

**SENATE COMMITTEE ON FINANCE AND
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**JOINT SUBCOMMITTEE ON PUBLIC SAFETY,
NATURAL RESOURCES AND TRANSPORTATION
CLOSING REPORT**

NEVADA DEPARTMENT OF CORRECTIONS

The Subcommittee on Public Safety, Natural Resources and Transportation has completed its review of the Nevada Department of Corrections' (NDOC) budget request for the 2015-17 biennium. The closing recommendations of the Subcommittee resulted in General Fund increases of \$385,880 in FY 2016 and \$489,485 in FY 2017.

The department's budget is primarily driven by the projected number of inmates to be housed. The Executive Budget provided funding to house an average of 12,816 inmates in FY 2016 and 12,882 in FY 2017, based on inmate population projections derived in October 2014. The budget, as modified by the Subcommittee, will provide funding to house an average of 12,890 inmates in FY 2016 and 12,948 in FY 2017, which is based on revised inmate population projections updated in February 2015. The Subcommittee recommended the approval of the Governor's recommended inmate housing plan, which includes the closure of Northern Nevada Restitution Center and the opening of Northern Nevada Transitional Center. The October 2014 projection was slightly underestimated, compared to the actual inmate population experienced between October 2014 and February 2015. The revised inmate population

projections result in a General Fund increase of \$7,851 in FY 2016 and a General Fund decrease of \$36,067 in FY 2017 from the amounts provided in The Executive Budget.

Department-Wide Issues: The Subcommittee recommends approval of the Governor's recommendation to adjust the NDOC's shift relief factors for both 7-day and 5-day per week protective service posts for all major institutions and conservation camps, as well as the transitional housing center and the restitution center. Correspondingly, the Subcommittee also recommended approval of the Governor's recommendation to support 100 new protective service staff positions throughout the department, resulting from the adjustment in the department's shift relief factor. In addition, the Subcommittee recommended issuing a letter of intent, directing the department to report to the Interim Finance Committee quarterly on its vacant positions.

Director's Office (101-3710) CORRECTIONS-13: The Subcommittee recommended approval of the Governor's recommendation for four new positions, including:

- A Case Work Specialist Supervisor and an Administrative Assistant to meet additional workload requirements resulting from the Department of Justice actively enforcing the provisions of the Prison Rape Elimination Act;
- A Program Officer position to act as a single point of contact for all public information requests made to the NDOC; and

- An IT Professional to begin designing and developing a new offender tracking system that would eventually replace the department's existing Nevada Offender Tracking Information System (NOTIS).

In addition, the Subcommittee recommended approval of Budget Amendment A150773710 to provide the NDOC with General Fund appropriations of \$176,800 in each year of the biennium to employ a Master Service Agreement contractor over the next two years to fix various errors in the department's computer systems while the department's existing IT development staff focuses its efforts on fixing its new Offender Sentence Management (OSM) application.

Prison Medical Care (101-3706) CORRECTIONS-24: The Subcommittee voted to approve the Governor's recommendation of \$13.8 million in FY 2016 and \$14.1 million in FY 2017 for inmate-driven medical expenditures, as amended, which includes inflationary adjustments of \$678,143 in FY 2016 and \$928,242 in FY 2017 recommended for outside medical care, prescription drugs, dental supplies and medical supplies. In addition, the Subcommittee recommends approval of the Governor's recommendation for General Fund appropriations of \$126,626 in FY 2016 and \$144,115 in FY 2017 to implement a new Hospice and Palliative Care Program and staff it with two new night-shift Licensed Practical Nurse positions. Finally, the Subcommittee approved a Laboratory Technician at High Desert State Prison to assist an existing Laboratory Technician in drawing blood and collecting tissue samples from new and existing inmates.

Correctional Programs (101-3711) CORRECTIONS-31: The Subcommittee recommends approval of five new positions for its Correctional Programs budget, including:

- A Mental Health Counselor at Lovelock Correctional Center to conduct inmate risk assessments and provide evidence based programming;
- A Mental Health Counselor at Ely State Prison to provide psycho-educational programming, mental illness assessments, and crisis management to maximum-custody inmates;
- Two Re-entry Program Officer positions to provide re-entry programming to inmates at Lovelock Correctional Center and High Desert State Prison; and
- A Social Worker position at Northern Nevada Correctional Center to provide case management services for inmates with severe mental illness, as well as inmates participating in the proposed Hospice and Palliative Care Program.

In addition, the Subcommittee recommended approval of the Governor's recommendation to eliminate the existing Substance Abuse Program at Casa Grande Transitional Center, in addition to the two Substance Abuse Counselors that manage the program, due to reductions in grant funds, which were used to support the program and positions.

High Desert State Prison (101-3762) CORRECTIONS-44: The Subcommittee recommended approval of the Governor's recommendation to fund the salary, benefits and operating expenditures of a new Equipment Mechanic that would assist an existing Equipment Mechanic at High Desert

State Prison in providing maintenance for the department's southern fleet, consisting of 150 vehicles and 30 off-road/heavy equipment type vehicles.

Southern Desert Correctional Center (101-3738) CORRECTIONS-60:

The Subcommittee recommended approval of the Governor's recommendation to fund the salary, benefits and operating expenditures of a new Heat Plant Specialist position to assist an existing Heat Plant Specialist in monitoring and maintaining the boilers, and other heat generating equipment, at Southern Desert Correctional Center.

Lovelock Correctional Center (101-3759) CORRECTIONS-67:

The Subcommittee recommended approval of the Governor's recommendation to fund the salary, benefits and operating expenditures of a new Administrative Assistant position to administer a new electronic case filings system at Lovelock Correctional Center. In addition, the Subcommittee recommended General Fund appropriations of \$10,000 in FY 2016 for building improvements to construct a secure room for the e-filing system within the law library at Lovelock Correctional Center.

Offenders' Store Fund (240-3708) CORRECTIONS-152:

The Subcommittee recommended approval of the Governor's recommendation to fund the salary, benefits and operating expenditures of a new Retail Storekeeper position at Ely State Prison to download music purchased by inmates to their MP3 players. In addition, the Subcommittee recommended approval of the Governor's recommendation to upgrade four half-time Retail Storekeeper positions that tend to the offender stores at Wells, Carlin, Humboldt and Tonopah Conservation Camps to full-time positions.

Finally, the Subcommittee recommended approval of the Governor's recommendation to provide retained earnings of \$152,970 in FY 2016 to support additional computer programming expenditures needed to create a data warehouse for its historical inmate banking data.

The Subcommittee recommended approval of all Other Closing Items within the NDOC's budgets that were presented to the Subcommittee, as recommended by the Governor, and authorized Fiscal staff to make technical adjustments as necessary, including those recommended in Budget Amendment A1500633710.

The Subcommittee recommends closing the following NDOC budgets as recommended in The Executive Budget, with minor or technical adjustments:

- Ely State Prison (101-3751) CORRECTIONS–38
- Northern Nevada Correctional Center (101-3717) CORRECTIONS–52
- Warm Springs Correctional Center (101-3716) CORRECTIONS–77
- Florence McClure Women's Corrections Center (101-3761) CORRECTIONS–83

NEVADA DEPARTMENT OF CORRECTIONS
General Fund Impacts of Subcommittee Closing

Page	Budget	Title	FY 2016	FY 2017
AS CLOSED BY SUBCOMMITTEE:				
CORRECTIONS - 13	101-3710	Director's Office	326,032	456,542
CORRECTIONS - 24	101-3706	Prison Medical Care	68,394	47,062
CORRECTIONS - 31	101-3711	*Correctional Programs	-	-
CORRECTIONS - 38	101-3751	Ely State Prison	(138,282)	(139,724)
CORRECTIONS - 44	101-3762	High Desert State Prison	74,948	52,346
CORRECTIONS - 52	101-3717	Northern Nevada Correctional Center	71,504	75,279
CORRECTIONS - 60	101-3738	Southern Desert Correctional Center	18,122	54,182
CORRECTIONS - 67	101-3759	Lovelock Correctional Center	(31,242)	(41,285)
CORRECTIONS - 77	101-3716	Warm Springs Correctional Center	(18,640)	(28,996)
CORRECTIONS - 83	101-3761	Florence McClure Women's Correctional Center	15,044	14,079
CORRECTIONS - 152	240-3708	*Offenders' Store Fund	-	-
			385,880	489,485
*No General Fund impact				

**Public Safety, Natural Resources and Transportation Joint Subcommittee
 Nevada Legislative Counsel Bureau
 Budget Closing Action Report**

Agency-Wide: NDOC – DEPARTMENT OF CORRECTIONS

	2014	2015	2016	%	2017	%
	Actual	Work Program	Gov Rec	Chg	Gov Rec	Chg
GENERAL FUND ^a	243,905,327	243,402,555	259,477,639	6.6%	264,586,176	2.0%
BALANCE FORWARD	-595,222	6,367,843	6,134,422	-3.7%	7,877,774	28.4%
FEDERAL FUND	3,859,954	4,590,075	3,310,553	-27.9%	3,310,553	0.0%
INTERAGENCY TRANSFER	6,412,398	7,843,514	5,164,413	-34.2%	5,557,545	7.6%
INTERIM FINANCE	4,621,266	0	0	0.0%	0	0.0%
OTHER FUND	23,616,115	23,286,738	24,081,102	3.4%	24,185,706	0.4%
REVERSIONS	-401,573	0	0	0.0%	0	0.0%
TOTAL REVENUES	281,418,265	285,490,725	298,168,129	4.4%	305,517,754	2.5%
Total FTE	2,744.68	2,746.68	2,807.64	2.2%	2,862.64	2.0%

^a General Fund appropriations recommended by the Governor for the 2015-17 biennium include \$1.8 million in FY 2016 for 45 new protective service positions and \$5.8 million in FY 2017 for an additional 55 new protective service positions, for a total of 100 new protective service positions over the 2015-17 biennium.

Overview

The Nevada Department of Corrections (NDOC) is governed by the Board of Prison Commissioners, which consists of the Governor, the Attorney General, and the Secretary of State. The Governor serves as chairperson of the board and appoints the director of the department. The department's facilities consist of 9 major institutions, 1 restitution center, 10 conservation camps, and 1 transitional housing facility. Of the 21 institutions and facilities, 2 major institutions and 1 conservation camp are closed. The NDOC budget is made up of 28 individual budget accounts. Below is a discussion of the major issues that affect the NDOC on an agency-wide basis.

Major Closing Issues

1. Revised Inmate Population
2. Bed Capacity and Long-Range Capital Improvement Projects
3. Adjustment to Shift Relief Factor

Discussion of Major Closing Issues

1. Revised Inmate Population (M-200, Agency-Wide): The inmate population projection developed by JFA Associates in October 2014 was used to develop the NDOC Long-Range Capital Improvement Projects (CIP) projection and subsequently the department's 2015-17 Biennium Plan (B2014-44), which is the basis for the Governor's budget recommendations. However, in February 2015, an updated inmate population projection was received from JFA Associates, which reflects a higher number of inmates that would need to be housed in the department's facilities over the 2015-17 biennium, as noted in the following table.

Institution	FY 2014 Actual	Gov Rec Inmate Population		JFA Revised February 2015		JFA Revised M-200 Adjustments	
		FY 2016	FY 2017	FY 2016	FY 2017	FY 2016	FY 2017
Southern NV Correctional Center (SNCC)	0	0	0	0	0	0	0
Warm Springs Correctional Center (WSCC)	550	568	572	550	544	0	-6
Northern NV Correctional Center (NNCC)	1,403	1,415	1,423	1,479	1,491	76	88
Nevada State Prison (NSP)	0	0	0	0	0	0	0
Stewart Conservation Camp (SCC)	345	317	319	309	311	-36	-34
Pioche Conservation Camp (PCC)	170	131	130	152	152	-18	-18
Northern NV Restitution Center (NNRC)	86	80	81	83	86	-3	0
Three Lakes Valley Conservation Camp (TLVCC)	234	242	245	234	235	0	1
Southern Desert Correctional Center (SDCC)	1,993	2,043	2,050	2,060	2,099	67	106
Wells Conservation Camp (WCC)	111	111	112	115	113	4	2
Humboldt Conservation Camp (HCC)	120	111	112	115	115	-5	-5
Ely Conservation Camp (ECC)	121	111	112	115	115	-6	-6
Jean Conservation Camp (JCC)	160	154	155	156	157	-4	-3
Silver Springs Conservation Camp (SSCC)	0	0	0	0	0	0	0
Ely State Prison (ESP)	1,072	1,241	1,246	1,145	1,149	73	77
Carlin Conservation Camp (CCC)	116	111	112	115	115	-1	-1
Tonopah Conservation Camp (TCC)	144	113	113	116	117	-28	-27
Lovelock Correctional Center (LCC)	1,616	1,644	1,653	1,616	1,616	0	0
Casa Grande Transitional Housing (CGTH)	262	235	236	262	263	0	1
Florence McClure Women's Correctional Center (FMWCC)	825	841	851	857	866	32	41
High Desert State Prison (HDSP)	3,411	3,348	3,360	3,411	3,404	0	-7
	12,739	12,816	12,882	12,890	12,948	151	209

The Executive Budget provides \$226,376 (\$349,805 General Funds) in FY 2016 and \$370,055 (\$488,148 General Funds) in FY 2017 for additional inmate-driven costs agency-wide, reflecting the projected growth in inmate population to 12,816 in FY 2016 and 12,882 in FY 2017, based on the inmate population projections prepared by JFA Associates in October 2014. The revised inmate population projection performed in February 2015 reflects an increased inmate population of 12,890 in FY 2016 and 12,948 in FY 2017. As a result, technical adjustments have been included in all of the NDOC facility and institution budgets, reflecting a cumulative increase in inmate-driven expenditures of \$129,920 (\$7,851 General Funds) in FY 2016 and \$111,652 (\$36,067 General Fund reduction) in FY 2017 (excluding funds from the Inmate Welfare Fund) as compared to the amounts recommended in The Executive Budget.

According to the JFA Associates February 2015 report, its October 2014 inmate population projection was underestimated, compared to the actual inmate population, by an average of 20 male and 33 female inmates over the four-month period between October 2014 and February 2015. JFA Associates attributes the revised projected increase of 209 inmates over the 2015-17 biennium, from the actual inmate population in FY 2014, to an increase in male and female new commitments, a decrease in mandatory and discretionary release rates, and an increase in the average length of stay for female inmates.

Does the Subcommittee wish to approve the revised inmate population projections reflected in the February 2015 inmate population projection developed by JFA Associates?

The Subcommittee recommended approval of the revised inmate population projections developed by JFA Associates and corresponding adjustments to inmate driven expenditures associated with the revised population projections.

2. Bed Capacity and Long-Range Capital Improvement Projects: The department's 2015-17 revised Biennium Plan (B2015-49) reflects a net increase of nine open beds in the 2015-17 biennium. The increase in beds is due to the opening of the department's new Northern Transitional Housing Center in Reno (112 beds), and the simultaneous closing of the Northern Nevada Restitution Center (-103 beds).

Projected Facility Capacity Adjustments for the 2015-17 Biennium

Effective Date	Description	(+/-) beds
8/15	Close Northern Nevada Restitution Center	-103
	Open Northern Nevada Transitional Center	112
TOTAL		9

*Emergency capacity is the maximum number of inmates a facility can house without causing staff changes or undo strain on the utility of the facility.

Does the Subcommittee wish to approve the revised inmate housing plan, which includes the closure of Northern Nevada Restitution Center and the opening of Northern Nevada Transitional Center?

The Subcommittee recommended approval of the revised inmate housing plan, which included the closure of Northern Nevada Restitution Center and the reopening of Northern Nevada Transitional Center.

3. Adjustment to Shift Relief Factor (E-230 and E-900, Agency-Wide): The NDOC uses a shift relief factor to determine how many positions it takes to fill a single protective service job post for a single shift, taking into account vacation, sick leave, training days, and other types of leave. Currently, the NDOC has a shift relief factor of 1.6 for 7-day per week posts and 1.2 for 5-day per week posts. According to the NDOC, its existing shift relief factor has not been updated since 1979. Because the department believed the current shift relief factor was out of date, the NDOC independently commissioned the Association of State Correctional Administrators (ASCA) in FY 2014 to conduct a study on its posts and staffing levels in order to determine if there was a need to increase staffing levels to support all legislatively approved posts. Based on a review of the NDOC's personnel data from FY 2013, the ASCA determined the NDOC should adjust its shift relief factors, which would result in the addition of 100 new positions agency-wide to meet optimal staffing levels based on the revised shift relief factors recommended in the study. In accordance with the ASCA's recommendations, the Governor recommends adjusting the NDOC's shift relief factors for both 7-day and 5-day per week protective service posts for all major institutions and conservation camps, as well as the transitional housing center and the restitution center. This adjustment would result in the creation of 100 new protective service staff positions throughout the department.

Shift Relief Factor

As part of its study, the ASCA recommended wholesale changes to the shift relief factor calculation methodology. As previously stated, the ASCA utilized FY 2013 personnel data supplied by the NDOC to determine the proposed shift relief factors. The table below identifies the current shift relief factor for each facility type, the proposed shift relief factors, and the estimated number of days staff are available to work under both the existing and proposed shift relief factors:

**Nevada Department of Corrections
Current Versus Proposed Shift Relief Factors
Major Institutions, Conservation Camps, Restitution Center and Transitional Housing Center**

Facility Type	Current Shift Relief Factors		Current Days Available to Work		Proposed Shift Relief Factors		Proposed Days Available to Work	
	7-Day Post	5-Day Post	7-Day Post	5-Day Post	7-Day Post	5-Day Post	7-Day Post	5-Day Post
Major Institutions	1.6	1.2	228	218	1.70	1.21	215	215
Conservation Camps	1.6	1.2	228	218	1.73	1.23	211	211
Restitution Center	1.6	1.2	228	218	1.58	1.13	226	226
Transitional Housing Center	1.6	1.2	228	218	1.79	1.28	204	204

The proposed relief factor takes into consideration the various types of leave custody staff took during FY 2013. Accordingly, the lists below identify what types of leave are currently considered in NDOC's existing Shift Relief Factor and the types of leave that would be accounted for in the proposed Shift Relief Factor.

Existing Shift Relief Factor

- Annual Leave
- Sick Leave
- Training

Proposed Shift Relief Factor

- Annual Leave
- Sick Leave
- Special Sick Leave
- Comp Time
- Family Medical Leave of Absence
- Training
- Catastrophic Leave
- Administrative Leave
- Military Leave
- Leave without Pay
- Leave due to Family Death

Issues with the Methodology used to Calculate the Proposed Shift Relief Factor:

Fiscal staff has identified the following issues related to the proposed Shift Relief Factors and the information used to derive the calculation:

- Since not every staff member is absent each year due to Family Medical Leave of Absence, Catastrophic Leave, Administrative Leave, Leave Without Pay, or Leave due to Family Death, it appears the amount of time staff utilizes for these types of leave would vary substantially from year-to-year; however, in its study, the ASCA did not compare the various leave types taken by staff in any other year but FY 2013.
- Outliers could be factored into the proposed calculation, as the department did not have actual records for all of the leave types noted above. As such, the ASCA estimated leave times where actual data was not available, including the number of days a position was vacant and hours staff was away for training.
- The ASCA acknowledges that the proposed shift relief factor may be understated, since the department has the ability to fill a position at one institution and temporarily transfer that individual to staff another institution. The study cited an example of employees assigned to Ely State Prison working at High Desert State Prison.
- Northern Nevada Restitution Center (NNRC) experienced little to no vacant positions in FY 2013. As a result, the ASCA study recommends decreasing the restitution's shift relief factor from 1.6 to 1.58 for 7-day posts and from 1.2 to 1.13 for 5-day per week posts. If NNRC experiences greater vacant positions in future biennia, the reduced shift relief factor would not provide for adequate staffing at that facility.

In order to address personnel outliers included in the study, the ASCA recommends evaluating the department's Shift Relief Factor every year; however, since the Legislature meets biennially, the NDOC indicates the Shift Relief Factor should be reviewed every two years. NDOC's proposal to modify the shift relief factor each biennium would deviate from current practice of maintaining a standardized shift relief factor. The biennial review of protective service staff could result in large fluctuations in staffing each biennium.

New Positions Proposed

The current shift relief factor estimates protective service staff that support 7-day posts are available to work 228 days per year, while protective service staff that support 5-day posts are available to work 218 days per year. As noted previously, the proposed shift relief factors reduce the projected number of days staff members are available to work for both 5 and 7-day posts. To account for the difference in FTE recommended between the existing and proposed shift relief factors, The Executive Budget recommends General Fund appropriations of \$1.8 million in FY 2016 and \$5.8 million in FY 2017 to add 100 protective service positions throughout the NDOC as shown in the table below:

New Positions Recommended by the Governor for the 2015-17 Biennium Based on Proposed Revisions to the NDOC Shift Relief Factors								
Location	Positions	FY 2016		FY 2017		Total FTE	FY 2016	FY 2017
		Start Date Oct. 2015	Start Date Jan. 2016	Start Date Jul. 2016	Start Date Oct. 2016		General Funds	General Funds
Maximum Custody								
ESP	Sergeant	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 70,376
	Correctional Officers	3.00	4.00	3.00	4.00	14.00	\$ 260,173	\$ 740,258
Medium Custody								
HDSP	Lieutenant	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 78,305
	Sergeant	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 70,376
	Correctional Officers	6.00	7.00	5.00	7.00	25.00	\$ 520,939	\$ 1,434,280
NNCC	Sergeant	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 70,376
	Correctional Officers	3.00	3.00	2.00	4.00	12.00	\$ 244,805	\$ 678,089
SDCC	Correctional Officers	3.00	3.00	3.00	3.00	12.00	\$ 242,147	\$ 690,332
LCC	Sergeant	0.00	0.00	0.00	1.00	1.00	\$ -	\$ 53,604
	Correctional Officers	3.00	3.00	3.00	3.00	12.00	\$ 239,893	\$ 679,883
WSCC	Correctional Officers	1.00	1.00	1.00	2.00	5.00	\$ 82,343	\$ 282,243
FMWCC	Correctional Officers	1.00	2.00	1.00	2.00	6.00	\$ 114,864	\$ 341,870
Minimum Custody								
PCC	Correctional Officer	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 63,571
TLVCC	Correctional Officers	1.00	0.00	1.00	0.00	2.00	\$ 48,864	\$ 125,466
WCC	Correctional Officer	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 63,571
HCC	Correctional Officer	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 63,571
ECC	Correctional Officer	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 63,571
CCC	Correctional Officer	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 63,571
TCC	Correctional Officer	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 63,571
CGTH	Correctional Officer	1.00	0.00	0.00	0.00	1.00	\$ 48,864	\$ 62,049
TOTAL		22.00	23.00	29.00	26.00	100.00	\$ 1,802,892	\$ 5,758,933

WSCC = Warm Springs Correctional Center; NNCC = Northern Nevada Correctional Center; PCC = Pioche Conservation Camp; TLVCC = Three Lakes Valley Conservation Camp; SDCC = Southern Desert Correctional Center; WCC = Wells Conservation Camp; HCC = Humboldt Conservation Camp; ECC = Ely Conservation Camp; ESP = Ely State Prison; CCC = Carlin Conservation Camp; TCC = Tonopah Conservation Camp; LCC = Lovelock Correctional Center; CGTH = Casa Grande Transitional Housing; FMWCC = Florence McClure Women's Correctional Center; HDSP = High Desert State Prison

All NDOC custody staff must be certified Peace Officers Standards and Training as Category III peace officers. According to the NDOC, it would be able to sufficiently train all new custody

staff needed to fill the proposed positions, as well as any custody staff hired to fill vacant positions. The table below identifies new cadet training the NDOC has scheduled in FY 2015 and the additional academies it could provide if demand justified the need. Similar POST trainings would be offered in each year of the 2015-17 biennium.

**Nevada Department of Corrections
Maximum Training Capacity per Year for Correctional Officer Trainees**

	Scheduled POST Training			Additional Capacity for POST Training			Maximum CO Training Capacity per Year
	Academies per Year	Maximum Participants per Academy	Maximum CO's Trained	Additional Academies	Maximum Participants per Academy	Maximum CO's Trained	
Ely	3	30	90	3	30	90	180
Lovelock	2	25	50	4	25	100	150
Carson City	3	36	108	3	36	108	216
Indian Springs	5	42	210	2	42	84	294
TOTAL			458			382	840

Existing Long-Term Vacant Positions

In the highlight document provided to the Subcommittee at its February 17, 2015, hearing, Fiscal staff reported the NDOC's vacant protective service positions, which at the time included 85 Correctional Officers, 21 Senior Correctional Officers, 2 Sergeants, and 2 Lieutenants, for a total of 110 positions. During the hearing, the Subcommittee asked the NDOC how many vacant positions it would be able to fill over the next three months. In response, the NDOC indicated that a specific number could not be provided to the Subcommittee, but the department did anticipate a decrease in its vacant positions. Since the NDOC's February 17, 2015, hearing, the department has actually experienced a net increase of five vacant positions with 115 protective service positions vacant, including 103 Correctional Officers, 9 Senior Correctional Officers, and 3 Sergeants. As the following table indicates, there are currently 34 positions that have been vacant for greater than 90 days.

Institutions and Facilities	Correctional Officers	Senior Correctional Officers	Sergeants	TOTAL	# of Positions Vacant > 90 Days	Total Protective Staff	Protective Staff Vacancy Rate
Maximum Custody							
Ely State Prison	52	2	1	55	28	270	20.4%
Medium Custody							
High Desert State Prison	15	2	0	17	-	452	3.8%
Southern Desert Correctional Center	14	0	0	14	-	206	6.8%
Northern Nevada Correctional Center	7	1	1	9	3	235	3.8%
Warm Springs Correctional Center	0	0	0	0	-	96	0.0%
Lovelock Correctional Center	6	2	0	8	1	213	3.8%
Florence McClure Women's Correctional Center	0	0	1	1	-	117	0.9%
Minimum Custody							
Pioche Conservation Camp	1	0	0	1	1	14	7.1%
Tonopah Conservation Camp	1			1	-	11	9.1%
Three Lakes Valley Conservation Camp	3	0	0	3	-	21	14.3%
Wells Conservation Camp	0	1	0	1	-	11	9.1%
Jean Conservation Camp	0	0	0	0	-	13	0.0%
Humboldt Conservation Camp	1	0	0	1	-	11	9.1%
Ely Conservation Camp	0	0	0	0	-	11	0.0%
Carlin Conservation Camp	2	0	0	2	1	11	18.2%
Casa Grande Transitional Housing	1	1	0	2	-	21	9.5%
TOTAL	103	9	3	115	34	1,713	6.7%

*The table above only reflects institutions and facilities that reported vacant positions as of April 20, 2015.

During the hearing, the NDOC cited three changes to its recruitment efforts that it believed would reduce vacant positions: 1) the implementation of Recreational Vehicle (RV) parks at certain remote camps; 2) a Correctional Trainee Program; and 3) the filling of a vacant Human Resource position.

1. RV Spaces: In order to address hard-to-fill vacant positions in its facilities located in remote areas, the NDOC has developed RV spaces at Carlin and Humboldt Conservation Camps to provide temporary housing for new recruits who would like to work at those facilities, but cannot find housing. To date, four individuals have used the RV parks and one individual is presently using an RV space at Carlin Conservation Camp. According to the NDOC, it plans to create five RV spaces at Ely State Prison and establish the infrastructure for an additional five spaces.
2. Correctional Trainee Program: The NDOC indicates it has streamlined its hiring methodology to bring staff online sooner. According to NDOC, it has implemented a Correctional Trainee Program where new trainees immediately begin working at the institutions once they are hired and before they are POST certified. According to the NDOC, the trainees shadow existing Correctional Officers for up to one year, and are not allowed to handle keys or weapons. This program allows trainees to experience what the job entails and determine if it is a career they wish to pursue, prior to the NDOC dedicating resources to fully train the individual. By allowing the trainee to begin working immediately after they are hired, the NDOC indicates it reduces the risk of trainees seeking other employment opportunities from the time they accept the position until the time they begin working. Fiscal staff notes the NDOC indicates this program has been in place in its rural institutions, including Ely State Prison, for 15 years. However, the NDOC deployed this program in its other institutions beginning in March 2014. According to NDOC, it currently employs 210 Correctional Officer trainees; however, the department was unable to provide historical statistics identifying how many Correctional Officer Trainees have been promoted to Correctional Officers.
3. Vacant Human Resource Position: During the Subcommittee hearing, the department indicated that vacant positions began to accumulate at ESP due to a vacant position in their personnel staff that was responsible for hiring staff at ESP. According to the Executive Branch's human resource system, the department's Personnel Analyst was vacant from January 6, 2014, through February 16, 2014. At its hearing, the NDOC indicated that it anticipated a decrease in vacant positions at ESP since the Personnel Analyst position was recently filled. Fiscal staff notes that vacant positions at ESP have actually increased by three positions since the Subcommittee's hearing in February. As such, it cannot yet be determined if filling that position would have a significant impact on the vacancy rate of NDOC's remote facilities and institutions.

Projected Results

According to the NDOC's performance indicators, the number of safety and security incidents are projected to remain flat at 23 for the major institutions and 24 for the minimum custody facilities in each year of the 2015-17 biennium compared to actual incidents that occurred in FY 2014. According to the NDOC, there is no correlation between the number of safety and security incidents and the number of custody staff. As a result, the NDOC does not anticipate the additional positions would contribute to a reduction in safety and security incidents.

The NDOC was unable to provide Fiscal staff with any measurable performance goals that could be achieved if the 100 additional custody staff positions were approved; however, the NDOC indicates that adding staff would improve morale.

While unrelated to the department's performance, the NDOC estimates it would be able to reduce overtime expenditures by 20 percent once all of the new positions were filled and properly trained, which would equate to a savings of approximately \$440,000 per year. The department does not anticipate realizing a savings in overtime in the 2015-17 biennium, as new staff would be training throughout the biennium.

When asked by Fiscal staff if the improvement in morale and future overtime savings could be achieved with fewer new positions, the NDOC indicated that because the requested positions were solely based on a mathematical equation, reducing the number of positions requested would undermine the basis of the Shift Relief Factor calculation.

Alternative Shift Relief Factor

Given the proposed shift relief factor is based on a calculation comprised of personnel data gathered from only one year and estimates compiled by the ASCA with no adjustments for outliers, the Subcommittee may wish to consider a more conservative approach in revising NDOC's shift relief factor for the 2015-17 biennium. As an alternative, the Subcommittee could consider increasing the shift relief factor by half of the amounts proposed in The Executive Budget and directing the NDOC over the 2015-17 biennium to gather the data that was not available to the ASCA during its 2014 study, such as hours staff were away for training and the number of days a position was vacant. The data could then be presented to the 2017 Legislature along with a three-year average of this data from FY 2014 – FY 2016. The average would minimize any outliers incurred in a single year, which would provide for a more accurate shift relief factor for future biennia. If this alternative were chosen, the shift relief factors for the various facility types would be revised to the following:

**Nevada Department of Corrections
Governor Recommended versus Alternative Shift Relief Factors by
Major Institutions, Conservation Camps, Restitution Center and Transitional Housing Center**

Facility Type	Current Shift Relief Factors		Governor Recommends		Alternative Shift Relief Factor		Difference from Governor Recommends and Alternative	
	7-Day Post	5-Day Post	7-Day Post	5-Day Post	7-Day Post	5-Day Post	7-Day Post	5-Day Post
Major Institutions	1.6	1.2	1.70	1.21	1.650	1.205	0.05	0.005
Conservation Camps	1.6	1.2	1.73	1.23	1.665	1.215	0.06	0.015
Restitution Center *	1.6	1.2	1.58	1.13	1.580	1.130	0.00	0.000
Transitional Housing Center	1.6	1.2	1.79	1.28	1.695	1.240	0.10	0.040

* No changes were made to the shift relief factor for the Restitution Center since it was recommended by the Governor to decrease.

The alternative shift relief factors would result in a decrease of 54 positions from the 100 new positions proposed in The Executive Budget to 46 new positions. The table below identifies the new positions that would result from the alternative shift relief factor:

New Positions Resulting from an Alternative Shift Relief Factor for the 2015-17 Biennium								
Location	Positions	FY 2016		FY 2017		Total FTE	FY 2016	FY 2017
		Start Date Oct. 2015	Start Date Jan. 2016	Start Date Jul. 2016	Start Date Oct. 2016		General Funds	General Funds
Maximum Custody								
ESP	Sergeant	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
	Correctional Officers	2.00	2.00	2.00	1.00	7.00	\$ 152,613	\$ 386,943
Medium Custody								
HDSP	Lieutenant	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
	Sergeant	0.00	0.00	1.00	0.00	1.00	\$ -	\$ 70,376
	Correctional Officers	4.00	3.00	3.00	3.00	13.00	\$ 306,447	\$ 771,071
SDCC	Correctional Officers	2.00	2.00	1.00	1.00	6.00	\$ 161,431	\$ 350,225
NNCC	Sergeant	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
	Correctional Officers	2.00	2.00	1.00	1.00	6.00	\$ 162,413	\$ 351,393
LCC	Sergeant	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
	Correctional Officers	2.00	2.00	1.00	1.00	6.00	\$ 159,930	\$ 345,623
WSCC	Correctional Officers	1.00	1.00	0.00	0.00	2.00	\$ 82,343	\$ 122,661
FMWCC	Correctional Officers	1.00	2.00	0.00	0.00	3.00	\$ 114,864	\$ 182,537
Minimum Custody								
PCC	Correctional Officer	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
TLVCC	Correctional Officer	1.00	0.00	0.00	0.00	1.00	\$ 48,864	\$ 62,049
WCC	Correctional Officer	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
HCC	Correctional Officer	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
ECC	Correctional Officer	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
CCC	Correctional Officer	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
TCC	Correctional Officer	0.00	0.00	0.00	0.00	0.00	\$ -	\$ -
CGTH	Correctional Officer	1.00	0.00	0.00	0.00	1.00	\$ 48,864	\$ 62,049
TOTAL		16.00	14.00	9.00	7.00	46.00	\$1,237,769	\$ 2,704,927

Accordingly, the alternative shift relief factor would add 46 new positions instead of 100 positions, which would result in General Fund reductions of \$565,123 in FY 2016 and \$3.1 million in FY 2017 from the Shift Relief Factor proposed by the Governor, for a total General Fund reduction of \$3.6 million in the 2015-17 biennium.

Options for consideration:

1. Approve the Governor's recommendation for General Fund appropriations of \$1.8 million in FY 2016 and \$5.8 million in FY 2017 to revise the NDOC's shift relief factors at the levels recommended in the ASCA study, which would result in the addition of 100 new protective service staff positions, and direct the department over the 2015-17 biennium to gather personnel data, including data that was not available to ASCA during its 2014 study, and present the information to the 2017 Legislature with revised Shift Relief Factors that take into consideration a three-year average of the Department of Corrections' personnel data.
2. Increase the Department of Correction's shift relief factor by half of the amounts proposed in The Executive Budget and direct the department over the 2015-17 biennium to gather personnel data, including data that was not available to ASCA during its 2014 study, and present the information to the 2017 Legislature with revised Shift Relief Factors that take into consideration a three-year average of the Department of Corrections' personnel data. This recommendation would provide funding for 46 new positions over the 2015-17 biennium, and would generate an

estimated General Fund savings of \$565,123 in FY 2016 and \$3.1 million in FY 2017 compared to the Governor’s recommended proposal.

- Do not approve the Governor’s recommendation for General Fund appropriations of \$1.8 million in FY 2016 and \$5.8 million in FY 2017 to revise the NDOC’s shift relief factors and 100 new protective service staff. If this option is chosen, the Subcommittee may wish to direct the department over the 2015-17 biennium to gather personnel data, including data that was not available to ASCA during its 2014 study, and present the information to the 2017 Legislature with revised Shift Relief Factors that take into consideration a three-year average of the Department of Corrections’ personnel data.

If the Subcommittee recommends approval of Options 1 or 2, it may wish to consider appropriating the funding to the IFC Contingency account for institutions that have vacancy rates greater than 10 percent. During the interim, these institutions could seek IFC approval to release funding for the new positions once they hire existing positions and reduce their vacancy rate below 10 percent. Agencies with vacancy rates below 10 percent would receive the funding directly with no further action required. Any funding remaining in the IFC Contingency account after each fiscal year in the 2015-17 biennium would revert to the General Fund. The tables below indicate how much funding would be placed in the IFC Contingency Account; the institutions and facilities that would be affected by this provision; and the maximum number of vacant protective service positions each of the affected institutions and facilities could maintain and be eligible to seek the IFC’s approval to release the additional funding for new positions.

Option 1 (Approve 100 new positions)

Institutions and Facilities	Total Protective Staff	Current Vacant Positions	Current Vacancy Rate	Vacant Positions to Access Funding	Vacancy Rate with Maximum Vacant Positions	General Funds Placed in IFC Contingency Fund	
						FY 2016	FY 2017
Ely State Prison	270	55	20.4%	27	10.0%	\$260,173	\$810,634
Three Lakes Valley Conservation Camp	21	3	14.3%	2	9.5%	\$ 48,864	\$125,466
Carlin Conservation Camp	11	2	18.2%	1	9.1%	\$ -	\$ 63,571
TOTAL						\$309,037	\$999,671

Option 2 (Approve 46 new positions)

Institutions and Facilities	Total Protective Staff	Current Vacant Positions	Current Vacancy Rate	Vacant Positions to Access Funding	Vacancy Rate with Maximum Vacant Positions	General Funds Placed in IFC Contingency Fund	
						FY 2016	FY 2017
Ely State Prison	270	55	20.4%	27	10.0%	\$152,613	\$386,943
Three Lakes Valley Conservation Camp	21	3	14.3%	2	9.5%	\$ 48,864	\$ 62,049
Carlin Conservation Camp	11	2	18.2%	1	9.1%	\$ -	\$ -
TOTAL						\$201,477	\$448,992

The Subcommittee recommends approval of the Governor’s recommendation to adjust the department’s Shift Relief Factor, which provides for 100 additional protective service staff throughout the Department of Corrections. In addition, the Subcommittee recommends issuing a Letter of Intent directing the department to report to the Interim Finance Committee on a quarterly basis regarding the vacancy rate of each institution and facility.

Staff Physicals (E-900, Agency-Wide): Fiscal staff would note that each E-230 decision unit within the facility and institution budgets contains expenditures associated with the new positions receiving staff physicals. The NDOC accounts for all staff physical expenditures throughout the department in its Director's Office budget. Accordingly, if the 2015 Legislature approves the 100 new positions, Decision Unit E-900 (agency-wide) would transfer total General Fund appropriations of \$112,000 in FY 2016 and \$137,701 in FY 2017 from the various facility and institution budgets to the Director's Office in order to properly align expenditures associated with staff physicals.

Does the Subcommittee wish to approve Decision Unit E-900 agency-wide, and provide Fiscal staff with authority to make technical adjustments to this decision unit based on the Subcommittee's decisions regarding the Shift Relief Factor?

The Subcommittee recommended approval of the Governor's recommendation to transfer staff physical expenditures contained in Decision Unit E-230 of the facility and institution budgets to the Director's Office.

Additional Information – No Action Required

Senate Concurrent Resolution 5: SCR 5 directs the Legislative Commission to appoint a committee to conduct an interim study relating to the working conditions at state correctional institutions and facilities and to the supervision of offenders. This resolution was referred to the Committee on Legislative Operations and Elections on March 16, 2015.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Senate Finance and Assembly Ways and Means
 Committees Meeting Jointly
 W02 - WORKING VERSION 2

Title: NDOC - DIRECTOR'S OFFICE

Budget Page: CORRECTIONS-13,
 Volume III

Account: 101 - 3710

Revenues	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
BALANCE FORWARD	1,656,870	160,362	(90.32)				
FEDERAL FUND	1,870,491	2,590,075	38.47	1,310,553	(49.40)	1,310,553	
GENERAL FUND	18,854,017	17,208,698	(8.73)	19,873,858	15.49	19,792,489	(0.41)
INTERAGENCY TRANSFER	964,370	555,704	(42.38)	534,493	(3.82)	534,151	(0.06)
INTERIM FINANCE	370,886						
OTHER FUND	79,253	66,793	(15.72)	48,925	(26.75)	48,925	
Total Revenues	23,795,887	20,581,632	(13.51)	21,767,829	5.76	21,686,118	(0.38)
Total FTE		184.51		188.51		188.51	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
B000	00	2501	Increase General Funds for EITS utilization adjustment for DS Circuits - Technical Adjustment	128,591	128,591
M100	00	2501	Increase General Funds for EITS utilization adjustment for DS Circuits - Technical Adjustment	19,825	1,100
M200	00	2501	Increase General Fund to reflect JFA inmate population projections - technical adjustment	816	815
E226	00	2501	Budget Amendment - Increase General Funds for an MSA contractor to address IT backlog.	176,800	176,800
E719	00	2501	A150063710 - Budget Amendment adjusting the cost of microwave system equipment.		149,236
Sub-total				326,032	456,542
Line Item Changes to Revenues				326,032	456,542

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
B000	26	7000	EITS utilization adjustment for DS Circuits - Technical Adjustment	128,591	128,591
M100	26	7000	EITS utilization adjustment for DS Circuits - Technical Adjustment	19,825	1,100
M200	32	7000	Increase drug testing expenditures to reflect JFA inmate population projections - technical adjustment	536	485
M200	53	7000	Increase mattress replacement expenditures to reflect JFA inmate population projections - technical adjustment	280	330
E226	26	7000	Budget Amendment - Increase IT expenditures for an MSA contractor to address IT backlog.	176,800	176,800
E719	26	8000	A150063710 - Budget Amendment adjusting the cost of microwave system equipment.		149,236
Sub-total				326,032	456,542
Line Item Changes to Expenditures				326,032	456,542

Total				0	0
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Grand Total General Fund Impact of Closing Changes				326,032	456,542
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Overview

The Director's Office is responsible for the planning, administration, and general support functions for the department and includes the following services: long-range planning, inmate classification, inmate records, inmate transportation, investigations, information services, plant operations, safety and health, fiscal services, personnel services, and procurement and contract services. Administrative offices are located in Carson City and Las Vegas. The Director's Office is supported primarily by the General Fund. Additional funding sources include federal funds, miscellaneous revenue from the Social Security Administration, electronic device fee revenue transferred from the Offenders' Store Fund, and gymnasium rental income transferred from the Inmate Welfare account.

Major Closing Issues

1. Prison Rape Elimination Act
2. New Program Officer Position
3. Additional IT Programming Hours (Budget Amendment A150773710)
4. New IT Professional Position
5. State Criminal Alien Assistance Program

Discussion of Major Closing Issues

1. Prison Rape Elimination Act (M-501 and M-502, CORRECTIONS-16 & 17): In FY 2014, the Department of Justice began enforcing national standards for eliminating rape inside correctional facilities under the provisions of the Prison Rape Elimination Act (PREA). PREA mandates certain standards relating to the detection, prevention, investigation, and prosecution of rape in prison. The 2013 Legislature approved a Criminal Investigator position to conduct investigations within the prison system related to PREA. The Governor recommends General Fund appropriations of \$65,608 in FY 2016 and \$115,629 in FY 2017 to support the salaries, benefits and operating expenditures of one new Case Work Specialist Supervisor and one Administrative Assistant to provide the department with staffing to meet the additional workload brought on by the PREA mandates. In addition, the Governor recommends \$19,694 in FY 2016 and \$17,562 in FY 2017 to support travel and training expenditures associated with PREA related audits and staff certifications.

New Case Work Specialist Supervisor

When the PREA standards became mandatory in FY 2014, the department designated all Case Work Specialist Supervisors within the institutions as PREA Coordinators in addition to their previously assigned duties. As PREA Coordinators, the Institutional Case Work Specialist Supervisors are responsible for screening all PREA related inmate grievances within 72 hours, and educating the staff and inmates on the provisions of PREA. According to the NDOC, in the smaller institutions, Case work Specialist Supervisors spend approximately 5 to 7 hours per week on PREA related issues, while in the larger institutions Case work Specialist Supervisors spend between 20 and 25 hours per week on PREA related issues. The NDOC indicates that PREA grievances have gone from zero in FY 2012 to 35 in FY 2013 and 279 in FY 2014. The department estimates that PREA grievances will increase to approximately 418 in each year of the 2015-17 biennium. In order to ensure the Case Work Specialist Supervisors within the institutions are able to meet their duties as PREA Coordinators, the Governor recommends shifting some of their existing supervisory responsibilities to the proposed Case Work Specialist Supervisor within the Offender Management Division.

Currently, Caseworkers at the institutions and facilities evaluate inmates every six months. The Case Work Specialist Supervisors in the institutions review their Caseworker's recommendations to adjust or maintain the classification of each inmate's custody level. The Case Work Specialist Supervisors in the institutions spend between two and eight hours per week reviewing classifications where the Caseworkers recommend no changes to the inmate's custody level. In order to free up time

for the Institutional Case Work Specialist Supervisors to complete their PREA Coordinator duties, the Governor recommends adding a new Case Work Specialist Supervisor within the Offender Management Division to review the Caseworker recommendations where no custody level changes are suggested.

In addition, the NDOC also indicates the new Case Work Specialist Supervisor would be responsible for assisting in caseworker training and acting as a PREA liaison, which would include the following:

- Tracking inmates who require 90-day monitoring to ensure no retaliation is occurring;
- Conducting unannounced, on-site audits of the institutional files to ensure the required PREA documents are being completed correctly;
- Comparing the information in the institution's files with the information in the Nevada Offender Tracking Information System (NOTIS) to ensure the system is being updated; and
- Assisting Institutional Case Work Specialist Supervisors in the screening of PREA related inmate grievances.

Administrative Assistant

The Governor recommends an additional Administrative Assistant within the Offender Management Division to respond to requests for public information, sealed records requests and subpoena requests for records. Currently, the Offenders Management Division has six Administrative Assistant positions that perform these duties in addition to other clerical duties. The NDOC indicates the new Administrative Assistant position is needed to address the additional workload brought on by the PREA mandates. While the department was unable to determine how many requests for information were PREA related, the NDOC indicates that in FY 2012, prior to PREA mandates, the department received approximately 50 records requests per month. The department indicates that it now receives approximately 350 to 400 records requests per month. In FY 2014, the agency authorized 49 hours of overtime for its existing Administrative Assistants to work on records requests.

PREA Training and Audits

As previously stated, the Governor recommends \$19,694 in FY 2016 and \$17,562 in FY 2017 to support travel and training expenditures associated with the following PREA related audits, auditor training and staff certifications.

Out-of-State Auditors - Travel Expenditures: According to the provisions of PREA, each state must have one-third of their facilities audited annually for compliance. The NDOC has eighteen facilities, which means six of its facilities must be audited annually in the three-year cycle. It was determined that auditors from Alaska and Oregon will travel to Nevada to audit the NDOC's facilities in the 2015-17 biennium. Each state is liable for the travel costs associated with out-of-state auditors auditing their facilities. Accordingly, the Governor recommends \$8,300 in FY 2016 for two auditors from Alaska to travel to Nevada twice a year to audit six facilities and \$6,680 in FY 2017 to pay for two auditors to travel from Oregon to Nevada twice a year to audit six facilities.

Auditor Training: Currently, three of the department's 16 Criminal Investigators are certified PREA auditors. These individuals can instruct other staff members on how to properly document and investigate PREA related incidents. These individuals are also involved with the PREA Auditor Consortium to audit other states for compliance with the PREA mandates. The Governor recommends increasing this pool of certified auditors by sending two individuals each fiscal year to the PREA Auditor Training. This training is estimated to cost \$2,662 per traveler per fiscal year. According to the NDOC, additional PREA Compliance Auditors are needed to conduct internal audits of NDOC's facilities prior to outside agencies auditing the facilities.

PREA Compliance Training: The NDOC's Wardens and a Compliance Manager were provided instruction during the 2013-15 biennium on how to reach and maintain compliance with the PREA standards. The NDOC recommends General Fund appropriations of \$6,071 in FY 2016 and \$5,559 in FY 2017 to provide travel expenditures for 13 additional staff members in FY 2016 and 12 additional staff members in FY 2017 to attend PREA training for 4 days. According to the NDOC, this training would be conducted by its internal PREA certified auditors. The travel expenditures would provide for meals and lodging for staff attending the training. One 4-day training session would be conducted in both Southern and Northern Nevada.

Does the Subcommittee wish to approve funding to support a new Case Worker Specialist Supervisor position, a new Administrative Assistant position and travel and training expenditures related to PREA compliance as recommended by the Governor?

The Subcommittee recommends approval of the Governor's recommendation to support a new Case Worker Specialist Supervisor position, a new Administrative Assistant position and travel and training expenditures related to Prison Rape Elimination Act compliance.

2. New Program Officer Position (E-228, CORRECTIONS-18): The Governor recommends General Fund appropriations of \$49,341 in FY 2016 and \$54,367 in FY 2017 to support the salary, benefits and operating expenditures of a new Program Officer position. This position would serve as the Records Manager to the NDOC's proposed Public and Records Response Program. The Records Manager would perform the following:

- Act as the designated single point of contact for all public information requests;
- Coordinate responses from subject matter experts within the NDOC;
- Provide the public, inmate families and various inmate constituencies with information relating to inmate deaths and incidents;
- Respond to public information requests from the press, the public and inmates regarding the operations of the department; and
- Ensure the NDOC complies with public record laws while ensuring the security needs of the NDOC are not compromised in filling public records requests.

As previously indicated, the NDOC reports it has been receiving approximately 350 to 400 public information and records requests per month. At the Subcommittee hearing, the NDOC identified some of the various requests for information, including official documentation, department policies and procedures, administrative regulations, information on specific inmates and their offenses, department-wide information on various classifications of inmates, and inmate population statistics. Fiscal staff notes that the NDOC does not have a Public Information Officer to handle these requests. The NDOC notes that inquiries are currently handled by numerous staff, including the Deputy Director of Prison Industries, the Offender Management Administrator, a Management Analyst, a Business Process Analyst, an Economist, a Statistician and the Chief IT Manager.

According to NRS 239.0107, governmental entities have five business days to respond to an oral or written request for public books or records. The NDOC indicated at its Subcommittee hearing the Program Officer would ensure that the NDOC is responding to the requests appropriately and in a timely manner.

The department indicates the new Administrative Assistant position, recommended in Decision Unit M-502 (Major Issue 1), would support additional public records requests associated with PREA, and also assist this position in retrieving documents from the department's central or institutional files to be incorporated into the NDOC's formal response to the requests for information.

Does the Subcommittee wish to approve the Governor's recommendation to establish a Program Officer position to oversee the NDOC's proposed Public and Records Response Program?

The Subcommittee recommends approval of the Governor's recommendation to establish a Program Officer position to oversee the NDOC's proposed Public and Records Response Program.

3. Additional IT Programming Hours (Budget Amendment A150773710): On April 14, 2015, the Executive Budget Office submitted Budget Amendment A150773710 to provide General Fund appropriations of \$176,800 in each year of the 2015-17 biennium to employ a full-time MSA contractor over the next two years to fix various errors and bugs discovered in the NDOC's Offender Sentence Management (OSM) application and Nevada Offender Tracking Information System (NOTIS). According to the NDOC, the contracted programmer is needed to address issues in its existing programs, which would free up time for its existing IT staff to focus on fixing its new sentencing management system.

The 2013 Legislature approved Senate Bill (S.B.) 71, which requires aggregate sentencing for inmates committed on or after July 1, 2014. Rather than making the programming changes that were required to implement the provisions of S.B. 71 into NOTIS, NDOC's IT staff chose to design and implement a new application, the Offender Sentencing Management application, to calculate aggregate sentencing. According to the NDOC, it had historically experienced difficulties with Syscon, the vendor of NOTIS, updating the system's offender sentencing function. As a result, the NDOC purchased the rights from Syscon to NOTIS's sentence calculation code, utilizing a \$452,700 credit Syscon owed to NDOC, so that in-house IT staff could fix some of the ongoing issues with its sentencing calculations. Once NDOC's IT staff were able to view the source code used in NOTIS, they realized that it would be more difficult to fix the problems in NOTIS than to build a new sentence calculation module. Accordingly, NDOC IT staff designed and implemented a new sentencing application. Once fully operational, the NDOC indicates the OSM system will have greater functionality and will be able to calculate sentencing, aggregate sentencing, allow entry of legal data, track work credits, create eligibility lists for the Parole Board, and export data to the Division of Parole and Probation (P&P). When the department began developing the OSM system, it estimated it could complete the application in two phases:

Phase 1: Create a sentence calculation program that would be equivalent to the current NOTIS sentencing calculation while fixing known bugs and shortcomings, and at the same time allowing for future modifications to meet changes in sentencing law.

Phase 2: Add aggregated sentencing feature.

While neither phase was fully completed, the OSM system went live in December 2014 in order to meet mandatory deadlines for the aggregate sentencing. After the system went live, several issues were discovered, including:

- Interfacing issues with P&P's Offender Tracking Information System (OTIS); and
- Interfacing issues with the Parole Board's eligibility list.

The NDOC's IT staff determined that a completely new interface would have to be defined and implemented. As a result, the department determined the following phases must now be completed:

1. Develop the programming to implement aggregate sentencing.
2. Fix OTIS and Parole Board interfacing.
3. Add critical programming capability to account for holds, detainees, and prior felonies.
4. Address all other non-critical requests.

Currently, the NDOC's Management Information Systems section has 29 positions (28.51 FTE), of which 5 positions (4.51 FTE) are dedicated to application design and development. The NDOC indicates that 100 percent of its design and development staff are working to completing phase two of the new OSM application. However, the OSM application was developed utilizing the JAVA development tool, and according to the NDOC, only one of its IT staff members has experience in developing with JAVA. As such, the NDOC's progress on fixing the OSM system has been slow.

With all of its resources dedicated to the OSM system, NDOC IT staff have not been able to meet their other developmental duties. As a result, the department has accumulated a backlog of 73 bugs and errors that need to be fixed in NOTIS, OSM and the department's other smaller IT systems. The NDOC categorizes its bugs and errors as small, medium and large in complexity. Accordingly, the NDOC indicates it has 22 large projects, 44 medium projects and 7 small projects that must be completed in its various systems. The NDOC estimates that it would require an MSA contractor for a period of two years to address the noted projects, while its existing IT staff become more familiar with the JAVA development tool and focus their efforts on phase 2 of the OSM system.

Does the Subcommittee wish to approve Budget Amendment A150773710 to provide General Fund appropriations of \$176,800 in each year of the 2015-17 biennium to employ a full-time MSA contractor over the next two years to fix errors and bugs in the Department of Corrections' various computer systems.

The Subcommittee recommended approval of Budget Amendment A150773710 to provide General Fund appropriations of \$176,800 in each year of the 2015-17 biennium to employ a full-time MSA contractor over the next two years to fix errors and bugs in the Department of Corrections' various computer systems.

4. New IT Professional Position (E-225, CORRECTIONS-17 and 18): The Governor recommends General Fund appropriations of \$49,597 in FY 2016 and \$90,916 in FY 2017 to support the salary, benefits and operating expenditures of a new IT Professional position. This position would be responsible for making in-house changes to NOTIS to accommodate the NDOC's short-term needs, while designing and developing a new system over time that would eventually replace NOTIS.

The 2013 Legislature approved a one-time General Fund appropriation of \$1.9 million through Assembly Bill 468 to upgrade NOTIS to a newer version, NOTIS Elite, and provide user training. The primary outcome of this upgrade was to enhance NOTIS so that it could be supported with Java 7, Windows 7, and Oracle 11g. However, the Elite version that NDOC upgraded to was not its vendor's (Syscon) most recent version of NOTIS. The NDOC now indicates that Syscon will no longer support the Elite version beginning in FY 2020. During the 2013 Legislative Session, the NDOC testified that Syscon's most recent version of NOTIS would cost approximately \$12 million to implement.

In lieu of utilizing Syscon to upgrade NOTIS, the NDOC plans to join a volunteer Consortium, which consists primarily of western states that have developed offender management systems in their state, and are willing to share their development practices with members of the Consortium free of charge. In joining the Consortium, the NDOC indicates it would have access to user interface and software code that has already been developed and tested by the states in the Consortium. It would also be able to evaluate the software development practices that have worked best for other states. According

to the NDOC, the members of the Consortium have found that by sharing how their offender management systems were developed, they are able to develop more effective and efficient systems without employing a third-party vendor to develop a new system. The NDOC indicates that it cannot provide an estimate for how much it would cost to replace the NOTIS system utilizing in-house resources until a plan is completed and the design of the system is analyzed.

Currently, the NDOC shares offender data with the Parole Board and the Division of Parole and Probation. The NDOC indicates that the migration to a new system will not affect either agency, since the NDOC has already developed and implemented the first major segment of the replacement components, the OSM application (discussed in Major Closing Issue 3), which is the component that shares offender information with the Parole Board and the Division of Parole and Probation. Fiscal staff would note, as previously indicated in Major Issue 3, the NDOC is currently experiencing issues with its OSM interfacing with the Division of Parole and Probation and the Parole Board.

Does the Subcommittee wish to approve the Governor's recommendation to fund a new IT Professional position to design and develop a new offender management system, while maintaining the department's existing NOTIS system?

The Subcommittee recommends approval of the Governor's recommendation to fund a new IT Professional position to design and develop a new offender management system, while maintaining the department's existing NOTIS system.

Other Closing Items

1. Inmate-Driven Expenditures (M-200, CORRECTIONS-15): The Governor recommended \$3,199 in FY 2016 and \$4,604 in FY 2017 to purchase new mattresses, associated with the projected increase in inmate population, in addition to funds for drug testing approximately 5 percent of the inmate population each month for the first eleven months of each fiscal year and 10 percent of the inmate population the last month of each fiscal year. This funding would also support year-round drug testing for inmates with due cause. Fiscal staff would note that in February 2015, JFA Associates revised its inmate population projections. Accordingly, the amount allocated for replacement mattresses should be increased by \$536 in FY 2016 and \$485 in FY 2017 based on the revised JFA Associates inmate population projections. Similarly, the amount allocated for drug testing additional inmates should be increased by \$280 in FY 2016 and \$330 in FY 2017. **Staff recommends approval of this decision unit with adjustments identified by Fiscal staff for caseload based on JFA Associates February 2015 inmate population projections.**

2. Energy Efficiency Projects (E-125, CORRECTIONS-17): The 2011 Legislature created an Energy Management Program within the Director's Office to maximize the NDOC's energy efficiency and reduce utility costs. In the three years the program has been implemented, the NDOC estimates it has reduced overall energy consumption by 9.5 percent, which has resulted in a savings of approximately \$2.1 million. In continuing this program, the Governor recommends General Fund appropriations of \$91,993 in FY 2016 and \$92,000 in FY 2017 to fund ongoing efforts to implement energy efficiencies throughout the department. The following table identifies the energy efficiency projects recommended by the Governor in the 2015-17 biennium:

Energy Efficiency Projects	FY 2016	FY 2017	Estimated Consumption Reduction
Replace existing Lighting with LED Lighting (NNCC, LCC, HDSP, SDCC, FMWCC, CGTH, TCC, and SCC)	\$ 49,250	\$ 68,000	61% measured consumption reduction
Replace Freezer Lights with LED Lights (HDSP, FMWCC and LCC)	\$ 11,048	\$ 24,000	84% measured consumption reduction
Intelligent Walk In Freezer Control System (HDSP)	\$ 6,695	\$ -	20% measured consumption reduction
Replace HVAC Pump with High Efficiency Pump (LCC)	\$ 10,000	\$ -	80% measured consumption reduction
Installation Low Water Flow Shower System (CGTH)	\$ 15,000	\$ -	3 month measured payback after installation.
TOTAL	\$ 91,993	\$ 92,000	

NNCC - Northern Nevada Correctional Center; LCC - Lovelock Correctional Center; SDCC - Southern Desert Correctional Center; FMWCC - Florence McClure Women's Correctional Center; CGTH - Casa Grande Transitional Housing; TCC - Tonopah Conservation Camp; SCC - Stewart Conservation Camp; and HDSP - High Desert State Prison

These recommendations appear reasonable.

3. Repair Buses (E-249, CORRECTIONS-18): The Governor recommends \$25,000 in each year of the 2015-17 biennium to complete repairs on the NDOC's three existing buses. Two of the department's buses are 7-years old and one is 12-years old. The \$25,000 estimated amount for repairs each year was based on total expenditures the NDOC incurred in FY 2014 for ongoing maintenance and repairs of the three buses. Various repairs that were completed on the buses include changing belts, repairing shocks, replacing brakes, replacing batteries, replacing various filters, repairing fluid leaks, and replacing sensors. Similar repairs are projected for each year of the 2015-17 biennium. **This recommendation appears reasonable.**

4. Repair Telephone System (E-250, CORRECTIONS-19): The Governor recommends General Fund appropriations of \$20,000 in each year of the 2015-17 biennium to repair and maintain the NDOC's existing telephone system. According to the NDOC, it has 17 telephone switches that support 2,050 telephone and fax lines. The department indicates that its telephone equipment ranges from 8 to 15-years old. Fiscal staff notes that the 2013 Legislature provided the NDOC with General Fund appropriations of \$20,000 in each year of the 2013-15 biennium to repair and maintain their system. This funding was used to replace handsets, cords, headsets, cables, phones, jacks and other phone related equipment. The NDOC anticipates similar equipment will be replaced in the 2015-17 biennium. During the 2013 Legislative Session, there was discussion of consolidating NDOC's telephone system with the Division of Enterprise Information Technology Services (EITS). According to the department, it anticipates that project will be considered by the Governor for inclusion in The Executive Budget for the 2017-19 biennium. **This recommendation appears reasonable.**

5. Grant Expiration (E-490, CORRECTIONS-19): The Governor recommends decreases in fund transfers from the Department of Public Safety of \$13,966 in each year of 2015-17 biennium due to the expiration of two Office of Criminal Justice Assistance grants. These funds supported the travel and operating expenditures of a vacant Program Officer position that was eliminated in the base budget due to expired grant funds. **This recommendation appears reasonable.**

6. Replacement Vehicles (E-711, CORRECTIONS-20): The Governor recommends General Fund appropriations of \$576,149 in FY 2016 and \$133,679 in FY 2017 to replace 20 vehicles, including 17 vans with caging (5 with communication radios), an Americans with Disabilities Act (ADA) compliant van, a pick-up truck and a sedan with a weapons safe. The vehicles recommended for replacement range from 8-years old to 22-years old. The average number of miles accrued on the vehicles recommended for replacement is 164,049. **This recommendation appears reasonable.**

7. Replacement Equipment (E-712, CORRECTIONS-20): The Governor recommends General Fund appropriations of \$148,035 in each year of the 2015-17 biennium to replace 10 videoconference systems that are currently 8-years old, as well as 80 switches and 160 transceivers, which accounts for approximately 10 percent of the department's total switches and transceivers. In addition, the Governor recommends replacing NDOC's 8 existing printers with leased printers. **This recommendation appears reasonable.**

8. Replace Radio Equipment (E-719, CORRECTIONS-21): The Governor recommends a General Fund appropriation of \$30,504 in FY 2017 to replace microwave radio equipment at four locations across the state to ensure uninterrupted wireless communication for the NDOC's facilities in Wells, Lovelock, Ely and Carson City. On March 12, 2015, the Fiscal Analysis Division received Budget Amendment A150063710, which recommends increasing General Fund appropriations by \$149,236 in FY 2017 for higher quality microwave equipment, for a total General Fund appropriation of \$179,740 in FY 2017. The department indicates that since its microwave link will carry critical traffic, a more reliable licensed class of radios was recommended by EITS to meet the NDOC's needs. Accordingly, EITS provided the NDOC with a revised cost estimate for the higher quality microwave radio equipment. **This recommendation, as amended, appears reasonable.**

9. Expenditure Transfers to the Director's Office (E-900 and E-901, CORRECTIONS-21 and 22): The NDOC Director's Office pays for department-wide expenditures associated with staff physicals and computer equipment. The Governor is recommending several enhancement units in the NDOC's other budget accounts that would require expenditures associated with staff physicals and computer equipment. Accordingly, the Governor recommends transferring \$112,000 in FY 2016 and \$137,701 in FY 2017 from the various institution and facility budgets to the Director's Office related to staff physicals (E-900) and \$11,536 in FY 2016 from the institution and facility budgets to the Director's Office related to computer hardware and software (E-901). **Fiscal staff recommends the approval of these decision units contingent upon the Subcommittee's decisions regarding corresponding fund transfers from the contributing budgets.**

10. Technical Adjustment: The NDOC has requested a technical adjustment to increase General Fund appropriations by \$148,416 in FY 2016 and \$129,691 in FY 2017 to increase utilization for digital signal (DS) circuits provided by the EITS from 96 per month to 324. According to the NDOC, during the 2013-15 interim, EITS fixed some of the bandwidth issues the department was having due to its increased data requirements. EITS did not require NDOC to pay for these additional services in the 2013-15 biennium; however, EITS has indicated to the NDOC that it must pay for its additional DS circuits going forward. **This technical adjustment appears reasonable.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor, including Budget Amendment A150063710 and technical adjustments noted by staff, and provide Fiscal Staff with authority to make other technical adjustments as necessary?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor, including Budget Amendment A150063710 and technical adjustments noted by staff, and provided Fiscal Staff with authority to make other technical adjustments as necessary.

Additional Information – No Action Required

State Criminal Alien Assistance Program (Summary, CORRECTIONS-22): The State Criminal Alien Assistance Program (SCAAP) is a federal grant that funds a portion of the costs of incarcerating certain criminal alien inmates housed in the NDOC. The SCAAP grant funds provided to Nevada are shared between the state and local municipalities. The Executive Budget includes SCAAP grant funding of

\$1.3 million in each year of the 2015-17 biennium. By way of comparison, the NDOC received SCAAP grant funds of \$1.9 million in FY 2014. At its March 3, 2015, hearing, the NDOC indicated that SCAAP grant funding was not included in the President's proposed budget under consideration by the United States Congress. The SCAAP grant funds are currently used to supplant General Fund appropriations. If the U.S. Congress does not approve SCAAP grant funds for the 2015-17 biennium, the NDOC may require an allocation from the IFC Contingency Account to address this revenue shortfall.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W02 - WORKING VERSION 2

Title: NDOC - PRISON MEDICAL CARE

Budget Page: CORRECTIONS-24,
 Volume III

Account: 101 - 3706

Revenues	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
BALANCE FORWARD	(82,433)						
GENERAL FUND	40,819,846	39,006,709	(4.44)	41,280,047	5.83	41,830,457	1.33
INTERAGENCY TRANSFER	1,522,119	2,083,390	36.87	1,186,280	(43.06)	1,177,199	(0.77)
INTERIM FINANCE	3,053,402						
OTHER FUND	61,673	67,852	10.02	67,852		67,852	
Total Revenues	45,374,607	41,157,951	(9.29)	42,534,179	3.34	43,075,508	1.27
Total FTE		285.62		288.62		288.62	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M101	00	2501	Increase General Fund to support inflation costs related to the revised inmate population projections.	3,893	4,732
M200	00	2501	Increase General Fund appropriations to support revised inmate population projections	64,501	42,330
M200	00	4697	Increase transfers from the Offender Store budget to support revised inmate population projections	6,858	21,313
Sub-total				75,252	68,375
Line Item Changes to Revenues				75,252	68,375

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M101	50	7000	Increase Caseload expenditures related to inflation to support revised inmate population projections	3,893	4,732
M200	50	7000	Increase Caseload expenditures to support revised inmate population projections	71,359	63,643
Sub-total				75,252	68,375
Line Item Changes to Expenditures				75,252	68,375
Total				0	0
Grand Total General Fund Impact of Closing Changes				68,394	47,062

Overview

The Prison Medical Care Division is responsible for providing quality constitutional health care to all inmates, identifies those inmates with mental health problems, administers care in the least restrictive environment possible and manages financial operations in a cost-effective manner, while meeting clinical objectives of the division. To fulfill its mission, the division operates infirmaries and dental clinics and provides mental health services at all department institutions. The major medical facility for the department is the Regional Medical Facility (RMF) located at Northern Nevada Correctional Center (NNCC) in Carson City, which provides inpatient medical care for serious medical ailments, surgical aftercare, and mental health inpatient services. Mental health inpatient care is also provided at High Desert State Prison

(HDSP) located in Southern Nevada. Medical services for inmates at the conservation camps and restitution center are provided by staff at the specific institutions assigned for their support.

Major Closing Issues

1. Medical Expenditures
2. New Hospice and Palliative Care Program
3. New Laboratory Technician

Discussion of Major Closing Issues

1. Medical Expenditure (SUMMARY and M-101, CORRECTIONS-25, 26, 29 and 30): The Governor recommended total funding of \$13.7 million in FY 2016 and \$14.0 million in FY 2017 for inmate-driven medical expenses. However, Fiscal staff received revised JFA Associates inmate population projections in February 2015 that projected an additional 74 inmates in FY 2016 and 66 inmates in FY 2017 compared to the inmate population projections used to construct The Executive Budget. Accordingly, inmate-driven medical expenses based on the revised inmate population projections are projected to be \$13.8 million in FY 2016 and \$14.1 million in FY 2017. By comparison, the 2013 Legislature approved \$15.3 million in FY 2014 and \$13.6 million in FY 2015 for inmate-driven costs associated with medical care. However, in FY 2014, the NDOC incurred \$17.3 million in inmate-driven medical expenditures, \$2 million more than what was originally budgeted. The table below summarizes actual inmate-driven medical expenditures incurred in FY 2014, legislatively approved inmate-driven medical expenditures in FY 2015, and revised inmate-driven medical expenditures projected for each year of the 2015-17 biennium.

	Work							
	Actual	Program	%	Revised	%	Revised	%	
Inmate-Driven Expenditures	FY 2014	FY 2015	chg	FY 2016	chg **	FY 2017	chg	
Outside Medical *	11,099,111	7,143,233	-35.6%	7,015,512	-36.8%	7,187,952	2.5%	
HIV and Hepatitis C Clinics	1,306,191	1,411,253	8.0%	1,397,921	7.0%	1,432,308	2.5%	
Precription Drugs	3,140,376	3,501,309	11.5%	3,361,068	7.0%	3,443,780	2.5%	
Dental Supplies	58,760	71,707	22.0%	62,903	7.1%	64,351	2.3%	
Medical Supplies	436,478	348,873	-20.1%	467,133	7.0%	478,558	2.4%	
Other Caseload Driven Expenses	1,250,298	1,144,900	-8.4%	1,479,671	18.3%	1,483,286	0.2%	
TOTAL	17,291,214	13,621,275	-21.2%	13,784,208	-20.3%	14,090,235	2.2%	

* On January 1, 2014, Medicaid began covering inmate hospitalization longer then 24-hours. Accordingly, Outside Medical expenditures projected for the 2015-17 biennium were decreased by 36.8 percent from FY 2014 actual expenditures to account for Medicaid funding these expenditures for the full fiscal year.

** Actual FY 2014 amounts were used to determine the percentage change reflected in FY 2016.

The expenditures identified in the table above include \$678,143 in FY 2016 and \$928,242 in FY 2017, based on the revised inmate population projection, for inflationary increases in costs of outside medical care, prescription drugs, dental supplies and medical supplies utilizing the following inflation rates (M-101):

Inflationary Factors

	FY 2015	FY 2016	FY 2017
Outside Medical Care	3.8%	2.0%	2.0%
Prescription Drugs	3.7%	2.0%	2.0%
Dental Supplies	3.7%	2.0%	2.0%
Medical Supplies	3.7%	2.0%	2.0%

The inflation rates noted above are based on Moody's Analytics Consumer Price Index for All Urban Consumers. According to the Executive Budget Office, the inflation adjustments provided in other state agency budgets, such as Medicaid, are also derived from Moody's Analytics Consumer Prices Indices.

Similar to the NDOC's projected inflationary increases, Medicaid incorporated a 2 percent increase in its managed care and prescription drugs expenditures in each year of the 2015-17 biennium.

Fiscal staff would note that the 2013 Legislature reduced outside medical expenditures by \$2.8 million in FY 2014 and \$5.2 million in FY 2015 due to provisions in the Affordable Care Act (ACA) that allowed inmate medical expenditures to be reimbursed by Medicaid if the inmate was admitted to an outside medical facility for longer than 24-hours beginning January 1, 2014. While the NDOC realized the projected savings from Medicaid coverage, the following factors contributed to higher than anticipated expenditures in the Prison Medical Care budget in FY 2014, which resulted in the NDOC seeking \$3.1 million from the Interim Finance Committee Contingency account:

- Revenue shortfalls of \$435,287 in fund transfers from the Inmate Welfare Account;
- Prior year stale claims that resulted in the agency transferring \$897,426 at the beginning of FY 2014 from its Inmate-Driven Medical category to its Medical Inmate-Driven Stale Claims category;
- Increased rates in renewed medical contracts that resulted in \$200,982 in additional expenditures;
- Higher than anticipated catastrophic incident expenditures incurred in the first quarter of FY 2014 totaling \$715,031; and
- Additional inmate-driven medical expenditures of approximately \$885,397 incurred at the end of FY 2014.

Several of these factors continue to affect total medical expenditures in FY 2015, including greater than anticipated stale claims from prior years and revenue shortfalls from the Inmate Welfare Account. As a result, Assembly Bill 467 has been submitted, which seeks \$1.2 million in supplemental appropriations to cover unanticipated inmate-driven medical expenditures in FY 2015.

To mitigate these issues in the 2015-17 biennium, several adjustments have been recommended by the Governor to inmate-driven medical expenditures in The Executive Budget, which include:

- Reducing projected fund transfers from the Inmate Welfare Account by 43.6 percent from \$1.9 million budgeted in each year of the 2013-15 biennium to \$1.1 million in each year of the 2015-17 biennium. Historically, inmates have been required to pay for medical expenditures associated with injuries that were self-inflicted or resulted from altercations or recreational activities. However, since Medicaid is now covering a portion of the costs to treat these types of injuries, inmates have not been contributing as much to treating these injuries and are no longer required to pay for medical treatments covered by Medicaid. The projected decrease in fund transfers of \$844,300 in each year of the 2015-17 biennium is mitigated by decreases in outside medical expenses reimbursed by Medicaid.
- Increasing the projected medical stale claims expenditures by 14.1 percent from \$644,278 in each year of the 2013-15 biennium to \$735,329 in each year of the 2015-17 biennium. This adjustment reflects a three-year average of the NDOC's actual stale claims expenditures. The Executive Budget includes additional General Fund appropriations of \$91,051 in each year of the 2015-17 biennium to support the projected increase in medical stale claims expenditures.
- Revising medical contract expenditures in the base budget to reflect the most current payment terms.
- Adjusting the inmate-driven medical rates to reflect Medicaid coverage for certain inmates. Fiscal staff notes that, going forward, the majority of NDOC's catastrophic medical expenditures will be

covered by Medicaid, as most catastrophic incidents require long-term hospitalization. However, since the provisions of the ACA were not implemented until January 1, 2014, (six months into FY 2014) the NDOC has reduced its actual FY 2014 inmate-driven outside medical rate by 41 percent, from \$871.27 per inmate per year to \$514.05 per inmate per year, to annualize the savings in state funding that would have resulted in FY 2014 if Medicaid were available for the full year. As a result, total actual inmate-driven medical rates were adjusted from \$1,357.34 per inmate per year in FY 2014 to \$1,000.11 per inmate per year, which is the basis for the projected inmate-driven medical rates for the 2015-17 biennium.

Based on these factors, the Governor recommends inmate-driven medical expenditures of \$1,052.72 in FY 2016 and \$1,071.81 in FY 2017 per inmate per year as shown in the following table:

**NDOC - Inmate Driven Medical Expenditures
Per Inmate Per Year**

FY 2014 Actual	FY 2014 Annualized Rate*	% Chg	FY 2015 Projected	% Chg	FY 2016 Governor Recommends	% Chg	FY 2017 Governor Recommends	% Chg
\$1,357.34	\$1,000.11	-26.3%	\$1,034.01	3.4%	\$1,052.72	1.8%	\$1,071.81	1.8%

* FY 2014 actual inmate-driven medical rates were revised to factor in the cost savings that would have resulted during that year if Medicaid reimbursements of inmate outside medical expenditures were available for the full year as opposed to half the year.

While it appears the Governor's recommendation for medical expenditures will address a majority of the issues that the NDOC experienced in the 2013-15 biennium, which contributed to its increased medical expenditures and revenue shortfalls, the Subcommittee should note that other issues may continue to affect inmate-driven medical expenditures in the 2015-17 biennium, including the following:

- Providers may begin rejecting treatment for inmates covered by Medicaid. Currently, Carson-Tahoe Hospital is rejecting all inmate patients not requiring emergency care. While Carson-Tahoe Hospital is currently the only hospital rejecting inmates, it is uncertain how this will affect other hospitals' willingness to treat inmates. The NDOC estimates it will cost approximately \$90,000 more in travel expenditures and personnel costs each year to send inmates to Renown Medical Center, which is 28 miles away from Carson-Tahoe Hospital. These additional travel costs have not been included in The Executive Budget.
- During the 2013-15 interim, the NDOC worked with staff from the Department of Health and Human Services to determine a better methodology to track and project outside medical expenditures in order to more accurately forecast medical expenditures and stale claims throughout the year. While the Governor proposes an increase in the total amount of funding allocated to cover stale claims, the NDOC projects unanticipated stale claims will continue to be an issue in future biennia.

Does the Subcommittee wish to approve the inflationary factors recommended by the Governor in Decision Unit M-101 for outside medical care, medical supplies, and durable medical equipment, and reductions to Outside Medical expenditures of 36.8 percent from actual outside medical expenditures incurred in FY 2014 to account for Medicaid supporting these expenditures?

The Subcommittee recommended approval of inflationary factors recommended by the Governor in Decision Unit M-101 for outside medical care, medical supplies, and durable medical equipment, and reductions to Outside Medical expenditures of 36.8 percent from actual outside medical expenditures incurred in FY 2014 to account for Medicaid supporting these expenditures.

2. New Hospice and Palliative Care Program (E-276, CORRECTIONAL-27): The Governor recommends General Fund appropriations of \$126,626 in FY 2016 and \$144,115 in FY 2017 to support the salaries, benefits and operating expenditures of two new Licensed Practical Nurse (LPN) positions, as well as medical equipment (\$17,019) including four hospital beds, a washer/dryer unit, a medication cart, a narcotics lock box and several other miscellaneous pieces of medical equipment. These positions would be responsible for staffing the night-shift of a new Hospice and Palliative Care Program proposed by the Governor. A Social Worker position is also being proposed in the Correctional Programs budget that would spend 50 percent of their time providing social services to the inmates in the hospice program.

Currently, the NDOC does not have a program where inmates with terminal or debilitating illnesses can live in a housing unit and still receive 24-hour medical care. Inmates participating in the Hospice and Palliative Care Program would share housing Unit 3 at NNCC, with the NDOC's senior inmate population. There, inmate volunteers would provide companionship to the terminally ill inmates and assist them with tasks such as eating and notifying nursing staff when medication should be administered to the inmate. At any given time, approximately 13 to 18 terminally ill inmates are housed in the infirmary at HDSP or the RMF at NNCC to ensure they have access to 24-hour medical care. The NDOC estimates the proposed hospice program would accommodate up to four inmates at any given time throughout the year. Institutional physicians would provide recommendations for inmates to participate in the hospice program while the Utilization Review Panel would make the final determination on what inmates would benefit from a hospice setting. The department indicates that terminally ill inmates would be more comfortable staying in their housing unit, since they would be among their belongings and friends.

The two proposed LPN positions would be stationed in Unit 3 and would be available to dispense medications and monitor the inmates overnight. Existing nursing staff at NNCC would provide nursing services to the inmates in the hospice program during the daytime in addition to their existing duties; however, the NDOC indicates the existing staff would not forgo any of their existing duties, since the inmate volunteers would be able to assist the terminally ill inmates during the daytime. Fiscal staff notes that LPN's staffing the RMF on the night shift have a nurse to patient ratio of 1:60, while the LPN's staffing the infirmary at HDSP on the night shift have a nurse to patient ratio of 1:40. The proposed LPN's for the Hospice program would have a 1:4 nurse to patient ratio. The NDOC indicates the low staff to nurse ratio associated with the hospice program is due to the additional assistance hospice inmates would need overnight for tasks such as feeding, toileting, and bathing.

The proposed Social Worker position would correspond with the inmate's family on end-of-life issues and coordinate family visits (additional details regarding the proposed Social Worker position are provided in the NDOC Correctional Programs budget closing document). In addition, the NDOC indicates that the Social Worker positions would work on inmate referral for compassionate release; however, the NDOC's current process requires inmates to receive recommendations from three physicians for compassionate release. There have been no compassionate releases in the last five years.

The proposed hospice program would free up beds in the infirmary and RMF; however, the NDOC indicates that a shortage in medical bed capacity is not a significant issue as it typically has sufficient capacity in its infirmary and RMF to accommodate the current medical needs of all inmates.

Does the Subcommittee wish to approve the two Licensed Practical Nurse positions and operating expenditures recommended by the Governor to operate the proposed Hospice and Palliative Care program?

The Subcommittee recommends approval of two new Licensed Practical Nurse positions and operating expenditures recommended by the Governor to operate the proposed Hospice and Palliative Care program.

3. New Laboratory Technician (E-277, CORRECTIONS-27): The Governor recommends General Fund appropriations of \$24,472 in FY 2016 and \$49,290 in FY 2017 to support the salary, benefits and operating expenditures of a new Laboratory Technician at HDSP. This position would assist the existing Lab Technician in completing an estimated 20,000 blood draws and tissue sample collections each year. These samples are required to monitor the health of existing inmates with diagnosed illnesses and detect certain diseases in new inmates, such as the Human Immunodeficiency Virus (HIV) and syphilis, before they are placed in the general population. High Desert State Prison is the male intake center in Southern Nevada. The NDOC has two other intake centers: Florence McClure Women’s Correctional Center (FMWCC), which processes all female inmates statewide and NNCC, which processes male inmates in Northern Nevada. The NDOC provided Fiscal staff with a comparison of one month’s total samples taken by each of the intake centers as shown in the table below:

<u>Institutions</u>	<u>Lab Samples February 2013</u>
Florence McClure Women's Correctional Center	711
Northern Nevada Correctional Center	504
High Desert State Prison	1,235

Based on the data in the table above, HDSP conducts approximately 524 more labs than FMWCC and 731 more labs than NNCC on a monthly basis. Similar to HDSP, both FMWCC and NNCC have one existing Laboratory Technician position to collect samples. Since fewer inmates arrive at FMWCC and NNCC each week, the NDOC indicates those institutions process new inmates one day per week compared to HDSP, which processes new inmates five days per week.

The intake center at HDSP can house approximately 168 inmates. Fiscal staff would note that because inmates in intake have not been classified, they must be housed in single cells. Pursuant to Administrative Regulation 614, the NDOC is required to process and classify new inmates within seven calendar days of their arrival. According to the NDOC, it diverts other nursing staff from the medical, dental or mental health sections at HDSP to assist the intake center almost on a daily basis. As a result, the NDOC indicates that off-duty medical staff are called in to work overtime to ensure other medical services, such as sick call and pill call, are covered. While the department indicates that it cannot provide the specific amount of overtime that has resulted from the staffing shortage at HDSP’s intake center, it indicates that for the current fiscal year the Medical budget has incurred \$265,000 in overtime expenditures at HDSP as of March 23, 2015. The NDOC estimates that a portion of those overtime expenditures would be reduced if the proposed Laboratory Technician were approved. Fiscal staff notes that the Legislature does not budget for overtime expenditures in the NDOC Prison Medical budget, and any overtime expenditures incurred in prior years were generally funded with salary savings or IFC Contingency Funds.

Does the Subcommittee wish to approve the Governor’s recommendation for a new Laboratory Technician position at High Desert State Prison?

The Subcommittee recommends approval of the Governor’s recommendation for a new Laboratory Technician position at High Desert State Prison.

Other Closing Items

1. **Caseload (M-200, CORRECTIONS-26)**: Using the adjusted base inmate-driven medical rates, not adjusted for inflation, the Governor recommended funding of \$74,250 (\$63,969 General Fund) in FY 2016 and \$137,894 (\$136,694 General Fund) in FY 2017 to account for medical expenditures associated with the inmate population increasing from 12,739 in FY 2014 to 12,816 in FY 2016 and 12,882 in FY 2017 (M-200). However, in February 2015, JFA Associates submitted its revised inmate population projections which were higher (12,890 inmates in FY 2016 and 12,948 inmates in FY 2017) than the October 2014 projections used to construct The Executive Budget. Correspondingly, the closing sheets reflect a technical adjustment, which increases medical expenditures for caseload growth to \$145,609 (\$128,470 General Funds) in FY 2016 and \$201,537 (\$179,024 General Fund) in FY 2017. **Fiscal staff recommends approval of this decision unit with technical adjustments to reflect the revised inmate population projections.**
2. **Replacement Equipment (E-710, CORRECTIONS-28)**: The Governor recommends General Fund appropriations of \$24,230 in FY 2016 and \$252,635 in FY 2017 to replace 1 medical digital X-ray system (\$65,212); 3 dental X-ray machines (\$82,850); 1 electric ambulance cart (\$11,045), 2 dental suites (\$15,400); 16 hospital beds (\$32,560); 3 procedure tables (\$13,608); 30 oxygen concentrators (\$14,550); 10 vital signs monitors (\$17,568); 1 medical records shelving unit (\$9,971); 5 IV pumps (\$6,250); 1 dental X-ray developer (\$5,475); and 2 gurneys (\$2,376). **This recommendation appears reasonable.**
3. **New Equipment (E-720, CORRECTIONS-28)**: The Governor recommends General Fund appropriations of \$32,560 in FY 2017 for 16 electric hospital beds at HDSP. According to the NDOC, it currently uses standard inmate beds for its patient population. Hospital beds would assist medical staff in maneuvering patients, particularly those who require post-surgical care. **This recommendation appears reasonable.**
4. **Position Reclassification (E-806, CORRECTIONS-29)**: The Governor recommends General Fund appropriations of \$12,889 in FY 2016 and \$11,922 in FY 2017 to upgrade an unclassified Pharmacist II position to a Pharmacist III. In FY 2006, the department transitioned from operating two regional pharmacies to operating a centralized pharmacy. With the centralization of the pharmacy, the responsibilities of the Pharmacist II position increased from supplying inmates housed in the southern institutions and facilities with medications to supplying all inmates with medications. In addition, this position supervises three Pharmacists (one contracted Pharmacist) and six Pharmacy Technician positions. Fiscal staff would note that salary increase recommendations made by the Governor regarding staff in the unclassified service must be considered by the money committees as part of their review of the Unclassified Pay Bill. **This recommendation appears reasonable to Fiscal staff contingent upon its review by the money committees and recommended inclusion in the Unclassified Pay Bill.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff in Other Closing Item 1 and contingencies noted in Other Closing Items 4, and provide Fiscal staff with authority to make technical adjustments as necessary.

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff in Other Closing Item 1 and contingencies noted in Other Closing Item 4, and provided Fiscal staff with authority to make technical adjustments as necessary.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W01 - GOVERNOR RECOMMENDS

Title: NDOC - CORRECTIONAL PROGRAMS

Budget Page: CORRECTIONS-31,
 Volume III

Account: 101 - 3711

Revenues	2013-14 Actual	2014-15 WP	%	2015-16 GOV REC	%	2016-17 GOV REC	%
BALANCE FORWARD	(25,203)						
GENERAL FUND	6,215,044	6,318,786	1.67	7,667,155	21.34	7,907,979	3.14
INTERAGENCY TRANSFER	525,179	602,776	14.78	434,925	(27.85)	443,876	2.06
INTERIM FINANCE	329,932						
OTHER FUND		802,000		1,100	(99.86)	1,100	
Total Revenues	7,044,952	7,723,562	9.63	8,103,180	4.92	8,352,955	3.08
Total FTE		96.51		99.51		99.51	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16 Gov Rec	2016-17 Gov Rec
Sub-total				0	0
Line Item Changes to Revenues				0	0

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16 Gov Rec	2016-17 Gov Rec
Sub-total				0	0
Line Item Changes to Expenditures				0	0

Total	0	0
Grand Total General Fund Impact of Closing Changes	0	0

Overview

The Correctional Programs Division in the Department of Corrections (NDOC) has the responsibility for intake assessments, counseling and treatment (including substance abuse, sex offenders, mental health, developmental disabilities, and life skills), religious programs, educational liaison, special programs (youthful offender and the elderly), and prerelease/reentry. Funding to support the division consists primarily of General Fund appropriations, as well as transfers from the Inmate Welfare account and the Department of Public Safety (DPS) – Justice Assistance Act account to support costs associated with the Residential Substance Abuse Treatment (RSAT) program.

Major Closing Issues

1. New Mental Health Counselor at Lovelock Correctional Center
2. New Mental Health Counselor at Ely State Prison
3. New Re-entry Program Officers
4. New Social Worker at Northern Nevada Correctional Center
5. Program and Position Eliminations

Discussion of Major Closing Issues

1. New Mental Health Counselor at Lovelock Correctional Center (E-278, CORRECTIONS-33): The Governor recommends General Fund appropriations of \$39,305 in FY 2016 and \$72,066 in FY 2017 to support the salary, benefits and operating expenditures of a new Mental Health Counselor at Lovelock Correctional Center (LCC) to conduct inmate risk assessments and provide evidence-based programming to approximately 375 inmates per year. The LCC houses the majority of NDOC’s sex offender population (approximately 1,000 inmates). Accordingly, the institution’s three psychologist positions have a caseload of one psychologist for every 333 sex offenders (1:333). By comparison, the NDOC indicates Northern Nevada Correctional Center (NNCC), High Desert State Prison (HDSP), Warm Springs Correctional Center (WSCC), and Southern Desert Correctional Center (SDCC) have one mental health staff member for every 45 sex offenders (1:45). The following table identifies the total mental health staff at each of the major institutions, according to the Division of Human Resource Management’s Human Resources Data Warehouse:

Mental Health Staff By Major Institution

Positions	HDSP	NNCC	FMWCC*	SDCC	ESP*	LCC	WSCC	Total
Senior Psychiatrist	2.75	2.02	1.00	0.00	0.00	0.00	0.00	5.77
Psychiatric Nurse	11.00	11.00	0.00	1.00	2.00	1.00	2.00	28.00
Psychologist	10.00	12.00	3.00	5.00	1.51	3.00	2.00	36.51
Mental Health Counselor	4.00	1.00	3.00	0.00	1.00	0.00	0.00	9.00
TOTAL	27.75	26.02	7.00	6.00	4.51	4.00	4.00	79.28

* FMWCC – Florence McClure Women’s Correctional Center, ESP – Ely State Prison

In FY 2014, the NDOC and other policy makers began discussing with the PEW Charitable Trust the possibility of the NDOC implementing evidence-based programming. Evidence-based programming establishes a national baseline that enables governmental entities to identify which funded programs have strong evidence they are working and which have limited or no evidence on their outcome. This information has been compiled by the PEW Charitable Trust through information collected from eight national research clearinghouses. Accordingly, the NDOC developed a Program Review Committee to begin evaluating all of its inmate programs department-wide in order to determine which programs have the best evidence-based practices in accordance with the national standards developed by the PEW Charitable Trust. The NDOC is currently in the process of evaluating the effectiveness of the following four mental health programs to be conducted for inmates at LCC:

- Relapse Prevention (sex offender treatment)
- Seeking Safety (trauma and substance abuse)
- Sex Offender Treatment Program
- Victim Impact (victim empathy)

According to the NDOC, the four noted programs would address at least one of the following crime-producing risk factors, including antisocial behavior, antisocial personality, criminal associates, criminal thinking, dysfunctional family, leisure and recreation, mental health issues, substance abuse issues, unemployment and education.

If the Program Review Committee determines these programs are effective, based on the criteria developed by the PEW Charitable Trust, the proposed Mental Health Counselor would assist two existing Psychologists in providing these programs on a rotating basis. According to the NDOC, the Mental Health Counselor would alleviate some of the programming responsibilities the existing Psychologists are tasked with providing the inmates. As a result, the Psychologist positions could focus their efforts more on criminological factors.

As part of its program review, the NDOC determined that a risk assessment of each inmate should be conducted in order to determine the programming that would deliver the greatest benefit for inmates that are most likely to reoffend. Currently, if the NDOC determines an inmate should participate in a program, the individual is placed on a waiting list to receive that programming regardless of their potential to reoffend once they are released. As such, the NDOC indicates that certain individuals who have a high-risk of recidivism may not be receiving programs prior to their release based on their placement on the program waiting list. The new Mental Health Counselor would conduct a formal risk assessment on each of the inmates at LCC to determine which inmates are most likely to reoffend. Based on this assessment, and the incarceration time each inmate has remaining, the inmate would be placed on the waiting list by order of priority rather than on a first-come first-serve basis. The NDOC indicates this procedural change would allow LCC to focus its efforts on programming inmates with the highest risk of reoffending, and thereby reducing recidivism. Fiscal staff would note that the NDOC has recently incorporated this assessment in its intake process, so all new inmates would be assessed before they are assigned to an institution. The NDOC indicates this position would spend approximately 20 percent of its time conducting assessment on existing inmates at LCC. This task should diminish over time as new inmates are transferred in and existing inmates are transferred out, leaving more time for the Mental Health Counselor to focus on inmate programming.

Does the Subcommittee wish to approve the Governor’s recommendation for a new Mental Health Counselor at Lovelock Correctional Center?

The Subcommittee recommended approval of the Governor’s recommendation for a new Mental Health Counselor at Lovelock Correctional Center.

2. New Mental Health Counselor at Ely State Prison (E-280, CORRECTIONS-34): The Governor recommends General Fund appropriations of \$39,305 in FY 2016 and \$72,066 in FY 2017 to support the salary, benefits and operating expenditures of a new Mental Health Counselor position at Ely State Prison (ESP). The new position would treat the mentally ill and present psycho-educational programming to maximum-custody inmates who cannot be treated in a group environment due to restrictions associated with their custody-level. The Mental Health Counselor would provide inmates on an individual basis with psychological testing, mental illness assessments and crisis management. In addition, the Mental Health Counselor would prepare psychological reports, update medical charts related to the inmates’ mental health, and provide eligible inmates with group psychotherapy.

As the table in Major Issue 1 indicates, ESP currently has one Mental Health Counselor, 1.51 Psychologist positions and 2 Psychiatric Nurses. Of the 1,072 inmates currently housed at ESP, the NDOC indicates that 380 of those inmates have been diagnosed with a mental illness. Approximately 225 of the 380 are diagnosed as having a “Serious and Profound Mental Illness” (SPMI), while the remaining 155 have been diagnosed with less severe forms of mental illness. Currently, ESP’s full-time Psychologist is responsible for 253 mentally ill inmates while its part-time Psychologist is responsible for 127 inmates. In FY 2010, ESP had 4.51 Psychologist positions. However, during that year, the Governor instituted a hiring freeze in anticipation of budget reductions. Exceptions to the hiring freeze had to be approved by the Governor’s Office. As a result, ESP did not fill three of its vacant Psychologist positions. Then, during the 26th Special Session, the Legislature approved the Governor’s recommendation to eliminate 7.55 positions from the Prison Medical Care budget, which included the three vacant Psychologist positions at ESP. Since those three positions were eliminated, the NDOC indicates that it has placed a strain on the institution’s ability to provide inmates with crisis intervention, mental health treatment sessions, and delivery of programming materials. Due to staff limitations, the NDOC further indicates that ESP staff have been limited in their ability to participate in panels to review cases where forced medication may be required, disciplinary and administrative segregation evaluations, and board of pardons and parole hearing assessments.

During the Subcommittee hearing, the NDOC indicated that it has had difficulties in the past recruiting Psychologist positions at Ely State Prison. Rather than seeking authority to return any of the Psychologist positions previously eliminated at ESP due to the economic downturn, the department believes it would be more successful in filling a Mental Health Counselor position.

Does the Subcommittee wish to approve the Governor’s recommendation for a new Mental Health Counselor at Ely State Prison?

The Subcommittee recommended approval of the Governor’s recommendation for a new Mental Health Counselor at Ely State Prison.

3. New Re-entry Program Officers (E-282, CORRECTIONS-34): The Governor recommends General Fund appropriations of \$61,913 in FY 2016 and \$107,556 in FY 2017 to support the salaries, benefits and operating expenditures of two Program Officers to provide re-entry programs at LCC and HDSP. While LCC currently does not provide any re-entry services to its inmates, HDSP provides limited re-entry services with one existing Program Officer position that is responsible for assisting inmates in finding housing and acquiring identification prior to their release, developing their parole plan, and seeking Veterans services for eligible inmates. If these positions are approved, the NDOC anticipates it would be able to provide LCC inmates, as well as Humboldt Conservation Camp and Carlin Conservation Camp inmates, with the noted re-entry services currently provided to HDSP inmates. In addition, both institutions would be able to provide its inmates with re-entry classes such as Job Readiness, Life Skills, and Developing Changes. These classes are not currently offered to inmates at either institution. According to the NDOC, one-third, or 442 inmates, released from HDSP would be offered re-entry services that are currently not provided to inmates.

Fiscal staff notes that during the course of an inmate’s confinement, they are transferred to multiple institutions and facilities based on their evolving classification levels. The department begins offering re-entry services to inmates approximately 12 months prior to their release. The inmates are then transferred to an institution near their county of conviction approximately two weeks before they are released. Accordingly, most inmates are not released directly from LCC. Inmates released from LCC only accounted for approximately 4 percent of the total number of inmates released each year from NDOC for the past three years. The following table displays total inmates released by institution for the past three years:

**Nevada Department of Corrections
Total Inmates Released by Institution**

FACILITY	FY 2012	%	Released	FY 2013	%	Released	FY 2014	%	Released
Carlin Conservation Camp	92	1.7%		72	1.4%		72	1.3%	
Casa Grande Transitional Housing	334	6.2%		289	5.5%		377	6.7%	
Ely Conservatin Camp	8	0.1%		4	0.1%		8	0.1%	
Ely State Prison	7	0.1%		9	0.2%		6	0.1%	
Florence McClure Women's Correctional Center	392	7.3%		443	8.5%		454	8.1%	
Humboldt Conservation Camp	95	1.8%		74	1.4%		97	1.7%	
High Desert State Prison	1,119	20.8%		1,205	23.1%		1,329	23.7%	
Jean Conservation Camp	220	4.1%		187	3.6%		223	4.0%	
Lovelock Correctional Center	212	3.9%		210	4.0%		232	4.1%	
Northern Nevada Correctional Center	561	10.4%		503	9.7%		548	9.8%	
Northern Nevada Restitution Center	94	1.8%		82	1.6%		93	1.7%	
Pioche Conservation Camp	-	0.0%		1	0.0%		-	0.0%	
Stewart Conservation Camp	316	5.9%		342	6.6%		289	5.2%	
Southern Desert Correctional Center	1,227	22.8%		1,146	22.0%		1,161	20.7%	
Three Lakes Valley Conservation Camp	343	6.4%		356	6.8%		393	7.0%	
Wells Conservation Camp	72	1.3%		61	1.2%		46	0.8%	
Warm Springs Conservation Camp	278	5.2%		228	4.4%		283	5.0%	
TOTALS	5,370	100.0%		5,212	100.0%		5,611	100.0%	

While the total number of inmates released directly from LCC is a relatively small portion of the total number of inmates released each year, the NDOC indicates that a Re-Entry Program Officer is recommended for that institution for two primary reasons: 1) LCC does not currently have a Re-entry Program and 2) LCC houses the majority of NDOC's sex offenders who historically have experienced difficulties finding housing and integrating back into society. While sex offenders may have a difficult time integrating back into society, they have a lower recidivism rate compared to other offenders. According to the NDOC, its sex offender population has a recidivism rate of 24.4 percent. By way of comparison, the NDOC's actual department-wide recidivism rate in FY 2014 was 29.1 percent, 4.7 percent more than the recidivism rate associated with sex offenders.

As previously indicated, the new Program Officers would be responsible for assisting inmates in developing their parole plans. According to the NDOC, there are approximately 365 inmates in NDOC's custody that have been granted parole, but have not been released due to inadequate parole plans developed by the inmates. If these positions are approved, the NDOC anticipates these positions would be able to assist at least 100 of these inmates in developing successful parole plans.

Options for Consideration:

1. **Approve the two new Program Officer positions as recommended by the Governor to support re-entry programs at Lovelock Correctional Center and High Desert State Prison.**
2. **Approve only the Program Officer position at High Desert State Prison for a General Fund savings of \$30,956 in FY 2016 and \$53,777 in FY 2017.**
3. **Do not approve the Governor's recommendation to add two new Program Officer positions for re-entry services.**

The Subcommittee recommends approval of the two new Program Officer positions as recommended by the Governor to support re-entry programs at Lovelock Correctional Center and High Desert State Prison.

4. New Social Worker at Northern Nevada Correctional Center (E-276, CORRECTIONS-33): The Governor recommends General Fund appropriations of \$31,216 in FY 2016 and \$55,728 in FY 2017 to support the salary, benefits and operating expenditures of a new Social Worker position to assist with the proposed Hospice and Palliative Care Program at Northern Nevada Correctional Center (NNCC) which is more thoroughly discussed in the Prison Medical Care closing document. This program would provide 24-hour care for inmates who have debilitating medical conditions or who are near their end of life. Approximately 50 percent of the Social Worker's time would be spent providing end-of-life care for terminally ill inmates in the proposed Hospice and Palliative Care Program. The department estimates that it will have approximately four inmates in the Hospice and Palliative Care Program at all times throughout the year. Currently, nursing staff and physicians perform the following duties that would be performed by the Social Worker position if approved:

- Visit terminally ill inmates to provide comfort and companionship;
- Work with the treatment team and patient to develop and implement a case management plan;
- Assess end-of-life needs and provide counseling;
- Work with the family members to address their emotional needs; and
- Coordinate services with community resources.

Fiscal staff would note that the NDOC is requesting two Licensed Practical Nurses in its Prison Medical Care account to provide inmates participating in the proposed Hospice and Palliative Care Program with overnight care. The NDOC further indicates that it will provide training to inmates who wish to act as volunteers in the Hospice and Palliative Care Program.

The remaining 50 percent of the Social Worker position's time would be spent providing case management services for 40 inmates at NNCC with severe mental illnesses, which includes:

- Programming that is designed to address the inmates' risk of committing future crimes;
- Planning for re-entry, which involves working with the inmates' family; and
- Coordinating services with community-based service providers.

Since this position would provide services to inmates outside of the Hospice and Palliative Care Program, the NDOC indicates that this position would still be needed even if funding for the Hospice and Palliative Care Program were not approved.

The Subcommittee may wish to consider the following options:

- 1. Approve the Social Worker position as recommended by the Governor to assist inmates with severe mental illnesses and inmates participating in the proposed Hospice and Palliative Care Program.**
- 2. Approve a part-time Social Worker position to assist mentally ill inmates at Northern Nevada Correctional Center.**
- 3. Do not approve the Governor's Recommendation for a new Social Worker position.**

<p>The Subcommittee recommends approval of a new Social Worker position as recommended by the Governor to assist inmates with severe mental illnesses and inmates participating in the proposed Hospice and Palliative Care Program.</p>

5. Program and Position Eliminations (E-490, CORRECTIONS-35): The Governor recommends reductions in fund transfers of \$125,601 in FY 2016 and \$129,259 in FY 2017 to eliminate two Substance Abuse Counselor positions (one filled and one vacant). These positions were approved by the Interim Finance Committee at its June 21, 2012, meeting to begin operating a new 48-bed substance abuse program for men at Casa Grande Transitional Housing (CGTH). These positions were 75 percent funded with grant funding from the Office of Criminal Justice Assistance, which have

expired. Fiscal staff would note that the Residential Substance Abuse Treatment (RSAT) program would still be offered at Warm Springs Correctional Center (Northern Nevada) and Southern Desert Correctional Center (Southern Nevada).

According to the NDOC, if this recommendation is approved, it will move the incumbent that currently occupies one of the Substance Abuse Counselor positions into an existing counselor position that the department is currently holding vacant for the incumbent.

Does the Subcommittee wish to approve the Governor's recommendation to eliminate the Substance Abuse program and two associated Substance Abuse Counselor positions at Casa Grande Transitional Housing as a result of expired grant funds?

The Subcommittee recommends approval of the Governor's recommendation to eliminate the Substance Abuse program and two associated Substance Abuse Counselor positions at Casa Grande Transitional Housing as a result of expired grant funds.

Other Item

Expenditure Transfer to the Director's Office (E-901, CORRECTIONS-35 & 36): The NDOC Director's Office pays for department-wide expenditures associated with computer equipment. If the 2015 Legislature approves the five new positions recommended in Decision Units E-276, E-278, E-280 and E-282, this recommendation would transfer General Fund appropriations of \$8,240 in FY 2016 from the Correctional Programs budget to the Director's Office budget to support associated new computer software and hardware expenditures. **Fiscal staff recommends approval of Decision Unit E-901 and seeks authority to make technical adjustments based on the Committee's decisions on Major Closing Issues 1 - 4.**

Does the Subcommittee wish to approve Other Closing Item as recommended by the Governor and provide Fiscal staff with authority to make technical adjustments as necessary?

The Subcommittee approved the Other Closing Item as recommended by the Governor and provided Fiscal staff with authority to make technical adjustments as necessary.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W02 - WORKING VERSION 2

Title: NDOC - ELY STATE PRISON
 Account: 101 - 3751

Budget Page: CORRECTIONS-38, Volume III

	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
Revenues							
BALANCE FORWARD	(137,124)						
GENERAL FUND	24,652,117	24,664,402	0.05	26,223,194	6.32	26,915,370	2.64
INTERAGENCY TRANSFER	274,695	1,511	(99.45)	1,511		1,511	
INTERIM FINANCE	493,819						
OTHER FUND	52,796	62,457	18.30	53,726	(13.98)	53,770	0.08
Total Revenues	25,336,303	24,728,370	(2.40)	26,278,431	6.27	26,970,651	2.63
Total FTE		321.00		328.00		336.00	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	00	2501	Reduce General Fund to reflect revised JFA inmate population projections - Technical Adjustment	(138,282)	(139,724)
M200	00	3829	Reduce Room, Board, Transportation Charge revenue to reflect revised JFA inmate population projections - Technical Adjustment	(853)	(861)
Sub-total				(139,135)	(140,585)
Line Item Changes to Revenues				(139,135)	(140,585)

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	50	7000	Reduce inmate-driven caseload expenditures as a result of revised JFA inmate population projections - Technical Adjustment	(139,135)	(140,585)
Sub-total				(139,135)	(140,585)
Line Item Changes to Expenditures				(139,135)	(140,585)
Total				0	0

Grand Total General Fund Impact of Closing Changes	(138,282)	(139,724)
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Overview

This budget was not previously heard by the Subcommittee. Fiscal staff is responsible for producing closing recommendations for this account.

Ely State Prison (ESP) is a maximum and close-custody institution housing the most disruptive inmates of the department, including death row inmates. The inmate population at ESP was 1,072 in FY 2014, which is within the institution's emergency capacity of 1,200 beds. Currently, no inmate work programs are offered at ESP. This budget is primarily supported by the General Fund. Additional funding sources include room and board charges paid by working inmates, staff meal sales and other employee services, and proceeds from the sale of inmate jail meals to the White Pine County Sheriff's Office.

Major Closing Issues

There are no major closing issues.

Other Closing Items

1. Inmate-Driven Caseload Adjustments (M-200, CORRECTIONS-39): The Governor recommended increasing ESP's funding by \$244,934 (\$243,433 General Funds) in FY 2016 and \$252,181 (\$250,636 General Funds) in FY 2017 for inmate-driven costs to reflect an increase in the institution's average

inmate population from 1,072 in FY 2014 to 1,241 inmates in FY 2016 and 1,246 inmates in FY 2017. However, the NDOC revised its Biennium Plan (B2015-49) based on the February 2015 JFA Associates revised inmate population projections for the 2015-17 biennium, and adjusted ESP's inmate population projections to reflect an average inmate population of 1,145 in FY 2016 and 1,149 in FY 2017. Correspondingly, the closing sheet reflects a technical adjustment to decrease ESP's inmate-driven expenditures by \$139,135 (\$138,282 General Funds) in FY 2016 and \$140,585 (\$139,724 General Funds) in FY 2017. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding inmate population projections as detailed in the Department of Corrections – Agency-Wide Issues document.**

2. Deferred Maintenance (M-425, CORRECTIONS-40): The Governor recommends General Fund appropriations of \$123,467 in FY 2016 and \$32,256 in FY 2017 for the following deferred maintenance projects:

ESP - Deferred Maintenance	
Description	General Fund Appropriations 2015-17 Biennium
Rebuild Walk-in Freezer/Refrigerator : According to the NDOC the existing refrigerators and freezer are linked as one unit and are 23 years old. When one unit breaks the entire system is affected, requiring NDOC to rent a refrigerator and freezer truck to store perishable food items while the units are repaired. This funding would allow the NDOC to replace five condensers and evaporators and redesign the system so the refrigerator and freezer operate independently.	\$ 42,000
Paint Interior/Exterior: According to the agency, the interior and exterior paint at ESP is cracking, chipping and peeling. The NDOC proposes to paint the exterior and interior of the main buildings in FY 2016 and the interior and exterior of the multi-purpose building and other structures in FY 2017. The amount recommended is for materials only. Maintenance staff will provide the labor.	\$ 17,624
Replace Intercom: The Governor recommends replacing the intercom/stentofon system. According to the NDOC, the intercom system is over 25 years old and replacement parts are difficult to find for the system.	\$ 31,914
Replace Locking Devices: According to the NDOC, the useful life of locking devices is 10 years and the existing locks within ESP are 23 years old. NDOC proposes to have its maintenance staff replace its faulty locks over the 2015-17 biennium.	\$ 46,888
Replace Blower Vacuum Pumps for Sewer System: The blower vacuum pumps for the sewer system were rebuilt in 2009; however, according to the NDOC, the manufacturer of the pumps does not recommend a second rebuild. The NDOC indicates that if the pumps are not replaced, it will not meet the Nevada Department of Environmental Protection's water quality standards.	\$ 14,422
Water Tank Inspection: The NDOC indicates that the American Water Works Association recommends that water tanks should be inspected once every three to five years. The water tank at ESP has been in place since 1988. According to the NDOC, the tank has never been inspected.	\$ 2,875
TOTAL	\$ 155,723

In its January 2008 Facility Condition Analysis report, the State Public Works Division recommended two out of the six recommendations including painting the interior and exterior of the institution, and replacing locking devices. **These recommendations appear reasonable to Fiscal staff.**

3. New Protective Service Positions (E-230, CORRECTIONS-40 & 41): The Governor recommends General Fund appropriations of \$260,173 in FY 2016 and \$810,634 in FY 2017 to support the salaries, benefits and operating expenditures of 7 new Correctional Officer positions in FY 2016 and 7 additional Correctional Officer positions and 1 Sergeant position in FY 2017 for a total of 15 new custody-staff positions. The new Correctional Officer positions are proposed in response to the Governor's recommendation to adjust the department's shift relief factor. **Fiscal staff requests authority to**

make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's shift relief factor and staffing as detailed in the Department of Corrections – Agency-Wide Issues document.

4. Replacement Equipment (E-710, CORRECTIONS-41): The Governor recommends General Fund appropriations of \$155,227 in FY 2016 and \$7,185 in FY 2017 to replace the following equipment:

ESP - Replacement Equipment		
Qty.	Description	General Fund Appropriations 2015-17 Biennium
1	Dough Divider: According to the NDOC, the existing dough divider is 19 years old and replacement parts are difficult to acquire.	\$11,248
1	Reach-in Refrigerator: According to the NDOC, the existing reach-in refrigerator is also linked to the walk-in freezer and refrigerator recommended to be rebuilt in decision unit M-425. This request is for a refrigerator that operates independently from the walk-in units, so that it can be used to store kosher and common fare food.	\$16,000
1	Tray Washer: According to the NDOC, the existing tray washer is approximately 10 years old, and breaks down frequently. When the tray washer is out of service, trays are washed by hand. According to the NDOC, hand washing trays is less sanitary and takes 1-2 hours longer than using the tray washer.	\$98,000
1	Pallet Jack: According to the NDOC, the useful life of an electric pallet jack is 10 years, and ESP's existing pallet jack is 18 years old. The NDOC indicates the existing pallet jack breaks down frequently.	\$5,799
1	Cold Water Jetter: According to the NDOC, the existing jetter is 23 years old and breaks down frequently. It is used to clear clogs in the sewer lines, so if the machine is not functioning, ESP cannot clear its sewer lines.	\$16,995
14	Weapons: According to the NDOC, 4 existing rifles and 10 shot guns are between 15 and 27 years old. The NDOC indicates that the firing mechanism on these weapons fail frequently.	\$7,790
20	Printers: This recommendation would replace 20 printers used by caseworker staff. According to the NDOC, it would like to get on a 5-year replacement schedule for its printers. This request would allow the agency to replace approximately 10 percent of its printers each year.	\$6,580
TOTAL		\$162,412

These recommendations appear reasonable.

5. Expenditure Transfers to the Director's Office (E-900, CORRECTIONS-42): The NDOC's Director's Office pays for department-wide expenditures associated with staff physicals. If the 2015 Legislature approves the new positions recommended in Decision Unit E-230, this recommendation would transfer General Fund appropriations of \$17,991 in FY 2016 and \$20,561 in FY 2017 from ESP to the Director's Office to support the new positions' staff physical expenditures. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's staffing levels as detailed in the Department of Corrections – Agency-Wide Issues document.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provide Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W02 - WORKING VERSION 2

Title: NDOC - HIGH DESERT STATE PRISON

Budget Page: CORRECTIONS-44,
 Volume III

Account: 101 - 3762

Revenues	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
BALANCE FORWARD	(27,866)						
GENERAL FUND	43,719,890	44,479,798	1.74	47,871,515	7.63	49,601,887	3.61
INTERAGENCY TRANSFER	317,552	48,545	(84.71)	8,266	(82.97)	8,266	
INTERIM FINANCE	173,943						
OTHER FUND	219,802	63,924	(70.92)	79,192	23.88	79,476	0.36
Total Revenues	44,403,321	44,592,267	0.43	47,958,973	7.55	49,689,629	3.61
Total FTE		532.00		546.00		560.00	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	00	2501	Increase General Fund to reflected revised JFA Inmate Population Projections - Technical Adjustment	74,948	52,346
M200	00	3829	Increase Room, Board and Transportation Charge revenue to reflected revised JFA Inmate Population Projections - Technical Adjustment	1,490	1,040
Sub-total				76,438	53,386
Line Item Changes to Revenues				76,438	53,386

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	50	7000	Increase Caseload expenditures to reflect revised JFA Inmate Population Projections - Technical Adjustment	76,438	53,386
Sub-total				76,438	53,386
Line Item Changes to Expenditures				76,438	53,386
Total				0	0

Grand Total General Fund Impact of Closing Changes	74,948	52,346
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Overview

The High Desert State Prison (HDSP) is a male close and medium-custody institution located approximately nine miles south of Indian Springs and adjacent to the Southern Desert Correctional Center. This facility is the intake center for male inmates in Southern Nevada. The average inmate population for HDSP in FY 2014 was 3,411, which is within the institution's emergency threshold capacity of 3,555. A card sorting operation is currently the only inmate work program at this facility. This budget is supported primarily by the General Fund. Additional funding sources include room and board charges paid by working inmates; staff meal sales and other employee services; and utility cost reimbursements from the Prison Industry program.

Major Closing Issue

New Equipment Mechanic Position

Discussion of Major Closing Issue

New Equipment Mechanic Position (E-225, CORRECTIONS-46 & 47): The Governor recommends General Fund appropriations of \$31,017 in FY 2016 and \$54,571 in FY 2017 to support the salary, benefits and operating expenditures of a new Equipment Mechanic position. Currently, HDSP has the only existing Equipment Mechanic position in the Nevada Department of Corrections' (NDOC) southern facilities. This new position would be responsible for maintaining an inventory of all replacement parts, logging the services performed on each vehicle, and assisting the existing Equipment Mechanic in performing maintenance on the vehicles at HDSP, as well as all of the vehicles assigned to the other southern institutions and facilities, which includes Three Lakes Valley Conservation Camp, Southern Desert Correctional Center, Florence McClure Women's Correctional Center, Jean Conservation Camp, Casa Grande Transitional Housing and the Inspector General's Office. According to the NDOC, these facilities combined have in excess of 150 vehicles and 30 off-road/heavy equipment type vehicles.

While there is only one existing Equipment Mechanic position, the incumbent trains inmates that are within 60 to 90 days of release on vehicle and small engine repair. The Equipment Mechanic can train and supervise up to five inmates at one time while ensuring the inmates are repairing the department's vehicles properly. If the proposed Equipment Mechanic position were approved, the NDOC estimates it would be able to train two additional inmates at any given time. The number of inmates the proposed Equipment Mechanic could train is limited by the size constraints of the auto shop. Fiscal staff notes that this training is not part of the department's Prison Industry program.

The agency indicates that it can take up to 60 days to complete the repairs needed on vehicles from the time they are brought in, based on the priority of each vehicle. However, the average turnaround time to repair a vehicle is approximately three weeks. If the new position were approved, the NDOC estimates it would be able to reduce its turnaround time to approximately two weeks. The department further indicates that with an additional Equipment Mechanic, the existing Equipment Mechanic would not have to close down the auto shop when he goes to pick up or drop off vehicles or takes leave. The NDOC estimates that the auto shop must be closed four to six times per month for three to four hours when the existing mechanic is required to pick up and drop off vehicles.

Does the Subcommittee wish to approve funding to support a new Equipment Mechanic position at High Desert State Prison?

<p>The Subcommittee recommended approval of the Governor's recommendation to fund a new Equipment Mechanic position at High Desert State Prison.</p>

Other Closing Items

1. **Inmate-Driven Revenue and Expenditure Decreases (M-200, CORRECTIONS-45):** The Governor recommended decreasing HDSP's funding by \$76,438 (\$74,948 General Funds) in FY 2016 and \$61,879 (\$60,673 General Funds) in FY 2017 for inmate driven costs to reflect a decrease in the institution's average inmate population from 3,411 in FY 2014 to 3,348 in FY 2016 and 3,360 in FY 2017. However, the NDOC revised its Biennium Plan (B2015-49), based on the February 2015 JFA Associates revised inmate population projections for the 2015-17 biennium, and adjusted HDSP's inmate population projections to reflect 3,411 inmates in FY 2016 and 3,404 in FY 2017. Correspondingly, the closing sheet reflects a technical adjustment to increase HDSP's inmate-driven expenditures by \$76,438 (\$74,948 General Funds) in FY 2016 and \$53,386 (\$52,346 General Funds) in FY 2017. **Fiscal staff requests authority to make technical adjustments to this decision unit**

based on the Subcommittee’s decision regarding inmate population projections as detailed in the Department of Corrections – Agency-Wide Issues document.

2. Deferred Maintenance (M-425, CORRECTIONS-46): The Governor recommends General Fund appropriations of \$203,080 in FY 2016 for the following deferred maintenance projects.

HDSP - Deferred Maintenance	
Description	General Fund Appropriations 2015-17 Biennium
Install a Motorized Gate Controller: Currently, there are 400 yards of fencing with three gates that separate the Segregation units at HDSP from the General Population units. The gates are manually padlocked and 170 NDOC personnel are supplied the keys, which according to the NDOC makes controlled movement of inmates vulnerable. The Governor recommends replacing the existing gates with motorized gates.	\$ 33,424
Acid Cleaning of Boilers: According to the NDOC, its four hot water boilers and two steam boilers are 16 years old and have never been acid cleaned, causing scale build-up in the tubes. An acid cleaning would entail completely disassembling the boilers and cleaning or replacing the tubes.	\$ 76,500
Replace Tank Bladders: HDSP's hot water loop circulates 100,000 gallons of water at 180 degrees throughout the institution, heating the buildings and providing hot water for showers and sinks. According to the NDOC, tank bladders help to protect the loop from pipe ruptures. However, four of HDSP's six tank bladders have ruptured, leaving only two bladders functional on the hot water loop.	\$ 77,336
Water Tank Inspection: The NDOC indicates that the American Water Works Association recommends that water tanks should be inspected once every three to five years. Three of the four water tanks recommended for inspection have been in place at HDSP since 1998 while the remaining water tank has been in place since 1978. According to the NDOC, these tanks were cleaned in 2009 and exterior inspections were performed in FY 2013, but internal inspections have not been performed.	\$ 15,820
TOTAL	\$ 203,080

These recommendations appear reasonable.

3. New Protective Service Positions (E-230, CORRECTIONS-47): The Governor recommends General Fund appropriations of \$520,939 in FY 2016 and \$1.6 million in FY 2017 to support the salaries, benefits and operating expenditures of 13 new protective service staff in FY 2016 and 14 additional protective service staff in FY 2017, for a total of 27 new protective service staff over the 2015-17 biennium. The new protective service staff are proposed in response to the Governor’s recommendation to adjust the department’s shift relief factor. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee’s decision regarding the NDOC’s shift relief factor and staffing as detailed in the Department of Corrections – Agency-Wide Issues document.**
4. Replacement Equipment (E-710, CORRECTIONS-48): The Governor recommends General Fund appropriations of \$86,720 in FY 2016 and \$47,638 in FY 2017 for the following replacement equipment:

HDSP - Replacement Equipment		
Qty.	Description	General Fund Appropriations 2015-17 Biennium
1	Dough Molder: According to the NDOC, the existing dough molder is 38 years old and replacement parts are no longer available. When the dough molder is inoperable, dough must be molded into loafs by hand.	\$11,722
1	Dough Divider: According to the NDOC, its existing dough divider is over 16 years old and is used in the production of dinner rolls and hamburger buns. When the dough divider is inoperable, dough must be separated by hand.	\$9,595
3	Steam Kettles: According to the NDOC, its existing steam kettles are 16 years old and have been re-welded several times to fix various cracks that have formed on the sides of the kettles.	\$44,511
2	Utility Carts: According to the NDOC, the useful life of a utility cart is five years, and HDSP's existing utility carts are 16 years old. The NDOC indicates the existing utility carts break down frequently.	\$14,720
2	Roll-in Heated Cabinet: According to the NDOC, its existing heat cabinets are 16 years old and no longer maintain proper temperatures, as the doors no longer seal properly. The cabinets are used to ensure meals are maintained at the correct temperature during mealtime.	\$10,578
2	Roll-in Refrigerator: According to the NDOC, its existing roll-in refrigerators are 16 years old and no longer maintain proper temperatures, as the doors no longer seal properly. The refrigerator is used to ensure meals are maintained at the correct temperature during mealtime.	\$10,432
2	Culinary Carts: According to the NDOC, its existing food delivery carts are over 15 years old. The carts are battery operated vehicles that are used to deliver food to 9 of the 12 housing units daily.	\$32,800
TOTAL		\$134,358

These recommendations appear reasonable to staff.

5. New Equipment (E-720, CORRECTIONS-48 & 49): The Governor recommends General Fund appropriations of \$3,204 in FY 2016 for new Water Jetter Drain Cleaning Machine. This machine would be used to maintain proper waste drainage throughout the facility and to remove grease clogging the drains throughout the culinary. **This recommendation appears reasonable.**
6. Expenditure Transfer to the Director's Office (E-900, CORRECTIONS-49): The NDOC Director's Office pays for department-wide expenditures associated with staff physicals. If the 2015 Legislature approves the new positions recommended in Decision Unit E-230, this recommendation would transfer General Fund appropriations of \$31,431 in FY 2016 and \$33,849 in FY 2017 from HDSP to the Director's Office to support the new positions' staff physical expenditures. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's staffing levels as detailed in the Department of Corrections – Agency-Wide Issues document.**
7. Expenditure Transfer to the Director's Office (E-901, CORRECTIONS-49): The NDOC Director's Office pays for department-wide expenditures associated with computer equipment. If the 2015 Legislature approves the new Equipment Mechanic position recommended in Decision Unit E-225, this recommendation would transfer General Fund appropriations of \$1,648 in FY 2016 from HDSP to the

Director's Office to support associated new computer equipment expenditures. **Fiscal staff requests authority to make technical adjustments to Decision Unit E-901 based on the Subcommittee's decision on the Major Issue described previously.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provide Fiscal staff with authority to make other technical adjustments as necessary, including technical adjustments related to Other Closing Items 6 and 7 and decisions made by the Subcommittee on agency-wide issues?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W02 - WORKING VERSION 2

Title: NDOC - NORTHERN NEVADA CORRECTIONAL CENTER
Account: 101 - 3717

Budget Page: CORRECTIONS-52, Volume III

Revenues	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
BALANCE FORWARD	(70,567)						
GENERAL FUND	25,184,882	25,548,263	1.44	26,870,972	5.18	27,835,816	3.59
INTERAGENCY TRANSFER	491,191	(21,080)	(104.29)	108,153	(613.06)	108,153	
INTERIM FINANCE	146,144						
OTHER FUND	81,469	71,654	(12.05)	82,166	14.67	82,630	0.56
Total Revenues	25,833,119	25,598,837	(0.91)	27,061,291	5.71	28,026,599	3.57
Total FTE		281.00		287.00		294.00	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	00	2501	Increase General Fund to reflect revised JFA inmate population projections - Technical Adjustment	71,504	75,279
M200	00	3829	Increase Room, Board, Transportation charge revenue to reflect revised JFA inmate population projections - Technical Adjustment	3,716	3,949
Sub-total				75,220	79,228
Line Item Changes to Revenues				75,220	79,228

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	50	7000	Increase inmate-driven caseload expenditures as a result of revised JFA inmate population projections - Technical Adjustment	75,220	79,228
Sub-total				75,220	79,228
Line Item Changes to Expenditures				75,220	79,228

Total	0	0
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Grand Total General Fund Impact of Closing Changes	71,504	75,279
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Overview

This budget was not previously heard by the Subcommittee. Fiscal staff is responsible for producing closing recommendations for this budget.

The Northern Nevada Correctional Center (NNCC) is a medium-custody institution located east of the Stewart Complex in Carson City. The institution is the intake center for male inmates in Northern Nevada. The average inmate population for NNCC in FY 2014 was 1,403, which is within the institution's emergency threshold capacity of 1,563. The institution offers Prison Industry programs in metal fabrication, print and bindery, office furnishings, mattress manufacturing and dairy operations. The Regional Medical Facility (RMF), which opened in January 1993, is also located at this institution. This budget is supported primarily by the General Fund. Additional funding sources include room and board charges paid by working inmates, staff meal sales and other employee services, and utility costs reimbursements from the Prison Industry programs.

Major Closing Issues

There are no major closing issues.

Other Closing Items

1. Inmate-Driven Caseload Adjustments (M-200, CORRECTIONS-53): The Governor recommended increasing NNCC’s funding by \$12,868 (\$12,171 General Funds) in FY 2016 and \$23,315 (\$22,154 General Funds) in FY 2017 for inmate-driven costs to reflect an increase in the facility’s average inmate population from 1,403 in FY 2014 to 1,415 in FY 2016 and 1,423 in FY 2017. However, the NDOC revised its Biennium Plan (B2015-49), based on the February 2015 JFA Associates revised inmate population projections for the 2015-17 biennium, and adjusted NNCC’s inmate population projections to reflect an average inmate population of 1,479 in FY 2016 and 1,491 in FY 2017. Correspondingly, a technical adjustment has been included to increase NNCC’s inmate-driven expenditures by \$75,220 (\$71,504 General Funds) in FY 2016 and \$79,228 (\$75,279 General Funds) in FY 2017. The closing sheets reflect the inclusion of this technical adjustment. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee’s decision regarding inmate population projections as detailed in the Department of Corrections – Agency-Wide Issues document.**
2. New Protective Service Positions (E-230, CORRECTIONS-54): The Governor recommends General Fund appropriations of \$244,805 in FY 2016 and \$748,465 in FY 2017 to support the salaries, benefits and operating expenditures of six new Correctional Officer positions in FY 2016, and an additional six new Correctional Officer positions and one Sergeant position in FY 2017 for a total of 13 new custody-staff positions. The new Correctional Officer positions are proposed in response to the Governor’s recommendation to adjust the department’s shift relief factor. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee’s decision regarding the NDOC’s shift relief factor and staffing as detailed in the Department of Corrections – Agency-Wide Issues document.**
3. Replacement Equipment (E-710, CORRECTIONS-55): The Governor recommends General Fund appropriations of \$105,306 in FY 2016 to replace the following equipment:

NNCC - Replacement Equipment		
Qty.	Description	General Fund Appropriations 2015-17 Biennium
1	Double Rack Baking Oven: According to the NDOC, the useful life of a Baking Oven is 12 years and its existing oven is over 30 years old and frequently breaks down. The NDOC indicates that replacement parts for this oven are difficult to obtain.	\$46,907
3	Dryers: According to the NDOC, the useful life of dryers is approximately 12 years, and NNCC’s dryers are estimated to be 51 years old. The NDOC indicates that replacement parts for these dryers are difficult to obtain.	\$38,769
1	Washing Machine: According to the NDOC, the washing machine recommended for replacement can wash a maximum of 20 pounds of laundry. This washing machine is used to clean bio-hazard laundry. The NDOC indicated that a larger washing machine is needed to keep up with the bio-hazard laundry due to an increase in ill and aged inmates housed at the NNCC and the Regional Medical Facility.	\$12,070
1	Convection Oven: According to the NDOC, the useful life of a convection oven is 10 years, and NNCC’s existing convection oven is over 20 years old. The NDOC indicates that replacement parts for this oven are difficult to obtain.	\$7,560
TOTAL		\$105,306

These recommendations appear reasonable.

4. Expenditure Transfers to the Director's Office (E-900, CORRECTIONS – 55 & 56): The Nevada Department of Corrections Director's Office pays for department-wide expenditures associated with staff physicals. If the 2015 Legislature approves the new positions recommended in Decision Unit E-230, this recommendation would transfer General Fund appropriations of \$15,421 in FY 2016 and \$17,991 in FY 2017 from NNCC to the Director's Office to support the new position's staff physical expenditures. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's staffing levels as detailed in the Department of Corrections – Agency-Wide Issues document.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provide Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W02 - WORKING VERSION 2

Title: NDOC - SOUTHERN DESERT CORRECTIONAL CENTER

Budget Page: CORRECTIONS-60, Volume III

Account: 101 - 3738

	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
Revenues							
GENERAL FUND	21,762,369	22,068,425	1.41	23,008,137	4.26	23,762,549	3.28
INTERAGENCY TRANSFER	(455,313)	16,420	(103.61)	13,888	(15.42)	13,888	
OTHER FUND	48,113	51,093	6.19	49,320	(3.47)	49,489	0.34
REVERSIONS	(25,124)						
Total Revenues	21,330,045	22,135,938	3.78	23,071,345	4.23	23,825,926	3.27
Total FTE		255.00		262.00		268.00	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	00	2501	Revised JFA inmate population projections - technical adjustment	18,422	54,482
M200	00	3829	Revised JFA inmate population projections - technical adjustment	410	1,183
M425	00	2501	Increase General Fund to reflect the vendor quote for removal of sludge in wastewater ponds	(300)	(300)
Sub-total				18,532	55,365
Line Item Changes to Revenues				18,532	55,365

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	50	7000	Revised JFA inmate population projections - technical adjustment	18,832	55,665
M425	95	7000	Reduce deferred maintenance to reflect the vendor quote for removal of sludge in wastewater ponds	(300)	(300)
Sub-total				18,532	55,365
Line Item Changes to Expenditures				18,532	55,365

Total	0	0
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Grand Total General Fund Impact of Closing Changes	18,122	54,182
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Overview

The Southern Desert Correctional Center (SDCC) is a male close and medium-custody facility located approximately nine miles south of Indian Springs and adjacent to the High Desert State Prison. The average inmate population for SDCC in FY 2014 was 1,993, which is within the institution's emergency threshold capacity of 2,232 beds. Inmate work programs at the facility include auto maintenance, auto restoration, and a card sorting operation. This budget is supported primarily by the General Fund. Additional funding sources include room and board charges paid by working inmates, staff meal sales and other employee services, and utility cost reimbursements from the Prison Industry programs.

Major Closing Issue

New Heat Plant Specialist Position

Discussion of Major Closing Issue

New Heat Plant Specialist Position (E-350, CORRECTIONS-63): The Governor recommends General Fund appropriations of \$41,932 in FY 2016 and \$56,102 in FY 2017 to support the salary, benefits and operating expenditures of a new Heat Plant Specialist position. Currently, the agency has one existing Heat Plant Specialist who is responsible for operating, adjusting, monitoring, maintaining, cleaning and repairing high and low pressure boilers and hot water heat generating equipment such as fuel and combustion systems, compressors, pumps, steam lines, steam traps, heat exchangers, water lines, controls, gauges, and emergency power generators. In addition, the agency indicates the current Heat Plant Specialist assists two existing Heating Ventilation Air Conditioning Refrigeration (HVACR) Specialists with climate control throughout the institution.

According to the department, the number of maintenance staff at SDCC has not commensurately increased with the growth of the institution. However, Fiscal staff would note that the number of maintenance staff has almost tripled since SDCC opened in 1982 with six 102-cell housing units, and 4.5 maintenance staff. In 1984, one additional 102-cell housing unit was constructed, while maintenance staff remained unchanged. A 200-cell housing unit was opened in 1989, at which time SDCC employed eight maintenance staff. In 2008, two additional 240-bed dormitory housing units were opened, and a total of eleven maintenance staff were employed with SDCC. In order to accommodate the growth of inmate capacity from 714 beds in 1982 to its current capacity of 2,232 beds, the 2009 Legislature approved an expansion of SDCC’s core services, which included building a new Culinary/Kitchen, dining area and laundry facility. According to the department, SDCC has added 430,000 square feet of building space since the institution opened. Since 2008, SDCC has increased its maintenance staff by two positions, for a total of 13 maintenance staff. While it appears the number of maintenance staff has grown throughout the years to accommodate the growth of the institution, the number of Heat Plant Specialist positions has remained unchanged. The table below provides a comparison of the maintenance staff approved for other institutions that have an emergency capacity similar to that of SDCC’s capacity.

**Nevada Department of Corrections
Comparison of Existing Maintenance Staff**

	SDCC	NNCC	LCC	HDSP	ESP
EMERGENCY CAPACITY	2,232	1,563	1,631	3,555	1,200
POSITIONS					
Facility Supervisor	2	2	1	1	2
Electrician	1	2	1	3	1
HVACR Specialist	2	2	1	2	1
Plumber	2	1	1	2	1
Heat Plant Specialist	1	1	5	5	5
Electronic Technician	1	1	1	1	1
Locksmith	1	0	0	1	1
Maintenance Repair Worker/Specialist	3	3	1	1	1
Welder	0	0	1	1	1
Carpenter	0	0	1	0	0
Equipment Mechanic	0	0	1	1	0
TOTAL	13	12	14	18	14

* Northern Nevada Correctional Center - NNCC; Lovelock Correctional Center - LCC; High Desert State Prison - HDSP; Ely State Prison - ESP

According to the agency, failure to provide 24-hour staffing to monitor the boiler operation puts the equipment in jeopardy and could expose staff and inmate workers to safety issues. Fiscal staff would note that it takes five positions to provide 24-hour monitoring 7-days per week. Therefore, if one Heat Plant Specialist were approved, SDCC would still have insufficient staffing to provide 24-hour coverage. Currently, SDCC has a Facility Supervisor and a Plumber who periodically assist in monitoring the boilers when the existing Heat Plant Specialist is not at the institution; however, SDCC largely depends on inmate labor to monitor the boilers when the Heat Plant Specialist is not available.

While there does not appear to be any requirements stipulated by the Occupational Safety and Health Administration (OSHA) regarding qualifications a person must have to monitor boiler systems, NAC 455C.268 stipulates that a person tending to a boiler must have technical training and experience in starting, operating and shutting down a boiler. It further stipulates the attendant must have a high school diploma, or the equivalent, and a minimum level of experience in operating a boiler ranging from 182 days for a boiler operating with up to 299 horsepower to 1,095 days for a boiler operating with more than 1,000 horsepower.

Does the Subcommittee wish to approve the Governor’s recommendation to fund a new Heat Plant Specialist position at Southern Desert Correctional Center?

The Subcommittee recommends approval of the Governor’s recommendation to fund a new Heat Plant Specialist position at Southern Desert Correctional Center.

Other Closing Items

1. Inmate-Driven Caseload Adjustments (M-200, CORRECTIONS-61): The Governor recommended increasing SDCC’s funding by \$58,728 (57,521 General Funds) in FY 2016 and \$67,147 (\$65,771 General Funds) in FY 2017 for inmate-driven costs to reflect an increase in the institution’s average inmate population from 1,993 in FY 2014 to 2,043 in FY 2016 and 2,050 in FY 2017. However, the NDOC revised its Biennium Plan (B2015-49), based on the February 2015 JFA Associates revised inmate population projections for the 2015-17 biennium, and adjusted SDCC’s inmate population projections to reflect an average inmate population of 2,060 in FY 2016 and 2,099 in FY 2017. Correspondingly, the closing sheet reflects a technical adjustment to increase SDCC’s inmate-driven expenditures by \$18,832 (\$18,422 General Funds) in FY 2016 and \$55,665 (\$54,482 General Funds) in FY 2017. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee’s decision regarding inmate population projections as detailed in the Department of Corrections – Agency-Wide Issues document.**

2. Deferred Maintenance (M-425, CORRECTIONS-62): The Governor recommends General Fund appropriations of \$153,946 in FY 2016 and \$58,334 in FY 2017 for the following deferred maintenance items:

SDCC - Deferred Maintenance	
Description	General Fund Appropriations 2015-17 Biennium
Install Fencing: SDCC's pump house, water tank, and well head are located outside the confines of the institution. In order to protect this infrastructure from vandalism and damage caused by wildlife, the Governor recommends installing fencing around these structures.	\$ 11,634
Replace Aerators: The Governor recommends replacing four aerators in one of the wastewater ponds at SDCC that are 33 years old. According to the agency, the aerators have exceeded their useful life and do not function properly. The Nevada Division of Environmental Protection has issued SDCC a Wastewater Discharge permit with limitations and discharge parameters. Aerators are used to meet these limitations and if the wastewater does not get the proper oxygen levels provided by these aerators the Eco System will be interrupted and the system can become septic.	\$ 39,578
Sludge Removal: The Governor recommends removing the sludge build up in two of SDCC's four wastewater ponds. In FY 2011, the Nevada Department of Environmental Protection conducted a review of SDCC's ponds and recommended sludge removal for ponds one and two, as the sludge build up measured approximately 18 inches. According to the NDOC, the sludge has never been removed from these ponds. The NDOC indicates that if the sludge is not removed the ponds will not function properly and odor control will become problematic.	\$ 116,668
Replace Sally Port Gates: According to the NDOC the mechanical parts of the existing sally port gates are 13 years old and worn out, making the gates inoperable at times. Sally ports are designed so that when one gate is open the other remains closed in order to minimize the risk of inmate escapes. According to the NDOC, the existing gate controls frequently open both gates at the same time.	\$ 44,400
TOTAL	\$ 212,280

Fiscal staff notes that the quote provided for sludge removal was \$58,034 per pond as opposed to \$58,334 per pond, which was provided in The Executive Budget. While the State Public Works Division did not provide recommendations for these deferred maintenance projects in its December 2013 Facility Condition Analysis report, **this recommendation appears reasonable with technical adjustments to reduce General Fund appropriations by \$600 for the removal of sludge in the wastewater ponds.**

3. New Protective Service Positions (E-230, CORRECTIONS-62 & 63): The Governor recommends General Fund appropriations of \$242,147 in FY 2016 and \$690,332 in FY 2017 to support the salaries, benefits and operating expenditures of six new Correctional Officer positions in FY 2016 and an additional six new Correctional Officer positions in FY 2017, for a total of 12 new Correctional Officers. The new Correctional Officer positions are proposed in response to the Governor's recommendation to adjust the department's shift relief factor. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's shift relief factor and staffing as detailed in the Department of Corrections – Agency-Wide Issues document.**
4. Replacement Equipment (E-710, CORRECTIONS-64): The Governor recommends General Fund appropriations of \$23,669 in FY 2016 and \$3,150 in FY 2017 to replace the following furniture and equipment:

SDCC - Replacement Equipment		
Qty	Description	General Fund Appropriations 2015-17 Biennium
4	Secretarial desks, bookcases, chairs and file cabinets: According to the NDOC, the existing secretarial furniture is no longer structurally safe to use due to its age and condition.	\$ 6,300
1	Pallet Jack: SDCC staff use a pallet jack to move food deliveries from the truck to the freezer. According to the NDOC, its existing pallet jack is often unable to handle some of the heavier loads.	\$ 5,799
2	Utility Cart: The utility carts that would be replaced are 12 years old and have exceeded their useful life of 5 years. According to the NDOC they require frequent repair.	\$ 14,720
TOTAL		\$ 26,819

These recommendations appear reasonable.

5. Expenditure Transfers to the Director's Office (E-900, CORRECTIONS-64): The NDOC Director's Office pays for department-wide expenditures associated with staff physicals. If the 2015 Legislature approves the new positions recommended in Decision Unit E-230, this recommendation would transfer General Fund appropriations of \$14,507 in each year of the 2015-17 biennium from SDCC to the Director's Office to support the new positions' staff physical expenditures. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's staffing levels as detailed in the Department of Corrections – Agency-Wide Issues document.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provide Fiscal staff with authority to make other technical adjustments as necessary, including decisions made by the Subcommittee on agency-wide issues?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W02 - WORKING VERSION 2

Title: NDOC - LOVELOCK CORRECTIONAL CENTER

Budget Page: CORRECTIONS-67,
 Volume III

Account: 101 - 3759

	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
Revenues							
GENERAL FUND	21,717,015	21,913,283	0.90	23,549,267	7.47	24,282,057	3.11
INTERAGENCY TRANSFER	97,932	60,728	(37.99)	19,262	(68.28)	19,262	
OTHER FUND	100,544	82,021	(18.42)	99,937	21.84	100,313	0.38
REVERSIONS	(105,264)						
Total Revenues	21,810,227	22,056,032	1.13	23,668,466	7.31	24,401,632	3.10
Total FTE		265.00		272.00		279.00	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	00	2501	Reduce General Fund to reflect revised JFA inmate population projections - Technical Adjustment	(31,242)	(41,285)
M200	00	3829	Reduce Room, Board, Transportation Charge revenue to reflect revised JFA inmate population projections - Technical Adjustment	(1,171)	(1,547)
Sub-total				(32,413)	(42,832)
Line Item Changes to Revenues				(32,413)	(42,832)

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	50	7000	Reduce inmate-driven caseload expenditures as a result of revised JFA inmate population projections - Technical Adjustment	(32,413)	(42,832)
Sub-total				(32,413)	(42,832)
Line Item Changes to Expenditures				(32,413)	(42,832)

Total	0	0
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Grand Total General Fund Impact of Closing Changes	(31,242)	(41,285)
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Overview

The Lovelock Correctional Center (LCC) is a male close and medium-custody facility. The average inmate population for LCC in FY 2014 was 1,616, which is within the institution's emergency threshold capacity of 1,631 beds. Inmate work programs at the institution include the manufacturing of clothing and draperies. This budget is supported primarily by the General Fund. Additional funding sources include room and board charges paid by working inmates; staff meal sales and other employee services; meal sales to the Pershing County Jail; and utility cost reimbursements from the Prison Industry program.

Major Closing Issue

New Administrative Assistant Position

Discussion of Major Closing Issue

New Administrative Assistant Position (E-225, CORRECTIONS-69 & 70): The Governor recommends General Fund appropriations of \$41,151 in FY 2016 and \$52,439 in FY 2017 to support the salary, benefits and operating expenditures of a new Administrative Assistant position, as well as building improvements to the LCC law library to enable the institution to implement a new e-filing system for its inmate case filings.

Currently, inmates prepare hand-written case filings. The inmates retain their original document, while a hard copy of the document is then delivered to the appropriate court and the Attorney General's Office. Accordingly, the courts receive volumes of paper they must then scan into their documentation management systems. According to the department, the United States (U.S.) District Court in Northern Nevada, as well as the Attorney General's Office, have requested the Nevada Department of Corrections (NDOC) use an e-filing system to submit case filings for inmates. Northern Nevada Correctional Center (NNCC) is currently the only institution submitting inmate court filings electronically at the request of the U.S. District Court. However, the U.S. District Court has requested the e-filing system be expanded to also include case filings submitted by inmates housed at LCC. On average, there are three U.S. District Court case filings submitted from inmates housed at LCC on a daily basis, with each case filing ranging from a dozen pages to hundreds of pages.

The Inmate Welfare account currently supports one Law Librarian at LCC who is responsible for operating the Law Library and providing inmates with legal assistance. According to the NDOC, this existing position could not take on the additional duties associated with e-filing, as the NDOC estimates that the scanning duties associated with the e-filing system would take up to 70 percent of the Law Librarian's time. The proposed position is recommended to be funded with General Fund appropriations as opposed to funds from the Inmate Welfare account, since the e-filing services would not directly benefit the inmates.

Fiscal staff would note that there are no requirements for the NDOC to submit case filings electronically to the U.S. District Court or to the Attorney General's Office. However, during the Subcommittee's February 17, 2015, hearing, a United States Magistrate representing the U.S. District Court testified that the U.S. District Court could issue an edict, requiring all case filings to be submitted electronically by the NDOC; however, the district court was interested in deriving a solution that would be mutually agreeable between the court and the NDOC. During the Subcommittee hearing, the NDOC indicated that it would benefit from the e-filing system, since it would save on expenditures related to photocopying the case filings. However, in a follow-up response from the department, it indicated that no savings would be realized as a result of the e-filing system, since inmates are required to pay for their photocopies. If inmates do not have funding to pay for photocopies, funds from the Inmate Welfare Account support these costs.

In order to ensure the document transmittals remain confidential, the Governor proposes to remodel a portion of the existing law library at LCC to create a small room that would house the proposed Administrative Assistant position, as well as a computer and a scanner with secure lines installed between LCC, the U.S. District Court and the Attorney General's Office. A small opening would be cut into the outside wall with a sliding drawer installed to enable the Administrative Assistant to receive and distribute inmate documentation. The department estimates the remodeling project would cost approximately \$10,000 in FY 2016.

Does the Subcommittee wish to approve the Governor's recommendation to implement a new e-filing system at Lovelock Correctional Center, construct a secure room for the system within the Law Library, and staff it with a new Administrative Assistant position?

The Subcommittee recommended approval of the Governor's recommendation to implement a new e-filing system at Lovelock Correctional Center, construct a secure room for the system within the Law Library, and staff it with a new Administrative Assistant position.

Other Closing Items

1. Inmate-Driven Revenue and Expenditure Increases (M-200, CORRECTIONS-68): The Governor recommended increasing LCC’s funding by \$32,413 (\$31,242 General Funds) in FY 2016 and \$42,832 (\$41,285 General Funds) in FY 2017 for inmate-driven costs to reflect an increase in the institution’s average inmate population from 1,616 in FY 2014 to 1,644 in FY 2016 and 1,653 in FY 2017. However, the NDOC revised its Biennium Plan (B2015-49), based on the February 2015 JFA Associates revised inmate population projections for the 2015-17 biennium, and adjusted LCC’s inmate population projections to reflect a flat inmate population compared to the actual inmate population in FY 2014. Correspondingly, a technical adjustment has been included to decrease LCC’s inmate-driven expenditures by \$32,413 (\$31,242 General Funds) in FY 2016 and \$42,832 (\$41,285 General Funds) in FY 2017. The closing sheets reflect the inclusion of this technical adjustment. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee’s decision regarding inmate population projections as detailed in the Department of Corrections – Agency-Wide Issues document.**
2. Deferred Maintenance (M-425, CORRECTIONS-69): The Governor recommends General Fund appropriations of \$79,177 in FY 2016 and \$11,975 in FY 2017 for the following deferred maintenance projects.

LCC - Deferred Maintenance	
Description	General Fund Appropriations 2015-17 Biennium
Sludge Removal: The Governor recommends removing the sludge build-up in LCC's two wastewater ponds. The NDOC indicates that if the sludge is not removed the ponds will not function properly and odor control will become problematic.	\$ 25,765
Sally Port Gate Driver: The Governor recommends replacing a 20 year old sally port gate driver. According to the NDOC the current sally port gate driver is failing, rendering the gate inoperable and requiring additional staff to manually operate the gate.	\$ 18,198
Repair Heating and Cooling: According to the NDOC, the intake and out flow of air for both the heating and cooling of the caseworker office are currently side by side, which cause the air that is blown out to be recirculated back in. As a result, the NDOC indicates the office has a temperature of 90 degrees in the summer time and 50 degrees during the winter time. This funding would allow the NDOC to redesign and install new ductwork for this office.	\$ 20,364
Replace Aerators: The Governor recommends replacing two aerators (one in each year) in the wastewater ponds at LCC. According to the department, the aerators are over ten years old, have exceeded their useful life, and do not function properly. The NDOC indicates that environmental protection violations could result if it does not maintain the appropriate oxygen content in its ponds.	\$ 23,950
Water Tank Inspection: The NDOC indicates that the American Water Works Association recommends that water tanks should be inspected once every three to five years. The water tank at LCC has been in place since 1992 and was last inspected in FY 2010.	\$ 2,875
TOTAL	\$ 91,152

While none of the noted deferred maintenance items were recommended by the State Public Works Division in its September 2010 Facility Condition Analysis Report, **these recommendations appear reasonable to Fiscal staff.**

3. New Protective Service Positions (E-230, CORRECTIONS-70): The Governor recommends General Fund appropriations of \$239,893 in FY 2016 and \$733,487 in FY 2017 to support the salaries, benefits and operating expenditures of 6 new Correctional Officer positions in FY 2016 and 6 additional Correctional Officer positions and 1 Sergeant position in FY 2017 for a total of 13 new custody-staff positions. The new Correctional Officer positions are proposed in response to the Governor’s

recommendation to adjust the department's shift relief factor. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's shift relief factor and staffing as detailed in the Department of Corrections – Agency-Wide Issues document.**

4. Replacement Equipment (E-710, CORRECTIONS-71): The Governor recommends General Fund appropriations of \$113,559 in FY 2016 and \$72,348 FY 2017 for the following replacement equipment:

LCC - Replacement Equipment		
Qty.	Description	General Fund Appropriations 2015-17 Biennium
1	Dough Divider: According to the NDOC, the existing dough divider is 20 years order and replacement parts are difficult to acquire. When the machine breaks, the dough must be manually divided which leads to inconsistencies in the bread.	\$7,525
1	Forklift: According to the NDOC, it has spent approximately \$15,000 in the past four years repairing LCC's 20 year old forklift. The NDOC indicates its replacement parts are becoming obsolete.	\$64,987
1	Mobile Heated Cabinet: According to the NDOC, the existing mobile heat cabinet is 19 years old and does not maintain proper temperatures.	\$6,374
2	Utility Carts: According to the NDOC, the useful life of a utility cart is five years, and LCC's existing utility carts are 20 years old. The NDOC indicates the existing utility carts break down frequently.	\$14,722
1	Pallet Jack: According to the NDOC, LCC's existing pallet jack is 8 years old and the lifting mechanism slips. The NDOC indicates the existing pallet jack breaks down frequently.	\$5,799
1	Water Tank Control System: According to the NDOC, its water tank control system is over 21 years old. In the past year the NDOC indicates that its controls have failed, which resulted in its water levels dropping below the minimum required amount. When this occurs, the institution experiences a reduction in its water pressure in certain areas of the institution and a complete loss of water in other areas. The NDOC indicates it is manually monitoring the water levels until a new system can be installed.	\$86,500
TOTAL		\$185,907

These recommendations appear reasonable.

5. Expenditure Transfer to the Director's Office (E-900, CORRECTIONS-71 & 72): The NDOC Director's Office pays for department-wide expenditures associated with staff physicals. If the Legislature approves the new positions recommended in Decision Unit E-230, this recommendation would transfer General Fund appropriations of \$15,421 in FY 2016 and \$17,991 in FY 2017 from LCC to the Director's Office to support the new positions' staff physical expenditures. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's staffing levels as detailed in the Department of Corrections – Agency-Wide Issues document.**
6. Expenditure Transfer to the Director's Office (E-901, CORRECTIONS-72): The NDOC Director's Office pays for department-wide expenditures associated with computer equipment. If the 2015 Legislature approves the Administrative Assistant position recommended in Decision Unit E-225, this

recommendation would transfer General Fund appropriations of \$1,648 in FY 2016 from LCC to the Director's Office to support associated new computer equipment expenditures. **Fiscal staff requests authority to make technical adjustments to Decision Unit E-901 based on the Subcommittee's decision on the Major Issue described previously.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provide Fiscal staff with authority to make other technical adjustments as necessary, including technical adjustment related to Other Closing Items 5 and 6 and decisions made by the Subcommittee on agency-wide issues?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W02 - WORKING VERSION 2

Title: NDOC - WARM SPRINGS CORRECTIONAL CENTER

Budget Page: CORRECTIONS-77,
 Volume III

Account: 101 - 3716

	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
Revenues							
GENERAL FUND	10,156,762	10,091,860	(0.64)	10,605,435	5.09	10,904,105	2.82
INTERAGENCY TRANSFER	47,909	6,852	(85.70)				
OTHER FUND	8,962	11,557	28.96	9,255	(19.92)	9,320	0.70
REVERSIONS	(83,183)						
Total Revenues	10,130,450	10,110,269	(0.20)	10,614,690	4.99	10,913,425	2.81
Total FTE		114.00		116.00		119.00	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	00	2501	Reduce General Fund associated with revised JFA Inmate Population Projections - Technical Adjustment	(18,640)	(28,996)
M200	00	3829	Reduce Room, Board and Transportation Charge revenue associated with revised JFA Inmate Population Projections - Technical Adjustment	(293)	(456)
Sub-total				(18,933)	(29,452)
Line Item Changes to Revenues				(18,933)	(29,452)

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	50	7000	Reduce Inmate-Driven Caseload expenditures associated with revised JFA Inmate Population Projections – Technical Adjustment	(18,933)	(29,452)
Sub-total				(18,933)	(29,452)
Line Item Changes to Expenditures				(18,933)	(29,452)

Total	0	0
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Grand Total General Fund Impact of Closing Changes	(18,640)	(28,996)
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Overview

This budget was not previously heard by the Subcommittee. Fiscal staff is responsible for producing closing recommendations for this budget.

The Warm Springs Correctional Center (WSCC), located in Carson City, is a male medium-custody facility. The average inmate population for WSCC in FY 2014 was 550, which is within the institution’s emergency threshold capacity of 566 beds. The only inmate work program at this institution is a card sorting operation. This budget is supported primarily by General Funds. Additional funding sources include room and board charges paid by working inmates.

Major Closing Issues

There are no major closing issues.

Other Closing Items

1. **Inmate-Driven Caseload Adjustments (M-200, CORRECTIONS-78):** The Governor originally recommended increasing WSCC's funding by \$18,933 (\$18,640 General Funds) in FY 2016 and \$23,141 (\$22,783 General Funds) in FY 2017 for inmate-driven costs to reflect an increase in the institution's average inmate population from 550 in FY 2014 to 568 in FY 2016 and 572 in FY 2017. However, the NDOC revised its Biennium Plan (B2015-49), based on the February 2015 JFA Associates final inmate population projections for the 2015-17 biennium, and adjusted WSCC's inmate population projections to reflect an average inmate population of 550 in FY 2016 and 544 in FY 2017. Correspondingly, a technical adjustment has been included to decrease WSCC's inmate-driven expenditures by \$18,933 (\$18,640 General Funds) in FY 2016 and \$29,452 (\$28,996 General Funds) in FY 2017. The closing sheets reflect the inclusion of this technical adjustment. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding inmate population projections as detailed in the Department of Corrections – Agency-Wide Issues document.**
2. **Deferred Maintenance (M-425, CORRECTIONS-79):** The Governor recommends General Fund appropriations of \$9,800 in FY 2016 to replace the sally port gate actuators and access control system. According to the NDOC, the existing control system no longer functions, so the gate must be manually operated and secured with a chain and padlock. While this recommendation was not included in the State Public Works Division's July 2006 Facility Condition Analysis report for WSCC, **this recommendation appears reasonable to Fiscal Staff.**
3. **New Protective Service Positions (E-230, CORRECTIONS-79 & 80):** The Governor recommends General Fund appropriations of \$82,343 in FY 2016 and \$282,243 in FY 2017 to support the salaries, benefits and operating expenditures of two new Correctional Officer positions in FY 2016 and three additional Correctional Officer positions in FY 2017, for a total of five new Correctional Officer positions. The new Correctional Officer positions are proposed in response to the Governor's recommendation to adjust the department's shift relief factor. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's shift relief factor and staffing as detailed in the Department of Corrections – Agency-Wide Issues document.**
4. **Replacement Equipment (E-710, CORRECTIONS-80 & 81):** The Governor recommends General Fund appropriations of \$13,402 in FY 2016 and \$1,524 in FY 2017 to replace 13 printers that are 7-years old, a 16-year old conveyor toaster, a 17-year old countertop griddle, and a 17-year old reach-in refrigerator. According to the NDOC, the noted pieces of equipment have exceeded their useful lives and no longer function properly. **These recommendations appear reasonable.**
5. **Expenditure Transfers to the Director's Office (E-900, CORRECTIONS - 81):** The NDOC Director's Office pays for department-wide expenditures associated with staff physicals. If the 2015 Legislature approves the new positions recommended in Decision Unit E-230, this recommendation would transfer General Fund appropriations of \$5,140 in FY 2016 and \$7,711 FY 2017 from WSCC to the Director's Office to support the new positions' staff physical expenditures. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's staffing levels as detailed in the Department of Corrections – Agency-Wide Issues document.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provide Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.

Title: NDOC - FLORENCE MCCLURE WOMEN'S CORRECTIONAL CENTER
Account: 101 - 3761

Budget Page: CORRECTIONS-83, Volume III

	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
Revenues							
GENERAL FUND	13,698,481	14,771,310	7.83	14,336,463	(2.94)	13,183,570	(8.04)
INTERAGENCY TRANSFER	348	119	(65.80)	5,454	4483.19	5,454	
OTHER FUND	269,498	159,753	(40.72)	278,507	74.34	281,237	0.98
REVERSIONS	(50,633)						
Total Revenues	13,917,694	14,931,182	7.28	14,620,424	(2.08)	13,470,261	(7.87)
Total FTE		147.00		150.00		153.00	

Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	00	2501	Increase General Fund to reflect revised JFA inmate population projections - Technical Adjustment	15,044	14,079
M200	00	3829	Increase Room, Board, Transportation Charge revenue to reflect revised JFA inmate population projections - Technical Adjustment	4,368	4,095
Sub-total				19,412	18,174
Line Item Changes to Revenues				19,412	18,174

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
M200	50	7000	Increase inmate-driven caseload expenditures as a result of revised JFA inmate population projections - Technical Adjustment	19,412	18,174
Sub-total				19,412	18,174
Line Item Changes to Expenditures				19,412	18,174

Total				0	0
Grand Total General Fund Impact of Closing Changes				15,044	14,079

Overview

This budget was not previously heard by the Subcommittee. Fiscal staff is responsible for producing closing recommendations for this budget.

The Florence McClure Women's Correctional Center (FMWCC) is a female close and medium-custody institution located in Las Vegas and is the intake facility for female offenders in the state. The average inmate population for FMWCC in FY 2014 was 825, which is within the institution's emergency threshold capacity of 915 beds. This budget is supported primarily by the General Fund. Additional funding sources include room and board charges paid by working inmates and utility reimbursements from Prison Industries.

Major Closing Issues

There are no major closing issues.

Other Closing Items

1. **Inmate-Driven Caseload Adjustments (M-200, CORRECTIONS-84 & 85)**: The Governor recommended increasing FMWCC's funding by \$19,414 in FY 2016 and \$31,502 in FY 2017 for inmate-driven costs to reflect an increase in the institution's average inmate population from 825 in FY 2014 to 841 in FY 2016 and 851 in FY 2017. However, the Nevada Department of Corrections (NDOC) revised its Biennium Plan (B2015-49), based on the February 2015 JFA Associates revised inmate population projections for the 2015-17 biennium, and adjusted FMWCC's inmate population projections to reflect an average inmate population of 857 in FY 2016 and 866 in FY 2017. Correspondingly, a technical adjustment has been included to increase FMWCC's inmate-driven expenditures by \$19,412 (\$15,044 General Funds) in FY 2016 and \$18,174 (\$14,079 General Funds) in FY 2017. The closing sheets reflect the inclusion of this technical adjustment. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding inmate population projections as detailed in the Department of Corrections – Agency-Wide Issues document.**
2. **Deferred Maintenance (M-425, CORRECTIONS-85)**: The Governor recommends a General Fund appropriation of \$30,000 in FY 2016 to replace the fan coils and condenser units for the walk-in refrigerator and freezer in the culinary. According to the NDOC, the existing units are 17 years-old and have broken down seven times in the past year. When a breakdown occurs, the agency must request a portable refrigeration trailer until the repairs are made. While this recommendation was not included in the State Public Works Division's February 2012 Facility Condition Analysis report for FMWCC, **this recommendation appears reasonable.**
3. **New Protective Service Positions (E-230, CORRECTIONS-86)**: The Governor recommends General Fund appropriations of \$114,864 in FY 2016 and \$341,870 in FY 2017 to support the salaries, benefits and operating expenditures of three new Correctional Officer positions in FY 2016 and three additional Correctional Officer positions in FY 2017, for a total of six new Correctional Officer positions. The new Correctional Officer positions are proposed in response to the Governor's recommendation to adjust the department's shift relief factor. **Fiscal staff requests authority to make technical adjustments to this decision unit based on the Subcommittee's decision regarding the NDOC's shift relief factor and staffing as detailed in the Department of Corrections – Agency-Wide Issues document.**
4. **Replacement Equipment (E-710, CORRECTIONS-87)**: The Governor recommends a General Fund appropriation of \$37,695 in FY 2016 to replace a 17 year-old washing machine and a 14 year-old 60-quart mixer. According to the NDOC, both pieces of equipment break down frequently and have exceeded their useful life. **This recommendation appears reasonable.**
5. **New Equipment (E-720, CORRECTIONS-87)**: The Governor recommends a General Fund appropriation of \$3,860 in FY 2016 for a new detention key machine and a new key duplicator. The detention key machine would allow the NDOC to duplicate detention keys that require a special security code to replicate. The key duplicator would replicate non-detention keys that do not require codes. According to the agency, these machines are needed in lieu of hiring a third party vendor, which can take several days for the keys to be duplicated. **This recommendation appears reasonable.**
6. **Expenditure Transfers to the Director's Office (E-900, CORRECTIONS-87 & 88)**: The NDOC Director's Office pays for department-wide expenditures associated with staff physicals. If the 2015 Legislature approves the new positions recommended in Decision Unit E-230, this recommendation would transfer General Fund appropriations of \$7,253 in each year of the 2015-17 biennium from FMWCC to the Director's Office to support the new positions' staff physical

expenditures. **Fiscal staff requests authority to make technical adjustment to this decision unit based on the Subcommittee's decision regarding the NDOC's staffing levels as detailed in the Department of Corrections – Agency-Wide Issues document.**

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provide Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.

Nevada Legislative Counsel Bureau
 Budget Closing Action Report
 Public Safety, Natural Resources and Transportation Joint
 Subcommittee
 W03 - WORKING VERSION 3

Title: NDOC - OFFENDERS' STORE FUND
Account: 240 - 3708

Budget Page: CORRECTIONS-152, Volume III

Revenues	2013-14 Actual	2014-15 WP	% Chg	2015-16 GOV REC	% Chg	2016-17 GOV REC	% Chg
BALANCE FORWARD	(1,564,283)	4,410,510	(381.95)	3,834,275	(13.07)	5,764,247	50.33
INTERAGENCY TRANSFER	128,328	128,681	0.28	128,328	(0.27)	128,328	
OTHER FUND	14,792,736	13,841,380	(6.43)	15,905,470	14.91	15,982,059	0.48
Total Revenues	13,356,781	18,380,571	37.61	19,868,073	8.09	21,874,634	10.10

Total FTE	54.04	57.00	57.00
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Adjustments to Revenue

Dec Unit	Cat	GL	Description	2015-16	2016-17
B000	00	2511	Decrease Balance Forward to transfer funds to the Inmate Welfare account as a result of revised JFA inmate population projections		(5,846)
B000	00	2511	Increase in Balance Forward due to additional revenue generated by MP3 music downloads		96,000
B000	00	4015	Increase in Store Sales due to additional revenue generated by MP3 music downloads	96,000	96,000
M200	00	2511	Increase Balance Forward due to additional sales from inmate population adjustment		45,831
M200	00	4015	Increase Store Sales due to additional sales from inmate population adjustment	63,150	56,316
M200	00	4021	Increase Catalog Commissions due to additional sales from inmate population adjustment	2,490	2,221
M200	00	4032	Increase Vending Machine Sales due to additional sales from inmate population adjustment	1,693	1,510
M200	00	4041	Increase Vending Telephone Commissions due to additional sales from inmate population adjustment	18,490	16,492
E226	00	2511	Decrease balance forward to support upgraded Storekeeper positions		(35,542)
E226	00	4015	Decrease Store Sales revenue anticipated to be generated as a result of upgrading the storekeeper positions from half-time to full-time	(96,114)	(96,114)
Sub-total				85,709	176,868
Line Item Changes to Revenues				85,709	176,868

Adjustments to Expenditures

Dec Unit	Cat	GL	Description	2015-16	2016-17
B000	60	9000	Decrease Retained Earning to transfer funds to the Inmate Welfare account as a result of revised JFA inmate population projections	(5,846)	(24,018)
B000	60	9000	Increase in Reserve due to additional revenue generated by MP3 music downloads	96,000	192,000
B000	90	9000	Increase Transfer to Inmate Welfare account as a result of revised JFA inmate population projections	5,846	18,172
M200	04	7000	Increase Operating expenditures due to additional sales from inmate population adjustment	28	26
M200	26	7000	Increase IT expenditures due to additional sales from inmate population adjustment	135	120
M200	60	9000	Increase reserve due to additional sales from inmate population adjustment	45,831	86,701
M200	78	7000	Increase Cost of Goods Sold due to additional sales from inmate	39,829	35,523

			population adjustment		
E226	60	9000	Decrease retained earnings to support upgraded Storekeeper positions	(35,542)	(71,084)
E226	78	7000	Decrease Cost of Goods Sold resulting from upgrading the Storekeeper positions.	(60,572)	(60,572)
Sub-total				85,709	176,868
Line Item Changes to Expenditures				85,709	176,868
Total				0	0
Grand Total General Fund Impact of Closing Changes				0	0

Overview

The Offenders' Store Fund (OSF) accounts for the operation of the general merchandise stores and the coffee shops located at most correctional facilities within the Nevada Department of Corrections (NDOC). In addition to profits earned on these two operations, the fund collects commissions from inmate telephone calls through the contracted provider of the inmate telephone system. Earnings, except interest income, must be expended for the welfare and benefit of all offenders, in accordance with NRS 209.221, and are transferred to the Inmate Welfare account to maintain inmate law libraries, provide recreational resources for inmates, and provide for other inmate services.

Major Closing Issues

1. New Retail Storekeeper Position
2. Upgrade Retail Storekeepers from Half-time to Full-time
3. Inmate Banking System

Discussion of Major Closing Issues

1. New Retail Storekeeper Position (E-227, CORRECTIONS-155 & 156): The Governor recommends reductions to retained earnings of \$46,369 in FY 2016 and \$46,989 in FY 2017 to support the salary, benefits and operating expenditures of a new Retail Storekeeper position for Ely State Prison to assist inmates with music purchases using its MP3 kiosk. According to the NDOC, it has installed music kiosks in all of its facilities and institutions so inmates can download music, electronically. These kiosks were installed in all of the institutions and facilities in order to reduce, and eventually eliminate, the inmates' use of compact disc players. According to the NDOC, the inmates have been altering these devices to make tattoo guns.

The MP3 players will allow inmates to download up to 1,600 songs at a cost of \$2.00 per song. The Offenders' Store Fund will receive a \$0.20 profit for every song sold. The NDOC projects it will sell 480,000 songs department-wide during the first year. This estimate was based on the number of songs the Oregon Department of Corrections sold during the first year it offered MP3 downloaded music. Accordingly, the NDOC estimates the Offenders' Store Fund will generate a total of \$96,000 in its first year, which would cover the costs associated with the new Retail Storekeeper position at Ely State Prison (ESP). This additional revenue was not included in The Executive Budget. In response to follow-up questions asked by the Subcommittee at its March 3, 2015, hearing, the department indicated that the revenue should be included in the OFS budget. Accordingly, a technical adjustment has been included in this closing document to increase Sales revenue by \$96,000 in each year of the 2015-17 biennium to account for this additional revenue generated by MP3 music sales.

In the majority of the NDOC institutions and facilities, the inmates are able to conduct kiosk transactions on their own. However, inmates at Ely State Prison do not have access to the kiosk, since it is a maximum-security institution where inmates are locked down 23-hours per day, and controlled movement is required of all inmates. When asked by Fiscal staff why a music kiosk is needed at ESP, the NDOC indicated that all inmates must have access to perceived benefits to avoid potential grievances. In order to ensure these inmates have access to the downloaded music, the proposed Retail Storekeeper would be responsible for collecting the inmates' MP3 devices, downloading the requested music through the kiosk, and returning the MP3 devices to the inmates. According to the NDOC, the three existing Retail Storekeepers are not able to take on the additional responsibility of downloading music, as they have difficulties completing their existing workloads. When not processing MP3 downloads, the NDOC would use this position to assist the existing Retail Storekeepers in filling and delivering weekly store orders to the inmates. If this position is not approved, the NDOC indicates that it would not be able to provide inmates at ESP with downloaded music.

Fiscal staff would note that according to the NDOC, 716 inmates have purchased MP3 players since the implementation of the kiosk system department-wide, which equates to approximately 5.6 percent of the NDOC's FY 2014 inmate population of 12,739 inmates. Correspondingly, if 5.6 percent of ESP's inmate population had MP3 players, this position would be providing music downloading services to approximately 60 inmates (1,072 total inmates at ESP x 5.6 percent). The department anticipates that sales of MP3 devices will increase over time, since the department intakes and releases approximately 3,000 to 5,000 inmates per year.

Does the Subcommittee wish to approve funding for the new Storekeeper position to assist in downloading MP3 music for inmates at Ely State Prison?

Regardless of the Subcommittee's decision to approve the Storekeeper position, Fiscal staff requests authority to make technical adjustments to account for the \$96,000 in projected revenue each year generated by the sale of MP3 downloaded music department-wide.

The Subcommittee recommended approval of the Governor's recommendation to fund a new Storekeeper position to assist in downloading MP3 music for inmates at Ely State Prison. In addition, the Subcommittee recommended a technical adjustment to account for the \$96,000 in projected revenue each year generated by the sale of MP3 downloaded music department-wide.

2. Upgrade Retail Storekeepers from Half-time to Full-time (E-226, CORRECTIONS-155): The Governor recommends additional store sales of \$210,796 in each year of the 2015-17 biennium, as well as decreases in retained earnings of \$8,493 in FY 2016 and \$10,586 in FY 2017 to support additional salary and benefit expenditures associated with increasing four half-time Retail Storekeeper positions to full-time. Currently, the inmate stores at Wells, Carlin, Humboldt and Tonopah operate part-time during hours when many of the inmates are not present at the camps. On most days, the Division of Forestry takes the majority of the inmates housed at the conservation camps to work on highway clean-up projects or fire crews. By increasing the Retail Storekeeper positions from half-time to full-time, the NDOC would be able to operate its camp inmate stores during hours when the inmates are more likely to be present at the camps.

Currently, one of the four Retail Storekeeper positions is vacant. However, the NDOC indicates that in the past it has had difficulties filling these positions, since most people are not willing to drive to the remote camp locations for a job that is part-time.

As previously indicated, the NDOC originally projected that it would generate additional store sales revenue of \$210,796 in each year of the 2015-17 biennium by upgrading the Storekeeper positions. These projections were based on the NDOC anticipating sales would increase by 50 percent,

commensurate to the percentage increase in store hours. The Subcommittee questioned this projection methodology at its March 3, 2015, hearing and requested additional information regarding the sales at existing camps with full-time Storekeeper positions compared to the camps with part-time Storekeeper positions. As the table below indicates, camps with full-time Storekeepers generated \$1,084.51 per inmate per year in FY 2014. By way of comparison, the camps with part-time Storekeepers generated \$910.88 per inmate per year in FY 2014. Utilizing the full-time Storekeeper sales average, camps with part-time Storekeepers would only generate an additional \$114,681 in revenue if the four part-time Storekeeper positions were upgraded to full-time, which is \$96,115 less than the \$210,796 originally estimated.

	FY 2013	FY 2014	Projected FY 2015
Average net sales per inmate in camps with full-time Storekeepers	1,166	1,085	1,176
Average net sales per inmate in camps with part-time Storekeepers	863	911	933
Difference in sales at camps with part-time Storekeepers	304	174	243
Average inmate population at camps with part-time Storekeepers	128	110	118
Total increase in projected sales by upgrading the Storekeeper positions	38,852	19,099	28,670
Number of camps with part-time positions	4	4	4
Difference in projected sales for the four camps	155,407	76,397	114,682

If the Subcommittee approves Decision Unit E-226, Fiscal staff would recommend revising the projected revenues generated from the new positions by \$96,115 in each year of the 2015-17 biennium. This adjustment would require partially funding the positions recommended in Decision Unit E-226 with an additional \$35,542 in retained earnings in each year of the 2015-17 biennium.

Does the Subcommittee wish to approve the Governor’s recommendation to upgrade four part-time Storekeeper positions to full-time and provide Fiscal staff with authority to make technical adjustments associated with the revised Store Sale revenue projections?

The Subcommittee recommended approval of the Governor’s recommendation to upgrade four part-time Storekeeper positions to full-time and provided Fiscal staff with authority to make technical adjustments associated with the revised Store Sale revenue projections.

3. Inmate Banking System (E-225, CORRECTIONS-154 & 155): During the 2013-15 biennium, the NDOC began migrating its legacy inmate banking system (AS 400) to a new banking and inmate database system. At the time, the NDOC indicated to the money committees that it was planning to replace its banking system with a new system provided by NDOC’s new inmate banking vendor at no additional cost. The new system has been implemented and uses a database that differs from the database used in the NDOC’s legacy system. The NDOC is now requesting reductions in retained earnings of \$152,970 in FY 2016 to support additional programming costs to create a data warehouse for the inmate data currently stored in the NDOC’s legacy system. This data warehouse would be maintained through the NDOC’s MIS Division. In addition to the data warehouse, the programming expenditures would be used to create reports so information can be merged between the new system and the data that will be maintained in the data warehouse. According to the NDOC, the vendor would require approximately 775 programming hours at a rate of \$197.38 per hour to complete these upgrades.

According to the NDOC, its AS 400 legacy system is no longer supported by its vendor, IBM. The NDOC indicates that in FY 2012, when the new system was being implemented, the NDOC’s Management Information Systems Division employed a programmer who was familiar with the programming code associated with the old legacy system. However, that individual retired and now NDOC does not have staff members who are familiar with the programming code of the old system.

The NDOC is required to retain six years of inmate accounting files in accordance with Nevada's records retention schedule. If the legacy system becomes inoperable, the NDOC indicates it would lose access to those inmate files.

Does the Subcommittee wish to approve \$152,970 of retained earnings to support additional programming hours to create a data warehouse for the inmate data currently stored on the NDOC's legacy inmate banking system?

The Subcommittee recommended approval of the Governor's recommendation to provide retained earnings of \$152,970 in FY 2016 to support additional programming hours to create a data warehouse for inmate data currently stored on the NDOC's legacy inmate banking system.

Other Closing Items

1. **Inmate-Driven Revenue and Expenditure Increases (M-200, CORRECTIONS-153 & 154):** The Governor recommended an additional \$89,417 in FY 2016 and \$166,006 FY 2017 for inmate-generated revenues and expenses due to the projected increase in the inmate population, as provided in JFA Associates' October 2014 projection. However, JFA Associates submitted a revised inmate population projection in February 2015. Accordingly, adjustments have been made to increase revenue and expenditure authority generated in the OSF by \$85,823 in FY 2016 and \$76,539 in FY 2017 based on the revised inmate population. **Fiscal staff recommends approval of this decision unit with technical adjustments to reflect the revised inmate-generated revenues and expenditures based on the February 2015 inmate population projections.**
2. **Replacement Equipment (E-710, CORRECTIONS-156):** The Governor recommends reductions in retained earnings of \$30,966 in FY 2016 to replace an ice machine at Florence McClure Women's Correctional Center and utility carts at High Desert State Prison and Southern Desert Correctional Center. **This recommendation appears reasonable to staff.**
3. **Technical Adjustment - Caseload Adjustment to Other Budgets (B-000, CORRECTIONS-152):** Fiscal staff recommends technical adjustments to increase fund transfers to the Inmate Welfare account from the OSF by \$5,846 in FY 2016 and \$18,172 in FY 2017 to support additional inmate-driven expenses resulting from estimated increases in the inmate population as identified in the February 2015 revised JFA Associates inmate population projections.

Does the Subcommittee wish to approve Other Closing Items as recommended by the Governor with the technical adjustments noted by staff and provide Fiscal staff with authority to make other technical adjustments as necessary, including those identified in Other Closing Items 1 and 3?

The Subcommittee recommended approval of Other Closing Items as recommended by the Governor with the technical adjustments noted by staff, and provided Fiscal staff with authority to make other technical adjustments as necessary, including those related to decisions made by the Subcommittee on agency-wide issues.