

FISCAL NOTE

This bill contains an appropriation of \$1,328,596 from the GENERAL FUND to the Department of Corrections.

DETAIL OF APPROPRIATION

Agency #: 080 Agency Name: Department of Corrections
Unit: 2016 (Community Substance Abuse)

EXPENDITURE BY SERIES AND YEAR	FY 2018	FY 2019	FY 2020
0100 Personnel/Benefit Costs	\$0	\$57,098	\$57,098
0200 Supportive Services Costs	\$0	\$2,500	\$0
0600 Grant & Aid Payments	\$0	\$86,400	\$86,400
0900 Contractual Services Costs	\$0	\$445,500	\$594,000
Total Expenditure Per Year:	\$0	\$591,498	\$737,498
Grand Total Expenditure:	\$1,328,996		
Total Appropriated to Agency:	\$1,328,596		
Total Appropriated by Fund:			
GENERAL FUND	\$1,328,596		

Description of Appropriation:

The proposed bill allows for graduated sanctions for probationers and parolees that violate their release conditions involving substance use/abuse. The bill provides for immediate confinement sanctions in county jails for probationers and parolee violations involving substance use/abuse (W.S. 7-13-1107(b)(iii)(C)). Two (2) or three (3) consecutive-day periods may be applied to a probationer or parolee up to a maximum of eighteen (18) days during their term of supervision. The proposed bill also allows confinement in county jails coupled with substance abuse treatment services for repeated probationer or parolee violations involving substance use/abuse for up to ninety (90) days (W.S. 7-13-1107(b)(iii)(D)).

Assumptions:

The Department of Corrections (DOC) estimates that approximately 70% of probation/parole violations involve substance abuse issues, most often found through positive urinalysis screening or failure to complete treatment. While more specific estimates of the number of offenders impacted by the bill is currently indeterminable, the DOC estimates there may be about 300 probationers/parolees that are revoked annually based on substance abuse issues.

The DOC states that it would be required to hire one additional probation and parole agent at \$57,098 per year (with one-time equipment costs of \$2,500 for FY 2019). The agent's primary duties will be oversight and assurance related to offender referrals and their treatment compliance, working with treatment provider on offender goal attainment, and facilitating offender transition back into the community.

Contractual services for county jail confinement under W.S. 7-13-107(b)(iii)(C) would amount to \$86,400 per year. This amount assumes eighty (80) offenders at

the maximum of eighteen (18) days, for a rate of \$60 per day. This amount excludes offenders that may be placed in one of the DOC's treatment units instead of a county jail.

Confinement and treatment services under W.S. 7-13-1107(b) (iii) (D) would amount to approximately \$445,500 for FY 2019 and \$594,000 for FY 2020. The lesser FY 2019 costs assumes a three-month implementation period at the beginning of FY 2019. This cost assumes that four (4) jails would participate with an allowance of five (5) offenders per location (totaling 20 offenders at a time), or eighty (80) offenders per year. The amount also assumes an average length of stay in treatment at the maximum ninety (90) days. The confinement rate would be \$60 per day plus approximately \$156,000 per year in additional contract treatment costs.

The bill states that the appropriation in the bill shall not be included in the DOC's FY 2021-2022 standard biennial budget request. If these sanction options should continue, the annual recurring cost would be approximately \$737,498. The DOC estimates it will need additional permanent corrections beds at its institutions by 2020 at current intake rates. Revocations of felony probationers and parolees currently account for about half of all intakes for permanent institution beds. Therefore, if the proposed sanctions result in fewer intakes for permanent incarcerations at DOC institutions, there may be some delay in the need to construct new permanent beds (e.g. complete the 144-bed shelled space at the Wyoming Medium Correctional Institution in Torrington).

The fiscal impact to the judicial system is indeterminable due to an unknown number of cases.

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