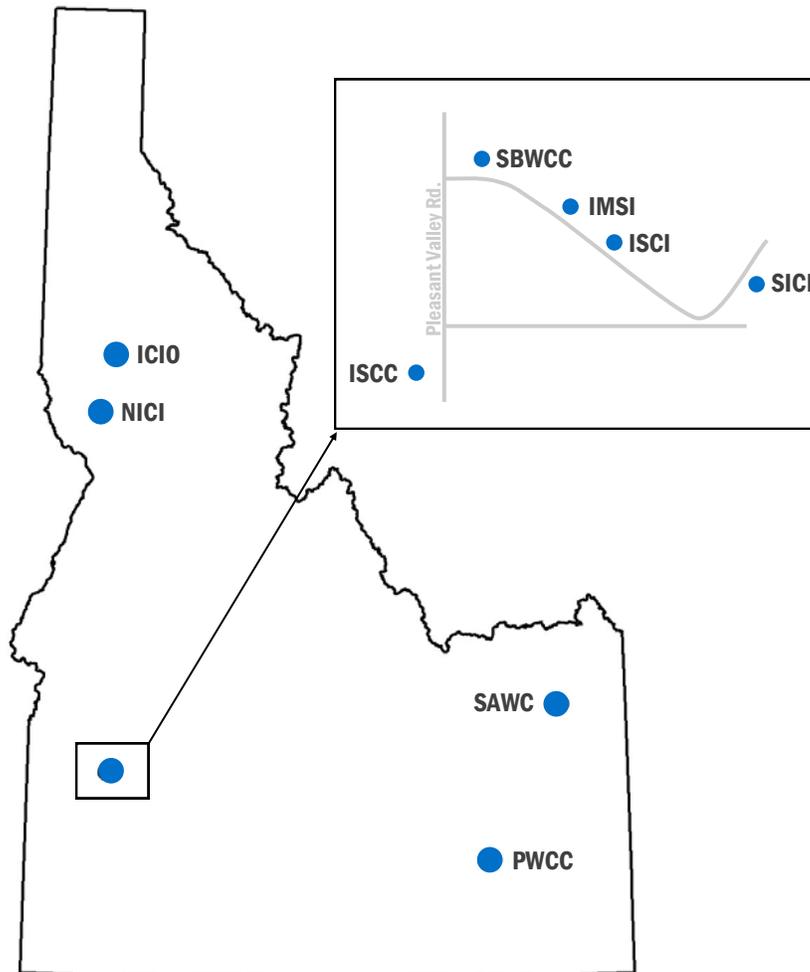
The operating capacity of Idaho’s nine department-operated prisons is 6,779 inmates, with operating capacity for 5,733 males and 1,046 females. Six prisons house exclusively males, two house exclusively females, and one houses both males and females.

Total capacity of the nine department-operated prisons is 6,974 inmates, 195 more than operational capacity. Operational capacity is lower because of the need for immediate availability of certain bunk types, such as short-term restricted housing and medical bunks. The department strives to keep the number of inmates in each prison below total capacity to accommodate the acute needs of inmates.

In early October 2019, Idaho prisons were at 102.1 percent of operational capacity. The seven facilities housing male inmates were at 102.5 percent and the three facilities housing female inmates were at 98.7 percent.



Exhibit 3
Nine department-operated prisons



| Official name | Acronym | Abbreviated in report |
|---|---------|--------------------------|
| Idaho Correctional Institution—Orofino | ICIO | Orofino Prison |
| Idaho Maximum Security Institution | IMSI | Max |
| Idaho State Correctional Center | ISCC | Correctional Center |
| Idaho State Correctional Institution | ISCI | Yard |
| North Idaho Correctional Institution | NICI | Cottonwood Prison |
| Pocatello Women’s Correctional Center | PWCC | Pocatello Women’s Prison |
| South Boise Women’s Correctional Center | SBWCC | Boise Women’s Prison |
| South Idaho Correctional Institution | SICI | Farm |
| St. Anthony Work Camp | SAWC | Work Camp |

Staffing

2

Security staffing is a key cost driver for Idaho prisons. Making staffing decisions based on a consistent and rational assessment of need can help ensure the effective use of state dollars. Our 2010 evaluation found that administrators at the department were dedicated, creative, and flexible in their efforts to operate prisons in a way that limited costs. Nevertheless, during the Great Recession, this flexibility was stretched to its limits. The department's problems were exacerbated by not having a standardized staffing model.¹ This model could have been used as a baseline for determining, prioritizing, and addressing gaps in staffing needs.

We identified four specific problems in our 2010 evaluation:

Command staff responsible for operations often did not have a clear rationale for the level of posts required to adequately meet all needs. Responsibilities of staff were well outlined but not the number of staff needed to fulfill those responsibilities. The shift relief factor, used to estimate the number of full-time equivalents (FTEs) needed to fill posts, was out of date and not facility specific.

In effect, prisons were staffed based on the number of staff available, not on the number of staff needed nor operating best practices. In many instances, prison facilities and individual housing units had more posts to fill than staff available. The lack of staff created gaps in security and insufficient coverage.

Inadequate staffing levels along with poor facility design prevented the department from following best practices for direct supervision and continuous observation of inmates.

Staffing shortages were further exacerbated by furloughs and prohibitions on the use of overtime.

1. The department contracted with a consultant to develop a staffing model a decade earlier. We could not determine whether the model had been implemented. By 2009 the model was outdated and not in use.

The department has addressed our 2010 concerns about the shift relief factor.

The department's roster management system is well designed and managed.

Roster management is used to allocate and schedule staff so identified posts are staffed when needed. We found that the department's roster management system is well designed and managed. In addition, the department is looking at ways to further streamline the system with software enhancements.

As part of the roster management system, the department calculates staffing needs using a common tool called the shift relief factor. The shift relief factor is based on averages of leave and other absences. However, the use of averages is an inherent weakness of the factor. Achieving accuracy by using averages requires a planned consistency of taking leave. It does not account for randomly occurring absences. The department addresses this weakness by assigning overtime as needed and encouraging a flexible approach to the relief pool.

Shift relief factor

In the 2010 report we expressed concern about the adequacy of the shift relief factor because it was out of date and not facility specific.



As we noted in our 2010 report, department had determined the shift relief factor by dividing the number of days a security post must be staffed by the average number of days that staff were expected to be on duty. It considered factors such as sick days, vacations, and other types of leave and training. However, the department had based the shift relief factor on data that was out of date, and it had applied the factor system-wide instead of basing it on facility-specific data.

In our review of the shift relief factor this year, we found that the department has addressed our 2010 concerns. The department now calculates a factor for each facility and updates it annually.

Despite improvements to staffing of mandatory and essential posts, some essential posts still intermittently go unstaffed.

Roster management is an important component of managing staff resources. It begins with the number of identified posts. It is not, however, a tool for determining how many posts are needed based on best practices, overcoming facility design deficits, or meeting national standards. A staffing model is necessary to determine needed posts.

During the Great Recession, the department was not able to consistently fill security posts because of budget holdbacks, mandatory furloughs, and restrictions on overtime use.

We reported in 2010 that the department did not use a set of prescribed rules to identify which security posts were mandatory. Mandatory posts are those that must always be staffed. Essential posts can temporarily be left unstaffed, usually under rare and exceptional circumstances outside the department's control. The department now defines mandatory and essential posts, per guidance from the National Institute of Justice. The department also uses and closely monitors staff overtime.²

Defining security posts as mandatory and essential is not as much a best practice as it is a basic practice. Ideally, mandatory and essential posts would always be staffed to consistently ensure safe and secure operations. However, according to our interviews, some essential posts intermittently go unstaffed. Sometimes, in lieu of letting an essential or mandatory post go unstaffed, a facility will draw supervisory or other staff away from their duties to cover the posts.

Warden opinions about the adequacy of staff are mixed. Some wardens feel that they have the number of posts needed, some have difficulties filling all posts, and some feel constrained by facility design and the need to reassign staff from their normal

Warden opinions about the adequacy of staff are mixed.

2. We worked with Correction financial staff to review costs of working staff overtime versus hiring additional full-time staff. We found the cost per hour of the two alternatives to be similar. Overtime wages are paid at the rate of time and one-half. The cost per hour of hiring additional full-time staff includes fixed benefits, training, and leave.

**Gardens at ►
the Correctional
Center.**

duties to cover mandatory posts. Over the years, the department has made several camera upgrades to enhance security, especially to facilities with design challenges. But some video surveillance upgrades are in queue and some deficits still need to be addressed.

The department and the Legislature have addressed the furlough problem caused by budget holdbacks. But some prisons still have vacancy issues. Some smaller, more rural facilities have challenges in recruiting and retaining correctional staff.



The department still lacks an operational master plan that incorporates a staffing model.

Department administration has made improvements and continues to be creative and flexible in fulfilling its mission.³ We were impressed by the way headquarters and facility command staff practice being visible and interacting with line staff at prison facilities. The presence and interaction of command staff with line staff is an excellent practice. It gives headquarters additional knowledge to triage the needs of various prison facilities.

One thing that has not changed over the past decade is the need for an operational master plan that incorporates the development of a staffing model.

Many questions about whether staffing levels are adequate can be answered through a staffing model. A staffing model can be the basis for consistent and efficient staffing of prisons. Based on facility design and necessary security activities at each prison, a staffing model gives the department a framework for systematically determining the number of necessary posts. Using a standardized staffing model to systematically link facility design, staff duties, and necessary posts can help reduce the potential risks associated with insufficient staff coverage.

Without a staffing model, the department may have difficulty communicating and garnering legislative support for staffing needs because it lacks a systematic way to measure staffing levels and identify shortcomings. Standardizing how the department makes staffing decisions can be beneficial to both the department and the Legislature:

Staffing needs can be assessed consistently based on explicit criteria.

Resources can be distributed fairly among prisons.

Staffing practices can be well supported and legally defensible.

3. https://www.idoc.idaho.gov/content/about_us/mission_vision_and_values

The presence and interaction of command staff with line staff is an excellent practice.

A lesson learned from our 2010 evaluation is that we may not know what the economy holds in store, but we should be prepared for any eventuality.



Performance measures can be used to identify and address deficiencies in operations, such as specific times and locations where continuous observation is not being provided.

Planning for new capacity or for replacing existing capacity can start with an assessment of how housing units or a facility should be staffed, which is necessary for identifying the long-term operational costs that accompany capital costs.

A lesson learned from our 2010 evaluation is that we may not know what the economy holds in store, but we should be prepared for any eventuality. When the effects of the Great Recession spilled over into severe financial difficulties for the state, the department found itself challenged with how best to respond to budget cuts and provide the Legislature and other stakeholders with information and sound criteria for making difficult decisions.

Recommendation

The department should work with professional correction organizations to identify an outside, independent consultant who can conduct a staffing analysis and produce a staffing model. Organizations such as the American Correctional Association, the National Institute of Corrections, and the Correctional Leaders Association could assist. The main concerns raised in our 2010 report were related to security staffing. We believe that developing a robust security staffing model should be the highest priority.

We do not want to be prescriptive in how the department identifies the most appropriate organizations. Of higher importance are two criteria for the analysis:

Conducted by highly experienced professionals who can work closely with the department's subject-matter experts while maintaining independence

Receive buy in from key stakeholders, such as the Legislature and the Board of Correction, on the purpose and process of commissioning the analysis

Elements of the analysis could include:

Determining mandatory and essential posts based on criteria that considers (1) overall facility layout and electronic security enhancements, (2) security features that limit the kinds of offenders to be housed, and (3) number and classification of offenders to be housed

Identifying standards and best practices for observing and supervising offenders

Performing a gap analysis of current staffing versus recommended staffing

Developing a plan for addressing any deficits



◀ Photo
courtesy of
Division of
Prisons Chief
Chad Page.

3

Growth

In 2010 we cautioned that although growth had slowed, increases in the forecasted inmate population would require the Department of Correction and policymakers to answer complex questions about how to control for associated costs. Given growth in the inmate population since 2016, Idaho is now at a point where the department and policymakers must answer those questions.

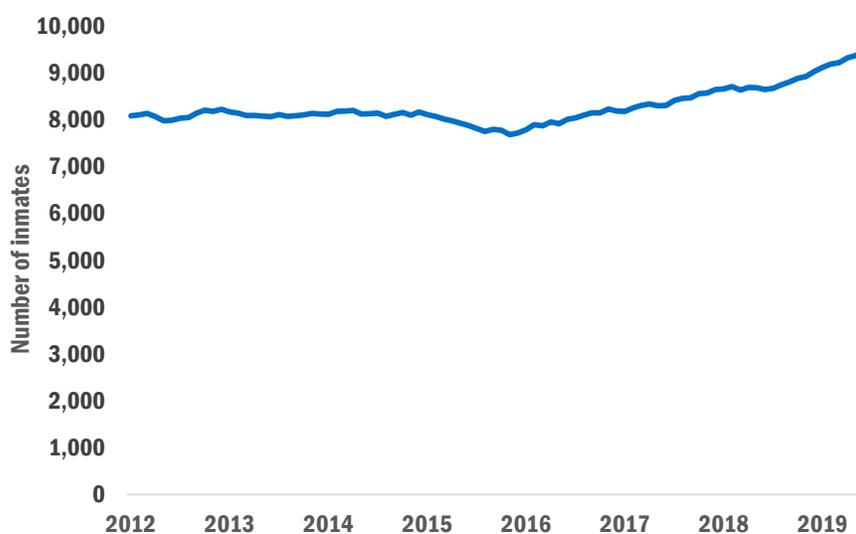


The department is at a critical juncture in planning for how it will house inmates.

Idaho’s incarcerated population has grown significantly since 2016. As shown in exhibit 4, Idaho has experienced a dramatic increase in the number of inmates it incarcerates. Since December 2016, the incarcerated population has grown by 18 percent to a total of 9,458 inmates. During the same period, Idaho’s citizen population grew slightly more than 6 percent. In contrast, from 2012 to 2015 inmate population growth closely correlated to Idaho’s citizen population, and from 2015 to 2016, the inmate population declined.

Exhibit 4

Idaho has experienced continued growth in inmate population since 2016.



Source: Analysis of Department of Correction data.

The complete picture of why the incarcerated population has grown so rapidly since 2016 is not fully understood. However, department data show that at least two factors have contributed to growth:

1. The number of parole violations resulting in parole revocation has increased.
2. The rate inmates are released from a term sentence has not kept pace with growth of the inmate population.

At least two factors have contributed to growth in inmate population.

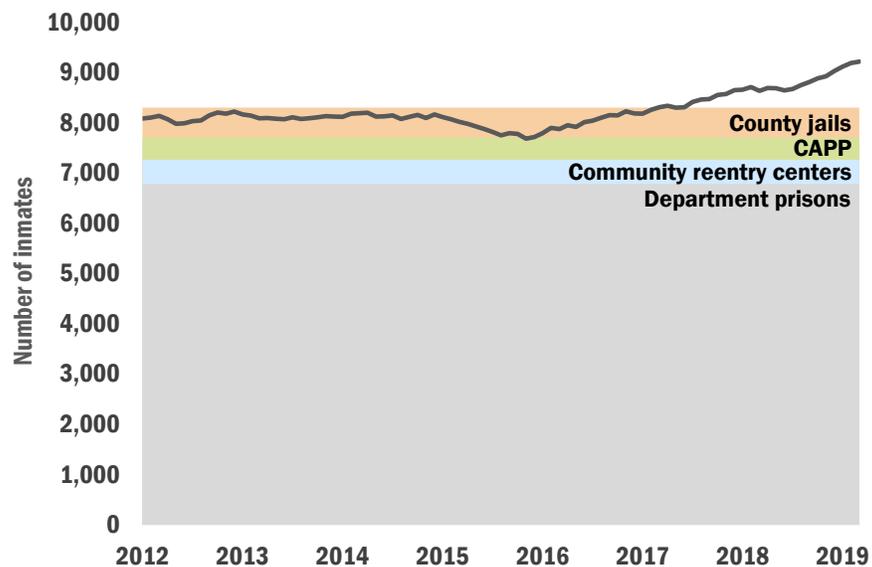
A robust, long-term forecast is one of several key components of an effective system-wide master plan.

Because of recent growth, inmate population has surpassed the department’s capacity to house it. Exhibit 5 compares today’s capacity of department facilities to the population of inmates in fiscal years 2012–2019.

Given the continuing growth of the incarcerated population and limited options for housing inmates, the department is at a critical juncture in planning for how it will house inmates. A robust, long-term forecast is one of several key components of an effective system-wide master plan that we discuss throughout this report. A long-term forecast will enable the department and policymakers to evaluate current and future housing practices and alternatives.

Exhibit 5

Inmate population has significantly exceeded the department’s housing capacity and overloaded county jails.



Note: Graph depicts the 2019 housing capacity for department prisons, community reentry centers, and the correctional alternative placement program. For county jails, the graph shows the average daily inmate population for 2019.

Source: Analysis of Department of Correction data.

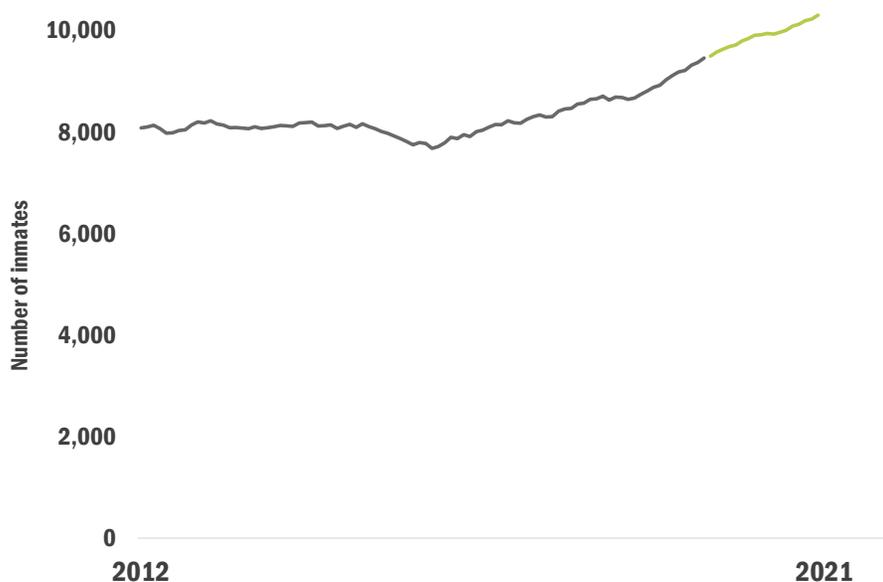
The department does not use a long-term forecast to anticipate and plan for growth.

The department forecasts population over a two-year projection period. It does not produce a long-term forecast. Exhibit 6 shows the department’s most recent forecast for the incarcerated population.

The department’s approach is designed for relatively short-term budget planning. However, in the short term, the prison system cannot easily adjust to accommodate the changing demand for beds. An increased demand for beds resulting from a change in policy or practices, such as sentencing, probation, or parole, can quickly surpass prison capacity and require a long-term solution.

In addition to short- and medium-term detailed forecasts, other states generally produce long-term (5–10 years) forecasts that they update periodically. They use long-term forecasting to identify, prepare for, or respond to rapid growth.

Exhibit 6
The department projects the inmate population could reach 10,300 by next year.



Source: Analysis of Department of Correction data.

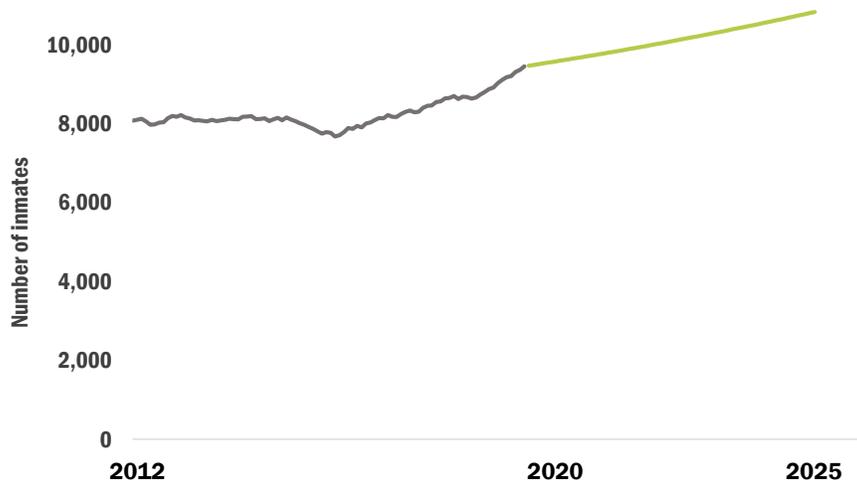
The department’s approach is designed for relatively short-term budget planning.

We conservatively project that the inmate population will be nearly **3,200 more inmates than the 2019 operational capacity of department facilities by 2025.**

We estimated a conservative five-year forecast based on the projected growth rate of Idaho’s citizen population. Exhibit 7 shows that even if growth of the incarcerated population slows to the growth projected for Idaho’s citizen population, the department’s incarcerated population will reach about 10,800 inmates within five years. At that growth rate, the inmate population will be nearly 3,200 more inmates than the operational capacity of department facilities in 2019.

Exhibit 7

Even using the conservative growth rate of Idaho’s citizen population, **forecasted prison population would exceed 10,800 inmates by 2025.**



Source: Analysis of Department of Correction data.

A long-term forecast is an essential tool for the department and policymakers as they make difficult decisions about the allocation of resources and how to plan for inmate housing.

In addition, it will provide the department and criminal justice partners with the following:

- Benchmark estimates for the size of the prison population under expected conditions

- An early warning if any part of the system is functioning differently than expected

- A starting point for estimating the potential effects of a proposed policy or practice

Some deviations from the forecast population will be in part due to the inherent imperfections in forecasting. Even so, deviations should be analyzed to identify underlying causal factors. Causal factors should be addressed by policy or programmatic changes. Deviations from the forecast can signal the need for the department to adjust its strategy for housing inmates or to identify policy changes necessary to manage anticipated growth.

Recommendation

The department should develop a standardized approach for routinely (annually or semiannually) producing a long-term forecast for the population under correctional supervision. The forecast should have enough detail to translate projected growth into bed needs by type, such as close custody, medium custody, community custody, or retained jurisdiction (riders). The forecast should be regularly shared with criminal justice partners and policymakers. When shared regularly, the forecast can serve as an agreed upon benchmark for policy and program formulation, evaluation, and capital investment decisions.

If, in its judgment, the department lacks internal resources to develop such a forecast, we recommend it seek assistance from organizations with experience and expertise in establishing forecast models for long-term correctional populations.



4

Crowded, aging, outdated facilities

Several pressing issues were facing department facilities at the time of our 2010 evaluation:

Inmate population was expected to surpass system-wide housing capacity. The department had planned to build capacity through a new 300-bed mental health facility and a 400-bed privately operated retained jurisdiction (riders) facility.

Many of the inmate housing units were not compliant with industry best practice standards on living space and amenities.

Several facilities were found to be an old, outdated design, decreasing their operational efficiency and ability to adequately monitor inmates.

Deferred maintenance costs were on the rise, increasing the total cost of operation.

We recommended that the department look at replacing inefficiently operated or poorly designed facilities. We also recommended that the department continually update its long-term planning to monitor and address capacity needs.

Since our last evaluation, the department's plans for building capacity have only been partially realized. In 2010 the Correctional Alternative Placement Program (CAPP) opened. The prison, managed privately by Management Training Corporation, houses 438 retained jurisdiction (riders) inmates. The proposed 300-bed mental health facility was never built, despite being approved by the Legislature in 2008.

Inmate capacity of the nine department-operated prisons has seen a net increase of 203 bunks since our last evaluation.

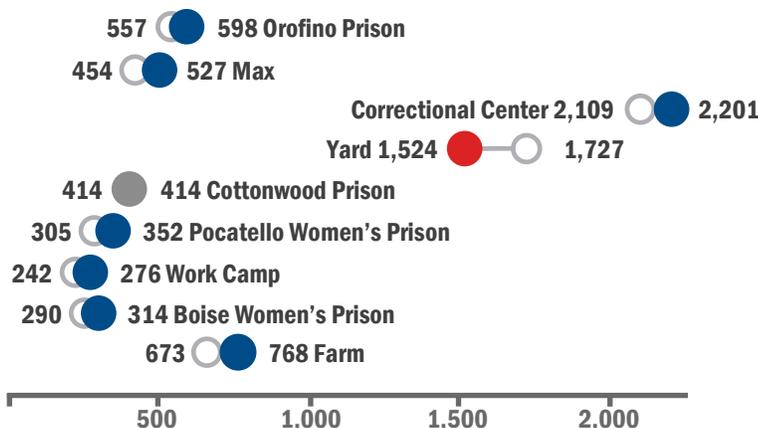
Since 2009 the number of bunks in the prison system has increased from 6,771 to 6,974. As shown in exhibit 8, seven prisons have increased inmate bunks, one decreased, and another saw no change.

The department has created 406 new bunks across seven prisons to increase capacity. It added 144 new bunks by reopening housing units closed in 2009. The east dorm at the Farm reopened in 2018 after restoration and repairs. Blocks E and G at Max have reopened after closing in 2009. In addition, the department added 15 total new medical bunks to Max, the Pocatello Women’s Prison, and the Work Camp.

The remaining 247 new bunks came by increasing the number of inmates housed in already existing units. The department did not construct new tiers to accommodate the increase but rather increased the number of inmates housed in existing cells and dorms. For example, rooms at the Work Camp were modified in 2017 to accommodate six instead of four inmates per room, and the two dorm housing units at the Correctional Center each added 18 bunks.

247 new bunks were the result of increasing the number of inmates housed in already existing units.

Exhibit 8
Since 2009 seven of the nine prisons added inmate bunks and one prison reduced bunks.

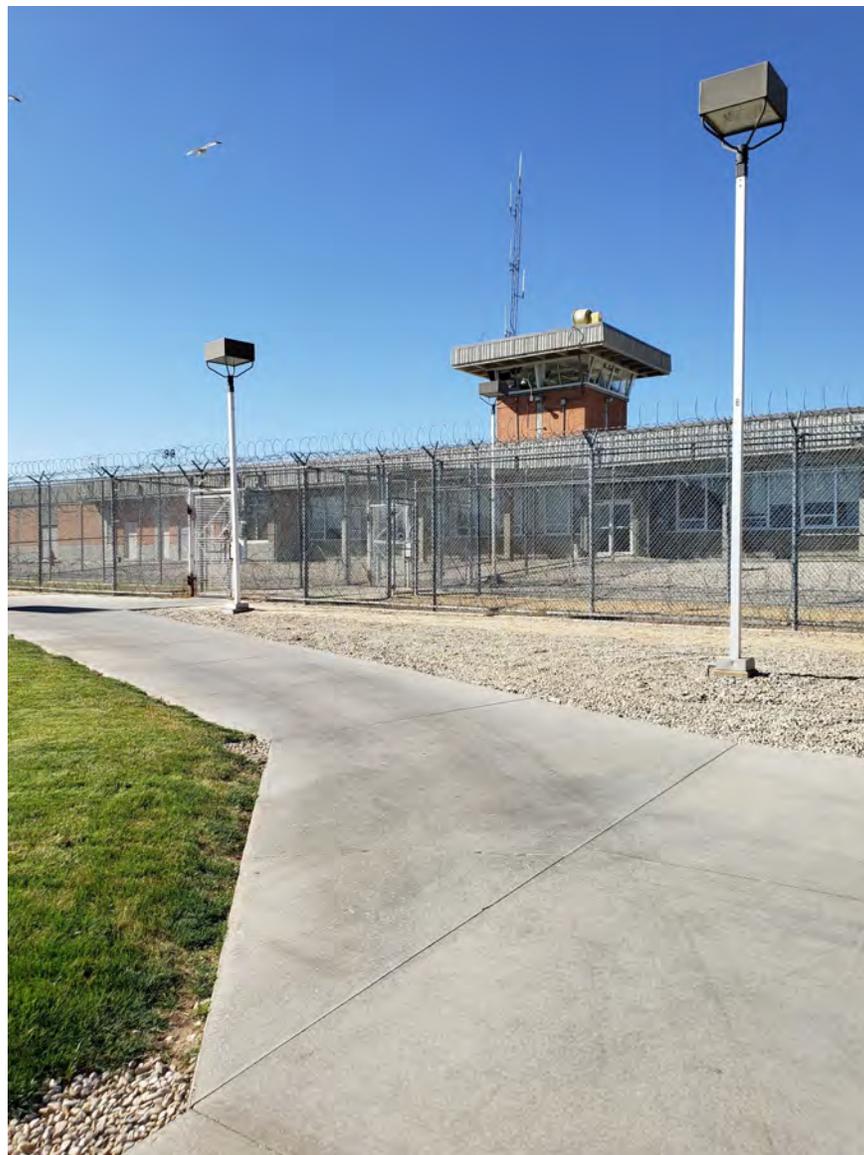


Source: Department of Correction data.

The Yard ▶

In 2019 the Legislature approved a physical expansion to the Work Camp that will add 100 new bunks. The project is expected to be completed in 2021 and is not included in our new bunk count.

The Yard was the lone prison that experienced a reduction in bunks over the past 10 years. The reduction was due to the closing of housing unit 24 in 2015. Unit 24 is a warehouse that had been converted into temporary housing for 204 inmates to accommodate short-term capacity needs. The unit remained closed at the time of our evaluation, but the department plans to permanently transition unit 24 back to housing.



The department continued to add bunks to already overcrowded facilities.

Some units in department-operated prisons do not meet standards for crowding. In 2008 Carter, Goble, and Lee reported that 26 of the 51 housing units in Idaho's prisons did not meet the American Correctional Association (ACA) standards for inmate housing (Carter, Goble, and Lee, *A System Master Plan for the Idaho Department of Correction*, February 2008).

Twenty-four of the 26 housing units failed to allow enough unencumbered living space per inmate, one housing unit double-bunked close-custody inmates, and one unit did not offer enough dayroom space. Carter, Goble, and Lee recommended a system-wide reduction in operating capacity by 850–900 bunks to meet ACA standards.

Since 2008, 24 of the 26 units have either stayed the same or increased in the number of inmates housed. This increase puts the units farther away from meeting ACA standards.

Moreover, additional housing units now likely exceed ACA guidelines. Three housing units, two at Max and one at the Correctional Center, double-bunked close-custody inmates. Four housing units at the Orofino Prison added inmate bunks without new programming space. Housing capacity at the Pocatello Women's Prison has increased to 352, far surpassing the Carter, Goble, and Lee recommendation of a 288-bed maximum capacity. However, a review of these housing units by a subject-matter expert is necessary to definitively determine whether housing units exceed ACA standards.

Overcrowding in prisons can lead to several problems. First, inmate-to-staff ratios increase, causing potential challenges to regulate and ensure safety of staff and inmates. Next, services, such as programming and medical care, must be provided, taxing prisons' ability to meet inmate needs. Last, facility amenities undergo more use and stress, speeding up their degradation and replacement cycles.

26 of the 51 housing units in Idaho's prisons did not meet the American Correctional Association standards for inmate housing in 2008.

24 of the 26 housing units have either stayed the same or increased in the number of inmates housed.

Both the National Institute of Corrections and the American Correctional Association recommend that direct observation be used when possible.

Despite progress on some facility issues, continuous observation remains a challenge.

The department has made progress on addressing many of the facility issues that were present at the time of our 2010 report. For example, the department has started the abating process for asbestos in older buildings. New roofs and HVAC systems have been installed. The perimeter fence at the Work Camp was fitted with slats to lessen interaction between inmates and the general public. The Orofino Prison has a new maintenance shed, increasing the maintenance capabilities of the facility and removing the chance of inmates obtaining dangerous equipment and tools.

Other documented issues still need to be addressed. Old and outdated buildings that were recommended to be phased out, such as McKelway Hall and Givens Hall at the Orofino Prison, remain in use. Buildings that have been deemed to be fire hazards have not been fire suppressed. Court restrictions on the capacity of some housing units at the Yard and Max remain in place.

One persistent challenge has been providing continuous observation of inmates. In our 2010 report we found that there were 24 housing units that did not allow for continuous observation of inmates due to poor and outdated facility design. Continuous observation lessens the chance of negative or violent interaction among inmates and helps correctional officers monitor the distribution of contraband. Exhibit 9 illustrates two medium custody housing units, one designed for continuous observation and one that is not.

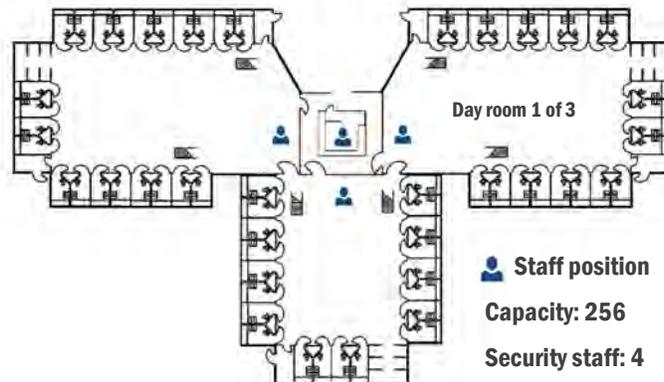
Observation can either be direct, when the correctional officer observes inmates while in the same space as the inmates, or indirect, when the correctional officer observes inmates from another location, such as a central command post or with cameras.

Direct observation removes barriers and increases interaction between staff and inmates, allowing correctional officers to quickly identify problems and correct negative behaviors. Both the National Institute of Corrections and the American Correctional Association recommend that direct observation be used when possible.

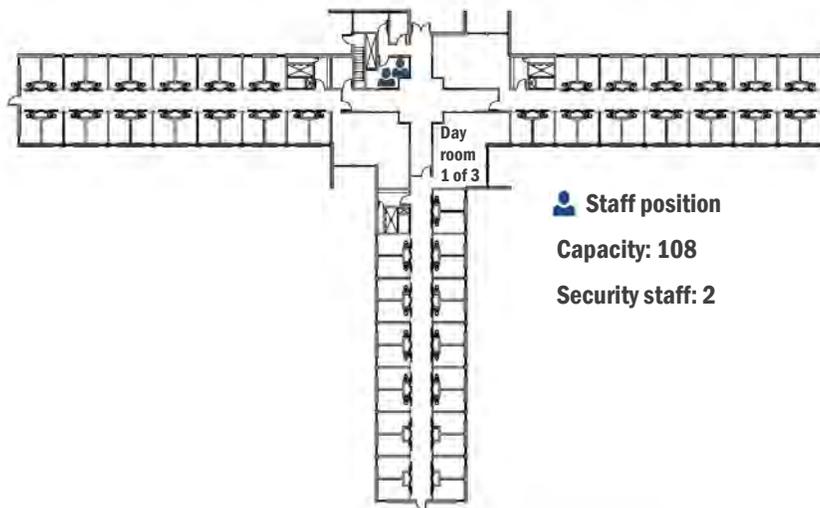
Exhibit 9

The design of a building can allow or prohibit continuous observation.

Open pod design of a housing unit allows for continuous observation of inmates.



Linear design of a housing unit prohibits continuous observation of inmates.



Source: Department of Correction.

Housing units not conducive to continuous observation are still in use today with little to no physical changes since our 2010 evaluation. Moreover, the three housing units that have reopened since 2009 are not conducive for continuous observation. In total, 2,835 bunks are in 27 housing units with layouts not conducive to continuous observation.

2,835
bunks are in 27
housing units
with layouts not
conductive to
continuous
observation.

The department has taken steps to increase observation of inmates by expanding and updating camera systems.

Housing unit ► at the Correctional Center.

Housing units where continuous observation is difficult are primarily older units or buildings not originally designed to be a prison. For example, two buildings at the Orofino Prison were originally meant to house mental health patients.

The department can achieve continuous observation in poorly designed housing units by increasing correctional officers stationed there. Increasing staffing levels can decrease the economic efficiency of keeping such units in operation. Without a system-wide staffing model and analysis, we were unable to determine the exact staffing inefficiencies of the units.

The department has taken steps to increase observation of inmates by expanding and updating camera systems. However, relying primarily on cameras to observe inmates can create several problems, such as inmates exploiting gaps in camera coverage and screen fatigue among correctional officers.



Facility deferred maintenance has grown since our last evaluation.

In our 2010 report we showed a maintenance backlog of \$35 million across eight facilities amounting to \$40.5 million when adjusted to 2019 dollars. Since that report, the maintenance backlog has increased.

As of October 2019 the department had \$58.6 million in outstanding maintenance backlog across all nine facilities. This amount includes ongoing maintenance and enhancement projects as well as future projects that have been identified as necessary.

Maintenance backlog is equal to about 10 percent of the total replacement value for the nine facilities.⁴ Idaho's maintenance backlog is worse than recommended by facility best practice standards, which recommends a maintenance backlog of less than 5 percent of facility replacement value. Older facilities, such as the Yard and the Cottonwood Prison, have a higher amount of maintenance backlog in relation to their replacement value.

Unlike the 2010 maintenance backlog amount, which was all inclusive, the new maintenance backlog of \$58.6 million only includes large projects expected to cost more than \$100,000. The total amount of maintenance backlog is almost certainly higher. A professional facility management organization would need to conduct a facility condition assessment to get a more accurate picture of the true maintenance backlog amount.

In 2019 dollars, the department has spent \$37.7 million on facility maintenance over the past 10 years. Much of the maintenance expenditure has been concentrated on older facilities. The Yard, which has the largest outstanding maintenance backlog, received the most in maintenance funding. The Orofino Prison, the Cottonwood Prison, and the Farm had the most maintenance expenditure in relation to their replacement value.

4. The department determines facility replacement value for insurance coverage. Value reflects the present worth of the facility. It does not reflect the cost of building a new facility.

In 10 years, the maintenance backlog has grown from \$40.5 million to at least \$58.6 million in 2019 dollars.

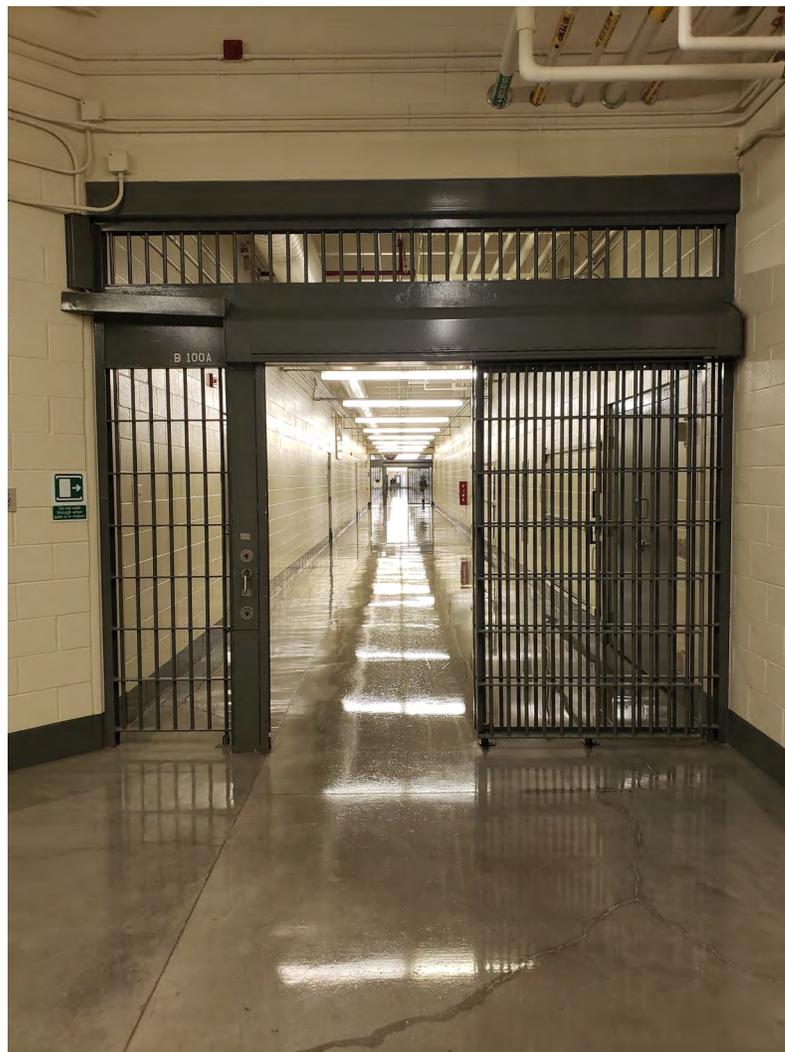
Maintenance backlog is about 10% of the total replacement value of facilities. Best practice standards recommends a maintenance backlog of less than 5%.

In 2008, the Orofino Prison, the Cottonwood Prison, and the Work Camp were determined to be at the end of their useful life.

Correctional Center ▶

The department has spent a disproportionate amount on maintenance relative to the replacement value for the Cottonwood Prison. The prison has received \$6.9 million in maintenance funding over the past 10 years, while the facility's replacement value is \$17.4 million. Another \$6.1 million in large maintenance projects is still outstanding at the Cottonwood Prison.

The higher maintenance requirements for older facilities undermines the economic value of keeping those prisons in operation, as many of the same facilities were previously recommended for replacement. In 2008 Carter, Goble, and Lee determined the Orofino Prison, the Cottonwood Prison, and the Work Camp were at the end of their useful life and recommended they be phased out. In our 2010 study we recommended replacing older housing units at the Yard and the Farm.



The department is less equipped to address facility planning than it was in 2010.

Concerns and needed areas of improvements for facilities were well understood by the department during our last evaluation. From 1999 to 2008, the department commissioned three independent studies detailing the status of state prisons.

A 1999 staffing model and roster management report by Christopher Murray discussed challenges facing staffing and facility designs. The department did not use the model from the report but used the report's analysis to guide staffing and facility improvements.

In 2006, VFA, Inc. conducted a facility condition assessment on the maintenance status of prisons. Additionally, VFA provided software that monitored the repair and maintenance cycles for the major building systems at the prisons. The department used this software to inform needed maintenance projects until the included five-year license expired in 2011.

In 2008 Carter, Goble, and Lee created a system master plan of Idaho's prisons, providing the department with a long-term plan to deal with aging facilities and future concerns about capacity. The master plan identified prevailing facility deficiencies and necessary improvements.

The three documents, in conjunction with our 2010 evaluation and 2012 follow-up, established the groundwork for a long-term road map to improve the prison system. However, these reports are no longer up to date. Without new analysis to update the status of the prison system, the department has used alternative methods to make facility planning decisions.

An example of alternative methods can be seen in how the department tracks and addresses maintenance at the facilities. The department relies on facility staff to monitor and report maintenance needs. For routine maintenance projects, staff submit electronic requests which are then carried out by maintenance personnel at the facility. Larger maintenance projects are annually submitted to the department's central office. The central department prioritizes all projects and submits requests to the Division of Public Works.

Without new analysis to update the status of the prison system, the department has used alternative methods to make facility planning decisions.

The department has implemented ad-hoc, incremental changes to address increases in inmate population.



This system for tracking maintenance does not give the department a clear picture of the true maintenance needs. In contrast, the VFA software displayed current and future maintenance requirements, allowing the department to adequately plan for upcoming maintenance projects. Without a way to actively track maintenance, immediate needs may be overlooked while future needs are not well understood until they arise.

The department has implemented ad-hoc, incremental changes to address increases in inmate population. This process made sense in the short term, as marginal costs of reopening older housing units and placing new bunks in existing units were less expensive than building a new prison. However, without a long-term plan in place to address capacity needs, the department has not adequately prepared the prison system for continued increases in prison population, eventually forcing the placement of inmates into county jails and out-of-state prisons.

Recommendation

The department should work with professional facility management organizations to conduct a facility condition assessment of the prison system. A facility condition assessment is a vital tool for long-term facility planning and decision making.

The facility condition assessment would inform the department of the physical condition of every building within the system. Additionally, it would identify replacement cycles for all major systems and upcoming maintenance requirements. The department can use this information to shape and reinforce capital budgeting decisions.

The facility condition assessment should provide the department with software to track and monitor the maintenance status of facilities. As with the VFA software, this new software should have the ability to be updated as maintenance projects are completed, allowing the department to stay informed on the conditions of the facilities.

Using the facility condition assessment, the department can realize cost savings. It can identify buildings with disproportionately high maintenance costs and appropriately direct the investment of preventative maintenance.

Qualitative differences among facilities

5

To accommodate an inmate population that exceeds department capacity, the department houses inmates in contract prisons and Idaho county jails. Rules and reimbursement for housing inmates are set by Idaho statute for most county jails. Rules and reimbursement are set by contract for out-of-state prisons and two county jails, Bonneville and Jefferson, which have beds set aside for department inmates.

During fiscal year 2019, a daily average of 590 inmates were housed in 33 different Idaho county jails. Approximately 600 inmates were housed in contract prisons in Karnes County and Eagle Pass, Texas. Currently, all out-of-state inmates are housed at Eagle Pass. These prisons are owned and operated by the GEO Group, Inc. The department began housing inmates in Texas in 2018 when the urgent need for additional beds necessitated an emergency contract with GEO.

Assessing strengths and weaknesses of facilities that house inmates can inform capacity planning. We examined areas of strengths and weaknesses among department prisons, contract prisons, and county jails.



The emergency contract was far less comprehensive than a long-term contract for housing inmates in Texas and resulted in decreased department control.

Contract monitors visit Eagle Pass every week and complete weekly, monthly, and annual checklists to assess compliance.

The department relinquishes some level of control by housing inmates at county jails and contract prisons.

The department exercises some control over operations at county jails and contract prisons by actively monitoring contracts for compliance. Additionally, the contract with GEO requires adherence to correctional industry standards. We are unclear whether the contractors have met this requirement.

Contract monitoring

Jails are designed for housing inmates for periods of one year or less, and jail standards reflect that purpose. County jails are checked annually by the Idaho Sheriffs' Association for compliance with their jail standards, but the department monitors jails too. The deputy warden in charge of the contract prison oversight unit or another staff member visits each county jail that houses department inmates at least once per year to evaluate inmate living conditions and security.

Relationships with contract prisons are typically governed by long-term contracts. In 2018 the urgent need for additional beds led the department to enter an emergency contract with GEO. The emergency contract was far less comprehensive than a long-term contract for housing inmates, which decreased department control.

Department staff members, including the deputy warden in charge of the contract prison oversight unit, serve as contract monitors for the Eagle Pass contract. Consistent with department philosophy of boots on the ground management, contract monitors visit Eagle Pass every week and complete weekly, monthly, and annual checklists to assess compliance with contract provisions of inmate safety, security, and health. When contract monitors discover problems, GEO must submit an action plan within 10 days. GEO must correct the problem within 30 days of department approval of the action plan or face sanctions. The most serious sanction, assessment of liquidated damages, has never been used against GEO.

Experience with privately managed prisons shapes today's monitoring procedures. From 2000 to 2014, the department housed inmates in the privately managed Idaho Correctional

Center located south of Boise (now department operated and renamed Idaho State Correctional Center). The contractor understaffed the prison in violation of its contract, leading to serious, well-publicized problems with inmate violence. The contractor also falsified staffing records. At the time, the department lacked contract monitoring procedures sufficient to quickly detect the falsifications.

After lessons learned from private management of the Correctional Center, contract monitors watch staffing levels closely. Their monitoring checklists are more specific. They also check staffing levels with electronic thumbprint records, video surveillance, and unannounced weekend and nighttime visits.

Impact of lowered control

No level of contract monitoring will give the department control over operations in Eagle Pass like it has in department-operated prisons. In the event of group disturbances, the department must rely on local law enforcement agencies in Texas to respond to Eagle Pass inmates, though department staff may be consulted. In addition, administrators in Boise have limited ability to direct or control medical, educational, and programmatic activities in Eagle Pass.

Lack of department control over operations in Eagle Pass is manifested in several ways:

The emergency contract left the department at risk for health care expenses. Health care utilization managers in Boise acted in the interest of inmate health and authorized off-site medical care for nearly all requests. Off-site care resulted in medical costs of \$6 per inmate day, comprising 7 percent of total costs.

Cognitive behavioral programming has been interrupted because of insufficiently trained instructors and shortfalls in implementing programs as program designers intended.

Department educational staff was not involved in educational programs at Eagle Pass. Southwest Texas Junior College was providing GED education, but high student absenteeism led the college to withdraw from its contract in June 2019.

No level of contract monitoring will give the department control over operations in Eagle Pass like the department has in its prisons.

Group disturbances tend to occur more frequently for several months following a transition to out-of-state housing.

Eagle Pass ► indoor recreational area. Photo courtesy of Division of Prisons Chief Chad Page.

Department control is especially taxed during periods of transition to out-of-state housing when group disturbances tend to occur more frequently. Inmates staged four group disturbances during the first three months after inmate relocation to Karnes County and Eagle Pass.

Two disturbances resulted in property damage and full-scale tactical responses. Sixteen Karnes County and Eagle Pass inmates received disciplinary action for involvement in group disturbances in 2018, negatively affecting their behavior records and prospects for timely release. After the first three months, inmate behavior has been more stable.



Inmate services are less comprehensive and accessible at county jails and out-of-state prisons.

Correctional facilities offer services to inmates including opportunities for family visitation, evidence-based cognitive behavioral programming, educational services, and work opportunities. Exhibit 10 shows that inmate services at department-operated prisons are more comprehensive than services available at out-of-state prisons and county jails.

Exhibit 10

Housing options differ in level of departmental control and inmate services.

| Component | Department | Eagle Pass | County jails |
|---|------------|------------|--------------|
| Department control | ● | ◐ | ◐ |
| Accessible family visitation | ● | | ● |
| Evidence-based cognitive behavioral programming | ● | ◐ | |
| Adult basic education | ● | ◐ | |
| Vocational training in computer skills | ● | | |
| Vocational training in construction skills | ● | | |
| Vocational training in janitorial skills | ● | ● | |
| Above minimum wage work opportunities | ● | | |
| Minimum and below wage work opportunities | ● | ● | ● |

Full
 Partial

Source: Interviews with Department of Correction staff.



The remote location of Eagle Pass poses substantial difficulties for inmate family members wishing to visit.

Prison visitation is effective in countering association with antisocial peers.

Despite high program fidelity, recidivism outcomes have not improved since the institution of JRI reforms.

Family visitation

Opportunities for visits from family and friends are limited for inmates who are out of state. The remote location of Eagle Pass can pose substantial difficulties for inmate family members wishing to visit.

A 2017 meta-analysis, *The Use and Impact of Correctional Programming for Inmates on Pre- and Post-Release Outcomes*, written by Grant Duwe and sponsored by the National Institute of Justice, concluded that prison visitation is probably the largest source of prosocial support for inmates.

Prison visitation is effective in countering association with antisocial peers, one of four major risk factors for criminal behavior. It has been linked to reduced misconduct and reduced recidivism. Inmates who are visited more frequently and by more individual visitors are less likely to recidivate. Moving inmates out of state lowers opportunities for family visitation, a major contributor to inmate well-being and lowered recidivism risk.

Cognitive behavioral programs

The department offers five core evidence-based programs to improve mental health and reduce the likelihood to recidivate:

- Cognitive Behavioral Interventions for Substance Abuse
- Cognitive Behavioral Interventions for Sex Offenders
- Thinking for a Change
- Aggression Replacement Training
- Clinical Sex Offending Treatment

The department instituted these programs in 2015 after the Council of State Governments recommended that existing programs be replaced with evidence-based programs as part of Justice Reinvestment Initiative (JRI) reforms.

Department staff members assess program fidelity to evidence-based practices biannually using two checklists developed by the University of Cincinnati. In 2019 average checklist scores were in the “highly effective” and “very high adherence to evidence-based practices” ranges. Despite high program fidelity, recidivism outcomes have not improved since the institution of JRI reforms.

The department does not contractually require cognitive behavioral programming at Eagle Pass and county jails. However,

GEO offered all core cognitive behavioral programs at Eagle Pass except for Clinical Sex Offending Treatment. The department is working to resolve problems with program fidelity and gaps in class availability.

County jails are not required by Idaho Sheriffs' Association Jail Standards to offer cognitive behavioral programming to their inmates. Some of the larger county jails have programmatic offerings for their own inmates that they may choose to offer to department inmates. These programs are not equivalent to department programs and do not apply toward inmate parole and release requirements.

Cognitive behavioral therapy programs address dysfunctional thought patterns that lead to criminal behaviors. Cognitive behavioral programming is effective in curbing prison misconduct and has been shown to reduce recidivism by 20–30 percent according to Duwe's meta-analysis.

Educational services

The Robert Janss School, located within department-operated prisons, is an accredited school. It offers adult basic literacy (attainment of 6th grade level in reading and math), vocational reading and math (attainment of 8th grade level), high school diploma or GED program, and career or technical education in many areas, such as construction skills and computer literacy.

In fiscal year 2019, 90 department inmates earned certificates of completion in adult basic literacy and 331 earned a high school diploma or GED. Department inmates earned 1,201 career or technical certificates including 247 Microsoft Office Specialist certificates and 321 construction related certificates.

In contrast, inmates housed at Eagle Pass have not earned any GED or high school diplomas though some may have made progress toward a GED. Eagle Pass does not have GED instructors. Inmates wanting to pursue GED certification must assist one another using provided GED preparation materials. Vocational certificates are limited to environmental services (i.e., janitorial work), and 80 Eagle Pass inmates earned certificates in kitchen sanitation in fiscal year 2019.

County jails are not required by Idaho Sheriffs' Association Jail Standards to offer cognitive behavioral programming to their inmates.

Cognitive behavioral therapy programs address dysfunctional thought patterns that lead to criminal behaviors.

Eagle Pass does not have GED instructors. Inmates wanting to pursue GED certification must assist one another using provided GED preparation materials.

Most county jails do not offer substantive educational programming.

Employment at minimum wage and higher enables inmates to make restitution payments to their victims and child support payments to their families.

**Bonneville ►
County Work
Release Center.
Photo courtesy of
Division of
Prisons Chief
Chad Page.**

Jail standards of the Idaho Sheriffs' Association require county jails to offer adult basic education through high school equivalency. Educational opportunities vary by county, and most county jails do not offer substantive educational programming.

Prison inmates are undereducated compared with the general public. According to Duwe's meta-analysis and another meta-analysis sponsored by the US Department of Justice, offering educational services to inmates improves postrelease employment outcomes.

Work opportunities

With good behavior, inmates at department-operated prisons are eligible to work. Opportunities vary by facility and include low paying facility work (e.g., kitchen and janitorial jobs), minimum wage paying work (e.g., public industry enhancement jobs), and competitive paying community work release jobs.

Work opportunities for inmates housed out of state are limited to below minimum wage facility jobs. Work opportunities for inmates housed in county jails vary by jail. Jobs are limited to janitorial work.

Employment at minimum wage and higher enables inmates to make restitution payments to their victims and child support payments to their families. According to Duwe's meta-analysis, employment among prison inmates has also been shown to reduce prison misconduct and improve postrelease employment outcomes.



Cost comparison of facilities



Department budgets are impacted by costs of housing inmates at county jails, Eagle Pass, and department-operated prisons. To enable fair cost comparisons among facility types, we evenly allocated costs of inmate services across facilities and compared cost per inmate day at each facility type.

The department does not consider housing inmates in county jails and contract prisons a permanent solution to meeting increasing capacity needs. In the absence of policy or practice changes that could substantially reduce the incarcerated population, the department must increase its capacity to house rapidly rising numbers of inmates. Outside of reopening unit 24 at the Yard, we are not aware of any potential options to expand capacity within existing prisons.

The department will likely need to look to new facility construction to increase capacity. New facilities may differ in important ways from existing prisons. They can support innovative, cost-effective approaches to corrections. To inform capacity planning, we estimated cost per inmate day at new medium and minimum security prisons using operating costs from department efficiency benchmarks. Actual operating costs at new, cost-effective facilities may be lower. The facilities we used as benchmarks for comparison may not be the most cost-effective facilities and operations for addressing future capacity needs.

Cost per inmate day of
\$82.34
 at the Yard is the marginal cost of housing inmates at a medium security prison.

Cost per inmate day of
\$85.51
 at the Pocatello Women’s Prison is the reference cost for housing medium security female inmates.

Cost per inmate day of
\$64.78
 at the Correctional Center is the efficiency benchmark of housing medium security male inmates.

Cost per inmate day is highest at county jails.

Inmates in county jails and Eagle Pass are classified as medium or minimum security. We compared costs of overflow inmate housing options to the most and least expensive medium security department-operated prisons, the Yard and the Correctional Center respectively.

Department reference costs

Decisions affecting the housing of additional inmates should be based on marginal cost rather than average cost because marginal cost determines the financial impact of housing additional inmates.

In department prisons, managers would fill the most expensive medium security prison, the Yard, only after filling the least expensive prisons first. Therefore, the cost per inmate day of \$82.34 at the Yard represents the marginal cost of housing male inmates at a medium security prison. It serves as the reference cost of housing medium security male inmates in department-operated prisons. We used the reference cost per inmate day to compare costs of housing additional male inmates at county jails and contract prisons.

The Pocatello Women’s Prison is the department’s only medium security prison for women. Its cost per inmate day, \$85.51, is the reference cost for a women’s medium security prison.

Cost per inmate day at the least expensive prison, the Correctional Center, was \$64.78. It serves as the efficiency benchmark of housing medium security male inmates in department-operated prisons. We used the cost per inmate day at

Marginal costs

Marginal cost is the additional cost of producing one more unit of a good or service, in this case, housing one additional inmate. Marginal costs typically fall at initial levels of production but then rise as managers exhaust lower cost sources of production and turn to higher cost sources.



the efficiency benchmark prison, the Correctional Center, to calculate potential savings from building new, efficient prisons.

County jail costs

Idaho Code § 20-237A sets reimbursement for housing department inmates in county jails at \$55 per inmate day for the first seven days and \$75 per inmate day thereafter. Most days (85 percent) are billed at the higher rate and average housing cost is \$71.15 per inmate day. Total cost per inmate day also includes costs for off-site medical care, and contract administration and oversight.

These costs do not provide a complete picture, however. For a complete picture, we also looked at services offered to inmates at department-operated prisons and at county jails.

We found that services such as medical care, cognitive behavioral programming, and education offered to inmates at county jails are not equivalent to offerings in department-operated prisons. For example, the Yard houses a mental health unit, a receiving and diagnostic unit, and extensive basic and vocational education programs. A jail in a rural Idaho county may offer few services beyond food, shelter, and security.

The department must transfer inmates housed in county jails to department prisons to receive required cognitive behavioral programming before their release. It also regularly transfers inmates in need of medical care to its prisons for treatment.

To accurately represent costs of housing department inmates in county jails, we reallocated costs of medical services, cognitive behavioral programs, and education to spread the costs of department services evenly across county jail and department prison populations. Medical care was the largest source of reallocated costs (see appendix D for our allocation methods).

When we reallocated costs for medical care, programming, and education, the cost per inmate day in a county jail was \$95.45. This reallocation represents a 16 percent increase over the reference cost of housing inmates in department-operated prisons, making county jails the most expensive option for housing department inmates.

At \$95.45
per inmate day,
county jails are
the most
expensive option
for housing
department
inmates.

**Approximately
75%
of department
inmates housed
in county jails
are placed there
because of
capacity
shortages.**

The high cost of housing inmates in county jails reflects the gap in services between county jails and department-operated prisons. Medical care comprises 23 percent of department expenses. Omitting costs of department provided medical care from costs of housing inmates in county jails significantly underestimates actual costs.⁵

Department inmates are housed in county jails for two reasons: (1) capacity shortages at department-operated prisons and (2) normal processes of the justice and corrections systems. Approximately 75 percent of department inmates housed in county jails are placed there because of capacity shortages. If the department had been able to house 75 percent of county jail inmates at the efficiency benchmark Correctional Center's cost per inmate day of \$64.78, it would have saved approximately \$5 million in fiscal year 2019.

5. Level of on-site medical care varies considerably among county jails. Because of this variation, we did not include the cost of on-site medical care provided by county jails in our analysis. Including this cost would not change our conclusion that county jails are the most expensive housing option, though it would decrease the gap in costs between county jails and other facility types.

Marginal costs per inmate day of department-operated prisons and Eagle Pass are similar.

We calculated the cost per inmate day at Eagle Pass by totaling expenses for housing, off-site medical care, transportation, and contract administration and oversight. Eagle Pass provides on-site medical care, programming, and education, so we did not allocate these department costs to Eagle Pass.

Cost per inmate day at Eagle Pass is estimated to be \$82.33, which is similar to the reference cost of housing inmates at the Yard. This amount does not factor in significant human costs associated with locating inmates out of state.

Cost comparisons between department-operated prisons and Eagle Pass would be very different if all department-operated prisons were as new and efficient as the efficiency benchmark prison, the Correctional Center. Cost per inmate day at Eagle Pass was 27 percent higher than the efficiency benchmark, the Correctional Center. If the 600 inmates housed at Eagle Pass could have been housed at an efficient department-operated prison, the department would have saved approximately \$3.8 million in fiscal year 2019.



Cost per inmate day at Eagle Pass is estimated to be **\$82.33.**

Cost per inmate day at Eagle Pass was **27% higher** than the efficiency benchmark, the Correctional Center.

◀ Correctional Center

Estimated cost per inmate day for a new prison is less than costs for county jails, Eagle Pass, or the Yard.

To inform capacity planning, we conducted a cost-effectiveness analysis of new prison construction. We compared the estimated costs per inmate day for new minimum and medium security prisons to the cost at the reference prison, the Yard.

We estimated cost per inmate day at new minimum and medium security prisons by adding capital costs for new prison construction to operating costs. The department lacks an efficient minimum security prison. As a result, we used cost per inmate day at the efficiency benchmark prison, the Correctional Center, to estimate operating costs at both medium and minimum security prisons.

Actual operating costs of a new minimum security prison would almost certainly be lower. Costs per inmate day at reference prisons, the Yard and the Pocatello Women's Prison, and the efficiency benchmark prison, the Correctional Center, do not include capital costs because these are sunk costs for existing prisons. See appendix D for details.

We compared estimated cost per inmate day at new medium and minimum security prisons to cost per inmate day at department reference prisons for men and women (see table on next page). We assumed the state building authority would finance a new prison over a 30-year time period and use a discount rate of 1.5 percent. We show the sensitivity of results to different discount rates in appendix D.

Sunk costs

Sunk costs are funds that have already been spent and cannot be recovered. They should not be considered when making investment decisions, such as the decision to repair or replace an existing prison. In contrast, the construction cost of a new prison would be a prospective cost. It could be avoided if there are alternative ways to meet capacity needs. Prospective costs are relevant to investment decisions.



Women have required more inmate services than men, and the department reference cost per inmate day for women’s prisons reflects this higher cost. The reference cost per inmate day for women’s prisons, excluding costs of additional inmate services needed for women, is very similar to the reference cost per inmate day for men’s prisons.

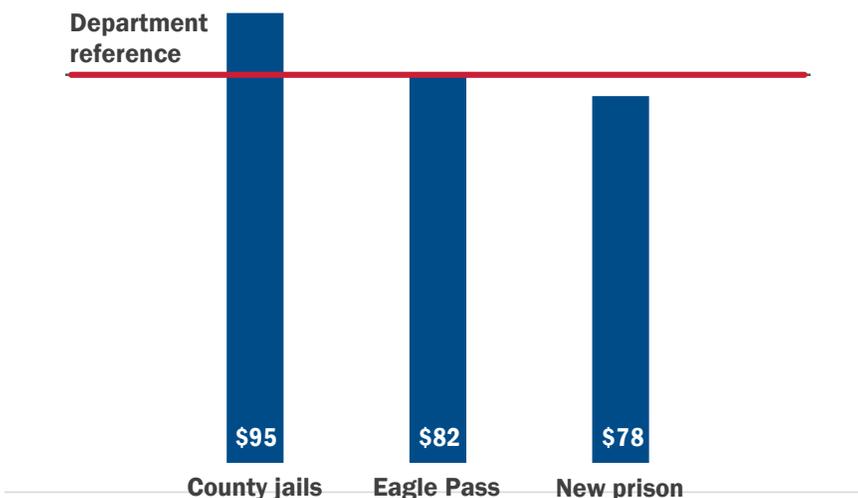
| Security level | Cost per inmate day, new prisons | Cost per inmate day, department references | |
|----------------|----------------------------------|--|-----------------|
| | | Men’s prisons | Women’s prisons |
| Medium | \$77.71 | \$82.34 | \$85.51 |
| Minimum | \$74.63 | NA | NA |

Cost comparisons

Estimated cost per inmate day at new prisons is less than or similar to benchmark costs per day, regardless of a discount rate assumption or security level of a new prison. Cost per inmate day at a new prison is considerably lower than cost per inmate day in county jails. Exhibit 11 compares the cost per inmate day for a new medium security prison, Eagle Pass, and county jails to the department reference for medium security prisons.

Exhibit 11

Estimated cost per inmate day at a new prison is less than county jails, Eagle Pass, or the department reference of \$82.



Source: Analysis of data from the Department of Correction and Carter, Goble, and Lee, *A System Master Plan for the Idaho Department of Correction*, February, 2008.

Estimated cost per inmate day at new prisons is less than or similar to benchmark costs per day, regardless of a discount rate assumption or security level of a new prison.

Highest savings could be achieved by expanding capacity for women and minimum security inmates.

The Yard was built beginning in 1972, and some units are nearing the end of their expected lives. The Yard has a significant risk of higher than expected maintenance costs. The cost difference between the department reference for medium security prisons, the Yard, and a new prison may be greater than we have indicated if maintenance costs at the Yard increase in the future.

The reference and efficiency benchmark costs we use in this analysis are based on cost information and are not meant to suggest that the reference and benchmark facilities are the same kind of facilities with the same kinds of operations that the department would put into place in the future. The department could possibly improve or enhance operations and have different or better design while offering a viable alternative to today's inmate housing options. Also, this analysis focuses on opportunities to address capacity needs for secure incarceration. Community options and diversion programs may obviate the need for a portion of secure capacity.

We spread prison construction costs over a useful life of 50 years; however, bond funding is typically for a shorter length of time. Because new prison construction costs may be paid over a shorter time than the prison's expected useful life, cash outflow during years of bond repayment may be higher than cost per inmate day estimates.

This cost-effectiveness analysis suggests potential cost savings from new prison construction but does not replace capital budgeting methods employing more detailed cost estimates. Our analysis results show that highest savings could be achieved by expanding capacity for women and minimum security inmates.

New facilities or improved operations could offer innovative alternatives for housing inmates, provide needed treatment and support to inmates, and enable successful transition to community life. The potential to improve inmate outcomes while lowering costs indicates that the cost-effectiveness of department operations may be improved from today's levels.



New medium security prison for women

Cost per inmate day at the department's only medium security prison for women, the Pocatello Women's Prison, is high because of inefficient design and related staffing costs. Replacing this prison is projected to be cost saving. Additional cost savings could be realized by relocating the medium security women's prison to the Treasure Valley, which is centrally located within the state and the major population center.

The location of the Pocatello Women's Prison contributes to transportation costs. The primary receiving and diagnostic unit and the medical clinic for women are located within the Pocatello Women's Prison, and many inmates must be transported from the state's population center in the Treasure Valley to Pocatello to receive services. Though weekly east-west runs are scheduled anyway, smaller buses and fewer staff members would likely be involved in transportation runs if the medium security prison, the receiving and diagnostic unit, and the medical clinic for women were in the Treasure Valley.

There is also a human cost to having the main women's prison located in Pocatello. Many female inmates are separated from their minor children who live far from Pocatello. Locating a new women's prison in the Treasure Valley would likely place more female inmates closer to their children and alleviate the human costs of separating incarcerated women from their children.

New minimum security prison for men

We project that expanding minimum security capacity for men is cost saving. The department does not have an efficient minimum security prison for men, and approximately 1,000 department inmates classified as minimum security are housed in medium security facilities at unnecessarily high cost. Housing inmates at a higher than necessary security level may also increase recidivism according to several studies, including a 2007 study of federal inmates by Chen and Shapiro and a 2009 randomized controlled trial of California inmates by Gaes and Camp.

Impact of cost on facility replacement decisions

Our analysis shows that even when we include construction costs, estimated costs per inmate day of new medium and minimum security prisons are similar to or lower than today's department cost structures. New prison construction is an economically viable alternative for policymakers seeking to address capacity shortages and will likely be necessary in the long term.

**Approximately
1,000
department
inmates
classified as
minimum
security are
housed in
medium security
facilities at
unnecessarily
high cost.**

**New prison
construction is
an economically
viable
alternative for
policymakers
seeking to
address capacity
shortages and
will likely be
necessary in the
long term.**

7

Moving forward

Taken together, the chapters of this report indicate a need for the department to improve its approach to operations and capacity planning. Nothing in our findings or recommendations runs counter to the department's initiatives to change who should be incarcerated or for how long. Our recommendations are focused on the following:

- How to plan for capacity needs regardless of the future incarcerated population size

- Potentially plan for alternatives to jail and out-of-state housing



The department needs to improve its operations and capacity planning.

Over the past decade, the incarcerated population has grown substantially, facility maintenance needs have grown as they continue to age, and the department's options for housing inmates has remained limited. As a result, the department is at a critical juncture in planning for how it will cost-effectively operate its facilities and house the rapidly increasing number of inmates.

One thing unchanged over the past decade is the need for the department to develop and use an operational master plan that incorporates a staffing model. Many questions about whether staffing levels are adequate can be answered through a staffing model. A staffing model can be the basis of a plan for consistent and efficient staffing of prison facilities. Based on facility design and necessary security activities at each prison, a staffing model can provide a framework for systematically determining the number of necessary posts.

The lack of a master plan has contributed to the absence of a cohesive, long-term facilities plan for the department, leaving the department without a way to actively track maintenance. As a result, immediate needs may be overlooked, and future needs are not well understood until they arise.

The effects of operating without a master plan can be seen in how the department has managed capacity shortages over the past ten years.

Without a plan to address capacity needs, the department has implemented ad-hoc, incremental changes to deal with increases in inmate population. This process made sense in the short term, as marginal costs of reopening older housing units and placing new bunks in existing units was less expensive than building a new prison.

However, the department did not adequately prepare the system for continued increases in prison population. It eventually forced the placement of inmates in county jails and out-of-state prisons after the population rose above what in-house capacity could be reasonably extended to.

The department needs to have an operational master plan that incorporates a staffing model.

Immediate needs may be overlooked, and future needs are not well understood without a master plan.

The department has implemented ad-hoc, incremental changes to deal with increases in inmate population.

Our cost-effectiveness analysis indicates that new facility construction could lead to cost savings. It does not, however, replace capital budgeting methods that employ more detailed cost estimates.

By taking a proactive approach to capacity planning, the department could find alternatives that avoid placing inmates in county jails or contract prisons. The department would be better able to avoid costly emergency contracts with more robust capacity planning. In addition to financial benefits, the department could also reduce the human and qualitative cost of county and out-of-state placements.

Recommendation

The department should develop and maintain a system-wide master plan. The plan should draw upon our recommendations throughout this report and the knowledge that jail and out-of-state placements pose cost, programming, and other qualitative disadvantages. The master plan should include the following:

- A system-wide staffing model

- Clarification of historical growth drivers and evaluation of the effectiveness of past responses to those drivers

- A robust, long-term forecast of the population under correctional control that includes 5–10 year projections in addition to the current two-year horizon

- A facility condition assessments and likely future maintenance costs of aging facilities

- Recommendations for physical improvements to facilities or their major systems

- In-depth cost effectiveness analysis of current and prospective housing options



Request for evaluation





House of Representatives State of Idaho

March 11, 2019

HOUSE MINORITY LEADER

Dear Members of the Joint Legislative Oversight Committee:

In 2010, the Office of Performance Evaluations (OPE) studied Operational Efficiencies in Idaho's Prison System. They released a comprehensive report showing that Idaho's prison system was facing challenges ranging from aging facility infrastructure to a forecast of a growing prison population. In 2012, the OPE produced a follow-up report reiterating the 2010 findings.

In the year 2019, it is time to assess what has been done to address the issues identified in the 2010 and 2012 reports. What operational efficiencies have been improved since the 2010 and 2012 reports were issued?

Accordingly, I request an update on the 2010 and 2012 OPE reports on Operational Efficiencies in Idaho's Prison System, to include (1) what operational efficiencies have been improved; (2) have there been other relevant changes in our situation between 2010 and now; (3) what effect efforts at reducing recidivism are likely to have on the total prison population; (4) what effect sending inmates out of state has on their safety while in prison and recidivism rates after release; (5) how and when we can resume housing all Idaho inmates inside the State of Idaho; and (6) projections of needed additional capacity.

Sincerely,

Representative Mat Erpelding

Representative Paul Amador

Representative Clark Kauffman

Representative John Vander Woude

Representative Muffy Davis

Representative Jake Ellis

Representative Caroline Troy

Representative Tom Dayley

Representative Ryan Kerby

Representative Greg Chaney

Senator David Nelson

Evaluation scope



At a minimum, we will evaluate the progress the department has made since our 2012 follow-up. We will specifically look at the following:

How has the department addressed our recommendations to improve operational practices such as the use of a statewide standardized staffing model and the effective use of a shift relief factor tool?

How has the department addressed our recommendation to begin planning for the replacement of inefficient prisons or housing units?

To the degree that time and information permit, we will also help answer three additional questions asked by policymakers:

How is the department planning to accommodate the projected growth within its incarcerated and supervised populations and move toward returning Idaho prisoners from out-of-state and county placements?

What is known about drivers of recidivism, options for reducing recidivism, and the effect that recidivism reduction efforts are likely to have on the prison population growth?

What is the department doing to understand and reduce recidivism?



Methodology

A decade after the Joint Legislative Oversight Committee first asked us to evaluate operations and capacity planning in Idaho's prisons, the department still has ongoing challenges. We designed this evaluation to assess what has been done since our 2010 evaluation and what else can be done to address the long-standing issues of capacity and operations.

Interviews and site visits

We conducted more than 30 interviews with department management and staff at the central office and all nine of Idaho's prisons.

To further understand the design and operations of Idaho's prisons, we visited three prisons within the south Boise prison complex. We visited the two largest prisons, the Correctional Center and the Yard, and the only maximum-security prison in the system, Max. We toured the facilities with wardens, the chief of prisons, and other prison administrative staff. On our visits we discussed operations of the prison, such as staffing and programming, challenges facing the facility, and upcoming construction or changes in operation.

Literature review

Numerous state and national organizations have studies, reports, and recommendations about prison operations. We reviewed this literature to assess how Idaho's prison system is operating when compared with best practice standards. Topics that we reviewed include:

- Correctional officer staffing practices
- Inmate housing standards

Facility condition assessment and servicing practices

Impact of correctional programming on inmates

Effects of prison visitation and educational opportunities on inmate recidivism

Forecasting of prison populations

Document review

We reviewed documents from the department to understand present operations. These documents include educational attainment reports, contracts for out-of-state and county inmate placement, and program effectiveness reports.

Additional documents reviewed include facility maps, recent capital project proposals, annual reports of the Justice Reinvestment Initiative, department policies and procedures, and relevant statutes.

We used documents from our 2010 evaluation to assess changes in operational practices. Documents from 2010 include third-party reports on the prison system and interviews held with wardens and administrators of the prison system.

Data analysis

We analyzed data provided by the department that included financial, population, and facilities data. Financial data included cost per inmate day for all nine prisons, such as programming, education, and medical expenditures, and maintenance project expenditures.

Additional data from the department included inmate population counts, population forecasts, inmate housing capacity, facility gross square footage numbers, staffing post plans, and the shift relief factor.

For out-of-state placements, the department gave us financial data for the costs of contract administration, contract oversight, off-site medical costs, and transportation. For county placements, we received data from the department on medical costs, the number of inmates housed within county jails, and invoices for payments to county jails.



Cost calculation details

Cost per inmate per day calculations

Costs per inmate day for various prisons are reported by department accounting staff and reflect operating costs of housing, security, food, medical care, and inmate services. We also collected data from department managers on costs of medical care, transportation, and contract administration and oversight for contract facilities.

We made the following changes to numbers reported by accounting staff:

1. Adjusted costs to reflect charges incurred in Idaho financial fiscal year 2019 rather than charges paid in fiscal year 2019.
2. Reallocated contract administration and oversight costs to reflect actual costs for out-of-state prisons and county jails.
3. Added medical costs of contract amendment no. 14 to total medical costs.
4. Totaled medical costs of department prisons and community reentry centers and off-site medical expenses of county jail inmates. Reallocated evenly across the population housed in all department facilities and county jails.
5. Totaled counseling costs and reallocated across department prisons. We did not allocate these costs to county jails because counseling services are available to county jail inmates.
6. Totaled costs of cognitive behavioral programming and education and allocated across populations housed in department prisons and county jails.

7. Calculated costs per inmate day for contract prisons by totaling per diem housing charges and costs of off-site medical care, transportation between Idaho and Texas, and contract administration and oversight. Contract prisons provide on-site medical care, department-approved cognitive behavioral programming, and adult basic education so related department costs were not allocated to the out-of-state prisons.
8. Made small changes in the number of inmates housed in county jails and out-of-state prisons to correct errors in department documents.
9. Accounted for maintenance backlogs at department-operated prisons by adding annualized equivalent costs of maintenance backlogs at department prisons to prison operating costs. We calculated annualized equivalent costs by discounting costs over a 10-year time frame. Results were not sensitive to changes in the discount rate.

Justification for allocation of expenses to county jails

Services offered at county jails and department prisons are not the same. Allocating costs of services across department prisons and county jails enables fair comparisons. The largest source of reallocated costs was medical care.

The department contracts with Corizon Health, Inc. to provide health care for inmates housed in department-operated prisons and community reentry centers. The capitated contract requires a per diem paid to Corizon for each inmate housed in a department

Capitated contract

A capitated contract is a health care plan that charges a flat fee for each patient it covers regardless of which treatments a patient receives or how many visits the patient makes to health care providers or clinics. The healthcare plan typically assumes risk for unanticipated medical costs with a capitated contract.



Inmates with serious health conditions are transferred to department-operated prisons for medical care. These transfers happen regularly.

facility. Unlike many capitated contracts, the contract allows Corizon to retroactively adjust for unexpected high costs.

Corizon may seek contract amendments resulting in extra reimbursement or a higher per diem when medical expenses are higher than anticipated. Contract amendments resulting in extra reimbursement to Corizon are common. For example, amendment no. 14 resulted in extra reimbursement of \$1,989,270 to Corizon for services provided from January 1, 2018, to June 30, 2019.

Medical care is limited in most county jails. Inmates in need of routine medical care receive it at community health clinics. Inmates with serious health conditions are transferred to department-operated prisons for medical care. These transfers happen regularly. The department does not keep records on medical transfers, but utilization managers estimate an average of three inmates per week are transferred from jails to department-operated prisons to receive medical care.

The opportunity for immediate transfer of sick inmates to department-operated prisons means that, in effect, the Corizon contract covers the population housed in county jails for the cost of serious illness. These costs are reflected in per diem charges and contractual amendments. Allocating Corizon costs to county jails as well as prisons reflects this reality and yields more accurate cost comparisons.

Cost per inmate day at new prisons

We used the same method as our 2010 evaluation to calculate the cost of new prison construction per bed. The process included the following steps:

1. Accessed the cost of construction per gross square foot and the square footage per bed needed to adhere to ACA facility standards from Carter, Goble, and Lee's Idaho System Master Plan.
2. Adjusted for construction inflation from 2008 to 2019.
3. Added a 30 percent contingency for additional costs of the project, such as architecture and engineering fees.
4. Added a financing factor of 4.8 percent to cover the total cost of financing the project.

5. Calculated construction costs for both minimum and medium security prisons.
6. Calculated the bond payment amount by assuming a 20-year repayment period and today's general obligation municipal bond rates.
7. Calculated net present value of bond payments using discount rates of 1.5 percent and 7 percent.
8. Calculated annualized equivalent payments equaling the net present value of bond payments using 50 years, the expected useful life of the new prison. We used two discount rates to show sensitivity of results to discount rate. The rate of 1.5 percent, representing the real rate of interest on 30-year US Treasury bonds, complies with US Office of Management and Budget guidelines for cost-effectiveness analysis. The rate of 7 percent was used to give a more conservative (high) estimate of construction costs. The annualized equivalent cost does not reflect actual cashflows, but rather the total amount of construction costs if applied to every year of useful life of the facility.
9. Added annualized equivalent costs of new prison construction to operating costs at the Correctional Center, the benchmark of efficiency among department medium security prisons. The resulting numbers represent the marginal cost per inmate day of housing an inmate in newly constructed minimum and medium security prisons.

The table below shows that estimated cost per inmate day at new prisons is similar to department reference costs regardless of discount rate or security level of new prison.

| Security level | Discount rate | | Department references | |
|----------------|---------------|---------|-----------------------|-----------------|
| | 1.5% | 7% | Men's prisons | Women's prisons |
| Medium | \$77.41 | \$84.72 | \$82.34 | \$85.51 |
| Minimum | \$74.63 | \$79.96 | NA | NA |





Responses to the evaluation



Information [from this report] will be a tool for other lawmakers and me to make the most informed decisions possible about Idaho's correctional capacity.

—Brad Little, Governor



IDOC is in the process of developing a new strategic plan to better guide the department's efforts and new performance measurements more reflective of that strategic direction and are better indicative of the health of our system. The timing of this report is particularly relevant and will help inform that work.

**—Josh Tewalt, Director
Department of Correction**



Governor Brad Little

State Capitol :: Boise, Idaho 83720
(208) 334-2100 :: gov.idaho.gov

January 23, 2020

Rakesh Mohan, Director
Office of Performance Evaluations
954 W. Jefferson St., Ste. 202
Boise, ID 83720

Dear Director Mohan,

I want to thank you and the Office of Performance Evaluations for your report on correctional capacity in Idaho.

Idaho is among the fastest growing states in the nation. With growth comes externalities that can strain state resources, and nowhere in state government is that felt more acutely than in our corrections system.

This year, my budget includes several recommendations that affect correctional capacity. We need more capacity, but we also need to reduce demand for the beds in our system. That is why I announced my commitment to a new resource called Connection and Intervention Stations. They will offer support, treatment, and accountability for the people on community supervision who need it most, to keep them from violating their probation or parole and entering or going back to prison.

Also, building on the recommendation of the Idaho Criminal Justice Commission, my budget calls for the creation of the Criminal Justice Integrated Data System. Data relevant to the criminal justice system is siloed across agencies in state government, and we need the legal framework to link this data to inform our criminal justice decision making. Criminal justice policy decisions informed by data from Idaho will help us know where we need to make strategic investments that will be successful.

For additional correctional capacity, my administration continues to support community reentry centers (CRCs) in every region of the state. The overwhelming majority of offenders will eventually leave state custody, and simply warehousing people in prison adversely affects public safety. To be productive citizens upon release, offenders need skills and jobs. CRCs provide a double benefit to the state – not only do they add much needed capacity to our strained system, but it is capacity where offenders are productive and learning life skills.

Our corrections system is too reliant on county jails. This year I am proposing we rebalance our system and move more offenders out-of-state to alleviate the pressure on our county partners. Continuing to depend on out-of-state placement is less than ideal, but this move will give us the space to make serious decisions on building more correctional capacity in Idaho.



Governor Brad Little

State Capital :: Boise, Idaho 83720
(208) 334-2100 :: gov.idaho.gov

I thank your team for providing a thorough report. This information will be a tool for other lawmakers and me to make the most informed decisions possible about Idaho's correctional capacity.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brad Little', is positioned below the word 'Sincerely,'.

Brad Little
Governor of Idaho



IDAHO DEPARTMENT OF CORRECTION

Protect the public, our staff and those within our custody and supervision

BRAD LITTLE
Governor

JOSH TEWALT
Director

January 25, 2020

Rakesh Mohan, Director
Office of Performance Evaluations
954 W. Jefferson St., Ste. 202
Boise, ID 83720

Dear Director Mohan,

Thank you for the opportunity to respond to the Office of Performance Evaluation (OPE) report "Managing Correctional Capacity." I want to commend and thank the staff and consultants associated with this project for the thoroughness and professionalism with which they approached this difficult task.

With a new Governor, Board of Correction (Board), and Director of the Idaho Department of Correction (IDOC), much of this past year has been spent evaluating system dynamics and limitations to better position the department to move forward with clear direction. IDOC is in the process of developing a new strategic plan to better guide the department's efforts and new performance measurements more reflective of that strategic direction and are better indicative of the health of our system. The timing of this report is particularly relevant and will help inform that work.

Staffing

Human capital remains the most important component of impactful correctional practices. As such, significant effort has been expended to shore up staffing levels. In the past 12 months, IDOC raised the starting wage for correctional officers and provided equity increases for the security ranks to address compression. That compensation strategy resulted in fewer vacancies when compared against prior years and also resulted in a 15% reduction in overtime during the first half of Fiscal Year 2020. While IDOC has made progress at increasing staffing levels and reducing overtime obligations, much work remains to be done.

Staffing levels have improved but managing staff resources in a complex and dynamic prison environment is difficult work. To better assist facility heads and shift commanders with critical staffing and roster management decisions, IDOC is in the process of procuring a roster management tool. Additionally, IDOC welcomes the opportunity to solicit outside expertise to further refine the post designation and roster management processes.

Growth

Long-range forecasting is another area OPE and the department have identified as an important area to target for improvement. System limitations have made accessing relevant data time consuming and difficult. IDOC is in the process of replacing two antiquated legacy systems with a new offender management system. The new offender management system will be a significant improvement, but the need for more sophisticated modeling capabilities to project long term implications of policy decisions and more accurately forecast costs cannot wait until the project is complete.

IDOC recently entered a partnership with a firm to develop data analysis tools for Community Supervision. IDOC also is in talks with that firm to build a tool to enhance data accessibility and better project long range population dynamics.

Aging, Crowded, Outdated Facility Infrastructure

Crowding and a lack of sufficient state-operated capacity are significant issues that require immediate attention. Overcrowding creates an environment counterproductive to the important work of providing meaningful opportunities for change. Additionally, the bed shortages create a ripple effect that significantly impacts the 33 Idaho county jails that house state-sentenced inmates.

The Governor and Board have shown great foresight in highlighting the importance of focusing on improving outcomes while also addressing critical capacity shortages. While this report focuses on efficiencies as a means of reducing costs, the Governor and Board also believe that targeted investments promoting the success of people involved in the criminal justice system hold the most promise to reverse the widening disparity between what we spend on incarceration and what we've spent facilitating positive outcomes. Still, capacity is an important issue that cannot be ignored. This past summer, the Board noted the importance of addressing the current situation with short, intermediate, and long-term capacity strategies.

In the short term, the Board endorsed pursuing additional capacity and increasing out of state placement to provide more immediate relief to our facilities along with our county jail partners. The Board's intermediate strategy includes evaluating additional capacity to better align bed composition with the security and therapeutic needs of our incarcerated population. The long-term strategy focuses on replacing outdated infrastructure to improve both the efficiency and effectiveness of our system.

IDOC will work with the Board to engage a third party to update facility condition assessments. That work not only will help guide future capital, alteration and repair requests but will also be beneficial in identifying infrastructure appropriate for replacement.

Qualitative Differences Among Facilities

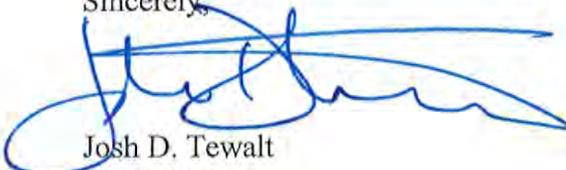
We are appreciative of the thoughtful approach the authors took to explaining the difference in bed and facility types. The Board of Correction recently authorized the IDOC to contract for additional out of state capacity. With a continued focus on the importance of activities critical to fostering behavioral change, the anticipated contract for out of state placement offers cognitive behavioral intervention and other programming, access to educational programs, and meaningful employment opportunities and employment readiness training at levels consistent with and in some cases greater than the opportunities afforded at state-operated facilities. Additionally, the contract also will consider ways to reduce the hardships on the friends and loved ones of our incarcerated population by supporting video visitation and video calls. As the report correctly points out, maintaining and strengthening healthy relationships is an important component to promoting success upon release.

Still, out of state placement does little more than buy time to allow other policy initiatives the opportunity to reduce demand for prison beds and to deploy short and intermediate capacity strategies.

Summary

Again, the opportunity to comment on this report is appreciated. We also appreciate the authors' professionalism and approach while assessing difficult and complex issues. We look forward to discussing the report in greater detail with the Governor's Office, Board of Correction, and key stakeholders in developing future policy recommendations.

Sincerely,



Josh D. Tewalt
Director

