Report to the Judiciary Committees of the Colorado House of Representatives and the Senate

Senate Bill 03-318
Concerning Reduction of Sentences for Particular
Drug Crimes, and, in Connection Therewith
Creating a Drug Offender Treatment Fund

Submitted by

Interagency Advisory Committee on Adult and Juvenile Correctional Treatment Janet Wood, Chair

On Behalf of the Interagency Task Force on Drug Treatment

Final Report February 14, 2005

Revised February 23, 2005

Interagency Committee on Adult and Juvenile Correctional Treatment

Chair: Janet Wood, Director Alcohol and Drug Abuse Division, Department of Human Services

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Division of Adult Parole, Community Corrections and Youthful
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Raymond T. Slaughter, Director Division of Criminal Justice, Department of Public Safety

John Gomez, Director Division of Youth Corrections, Department of Human Services

Debra Kupfer, Acting Director Division of Mental Health Services, Department of Human Services

Thomas Quinn, Director Division of Probation Services, Judicial Department

John Rosen State Board of Parole Senate Bill 03-318 Legislative intent. It is the intent of the general assembly to reduce the felony level of drug possession offenses where the defendant possesses a small amount of a controlled substance. In reducing the felony level, the general assembly intends to use the anticipated savings to fund drug offender treatment programs. By increasing the availability of funding for drug treatment, the general assembly anticipates decreasing the number of drug-dependant Coloradoans. The general assembly finds that Colorado will benefit from reducing the number of drug-dependant Coloradans through a resulting reduction in the burden on the state's criminal justice system, penal system, and health care system. In addition, Colorado will experience many other social and economic benefits by reducing the number of drug-dependant Coloradans.

Overview

Senate Bill 03-318 was written and passed by the General Assembly with the intention of decreasing the felony class level and resultant penalties for use and possession of small amounts of illegal drugs. These decreases in penalties are expected to result in savings to the state's general fund which would, in turn, be moved from correctional budgets to a newly created *drug offender treatment fund*. Local *drug offender treatment boards*, also created herein, are required to develop plans to use this money in the most effective manner for their local judicial district. Funding disbursement decisions are made by the *interagency task force on treatment*, an entity also created herein.

Specifically, SB 03-318 reduced the penalties for the following offenses committed on or after July 1, 2003:

- Drug use (schedules I-II) reduces the penalty from F5 to F6;
- Simple drug possession (<1 gram, schedules I-IV) -- reduces the penalty from F5 to F6 (except for flunitrazepam)¹.

The sentencing penalty range for a class 5 felony is 1 year to 3 years in prison; the range for a class 6 felony is 6 months to 18 months in prison. Both levels of sentences can also be served on probation or in community corrections, depending upon the defendant's criminal history.

Funding

To provide funding for drug treatment, the bill established the *drug offender* treatment fund which consists of moneys identified as savings resulting from the penalty changes and appropriated by the general assembly. The fund may also receive money from gifts, grants and donations as well as receive credit for all interest derived from the deposit and investment of moneys in the fund. Money in this fund is required to be appropriated by the General Assembly to the judicial department who, in turn, is required to allocate the moneys to the interagency task force on treatment for costs associated with community-based substance abuse treatment.

The unique feature of this bill is that the felony classes for drug use and simple possession revert back to their original levels if a minimum of \$2,200,000 in estimated savings from the enactment of SB 03-318 has not been generated from, and appropriated to, the drug offender treatment fund by July 1, 2007 or any July 1 of any year following. Such savings must be determined and reported in written notice by the joint budget committee staff director. Table 1 presents a timeline for the implementation of SB 03-318.

¹ Flunitrazepam, also referred to as "the date rape drug" is excepted from the felony class reductions, as the primary use of this drug is not personal, but rather to render another person inoperative for the purpose of committing a crime.

Table 1
Timeline for SB 03-318 Action Points

Date	Action Point
July 2003	Reduce penalties for Schedules I and II and simple drug possession
	from F5 to F6
January 2005	Report due on savings projected
Prior to fund distribution	Create Statewide Interagency
	Task Force on Drug Treatment
Prior to fund distribution	Create Local Boards
Sept. 2005 (if \$2.2M	Allocate \$ to local boards
available by July 1, 2005)	
Sept. 2006 (if \$2.2M	Allocate \$ to local boards
available by July 1, 2006)	
January 2006 and	Local boards report to Legislature
subsequent years if	
funded	
January 2007	Report due on savings projected
July 1, 2007 (and	Penalties revert to pre-2003
subsequent July 1) if NOT	
\$2.2M in savings	
Sept. 2007 (if \$2.2M	Allocate \$ to local boards
available by July 1, 2007)	

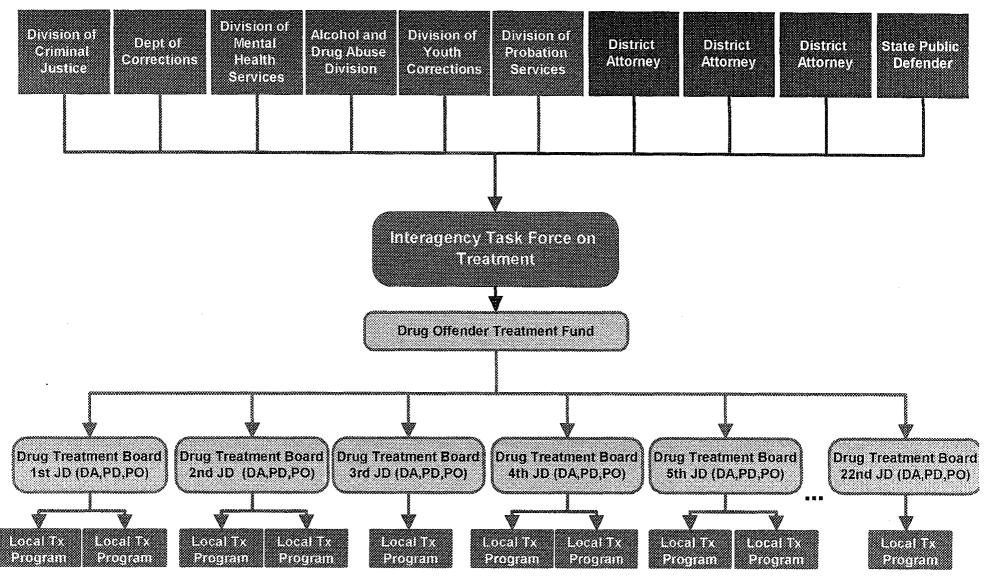
Funding Allocation Bodies: Interagency Task Force on Treatment and Drug Offender Treatment Boards

The *interagency task force on treatment*, also created through SB 03-318, is made up of members listed below or their designees (a copy of the organizational chart is included below). The Directors of the following agencies:

- Division of Adult Parole, Community Corrections and Youthful Offender System, Department of Corrections,
- Division of Criminal Justice, Department of Public Safety,
- Alcohol and Drug Abuse Division, Department of Human Services
- Division of Youth Corrections, Department of Human Services
- Division of Mental Health Services, Department of Human Services and
- Division of Probation Services, Judicial Department,
- Three elected District Attorneys selected by Colorado District Attorney's Council President (and representing various state locales), and
- The State Public Defender.

Local drug offender treatment boards are also created. These boards consist of the district attorney serving the judicial district, the chief public defender serving the judicial district, and a probation officer working in the judicial district and chosen by the chief judge of the judicial district. Each drug offender treatment board shall develop a plan for drug treatment services and receive money from the state interagency task force. The

Interagency Task Force on Treatment (SB 03-318)



local boards are also required to distribute those moneys to drug treatment programs based in the judicial district. No program shall receive moneys from the interagency task force without a majority vote of the board. The legislation stipulates that priority funding shall be given to the drug court, if one is operated in that district.

Senate Bill 03-318 calls for the interagency task force to meet, elect a chair and vice chair and, most importantly, to allocate monies from *Drug Offender Treatment Fund* to local judicial district drug offender treatment boards (beginning September 1 after the first year funding is available). Allocations are based upon a formula (which will be developed) driven by judicial district population and drug case filings. Each local board must submit a plan for review and funding to the task force for decisions regarding the allocation of funds. By statute, priority funding goes to drug courts, with up to 20% of the funds eligible for allocation to drug treatment programs that serve more than one judicial district. Local drug offender treatment boards are encouraged to fund and develop innovative and effective drug treatment programs. The interagency task force on treatment shall allocate at least 80% of the yearly drug offender treatment fund allocation to the judicial district drug offender treatment boards created herein.

Reporting requirements

In an effort to inform the General Assembly, Senate Bill 03-318 requires that the interagency task force on treatment submit a report to both the House and Senate Judiciary Committees on or before January 31, 2005 and January 31, 2007 regarding the anticipated savings generated by the enactment of Senate Bill 03-318.

Local drug offender treatment boards are required to report to the Interagency

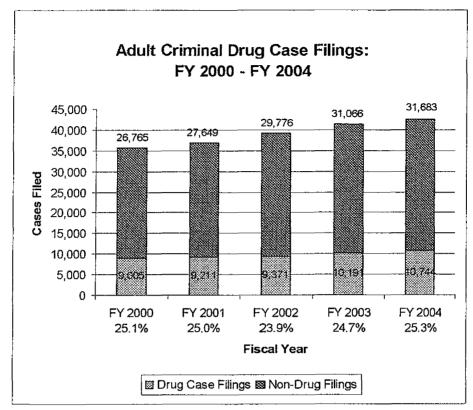
Task Force on Treatment and the House and Senate Judiciary Committees detailing the
amount of and to whom the board distributed its funding by January 31 after each year
of funding.

Findings

Since the full membership of the state's interagency task force on drug treatment has not been appointed at the time of this report, the Interagency Advisory Committee on Adult and Juvenile Correctional Treatment assumed responsibility for this report. Judicial Department data on drug use and possession cases convicted for the 18 months prior to the enactment of SB 03-318 and the 18 months following its enactment were queried and analyzed. To determine the number of cases convicted prior to and after the implementation of SB 03-318, all cases in which a drug offense was the only conviction charge or the most serious or "controlling" conviction charge were selected for analysis. To determine the impact of the legislation, a sample of the cases selected in the first phase of this analysis was reviewed to determine sentence placements and estimated lengths of stay. The rate of revocation of the convictions in this study was assumed stable for the analysis. Without further lengthy analysis, it is difficult to determine if the revocation rate remaining stable is an accurate assumption. Additionally, data on drug cases convicted and sentenced to the Department of Corrections were analyzed for comparison with the Judicial Department data. Researchers from the Interagency Advisory Committee on Adult and Juvenile Correctional Treatment consulted on the data and analyses presented in this report.

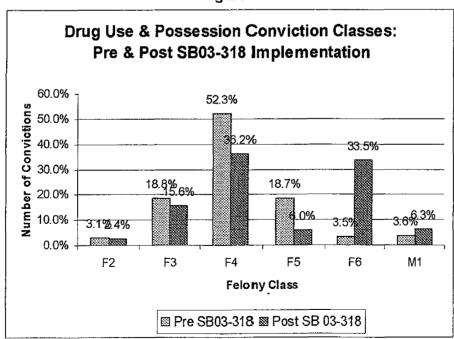
Limitations in the data preclude analyses from being conducted for specific amounts or types of drugs, however, a comparison of changes in the distribution of drug convictions by felony class and a comparison of sentence types and lengths by felony class, pre and post the bill's implementation, can be achieved. Such analyses are presented here.

Figure 1



Source: Colorado Judicial Department.

Figure 2



Source: Colorado Judicial Department.

Figure 1 presents the number of drug cases filed and the number of all criminal cases filed in district courts for each fiscal year between 2000 and 2004 in the State of Colorado. Indicated below each fiscal year designation is the percentage of criminal cases that were filed for drug offenses. These data indicate that drug case filings have remained quite steady, accounting for approximately 24%-25% of all criminal cases filed for the past five years. Figure 2 presents drug case conviction data by felony class for the 18 months prior to the implementation of SB 03-318 and the 18 months directly following the implementation of SB 03-318². These data clearly indicate that after the implementation of SB 03-318, felony class levels for drug convictions shifted down. significantly decreasing the proportion of cases at the felony 4 and felony 5 levels and increasing the proportion of cases convicted in the felony 6 and misdemeanor categories. Sentence data from the Department of Corrections are not consistent with the drug case conviction data represented here. Department of Corrections' (DOC) data represent individuals as compared to cases.3 DOC staff indicate that as many as 45% of drug offenders enter prison with multiple convictions. Since judicial data are casebased, as opposed to person-based, the impact of SB 03-318 might be somewhat overstated by these figures.

To further assess the impact of this legislation, a comparison of three groups is presented (in Tables 2 and 2a). First, the table displays the actual distribution of convicted drug cases by felony class, sentence type and average length of stay within each felony class *prior to SB 03-318*. Next, to show what felony class and placement

² Cases were selected on the basis of date of offense, as the effective date of SB 03-318 is based upon offense data.

³ The issue of counting *individuals* vs *cases* is a significant one. Judicial Department data record each case filed for each individual (however, multiple counts are included in a single case). The Department of Corrections necessarily counts individuals as they are placed inside the institution, so an individual who has three separate cases with convictions in the Judicial Department's data would be counted as one body by the Department of Corrections. It is possible, then, that the Judicial Department data may over-represent potential savings associated with this law and Department of Corrections data suggest that the number of offenders placed in prison on multiple, consecutive drug sentences might be as much as 45% lower than what is represented by the Judicial Department figures.

data would look like *in the absence of SB 03-318*, sentence placement and average length of stay data imposing pre-SB 03-318 distributions on the post-enactment conviction numbers is presented. Finally, the actual felony class, placement and average length of stay data for the *post-SB 03-318 time period* is displayed. Stable cost figures are used for each placement type to determine the total placement costs for each scenario: 1) pre-SB 03-318, 2) post-SB 03-318 if there had been no change, and 3) post-SB 03-318 with the actual changes. These data are presented in the tables below.

Tables 2 and 2a⁴ display the felony class distributions (by percentage and number) for each placement type as well as the average length of stay in months, for each of the three scenarios, and the cumulative cost of placement in each of the sentence placement types. Sentencing data do suggest that, while the actual number of cases sentenced to the Department of Corrections in the higher felony classes decreased, some sentence lengths to the prison increased, and therefore, the estimated average length of stay would increase as well. Table 2 displays the sentence and estimated length of stay information with constant lengths of stay in the Department of Corrections pre- and post-SB 03-318; Table 2a displays the information with expected length of stay changes based on sentencing data analyzed.

Tables 3 and 3a presents data in summary fashion, indicating only the distribution of cases by felony class, and the total cost of the sentenced placements for each of the three scenarios.

In general, the conviction-by-felony class data suggest that prosecutors and judges have taken the spirit of SB 03-318 to heart. That is, overall, there appears to be

⁴ Estimated length of stay data for probation, ISP and deferred sentence were obtained from the Judicial Department's, State Court Administrator's Office, Division of Probation Services. Average length of stay data for community corrections were obtained from the Division of Criminal Justice, Office of Community Corrections. Average length of stay data for DOC were obtained from the Division of Criminal Justice, Office of Research and Statistics Adult Prison and Parole Population Projections; December 2004. Estimated length of stay data (in Table 2a) for post SB 03-318 are based on sentencing data from the Judicial Department. Cost figures were obtained from the FY 2005 Long Bill.

a downshifting in the felony class of conviction for drug cases. When comparing the cost of sentencing figures for the "if SB 03-318 had not passed" scenario (\$96,050,544) with the figures of the post-SB 03-318 (\$67,194,441), there is a total cumulative cost savings of \$28,856,103. Tables 2a and 3a present the data for this scenario. When post SB 03-318 average lengths of stay in prison are increased, the overall projected savings are significantly reduced; however, the overall savings is still \$8,578,953.

Of course, none of these savings will actually be realized until the people sentenced to lower cost placements and/or for shorter sentenced periods have been terminated from their correctional placement. That is, if an offender would have served 14.9 months in prison for a class 5 felony prior to the bill's implementation and will now serve 8 months after the bill's implementation (as shown in Table 2a), that savings will be realized after 8 months. Also, the data presented here are cumulative projected savings, not annual savings. It is important to note that if these savings are deemed to be accurate and real, some estimate of how the savings would be phased in would need to be created. Finally, it is important to keep in mind the issue of multiple cases for a single offender raised earlier. Even if as many as half of the cases presented here represent individuals with multiple cases, the projected savings would be approximately half those reported here. In any case, the cumulative projected savings should exceed the floor of \$2.2 million cited in the statute.

Table 2
Felony Class Distribution, Sentence Type and Projected Estimated Length of Stay:
Pre-SB 03-318, Post-SB 03-318 Assuming no Change and Post-SB 03-318

DOC 3.1% 147 113.8 16,729 \$39,429,310 142 16,201 \$38,185,668 2.4% 112 113.8 12,746 \$30,041,379 F3 Subtotaled cost for F3 \$22,828,978 \$22,828,978 \$22,160,273 \$14,538,812 Def. Sent. 3.8% 180 21.6 3,888 \$229,392 174 3,765 \$222,157 3.2% 146 21.6 3,162 \$186,534 Prob 7.0% 330 21.6 7,128 \$420,552 320 6,903 \$407,287 6.0% 276 21.6 5,953 \$351,230 ISP 0.6% 30 21.6 648 \$118,872 29 628 \$166,468 1.4% 65 21.6 1,403 \$257,453 CC 2.9% 136 11.0 1,496 \$974,440 132 1,449 \$943,705 2.1% 97 11.0 1,068 \$695,750 DOC 4.4% 210 42.6 8,946 \$21,085,722		Pre SB03- 318 % Cases	Pre SB03- 318 n of Cases	Months	Total Person Months by Sentence Type	Total Cumulative* Cost of Sentence Option	Post SB03 318 n of Cases IF SB03-318 had NOT passed	Total Person Months by Sentence Type	Total Cumulative* Cost of Sentence Option**	Post SB03- 318 % Cases	Post SB03- 318 n of Cases	Est. Length of Stay Months	Total Person Months by Sentence Type	Total Cumulative* Cost of Sentence Option
Prob	F2		accessorates in contraction and and	or F2		\$39,429,310			\$38,185,668					\$30,041,379
Def. Sent	 botoscokonomoneceeseeseese 	baggaggaggaggaggaggagta	000000000000000000000000000000000000000	000000000000000000000000000000000000000	16,729	0.000,000,000,000,000,000,000,000,000,0	142	16,201	\$38,185,668	2.4%	112	113.8	12,746	\$30,041,379
Prob	have the recognition of the second states	Programme and the second second	iled cost fo	r F3					\$22,160,273					\$14,538,812
ISP	Def. Sent.				•	\$229,392	174	•	\$222,157	3.2%	146	21.6	3,162	\$186,534
CC 2.9% 136 11.0 1,496 \$97,440 132 1,449 \$943,705 2.1% 97 11.0 1,068 \$695,750 DOC 4.4% 210 42.6 8,946 \$21,085,722 203 8,684 \$20,420,656 2.8% 130 42.6 5,536 \$13,047,845 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$27,226,708 \$28,475,785 \$28,475,475 \$28,47	Prob	7.0%	330		7,128	\$420,552	320	6,903	\$407,287	6.0%	276	21.6	5,953	\$351,230
DOC 4.4% 210 42.6 8.946 \$21,085,722 203 8.684 \$20,420,656 2.8% 130 42.6 5,536 \$13,047,845 \$12,131,069 Def. Sent. 14.8% 700 21.6 15,120 \$892,080 678 14,643 \$863,943 9.6% 435 21.6 9,402 \$554,702 Prob 19.8% 937 21.6 20,239 \$1,194,113 907 19,601 \$1,156,449 17.6% 806 21.6 17,409 \$1,027,147 ISP 2.6% 121 21.6 2,614 \$479,450 117 2,531 \$115,407 1.4% 63 21.6 1,358 \$249,195 CC 5.8% 272 11.0 2,992 \$1,948,880 263 2,898 \$1,887,410 4.1% 185 11.0 2,039 \$1,328,104 DOC 9.4% 442 23.0 10,186 \$23,961,262 428 9,845 \$23,205,498 3.6% 166 23.0 3,807 \$8,971,921 F5 Subiotaled cost for F5 \$8,059,255 \$7,659,820 \$1,875,99 0.7% 34 21.6 740 \$43,648 Def. Sent. 7.9% 373 21.6 8,057 \$475,351 361 7,803 \$460,358 3.5% 160 21.6 0.50,3575 ISP 1.5% 69 21.6 1,490 \$273,406 67 1,443 \$11,545 0.0% 0 21.6 0.50 CC 2.3% 111 11.0 1,221 \$795,315 107 1,182 \$770,230 0.7% 34 11.0 377 \$245,401 DOC 3.8% 180 14.9 2,682 \$8,321,474 174 2,597 \$6,122,088 1.0% 46 14.9 682 \$1,600,989 F6 Subtotaled cost for F6 \$740,072 \$776,278 \$716,729 \$716,729 Def. Sent. 0.2% 9 21.6 194 \$11,470 9 188 \$11,108 9.2% 420 21.6 9,067 \$534,952 Prob 2.6% 122 21.6 2,635 \$155,477 118 2,552 \$150,573 12.8% 584 21.6 12,608 \$743,857 ISP 0.0% 0 21.6 0 \$0 0 0 \$0 \$40,2598 5.8% 256 8.3 2,124 \$550,843 CC 0.2% 9 11.0 99 \$64,485 9 96 \$62,451 3.2% 146 11.0 1,601 \$1,042,794 Jail 0.0% 0 0.0 0 0 0 0 0 0 0	ISP	0.6%	30	21.6	648	\$118,872	29	628	\$166,468	1.4%	65	21.6	1,403	\$257,453
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Def. Sent	 - bodoscosococococococococo 	000000000000000000000000000000000000000	000000000000000000000000000000000000000	990000000000000000000000000000000000000	8,946	\$21,085,722	203	8,664	\$20,420,656	2.8%	130	42.6	5,536	\$13,047,845
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ISP	Prob	19.8%	937	21.6	20,239	\$1,194,113	907	19,601	\$1,156,449	17.6%	806	21.6	17,409	\$1,027,147
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Table 2a
Felony Class Distribution, Sentence Type and Projected Est. Length of Stay WITH SENTENCE LENGTH INCREASES POST SB 03-318:
Pre-SB 03-318, Post-SB 03-318 Assuming no Change and Post-SB 03-318

	Pre SB03- 318 % Cases	Pre SB03- 318 n of Cases	Est. Length of Stay Months	Total Person Months by Sentence Type	Total Cumulative* Cost of Sentence Option	Post SB03 318 n of Cases IF SB03 318 had NOT passed	Total Person Months by Sentence Type	Total Cumulative* Cost of Sentence Option**	Post SB03- 318 % Cases	Post SB03- 318 n of Cases	Est. Length of Stay Months	Total Person Months by Sentence Type	Total Cumulative* Cost of Sentence Option
F2	Subtota	led cost fo	or F2		\$39,429,310			\$38,185,668					\$30,041,379
DOC	3.1%	147	113.8	16,729	\$39,429,310	142	16,201	\$38,185,668	2.4%	112	113.8	12,746	\$30,041,379
F3	Subtota	led cost fo	or F3		\$22,828,978			\$22,160,273					\$23,268,004
Def. Sent.	3.8%	180	21.6	3,888	\$229,392	174	3,765	\$222,157	3.2%	146	21.6	3,162	\$186,534
Prob	7.0%	330	21.6	7,128	\$420,552	320	6,903	\$407,287	6.0%	276	21.6	5,953	\$351,230
ISP	0.6%	30	21.6	648	\$118,872	29	628	\$166,468	1.4%	65	21.6	1,403	\$257,453
cc	2.9%	136	11.0	1,496	\$974,440	132	1,449	\$943,705	2.1%	97	11.0	1,068	\$695,750
DOC	4.4%	210	42.6	8,946	\$21,085,722	203	8,664	\$20,420,656	2.8%	130	71.1	9,239	\$21,777,037
F4	Subtota	led cost fo	or F4		\$28,475,785			\$27,228,708					\$20,985,965
Def. Sent.	14.8%	700	21.6	15,120	\$892,080	678	14,643	\$863,943	9.5%	435	21.6	9,402	\$554,702
Prob	19.8%	937	21.6	20,239	\$1,194,113	907	19,601	\$1,156,449	17.6%	806	21.6	17,409	\$1,027,147
ISP	2.6%	121	21.6	2,614	\$479,450	117	2,531	\$115,407	1.4%	63	21.6	1,358	\$249,195
cc	5.8%	272	11.0	2,992	\$1,948,880	263	2,898	\$1,887,410	4.1%	185	11.0	2,039	\$1,328,104
DOC	9.4%	442	23.0	10,166	\$23,961,262	428	9,845	\$23,205,498	3.6%	166	45.7	7,563	\$17,826,816
F5		led cast fi	800000000000000000000000000000000000000		\$8,059,255			\$7,551,820					\$1,355,438
Def. Sent.	3.2%	152	21.6	3,283	\$193,709	147	3,180	\$187,599	0.7%	34	21.6	740	\$43,648
Prob	7.9%	373	21.6	8,057	\$475,351	361	7,803	\$460,358	3.5%	160	21.6	3,450	\$203,575
ISP	1.5%	69	21.6	1,490	\$273,406	67	1,443	\$11,545	0.0%	0	21.6	0	\$0
cc	2.3%	111	11.0	1,221	\$795,315	107	1,182	\$770,230	0.7%	34	11.0	377	\$245,401
DOC	3.8%	180	14.9	2,682	\$6,321,474	174	2,597	\$6,122,088	1.0%	46	8.0	366	\$862,813
F6	Subtota	led cost f	or F6		\$740,072			\$716,729					\$11,267,787
Def. Sent.	0.2%	9	21.6	194	\$11,470	9	188	\$11,108	9.2%	420	21.6	9,067	\$534,952
Prob	2.6%	122	21.6	2,635	\$155,477	118	2,552	\$150,573	12.8%	584	21.6	12,608	\$743,857
ISP	0.0%	0	21.6	0	\$0	0	0	\$0	2.8%	127	21.6	2,747	\$503,843
cc	0.2%	9	11.0	99	\$64,485	9	96	\$62,451	3.2%	146	11.0	1,601	\$1,042,794
DOC	0.6%	26	8.3	216	\$508,641	25	209	\$492,598	5.6%	256	14.0	3,582	\$8,442,340
Misd.	Subtota	led cost f	or Misdeme	anors	\$214,099			\$207,346					\$553,019
Jail	0.0%	0	0.0	0	\$0	0	0	\$0	1.4%	64	3.0	189	\$267,472
Prob	3.6%	168	21.6	3,629	\$214,099	163	3,514	\$207,346	4.9%	224	21.6	4,840	\$285,547
Total	100%	4,724			\$99,747,499	4,575		\$96,050,544	100.0%	4,575			\$87,471,591

Table 3
Correctional Costs for Drug Case Convictions by Felony Class and Estimated Length of Stay

Felony Class	Pre- SB 03- 318 n	Pre-SB 03-318 %	Cumulative Cost of Placement	Post-SB 03-318 n IF NO Change	Post- SB 03- 318 % IF NO Change	Cumulative Cost of Placement	Post- SB 03- 318 n	Post- SB 03- 318 %	Cumulative Cost of Placement
F2	147	3.1%	\$39,429,310	142	3.1%	\$38,185,668	112	2.4%	\$30,041,379
F3	886	18.8%	\$22,828,978	858	18.8%	\$22,160,273	714	15.6%	\$14,538,812
F4	2,472	52.3%	\$28,475,785	2,394	52.3%	\$27,228,708	1,655	36.2%	\$12,131,069
F5	885	18.7%	\$8,059,255	857	18.7%	\$7,551,820	274	6.0%	\$2,099,614
F6	166	3.5%	\$740,072	161	3.5%	\$716,729	1,532	33.5%	\$7,830,548
Misd.	168	3.6%	\$214,099	163	3.6%	\$207,346	288	6.3%	\$553,019
Total	4,724	100%	\$99,747,499	4,575	100%	\$96,050,544	4,575	100%	\$67,194,441

Table 3a
Correctional Costs for Drug Case Convictions by Felony Class and Estimated Length of Stay
WITH SENTENCE LENGTH INCREASES POST SB 03-318

Felony Class	Pre- SB 03- 318 n	Pre-SB 03-318 %	Cumulative Cost of Placement	Post-SB 03-318 n IF NO Change	Post- SB 03- 318 % IF NO Change	Cumulative Cost of Placement	Post- SB 03- 318 n	Post- SB 03- 318 %	Cumulative Cost of Placement
F2	147	3.1%	\$39,429,310	142	3.1%	\$38,185,668	112	2.4%	\$30,041,379
F3	886	18.8%	\$22,828,978	858	18.8%	\$22,160,273	714	15.6%	\$23,268,004
F4	2,472	52.3%	\$28,475,785	2,394	52.3%	\$27,228,708	1,655	36.2%	\$20,985,965
F5	885	18.7%	\$8,059,255	857	18.7%	\$7,551,820	274	6.0%	\$1,355,438
F6	166	3.5%	\$740,072	161	3.5%	\$716,729	1,532	33.5%	\$11,267,787
Misd.	168	3.6%	\$214,099	163	3.6%	\$207,346	288	6.3%	\$553,019
Total	4,724	100%	\$99,747,499	4,575	100%	\$96,050,544	4,575	100%	\$87,471,591