



DEPARTMENT OF AUDITS AND ACCOUNTS

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January 3, 2019

Honorable David Dreyer
State Representative
604-D Coverdell Legislative Office Building
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill (LC 29 8150)

Dear Representative Dreyer:

This bill has a number of requirements related to the penal institutions' treatment of female inmates. Penal institutions must establish certain prenatal, perinatal, and postpartum services and supports to female inmates. The bill also requires the administration of a pregnancy test to women under the age of 50 within 14 days of being confined, unless refused. Pregnant inmates must receive certain information, minimum calories, and other clothing and products deemed necessary by a licensed healthcare provider. The bill defines when and how a pregnant or postpartum inmate can be restrained. All female inmates must be provided with tampons and sanitary napkins within 24 hours of a request, as well as new undergarments each quarter. The bill requires that penal institutions have visitation policies for parents of children under the age of 18 that allow for at least six hours of visitation during each visit and access to child-friendly visiting areas.

This bill would result in additional costs for the Georgia Department of Corrections (GDC) and the Georgia Public Safety Training Center (GPSTC). Other state agencies impacted by the bill – the Department of Juvenile Justice (DJJ), the Peace Officer Standards and Training Council (POST), the Department of Public Safety (DPS), and the Georgia Bureau of Investigations (GBI) – did not anticipate additional state funding needs. We were unable to determine the cost for the Board of Public Safety to compile data for the required annual report, though the board would likely need to contract with another entity for the data collection since it has no existing mechanism to interact with local penal institutions.

Costs for GDC

GDC costs include approximately \$6 million in annual costs for additional staff, clothing, certain training, education materials and supplies, and approximately \$60 million in one-time costs related to facility construction (see **Table 1**). Virtually all of the one-time costs and all but \$420,000 of the annual costs is related to increased visitation requirements for parents of children under the age of 18. The bill's required policies related to custodian training, inmate searches, access to medical care, and pregnancy testing are already in place, resulting in no additional cost.

Table 1. GDC Costs, LC 29 8150

	One-Time	Annual
Controlled Temperature Refrigeration	\$2,500	
Lactation Training		\$9,934
Lactation Supplies		\$7,500
Parenting Support Literature		\$1,100
Training/Educational Materials		\$10,000
Feminine Sanitary Products		\$40,000
Undergarments		\$353,320
Facility Construction for Visitation	\$59,769,951	
Operating Expenses for Visitation (Personnel, Utilities)		<u>\$5,563,263</u>
Total	\$59,772,451	\$5,985,117

The bill's visitation requirements would require additional visitation space and additional correctional officers. Currently, only female prisons have child-friendly visitation facilities. In addition, current visitation hours are generally 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. A morning visitor can stay into the afternoon only if room is available. GDC estimated that building larger, child-friendly facilities at 33 facilities would cost approximately \$60 million. The longer visitation hours and larger facilities would require 93 additional correctional officers and increase utility costs at an annual cost of more than \$5.5 million.

Costs for GPSTC

GPSTC would provide gender sensitivity and trauma training to local or state agencies that do not utilize in-house training staff. As shown in **Table 2**, the costs would vary depending on how the course content is delivered, with an online course costing less than a traditional, classroom course.

Table 2. GPSTC Costs, LC 29 8150

	One-Time	Annual
<u>Online Course</u>		
Course Development	\$5,196	
<u>Network Equipment</u>	<u>\$99,853</u>	
Total Online	\$105,049	
<u>Classroom Course</u>		
Four New Instructors (Salaries/Benefits)		\$348,008
Instructors' Equipment/Software	\$9,547	
<u>Printing and Supplies</u>		<u>\$5,000</u>
Total Classroom	\$9,547	\$353,008

- **Online** – GPSTC officials indicated that many courses are delivered online and that this would be the preferred method. An online course would cost approximately \$105,000 in one-time costs. However, the network equipment would periodically need to be replaced, with GPSTC officials estimating a three-year life span. It should be noted that this estimate assumes that officers take the course once. If the course must be repeated, GPSTC would revise the course and the course development costs would be incurred again.
- **Classroom** – If the course is delivered in a classroom setting, GPSTC officials estimated one-time costs of \$9,547 and annual costs of \$353,008. Most of the annual costs are for the salaries and benefits of four additional instructors.

Other Affected Agencies

- **Board of Public Safety** – Along with GDC and DJJ, the board would be required to produce an annual report containing statistics related to the state and local penal institutions' treatment of female inmates. The board does not have an established relationship with local penal institutions, nor does it have staff that perform similar data-related tasks. It would most likely need to contract with another organization at an undetermined cost.
- **DJJ** – Agency officials indicated that they are compliant with the provisions of the bill, including the provision of feminine hygiene products, inmate search procedures, gender sensitivity training, and inmate housing location methods. The bill would not require DJJ to provide a nursery program.
- **POST** – Should any custodial agency modify training as a result of the bill, the Council would certify that the training requirements are being met. However, the Council routinely performs these activities and expected no additional expenditures as a result of the bill.
- **DPS** – Agency officials do not believe that the training provisions would apply to its officers, because they do not meet the definition of a custodian of an inmate (i.e., the agency does not operate a penal institution as defined by the bill). However, even if the training were provided to DPS officers, the agency stated that it would take the place of a portion of currently funded training. As a result, no additional funding would be required.
- **GBI** – Agency officials indicated that the bill would have no fiscal impact. Like DPS, GBI agents do not appear to meet the definition of a custodian subject to the bill's training requirements.

Sincerely,

A handwritten signature in blue ink that reads "Greg Griffin".

Greg S. Griffin
State Auditor

A handwritten signature in blue ink that reads "Teresa A. MacCartney".

Teresa A. MacCartney, Director
Office of Planning and Budget

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