



Oregon

John Kitzhaber, MD, Governor

Department of Corrections

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February 25, 2013

Senator Jackie Winters, Co-Chair
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Representative Jennifer Williamson, Co-Chair
900 Court St. NE, H-372
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Senator Doug Whitsett
900 Court St. NE, S-311
Salem, OR 97301

Senator Richard Devlin
900 Court St. NE, S-211
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Representative Jeff Barker
900 Court St. NE, H-480
Salem, OR 97301

Representative Bruce Hanna
900 Court St. NE, H-382
Salem, OR 97301

RE: Responses to questions asked during Ways and Means presentation on February 12, 2013

Dear Ways & Means Public Safety Subcommittee Members:

I'd like to provide follow-up information to the questions that were asked during the Oregon Department of Corrections' (DOC) Ways & Means Public Safety Subcommittee presentation on Tuesday, February 12, 2013.

1. How many days are we losing per year due to workers' comp?

DOC reports dozens of strains and sprains every year, with strains amounting to one-third of all claims. The majority of DOC staff are not sedentary – they are on their feet, moving around, and in many cases responding to hostile situations. Even our non-security and security-plus staff (such as counselors, nurses, and food service coordinators) are primarily moving around as they case manage inmates, provide health services, and work with inmates to prepare meals.

In addition, we work with some of Oregon's most serious offenders. Our staff must remain vigilant because there is always the potential for a dangerous or life-threatening situation to occur. And they do occur. Staff often has to respond to assaults, disturbances, and aggressive inmates. An unpleasant risk comes from inmates who throw their own urine or feces at corrections officers. Unfortunately, this is a reality of working in a corrections environment.

The KPM is Worker's Comp Time Loss Days **PER 100 EMPLOYEES**. The calculation is based on "per 100 employees" so we can be compared to other agencies or industries. 100 employees work on average 26,000* days a year and at DOC only 57 days were missed due to workers comp. During the reporting period DOC's 4,349 employees worked 1,130,740 days and missed 2,481 days due to workers comp.

* One full time equivalent employee works 2080 hours a year, or 260 days. 100 employees works 26,000 days.

Injury by Worker Area	Totals	Type of Injury	Totals
02 - All Other Non-Security	46	Burn/Exposure	1
61 - Security Staff	234	Caught In/Under	13
71 - Food Services	14	Cut/Puncture By	22
81 - Physical Plant	16	Fall/Slip or Trip	63
Administration	2	Misc. Causes	98
Health Services/BHS	27	Motor Vehicle	4
Transitional Services	1	Strain or Injury By	79
Grand Total	340	Struck or Injured By	41
		Struck/Stepped vs	19
		Grand Total	340

2. Provide data on litigation costs over time? How are they trending?

It's important to note that the newer claims take longer to develop, thus the DOJ costs are lower and the % litigated is a bit lower than prior years.

ODOC LIABILITY CLAIMS					
Report Date	Total # new claims reported	# litigated	% litigated	Total defense costs	Per DOJ, # cases to trial
1/1/11 to 12/31/12	1652	145	8.8%	\$425,973.00	na
1/1/09 to 12/31/10	1571	180	11.5%	2,208,325.00	na
1/1/07 to 12/31/08	1607	173	10.8%	1,993,758.00	na

3. Health care costs separated out by each institution.

Department of Corrections		
2009-11 Biennium through 2013-15 Biennium		
Health Services Expenditures - by Institution		
General Fund		
Institution	2009-11 GF Actuals	2011-13 GF Projections
MCCF:	\$ -	\$ 18,895
SFFC:	2,544	12,111
PRCF:	1,553,770	1,865,082
SCCI:	1,796,981	1,842,941
CRCI:	7,085,932	6,478,291
OSP:	25,382,161	28,433,177
WCCF:	1,897,094	2,646,992
OSCI:	8,508,737	8,554,633
TRCI:	20,575,873	22,198,788
CCCF:	27,139,710	27,360,616
EOCI:	14,166,508	16,831,172
DRCI:	7,736,562	8,413,268
SCI:	2,947,314	3,460,133
SRCI:	26,629,868	29,750,672
Admin:	27,841,780	36,098,533
Grand total	\$173,264,834	\$193,965,304

4. How many inmate emergency room visits do we have?

The department's medical staff asses each medical situation and when appropriate, inmates are sent to the ER; therefore, each ER trip is authorized by a qualified health care professional.

	1/2012- 6/2012	7/2012 – 12/2012
CCCF	56	50
DRCI	20	22
EOCI	102	109
MCCF	5	0
OSCI	23	11
OSP	52	48
SCCI	4	9
SCI	4	1
SRCI	90	66
TRCI	56	42

WCCF	6	3
PRCF	13	10
CRCI	28	27
SFFC	8	6

Typically, the number of ER trips is higher at EOCI, TRCI, and SRCI than the rest of our institutions due to lack of staff resources. This is due to less medical staff resources. Collectively, these institutions house more than 6,000 inmates. The department continually faces challenges in staff recruitment and retention, with prisons located in rural areas.

5. Unless we close facilities, how will we save the \$35M?

This \$35.6M is not in the DOC budget for 2011-13, but would be a new request in 2013-15 if the prison population were not capped at 14,600. Because of this, the \$35.6M reinvestment comes from “cost avoidance” rather than budget “savings.”

The reduction of \$35.6M General Fund in the Operations Division 2013-15 Governor’s Budget is the amount requested for all DOC operating divisions to address population growth projected to occur in 2013-15 based on the October 2012 current law Corrections Population Forecast published by the Department of Administrative Services Office of Economic Analysis.

The DOC caseload package in the Current Service Level budget requested funding for the activation of 880 additional beds to accommodate a projected influx of 831 new inmates during the 2013-15 biennium. The new planned bed activations are as follows:

- Two Rivers Correctional Institution (Umatilla) 176 temporary beds
- Powder River Correctional Facility (Baker City) 30 temporary beds
- Warner Creek Correctional Facility (Lakeview) 50 temporary beds
- Shutter Creek Correctional Institution (North Bend) 100 permanent beds
- Deer Ridge Correctional Institution (Madras) 497 permanent beds
- Coffee Creek Correctional Facility (Wilsonville) 83 temporary beds
- Eastern Oregon Correctional Institution (Pendleton) (56 temporary beds deactivated)

The Governor’s strategy to cap the prison population at 14,600 will eliminate the need to move forward with these actions and allow these resources to be redirected to other public safety priorities, as reflected in the addition of \$32M to the Community Corrections budget for reinvestment in local public safety strategies for capping prison population growth.

6. Provide a cost per day projection without PERS reform and without population?

2011-13 Legislatively Approved Budget	\$84.84
2013-15 Governor’s Balanced Budget	\$92.44
2013-15 Governor’s Balanced Budget without PERS reforms	\$94.02
2013-15 Governor’s Balanced Budget without population cap	\$92.95
2013-15 Governor’s Balanced Budget without PERS or population cap	\$94.53

7. Document change in Community Corrections budget 2011-13 to 2013-15

	General Fund								
	Total % Change over Base	Total	Administration, Statewide Services & Interstate Compact	Local Public Safety Reinvestment	BM 57 enhanced community treatment	SB 395: County jail reimbursements, 3rd DUII	Treatment/ Transition	Grant-in-Aid	Grants % Change over Base
2013-15 Base Budget		\$ 208,380,711	\$ 3,831,466	\$ -	\$ 10,101,280	\$ 11,056,996	\$ 923,573	\$ 182,467,396	
Essential Packages:									
Standard Inflation		4,767,340	74,175		242,431	265,368	22,166	4,163,200	
Caseload (April 2012 Forecast)		21,348,016	-		-	-	-	21,348,016	
May 2012 E-Board (mgmt. positions)		(796,020)	(796,020)						
Base PERS rate adjustments		(66,405)	(66,405)						
GBB Adjusted Current Service Level	12%	\$ 233,633,642	\$ 3,043,216	\$ -	\$ 10,343,711	\$ 11,322,364	\$ 945,739	\$ 207,978,612	14%
Governor's Adjustments:									
Caseload Adjustment (October 2012 Forecast)		\$ (10,403,752)						(10,403,752)	
Reset BM73/SB395 funding based on caseload experience		(6,300,000)				(6,300,000)			
Reinvestment in local public safety strategies		32,000,000		32,000,000					
PERS policy changes: Out-of-State & capped COLA		(309,279)	(309,279)						
2013-15 Governor's Balanced Budget	19%	\$ 248,620,611	\$ 2,733,937	\$ 32,000,000	\$ 10,343,711	\$ 5,022,364	\$ 945,739	\$ 197,574,860	8%

8. Chart out 11-13 to 13-15 walk through gap in GBB

Oregon Department of Corrections								
Budget Chronology from 2011-13 Legislatively Approved Budget thru 2013-15 Governor's Balanced Budget								
All Funds, Positions and FTE								
Pkg	Description	Total	General Fund	Other Funds	Other Funds - Nonlimited	Federal Funds	POS	FTE
2011-13 Legislatively Approved Budget		\$ 1,597,128,598	\$ 1,362,844,564	\$ 31,298,404	\$ 193,906,622	\$ 9,079,008	4,509	4,414.55
	2013-15 Rollup of 2011-13 actions, merit increases, Base Debt Service adjustments, Non-limited reset	\$ (109,610,367)	82,965,493	1,436,376	(193,906,622)	(105,614)	(2)	51.56
Agency Request Base Budget		\$ 1,487,518,231	\$ 1,445,810,057	\$ 32,734,780	\$ -	\$ 8,973,394	4,507	4,466.11
2013-15 Base Change From 2011-13 Legislatively Adopted Budget		-6.9%	6.1%	4.6%	-100.0%	-1.2%	0.0%	1.2%
010	Non-PICS P/S Inflation & Vacancy Factor	23,859,783	23,892,222	(32,439)	-	-	-	-
020	Phase-In/Phase-Out	4,173,924	4,515,914	557,782	-	(899,772)	-	(5.25)
030	Inflation: S&S, CO & Special Payments	24,602,809	23,704,643	632,044	-	266,122	-	-
040	Caseload Impact: April '12 Current Law Forecast	64,747,051	64,702,817	44,234	-	-	263	145.38
050	Fund Shifts	-	315,362	-	-	(315,362)	-	-
060	Technical Adjustments	-	-	-	-	-	-	-
2013-15 Current Service Level Budget		\$ 1,604,901,798	\$ 1,562,941,015	\$ 33,936,401	\$ -	\$ 8,024,382	4,770	4,606.24
CSL Change From 2011-13 Legislatively Adopted Budget		0.5%	14.7%	8.4%	-100.0%	-11.6%	5.8%	4.3%
080	May '12 Eboard Management Cuts	(4,244,672)	(4,244,672)	-	-	-	(21)	(21.00)
POPs	Policy Packages	334,194,296	76,717,134	257,477,162	-	-	7	5.25
2013-15 Agency Request Budget		\$ 1,934,851,422	\$ 1,635,413,477	\$ 291,413,563	\$ -	\$ 8,024,382	4,756	4,590.49
Agency Request Change From 2011-13 Legislatively Adopted Budget		21.1%	20.0%	831.1%	-100.0%	-11.6%	5.5%	4.0%
Governor's Actions:								
	Policy Option Packages Denied	(334,310,433)	(81,883,271)	(252,427,162)	-	-	-	-
Base	Base Only Debt Service Adj	(1,262,826)	(1,262,826)	-	-	-	-	-
All	PERS Adjustments to Base Budget	(5,209,717)	(5,209,717)	-	-	-	-	-
40	October '12 Forecast Update	(19,540,343)	(19,540,343)	-	-	-	-	-
90	Capped Population Avoided Costs (Pkg 040)	(35,600,000)	(35,600,000)	-	-	-	(222)	(118.61)
90	Reinvest Capped Population Avoided Costs	32,000,000	32,000,000	-	-	-	-	-
90	Unspecified Vacancy Savings	(10,000,000)	(10,000,000)	-	-	-	-	-
90	M73 Reduction (Agency 10% Plan)	(6,300,000)	(6,300,000)	-	-	-	-	-
91	Admin Savings Placeholder	(2,751,788)	(2,751,788)	-	-	-	-	-
92&93	PERS Policy Proposals	(19,574,005)	(19,355,432)	(218,573)	-	-	-	-
2013-15 Governor's Balanced Budget Total:		\$ 1,532,302,310	\$ 1,485,510,100	\$ 38,767,828	\$ -	\$ 8,024,382	4,534	4,471.88
2013-15 Governor's Balanced Budget Net Increase/(Decrease) Compared to 2011-13 Legislatively Approved Budget:		-4%	9%	24%	-100%	-12%	1%	1%

Footnote: The GBB Position Count is overstated by 41 positions that were inadvertently not removed as part of the Capped Population Avoided Cost strategy. Only the Operations Division positions were removed. The remaining positions are on a list of technical adjustments for worksession. With this correction, the position count becomes 4,493, which is 16 below the 2011-13 Legislatively Adopted Budget staffing level. A similar adjustment is also intended for the FTE count.

I hope this information is helpful. As always, please feel free to contact me about this or any other DOC issue.

Sincerely,



Colette S. Peters
Director