

Jail Reimbursement

BUDGET DEEP DIVE



What is Jail Reimbursement?



What offenders are counted for the Jail Reimbursement program?

U.C.A. §64-13-104

1. Felony offenders sentenced to prison, but released on probation, and required to serve up to a year in jail as a condition of probation (COP).
2. Parolees on a 72-hour hold as a violation of parole.
3. Parolees or Probationers that have a sanction imposed created by the Justice Reinvestment Initiative.

Why Jail Reimbursement?

What state entity is responsible for what criminal charge?

Is one government entity subsidizing another or is it a shared workload?

Philosophies

1. Counties subsidize state work-load.
2. State subsidize county expenses.
3. Shared expense/workload.
4. Others Reasons.



Important Questions to Ask

- Are jailing costs being assigned appropriately?
- Is one government entity subsidizing another or is it a shared responsibility?
- Should the legislature set the rate at 50%? If so, should they appropriate to the statutory rate?
- Does the current structure of Jail Reimbursement create any negative consequences/incentives?
- What would happen if Jail Reimbursement ceased to exist?
- What if the state, or conversely counties, were to assume all costs for Jail Reimbursement?
- Is there an aspect of Jail Reimbursement that you would like to see measured?

How is Jail Reimbursement Calculated?

Statutory Rate

Step 1 – Department of Corrections calculates “actual daily incarceration rate”

Step 2 – Take the 3 year average

Step 3 – Statutory Jail Reimbursement rate = 50% of average rate



How is Jail Reimbursement Calculated

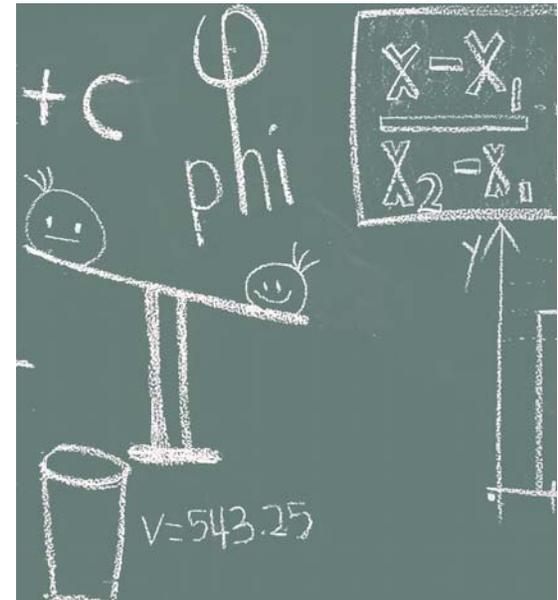
Payments

Step 1 – Decide how much money the state can appropriate to Jail Reimbursement.

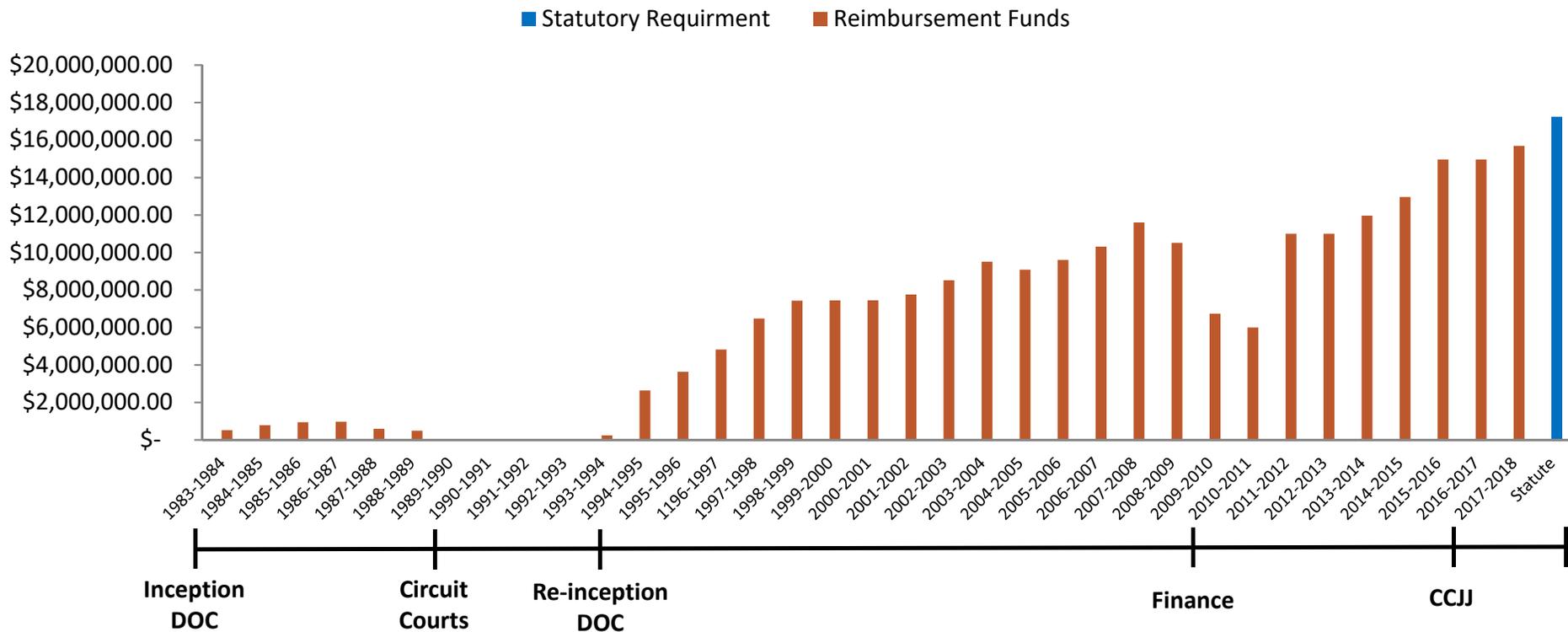
Step 2 – Collect Jail Reimbursement eligible jail days from county jails.

Step 3 – Take 5 year average of jail days.

Step 4 – Distribute total funds to jails proportionally.



History of Jail Reimbursement



Current Funding FY 2018

Ongoing - \$13,967,100

One-time - \$1,725,000

Total - \$15,692,100

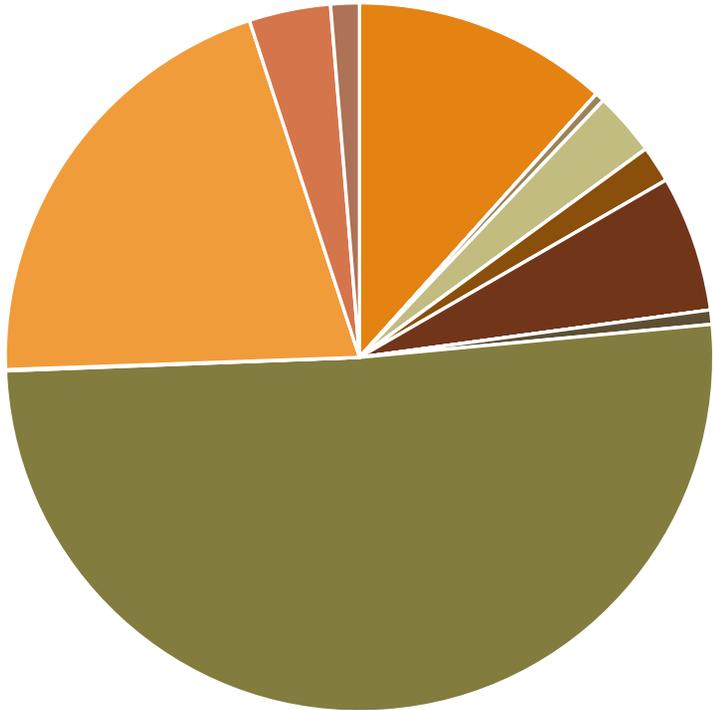
Funding necessary to meet statutory rate

- \$17,232,000



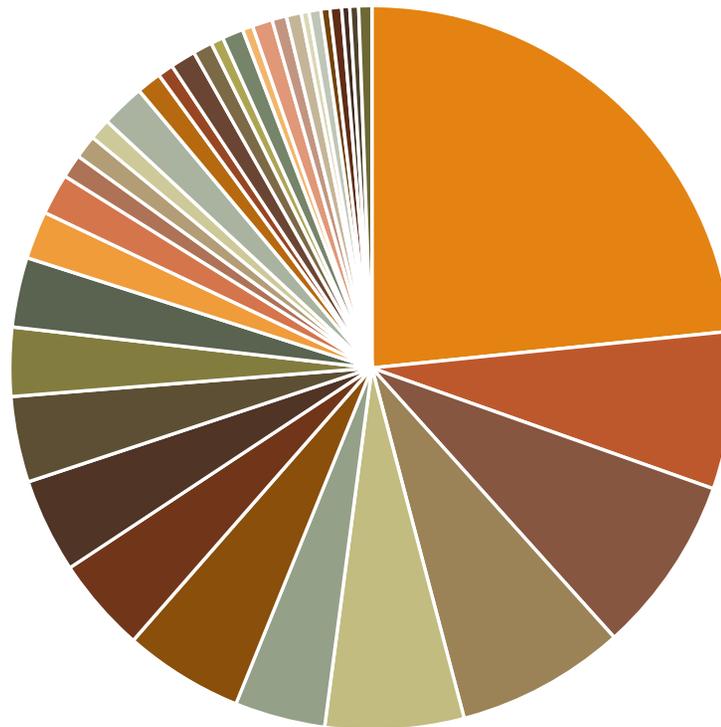
Budget Analysis – 2018 Appropriated

- Governor's Office
- Governor's Office of Management and Budget
- Commission on Criminal and Juvenile Justice
- CCJJ Jail Reimbursement



Charges Distribution

- Possession or Use of a Controlled Substance
- Poss w/Intent to Dist C/Substance
- Theft
- Distribute/Offer/Arrange Distribution of Controlled Substance
- Burglary
- Driving Under the Influence of Alcohol/Drugs
- Retail Theft (Shoplifting)



Performance Measures

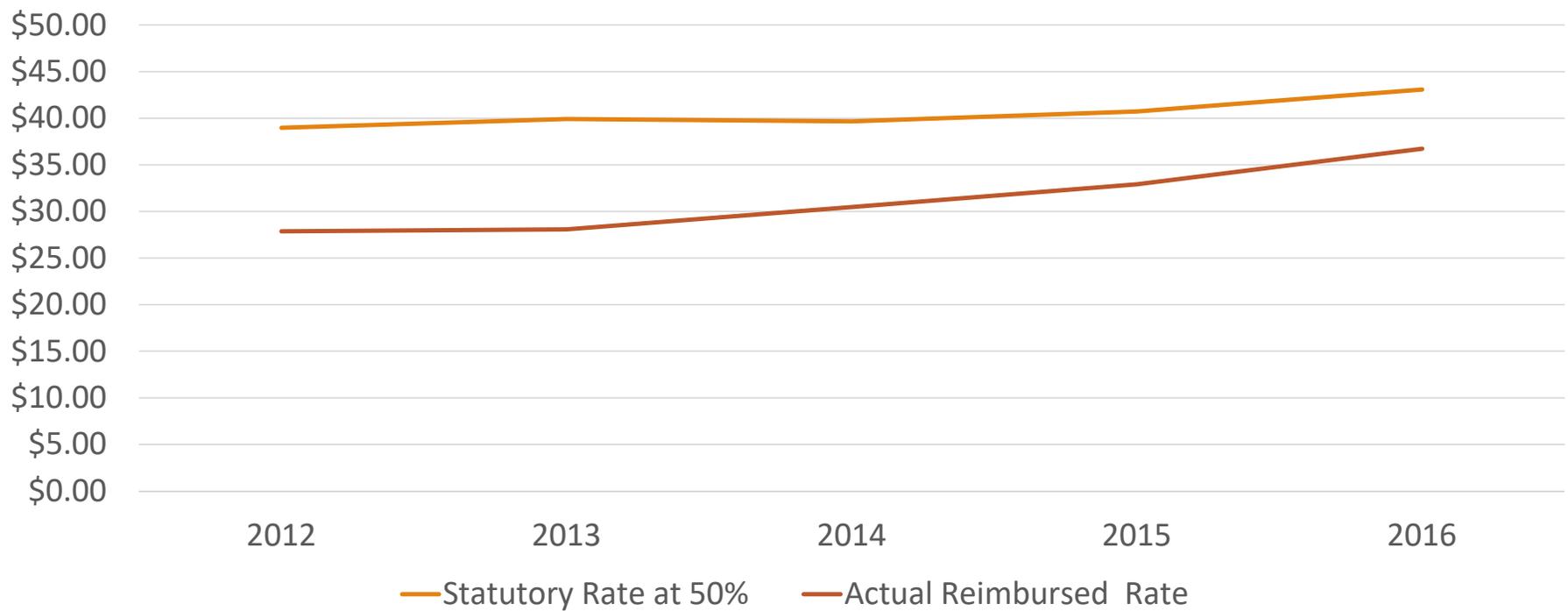
Base Budget Intent Language

“Percent of the 50 percent of the average final daily incarceration rate paid to counties (Target equal = 87 percent) by October 15th 2018.”

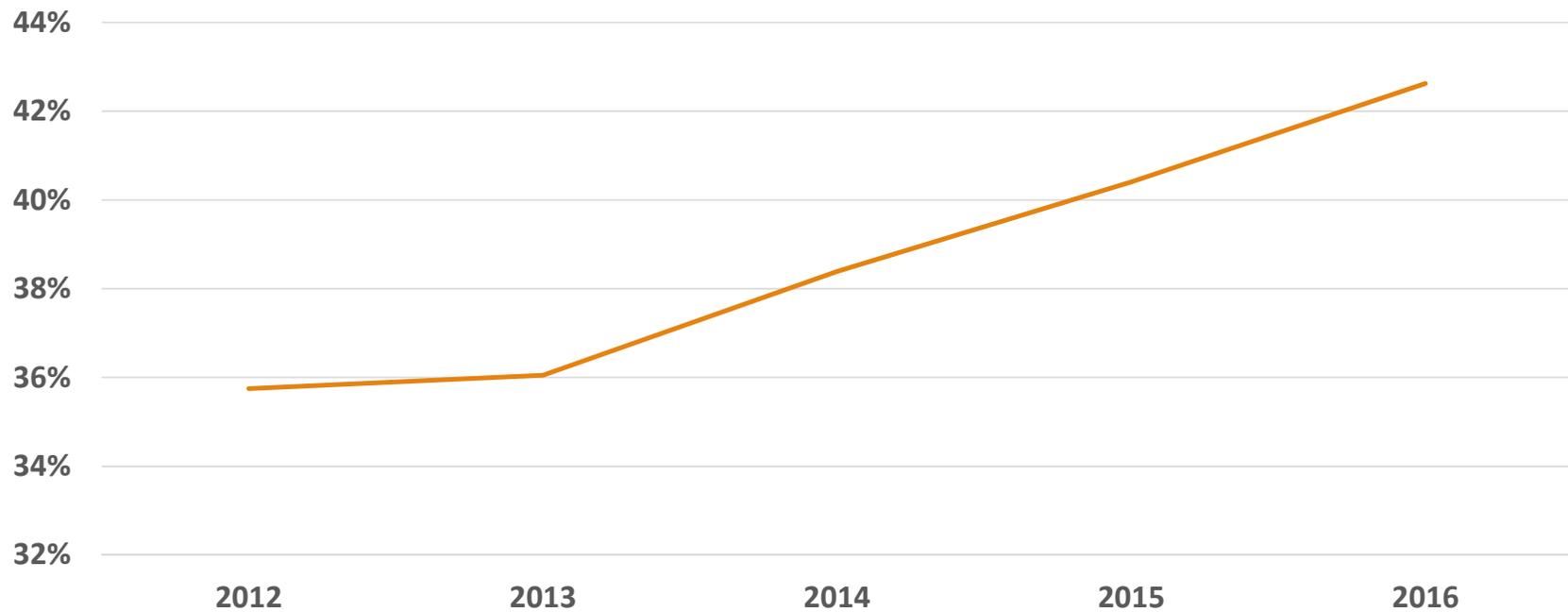
CCJJ Performance Measures

1. Number of reimbursable jail beds by fiscal year – 374,600
2. Final state daily incarceration rate – \$86.16
3. 50% Statutory rate – \$43.08
4. Actual daily rate paid - \$36.73
5. Percent of statutory rate paid – 42.63%

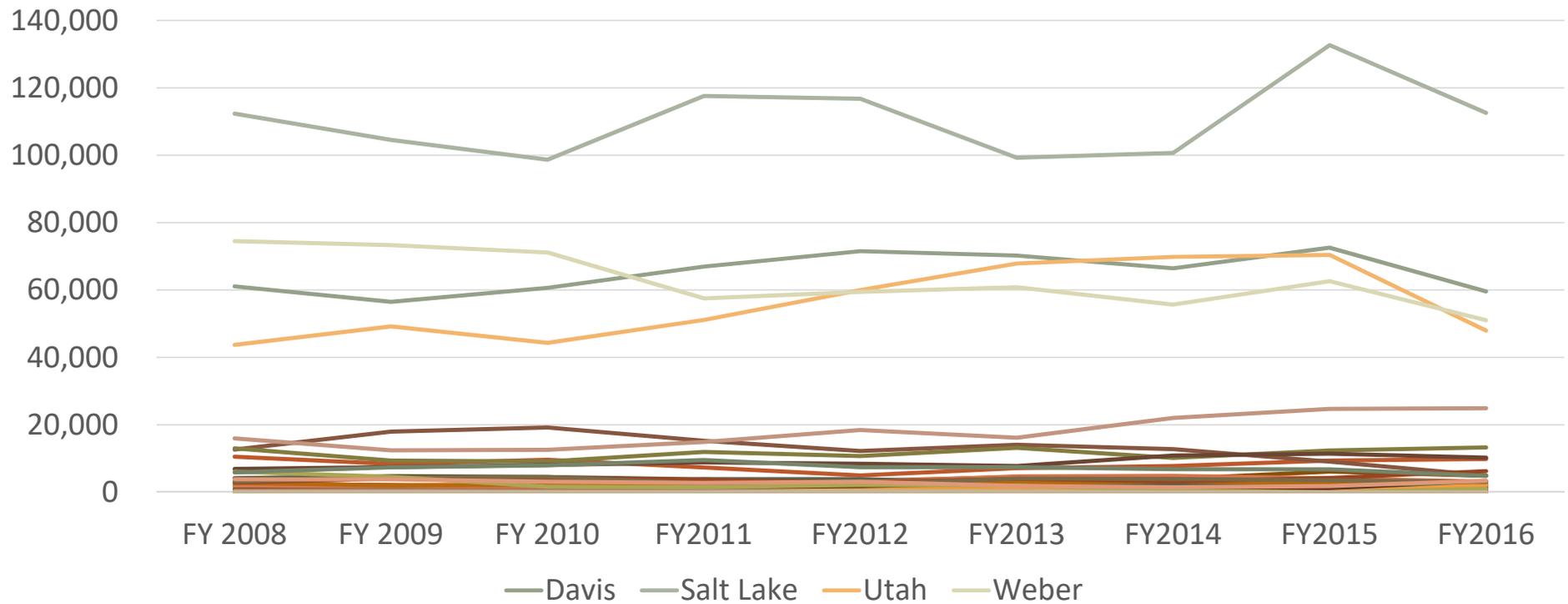
Statutory Rate Compared to Actual



Actual Percentage of Daily Incarceration Rate

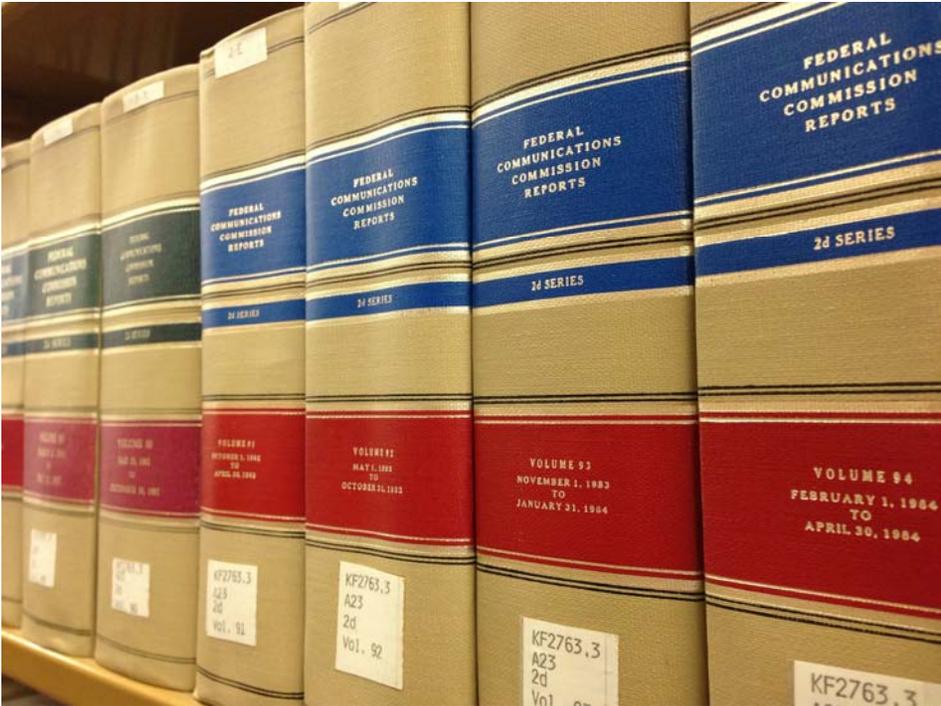


Reimbursement Distributed by County



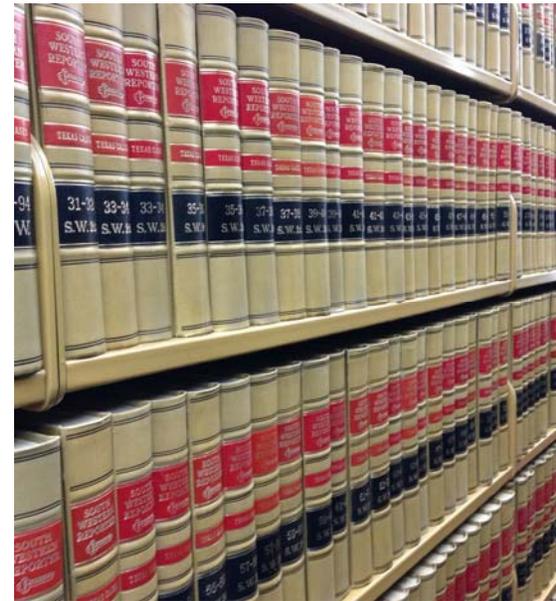
Budget/Policy Options

1. Maintain status quo - Continue to pay Jail Reimbursement and aim for 50% Statutory Rate
 - \$3,264,900 Additional Funds
2. Modify Rate/Change the 50% statutory rate
 - 100%: \$20,496,900
 - 75%: \$11,880,900
 - 50%: \$3,264,900
 - 25%: -\$5,351,100



Budget/Policy Options

3. Change program structure
 1. Incarcerate our own probationers and 72-holds - \$21,009,302 Additional Funds
 2. Incarcerate those eligible for Jail Reimbursement outside of the county of conviction (§77-18-1 8iii)
 3. Tie Jail Reimbursement funding to a different program or variable (e.g. Felons serving jail-time as a condition of probation)
 4. Require certain standards in order to get funding (i.e. JRI standards)
 5. Other changes?



Options to Fund Jail Reimbursement

- 90% Surcharge
- Criminal Asset Forfeitures
 - 24-4-117 - Encouraging cooperation between local, state, and multijurisdictional law enforcement agencies.
- Additional Jail Reimbursement Fee
- Others?

