

**DEPARTMENT OF CORRECTION (#480)
2011-2013 BIENNIUM - EXECUTIVE RECOMMENDATION**

D) AGENCY SUMMARY & REVENUE SOURCES

MISSION

The Department is responsible for the custody, control, and management of the state penitentiary, to execute the orders of the criminal courts of the state, and to provide for the custody, treatment, rehabilitation and restoration of adult offenders as useful law-abiding citizens.

BIENNIAL BUDGET

The biennial budget for the Department of Correction totals \$378,563,857 for FY12 and \$374,182,184 FY13. General Revenue funding is recommend at \$304,237,395 for FY12 and \$306,342,035 FY13, including \$7,500,035 each year for County Jail Reimbursements.

FUNDING SOURCES

Department Operations is funded primarily by General Revenues 84%, with the remaining funded from Special Revenue 5%, Cash Funds 7%, Federal Funds and the remaining from Fund Balances.

II) CHANGE LEVELS:

- COUNTY JAIL REIMBURSEMENT Appropriation increase of \$13.3M the first year and \$7.3M the second year.
- WORK RELEASE CASH - Capital Outlay appropriation of 1,553,000 each year for equipment replacement at the Work Release Centers.
- JUVENILE SEX OFFENDER ASSESSMENT - Appropriation and Fund name title changes.
- INMATE CARE & CUSTODY - Regular Salary and PSM increase of \$51,632 each year in appropriation only for the reclassification of eleven (11) positions. Professional Fee appropriation and general revenue funding increases of \$2,026,073 FY12 and \$4,130,713 FY13 for incremental increases in the medical services contract.
- PRISON INDUSTRY - Increase of \$408,078 FY12 and \$221,063 FY13 to provide for two (2) new positions, reclassification of (4) positions totaling \$75K each year, \$1,880 FY12 and \$3,760 FY13 for employee travel and training, Capital Outlay of \$331K FY12/\$142K FY13.
- FARM OPERATIONS - Increase in appropriation totaling \$1,804,600 FY12 and \$1,489,200 FY13. Includes \$22,400/\$37,800 Operating Expenses, Conference and Travel of \$4,700/\$9,400 for employee training and travel, Capital Outlay of \$1,777,500/\$1,442,000 for new and replacement of equipment.
- INMATE WELFARE TREASURY CASH- Pen Stores. Two New Positions and increase in appropriation of \$1,521,899 each year for operating and capital outlay expenses.
- NON-TAX REVENUE RECEIPTS - Coin-less Phone Program. Increase appropriation of \$2,750,000 each year of the biennium for construction and operating expenses.

III) ADDITIONAL POSITIONS: 4

Total Positions for FY 2011-13: 4,394

Total Positions for FY 2010-11: 4,737

4 new positions: ACI Industrial Supervisor I, Correctional Officer II, Commissary Manager (2).

IV) SPECIAL LANGUAGE

-Regular Salaries - Contingent Positions, establishes non-classified contingent positions for Medical Services, not to exceed 588 employees

-Medical Services Contingency: If the Department cannot continue a medical contract with a private entity and the Board deems it necessary, authority to utilize up to 588 authorized contingent positions and make the necessary appropriation transfers to provide inmate medical services, upon notification of the Chief Fiscal Officer and review by the Legislative Council;

-County Reimbursement Rate Restriction: Codified A.C.A 12-27-130 The Board of Corrections shall not increase any county jail reimbursement rate without approval of the Governor and Chief Fiscal Officer of the State;

-County Jail Reimbursement: Codified A.C.A. 12-27-114 Authorizes the Department to utilize its JAIL CONTRACTS special line item appropriation for contracts with county jails for prerelease inmates;

-Transfer of Appropriation within Capital Improvement Projects: Authorizes transfer of appropriation within capital improvement projects authorized by the General Assembly, upon approval of the Governor and ALC/JBC;

-Reallocation of Resources: Authorizes one reallocation of resources each fiscal year within each Department of Correction and Department of Community Correction, requires prior review and approval and is limited to no more than 5% of the total General Revenue and Special Revenue appropriation, funding, and positions specific to each agency.

-Holiday Compensation: Authorize the department to pay employees for up to 150 hours of unused holidays exceeding a balance of 96 hours following the end of each calendar year. Payments must be processed on or before June 1st each fiscal year;

-Juvenile Sex Offender Assessment - Authorizes Department to contract with a qualified state treatment and assessment agency to conduct juvenile sex or child offender assessments as required by ACA 12-12-901 and to pay for services upon receipt of invoice;

-Inmate Cost Reporting - State Facilities: Within 90 days of each fiscal year, the DOC shall submit to the ALC a report of all direct and indirect costs incurred for the housing and caring for all inmates;

-County Jail Reimbursement Fund Year-End Fund Balance Carry Forward: Any funds remaining at the end of each fiscal year shall remain and made available to fund appropriations for the following fiscal year;

-Refund to Expenditure: Proceeds from the sale of feeder cattle shall be deposited into the State Treasury as a refund to expenditure to the credit of appropriation for the "Purchase Cattle/Meat" line item;

-Use of Maintenance and Operation Appropriation and Salvaged Materials Construction - said appropriation may be used to implement construction projects, with prior review & approval;

-Utility Rate Increase Transfer: In the event of a 10% increase in utility rates and fuel rates,

provides Line Item appropriation transfer authority to M&O, reported to ALC/JBC;

-Mental Health Services - provides authority to transfer appropriation from salaries and match to fund a professional contract for mental health services, with review & approval;

-Special Revenue/Cash Funds Transfer - with Board, CFO approval and prior review and approval of ALC/JBC, authorizes transfer of special revenues/cash funds to Inmate Care and Custody Fund Account according to budget needs;

-New Facilities: with review & approval, allows transfer of appropriation into Professional Fees/ICC to operate new facilities opened;

-Appropriation Transfer for Construction & Equipping: after prior review and approval, authorizes appropriation transfer between any line item to finance construction or equipping;

-Food Service Contract: with prior review & approval, provides line item appropriation transfer authority in the event the dept. contracts with a private provider for food services;

-County Jail Invoice Summary: requires depts. to prepare and post a monthly and maintain a three year history, of the county jail reimbursement invoices sent to each county submitted for payment;

-Motor Vehicle Purchase Provision: authorizes purchase of motor vehicles for the purpose of adding new beds from Capital Outlay;

-Transfer of Appropriation and Funds to the County Jail Reimbursement Fund: Provides to request a transfer of any savings of General Revenue appropriation from ICC to County Jail Reimbursement Fund.

-Local Government Inmate Cost Report - the Association of AR Counties shall yearly compile and submit to ALC/JBC a report of all costs incurred by local government units housing state inmates, representative of all counties.

NEW LANGUAGE - Essential Services Stipend- Authority to award additional compensation to exempt employees who are members of the emergency response unit. Allows up to 3% per hour additional compensation for the actual number hours spent on emergency response action.