

**BILL SUMMARY**  
1<sup>st</sup> Session of the 55<sup>th</sup> Legislature

|                        |  |
|------------------------|--|
| <b>Bill No.:</b>       | <b>SB684</b>                                       |
| <b>Version:</b>        | <b>ENGR</b>  |
| <b>Request Number:</b> |  |
| <b>Author:</b>         | <b>Rep. Hickman</b>                                |
| <b>Date:</b>           | <b>3/30/2015</b>                                   |
| <b>Impact:</b>         | <b>\$20,952 p/day</b><br><b>\$7,647,480 p/year</b> |

**These amounts do not reflect medical costs.**

**Research Analysis**

SB 684 requires the Department of Corrections to notify all county jails of the Department's need for bed space prior to contracting with a private prison operator. A county may enter into agreements with the Department to house offenders after receiving notification.

The measure modifies how the Department of Corrections is to calculate the responsibility of inmates awaiting transfer to the Department. The measure requires the court clerk, district attorney or district judge to transmit the judgment and sentence to the Department within three business days. The measure establishes uniformity in judgment and sentences by providing the information which must be included in the judgement and sentence. The measure provides that Plea paperwork, Summary of Facts and Sentence on Plea or Sentencing After Jury Trial Summary of Facts may also be used as sentencing documents.

If the judgment and sentence documents are not received by the Department within three business days, the Department will not be responsible for the cost of housing the inmate in the county jail from the date of sentencing until the date the Department receives the necessary documentation. Should the inmate not be transferred on the date scheduled by the Department, the Department shall not be responsible for any costs incurred beyond the date scheduled by the Department. The measure provides that if an inmate has one or more criminal charges pending in the same jurisdiction and the county jail refuses to transfer the inmate to the Department, the Department is not responsible for housing costs.

Section 2 of the measure deletes obsolete language that was in effect until January 1, 2007.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

If the provisions of SB684 were enacted today, the total daily cost to the Department of Corrections would be approximately \$20,952.00; the annual cost would be approximately \$7,647,480.00.

These figures are based on DOC head counts for maximum, medium and minimum security facilities as they have been presented on the "Facts at a Glance" section of the DOC website for the month of December, 2014.

The daily per diem rate paid to counties housing DOC inmates is \$27.00. That number does not reflect medical costs covered by the DOC. SB684 would also protect the DOC from paying per diem for inmates kept past their scheduled transfer date to a DOC facility.

Further, SB684 clarifies when DOC shall pay per diem to a county jail in the instance the offender has multiple pending trial dates.

It is prudent to note that one way or the other the State will be paying to house Oklahoma's inmates. With regards to the provisions set forth in SB684, it is a question of what entity shall receive those payments/retain those costs

Prepared By: Joshua Maxey

**Other Considerations**

| <b>Cost of incarceration with the DOC<br/>(FT14 Actual Expenditures)</b> |                     |                      | <b><u>Cost of incarceration with Private Facilities</u></b>                      |
|--|---------------------|----------------------|--|
| <b><u>Type</u></b>   | <b><u>Daily</u></b> | <b><u>Annual</u></b> |  |
| Maximum  | 100.80              | 36,791               | Cimarron Correctional Facility – Cushing<br>Medium - \$44.03, Maximum - \$57.96  |
| Medium   | 47.47               | 17,328               | Davis Correctional Facility – Holdenville<br>Medium - \$44.03, Maximum - \$57.96 |
| Minimum  | 44.01               | 16,063               | Lawton Correctional Facility – Lawton  |
| Community  | 46.44               | 16,950               | Medium - \$40.28, no Maximum   |