

Department of Corrections

| Expenditures By Program | FY2020 Actual | FY2021 Enacted | FY2021 Governor | Change from Enacted | | FY2022 Governor | Change from Enacted | |
|---|------------------|-------------------|--------------------|------------------------|-------------|--------------------|------------------------|--------------|
| Central Management | \$15.8 | \$16.7 | \$17.9 | \$1.2 | 7.2% | \$15.8 | (\$0.9) | -5.4% |
| Community Corrections | 15.8 | 17.5 | 17.5 | 0.1 | 0.3% | 18.8 | 1.3 | 7.4% |
| Custody and Security | 147.4 | 153.9 | 141.8 | (12.1) | -7.8% | 139.8 | (14.1) | -9.2% |
| Healthcare Services | 27.8 | 21.4 | 28.3 | 6.9 | 32.3% | 28.3 | 6.9 | 32.5% |
| Institutional Based Rehab/Population Management | 10.4 | 13.4 | 14.6 | 1.2 | 9.0% | 12.0 | (1.3) | -9.8% |
| Institutional Support | 39.1 | 30.5 | 33.4 | 2.9 | 9.5% | 26.7 | (3.8) | -12.5% |
| Parole Board | 1.4 | 1.5 | 1.6 | 0.1 | 6.9% | 1.5 | (0.0) | -2.0% |
| Total | \$257.8 | \$254.7 | \$255.0 | \$0.3 | 0.1% | \$242.8 | (\$11.9) | -4.7% |

| Expenditures By Source | FY2020 Actual | FY2021 Enacted | FY2021 Governor | Change from Enacted | | FY2022 Governor | Change from Enacted | |
|------------------------|------------------|-------------------|--------------------|------------------------|-------------|--------------------|------------------------|--------------|
| General Revenue | \$185.1 | \$163.2 | \$118.5 | (\$44.8) | -27.4% | \$233.1 | \$69.9 | 42.8% |
| Federal Funds | 53.0 | 80.6 | 125.7 | 45.1 | 55.9% | 2.2 | (78.4) | -97.2% |
| Restricted Receipts | 3.5 | 1.0 | 1.0 | 0.0 | 1.6% | 2.3 | 1.4 | 143.6% |
| Other Funds | 16.3 | 9.9 | 9.9 | - | - | 5.1 | (4.8) | -48.2% |
| Total | \$257.8 | \$254.7 | \$255.0 | \$0.3 | 0.1% | \$242.8 | (\$11.9) | -4.7% |

Authorized FTE Levels 1,416.0 1,411.0 1,411.0 - - 1,424.0 13.0 0.9%

\$ in millions. Totals may vary due to rounding.

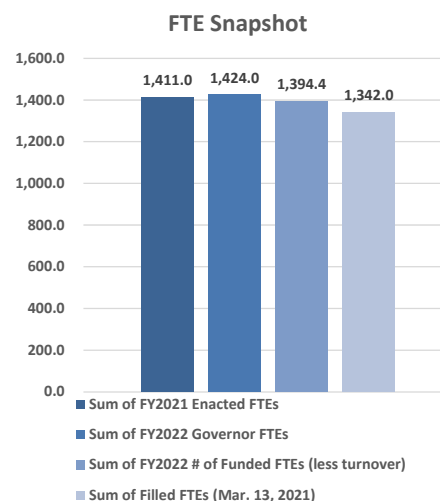
The Rhode Island Department of Corrections (DOC) provides appropriate, safe, secure, and humane control of offenders, while actively assisting and encouraging offenders to become productive and law-abiding members of the community. Additionally, the Rhode Island State Parole Board is budgeted as a unit of the Department, but has independent programmatic decision-making authority. Collectively known as the Adult Correctional Institutions (ACI), there are seven separate occupied facilities, which have a total current capacity of 3,991 beds. In FY2021, the Department has averaged 2,162 inmates (54.2 percent of capacity) housed at the ACI for the fiscal year, including 2,077 men and 85 women. The Department also provides supervision of offenders in the community (home confinement, probation, and parole).

MAJOR ISSUES AND TRENDS

The Budget includes \$242.8 million in total expenditures for FY2022, including \$233.1 million in general revenue, an increase of \$69.9 million over the FY2021 enacted level. The majority of the general revenue increase is associated with additional personnel costs being shifted back to general revenue within the Custody and Security program. The FY2021 Budget as Enacted used COVID-19 Relief funds to support personnel within Custody and Security, these funds are no longer available in FY2022.

The FY2022 Budget for the Department of Corrections is based on an estimated average daily population of 2,387 individuals, an increase of 120 from the FY2021 Budget as Enacted.

The Budget authorizes 1,424.0 FTE positions for FY2022, an increase of 13.0 FTE positions from the FY2021 Budget as Enacted. The Governor's Budget includes an additional 7.0 Community Correction Assessment Analysts to bring discharge planning services in house, 2.0 Health Program Administrators, 1.0 Co-Hospital Case Manager, and 1.0 Data Analyst within the Department's Healthcare Services Program. The Budget also adds 1.0 Apprenticeship Coordinator position to coordinate the apprenticeship program between the Department of Labor and Training (DLT) and the Department of



Corrections and 1.0 Coordinator of Employment and Training Programs to work with DLT to connect inmates with post-incarceration employment opportunities.

CENTRAL MANAGEMENT

The Central Management program houses two sub-programs, the Executive program which consists of the Office of the Director, Legal Services, and Internal Affairs, as well as the Administration Program which includes Human Resources, Management Information, Planning and Research, Policy Development and Auditing, the Training Academy and Staff Development, and Financial Resources.

| Central Management | General Revenue |
|--|------------------------|
| FY2021 Enacted | \$16,482,004 |
| <hr/> | |
| <i>Target and Other Adjustments</i> | <i>(29,025)</i> |
| Personnel | (624,433) |
| Computer and Software Operating Expenses | (292,160) |
| DLT Apprenticeship/Reentry 2.0 FTE Positions | 223,380 |
| Contract Professional Services | 58,680 |
| Centralized Service Charges | (55,951) |
| FY2022 Governor | \$15,762,495 |

Personnel **(\$624,433)**

The Governor's Budget includes a savings of \$624,433 in personnel costs. The majority of this decrease, \$604,534, is related to the transfer of the Physical Resources Unit from Central Management to the Central Distribution Center internal service fund. While this is a decrease in Central Management the transfer is budget neutral as a whole as the costs are now in the Central Distribution Center internal service fund. The Budget also includes a decrease in regular wages, the Department has experienced savings due to the retirement of a number of positions including the Deputy Chief of Legal Services, the Associate Director of Financial Resources, and the Associate Director of Planning and Research. The Budget includes a savings of \$177,000 related to the Training Unit, and assumes 40 recruits in the FY2022 class, a decrease of 20 recruits from FY2021 Enacted levels. These decreases are partially offset by an additional \$185,710 in longevity pay. The Budget includes an error that caused all funds for longevity pay in the FY2021 Budget as Enacted to be zeroed out within the Department, resulting in what appears to be an increase. The Budget also includes an additional \$127,921 to restore funding that was saved in FY2021 due to the Department's participation in the WorkShare program.

Due to the COVID-19 pandemic, the State began an Employee WorkShare Program which allowed eligible state employees to claim federal WorkShare benefits while working 60.0 percent of their regular weekly hours. Employees participated for a total of twelve weeks.

Computer and Software Operating Expenses **(\$292,160)**

The Budget includes \$334,833 for computer and software supplies and expenses, a savings of \$292,160 relative to the FY2021 Budget as Enacted. This decrease is intended to align the FY2022 Budget with actual spending in FY2020. In FY2020 the Department spent \$247,936 on computers and software.

DLT Apprenticeship/Reentry 2.0 FTE Positions **\$223,380**

The Budget includes an additional \$223,380 to support an additional 2.0 FTE positions in the FY2022 Budget. These positions include 1.0 FTE Coordinator of Employment and Training Programs and 1.0 FTE Apprenticeship Coordinator position to coordinate the apprenticeship program between the Department of Labor and Training (DLT). The Department estimates that 75.0 percent of incarcerated inmates have a high school education or higher and would be able to find work if not for being incarcerated. These positions

will work in conjunction with the Department of Labor and Training to provide collaboration and training programs to incarcerated individuals, allowing them to find employment post-incarceration.

Contract Professional Services

\$58,680

The Governor’s Budget includes an additional \$58,680 for contract professional services. The majority of this increase is related to an additional \$147,885 for IT Support Services, as the Department is moving their Common Business Oriented Language (COBOL) reporting system to a new platform. This increase is partially offset by a decrease of \$55,605 for clerical services, related to the elimination of temporary clerical support throughout the Department, as well as a decrease of \$21,100 for Doctors and Dentists and \$21,100 for University/College Services to align the Budget with FY2020 actual expenditures.

Centralized Service Charges

(\$55,951)

The Budget includes \$6.1 million in general revenue expenditures for Information Technology, Capital Assets Management, and Human Resource Service Center projected costs in FY2022. This is a decrease of \$55,951 from the FY2021 Budget as Enacted amount of \$6.2 million. The FY2018 Budget as Enacted authorized the Governor to establish centralized accounts for information technology, capital asset management and maintenance, and human resources. In FY2019 these expenditures were reflected in each agency based on actual use, thereby showing the true costs associated with a particular program or agency. The Budget decreases these costs for FY2022.

| Centralized Service Charges | FY2021 Enacted | FY2022 Governor | Change from Enacted | |
|------------------------------------|---------------------------|----------------------------|--------------------------------|--------------|
| Information Technology | \$3,970,505 | \$4,057,171 | \$86,666 | 2.2% |
| Capital Asset and Management | - | - | - | - |
| Human Resources | 2,209,350 | 2,066,733 | (142,617) | -6.5% |
| Total | \$6,179,855 | \$6,123,904 | (\$55,951) | -0.9% |

COMMUNITY CORRECTIONS

The Community Corrections program is responsible for supervising offenders serving portions of their sentence under probation, parole, or community confinement, and also provides certain services to victims of crimes. The Probation and Parole unit provides supervision and services for individuals under the jurisdiction of the courts or Parole Board, and attempts to successfully reintegrate individuals from incarceration back into the community. Community Confinement provides supervision to individuals sentenced to “house arrest” by the courts and can include work-release supervision. Community Corrections uses electronic monitoring as a primary component of its supervision strategy. Victim Services provides 24-hour per day automated information about offender status and victim advocacy services, including crisis intervention, referral, and case management.

| Community Corrections | General Revenue |
|-------------------------------------|------------------------|
| FY2021 Enacted | \$17,354,335 |
| <i>Target and Other Adjustments</i> | <i>11,866</i> |
| Personnel | 1,434,788 |
| Justice Reinvestment Initiative | (157,020) |
| Community Corrections Population | Informational |
| FY2022 Governor | \$18,643,969 |

Personnel

\$1.4 million

The Budget includes an increase of \$1.4 million in general revenue for personnel costs. The majority of this increase, \$704,468, is related to longevity pay. The FY2021 Budget as Enacted includes an error that caused

all funds for longevity pay to be zeroed out within the Department, resulting in what appears to be an increase. The Budget also includes an increase of \$393,550 for adjustments to retirement and healthcare costs; \$472,204 for turnover to reduce overall turnover savings from \$814,906 in the FY2021 Budget as Enacted to \$342,702; an additional \$109,050 in overtime funding to align with FY2020 actual costs; and, an additional \$21,408 for Correctional Officer Briefings and Stipend Payments. The Budget also includes an additional \$314,636 to restore funding that was saved in FY2021 due to the Department's participation in the WorkShare program. These increases are partially offset by a decrease of \$255,474 in regular wages based on FY2020 actual costs and current vacancies and a decrease of \$10,779 related to holiday pay.

Due to the COVID-19 pandemic, the State began an Employee WorkShare Program which allowed eligible state employees to claim federal WorkShare benefits while working 60.0 percent of their regular weekly hours. Employees participated for a total of twelve weeks.

Justice Reinvestment Initiative

(\$157,020)

The Budget includes \$398,436 in general revenue funding for the Justice Reinvestment Initiative, a decrease of \$157,020 from the FY2021 Budget as Enacted. The majority of this decrease includes a savings of \$108,958 in turnover and \$53,810 in professional services.

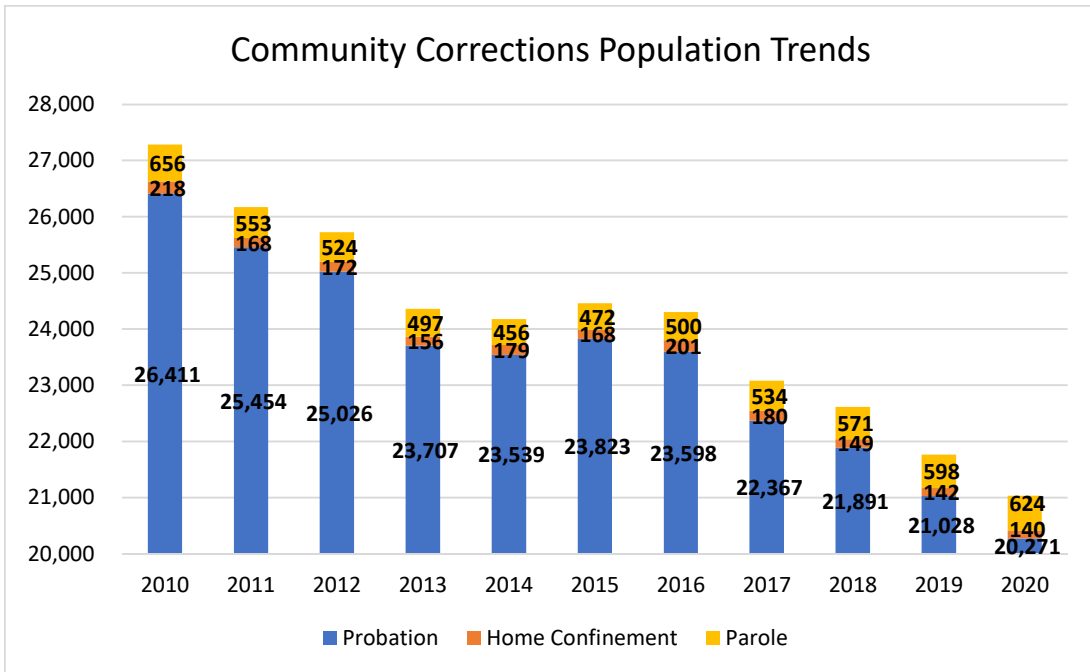
Historically, the Budget has included \$600,000 in general revenues for the Justice Reinvestment initiative to deliver cognitive behavioral therapy services to probationers and paroles; however, the Department has not used all of the funding, spending only \$225,475 in FY2020. The Department awarded the cognitive behavioral therapy (CBT) contract to Community Solutions in FY2018 to train staff in evidence-based programming to support about 800 probationers and paroles, who have a higher rate of recidivism. Community Solutions was unable to correctly provide the services required by the Department, and as a result the Department was unable to spend all the funding allocation. The Department has changed vendors since FY2018 and currently uses AdCare.

The Justice Reinvestment Initiative was created by the Governor through Executive Order 15-11, as a working group to “examine investments that would break the cycle of crime and incarceration and improve public safety.” The working group was composed of 26 members representing three branches of government and several non-profit advocacy organizations in consultation with the Council of State Governments Justice Center, a non-profit organization that specializes in assisting government leaders in the analysis of justice systems. With the goal of reducing recidivism rates, the group identified three issue areas which presented the greatest challenges, particularly in the management of the pre-trial population: outdated probation policies; ineffective probation practices; and, insufficient assessment and diversion tools. Justice Reinvestment identified these issues as the primary drivers of recidivism costs and developed solutions intended to reduce recidivism.

Community Corrections Population

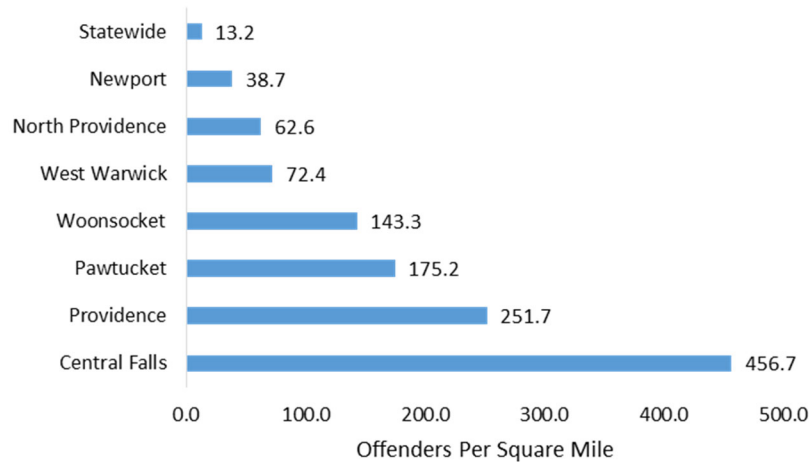
Informational

While representing only 7.7 percent of the Department's general revenue budget for FY2022, Community Corrections serves the largest number of individuals. In FY2019, the program served 21,768 cases, 843 less cases than FY2018. Based on Department of Corrections' statistics, 1 out of every 53 adult residents in the State is on probation or parole. This equates to 1 of every 30 men and 1 of every 169 women.



The number of cases in the State’s urban areas is substantially higher than the statewide average. Statewide there are an average of 13.2 probationers and parolees per square mile. This increases to a high of 457 probationers and parolees per square mile in the City of Central Falls.

Probationers and Parolees by Square Mile
as of December 31, 2020



Source: Department of Corrections

CUSTODY AND SECURITY

The Custody and Security program is responsible for the secure custody and control of the State’s inmate population to ensure the safety of staff, inmates, and the general public. The program manages six correctional institutions and one jail complex, all located in Cranston at the Pastore Center. Men’s facilities include High Security, Maximum Security, the John J. Moran Medium Security Prison, the currently closed

Donald Price Medium Security facility, Minimum Security, and the Intake Center. Women are housed in the Gloria McDonald. Some female inmates were previously housed in the Bernadette Guay facility; however, this facility was closed in FY2017. The program is the largest within the Department and is divided into two sub-programs: Custody, which includes all staff, activities, and food service within the facilities under care of their respective Wardens, and the Security sub-program which includes the Central Office Warden, the Correctional Emergency Response Team, Facility Security Audit Teams, Crisis Intervention Teams, Special Investigations Unit, the Canine Unit, and a Department Armorer.

| Custody and Security | General Revenue |
|--------------------------------------|------------------------|
| FY2021 Enacted | \$74,341,951 |
| <i>Target and Other Adjustments</i> | <i>\$2,074,815</i> |
| COVID-19 Relief Funds | 71,390,922 |
| Personnel | (5,969,459) |
| Modular Closures | (3,136,256) |
| Workshare | 30,865 |
| Minimum Security Population Decrease | (17,260) |
| Inmate Population | Informational |
| FY2022 Governor | \$138,715,578 |

COVID-19 Relief Funds **\$71.4 million**

The Budget includes an additional \$71.4 million in general revenues for personnel within Custody and Security. The FY2021 Budget as Enacted included \$71.4 million in federal COVID-19 Relief Funds that the Department was able to use for personnel funding, specifically for Correctional Officers.

Personnel **(\$6.0 million)**

The Budget includes a general revenue decrease of \$6.0 million related to personnel costs within Custody and Security. The majority of this decrease is related to an \$8.7 million savings in overtime savings for Correctional Officers (CO). The Department anticipates onboarding two new CO classes before the start of FY2022 and one additional CO class in FY2022 that will be included for 15 pay periods. The Budget also includes a decrease of \$145,558 related to changes in health insurance and retirement benefits. These decreases are slightly offset by a regular wages increase of \$1.2 million to support the additional CO positions and a decrease in turnover costs. The FY2021 Budget as Enacted included \$3.8 million in turnover savings, the Governor’s Budget increases this amount by \$2.8 million leading to a total turnover savings of \$1.0 million in FY2022.

Modular Closures **(\$3.1 million)**

The Budget includes \$3.1 million in savings related to the closure of multiple modules across the Department’s facilities. The Governor anticipates that the Department will be able to close 13 modules for six months. The modules include seven in Intake, two in the Women’s Facility, two double modules in Medium Security, and two modules at Maximum. The Budget has based these closures off of the operational capacity and the average actual population in each facility.

As of March 2021, the Intake Center was at 67.1 percent capacity, the Women’s Facility was at 38.4 percent, Medium Security was at 63.3 percent, and Maximum Security was at 77.1 percent.

Workshare **\$30,865**

The Budget includes an additional \$30,865 to restore funding that was saved in FY2021 due to the Department’s participation in the WorkShare program.

Due to the COVID-19 pandemic, the State began an Employee WorkShare Program which allowed eligible state employees to claim federal WorkShare benefits while working 60.0 percent of their regular weekly hours. Employees participated for a total of twelve weeks.

Minimum Security Population Decrease (\$17,260)

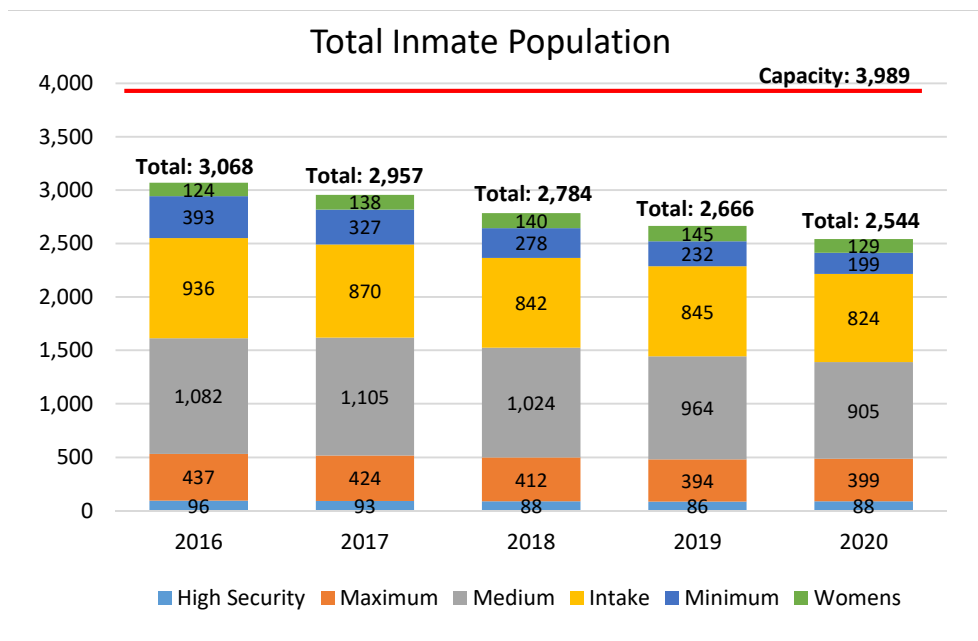
The Budget includes a savings of \$17,260 related to an anticipated decrease in the population at Minimum Security. The Governor assumes that approximately 3.0 percent of the current Minimum Security population, about 21 inmates, will be able to be moved to home confinement.

Article 3 of the Governor’s Budget updates the thresholds for which inmates will be eligible for home confinement after having served specific portions of their term of incarceration. Under current law, people sentenced to six months or less of incarceration are eligible for home confinement upon completion of 3/4ths of their sentence. People with longer sentences are eligible once they are six months from their projected release date, as long as they have served at least one-half (1/2) of their term of incarceration. The amendment would update these thresholds such that people sentenced to six months or less must serve one-half (1/2) of their term of incarceration, people with more than six months must be within one year of their anticipated release date. These changes would allow low-risk inmates to move to home confinement sooner, decreasing costs associated with housing an inmate.

Inmate Population Informational

The Department’s budget is largely influenced by the number of inmates in its custody at any given time. As the Department does not control the number of inmates entering or leaving its care, its budget is in large part a reflection of overall judicial and prosecutorial policies in the State. Factors may include legislative mandates requiring minimum sentences, variances in sentencing policies based on the judges, and/or prosecution or defense counsel involved in cases.

The Department of Corrections’ Budget was based on an average daily population of 2,267 for the FY2021 Revised Budget, consistent with the FY2020 Enacted level. For FY2022, the Budget assumes a population of 2,387 individuals, an increase of 120 inmates from the FY2021 Budget as Enacted.



HEALTHCARE SERVICES

The Healthcare Services program is constitutionally mandated to provide medical, dental, and mental health service provision to all inmates. According to the Department, the inmate population is more likely than the general population to have infectious diseases and other conditions. About 1.0 percent of the inmate population is HIV positive, 25.0 percent is infected with Hepatitis C, 15.0 percent have mental health illnesses, and 70.0 to 90.0 percent have histories of substance abuse.

| Healthcare Services | General Revenue |
|---------------------------------------|------------------------|
| FY2021 Enacted | \$20,527,893 |
| <i>Target and Other Adjustments</i> | <i>(213,416)</i> |
| COVID-19 Relief Funds | 4,962,511 |
| Transitional Care Unit | 750,000 |
| Personnel | (593,853) |
| Healthcare Services 4.0 FTE Positions | 489,082 |
| Geriatric Parole | (75,000) |
| FY2022 Governor | \$25,847,217 |

| Healthcare Services | Other Funds |
|---|--------------------|
| Opioid Stewardship Fund (restricted receipts) | \$1,427,909 |

COVID-19 Relief Funds **\$4.9 million**

The Budget includes an additional \$4.9 million in general revenues for personnel within Custody and Security. The FY2021 Budget as Enacted included \$4.9 million in federal COVID-19 Relief Funds that the Department was able to use for personnel funding for healthcare services. This increase in general revenue results in an equal decrease in federal funds related to the expenditure of all relevant COVID-19 relief funds in FY2021.

Transitional Care Unit **\$750,000**

The Governor's Budget includes \$750,000 in general revenue to support the planning and creation of a Transitional Care Unit (TCU). Currently, the Department cares for severely and persistently mentally ill (SPMI) patients in the Residential Treatment Unit (RTU) at High Security. The RTU is able to house up to 16 patients but often only houses between eight to ten due to security issues. The Department lacks a step-down program for the RTU to help patients integrate from the RTU back into the general population. The TCU is intended to bridge this gap and treat individuals whose needs do not rise to the level or care required in the RTU but who would still benefit from mental health care.

Phase one of this project, focusing on strategic development, is intended to take place in FY2022.

Personnel **(\$593,853)**

The Budget includes a reduction of \$593,853 for personnel costs within the Healthcare Services program. The majority of this decrease is related to an additional \$741,982 in turnover savings as well as a \$154,531 decrease in healthcare and retirement costs and \$129,629 in savings related to holiday pay, Correctional Officer briefings and stipend payments. These decreases are partially offset by an additional \$254,885 in regular wages, mainly within nursing services. This increase is intended to allow the Department to fill and retain more nursing positions as they currently experience a high rate of attrition due to low wages. The Budget also includes an additional \$125,304 for overtime costs, and \$52,100 for longevity pay related to the error that caused all funds for longevity pay in the FY2021 Budget as Enacted to be zeroed out within the Department, resulting in what appears to be an increase.

Healthcare Services 4.0 FTE Positions**\$489,082**

The Budget includes an additional \$489,082 in general revenue to support an additional 4.0 FTE positions within Healthcare Services. These positions include 1.0 FTE Health Program Administrator to oversee a detox unit and working with the Department's geriatric, hospice and high-risk patients; 1.0 FTE Health Program Administrator to work as a practice manager who would work on identifying areas of contract over or under spending; 1.0 FTE Correctional Officer Hospital Case Manager to connect patients with their families and resources needed for discharge planning; and, 1.0 FTE Data Analyst who will have training in health or epidemiology and be devoted to data collection and interpretation of diseases. The Governor's Budget anticipates that allowing the Department to fill these additional positions will result in savings in medical expenditures and Correctional Officer overtime.

Geriatric Parole**(\$75,000)**

The Budget includes a savings of \$75,000 in general revenue related to geriatric parole. Article 13 of the Governor's Budget expands medical parole within the Department of Corrections to include geriatric parole. Currently, medical parole includes inmates who are permanently, physically incapacitated, and terminally or severely ill but does not include elderly inmates.

Geriatric parole would be available to inmates whose advanced age reduces the risk they pose to the public's safety. All inmates above age 65, except those serving life without parole, will be eligible for geriatric parole. All parole decisions must go through the Department's Parole Board. The Department's Medical Director has identified 28 inmates that could be eligible for medical parole in FY2022, with 12 of the inmates considered highly eligible. This change is anticipated to save a total of \$150,000 in FY2022, \$75,000 of this savings is related to a decrease in hospital treatment costs and the remaining \$75,000 is related to per-diem savings spread across a number of expenditure categories.

Seventeen states currently have geriatric parole. Massachusetts and Connecticut are not among these states; however, inmates in Connecticut who are eligible for medical parole may be paroled to a private nursing home that receives federal funds to help support their care.

Opioid Stewardship Funds (restricted receipts)**\$1.4 million**

The Budget includes \$2.3 million in restricted receipts from the Opioid Stewardship Fund (OSF), an increase of \$1.4 million from FY2021 Enacted levels. The OSF is comprised of registration fees paid by manufacturers and distributors of opioids. The Department will use this funding to support substance use disorder treatment and recovery services to help inmates accept responsibility for their crimes and reduce rates of relapse and recidivism. Funds will also be used to support the Medication Assisted Treatment (MAT) program which, beginning in 2016, provides buprenorphine, naltrexone, and methadone to incarcerated individuals with an opioid use disorder.

INSTITUTIONAL BASED REHABILITATION/POPULATION MANAGEMENT

The Institutional Based Rehabilitation/Population Management program handles educational and vocational training; Correctional Industries; case management services; inmate treatment services, including substance abuse and counseling and other services; and, reentry services, including discharge planning and reentry assistance.

Correctional Industries provides inmate labor and work crews, and certain manufactured items. Correctional Industries services are provided centrally to all state departments and agencies as well as to municipalities. State law requires the State and municipalities to solicit bids from Correctional Industries when soliciting labor and/or supplies offered under the program. The operational cost of the program is

shown on a centralized basis for informational purposes (internal service funding), but the actual costs are reflected in the operating budgets of user agencies.

| Institutional Based Rehab/Population Management | General Revenue |
|--|------------------------|
| FY2021 Enacted | \$12,482,524 |
| <i>Target and Other Adjustments</i> | 37,656 |
| Substance Abuse Treatment | (1,919,614) |
| Personnel | 461,533 |
| Discharge Planning Services | 101,770 |
| FY2022 Governor | \$11,163,869 |

Substance Abuse Treatment **(\$1.9 million)**

The Budget includes \$1.3 million in general revenue for substance abuse treatment services, including the Medication Assisted Treatment (MAT) program, a decrease of \$1.9 million relative to the FY2021 Budget as Enacted. The decrease represents a shift to fund other substance use disorder treatments through the Opioid Stewardship Funds within the Healthcare Services program.

The Budget includes a total of \$3.6 million in general revenue and restricted receipt funding in both Institutional Based Rehabilitation/Population Management and Healthcare Services for all substance abuse treatments. This represents an all funds decrease of \$491,705 from the FY2021 Budget as Enacted.

Analyst Note: The Department's FY2022 Budget Request inadvertently excluded about \$800,000 in funding for substance abuse treatments. The Department intends to request the appropriate funding level in the revised budget.

Personnel **\$461,553**

The Budget includes an additional \$461,553 in general revenue related to personnel costs. The majority of this increase is for an additional \$158,772 in longevity pay. The Budget includes an error that caused all funds for longevity pay in the FY2021 Budget as Enacted to be zeroed out within the Department, resulting in what appears to be an increase. The Budget also includes an additional \$103,279 to restore funding that was saved in FY2021 due to the Department's participation in the WorkShare program. The remaining \$199,488 increase is related to increases in salaries for employee promotions as well as adjustments to healthcare and retirement costs.

Due to the COVID-19 pandemic, the State began an Employee WorkShare Program which allowed eligible state employees to claim federal WorkShare benefits while working 60.0 percent of their regular weekly hours. Employees participated for a total of twelve weeks.

Discharge Planning Services **\$101,770**

The Budget includes a net increase of \$101,770 in general revenue for an initiative to move discharge planning services from an outside vendor to an in-house Discharge Planning unit. Previously, discharge planning services were provided by an outside vendor, Community Solutions, this contract was terminated in April 2020. Since the vendor contract was terminated, employees within the Department who are not trained as planners are providing discharge services in addition to their regular workload. The Department believes that bringing discharge planning services fully in-house will allow for an uninterrupted continuum of services to inmates prior to their release. It would also allow the Department to better monitor the services provided and correct any issues that were found.

The Budget includes an additional 7.0 FTE Community Correction Assessment Analysts positions for this initiative. Currently, 4.0 FTE positions have been hired and are anticipate to begin working in the Spring of 2021. The additional 3.0 FTE positions are anticipated to be hired by July 2021 requiring a full year of

funding in FY2022. The Budget includes an additional \$333,365 in general revenue and \$155,458 in federal funds to support the additional positions. The Budget also includes an additional \$112,000 for required time-tracking software. These increases are partially offset by a savings of \$343,875 for the elimination of the current discharge planning contract.

INSTITUTIONAL SUPPORT

The Institutional Support program is divided into three sub-programs: the Food Services sub-program, which is responsible for the procurement and preparation of nutritionally-balanced foods for all inmates; the Facilities and Maintenance sub-program, responsible for all maintenance and repairs to the Department’s buildings on the Pastore Complex; and, the Classification sub-program, which divides inmates into groups based on their needs.

| Institutional Support | General Revenue |
|--|------------------------|
| FY2021 Enacted | \$20,623,117 |
| <hr/> | |
| <i>Target and Other Adjustments</i> | <i>180,453</i> |
| Personnel | 1,347,166 |
| Centralized Service Charges- Facilities Management | (648,318) |
| Population Related Increase | 77,825 |
| FY2022 Governor | \$21,580,243 |

Personnel \$1.3 million

The Budget includes an additional \$1.3 million for personnel costs within the Institutional Support program. The majority of this increase is related an additional \$834,004 in funding for the food services unit to bring costs in line with FY2020 actuals. The Budget includes \$120,378 in longevity pay. The FY2021 Budget as Enacted includes an error that caused all funds for longevity pay to be zeroed out within the Department, resulting in what appears to be an increase. The Budget also includes an additional \$47,613 to restore funding that was saved in FY2021 due to the Department’s participation in the WorkShare program. The remaining \$345,171 increase is related to increases in salaries for employee promotions as well as adjustments to healthcare and retirement costs.

Due to the COVID-19 pandemic, the State began an Employee WorkShare Program which allowed eligible state employees to claim federal WorkShare benefits while working 60.0 percent of their regular weekly hours. Employees participated for a total of twelve weeks.

Centralized Service Charges- Facilities Management (\$648,318)

The Budget includes \$7.3 million for centralized service costs related to facilities management, a decrease of \$648,318 from the FY2021 Enacted Budget. The increase reflects the actual cost of the centralized services used by the Department.

The FY2019 Budget centralized several statewide services in the Department of Administration. These include accounts for information technology, capital asset management and maintenance, and human resources.

Population Related Increase \$77,825

The Budget includes a net increase of \$77,825 due to population and per-diem related expenses, which fluctuate depending on the number of inmates. The FY2021 Enacted Budget was based on a population of 2,267 inmates. The FY2022 Budget is based on 2,387 inmates, an increase of 120 inmates. This increase leads to an additional \$266,040 in funding for the additional inmates.

The increase is partially offset by a decrease of \$188,215 related to probation and parole reforms in Article 13. The article makes a number of changes to probation and parole including:

- **Probation Violation:** Article 13 amends RIGL 12-19, Sentence and Execution, to limit probation revocation as a response to technical violations when the violation does not constitute a new alleged crime. The Department of Corrections' Division of Rehabilitative Services will be able to use their discretion when deciding to revoke parole and requiring a defendant to appear in court. This will not apply in cases where a defendant poses a public safety risk. If the Division of Rehabilitative Services does revoke probation for a technical violation, a finding must be made on the record to describe the public safety risk posed by the defendant.
- **Technical Violation:** The article expands the Parole Board's discretion to respond to technical violations of parole without requiring the re-arrest of the parolee when there is no new criminal charge. The Parole Board may, at their discretion, issue an arrest warrant for the parolee in response to a technical violation. The amendment will help prevent parole revocation and re-incarceration for low-risk parolees. The article also allows the alleged violator to waive their right to a final parole revocation hearing, if there is no dispute as to the alleged violation and the parolee admits to the violation and accepts the sanction imposed by the Parole Board.

This expansion of the Parole Board's discretion, as well as changes to probation violations detailed above, are anticipated to save \$46,046 in general revenue per-diem savings.

- **Juvenile Parole:** Section 2 of Article 13 amends RIGL 13-8-14.2 to match the Department of Corrections Parole Board's existing guidelines which include special considerations for incarcerated inmates who committed crimes as juveniles younger than 18 years old. The Parole Board adopted the special consideration guidelines in 2018. The guidelines require the consideration of circumstances such as diminished culpability of juveniles, growth and maturation during incarceration, participation in rehabilitation and educational programs while incarcerated, age and immaturity at the time of offence, and evidence of remorse.

The article also amends RIGL 13-8-13 to allow inmates who are given longer sentences for crimes committed before the age of 22 to be considered for earlier parole after ten years of incarceration. This will be retroactive for offenses occurring on or after January 1, 1991. This will not apply to inmates serving a sentence of life without parole.

The Department estimates that 22 juveniles are potentially eligible for parole due to these changes and anticipates \$17,268 in general revenue per diem savings in FY2022.

- **Compliance Credits:** Section 3 of Article 13 amends RIGL 13-8-11 such that, beginning July 1, 2021, eligible people on parole would be allowed to earn five days of compliance credits toward the completion of their sentence for each month served without a violation. Eligible paroles include any offender who is serving post-incarceration parole except those who are serving a sentence for a violation of felony sexual assault or murder, first degree sexual assault, kidnapping of a minor, child molestation sexual assault, or second degree child molestation assault.

The article also amends RIGL 42-56-24 to allow those serving a probation sentence of one year or longer, including those who are serving a probation sentence after serving an incarceration sentence, to be eligible to receive a compliance credit of 10 days for each month that the person remains in compliance with the terms and conditions of their probation. This will only apply to those who have served at least three years of their probation sentence.

Changes to compliance credit eligibility is anticipated to save the Department \$46,866 in general revenue per-diem costs in FY2022.

PAROLE BOARD

The Parole Board is a six-member commission, appointed by the Governor that is charged with evaluating and authorizing the early release of inmates who meet certain conditions. The Department determines eligibility criteria, including that inmates must serve at least one-third of their sentence prior to being eligible for parole and must meet defined criteria post-parole and for the duration of their sentence. The Parole Board has one sub-program, the Sex Offender Community Notification (SOCN) Unit. The SOCN Unit is intended to support the sex offender leveling process, notification of the community, and provides support to the Rhode Island Sex Offender Board of Review, the RI Sex Offender Registry, state and local police, as well as the public.

| Parole Board | General Revenue |
|-------------------------------------|------------------------|
| FY2021 Enacted | \$1,434,820 |
| <i>Target and Other Adjustments</i> | <i>(23,271)</i> |
| Clerical Services | (50,324) |
| Personnel | 40,890 |
| FY2022 Governor | \$1,402,115 |

Clerical Services **(\$50,324)**

The Budget includes a decrease of \$50,324 related to the elimination of temporary clerical support throughout the Department. Clerical services were often provided by temporary employees while full-time employees are out on leave. The Budget eliminates all temporary clerical support services in FY2022.

Personnel **\$40,890**

The Budget includes an additional \$40,890 for personnel costs within the Parole Board. The majority of this increase, \$36,211 is to restore funding that was saved in FY2021 due to the Department's participation in the WorkShare program. The remaining \$4,679 increase is related to increases in salaries for employee promotions as well as adjustments to healthcare and retirement costs.

Due to the COVID-19 pandemic, the State began an Employee WorkShare Program which allowed eligible state employees to claim federal WorkShare benefits while working 60.0 percent of their regular weekly hours. Employees participated for a total of twelve weeks.

CAPITAL PROJECTS

The Budget includes \$9.9 million in RICAP funds in FY2021, consistent with enacted levels, and \$5.1 million in FY2022, a decrease of \$4.8 million from enacted levels. The Governor's FY2020 Budget consolidated all RICAP projects and funds for the DOC into one asset protection project. The General Assembly did not concur with this consolidation and instead created two separate appropriations, asset protection and facilities management. Creating two broad and separate accounts is intended to provide the Department with more flexibility to spend RICAP funding as needed.

In FY2022 all RICAP funding will be used for asset protection projects. Current asset protection projects include, domestic hot water distribution, security upgrades and security camera installation to keep the Department's facilities up to code.