



DEPARTMENT OF CORRECTIONS: JAIL CONTRACTING

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE
STAFF: GARY SYPHUS

BUDGET BRIEF

SUMMARY

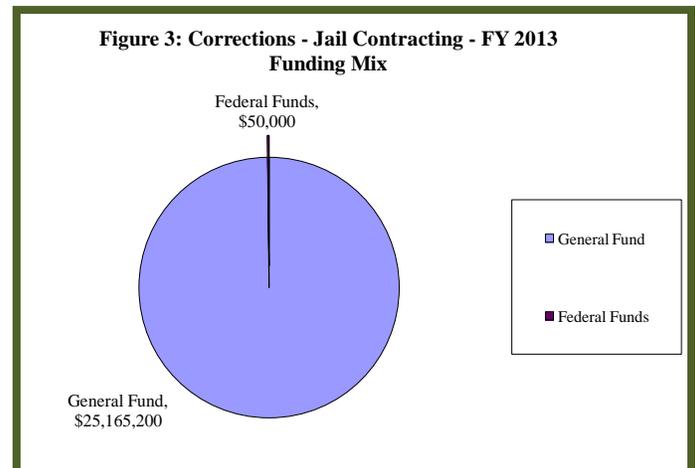
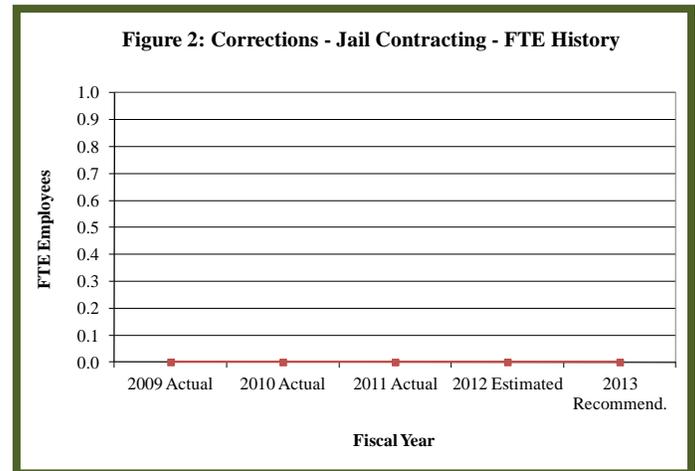
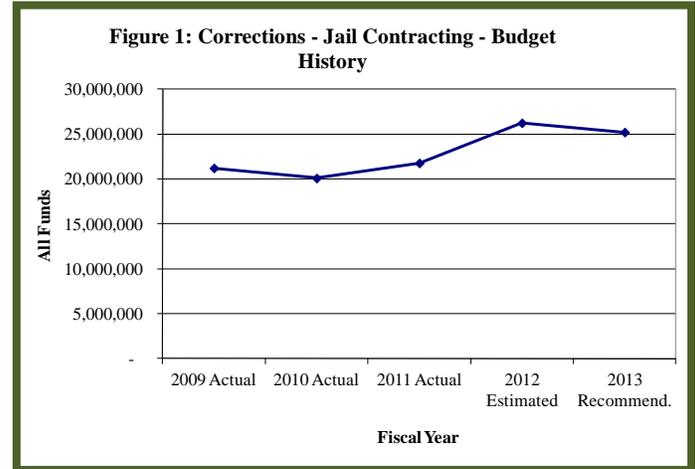
Jail Contracting is used to manage the state inmate population in addition to direct management of inmates in state facilities. The program provides inmate housing to the State prison system through contracts with individual county jails.

The counties provide security, supervision, food and other services on a per day cost basis. Under this program, the department houses state inmates at local jails rather than in state-owned facilities. In this way, the Jail Contracting program helps the state reduce its own facilities costs, and helps local governments offset costs by filling their excess capacity in local jails.

LEGISLATIVE ACTION

The Analyst recommends the Legislature:

1. Adopt the FY 2013 recommended budget shown in the budget detail table on page 3.
2. Approve the intent language on page 2.
3. Approve the Fee schedule on the document entitled "Executive Offices and Criminal Justice: Fees".



ISSUES AND RECOMMENDATIONS

Each fiscal year, a new "average state daily incarceration rate" for jail programs as defined in [64-13e-102](#) of the Utah State Code, is determined by the Department of Corrections. This is reviewed with the Utah 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 (or 73% if the jail provides treatment to the offender).

This "final state daily incarceration rate" is used for both Jail Reimbursement and Jail Contracting. Any additional funds not expended for contracting state inmates to county facilities is used for medical costs incurred by the counties.

Intent Language

The Analyst recommends the following intent language to make the Jail Contracting line item's FY 2012 unexpended appropriations nonlapsing at the end of FY 2012.

Under Section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Utah Department of Corrections – Jail Contracting in Item 17 of Chapter 2 Laws of Utah 2011 not lapse at the close of Fiscal Year 2012.

The Legislature intends that the final state daily incarceration rate be set at \$64.29.

BUDGET DETAIL

The Jail Contracting program is funded nearly 100% from the General Fund. The following table shows the budget for this program.

Corrections - Jail Contracting						
Sources of Finance	FY 2011 Actual	FY 2012 Appropriated	Changes	FY 2012 Revised	Changes	FY 2013* Recommended
General Fund	20,125,200	25,165,200	0	25,165,200	0	25,165,200
General Fund, One-time	1,207,900	0	0	0	0	0
Federal Funds	19,800	50,000	0	50,000	0	50,000
Beginning Nonlapsing	1,453,000	0	1,030,500	1,030,500	(1,030,500)	0
Closing Nonlapsing	(1,030,500)	0	0	0	0	0
Total	\$21,775,400	\$25,215,200	\$1,030,500	\$26,245,700	(\$1,030,500)	\$25,215,200
Programs						
Jail Contracting	21,775,400	25,215,200	1,030,500	26,245,700	(1,030,500)	25,215,200
Total	\$21,775,400	\$25,215,200	\$1,030,500	\$26,245,700	(\$1,030,500)	\$25,215,200
Categories of Expenditure						
Current Expense	16,600	50,000	0	50,000	0	50,000
Other Charges/Pass Thru	21,758,800	25,165,200	1,030,500	26,195,700	(1,030,500)	25,165,200
Total	\$21,775,400	\$25,215,200	\$1,030,500	\$26,245,700	(\$1,030,500)	\$25,215,200
Other Data						