

FISCAL NOTE

The Department of Corrections (DOC) states the bill would result in significant fiscal impact. However, as the average time served for violent offenders is approximately five years, the first offenders impacted by the bill would likely be offenders that could reach their minimum sentence in or after 2023, after enactment of the bill.

There are three main factors that determine inmate populations: 1) the number of inmates coming in; 2) how long the inmate's stay; and 3) how many inmates leave the facility (paroled or complete their maximum sentence). The current good time policy can reduce an inmate's minimum and maximum sentences by up to 33%. An inmate is eligible for parole (but not guaranteed to be granted parole) upon the completion of the minimum sentence. For FY2016 and FY2017, 333 violent offenders were paroled approximately 12%-13% earlier, on average, than their full minimum sentence. The difference between these inmates' required sentences and earned good time release is estimated at between 29,750 and 31,200 bed days, or approximately 82 to 85 occupied beds per year beginning around 2023.

The DOC's current projections estimate it will need additional bed space by 2020, under current law. The estimated 82 and 85 additional beds per year as a result of the bill would be beds needed beyond current DOC projections. Each year of incarceration currently costs the State approximately \$41,537 per inmate, including medical costs. In current dollars, the annual additional bed space cost would be between \$3,406,034 (82 x \$41,537) and \$3,530,645 (85 x \$41,537).

The DOC notes that the Wyoming Medium Correctional Institution (WMCI) currently has "shelled-in" space for 144 additional beds and the Legislature appropriated \$13.5 million in construction funding in 2016 (2016 Laws, Ch. 97, Section 3) to complete this buildout. If completed, operating the 144-bed buildout would cost approximately \$5 million per year. The DOC states that this space will likely be needed in or shortly after 2020 to meet current projected needs. However, the DOC is unsure if these supplementary beds would be sufficient by 2023 to accommodate the expected additional bed needs as a result of the bill.

If the WMCI does not have capacity to accommodate the bill's estimated increased bed needs, the State may be required to contract out for medium custody space, currently estimated at between \$85 and \$120 per day. Total annual contracting costs for bed for an average of 83 additional inmates each year after 2023 is estimated at between \$2,575,075 (83 inmates x \$85 per day x 365 days) and \$3,635,400 (83 inmates x \$120 per day x 365 days). These costs would not include transportation, contract monitoring, or extraordinary medical costs.

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