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**MEMORANDUM**

To: Members of the Corrections and Criminal Code Study Committee

From: Mark Goodpaster

Re: Changes in Funding for Criminal Sentencing Reform

Date: September 19, 2017

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Besides the changes in sentencing that occurred in HEA 1006 in 2013, 2014 and 2015, the 2015 and 2017 budget bills also added new funding of over \$130 M for community corrections supervision and addictions recovery assistance for convicted felons for FY 2016 through FY 2019.

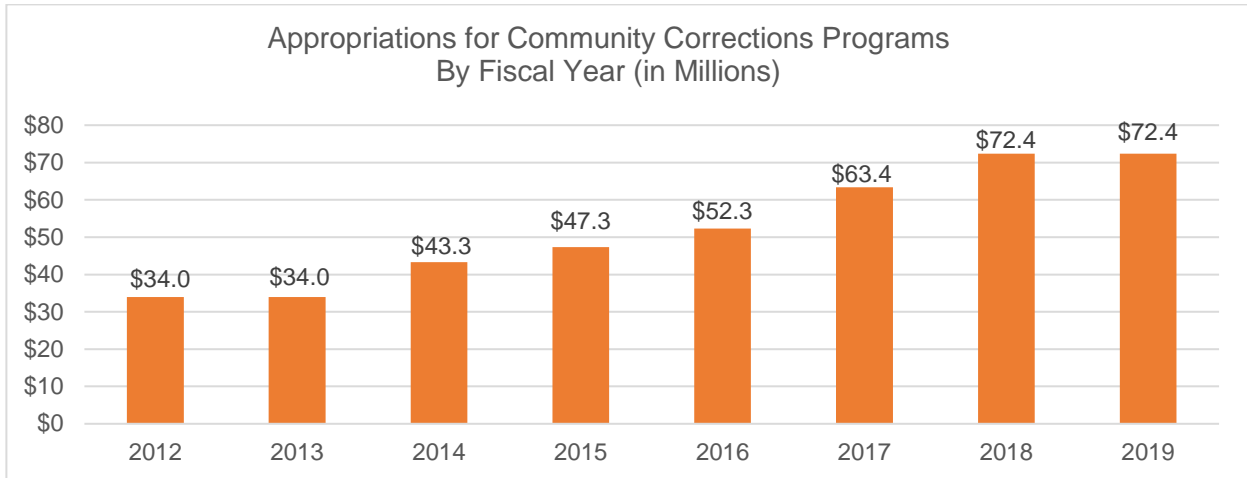
While new funding was not added for jail reimbursement to county sheriffs for housing Department of Correction offenders and Level 6 offenders in county jails, the 2015 and 2017 budget bills specify that any unspent monies will not be reverted to the state General Fund.

In this memo, I will describe these changes in more detail.

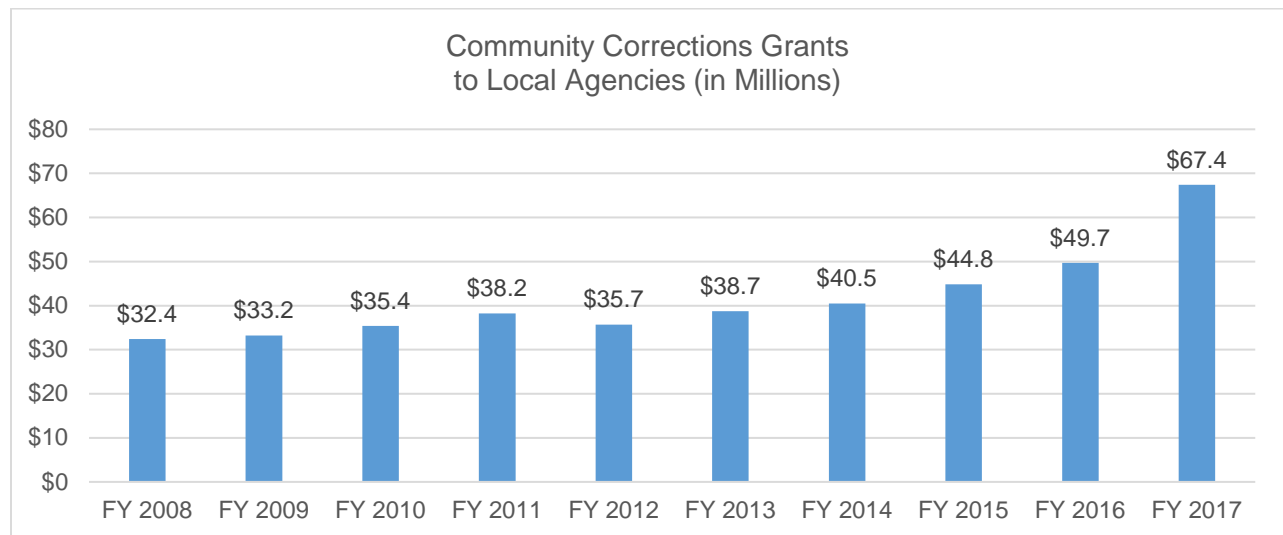
## Community Corrections

Using FY 2015 as a baseline, the General Assembly has added \$71 M in appropriations for community corrections for the four year period between FY 2016 and FY 2019.

HEA 1001-2015 and HEA 1001-2017 specify that community corrections appropriations may not be transferred or reassigned for any other use or purpose, and that any unspent monies will not revert to the state General Fund or any other fund.

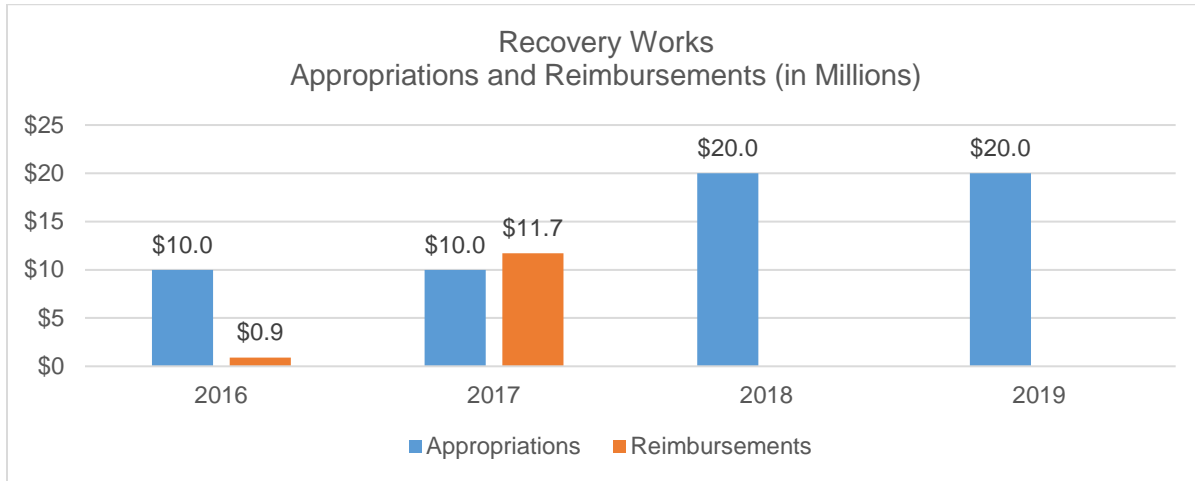


The following chart shows the actual grants (in millions) made to community corrections agencies between FY 2008 and FY 2017.

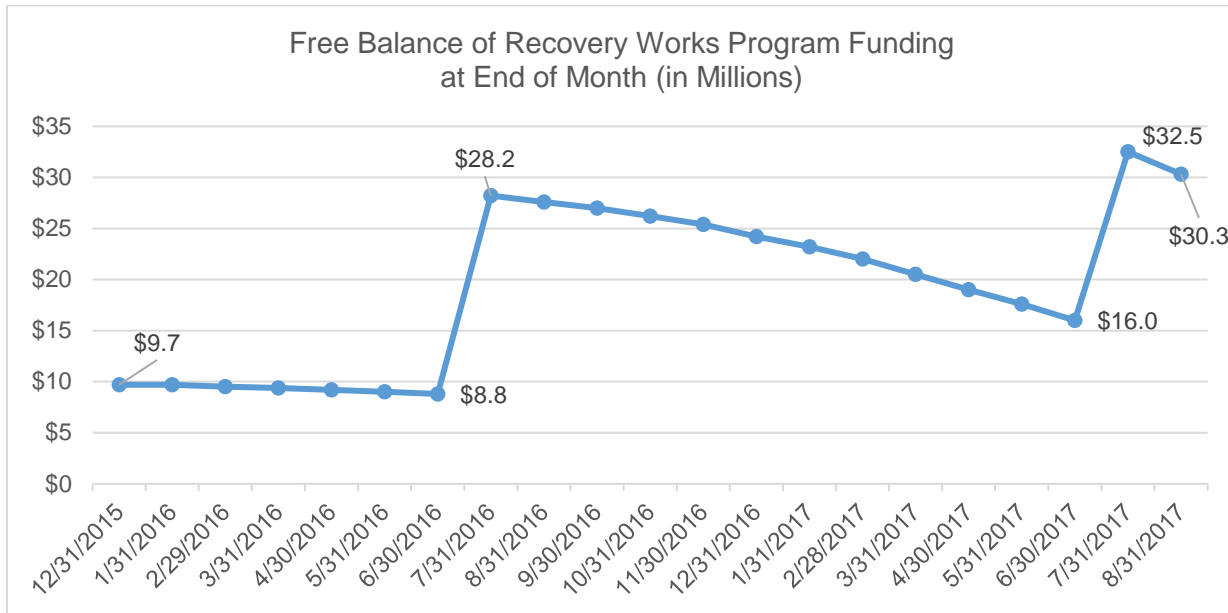


Recovery Works

The Mental Health and Addiction Forensic Treatment Services Grant (Recovery Works) was first funded by HEA 1001-2015. The program received appropriations of \$20 M for the FY 2016-FY 2017 biennium and \$40 M for the FY 2018-FY2019 biennium.

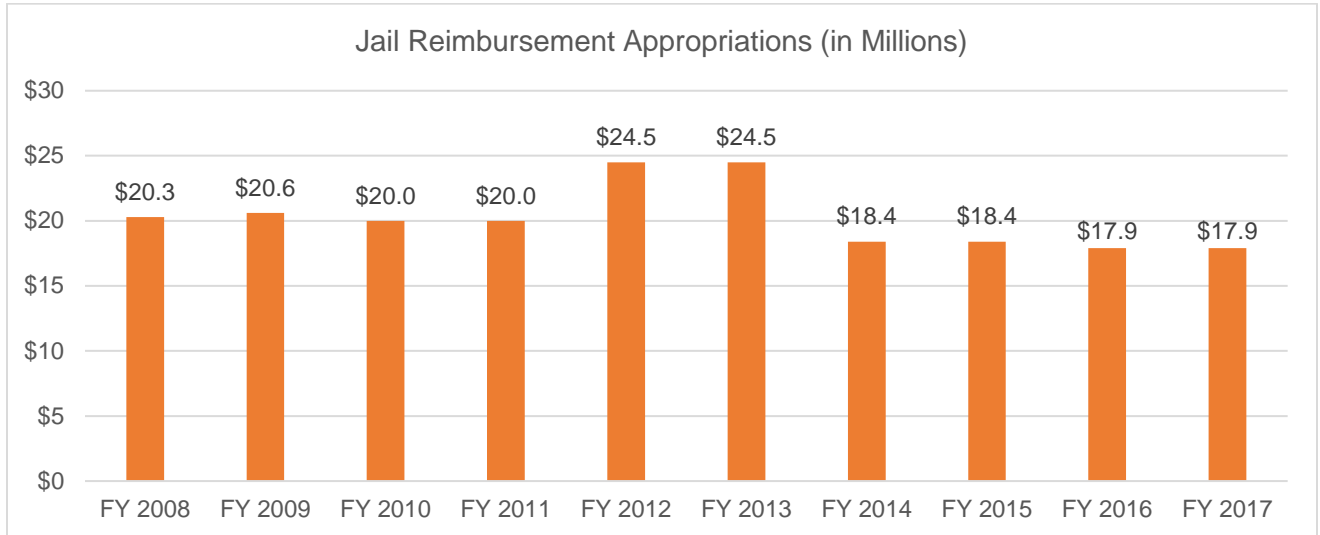


Because unspent monies are non-reverting, the fund balance has continued to increase year over year.

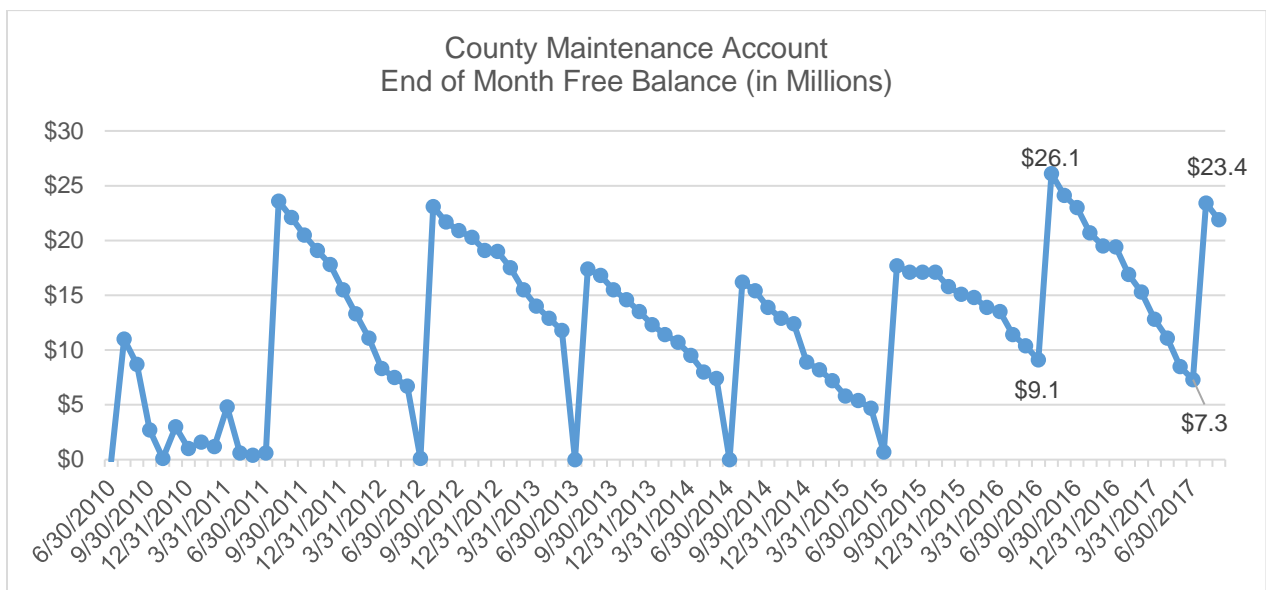


## Reimbursements to Sheriffs

Sheriffs receive \$35 per day after a person who is sentenced as a felon to a DOC facility remains in jail for more than five days after sentencing. Between FY 2008 and 2015, this line item could be augmented. Since FY 2016, any unspent monies from this fund may not be reverted to the state General Fund at the close of the year.



The next chart shows the end of the month balances over an eight-year period. Prior to 2015, the end of the monthly balance was zero at the end of each fiscal year because any unspent money was reverted to the state General Fund. Since 2015, the monthly balance has increased because any unspent money remained in County Maintenance Account instead of being reverted to the state General Fund.



DOC staff have indicated that allowing unspent money to remain in County Maintenance Account ensures that the DOC will have a sufficient balance if counties request reimbursements for the additional Level 6 felons that they confine to county jails. DOC estimates that the average daily population for Level 6 felons in county jails in FY 2017 is 1,730, representing at least \$20 M in payment requests from counties.