



# DEPARTMENT OF CORRECTIONS: JAIL CONTRACTING FUNDING FORMULA

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE  
STAFF: GARY SYPHUS

## ISSUE BRIEF

**Background** - Jail Contracting is used to help manage the state inmate population. Corrections contracts with county jails to provide inmate housing to State prisoners and are paid a set rate. The counties provide security, supervision, food and other services. The Department houses state inmates at local jails which helps the state reduce its own facilities costs, and helps counties fill excess capacity in local jails.

**Formula to Determine Rate** - Each fiscal year, a new "average state daily incarceration rate" is determined by the Department of Corrections (64-13e-102). This is reviewed with the Utah County Sheriff's Association, local elected officials, the Commission on Criminal and Juvenile Justice (CCJJ), and the Governor's Office of Planning and Budget (GOPB). The rate is based on operating costs reported by the counties to Corrections for the previous calendar year.

Upon review of the "average state daily incarceration rate" the Legislature designates a "final state daily incarceration rate" of which 70% is calculated to be the jail contracting rate. A 73% rate (an additional 3%) may be paid to counties that the Department of Corrections approves for beds that are dedicated towards treatment.

**Funding Options** - The current rate according to this formula is \$45.00 based on the final state daily incarceration rate is of \$64.29/day/bed. The appropriation for FY 2012 and recommended for FY 2013 is \$25,215,200. At this rate and funding, approximately 1,535 beds per day for this fiscal year can be funded. As illustrated in the table, any change to the either the appropriation or the rate, will change the number of beds per day that can be funded. For instance, the appropriation in FY 2011 was app. \$20 million; in FY 2012 the appropriation is \$25 million – which is equal to an increase of 300 beds.

**Projected Jail Bed Days Reimbursed**

		Jail Contracting Rate								
		current rate								
	Appropriation	\$ 30.00	\$ 35.00	\$ 40.00	\$ 45.00	\$ 50.00	\$ 55.00	\$ 60.00	\$ 65.00	\$ 70.00
	17,000,000	1,553	1,331	1,164	1,035	932	847	776	717	665
	18,000,000	1,644	1,409	1,233	1,096	986	897	822	759	705
	19,000,000	1,735	1,487	1,301	1,157	1,041	946	868	801	744
	20,000,000	1,826	1,566	1,370	1,218	1,096	996	913	843	783
	21,000,000	1,918	1,644	1,438	1,279	1,151	1,046	959	885	822
FY 2011 appr.	20,125,200	1,838	1,575	1,378	1,225	1,103	1,003	919	848	788
	22,000,000	2,009	1,722	1,507	1,339	1,205	1,096	1,005	927	861
	23,000,000	2,100	1,800	1,575	1,400	1,260	1,146	1,050	969	900
	24,000,000	2,192	1,879	1,644	1,461	1,315	1,196	1,096	1,012	939
	25,000,000	2,283	1,957	1,712	1,522	1,370	1,245	1,142	1,054	978
FY2012*/FY2013 **	25,215,200	2,303	1,974	1,727	1,535	1,382	1,256	1,151	1,063	987
	26,000,000	2,374	2,035	1,781	1,583	1,425	1,295	1,187	1,096	1,018
	27,000,000	2,466	2,114	1,849	1,644	1,479	1,345	1,233	1,138	1,057
	28,000,000	2,557	2,192	1,918	1,705	1,534	1,395	1,279	1,180	1,096
	29,000,000	2,648	2,270	1,986	1,766	1,589	1,445	1,324	1,222	1,135

\*appropriated  
\*\*recommended

**Recommendation** - The Analyst recommends the Executive Offices Criminal Justice (EOCJ) Subcommittee designate a "final state daily incarceration rate" to be forwarded to the Executive Appropriations Committee (EAC) for its consideration.