Jail Reimbursement

OPTIONS
Main Points

1. Budget/Policy Options Intro
2. Background
3. Benefits/Challenges of Current structure
4. Budget/Policy Options
   a. Statutory Rate
   b. Block Grant
   c. Variable Options
Budget/Policy Options

1. Do nothing and keep/affirm current structure
2. Change the statutory rate
3. Convert to Block Grant Program
4. Tie Jail Reimbursement funding to a different variable
5. Require specific outcomes for funding (i.e. JRI standards)
6. Incarcerate COP and 72-holds in prison instead of jail - $21,009,302 Additional Funds
7. Incarcerate those eligible for Jail Reimbursement outside of the county of conviction (§77-18-1 8iii)
8. Other changes or combination of above options
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
Statutory Rate Compared to Actual


Statutory Rate at 50% Actual Reimbursed Rate
History of Jail Reimbursement

![Graph showing the history of jail reimbursement](image)

- **Inception**
  - DOC
  - Circuit Courts
  - Re-inception DOC

- **Finance**
- **CCJJ**

Legend:
- Orange bars: Statutory Requirement
- Red bars: Reimbursement Funds

<table>
<thead>
<tr>
<th>Year</th>
<th>Statutory Requirement</th>
<th>Reimbursement Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1983-1984</td>
<td>$0</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>1985-1986</td>
<td>$0</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>1987-1988</td>
<td>$0</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>1989-1990</td>
<td>$0</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>1991-1992</td>
<td>$0</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>1993-1994</td>
<td>$0</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>1995-1996</td>
<td>$0</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>1997-1998</td>
<td>$0</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>1999-2000</td>
<td>$0</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>2001-2002</td>
<td>$0</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>2003-2004</td>
<td>$0</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>2005-2006</td>
<td>$0</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>2007-2008</td>
<td>$0</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>2009-2010</td>
<td>$0</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>2011-2012</td>
<td>$0</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>2013-2014</td>
<td>$0</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>2015-2016</td>
<td>$0</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>2017-2018</td>
<td>$0</td>
<td>$34,000,000</td>
</tr>
</tbody>
</table>

Note: The graph and data are placeholders and should be replaced with actual values from the source.
Benefits/Challenges of Current Structure

Benefits
- A way to share costs for an decidedly shared responsibility
- Payments generally reflect direct costs that counties incur
- Condition of probation allows the judge and prosecutor additional sentencing flexibility
- Funding is calculated on a predictable formula

Challenges
- Upward funding pressure
- Potential undesirable incentive
- Funding based on inputs and not outcomes
- Point of contention between state and counties
- 72-hour holds and JRI sanctions are arguably only state costs, but only covered at the jail reimbursement rate.
Budget/Policy Options – Purpose of Money

**What is the money currently used for?**
- Only current Jail Reimbursement costs – COP, 72-hour holds, and JRI Sanctions

**What could the money be used for?**
- Any County costs related to inmate rehabilitation
- Any County costs including unrelated issues (roads, infrastructure, etc.)
Budget/Policy Options – Statutory Change

- Maintain status quo - Continue to pay Jail Reimbursement and aim for 50% Statutory Rate
  - $3,264,900 Additional Ongoing Funds

- Modify Rate/Change the 50% statutory rate
  - 100%: $20,496,900
  - 75%: $11,880,900
  - 50%: $3,264,900
  - 25%: -$5,351,100
  - 41%: $0
### Budget/Policy Options – Block Grant

- **“Block Grant” Option** – Remove formula based calculations and cap appropriation.
- Cost depends on cap agreement

<table>
<thead>
<tr>
<th>Initial Cap Agreement</th>
<th>Total Appropriation</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equal Last Year Reimbursement</td>
<td>$15,692,100</td>
<td>$1,725,000</td>
</tr>
<tr>
<td>Equal Last Year Reimbursement w/o</td>
<td>$13,967,100</td>
<td>$0</td>
</tr>
<tr>
<td>one-time appropriation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max of Reimbursable Days</td>
<td>$16,786,080</td>
<td>$1,183,980</td>
</tr>
<tr>
<td>Min of Reimbursable Days</td>
<td>$12,637,510</td>
<td>$(3,054,590)</td>
</tr>
<tr>
<td>Average of Reimbursable Days</td>
<td>$14,848,987</td>
<td>$(843,113)</td>
</tr>
</tbody>
</table>

- If there is a financial incentive for Condition of Probation (COP), and people are acting on it, this option would reduce costs of COP, and increase percentage paid per inmate.
Budget/Policy Options – Variable Options

- **Variable Options** – Should the total cost be attached to an individual variable costs?
  - **Relationship** – How strongly is the variable related to current Jail Reimbursement costs?
  - **Incentive** – Does a potentially hidden unintended incentive exist?
  - **Cost Potential** – How strong of a driver of increasing costs is the variable?

<table>
<thead>
<tr>
<th>Variable</th>
<th>Relationship</th>
<th>Incentive</th>
<th>Cost Potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jail Population</td>
<td>Strong – Jail Population is correlated with COP.</td>
<td>Negative Incentive – Counties will receive more money as inmates increase.</td>
<td>Medium – Criminality is decreasing, but general population is increasing.</td>
</tr>
<tr>
<td>County Population</td>
<td>Medium – Population counts affect the number of crimes which therefore affect COP.</td>
<td>No Incentive – Population changes regardless of decisions made in the courtroom.</td>
<td>Strong – Population counts are projected to increase.</td>
</tr>
<tr>
<td>Inflation</td>
<td>Low – Inflation is not connected to COP.</td>
<td>No Incentive – Inflation has no bearing on courtroom decisions.</td>
<td>Low – Inflation is projected to increase slower than any population growth.</td>
</tr>
<tr>
<td>Mental Health Outcomes</td>
<td>Medium – Many COP inmates are incarcerated for drug crimes.</td>
<td>Positive Incentive – Counties will be granted increased funds as outcomes improve.</td>
<td>Medium – High cost potential, but should offset other mental health funding.</td>
</tr>
</tbody>
</table>
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