

JOINT BUDGET COMMITTEE BILL

SUMMARY OF S.B. 15-195:

CONCERNING APPROPRIATING TO THE DEPARTMENT OF CORRECTIONS MONEYS GENERATED AS SAVINGS FROM THE AWARDING OF ACHIEVEMENT EARNED TIME TO INMATES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.

Prime Sponsors: Senator Steadman and Representative Hamner

Bill Summary

(The bill was amended in the Senate. This summary describes the bill as introduced in the House.)

This bill places a \$6.5 million cap on the amount of earned time savings from H.B. 12-1223 (Inmate Eligibility for Earned Time) that can be appropriated to the Department of Corrections (DOC) and requires the General Assembly to appropriate the savings to DOC inmate education programs and to parole wrap-around services. When spending moneys appropriated for parole wrap-around services, the DOC must give priority to services that are evidence-based.

In addition, the bill requires the DOC to set prices for inmate telephone service at levels that cover the direct and indirect costs the Department incurs in providing those services.

Background: House Bill 12-1223, a JBC bill, allowed offenders in the Department of Corrections to accumulate additional earned time while in prison, while on parole, and while temporarily reincarcerated for a parole violation. The bill reduced the DOC's costs by shortening the average time that offenders are in prison and on parole while simultaneously providing increased incentives for offenders to participate in prison programs and obey prison rules. House Bill 12-1223's legislative declaration stated that the resulting General Fund savings were to be appropriated for inmate education and parole wrap-around services. These savings have grown much faster than anticipated and could reach \$20 million by FY 2016-17. This bill caps the amount of savings that can be appropriated to the Department at \$6.5 million.

In January, the State Auditor released a report that criticized the DOC for the high fees that inmates and inmate families pay for telephone calls. For example, a 15-minute call costs between \$2.75 and \$3.75, which amounts to 4 to 5 days of pay for a typical inmate. The auditor found that these rates likely violated Section 17-24-126 (3), C.R.S., the Department's own regulations, and FCC (Federal Communication Commission) rules regarding interstate phone rates charged by prisons. (The FCC rates are being reviewed by a federal court and have not yet gone into effect.)

Fiscal Impact

The bill places a \$6.5 million cap on the General Fund savings from H.B. 12-1223 that can be appropriated to the DOC. Of this \$6.5 million, \$5.0 million General Fund is appropriated in the FY 2015-16 Long Bill and \$1.5 million General Fund is appropriated in this bill.