

DEPARTMENT OF CORRECTION (#480)
2011-2013 BIENNIUM
Act 1114 of 2011

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 budget for the Department of Correction exceeds \$406 million each year of the biennium.

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:

- Increases in appropriation totaling \$21 million provide for the restoration of three hundred fifty three (353) positions for continued operations of the recently opened Cummins Trustee Barracks, completion of the Ouachita River Special Needs Unit, and to expand the Act 309 Program in County Jails by 45 participants.
- Professional Fee appropriation increase of \$2 million for the Correctional Medical Services contract incremental increase.
- Capital Outlay appropriation increases for new and replacement of equipment for each of the following programs: Work Release Centers \$1.5 million, Farm Operations \$1.7 million, Inmate Welfare \$500K, Non-Revenue Receipts \$400K, and Prison Industry \$331K.
- County Jail Reimbursement appropriation amount increase of \$13.3 million for a total of \$20,830,069.
- UAMS Juvenile Assessment appropriation title change to Juvenile Sex Offender Assessment.
- Discontinuation of three debt service/lease payments appropriations, Regional Facilities, Prison Housing Contract, and Construction Fund Deficiency.

Act 296 (HB1083)

- Supplemental to Act 218 of 2010, County Jail Reimbursement supplemental appropriation totaling \$9,648,505. Includes a funding transfer provision from the General Revenue Allotment Reserve Fund to the County Jail Reimbursement Fund for \$7 million, for the payment of reimbursement to counties housing state inmates.

Act 323 (HB1085)

- Supplemental to Act 218 of 2010, personal services and operating expense appropriation totaling \$1,655,382 to provide for the opening of the Cummins 300-bed Trustee Barracks . Authorizes forty eight (48) new positions and includes a funding transfer from the General Revenue Allotment Reserve Fund to the Department of Correction Inmate Care and Custody Fund Account.

III) ADDITIONAL POSITIONS: 353

Total Positions for FY 2011-13: 4,747

Total Positions for FY 2010-11: 4,785 (including 48 Supplemental Positions)

FY11: Supplemental 48 Positions, for the opening of the Cummins 300-bed Trustee Barracks.

Restoration of three hundred fifty three (353) positions for continued operations of the recently opened Cummins Trustee Barracks, completion of the Ouachita River Special Needs Unit

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 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.
- 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.