

BDR 16-170 SB 187

EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 8, 2021

Agency Submitting: Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23	Effect on Future Biennia
Personnel Services - Category 01 (Expense)		\$14,079,608	\$19,252,380	\$38,504,760
Operating - Category 04 (Expense)		\$455,860	\$190,177	\$380,354
Equipment - Category 05 (Expense)		\$495,708		
Maintenance - Category 07 (Expense)		\$14,173,133	\$738,500	\$1,477,000
Exercise and Rec Equipment - Category 19 (Expense)		\$37,800	\$8,000	\$16,000
Information Systems - Category 26 (Expense)		\$554,087	\$96,279	\$192,558
Uniform Allowance - Category 29 (Expense)		\$33,555	\$33,555	\$67,110
Inmate Transportation - Category 36 (Expense)		\$7,000	\$7,000	\$14,000
Total	0	\$29,836,751	\$20,325,891	\$40,651,782

Explanation

(Use Additional Sheets of Attachments, if required)

The Nevada Department of Corrections (NDOC) has reviewed SB187 (BDR 16-170) which has an estimated fiscal impact of \$29,836,751 for SFY22, \$20,325,891 for SFY 23 and \$40,651,782 for future biennia. Please see attached Exhibit 1 for full description.

Name Adrienne Monroe

Title ASO III

GOVERNOR'S OFFICE OF FINANCE COMMENTS

The agency's response appears reasonable.

Date Wednesday, April 07, 2021

Name Tiffany Greenameyer

Title Deputy Director Governor's Finance Office

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: 16-170

Name of Agency: Nevada Department of Corrections

Division/Department: _____

Date: March 25, 2021

In order to implement the provisions of SB 187, the Nevada Department of Corrections estimates an initial cost of approximately \$29,836,751 for SFY22, \$20,325,891 for SFY 23 and \$40,651,782 for ongoing future biennia. This expenditure will be necessary to improve the construction of its seven major institutions in order to avoid incarcerating offenders in "solitary confinement" conditions as defined in the bill, and to provide additional mental health support to offenders affected by mild-to-moderate mental or behavioral health conditions which are to be housed in Behavior Modification Units as defined in the bill.

The Department's institutions were originally designed with enough secure recreation yards to provide only one hour of out-of-cell time per segregation inmate per day, which is still the current recommended standard of the American Correctional Association. This requires more than two hours of out-of-cell time per segregation inmate per day. This requirement significantly exceeds the physical capacity of the Department's institutions to provide secure out-of-cell time for segregation inmates even when attempted around the clock. This provision will require additional officers and secure recreational yards to be added to all seven institutions, the number and construction of which will differ dependent upon the individual construction design, inmate capacity and classification level of each institution.

As of 2017, the Department no longer incarcerates inmates with serious mental illnesses outside of designated Mental Health Units on an inpatient basis, or a Structured Care Unit on an outpatient basis, or assigns disciplinary sanctions to any inmate affected by mental health concerns without first consulting a mental health professional. Inmates with mild-to-moderate mental or behavioral health conditions are monitored and treated, as necessary, by mental health professionals assigned to each institution.

SB 187, however, requires that these inmates be assigned to, and afforded significantly more mental health programming, less restrictions, and more out-of-unit time than is currently afforded. This requirement significantly exceeds the physical capacity of the Department's institutions to provide additional support and care to inmates affected with mild to moderate mental or behavioral health concerns in the manner proposed. This provision will require additional officers and secure programming areas, secure group recreational yards, and improvements to existing housing units to be added to all seven institutions, the number and construction of which will differ dependent upon the individual construction design, inmate capacity and classification level of each institution.

Once additional information is obtained, NDOC will be able to provide more accurate calculations of fiscal impact.