

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Tuesday, January 19, 2021
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-chairman Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, Riggs, Cook, Ward-Engelking, Nye
Representatives Co-chairman Youngblood, Troy, Horman, Amador, Syme, Bundy, Giddings, Nate, Green, Nash
ABSENT/ EXCUSED: None
CONVENED: **Chairman Youngblood** called the Joint Finance-Appropriations Committee (JFAC) to order at 8:00 a.m.
LSO STAFF PRESENTATION: **Mr. Jared Hoskins** emphasized how COVID19 had a significant impact to the agency but it was an opportunity to show what the department truly value. The department objective is to improve public safety outcomes for the State of Idaho.
AGENCY PRESENTATION: **DEPARTMENT OF CORRECTION, Josh Tewalt, Director. Jared Hoskins, LSO Analyst.**

Mr. Tewalt presented the historical summary.

Department of Correction

The Department of Correction consists of eight budgeted divisions, 18 budgeted programs, and nine budgeted fund sources, including the Commission of Pardons and Parole.

The Commission is organized as a budgeted division under the department, it is actually a separate agency that receives a separate appropriation bill and a separate budget hearing. FY 2022 requests, including the Commission, amounts to \$315.1 million, and a recommendation of \$313.3 million.

The department has a total FTP authorization of 2,029.85, FTP, composed of seven budgeted divisions. Management Service has 125.00 FTP, Community Correction has 459.35 FPT. State Prison has 1,427.50 FTP and 10 budgeted programs, one for each of the nine State prisons and one for prisons administration.

They also have one program for each of community-based substance abuse treatment, correctional alternative placement, county and out-of-State placement, and medical services. From a budgeting standpoint, the department accounts for the per diem costs of housing inmates in the private, correctional alternative placement facility, overflow beds. county jails, out-of-State prisons, the cost of providing medical services to in-State prisons, and re-entry centers. The performance report was also presented. Highlights a steady increase in the recidivism rate, this is the common measurement used to determine success or failure of the correctional system. The objective is to see crime rate reduces, and also an increased time of liberty for released people. It was also highlighted the

number of investments the Governor recommended, and the legislature funded to help the criminal justice system.

The Department is targeting a 15% of staff turnover, and this year the metric was sub-10%. The Department is working not just on the compensation aspect, but also helping the staff find more satisfaction in their work, and wellness outside the workplace.

Management Services Division.

Mr. Hoskins noted there is an outstanding audit finding for the Department of Correction. The Department implemented a procurement system and a significant amount of training to the staff that has purchasing authority.

This is to ensure they adhere to the procurement processes and rules. Actual and Variance report were also presented. For the FY 2020 the expenditures for the Management Service Division has a total appropriation of approximately \$21.7 million, between the General Fund and four other fund sources.

The report shows also a transfer of \$308,000 for General Fund personnel costs to other programs, mainly in the State Prisons' Division. \$8,000 are recorded as a receipt to appropriation, for insurance proceeds related to a transit van.

The agency request is for approximately for \$21.7 million, while the Governor's is recommending approximately \$21.6 million - both of them represent a 9% decrease. For the FY 2021 the budget shows an original appropriation of \$23.8 million included funding \$4.5 million for the Offender Management System Replacement Plan.

For the FY 2022 budget for the Management Service Division, it is noted there are \$422,000 removed in accordance with the executive hold-back. \$325,000 is personnel costs, and \$97,000 is operating expenditures. The budget shows non-standard inflationary adjustments in lease rates, and \$456,000 in replacement items.

The agency is requesting dedicated funds to be able to meet technology related needs. Enhancements for the Management Service Division were also requested for the FY 2022 budget, related for the fourth and final phase of the Offender Management System (Atlas) replacement plan. These include \$2.4 million one-time, and along with the request for re-appropriations of \$2.1 million in excess personnel costs from the current year.

State Prisons Division. The State Prisons Division include Prisons Administration and the nine-adult correctional institution in Idaho. The Idaho State Correctional Institution, South Idaho Correctional Institution, Idaho Maximum Security Institution, and the South Boise Women's Correctional Center are located south of Boise and comprise the single largest complex of institutions. The FY 2022 budget for the State Prisons Division the Department is requesting \$132.1 million and has a Governor's recommendation of \$130.9. This includes General and Federal Fund sources. FY 2020 actual expenditures for the Prisons Division has a total appropriation of approximately \$124.3 million, between five different fund sources, including the General Fund, three different dedicated sources, and the Federal Grant Fund. For FY 2021 the total appropriation for the Prisons Division is \$125.4 million, including funding for instructor pay, for correctional officers at the St. Anthony work camp, and for the State Criminal Alien Assistance Grant.

County and Out-Of-State Placement Program.

The County and Out of State Placement Program provides funding to house

and provide medical care for offenders placed in county jails and in out of state facilities.

For this Division the cost is associated using overflow beds and county jails and out of State prisons.

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FY 2022 request, and recommendations amounts are slightly more than \$40 million, and the request is entirely from the General Fund.

The variance report or the FY 2020 expenditures, shows a total appropriation of \$42.7 million, all from the General Fund, no transfers, \$2,400 were reverted.

There are no supplemental requested for this division. The original appropriation amount was sufficient to fund the projected population counts in county and out of State beds, even with the Governor's holdback of \$10.8 million. COVID had an impact on the population due to the suspended jury trials. The in-State capacity is increased and minimizes the footprint in the out-of-State placement and in county jails.

Correctional Alternative Placement Program

The Correctional Alternative Placement Program is a privately built, owned, and operated treatment facility that provides intensive residential substance abuse and cognitive programming for parole violators, reentry offenders, and retained jurisdiction offenders.

This program helps probation and parole officers more effectively manage their offenders and improve the transition from prison to the community and is housing inmates in the privately owned and operated facilities south of Boise.

The Correctional Alternative Placement Program is housing inmates in the privately owned and operated facilities south of Boise. For the FY 2022 request and recommendations match at \$10.6 million. The division has a total appropriation of \$10.3 million, and it is funded by the General Fund.

The department has a \$200,000 appropriation from the miscellaneous revenue funds. There were no program transfers, and a reversion of \$189,700, which amounts to a 1.9% variance. The request and recommends for the Division amount to \$10.6 million and constitutes a 3.3% increase.

FY 2021 budget request includes a Governor's holdback of \$1.1 million. The department inadvertently holdback this amount from the CAPP division instead of Medical Services.

Community Corrections Division .

The community Corrections Division includes the supervision of probationers and parolees (Community Supervision Program) and the operation of community reentry centers throughout the state (Community Reentry Centers Program).

Parole and probation officers and presentence investigators work out of regional offices located in each of the seven judicial districts. Officers have the responsibility of supervising all probationers and parolees.

Probationers are persons with a court sentence that does not involve confinement but does impose conditions. Parolees are offenders who have served a portion of their sentence in an institution and are selected for release by the Commission of Pardons and Parole while under the continued custody of the state.

FY 2022 accounts for felony probationers and parolees and those preparing for release into the community. The request for this division is for \$44.8 million, and the recommendation amounts to \$44.4 million, including general dedicated and Federal Fund sources. The division has a total authorization of 459.35 FTP and is

composed of community supervision and re-entry centers programs. For the FY 2020 the Community Corrections Division had appropriations for \$36.8 million, from General Fund, four different dedicated funds, and the Federal Grant Fund. For the FY 2022 the request is for \$44.8 million, and Governor's recommendation is for \$44.4 million. The FY2021 the original appropriation is \$45.6 million. These include \$5.9 million for community interventions, 23 FTP and \$2.7 million for the operational cost fir the Twin Falls community re-entry center, and the reauthorization of 17 FTP and \$1.1 million for a probation and parole officers.

The Community-Based Substance Abuse Treatment Division.

The Community-Based Substance Abuse Treatment Division provides treatment and education to offenders who fall within its jurisdiction. All offenders are assessed to determine their medical condition, programmatic needs, education level, and mental health.

The Division is requesting FY 2022 \$4.3 million, it matches the Governor's recommendation. This division has a total of 18 authorized FTP and is composed of one budgeted program. The Division has a total appropriation of \$7.1 million from two source, the General Fund and the Millennium Income Fund.

There are no current year adjustments and no enhancement for FY 2022.

Medical Services Division.

The Medical Services Division accounts for costs paid to a for-profit, private medical service provider for Idaho offenders housed in state prisons, community reentry centers, and the Correctional Alternative Placement (CAP) facility. The request for FY 2022 amounts to \$57.6 million, this matches with the Governor's recommendation.

For FY 2020 the Division had a total appropriation for \$55.6 million, there are no transfers, and there is a reversion of \$1,250,000. For FY 2021, the original appropriation amounts to \$55.1 million, including ad addition of \$3.1 million for population driven costs, and a reduction for \$1.58 million for Medicaid expansion. This is due to the decreased cost of inpatient care for the contract provider and a decrease in the contract rate.

AGENCY PRESENTATION: **COMMISSION OF PARDONS & PAROLE, Ashley Dowell, Executive Director. Jared Hoskins, LSO Analyst.**

The Idaho Commission of Pardons and Parole is charged with the responsibility for parole (inmates selected for release by the commission after serving at least the minimum portion of their sentence), commutation (modification of an offender's sentence), and pardon (forgiveness of a sentence).

Ms. Ashley reported the commission is comprised of seven part-time commissioners from various parts of the State appointed by the Governor and confirmed by the Senate.

These commissioners make decisions on a variety of issues ranging from pardons to parole releases.

The commission has 37 full-time staff, including three vacancies. The decision was to leave the vacancies open to accomplish the 5% hold-back implemented for FY 2021 and address any unanticipated costs related to the pandemic.

The commission is requesting \$3.7 million from general and dedicated fund sources. The Governor's recommendation is for \$3.6 million. Performance

Measures. The Commission has four goals in 17 measures and obtained overall success on providing victim contact letters for hearing notifications, positive feedback from victims throughout the pandemic, and increased efficiency and transparency in the hearing process to the public.

The commission has one audit finding that has been addressed by correcting and tightening the internal controls and developing a written policy for accounts receivable.

The Commission had an FY2020 total appropriation of \$3.4 million, coming from the General Fund Miscellaneous Revenue Fund. There were no transfers, and one reversion from the General Fund for \$333,500. For the current year's adjustments, the agency has two supplemental totaling \$70,000. One for extradition transport costs, and one for minute-taking services.

Current year's adjustments have a holdback of \$173,700. Of this amount, \$128,800 are from personnel costs and \$44,900 from operating expenditures. There are non-standard adjustments for inflationary increases associated with the office space lease, and replacement items in the amount of \$20,800 for computers.

ADJOURN: There being no further business to come before the Committee, **Chairman Youngblood** adjourned the Committee at 10:40 a.m.

Representative Youngblood
Chair

Anna Maria Mancini
Secretary