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**Statewide Misdemeanant Confinement Program  
Annual Report  
Fiscal Year 2015-16**

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**North Carolina Sheriffs' Association**



**October 1, 2016**



# **NORTH CAROLINA SHERIFFS' ASSOCIATION**

## **Statewide Misdemeanant Confinement Program**

### **Annual Report**

### **Fiscal Year 2015-16**

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The Statewide Misdemeanant Confinement Program (SMCP) continues to operate as intended with repeated accolades. The program was designed to reduce prison costs and use existing county jail beds to house certain state misdemeanor prisoners that were previously sent to the state prison system. The North Carolina Sheriffs' Association (NCSA) is effectively managing the SMCP and plays a critical role in evolving the SMCP.

The SMCP manages the housing of state inmates in a local confinement facility convicted of a misdemeanor crime who are serving a sentence for a period of more than 90 days. The SMCP also manages the housing of state inmates convicted of a Driving While Impaired (DWI) offense regardless of sentence length. All 100 counties and sheriffs are participants in the Statewide Misdemeanant Confinement Program. The program refers to all counties as "sending" counties. County jails that have available space may volunteer to accept state inmates from the SMCP and be reimbursed by the State for incurred expenses. Counties that volunteer jail space to house program inmates are referred to as "receiving" counties. Receiving counties may house misdemeanants convicted in their county as well as those convicted in neighboring counties. As of June 30, 2016, there were 59 counties across the state that volunteered to be "receiving" counties. Attachment A shows those counties that have volunteered available space to house inmates under this program. Attachment B shows the counties that have sentenced inmates to the program as well as the counties that have housed inmates under the program.

For the fiscal year ending June 30, 2016, the program's daily population averaged 1,068 inmates per day. Between July 1, 2015 and June 30, 2016, the NCSA staff processed 4,209 inmates through the SMCP. Out of those inmates, 3,581 were males and 628 were females. No youthful offenders entered the SMCP during this period. Attachment C, SMCP Average Daily Population Report for FY 2015-16, indicates the fiscal year's population statistics. Adult males and females are inmates assigned to the program who are 16 years of age or older. Youthful offender males and females are inmates assigned to the program who are less than 16 years of age.

A subgroup of SMCP inmates are in the program serving a Confinement in Response to Violation (CRV) sentence imposed as a result of a probation violation. A CRV sentence may be up to 90 days and probationers must receive two CRVs before probation can be fully revoked. From July 1, 2015 through June 30, 2016, the SMCP received 367 CRV inmates. The program's CRV population accounted for 8% of the inmates processed through the program from July 2015 through June 2016. Attachment D, CRV Population Report, displays the monthly CRV population during the fiscal year.

Effective January 1, 2015, defendants convicted of DWI offenses began serving their active sentence in the SMCP regardless of sentence length. From July 1, 2015 through June 30, 2016, the SMCP received 1,043 DWI inmates. The program's DWI population accounted for 25% of the inmates processed through the program from July 2015 through June 2016. Attachment E, DWI Population Report, displays the monthly DWI population during the fiscal year.

The average SMCP sentence length between July 1, 2015 and June 30, 2016 was 171 days. However, due to credit awarded by the court for time served awaiting trial, the average number of actual days served in an SMCP jail was 87 days during this time period.

The SMCP is supported through funding from the Statewide Misdemeanant Confinement Fund. For Fiscal Year 2015-16, the Fund collected \$33,072,108.76 in actual revenue. Throughout the fiscal year, the Fund disbursed over \$16.7 million to counties for reimbursement of expenses incurred from July 2015 through June 2016. In addition, the Fund disbursed payments totaling \$1 million to the NCSA and \$225,000.00 to the North Carolina Department of Public Safety (DPS) for administrative costs during the fiscal year.

The following chart is an annual summary of the Statewide Misdemeanant Confinement Fund for Fiscal Year 2015-16 and Attachment F, Fiscal Year Reimbursement Summary Report, shows the exact payments made to each county.

SMCP Fund Analysis for FY 2015-16	
Funds Collected 7/1/2015 to 6/30/2016	\$33,072,108.76
NCSA Administrative Costs Paid	-\$1,000,000.00
DPS Administrative Costs Paid	-\$225,000.00
County Reimbursements Paid	-\$16,729,896.48
Medical Expenses Paid	-\$834,833.52
Funds Diverted to DPS for Safekeeper Fees	-\$143,028.96

Medical costs for the program remain an unpredictable variable. In-jail medical services provided to program inmates are included as a part of the agreement with counties to house SMCP inmates. The NCSA's Inmate Medical Costs Management Plan was incorporated into the program to reduce out-of-jail medical expenses for SMCP inmates. The NCSA has contracted with a medical billing service provider to review medical bills for inaccuracies and to negotiate reduced rates for services provided to inmates at medical facilities and doctor's offices across the state. Typically, medical bills are received 4 to 6 weeks after services are rendered. This means the program has encumbered expenses that are unknown until the actual bill is received at the SMCP office. For the fiscal year ending June 30, 2016, the Fund disbursed payments totaling \$834,833.52 for out-of-jail medical care provided to program inmates during their period of confinement. The plan is being used successfully by participating counties and has resulted in an average savings of 48% off the original medical bill. As of June 30, 2016, the Inmate Medical Costs Management Plan has saved the state \$704,854.85 for FY 2015-16.

Upon notification from DPS the NCSA is required to withhold SMCP reimbursements due to any county that owes DPS for safekeeper charges that are 120 days or more past due. For

the fiscal year ending June 30, 2016, the Fund diverted a total of \$143,028.96 to DPS from the counties to satisfy these overdue safekeeper reimbursements.

The NCSA conducts annual training on the SMCP every year at various locations across the state. All counties that plan to participate or continue to participate as a “receiving” county in the program for the upcoming calendar year must send at least one representative to one of the training classes. Counties participating as a “sending” only county are encouraged to send a representative as well. Conducting annual training classes provides the Association the opportunity to present updated information. The SMCP relies on cooperation between all counties as an inmate may be “sent” or “received” from any county. The NCSA staff conducted the 2015 SMCP annual training classes as follows:

- September 25, 2015 in Wake County
- October 6, 2015 in Pitt County
- October 8, 2015 in Catawba County

The SMCP’s 5-hour annual training classes provided all attendees with the following materials:

- A SMCP step-by-step training guide
- A detailed training course PowerPoint which included a summary of the legislation
- A copy of the Department of Public Safety Division of Prisons Sentence Credits Policy and Procedure
- A copy of the Department of Public Safety Division of Prisons Confinement in Response to Violation (CRV) Policy and Procedure
- A SMCP Quick Reference Guide

These materials are a resource for participants to use to train additional personnel at their offices who were not able to attend the training classes. There were 230 total participants at the 2015 annual training classes.

The NCSA staff will conduct the 2016 SMCP annual training classes as follows:

- September 13, 2016 in Pitt County
- September 20, 2016 in Catawba County
- September 21, 2016 in Haywood County
- October 4, 2016 in Wake County

The SMCP program and staff have a wide range of responsibilities. The staff is responsible for processing new inmate housing requests, coordinating inmate transportation, processing monthly reimbursement statements, denying ineligible inmate housing requests, processing release notices, processing medical billing, auditing records, and maintaining electronic and hard copy files on all inmates and reimbursement payments. Combined with the constant flow of documentation from sheriffs’ offices, the program staff is also responsible for coordinating inmate transfers to and from the Division of Adult Correction and Juvenile Justice (DACJJ). This includes locating space in an appropriate facility for an inmate who

must complete a misdemeanor sentence that exceeds the time in custody with the DACJJ or coordinating with the DACJJ to house an SMCP inmate who meets the legal requirements to be housed in a state operated facility. In addition to in-processing for inmates, the program staff is also responsible for answering program questions from sheriff's offices, clerks' of court staff, judges, probation officers, county finance personnel, planning and creating course materials for annual SMCP training classes, reviewing and testing database software changes, budget management, and the development of regular and ad-hoc statistical reports and analysis.

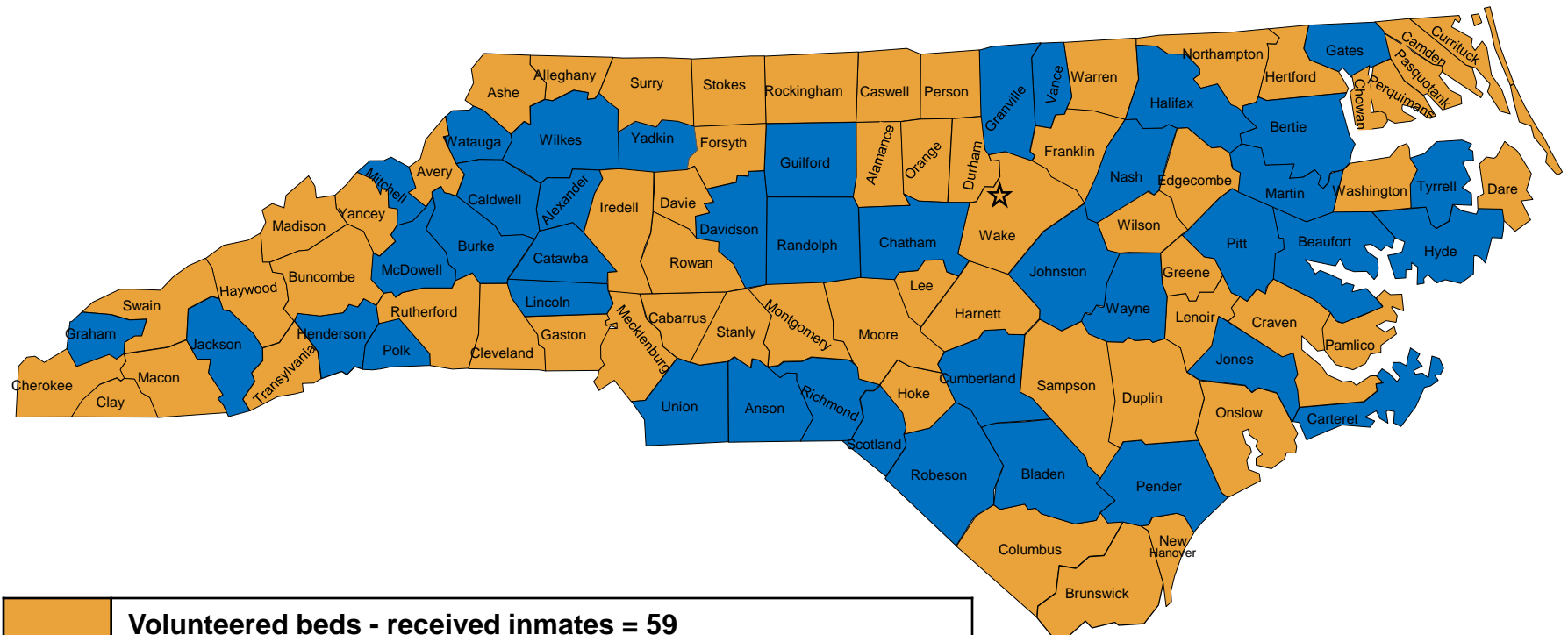
Each quarter of the calendar year, the financial records of the program are internally audited. Both electronic and hard copy records are reviewed and operational policies tested to ensure the program's internal operating and accounting procedures are clearly defined and adhered to by staff. The audits are performed as a risk mitigation tool to detect and resolve any potential errors as soon as possible. Custody records are audited internally bi-annually. As with the financial audits, the review is designed to test internal operating procedures and verify all documentation is properly filed and maintained.

As the SMCP heads into its fifth year of operation, the NCSA will continuously evaluate and manage the operation of the program. The program staff is constantly looking into ways to evolve and expand the capacity of the program that are mutually acceptable among all stakeholders.

**For additional information, contact:**

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## Counties that have Volunteered Beds to the Statewide Misdemeanant Confinement Program (SMCP)

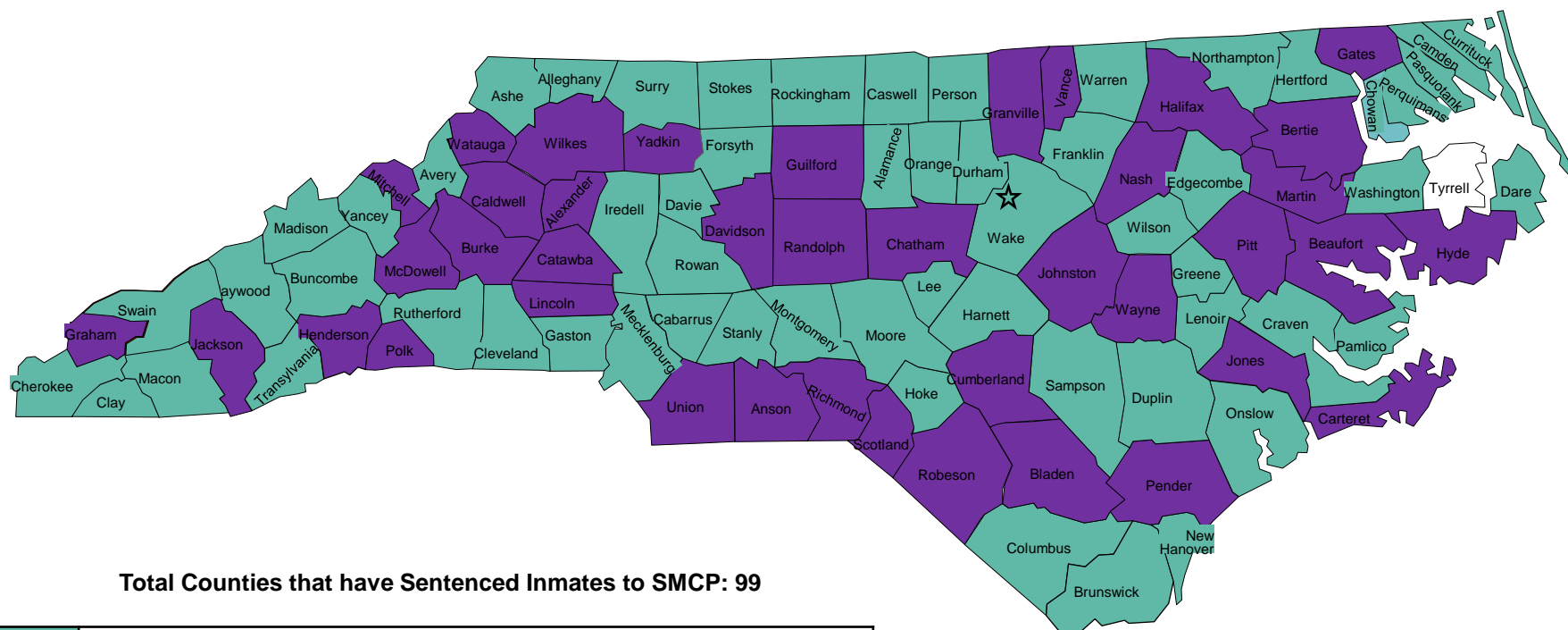


**Volunteered beds - received inmates = 59**

**Not volunteered beds = 41**

Last Updated: 6/30/16

## Counties that have Sentenced Inmates to the Statewide Misdemeanant Confinement Program (SMCP)



**Total Counties that have Sentenced Inmates to SMCP: 99**

	<b>Volunteered beds - sent and received inmates = 59</b>
	<b>Not volunteered beds - sent inmates = 40</b>
	<b>Not volunteered beds - not sent inmates = 1</b>

Last Updated: 6/30/2016

Statewide Misdemeanant Confinement Program  
Average Daily Population  
For Fiscal Year (FY) 2015-16

Attachment C

Month	Adult Males	Adult Females	Youth Males	Youth Females	Total SMCP Inmates
July	920	147	1	0	1068
August	948	153	0	0	1101
September	976	167	0	0	1143
October	976	162	0	0	1138
November	939	142	0	0	1081
December	862	130	0	0	992
January	826	120	0	0	946
February	869	128	0	0	997
March	894	135	0	0	1029
April	936	144	0	0	1080
May	968	160	0	0	1128
June	963	158	0	0	1121

<b>FY High</b>	976	167	1	0	1144
<b>FY Low</b>	826	120	0	0	605
<b>FY Average</b>	923	146	0	0	1069

<b>Average Inmate Capacity</b>	1411	364	25	18	1818
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Statewide Misdemeanant Confinement Program  
 Confinement in Response to Violation (CRV) Population  
 For The Fiscal Year (FY) 2015-16

Attachment D

Month	Adult Males	Adult Females	Youth Males	Youth Females	Total SMCP Inmates
July	25	5	0	0	30
August	27	3	0	0	30
September	26	3	0	0	29
October	26	3	0	0	29
November	23	2	0	0	25
December	19	6	0	0	25
January	28	7	0	0	35
February	17	9	0	0	26
March	27	4	0	0	31
April	43	7	0	0	50
May	19	10	0	0	29
June	22	6	0	0	28
Total	302	65	0	0	367

<b>FY High</b>	43	10	0	0	50
<b>FY Low</b>	17	2	0	0	25
<b>FY Average</b>	25	5	0	0	31

Statewide Misdemeanant Confinement Program  
Driving While Impaired (DWI) Population  
For The Fiscal Year (FY) 2015-16

Attachment E

<b>Month</b>	<b>Adult Males</b>	<b>Adult Females</b>	<b>Youth Males</b>	<b>Youth Females</b>	<b>Total SMCP Inmates</b>
July	59	10	0	0	69
August	77	11	0	0	88
September	81	10	0	0	91
October	62	3	0	0	65
November	68	12	0	0	80
December	60	10	0	0	70
January	73	14	0	0	87
February	86	17	0	0	103
March	93	16	0	0	109
April	91	13	0	0	104
May	75	13	0	0	88
June	74	15	0	0	89
<b>Total</b>	<b>899</b>	<b>144</b>	<b>0</b>	<b>0</b>	<b>1043</b>

<b>FY High</b>	93	17	0	0	109
<b>FY Low</b>	59	3	0	0	65
<b>FY Average</b>	75	12	0	0	87

# Statewide Misdemeanant Confinement Program

Attachment F

## Reimbursement Summary

Fiscal Year 2015-2016

County	Year to Date Paid for Housing, Mileage and Personnel	Year to Date Paid for Out-of-Jail Medical Expenses		Year to Date Safekeeper Fees Diverted
Alamance	\$ 974,830.29	\$ 66,893.28		\$ 54,774.07
Alexander	\$ 7,420.00	\$ -		\$ -
Alleghany	\$ 115,652.26	\$ 437.82		\$ -
Anson	\$ 3,562.98	\$ -		\$ -
Ashe	\$ 485,485.45	\$ 11,240.97		\$ -
Avery	\$ 3,469.25	\$ -		\$ -
Beaufort	\$ 13,817.08	\$ -		\$ -
Bertie	\$ 17,925.67	\$ -		\$ -
Bladen	\$ 10,360.23	\$ -		\$ -
Brunswick	\$ 614,248.71	\$ 27,545.02		\$ -
Buncombe	\$ 589,712.30	\$ 520.52		\$ -
Burke	\$ 16,190.04	\$ -		\$ -
Cabarrus	\$ 885,413.45	\$ 23,478.22		\$ -
Caldwell	\$ 25,515.70	\$ -		\$ -
Camden*	\$ -	\$ -		\$ -
Carteret	\$ 4,180.94	\$ -		\$ -
Caswell	\$ 218,408.90	\$ 2,052.29		\$ -
Catawba	\$ 18,751.98	\$ -		\$ -
Chatham	\$ 7,089.07	\$ -		\$ -
Cherokee	\$ 131,520.00	\$ 497.71		\$ -
Chowan	\$ 13,929.27	\$ -		\$ -
Clay	\$ 24,628.43	\$ 8,689.77		\$ -
Cleveland	\$ 115,452.09	\$ -		\$ -
Columbus	\$ 92,318.65	\$ -		\$ -
Craven	\$ 546,360.88	\$ 6,488.48		\$ -
Cumberland	\$ 59,798.43	\$ -		\$ -
Currituck	\$ 10,000.00	\$ -		\$ -
Dare	\$ 38,707.40	\$ 6,741.31		\$ -
Davidson	\$ 26,535.83	\$ -		\$ -
Davie	\$ 67,922.69	\$ 8,869.10		\$ -
Department of Public Safety	\$ 1,015,263.43	\$ 176,737.62		\$ -
Duplin	\$ 285,019.89	\$ 11,780.98		\$ -
Durham	\$ 441,341.64	\$ 16,158.48		\$ 13,393.18
Edgecombe	\$ 126,269.59	\$ -		\$ -
Forsyth	\$ 328,077.59	\$ 88,876.20		\$ -
Franklin	\$ 109,906.48	\$ -		\$ -
Gaston	\$ 213,478.30	\$ 5,969.53		\$ -
Gates	\$ 125.60	\$ -		\$ -
Graham	\$ 1,019.98	\$ -		\$ -
Granville	\$ 7,860.73	\$ -		\$ -
Greene	\$ 290,784.88	\$ 38,019.11		\$ -

# Statewide Misdemeanant Confinement Program

## Reimbursement Summary

Fiscal Year 2015-2016

County	Year to Date Paid for Housing, Mileage and Personnel	Year to Date Paid for Out-of-Jail Medical Expenses		Year to Date Safekeeper Fees Diverted
Guilford	\$ 83,670.74	\$ -		\$ -
Halifax	\$ 13,067.35	\$ -		\$ -
Harnett	\$ 160,483.48	\$ 568.51		\$ -
Haywood	\$ 173,955.56	\$ 14,766.41		\$ -
Henderson	\$ 16,852.62	\$ -		\$ -
Hertford	\$ 171,394.89	\$ 2,972.83		\$ -
Hoke	\$ 65,853.90	\$ -		\$ -
Hyde	\$ -	\$ -		\$ -
Iredell	\$ 106,179.55	\$ -		\$ -
Jackson	\$ 4,637.15	\$ -		\$ -
Johnston	\$ 16,598.10	\$ -		\$ -
Jones	\$ 2,706.15	\$ -		\$ -
Lee	\$ 66,360.00	\$ -		\$ -
Lenoir	\$ 258,250.27	\$ 9,661.78		\$ -
Lincoln	\$ 6,666.34	\$ -		\$ -
Macon	\$ 119,775.05	\$ 91,209.24		\$ -
Madison	\$ 60,680.00	\$ 123.39		\$ 14,120.00
Martin	\$ 22,621.73	\$ -		\$ -
McDowell	\$ 22,788.03	\$ -		\$ -
Mecklenburg	\$ 872,360.00	\$ 1,244.33		\$ -
Mitchell	\$ 3,509.58	\$ -		\$ -
Montgomery	\$ 288,518.98	\$ 9,235.39		\$ -
Moore	\$ 313,415.30	\$ 2,785.31		\$ -
Nash	\$ 46,223.18	\$ -		\$ -
New Hanover	\$ 321,472.94	\$ 15,292.75		\$ -
Northampton	\$ 233,917.04	\$ 10,565.89		\$ -
Onslow	\$ 435,058.86	\$ 106,975.36		\$ -
Orange	\$ 12,418.68	\$ -		\$ -
Pamlico	\$ 15,360.00	\$ -		\$ -
Pasquotank*	\$ 67,160.00	\$ 2,262.35		\$ -
Pender	\$ 6,126.57	\$ -		\$ 279.94
Perquimans*	\$ -	\$ -		\$ -
Person	\$ 211,790.82	\$ 18,148.43		\$ -
Pitt	\$ 54,391.54	\$ -		\$ -
Polk	\$ 4,416.73	\$ -		\$ -
Randolph	\$ 46,979.09	\$ -		\$ -
Richmond	\$ 3,136.02	\$ -		\$ 226.37
Robeson	\$ 14,373.70	\$ -		\$ -
Rockingham	\$ 367,655.45	\$ 986.90		\$ -
Rowan	\$ 386,723.46	\$ -		\$ -
Rutherford	\$ 415,745.53	\$ 16,459.18		\$ -

# Statewide Misdemeanant Confinement Program

## Reimbursement Summary

Fiscal Year 2015-2016

County	Year to Date Paid for Housing, Mileage and Personnel	Year to Date Paid for Out-of-Jail Medical Expenses		Year to Date Safekeeper Fees Diverted
Sampson	\$ 584,114.08	\$ 3,424.49		\$ 60,235.40
Scotland	\$ 8,367.74	\$ -		\$ -
Stanly	\$ 177,778.80	\$ 2,644.15		\$ -
Stokes	\$ 158,298.20	\$ 7,971.60		\$ -
Surry	\$ 127,664.02	\$ 176.38		\$ -
Swain	\$ 92,243.80	\$ -		\$ -
Transylvania	\$ 213,252.58	\$ 5,065.21		\$ -
Tyrrell	\$ -	\$ -		\$ -
Union	\$ 17,018.98	\$ -		\$ -
Vance	\$ 18,556.03	\$ -		\$ -
Wake	\$ 1,274,271.92	\$ 487.51		\$ -
Warren	\$ 65,577.04	\$ 5,342.02		\$ -
Washington	\$ 74,989.02	\$ 410.74		\$ -
Watauga	\$ 6,648.75	\$ -		\$ -
Wayne	\$ 22,002.80	\$ -		\$ -
Wilkes	\$ 18,713.96	\$ -		\$ -
Wilson	\$ 303,908.95	\$ 697.19		\$ -
Yadkin	\$ 8,827.24	\$ -		\$ -
Yancey	\$ 106,012.11	\$ 4,359.77		\$ -
<b>Total</b>	<b>\$ 16,729,896.48</b>	<b>\$ 834,833.52</b>		<b>\$ 143,028.96</b>

### **SMCP Fund Analysis as of Report Date**

Fund Balance as of 6/30/2015	\$31,930,575.12
Funds Collected 7/1/2015 to 6/30/2016	\$33,072,108.76
NCSA Administrative Costs Paid	-\$1,000,000.00
DPS Administrative Costs Paid	-\$225,000.00
County Reimbursements Paid	-\$16,729,896.48
Medical Payments Paid	-\$834,833.52
Safekeeper Payments To DPS Paid	-\$143,028.96