

JOINT SELECT COMMITTEE ON CORRECTIONS

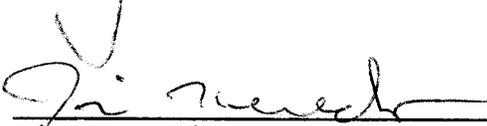
FINAL REPORT FROM THE
SUBCOMMITTEE ON LONG-TERM PRISON CONSTRUCTION NEEDS

May 31, 1989

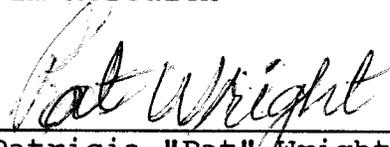
Please find attached the recommendations of the Joint Select Committee on Corrections Subcommittee on Long-Term Prison Construction Needs.



Jim Skelly, Chairman



Jim Meredith

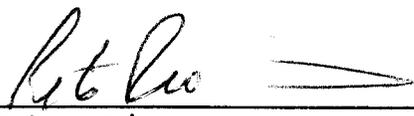


Patricia "Pat" Wright

We agree with the subcommittee recommendations with the exception of the recommendation that lease purchase be considered as a funding option for future prison construction projects.



Bobby Raymond



Peter Rios

ARIZONA HOUSE OF REPRESENTATIVES

MEMO

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Joint Select Committee on Corrections
Subcommittee on Long-Term Prison Construction Needs Report

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NOTE: The numbers used in RECOMMENDATION #1 (pages 2-4) were updated for the final report. They now reflect prison population and projections as of May 31, 1989.

Figure 1 from the draft report was omitted because it was designed to demonstrate that the prison system would reach its capacity in April 1989. It did, thus the figure is no longer relevant.

Finally, a sentence stating that the county jail district legislation would permit the state to contract with a county jail district for temporary services was added to the explanation for RECOMMENDATION #4.

JOINT SELECT COMMITTEE ON CORRECTIONS

SUBCOMMITTEE ON LONG-TERM PRISON CONSTRUCTION NEEDS

Objectives

The Subcommittee on Long-Term Prison Construction Needs has been given three specific tasks:

1. To evaluate prison construction needs over the next ten years.
2. To determine whether the present construction plan presented by the Department Of Corrections (DOC) is valid.
3. To assess appropriate funding mechanisms for implementation of the plan.

Subcommittee Recommendations

The subcommittee makes the following recommendations regarding prison facility construction:

1. The DOC inmate population projections and prison construction plan appear to be valid and therefore should be used in the assessment of future construction projects.
2. Lease-purchase should be considered as an option for funding the construction of additional prison facilities.
3. New prisons should be constructed near or adjacent to existing prisons and on land currently owned by the State.
4. The establishment of county jail districts should be supported.

RECOMMENDATION #1

The DOC inmate population projections and prison construction plan appear to be valid and therefore should be used in the assessment of future construction projects.

Current Inmate/Prison Bed Status

DOC supplied the Subcommittee on Long-Term Prison Construction Needs with a variety of data relating to present and projected prison inmate populations and capacities. (See Attachment I.) According to the data, the total adult committed population as of May 31, 1989, was 12,732 inmates including a county jail backlog of 237 prisoners.

Prison inmates are currently being housed in 12,280 permanent beds and 306 temporary "overcrowding" beds.¹ As of May 31, 1989, the number of adult committed prisoners exceeded the number of prison beds by 146.²

Projections for Future Needs

Based on its evaluation of prison population data, DOC projects that the prison population will have a net increase of 77 inmates per month through December 1990. After this date, DOC projects the net increase will be 94 inmates per month. This increase is due to the expected effects of newly implemented alternative programs. Presently, DOC is able to draw program participants from both the current prison population and from those entering the system. DOC estimates that by December 1990, all eligible prisoners will be enrolled in the programs. Therefore, participants could only be drawn from the pool of new incarcerates. DOC predicts that this will increase the total number of new

¹ Overcrowding beds are cots that have been placed in available spaces in recreation and living room areas of some facilities.

² Due to the county jail backlog, there are 146 vacant prison beds. However, 110 of the beds are specifically for the shock incarceration program, 6 are specifically for death row inmates, etc. Such beds can only be used for inmates sentenced to such programs.

inmates incarcerated each month from 77 to 94. This figure is used by DOC in calculating projections through 2008.¹

Assuming that DOC's population projections are accurate, the total inmate population at the end of 1998 will be 23,273. This amounts to an increase of 10,541 prisoners between June 1989 and December 1998. DOC has received funding for an additional 1,488 prison beds. 288 of the beds are scheduled to be completed in December 1989. The Department projects the next 400 will be completed in September 1990, and the remaining 800 will be completed in March 1991.²³

To keep up with the projected population increase, an additional 9,199 beds will be needed by January 1999. DOC has requested funding for an additional 800 beds to be completed in December 1991, and another 1,600 beds to be completed by June 1993. Between December 1993 and June 1996, DOC has requested funding for 3,168 more beds. If all requested funding is approved, the total prison capacity in July 1996 will be 20,836 beds.⁴ The projected population for that date is 20,443. After July 1996, DOC projects that approximately 800 new beds will be needed each year. (See Figure I.)

¹ All projections are based on the assumption that there will be no changes to the criminal code that have a significant effect on the number and length of sentences.

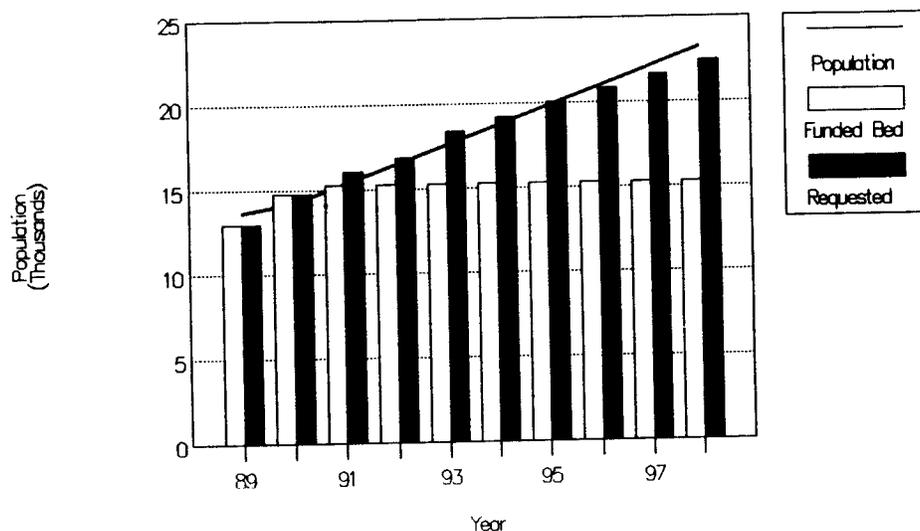
² DOC plans to dismantle the 306 temporary beds in March 1991.

³ DOC projects a shortage of beds during the interim and has recommended that an additional 1,500 emergency beds be constructed. The subcommittee on Short-Term Prison Construction Needs is currently addressing this problem.

⁴ Assuming that the 1,450 emergency beds are funded.

Figure I

10-Year Projected Population vs. Capacity¹
(Including Funded and Requested Beds)
1989 - 1998



To keep up with the projected population increase, DOC has recommended that the current prison capacity of 12,586 be increased to approximately 22,436 by 1998. This represents a ten-year increase of 9,850 beds; 8,362 of the beds have not been funded.

DOC Projection/Plan Analysis

DOC Projections - The subcommittee recognizes that the number of variables involved in predicting future prison populations are such that an exact determination of future populations is not possible. Based on the fact that DOC has provided acceptable prison population projections in the past, and that they are the entity best suited to generate such projections, the subcommittee accepts DOC's recommendations with the following reservations:

The subcommittee notes a lack of consistency in population data submitted by DOC. For example, data released in March used population projections for

¹ Department of Corrections memo, April 20, 1989.

February that projected February's population at 176 inmates more than it actually was. The projections had not been recalculated to reflect actual prison population. This indicates DOC's projections may be high. (See Attachment II.)

In addition, DOC's projections for the net monthly population increase tend to vary significantly over time. In August 1988, the Department projected a net increase of 108 prisoners per month.¹ In November 1988, the Department projected a net increase between 71 (if early release programs were functioning at 100%) and 124 (assuming no early release programs).² As of January 1989, DOC projects a net increase of 77 inmates per month.³

DOC's Construction Plan - The subcommittee has reviewed and accepts DOC's planned prison construction and expansion through 1998. The plan submitted by DOC encompasses a 20-year period. The subcommittee, however, is hesitant to support the plan beyond a ten-year period, subject to further review at a later date. The first ten years of the plan⁴ call for construction of an additional 9,850 beds between 1989 and 1998. Although approximately 3,822 beds can be built by expanding existing facilities, new sites must be identified to accommodate the remaining beds. DOC is currently considering building 10,000 new adult beds in the Florence area and 840 juvenile beds at various Pinal County sites. In addition, DOC plans to construct 1,800 DWI adult beds throughout the state and 450 community release beds in Pima and Maricopa counties. The plan recommends, and the subcommittee endorses, that designs previously used for prison and juvenile institution construction projects be re-used as prototypical designs for future facilities.

Further, in light of the State's current and projected fiscal situation, the subcommittee recommends that DOC use the most cost-efficient architectural designs available while still

¹ Arizona Department of Corrections Twenty Year Plan: 1987-2006, Updated August 1988: 1988-2006.

² Minutes of Joint Select Committee on Corrections, November 21, 1988.

³ Arizona Department of Corrections Alternative Prison Site Analysis, Book 1, January 31, 1989.

⁴ Arizona Department of Corrections Twenty Year Plan, 1987-2006, Updated August 1988, 1988-2008.

providing for maximum security and safety.

RECOMMENDATION #2

Lease-purchase should be considered as an option for funding the construction of additional prison facilities.

Based on the current status of the general fund and the projected revenues to the Corrections Fund, the subcommittee recommends that lease-purchase be considered for funding of future prison construction projects.

General Fund - The subcommittee does not feel that an appropriation from the general fund for prison construction is feasible at this time. Current statewide expenses already exceed the amount of revenues that are collected for deposit into the fund.

The Corrections Fund - The subcommittee expresses its concern regarding the ability of the Corrections Fund to adequately cover the construction costs of additional corrections facilities.

The Corrections Fund, established in 1984, is used to construct, purchase, renovate, and convert correctional facilities, and to maintain and operate corrections facilities with legislative approval. The Fund consists of monies collected from the luxury taxes specified in A.R.S. 42-1204. Under current statute, the fund has an expiration date of June 30, 1994.

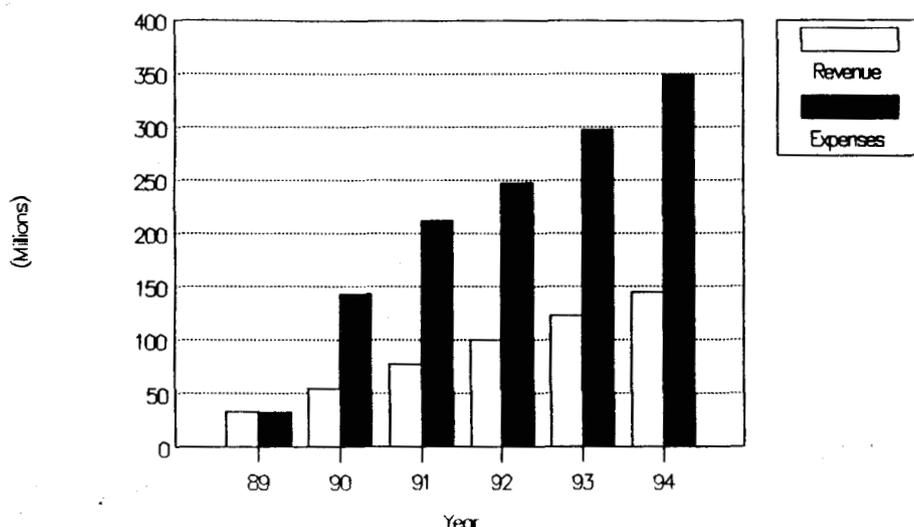
The ending balance in the Correction Fund for FY 1988 was \$9,754,000. Adding an estimated revenue of \$22,493,900 for FY 1989, the total amount available for FY 1989 is \$32,247,900. DOC has received approval to spend \$31,922,200 for the construction of 1,200 prison beds and for drug enforcement activities. This will leave a balance of \$325,000 in the Fund.

JLBC estimates that the Fund will receive \$22,500,000 annually over the next five years. If this estimate is correct, the Fund will have a balance of \$22,825,700 at the end of FY 1990. Expenditures from the Fund totaling \$18,513,000 have already been approved for FY 1990, leaving a balance of \$4,312,700.

If DOC funding requests as of March 1989 are approved, the Fund will be approximately \$88 million dollars in debt by the end of FY 1990, and approximately \$204 million dollars in debt by the end of FY 1994.¹ Current Correction Fund revenues will not be adequate to cover estimated prison construction costs for the next five years. (See Figure II.)

Figure II

Requested Funding vs. Construction Fund Revenues²
(Cumulative) 1989 - 1994



Benefits of Lease-Purchase - Considering the current status of traditional prison construction funding sources, one advantageous aspect of lease-purchase is that money need not be supplied up front. Rather, a project is backed by financiers who charge the State a prearranged annual fee for a set period of time. After such time, ownership of the facility and/or property is transferred to the State.

¹ Overview: Correction Fund, Joint Legislative Budget Committee staff, March 1, 1989. See Attachment III.

² Overview: Corrections Fund, Joint Legislative Budget Committee staff, March 1, 1989.

One concern regarding lease-purchase, or any type of payment over-time plan, is that the lessee ultimately pays more for the project than would have been required if it had initially been paid for in full. However, it can be argued that the value afforded by both increased and more timely usage of the project effectively counters the added costs.

The subcommittee considered two forms of lease-purchase: traditional lease-purchase and "turn-key" lease-purchase. Traditional lease-purchase involves separate bidding for each aspect of the project, such as financing, design, construction, etc. In a "turn-key" lease-purchase project, one company is selected through the bidding process, and that company is responsible for all aspects of the project. (See Attachment IV for additional information regarding lease-purchase programs.)

According to the Attorney General's Office, current Arizona statute permits the traditional form of lease-purchase. However, the statutes do not permit a turn-key lease-purchase program. In order to use a turn-key approach, the Legislature would have to amend the procurement code which requires that all phases of a project be bid separately. An amendment was attached to Senate Bill 1452 which does this. The bill passed the House and is awaiting final Senate approval. (See Attachment V for language.)

RECOMMENDATION #3

New prisons should be constructed near or adjacent to existing prisons and on land currently owned by the State.

The subcommittee feels that future prisons should be located near or adjacent to existing prisons and should be built on land that is currently owned by the State. The subcommittee supports the idea of land utilization without a rent requirement.

State Land - According to the State Land Department, "State Lands" are actually State Trust lands. State Trust lands are lands that were granted to the State by the Federal Enabling Act. The State can lease or sell the lands to raise revenue for public schools, universities, prisons, or other public institutions.

Although there is a mechanism by which a State agency can be

assured of the right to use a particular parcel of Trust land, such land cannot be given to or used free of charge by the State for the construction of prisons or other public institutions. Because monies received from the rental or sale of State Trust lands are used to fund the budgets that the Legislature authorizes for Trust beneficiaries, the agency must pay fair-market value to purchase or use the land.

The only exception to this requirement exists when the State agency is both the beneficiary and the user of a parcel of Trust land. For example, if DOC builds a prison on Penitentiary Trust land, it must obtain a lease on the land from the Land Department. An annual rental charge is assigned to the lease, but is subsequently offset by a corresponding beneficiary credit. Therefore, no rent money is actually paid to the Penitentiary Trust Fund. The Penitentiary Trust forgoes the option of generating income by having the land leased to some other party, but DOC is able to use the land rent free for a prison site. (See Attachment VI for memo from the State Land Department.)

Penitentiary Trust Land - The State has 9.6 million acres of State Trust land.¹ Each Trust land parcel is assigned to a specific Trust; 81,534 acres, or approximately 1% of State Trust Land, are assigned to the penitentiary grant. Most of the penitentiary grant lands are in remote and rural areas that lack water, utilities, and public access, and are poorly suited for prison sites.

However, the State does have the option of making "beneficiary exchanges" in which the Trust beneficiary that is assigned to a specific land parcel is switched to another Trust land parcel in a different area. All beneficiary exchanges must be approved by the State Selection Board which consists of the Governor, the Attorney General, and the State Treasurer.

Penitentiary beneficiary status can be given to Trust lands that are suitable for specific DOC purposes, thus enabling DOC to use the land rent-free. Beneficiary exchanges were used to accomplish the rent free goal for the Adobe Mountain, Perryville and Globe prison facilities.

¹ The State Land Department provided the subcommittee with county maps that outline State Trust land. Maps can be obtained from House Judiciary staff.

RECOMMENDATION #4

The establishment of county jail districts should be supported.

The subcommittee supports the establishment of county jail districts. Although the county jail district legislation is not specifically designed to alleviate overcrowding problems within the State corrections system, it does permit the state to contract with a county jail district for temporary services.

The legislation would allow county boards of supervisors to establish a county jail district. The purpose of the district would be to acquire, construct, operate, maintain and finance county jails and jail systems. Upon approval by the voters, a district could levy a transaction privilege tax or a secondary property tax.¹ Monies collected would be used to support the jail district above the maintenance-of-effort expenses.

¹The type of revenue enhancement mechanism used would be mandated by the county's population.

Attachments

Attachment	Title
I	Arizona Department of Corrections: Prison Capacity and Population Projections
II	Department of Corrections monthly memo to Governor Mofford and Department of Corrections memo to Representative Skelly
III	Joint Legislative Budget Committee Overview of Corrections Fund
IV	Lease-Purchase - Southern Correctional Service and OPUS Corporation
V	Proposed Language to Amend Procurement Code
VI	Arizona State Land Department memo: State Lands for Prison Sites

Attachment I

Arizona Department of Corrections:
Prison Capacity and Population Projections

Arizona Department of Corrections



1601 WEST JEFFERSON
PHOENIX, ARIZONA 85007
(602) 542-5536



ROSE MOFFORD
GOVERNOR

SAMUEL A. LEWIS
DIRECTOR

April 27, 1989

The Honorable Jim Skelly, Chairman
Judiciary Committee
Arizona House of Representatives
1700 West Washington - House Wing
Phoenix, Arizona 85007

Dear Representative Skelly:

The attached, updated information is being forwarded to you for the purpose of facilitating the work of the Subcommittee on long-term construction needs.

Please feel free to contact my office for any additional or clarifying information you might require.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Lewis".

Samuel A. Lewis
Director

SAL/msm

Attachment

ARIZONA DEPARTMENT OF CORRECTIONS

ADULT INSTITUTIONS POPULATION PROJECTIONS
AND CONSTRUCTION NEEDS

Population Projections: The projection base has been revised to begin with a March 31, 1989, actual population count and includes all inmates in the physical custody of the Department plus those sentenced inmates awaiting transfer from the county jails. The "outside count" (inmates temporarily out to court, in hospitals, or on furlough) has been deleted from the projections. As the daily outside count numbers remain fairly constant as a function of the Average Daily Population (.8 to 1.0%) and as these inmates are not physically occupying a bed while on outside count status, the Department has determined that they should not be included in projection figures which have the primary purpose of establishing future bed needs. Inmates on outside count status will, however, continue to be included in the Average Daily Count which is used in calculating the Department's daily operating budget.

The forecast model used by the Department shows that we can expect a monthly increase of 94.4 inmates over at least the next ten-year period. To account for impacts on the population growth rate brought about as a result of implemented diversionary programs (Home Arrest, Shock Incarceration, Work Furlough, and Early Parole) the projected monthly increase has been reduced to 77.4. This reduction (impact of diversionary programs) is predicted to continue through December, 1990, when their maximum impact will have been realized. At that time, and with all other present factors remaining equal, the net monthly increase will return to 94.4, or 1,133 per year.

Construction Needs: The enclosed Bed Addition Schedule compares the population projections to the anticipated occupancy dates for new facilities. All 1,788 interim/emergency beds requested for funding during this session are delineated in items "a-e" of the Schedule. Items "f" and "g" are the two units approved for funding on July 1, 1988. Remaining beds requested in this Schedule (items "h-n") represent the Revised Five Year Capital Request for new adult institutions. The capacities of each unit being requested accurately reflect the designated design capacity for prototypical facilities. Level 3 units are identical to the level 2 prototypical unit with the exception of having additional perimeter security.

Anticipated occupancy dates for the 1,788 interim beds and the 1,200 funded in July, 1988, have been established according to realistic construction completion dates. This "fixed" schedule allows for a 6-month delay in the previously scheduled completion date for the 800 level 4 beds at Florence--the first scheduled unit in the Revised Five Year Capital Request. This delay permits the bulk of monies required for construction to be stalled until FY 1991. However, to ensure timely completion and coordination with existing and planned units, funds for professional services, preliminary construction and a central kitchen must be appropriated in FY 1990.

Adult Institutions Populations Projections
and Construction Needs
Page Two

It should be noted that no new facilities are listed beyond July, 1996. The specific security level of facilities needed beyond 1996 will be determined annually, beginning with the FY 1991 five year request and dependent upon the projected classification mix of inmates.

Throughout the Bed Addition Schedule there has been a devoted effort to both limit the backlog of inmates in county jails and restrict the bed surplus to no more than what would naturally occur when a new unit is opened for occupancy.

ARIZONA DEPARTMENT OF CORRECTIONS

BED ADDITION SCHEDULE

by

Number, Level, Location, and Anticipated Occupancy Date

*	306	Overcrowding beds	04-01-89
a.	96	Level 2, Winslow	12-01-89
	96	Level 2, Safford	
b.	96	Level 2, Winslow	01-01-90
	50	Level 2, Winslow	
c.	250	Level 2, Yuma	04-01-90
d.	400	Level 3, Yuma	06-01-90
	400	Level 3, Safford	
e.	400	Level 3, Winslow	08-01-90
f.	400	Level 4, Winslow (Funded 7-1-88)	10-01-90
g.	800	Level 4, Florence (Funded 7-1-88)	04-01-91
	*	Deactivate 306 overcrowding beds	
h.	800	Level 4, Florence	01-01-92
i.	800	Level 3, Florence	01-01-93
j.	800	Level 3, Florence	07-01-93
k.	768	Level 5, Florence	01-01-94
l.	800	Level 4, Florence	01-01-95
m.	800	Level 4, Florence	07-01-95
n.	800	Level 3, Florence	07-01-96

ARIZONA DEPARTMENT OF CORRECTIONS
IMPACT OF CONSTRUCTION TIME ESTIMATES ON POPULATION PROJECTIONS

<u>Month</u>	<u>Population Projection</u>	<u>Operating Capacity</u>	<u>Surplus/ Deficit</u>
3/89	12588	12586 * (306)	-2
4/89	12665	12586	-79
5/89	12743	12586	-157
6/89	12820	12586	-234
7/89	12898	12586	-312
8/89	12975	12586	-389
9/89	13052	12586	-466
10/89	13130	12586	-544
11/89	13207	12778 a (192)	-429
12/89	13285	12924 b (146)	-361
1/90	13362	12924	-438
2/90	13439	12924	-515
3/90	13517	13174 c (250)	-343
4/90	13594	13174	-420
5/90	13672	13974 d (800)	302
6/90	13749	13974	225
7/90	13826	14374 e (400)	548
8/90	13904	14374	470
9/90	13981	14774 f (400)	793
10/90	14059	14774	715
11/90	14136	14774	638
12/90	14213	14774	561
1/91	14307	14774	467
2/91	14402	14774	372
3/91	14496	15268 g (800-306*)	772
4/91	14591	15268	677
5/91	14685	15268	583
6/91	14779	15268	489
7/91	14874	15268	394
8/91	14968	15268	300
9/91	15063	15268	205
10/91	15157	15268	111
11/91	15251	15268	17
12/91	15346	16068 h (800)	722
1/92	15440	16068	628
2/92	15535	16068	533
3/92	15629	16068	439
4/92	15723	16068	345
5/92	15818	16068	250
6/92	15912	16068	156

Note: Population projection includes month-end inside count and county jail backlog, and reflects a projected net monthly increase of 77.4 inmates as a result of impact of alternative programs. The net monthly increase will return to 94.4 in January, 1991.

<u>Month</u>	<u>Population Projection</u>	<u>Operating Capacity</u>	<u>Surplus/ Deficit</u>
7/92	16006	16068	62
8/92	16101	16068	-33
9/92	16195	16068	-127
10/92	16290	16068	-222
11/92	16384	16068	-316
12/92	16478	16868 i (800)	390
1/93	16573	16868	285
2/93	16667	16868	201
3/93	16762	16868	107
4/93	16856	16868	12
5/93	16950	16868	-82
6/93	17045	17668 j (800)	623
7/93	17139	17668	529
8/93	17234	17668	434
9/93	17328	17668	340
10/93	17422	17668	246
11/93	17517	17668	151
12/93	17611	18436 k (768)	825
1/94	17706	18436	730
2/94	17800	18436	636
3/94	17894	18436	542
4/94	17989	18436	447
5/94	18083	18436	353
6/94	18178	18436	258
7/94	18272	18436	164
8/94	18366	18436	70
9/94	18461	18436	-25
10/94	18555	18436	-119
11/94	18650	18436	-214
12/94	18744	19236 l (800)	492
1/95	18838	19236	398
2/95	18933	19236	303
3/95	19027	19236	209
4/95	19122	19236	114
5/95	19216	19236	20
6/95	19310	20036 m (800)	726
7/95	19405	20036	631
8/95	19499	20036	537
9/95	19594	20036	442
10/95	19688	20036	348
11/95	19782	20036	254
12/95	19877	20036	159
1/96	19971	20036	65
2/96	20066	20036	-30
3/96	20160	20036	-124
4/96	20254	20036	-219
5/96	20349	20036	-313
6/96	20443	20836 n (800)	393
6/97	21576	20836	-740
6/98	22709	20836	-1873
6/99	23841	20836	-3005

31-Mar-89

ARIZONA DEPARTMENT OF CORRECTIONS
Bureau of Offender Services

ADULT and JUVENILE COMMITTED POPULATION

Page 1 of 2

FACILITY	CAPACITY		INSIDE COUNT			OUTSIDE COUNT		
	OPER	SP USE	P+R+T	SP USE	TOTAL	FRLO	HOSP	CT/JAIL
Cochise		90	0	73	73			6
Gila	600		618	0	618			5
Maricopa	118		125	0	125			1
Mohave	800		856	0	856			14
ASPC-DOUGLAS	1,518	90	1,599	73	1,672	0	0	26
Central Unit	705	31	693	22	715			5
CU/Infirm	8	16	5	11	16			
CU/Death Row	21		16	0	16			
CU/PC	198		175	4	179			3
Ad Seg Unit	180	20	102	22	124			3
East Unit	503	12	537	12	549			3
Shock Incarc	150		44		44			
North Unit	382		371	0	371		1	1
South Unit	414		459	0	459		1	3
SMU	960		742		742			13
SPU	139		130	0	130			2
WP-F	180	8	151	5	156			3
Picacho	204		198	0	198			
ASPC-FLORENCE	4,044	87	3,623	76	3,699	0	2	36
Santa Cruz	468	2	439	2	441		2	6
San Juan	468	2	414	2	416		1	4
San Pedro	216	2	213	2	215			1
Santa Maria	248	2	286	0	286		1	5
Isolation		6	0	6	6			
ASPC-P'VILLE	1,400	14	1,352	12	1,364	0	4	16
Reception	238		289	0	289			
Permanent	16		16	0	16			
Flamenco MHC	200	7	167		167			1
ACW	250	2	250		250			3
ASPC-PHOENIX	704	9	722	0	722	0	0	4
Cimarron	744		710	39	749		1	1
Echo	206		248		248			1
Rincon	471	41	552	61	613		2	5
Rincon/Minor	20		24	5	29			
Rincon/Health		6	0	2	2			
Santa Rita	654	2	612	24	636		2	5
Cmplx Detent		80	0	60	60			
ASPC-TUCSON	2,095	129	2,146	191	2,337	0	5	12

FACILITY	CAPACITY		INSIDE COUNT			OUTSIDE COUNT		
	OPER	SP USE	P+R+T	SP USE	TOTAL	FRLO	HOSP	CT/JAIL
Coronado Unit	250		230		230			
Kaibab Unit	400		382		382		1	3
Cmplx Detent		36		23	23			
ASPC-WINSLOW	650	36	612	23	635			
ASP-FT GRANT	503	25	598	16	614		1	1
ASP-SAFFORD	384		370	0	370		1	1
ASP-YUMA	250	8	231	4	235			1
MALE SUBTTL	10,870	386	10,566	390	10,956	0	11	84
FEMALE SUBTTL	678	12	687	5	692	0	1	11
TOTAL BOTH	11,548	398	11,253	395	11,648	0	12	95
NACRC	126		127	0	127			7
SACRC	116	4	124		124			
RELEASE CNTRS	242	4	251	0	251	0	0	7
Aspen	200		244	0	244			1
Papago	250		241	0	241			2
New Dawn	40	2	15		15			
DWI CENTERS	490	2	500	0	500	0	0	3
TOTAL MALE	11,562	390	11,302	390	11,692	0	11	94
TOTAL FEMALE	718	14	702	5	707	0	1	11
TOTAL BOTH	12,280	404	12,004	395	12,399	0	12	105
Total inmates in County jails awaiting admission:								189
JUVENILES								
AMJI	376	12	369	13	382			10
CMJI	168	20	147	16	163			5
BCJI	120	6	82	2	84			
PMJI	140	6	117	11	128	1		1
AJI	40	2	18		18		1	
TOTAL	844	46	733	42	775	1	1	16

End of Last Month

	Adult	Juvenile
Arizona Parolees	1,052	602
Inter-State Parole/Prob	1,185	60
Work Furloughees	52	
Home Arrestees	16	
Admin Releasees	703	
TOTAL	3,008	662

Arizona Department of Corrections



1601 WEST JEFFERSON
PHOENIX, ARIZONA 85007
(602) 542-5536



ROSE MOFFORD
GOVERNOR

SAMUEL A. LEWIS
DIRECTOR

April 21, 1989

Catherine R. Eden
Director
Department of Administration
State Capitol/W. Wing/Room #801
1700 W. Washington
Phoenix, AZ 85007

Dear Ms. Eden:

Consideration of the impact of programs such as community punishment and intensive probation on this agency's growth, as well as the potential approval of up to 1788 interim beds, requires the Department of Corrections to revise its current 5 year Capital Renewal Request. Although the Department's population projections are accurate regarding past intake and release practices and equate to 77 additional inmates per month through 12/31/90 and 94 inmates per month thereafter, there is much speculation on the impact of the community punishment and intensive probation issues. Since the Department does not have a prior history for these programs, it is impossible to accurately predict their impact on the Department's growth and bed requirements.

The Department's current 5 Year Capital Renewal Request reflects the funding required for all continued bed needs beyond the interim beds being considered for funding by the legislature. The Department originally requested \$5,424,000 for Architectural and Engineering fees for the 800 and 900 bed prisons as well as \$28,336,000 for construction of the 800 bed prison in Fiscal Year 1990. However, the minimum funding required for adult beds in July, 1989 is \$6,499,000. This total includes:

Professional Svcs. - 800 Beds-Level IV	\$2,464,000
Construction & Equip/Central Kitchen	\$2,035,000
Const. Funds/Site Prep/Fencing/Gen. Building Construction	\$2,000,000
TOTAL	<u>\$6,499,000</u>

The new 800 bed prison at Florence, currently scheduled for completion in July 1991, could be delayed until January, 1992. The Department will experience a deficit of 340 beds prior to opening this prison in January, 1992.

Catherine R. Eden
April 21, 1989
Page 2

Attached is a copy of the current and revised 5 Year Capital Renewal Request as well as a copy of the Department of Corrections' population projections, which has been revised by deleting the monthly out-count. Due to the critical need for beds, this information should be forwarded to the JLBC at your earliest convenience.

In the interim, the Department intends to begin a tracking system to capture data relative to the community punishment and intensive probation issues. This information would be reported every six months, beginning October, 1989. It is hoped that this data will help the Department assess the impact of these programs and provide a more accurate time frame of when additional beds will be required.

Additional information on this matter will be provided to your office as it becomes available. If you have any questions, please call me at 542-5498.

Sincerely,

Samuel A. Lewis
Director

Attachments

cc: Stanley F. Bates, Asst. Director, Administration
JC Keeney, Asst. Director, Adult Institutions
Rex Herron, ADC Strategic Analyst
Dr. Darryl Fischer, ADC Planning Bureau
Tony Zelenak, Administrator, Facilities Management
Don Horne, Administrator, Management and Budget
Les Marquis, DOA Asst. Director, Facilities
Steve Conner, DOA Project Manager, Facilities
Doug Tucker, EBO
Jim Stewart, JLBC

SFB/g

TABLE

ARIZONA DEPARTMENT OF CORRECTIONS
 REVISED FIVE YEAR CAPITAL REQUEST - NEW ADULT INSTITUTIONS

	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	OCCUPANCY DATE
ASPC-F/Complex II 800 Bed-Level IV	PS=2,464 C=2,000 CK=2,035	24,301	-----	-----	-----	1/92
ASPC-F/Complex II 800 Bed-Level III	----- PS=2,740 C=2,000	18,140	-----	-----	-----	1/93
ASPC-F/Complex III 800 Bed-Level III	----- PS=2,740	20,140	-----	-----	-----	7/93
ASPC-F/Complex III 768 Bed-Level V	----- PS=5,522 C=5,000	37,478	-----	-----	-----	1/94
ASPC-F/Complex III 800 Bed-Level IV	----- PS=2,464 C=2,000	24,301	-----	-----	-----	1/95
ASPC-F/Complex III 800 Bed-Level IV	----- PS=2,464	26,301	-----	-----	-----	7/95
ASPC-F/Complex IV 800 Bed-Level III	----- PS=2,464 C=2,000	-----	-----	-----	-----	7/96
<hr/>						
Total New Adult Institutions	6,499	31,781	48,802	44,406	55,066	= \$186,554
Total New Adult Beds Requested	800	1600	768	1,600	800	= 5,568

Assumptions:

1. Juvenile bed needs remain the same.
2. 192 beds are on line by 12/1/89
3. 146 beds are on line by 1/1/90
4. 1450 emergency beds are funded by separate appropriation by 5/1/89
5. 400 appropriated new beds are on line at Winslow by 10/1/90
6. 800 appropriated new beds are on line at Florence by 4/1/91
7. The Department experiences growth at the rate of 77.4 new inmates per month through 12/31/90, when the growth of 94.4 per month net increase occurs.
8. Changes in the criminal code, statutes, or trends in the current incarceration rate will not occur
9. No privatization beds are considered.

KEY: PS = Professional Services
 C = Construction
 CK = Central Kitchen

Prepared: 4/20/89

31-May-89



ARIZONA DEPARTMENT OF CORRECTIONS
Bureau of Offender Services

ADULT and JUVENILE COMMITTED POPULATION

Page 1 of 2

FACILITY	CAPACITY		INSIDE COUNT			OUTSIDE COUNT		
	OPER	SP USE	P+R+T	SP USE	TOTAL	FRLO	HOSP	CT/JAIL
Cochise		90	0	72	72			4
Gila	600		599	0	599	1		8
Maricopa	118		125	0	125			1
Mohave	800		854	0	854			14
ASPC-DOUGLAS	1,518	90	1,578	72	1,650	0	1	27
Central Unit	705	31	695	15	710		1	7
CU/Infirm	8	16	1	12	13			
CU/Death Row	21		16	0	16			
CU/PC	198		187	11	198			3
Ad Seg Unit	180	20	83	28	111			4
East Unit	503	12	551	6	557			3
Shock Incarc	150		36		36			
North Unit	382		367	0	367			
South Unit	414		458	0	458			3
SMU	960		912		912			15
SPU	139		130	0	130			2
WP-F	180	8	165	3	168			3
Picacho	204		199	0	199			15
ASPC-FLORENCE	4,044	87	3,800	75	3,875	0	1	55
Santa Cruz	468	2	437	1	438			7
San Juan	468	2	404	1	405			8
San Pedro	216	2	214	2	216			
Santa Maria	248	2	280	0	280		3	2
Isolation		6	0	3	3			
ASPC-P'VILLE	1,400	14	1,335	7	1,342	0	3	17
Reception	238		299	0	299			4
Permanent	16		26	0	26			
Flamenco MHC	200	7	105		105		1	2
ACW	250	2	239		239			2
ASPC-PHOENIX	704	9	669	0	669	0	1	8
Cimarron	744		710	42	752		1	2
Echo	206		251		251		1	1
Rincon	471	41	536	70	606		1	7
Rincon/Minor	20		29	2	31			
Rincon/Health		6	0	3	3			
Santa Rita	654	2	617	30	647			8
Cmplx Detent		80	0	68	68			
ASPC-TUCSON	2,095	129	2,143	215	2,358	0	3	18

FACILITY	CAPACITY		INSIDE COUNT			OUTSIDE COUNT			
	OPER	SP USE	P+R+T	SP USE	TOTAL	FRLO	HOSP	CT/JAIL	
Coronado Unit	250		236		236		1		
Kaibab Unit	400		395		395			2	
Cmplx Detent		36		26	26				
ASPC-WINSLOW	650	36	631	26	657	0	1	2	
ASP-FT GRANT	503	25	608	20	628			3	
ASP-SAFFORD	384		373	0	373	1		2	
ASP-YUMA	250	8	229	2	231			5	
MALE SUBTTL	10,870	386	10,682	414	11,096	1	7	120	
FEMALE SUBTTL	678	12	684	3	687	0	3	7	
TOTAL BOTH	11,548	398	11,366	417	11,783	1	10	127	
NACRC	126		120	0	120			4	
SACRC	116	4	122		122				
RELEASE CNTRS	242	4	242	0	242	0	0	4	
Aspen	200		206	0	206		1	1	
Papago	250		245	0	245		1	4	
New Dawn	40	2	19		19				
DWI CENTERS	490	2	470	0	470	0	2	5	
TOTAL MALE	11,562	390	11,375	414	11,789	1	9	129	
TOTAL FEMALE	718	14	703	3	706	0	3	7	
TOTAL BOTH	12,280	404	12,078	417	12,495	1	12	136	
Total inmates in County jails awaiting admission:								237	12732
JUVENILES									
AMJI	376	12	401	18	419			11	
CMJI	168	20	159	13	172			4	
BCJI	120	6	90		90				
PMJI	140	6	110	15	125				
AJI	40	2	26		26		2		
TOTAL	844	46	786	46	832	0	2	15	

End of Last Month

	Adult	Juvenile
Arizona Parolees	1,060	530
Inter-State Parole/Prob	1,115	62
Work Furloughees	63	
Home Arrestees	32	
Admin Releasees	616	
TOTAL	2,886	592

28-Apr-89



ARIZONA DEPARTMENT OF CORRECTIONS
 Bureau of Offender Services
 ADULT and JUVENILE COMMITTED POPULATION

FACILITY	CAPACITY		INSIDE COUNT			OUTSIDE COUNT		
	OPER	SP USE	P+R+T	SP USE	TOTAL	FRLO	HOSP	CT/JAIL
Cochise		90		65	65			6
Gila	600		619		619			4
Maricopa	118		126	0	126			
Mohave	800		869	0	869			15
ASPC-DOUGLAS	1,518	90	1,614	65	1,679	0	0	25
Central Unit	705	31	684	17	701			7
CU/Infirm	8	16	6	10	16		1	
CU/Death Row	21		16	0	16			
CU/PC	198		189	7	196			
Ad Seg Unit	180	20	98	78	176			3
East Unit	503	12	546	7	553			3
Shock Incarc	150		41		41			3
North Unit	382		366	0	366			
South Unit	414		454	0	454			2
SMU	960		835		835		1	13
SPU	139		130	0	130			2
WP-F	180	8	150	2	152			4
Picacho	204		195	0	195			
ASPC-FLORENCE	4,044	87	3,710	121	3,831	0	2	37
Santa Cruz	468	2	439	1	440		2	5
San Juan	468	2	410	2	412			9
San Pedro	216	2	213	2	215			
Santa Maria	248	2	301	0	301			3
Isolation		6	0	5	5			
ASPC-P'VILLE	1,400	14	1,363	10	1,373	0	2	17
Reception	238		315	0	315			
Permanent	16		18	0	18			
Flamenco MHC	200	7	150		150	1		2
ACW	250	2	245		245	1		2
ASPC-PHOENIX	704	9	728	0	728	2	0	4
Cimarron	744		694	32	726		2	8
Echo	206		236		236			1
Rincon	471	41	541	64	605		1	6
Rincon/Minor	20		27	3	30			
Rincon/Health		6	0	1	1			
Santa Rita	654	2	609	26	635			5
Cmplx Detent		80	0	71	71			
ASPC-TUCSON	2,095	129	2,107	197	2,304	0	3	20

28-Apr-89

FACILITY	CAPACITY		INSIDE COUNT			OUTSIDE COUNT		
	OPER	SP USE	P+R+T	SP USE	TOTAL	FRLO	HOSP	CT/JAIL
Coronado Unit	250		233		233			
Kaibab Unit	400		388		388			2
Cmplx Detent		36		16	16			
ASPC-WINSLOW	650	36	621	16	637			
ASP-FT GRANT	503	25	614	12	626			2
ASP-SAFFORD	384		345	0	345			2
ASP-YUMA	250	8	226	5	231			2
MALE SUBTTL	10,870	386	10,632	424	11,056	1	7	96
FEMALE SUBTTL	678	12	696	2	698	1	0	9
TOTAL BOTH	11,548	398	11,328	426	11,754	2	7	105
NACRC	126		119	0	119			7
SACRC	116	4	113		113			
RELEASE CNTRS	242	4	232	0	232	0	0	7
Aspen	200		195	0	195		1	
Papago	250		248	0	248			1
New Dawn	40	2	13		13			
DWI CENTERS	490	2	456	0	456	0	1	1
TOTAL MALE	11,562	390	11,307	424	11,731	1	8	104
TOTAL FEMALE	718	14	709	2	711	1	0	9
TOTAL BOTH	12,280	404	12,016	426	12,442	2	8	113
Total inmates in County jails awaiting admission:								242
JUVENILES								
AMJI	376	12	369	15	384			7
CMJI	168	20	161	11	172		1	4
BCJI	120	6	87		87			
PMJI	140	6	115	9	124			3
AJI	40	2	25		25			
TOTAL	844	46	757	35	792	0	1	14

End of Last Month

	Adult	Juvenile
Arizona Parolees	1,052	602
Inter-State Parole/Prob	1,185	60
Work Furloughees	52	
Home Arrestees	16	
Admin Releasees	703	
TOTAL	3,008	662

Attachment II

Department of Corrections Monthly memo to Governor Mofford
and Department of Corrections memo to Representative Skelly

NOTE: Two memos released by DOC within five days of each other appear to have conflicting numbers. The projected population for the month of February is significantly higher than the actual population for that month.

The memo to Governor Mofford (dated March 15, 1989) states that the total adult committed population in February was 12,370.

The memo to Representative Skelly (dated March 10, 1989) projects prison populations beginning in December 1988. Each month's population projection builds upon the month before it. February's projection is 12,702, 332 more inmates than were actually committed as of February.

According to a DOC spokesperson, the actual number of committed inmates in February excludes approximately 154 inmates who were being housed in county jails. This figure is included in the projection. Adding 156 to 12,370 results in an actual committed population of 12,526 - still 176 inmates short of the projection.

Arizona Department of Corrections



ROSE MOFFORD
GOVERNOR

1601 WEST JEFFERSON
PHOENIX, ARIZONA 85007
(602) 542-5536



SAMUEL A. LEWIS
DIRECTOR
Rex 5497

DISTRIBUTION LIST

OFFICE OF THE GOVERNOR

Mr. George Cunningham, Chief of Staff
Ms. Joyce Geysler, Assistant Chief of Staff
Mr. Donald Olson, Special Assistant to the Governor
Mr. Fred Bochman, Legislative Liaison
Mr. Howard Boice, Press Secretary/Special Assistant

ARIZONA STATE SENATE

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Ms. Martha McConnell Bush, Special Assistant to the Majority
Ms. Amy Wainwright, Minority Legal Counsel
Ms. Kim Baker, Minority Financial Analyst
Ms. Patricia Trebesch, Judiciary Committee Analyst/Counsel
Ms. Liz Harris, Government Committee Analyst

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Mr. Jeff Grant, Public Institutions Committee Analyst
Ms. Julie Klein, Special Assistant, Majority
Mr. Eric Henderson, Minority Legal Counsel
Mr. Paul Pugmire, Administrative Assistant to the Minority Leader
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Ms. Caryn Ono, Minority Staff Director

JOINT LEGISLATIVE BUDGET COMMITTEE

Mr. Ted Ferris, Staff Director
Mr. Dick Morris, Assistant Staff Director
Mr. Jim Stewart, Senior Capital Review Analyst

EXECUTIVE BUDGET OFFICE

Mr. Peter Burns, Executive Budget Office Director
Mr. Doug Tucker, Senior Budget Analyst

(For additional information on attached material, contact the Department of Corrections, office of Legislative services, 542-3133).

Arizona Department of Corrections



1601 WEST JEFFERSON
PHOENIX, ARIZONA 85007
(602) 542-5536



ROSE MOFFORD
GOVERNOR

SAMUEL A. LEWIS
DIRECTOR

March 15, 1989

The Honorable Rose Mofford
Governor of Arizona
1700 West Washington, Ninth Floor
State Capitol
Phoenix, Arizona 85007

Dear Governor Mofford:

The following significant issues, problems and progress developments have occurred at the Department of Corrections during the month of February 1989:

Prison Population/ Overcrowding

The total adult committed population in February was 12,370. Three hundred and six (306) "overcrowding" beds have been temporarily created to accommodate the continuing inflow of inmates. However, by June 1989 the Department will not have the ability to house additional inmates as the prisons will be at full capacity.

Despite overcrowded conditions the institutions remain calm, escapes are down, and they appear to be functioning normally.

Arizona State Prison - Yuma

The Yuma facility has a population of 230, only 20 short of the 250 inmate capacity.

County Jail Backlog Cleared

The backlog of inmates housed in county jails has been eliminated. The Department was not paying for any inmates housed in county jails at the end of the month.

Shock Incarceration Graduation

The graduation ceremony for the first group of shock incarceration inmates was held on February 14, 1989 at the South Unit of Arizona State Prison in Florence. These four graduates are now on intensive probation.

Arizona Department of Corrections



ROSE MOFFORD
GOVERNOR

1601 WEST JEFFERSON
PHOENIX ARIZONA 85007
(602) 255-5:36



SAMUEL A. LEWIS
DIRECTOR

March 10, 1989

The Honorable Jim Skelley
Arizona House of Representatives
1700 West Washington
Phoenix, Arizona 85007

Dear Representative Skelley:

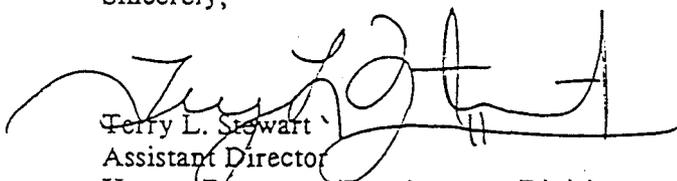
Pursuant to your request at the last Joint Select Committee on Corrections, Subcommittee on Long-Term Construction Needs, I have developed the enclosed information regarding the department's building plan through 1998.

We have displayed the inmate population projections and operating capacity monthly through December 1990; thereafter, we have displayed the information on an annual basis. The footnotes indicate our planned operating capacity increases through December 1998. With the exception of the 1,200 beds denoted in footnotes "e" and "f" all planned increases have not been funded.

Additionally, there are two bar graphs that compare the projections and operating capacities presented in the table. The first chart covers the interim period, January 1989 through December 1990, while the second chart displays populations and capacities through December 1998.

I hope this information proves beneficial to the committee. We stand ready to amplify or clarify the information presented.

Sincerely,


Terry L. Stewart
Assistant Director
Human Resources/Development Division

TLS:aa

Enclosures (3)

cc: Samuel A. Lewis, Director
The Honorable Jim Meredith, Arizona House of Representatives
The Honorable Bobby Raymond, Arizona House of Representatives
The Honorable Peter Rios, Arizona State Senate
The Honorable Pat Wright, Arizona State Senate
Keith Garza, Intern to Judiciary ✓

ARIZONA DEPARTMENT OF CORRECTIONS
 ADULT INSTITUTIONAL POPULATION PROJECTIONS*
 SURPLUS/DEFICIT IN OPERATING CAPACITY THROUGH 1998
 1200 FUNDED BEDS AT FLORENCE/WINSLOW PLUS PLANNED BUT UNFUNDED ADDITIONS

<u>Month</u>	<u>Population Projection</u>	<u>Operating Capacity</u>	<u>Surplus/ Deficit**</u>
12/88	12,547	12,240	-307
1/89	12,624	12,240	-384
2/89	12,702	12,280 a	-422
3/89	12,779	12,280	-499
4/89	12,857	12,280	-577
5/89	12,934	12,280	-654
6/89	13,011	13,080 b	69
7/89	13,089	13,080	-9
8/89	13,166	13,080	-86
9/89	13,244	13,080	-164
10/89	13,321	13,368 c	47
11/89	13,398	13,368	-30
12/89	13,476	14,168 d	692
1/90	13,553	14,168	615
2/90	13,631	14,168	537
3/90	13,708	14,168	460
4/90	13,785	14,168	383
5/90	13,863	14,168	305
6/90	13,940	14,168	228
7/90	14,018	14,168	150
8/90	14,095	14,568 e	473
9/90	14,172	14,568	396
10/90	14,250	14,568	318
11/90	14,327	14,568	241
12/90	14,404	14,568	164
12/91	15,537	16,168 f	631
12/92	16,670	17,068 g	398
12/93	17,802	17,468 h	-334
12/94	18,935	18,468 i	-467
12/95	20,068	19,428 j	-640
12/96	21,201	20,428 k	-773
12/97	22,334	21,496 l	-838
12/98	23,466	22,396 m	-1,070

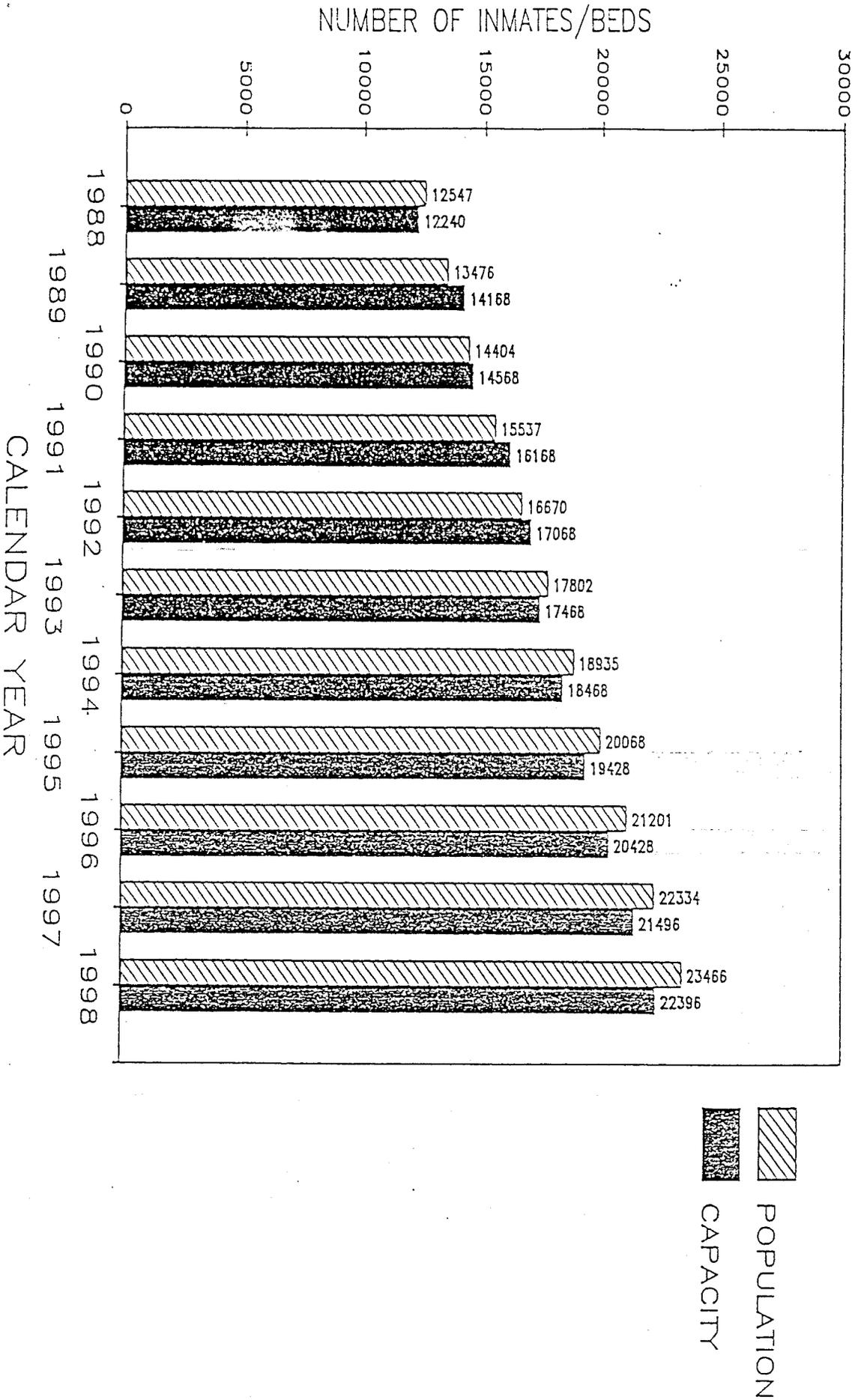
*Inside/outside counts including county jail backlog. Projected monthly increase of 77.4 includes impact of alternative programs. Monthly increase returns to 94.4 after December of 1990.

**The surplus/deficit column assumes legislative funding of all footnoted increases in operating capacity.

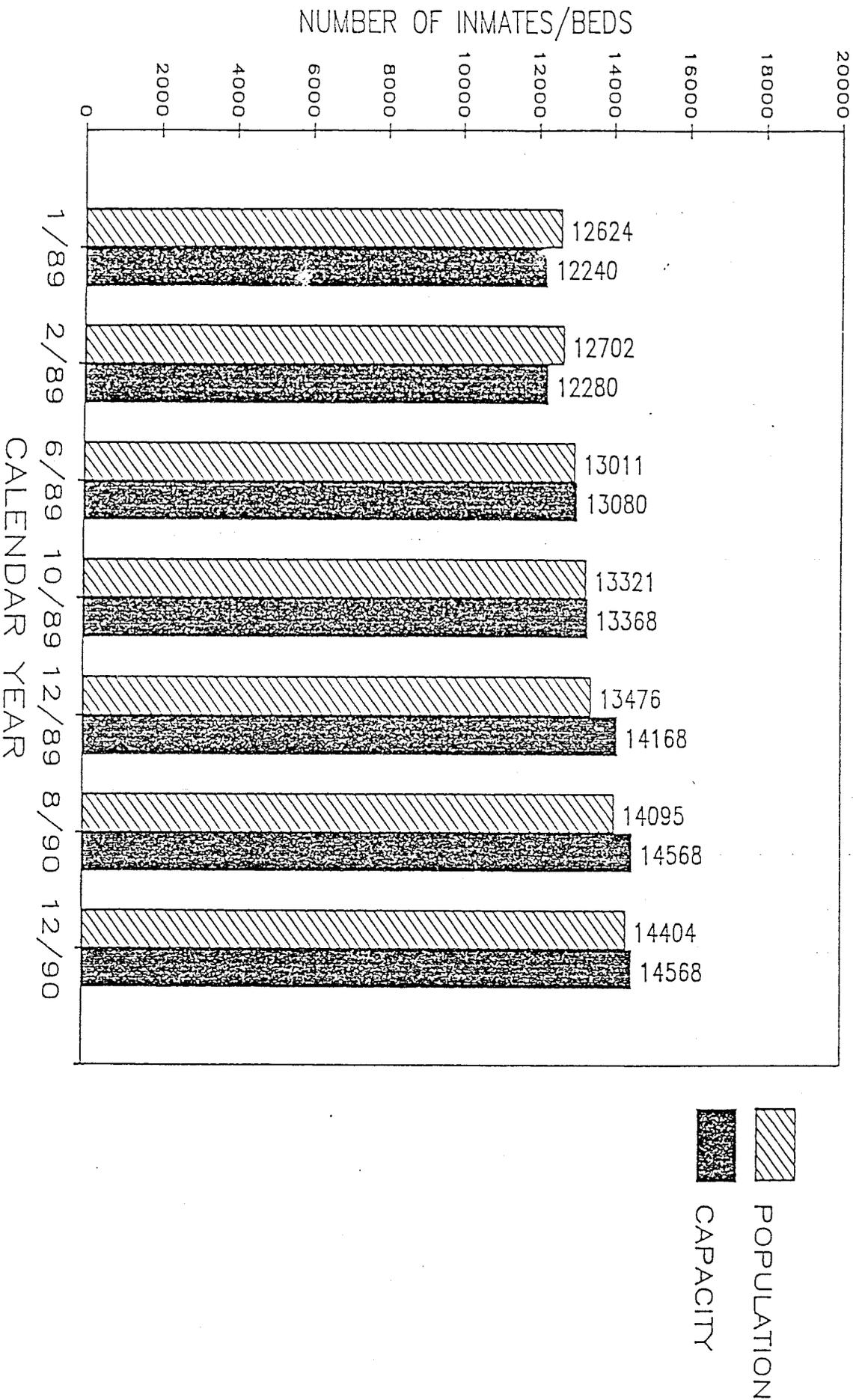
ARIZONA DEPARTMENT OF CORRECTIONS
FUNDED PLUS PLANNED BUT UNFUNDED ADDITIONS TO OPERATING CAPACITY

ADDITION	DATE
a. 40-bed addition due to conversion of New Dawn to adult female DWI facility.	2/89
b. 800-bed lease purchase/remodel (Level 2).	6/89
c. 288 beds at Safford (Level 2) and Winslow (Level 2).	10/89
d. 800-bed quick build (Level 2).	12/89
e. 400 beds at Winslow (Level 4). Funded.	8/90
f. 800 beds at Florence, Complex II (Level 4). Funded.	1/91
800 beds at Florence, Complex II (Level 4).	7/91
g. 900 beds at Florence, Complex II (Level 3).	7/92
h. 400 beds at Yuma/Florence (Level 3).	7/93
i. 1,000 beds at Florence, Complex III (Level 3).	7/94
j. 960 beds at Florence, Complex III (Level 5).	7/95
k. 1,000 beds at Florence, Complex III (Level 4).	7/96
l. 200 beds of Yuma prototype (Level 2). Site to be determined.	7/97
768 beds of SMU prototype at Florence (Level 5).	7/97
100 DWI beds (Pima County).	7/97
m. 600 beds of Cimarron prototype at Florence (Level 4).	7/98
100 beds of Yuma prototype. Site to be determined.	7/98
100 DWI beds. Site to be determined.	7/98
100 CRC beds (Maricopa County).	7/98

ARIZONA DEPARTMENT OF CORRECTIONS ADULT INSTITUTIONAL POPULATION PROJECTIONS VERSUS OPERATING CAPACITY, YEAR-END, 1988-1998



ARIZONA DEPARTMENT OF CORRECTIONS
 ADULT INSTITUTIONAL POPULATION
 PROJECTIONS VERSUS OPERATING CAPACITY, 1/89 THROUGH 12/90



Attachment III

Joint Legislative Budget Committee

Overview of Corrections Fund

OVERVIEW

CORRECTIONS FUND

JLBC

PREPARED BY:

STAFF OF THE

JOINT LEGISLATIVE BUDGET COMMITTEE

MARCH 1, 1989

ATTACHMENT 2
JOINT SELECT COMMITTEE
ON CORRECTIONS - Long
Term Prison Construction
3/1/89

CORRECTIONS FUND

- Established - July 1, 1984
 - Chapter 14, First Special Session, Laws of 1984, which is A.R.S. 41-1605
- Consists of:
 - Monies Collected From Luxury Taxes (A.R.S. 41-1204)
 - Liquor (50¢ per gallon)
 - Wine
 - Alcohol content greater than 24% (12.5¢ per eight ounces)
 - Alcohol content 24% or less (42¢ per gallon)
 - Beer (8¢ per gallon)
 - Cigarettes and Tobacco (2¢ on each 20 cigarettes)
 - Cannabis and Controlled Substance
 - Monies Collected From the Tax on Vehicle Transfers
 - (Repealed by Chapter 211, Laws of 1986, Effective November 1, 1986)
- Uses
 - Construction, Purchase, Renovation, or Conversion of Corrections Facilities
 - Maintenance and Operation of Corrections Facilities, When Approved by the Legislature
- Expiration Date - June 30, 1994
 - Originally the fund was to expire on June 30, 1988, but that date was changed by Chapter 307, Section 51, Laws of 1987.

JLBC Staff

3/1/89

CORRECTIONS FUND
(Thousands of Dollars)

	<u>FY 1985 Actual</u>	<u>FY 1986 Actual</u>	<u>FY 1987 Actual</u>	<u>FY 1988 Actual</u>	<u>FY 1989 Estimated</u>	<u>FY 1990 Estimated</u>	<u>Total</u>
<u>Revenue:</u>							
Luxury Taxes	\$19,145.9	\$22,153.9	\$22,470.0	\$22,557.2	\$22,500.0	\$22,500.0	\$131,327.0
Vehicle Transfer Tax	12,108.3	14,536.2	4,940.3	17.6	1.5	-0-	31,603.9
Other	24.7	-0-	0.2	-0-	(5.9)	-0-	19.0
TOTAL	<u>\$31,278.9</u>	<u>\$36,690.1</u>	<u>\$27,410.5</u>	<u>\$22,574.8</u>	<u>\$22,495.6</u>	<u>\$22,500.0</u>	<u>\$162,949.9</u>
<u>Approved Expenditure Authority</u>							
Prison Construction	\$31,731.0	\$43,634.0	\$ 9,894.7	\$ 150.0	\$21,500.0	\$18,513.0	\$125,422.7
Juvenile Institutions Construction	483.0	375.0	6,900.0	-0-	-0-	-0-	7,758.0
Prison Maintenance and Improvements	-0-	2,907.3	1,405.0	2,500.0	235.0	-0-	7,047.3
Prison Equipment and Start-up Costs	-0-	1,938.1	5,952.1	-0-	-0-	-0-	7,890.2
Drug Enforcement	-0-	-0-	-0-	7,950.0	2,500.0	-0-	10,450.0
Other	-0-	-0-	181.0	12.0	344.4	-0-	537.4
TOTAL	<u>\$32,214.0</u>	<u>\$48,854.4</u>	<u>\$24,332.8</u>	<u>\$10,612.0</u>	<u>\$24,579.4</u>	<u>\$18,513.0</u>	<u>\$159,105.6</u>

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**CORRECTIONS
FUND**

**Construction
(FY 1985 - FY 1990)**

Thousands of Dollars

ADULT

2412 Bed Program - FY 1984	\$73,062.7
Tucson - 744 Beds	
Florence - 768 Beds	
Winslow - 650 Beds	
Yuma - 250 Beds	
Arizona State Prison Complex Douglas	8,047.0
192 Bed Addition - Special Management Unit - Florence	4,300.0
1200 Beds - FY 1988	<u>40,013.0</u>
Winslow - 400 Beds	
Florence - 800 Beds	
	<u>\$125,422.7</u>

JUVENILE

Pinal Mountain Juvenile Institution - Globe (140 Beds)	\$3,783.0
Black Canyon Juvenile Institution - Phoenix (120 Beds)	<u>3,975.0</u>
	<u>\$7,758.0</u>

TOTAL NEW CONSTRUCTION \$133,180.7

CORRECTIONS
FUND
Cash Flow
(Thousands of Dollars)

	Fiscal Year 1985 Actual	Fiscal Year 1986 Actual	Fiscal Year 1987 Actual	Fiscal Year 1988 Actual
Beginning Balance	\$ -0-	\$29,096.5	\$25,837.3	\$ 9,764.8
Add Revenues	<u>31,278.9</u>	<u>36,690.1</u>	<u>27,410.5</u>	<u>22,574.8</u>
Funds Available	\$31,278.9	\$65,786.6	\$53,247.8	\$32,339.6
Expenditures	<u>2,182.4</u>	<u>39,949.3</u>	<u>43,483.0</u>	<u>22,585.6</u>
Ending Balance	<u>\$29,096.5</u>	<u>\$25,837.3</u>	<u>\$ 9,784.8</u>	<u>\$ 9,754.0</u>

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CORRECTIONS FUND
 Projected Fund Condition
 (Thousands of Dollars)
 Fiscal Years 1989 - 1994

	<u>Estimated</u> FY 1989	<u>Estimated</u> FY 1990	<u>Estimated</u> FY 1991	<u>Estimated</u> FY 1992	<u>Estimated</u> FY 1993	<u>Estimated</u> FY 1994
Beginning Balance (Projected)	\$ 9,754.01/	\$ 325.7	\$ (88,202.2)	\$ (134,926.1)	\$ (147,462.0)	\$ (174,691.9)
Add Estimated Revenues	22,493.9	22,500.0	22,500.0	22,500.0	22,500.0	22,500.0
Total Funds Available	<u>\$32,247.9</u>	<u>\$ 22,825.7</u>	<u>\$ (65,702.2)</u>	<u>\$ (112,426.1)</u>	<u>\$ (124,962.0)</u>	<u>\$ (152,191.9)</u>
Deduct Approved Expenditure Authority						
Prison Construction						
400 Beds Winslow	8,830.0	4,610.0				
800 Beds Florence	12,670.0	13,903.0				
Drug Enforcement	2,500.0					
Department of Administration						
Construction Administration 2/	344.4					
Unliquidable Prior Year						
Obligations	7,577.8					
Approved Expenditure Authority	<u>\$31,922.2</u>	<u>\$ 18,513.0</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Department of Corrections Request						
Adult Emergency Beds	3/					
Adult Prison Construction	-0-	\$ 39,174.0	\$ 29,400.0	\$ 17,120.0	\$ 40,384.0	\$ 42,816.0
Juvenile Institutional Construction	-0-	4,500.0	7,300.0	1,000.0	-0-	-0-
Facility Repair, Maintenance and						
Additions	-0-	48,500.0 5/	32,183.0	16,575.0	9,005.0	9,394.0
Department of Administration						
Construction Administration 2/4/		340.9	340.9	340.9	340.9	340.9
Sub-Total	<u>-0-</u>	<u>\$ 92,514.9</u>	<u>\$ 69,223.9</u>	<u>\$ 35,035.9</u>	<u>\$ 49,729.9</u>	<u>\$ 52,550.9</u>
Projected Ending Balance	<u>\$ 325.7</u>	<u>\$ (88,202.2)</u>	<u>\$ (134,926.1)</u>	<u>\$ (147,462.0)</u>	<u>\$ (174,691.9)</u>	<u>\$ (204,742.8)</u>

1/ Actual

2/ For detail see Appendix to JLBC Annual Budget, FY 1990 "Non Appropriated Funds and Special Funds, which include Appropriated Dollars", page 2.

3/ The Department of Corrections is requesting \$17,040,000 for purchase or construction of 1078 beds. As this is currently being reviewed by the Joint Select Committee on Corrections therefore no amount has been included.

4/ In current dollars.

5/ Does not include \$5,272,000 recommended for funding from the General Fund, see JLBC Staff Analysis and Recommendations, FY 1990, page CB-4.

CORRECTIONS FUND

DEPARTMENT OF CORRECTIONS
 REQUESTED NEW CONSTRUCTION
 (Thousands of Dollars)
 FY 1990 - 1994

	<u>FY 1990</u>	<u>FY 1991</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
<u>Adult Prison</u>					
Florence - 800 Beds, Complex II - Level IV	\$35,394.0				
Florence - 900 Beds, Level III	3,780.0	\$27,720.0			
Yuma - 400 Beds, Level III		1,680.0	\$12,320.0	\$35,200.0	\$38,016.0
Florence - 1,000 Beds, Level III			4,800.0	5,184.0	4,800.0
Florence - 960 Beds, Level V					
Florence - 1,000 Beds, Level IV					
Total - Adult	<u>\$39,174.0</u>	<u>\$29,400.0</u>	<u>\$17,120.0</u>	<u>\$40,384.0</u>	<u>\$42,816.0</u>

Juvenile Institutions

Catalina Mountain - 100 Beds + Support	\$ 4,500.0	\$ 7,200.0	\$ 1,000.0	\$ -0-	\$ -0-
New Site - 180 Beds + Complex		100.0			
Black Canyon - 60 Beds					
Total - Juvenile Institutions	<u>\$ 4,500.0</u>	<u>\$ 7,300.0</u>	<u>\$ 1,000.0</u>	<u>\$ -0-</u>	<u>\$ -0-</u>

JIBC Staff
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Attachment IV

Lease-Purchase: Southern Correctional Service
and OPUS Corporation

In 1986 SCS, INC. conceived a solution to a problem most states and local governments in America have today: How to build new adult and juvenile correctional facilities that are efficient, compact and cost effective, yet humane, while facing seriously declining state, county and city revenues. This solution can also be used for essential municipal infrastructure projects and for school districts to renovate or build new school facilities.

The solution is for a governmental entity to use the "Turn-key" lease-purchase method for obtaining these much needed projects. The "Turn-key" lease-purchase method is the second generation of lease-purchase. The word "Turn-key" is a descriptive adjective describing the method by which the lease-purchase is provided:

- (a) Establishing the need, type, and size of project,
- (b) Design and engineering the project,
- (c) Establishing the site for the project,
- (d) Establishing the cost of the project,
- (e) Obtaining the financing for the project through the lease-purchase method,
- (f) Preparation of legal Documentation required to complete transaction,
- (g) Construction of the project,
- (h) Turn over the project to the end user after final acceptance.

On a "Turn-key" lease-purchase project a single proposal is submitted to include all aspects of the project as mentioned above. This allows the governmental entity to work with a single team working together on the project from beginning to end instead of breaking the project up into different parts which is sometimes

found to be cumbersome, disjointed and very time consuming which can make the project less effective as relating to the actual need and more costly because of the lapse in time in coordinating the different phases once they have been broken out separately. Under this method no prior appropriation or capital dollars are required.

Many legislators in various states and local officials predict that by using the second generation lease-purchase method, ie: the "Turn-key" lease-purchase method, a project can be brought to fruition in at least one-third the normal time. One well-known fact is that "time is money". Another advantage to a "Turn-key" lease-purchase project is: the design/build feature takes into account the total dollar figure which should be spent for the project instead of designing the project and then finding out how much it costs.

SCS has found that cost overruns on a project can be substantially reduced by the SCS team being involved with the governmental entity from the onset of the project and adjusting the design and engineering until all criteria have been met prior to financing.

A small percentage figure can be added to the financing price (cost of project) to handle any last minute change orders that the governmental entity desires. If those dollars are not used for the project, those dollars revert back to the governmental entity to further reduce the lease-payments. The debt service (lease) payments are limited to annual appropriations only, and is not considered a legal general obligation or debt. A governmental entity's budget monies can stretch further by "paying as you go" without prior appropriations or up-front capital expenditures.

The lease can be paid off at any time with a minor pre-payment penalty.

SCS, INC., a Mississippi corporation, has formed a team of substantial expertise and size to design, finance, and construct a multitude of governmental infrastructure projects. The projects range from, but are not limited to, City Halls, Convention Centers, Schools, Athletic Facilities, Adult and Juvenile Correctional Facilities and Government Office Buildings.

The following is a list of the SCS primary members:

The president and CEO of SCS is Hubert B. (Hub) Drone, Jr., B.S., M.S.W., Ph.D. In 1974, Dr. Drone planned, organized and implemented Municipal Court Service, Inc., which provides probation services to the criminal justice system in Missouri, serving over 2,000 clients a year. Municipal Court Service, Inc. is the oldest private, for-profit probationary service in the nation.

The Vice-President of SCS is Vonda K. Drone. She has an extensive background in marketing and retail business management. In 1976 Vonda Drone began researching how the private sector could enter the public construction field. During this research process she successfully lobbied legislation in the Missouri Capitol in 1987 and 1988. A resolution was passed supporting the company's design and method of providing a "turn-key" lease-purchase correctional facility. This financing method can be used for any municipal construction project.

The General Counsel and a major principal in SCS is Jack E. Koslow, who has been a practicing attorney since 1957. He received his law degree from Washington University in St. Louis, Missouri. During his three decades in the criminal justice system he served

seven years as an Assistant Prosecuting Attorney in St. Louis County and twenty years as a Municipal Judge. While a Municipal Judge, he was elected President of the Municipal Judges Association in Missouri and served on that board for 16 years. He was one of the authors of the rules that regulate the courts.

When Koslow helped form SCS, one of his first priorities was to draft legislation to allow lease-purchase financing of prisons--the method by which SCS can finance any municipal construction project. This legislation was rigorously lobbied, and it passed in the same year it was introduced. Not all states need this type of legislation, and Koslow has since been a part of a team effort to market the concept in other states.

Hub Drone, Vonda Drone and Jack Koslow, the three principals of SCS, diligently researched and recruited the team of experts to fill out the well-rounded organization it would take to design, construct and finance such projects on a "turn-key" lease-purchase arrangement.

The SCS primary team:

Alberici Construction Company, the general contractor on the SCS team, completed \$464,000,000 worth of projects last year. Alberici, a highly respected firm, has built a wide variety of large-scale commercial and governmental projects throughout the Midwest.

Sachs Electric is the electrical contractor on the SCS team. In 1987 Sachs Electric, a subsidiary of the Sachs Holding Company, secured \$75,000,000 worth of projects; it is ranked among the top 15 electrical contractors in the nation.

Murphy Company Mechanical Contractors brings extensive design/build plumbing engineering to SCS projects. The list of projects for

Murphy Company Mechanical Contractors includes a large variety of government jobs at the local, state and federal level. In 1987 Murphy Company Mechanical Contractors reached its performance goal of \$80,000,000 worth of new contracts.

SCS, as the developer, has architect **Lawrence Goldberg** as the team's primary design architect, working in conjunction with local architects on each specific project. Goldberg has extensive experience in institutional designs including hospitals, juvenile facilities and renovation of existing prison sites.

Burgdahl & Graves, AIA Architects, formed in 1982, is a full-service architectural, design and interiors firm based in Louisiana. The firm has worked on federal, state, and local projects ranging in size from \$15,000 to \$15,000,000. Burgdahl & Graves' expertise includes land planning, building design, interior design and space planning.

Prudential-bache Capital Funding is the primary lender for the SCS team. SCS has available more than \$500,000,000 a year from Prudential-Bache to fund lease-purchase "turn-key" facilities to federal, state or local governments. Mike Hark, Vice-President of Prudential-Bache Capital Funding in Denver, Colorado, is the SCS's teams financial coordinator for these projects.

For the last 24 months the SCS "turn-key" lease-purchase method has been finely honed and crafted with the financial and legal assistance of Prudential Bache Capital Funding. In October of 1988 this method was brought to the "market place" for the first time in St. James Parish, Louisiana for an 80-bed Youth Service Facility. Since securing a resolution from St. James Parish to

design, engineer, finance and construct the 80-bed Youth Service Facility on a "turn-key" lease-purchase arrangement, three additional proposals are presently being negotiated. One is for a thirty-million dollar renovation and repair program and installing HVAC systems at appropriate schools in the Orleans Parish School District; the second project is being negotiated in Jefferson Parish for a Municipal Parking Garage; and the third, but not least, is final negotiation with the State of Louisiana for a 500-bed Adult Correctional Facility to be located in East Carroll Parish.

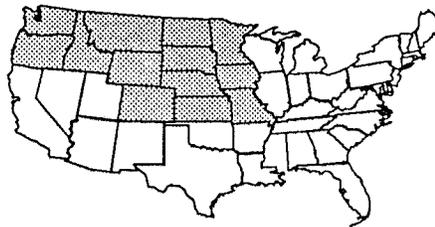
Opus Corporation Fact Sheet

Definition of "Opus" "A creative work"

Opus Corporation A privately held design/build and development company that provides single-source and vertically integrated design/build and real estate development services to commercial, industrial and institutional customers in the northwest region of the United States. Opus provides creative solutions to meet business space needs—using the talents of its architects, engineers, construction and real estate specialists, and other employees.



Opus Corporation Territory



Locations

Office Headquarters Opus Center
9900 East Bren Road
Minnetonka, MN 55343

Field Headquarters Eagan, MN

Affiliates Opus U.S. Corporation:
Opus North Corporation – Chicago, IL and Milwaukee, WI
Opus Southwest Corporation – Phoenix, AZ
Opus South Corporation – Tampa and Pensacola, FL
Normandale Properties, Inc. – Minnetonka, MN
Opus Properties, Inc. – Minnetonka, MN
North Star Ventures – Minneapolis, MN
Adler Management Corporation – Minneapolis, MN
Fabcon, Inc. – Savage, MN

Opus Sponsored Nonprofit Corporation Progress Valley – Minneapolis, MN and Phoenix, AZ
(Chemical dependency treatment programs)

Workforce

Approximate Employee Populations

Office	210
Field Operations	220
Affiliated Companies (excluding Fabcon and Progress Valley)	470
Total Employees	900

History

The company was founded in 1953 by Gerald Rauenhorst. The name was changed from the Rauenhorst Corporation to Opus Corporation in July, 1982. The company began as a general contracting firm, moved on to development projects, then focused on design/build, and, beginning in 1972, began expanding to other U.S. cities. In April, 1988, the company was reorganized into two operations—Opus Corporation and Opus U.S. Corporation. Both companies operate independently of each other while cooperating for their mutual benefit.

Achievements

Opus and affiliates have constructed nearly 1,000 buildings in 23 different states. Combined (Opus Corporation and Opus U.S.) annual construction volume is in excess of \$200 million.

Opus Corporation ranked 150th of the top 400 construction firms nationwide in 1988 according to the *Engineering News-Record* magazine.

Normandale Properties, Inc. manages more than 9 million square feet in approximately 90 properties in nine states.

Officials

Chairman of the Board and Chief Executive Officer
President and Chief Operating Officer

Gerald Rauenhorst
Gene Haugland

Correctional Facilities



Project	Location	Cost	Description
Bullock County Correctional Institution	Union Springs, Alabama	\$11,500,000	611 Inmate Minimum Security Dormitory Style Facility
Santa Rosa County Jail	Milton, Florida	\$4,000,000	126 Inmate Multi-Security Facility
Tomoka Correctional Institution	Volusia County, Florida	\$3,500,000	1,245 Inmate Maximum Security
Escambia County Jail - Phase I	Pensacola, Florida	\$9,000,000	-
Juvenile Justice Center	Pensacola, Florida	\$3,000,000	-

Attachment V

Proposed Language to Amend Procurement Code

PROPOSED AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO C. B. R150

(Reference to _____ bill)

1 Page __, after line __, insert:

2 "Sec. __. Title 41, chapter 23, article 5, Arizona Revised
3 Statutes, is amended by adding section 41-2579, to read:

4 41-2579. Construction bids; financing and other
5 services

6 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN INVITATION FOR
7 BIDS FOR A CONSTRUCTION CONTRACT MAY INCLUDE A REQUIREMENT THAT THE
8 BIDDER PROVIDE CONSTRUCTION, FINANCING AND OTHER SERVICES FOR A
9 PROJECT IF THE DIRECTOR DETERMINES THAT SUCH A CONTRACT IS
10 ADVANTAGEOUS TO THIS STATE."

11 Amend title to conform

Attachment VI

Arizona State Land Department memo:
State Land for Prison Sites



ROSE MOFFORD
GOVERNOR

Arizona
State Land Department

1616 WEST ADAMS
PHOENIX, ARIZONA 85007



M.J. HASSELL
STATE LAND COMMISSIONER

MEMORANDUM

TO: Cindy Kappler
Research Analyst
House of Representatives

April 6, 1989

FROM: Glendon E. Collins
Deputy Land Commissioner
State Land Department

SUBJECT: State Lands for Prison Sites

This is in response to your telephone request for maps and information about State lands that are available for prison sites for use in connection with your work with the Subcommittee of the Joint Legislative Corrections Committee on Long Term Prison Construction Needs.

"State lands" are actually State Trust lands; lands that were granted to the State by the Federal Enabling Act to be leased or sold to raise revenues to support public schools, universities, prisons, and other public institutions. Trust lands, therefore, are not State-owned lands that can be used free of charge by the State for construction of prisons or other public facilities.

At the request of a State agency, the Governor can sign an institutional taking which reserves a particular parcel of Trust land for use by that agency. However, the Arizona Constitution, the State Enabling Act, and a series of State statutes and court decisions require the Land Department to lease and sell Trust lands for fair market rentals and purchase prices, even to other State agencies, and to transfer the monies received to the State Treasurer to help meet the budgets which the Legislature authorizes for the Trust beneficiaries.

Therefore, even though State agencies have a mechanism by which they can be assured of the right to use Trust lands, they have to pay fair market rent for that use. The only exception to this rental requirement is where the State agency is both the beneficiary and the user of a parcel of Trust lands. For example, when the Department of Corrections (DOC) builds a prison on Penitentiary Trust land, the DOC must get a lease on the land from the Land Department. An annual rental is assigned to the lease, but this is offset by a corresponding beneficiary credit and no rent money actually needs to be paid to the Penitentiary Trust Fund. The Penitentiary Trust foregoes the option of generating income by having the land leased to some other party, but at least the DOC can use the land for a prison site rent free.

Cindy Kappler
Page 2

Attached is a list of the 14 Trust beneficiaries from our 1988 Annual Report and the acreages of Trust lands for each beneficiary. Attached also is a land status map which shows in blue the State Trust lands. While recent land exchanges have altered land ownerships in some rural areas, the Trust land ownership near urban areas as shown on this map is still reasonably accurate, and the map will give you a good visual illustration of the size and location of Trust land holdings. Our Resource Analysis Division is preparing updated Trust land status maps for each county, and we will send you a set of these maps when they are completed. You will note from the acreage listing that 81,354 acres or less than 1% of the 9.6 million acres of State Trust lands are in the Penitentiary Grant.

Each of the Trust land parcels is assigned to a specific Trust. Most of the penitentiary grant lands are in rather remote and rural areas that lack water, utilities, and public access and are poorly suited for prison sites.

We do have the option, however, under certain circumstances to make "beneficiary exchanges", which can switch the Trust beneficiary that was assigned to a specific land parcel to another Trust land parcel in another area. In effect we can move penitentiary or university beneficiary status onto Trust lands that are suitable for specific DOC or University purposes, and thus obtain rent-free status for the State facility. These beneficiary exchanges must be approved by the State Selection Board, consisting of the Governor, the State Attorney General, and the State Treasurer.

Recent beneficiary exchanges have accomplished the rent-free objective for the Adobe Mountain, Perryville, and Globe prison facilities and for the ASU Westside Campus.

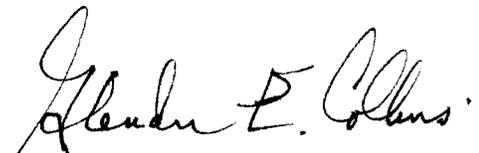
The Land Department is currently working with the Governor's Prison City Task Force and the DOC in planning for expansion of prison and support facilities in the Florence area, and in making beneficiary exchanges as appropriate to convert any Trust lands that are needed for prison sites in this area to a rent-free penitentiary grant status for the DOC.

In summary, there are strict legal requirements governing the lease and sale of State Trust lands. However, there are Trust lands near most Arizona cities and towns, and the Land Department is ready and willing to assist the State in any way we can in facilitating the expansion of the prison system.

GEC:ds

Attachment

c: M.J. Hassell, Land Commissioner
Art Othon, Office of the Governor
Cathy Eden, Director, Dept. of Administration



STATE TRUST LAND ACREAGE BY BENEFICIARY

BENEFICIARIES	TRUST ACRES	
	FY 1978	FY 1988
Legislative, Executive, and Judicial Buildings	66,660	66,940
State Hospital	79,198	78,331
Miners Hospital	48,648	48,776
Miners Hospital 1929	53,311	47,905
State Charitable and Penal Institutions	80,010	78,738
Penitentiaries	80,830	81,354
Normal Schools	172,405	171,951
Agriculture and Mechanical Colleges	134,469	135,389
Military Institutes	82,945	82,945
School of Mines	132,882	133,126
University Land Code	166,354	166,249
University of Arizona (Act of 2-18-1881)	62,216	59,847
School for the Deaf and Blind	84,209	84,135
Common Schools*	8,342,469	8,362,208
TOTAL 14 BENEFICIARIES	9,586,606	9,597,894
*INCLUDES COUNTY BONDS		