

Office of the County Auditor
Auditor's Analysis

Council Bill No. 51-2020

Introduced: September 8, 2020

Auditor: Edward Shulder / Michelle R. Harrod

Fiscal Impact:

The future fiscal impact of this legislation cannot be readily determined. However, based on historic revenues and the direct expenditures, illustrated in the chart below, the future net County General Fund (GF) revenues could be reduced by approximately \$2 million.

Federal Immigration Detainee Revenue and Expense

Fiscal Year	Revenue	Direct Expense	Net Revenue
2018	\$ 2,376,500	\$ 555,100	\$ 1,821,400
2019	2,647,300	654,000	1,993,300
2020	2,266,600	Unavailable	N/A
2021 <i>as of 9/15/2020</i>	244,000	Unavailable	N/A

See **Exhibit A** for detailed information on FY 2019 direct expenditures.

NOTE: Future net revenues will likely be impacted by the following:

- Revenues for Fiscal Year 2021 are reduced due to the COVID-19 pandemic. To maintain social distancing, the Detention Center has reduced the 110 U.S. Immigration and Customs Enforcement (ICE) bed allocation to 24 beds. Because there will likely be offsetting reductions in expenditures, the net effect is difficult to estimate. For detailed information of the average daily number of ICE detainees, refer to **Exhibit B**.
- According to the Director of the Department of Corrections (Corrections), there will be reductions of direct and possibly indirect expenses as a result of this legislation. However, we cannot determine the extent of indirect costs that may be affected.

Purpose:

This bill would prohibit Corrections from detaining or housing any individual being detained by federal authorities for federal immigration violations except under very limited circumstances.

Other Comments:

According to the Director of Corrections, the federal per diem of \$110 to house each ICE detainee was negotiated based upon Fiscal Year 2017 expenditures. At that time, Detention Center personnel calculated the estimated bed rate using the ICE Fiscal Estimate Worksheet, which was calculated at \$113 per day.

This calculation included the direct and overhead costs of the detention center (\$19.1 million), divided by 365 and the number of beds at total capacity (463).

Recently, the Director was asked to provide a current per diem rate. He has indicated that a rate of \$118 per diem was estimated by using the Fiscal Year 2017 data (resulting in \$113) with a two percent annual rate of inflation. The Director did not recalculate the per diem based upon current actual expenditures.

Exhibit A

Fiscal Year 2019 Federal Immigration Detainee Expense

FY 2019	
Received	550
Average Daily	86
Total Days	31,564
<u>Revenue:</u>	<u>\$2,647,345</u>
Expense	\$654,063
Surplus Revenue	\$1,993,282

ICE Liaison	\$102,975.00		<i>(\$99,579 includes fringe + \$2,070 roll call approx 50 hrs x \$51.60/hr)</i>
Contingent Librarian	\$18,810.00		<i>2 additional days</i>
Correctinal Officer (4)	\$325,160.00		<i>Housing Commitment Officer (ICE Housing - 2 Post Positions and staffing Relief Factor 1.9 equivalent to 4 positions - varies year to year dependent on holiday, leave, and training schedules)</i>
Meals	\$188,340.00	6.00/day	<i>(aver 86 x 365 days x \$6.00)</i>
Hygiene Kits	\$1,500.00	\$0.69	450 Initial and replacement 60 detainees x .69 x 26 weeks (bi-weekly) ¹
Shoes	\$3,493.00	\$4.99	Initial 450; replace as needed est. 250 ¹
Shower shoes	\$1,225.00	\$1.75	Initial 450; replace as needed est. 250 ¹
Socks	\$441.00	\$0.42	Initial 450 x 5 sets = 2,250; replace 3 sets x 100 every 6 months = 600 pr = 1,050 pr total ¹
T-shirts	\$2,016.00	\$1.92	Initial 450 x 5 sets = 2,250; replace 3 sets x 100 every 6 months = 600 pr = 1,050 pr total ¹
Underwear	\$945.00	\$0.90	Initial 450 x 5 sets = 2,250; replace 3 sets x 100 every 6 months = 600 pr = 1,050 pr total ¹
Jumpsuit	\$5,040.00	\$10.50	(estimated replacement cost/order each year 40 doz)
Towel	\$648.00	\$1.35	(estimated replacement cost/order each year 40 doz)
Sheets (2)	\$2,200.00	\$4.58	(estimated replacement cost/order each year 40 doz)
Blanket	\$1,270.00	\$6.35	(estimate 200)
	\$654,063.00		

¹Variance in received of 550 and 450 is due to overnight detainees, according to the Director of Corrections.

Exhibit B

	Immigration Average Daily Population								
	Fiscal Year								
Month	FY 14	FY 15	FY 16	FY 17	FY18	FY19	FY20	FY21	
July	78	72	31	55	69	88	73	25	
August	91	85	56	59	74	91	69	25	
September	97	69	65	62	82	100	71		
October	80	59	58	64	88	87	73		
November	73	55	61	63	83	93	63		
December	60	44	46	61	79	93	58		
January	71	39	56	65	88	86	44		
February	72	43	66	74	97	82	64		
March	71	44	59	77	91	83	64		
April	69	64	54	77	88	73	36		
May	60	50	65	71	89	74	35		
June	68	40	75	66	99	80	30		
Total Days	890	664	692	794	1027	1030	680	50	
Total Average	74	55	58	66	86	86	57	25	