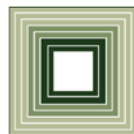




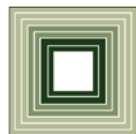
# Joint Meetings of the House and Senate Appropriations Committee on Justice and Public Safety



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly



# **Joint Appropriations Committees on Justice and Public Safety DPS Overview & Prisons February 25, 2021**



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

# JPS Contact Information

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## Fiscal Research Division (919) 733-4910

William Childs – [William.Childs@ncleg.gov](mailto:William.Childs@ncleg.gov)

*DPS – Prisons, Community Corrections, and Correction Enterprises*

Morgan Weiss – [Morgan.Weiss@ncleg.gov](mailto:Morgan.Weiss@ncleg.gov)

*AOC, IDS, DPS – Juvenile Justice*

Mark White – [Mark.White@ncleg.gov](mailto:Mark.White@ncleg.gov)

*DOJ, DPS – Administration, Law Enforcement, Emergency Management,  
and National Guard*

**[frdjpsteam@ncleg.gov](mailto:frdjpsteam@ncleg.gov)**

# Outline

- **DPS Overview**
- **Prisons Overview**
- **Inmate Medical Costs**
- **Use of Lapsed Salary**
- **Prison Suspensions and Modifications**

# JPS General Fund Base Budget Expenditures by Agency FY 2021-22

Total GF Budget: \$3.4 billion

**DPS \$2.5B 75%**

**18%**  
**A O C**  
**\$606.0M**

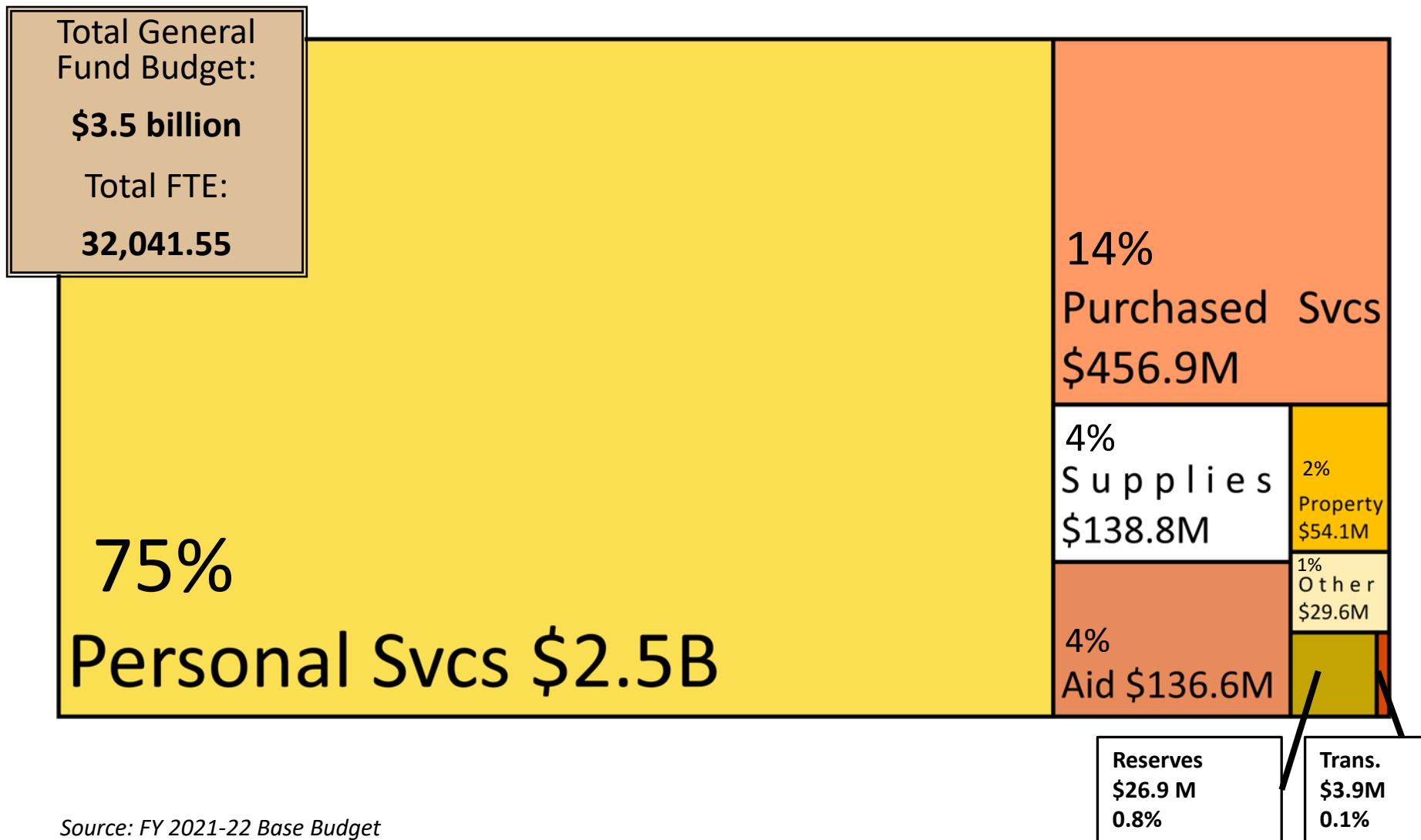
**4%**  
**I D S**  
**\$140.3M**

**3%**  
**D O J**  
**\$93.7M**

Source: FY 2021-22 Base Budget

# JPS General Fund Base Budget by Account

## FY 2021-22



# JPS - DPS

## Department of Public Safety (DPS)

Houses the former Departments of Crime Control and Public Safety, Juvenile Justice and Delinquency Prevention, and Correction

*Erik Hooks, Secretary*

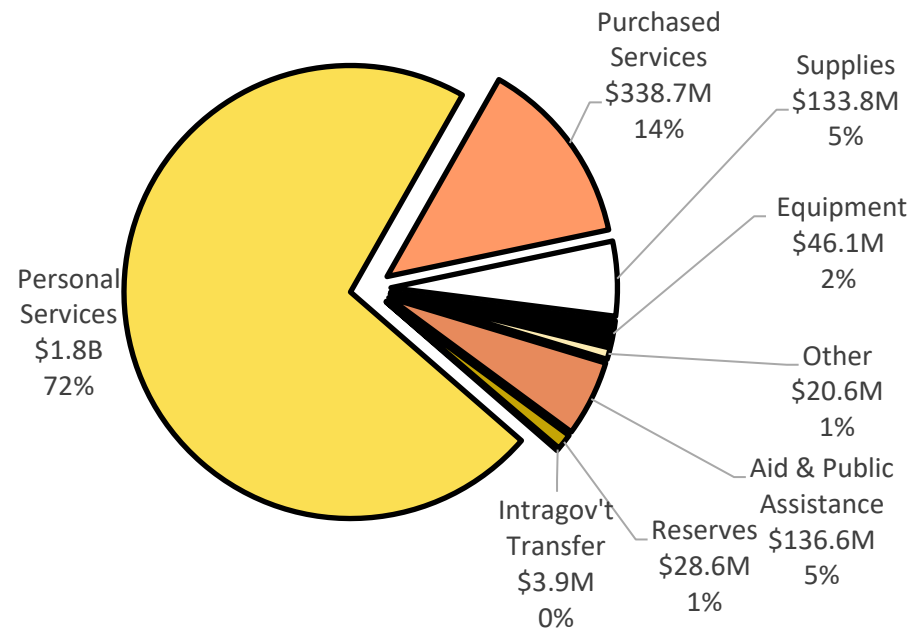
Includes:

- Prisons
- Community Corrections
- Juvenile Justice
- Highway Patrol
- State Capitol Police
- State Bureau of Investigation
- Alcohol Law Enforcement
- Emergency Management
- National Guard
- Victims Services

**Total General Fund Budget: \$2.5 billion**

**Total FTE: 24,727.416**

**DPS Total Base Budget General Fund Expenditures  
FY 2021-22**



Source: FY 2021-22 Base Budget, OSBM

# DPS Institutional History

---

- Created in 2011 by merger of:
  - Department of Juvenile Justice and Delinquency Prevention: Juvenile Justice
  - Department of Correction: Prisons and Community Corrections
  - Department of Crime Control and Public Safety: State Highway Patrol, Alcohol Law Enforcement, State Capitol Police, Emergency Management, Governor's Crime Commission, NC National Guard

# DPS Institutional History

---

- Juvenile Justice Reductions:
  - \$1.2M Consolidation Reduction
  - \$20.2M total, leaving \$131.1M budget
- Correction Reductions:
  - \$1.4M Consolidation Reduction
  - \$70.5M total, leaving \$1.3B budget
- Crime Control Reductions:
  - \$1.2M Consolidation Reduction
  - SHP to GF support: +\$188.2M
  - +\$181.0M total, leaving \$215.2M budget

# DPS Institutional History

---

- 2013:
  - Division of Adult Correction and Juvenile Justice consolidation
- 2014:
  - SBI transferred to DPS from DOJ, colocated with ALE
  - ABC transferred to DPS from Commerce
  - Both are “dotted-line agencies,” meaning they are administratively under DPS but operate under their own authority

# DPS Institutional History

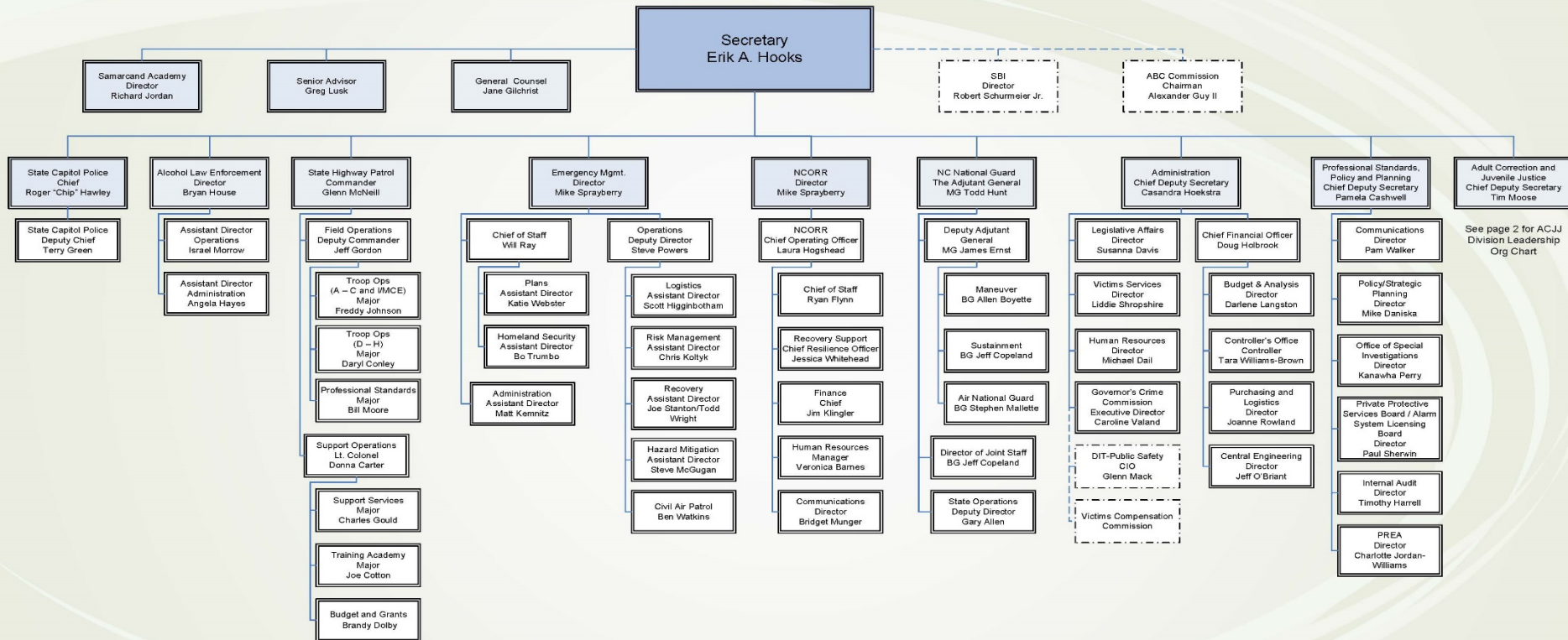
---

- 2015:
  - Samarcand Training Facility created
- 2019:
  - NCORR created as separate division than NCEM
  - ALE separate from SBI

# DPS Org Chart



North Carolina  
Department of Public Safety  
Department Leadership  
December 4, 2020

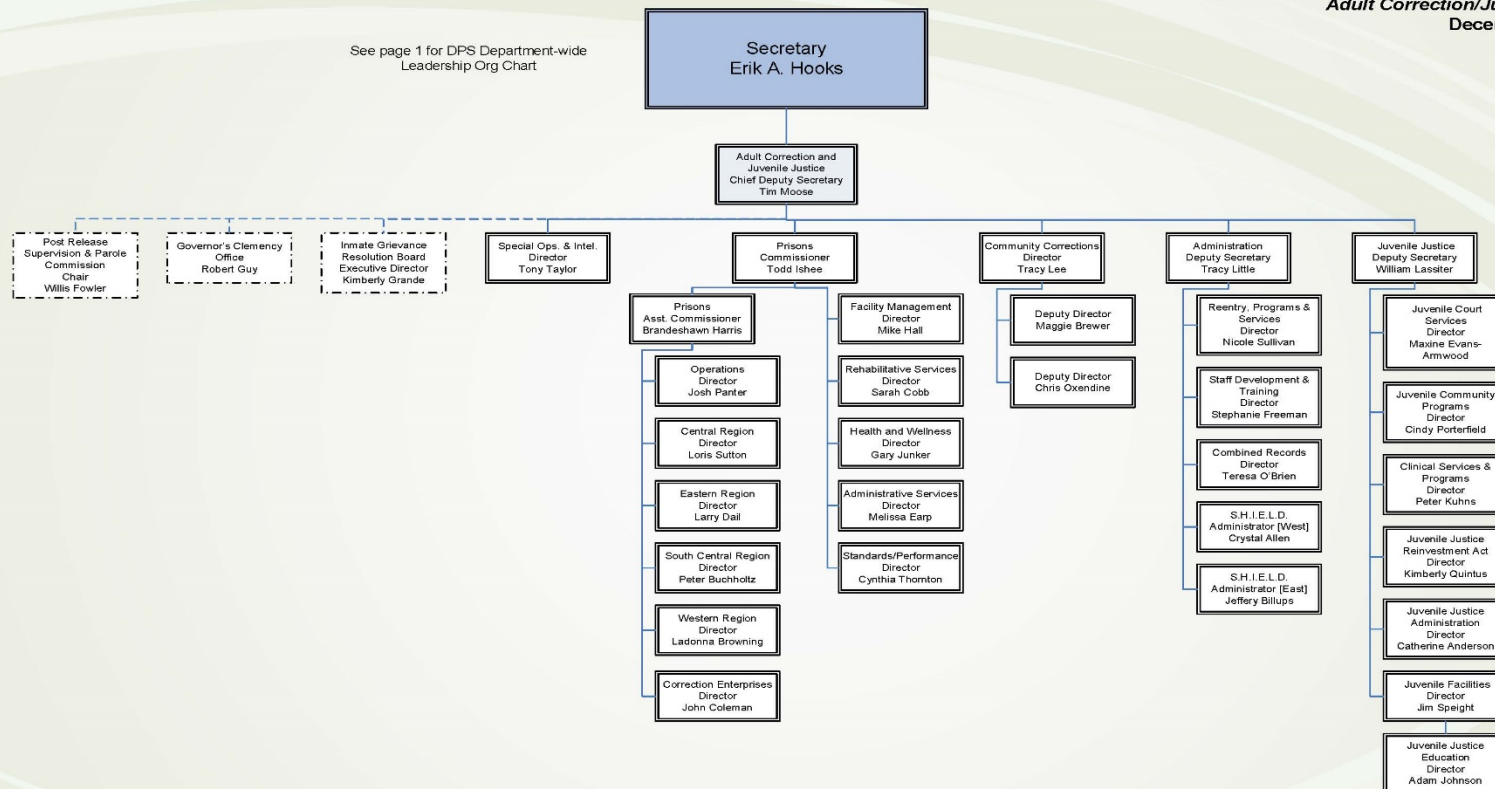


# DPS Org Chart

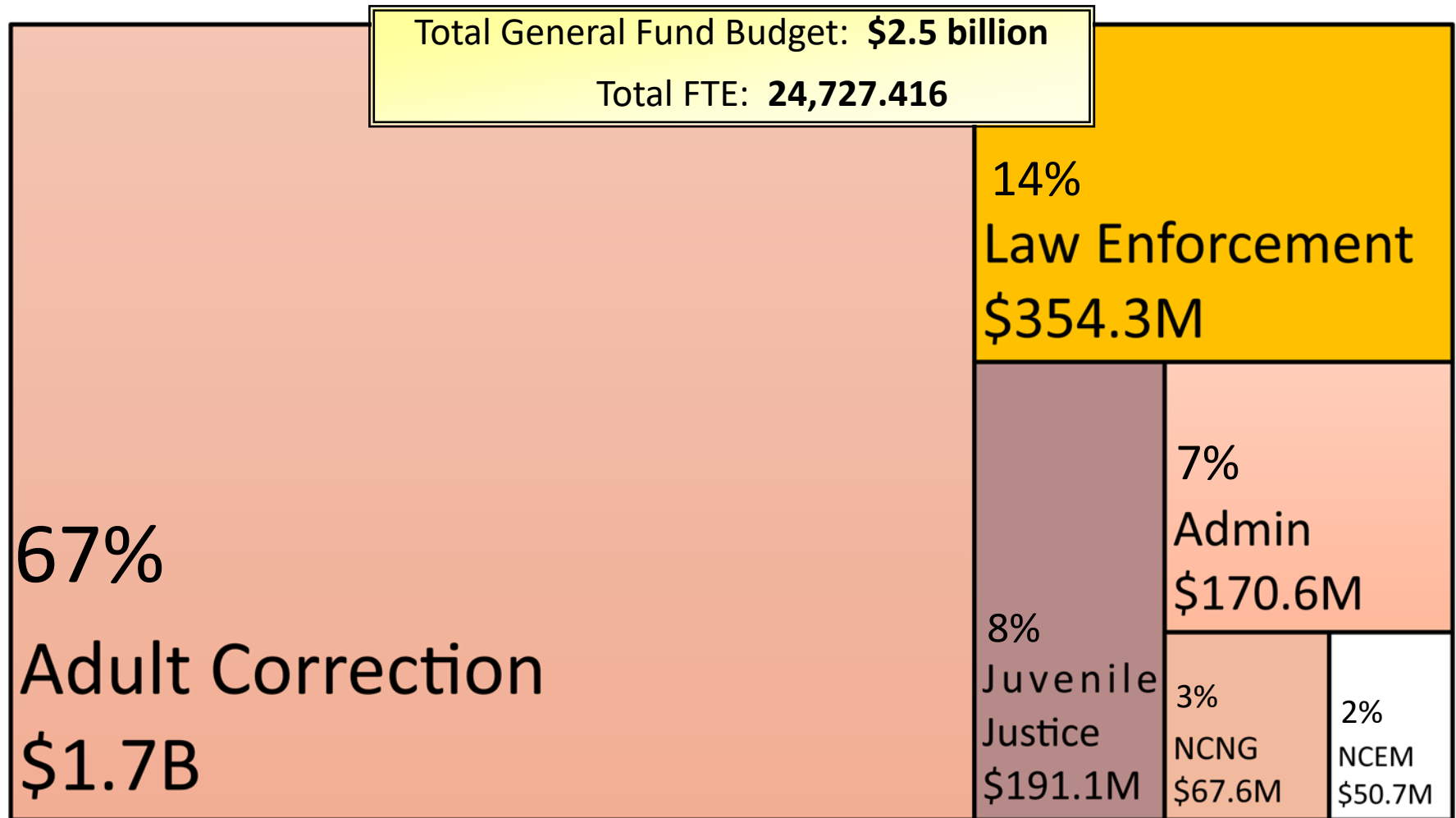


North Carolina  
Department of Public Safety  
*Adult Correction/Juvenile Justice Leadership*  
December 4, 2020

See page 1 for DPS Department-wide  
Leadership Org Chart



# DPS Base Budget by Function FY 2021-22



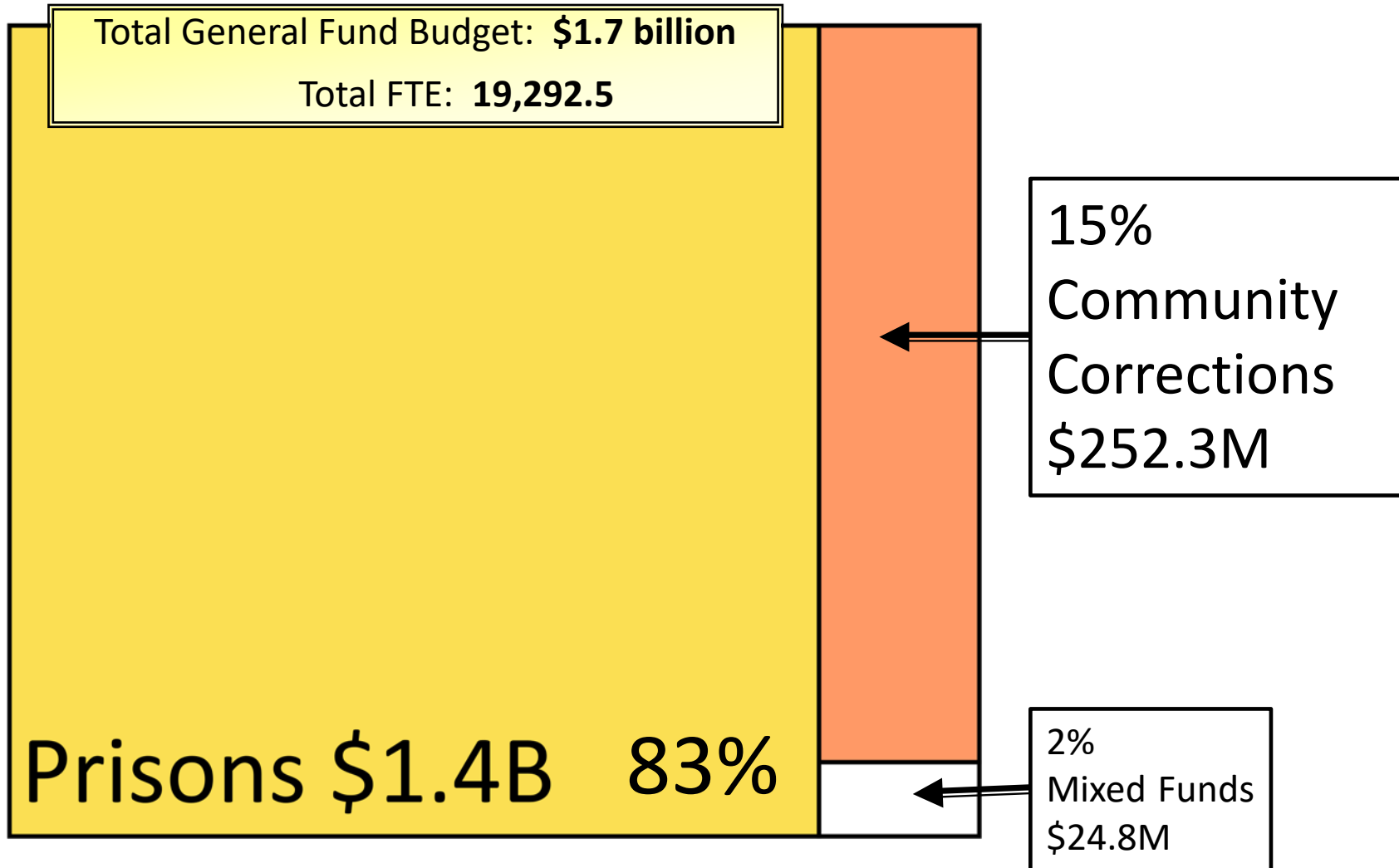
Source: FY 2021-22 Base Budget, OSBM

# Outline

- DPS Overview
- **Prisons Overview**
- Inmate Medical Costs
- Use of Lapsed Salary
- Prison Suspensions and Modifications

# Adult Correction by Function

## FY 2021-22



Source: FY 2021-22 Base Budget, OSBM

# Prisons by Fund FY 2021-22

Total General Fund Budget: **\$1.4B**

**Custody & Security  
\$911.0M**

**Gen  
Health  
\$186.5M**

**Food  
Svc/  
Cleaning  
\$83.0M**

Programs  
\$56.0M

Mental  
Health  
\$40.7M

Pharmacy Svcs  
\$39.7M

S M C F  
\$22.3M

Dental  
Health  
\$13.4M

Mgmt  
\$12.8M

Clothing/  
Bedding  
\$17.1M

Eduction  
\$10.2M

Dependency  
\$7.3M

Construction  
\$1.4M

Work Release  
\$1.2M

Source: FY 2021-22 Base Budget, OSBM

# Prisons by Fund FY 2021-22

Total General Fund Budget: **\$1.4B**

**Custody & Security  
\$911.0M**

SMCF  
\$22.3M

**Custody: \$933.3M**

*Source: FY 2021-22 Base Budget, OSBM*

# Statewide Misdemeanant Confinement Fund

---

- \$22.3M annual cost to house misdemeanants and DWI offenders in county jails
- Administered by the NC Sheriffs' Association
- Voluntary participation by County Sheriffs
- Sending and Receiving based on bed availability

# Prisons by Fund FY 2021-22

Total General Fund Budget: **\$1.4B**

Gen  
Health  
\$186.5M

Mental  
Health  
\$40.7M

Pharmacy Svcs  
\$39.7M

Dental  
Health  
\$13.4M

Inmate Health: \$250.3M

Source: FY 2021-22 Base Budget, OSBM

# Prisons by Fund FY 2021-22

Total General Fund Budget: **\$1.4B**

Food  
Svc /  
Cleaning  
\$83.0M

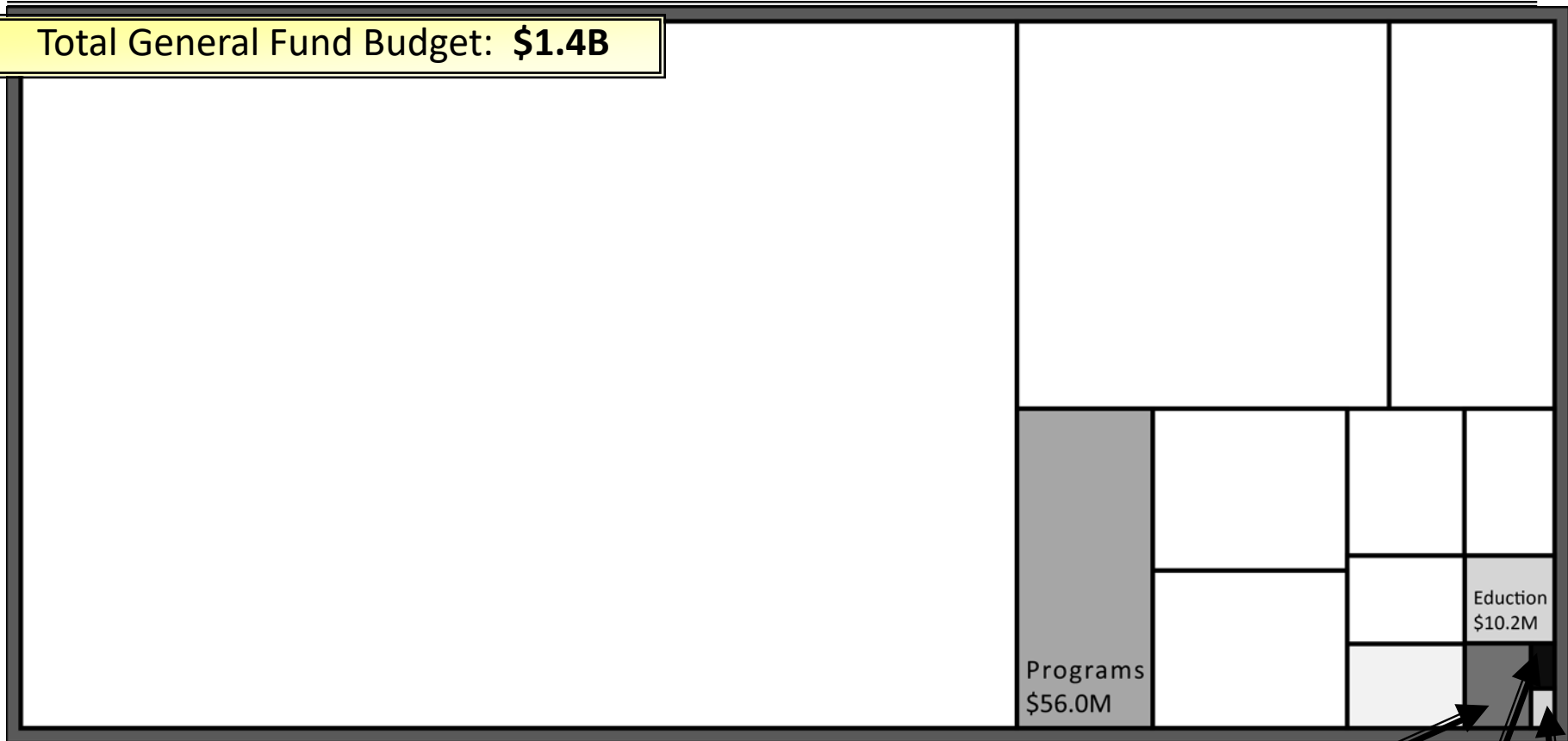
Clothing/  
Bedding  
\$17.1M

## Housing: \$97.1M

Source: FY 2021-22 Base Budget, OSBM

# Prisons by Fund FY 2021-22

Total General Fund Budget: **\$1.4B**



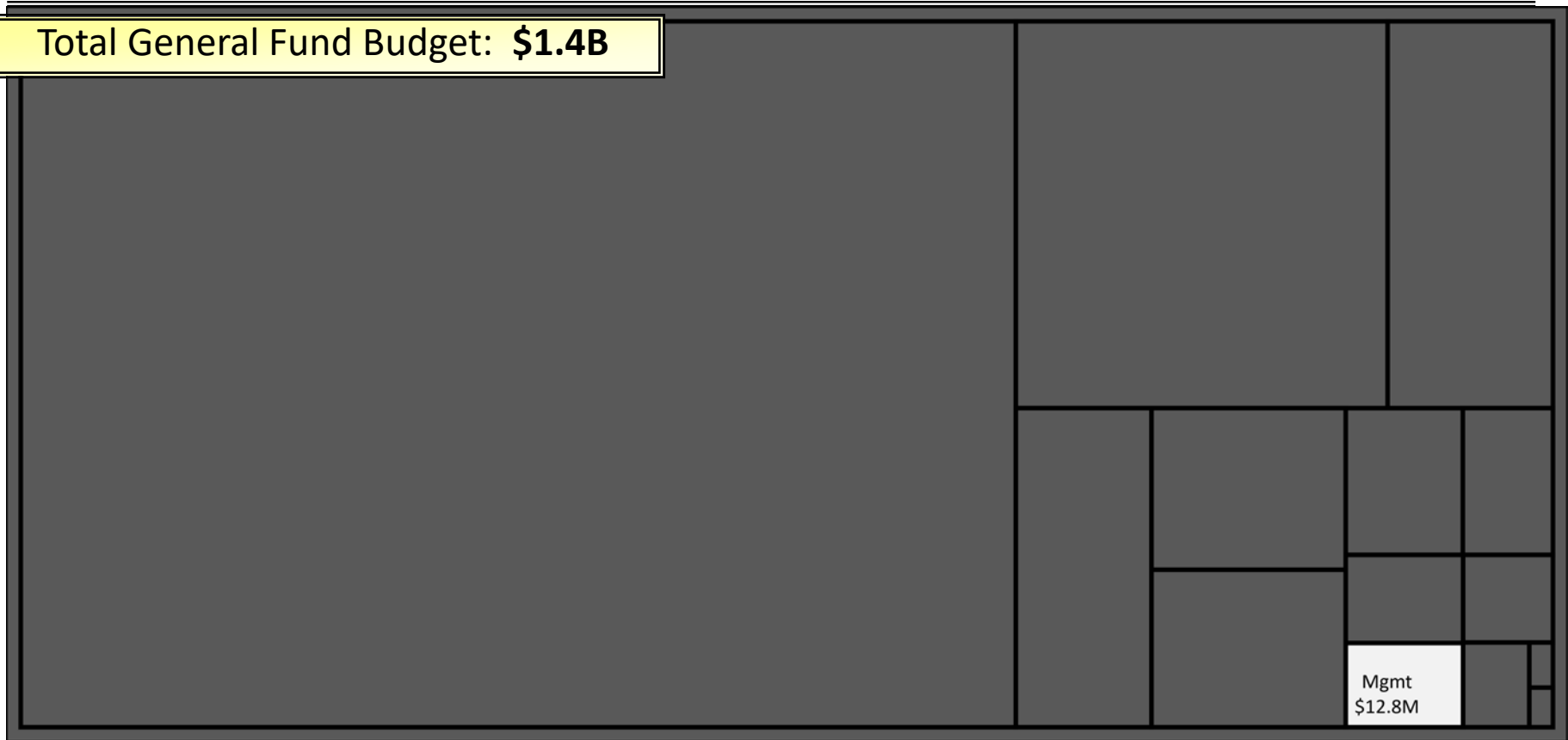
**Programs/Work: \$76.1M**

Dependency \$7.3M	Construction \$1.4M
	Work Release \$1.2M

Source: FY 2021-22 Base Budget, OSBM

# Prisons by Fund FY 2021-22

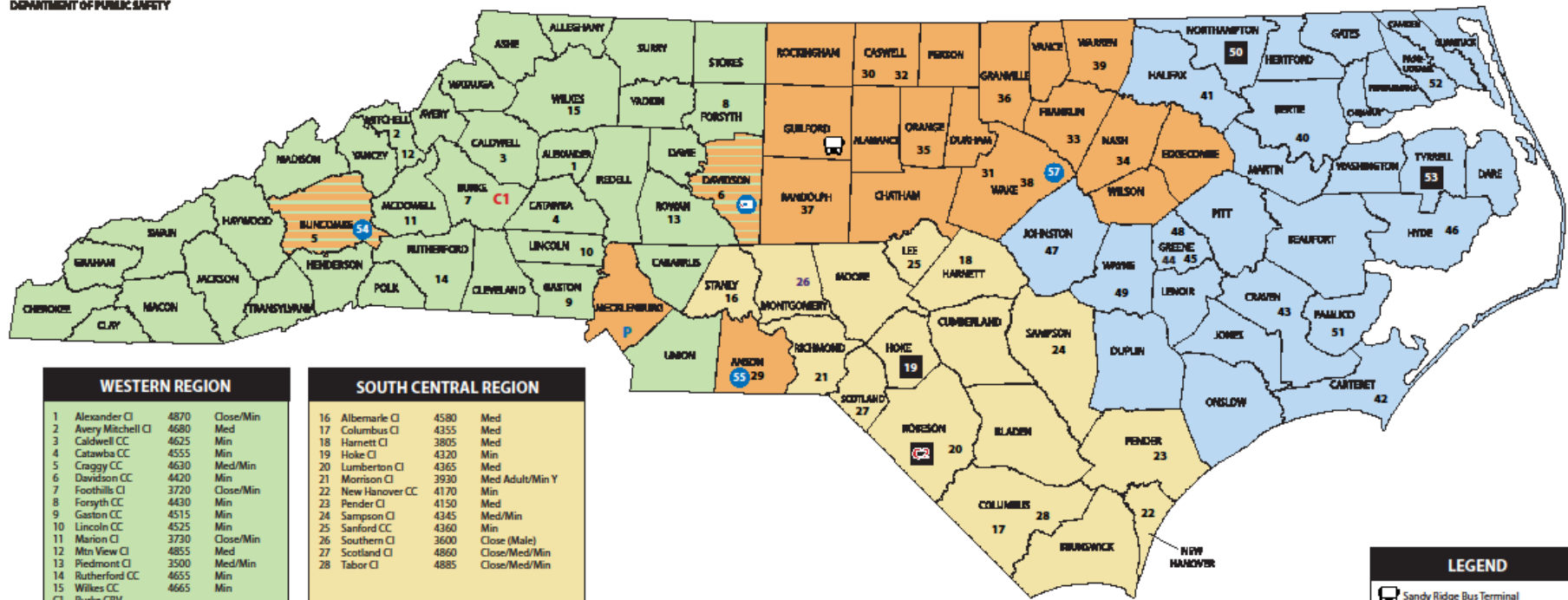
Total General Fund Budget: **\$1.4B**



## Management: \$12.8M

Source: FY 2021-22 Base Budget, OSBM

## North Carolina Department of Public Safety Prison Facilities



WESTERN REGION			
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SOUTH CENTRAL REGION			
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52	Pasquotank CI	3740	Close/Min
53	Tyrrell PWF	3070	Min

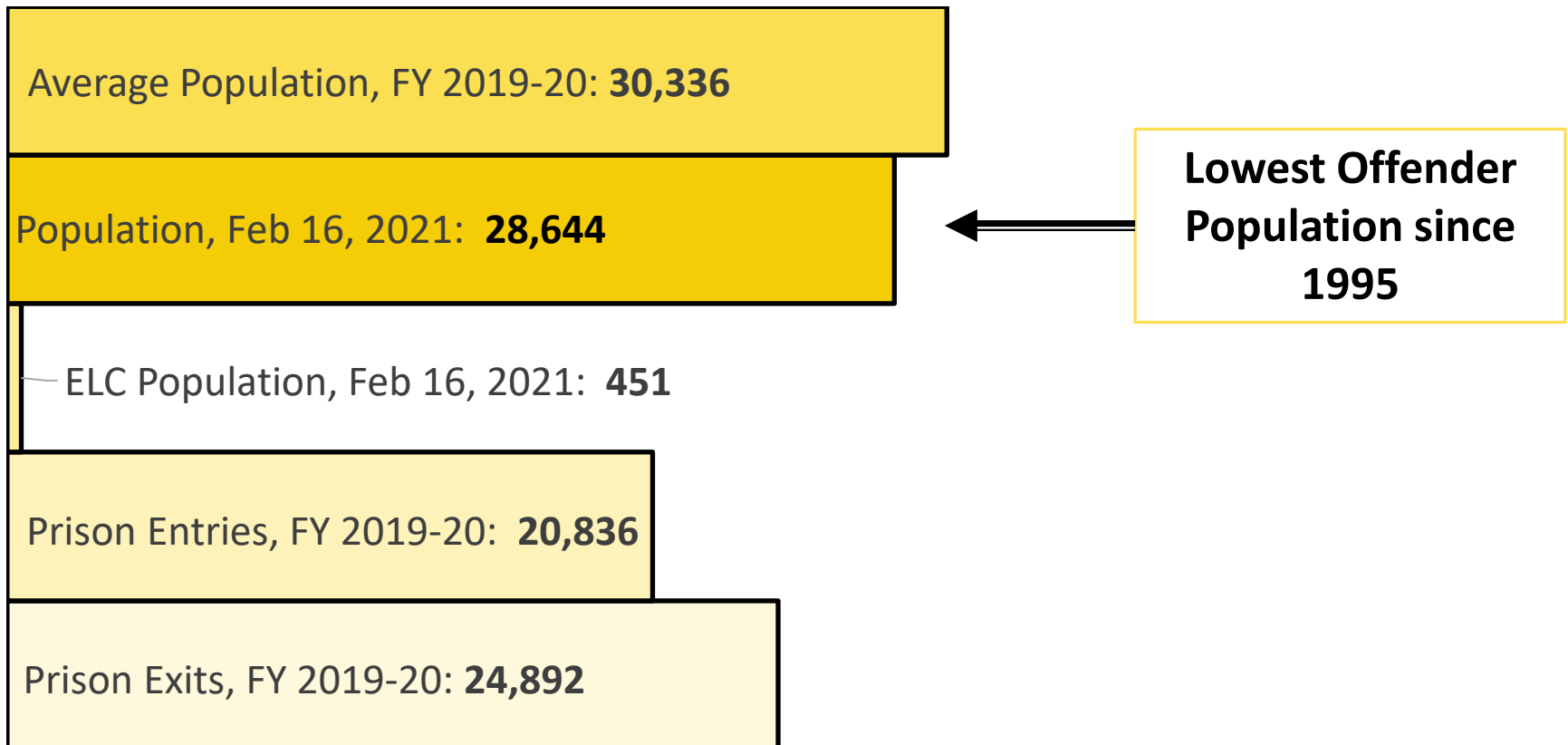
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	Private Contract Facility
	Center for Community Transitions
	Confinement Respons Violation Facilities
	Burke CRV
	Robeson CRV
	N. Piedmont CRV (female)
	Female Facilities
	Suspended Operations
	Robeson CRV
	Hoke
	Odum
	Tyrrell

Source: DPS

As of 5/1/2020

# Adult Correction Statistics

## Prisons



Source: DPS

# Adult Correction Statistics

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## Community Corrections

Community Corrections Population, Feb 16, 2021: 78,700

Probation Entries, FY 2018-19: 47,220

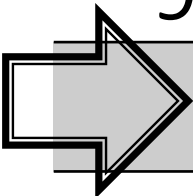
Post-Release Supervision Entries, FY 2018-19: 12,104

Parole Entries, FY 2018-19: 821

Source: DPS

# Adult Correction Statistics

**Total Adult Correction Supervision on 2/16/2021:  
107,795 – 10<sup>th</sup> largest city in NC**

7	Cary	172,522
8	Wilmington	124,872
9	High Point	113,509
	<b>Adult Correction Supervision</b>	<b>107,795</b>
10	Concord	98,490
11	Greenville	94,111

Source: DPS

# Prisons Costs

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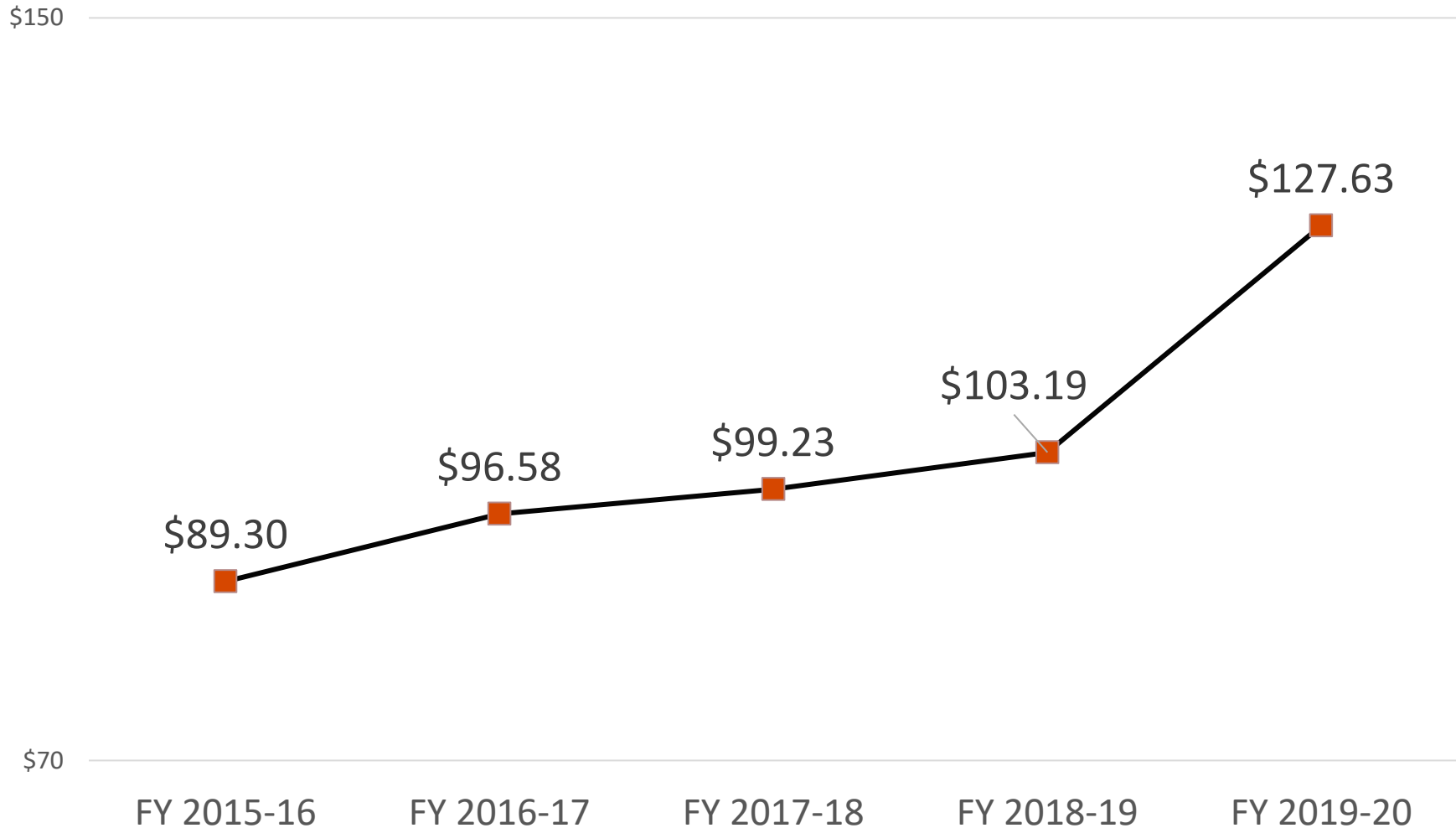
## Prisons – Average Daily Costs/Inmate

- Average Daily Cost/Inmate, FY 2019-20: **\$127.63**
  - Minimum: \$120.22
  - Medium: \$123.48
  - Close: \$146.47

**Costs are up due to COVID but may be offset  
by FEMA funds**

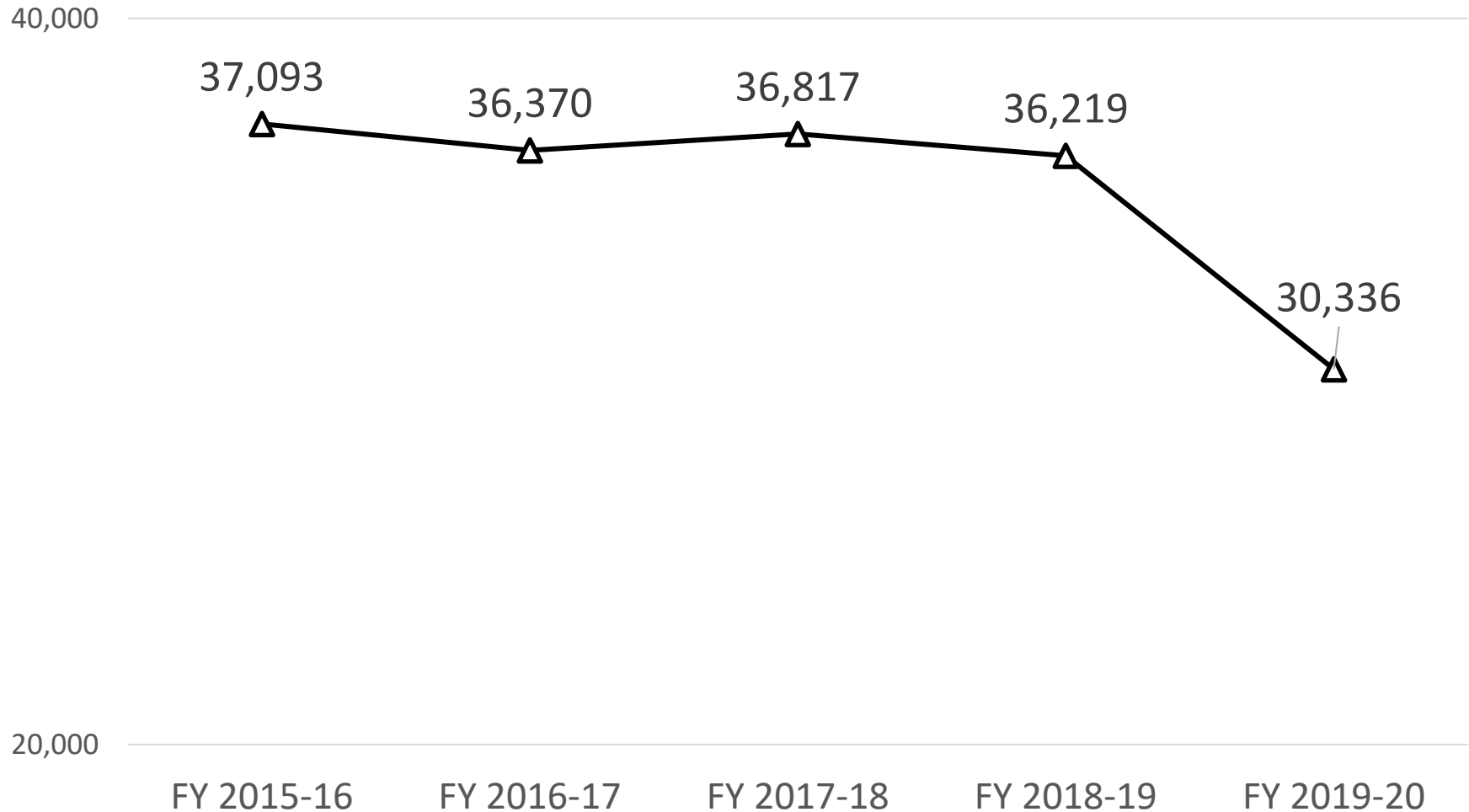
*Source: DPS*

# Average Daily Prisons Costs, FY 2015-16 to FY 2019-20



Source: DPS

# Average Daily Prisons Population, FY 2015-16 to FY 2019-20



Source: DPS



# Prisons Costs

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## Why are costs bending upwards?

- Hazard pay & overtime
- Security needs
- COVID testing
- COVID housing/surge needs
- Inmate Medical costs

*Source: DPS*

# Prison Security Measures

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## **S.L. 2019-223 – Prison Safety/TANF State Plan/Clarif.**

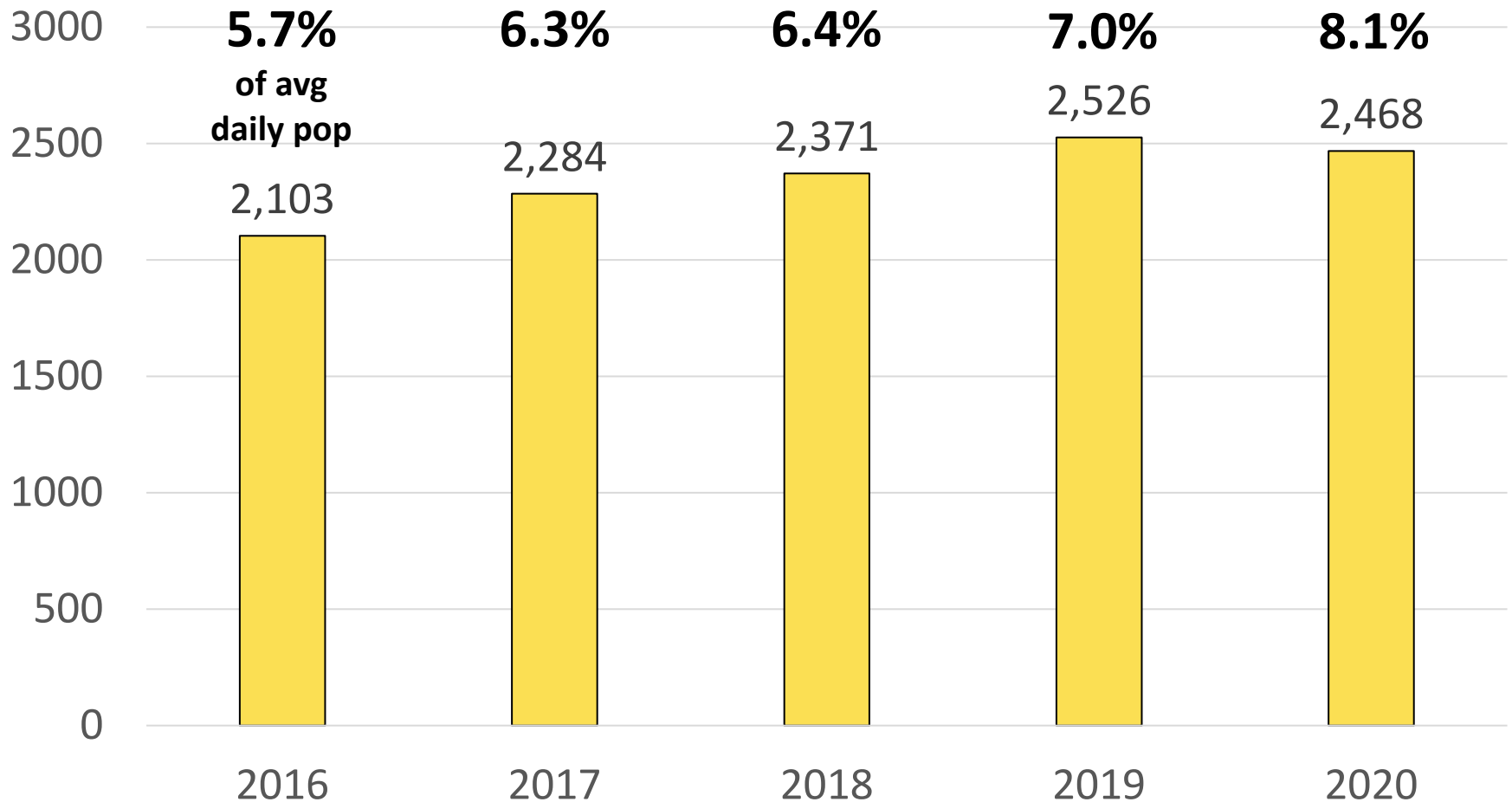
- \$4.5 M NR for prison safety measures
  - Stab-resistant vests
    - Currently on 4-week turnaround from vendor
  - Netting
  - Metal detectors
  - Lockboxes
  - IT improvements
- Current Concerns:
  - Managed access for cellphones
  - R&R/maintenance needs for prison facilities

*Source: DPS*

# Outline

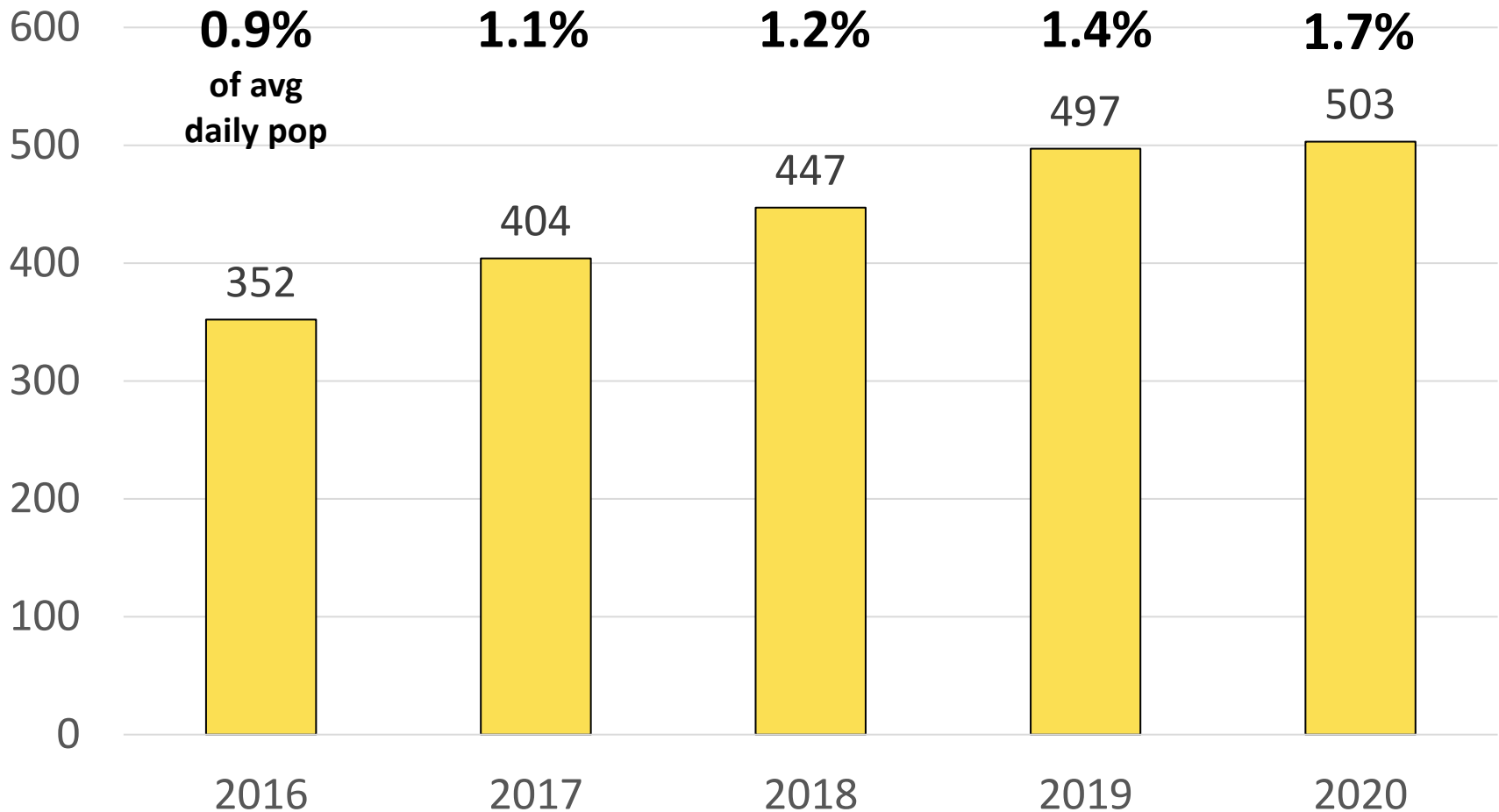
- DPS Overview
- Prisons Overview
- **Inmate Medical Costs**
- Use of Lapsed Salary
- Prison Suspensions and Modifications

# Inmates 60 Years Or Older, CY 2016-2020



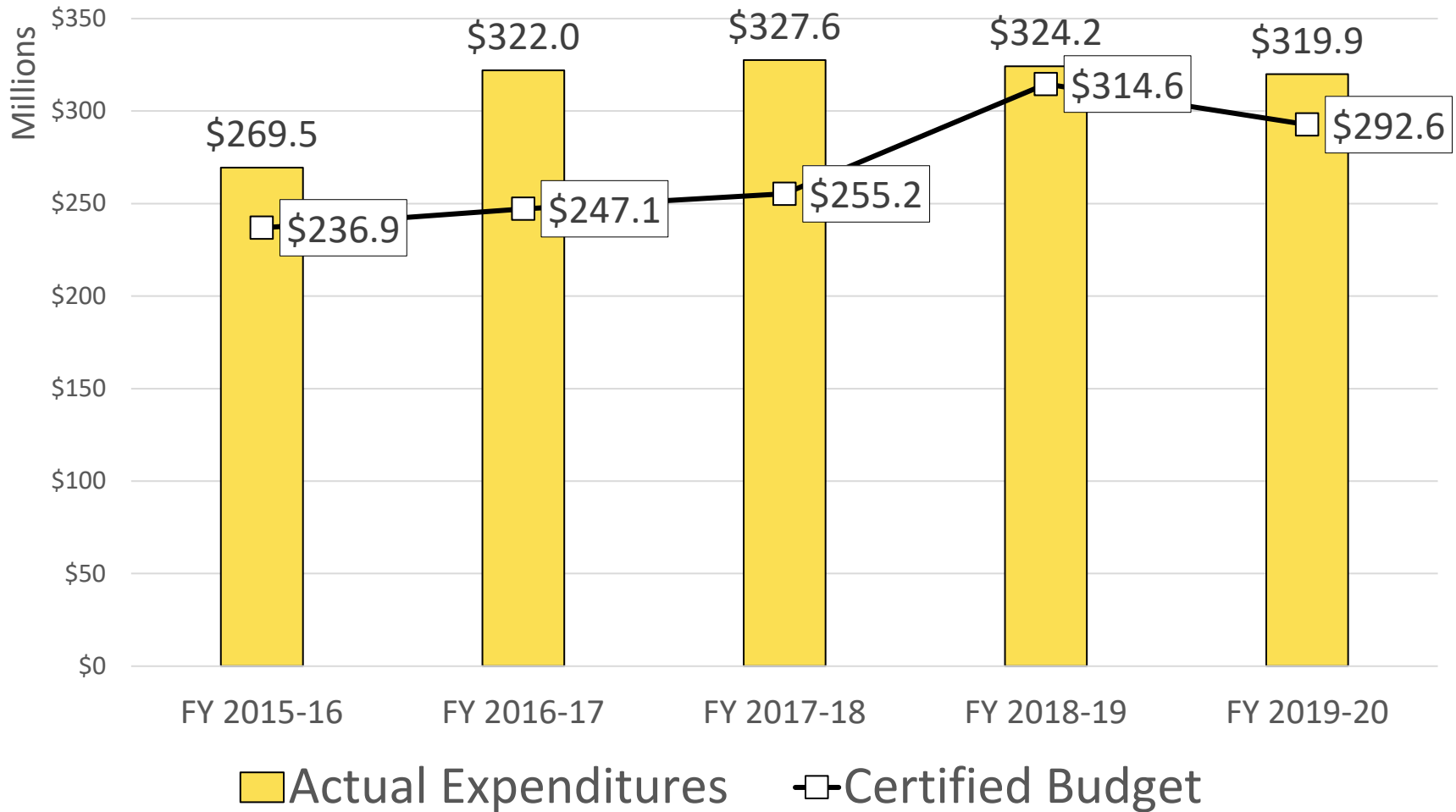
Source: DPS ASQ

# Inmates 70 Years Or Older, CY 2016-2020



Source: DPS ASQ

# Total Inmate Medical Costs



Source: NCAS

# Inmate Medical Costs

---

## Driven by:

- Hospitals
- Clinics
- Pharmacy

## Contained by:

- Prison Hospitals & Contracts
  - Telehealth Clinics
  - Pharmacy Contract

*Source: DPS*

# Prison Hospitals

---

- Central Prison Hospital
  - 120 medical beds
  - 216 mental health beds
- NC Correction Institution for Women Hospital
  - 80 medical beds
  - 70 mental health beds
- Inpatient beds but no ICU
- Always at full capacity

*Source: DPS*

# Long-Term Care

---

- Central Prison Hospital
  - Half of beds are used by inmates needing palliative/long-term care
- Long-Term Care Wing at Central
  - Construction is finished
  - DPS requesting funding at \$3.5M R annually
  - Will provide 46 LTC beds and free up CPH beds
- Skilled Nursing in Greensboro
  - 10 inmates housed last fall
  - \$3,500/day for each
  - \$6,000/day custody costs

*Source: DPS*

# Inmate Use of Public Healthcare

---

- Requires at least 2 Correctional Officers/visit
- Clinics:
  - 3,000/week
  - 14,000 – 15,000/month
- Hospitals:
  - 125 outpatient procedures/month
  - 1,456 events/week in CY 2020

*Source: DPS and DPS Inmate Medical Cost Containment Reports*

# DPS Hospital Reimbursement

---

- 2008 – 2018:
  - 2x Medicaid Rate or 70% of billed charge
    - Higher rate when needed to ensure access or greater overall savings
- 2019 – now:
  - Renegotiated contract with UNC Healthcare
  - Uses Medicare Rate instead
    - Not proprietary and nationally standard
    - NC Medicaid transformation makes rates less standardized

*Source: DPS Alternative Methods for Reimbursing Providers of Medical Services to Inmates*

# DPS Hospital Reimbursement

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Comparing spending at UNC Healthcare using Medicare instead of Medicaid rates:

2018 Spending	2019 Spending	Savings
\$31.6 M	\$29.1 M	\$2.5 M

*Source: DPS Alternative Methods for Reimbursing Providers of Medical Services to Inmates*

# Inmate Telehealth

---

- Reduce specialty clinical visits with telehealth
- Piloted June 2020 – Nov 2020

June – Nov 2019 In-Person Clinic Costs	\$1,818,086
June – Nov 2020 Telemedicine Clinic Costs	\$417,055
<b>Gross Cost Avoidance</b>	<b>\$1,401,031</b>
Less Telemedicine Equipment	\$597,975
<b>Net Cost Avoidance From Telemedicine</b>	<b>\$803,056</b>

Source: DPS

# Inmate Mental Health

---

- In FY 2015-16, NCGA funded Therapeutic Diversion Units
  - 152 FTE and 8 Units
  - Recent study of affected population shows:
    - Reduced rate of Infractions
    - Reduced rate of Inpatient Mental Health Admissions
    - Reduced rate of self-injury/suicidal behavior
    - Diversions from Restrictive Housing

*Source: DPS*

# COVID Vaccination

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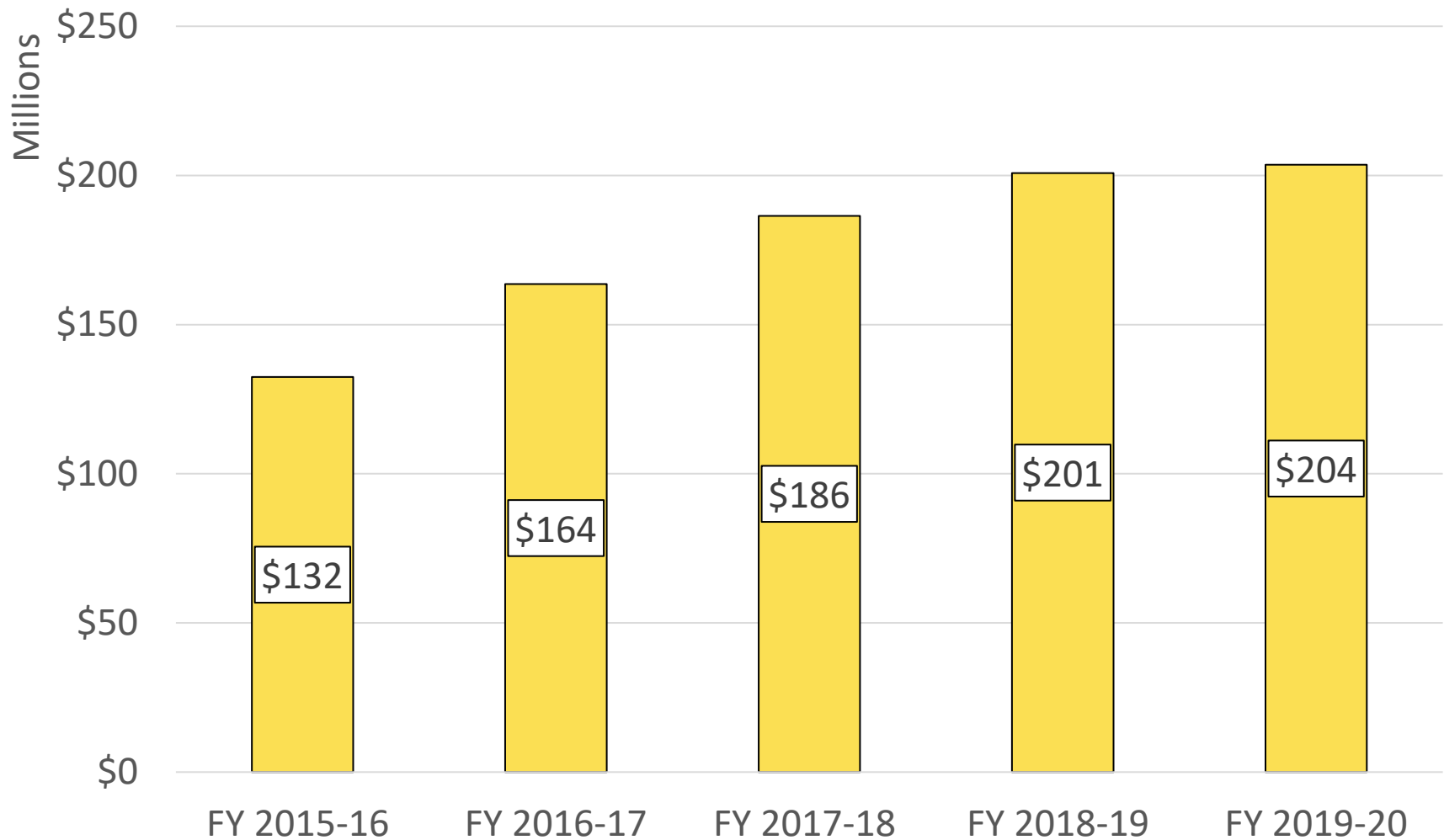
- As of February 22, 2021
- Dose 1:
  - 2,638 Offenders (9% of population)
  - 4,553 Staff
- Dose 2:
  - 172 Offenders (0.6% of population)
  - 1,134 Staff

*Source: DPS*

# Outline

- DPS Overview
- Prisons Overview
- Inmate Medical Costs
- **Use of Lapsed Salary**
- Prison Suspensions and Modifications

# DPS Lapsed Salary



Source: DPS Lapsed Salary Reports 2019-2021, OSBM DPS Base Budget Reform Report, 2/2019

# Budgeting Terms: Salaries

---

**Lapsed salary:** the nonrecurring amount of salary and associated benefits not expended during the period in which a position is vacant.

*Ex.: Joe is in Position X. He has a salary of \$60,000 (\$5,000 per month). He retires in December. His replacement, Jane, is hired in March. The position was vacant for three months, generating \$15,000 in lapsed salary.*



**Salary reserve:** the recurring amount created when a position is downgraded or filled at a salary lower than what was previously budgeted.

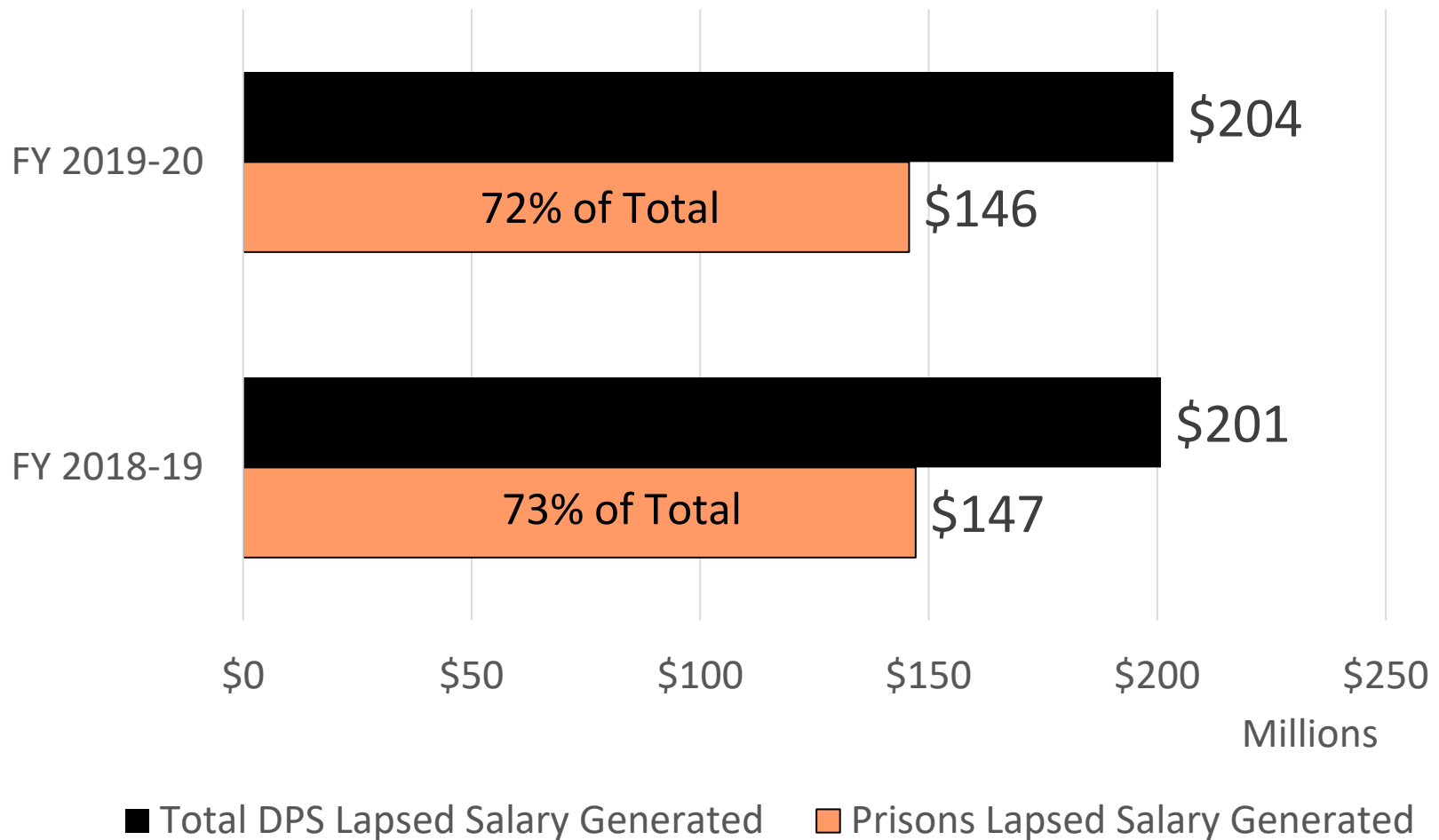
*Ex.: Jane is hired for Position X. Her salary is \$50,000. Position X is budgeted at \$60,000. The position generates \$10,000 in salary reserve.*

# Lapsed Salary at DPS

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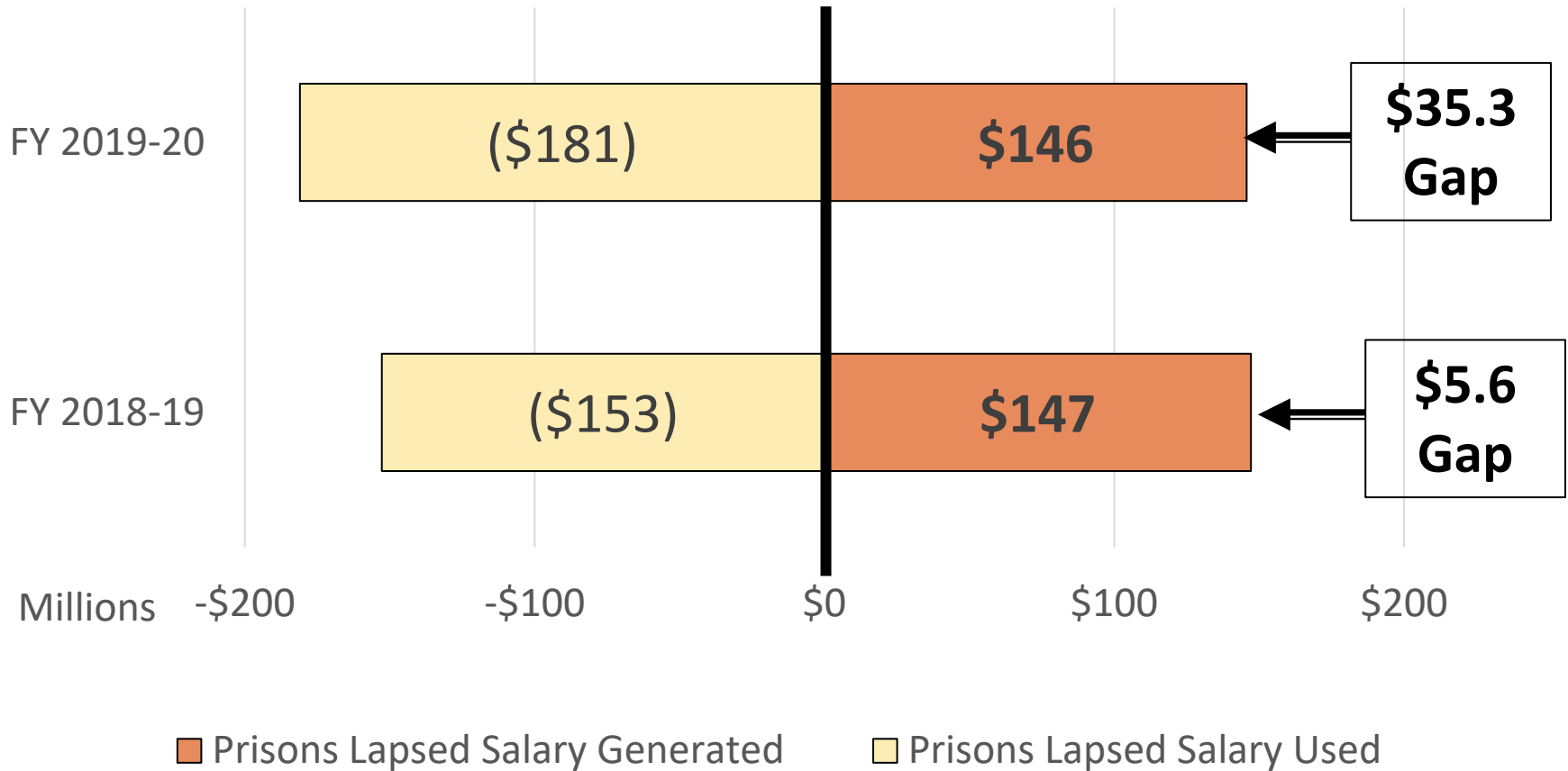
- Mostly Correctional Officer (CO) Turnover
- NCGA has made inroads in retention through pay adjustments to retain COs
- Prisons needs CO positions to ensure adequate staff ratios for accreditation and security
- Turnover rates high enough that the vacant positions are rarely vacant for long – there are just a lot of them
- Prisons relies on lapsed salary to address structural deficit, esp. in Inmate Health funding

# Lapsed Salary Generated, FY 2018-19 and FY 2019-20



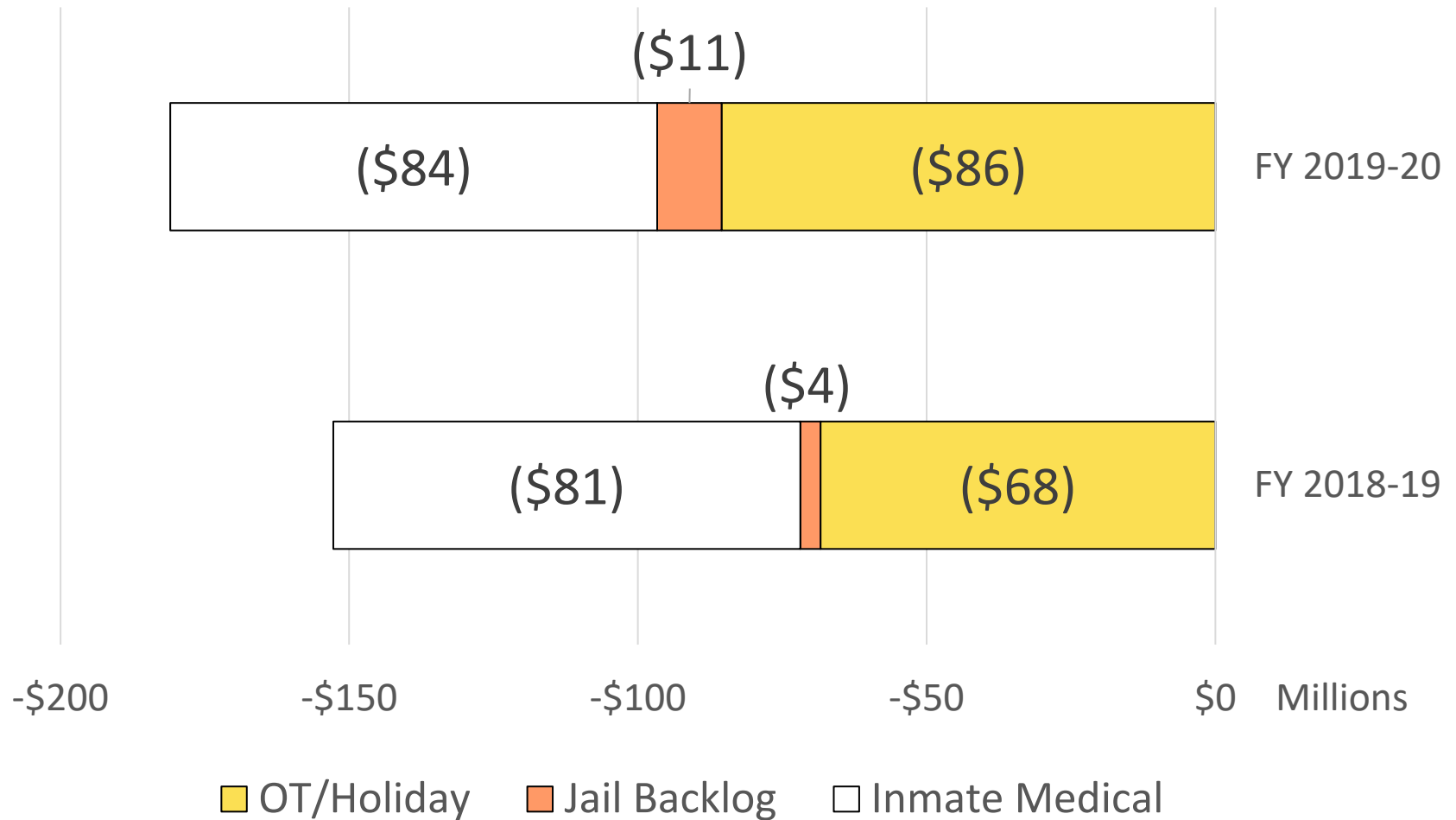
Source: DPS

# Prisons Lapsed Salary Generated and Used, FY 2018-19 and FY 2019-20



Source: DPS

# Prisons Lapsed Salary Used, FY 2018-19 and FY 2019-20

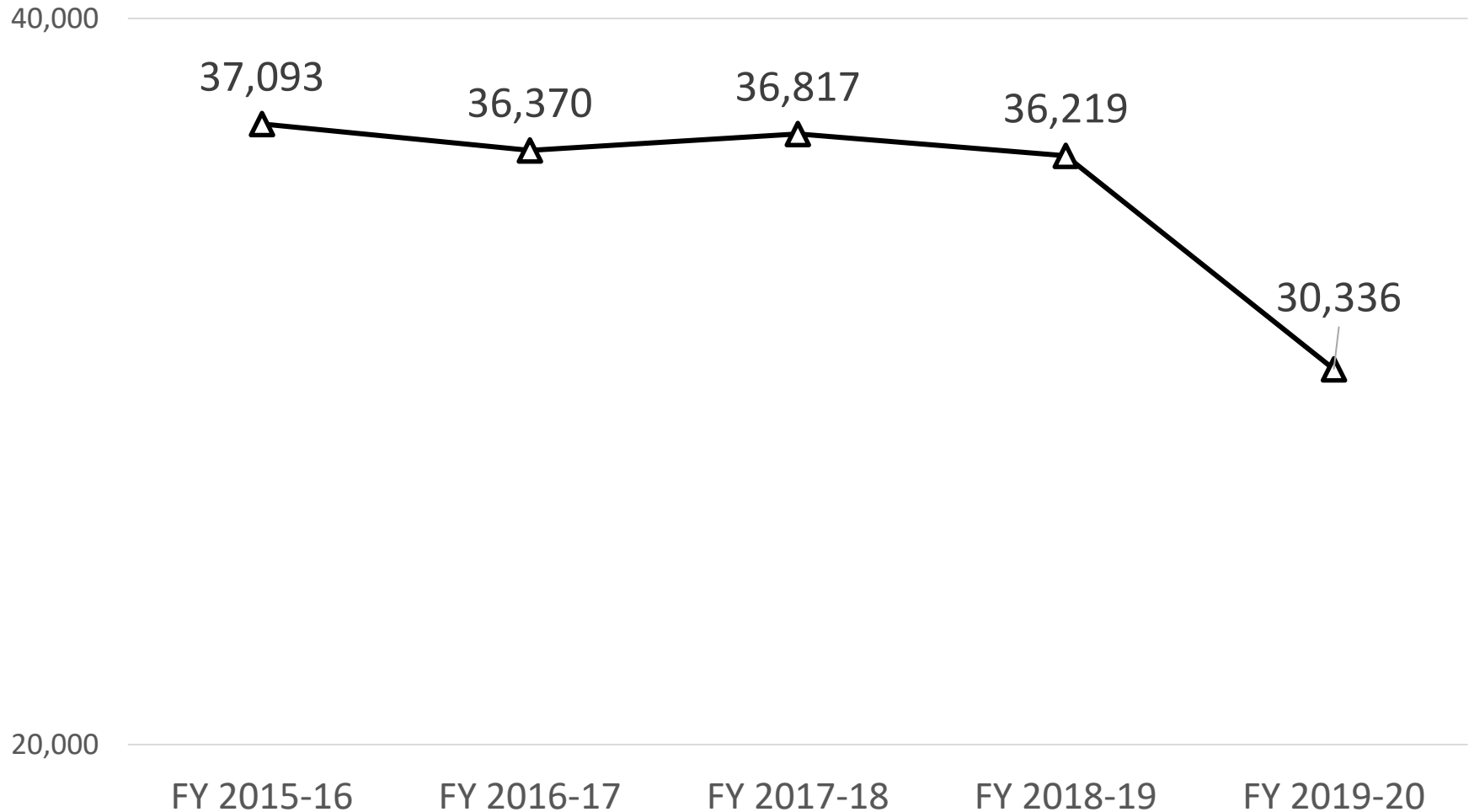


Source: DPS

# Outline

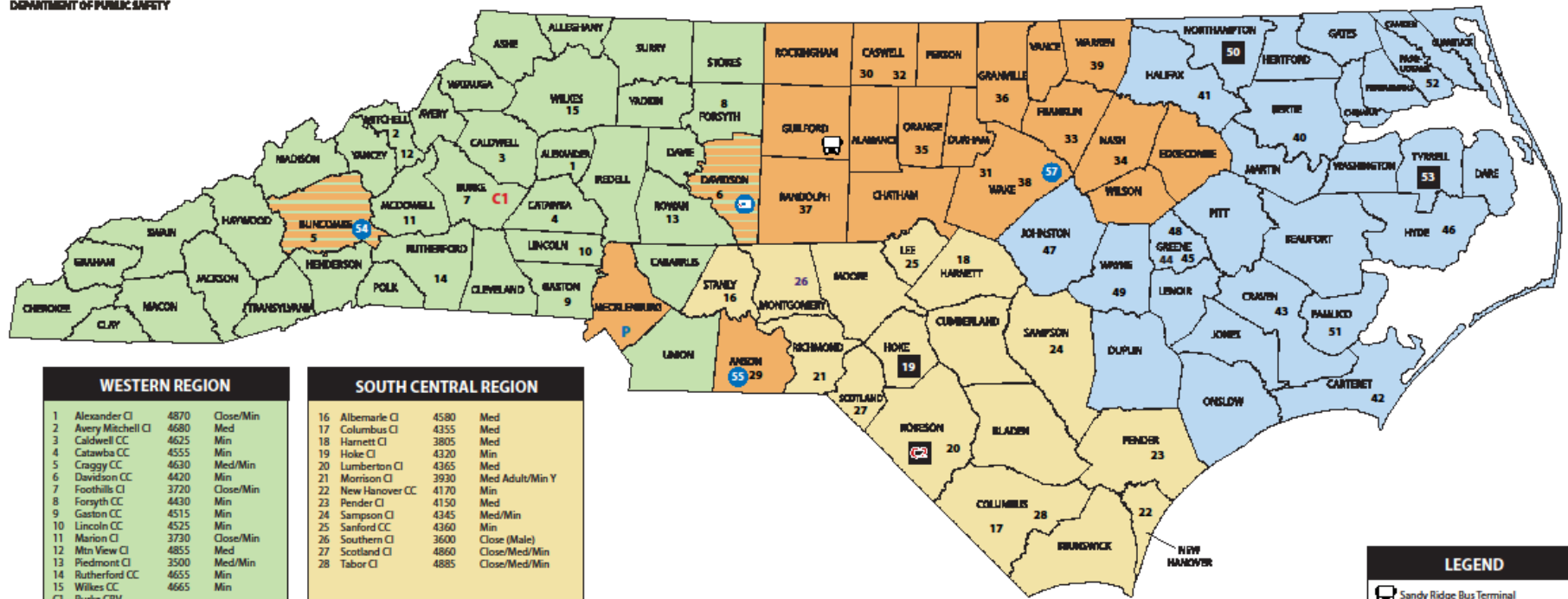
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# Average Daily Prisons Population, FY 2015-16 to FY 2019-20



Source: DPS

## North Carolina Department of Public Safety Prison Facilities



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	Female Facilities
	Suspended Operations
	Hoke
	Odum
	Tyrrell

Source: DPS

As of 5/1/2020

# SPAC Prison Projections

Fiscal Year End	Prison Population <sup>4</sup>		Prison Capacity <sup>5,6,7</sup>		Difference between Current Projection and EOC <sup>10</sup>
	Previous Projection	Current Projection	Standard Operating Capacity <sup>8</sup>	Expanded Operating Capacity <sup>9</sup>	
2021	35,982	30,568	31,690	36,433	5,865
2022	36,147	31,206	31,690	36,433	5,227
2023	36,328	31,886	31,690	36,433	4,547
2024	36,416	31,485	31,690	36,433	4,948
2025	36,738	31,205	31,690	36,433	5,228
2026	37,107	31,197	31,690	36,433	5,236
2027	37,575	31,304	31,690	36,433	5,129
2028	37,975	31,449	31,690	36,433	4,984
2029	38,613	31,784	31,690	36,433	4,649
2030	N/A	32,062	31,690	36,433	4,371

Note: Prepared in conjunction with the North Carolina Department of Public Safety's Division of Adult Correction and Juvenile Justice.

Source: Sentencing and Policy Advisory Commission

# Operating Capacity

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- Operating Capacity is based on inmate density, footage in the facility, and staff ratios
- Prisons have been operating under Expanded Operating Capacity (EOC) for many years
- DPS bases facility staffing levels on Standard Operating Capacity (SOC), however
- SOC promotes a safer environment for staff and inmates – higher staff to inmate ratio

*Source: Sentencing and Policy Advisory Commission*

# Prison Suspensions and Modifications

Date	Facility Name	Modification
7/10/2020	Burke CRV	Suspended due to COVID & staff deficiencies – 248 capacity
8/5/2020	Tyrrell Prison Work Farm	Reopened – currently housing 180 offenders
10/26/2020	Robeson CRV	Reopened – 75 offenders
11/1/2020	Burke CRV	Will open March 2021 – 248 offenders
11/20/2020	Randolph Correctional	Temp suspend – pop currently at 75
11/25/2020	Piedmont Correctional	Suspended min custody
12/8/2020	Marion Correctional	Suspended min custody – moved staff to close custody
1/1/2021	Mountain View Correctional	Staff deficiencies - down from 908 to 576
2/12/2021	Avery Mitchell Correctional	Suspended wing with 134 offenders due to COVID/staffing deficiencies

Source: DPS

# Upcoming Meetings

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## Next week:

- Tuesday: Prisons & Community Corrections
- Thursday: Juvenile Justice

## Remaining presentations:

- Judicial Branch
- Law Enforcement
- Administration
- National Guard
- Emergency Management
- Department of Justice

# JPS Contact Information

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## Fiscal Research Division (919) 733-4910

William Childs – [William.Childs@ncleg.gov](mailto:William.Childs@ncleg.gov)

*DPS – Prisons, Community Corrections, and Correction Enterprises*

Morgan Weiss – [Morgan.Weiss@ncleg.gov](mailto:Morgan.Weiss@ncleg.gov)

*AOC, IDS, DPS – Juvenile Justice*

Mark White – [Mark.White@ncleg.gov](mailto:Mark.White@ncleg.gov)

*DOJ, DPS – Administration, Law Enforcement, Emergency Management,  
and National Guard*

**[frdjpsteam@ncleg.gov](mailto:frdjpsteam@ncleg.gov)**