

**Joint Legislative Committee on Performance
Evaluation and Expenditure Review (PEER)**

Report to
the Mississippi Legislature



2004 Cost Analysis of Housing State Inmates in County Jails and Regional Correctional Facilities

Senate Bill 3218, 2004 Regular Session, requires the PEER Committee to conduct a cost analysis to determine the actual cost per day of housing state inmates in county jails. Part One of this report presents PEER's findings and the cost per day for housing state inmates and non-state inmates (i.e., both state inmates that present a lower security risk and inmates from local government entities) in county jails. Part Two of this report presents the regional facilities' breakeven points and associated cost per inmate day for state inmates and non-state inmates in regional facilities.

Costs per day for housing state inmates in county jails range from \$13.92 to \$73.95. Given this wide range of efficiencies, PEER concludes that for county jails, the current \$20 per day per inmate in direct reimbursement, in addition to the value of inmate labor that can exceed \$20 per day per inmate, provides reasonable compensation to counties for housing state prisoners.

The average breakeven point for the eleven regional correctional facilities is 207 state inmates. Under the current reimbursement structure, the state pays for the first 200 inmates at the individual regional facility's per diem rate and pays for the remaining state inmates at \$20 per day. Regarding housing of non-state inmates, none of the regional facilities received sufficient per diems from local government entities to reach the breakeven point. Regional facilities use revenues generated from housing state inmates to defray the costs of housing non-state inmates.

Since 2001, PEER has issued an annual breakeven cost report that has identified potential areas of cost avoidance for regional correctional facilities in attorneys' salaries and fees, as well as American Correctional Association accreditation and program costs. Subsequent reductions in these expenses have resulted in a total cost avoidance since 2001 of \$570,406.

PEER: The Mississippi Legislature's Oversight Agency

The Mississippi Legislature created the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER Committee) by statute in 1973. A joint committee, the PEER Committee is composed of seven members of the House of Representatives appointed by the Speaker and seven members of the Senate appointed by the Lieutenant Governor. Appointments are made for four-year terms with one Senator and one Representative appointed from each of the U. S. Congressional Districts. Committee officers are elected by the membership with officers alternating annually between the two houses. All Committee actions by statute require a majority vote of four Representatives and four Senators voting in the affirmative.

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The Committee assigns top priority to written requests from individual legislators and legislative committees. The Committee also considers PEER staff proposals and written requests from state officials and others.

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December 7, 2004

Honorable Haley Barbour, Governor
Honorable Amy Tuck, Lieutenant Governor
Honorable Billy McCoy, Speaker of the House
Members of the Mississippi State Legislature

On December 7, 2004, the PEER Committee authorized release of the report entitled **2004 Cost Analysis of Housing State Inmates in County Jails and Regional Correctional Facilities.**

A handwritten signature in black ink, appearing to be "L. Posey", written over a horizontal line.

Senator Lynn Posey, Chair

This report does not recommend increased funding or additional staff.

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2004 Cost Analysis of Housing State Inmates in County Jails and Regional Correctional Facilities

Executive Summary

Introduction

Senate Bill 3218, 2004 Regular Session, mandated the PEER Committee to conduct a cost analysis to determine the actual cost per day of housing state inmates in county jails. PEER also determined the actual cost per day of housing non-state inmates¹ in these facilities, as well as the cost per day of housing inmates (both state and non-state) in the regional facilities. PEER reviewed the records of the county jails and regional facilities for the period October 1, 2003, through April 30, 2004.

Part One of the report presents PEER's findings and the cost per day for housing state inmates and non-state inmates in county jails. Part Two of the report presents the regional facilities' breakeven points and associated cost per inmate day for state inmates and non-state inmates in regional facilities.

Cost Per Day Analysis of Housing State Inmates in County Jails

County jails receive an economic benefit from housing state inmates that not only includes the monetary reimbursement received from the State of Mississippi, but also the value of the inmate labor received. As such, the current \$20 per inmate per day in direct reimbursement, in light of the value of inmate labor that can easily exceed \$20 per inmate per day as well, provides reasonable compensation to counties for housing state prisoners.

Of the fifty-two county jails housing state inmates, three have a cost per day under the current \$20 per diem. (See Appendix A of the report, page 43, for the cost per day of housing inmates at each county facility.) In considering the reasonableness of the current per diem at each facility, all relevant factors must be considered. For example, state inmates housed in county jails perform a variety of tasks in the jail and, in some instances, in the surrounding communities. This is free labor and represents

¹ For the purposes of PEER's report, when discussing regional facilities, the term "non-state inmates" refers to both state inmates that present a lower security risk and inmates from local government entities.

services the county would have to otherwise pay for or discontinue without the use of state inmates. Thus the value of inmate labor added to the \$20 per diem establishes a true reimbursement rate that can exceed \$40 per day.

PEER found that few distinguishable economies of scale were detectable when reviewing the cost per day information for county jails. Other factors that contributed to higher costs in county jails compared to regional correctional facilities were the county facilities' high inmate-to-guard ratio and high food service costs. The factors causing a high cost per day for housing state inmates in county jails also lead to high costs for housing non-state inmates in county jails. The cost per day information for non-state inmates for each county jail is found in Appendix B of the report, page 46.

Analysis of Cost of Housing State Inmates in Regional Correctional Facilities

The average breakeven point for the eleven regional facilities is 207 state inmates. Under the current reimbursement structure, the state pays for the first 200 inmates at the individual regional facility's per diem rate and pays for the remaining state inmates at \$20 per day.

Exhibit 5 of the report, page 24, gives the breakeven points for housing state inmates at each of the regional facilities. The eleven regional facilities average 248 inmates per day, which is well above the average breakeven point of 207 state inmates.

For the ten regional facilities with actual cost per inmate day exceeding \$20, the effect of the contract amendment (to pay \$20 per day instead of each facility's per diem for each state inmate beyond the 200 level) is to increase the breakeven point of each regional facility because the \$20 does not cover the total cost of a state inmate day. However, taking additional inmates over the 200-inmate level at a daily rate of \$20 is financially viable for the regional facilities. The only costs associated with those inmates over the 200 level are variable costs (food and clothing) and any additional correctional officers associated with guarding the additional inmates. As a result of the amendment to the original agreement, the 200 guaranteed inmates should no longer be used as a benchmark in determining the financial viability of regional facilities or as a measure of determining the state's needed financial commitment to the regional facilities.

PEER identified \$541,520 in costs that, if eliminated, would reduce the number of inmates required to break even at the eleven regional facilities included in this review. PEER determined that \$245,940 in attorneys' salaries and fees; \$141,480 in program and accreditation fees; and \$154,100 in payments to sheriffs were above the reasonable level. The inmate breakeven point,

excluding costs above the amount PEER determined to be reasonable, averages 203.

Following PEER's first breakeven analysis conducted in 2001, which reported each regional facility's legal and ACA expenses, reductions in attorney and ACA service provider expenses have resulted in total cost avoidance of \$570,406.

Regional Facility Costs for Housing State and Non-State Inmates in the Non-State Designated Area

Ten of the eleven regional facilities reviewed did not receive sufficient per diems from local government entities to reach the breakeven point for housing non-state inmates. These ten regional facilities use revenues generated from housing state inmates to defray the costs of housing non-state inmates.

In addition to medium-security state inmates, regional correctional facilities may also house state inmates that present a lower security risk (usually, those classified as minimum security) and non-state inmates from the counties, municipalities, and the federal government in areas separate from the medium-security state inmates.

During the process of determining costs associated with the housing of state inmates, PEER also determined the costs associated with the housing of non-state inmates. Exhibit 15 of the report, page 40, gives the cost of housing non-state inmates at each regional facility. PEER found that ten of the regional prisons did not have a sufficient number of non-state inmates to reach the breakeven point for non-state inmates given the current per diems received from local government entities and that the per diem rates received from most non-state entities are not sufficient to support the costs associated with housing non-state inmates.

PEER would note that regional facilities have the option of reviewing housing agreements with local entities and increasing per diems to ensure that all parties are paying a per diem rate sufficient to support the housing of local inmates, thus allowing the regional facility to reach the breakeven point for its local commitment.

Recommendations

Designation of Chief Corrections Officer

The Legislature should amend MISS. CODE ANN. Section 47-5-935 (1972) to allow counties to designate a regional facility's warden as Chief Corrections Officer, without additional compensation for

performing these duties. The Legislature should amend the section to delete the requirement that sheriffs receive \$15,600 compensation for duties as Chief Corrections Officer.

If the warden is designated as Chief Corrections Officer, the Legislature should amend MISS. CODE ANN. §47-5-937 (1972) to allow the warden to hire legal counsel for the regional facility, with the legal counsel contract term not to exceed the term of the sitting board of supervisors.

Local Government Per Diem

Regional correctional facilities should increase per diems of local government entities at least to the level of the state's first year per diem amount of \$24.90 at the time contracts with local government entities are renewed or new agreements are reached with local government entities.

No Increase in Reimbursement Rate for County Jails

The current reimbursement rate of \$20 per day per inmate, considering all relevant factors, is adequate for county jails. The Legislature should not increase the reimbursement for state inmates in county jails.

No Reimbursement Without Providing Information

The Legislature should include restrictive language in the FY 2006 MDOC appropriations bill to suspend reimbursement for housing state inmates to any county that failed to provide the information necessary to calculate the cost per inmate day as required under Senate Bill 3218, Regular Session 2004. MDOC should reimburse any such county for housing state inmates only after:

- the county has provided PEER with the information necessary to calculate cost per inmate day for housing state inmates for the period of October 1, 2003, through April 30, 2004;
- the PEER Committee has reported to the Senate and House Corrections committee chairs the cost per day per inmate for housing state inmates for the county; and,
- the PEER Committee has notified MDOC that cost per inmate day calculations for housing state inmates in that county have been completed.

Furthermore, the county should not receive compensation retroactively for the period during which the calculations noted above are being processed and reported.

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2004 Cost Analysis of Housing State Inmates in County Jails and Regional Correctional Facilities

Introduction

Authority

Senate Bill 3218, 2004 Regular Session, mandated the PEER Committee to conduct a cost analysis to determine the actual cost per day of housing state inmates in county jails. Because some state inmates are housed with non-state inmates in the state's eleven regional correctional facilities, PEER also determined the actual cost per day of housing state inmates in the regional facilities pursuant to the authority granted by MISS. CODE ANN. Section 5-3-57 et seq. (1972).

Purpose and Scope

By requiring the determination of the actual cost per day of housing state inmates, Senate Bill 3218 provides a means to determine if the state's \$20 per diem is sufficient payment to county jails for housing state inmates. PEER reviewed the financial records of the fifty-two county jails housing state inmates from October 1, 2003, through April 30, 2004.

Part One of this report presents PEER's findings and the cost per day for housing state inmates in county facilities. During the determination of cost per day for housing state inmates, PEER also determined the cost per day for housing non-state inmates in county jails. This cost per day for non-state inmates is also included in Part One to provide local government officials with information regarding the cost of housing non-state inmates in their local county jails.

For the fourth consecutive year, PEER reviewed the financial records of the eleven regional facilities housing state inmates and sought to determine the facilities' breakeven points and associated cost per inmate day for state inmates and non-state inmates by examining each facility's financial records. For this

review, PEER reviewed each facility's records from October 1, 2003, through April 30, 2004. For each regional facility, PEER also eliminated any costs beyond the amount PEER determined to be reasonable in determining each regional facility's necessary per diem. The regional cost per day information is presented in Part Two of this report.

Method

Definitions Used in Cost Analysis

PEER's report of this cost analysis contains several critical definitions and assumptions, including *breakeven point* and *fixed and variable costs*.

Breakeven Point

The *breakeven point* is the point at which a correctional facility's revenues are equal to the costs incurred to house the inmates.

The *breakeven point* is the level of operations at which a facility's revenues and costs are equal. At the breakeven point, a facility neither makes a profit nor incurs a loss. In this analysis, "revenues" are any funds received by a facility for the housing and care of inmates and other revenues such as interest earned. The breakeven point is the point at which these revenues are equal to the costs incurred to house the inmates.

Fixed and Variable Costs

A *fixed cost* remains unchanged over a relevant range of volume. *Variable costs* change in proportion to changes in volume.

For the purposes of this study, a cost is classified as either fixed or variable. A *fixed cost* remains unchanged over a relevant range of volume. For example, debt service is a fixed cost and remains the same whether a facility houses 50 inmates or 100 inmates. However, the decision to increase the number of inmates to 500 at a facility would require additional facilities to be constructed, which would require new debt to finance the additional facilities. The new debt would represent additional fixed costs.

Variable costs change in proportion to changes in volume. For example, food costs fluctuate with the number of inmates housed at a facility.

Cost Allocation

To determine the cost per diem of housing inmates at regional correctional facilities and county jails, PEER categorized costs into six components and allocated them on the basis of the ratio of

state inmate days (i.e., the sum of daily censuses for a specified period) to non-state inmate days or the ratio of square footage for state inmates and non-state inmates. The categories of cost allocation are:

- **Housing and Visitation**--includes correctional officer or guard salaries and benefits, commodities, and occupancy costs, such as utilities. PEER allocated correctional officer and guard salaries and benefits and commodities by inmate days and allocated occupancy costs by square footage.
- **Program and Treatment Costs**--includes the cost of providing educational, religious, and drug and alcohol rehabilitation courses to inmates. MISS. CODE ANN. §47-5-931 (1972) requires each facility to be designed, constructed, operated, and maintained in accordance with American Correctional Association (ACA) standards. This category also includes the cost of hiring consultants or having in-house personnel to help facilities obtain and maintain accreditation from the ACA. PEER assigned all educational and treatment program costs and ACA consultant costs and in-house personnel assigned ACA responsibilities to state inmates, because programs are not offered to non-state inmates and the state mandates compliance with ACA standards. County jails did not have program and treatment costs.
- **Food Service**--includes the cost of the food purchased for inmates, salaries of kitchen personnel, and kitchen supplies. PEER allocated food service costs based on the ratio of state inmate meals served to non-state inmate meals served in regional facilities and on the ratio of state inmate days to non-state inmate days in county facilities.
- **Medical Services**—includes the unreimbursed cost of providing a nurse, medical supplies, and medical services to inmates. MDOC reimburses each regional facility a pro rata share of the nurse's salary, medical supplies, and medical services based on inmate days and reimburses county facilities for medical supplies and medical services for state inmates.

In PEER's 2001 report, "*Cost Analysis of Housing State Inmates in Regional and Private Correctional Facilities*," PEER did not allocate medical expenses for housing state inmates because MISS. CODE ANN. §47-5-933 (1972) specifies that the state has responsibility for the medical care of state offenders. However, during the 2002 review, PEER found the state's share of medical expenses based solely on inmate days exceeded the MDOC reimbursement amount due to disputed claims and timing differences. The regional facilities and county facilities must pay any medical expenses not reimbursed by the state.

- **Administrative Costs**--includes personnel costs other than correctional officers (e.g., personnel costs of the regional

facility warden, office staff, and attorney fees). Also included are costs for supporting the administrative function, such as telephone, office supplies, and document duplication. PEER allocated administrative costs on the basis of inmate days.

- **Debt Service**--includes the cost of repaying bonds issued to build a facility. Each regional facility's inmate housing agreement with the Mississippi Department of Corrections (MDOC) states that the bonds are payable by the county only from the revenues of the facility. Revenues are derived from the state, counties, municipalities, and the federal government, if the facility houses federal inmates. PEER allocated debt service for regional facilities and, where applicable, for county facilities based on square footage.

Process for Determining Cost Per Day for Housing State Inmates in County Jails

Of the eighty-two county jails, thirty jails either did not house state prisoners or housed state prisoners in a local regional correctional facility.

To determine the cost per day for housing state inmates in county jails, PEER submitted an information request to the eighty-two county jails in Mississippi to obtain expenditure and inmate population information relevant to determining the cost per day of housing state inmates in county jails. Of the eighty-two county jails, thirty jails either did not house state prisoners or housed state prisoners in a local regional correctional facility.

Harrison County did not provide information adequate to perform analysis as required by Senate Bill 3218.

Of the fifty-two county jails housing state inmates, one did not report information to PEER for this review. Harrison County did not supply PEER with information adequate to perform analysis as required by Senate Bill 3218. PEER began contacting Sheriff George H. Payne, Jr., on June 9, 2004, to facilitate Harrison County's role in providing information. PEER continued its contact with Harrison County through the jail's legal counsel, who facilitated the receipt of a partial response. PEER determined that sufficient information would not be provided when a certified public accountant representing the Harrison County Sheriff told PEER in a fax on November 10, 2004, "*We are unable to ascertain the inmates per day for each agency which houses inmates in our facility.*"

County jail financial information fell into one of two broad categories:

- The county jail's financial information was separate from other county operations, such as the sheriff's department.
- The county jail's financial information was part of the sheriff's department's operations.

For county jails with separate financial information, PEER used the financial information reported, allocated fifty percent of the

sheriff's salary and benefits to the jail, and included any other relevant expenditures reported by the county. For example, some county jails had separate financial information but utilities for the jail were paid as part of the sheriff's operations. These counties provided an amount for the jail's share of utilities that was included by PEER when calculating the jail's cost per day.

For county jails with financial information included as part of the sheriff's department's operations, PEER made several assumptions regarding the allocation of common costs. These assumptions were necessary due to inherent problems regarding separating the costs incurred by counties when operating a sheriff's department and a county jail under one financial operation, rather than recording costs for the jail and sheriff's department separately. For example, clerical employees of the county jail have dual responsibilities with the county sheriff's department. The clerical staff's duties are not entirely related to processing inmates with the Department of Corrections but also may include processing complaints given to the county sheriff's office which are not related to housing inmates. In order to account consistently for these costs, PEER divided these costs into five categories.

- Costs entirely related to the operation of the county jail were fully allocated to the cost per day determination. Examples of these costs include jailers, inmate food, inmate uniforms, and net medical expenses.
- Costs mostly related to the county jail were allocated at ninety percent to the cost per day determination. Examples of these costs include the administration staff salaries and commodities.
- Sheriff's salaries and benefits were allocated at fifty percent to the county jail cost per day determination.
- Costs mostly unrelated to the county jail were allocated at ten percent to the cost per day determination. Examples of these costs include gasoline not related to the transport of inmates and dispatcher salaries.
- None of the costs unrelated to the county jail were allocated to the cost per day determination. Examples of these costs include deputies' salaries and other law enforcement expenses of the sheriff's department.

PEER allocated the relevant cost information obtained from the county jails between state and non-state inmates. PEER's allocation was based on two ratios:

- state inmate days and non-state inmate days; and,
- square footage of each jail dedicated exclusively to state inmates, exclusively to non-state inmates, and shared areas.

PEER did not calculate a breakeven point for the county jails because determining a breakeven point is not necessary to determine if the current \$20 per day rate is sufficient for housing state inmates in county jails.

Process for Analyzing Costs of Housing Inmates in Regional Correctional Facilities

Regional facilities receive a pre-determined, escalating per diem for housing medium-security state inmates.

Regional facilities house two distinct categories of state inmates. One category of state inmates is medium-security state inmates that are housed separately from non-state inmates. Regional facilities are guaranteed at least 200 state inmates in this category and may house up to 250 such inmates. Regional facilities receive a pre-determined, escalating per diem for housing this category of state inmates.

In the second category, state inmates who present less of a security risk (usually, those classified as minimum security) are housed with non-state inmates in the regional facilities. Regional facilities receive \$20 per day for housing state inmates in this category.

Regional facilities receive \$20 per day for housing minimum security state inmates.

Because this second category of state inmates is housed with non-state inmates, the cost per day for housing this category of state inmates is equal to the cost per day for housing non-state inmates. See page 40 for cost information regarding cost per day for housing \$20 state inmates and non-state inmates in regional facilities.

To determine the necessary per diem, per inmate costs associated with housing state inmates and to translate those costs into a daily census, PEER conducted the analysis for the regional correctional facilities in three steps.

- **Step One:** Determine the level of operations at which each regional correctional facility's revenues and costs are equal (i.e., *breakeven point*, discussed below) based on analysis of actual costs of housing state inmates. For each regional facility, PEER used actual costs for October 1, 2003, the beginning of the fiscal year for the facilities, through April 30, 2004, which represents the most recent cost information and inmate population for the facilities at the time of PEER's review.

For each facility's per diem that increased during PEER's review period of October 1, 2003, through April 30, 2004, a *weighted average per diem* was calculated for presentation in this report. The weighted average per diem is impacted by the date the per diem increased and the number of inmates housed at the facility before and after the per diem increase.

- **Step Two:** Identify any unnecessary costs and re-compute the breakeven analysis using the adjusted values.
- **Step Three:** Compute the breakeven point and cost per day for non-state inmates. These calculations are intended to determine the non-state inmate census necessary to support non-state-related expenses given each facility's per diem for non-state entities.

Background: County Jails and Regional Correctional Facilities

County Jails

State law allows a person in custody of the Department of Corrections to serve his sentence in the county jail where convicted if there is not enough space in state correctional facilities.

MISS. CODE ANN. Section 47-5-901 (1972) authorizes housing state inmates in county jails. This section allows for a person placed under custody of the Department of Corrections to serve all or part of his sentence in the county jail where convicted if the Commissioner of Corrections determines that there is not enough physical space in state correctional facilities.

This statute places three requirements on the Department of Corrections:

- determine the cost of food and medical attention for state prisoners in county jails;
- pay the county the contract price per prisoner, not to exceed twenty dollars per day; and,
- pay the cost for medical attention for prisoners limited to the Mississippi Medicaid reimbursement rate.

Every county jail surveyed by PEER currently receives the maximum reimbursement rate of twenty dollars per day.

The statute encourages, but does not require, the Department of Corrections to negotiate a reasonable rate per day. Every county jail surveyed by PEER currently receives the maximum reimbursement rate of twenty dollars per day.

Unlike the state of Mississippi's negotiations with the regional correctional facilities, the state of Mississippi does not guarantee a minimum number of state inmates nor does it guarantee that the county jails be compensated with regard to a breakeven ratio. Rather, the state of Mississippi and the county jails have acted at arm's length, with the state offering to reimburse the counties for housing state inmates. Currently, fifty-two counties house state inmates in their county jails, seventeen house state prisoners in regional correctional facilities, and thirteen have elected not to house state inmates.

Counties may also request certain inmates to be housed in the county jail under MISS. CODE ANN. Section 47-5-903 (1972). Counties receive no monetary reimbursement for inmates requested under this section. Counties who request inmates under this section usually request inmates who perform work for the sheriff's office.

Regional Correctional Facilities

Historically, felons committed to the custody of the state were placed in state-owned facilities operated by MDOC. By 1994, the state had established three state correctional facilities, along with several work and restitution centers for non-violent offenders.

In response to an increasing inmate population and truth-in-sentencing legislation passed in the 1990s, the Legislature authorized establishment of private and locally owned regional correctional facilities to expedite the availability of inmate beds to meet projected needs. Exhibit 1, page 10, shows the locations of the three state correctional facilities, the eleven regional facilities, and the five private facilities.

Each regional facility receives an annual per diem increase of 3%. This would result in a per diem of \$43.66 in the twentieth year of operation.

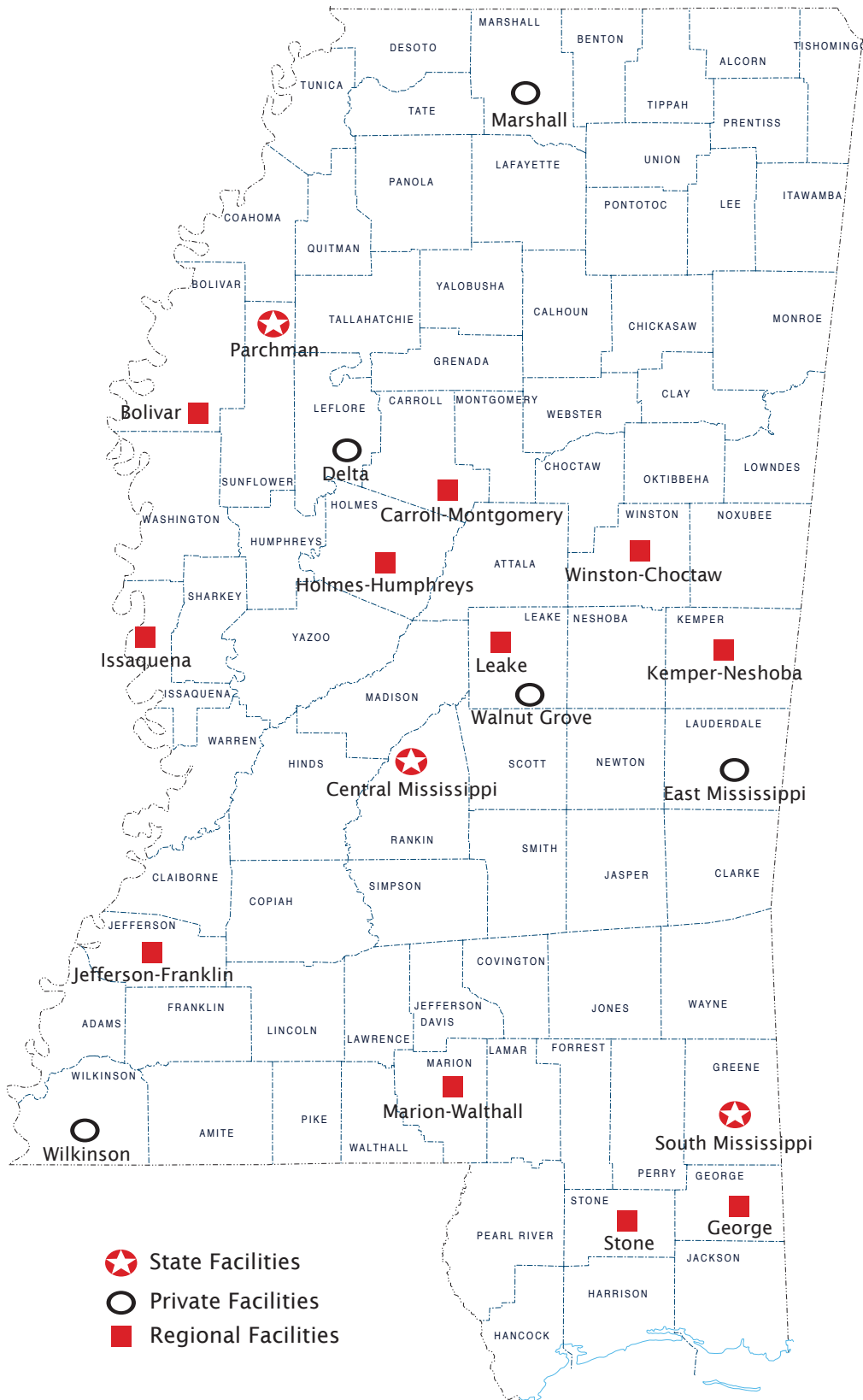
In 1995, the Legislature authorized the creation of county-owned regional correctional facilities, which would be allowed to house up to 250 medium-security state inmates each. (See Appendix C, page 49, for total prisoner capacity at each facility.) MISS. CODE ANN. Sections 47-5-931 through 47-5-938 (1972) authorized selected counties to establish regional correctional facilities jointly and also established a per inmate per diem of \$24.90 to be paid to each regional facility during its first year of operation. Per MISS. CODE ANN. § 47-5-933 (1972), each regional facility receives an annual per diem increase of three percent, beginning on the first anniversary of the facility's opening and continuing on each anniversary thereafter. This would result in a per diem of \$43.66 in the twentieth year of operation. Under a one-year contract addendum that became effective September 1, 2002, and has been renewed, MDOC began paying each regional facility its respective per diem for the first 200 state inmates and \$20 per day for any inmates over 200. Prior to the addendum's August 31, 2003, expiration, MDOC and each facility renewed the addendum and each regional facility received its respective per diem for the first 200 state inmates and \$20 per day for any inmates over 200.

Some counties have revenue pledges in their bond covenants, which would make repeal or amendment of the 3% annual increase problematic.

Should the Legislature choose to change this annual increase amount, some counties would be in violation of bond covenants. Some counties had issued revenue bonds to pay for construction of the prisons. Included in the bond covenants for these bonds was the pledge of revenues provided for in this section. This would make repeal or amendment of the 3% annual increase problematic for these counties.

In addition to state inmates, regional facilities also house inmates from cities and counties that enter into agreements with the regional facility and possibly also federal inmates through agreements with the federal government, with the number of beds available for non-state inmates ranging from 60 to 147 per regional facility. Exhibit 2, page 11, lists the eleven regional facilities, their opening dates, and the individual facility per diem as of April 30, 2004.

Exhibit 1: Mississippi's State, Regional and Private Correctional Facilities (As of April 30, 2004)



SOURCE: MDOC, regional and private facility information.

Exhibit 2: Regional Correctional Facilities in Operation and Per Diem as of April 30, 2004

<u>Facility Name</u>	<u>Date Opened</u>	<u>Per Diem (April 30, 2004)</u>
Issaquena County Correctional Facility	March 1997	\$30.63*
Jefferson-Franklin County Correctional Facility	May 1997	\$29.74*
Leake County Correctional Facility	October 1998	\$28.87*
Marion-Walthall County Correctional Facility	March 1999	\$28.03*
Winston-Choctaw County Correctional Facility	March 1999	\$28.87*
Carroll-Montgomery County Correctional Facility	May 1999	\$28.87*
Bolivar County Correctional Facility	December 1999	\$28.03*
Kemper-Neshoba County Correctional Facility	October 2000	\$27.21*
Holmes-Humphreys County Correctional Facility	November 2000	\$27.21*
Stone County Correctional Facility	December 2000	\$27.21*
George County Correctional Facility	May 2002	\$25.65*

SOURCE: PEER analysis of regional facility information.

* Per diem for first 200 inmates. The per diem for inmates over the 200 level is \$20.00.

Part One: Cost Per Day Analysis of Housing State Inmates in County Jails

Analysis of Cost Per Day for County Jails

County jails receive an economic benefit from housing state inmates that not only includes the monetary reimbursement received from the State of Mississippi, but also the value of the inmate labor received. As such, the current \$20 per inmate per day in direct reimbursement, in light of the value of inmate labor that can easily exceed \$20 per inmate per day as well, provides reasonable compensation to counties for housing state prisoners.

Of the fifty-two county jails housing state inmates, three have a cost per day under the current \$20 per diem. The cost per day for housing state inmates in county facilities may be found in Appendix A, page 43.

Each county jail uses state inmates to perform labor around the jail and in some instances, in the community.

In considering the reasonableness of the current per diem, all relevant factors must be considered. For example, each county jail uses the state inmates to perform labor around the jail and in some instances, in the community. The value of this labor, for which the county would have to otherwise employ additional personnel to accomplish, must be considered in determining the reasonableness of the current per diem. The value of the inmate labor added to the current per diem sets a true economic benefit above the \$20 received from MDOC.

Value of Inmate Labor

State inmates housed in county jails perform a variety of tasks in the jail and, in some instances, in the surrounding communities. This is free labor and represents services the county would have to otherwise pay for or discontinue without the use of state inmates.

PEER asked employees of county jails to list duties performed by state inmates. Some examples of the work reported by the counties include assisting with:

- computer-related work for county information departments;
- car and small engine maintenance and repair;
- electrical work;
- painting county facilities;

- animal control;
- administrative tasks for jail staff and other county staff;
- cleaning county facilities;
- county recycling programs;
- trash pick-up on highways and other county grounds maintenance, such as gardens;
- work on county farms; and,
- work in jail kitchens and laundries.

The value of inmate labor added to the \$20 per diem establishes a true reimbursement rate that can exceed \$40 per day.

A true reimbursement rate for housing state inmates is determined for each jail by adding the \$20 per diem to the value of the inmate labor. In some instances, this true reimbursement rate can exceed \$40 per day. Rankin, Hinds, and Clarke county jails are such examples.

- Rankin County estimated that it received a total of 4,800 hours each month during the period of October 1, 2003, through April 30, 2004, of uncompensated labor from state inmates. If a thirty-day month is assumed, with inmates working a seven-day work week at the federal minimum wage of \$5.15 an hour, then Rankin County would receive an estimated amount of labor of \$19.26 per inmate per day. Taken with the \$20 per diem, Rankin’s true reimbursement rate is \$39.26 per day. Rankin County’s cost per day is \$19.67.

State reimbursement rate	\$20.00
Value of state inmate labor	+\$19.26
Total reimbursement	\$39.26
Cost per day of state inmates	-\$19.67
Net economic benefit per day for Rankin County	\$19.59

- Hinds County reported 131,080 hours of labor performed by state inmates between October 1, 2003, and April 30, 2004. Given the same assumptions as used with Rankin County above, Hinds County’s estimated labor received is \$24.73 per day per inmate. Taken with the \$20 per diem, Hinds’s true

reimbursement rate is \$44.73 per day. Hinds County's cost per day is \$37.84.

State reimbursement rate	\$20.00
Value of state inmate labor	+\$24.73
Total reimbursement	\$44.73
Cost per day of state inmates	-\$37.84
Net economic benefit per day for Hinds County	\$ 6.89

- Clarke County has a smaller jail than both Rankin and Hinds counties, averaging 43 inmates per day. Clarke County reported that it had a total of 1,698 inmate labor days during the period of October 1, 2003, through April 30, 2004. Given the same assumptions as in Rankin and Hinds counties, Clarke County receives a value of state inmate labor per day of \$18.27. Taken with the \$20 per diem, Clarke County's true reimbursement rate is \$38.27. Clarke County's cost per day is \$28.62.

State reimbursement rate	\$20.00
Value of state inmate labor	+\$18.27
Total reimbursement	\$38.27
Cost per day of state inmates	-\$28.62
Net economic benefit per day for Clarke County	\$9.65

If state inmates were not available to perform labor for counties, some counties might lose the services they provide through state inmate labor.

Time constraints did not allow for the calculation of a true reimbursement rate for each county jail. However, inmate labor is an important factor to be considered in policy discussions regarding housing state inmates in county facilities. While the cost of labor does not represent an actual amount of money paid to counties for inmates' labor, it does represent labor that counties would have to pay for in the open market or require current paid staff to perform. If state inmates were not available to perform labor for counties, some counties might lose the services they provide through state inmate labor.

County jails with costs exceeding the combination of the \$20 per diem and the value of inmate labor should strive to improve efficiencies.

Because of the variety of operating conditions experienced by jails statewide and the varying amounts of labor derived from state inmates, PEER could not establish a single, uniform true reimbursement rate. Therefore, a single, uniform true reimbursement rate should not be inferred from this study and applied to all county jails. Rather, individual county jails with costs exceeding the combination of the \$20 per diem and the value of inmate labor should strive to improve efficiencies in order to bring the cost per day below their true reimbursement rate.

The current \$20 per diem is a reasonable reimbursement to counties for housing state inmates when considering all relevant factors such as inmate labor.

In an efficiently operated county jail, the current \$20 per diem in conjunction with the value of state inmate labor, is sufficient reimbursement for housing state inmates. County jails with high cost per day can identify and contain costs driving their cost higher and receive the same economic benefit as jails with lower cost per day.

Lack of Economies of Scale

Based on financial and inmate census information reported, the cost per day for the county jails indicates that there are few economies of scale realized in the county jails.

Economies of scale are the decreases in cost per item as the volume of activity increases. Under economies of scale, the cost per day for housing state inmates should decrease as the number of state inmates increase. However, PEER found that few distinguishable economies of scale were detectable when reviewing the cost per day information for county jails.

As shown in Exhibit 3, page 17, little relationship exists between the number of inmates housed in a county jail and the related cost per day. Therefore, any given county is likely to have a high cost per inmate regardless of its relative size. If overall economies of scale existed, the exhibit would show a distinguishable decline in cost per day as the average number of inmates increased. However, jails with similar inmate populations vary widely on cost per day. For example, the Copiah County jail averaged 51 total prisoners per day for the period October 1, 2003, through April 30, 2004, at a cost per day per state inmate of \$34.70, while the Marshall County jail averaged 49 total inmates per day for the same period at a cost per state inmate per day of \$54.57. Neither of these county jails incurred debt service expenses during this period.

In other instances, jails with very different inmate populations reported very similar cost per day. For example, Forrest County

averaged 140 total prisoners while Tishomingo County averaged 25 total prisoners. Yet Tishomingo County's cost per day per state inmate is \$0.91 lower than Forrest County's. Also, counties with an average daily prisoner census of 38 to 58 have costs per day ranging from \$21.72 in Attala County to \$54.57 in Marshall County.

Costs per day for housing state inmates in county jails range from \$13.92 in Clay County to \$73.95 in Tunica County. Most county jails, however, are above \$20 per day, as shown in Exhibit 3, page 17. Other notable costs are:

- three jails with costs per day below \$20;
- four jails with a cost per day of between \$20 and \$25;
- forty-four have costs per day above \$25; and,
- one jail did not provide sufficient information to calculate inmate cost per day.

Tallahatchie County contracts with Corrections Corporation of America and pays from \$15.00 per inmate per day up to \$28.50 per inmate per day, depending on the number of inmates housed in the jail.

For the purpose of comparison with the cost per day of the regional correctional facilities, the highest and lowest costs per day of regional facilities are:

- \$26.87 at Issaquena County; and,
- \$18.87 at George County.

Factors Contributing to Higher Costs in County Jails Compared to Regional Correctional Facilities

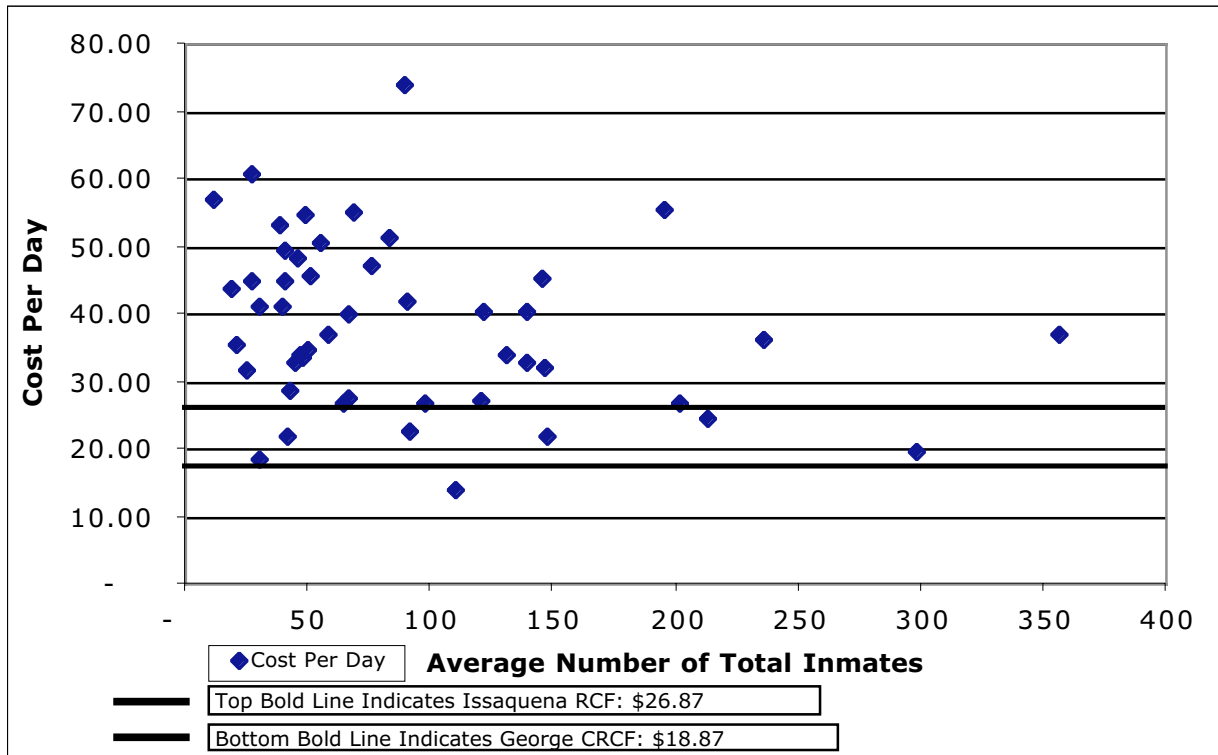
High Inmate-to-Guard Ratio in County Jails

One factor of the county jails' higher cost per day relative to that of the regional facilities is the inmate-to-guard ratio. The average cost per day per inmate for the Housing and Visitation Category (see page 3 for a description of this category), which mainly consists of salary and benefit costs for jailers and guards, is \$21.47 for the county jails and \$11.69 for the regional facilities. The regional prisons have an average inmate-to-guard ratio of 11:1. The average inmate-to-guard ratio of counties that reported the number of employees classified as guard is 6:1.

County jails frequently operate in older facilities, which by necessity require more personnel because they lack some of the innovations in technology and design.

The design of the regional facilities allows for the use of video monitoring and thereby reduces the need for security staffing. County jails frequently operate in older facilities, which by necessity require more personnel because they lack some of the innovations in technology and design. Staffing requirements are best determined by each county jail and each jail should strive for the most efficient use of personnel while safeguarding the public.

Exhibit 3: Scatter Graph of County Jails by Number of Inmates and Cost per Day of State Inmates



Note: The diamond symbols in the graph represent the actual costs of housing state inmates in a county jail and the total number of inmates at each county jail. The bold lines represent the highest and lowest cost per day for housing state inmates in the regional facilities. The regional facilities represent a model for gauging housing costs in county jails. Although operating differences exist between regional facilities and county jails, the difference in housing costs between the two types of facilities should not be excessive. Hinds County is not included for scale.

SOURCE: PEER analysis of county jail cost per day information.

High Food Service Costs in County Jails

One contributing factor to the difference in average cost may be the regional facilities' ability to buy large quantities of food in bulk.

In addition to the inmate-to-guard ratio, the food service expenses reported by county jails were greater than food service expenses of the regional facilities. The regional facilities' average for food expenses is \$2.63 per day, while the county jails average \$5.14 per day. This is the most comparable area for cost analysis because its components are almost entirely commodities. Scott County had the highest food service cost per day at \$9.15, while none of the regional prisons have a cost per day higher than \$3.73, which is lower than the county jails' average by \$1.41. One contributing factor to the difference in average cost may be the regional facilities' ability to buy large quantities of food in bulk. However, bulk purchasing is unlikely to account for the entire difference in food costs between regional facilities and county jails.

Many of the county jails reported contracting out food service rather than preparing it in-house. Jasper, Scott, Lawrence, and Newton counties contract with the same vendor for food service costing in excess of \$6.00 per day per inmate. Although preparing food on premises does not guarantee lower food costs, Clay County has one kitchen manager who prepares food with the help of state inmates and has a food service cost of \$1.81 per day per inmate. The jail's food services manager actively seeks lower food costs from a variety of vendors.

Improving efficiencies in food purchasing and preparation or seeking better contract rates when renegotiating contracts could be areas of potential savings for county jails.

Limited Comparability of Facilities

The wide range of jail sizes and inmate populations limits comparisons between jails. Only jails of similar size, inmate populations, and financial conditions, such as having no debt service expenses, are best compared to one another.

Because of the wide diversity in jail size and inmate populations, comparison between county jails is limited. Furthermore, some jails have debt service payments that can dramatically increase costs per day, while other jails have no debt service costs. Therefore, in reviewing a jail's cost per day, "Total Operating Cost per Inmate Days," of Appendix A, "County Jails' Costs for State Inmates," on page 43 should be used because it includes the daily operating expenses common to all jails while the Total Cost figure includes debt service costs.

The fifty-two county jails housing state inmates have a wide range of inmate populations and jail sizes. For example, Hinds County jail reported 422,107 square feet and has an average of 873 inmates per day, 15 percent of which are state inmates, while Marshall County jail reported 11,961 square feet with an average

of 49 inmates per day, 33 percent of which are state inmates. The cost per day of Hinds County jail for state inmates is \$37.84 and the cost per day of Marshall County jail for state inmates is \$54.57.

Non-State Inmate Cost Per Day in County Jails

The factors causing a high cost per day for housing state inmates in a county jail also lead to high costs for housing non-state inmates in county jails.

In the course of gathering information to compute the cost per day for state inmates housed in county jails, PEER obtained information that allowed for the calculation of the cost per day of housing non-state inmates in county jails. The cost per day information for non-state inmates for each county jail is found in Appendix B, page 46.

The same factors--personnel and food costs--that increase the cost for housing state inmates also contribute to the cost for housing non-state inmates. The cost per day for non-state inmates ranges from \$13.70 in Clay County to \$76.57 in Tunica County.

The cost per day information for non-state inmates is included for the benefit of local governments in improving the efficiency of local jails. The cost per day information for non-state inmates can be used by local government officials to identify areas of relative inefficiencies and eliminate unnecessary costs in order to operate more efficient jails.

Part Two: Analysis of Cost of Housing State Inmates in Regional Correctional Facilities

The average breakeven point for the eleven regional facilities is 207 state inmates. Under the current reimbursement structure, the state pays for the first 200 inmates at the individual regional facility's per diem rate and pays for the remaining eight state inmates at \$20 per day.

Step 1: Determine the required daily census for each regional facility to break even, using weighted average per diem rates and actual costs

The eleven regional facilities average 248 state inmates, which is well above the average breakeven point of 207 state inmates.

As a result of the amendment to the original agreement, the 200 guaranteed inmates should no longer be used as a benchmark in determining the financial viability of regional facilities or as a measure of determining the state's needed financial commitment to the regional facilities.

Under the original agreement, the state paid regional facilities the full per diem amount for all state inmates housed on the state side and guaranteed each regional facility a minimum of 200 state inmates. Beginning in September 2002, the state amended the agreement and began paying the full per diem for the first 200 state inmates and \$20.00 per day for all inmates over 200. Because ten of the regional facilities' actual costs per inmate day exceed \$20.00, the effect of the contract amendment is to increase the breakeven point of these ten regional facilities because the \$20.00 does not cover the total cost of a state inmate day. However, taking additional inmates over the 200-inmate level at a daily rate of \$20.00 is financially viable for the regional facilities. The only costs associated with those inmates over the 200 level are variable costs (food and clothing) and any additional correctional officers associated with guarding the additional inmates. As a result of the amendment to the original agreement, the 200 guaranteed inmates should no longer be used as a benchmark in determining the financial viability of regional facilities or as a measure of determining the state's needed financial commitment to the regional facilities.

The daily census needed for each regional correctional facility to break even using weighted average per diem rates and actual costs is presented as Exhibit 3, page 17.

Effect of Facility Operations on Allocation Ratios

PEER allocated facility costs on the basis of three ratios:

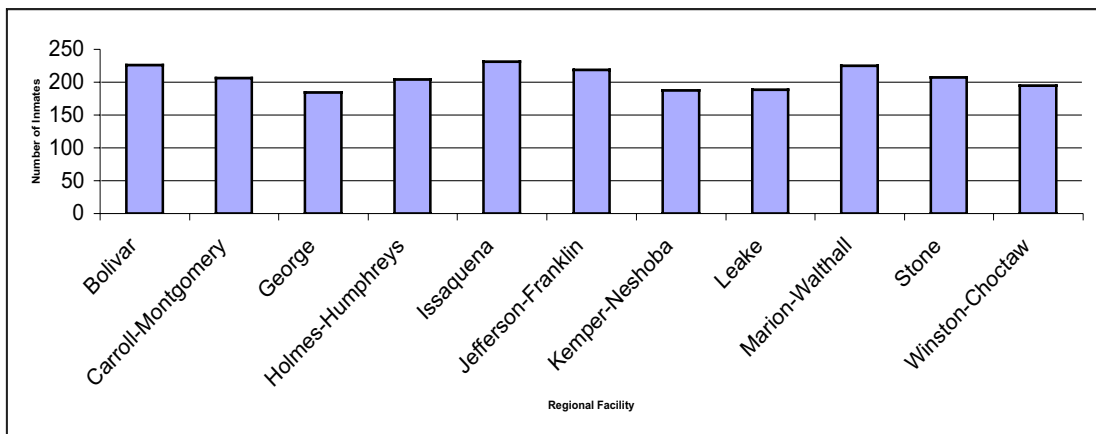
- state inmate days and non-state inmate days;

- meals served to state inmates and non-state inmates;
- the facility’s square footage dedicated exclusively to state inmates, exclusively to non-state inmates, and shared areas, such as administrative offices.

Facilities with similar operating expenses but differing ratios can have widely varying breakeven points.

Facilities with similar operating expenses but differing ratios can have widely varying breakeven points. For example, the Holmes-Humphreys facility’s breakeven point for state inmates is 204 and Leake County’s breakeven point for state inmates is 189 (see Exhibit 4, page 21), even though the facilities’ operating costs are approximately \$9,500 apart. The difference in the breakeven points between the two facilities is attributable to the difference in the inmate population, which affects the allocation ratios of the two facilities.

Exhibit 4: Daily State Inmate Census Needed to Break Even at Weighted Average Per Diem Rates and Actual Costs



SOURCE: PEER analysis of regional facility information.

Since state inmates comprise a larger percentage of the overall inmate population at the Carroll-Montgomery facility, a larger portion of expenses is designated as attributable to state inmates. Carroll-Montgomery housed an average of 251 state inmates and 58 non-state inmates during the review period, resulting in designating 81% of allocated expenses to state inmates and 19% to non-state inmates. The Bolivar County facility housed an average of 248 state inmates and 92 non-state inmates during the review period, resulting in designating 73% of allocated expenses to state inmates and 27% to non-state inmates.

The reader should keep in mind that differences between the facilities such as the ratio of state inmate days to non-state inmate days and differences in the weighted average per diem amounts impact each facility's breakeven point.

Actual Cost Itemization

Exhibit 5, page 24, provides a breakdown of actual state-generated costs into six cost categories and highlights the degree to which each facility's average daily census for the period studied met or exceeded the requirements to break even at weighted average per diem rates. As the exhibit shows, all regional facilities have a sufficient number of state inmates to break even. Appendix D, page 52, recaps the information for regional facilities.

Effect of Inmate Days on Operating Costs

The number of inmate days is determined by MDOC's decisions on assignment of inmates.

Referring again to Exhibit 5, PEER notes an additional concern relating to interpretation of operating costs. The reader must take care in comparing "Total Operating Costs per Inmate Day" of facilities, because this number is greatly affected by the number of state inmate days for each facility. The number of inmate days at a facility is determined by MDOC's decisions on assignment of inmates.

"Daily Census Required to Break Even" should receive the most consideration when comparing efficiencies among regional facilities, since it reflects the number of inmates needed to meet actual state-related costs at current reimbursement rates.

Because of the effect of state inmate days on "Total Operating Cost per Inmate Day" and "Total Costs," these figures are not the most accurate measures of relative efficiency. "Daily Census Required to Breakeven" is a more accurate measure of relative efficiency, since it reflects the number of inmates needed to meet actual state-related costs at current reimbursement rates. This is the figure that should receive the most consideration when comparing efficiencies among the regional facilities. Using the "Daily Census Required to Breakeven" figures for the period October 1, 2003, through April 30, 2004, the breakeven points for meeting actual state-related costs range from 184 inmates per day at George County to 231 inmates per day at Issaquena County and average 207 inmates per day. Comparisons along this range provide a general indication of relative efficiency.

Comparison of 2004 Breakeven Results with Those of Prior Years

In 2001, PEER conducted a cost analysis of regional and selected private facilities and issued the results in PEER report #419, entitled *Cost Analysis of Housing State Inmates in Regional and Private Correctional Facilities*. PEER followed with similar cost analyses of regional prisons only in 2002 and 2003 (PEER reports #438 and #459).

Exhibit 6, page 25, offers a comparison of the 2001, 2002, 2003, and 2004 breakeven points for the regional facilities.² The reader should be cautious in comparing 2001 breakeven points to the breakeven points of later years. A legislative mandate for reporting the 2001 breakeven points limited the period of the 2001 review. The 2001 breakeven points for Carroll-Montgomery, Issaquena, Jefferson-Franklin, Leake, Marion-Walthall, and Winston-Choctaw are based on the costs of each facility from October 2000 through March 2001. The 2001 breakeven points for Holmes-Humphreys, Kemper-Neshoba, and Stone are based on the costs of each facility from January 2001 through March 2001 because each of these facilities opened in November 2000 or December 2000. The breakeven points for 2002 and 2003 are based on the costs of each facility for the 273-day period from October through June of the respective years. In 2004, PEER calculated the breakeven point using a 213-day period starting on October 1, 2003, and ending on April 30, 2004.

² Bolivar County's 2002 breakeven point was not calculated because the facility was closed during the 2002 review due to tornado damage. Bolivar's 2001 breakeven point was 208 and its 2003 breakeven point was 184. George County does not have prior year breakeven points for comparative purposes because the facility did not open until May 2002.

Exhibit 5: Cost Itemization with Weighted Average Per Diem and Actual Costs

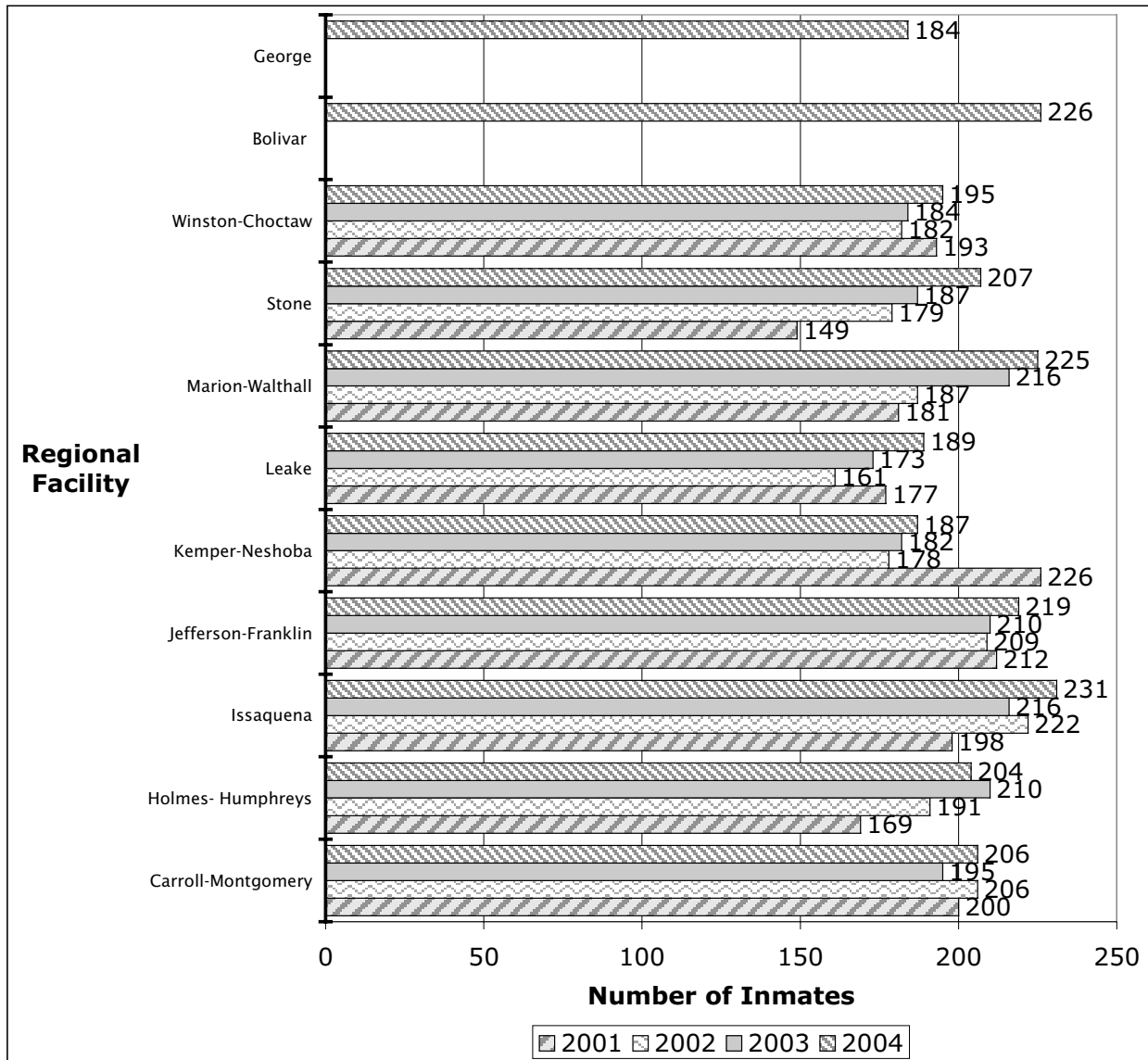
	Bolivar County	Carroll- Montgomery County	George County	Holmes- Humphreys County	Issaquena County	Jefferson- Franklin County	Kemper- Neshoba County	Leake County	Marion- Walthall County	Stone County	Winston- Choctaw County
OPERATING REVENUES	\$ 27.06	\$ 26.64	\$ 24.69	\$ 25.72	\$ 28.60	\$ 28.29	\$ 26.21	\$ 27.72	\$ 27.39	\$ 25.93	\$ 27.07
State Inmate Days	52,644	53,304	52,604	52,783	52,808	52,450	52,707	52,766	52,358	52,772	53,268
State Inmate Days as a Percentage of Total Inmate Days	73%	81%	83%	83%	84%	87%	86%	74%	75%	79%	84%
Operating Costs Allocated to State Inmates	\$ 1,311,007	\$ 1,184,828	\$ 992,486	\$ 1,131,527	\$ 1,418,963	\$ 1,331,191	\$ 1,071,778	\$ 1,140,967	\$ 1,325,635	\$ 1,157,837	\$ 1,158,088
OPERATING COSTS:											
Basic housing and visitation	\$ 12.12	\$ 11.51	\$ 8.02	\$ 10.68	\$ 15.16	\$ 13.91	\$ 10.16	\$ 11.09	\$ 13.77	\$ 10.44	\$ 11.78
Programs	0.77	0.65	1.12	0.60	0.93	0.75	1.01	1.06	0.65	0.57	0.29
Food service	3.37	2.07	2.45	1.72	3.73	2.38	2.53	2.11	3.65	2.04	2.91
Medical	0.57	0.20	0.30	0.22	0.18	0.22	0.04	0.50	0.11	0.56	0.42
Administrative costs	5.93	3.46	2.72	2.44	2.82	4.00	1.95	2.60	2.86	3.94	2.25
Total Operating Cost per Inmate Day	\$ 22.77	\$ 17.88	\$ 14.61	\$ 15.65	\$ 22.81	\$ 21.25	\$ 15.69	\$ 17.36	\$ 21.03	\$ 17.54	\$ 17.65
DEBT SERVICE COSTS*	2.14	4.35	4.25	5.78	4.06	4.13	4.65	4.26	4.29	4.40	4.09
Total Costs	\$ 24.90	\$ 22.23	\$ 18.87	\$ 21.44	\$ 26.87	\$ 25.38	\$ 20.33	\$ 21.62	\$ 25.32	\$ 21.94	\$ 21.74
Daily Census Required to Break Even	226	206	184	204	231	219	187	189	225	207	195
Average State Inmates for Period	248	251	247	248	248	247	248	248	246	248	251
Number Over/(Under) Level Needed for Breakeven	22	45	63	44	17	28	61	59	21	41	56

* Represents only the state's share of debt service costs.

Differences due to rounding

SOURCE: PEER analysis of regional facility information.

Exhibit 6: Comparison of 2001, 2002, 2003, and 2004 Breakeven Points for Selected Facilities†



† Bolivar County’s 2002 breakeven point was not calculated because the facility was closed during the 2002 review due to tornado damage. Bolivar’s 2001 breakeven point was 208 and its 2003 breakeven point was 184. George County does not have prior year breakeven points for comparative purposes because the facility did not open until May 2002.

*2001 breakeven point based on 182 days of operation.
 **2001 breakeven point based on 90 days of operation.
 2002 and 2003 breakeven points based on 273 days of operation.
 2004 breakeven point based on 213 days of operation.

SOURCE: PEER analysis of regional facility information.

Step 2: Identify and exclude any unnecessary costs and re-compute the breakeven analysis

PEER identified \$541,520 in costs that, if eliminated, would reduce the number of inmates required to break even at the eleven regional facilities included in this review. The inmate breakeven point, excluding costs above the amount PEER determined to be reasonable, averages 203.

Types of Costs Identified

In determining the necessary per diem, PEER identified and excluded \$541,520 in the following annual costs beyond the level PEER determined to be reasonable:

Cost Item	Amount Above Level PEER Determined as Reasonable
Attorneys' salaries and fees	\$245,940
Program and accreditation fees	\$141,480
Payments to sheriffs	<u>\$154,100</u>
Total	<u>\$541,520</u>

Attorneys' Salaries and Fees

In conducting this analysis, PEER determined that regional facilities were paying for legal services for representation of the facility. MISS. CODE ANN. §47-5-937 (1972) authorizes the sheriff of a county where a facility is located to:

...employ counsel to represent the facility to be paid a salary within the range allowed for a legal assistant to a district attorney with the employment to continue for a period of time not to exceed the duration of the indebtedness incurred for construction of the facility. The county or counties shall pay this cost and other costs incurred in the operation of the facility from the proceeds of the funds derived from the financing of the project and the housing of offenders.

The exclusion of attorney costs beyond the annual \$12,000 amount would yield total annual savings of \$245,940.

PEER observed that legal services were provided through varying methods at varying costs (see Exhibit 7, below). PEER compared costs among the eleven facilities and selected \$12,000 as a sufficient payment level for legal representation because three of the eleven facilities receive legal services at or below this amount. The exclusion of attorney costs beyond the \$12,000 level would represent an annual savings of \$245,940.

Exhibit 7: Computation of Facilities' Attorney Compensation

Facility	Prison Attorney	Attorney Salary/Fees	PEER Allocation	Above PEER Allocation
Bolivar	Charles Weissinger	\$ 54,000	\$ 12,000	\$ 42,000
Carroll-Montgomery	Alan D. Lancaster	33,750	12,000	21,750
George	Mark Maples	24,000	12,000	12,000
Holmes-Humphreys	Charles Weissinger	36,000	12,000	24,000
Issaquena	Charles Weissinger	67,500	12,000	55,500
Jefferson Franklin	Charles Weissinger	49,690	12,000	37,690
Kemper-Neshoba	Henry Palmer	0 †	0	0
Leake	Charles Weissinger	30,000	12,000	18,000
Marion-Walthall	McNeese & Huhn	12,000 ^	12,000	0
Stone	Albert Necaise	47,000	12,000	35,000
Winston-Choctaw	Ken Bridges	4,800 ^	12,000	0
Total Savings			\$	245,940

^ The attorney's agreement specifies that he may bill at \$125 per hour above the monthly retainer.

† Mr. Palmer serves as county board attorney and does not bill the Kemper-Neshoba facility for legal work.

SOURCE: PEER analysis of regional facility information.

Under MISS. CODE ANN. §47-5-937 (1972), a sheriff in a county where a facility is located may employ an attorney for the facility for a period not to exceed the duration of the indebtedness incurred for construction of the facility. Each regional facility was financed with twenty-year revenue bonds payable by the owning county. Therefore, under state law, a sheriff may employ legal counsel for a twenty-year period.

A recent Attorney General's opinion states that sheriffs who are not parties to the original contracts with attorneys may void the contracts.

During the last three years, PEER raised concerns about the provision of MISS. CODE ANN. § 47-5-937 (1972) that authorizes the sheriffs of counties with a regional correctional facility to contract with an attorney for the life of the outstanding indebtedness. The authorized salary for such attorneys is within range of that of a district attorney's legal assistant. PEER considered some of the salaries paid to attorneys to be unreasonably high. In a 2001 Attorney General's Opinion to Sheriff Ballard 2001-0617, the Attorney General opined that Section 47-5-937 authorizes a sheriff to hire an attorney; it does not authorize a sheriff to bind his successors in office. Consequently, sheriffs who are successors in office may void contracts for legal services executed by their predecessors; sheriffs who are not parties to the original contracts with attorneys may void the contracts.

The Bolivar, Issaquena, and Jefferson-Franklin facilities have twenty-year contracts and the Holmes-Humphreys and Leake facilities have four-year contracts with Mr. Charles Weissinger, Jr., totaling \$237,190 annually. The Stone County facility has a seventeen-year contract expiring in November 2019 with Mr. Albert Necaise at \$47,000 annually. The contracts of the Bolivar, Issaquena, Jefferson-Franklin, and Stone facilities expire in conjunction with the bond debt associated with each facility.

The Marion-Walthall and Winston-Choctaw facilities employ local attorneys as legal counsel through a monthly retainer arrangement. The Kemper-Neshoba facility currently utilizes the county board attorney as counsel and has incurred no legal expenses. The Carroll-Montgomery and George facilities employ local attorneys on an annual salary basis. See Appendix C, page 49, for more details regarding employment of legal counsel.

PEER believes that paying \$12,000 for a part-time legal position is a reasonable amount.

The regional facilities need counsel for legal advice and representation. However, PEER believes legal representation of one facility is not a full-time job. This position is supported by the fact that one person serves as counsel simultaneously for five facilities and the remaining six facilities have attorneys on retainer or use the county board attorney. PEER believes that paying \$12,000 for a part-time legal position is a reasonable amount.

American Correctional Association Accreditation and Program Service Provider Costs

MISS. CODE ANN. §47-5-931 (1972) requires that each facility be operated and maintained in accordance with ACA standards. Also, in accordance with MDOC requirements and ACA standards, each regional facility offers state inmates educational, religious, and drug and alcohol rehabilitation courses, referred to as program and treatment services.

With the exception of the Winston-Choctaw facility, each regional facility employs a consultant to assist it in achieving and maintaining ACA accreditation. The ACA consultant also coordinates and provides the program and treatment services in seven of the regional facilities. At the Marion-Walthall and Carroll-Montgomery facilities, the warden oversees and coordinates provision of the program and treatment services. At the Holmes-Humphreys facility, in-house personnel provide training to the facility's staff and oversee the facility's program and treatment services. The Winston-Choctaw facility utilizes in-house personnel to maintain ACA accreditation and provide program and treatment services.

The exclusion of ACA and program consultant expenses beyond the \$60,000 annual amount would yield an annual savings of \$153,480 for the regional facilities.

In PEER's opinion, \$60,000 is sufficient for providing ACA compliance and education and treatment programs at each facility. Currently, the Stone County facility receives ACA compliance and education and treatment programs for \$60,000 annually. Officials at the Marion-Walthall facility pay \$48,000 annually for ACA compliance and estimate the annual expense of providing education and treatment programs is \$12,000 annually. The salaries of Winston-Choctaw's ACA personnel total approximately \$62,280. (See Exhibit 8, page 30.) The exclusion of ACA and program consultant expenses beyond the \$60,000 level would represent an annual savings of \$141,480.

The Bolivar, George, Issaquena, Jefferson-Franklin, Kemper-Neshoba, Leake, and Stone facilities have contracted with Corrections Management Services, Inc., Mr. Edward Hargett, President, to serve as the ACA and program consultant at a contracted total of \$559,200 annually. As program coordinator for these facilities, Mr. Hargett provides and bears the expense of education and treatment programs at each facility.

Contemporary Corrections, Inc., Mr. Lake Lindsey, President, serves as the ACA accreditation consultant for the Holmes-Humphreys County Correctional Facility for an annual contract of \$48,000. Mr. Lindsey does not provide the educational and treatment programs for the facility. In-house personnel at the Holmes-Humphreys facility oversee and have responsibility for providing the program and treatment services at the facility.

Mississippi Correctional Management Inc., Mr. Irb Benjamin, President, serves as the ACA consultant to the Marion-Walthall facility for an annual contract of \$48,000 and Carroll-Montgomery facility for an annual contract of \$36,000 at each facility. Mr. Benjamin does not provide the educational and treatment programs for the facilities. The wardens of the Marion-Walthall facility and the Carroll-Montgomery facility oversee and have responsibility for providing the program and treatment services at the facilities.

Exhibit 8: Computation of Facilities' Accreditation and Program Service Provider Cost

Facility	Service Provider	Service Provider Cost	PEER Allocation	Above PEER Allocation
Bolivar	Corrections Management Services, Inc. Edward Hargett, President	\$96,000 #	\$60,000	\$36,000
Carroll-Montgomery	Mississippi Correctional Management, Inc. Irb Benjamin, President	36,000 †	60,000	0
George	Corrections Management Services, Inc. Edward Hargett, President	72,000 #	60,000	12,000
Holmes-Humphreys	Contemporary Corrections, Inc. Lake Lindsey, President	48,000 †	60,000	0
Issaquena	Corrections Management Services, Inc. Edward Hargett, President	84,000 #	60,000	24,000
Jefferson Franklin	Corrections Management Services, Inc. Edward Hargett, President	67,200 #	60,000	7,200
Kemper-Neshoba	Corrections Management Services, Inc. Edward Hargett, President	84,000 #	60,000	24,000
Leake	Corrections Management Services, Inc. Edward Hargett, President	96,000 #	60,000	36,000
Marion-Walthall	Mississippi Correctional Management, Inc. Irb Benjamin, President	48,000 †	60,000	0
Stone	Corrections Management Services, Inc. Edward Hargett, President	60,000 #	60,000	0
Winston-Choctaw	In-house personnel	62,280	60,000	2,280
Total Savings				\$141,480

Contract is for ACA compliance consulting work and education and treatment services.

† Contract is for ACA compliance consulting work only. The facility bears expenses related to education and treatments services.

SOURCE: PEER analysis of regional facility information.

Payments to Sheriffs

MISS. CODE ANN. §47-5-935 (1972) designates the sheriff of a county where a regional facility is located as the Chief Corrections Officer of the facility with responsibility for management of the facility and for providing care and control of the state inmates housed therein. MISS. CODE ANN. §47-5-935 (1972) provides that sheriffs of the counties where a regional facility is located shall receive \$15,600 annually for their duties as Chief Corrections Officer, in addition to the salary received as sheriff of the county.

In conducting this analysis, PEER determined ten of the eleven sheriffs eligible for the additional compensation are receiving payments ranging from \$15,000 to \$15,600 annually. The sheriff

of Marion County has not requested payment as Chief Corrections Officer of the regional facility located in Marion County.

If the warden of each facility were designated Chief Corrections Officer, with no additional compensation, the elimination of payments to sheriffs would represent an annual savings of \$154,100.

In excluding costs beyond the level PEER determined to be reasonable, PEER allocated no funds for sheriff payments because the warden of each regional facility is responsible for the day-to-day management and operation of each regional facility. (See Exhibit 9, below.) Therefore, if the warden of each facility were designated Chief Corrections Officer, with no additional compensation, the exclusion of payments to the sheriffs would represent an annual savings of \$154,100.

Exhibit 9: Computation of Facilities' Compensation to Sheriffs

Facility	Sheriff's Salary	PEER Allocation	Above PEER Allocation
Bolivar	\$ 15,600	\$ 0	\$ 15,600
Carroll-Montgomery	15,000	0	15,000
George	15,600	0	15,600
Holmes-Humphreys	15,600	0	15,600
Issaquena	15,500	0	15,500
Jefferson-Franklin	15,600	0	15,600
Kemper-Neshoba	15,000	0	15,000
Leake	15,600	0	15,600
Marion-Walthall	0	0	0
Stone	15,600	0	15,600
Winston-Choctaw	15,000	0	15,000
Total Savings			\$ 154,100

SOURCE: PEER analysis of regional facility information.

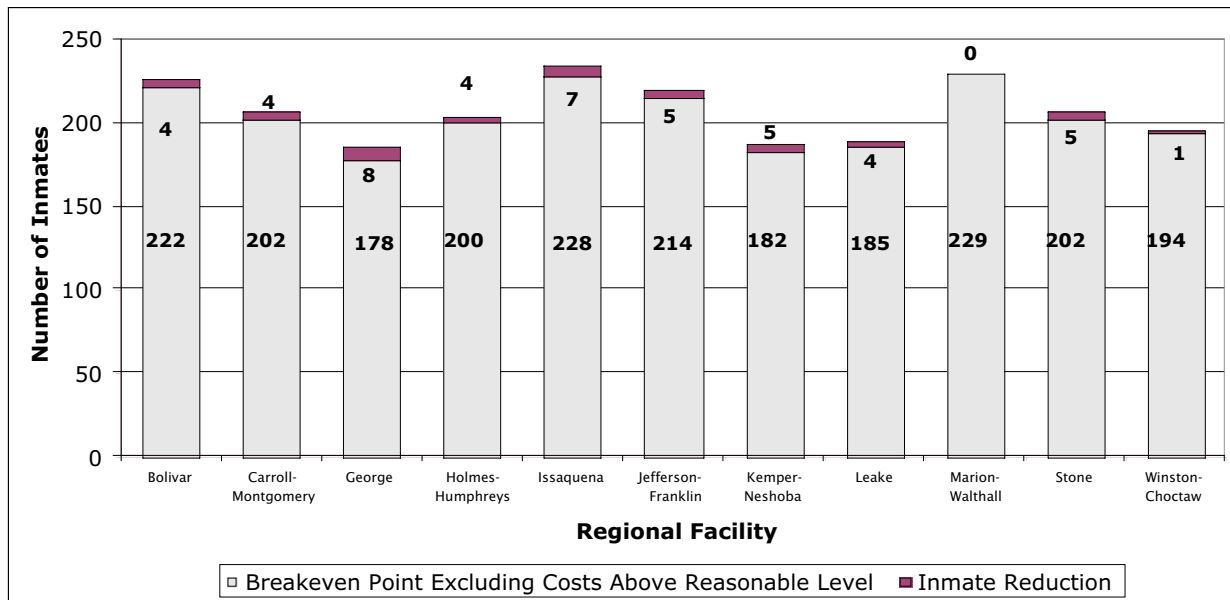
Calculation of Inmate Breakeven Point Excluding Costs Above the Level PEER Determined to Be Reasonable

The exclusion of costs beyond the level PEER determined to be reasonable lowers the state inmate breakeven point for each facility, with the exception of the Marion-Walthall facility.

In calculating the necessary per diem, PEER excluded costs beyond the level determined as reasonable, as outlined above, and calculated the associated breakeven point for the eleven facilities included in this review. The state inmate breakeven points for these facilities are presented in Exhibit 10, below.

The exclusion of costs beyond the level PEER determined to be reasonable lowers the state inmate breakeven point for each facility, with the exception of the Marion-Walthall facility. Exhibit 11, page 33, provides a breakdown of expenses with the exclusion of costs above the level determined to be reasonable.

Exhibit 10: State Inmate Breakeven Point When Excluding \$541,520 In Costs Above the Level PEER Determined to Be Reasonable



SOURCE: PEER analysis of regional facility information.

Exhibit 11: Weighted Average Per Diem and Without Costs PEER Determined to Be Above a Reasonable Level

	Bolivar County	Carroll- Montgomery County	George County	Holmes- Humphreys County	Issaquena County	Jefferson- Franklin County	Kemper- Neshoba County	Leake County	Marion- Walthall County	Stone County	Winston- Choctaw County
OPERATING REVENUES	\$ 27.06	\$ 26.64	\$ 24.69	\$ 25.72	\$ 28.61	\$ 28.29	\$ 26.21	\$ 27.72	\$ 27.41	\$ 25.93	\$ 27.07
State Inmate Days	52,644	53,304	52,604	52,783	52,808	52,450	52,707	52,766	52,358	52,772	53,268
State Inmate Days as a Percentage of Total Inmate Days	73%	81%	84%	83%	85%	87%	86%	74%	77%	79%	84%
Operating Costs Allocated to State Inmates	\$ 1,289,347	\$ 1,167,192	\$ 966,088	\$ 1,112,321	\$ 1,402,268	\$ 1,303,700	\$ 1,045,959	\$ 1,119,931	\$ 1,349,992	\$ 1,157,837	\$ 1,150,703
OPERATING COSTS:											
Basic housing and visitation Programs	\$ 12.19	\$ 11.58	\$ 8.20	\$ 10.77	\$ 15.57	\$ 14.03	\$ 10.19	\$ 11.46	\$ 14.04	\$ 10.44	\$ 11.82
Food service	0.77	0.65	0.67	0.60	0.66	0.67	0.66	0.66	0.65	0.57	0.29
Medical	3.38	2.07	2.46	1.72	3.81	2.38	2.53	2.11	3.73	2.04	2.92
Administrative costs	0.58	0.21	0.32	0.23	0.20	0.23	0.05	0.51	0.12	0.56	0.42
Total Operating Cost per Inmate Day	\$ 5.43	\$ 3.04	\$ 2.45	\$ 1.98	\$ 2.23	\$ 3.42	\$ 1.76	\$ 2.22	\$ 2.93	\$ 3.94	\$ 2.07
DEBT SERVICE COSTS*	\$ 22.35	\$ 17.55	\$ 14.09	\$ 15.29	\$ 22.47	\$ 20.72	\$ 15.20	\$ 16.96	\$ 21.47	\$ 17.54	\$ 17.51
Total Costs	\$ 24.49	\$ 21.90	\$ 18.37	\$ 21.07	\$ 26.55	\$ 24.86	\$ 19.84	\$ 21.22	\$ 25.78	\$ 21.94	\$ 21.60
Daily Census Required to Break Even	222	202	178	200	228	214	182	185	229	207	194
Average State Inmates for Period	248	251	247	248	248	247	248	248	246	248	251
Number Over/(Under) Level Needed for Breakeven	26	49	69	48	20	33	66	63	17	41	57

* Represents average per diem received during the period.

** Represents only the state's share of debt service costs.

SOURCE: PEER analysis of regional facility information.

Cost Avoidance in Attorneys' Salaries and Fees and ACA Service Provider Costs Since 2001

Subsequent to PEER's first breakeven analysis conducted in 2001, which reported each regional facility's legal and ACA expenses, reductions in attorney and ACA service provider expenses have resulted in total cost avoidance of \$570,406.

Attorneys' Salaries and Fees

The regional facilities have achieved cost avoidance of \$327,766 in legal expenses since 2001.

As shown in Exhibit 12, page 35, legal expenses for regional facilities have declined since PEER conducted the first breakeven analysis in 2001. Legal expenses declined \$109,922 from 2001 to 2002 and remained at the 2002 level in 2003. In 2004, the legal expenses increased by \$2,000. Due to the decline in legal expenses, the regional facilities have avoided \$327,766 in legal costs since 2001.

ACA Accreditation and Program Costs

The regional facilities' ACA accreditation and program costs have declined every year since 2001, with a total cost avoidance of \$242,640.

As shown in Exhibit 13, page 36, ACA expenses for regional facilities have declined since PEER conducted the first breakeven analysis in 2001. ACA expenses declined \$69,600 from 2001 to 2002 and declined an additional \$4,920 in 2003. In 2004, the ACA expense declined another \$24,000. Due to the decline in ACA expenses, the regional facilities have avoided \$242,640 in costs since 2001.

Total Cost Avoidance from Reductions in Attorney and ACA Accreditation and Program Costs

Due to the decrease in legal and ACA expenses, regional facilities have realized cost avoidance of \$570,406 since 2001. The reduction of legal and ACA expenses decreased the breakeven point and increased the financial strength of the regional facilities reducing these costs.

Exhibit 12: Reduction in Attorneys' Salaries and Fees Since 2001 †

Attorney Salaries/ Fees By Facility	2001 Costs	2002 Costs	2003 Costs	2004 Costs
Bolivar	\$ 67,500	\$ 54,000	\$ 54,000	\$ 54,000
Carroll-Montgomery	33,750	33,750	33,750	33,750
Holmes-Humphreys	67,500	36,000	36,000	36,000
Issaquena	67,500	67,500	67,500	67,500
Jefferson Franklin	62,112	49,690	49,690	49,690
Kemper-Neshoba	0	0	0	0
Leake	67,500	30,000	30,000	30,000
Marion-Walthall	12,000	12,000	12,000	12,000
Stone	60,000	45,000	45,000	47,000
Winston-Choctaw	4,800	4,800	4,800	4,800
<i>Total</i>	<i>\$ 442,662</i>	<i>\$ 332,740</i>	<i>\$ 332,740</i>	<i>\$ 334,740</i>
Annual Savings from 2001 Level		\$ 109,922	\$ 109,922	\$ 107,922
Cumulative Savings from 2001 Level		\$ 109,922	\$ 219,844	\$ 327,766

† George County was omitted from this exhibit because the facility did not open until May 2002 and did not have legal expenses in 2001 or 2002 for comparative purposes.

SOURCE: PEER analysis of regional facility information.

Exhibit 13: Reduction in ACA Service Provider Cost Since 2001 †

ACA Service Provider Cost by Facility	2001 Costs	2002 Costs	2003 Costs	2004 Costs
Bolivar	\$ 96,000	\$ 96,000	\$ 96,000	\$ 96,000
Carroll-Montgomery	48,000	48,000	48,000	36,000
Holmes-Humphreys	48,000	48,000	48,000	48,000
Issaquena	96,000	84,000	84,000	84,000
Jefferson Franklin	96,000	76,800	67,200	67,200
Kemper-Neshoba	96,000	96,000	96,000	84,000
Leake	96,000	76,800	96,000	96,000
Marion-Walthall	48,000	48,000	48,000	48,000
Stone	60,000	60,000	60,000	60,000
Winston-Choctaw	96,000	76,800	62,280	62,280
<i>Total</i>	<i>\$ 780,000</i>	<i>\$ 710,400</i>	<i>\$ 705,480</i>	<i>\$ 681,480</i>
Annual Savings from 2001 Level		\$ 69,600	\$ 74,520	\$ 98,520
Cumulative Savings from 2001 Level		\$ 69,600	\$ 144,120	\$ 242,640

† George County was omitted from this exhibit because the facility did not open until May 2002 and did not have legal expenses in 2001 or 2002 for comparative purposes.
SOURCE: PEER analysis of regional facility information.

Regional Facility Costs for Housing State and Non-State Inmates in the Non-State Designated Area

Step 3: Determine the breakeven point and cost per day for non-state inmates.

Ten of the eleven regional facilities reviewed did not receive sufficient per diems from local government entities to reach the breakeven point for housing non-state inmates. Regional facilities use revenues generated from housing state inmates to defray the costs of housing non-state inmates.

All regional facilities were below their respective breakeven points for housing non-state inmates.

In determining the necessary per diem, per inmate costs associated with housing state inmates at each of the regional correctional facilities, PEER's analysis provided important insight into the state's obligation relative to the cost of operating a regional facility. There are, however, other important operating costs that are the responsibility of local governments. In addition to medium-security state inmates, regional correctional facilities may also house state inmates that present a lower security risk (usually, those classified as minimum security) and non-state inmates from the counties, municipalities, and the federal government in areas separate from the medium-security state inmates. For the purpose of this section of the report, the term "non-state" inmates shall refer to the state inmates that present a lower security risk and the inmates from local government entities.

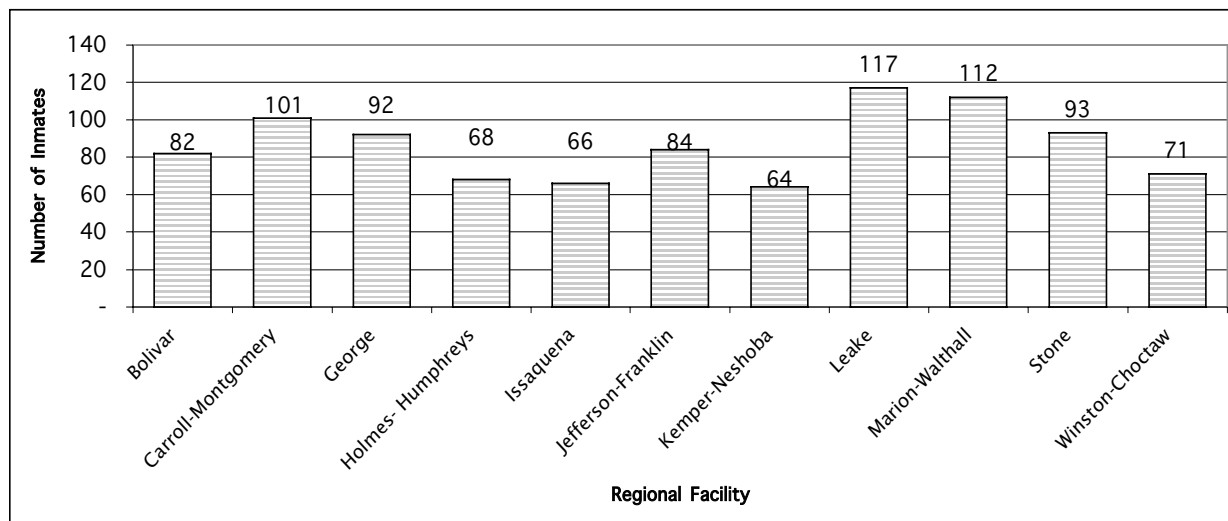
PEER also determined the costs associated with the housing of non-state inmates during the process of determining costs associated with the housing of state inmates. PEER found that ten of the regional prisons did not have a sufficient number of non-state inmates to reach the breakeven point for non-state inmates given the current per diems received from local government entities and that the per diem rates received from most non-state entities are not sufficient to support the costs associated with housing non-state inmates.

The daily census of non-state inmates needed for each regional correctional facility to break even using weighted average per diem rates and actual costs is presented as Exhibit 14, page 38, and Exhibit 15, page 40. Per diems paid by local government entities are presented in Appendix C, page 49. Appendix D, page 52, recaps the information for regional facilities.

Per diem rates paid by local government entities for non-state inmates range from \$0.00 per inmate day for Issaquena County inmates (Issaquena County had 448 inmate days from October 1,

2003, through April 30, 2004) to \$35.00 per inmate day for the municipalities of Starkville and Weir and for Oktibbeha County.

Exhibit 14: Daily Non-State Inmate Census Needed to Break Even at Weighted Average Per Diem Rates and Actual Costs



SOURCE: PEER analysis of regional facility information.

See Appendix C, page 49, for a listing of the per diem rates paid by local government entities.

PEER allocated costs to non-state inmates under the same methodology as was applied to the allocation of costs to state inmates. PEER allocated a larger percentage of costs to non-state inmates in the facilities where non-state inmates comprised a larger percentage of the total inmate population. If a facility receives a relatively low per diem from local entities but a relatively large portion of the inmate population is comprised of non-state inmates, these two factors combine to increase a facility's non-state inmate breakeven point dramatically.

For example, at the Leake County facility, non-state inmates comprised 26% of the inmate population. A relatively low weighted average per diem from local government entities of \$16.46 pushes the Leake County facility's breakeven point to 117 non-state inmates, which is close to the facility's maximum non-state inmate capacity of 129.

As with the determination of cost per day for state inmates, the cost per day for non-state inmates is greatly impacted by the number of non-state inmate days. For example, Jefferson-Franklin County had approximately \$247,000 allocated to non-state inmates and Stone had approximately \$352,000 allocated to non-state inmates. However, Jefferson-Franklin's cost per day for non-state inmates of \$30.52 is much higher than Stone's cost per non-state inmate of \$24.64 because Stone's costs were spread over 14,302 non-state inmate days and Jefferson-Franklin's costs were allocated over 8,094 non-state inmate days.

Another factor contributing to Jefferson-Franklin's high cost per day for non-state inmates is that occupancy expenses, such as utilities and insurance, are calculated on the basis of square footage and non-state inmate days. (Jefferson-Franklin has the lowest number of non-state inmate days). Also, the facility's debt service expenses are derived from square footage and non-state inmate days. Jefferson-Franklin's percentage dedicated to non-state inmates was 13%, which was lower than the average of 19% for all regional facilities. However, in determining cost per day for non-state inmates, these costs are divided by the number of non-state inmate days. Since Jefferson-Franklin has a relatively low number of non-state inmate days in comparison to the other regional facilities, the cost per day for non-state inmates is driven upward.

Regional facilities have the option of reviewing housing agreements with local entities and increasing per diems to ensure that all parties are paying a per diem rate sufficient to support the housing of local inmates.

In summary, local reimbursements for the cost of housing local inmates often do not meet the costs allocated for housing those inmates. PEER would note that regional facilities have the option of reviewing housing agreements with local entities and increasing per diems to ensure that all parties are paying a per diem rate sufficient to support the housing of local inmates, thus allowing the regional facility to reach the breakeven point for its local commitment.

Exhibit 15: Daily Non-State Inmate Census Needed to Break Even at Weighted Average Per Diem Rates and Actual Costs

	Bolivar County	Carroll- Montgomery County	George County	Holmes- Humphreys County	Issaquena County	Jefferson- Franklin County	Kemper- Neshoba County	Leake County	Marion- Walthall County	Stone County	Winston- Choctaw County
Operating Revenues - Non-State Inmates	\$ 33.70	\$ 14.65	\$ 13.35	\$ 19.09	\$ 22.60	\$ 15.25	\$ 15.76	\$ 16.46	\$ 20.03	\$ 18.39	\$ 18.54
Non-State Inmate Days	19,579	12,297	10,834	10,704	10,144	8,094	8,611	18,973	17,279	14,302	9,842
Non-state Inmate Days as a Percentage of Total Inmate Days	27%	19%	17%	17%	16%	13%	14%	26%	25%	21%	16%
Operating Costs Allocated to Non-state Inmates	\$ 590,468	\$ 293,216	\$ 245,800	\$ 265,958	\$ 302,866	\$ 246,994	\$ 201,241	\$ 398,048	\$ 451,189	\$ 352,418	\$ 263,705
OPERATING COSTS:											
Basic housing and visitation	\$ 13.54	\$ 12.08	\$ 9.52	\$ 11.42	\$ 16.75	\$ 16.40	\$ 11.30	\$ 11.11	\$ 14.19	\$ 11.23	\$ 13.57
Programs	0	0	0	0	0	0	0	0	0	0	0
Food service	3.69	2.11	1.94	1.77	3.73	2.38	1.60	1.82	3.65	2.02	2.84
Medical	1.04	0.72	0.82	0.71	0.67	0.61	1.33	0.95	0.58	1.00	0.87
Administrative costs	5.93	3.46	2.72	2.44	2.82	4.00	1.95	2.60	2.86	3.94	2.25
Total Operating Costs	\$ 24.20	\$ 18.36	\$ 15.00	\$ 16.33	\$ 23.96	\$ 23.39	\$ 16.18	\$ 16.48	\$ 21.28	\$ 18.19	\$ 19.53
DEBT SERVICE COSTS*	5.96	5.48	7.69	8.52	5.89	7.13	7.19	4.50	4.84	6.45	7.26
Total Costs	\$ 30.16	\$ 23.84	\$ 22.69	\$ 24.85	\$ 29.86	\$ 30.52	\$ 23.37	\$ 20.98	\$ 26.11	\$ 24.64	\$ 26.79
Daily Census Required to Break Even	82	101	92	68	66	84	64	117	112	93	71
Average Non-State Inmates for Period	92	58	51	51	48	38	41	90	82	68	47
Number Over/(Under) Level Needed for Breakeven	10	(43)	(41)	(17)	(18)	(46)	(23)	(27)	(30)	(25)	(24)

* Represents only the non-state share of debt service costs.

SOURCE: PEER analysis of regional facility information.

Recommendations

Designation of Chief Corrections Officer

The Legislature should amend MISS. CODE ANN. Section 47-5-935 (1972) to allow counties to designate a regional facility's warden as Chief Corrections Officer, without additional compensation for performing these duties. The Legislature should amend the section to delete the requirement that sheriffs receive \$15,600 compensation for duties as Chief Corrections Officer.

If the warden is designated as Chief Corrections Officer, the Legislature should amend MISS. CODE ANN. §47-5-937 (1972) to allow the warden to hire legal counsel for the regional facility, with the legal counsel contract term not to exceed the term of the sitting board of supervisors.

Local Government Per Diem

Regional correctional facilities should increase per diems of local government entities at least to the level of the state's first year per diem amount of \$24.90 at the time contracts with local government entities are renewed or new agreements are reached with local government entities.

No Increase in Reimbursement Rate for County Jails

The current reimbursement rate of \$20 per day per inmate, considering all relevant factors, is adequate for county jails. The Legislature should not increase the reimbursement for state inmates in county jails.

No Reimbursement Without Providing Information

The Legislature should include restrictive language in the FY 2006 MDOC appropriations bill to suspend reimbursement for housing state inmates to any county that failed to provide the information necessary to calculate the cost per inmate day as required under Senate Bill 3218, Regular Session 2004. MDOC should reimburse any such county for housing state inmates only after:

- the county has provided PEER with the information necessary to calculate cost per inmate day for housing state inmates for the period of October 1, 2003, through April 30, 2004;

- the PEER Committee has reported to the Senate and House Corrections committee chairs the cost per day per inmate for housing state inmates for the county; and,
- the PEER Committee has notified MDOC that cost per inmate day calculations for housing state inmates in that county have been completed.

Furthermore, the county should not receive compensation retroactively for the period during which the calculations noted above are being processed and reported.

Appendix A: County Jails' Costs for State Inmates

	Adams	Alcorn	Attala	Calhoun	Chickasaw	Clarke
<u>Inmate Information</u>						
Average Daily State Inmate Count	16	7	13	19	39	18
State Inmates as a Percentage of Total Inmates	27.1%	15.6%	31.0%	61.3%	58.2%	40.9%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 26.38	\$ 21.89	\$ 12.15	\$ 18.87	\$ 15.96	\$ 14.09
Food service	\$ 4.05	\$ 4.66	\$ 4.09	\$ 6.38	\$ 7.28	\$ 4.94
Medical	\$ 0.03	\$ 0.26	\$ 1.36	\$ -	\$ 0.30	\$ 0.59
Administrative costs	\$ 6.58	\$ 5.97	\$ 4.12	\$ 7.61	\$ 4.04	\$ 5.54
Total Operating Cost per Inmate Days	\$ 37.03	\$ 32.79	\$ 21.72	\$ 32.86	\$ 27.58	\$ 25.16
DEBT SERVICE COSTS	\$ -	\$ -	\$ -	\$ 8.12	\$ -	\$ 3.46
Total Costs	\$ 37.03	\$ 32.79	\$ 21.72	\$ 40.98	\$ 27.58	\$ 28.62

	Clay	Coahoma	Copiah	DeSoto	Forrest	Grenada*
<u>Inmate Information</u>						
Average Daily State Inmate Count	64	71	13	48	47	
State Inmates as a Percentage of Total Inmates	58.2%	54.2%	25.5%	13.4%	33.6%	
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 9.28	\$ 22.49	\$ 21.32	\$ 18.11	\$ 17.98	
Food service	\$ 1.81	\$ 5.48	\$ 4.49	\$ 3.51	\$ 8.66	
Medical	\$ 0.22	\$ 1.46	\$ 1.57	\$ 7.30	\$ 1.48	
Administrative costs	\$ 2.62	\$ 4.37	\$ 7.31	\$ 2.55	\$ 4.52	
Total Operating Cost per Inmate Days	\$ 13.92	\$ 33.81	\$ 34.70	\$ 31.46	\$ 32.65	\$ -
DEBT SERVICE COSTS	\$ -	\$ -	\$ -	\$ 5.43	\$ -	
Total Costs	\$ 13.92	\$ 33.81	\$ 34.70	\$ 36.89	\$ 32.65	\$ 27.67

	Hancock	Harrison**	Hinds	Jackson	Jasper	Lafayette
<u>Inmate Information</u>						
Average Daily State Inmate Count	18		130	76	11	11
State Inmates as a Percentage of Total Inmates	12.2%		14.9%	35.5%	39.3%	8.9%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 22.70		\$ 27.60	\$ 13.13	\$ 27.71	\$ 22.63
Food service	\$ 3.40		\$ 2.27	\$ 4.57	\$ 7.97	\$ 4.47
Medical	\$ 0.00		\$ 1.07	\$ 2.25	\$ 1.64	\$ 0.02
Administrative costs	\$ 6.12		\$ 2.34	\$ 4.69	\$ 7.65	\$ 4.48
Total Operating Cost per Inmate Days	\$ 32.23	\$ -	\$ 33.28	\$ 24.64	\$ 44.97	\$ 31.61
DEBT SERVICE COSTS	\$ -		\$ 4.56	\$ -	\$ 7.65	\$ 8.89
Total Costs	\$ 32.23	\$ -	\$ 37.84	\$ 24.64	\$ 52.62	\$ 40.50

* Grenada County contracts its jail to Correctional Services Corporation of Sarasota, Florida, for \$26.67 per day per inmate and \$13.67 if an inmate is at the jail for less than 6 hours.

** Harrison County was not able to provide information to compute cost per day.

SOURCE: PEER analysis of information provided by individual county jails.

	Lamar	Lauderdale	Lawrence	Lee	Leflore	Lincoln
<u>Inmate Information</u>						
Average Daily State Inmate Count	16	78	12	71	17	9
State Inmates as a Percentage of Total Inmates	11.4%	40.0%	24.5%	26.0%	18.7%	13.0%

Operating Costs:

Basic housing and visitation	\$ 16.68	\$ 35.39	\$ 11.30	\$ 15.69	\$ 10.90	\$ 23.05
Food service	\$ 2.95	\$ 4.12	\$ 6.73	\$ 1.73	\$ 7.22	\$ 5.87
Medical	\$ 1.09	\$ 1.94	\$ 0.02	\$ 1.92	\$ 0.34	\$ -
Administrative costs	\$ 3.86	\$ 3.42	\$ 3.89	\$ 2.15	\$ 4.20	\$ 2.49
Total Operating Cost per Inmate Days	\$ 24.58	\$ 44.86	\$ 21.93	\$ 21.49	\$ 22.66	\$ 31.40
DEBT SERVICE COSTS	\$ 15.91	\$ 10.63	\$ 11.67	\$ 5.13	\$ -	\$ 23.79
Total Costs	\$ 40.49	\$ 55.49	\$ 33.60	\$ 26.61	\$ 22.66	\$ 55.19

	Lowndes	Madison	Marshall	Monroe	Neshoba	Newton
<u>Inmate Information</u>						
Average Daily State Inmate Count	47	32	16	36	16	23
State Inmates as a Percentage of Total Inmates	19.8%	22.1%	32.7%	42.9%	39.0%	56.1%

Operating Costs:

Basic housing and visitation	\$ 20.85	\$ 30.37	\$ 42.66	\$ 28.10	\$ 29.55	\$ 15.89
Food service	\$ 3.37	\$ 4.73	\$ 5.80	\$ 5.57	\$ 8.02	\$ 8.40
Medical	\$ 0.64	\$ 6.14	\$ 0.05	\$ 0.51	\$ 0.91	\$ 1.00
Administrative costs	\$ 4.81	\$ 4.21	\$ 6.06	\$ 4.21	\$ 10.78	\$ 6.45
Total Operating Cost per Inmate Days	\$ 29.68	\$ 45.45	\$ 54.57	\$ 38.39	\$ 49.25	\$ 31.74
DEBT SERVICE COSTS	\$ 6.39	\$ -	\$ -	\$ 12.86	\$ -	\$ 9.43
Total Costs	\$ 36.07	\$ 45.45	\$ 54.57	\$ 51.24	\$ 49.25	\$ 41.17

	Oktibbeha	Panola	Perry	Pike	Pontotoc	Prentiss
<u>Inmate Information</u>						
Average Daily State Inmate Count	26	30	6	77	13	18
State Inmates as a Percentage of Total Inmates	26.3%	33.3%	22.2%	52.0%	39.4%	34.6%

Operating Costs:

Basic housing and visitation	\$ 17.55	\$ 16.12	\$ 26.25	\$ 9.27	\$ 19.21	\$ 18.10
Food service	\$ 3.53	\$ 4.55	\$ 8.33	\$ 2.70	\$ 4.42	\$ 6.30
Medical	\$ 0.08	\$ 5.39	\$ 3.85	\$ 0.77	\$ 1.33	\$ 0.14
Administrative costs	\$ 5.68	\$ 7.66	\$ 6.39	\$ 3.50	\$ 9.04	\$ 4.16
Total Operating Cost per Inmate Days	\$ 26.84	\$ 33.72	\$ 44.82	\$ 16.24	\$ 34.01	\$ 28.69
DEBT SERVICE COSTS	\$ -	\$ 7.99	\$ -	\$ 5.62	\$ -	\$ 17.04
Total Costs	\$ 26.84	\$ 41.70	\$ 44.82	\$ 21.86	\$ 34.01	\$ 45.73

	Quitman	Rankin	Scott	Simpson	Sunflower	Talahatchie*
<u>Inmate Information</u>						
Average Daily State Inmate Count	10	42	29	9	18	
State Inmates as a Percentage of Total Inmates	45.5%	14.0%	37.7%	19.1%	26.5%	

Operating Costs:

Basic housing and visitation	\$ 16.28	\$ 11.27	\$ 30.05	\$ 23.53	\$ 19.99	
Food service	\$ 3.43	\$ 5.62	\$ 9.15	\$ 5.27	\$ 3.55	
Medical	\$ 0.31	\$ 1.22	\$ 2.33	\$ 7.39	\$ 1.19	
Administrative costs	\$ 15.32	\$ 1.57	\$ 5.52	\$ 12.03	\$ 8.00	
Total Operating Cost per Inmate Days	\$ 35.35	\$ 19.67	\$ 47.05	\$ 48.21	\$ 32.73	\$ -
DEBT SERVICE COSTS	\$ -	\$ -	\$ -	\$ -	\$ 7.42	
Total Costs	\$ 35.35	\$ 19.67	\$ 47.05	\$ 48.21	\$ 40.15	\$ -

	Tate	Tippah	Tishomingo	Tunica	Union	Warren
<u>Inmate Information</u>						
Average Daily State Inmate Count	12	12	4	19	21	27
State Inmates as a Percentage of Total Inmates	24.5%	29.3%	16.0%	20.9%	53.8%	22.3%

Operating Costs:

Basic housing and visitation	\$ 33.69	\$ 19.30	\$ 15.03	\$ 39.45	\$ 32.13	\$ 16.90
Food service	\$ 7.19	\$ 5.33	\$ 2.66	\$ 6.90	\$ 2.54	\$ 4.93
Medical	\$ 1.03	\$ 0.39	\$ 1.81	\$ 3.83	\$ 0.40	\$ 2.37
Administrative costs	\$ 6.58	\$ 6.94	\$ 12.23	\$ 23.77	\$ 7.67	\$ 2.91
Total Operating Cost per Inmate Days	\$ 48.49	\$ 31.96	\$ 31.74	\$ 73.95	\$ 42.75	\$ 27.11
DEBT SERVICE COSTS	\$ 8.50	\$ 13.01	\$ -	\$ -	\$ 10.58	\$ -
Total Costs	\$ 57.00	\$ 44.97	\$ 31.74	\$ 73.95	\$ 53.32	\$ 27.11

	Washington	Wayne**	Webster	Yalobusha
<u>Inmate Information</u>				
Average Daily State Inmate Count	18	22	14	4
State Inmates as a Percentage of Total Inmates	28.1%	40.0%	46.7%	21.1%

Operating Costs:

Basic housing and visitation	\$ 14.97	\$ 19.83	\$ 9.19	\$ 24.55
Food service	\$ 8.09	\$ 5.65	\$ 1.67	\$ 7.45
Medical	\$ 0.45	\$ 0.15	\$ 2.38	\$ 0.06
Administrative costs	\$ 3.28	\$ 3.76	\$ 5.17	\$ 11.67
Total Operating Cost per Inmate Days	\$ 26.80	\$ 29.38	\$ 18.41	\$ 43.73
DEBT SERVICE COSTS	\$ -	\$ 21.22	\$ 0.06	\$ -
Total Costs	\$ 26.80	\$ 50.60	\$ 18.48	\$ 43.73

* Tallahatchie County contracts the management of its jail to Corrections Corporation of America. The jail pays \$21.00 per day per inmate for the first 20 inmates, \$15.00 per day per inmate for the next 21 through 60 inmates, and \$28.50 per day per inmate for any inmates above 61 per day.

** Number of inmate days is based on meals served rather than actual inmate days.

Appendix B: County Jails' Costs for Non-State Inmates

	Adams	Alcorn	Attala	Calhoun	Chickasaw	Clarke
<u>Inmate Information</u>						
Average Daily Non-State Count	43	38	29	12	28	26
Non-State Inmates as a Percentage of Total Inmates	72.9%	84.4%	69.0%	38.7%	41.8%	59.1%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 26.78	\$ 16.73	\$ 12.48	\$ 19.23	\$ 17.05	\$ 16.07
Food service	\$ 4.05	\$ 4.66	\$ 4.09	\$ 6.38	\$ 7.28	\$ 4.94
Medical	\$ 1.34	\$ 1.03	\$ 2.55	\$ 0.52	\$ 0.25	\$ 0.76
Administrative costs	\$ 6.58	\$ 5.97	\$ 4.12	\$ 7.61	\$ 4.04	\$ 5.54
Total Operating Cost per Inmate Days	\$ 38.76	\$ 28.40	\$ 23.24	\$ 33.73	\$ 28.61	\$ 27.31
DEBT SERVICE COSTS	\$ -	\$ -	\$ -	\$ 10.07	\$ -	\$ 12.43
Total Costs	\$ 38.76	\$ 28.40	\$ 23.24	\$ 43.81	\$ 28.61	\$ 39.74

	Clay	Coahoma	Copiah	DeSoto	Forrest	Grenada*
<u>Inmate Information</u>						
Average Daily Non-State Count	46	60	38	309	93	
Non-State Inmates as a Percentage of Total Inmates	41.8%	45.8%	74.5%	86.6%	66.4%	
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 9.23	\$ 22.82	\$ 20.89	\$ 16.70	\$ 17.98	
Food service	\$ 1.81	\$ 5.48	\$ 4.49	\$ 3.51	\$ 8.66	
Medical	\$ 0.04	\$ 2.26	\$ 1.50	\$ 7.82	\$ 3.93	
Administrative costs	\$ 2.62	\$ 4.37	\$ 7.31	\$ 2.55	\$ 4.52	
Total Operating Cost per Inmate Days	\$ 13.70	\$ 34.94	\$ 34.19	\$ 30.58	\$ 35.09	\$ -
DEBT SERVICE COSTS	\$ -	\$ -	\$ -	\$ 2.99	\$ -	
Total Costs	\$ 13.70	\$ 34.94	\$ 34.19	\$ 33.57	\$ 35.09	\$ -

	Hancock	Harrison**	Hinds	Jackson	Jasper	Lafayette
<u>Inmate Information</u>						
Average Daily Non-State Count	130		743	138	17	112
Non-State Inmates as a Percentage of Total Inmates	87.8%		85.1%	64.5%	60.7%	91.1%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 22.70		\$ 27.72	\$ 13.39	\$ 27.46	\$ 22.35
Food service	\$ 3.40		\$ 2.27	\$ 4.57	\$ 7.97	\$ 4.47
Medical	\$ 11.85		\$ 7.18	\$ 6.07	\$ 6.70	\$ 4.13
Administrative costs	\$ 6.12		\$ 2.34	\$ 4.69	\$ 7.65	\$ 4.48
Total Operating Cost per Inmate Days	\$ 44.07	\$ -	\$ 39.51	\$ 28.72	\$ 49.78	\$ 35.44
DEBT SERVICE COSTS	\$ -		\$ 6.27	\$ -	\$ 13.35	\$ 8.37
Total Costs	\$ 44.07	\$ -	\$ 45.78	\$ 28.72	\$ 63.13	\$ 43.81

* Grenada County contracts the management of its jail to Correctional Services Corporation of Sarasota, Florida.

** Harrison County was not able to provide information for the cost per day.

SOURCE: PEER analysis of information provided by individual county jails

	Lamar	Lauderdale	Lawrence	Lee	Leflore	Lincoln
<u>Inmate Information</u>						
Average Daily Non-State Count	124	117	37	202	74	60
Non-State Inmates as a Percentage of Total Inmates	88.6%	60.0%	75.5%	74.0%	81.3%	87.0%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 16.39	\$ 35.39	\$ 11.54	\$ 15.69	\$ 10.90	\$ 19.69
Food service	\$ 2.95	\$ 4.12	\$ 6.73	\$ 1.73	\$ 7.22	\$ 5.87
Medical	\$ 1.87	\$ 11.57	\$ 2.15	\$ 1.38	\$ 2.15	\$ 1.85
Administrative costs	\$ 3.86	\$ 3.42	\$ 3.89	\$ 2.15	\$ 4.20	\$ 2.49
Total Operating Cost per Inmate Days	\$ 25.07	\$ 54.50	\$ 24.30	\$ 20.94	\$ 24.48	\$ 29.90
DEBT SERVICE COSTS	\$ 8.06	\$ 10.63	\$ 12.47	\$ 5.13	\$ -	\$ 8.77
Total Costs	\$ 33.14	\$ 65.12	\$ 36.77	\$ 26.07	\$ 24.48	\$ 38.67

	Lowndes	Madison	Marshall	Monroe	Neshoba	Newton
<u>Inmate Information</u>						
Average Daily Non-State Count	190	113	33	48	25	18
Non-State Inmates as a Percentage of Total Inmates	80.2%	77.9%	67.3%	57.1%	61.0%	43.9%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 21.89	\$ 34.83	\$ 44.05	\$ 28.64	\$ 31.15	\$ 18.40
Food service	\$ 3.37	\$ 4.73	\$ 5.80	\$ 5.57	\$ 8.02	\$ 8.40
Medical	\$ 2.53	\$ 9.05	\$ 3.08	\$ 1.04	\$ 3.04	\$ 3.56
Administrative costs	\$ 4.81	\$ 4.21	\$ 6.06	\$ 4.21	\$ 10.78	\$ 6.45
Total Operating Cost per Inmate Days	\$ 32.60	\$ 52.81	\$ 58.99	\$ 39.46	\$ 52.99	\$ 36.81
DEBT SERVICE COSTS	\$ 8.03	\$ -	\$ -	\$ 14.04	\$ -	\$ 21.89
Total Costs	\$ 40.63	\$ 52.81	\$ 58.99	\$ 53.49	\$ 52.99	\$ 58.70

	Oktoberbeha	Panola	Perry	Pike	Pontotoc	Prentiss
<u>Inmate Information</u>						
Average Daily Non-State Count	73	60	21	71	20	34
Non-State Inmates as a Percentage of Total Inmates	73.7%	66.7%	77.8%	48.0%	60.6%	65.4%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 17.83	\$ 14.85	\$ 26.25	\$ 9.27	\$ 19.77	\$ 16.62
Food service	\$ 3.53	\$ 4.55	\$ 8.33	\$ 2.70	\$ 4.42	\$ 6.30
Medical	\$ 2.31	\$ 5.75	\$ 11.77	\$ 4.77	\$ 7.31	\$ 3.59
Administrative costs	\$ 5.68	\$ 7.66	\$ 6.39	\$ 3.50	\$ 9.04	\$ 4.16
Total Operating Cost per Inmate Days	\$ 29.35	\$ 32.81	\$ 52.74	\$ 20.24	\$ 40.55	\$ 30.67
DEBT SERVICE COSTS	\$ -	\$ 4.60	\$ -	\$ 5.62	\$ -	\$ 8.64
Total Costs	\$ 29.35	\$ 37.41	\$ 52.74	\$ 25.86	\$ 40.55	\$ 39.31

	Quitman	Rankin	Scott	Simpson	Sunflower	Talahatchie*
<u>Inmate Information</u>						
Average Daily Non-State Count	12	258	48	38	50	
Non-State Inmates as a Percentage of Total Inmates	54.5%	86.0%	62.3%	80.9%	73.5%	
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 16.28	\$ 11.27	\$ 31.09	\$ 23.53	\$ 19.84	
Food service	\$ 3.43	\$ 5.62	\$ 9.15	\$ 5.27	\$ 3.55	
Medical	\$ 3.03	\$ 5.51	\$ 2.74	\$ 8.75	\$ 0.00	
Administrative costs	\$ 15.32	\$ 1.57	\$ 5.52	\$ 12.03	\$ 8.00	
Total Operating Cost per Inmate Days	\$ 38.07	\$ 23.96	\$ 48.50	\$ 49.58	\$ 31.40	\$ -
DEBT SERVICE COSTS	\$ -	\$ -	\$ -	\$ -	\$ 7.08	
Total Costs	\$ 38.07	\$ 23.96	\$ 48.50	\$ 49.58	\$ 38.47	\$ -

	Tate	Tippah	Tishomingo	Tunica	Union	Warren
<u>Inmate Information</u>						
Average Daily Non-State Count	37	29	21	72	18	94
Non-State Inmates as a Percentage of Total Inmates	75.5%	70.7%	84.0%	79.1%	46.2%	77.7%
<u>Operating Costs:</u>						
Basic housing and visitation	\$ 33.64	\$ 19.07	\$ 15.03	\$ 39.41	\$ 36.20	\$ 16.90
Food service	\$ 7.19	\$ 5.33	\$ 2.66	\$ 6.90	\$ 2.54	\$ 4.93
Medical	\$ 11.61	\$ 0.31	\$ 1.81	\$ 6.49	\$ 0.46	\$ 4.09
Administrative costs	\$ 6.58	\$ 6.94	\$ 12.23	\$ 23.77	\$ 7.67	\$ 2.91
Total Operating Cost per Inmate Days	\$ 59.03	\$ 31.65	\$ 31.74	\$ 76.57	\$ 46.87	\$ 28.83
DEBT SERVICE COSTS	\$ 8.41	\$ 11.50	\$ -	\$ -	\$ 18.23	\$ -
Total Costs	\$ 67.43	\$ 43.16	\$ 31.74	\$ 76.57	\$ 65.10	\$ 28.83

	Washington	Wayne**	Webster	Yalobusha
<u>Inmate Information</u>				
Average Daily Non-State Count	46	33	16	15
Non-State Inmates as a Percentage of Total Inmates	71.9%	60.0%	53.3%	78.9%
<u>Operating Costs:</u>				
Basic housing and visitation	\$ 15.72	\$ 19.83	\$ 11.50	\$ 22.85
Food service	\$ 8.09	\$ 5.65	\$ 1.67	\$ 7.45
Medical	\$ 3.49	\$ 1.88	\$ 2.55	\$ 0.79
Administrative costs	\$ 3.28	\$ 3.76	\$ 5.17	\$ 11.67
Total Operating Cost per Inmate Days	\$ 30.59	\$ 31.12	\$ 20.89	\$ 42.76
DEBT SERVICE COSTS	\$ -	\$ 21.32	\$ 0.10	\$ -
Total Costs	\$ 30.59	\$ 52.44	\$ 20.99	\$ 42.76

* Tallahatchie County contracts with Corrections Corporation of America for its jail operations.

** Number of inmate days is based on meals served rather than actual inmate days.

Appendix C: Regional Facility Comparison, General Information by Facility, October 1, 2003, through April 30, 2004

(Appendix begins on following page.)

SOURCE: PEER analysis of information provided by individual regional facilities.

Category	Bolivar	Carroll-Montgomery	George	Holmes-Humphreys	Issaquena	Jefferson-Franklin
Date Facility Opened	December 15, 1999	May 11, 1999	May 10, 2002	November 10, 2000	March 1, 1997	May 16, 1997
State Per diem April 30, 2004 √	\$28.03	\$28.87	\$25.65	\$27.21	\$30.63	\$29.74
Date Per diem Increases	December 2004	May 2004	May 2004	November 2004	March 2004	April 2004
Total Prisoner Capacity	397	380	319	352	328	310
Total Facility Square Footage	48,072	42,871	43,490	41,691	42,364	42,364
Total Amount of Bond Issue	\$8,615,000	\$5,800,000	\$5,800,000	\$5,800,000	\$5,100,000	\$5,100,000
Total Interest	\$6,062,243	\$4,061,182	\$4,311,051	\$4,328,367	\$3,716,080	\$3,810,160
Total Debt Service*	\$14,677,243	\$9,861,182	\$10,111,051	\$10,128,367	\$8,816,080	\$8,910,160
Prison Attorney	Charles Weissinger	Alan D. Lancaster	Mark Maples	Charles Weissinger	Charles Weissinger	Charles Weissinger
Prison Attorney Salary	\$ 54,000	\$ 32,500	\$ 24,000	\$36,000	\$67,500	\$49,690
Contract Expiration Date	July 1, 2019	January 4, 2004	January 4, 2005	September 7, 2004	October 9, 2015	August 2, 2015
ACA and Programs Consultant	CMS#, Edward Hargett, President	MCM### Irb Benjamin, President	CMS#, Edward Hargett, President	CCI##, Lake Lindsey, President	CMS#, Edward Hargett, President	CMS#, Edward Hargett, President
ACA and Programs Consultant Fees	\$96,000*	\$48,000**	\$72,000*	\$48,000**	\$84,000*	\$67,200*
Contract Expiration Date	December 15, 2003	No Contract	May 10, 2009	July 17, 2006	March 1, 2008	Under negotiation
Sheriff's Salary	\$15,600	\$15,000	\$15,600	\$15,600	\$15,500	\$15,600
Total Corrections Officers Approved Positions	35	21	20	22	32	28
Total Corrections Officer Supervisors and Administrative Approved Positions √/	6	7	8	4	4	7
Total Part-time Corrections Officers Approved Positions	7	5	4	13	3	0
Total Facility Corrections Officers Approved Positions	48	33	32	39	39	35
Total Facility Corrections Officers Vacant Positions	4		3	2	2	
Average Corrections Officer Salary	\$18,700	\$20,566	\$17,000	\$18,302	\$19,521	\$17,619
Average Corr. Officer Sergeant Salary	\$22,690	\$23,871	\$18,500	\$21,715	\$22,446	\$28,256
State Per-diem Prisoner Days	52,644	53,304	52,604	52,783	52,808	52,450
Other Prisoner Days	19,579	12,297	10,834	10,704	10,144	8,094
Total Prisoner Days	72,223	65,601	63,438	63,487	62,952	60,544
Average Number of State Inmates	248	251	247	248	248	247
Average Number of Other Inmates	92	58	51	51	48	38
Total Average Number of Inmates	340	309	298	299	296	261
Per-diem for Owner County Prisoners	Bolivar - \$720,000 for 2004	Montgomery & Carroll - \$20.00 for 1st 10 prisoners \$0 for 2nd 10 prisoners \$15.00 for remaining prisoners	George - \$12.50	Holmes - \$24.90 Humphreys - \$20.00	Issaquena - \$0	Jefferson - \$12.00 Franklin - \$15.00
Per-diem for City Prisoners	Alligator, Drew, Mound Bayou, Shelby, - \$24.90 Beulah, Gunnison, Merigold, Rosedale, Shaw, Indianola - \$26.42 Benoit, Boyle, Cleveland, Pace, Renova, Winstonville - \$27.21	North Carrollton, Winona, Vaiden, Kilmichael - \$25	Lucedale - \$12.50	Durant, Lexington, Pickens, West, Tchula, Goodman - \$24.90	Vicksburg, Rolling Fork, & Anguilla - \$30.00	Fayette - \$15.00
Per-diem for Non-owner County prisoners	Washington - \$16.00 Coahoma & Sunflower: \$25.65	N/A	Greene - \$12.50	N/A	Sharkey - \$15.00 for first 15 inmates; \$30.00 for over 15. Warren - \$30.00	N/A
Other Prisoners	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20

√ Listed per diem rate is for the first 200 inmates. Facilities receive \$20 per diem for each inmate over 200.
 • The Bolivar County bond issue includes bond principal and interest for the Bolivar County Sheriff department which is paid by the Bolivar County Correctional Facility.
 √/ Includes warden, assistant warden, chief of security, officer supervisors, and training officers.
 † As County Board Attorney, Mr. Palmer does not bill the Kemper-Neshoba facility for legal work.
 ^ The attorney's agreement with the facility specifies that he may bill at \$125 per hour above the monthly retainer.
 ^^ The attorney's agreement with the facility specifies a \$4,800 annual retainer with any legal work billed at \$125.00 per hour.
 †† Agreement letter which may be terminated by either party at any time.
 # Corrections Management Services, Inc.
 ## Contemporary Corrections, Inc.
 ### Mississippi Correctional Management, Inc.
 * Includes maintaining accreditation with the American Correctional Association and providing educational programs.
 ** Only includes maintaining accreditation with the American Correctional Association. Educational programs are coordinated by facility staff.

Category	Kemper-Neshoba	Leake	Marion-Walthall	Stone	Winston-Choctaw
Date Facility Opened	October 27, 2000	October 15, 1998	March 2, 1999	December 6, 2000	March 18, 1999
State Per diem April 30, 2004 ✓	\$27.21	\$28.87	\$28.03	\$27.21	\$28.87
Date Per-diem Increases	November 2004	October 2004	March 2004	December 2004	March 2004
Total Prisoner Capacity	316	364	373	364	304
Total Facility Square Footage	41,611	42,692	43,461	40,711	42,612
Total Amount of Bond Issue	\$5,800,000	\$5,800,000	\$5,800,000	\$5,800,000	\$6,000,000
Total Interest	\$4,216,650	\$4,313,816	\$4,310,200	\$4,368,185	\$3,673,068
Total Debt Service	\$10,016,650	\$10,113,816	\$10,110,200	\$10,168,185	\$9,673,068
Prison Attorney	Henry Palmer	Charles Weissinger	McNeese & Huhn	Albert Necaize	Ken Bridges
Prison Attorney Salary	County Board Attorney ↑	\$30,000	\$12,000^	\$47,000	\$4,800^^
Contract Expiration Date	N/A	April 15, 2015	Agreement Letter††	November 1, 2019	Agreement Letter††
ACA and Programs Consultant	CMS#, Edward Hargett, President	CMS#, Edward Hargett, President	MCM### Irb Benjamin, President	CMS#, Edward Hargett, President	In house personnel
ACA and Programs Consultant Fees	\$96,000*	\$96,000*	\$48,000**	\$60,000*	\$62,280
Contract Expiration Date	January 1, 2008	October 15, 2005	January 1, 2007	September 29, 2007	N/A
Sheriff's Salary	\$15,000	\$15,600	\$0.00	\$15,600	\$15,000
Total Corrections Officers Approved Positions	21	30	27	22	20
Total Corrections Officer Supervisors and Administrative Approved Positions ✓✓	14	9	18	10	14
Total Part-time Corrections Officers Approved Positions	2	3	0	1	0
Total Facility Corrections Officers Approved Positions	37	42	45	33	34
Total Facility Corrections Officers Vacant Positions					
Average Corrections Officer Salary	\$19,324	\$17,784	\$16,723	\$18,500	\$17,843
Average Corr. Officer Sergeant Salary	\$19,386	\$21,507	\$18,358	\$21,000	\$19,393
State Per-diem Prisoner Days	52,707	52,766	52,358	52,772	53,268
Other Prisoner Days	8,611	18,973	17,279	14,302	9,842
Total Prisoner Days	61,318	71,739	69,637	67,074	63,110
Average Number of State Inmates	248	248	246	248	251
Average Number of Other Inmates	41	90	82	68	47
Total Average Number of Inmates	289	338	328	316	298
Per-diem for Owner County Prisoners	Kemper - \$24.90	Leake - \$12.00	Marion - \$12.00	Stone - \$12.00	Winston and Choctaw - \$15.00
Per-diem for City Prisoners	DeKalb - \$15.00 Scooba - \$18.00	Walnut Grove and Carthage - \$15.00	Columbia - \$15.00	Wiggins - \$20.00	Louisville - \$15.00 Noxapater & Ackerman \$15.00 Starkville & Weir - \$35.00
Per-diem for Non-owner County prisoners	N/A	Scott -\$15 for first 10 inmates and \$22.00 for inmates above 10.	N/A	Lamar - \$20.00 Pearl River - \$15.00	Oktibbeha - \$35.00
Other Prisoners	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20	State inmates housed in county jail - \$20 and Federal inmates - \$24.90	State inmates housed in county jail - \$20

Appendix D: State Inmates Housed in Regional Correctional Facilities

This appendix presents information concerning state inmates for all regional facilities. The regional correctional facilities house state inmates in two categories: state inmates housed separately and state inmates housed with local inmates. State inmates housed separately are those inmates that the regional correctional facilities receive directly from the Mississippi Department of Corrections. State inmates housed with local inmates are those state inmates that the regional correctional facility receives from the counties, which are received from the Mississippi Department of Corrections.

State Inmates Housed Separately

	Bolivar County	Carroll- Montgomery County	George County	Holmes- Humphreys County	Issaquena County	Jefferson- Franklin County	Kemper- Neshoba County	Leake County	Marion- Walthall County	Stone County	Winston- Choctaw County
Average Daily State Inmates	247	250	247	248	248	246	247	248	246	248	250
OPERATING COSTS:											
Basic housing and visitation Programs	\$ 12.12	\$ 11.51	\$ 8.02	\$ 10.68	\$ 15.16	\$ 13.91	\$ 10.16	\$ 11.09	\$ 13.77	\$ 10.44	\$ 11.78
Food service	0.77	0.65	1.12	0.60	0.93	0.75	1.01	1.06	0.65	0.57	0.29
Medical	3.37	2.07	2.45	1.72	3.73	2.38	2.53	2.11	3.65	2.04	2.91
Administrative costs	0.57	0.20	0.30	0.22	0.18	0.22	0.04	0.50	0.11	0.56	0.42
Total Operating Cost per Inmate Day	5.93	3.46	2.72	2.44	2.82	4.00	1.95	2.60	2.86	3.94	2.25
Total Operating Cost per Inmate Day	\$ 22.77	\$ 17.88	\$ 14.61	\$ 15.65	\$ 22.81	\$ 21.25	\$ 15.69	\$ 17.36	\$ 21.03	\$ 17.54	\$ 17.65
DEBT SERVICE COSTS*	2.14	4.35	4.25	5.78	4.06	4.13	4.65	4.26	4.29	4.40	4.09
Total Costs	\$ 24.90	\$ 22.23	\$ 18.87	\$ 21.44	\$ 26.87	\$ 25.38	\$ 20.33	\$ 21.62	\$ 25.32	\$ 21.94	\$ 21.74

State Inmates Housed with Local Inmates

	Bolivar County	Carroll- Montgomery County	George County	Holmes- Humphreys County	Issaquena County	Jefferson- Franklin County	Kemper- Neshoba County	Leake County	Marion- Walthall County	Stone County	Winston- Choctaw County
Average Daily State Inmates	25	28	5	18	6	9	16	37	8	13	15
State Inmates as a Percentage of Total State and Local Inmates Housed Together	27%	48%	11%	35%	14%	24%	39%	41%	11%	19%	32%
OPERATING COSTS:											
Basic housing and visitation	\$ 13.54	\$ 12.08	\$ 9.52	\$ 11.42	\$ 16.75	\$ 16.40	\$ 11.30	\$ 11.11	\$ 14.19	\$ 11.23	\$ 13.57
Food service	3.69	2.11	1.94	1.77	3.73	2.38	1.60	1.82	3.65	2.02	2.84
Medical	1.04	0.72	0.82	0.71	0.67	0.61	1.33	0.95	0.58	1.00	0.87
Administrative costs	5.93	3.46	2.72	2.44	2.82	4.00	1.95	2.60	2.86	3.94	2.25
Total Operating Costs	\$ 24.20	\$ 18.36	\$ 15.00	\$ 16.33	\$ 23.96	\$ 23.39	\$ 16.18	\$ 16.48	\$ 21.28	\$ 18.19	\$ 19.53
DEBT SERVICE COSTS*	5.96	5.48	7.69	8.52	5.89	7.13	7.19	4.50	4.84	6.45	7.26
Total Costs	\$ 30.16	\$ 23.84	\$ 22.69	\$ 24.85	\$ 29.86	\$ 30.52	\$ 23.37	\$ 20.98	\$ 26.11	\$ 24.64	\$ 26.79

SOURCE: PEER analysis of information provided by individual regional facilities.

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