

# **Uniform Cost Project**

Legislative Budget Board  
Criminal Justice Data Analysis Team  
November 2011

# What is the Uniform Cost Project?

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- Data collection effort in which state adult criminal and juvenile justice agencies report expenditure and population data
  - Correctional institutions
  - Programs within correctional institutions
  - Community-based facilities
  - Community-based programs
- Central source of adult criminal and juvenile justice costs

# Why does Texas need the Uniform Cost Project?

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## ■ Budgeting

- Resource for staff (LBB, legislative, and state agency)
- A factor used in developing recommended appropriation amounts
- Fiscal note – written estimate of the costs, savings, revenue gain, or revenue loss that may result from implementation of a bill or joint resolution

# Who participates in the Uniform Cost Project?

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## ■ Data Submitted by:

- **Texas Department of Criminal Justice (TDCJ)** – state agency responsible for monitoring and distributing state funds to 121 local adult community supervision and corrections departments, operating adult correctional facilities, and supervising adults released to parole supervision
- **Texas Youth Commission (TYC)** – state agency responsible for operating correctional facilities for youth and supervising youth released to parole supervision
- **Texas Juvenile Probation Commission (TJPC)** – state agency responsible for monitoring and distributing state funds to 164 local juvenile probation departments

## ■ Data Submitted to:

- **LBB's Criminal Justice Data Analysis (CJDA) team**

# When did Texas begin reporting cost per day figures?

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- Correctional cost per day figures first calculated in 1986
- SB 245, 70th Legislature, Regular Session, 1987 codified the Uniform Cost Project
- Criminal Justice Policy Council calculated and reported cost per day figures through January 2003
- Legislative Budget Board began collecting data for the cost per day report in 2004

# When are the data collected and reported?

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- Expenditure and population data are collected annually and reported every other January to coincide with the beginning of the legislative session
  - CJDA team staff meet with state agency staff
  - Data forms are reviewed and updated

# How is the cost per day calculated?

## ■ Example: data form

CID-System I  
Form B

Include only those expenditures associated with the System I units on this data form. Please attach a separate sheet with a list of all of the units associated with the expenditures listed on this data form.

FY 2011	
CID - System I	
Population	
Average Number of Inmates in Custody	0
Number of Full Time Equivalent Positions	0

  

FY 2011			
Expenditures			
Object of Expense	State Funds	Federal Funds	Other
<b>Salaries and Wages</b>	\$0	\$0	\$0
Overtime	\$0	\$0	\$0
Security	\$0	\$0	\$0
NonSecurity	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Other Personnel Costs</b>	\$0	\$0	\$0
Hazardous Duty Pay	\$0	\$0	\$0
Longevity Pay	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Professional Fees and Services</b>	\$0	\$0	\$0
Medical Services	\$0	\$0	\$0
Medical	\$0	\$0	\$0
Psychiatric	\$0	\$0	\$0
Specialized Treatment	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Fuels and Lubricants</b>	\$0	\$0	\$0
<b>Consumable Supplies</b>	\$0	\$0	\$0
<b>Utilities</b>	\$0	\$0	\$0
<b>Travel</b>	\$0	\$0	\$0
<b>Rent - Buildings</b>	\$0	\$0	\$0
<b>Rent - Machine and Other</b>	\$0	\$0	\$0
<b>Debt Service</b>	\$0	\$0	\$0
<b>Other Operating Expense</b>	\$0	\$0	\$0
Medical Supplies	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Client Services</b>	\$0	\$0	\$0
Transportation	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Food for Persons - Wards of State</b>	\$0	\$0	\$0
<b>Grants</b>	\$0	\$0	\$0
<b>Capital Expenditures</b>	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Total Expenditures</b>	\$0	\$0	\$0

  

**Expenditures:**

**Salaries and Wages** - amount paid in salaries and wages for exempt, classified, and non-classified positions

**Other Personnel Costs** - amount paid in salary per diem for services rendered, longevity pay, and payment of services rendered on a fee, contract, or other basis to a person, firm, corporation, or company

**Professional Fees and Services** - amount paid in Professional Fees and Services

**Fuels and Lubricants** - amount paid for the purchase of petroleum products used with state owned or leased motor vehicles and other equipment

**Consumable Supplies** - amount paid for the purchase of consumable items

**Utilities** - amount paid in utility charges

**Travel** - amount paid in Travel

**Rent - Buildings** - amount paid for the rental or lease of office space or office buildings, including services in lieu of office or building rent

**Rent - Machines and Other** - amount paid for the rental or lease of anything other than office space or office buildings, including services in lieu of office or building rent

**Debt Service** - amount paid in interest and principal due on state issued bonds

**Other Operating Expenses** - amount paid in Other Operating Expenses

**Client Services** - amount paid in Services for caring for wards of the State

**Food for Persons - Wards of the State** - amount paid for the purchase of groceries, meats, bread, fruits, vegetables and staple food items to be used to provide meals for wards of the state

**Grants** - amount paid for programs and projects designed for the general welfare

**Capital Expenditures** - amount paid for expenditures directly related to the acquisition, lease-purchase, or ancillary costs (including contracts) associated with capital items/projects

# How is the cost per day calculated?

- Data form – population data

	FY 2011
CID - System I	
Population	
Average Number of Inmates in Custody	
Number of Full Time Equivalent Positions	

# How is the cost per day calculated?

## ■ Data form – expenditure data

Expenditures	FY 2011		
	State Funds	Federal Funds	Other
<b>Object of Expense</b>			
<b>Salaries and Wages</b>	\$0	\$0	\$0
Overtime	\$0	\$0	\$0
Security	\$0	\$0	\$0
NonSecurity	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Other Personnel Costs</b>	\$0	\$0	\$0
Hazardous Duty Pay	\$0	\$0	\$0
Longevity Pay	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Professional Fees and Services</b>	\$0	\$0	\$0
Medical Services	\$0	\$0	\$0
Medical	\$0	\$0	\$0
Psychiatric	\$0	\$0	\$0
Specialized Treatment	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Fuels and Lubricants</b>	\$0	\$0	\$0
<b>Consumable Supplies</b>	\$0	\$0	\$0
<b>Utilities</b>	\$0	\$0	\$0
<b>Travel</b>	\$0	\$0	\$0
<b>Rent - Buildings</b>	\$0	\$0	\$0
<b>Rent - Machine and Other</b>	\$0	\$0	\$0
<b>Debt Service</b>	\$0	\$0	\$0
<b>Other Operating Expense</b>	\$0	\$0	\$0
Medical Supplies	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Client Services</b>	\$0	\$0	\$0
Transportation	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Food for Persons - Wards of State</b>	\$0	\$0	\$0
<b>Grants</b>	\$0	\$0	\$0
<b>Capital Expenditures</b>	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Total Expenditures</b>	\$0	\$0	\$0

# How is the cost per day calculated?

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- State agencies submit expenditure and population data
  - Direct expenditures – expenditures associated with a specific institution, facility, or program
    - Salaries and wages
    - Food (correctional institutions and community-based residential facilities)
    - Medical, psychiatric, and specialized treatment
  - Population data – average number of people who participate in a program or are located in a facility during a fiscal year

# How is the cost per day calculated?

- **LBB staff allocate indirect expenditures**
  - Indirect expenditures – expenditures not associated with a specific institution, facility, or program; but fundamental to daily operations
    - Division administration
    - Agency administration
    - Other expenditures
- **LBB staff calculate and apply benefits**
  - Benefit expenditures for the adult criminal and juvenile justice agencies are extracted from the Uniform Statewide Accounting System; a benefits percent is calculated and applied to agency salary expenditures

# How is the cost per day calculated?

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- $[(\text{Total expenditures}) / \text{Average number of participants}] / \text{Days in the fiscal year}$ 
  - Total expenditures = direct expenditures + indirect expenditures
  - Average number of participants = average number of people who participated during the course of the fiscal year
  - Days in the fiscal year = 365 or 366 (leap year)

# How is the cost per day calculated?

## ■ Cost figure components

- State cost = dollar amount of direct and indirect state expenditures per program or facility
  - State expenditures
  - Federal expenditures
    - Grant and/or matching funds
    - American Recovery and Reinvestment Act funds (fiscal years 2009 to 2011)
- Local cost = dollar amount of direct and indirect non-state governmental expenditures per program or facility
  - Participant fees
  - County funds
- Total cost = total dollar amount of state and local expenditures per program or facility

# How is the cost per day calculated?

- [(Total expenditures)/Average number of participants]/Days in a fiscal year
- Example – fiscal year 2010
  - Probation: Substance Abuse Treatment Facility
    - State cost =  $[(\$41,520,647 + \$869,833)/1,593]/365$   
= \$72.91
    - Local cost =  $(\$1,164,993/1,593)/365$   
= \$ 2.00
    - Total cost =  $(\$43,555,473/1,593)/365$   
= \$74.91

# Where can I find the most recent cost figures?

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- *Criminal Justice Uniform Cost Report, January 2011* – includes figures for fiscal years 2008, 2009, and 2010
  - [http://www.lbb.state.tx.us/PubSafety\\_CrimJustice/3\\_Reports/Uniform\\_Cost\\_Report\\_0111.pdf](http://www.lbb.state.tx.us/PubSafety_CrimJustice/3_Reports/Uniform_Cost_Report_0111.pdf)

# Assumptions and data limitations

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- Cost figures represent the average cost per day and can be used to approximate costs associated with an individual, but may not be the actual cost attributable to a specific individual
- Cost figures do not include
  - Debt service
  - Major capital expenditures
  - Worker's compensation
  - Texas Correctional Industries

# Cost per day figures in action

## ■ Fiscal notes

### ■ Sentencing costs

- Penalty enhancements
  - HB 221, 82<sup>nd</sup> Legislature, Regular Session, 2011
- Penalty reductions
  - HB 853, 82<sup>nd</sup> Legislature, Regular Session, 2011
- Time credits
  - SB 883, 82<sup>nd</sup> Legislature, Regular Session, 2011

## ■ Cost comparisons

- State-operated facility versus privately-operated facility
- Across fiscal years

# Cost per day figures in action

- Fiscal notes and criminal justice impact statements – <http://www.legis.state.tx.us/Home.aspx>

The screenshot shows the Texas Legislature Online website in a Windows Internet Explorer browser window. The address bar displays <http://www.legis.state.tx.us/Home.aspx>. The page features a navigation menu with links for Home, My TLO, House, Senate, Legislation, Search, Committees, and Calendars. A search section titled "Search Legislation" includes a dropdown menu for "Legislature" set to "82(R) - 2011", radio buttons for "Word/Phrase" (selected) and "Bill Number", a search input field, and a "Go" button. Below the search section, there are links for "Additional Searches": Text Search, Statutes, Bill Lookup, Constitution, Bill Search, and Reports. A sidebar on the left lists "Texas House" links: Home, Speaker of the House, Members, Committees, Committee Meetings, Calendars, Current Amendment, and Journals.

# Cost per day figures in action

- Fiscal notes and criminal justice impact statements – <http://www.legis.state.tx.us/BillLookup/BillNumber.aspx>

Texas Legislature Online - Bill Lookup - Windows 204.65.63.112

http://www.legis.state.tx.us/BillLookup/BillNumber.aspx

★ Favorites Texas Legislature Online - Bill Lookup

Texas Legislature Online  
**Bill Lookup**

Home My TLO House Senate **Legislation** Search Committees Calendars

Enter a bill number. Examples are HB 4, SJR 56, HR 143.

Bill Number:  Legislature:

Information Type:

# Cost per day figures in action

- Fiscal notes and criminal justice impact statements – <http://www.legis.state.tx.us/BillLookup/history.aspx?LegSess=82R&Bill=SB883>

The screenshot shows the Texas Legislature Online website for bill SB 883. The browser address bar shows the URL: <http://www.legis.state.tx.us/BillLookup/Text.aspx?LegSess=82R&Bill=SB883>. The page title is "Texas Legislature Online - 82(R) Text for SB 883". The navigation menu includes Home, My TLO, House, Senate, Legislation (selected), Search, Committees, and Calendars. The sub-menu includes History, Text (selected), Actions, Companions, Amendments, Authors, Sponsors, and Captions. The main content area displays "Bill: SB 883", "Legislative Session: 82(R)", and "Author: Whitmire". Below this is a table with columns for Version, Bill, Fiscal Note, and Analysis. The "Introduced" row shows document icons for each column. At the bottom, there is a section for "Fiscal Impact Statements" with a link to "View description of impact statement types".

Version	Bill	Fiscal Note	Analysis
Introduced			

**Fiscal Impact Statements** ([View description of impact statement types](#))

Bill Version	Impact Type
Introduced	<a href="#">Criminal Justice Policy</a>

# Cost per day figures in action

## Penalty enhancements –

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

February 22, 2011

**TO:** Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE:** **HB221** by Fletcher (Relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds for HB221, As Introduced:** a negative impact of (\$5,352,098) through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive(Negative) Impact to General Revenue Related Funds
2012	(\$2,155,912)
2013	(\$3,196,186)
2014	(\$3,939,807)
2015	(\$4,446,589)
2016	(\$4,783,437)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings(Cost) from General Revenue Fund
2012	(\$2,155,912)
2013	(\$3,196,186)
2014	(\$3,939,807)
2015	(\$4,446,589)
2016	(\$4,783,437)

**Fiscal Analysis**

The bill would amend the Penal Code and Code of Criminal Procedure as they relate to the punishment for burglary of a vehicle and community supervision for individuals who commit this offense. Under the provisions of the bill, the Penal Code would be amended by making the offense of burglary of a vehicle punishable as a state jail felony. The offense of burglary of a vehicle is currently punishable as a state jail felony if the defendant has been previously convicted two or more times or the vehicle is a rail car; otherwise the offense is punishable as a Class A Misdemeanor. The bill would amend the Code of Criminal Procedure by requiring the judge to suspend the imposition of a sentence and place on community supervision an offender who meets certain requirements. The bill would also amend the Code of Criminal Procedure by specifying the maximum allowable hours of community service work ordered by the judge for defendants convicted of the offense of burglary of a vehicle.

The bill would repeal Section 30.04(d-1) of the Penal Code, related to defendants previously convicted for the

offense of burglary of a vehicle. The bill would also repeal provisions of the Code of Criminal Procedure relating to the minimum period of community supervision for offenders identified in the bill.

The bill would become effective September 1, 2011 and the change in law made by this Act would apply only to an offense committed on or after September 1, 2011. To the extent of this Act, an offense committed before September 1, 2011 is governed by the law in effect when the offense was committed.

### Methodology

In fiscal year 2010, there were 51 offenders placed on felony community supervision and 156 offenders admitted to state jail for the offense of burglary of a vehicle punishable as a state jail felony. The population impact as a result of the provisions of the bill will come from defendants whose offense is currently punishable as a Class A Misdemeanor but would be punishable as a state jail felony as a result of the bill. In fiscal year 2010, there were 1,589 offenders placed on misdemeanor community supervision for a Class A Misdemeanor offense of burglary of a vehicle.

Based on fiscal year 2010 arrest trends, direct court commitments, and revocation rates, it is estimated that approximately 8 percent of the individuals convicted of a state jail felony for the offense of burglary of a vehicle would be sentenced to a term of incarceration in a state jail as either a direct court commitment or as a result of felony community supervision revocation; the remainder of the individuals would be placed under felony community supervision annually as a result of the bill. It is unknown how many of those offenders sentenced to a term of confinement would meet all of the requirements set forth in the Subsection added to Section 15, Article 42.12, Code of Criminal Procedure. The impact from this provision of the bill has not been included in this analysis because data necessary to estimate the impact of this provision are not available in statewide criminal history records. This provision of the bill would likely result in a decrease in the demand for state jail capacity and an increase in the demand for felony community supervision.

In order to estimate the future impact of the proposed conditions of the bill, the changes proposed for the offense of burglary of a vehicle policy are applied in a simulation model to: 1) a state jail population that reflects the distribution of offenses, sentence lengths, and time served; and 2) a felony community supervision model reflecting the increase in the number of people supervised. Costs of incarceration by the Department of Criminal Justice are estimated on the basis of \$43.03 per inmate per day for state jail facilities, reflecting costs per day for State-operated facilities in fiscal year 2010. The costs of felony community supervision are estimated on the basis of \$2.92 per day.

### Local Government Impact

Increasing the penalty for the offense of burglary of a vehicle from a Class A Misdemeanor to a state jail felony would represent a shift in responsibility from local government to the State relating to the burden of confinement of convicted offenders. The shift in responsibility is expected to result in increased demands upon the correctional resources of the State; the expected positive impact to local government would be spread proportionately, based on the frequency of convictions.

### Source Agencies:

LBB Staff: JOB, ESI, GG, LM, ADM

# Cost per day figures in action

## ■ Penalty enhancements –

HB 221, 82<sup>nd</sup> Legislature, Regular Session, 2011

- What change is the bill proposing?
  - Enhancing the penalty for the offense of burglary of a vehicle from a class A misdemeanor to a state jail felony
- What populations will be affected by the proposed change?
  - Class A misdemeanants
- What is the cost or savings associated with the proposed change?
  - State jail incarceration costs (\$43.03 X increase in state jail felon population) plus felony probation costs (\$2.92 X increase in felony probation population)
  - (\$5,352,098) for the 2012-2013 biennium

# Cost per day figures in action

## ■ Penalty reductions –

HB 853, 82<sup>nd</sup> Legislature, Regular Session, 2011

- What change is the bill proposing?
  - Reducing the punishment for certain drug offenses from a felony to a misdemeanor
- What populations will be affected by the proposed change?
  - Felony drug offenders with low-level possession amounts (less than one gram or fewer than 20 units)
- What is the cost or savings associated with the proposed change?
  - State jail incarceration savings (\$43.03 X decrease in state jail felon population) plus felony probation savings (\$2.92 X decrease in felony probation population) plus misdemeanor probation costs (\$.70 X increase in misdemeanor probation population)
  - \$123,392,505 for the 2012-2013 biennium

# Cost per day figures in action

## ■ Time credits –

SB 883, 82<sup>nd</sup> Legislature, Regular Session, 2011

- What change is the bill proposing?
  - Awarding time credit to certain inmates for time spent on parole prior to revocation
- What populations will be affected by the proposed change?
  - Parolees whose supervision was revoked
- What is the cost or savings associated with the proposed change?
  - Prison incarceration savings (\$45.00 X decrease in prison population) plus parole supervision costs (\$3.74 X increase in parole supervision population)
  - \$145,768,774 for the 2012-2013 biennium

# Cost per day figures in action – Request for information

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- How much did it cost the state to incarcerate an offender for 10 years?
  - Received into custody in September 1, 2000
    - Prison systemwide average cost per day
      - \$42.28
  - Released from custody in August 31, 2010
    - Prison systemwide average cost per day
      - \$50.79

# Cost per day figures in action – Request for information

## Prison Systemwide Average Cost Per Day



# Correctional Cost Figures in Action – Request for Information

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- How much did it approximately cost the state to incarcerate an offender for 10 years?
  - \$ 162,356.00

# Questions?

# Facilitated discussion

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The LBB is currently collecting data for the January 2013 Uniform Cost Report. What additional cost figures should we consider including? Is there another way of collecting correctional cost figures (other than cost per day) that may be helpful?

# Facilitated discussion

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Are you currently conducting research related to correctional costs per day? How can correctional cost figures assist or improve your current work or research? Are you planning future research related to correctional costs per day?

# How can I be involved in the legislative process?

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- Senate Finance Committee
- House Appropriations Committee
- Senate Criminal Justice Committee
- House Corrections Committee
- House Criminal Jurisprudence
  
- [www.legis.state.tx.us](http://www.legis.state.tx.us)  
(Texas Legislature Online)

# Contact information

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