

FISCAL NOTE

The bill provides alternatives to full incarceration and potential long-term savings to the state. However, the Department of Corrections (DOC) states that one rather fluid piece of this savings calculation is the Wyoming State Penitentiary (WSP) in Rawlins. As the facility continues to undergo repair and remediation of structural issues, as well as on-going staffing challenges, a unit has remained empty to allow for the internal movement of inmates to accommodate repair work underway. The DOC is not able to fully predict the timeline for repairs and staffing challenges for the next three years (FY2020, FY2021, and FY2022), and the DOC assumes its facilities will remain full, with that portion of the budget to remain the same. However, diverting 100 - 125 inmates would potentially lessen the number of inmates the DOC has to house out-of-facility, either in local jails or out-of-state contracted beds. At a rate of \$70 per day, 100 inmates' out-of-facility housing costs amounts to approximately \$2,555,000 per year (100 inmates x \$70 per day x 365 days per year).

Additionally, related to the proposed W.S. 7-13-1802(b)(vi) in the bill (incarceration in a state penal institution coupled with substance abuse treatment, cognitive-behavioral programming, or other programming), the system has experienced increasing intakes in recent years. While the overall effort in this bill is to be able to slow the rate of prison intakes due to failed probation & parole supervision, with increasing intakes there is no space available in DOC facilities to house additional inmates for this sanction level. Therefore, offenders sentenced under this provision would have to be served in contracted in-state beds. The DOC is currently paying just under \$70 per day for residential substance abuse treatment at the contracted facility (a medium custody facility). This provision, as well as additional alternative sanction provisions in the bill, would have administrative impacts on the agency.

The fiscal impact to the judicial system is indeterminable due to an unknown number of cases.

NOTICE-AGENCY ESTIMATE OF ADMINISTRATIVE IMPACT REQUESTED

This bill has administrative impact that appears to increase duties or responsibilities of one or more state agencies and may impact agency spending or staffing requirements. As introduced, the bill does not modify any state agency budget or current personnel authorizations.

The following state agencies will be asked to provide their estimate of the administrative fiscal impact prior to the first committee meeting held to consider the bill:

Department of Corrections

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