

# DEPARTMENT OF COMMUNITY CORRECTION

## Enabling Laws

Act 1286 of 2007

Act 531 and 548 of 1993

A.C.A. §12-27-124 and A.C.A. §12-27-125

## History and Organization

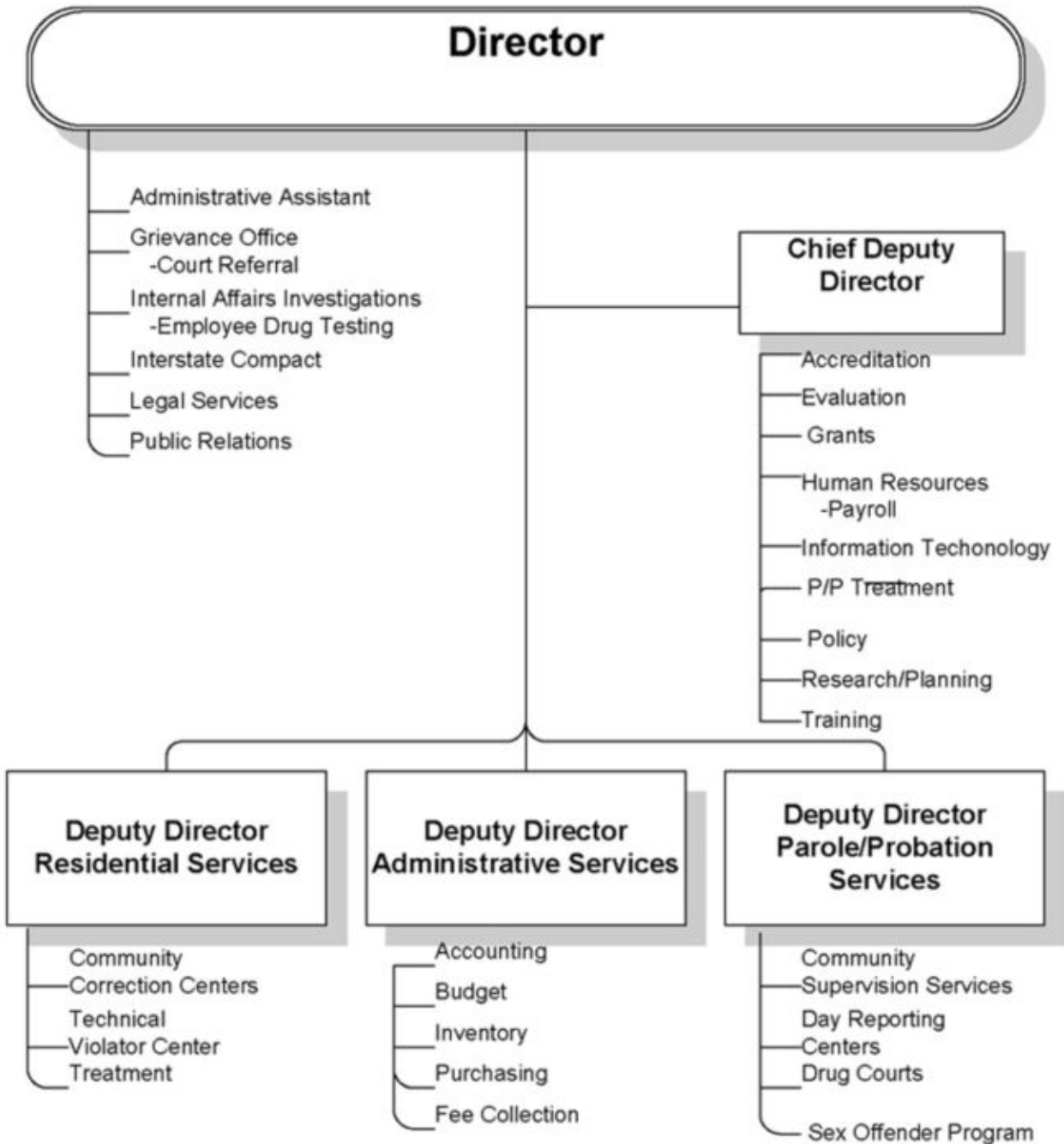
The Department of Community Punishment (DCP) was established during the 79th General Assembly by Act 549 of 1993. This combined the Board of Correction and the Adult Probation Commission into the Board of Correction and Community Punishment to oversee correctional facilities and programs in the State. The mission statement of the Board of Correction and Community Punishment is "Fulfill the mandates of the court through the use of confinement, treatment, and supervision in a safe and humane manner, while providing offenders the opportunity for positive change, thus contributing to public safety." Acts 531 and 548 of 1993 (Community Punishment Act) promote alternatives to traditional prisons by offering a well - rounded approach to community corrections through the use of supervision, facilities and programs for low-risk offenders. The Department of Community Punishment is now the state department responsible for adult probation and parole services and community residential facilities for non-violent offenders. In 2001, legislation passed that changed the name of the DCP to the Department of Community Correction (DCC) to better reflect the mission statement of the Department: "To promote public safety and a crime-free lifestyle by providing cost effective community-based sanctions, and enforcing State laws and court mandates in the supervision and treatment of adult offenders."

Some of the programs of the Department include community supervision and work programs, economic sanctions, electronic monitoring and tracking, community service, restitution, substance abuse treatment, educational and vocational programs, job skills, life skills training programs, day reporting, drug courts and technical violator programs. To be admitted to a community correction center, one must have either a suspended imposition of sentence, probation, judicial transfer or technical violation.

The Agency uses a modified therapeutic community in the residential centers. The concept incorporates a level system to resocialize residents using behavior modification, cognitive restructuring (including criminal thinking), resident education, an experimental environment 24 hours a day, seven days a week. Other components of this model include positive peer pressure, specialized programming, privileges, consequences, and staff role modeling. Residents are trained to handle specific functions, including food service, maintenance, laundry, and gardening at each facility.

The DCC has 1393 appropriated positions. The organizational structure of the Agency includes a Director, a Chief Deputy Director, a Deputy Director of Residential Services, a Deputy Director of Probation and Parole services, and a Deputy Director of Administrative Services. The Director oversees the agency operation and directly supervises the deputies, staff attorney, public relations officer, interstate compact, and internal investigations. The Chief Deputy Director is responsible for the training, information technology systems, payroll & personnel, research and evaluation, accreditation, grant administration, and probation/parole treatment programs. The Deputy Director of Residential Services oversees the operations of the five community correction centers and one technical violator facility.

These residential facilities have a total bed capacity of 1615. The Deputy Director of Probation and Parole Services supervises the statewide operation of probation and parole services. There are approximately 50,329 offenders supervised by Probation/Parole Services staff in 50 offices statewide. The Deputy Director of Administrative Services oversees budget, accounting, centralized fee collections, inventory, leasing, and purchasing.



## **Agency Commentary**

Arkansas Department of Community Correction (DCC) is responsible for the administration and operation of residential community correction facilities, and supervision of adult offenders placed on probation and parole. DCC also provides outpatient substance abuse counseling services and/or education referrals to aide offenders in the rehabilitation process and provide appropriate alternatives to transitional prison for criminal behavior.

**The Arkansas Department of Community Correction Mission Statement:** "To promote public safety and a crime-free lifestyle by providing cost-effective community-based sanctions, and enforcing State laws and court mandates in the supervision and treatment of adult offenders."

The DCC Director reports directly to the Board of Corrections and is responsible for the Agency's operation and mission. The Chief Deputy Director oversees and directs the activities of human resources, information technology, research/planning, policy development, probation/parole treatment, training, accreditation/evaluation, grant writing and administration, and management of the Agency in the Director's absence.

DCC has developed the following Agency goals and programs:

1. Residential Services;
2. Probation and Parole Community Supervision; and
3. Administration and Support

The budget request conforms to these goals:

Goal 1: To provide appropriate and effective supervision and treatment offenders in the community.

Goal 2: To provide for the confinement, care, control and treatment of offenders sentenced to or confined in community correction centers in an adequate, safe and secure environment.

Goal 3: To develop and implement sanctions, traditional and faith-based programs, and services needed to function within the scope of the mission.

Goal 4: To improve staff recruiting, retention and efforts.

The operating appropriations provide for administrative and executive staff, security staff, probation/parole officers, treatment programs, general maintenance, and replacement of aged equipment, inflationary operational costs of existing programs and facilities.

**Department of Community Correction State Operations - GENERAL REVENUE** -General Revenue funded Change Level requests total \$19,327,381 for FY10 and \$17,744,140 for FY11. These requests are summarized as follows:

### **RESIDENTIAL SERVICES PROGRAM:**

**Corrections Medical Service (CMS)** - The request includes the increased cost of the medical contract

for the biennium and risk pool funding for FY2010. Due to the escalating cost of maintaining the "risk pool" to cover offsite, and contracted health cost, the Board of Corrections instructed DCC and ADC to negotiate with CMS to produce a new pricing model, and for CMS to assume full financial responsibility for all offsite and contracted services. The FY10 per diem proposed is \$313.66 per day per inmates housed at a DCC Units and \$345.03 for FY11.

**Restore 29 positions** - In FY09, due to funding restrictions, several positions were not budgeted. The breakdown of these 29 security officers at all the centers is as follows: 3-Southeast Center-Pine Bluff; 2-Southwest Center-Texarkana; 1-Central Center-Little Rock; 3-Northeast Center-Osceola; 14-Northwest Center-Fayetteville; and 6-Omega Technical Violator-Malvern.

The staffing at each center was at the minimal level to ensure security and provision of required services to residents. The reduction of these positions has created a safety issue for the staff and residents. Restoring the staff for the Northwest Center would enable the Center to operate back at its full capacity of 172 beds.

**Maintenance and Operation** - Keeping within the Governor's directive, DCC request is for only the necessary inflationary cost of utilities, fuel, and food; all of the centers have seen significant increases in these areas. The agency request that the Northwest Center be brought up to capacity which will require funding for the operation of this center.

**New/Replacement Equipment** - The centers located in Texarkana and Pine Bluff are over 58 years old. Subsequently, they experience problems with roof repairs, waterlines, fire alarm systems, heating and air units, boilers, kitchen/laundry equipment, and general maintenance issues. The other facilities also are in need of an increase in their general maintenance to ensure the safety and security of the residents and employees, as well as, meet all required city and state codes. All of the centers are accredited and in order to keep the accreditation the building and grounds must be maintained within the guidelines specified by the American Correctional Association (ACA).

This request includes the replacement of vehicles that have high mileage, aged and/or require excessive maintenance. These vehicles are used at the centers for transportation, maintenance and community service.

## **PROBATION/PAROLE COMMUNITY SUPERVISION PROGRAMS**

**Restore 80 parole/probation officer positions** - These positions were not budgeted in FY09 due to funding. Parole/Probation caseloads have increased over 10,000 offenders in the past 5 years. Sixty parole/probation officer positions were recommended by the Governor in the previous biennium. These positions are critical to return caseloads to a manageable level, thus ensuring greater safety and security of the general public.

**Maintenance and Operation** - Fuel costs for the 2007-09 biennium were budgeted @ \$2.50 per gallon. The current fuel cost is approximately \$4.00 per gallon with a projected increase to \$5.00 per gallon. Also, utilities, rent of office space (annual % increases for existing offices and expansion of Drug Courts) continue to rise with the other inflationary cost. Vehicles are critical to parole/probation officers performing essential functions of their jobs, e.g. making arrests, home/community visits, locating absconders, monitoring offender activity, and transporting offenders. The request includes replacement of 68 vehicles that are aged, have high mileage and/or excessive maintenance.

**Drug Court** - Since 2004, drug court caseloads have more than doubled (to approximately 1,700.) The request is to accommodate the continued rapid growth rate. The Agency is requesting thirty-seven (37) new positions to staff expansion of existing drug courts that have exceeded capacity, and establish nine (9) additional drug courts. The new drug courts will be located in Mtn. View, Melbourne, Marshall, Clinton, Salem, Ash Flat, Osceola, Hamburg and McGhee. The request includes funding for maintenance/operation, and purchase of vehicles for the requested drug court positions.

The Agency is also requesting restoration of the \$3,000,000.00 (\$1,500,000.00 each fiscal year) that was reduced from the treatment funding due to FY09 funding reductions, and an increase of \$500,000.00 to accommodate the growth of the drug court population.

**Transitional Housing** - During the 85th General Assembly, legislation was passed requiring facilities that house one or more offenders to be licensed by DCC. In the 86th General Assembly, special language was added to the DCC appropriation Act 1286 of 2007, Section 15, requiring DCC to spend \$1,500,000.00 each year respectfully for transitional housing to relieve some of the prison overcrowding. Funding is requested in the amount stated in the special language for each year of the biennium to ensure compliance.

**Sex Offender Program** - Restore 13 positions that were not budgeted due to the FY09 budget reduction. The DCC is currently supervising over 2,250 sex offenders. Of that number, approximately 1,100 are level 3 and 4 (considered the most serious sex offenders). There are another 2,462 sex offenders in custody of Arkansas Department of Correction (ADC), subject to release to DCC. Of that number, 916 are past their parole or transfer eligibility dates. Act 4 of the First Extraordinary Session of 2006 requires global positioning satellite (GPS) of serious and violent sex offenders. This request includes \$500,000.00 for GPS monitoring and \$44,500.00 for maintenance of the sex offender victim notification system for each year of the biennium. The victim notification system is DCC's portion in cooperative development with ACIC and ADC.

## **ADMINISTRATION & SUPPORT PROGRAMS**

**TECHNOLOGY PROGRAM** - Request the restoration of the ADC/DCC Program Specialist position. DCC has approximately 1,100 computers with over 400 being 6-9 years old. The IT plan requires computer replacement on a 3 year cycle to ensure continuance of mission critical functions (electronic Offender Management Information System and AASIS). A senior program analyst position was blocked in the FY09 budget reduction, this position is needed to assist with the network administration, hardware maintenance, comply with state technology standards, project management, agency automation, and resolve user issues.

This request includes funding to restore the senior program analyst position, and to replace approximately 200 aged computers each year of the biennium.

**SPECIAL REVENUE 2GH** - The Agency is requesting \$549,462 appropriation for Capital Outlay each year of the biennium in order to purchase replacement vehicles and kitchen/laundry equipment.

**County Jail Reimbursement 2GK** - DCC paid approximately \$1.7 million to county jails for offenders waiting in local jails for bed space in a DCC correctional center. The Agency is requesting \$1 million in unfunded appropriation for the county jail reimbursement to provide reimbursement to the county jails at a rate determined by the Chief Fiscal Officer of the State. DCC and ADC share this fund. Use of this unfunded appropriation is contingent upon the availability of funds.

## **SPECIAL LANGUAGE**

Continuation of current special language is requested with appropriate date revisions and deletions/additions as follows:

- Deletion of Special Language in Act 1286, Section 8 - Appropriation for the Sixteenth Judicial District Drug Court in the amount of \$350,000.00 from the Drug Forfeiture Fund. This court expense is requested in the Operating Expenses request for the Drug Courts.
- New Special Language to assist in the recruitment and retention of Probation/Parole Officers, and Correctional Officers by allowing for payment of a bonus based upon years of service.

## **Audit Findings**

DIVISION OF LEGISLATIVE AUDIT  
AUDIT OF :  
ARKANSAS DEPARTMENT OF COMMUNITY CORRECTION  
  
FOR THE YEAR ENDED JUNE 30, 2007

Findings	Recommendations
None	None

## **Performance Audit Findings**

Drug Court Programs – Arkansas Administrative Office of the Courts and  
Arkansas Department of Community Correction  
(July 1, 2007 – December 31, 2007) - Issued 05-09-2008

### Findings and Conclusions:

- Participant fees are not collected in a uniform manner.
- Remaining participant user fees are to be deposited in the MAGNUM Drug Court Fund. Because of a lack of clarity in the Arkansas Code, no such deposits have been made to date.
- Act 1022 of 2007 excludes defendants with pending charge or conviction for a violent felony offense from drug court programs. However, Arkansas Code does not provide a definition of a violent felony offense specific to the drug court statute.

### Recommendations:

- The General Assembly consider revising the Arkansas code to require all funds collected relating to drug court programs (excluding payments to the Department of Community Correction) be deposited in county treasury accounts and follow established county procedures for collecting, receipting, and expending funds.
- Define remaining funds and determine when deposits are required to be made into the MAGNUM Drug Court.
- The General Assembly consider revising Arkansas Code to define violent felony offense.

## Employment Summary

	Male	Female	Total	%
White Employees	338	417	755	62 %
Black Employees	115	336	451	37 %
Other Racial Minorities	1	8	9	1 %
	Total Minorities		460	38 %
	Total Employees		1,215	100 %

## Publications

### A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
Administrative Regulations	ACA §25-15-204	N	Y	178	To comply with the Administrative Procedures Act; Provide guidance to staff and offenders under Agency jurisdiction; and to accommodate any public request.
DCC Annual Report	ACA §12-27-125 ACA § 12-27-126 ACA §13-2-212	N	N	178	To provide report of progress toward the agency mission; also to comply with statute governing State & Local Government Publications Clearinghouse to the State Library.

## Department Appropriation Summary

### Historical Data

### Agency Request and Executive Recommendation

Appropriation	2007-2008		2008-2009		2008-2009		2009-2010					2010-2011						
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
1BA Community Correction - Federal	280,933	0	4,137,882	0	4,219,549	0	4,137,882	0	4,137,882	0	4,137,882	0	4,137,882	0	4,137,882	0	4,137,882	0
1BR Residents Cash Treasury	853,255	0	1,882,024	0	1,882,024	0	1,882,024	0	1,882,024	0	1,882,024	0	1,882,024	0	1,882,024	0	1,882,024	0
2GH Community Correction-Special	4,128,215	5	10,630,763	118	10,470,791	118	10,765,914	118	11,315,376	118	11,315,376	118	10,883,247	118	11,432,709	118	11,432,709	118
2GK County Jail Reimbursement	1,703,128	0	2,000,000	0	4,059,568	0	2,000,000	0	3,000,000	0	3,000,000	0	2,000,000	0	3,000,000	0	3,000,000	0
510 Community Correction - State	68,825,043	1,370	63,827,855	1,152	72,907,624	1,275	68,043,129	1,152	87,370,510	1,312	77,337,027	1,269	69,050,726	1,152	86,794,866	1,312	78,728,412	1,269
<b>Total</b>	<b>75,790,574</b>	<b>1,375</b>	<b>82,478,524</b>	<b>1,270</b>	<b>93,539,556</b>	<b>1,393</b>	<b>86,828,949</b>	<b>1,270</b>	<b>107,705,792</b>	<b>1,430</b>	<b>97,672,309</b>	<b>1,387</b>	<b>87,953,879</b>	<b>1,270</b>	<b>107,247,481</b>	<b>1,430</b>	<b>99,181,027</b>	<b>1,387</b>

Funding Sources		%		%		%		%		%		%		%		%	
Fund Balance	4000005	9,779,803	10.8	14,492,689	15.6	10,429,395	11.2	10,429,395	9.3	10,429,395	10.4	6,003,650	6.7	6,003,650	5.6	6,003,650	6.1
General Revenue	4000010	70,300,648	77.9	65,065,004	70.0	69,541,483	74.9	88,868,864	78.8	76,141,483	76.2	70,549,080	78.7	88,293,220	81.8	79,349,080	80.1
Federal Revenue	4000020	280,933	0.3	4,137,882	4.5	4,137,882	4.5	4,137,882	3.7	4,137,882	4.1	4,137,882	4.6	4,137,882	3.8	4,137,882	4.2
Special Revenue	4000030	8,430,050	9.3	7,088,842	7.6	6,726,338	7.2	7,275,800	6.5	7,275,800	7.3	6,726,338	7.5	7,275,800	6.7	7,275,800	7.3
Cash Fund	4000045	1,469,086	1.6	1,862,297	2.0	1,997,501	2.2	1,997,501	1.8	1,997,501	2.0	2,270,286	2.5	2,270,286	2.1	2,270,286	2.3
Merit Adjustment Fund	4000055	0	0.0	261,205	0.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Transfer 20% Asset Forfeiture	4000500	22,743	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>Total Funds</b>		<b>90,283,263</b>	<b>100.0</b>	<b>92,907,919</b>	<b>100.0</b>	<b>92,832,599</b>	<b>100.0</b>	<b>112,709,442</b>	<b>100.0</b>	<b>99,982,061</b>	<b>100.0</b>	<b>89,687,236</b>	<b>100.0</b>	<b>107,980,838</b>	<b>100.0</b>	<b>99,036,698</b>	<b>100.0</b>
Excess Appropriation/(Funding)		(14,492,689)		(10,429,395)		(6,003,650)		(5,003,650)		(2,309,752)		(1,733,357)		(733,357)		144,329	
<b>Grand Total</b>		<b>75,790,574</b>		<b>82,478,524</b>		<b>86,828,949</b>		<b>107,705,792</b>		<b>97,672,309</b>		<b>87,953,879</b>		<b>107,247,481</b>		<b>99,181,027</b>	

The FY09 Budget amount in Regular Salaries exceeds the Authorized amount due to salary adjustments during the 2007-2009 biennium. Variance in fund balances are due to unfunded appropriation.



## Agency Position Usage Report

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
1,200	1112	88	1200	0	7.33 %	1,393	1258	117	1375	18	9.69 %	1,393	1215	55	1270	123	12.78 %

## **Analysis of Budget Request**

**Appropriation:** 1BA - Community Correction - Federal

**Funding Sources:** FPF - Federal Fund

This appropriation is funded by federal funds and provides support for several Federal Grant Programs. The Programs are for Offender Substance Abuse Rehabilitation Treatment, Drug Court, Serious and Violent Offenders, Transitional Housing and preparation for release from incarceration with follow up.

The Base Level is \$4,137,882 each year and represents the Agency Request.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 1BA - Community Correction - Federal

**Funding Sources:** PPF - Federal Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	Historical Data			2009-2010			2010-2011		
	2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	0	0	64,422	0	0	0	0	0	0
<b>#Positions</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Personal Services Matching 5010003	0	0	17,245	0	0	0	0	0	0
Operating Expenses 5020002	26,687	206,270	206,270	206,270	206,270	206,270	206,270	206,270	206,270
Conference & Travel Expenses 5050009	0	74,415	74,415	74,415	74,415	74,415	74,415	74,415	74,415
Professional Fees 5060010	254,246	3,210,386	3,210,386	3,210,386	3,210,386	3,210,386	3,210,386	3,210,386	3,210,386
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Grants and Aid 5100004	0	646,811	646,811	646,811	646,811	646,811	646,811	646,811	646,811
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>280,933</b>	<b>4,137,882</b>	<b>4,219,549</b>	<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>
<b>Funding Sources</b>									
Federal Revenue 4000020	280,933	4,137,882		4,137,882	4,137,882	4,137,882	4,137,882	4,137,882	4,137,882
Total Funding	280,933	4,137,882		4,137,882	4,137,882	4,137,882	4,137,882	4,137,882	4,137,882
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
<b>Grand Total</b>	<b>280,933</b>	<b>4,137,882</b>		<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>	<b>4,137,882</b>

No Authorized position reflected for Regular Salary and Personal Service Match due to a position previously budgeted for a grant that has ended.

## **Analysis of Budget Request**

**Appropriation:** 1BR - Residents Cash Treasury

**Funding Sources:** NCC - Cash in Treasury

The Residential Services appropriation provides for the operation of the Community Correction Facilities Commissaries. These are self-supporting operations in which residents can purchase various commissary supplies and snack foods in the Department's various centers. This appropriation also utilizes the proceeds from the coin-less telephone program in which the Agency receives partial reimbursement from the telephone company for phone calls made by the residents. The proceeds are used to purchase items of mutual benefit to all residents. The appropriation is also used for inmate assistance projects, security equipment, long term needs and general operations.

Base Level is \$1,882,024 each year and represents the Agency Request.

The Executive Recommendation provides for Agency Request. Expenditure of appropriation is contingent upon available funding.

## Appropriation Summary

**Appropriation:** 1BR - Residents Cash Treasury

**Funding Sources:** NCC - Cash in Treasury

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
	2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010			2010-2011		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses 5020002	853,255	1,717,354	1,717,354	1,717,354	1,717,354	1,717,354	1,717,354	1,717,354	1,717,354
Conference & Travel Expenses 5050009	0	62,870	62,870	62,870	62,870	62,870	62,870	62,870	62,870
Professional Fees 5060010	0	101,800	101,800	101,800	101,800	101,800	101,800	101,800	101,800
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>853,255</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>
<b>Funding Sources</b>									
Fund Balance 4000005	859,496	1,270,547		749,174	749,174	749,174	363,005	363,005	363,005
Cash Fund 4000045	1,264,306	1,360,651		1,495,855	1,495,855	1,495,855	1,768,640	1,768,640	1,768,640
<b>Total Funding</b>	<b>2,123,802</b>	<b>2,631,198</b>		<b>2,245,029</b>	<b>2,245,029</b>	<b>2,245,029</b>	<b>2,131,645</b>	<b>2,131,645</b>	<b>2,131,645</b>
<b>Excess Appropriation/(Funding)</b>	<b>(1,270,547)</b>	<b>(749,174)</b>		<b>(363,005)</b>	<b>(363,005)</b>	<b>(363,005)</b>	<b>(249,621)</b>	<b>(249,621)</b>	<b>(249,621)</b>
<b>Grand Total</b>	<b>853,255</b>	<b>1,882,024</b>		<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>	<b>1,882,024</b>

## **Analysis of Budget Request**

**Appropriation:** 2GH - Community Correction-Special

**Funding Sources:** SPF - Community Correction Revolving Fund

The Department of Community Correction is responsible for adult probation and parole services. This appropriation is utilized to support these services as well as special programs primarily for alcohol and drug and mental health treatment. The fees also provide for safety equipment, vehicles, and drug testing supplies. The special revenue supporting this appropriation includes fees and sanctions levied by the courts or authorized by the Board of Corrections and paid by offenders. The probation/parole fee is \$25 each month.

Base Level salaries for classified positions reflect the recommendations of the Pay Plan Study. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Base Level is \$10,765,914 in FY10 and \$10,883,247 in FY11.

The Agency requests a Change Level of \$549,462 each year in Capital Outlay for the replacement of older high mileage vehicles and replaces some equipment. Vehicles are assigned to probation/parole supervision officers and counselors who are required to travel to conduct daily home and worksite visits. Several of the vehicles are used in transporting offenders.

The Executive Recommendation provides for Agency Request.

## Appropriation Summary

**Appropriation:** 2GH - Community Correction-Special  
**Funding Sources:** SPF - Community Correction Revolving Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010			2010-2011		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	148,418	3,869,782	3,714,743	4,203,052	4,203,052	4,203,052	4,301,249	4,301,249	4,301,249
<b>#Positions</b>		<b>5</b>	<b>118</b>	<b>118</b>	<b>118</b>	<b>118</b>	<b>118</b>	<b>118</b>	<b>118</b>	<b>118</b>
Personal Services Matching	5010003	36,018	1,244,364	1,239,431	1,420,976	1,420,976	1,420,976	1,440,112	1,440,112	1,440,112
Operating Expenses	5020002	150,695	153,417	153,417	153,417	153,417	153,417	153,417	153,417	153,417
Conference & Travel Expenses	5050009	0	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	680,719	374,731	374,731	0	549,462	549,462	0	549,462	549,462
War Memorial Stadium Comm	5900046	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Community Correction Prog	5900047	3,102,365	4,977,469	4,977,469	4,977,469	4,977,469	4,977,469	4,977,469	4,977,469	4,977,469
<b>Total</b>		<b>4,128,215</b>	<b>10,630,763</b>	<b>10,470,791</b>	<b>10,765,914</b>	<b>11,315,376</b>	<b>11,315,376</b>	<b>10,883,247</b>	<b>11,432,709</b>	<b>11,432,709</b>

Funding Sources										
Fund Balance	4000005	8,920,307	13,222,142		9,680,221	9,680,221	9,680,221	5,640,645	5,640,645	5,640,645
Special Revenue	4000030	8,430,050	7,088,842		6,726,338	7,275,800	7,275,800	6,726,338	7,275,800	7,275,800
Total Funding		17,350,357	20,310,984		16,406,559	16,956,021	16,956,021	12,366,983	12,916,445	12,916,445
Excess Appropriation/(Funding)		(13,222,142)	(9,680,221)		(5,640,645)	(5,640,645)	(5,640,645)	(1,483,736)	(1,483,736)	(1,483,736)
<b>Grand Total</b>		<b>4,128,215</b>	<b>10,630,763</b>		<b>10,765,914</b>	<b>11,315,376</b>	<b>11,315,376</b>	<b>10,883,247</b>	<b>11,432,709</b>	<b>11,432,709</b>

The FY09 Budget amount in Regular Salaries exceeds the Authorized amount due to salary adjustments during the 2007-2009 biennium.

The FY08 Actual amount for Capital Outlay Expenses exceeds the Authorized amount due to a higher Authorized appropriation in FY08.

Actual Number of Positions is less than the Authorized Number due to the flexibility inherent in the authorization of all positions through one salary section in the Agency's appropriation act.

## Change Level by Appropriation

**Appropriation:** 2GH - Community Correction-Special  
**Funding Sources:** SPF - Community Correction Revolving Fund

### Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>10,765,914</b>	<b>118</b>	<b>10,765,914</b>	<b>100.0</b>	<b>10,883,247</b>	<b>118</b>	<b>10,883,247</b>	<b>100.0</b>
C01	Existing Program	549,462	0	11,315,376	105.1	549,462	0	11,432,709	105.0

### Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>10,765,914</b>	<b>118</b>	<b>10,765,914</b>	<b>100.0</b>	<b>10,883,247</b>	<b>118</b>	<b>10,883,247</b>	<b>100.0</b>
C01	Existing Program	549,462	0	11,315,376	105.1	549,462	0	11,432,709	105.0

### Justification

C01	This request will allow for the replacement of older, high mileage vehicles in the Agency's fleet. These vehicles are assigned to probation/parole supervision offices and counselors. The officers and counselors are required to travel to conduct daily home and worksite visits. The special revenues are the supervision fees collected from the offenders who are on probation/parole, in drug court and interstate compact. The fees provide for safety equipment, vehicles, and drug testing supplies.
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## **Analysis of Budget Request**

**Appropriation:** 2GK - County Jail Reimbursement

**Funding Sources:** MCJ - County Jail Reimbursement Fund

Arkansas Code §19-5-1045 provided Jail Reimbursement to Counties by the Department of Community Correction. Prior to this legislation, only Department of Correction could provide Jail Reimbursements to the Counties. In the event that the Department of Correction or Department of Community Correction could not accept inmates from county jails due to insufficient bed space, each Agency would have to reimburse the counties for housing the inmates.

The Agency is requesting to continue the Base Level general revenue funding and appropriation of \$2 million each year as well as an additional \$1 million each year in unfunded appropriation.

The Executive Recommendation provides for Agency Request.

**Appropriation Summary**

**Appropriation:** 2GK - County Jail Reimbursement  
**Funding Sources:** MCJ - County Jail Reimbursement Fund

**Historical Data**

**Agency Request and Executive Recommendation**

Commitment Item	2007-2008	2008-2009	2008-2009	2009-2010			2010-2011		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Refunds/Reimbursements 5110014	1,703,128	2,000,000	4,059,568	2,000,000	3,000,000	3,000,000	2,000,000	3,000,000	3,000,000
<b>Total</b>	<b>1,703,128</b>	<b>2,000,000</b>	<b>4,059,568</b>	<b>2,000,000</b>	<b>3,000,000</b>	<b>3,000,000</b>	<b>2,000,000</b>	<b>3,000,000</b>	<b>3,000,000</b>
<b>Funding Sources</b>									
General Revenue 4000010	1,703,128	2,000,000		2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
<b>Total Funding</b>	<b>1,703,128</b>	<b>2,000,000</b>		<b>2,000,000</b>	<b>2,000,000</b>	<b>2,000,000</b>	<b>2,000,000</b>	<b>2,000,000</b>	<b>2,000,000</b>
Excess Appropriation/(Funding)	0	0		0	1,000,000	1,000,000	0	1,000,000	1,000,000
<b>Grand Total</b>	<b>1,703,128</b>	<b>2,000,000</b>		<b>2,000,000</b>	<b>3,000,000</b>	<b>3,000,000</b>	<b>2,000,000</b>	<b>3,000,000</b>	<b>3,000,000</b>

## Change Level by Appropriation

**Appropriation:** 2GK - County Jail Reimbursement  
**Funding Sources:** MCJ - County Jail Reimbursement Fund

### Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>2,000,000</b>	<b>0</b>	<b>2,000,000</b>	<b>100.0</b>	<b>2,000,000</b>	<b>0</b>	<b>2,000,000</b>	<b>100.0</b>
C05	Unfunded Appropriation	1,000,000	0	3,000,000	150.0	1,000,000	0	3,000,000	150.0

### Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>2,000,000</b>	<b>0</b>	<b>2,000,000</b>	<b>100.0</b>	<b>2,000,000</b>	<b>0</b>	<b>2,000,000</b>	<b>100.0</b>
C05	Unfunded Appropriation	1,000,000	0	3,000,000	150.0	1,000,000	0	3,000,000	150.0

### Justification

C05	Department of Community Correction (DCC) and Department of Correction (ADC) share the County Jail Reimbursement Fund. This appropriation is used to reimburse the counties for housing inmate when DCC cannot accept them due to insufficient bed space. The Agency is requesting \$1 million in unfunded appropriation in both FY10 and FY11. Use of this unfunded appropriation is contingent upon the availability of funds.
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## **Analysis of Budget Request**

**Appropriation:** 510 - Community Correction - State

**Funding Sources:** HCP - Department of Community Correction Fund

The Department of Community Punishment (DCP) was established during the 79th General Assembly by Act 549 of 1993, which combined the Board of Correction and the Adult Probation Commission into the Board of Correction and Community Punishment to oversee correctional facilities and programs in the State. The Department of Community Punishment is now the state agency responsible for adult probation, parole services, and the new community correctional facilities for non-violent offenders. In 2001, legislation passed that changed the name of the DCP to the Department of Community Correction (DCC) to better reflect the mission statement of the Department: "To promote a crime-free lifestyle by providing community-based sanctions in a cost-effective manner, and enforcing State laws and court mandates in the supervision of adult offenders remanded to the Department of Community Correction."

The Department is charged with providing an alternative to traditional prison incarceration for non-violent offenders. To be admitted to community correction facilities and/or programs, one must have a suspended imposition of sentence, probation, judicial transfer directly to a community correction facility, or post prison transfer to a facility or parole supervision.

The Department provides a foundation for enhancement of community correction programs, which includes strengthening and support of probation and parole services as well as implementation of non-traditional programs for offenders. The Department has the following six centers: the Central Arkansas Community Correction Center in Little Rock; the Southeast Arkansas Community Center in Pine Bluff; the Southwest Arkansas Community Center in Texarkana; the Northeast Arkansas Community Center in Osceola; the Technical Violator Center in Malvern; and the Northwest Arkansas Community Center in Fayetteville.

The Field Services Substance Abuse Program addresses not only chemical dependency but also many other issues through Day Reporting Centers, the Expanded Services Program and the substance abuse services offered in the area probation and parole offices.

The Department has successfully implemented a program that works within and through the Drug Court System. This program provides an alternative to incarceration to first time offenders and in addition provides a cost conscience system designed for the long term benefits by treating first time offenders in such a method as to change the norm since in addition to chemical dependency the majority of these offenders have multiple life control problems. There are currently 40 Drug Courts across the State.

To comply with Act 4 of the First Extraordinary Session of 2006, DCC is required to electronically monitor offenders that are sexually violent predators. The need of global positioning satellite (GPS) monitoring and electronic bracelets will be needed.

As Required by Act 678 of 2005, the Agency is responsible for the licensing and monitoring of transitional housing facilities in the State. The Transitional Housing Program was started to alleviate some of the overcrowding caused by those inmates that do not have a place to go upon release. A fee of \$24 per day will be paid to transitional housing facilities and allow placement of approximately 342 offenders. Act 1286 of 2007, Section 15, requires DCC to spend \$1.5 million on Transitional Housing Program to relieve some of the prison overcrowding.

Base Level salaries for classified positions reflect the recommendations of the Pay Plan Study and unclassified positions reflect similar adjustments in line item salaries. Also reflected are changes from unclassified to classified positions. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Base Level is \$68,043,129 in FY10 and \$69,050,726 in FY11.

The Change Level Request for the Department of Community Correction for appropriation and General Revenue Fund totals \$19,327,381 in FY10 and \$17,744,140 in FY11. The following is a summary of the major components of the Agency Request with amounts for each year of the biennium respectively separated into four (4) categories:

**1. Residential Services**

For each of the six centers, the Agency is asking for increases for cost of fuel, utilities, food, medical contracts and to replace equipment and several vehicles and requesting to restore 29 security officer positions. A Risk Pool increase of \$555,000 in FY10 is requested to cover off-site and/or contracted health care cost incurred by Correctional Medical Services (CMS) above an annual aggregated cap.

	FY10	FY11
Regular Salaries (29 restored positions)	\$ 799,064	\$ 817,419
Personal Service Matching	\$ 303,637	\$ 307,216
Operating Expenses	\$1,043,455	\$1,178,094
Professional Fees (medical contracts)	\$3,113,724	\$2,613,725
Capital Outlay	\$1,003,789	\$ 133,319
Total Residential Services Request	\$6,263,669	\$5,049,773

**2. Probation / Parole Field Office**

Each of the 13 Area Probation/Parole Offices is requesting an increase for utilities, rent, fuel, equipment and vehicles and to restore 80 Probation/Parole Officer positions. The request for the Existing Drug Courts is for drug testing supplies and additional professional fees. For the Sex Offender Program, the request includes restoration of 13 counselor positions, utilities, rent, fuel, drug testing supplies, and professional fees for DCC's part of the Victim Notification System with the Arkansas Crime Information Center (ACIC). Professional fees are requested for the Transitional Housing Program.

	FY10	FY11
Regular Salaries (93 restored positions)	\$3,124,555	\$3,196,252
Personal Service Matching	\$1,083,276	\$1,097,258
Operating Expenses	\$1,142,818	\$1,146,257
Professional Fees (medical contracts)	\$3,544,500	\$3,544,500
Capital Outlay	\$ 351,528	\$ 234,352
Total Probation/Parole Request	\$9,246,677	\$9,218,619

### 3. Administration and Support

Request to restore 1 ADC/DCC Program Specialist position. The Information Technology area request an increase in network services, data processing supplies, replace 100 computers, 200 software and license updates, and printers and a file server.

	FY10	FY11
Regular Salaries (1 restored position)	\$ 29,251	\$ 29,923
Personal Service Matching	\$ 10,802	\$ 10,933
Operating Expenses	\$ 350,500	\$ 350,500
Professional Fees	\$ 150,000	\$ 150,000
Capital Outlay	\$ 15,000	\$ 0
Total Residential Services Request	\$ 555,553	\$ 541,356

### 4. New or Expanding Programs

Expand 9 new Drug Courts - 37 new positions to staff expansion of existing drug courts that have exceeded capacity, and establish 9 additional drug courts. The new drug courts will be located in Mtn. View, Melbourne, Marshall, Clinton, Salem, Ash Flat, Osceola, Hamburg and McGhee. Request includes Operating Expenses for the additional drug courts, with drug testing supplies and 9 new vehicles. GPS Monitoring for the Sex Offender Program for \$500,000 each year.

	FY10	FY11
Regular Salaries (37 New positions)	\$1,199,986	\$1,227,563
Personal Service Matching	\$ 422,578	\$ 427,952
Operating Expenses	\$1,507,095	\$1,278,877
Capital Outlay	\$ 131,823	\$ 0
Total Residential Services Request	\$3,261,482	\$2,934,392

The Executive Recommendation provides appropriation and General Revenue Funding for the following:

### 1. Residential Services

Restore 13 positions in FY10 and 29 positions in FY11 and Operating Expenses and Capital Outlay for the six existing Centers.

	Appropriation		Funding	
	FY10	FY11	FY10	FY11
Regular Salaries	\$ 799,064	\$ 817,419	\$ 355,125	\$ 817,419
Personal Service Matching	\$ 303,637	\$ 307,216	\$ 136,436	\$ 307,215
Operating Expenses	\$ 517,136	\$ 984,693	\$ 517,136	\$ 984,693
Professional Fees (medical contracts)	\$2,558,724	\$2,613,725	\$2,288,292	\$2,613,725
Capital Outlay	\$ 216,121	\$ 0	\$ 216,121	\$ 0
Total Residential Services Request	\$6,263,669	\$5,049,773	\$3,513,110	\$4,723,053

## 2. Probation / Parole Field Office

Restoring 48 positions in FY10 and 69 positions in FY11 and Operating Expenses and Capital Outlay. Included in the Operating Expense is \$340,000 in FY10 and \$296,710 in FY11 for Drug Courts.

	Appropriation		Funding	
	FY10	FY11	FY10	FY11
Regular Salaries	\$2,975,376	\$3,043,636	\$1,630,156	\$2,390,220
Personal Service Matching	\$1,028,701	\$1,042,013	\$ 561,595	\$ 817,754
Operating Expenses	\$ 865,492	\$ 821,758	\$ 865,492	\$ 821,758
Capital Outlay	\$ 14,647	\$ 47,216	\$ 14,647	47,216
Total Probation/Parole Request	\$4,884,216	\$4,954,623	\$3,071,890	\$4,076,948

## 3. Administration and Support

Appropriation and General Revenue Funding for Capital Outlay for a file server for \$15,000 in FY10

## 4. Unfunded Appropriation

Total Unfunded Appropriation is \$2,693,898 in FY10 and \$877,678 in FY11 which is for 56 restored positions in FY10 and 19 positions in FY11 and Professional Service Expense of \$270,432 in FY10.

The Medical Risk Pool Request for the Department of Community Correction will be recommended from the General Improvement Fund.

## Appropriation Summary

**Appropriation:** 510 - Community Correction - State  
**Funding Sources:** HCP - Department of Community Correction Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			2010-2011		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010 Base Level	2009-2010 Agency	2009-2010 Executive	2010-2011 Base Level	2010-2011 Agency	2010-2011 Executive
Regular Salaries	5010000	35,747,703	34,999,750	38,004,254	37,635,913	42,788,769	41,410,353	38,479,156	43,750,313	42,340,220
<b>#Positions</b>		<b>1,370</b>	<b>1,152</b>	<b>1,275</b>	<b>1,152</b>	<b>1,312</b>	<b>1,269</b>	<b>1,152</b>	<b>1,312</b>	<b>1,269</b>
Extra Help	5010001	15,542	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
<b>#Extra Help</b>		<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>
Personal Services Matching	5010003	13,036,454	11,633,448	13,059,798	13,212,559	15,032,852	14,544,897	13,376,913	15,220,272	14,726,143
Overtime	5010006	12	0	150,000	0	0	0	0	0	0
Operating Expenses	5020002	10,864,470	10,337,335	10,841,264	10,337,335	14,381,203	11,719,963	10,337,335	14,291,063	12,143,786
Conference & Travel Expenses	5050009	56,958	39,400	60,721	39,400	39,400	39,400	39,400	39,400	39,400
Professional Fees	5060010	9,103,904	6,792,922	10,766,587	6,792,922	13,601,146	9,351,646	6,792,922	13,101,147	9,406,647
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	1,502,140	245,768	0	367,671	47,216
<b>Total</b>		<b>68,825,043</b>	<b>63,827,855</b>	<b>72,907,624</b>	<b>68,043,129</b>	<b>87,370,510</b>	<b>77,337,027</b>	<b>69,050,726</b>	<b>86,794,866</b>	<b>78,728,412</b>

Funding Sources										
General Revenue	4000010	68,597,520	63,065,004		67,541,483	86,868,864	74,141,483	68,549,080	86,293,220	77,349,080
Cash Fund	4000045	204,780	501,646		501,646	501,646	501,646	501,646	501,646	501,646
Merit Adjustment Fund	4000055	0	261,205		0	0	0	0	0	0
Transfer 20% Asset Forfeiture	4000500	22,743	0		0	0	0	0	0	0
<b>Total Funding</b>		<b>68,825,043</b>	<b>63,827,855</b>		<b>68,043,129</b>	<b>87,370,510</b>	<b>74,643,129</b>	<b>69,050,726</b>	<b>86,794,866</b>	<b>77,850,726</b>
Excess Appropriation/(Funding)		0	0		0	0	2,693,898	0	0	877,686
<b>Grand Total</b>		<b>68,825,043</b>	<b>63,827,855</b>		<b>68,043,129</b>	<b>87,370,510</b>	<b>77,337,027</b>	<b>69,050,726</b>	<b>86,794,866</b>	<b>78,728,412</b>

The FY08 Actual amount for Operating Expenses exceeds the Authorized amount due to a higher Authorized appropriation in FY08.  
 Actual Number of Positions may exceed the Authorized Number due to the flexibility inherent in the authorization of all positions through one salary section in the Agency's appropriation act.



## Change Level by Appropriation

**Appropriation:** 510 - Community Correction - State

**Funding Sources:** HCP - Department of Community Correction Fund

### Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>68,043,129</b>	<b>1,152</b>	<b>68,043,129</b>	<b>100.0</b>	<b>69,050,726</b>	<b>1,152</b>	<b>69,050,726</b>	<b>100.0</b>
C01	Existing Program	10,199,814	0	78,242,943	115.0	8,850,247	0	77,900,973	112.8
C02	New Program	3,167,782	37	81,410,725	119.6	2,933,943	37	80,834,916	117.1
C06	Restore Position/Approp	5,350,585	123	86,761,310	127.5	5,459,000	123	86,293,916	125.0
C08	Technology	609,200	0	87,370,510	128.4	500,950	0	86,794,866	125.7

### Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>68,043,129</b>	<b>1,152</b>	<b>68,043,129</b>	<b>100.0</b>	<b>69,050,726</b>	<b>1,152</b>	<b>69,050,726</b>	<b>100.0</b>
C01	Existing Program	3,963,326	0	72,006,455	105.8	4,286,182	0	73,336,908	106.2
C02	New Program	202,365	0	72,208,820	106.1	180,760	0	73,517,668	106.5
C06	Restore Position/Approp	5,106,778	117	77,315,598	113.6	5,210,294	117	78,727,962	114.0
C08	Technology	21,429	0	77,337,027	113.7	450	0	78,728,412	114.0

### Justification

C01	<p>The request includes the increased cost of the medical contract for the biennium and risk pool funding for FY2010. Due to the escalating cost of maintaining the "risk pool" to cover offsite, and contracted health cost, the Board of Corrections instructed DCC and ADC to negotiate with Correctional Medical Services (CMS) to produce a new pricing model, and for CMS to assume full financial responsibility for all offsite and contracted services. The FY10 per diem proposed is \$313.66 per month per inmates housed at DCC Units. The FY11 per diem is \$345.03. Due to the increased cost of fuel, utilities, food, and the medical contract – the Agency is requesting the increase in each of these categories. The request for increase in fuel is to continue to allow Probation/Parole officers to make required home and job visits to ensure that offenders are abiding by their community supervision conditions, and to transport offenders to the technical violator center, jails and the Department of Correction. The increase requested for the office leases is to accommodate the 4% increase negotiated by the Arkansas Building Authority. DCC is requesting that the funding for Transitional Housing be restored. Act 1286 of 2007 Section 15, states that the agency will spend a minimum of \$1,500,000 dollars each fiscal year for transitional housing. This also allows DCC to be in compliance with Act 679 of 2005, which established an early release program for offenders to transitional housing facilities who are approved for release but do not have an approved release plan. At the end of FY08, there were 262 offenders that had no approved release plan and would be eligible for consideration for transitional housing.</p>
C02	<p>Currently, there are 40 existing drug courts located across the State. The judges have requested expansion of the capacity of existing drug courts to accommodate the growing caseloads and funds for the 10% of the population that need residential treatment. According to the recent statistics, 86% complete the program that would have been sentenced to prison system had the program not existed. The drug court program enables offenders to remain in the community and work to support their families, as well as pay taxes. DCC is requesting thirty-seven (37) new positions to staff expansion of existing drug courts that have exceeded capacity, and establish nine (9) additional drug courts. The new drug courts will be located in Mtn. View, Melbourne, Marshall, Clinton, Salem, Ash Flat, Osceola, Hamburg and McGhee. The request includes funding for maintenance/operation, and purchase of vehicles for the requested drug court positions. A recent study indicates that drug courts are highly successful with only a 5.7% recidivism rate of graduates from the treatment components of 21 drug courts that were operating prior to July 1, 2005. The sex offender program expansion is requested to comply with Act 4 of the First Extraordinary Session of 2006 and to electronically monitor level 3 and 4 (highest degrees of seriousness concerning community postings and neighbor notification) sex offenders. Level 4 offenders are sexually violent predators. This request includes \$500,000 each year respectfully for GPS monitoring.</p>

## Change Level by Appropriation

<b>Justification</b>	
C06	<p>The agency requests to restore 123 positions - 80 parole/probation officers, 29 security officers, 13 advisors and counselors in the sex offender program, and 1 administrative program specialist. Due to the budget reduction in FY09, the centers were staffed at a minimum to provide the needed security and treatment for offenders. With the reduction in staff, security is an issue for both employees and offenders. In order to address security issues and meet American Correctional Association (ACA) Standards for accreditation (continuing best practices), the agency must be fully staffed. Restoration of the 29 security officers for the centers will return the centers to full capacity, and allow DCC to continue to meet court sentencing mandates. The impact of the reduction of these positions will be increased jail backup, increased compensatory and overtime accruals and payments; increased or excessive workload on existing staff, adversely affecting the safety and security of both staff and residents; inability to provide required in-service training; loss of ACA accreditations and licensing; and inability to deal with the physical layout of the facilities which demand certain staffing levels which affect DCC's ability to comply with the Prison Rape Elimination Act. The restoration of 80 probation /parole officer positions is needed to ensure that the caseloads for each officer are at a manageable level. With the loss of these positions, the average officer caseload is at an unmanageable level of approximately 125 per officer. This reduces the level of supervision that can be provided and increases community risks. The 80 positions brought the caseload average to 85 for one year only, with a statewide caseload of 53,444. Without these positions, the public may be adversely affected by an increase in absconders and a decreased ability to locate them; economic sanctions will be more difficult to enforce; collections will be adversely affected; and there will be a significant decrease in drug testing for substance abuse. The restoration of the 13 counselors will help with monitoring and counseling offenders, to assist with compliance with their conditions of parole and probation. This is one of the most successful program tools in parole/probation. Since implementation of this program, recidivism rates have decreased. DCC has numerous IT systems projects that require daily attention to maintain costs at a reasonable level. Restoration of the IT position will assist with the network administration, hardware maintenance, comply with state technology standards, agency automation, and resolve user issues.</p>
C08	<p>DCC has approximately 1,100 computers with over 400 being 6-9 years old. The IT plan requires computer replacement on a 3 year cycle to ensure continuance of mission critical functions eOMIS (electronic Offender Management Information System and AASIS). The request is to replace approximately 100 aged computers each year of the biennium and upgrade approximately 200 software systems from Microsoft Office 2003 to Microsoft Office 2007. DCC systems are operated through networks, internal and external, for over 56 locations statewide. The Offender Tracking System is a state of the art system which continues to evolve as the IT needs grow and new legislation impacts information to be collected and retrieved from the system. It is a system shared by two other agencies which requires regular upgrade and general maintenance to maintain functionality and meet the needs of each. These items are include in the Agency's IT Plan in the IT Support Cost in sections Future Hardware for the computers, monitors, printers, and server; and Future Software Purchases for the Office Suites and Antivirus Software; and Major Application Information for the DIS –email/internet services.</p>