

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2018-19</b>		<b>FY 2019-20</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	See Below			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill would change provisions relating to correctional overcrowding emergencies. It would move up the date from July 1, 2020, to July 1, 2018. The bill also states that the director of the Department of Correctional Services (NDCS) shall certify a list of the inmates who are presently parole eligible who have not been released on parole. The bill has the emergency clause.

A correctional system overcrowding emergency exists whenever the director of NDCS certifies that the department's inmate population is over 140% of design capacity. NDCS states in their fiscal note response that the NDCS population assigned to NDCS facilities on January 4, 2018, was 5,243. This is 155% of design capacity. During a correctional system overcrowding emergency, the Board of Parole (board) shall immediately consider or reconsider committed offenders eligible for parole who have not been released on parole, within the limits set out in section 83-962. The board shall continue granting parole to offenders until the director of NDCS certifies that the population is at operational capacity (125% of design capacity).

The costs estimated by both the Department of Correctional Services (NDCS) and the Board of Parole are as follows:

	FY2018-19	FY2019-20	FY2018-19	FY2019-20
ITEMS	Number of Positions		Expenditures	
Staff - Salary & Benefits			1,490,914	1,490,914
Operating			1,286,571	1,286,571
TOTAL	-	-	2,777,485	2,777,485

See below for the individual estimates of NDCS and the Board of Parole.

Although this bill would probably increase the staffing requirements for both NDCS and the Board of Parole, the amounts appear high. It should be noted that these costs would presumably occur later if the correctional overcrowding emergency deadline stayed at 2020. These means that both NDCS and the Board of Parole would presumably request these amounts in their next biennium budget request, which is due in September of 2018. Therefore, these costs are presumably just occurring sooner under this bill rather than later in the agency's budget requests.

NDCS estimates the bill will have the following impact:

	FY2018-19	FY2019-20	FY2018-19	FY2019-20
ITEMS	Number of Positions		Expenditures	
Reentry Officers	7.00	2.00	275,891	275,891
Staff assistants	2.00	2.00	76,106	76,106
Warrant and Extradition Officers	2.00	2.00	75,217	75,217
Benefits			140,981	140,981
TOTAL	11.00	6.00	568,195	568,195

See the NDCS response for a summary of the duties of each of the above positions. NDCS also notes that there will also be additional overtime costs associated with increasing the number of parole hearings that will occur as a result of this bill but those costs are unknown until the board determines the hearing schedule.

NDCS states that savings associated with releasing individuals on parole under the act is indeterminable at this time as it is unknown how many, how quickly, or which inmates the parole board would release during FY19 and FY20 to comply with the provisions of the act. For each additional inmate released, the department would save the per diem costs for food, medical, and clothing of \$8,649 for each year they are released earlier than they would have been under current law. The department would not close any facilities or housing units or reduce staffing as a result of this bill.

For informational purposes, to reduce the inmate population to 125% of design capacity, over 1,000 inmates would have to be released. This would result in a per diem savings of approximately \$8.8 million for NDCS.

The Board of Parole estimates the bill will have the following impact:

	FY2018-19	FY2019-20	FY2018-19	FY2019-20
ITEMS	Number of Positions		Expenditures	
Specialized Officer - Salary & Benefits	6.00	6.00	264,960	264,960
Senior Parole Officer - Salary & Benefits	9.00	9.00	345,600	345,600
Supervisor - Salary & Benefits	2.00	2.00	123,474	123,474
Clerical Staff - Salary & Benefits	5.00	5.00	188,685	188,685
Operating			1,286,571	1,286,571
<b>TOTAL</b>	<b>22.00</b>	<b>22.00</b>	<b>2,209,290</b>	<b>2,209,290</b>

See the agency response attached for additional details not included in this fiscal note.

Please complete ALL (5) blanks in the first three lines.

**2018**

**LB<sup>(1)</sup> 675**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Correctional Services

Prepared by: <sup>(3)</sup> Jeff Beaty Date Prepared: <sup>(4)</sup> 1/11/18 Phone: <sup>(5)</sup> 4024795767

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2018-19</u>		<u>FY 2019-20</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$568,195		\$568,195	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$568,195</u>		<u>\$568,195</u>	

**Explanation of Estimate:**

LB 675 amends section 83-962 to change the date on which an overcrowding emergency is automatically triggered if the NDCS population is over 140% of design capacity from July 1, 2020 to July 1, 2018. The bill would require the parole board to begin reviewing all parole eligible inmates on July 1, 2018 until the population hits 125% of design capacity, which is currently 4,219 inmates. The NDCS population assigned to NDCS facilities on Jan 4, 2018 was 5,243 inmates and the parole eligible population was 1,010 individuals.

To implement the provisions of LB 675, the department of correctional services would have to prepare all currently parole eligible inmates to be reviewed immediately by the board beginning on July 1, 2018. This would require 7 additional reentry specialists to be hired during the current fiscal year to meet with and help prepare inmates for release on parole. Two additional staff assistants and two warrant and extradition officers would be required for special services to conduct NCIC and warrant checks and to handle the increase in parole revocations that would be associated with releasing additional inmates under the act. There will also be additional facility overtime costs associated with increasing the number of parole hearings that will occur as a result of LB 675 but those costs are unknown until the board determines what its hearing schedule will be.

The savings associated with releasing individuals on parole under the act is indeterminable at this time as it is unknown how many, how quickly, or which inmates the parole board would release during FY18-19 and FY 19-20 to comply with the provisions of the act. For each additional inmate released, the department would save the per diem costs for food medical and clothing of \$8,649 for each year they are released earlier than they would have been in the status quo. The department would not close any facilities or housing units or reduce staffing as a result of LB 675.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Reentry Officers	7	7	\$275,891	\$275,891
Staff assistants	2	2	\$76,106	\$76,106
Warrant and Extradition Officers	2	2	\$75,217	\$75,217
Benefits.....			\$140,981	\$140,981
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<u>\$568,295</u>	<u>\$568,195</u>

Please complete ALL (5) blanks in the first three lines.

**2018**

**LB<sup>(1)</sup> 675**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Board of Parole

Prepared by: <sup>(3)</sup> Rosalyn Cotton Date Prepared: <sup>(4)</sup> 1/9/18 Phone: <sup>(5)</sup> 402-479-5731

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2018-19</u>		<u>FY 2019-20</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>2,209,290</u>	<u>                    </u>	<u>2,209,290</u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
TOTAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

**Explanation of Estimate:**

This estimate is a base of 660 inmates being released and place on Parole per year. The cost per parolee per year is \$3,347.41. This includes staffing formulas, costs of parole salaries, services (anger management, Intensive Outpatient substance abuse treatment etc. and miscellaneous expenses.

\* If Residential Substance Abuse Treatment is needed then an additional \$7,500 per client is needed for a total of \$10,847.41 (Not included in estimate at this point)

For every 50 moderate risk parolee's released one parole officer is needed. For every 35 high risk parolee's releases one officer is needed.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Specialized Officer/Senior Parole Officer	<u>6/9</u>	<u>6/9</u>	<u>264,960</u> <u>/345,600</u>	<u>264,960/</u> <u>345,600</u>
Supervisor/Clerical Staff	<u>2/5</u>	<u>2/5</u>	<u>123,474/</u> <u>188,685</u>	<u>123,474/</u> <u>188,685</u>
Benefits.....			<u>Included</u> <u>above</u>	<u>Included above</u>
Operating.....			<u>1,286,571</u>	<u>1,286.571</u>
Travel.....			<u>                    </u>	<u>                    </u>
Capital outlay.....			<u>                    </u>	<u>                    </u>
Aid.....			<u>                    </u>	<u>                    </u>
Capital improvements.....			<u>                    </u>	<u>                    </u>
<b>TOTAL.....</b>			<u>2,209,290</u>	<u>2,209,290</u>