

To: Joint Committee on Finance  
From: Bob Lang, Director  
Legislative Fiscal Bureau

## ISSUE

### Probation and Parole Caseload Growth (Corrections -- Community Corrections)

[LFB Summary: Page 187, #1]

#### CURRENT LAW

Base funding for probation and parole is \$58,350,500 GPR and 1,426 GPR positions. Further, base funding of \$3,089,000 GPR is provided for the purchase of services for offenders on probation and parole. In addition, operational support for probation and parole is also provided from base funding of \$4,000,000 PR annually for program operations and \$721,700 PR and 18.0 PR positions for the supervision of minimum and administrative supervision offenders.

#### GOVERNOR

Provide \$4,473,300 GPR and 174.0 GPR positions, and \$33,500 PR and 1.0 PR position in 1997-98 and \$7,353,000 GPR and 199.0 GPR positions, and \$38,800 PR and 1.0 PR position in 1998-99 to accommodate projected probation and parole caseload growth. Of the additional positions, 25.0 agent positions annually would be assigned to southeastern Wisconsin to locate and return probationers or parolees who have absconded from supervision or to initiate revocation proceedings.

Provide \$72,000 GPR in 1998-99 for increased funding for purchase of service funding for probation and parole offenders.

## DISCUSSION POINTS

### Probation and Parole Caseload

1. The bill provides \$3,583,200 GPR and \$33,500 PR in 1997-98 and \$6,011,400 GPR and \$38,800 PR in 1998-99 associated with probation and parole caseload. The following positions would be provided: (a) 97.5 GPR probation and parole agents, 8.0 GPR field supervisors, 3.0 GPR program assistant supervisors, 28.25 GPR program assistants, 1.0 GPR personnel assistant, 1.0 GPR payroll assistant, and 1.0 PR financial specialist in 1997-98; and (b) an additional 18.5 GPR probation and parole agents, 2.0 GPR field supervisors, 1.0 GPR program assistant supervisor and 3.5 GPR program assistants in 1998-99. The bill also provides \$72,000 GPR in 1998-99 for increased funding for purchase of service funding for probation and parole offenders.

2. The bill assumes that the probation and parole caseload will be 61,560 on June 30, 1998, and 65,284 on June 30, 1999. The budgeted population for June 30, 1997, is 63,796. On April 1, 1997, the probation and parole population was 55,949.

3. The Department of Corrections utilizes a case classification and staff deployment (CC/SD) system to evaluate probation and parole staffing requirements. The CC/SD model uses projected probation and parole populations to determine the number of agents that may be required based on the risk classification of offenders and an agent workload study. While the bill makes assumptions regarding probation and parole populations, these populations were not used in the calculation of the staffing request. If the CC/SD model had been utilized with the population projections in the bill: (a) an absconder unit in southeastern Wisconsin (discussed in the following section) could not have been created because these positions would have been necessary to support the projected workload; and (b) an additional \$2,540,800 GPR and 72.5 GPR positions would have been required in 1998-99.

4. Based on more recent data and using historic trends, the probation and parole population is now estimated to be 59,315 on June 30, 1998 and 62,158 on June 30, 1999. This represents approximately a 4.9% annual increase in populations. The Committee should note that while the projected populations are less than currently budgeted populations, the percentage of probationers and parolees in higher risk classifications has increased and, therefore, more staff is required for supervision.

5. If the revised population projections and the Department's CC/SD model (adjusted for recent case classification trends) are used, the following adjustments may be made to the bill: (a) staffing costs, -\$1,000,700 GPR and -36.25 GPR positions in 1997-98 and -\$68,800 GPR and 20.25 GPR positions in 1998-99; (b) program revenue-supported probation and parole staff, due to fewer minimum and administrative supervision offenders, -\$220,500 PR in 1997-98 and -\$250,100 PR in 1998-99 with -7.0 PR positions annually; and (c) purchase of services, -\$217,000 GPR in 1997-98 and -\$151,300 GPR in 1998-99.

## **Probation and Parole Absconder Unit**

6. Under the bill, \$890,100 GPR in 1997-98 and \$1,341,600 GPR in 1998-99 and 35.25 GPR positions annually are provided for a special probation and parole unit assigned to southeastern Wisconsin to locate and return probationers or parolees who have absconded from supervision or to initiate revocation proceedings. The following positions would be provided: (a) 25.0 GPR probation and parole agents; (b) 2.0 GPR field supervisors; (c) 1.0 GPR program assistant supervisor; and (d) 7.25 GPR program assistants.

7. According to Corrections' caseload information, as of February 1, 1997, there were 8,085 offenders on absconder status. Of those offenders, 4,763 (59%) were in the two probation and parole regions located in southeastern Wisconsin (including Walworth, Racine, Kenosha and Milwaukee Counties).

8. The Committee should note that the CC/SD model includes a workload factor for agents' time associated with absconder cases. On a statewide basis, using the reestimated probation and parole populations, the equivalent of 13 agents in 1997-98 and 14 agents in 1998-99 are allocated to absconder cases. If the Committee wishes to provide for an absconder unit, it could be argued that a reduction should be made to other probation and parole staffing allocated to this function in southeastern Wisconsin. Based on the percentage of absconders from the two southeastern Wisconsin probation and parole regions, a reduction to the bill of \$187,400 GPR and 7.75 GPR positions in 1997-98, and \$316,000 GPR and 8.25 GPR positions in 1998-99 could be made.

9. In its 1997-99 budget request to the Governor, Corrections did not request the probation and parole absconder unit. The Department has not yet determined how these additional positions will be utilized. Given these factors, it could be argued that no additional funding should be provided.

## **ALTERNATIVES TO BASE**

### **A. Probation and Parole Caseload**

1. Approve the Governor's recommendation to provide \$3,583,200 GPR and 138.75 GPR positions and \$33,500 PR and 1.0 PR position in 1997-98 and \$6,083,400 GPR and 163.75 GPR positions and \$38,800 PR and 1.0 PR position in 1998-99 associated with probation and parole caseload.

<u>Alternative A1</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
1997-99 FUNDING (Change to Base)	\$9,666,600	\$72,300	\$9,738,900
[Change to Bill]	\$0	\$0	\$0]
1998-99 POSITIONS (Change to Base)	163.75	1.00	164.75
[Change to Bill]	0	0	0]

2. Reestimate probation and parole populations to 59,315 on June 30, 1998 and 62,158 on June 30, 1999. Provide \$2,365,500 GPR and -\$187,000 PR and 102.5 GPR and -6.0 PR positions in 1997-98 and \$5,863,300 GPR and -\$211,300 PR and 184.0 GPR and -6.0 PR positions in 1998-99 associated with probation and parole caseload.

<u>Alternative A2</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
1997-99 FUNDING (Change to Base)	\$8,228,800	-\$398,300	\$7,830,500
[Change to Bill]	-\$1,437,800	-\$470,600	-\$1,908,400]
1998-99 POSITIONS (Change to Base)	184.00	-6.00	178.00
[Change to Bill]	20.25	-7.00	13.25]

3. Maintain current law.

<u>Alternative A3</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
1997-99 FUNDING (Change to Base)	\$0	0	0
[Change to Bill]	-\$9,666,600	-\$72,300	-\$9,738,900]
1998-99 POSITIONS (Change to Base)	0	0	0
[Change to Bill]	-163.75	-1.00	-164.75]

## B. Probation and Parole Absconder Unit

*see motion #3079*

1. Approve the Governor's recommendation to provide \$890,100 GPR in 1997-98 and \$1,341,600 GPR in 1998-99 and 35.25 GPR positions annually for a special probation and parole unit assigned to southeastern Wisconsin to locate and return probationers or parolees who have absconded from supervision or to initiate revocation proceedings.

<u>Alternative B1</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$2,231,700
[Change to Bill]	\$0]
1998-99 POSITIONS (Change to Base)	35.25
[Change to Bill]	0.00]

2. Modify the Governor's provision by reducing funding and positions for a special probation and parole absconder unit in southeastern Wisconsin by \$187,400 GPR and 7.75 GPR positions in 1997-98, and \$316,000 GPR and 8.25 GPR positions in 1998-99 to reflect current workload in southeastern Wisconsin attributed to offenders on absconder status.

<u>Alternative B2</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$1,728,300
[Change to Bill]	- \$503,400]
1998-99 POSITIONS (Change to Base)	27.00
[Change to Bill]	- 8.25]

3. Maintain current law.

<u>Alternative B3</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$0
[Change to Bill]	- \$2,231,700]
1998-99 POSITIONS (Change to Base)	0
[Change to Bill]	- 35.25]

MO# Alt # A2

Prepared by: Jere Bauer

JENSEN	X	N	A
OURADA	X	N	A
HARSDORF	X	N	A
ALBERS	X	N	A
GARD	X	N	A
KAUFERT	X	N	A
LINTON	X	N	A
COGGS	X	N	A

2 BURKE	X	N	A
DECKER	X	N	A
GEORGE	Y	N	A
JAUCH	X	N	A
WINEKE	Y	N	A
SHIBILSKI	Y	N	A
COWLES	X	N	A
PANZER	X	N	A

AYE 15 NO 0 ABS 1

**CORRECTIONS -- COMMUNITY CORRECTIONS**

**Probation and Parole Absconder Unit  
Substitute to Alternative B2 (Paper #315)**

**Motion:**

Move to place \$702,700 GPR in 1997-98 and \$1,025,600 GPR in 1998-99 in the Joint Committee on Finance's appropriation, reserved for a special probation and parole absconder unit in southeastern Wisconsin. Provide that the funding may be released after the Joint Committee on Finance approves a plan and budget for the special unit submitted by the Department to the Committee.

**Note:**

Senate Bill 77 would provide \$2,231,700 GPR and 35.25 GPR positions in the 1997-99 biennium for a special probation and parole absconder unit assigned to southeastern Wisconsin to locate and return probationers or parolees who have absconded from supervision or to initiate revocation proceedings. This motion would place \$1,728,300 GPR in the Committee's appropriation, for release upon approval of a plan and budget concerning the special unit.

[Change to Base: \$1,728,300 GPR]

[Change to Bill: -\$503,400 GPR and -35.25 GPR positions]

MO# 3079

JENSEN	X	N	A
OURADA	X	N	A
HARSDORF	X	N	A
ALBERS	X	N	A
GARD	X	N	A
KAUFERT	X	N	A
LINTON	X	N	A
COGGS	X	N	A

BURKE	X	N	A
DECKER	X	N	A
GEORGE	Y	N	X
JAUCH	X	N	A
WINEKE	X	N	A
SHIBILSKI	X	N	A
COWLES	X	N	A
PANZER	Y	N	A

AYE 15 NO 0 ABS 1

CORRECTIONS -- COMMUNITY CORRECTIONS

Probation and Parole Hold Reimbursement

Motion:

Move to provide \$179,000 GPR in 1997-98 and \$366,800 GPR in 1998-99 for probation and parole hold reimbursements.

Note:

This motion would provide increased funding for probation and parole hold reimbursements in 1997-98 and 1998-99. Under the motion, funding would increase by 4.9% annually from base level funding of \$3,653,000 GPR to \$3,832,000 GPR in 1997-98 and \$4,019,800 GPR in 1998-99. Probation and parole hold reimbursements are provided to counties for felons being held in county jails pending the revocation of their probation or parole for non-criminal rules violations.

[Change to Base: \$545,800 GPR]

[Change to Bill: \$545,800 GPR]

MO# 1664

JENSEN	Y	<del>N</del>	A
OURADA	<del>X</del>	N	A
HARSDORF	<del>X</del>	N	A
ALBERS	Y	<del>N</del>	A
GARD	Y	<del>N</del>	A
KAUFERT	Y	<del>N</del>	A
LINTON	<del>X</del>	N	A
COGGS	<del>X</del>	N	A

BURKE	<del>X</del>	N	A
DECKER	<del>X</del>	N	A
GEORGE	Y	N	<del>A</del>
JAUCH	<del>X</del>	N	A
WINEKE	<del>X</del>	N	A
SHIBILSKI	<del>X</del>	N	A
COWLES	Y	<del>N</del>	A
PANZER	Y	<del>N</del>	A

AYE 9 NO 6 ABS \_\_\_\_\_

To: Joint Committee on Finance  
From: Bob Lang, Director  
Legislative Fiscal Bureau

## ISSUE

### Residential Living Programs (Corrections -- Community Corrections)

[LFB Summary: Page 188, #2]

## CURRENT LAW

Base funding for residential living programs is \$8,539,200 GPR.

## GOVERNOR

Provide \$626,600 GPR in 1997-98 and \$1,441,800 GPR in 1998-99 for increases in residential living programs.

## DISCUSSION POINTS

1. Residential living programs include halfway houses and transitional living programs. According to the Department of Corrections, it currently has contracts with private providers for 271 halfway house beds and 52 transitional living beds. Halfway houses are community-based residential facilities where probationers, parolees or intensive sanctions inmates may be required to reside as a condition of their supervision. Halfway houses are licensed and regulated by the Department of Health and Family Services. Halfway houses are nonsecure facilities which house a relatively small number of persons who require some type of supervised living arrangement. Transitional living programs generally provide short-term (up to 90 days) living arrangements for newly released, employed parolees or probationers that provide no specific treatment for offenders, but which are staffed by providers who may make unannounced

visits to monitor behavior. Transitional living beds are used until more permanent housing may be secured.

2. The bill provides the following increases for residential living programs: (a) \$106,800 in 1997-98 and \$213,500 in 1998-99 for nine additional halfway house beds to increase the total number of halfway house beds to 280 annually; (b) \$233,600 in 1997-98 and \$934,400 in 1998-99 for an additional 40 transitional living beds in 1997-98 and 80 beds in 1998-99 to increase the total number of transitional living beds to 92 in 1997-98 and 132 in 1998-99; (c) \$30,000 annually for start-up costs associated with transitional living programs; and (d) \$256,200 in 1997-98 and \$263,900 in 1998-99 to provide a 3% annual increase to current halfway house and transitional living providers.

3. The Department indicates that funding for the nine additional halfway house beds would allow it to assume beds that the federal Bureau of Prisons will no longer utilize at a halfway house in Madison. The Department emphasizes that the halfway house beds are not new beds, but rather existing beds that the state could utilize.

4. The additional transitional living funding would support the maximum number of beds the Division of Community Corrections believes can be started annually. Corrections argues that additional transitional living beds are necessary to: (a) reduce the need for halfway house beds; (b) provide flexibility in the placement of offenders; and (c) provide temporary housing for offenders statewide, in rural and urban settings.

5. Based on Corrections' identification of the number of residential living program beds it currently has under contract, the Department has \$1,502,400 GPR in base funding which is not allocated to specific contracts. The Department indicates that this funding is utilized to purchase a small number of residential program beds (approximately 63 beds) on a periodic, short-term basis in various locations statewide. According to Department officials, this allows Corrections to meet unanticipated program needs and provides administrative flexibility.

6. It could be argued that Corrections has the ability to fully fund the cost increases identified in the bill by utilizing funding that is currently unallocated to contracts. If Corrections were to use this funding, \$875,800 GPR in 1997-98 and \$60,600 GPR in 1998-99 of base resources would be available for short-term uses. Unallocated funding could support approximately 43 beds in 1997-98 and three beds in 1998-99. As a result, the Committee could decide to provide no additional funding for residential living programs. This would, however, limit the Department's ability to purchase additional bed space on a short-term basis when needed.

7. As an alternative, the Committee could provide no increase in 1997-98, but provide \$815,200 GPR in 1998-99 for residential living programs. This alternative would fund Corrections' request utilizing base resources in 1997-98, and allow Corrections to have \$875,800

GPR annually for short-term uses to support approximately 43 beds statewide in both years of the biennium.

8. Questions may also be raised regarding two elements of the Governor's recommendation:

- **Transitional Living Start-up.** Under the bill, \$30,000 GPR annually is provided related to the start-up of ten transitional living programs annually. A program typically has two to four beds. Corrections indicates that the start-up costs (\$3,000 per program) are intended to provide basic materials that are necessary for living in an apartment (beds, sheets, pillows and minimal other furniture). The property purchased for start-up becomes the property of the state if the transitional living program ceases to operate. While basic materials are necessary when starting a new transitional living program, it could be argued that these costs should be covered by the organization with whom the state contracts for services as part of that contract. Accordingly, the Committee could decide not to provide start-up funding for transitional living programs. The Department argues, however, that by providing start-up costs to the contractors, it avoids paying for these costs throughout the length of the contract through higher rates.

- **Inflationary Increases.** Under the bill, \$256,200 GPR in 1997-98 and \$263,900 GPR in 1998-99 is provided for inflationary costs associated with residential living programs. The 1997-99 budget instructions from DOA indicate that "[t]here is no budget policy on inflation. Any such requests are subject to the same priority setting process the agency employs for all of its decision items." The budget instructions further state: "Inflationary pressures are generally expected to continue to be minimal during 1997-99. Agencies are expected to cover general cost increases through base reallocation." Corrections indicates that inflationary increases were requested for residential living programs in order to allow private providers to cover anticipated staffing and operational cost increases. The Department argues that without inflationary increases, providers may choose to contract with the federal government or may be required to close programs. Inflationary increases have been provided in past biennial budgets. It could be argued, however, that other programs are not receiving inflationary increases in the budget and, therefore, residential living programs should be treated similarly. Further, since DOA budget instructions indicate that agencies are expected to cover general inflationary increases from base level funds, this standard should apply to Corrections as well.

## ALTERNATIVES TO BASE

### A. Additional Residential Living Beds

*see motion # 1665 (PASS)*

1. Approve the Governor's recommendation to provide: (a) \$106,800 in 1997-98 and \$213,500 in 1998-99 for nine additional halfway house beds; and (b) \$233,600 in 1997-98 and \$934,400 in 1998-99 for an additional 40 transitional living beds in 1997-98 and 80 beds in 1998-99.

<u>Alternative A1</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$1,488,300
[Change to Bill]	\$0]

2. Provide \$815,200 in 1998-99 to allow Corrections to annually budget \$875,800 for short-term, periodic use of residential living beds.

<u>Alternative A2</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$815,200
[Change to Bill]	- \$673,100]

3. Maintain current law.

<u>Alternative A3</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$0
[Change to Bill]	- \$1,488,300]

**B. Transitional Living Start-up Costs**

1. Approve the Governor's recommendation to provide \$30,000 annually for start-up costs of transitional living programs.

<u>Alternative B1</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$60,000
[Change to Bill]	\$0]

2. Maintain current law.

<u>Alternative B2</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$0
[Change to Bill]	- \$60,000]

**C. Inflationary Cost Increases**

1. Provide \$256,200 in 1997-98 and \$263,900 in 1998-99 for estimated annual inflationary costs for residential living programs.

Default

<u>Alternative C1</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$520,100
[Change to Bill]	\$0]

2. Take no action.

<u>Alternative C2</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$0
[Change to Bill]	- \$520,100]

Prepared by: Jere Bauer

MO# AH#C1

JENSEN	X	N	A
OURADA	X	N	A
HARSDORF	X	N	A
ALBERS	X	N	A
GARD	X	N	A
KAUFERT	X	N	A
LINTON	X	N	A
COGGS	X	N	A
BURKE	X	N	A
DECKER	X	N	A
GEORGE	Y	N	A
JAUCH	X	N	A
WINEKE	X	N	A
SHIBILSKI	X	N	A
COWLES	X	N	A
PANZER	X	N	A

AYE 15 NO 0 ABS 1

Representative ~~Jensen~~

GARD

CORRECTIONS -- COMMUNITY CORRECTIONS

Additional Halfway House Beds  
Substitute to Alternative A1 (Paper #316)

Motion:

Move to provide \$340,400 GPR in 1997-98 and \$1,147,900 GPR in 1998-99 for 25 halfway house beds in 1997-98 and an additional 21 beds in 1998-99.

Note:

The Department of Corrections currently contracts for 271 halfway house beds. This motion would approve the Governor's recommendation to provide \$106,800 GPR in 1997-98 and \$213,500 GPR in 1998-99 for an additional nine halfway house beds. Instead of providing \$233,600 GPR in 1997-98 and \$934,400 GPR in 1998-99 for transitional living beds, as recommended by the Governor, this motion would provide this amount of funding to support 16 more halfway house beds in 1997-98 and 21 more beds in 1998-99.

[Change to Base: \$1,488,300 GPR]

[Change to Bill: \$0]

MO# 1665

2 JENSEN	X	N	A
OURADA	X	N	A
HARSDORF	X	N	A
ALBERS	X	N	A
1 GARD	X	N	A
KAUFERT	X	N	A
LINTON	X	N	A
COGGS	X	N	A

BURKE	X	N	A
DECKER	X	N	A
GEORGE	X	N	A
JAUCH	X	N	A
WINEKE	X	N	A
SHIBILSKI	X	N	A
COWLES	X	N	A
PANZER	X	N	A

AYE 15 NO 0 ABS 1

CORRECTIONS--COMMUNITY CORRECTIONS

Community Notification of Transitional Housing

Motion:

Move to require the Department of Corrections to notify the police chief, sheriff and the chief elected official of an affected municipality, and the local newspaper of record in advance of any plan to site transitional housing for probationers or parolees in the community. Provide that the local officials must notify the public in the manner and to the extent that they see fit.

Note:

Currently, the Department of Corrections contracts with private providers to provide short-term living arrangements for newly released, employed parolees or probationers. These programs, which typically have two to four beds, provide no specific treatment for offenders, but are staffed by providers who may make unannounced visits to monitor behavior. The Department currently funds 52 transitional living beds. This motion would require the Department to notify in advance the police chief, sheriff, chief elected official and the local newspaper of record of a municipality, in which a contractor plans to open a transitional housing program. The local officials could determine the extent and manner in which to notify the public of the proposed transitional housing.

MO# 3073

ZJENSEN	<input checked="" type="checkbox"/>	N	A
OURADA	<input checked="" type="checkbox"/>	N	A
HARSDORF	<input checked="" type="checkbox"/>	N	A
ALBERS	<input checked="" type="checkbox"/>	N	A
GARD	<input checked="" type="checkbox"/>	N	A
KAUFERT	<input checked="" type="checkbox"/>	N	A
LINTON	<input checked="" type="checkbox"/>	N	A
COGGS	<input checked="" type="checkbox"/>	N	A

BURKE	<input checked="" type="checkbox"/>	N	A
DECKER	<input checked="" type="checkbox"/>	N	A
GEORGE	<input checked="" type="checkbox"/>	N	<input checked="" type="checkbox"/>
JAUCH	<input checked="" type="checkbox"/>	N	A
WINEKE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A
SHIBILSKI	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A
COWLES	<input checked="" type="checkbox"/>	N	A
PANZER	<input checked="" type="checkbox"/>	N	A

AYE 13 NO 2 ABS 1

To: Joint Committee on Finance

From: Bob Lang, Director  
Legislative Fiscal Bureau

**ISSUE**

**St. John's Correctional Center Expansion (Corrections--Community Corrections)**

[LFB Summary: Page 188, #3]

**CURRENT LAW**

The Department of Corrections currently leases space for the 50-bed St. John's Correctional Center in Milwaukee. Base funding for the Center is \$941,000 with 16.0 GPR positions.

**GOVERNOR**

Provide \$991,800 GPR and 8.5 GPR positions in 1998-99 for the relocation and expansion of the leased St. John's Correctional Center from 50 beds to 100 beds under a lease/purchase agreement.

**DISCUSSION POINTS**

Under the Governor's recommendation, funding and positions are included as follows: (a) \$184,200 GPR and 8.5 GPR positions in 1998-99 for housing unit and work crew security, social services and institutional support; (b) \$32,700 GPR for officer preservice training, overtime, risk management, vaccines and internal services; (c) \$201,700 GPR for startup and one-time costs; (d) \$62,600 GPR for three vans; (e) \$24,000 GPR for institutional supplies; (f) \$400,000 GPR related to increased lease costs; (g) \$50,000 GPR for sex offender treatment; and (h) \$36,600 GPR for utilities and maintenance. Staffing includes 5.5 correctional officers for

house unit security and work crews, and 1.0 social worker, program assistant and maintenance mechanic.

2. The current St. John's Correctional Center is located in a building owned by a church. The church has indicated that it wishes to utilize the space for other purposes. As a result, Corrections needs to relocate its current facility by August, 1998. Current rent on the 50-bed facility is \$106,600 annually.

3. A contract for a new facility has not yet been negotiated nor have terms of the agreement been determined. Lease activities are being handled by a private firm, contracted by the Department of Administration. It is not clear, at this time, how much additional rent will be required, how many beds the selected facility will accommodate or what type of staffing will be required. Given the uncertainties regarding the new facility, the Committee could place funding in the Committee's supplemental funding appropriation for release under s. 13.10 when lease arrangements have been made. If funding is placed in the Committee's appropriation, position authority could be eliminated because of the Committee's ability to create positions under s. 13.10.

### ALTERNATIVES TO BASE

1. Approve the Governor's recommendation to provide \$991,800 GPR and 8.5 GPR positions in 1998-99 for the relocation and expansion of the leased St. John's Correctional Center from 50 beds to 100 beds under a lease/purchase agreement.

<u>Alternative 1</u>	<u>GPR</u>	
1997-99 FUNDING (Change to Base)	\$991,800	
[Change to Bill	\$0]	
1998-99 POSITIONS (Change to Base)	8.50	
[Change to Bill	0]	

2. Place funding for the St. John's Correctional Center in the Joint Committee on Finance's supplemental appropriation for release under s. 13.10 when lease arrangements have been made.

<u>Alternative 2</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$991,800
[Change to Bill]	\$0]
1998-99 POSITIONS (Change to Base)	\$0
[Change to Bill]	- 8.50]

3. Take no action.

<u>Alternative 3</u>	<u>GPR</u>
1997-99 FUNDING (Change to Base)	\$0
[Change to Bill]	- \$991,800]
1998-99 POSITIONS (Change to Base)	0
[Change to Bill]	- 8.50]

Prepared by: Jere Bauer

MO# Alt # 2

JENSEN	X	N	A
OURADA	X	N	A
HARSDORF	X	N	A
ALBERS	X	N	A
GARD	X	N	A
KAUFERT	X	N	A
LINTON	X	N	A
COGGS	X	N	A

BURKE	X	N	A
DECKER	X	N	A
GEORGE	X	N	X
JAUCH	X	N	A
WINEKE	X	N	A
SHIBILSKI	X	N	A
COWLES	X	N	A
PANZER	X	N	A

AYE 15 NO 0 ABS 1

CORRECTIONS -- COMMUNITY CORRECTIONS

Emergency Government/Corrections Mobile Transport Unit

Motion:

Move to provide \$50,000 GPR in 1997-98 for Corrections to purchase a used mobile military command post self-contained vehicle from federal surplus property.

Note:

This motion would provide Corrections with \$50,000 GPR to purchase a camper-trailer type vehicle, which would be used to transport supplies and equipment for inmates working at state flood, tornado or other disaster sites. This provision was recommended by the Senate Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

[Change to Base: \$50,000 GPR]

[Change to Bill: \$50,000 GPR]

MO# 11663

JENSEN	Y	<del>X</del>	A
OURADA	Y	N	A
HARSDORF	Y	<del>X</del>	A
ALBERS	Y	<del>X</del>	A
GARD	<del>X</del>	N	A
KAUFERT	<del>X</del>	N	A
LINTON	<del>X</del>	N	A
COGGS	<del>X</del>	N	A

BURKE	<del>X</del>	N	A
DECKER	Y	<del>N</del>	A
GEORGE	Y	N	<del>A</del>
JAUCH	<del>X</del>	N	A
WINEKE	Y	<del>N</del>	A
SHIBILSKI	<del>X</del>	N	A
COWLES	Y	<del>N</del>	A
PANZER	<del>X</del>	N	A

AYE 9 NO 6 ABS

# CORRECTIONS

## Community Corrections

### LFB Summary Items for Which No Issue Papers Have Been Pre

MO# Items

1	JENSEN	X	N	A
	OURADA	X	N	A
	HARSDORF	X	N	A
	ALBERS	X	N	A
	GARD	X	N	A
	KAUFERT	X	N	A
	LINTON	X	N	A
	COGGS	X	N	A

2	BURKE	X	N	A
	DECKER	X	N	A
	GEORGE	X	N	X
	JAUCH	X	N	A
	WINEKE	X	N	A
	SHIBILSKI	X	N	A
	COWLES	X	N	A
	PANZER	X	N	A

AYE 15 NO 0 ABS 1

Item #

Title

- |    |  |
|----|--|
| 4  | Drug Abuse Correctional Center Expansion                         |
| 5  | Monitoring Center Staffing                                       |
| 6  | Parole Commission Staff  |
| 7  | Collection of Probation and Parole Supervision Fees              |
| 8  | Exemption from Probation and Parole Supervision Fees             |
| 9  | Minimum and Administrative Supervision                           |
| 10 | Extension of Probation for Failure to Pay Supervision Fees       |
| 11 | Setoff of Fees Owed for Supervision of Probationers and Parolees |

### LFB Summary Items for Introduction as Separate Legislation

Item #

Title

- |    |   |
|----|---|
| 12 | Probation and Parole Revocation Hearing Process |
| 13 | Alternative to Probation and Parole Revocation  |
| 14 | Community Corrections -- Employment Programs    |

<p>To: Joint Committee on Finance</p> <p>From: Bob Lang, Director Legislative Fiscal Bureau</p>
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**ISSUE****Overview of Juvenile Population Projections and Daily Rates (Corrections -- Juvenile Corrections)**

[LFB Summary: Page 192, #1 and Page 193, #2]

**GOVERNOR**

Reestimate the juvenile correctional average daily population (ADP) from 1,562 in 1996-97 to 1,493 in 1997-98 and 1,635 in 1998-99, as shown in the following table.

	<u>1996-97</u>	<u>1997-98</u>	<u>1998-99</u>
Secured Correctional Facilities <sup>1</sup>	1,130	1,074	1,162
Other Placements			
Corrective Sanctions	105	119	161
Aftercare Services <sup>2</sup>	<u>327</u>	<u>300</u>	<u>312</u>
Subtotal -- Other	432	419	473
<b>Total ADP</b>	<b>1,562</b>	<b>1,493</b>	<b>1,635</b>
Alternate Care <sup>3</sup>	167	127	136

<sup>1</sup> The secured facilities include Ethan Allen School, Lincoln Hills School, Southern Oaks Girls School, Youth Leadership Training Facility (Boot Camp), the SPRITE Program, the Mendota Juvenile Treatment Center, the Prairie du Chien boys' facility (scheduled to open July 1, 1997, and under the bill, to be temporarily used in 1997-98 for young adult property offenders) and the Racine boys' facility (scheduled to open in January, 1998, and under the bill, to be renamed the Racine Youthful Offender Facility for males 15 to 23 years old and operated by the Division of Adult Institutions). Included in the institutional population projection are 89 juveniles in 1997-98 and 154 juveniles in 1998-99 receiving dispositions as serious juvenile offenders.

<sup>2</sup> Aftercare services include juveniles under DJC supervision following release from a juvenile correctional facility. Placement may be in an alternative care setting, a relative's home or the juvenile's own home.

<sup>3</sup> Alternative care includes child caring institutions, group homes, foster homes and treatment foster homes. The ADP for alternate care is a subset of aftercare services.

Provide the following statutory daily rates for juvenile correctional services provided or purchased by the Department that would be charged to counties and paid through counties' youth aids allocations or, for certain juveniles, paid under the serious juvenile offender appropriation.

#### Daily Rates

	Current Law	Governor		
	1-1-97 thru <u>6-30-97</u>	7-1-97 thru <u>12-31-97</u>	1-1-98 thru <u>12-31-98</u>	1-1-99 thru <u>6-30-99</u>
Type 1 Secured Correctional Facility*	\$133.82	\$137.52	\$147.40	\$151.32
Child Caring Institutions	157.08	160.22	161.79	163.36
Group Homes	108.98	111.16	112.25	113.34
Corrective Sanctions	82.11	77.75	69.16	62.81
Treatment Foster Homes	69.95	71.35	72.05	72.75
Regular Foster Homes	24.29	24.78	25.02	25.26
Aftercare Supervision	14.95	15.55	15.25	14.96

\*Including transfers from a secured correctional facility to a treatment facility.

#### DISCUSSION POINTS

1. State juvenile correctional services include a broad range of care and treatment, including institutional care at secured correctional facilities, intensive community-based supervision under the corrective sanctions program, community-based aftercare services and a number of alternate care placement options at community-based facilities operated by licensed providers.

2. Each type of care has a different mix of costs associated with it that must be determined as accurately as possible in each budget cycle. In turn, these costs are paid through a combination of state and county funding. In general, an average daily rate is calculated for each type of care and either the state or counties are charged for each juvenile provided with the service. This daily rate may be paid through GPR youth aids allocated to each county on a calendar year basis or through county funding, if state youth aids are not available. The care and treatment of certain violent, extended jurisdiction and serious juvenile offenders, effective July 1, 1996, is entirely paid with state GPR funding under the serious juvenile offender appropriation.

3. The daily rates for juvenile care are set by statute in each biennial budget process and may be modified in the budget adjustment process. The calculation of the daily rates for facility care, the corrective sanctions program and aftercare services depend on only two variables: the total budgeted cost for the type of care provided; and the estimated average population (ADP) of juveniles that are expected to receive that care in a given year. Alternate care facilities are operated by licensed providers and daily rates, under the bill, are increased from current law levels by 2% in 1997-98 and 4% in 1998-99.

4. The projected juvenile population for a given budget cycle is a critical determination because of the effect on the rates charged to county youth aids and to the state's serious juvenile offender appropriation. In periods when the costs of care tend to remain relatively fixed, it is the variation in juvenile population projections that most affect changes in the daily rate. If populations are projected higher, the average daily rate decreases. On the other hand, if the juvenile population is projected to decrease, the daily rate would increase.

5. The current trend of the juvenile offender population in Wisconsin is one of decline. This decline follows a dramatic five-year growth period in the years 1991-92 through 1995-96, when the ADP for institutional care grew from 671 to 1,038. However, effective January 1, 1996, 17-year-old offenders in Wisconsin are treated as adults. In addition, the general growth in the levels of reported criminal offenses and arrests have abated to some degree in Wisconsin and nationally since 1994. Juvenile arrests for violent crimes in Wisconsin decreased by 4.7% between 1994 and 1995 and by 9.8% between 1995 and 1996. As a result of these and perhaps other factors, the state juvenile offender population is expected to decrease to 948 in the current fiscal year.

6. The Department of Corrections (DOC) makes quarterly juvenile population projections that are relied upon for budgeting purposes. The June, 1996, projections were used by DOC in preparing its 1997-99 budget request to the Governor. In turn, the Department of Administration used the projections of September, 1996 in preparing the Governor's 1997-99 budget recommendations under Senate Bill 77. The December, 1996, and March 1997, projections have subsequently been produced by DOC. The following table summarizes these projections.

#### Projections of State Juvenile Institutional Population

<u>Report Date</u>	<u>1996-97</u>	<u>1997-98</u>	<u>1998-99</u>
June 30, 1996	1,139	1,247	1,347
September 30, 1996	982	1,044	1,107
December 31, 1996	957	984	1,015
March 31, 1997	948	936	931

7. The DOC projections are generated by a forecasting program that places greater emphasis on recent population data than on older data. The current projections, then, may finally reflect the effect of removing 17-year-old offenders from the juvenile population and other factors that may have influenced the current decline. The March projection is the first to project an annual decline in the 1997-99 biennium.

8. The following juvenile corrections budget papers utilize the March, 1997, population projections. These projections appear reasonable in that they reflect a modest decline in 1997-98 and 1998-99, which is consistent with the trend seen in the past year. It should be noted, however, that these projections are difficult to make and unpredictable changes in population levels could occur.

9. Based on the March, 1997, population projections and certain technical adjustments, the population assumptions under Senate Bill 77 may be modified, as follows:

	<u>1996-97</u>	<u>Change to Bill</u>	<u>1997-98</u>	<u>Change to Bill</u>	<u>1998-99</u>	<u>Change to Bill</u>
Secured Correctional Facilities	948	-182	934	-140	914	-248
Other Placements						
Corrective Sanctions	105	0	116	-3	161	0
Aftercare Services	279	-48	255	-45	238	-74
Subtotal -- Other	384	-48	371	-48	399	-74
Total ADP	1,332	-230	1,305	-188	1,313	-322
Alternate Care	116	-51	107	-20	105	-31

10. Based on these population projections and the costs of care provided under SB 77, the following recalculation of daily rates may be made:

	Current Law		<u>Change to Bill</u>	1-1-98 thru <u>12-30-98</u>	<u>Change to Bill</u>	1-1-99 thru <u>6-30-99</u>	<u>Change to Bill</u>
	1-1-97 thru <u>6-30-97</u>	7-1-97 thru <u>12-31-97</u>					
Secured Correctional Facilities	\$133.82	\$157.56	\$20.04	\$173.21	\$25.81	\$189.20	\$37.88
Child Caring Institutions	157.08	160.22	0.00	161.79	0.00	163.36	0.00
Group Homes	108.98	111.16	0.00	112.25	0.00	113.34	0.00
Corrective Sanctions	82.11	80.74	2.99	71.29	2.13	64.48	1.67
Treatment Foster Homes	69.95	71.35	0.00	72.05	0.00	72.75	0.00
Regular Foster Homes	24.29	24.78	0.00	25.02	0.00	25.26	0.00
Aftercare Supervision	14.95	17.92	2.37	18.69	3.44	19.51	4.55

11. The Committee, in taking action on the following papers (#321 thru #328), is likely to make modifications to the juvenile operating budget that would affect these daily rate estimates. Following Committee action on these papers, an additional issue paper will be prepared to establish the statutory daily rates, based on the Committee's work. In addition, a paper will be prepared that reestimates the serious juvenile offender appropriation, which must also reimburse the Division of Juvenile Corrections for the costs of care provided to certain state-funded juvenile offenders. Finally, a paper on community youth and family aids will be prepared to provide the Committee with options to retain or modify current levels of youth aids provided to counties.

Prepared by: Art Zimmerman

To: Joint Committee on Finance

From: Bob Lang, Director  
Legislative Fiscal Bureau

## ISSUE

### Temporary Use of Prairie du Chien for Young Adults (Corrections -- Juvenile Corrections)

[LFB Summary: Page 195, #6]

## CURRENT LAW

Under 1997 Act 4, DOC is authorized to operate the Prairie du Chien juvenile facility as a state prison for the placement of prisoners who are young adults, for the period July 1, 1997 until July 1, 1998. A GPR appropriation was created for start-up and training costs in 1996-97 associated with the use of the facility as a temporary adult prison. No funding was appropriated under Act 4.

On March 27, 1997, under s. 13.10 of the statutes, the Joint Committee on Finance approved a request by the Department of Corrections to transfer \$1,419,200 in 1996-97 from a federal appropriation for project operations to the newly-created GPR appropriation for the start-up and training costs associated with the preparation of the Prairie du Chien juvenile correctional facility as a temporary state prison for young adults.

## GOVERNOR

Provide \$6,567,000 PR in 1997-98 for the Prairie du Chien juvenile correctional facility and provide that DOC may, until July 1, 1998, operate the Prairie du Chien facility as a state prison for the placement of prisoners who are young adults. Provide that the Secretary of DOC may direct the Division of Adult Institutions (DAI) and the Division of Juvenile Correctional Services (DJC) to enter into an intra-agency agreement for the use of the Prairie du Chien facility as a state prison. The agreement would require DAI to reimburse DJC from its general program

operations appropriation for the full cost, not to exceed \$65 per person per day, of operating that secured correctional facility as a state prison during the term of the agreement. However, no appropriation is made under the bill to increase the general program operations appropriation for this purpose. Provide that DJC credit the payments to its juvenile correctional services appropriation and use the monies to operate the state prison authorized under the bill.

Expenditure authority under the bill would provide \$271,000 for supplies and services (\$225,000 for utilities and heating and \$46,000 for repairs and maintenance) and \$6,296,000 in unallotted reserve (for release by DOA) for operations. The funds placed in reserve would be allotted following a determination of actual line item costs.

## DISCUSSION POINTS

1. A secured juvenile correctional facility has been developed on an existing site (formerly a private school) in Prairie du Chien for 138 male juvenile offenders. Authorized construction costs for the facility totalled \$11.5 million. The facility was originally scheduled to open July 1, 1996. Funding of \$5,984,800 PR with 165.02 PR positions has been provided for the facility in 1996-97; however, this amount will not be fully expended because the opening of the facility has been delayed to July 1, 1997. This delay was related primarily to the unexpected decline in juvenile correctional populations.

2. The opening of a correctional facility requires that staffing be in place and trained when placements first occur. The enactment of 1997 Act 4 and the funding provided by the Committee under s.13.10 action reflected this need. In anticipation of operating the Prairie du Chien facility as an adult facility, positions are being hired and will total 138.5 when the facility becomes operational on July 1, 1997. Total staff would be increased in 1997-98 to 142.5 positions. The following table shows the positions in each year by functional category.

<u>Function</u>	<u>1996-97</u>	<u>1997-98</u>
Administration	14.0	14.0
Educational services	16.0	16.0
Health, mental health and social services	11.5	11.5
Security and operations	<u>97.0</u>	<u>101.0</u>
<b>Totals</b>	<b>138.5</b>	<b>142.5</b>

3. Under the Governor's recommendation, \$6,567,000 PR would be provided in 1997-98 for the use of the Prairie du Chien facility as an adult prison. The funding is based on an expected ADP of 277 in 1997-98, at an average cost of \$65 per inmate per day. The initial

population early in the fiscal year would be lower and would then gradually increase to about 300 by the end of the year.

4. The expenditure authority would be provided in the Department's juvenile correctional services program revenue appropriation, which would be reimbursed from the Department's GPR general operations appropriation for adult corrections. Adult corrections is GPR funded and this reimbursement arrangement provides the GPR funding while retaining the program revenue operating structure that will be needed when the facility becomes a juvenile institution. However, as noted above, base funding for the facility is \$5,984,800 PR. Further, an additional \$1,529,200 PR is provided for Prairie du Chien in a number of items relating to standard budget adjustments, food, compensation reserves and full-funding of non-salary items. The facility, then, is provided with \$7,514,000 expenditure authority, under the bill, apart from the \$6,567,000 PR increase for the temporary use of the facility as an adult prison (a total of \$14,081,000). In effect, the facility is double-funded in 1997-98. The Governor's recommendation could be technically corrected to reflect the actual need for \$6,567,000 PR in expenditure authority in 1997-98. The change to base to reflect this correction would be the provision of \$582,200 PR in 1997-98 and a reduction to the bill of \$7,514,000 PR.

5. On the other hand, no additional GPR spending authority was provided in the general operations appropriation for adult institutions to reimburse the juvenile correctional services budget for the 1997-98 expenses relating to the use of the facility as an adult prison. These expenses, under the bill, would have to be absorbed in the base budget for adult operations.

6. DOA and DOC officials now indicate that the GPR funding for the facility should come from the intergovernmental corrections agreement appropriation (s. 20.410(1)(ab)). This appropriation authorizes payments, pursuant to a contract with another state, for the placement of prisoners in that state and, pursuant to a contract with a Wisconsin county, for the temporary placement of prisoners in the county jail of that county. The funding of a temporary adult facility at Prairie du Chien from this appropriation would require a modification of the appropriation's statutory language.

7. By not providing additional GPR funds for the costs of Prairie du Chien, the Governor's recommendation provides a temporary alternative to sending prisoners to facilities in other states and does not increase overall correctional capacity for adult prisoners.

8. Under the bill, the intergovernmental corrections agreement appropriation would be provided \$20,349,500 GPR in 1997-98 and \$20,486,400 GPR in 1998-99. In the absence of increased GPR expenditure authority, the use of this appropriation for the Prairie du Chien facility would reduce, by \$6,567,000, the amounts available for prisoner placements in other states and in Wisconsin county jails. This reallocation would leave \$13,782,500 in 1997-98 for contracts with other governmental jurisdictions. DOC and DOA officials indicate that an increase

in the appropriation would not be required in 1997-98. A separate paper addresses funding for this appropriation.

9. Operated as an adult prison in 1997-98, the costs of the Prairie du Chien facility would not be included in the calculation of daily rates charged to counties' youth aids allocations for the care of juveniles at state secured juvenile correctional facilities. Under the bill, the Prairie du Chien facility would convert back to a juvenile secured correctional facility on July 1, 1998. The costs of operations would then be included in the calculation of daily rates charged to counties' youth aids allocations and, for certain offenders, charged to the state's serious juvenile offender program. The 1998-99 Prairie du Chien facility costs to be covered by daily rates, under the bill, totals \$7,641,700. This is 12.0% of the total costs (\$63.1 million) that would be provided for juvenile correctional facilities in 1998-99. This additional cost would increase the daily rate for facility care in 1998-99 by about \$23.

10. If the Committee chooses to convert Prairie du Chien back to a juvenile facility on July 1, 1998, it could be argued that the opening of a new juvenile facility at a time when juvenile offender population is declining should result in some degree of funding and position reallocation from other facilities to address the needed resources at the new facility. Such reallocations would help to limit the total cost of operating secured juvenile correctional facilities and mitigate the impact on daily rates that the operating costs of the Prairie du Chien facility would otherwise have.

11. The potential reallocation of juvenile facility staffing is a complex issue that would require careful planning. Because the Prairie du Chien facility would not be operated as a juvenile facility, under the bill, until July 1, 1998, there would appear to be an adequate timeframe to assess possible reallocation of staff and other resources. The Department of Corrections could be required to submit a report to the Joint Committee on Finance, on or before September 1, 1997, on the extent to which future expansions of secured juvenile correctional facility capacity may be operated and staffed through a reallocation of existing resources, including recommendations on staffing the Prairie du Chien facility in 1998-99 through some combination of existing and new resources. The 1998-99 funding and position authority for the Prairie du Chien facility could be deleted at this time and reinstated through s. 16.505/515.

12. Statutory daily rates for juvenile correctional services are established in order to enable the Department to notify counties of the daily rates to be charged counties during each calendar year. Under this alternative, the daily rates for secured correctional facilities would, therefore, need to be adjusted before January 1, 1998, to reflect Committee action concerning Prairie du Chien 1998-99 funding. This could be accomplished by creating a nonstatutory provision allowing the statutory daily rates for secured correctional facilities for calendar year 1998 and for the first six months of 1999 to be established by the Committee under a 14-day passive review process.

13. The current decline in juvenile populations is expected to continue through the 1997-99 biennium. A primary reason for this decline is the treatment, effective January 1, 1996, of 17-year-old offenders as adults. Apart from this effect, however, there appears to be a stabilization of the juvenile population in state facilities. DOC officials indicate that their most recent juvenile population projections (March, 1997) estimate that the average daily population (ADP) at state juvenile correctional facilities will total 936 in 1997-98 (857 males and 79 females) and 931 in 1998-99 (853 males and 78 females). These population projections are based on a model that is largely influenced by recent population history, which reflects the stabilization noted above.

14. The official capacity of state juvenile facilities for males, including Prairie du Chien, totals 877, as follows.

Ethan Allen School	342
Lincoln Hills School	298
Boys Boot Camp	48
Mendota Juvenile Treatment Center	43
Sprite Program	8
Prairie du Chien facility	<u>138</u>
Total	877

15. With the addition of the Prairie du Chien facility, official capacity will exceed the anticipated male juvenile ADPs of 857 in 1997-98 and 853 in 1998-99.

16. In 1994-95 and 1995-96, Ethan Allen School operated with an ADP of about 140 to 150 juveniles over capacity and Lincoln Hills School operated at about 100 over capacity. Each correctional facility differs in its capability to handle greater population numbers, depending not only on bed space, but other functions such as food services, educational and recreational facilities, health services, visitor facilities, segregation housing and staffing. While true overcrowding is obviously an undesirable situation, facilities do have some flexibility to accommodate numbers higher than the official capacity. (Prairie du Chien, for example, is budgeted for an ADP of 277 in 1997-98, as an adult institution.)

17. It could be argued that, given the population decline and the relatively stable juvenile population levels that are anticipated in the 1997-99 biennium, the Prairie du Chien facility could be retained as a young adult institution through 1998-99. This would mean that projected juvenile ADP would be about 114 over capacity for the remaining facilities, approximately the same level that would be expected in 1997-98, and substantially lower than the ADP experienced in 1994-95 and 1995-96.

18. Maintaining the facility as a prison for an additional year would provide DOC with some added flexibility in dealing with adult population problems. Funding for Prairie du Chien

would continue to come from the base GPR funds under the intergovernmental corrections agreement appropriation. Under this alternative, the conversion of the facility to a juvenile facility could be authorized in 1999-2001 budget deliberations.

19. Maintaining the facility as a prison for an additional year would also remove \$7,641,700 PR from the total amount needed to operate secured juvenile correctional facilities in 1998-99. This would reduce the daily rate for facility care, for both the counties and the state's serious juvenile offender program, by about \$23.

20. If maintained as an adult prison in 1998-99, Prairie du Chien would continue to have an ADP of 300. At \$65 per day, \$7,117,500 PR in expenditure authority would be required in 1998-99. This would require an increase to base funding of \$1,132,700 PR in 1998-99 (which is a reduction to the bill of \$524,200).

21. Under the bill, 8.0 teacher positions would be provided for the Prairie du Chien facility. Preliminary data for placements at the facility indicate that approximately 5% of the young offenders would be under 18 years of age, requiring mandatory full-time education. If the remaining inmates (18 years of age and older) participate in education programs half-time, the total teacher to student ratio for the facility, under the bill, could be estimated at 1:18 in 1997-98 and 1:19 in 1998-99 (if the facility is maintained as an adult prison for one additional year).

22. Juvenile facilities, according to DOC officials, have teacher to student ratios in the range of 1:10 to 1:12. Under current law, adult prisons are authorized 160 teacher positions and 2,766 inmates participate in educational programs. Adult participation may be full- or part-time. DOC officials estimate the teacher to inmate ratio at adult prisons at approximately 1:15.

23. It appears that the Prairie du Chien facility would require 4.0 additional teacher positions in 1997-98 and 5.0 teacher positions in 1998-99 to achieve a teacher-to-student ratio of about 1:12. The cost of this increase would be \$163,600 in 1997-98 and \$204,500 in 1998-99. Corrections officials indicate that lower risk, nonviolent offenders are likely to be selected for placement at Prairie du Chien. It may be argued that higher teacher to student ratios could have greater positive benefits for inmates, particularly those who will be placed at Prairie du Chien.

24. Any addition to the funding would also require that the nonstatutory language, which limits the reimbursement of DJC for the operation of the Prairie du Chien facility to not more than \$65 per person per day, be eliminated or adjusted upward. There does not appear to be any compelling reason to retain the \$65 per diem limitation (or some other amount) in the bill. While per diem expenses need to be closely budgeted and controlled, session law specification of the amount may unnecessarily restrict the ability of the Department and the Legislature to address cost of care issues at the facility.

**ALTERNATIVES TO BASE**

**A. Temporary Use of Prairie du Chien for Young Adults**

1. Adopt the Governor's recommendation, as technically corrected, to provide \$582,200 PR in 1997-98 for the Prairie du Chien juvenile correctional facility and provide that DOC may, until July 1, 1998, operate the Prairie du Chien facility as a state prison for the placement of prisoners who are young adults. Provide that the Secretary of DOC may direct the Division of Adult Institutions (DAI) and the Division of Juvenile Correctional Services (DJC) to enter into an intra-agency agreement for the use of the Prairie du Chien facility as a state prison. As a technical correction to the Governor's recommendation, require DAI to reimburse DJC from its intergovernmental corrections agreement GPR appropriation for the full cost, not to exceed \$65 per person per day, of operating that secured correctional facility as a state prison during the term of the agreement. Modify the GPR appropriation's title and purpose to reflect this authorization. Provide that DJC credit the payments to its juvenile correctional services appropriation and use the monies to operate the state prison authorized under the bill. Place \$6,296,000 PR in unallotted reserve for release by DOA following a determination of actual line item costs.

<u>Alternative A1</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$582,200
[Change to Bill	- \$7,514,000]
1998-99 POSITIONS (Change to Base)	0.00
[Change to Bill	0.00]

2. Adopt A1. In addition, delete \$7,641,700 PR and 165.02 PR positions in 1998-99 for the Prairie du Chien facility. Require the Department of Corrections to submit a report to the Joint Committee on Finance, on or before September 1, 1997, on the extent to which future expansions of secured juvenile correctional facility capacity may be operated and staffed through a reallocation of existing resources, including recommendations for the staffing of the Prairie du Chien facility in 1998-99. Under this alternative, the provision of funding and positions for the Prairie du Chien juvenile school in 1998-99 would be provided through s. 16.515/.505 action. Provide that the statutory daily rates for secured correctional facilities for calendar year 1998 and for the first six months of 1999 be established by the Committee under a 14-day passive review process.

<u>Alternative A2</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	-\$5,402,600
[Change to Bill	- \$15,155,700]
1998-99 POSITIONS (Change to Base)	-165.02
[Change to Bill	- 165.02]

3. Modify the Governor's recommendation, as technically corrected, by deleting \$524,200 PR in 1998-99 for the Prairie du Chien juvenile correctional facility and providing that DOC may, until July 1, 1999, operate the Prairie du Chien facility as a state prison for the placement of prisoners who are young adults. (Under the alternative, \$7,641,700 PR would be deleted from the total amount budgeted for the operation of secured juvenile correctional facilities in 1998-99, reducing the daily rate for facility care by approximately \$23.)

<u>Alternative A3</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$1,714,900
[Change to Bill]	- \$8,038,200]

**B. Additional Teacher Positions**

1. In addition to Alternative A1 or A2, provide \$163,600 PR and 4.0 PR teacher positions in 1997-98 for the Prairie du Chien facility. Modify the requirement that DAI reimburse DJC from its intergovernmental corrections agreement appropriation for the full cost of operating Prairie du Chien secured correctional facility as a state prison during the term of the agreement by deleting the \$65 per person per day limit.

<u>Alternative B1</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$163,600
[Change to Bill]	\$163,600]

2. In addition to Alternative A3, provide \$163,600 PR and 4.0 PR teacher positions in 1997-98 and \$204,500 PR and 5.0 PR teacher positions in 1998-99 for the Prairie du Chien facility. Modify the requirement that DAI reimburse DJC from its intergovernmental corrections agreement GPR appropriation for the full cost of operating Prairie du Chien secured correctional facility as a state prison during the term of the agreement by deleting the \$65 per person per day limit.

<u>Alternative B2</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$368,100
[Change to Bill]	\$368,100]

3. Take no action.

MO# ALP A3

JENSEN	<del>Y</del>	N	A
OURADA	<del>Y</del>	N	A
HARSDORF	<del>Y</del>	N	A
ALBERS	<del>Y</del>	N	A
GARD	<del>Y</del>	N	A
KAUFERT	<del>Y</del>	N	A
LINTON	<del>Y</del>	N	A
COGGS	<del>Y</del>	N	A

ZBURKE	<del>Y</del>	N	A
DECKER	<del>Y</del>	N	A
GEORGE	<del>Y</del>	N	A
JAUCH	<del>Y</del>	N	A
WINEKE	<del>Y</del>	N	A
SHIBILSKI	<del>Y</del>	N	A
COWLES	<del>Y</del>	N	A
PANZER	<del>Y</del>	N	A

Prepared by: Art Zimmerman

AYE 13 NO 2 ABS 1

PAPER #321

MO# A14 #B2

JENSEN	<del>Y</del>	N	A
OURADA	<del>Y</del>	N	A
HARSDORF	<del>Y</del>	N	A
ALBERS	<del>Y</del>	N	A
GARD	<del>Y</del>	N	A
KAUFERT	<del>Y</del>	N	A
LINTON	<del>Y</del>	N	A
COGGS	<del>Y</del>	N	A

<sup>2</sup> BURKE	<del>Y</del>	N	A
DECKER	<del>Y</del>	N	A
GEORGE	<del>Y</del>	N	<del>A</del>
JAUCH	<del>Y</del>	N	A
WINEKE	<del>Y</del>	N	A
SHIBILSKI	<del>Y</del>	N	A
COWLES	<del>Y</del>	N	A
PANZER	<del>Y</del>	N	A

AYE 15 NO 0 ABS 1

To: Joint Committee on Finance

From: Bob Lang, Director  
Legislative Fiscal Bureau

## ISSUE

### **Southern Oaks Girls School Staffing (Corrections -- Juvenile Corrections)**

[LFB Summary: Page 196, #7]

## CURRENT LAW

The Southern Oaks Girls School has base funding of \$4,525,900 PR with 91.9 PR positions.

## GOVERNOR

Provide \$1,773,200 PR and 58.05 PR positions in 1997-98 and \$2,370,600 PR and 59.05 PR positions in 1998-99 for the Southern Oaks Girls School for additional staffing, including staff relating to a 75-bed expansion, scheduled for completion in October, 1997.

## DISCUSSION POINTS

1. The expansion of the Southern Oaks Girls School (SOGS) was funded under 1993 Act 16. The facility was scheduled to open in October, 1997. Corrections officials now indicate that the expansion is just getting underway and will take approximately a year to complete. The opening date for the new facility is now expected to be June, 1998. However, the 58.05 positions under the bill are budgeted to begin on October 1, 1997.

2. The positions that would be authorized under the bill include: (a) 5.0 positions for business and personnel functions; (b) 1.5 positions for the Office of Offender Review; (c) 6.5 positions in 1997-98 and 7.5 positions in 1998-99 relating to health, mental health and social

services; (e) 6.0 positions relating to educational services; and (f) 39.05 positions for security and operations.

3. Two of the business and personnel positions (a payroll and benefits specialist position and an institutional business director position) would supplement staffing for five existing units at the School and could still be funded for nine months in 1997-98. The balance of the positions in 1997-98 (56.05 FTE) would be provided for the three units and two entrance/control booth locations associated with the expanded facility and would not be needed until the expansion unit is operational. Corrections officials argue that these positions should be funded for two months in 1997-98 in order to provide an orientation and training period prior to the scheduled opening of the facility in June, 1998.

4. Administration officials indicate that this revision to the staffing of the expansion in 1997-98 (2.0 positions funded for nine months and 56.05 positions funded for two months) would be an appropriate technical correction to the Governor's recommendation given the revised opening date for the new facility. This would provide \$489,100 and 58.05 positions in 1997-98 and \$2,370,600 and 59.05 positions in 1998-99 (a change to the bill of -\$1,284,100 in 1997-98).

5. Another factor that would affect staffing needs for the SOGS positions is the anticipated average daily population (ADP) at the facility. The current official capacity of SOGS is 51 beds. Population beyond this total requires some degree of double celling. Each correctional facility differs in its capability to handle greater population numbers, depending not only on bed space, but other functions such as food services, educational and recreational facilities, health services, visitor facilities, segregation housing and staffing.

6. In 1995-96, the first full-year of operations of the SOGS facility, the ADP was 93 juveniles. In the April, 1997, the ADP was 85 juveniles. DOC population projections for SOGS (based on data through March, 1997) estimates the annual ADP at SOGS at 80 in 1996-97, 79 in 1997-98 and 78 in 1998-99. These projections are less than the actual ADP at the facility in 1995-96.

7. These population projections are based on a model that is largely influenced by recent population history, which has taken a downturn from previous levels. DOC officials believe that, while the new facility may temporarily remain under capacity, the availability of beds will be known to juvenile court officials and will result in more juveniles receiving dispositions to SOGS.

8. It is not clear, then, to what extent the new expansion would be utilized in the months immediately following its opening. DOC officials indicate that staff would not be hired until the facility's population warrants it.

9. In addition to the possibility of initially low populations, it is also typical for major construction projects to experience some delays. For these reasons, it could be argued that the

staffing levels recommended under the bill could be phased in during 1998-99, rather than provided in its entirety in May, 1998. The approved funding levels for juvenile facilities affect the calculation of daily rates charged to counties for the institutional care of juveniles. If expenditure authority is provided under the bill, but not utilized, daily rates increase unnecessarily through this period.

10. An alternative that phases in staff would provide 2.0 positions in 1997-98 for the existing facility and 59.05 positions in 1998-99 for the expansion. The funding of staff for the new facility would permit administrative and key health, education, operations and security positions to be hired for a full 12 months in 1998-99, and other staff to be added gradually during the year. DOC would have some flexibility in the timing of the new hires. This alternative would provide \$67,900 with 2.0 positions in 1997-98 and \$1,980,900 with 59.05 positions in 1998-99 (a change to the bill of -\$1,705,300 in 1997-98 and -\$389,700 in 1998-99).

11. Given the possibility of construction delays and the uncertainty of juvenile population projections, it could also be argued that any staffing decision relating to the SOGS expansion facility is premature. The Department could submit a revised request under s. 16.505/515 when both the availability date of the new facility and the anticipated population may be better known. The two administrative positions for the existing facility would be appropriate positions to provide beginning in 1997-98; however, these positions could be reallocated from base funding and position authority at one of the male juvenile correctional facilities.

### ALTERNATIVES TO BASE

1. Adopt the Governor's recommendation, as technically corrected, to provide \$489,100 PR and 58.05 PR positions in 1997-98 and \$2,370,600 PR and 59.05 PR positions in 1998-99 for the Southern Oaks Girls School for additional staffing, including staff relating to a 75-bed expansion, scheduled for completion in June, 1998.

<u>Alternative 1</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$2,859,700
[Change to Bill]	- \$1,284,100]
1998-99 POSITIONS (Change to Base)	59.05
[Change to Bill]	0.00]

*PASS*  
 2. Provide \$67,900 PR and 2.0 PR positions in 1997-98 and \$1,980,900 PR and 59.05 PR positions in 1998-99 for the Southern Oaks Girls School.

<u>Alternative 2</u>		<u>PR</u>
1997-99 FUNDING (Change to Base)		\$2,048,800
[Change to Bill]		- \$2,095,000]
1998-99 POSITIONS (Change to Base)		59.05
[Change to Bill]		0.00]

3. <sup>FILE</sup>

3. Transfer \$67,900 PR and 2.0 PR positions in 1997-98 and \$91,300 PR in 1998-99 from base funding and position authority at the Ethan Allen School or the Lincoln Hills School to the Southern Oaks Girls School. Under this alternative, staffing for the facility's expansion would be taken up under s. 16.505/515.

<u>Alternative 3</u>		<u>PR</u>
1997-99 FUNDING (Change to Base)		\$0
[Change to Bill]		- \$4,143,800]
1998-99 POSITIONS (Change to Base)		0.00
[Change to Bill]		- 59.05]

Prepared by: Art Zimmerman

MO# A11 #3

JENSEN	Y	<del>N</del>	A
OURADA	Y	<del>N</del>	A
HARSDORF	Y	<del>N</del>	A
ALBERS	Y	<del>N</del>	A
GARD	Y	<del>N</del>	A
KAUFERT	Y	<del>N</del>	A
LINTON	<del>Y</del>	N	A
COGGS	<del>Y</del>	N	A

MO# A11 #2

JENSEN	<del>Y</del>	N	A
OURADA	<del>Y</del>	N	A
HARSDORF	<del>Y</del>	N	A
ALBERS	<del>Y</del>	N	A
GARD	<del>Y</del>	N	A
KAUFERT	<del>Y</del>	N	A
LINTON	<del>Y</del>	N	A
COGGS	<del>Y</del>	<del>N</del>	A

<sup>2</sup> BURKE	<del>Y</del>	N	A
DECKER	<del>Y</del>	N	A
GEORGE	Y	N	<del>A</del>
JAUCH	<del>Y</del>	N	A
WINEKE	<del>Y</del>	N	A
SHIBILSKI	<del>Y</del>	N	A
COWLES	Y	<del>N</del>	A
PANZER	Y	<del>N</del>	A

<sup>2</sup> BURKE	<del>Y</del>	N	A
DECKER	<del>Y</del>	N	A
GEORGE	Y	N	<del>A</del>
JAUCH	<del>Y</del>	N	A
WINEKE	<del>Y</del>	N	A
SHIBILSKI	<del>Y</del>	N	A
COWLES	<del>Y</del>	N	A
PANZER	<del>Y</del>	N	A

AYE 7 NO 8 ABS 1

AYE 14 NO 1 ABS 1

CORRECTIONS -- JUVENILE CORRECTIONS

Library/Education Materials for Southern Oaks Girls School

Motion:

Move to provide \$50,000 GPR in 1997-98 in one-time costs for library/education materials at Southern Oaks Girls School.

Note:

This motion would provide one-time funding of \$50,000 GPR to enable the Southern Oaks Girls School, the state's secured juvenile correctional facility for female delinquents, to upgrade its library and educational materials.

[Change to Base: \$50,000 GPR]

[Change to Bill: \$50,000 GPR]

MO# 1668

JENSEN	Y	<del>N</del>	A
OURADA	Y	<del>N</del>	A
HARSDORF	Y	<del>N</del>	A
ALBERS	Y	<del>N</del>	A
GARD	Y	<del>N</del>	A
KAUFERT	Y	<del>N</del>	A
<sup>2</sup> LINTON	<del>X</del>	<del>N</del>	A
<sup>1</sup> COGGS	<del>X</del>	N	A
<sup>2</sup> BURKE	<del>X</del>	N	A
DECKER	<del>X</del>	N	A
GEORGE	Y	<del>N</del>	<del>A</del>
JAUCH	<del>X</del>	N	A
WINEKE	Y	<del>N</del>	<del>A</del>
SHIBILSKI	<del>X</del>	N	A
COWLES	Y	<del>N</del>	A
PANZER	Y	<del>N</del>	A
AYE	<u>6</u>	NO	<u>8</u>
		ABS	<u>2</u>

To: Joint Committee on Finance  
 From: Bob Lang, Director  
 Legislative Fiscal Bureau

ISSUE

Residential Alternate Care (Corrections -- Juvenile Corrections)

[LFB Summary: Page 196, #8]

GOVERNOR

Delete \$2,323,700 PR in 1997-98 and \$1,798,400 PR in 1998-99 for juvenile residential alternate care.

MODIFICATION TO BASE - *vote recorded on paper # 324*

Delete \$3,326,600 PR in 1997-98 and \$3,312,200 PR in 1998-99 for juvenile residential alternate care.

**Explanation:** The appropriation for alternate care funds the costs for juveniles, following release from institutional care, who are placed in child caring institutions, secure child caring institutions, foster homes, treatment foster homes and group homes. Base funding for alternate care costs is \$8,507,200. The modification of alternate care funding reflects statutory rate increases for alternate care settings under the bill and reestimated average daily population projections that are lower than those assumed under the bill. The alternate care average daily population is reestimated at 107 in 1997-98 and 105 in 1998-99.

Modification	PR
1997-99 FUNDING (Change to Base)	- \$6,638,800
[Change to Bill	- \$2,516,700]

*2*BURKE Y N A  
 DECKER Y N A  
 GEORGE Y N A  
 JAUCH Y N A  
 WINEKE Y N A  
 SHIBILSKI Y N A  
 COWLES Y N A  
 PANZER Y N A

Prepared by: Art Zimmerman

MO# *Modifications to Base*

JENSEN	Y	N	A
OURADA	Y	N	A
HARSDORF	Y	N	A
ALBERS	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
LINTON	Y	N	A
COGGS	Y	N	A

AYE \_\_\_\_\_ NO \_\_\_\_\_ ABS \_\_\_\_\_

To: Joint Committee on Finance

From: Bob Lang, Director  
Legislative Fiscal Bureau

## ISSUE

### Population-Related Cost Adjustments (Corrections -- Juvenile Corrections)

[LFB Summary: Page 197, #9]

## GOVERNOR

Delete \$587,200 in 1997-98 and \$333,600 in 1998-99 to reflect population-related cost adjustments for food, variable non-food and health care costs, as follows: (a) -\$343,300 in 1997-98 and -\$204,300 in 1998-99 for food costs at juvenile correctional institutions; (b) -\$16,100 in 1997-98 and \$50,800 in 1998-99 for variable non-food costs (such as laundry, clothing and personal items) for institutionalized juveniles; (c) -\$227,800 in 1997-98 and -\$180,100 in 1998-99 to reflect a reduction in juvenile health care costs.

## MODIFICATIONS TO BASE

**Food.** Delete \$211,500 PR in 1997-98 and \$198,100 PR in 1998-99 for food costs at juvenile correctional institutions.

**Variable Non-Food.** Delete \$18,100 PR in 1997-98 and \$15,300 PR in 1998-99 for variable non-food costs.

**Health Care.** Delete \$392,500 PR in 1997-98 and \$410,500 in 1998-99 for juvenile health care costs.

**Explanation:** Variable costs for institutionalized juveniles are calculated on the basis of standardized annual amounts per juvenile. The modifications for food, variable non-food and health care costs are based on technically corrected DOC juvenile population

projections for March, 1997. Food costs also include meals for staff at the facilities and for juveniles who report to the Milwaukee corrective sanctions program center.

<u>Modification</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	- \$1,246,000
[Change to Bill	- \$325,200]

Prepared by: Art Zimmerman

MO# Modifications in Papers #323 & #324

JENSEN	<input checked="" type="checkbox"/>	N	A
OURADA	<input checked="" type="checkbox"/>	N	A
HARSDORF	<input checked="" type="checkbox"/>	N	A
ALBERS	<input checked="" type="checkbox"/>	N	A
GARD	<input checked="" type="checkbox"/>	N	A
KAUFERT	<input checked="" type="checkbox"/>	N	A
LINTON	<input checked="" type="checkbox"/>	N	A
COGGS	<input checked="" type="checkbox"/>	N	A
BURKE	<input checked="" type="checkbox"/>	N	A
DECKER	<input checked="" type="checkbox"/>	N	A
GEORGE	<input checked="" type="checkbox"/>	N	A
JAUCH	<input checked="" type="checkbox"/>	N	A
WINEKE	<input checked="" type="checkbox"/>	N	A
SHIBILSKI	<input checked="" type="checkbox"/>	N	A
COWLES	<input checked="" type="checkbox"/>	N	A
PANZER	<input checked="" type="checkbox"/>	N	A

AYE 14 NO 0 ABS 2

To: Joint Committee on Finance  
From: Bob Lang, Director  
Legislative Fiscal Bureau

**ISSUE****Juvenile Corrective Sanctions Program Expansion (Corrections -- Juvenile Corrections)**

[LFB Summary: Page 197, #10]

**CURRENT LAW**

The juvenile corrective sanctions program provides a release option for juveniles in state secured facilities who are not considered dangerous. Under the program, a juvenile may be transferred from a correctional institution to intensive community supervision, including electronic monitoring, either in the youth's family or in an alternate home. Base funding for the program (\$3,233,900 with 55.0 positions) supports 105 corrective sanctions slots in six counties (Dane, Milwaukee, Outagamie, Racine, Rock and Winnebago). Statutes mandate that funding include an average of \$5,000 annually to purchase community-based treatment services for each participant. The number of corrective sanction slots may increase to more than the statutorily authorized number (105 slots), if supplemental funds are provided by the Joint Committee on Finance.

A contact worker providing corrective sanctions services must have a caseload of approximately 10 juveniles and, during the initial phase of a juvenile's placement in the community, must have at least one face-to-face contact per day with the juvenile. Case management services under the program must be provided by a corrective sanctions agent with a caseload of approximately 15 juveniles. The Department of Corrections (DOC) must also maintain a report center in Milwaukee County for on-site programming after school and in the evening for juveniles who are placed in the corrective sanctions program in Milwaukee County.

**GOVERNOR**

Provide \$122,100 PR in 1997-98 and \$472,100 PR in 1998-99 to expand the juvenile corrective sanctions program. Under the bill, the number of slots would be increased by 14 (for a total of 119 slots) in 1997-98 and by an additional 42 slots (for a total of 161 slots) in 1998-99. The funding increase includes \$22,400 in 1997-98 and \$77,300 in 1998-99 for electronic monitoring services provided by the Division of Program Planning and Movement (monitoring center) in DOC.

Delete the current law requirements that: (a) a contact worker providing corrective sanctions services have a caseload of approximately 10 juveniles; and (b) case management services under the program must be provided by a corrective sanctions agent with a caseload of approximately 15 juveniles. Under the Governor's recommendation, the contact worker would still be required to have one face-to-face contact per day with a juvenile during the initial phase of placement in the community.

Provide that the number of corrective sanction slots may increase (to more than 119 in 1997-98 and 161 in 1998-99, under the bill), if funding and positions to serve additional juveniles are otherwise available.

**DISCUSSION POINTS**

1. Corrective sanctions funding is provided to six counties as a supplement to their GPR youth aids allocation. The authorized slots and funding under current law are as follows:

<u>County</u>	<u>Slots</u>	<u>1997 Youth Aids Supplement</u>
Dane	13	\$263,000
Milwaukee	60	1,214,200
Outagamie	5	101,200
Racine	14	283,300
Rock	8	161,900
Winnebago	5	101,200
<b>Total</b>	<b>105</b>	<b>\$2,124,800</b>

2. The total cost of a corrective sanctions slot under current law is \$29,970 a year (a daily rate of \$82.11). The supplemental funding provided to the six counties receiving corrective sanctions slots total \$20,236 per slot. The supplemental funds, therefore, cover 67.5% of the total cost of these corrective sanctions slots, assuming all the slots are filled. (These supplemental funds may only be used to pay for corrective sanctions daily rates; therefore, if the slots allocated

to any county are under utilized, a greater proportion of the cost is covered by the supplement. The corrective sanctions supplemental funds are not available to the county for other types of juvenile care.)

3. In addition to the counties that are allocated corrective sanctions slots and supplemental funding, several counties (Brown, Eau Claire and Marinette Counties) have requested corrective sanctions services. DOC has recently begun to respond to these requests by providing limited services; currently two juveniles in Eau Claire County and three in Brown County have been released under corrective sanctions supervision. The regular youth aids allocation for these counties are charged for these services.

4. Under the bill, the number of corrective sanctions slots would increase by 14 (for a total of 119 slots) in 1997-98 and by an additional 42 slots (for a total of 161 slots) in 1998-99. Of this increase, four juveniles in 1997-98 and 31 in 1998-99 are projected to be serious juvenile offenders under state-funded care. The remaining increase in slots, 10 in 1997-98 and 25 in 1998-99, would be available to county-funded juveniles under the program, with funding provided from the regular youth aids allocation.

5. According to DOC, a corrected estimate of the serious juvenile offender population for corrective sanctions in 1997-98 would be one juvenile, instead of the four estimated under the bill (the estimate of 31 serious juvenile offenders in corrective sanctions in 1998-99 remains unchanged). This technical correction to the bill would provide an increase in base funding of \$95,900 PR in 1997-98 for a total of 11 additional corrective sanctions slots. This is a decrease to the bill of \$26,200 PR.

6. The funding in SB 77 includes costs associated with the electronic monitoring of program participants and for the purchase of community-based treatment services (\$5,000 per slot as statutorily required). No additional positions for the program are provided.

7. The elimination of current law caseload ratios, for both contact workers (youth counselors) and case managers (corrective sanctions agents), was requested by DOC. The current provision for caseload (approximately 10 juveniles for youth counselors and approximately 15 juveniles for agents) was viewed as a restrictive factor that limited the flexibility of the Department. DOC officials, based on experience with the program, would like to establish ratios of 1:10 for youth counselors and 1:5 for agents (more intensive than current law requirement of approximately 15), but wish to have the flexibility to increase or decrease ratios as circumstances dictate.

8. Currently the corrective sanctions program is allocated 16.5 agent positions and 27.0 youth counselor positions, a total of 43.5 staff, working directly with juveniles. These positions, however, are regarded by the Department as interchangeable and may be reallocated, as vacancies occur, to address caseload ratios. DOC indicates that 29.0 agent positions and 14.5 youth

counselor positions would be an appropriate allocation of staff to establish the desired ratios for the number of slots provided under the bill. Current and projected ratios would be as follows:

	<u>1996-97</u>	<u>1997-98</u>	<u>1998-99</u>
Corrective Sanctions Slots	105	116	161
FTE Agents	16.5	29.0	29.0
Agent to Juveniles Ratio	1:6.4	1:4.0	1:5.6
FTE Youth Counselors	27.0	14.5	14.5
Counselor to Juveniles Ratio	1:3.9	1:8.0	1:11.1

9. This statewide calculation of staff ratios must be qualified, however, by county variations. For example, in Milwaukee County the requirement to operate a report center for on-site programming after school and in the evening for corrective sanctions juveniles requires a modified staffing pattern.

10. Corrective sanctions program services provide a release option from juvenile facilities for offenders requiring careful monitoring and supervision. Officials occasionally characterize corrective sanctions as an institution without walls; its success depends on the intensity and consistency of the supervision provided. It could be argued that the deletion of the statutory caseload limitations could, over time, dilute staff oversight if caseloads become too high.

11. The bill would also provide that the number of corrective sanctions slots may increase (to more than 119 in 1997-98 and 161 in 1998-99, under the bill), if funding and positions to serve additional juveniles are otherwise available. DOA indicates that if DOC is provided with greater flexibility in managing corrective sanctions placements (by removing the caseload limits under current law), DOC should also have the ability to increase the number of corrective sanctions slots, if the resources to do this are available.

12. While the program expansion, under the bill, in the 1997-99 biennium appears to be manageable with current staffing, the deletion of caseload limits and the bill's provision to allow DOC to add slots beyond those set in statute could be viewed as potentially having a negative effect on a program that requires intensive staff supervision of juveniles. It could be argued that the current law provisions concerning caseload be retained. This would not affect the program expansion under the bill, but could help to limit future growth of the program in the absence of additional staff resources.

13. The relatively marginal increase in funding provided under the bill and the increase in the number of corrective sanctions slots, particularly in 1998-99, results in a lower daily rate for a corrective sanctions placement under the bill (\$77.75 in 1997-98 and \$62.81 in 1998-99)

than under current law (\$82.11). No additional funding for the corrective sanctions youth aids supplement is provided under the bill. However, the daily rates for corrective sanctions programming, in comparison with the daily rates for secured correctional facility care (which increase substantially under the bill), would appear to make the corrective sanctions program an attractive alternative, from a county perspective, to facility care.

14. The current corrective sanctions population now includes juveniles adjudicated as violent juvenile offenders for certain offenses committed prior to July 1, 1996, and juveniles under extended jurisdiction orders prior to July 1, 1996. Beginning on July 1, 1996, corrective sanctions or regular aftercare for these juveniles are provided at state expense (from the serious juvenile offender appropriation). Monthly data for July, 1996, through March, 1997, indicate that: (a) state-funded juveniles averaged 13.7 corrective sanctions slots per month; (b) county-funded juveniles averaged 83.8 slots per month; and (c) total filled corrective sanctions slots averaged 97.5, about 7.1% below the 105 slots available. Under the bill, the number of violent and extended jurisdiction juveniles placed in the corrective sanctions program are estimated to total 11 juveniles in 1997-98 and nine juveniles in 1998-99.

15. This data also shows that corrective sanctions caseload has averaged 86.8 filled slots in the most recent four months of 1996-97 (December through March). As of May 8, 1997, total corrective sanctions caseload was 79 juveniles, 26 below the authorized number of slots. Corrections officials indicate that this level reflects the general decline in juvenile populations in recent months. However, it should also be noted that a corrective sanctions placement decision is made by DOC, and the Department may have some disincentive to fill all available corrective sanctions slots to the extent that corrective sanctions placements reduce already low secured correctional facility populations. As facility populations decrease, the revenue flow to cover relatively fixed institutional costs also decreases. Fully filling the available corrective sanctions slots throughout 1996-97 could have contributed to a potential deficit for the institutional budget.

16. The corrective sanctions program was instituted in the 1993-95 biennium as a placement alternative to secured facilities that were becoming overcrowded due to rapidly rising juvenile offender populations. Now that juvenile offender populations have declined, it could be argued that expanding the corrective sanctions program is not necessary, with the exception of addressing the increase in corrective sanctions placements in 1997-99 relating to serious juvenile offenders. This approach would provide 106 corrective sanctions slots in 1997-98 and 136 slots in 1998-99. This alternative would provide \$8,700 PR in 1997-98 and \$270,100 PR in 1998-99, a change to the bill of -\$324,100 PR in the 1997-99 biennium.

17. However, a corrective sanctions slot, with a daily rate between \$64.48 and \$80.74 over the biennium, is substantially less costly than facility care, with daily rates, under SB 77, ranging between \$157.56 and \$189.20.

18. Finally, maintaining current law would retain 105 corrective sanctions slots. Under this alternative, to the extent that state-funded juveniles are placed in the program in 1997-99, the number of slots available for county-funded juveniles would decline (to approximately 65 in 1998-99).

### ALTERNATIVES TO BASE

1. Adopt the Governor's recommendation, as technically corrected, and provide \$95,900 PR in 1997-98 and \$472,100 PR in 1998-99 to expand the juvenile corrective sanctions program. The number of slots would be increased by 11 (for a total of 116 slots) in 1997-98 and by an additional 45 slots (for a total of 161 slots) in 1998-99. The funding increase would include \$17,600 in 1997-98 and \$77,300 in 1998-99 for electronic monitoring services provided by the Division of Program Planning and Movement (monitoring center) in DOC.

Delete the current law requirements that: (a) a contact worker providing corrective sanctions services have a caseload of approximately 10 juveniles; and (b) case management services under the program must be provided by a corrective sanctions agent with a caseload of approximately 15 juveniles. Under the Governor's recommendation, the contact worker would still be required to have one face-to-face contact with a juvenile during the initial phase of placement in the community. Provide that the number of corrective sanction slots may increase (to more than 116 in 1997-98 and 161 in 1998-99, under the bill as corrected), if funding and positions to serve additional juveniles are otherwise available.

<u>Alternative 1</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$568,000
[Change to Bill]	- \$26,200]

2. Modify the Governor's recommendation by retaining the current law provisions concerning caseload ratios for contact and case management service workers.

<u>Alternative 2</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$568,000
[Change to Bill]	- \$26,200]

3. Provide \$8,700 PR in 1997-98 and \$261,300 in 1998-99 to expand the juvenile corrective sanctions program for anticipated serious juvenile offender participants. The number of slots would be increased by one (for a total of 106 slots) in 1997-98 and by an additional 30 slots (for a total of 136 slots) in 1998-99. The funding increase would include \$1,600 in 1997-98

and \$42,800 in 1998-99 for electronic monitoring services provided by the Division of Program Planning and Movement (monitoring center) in DOC.

Provide that the number of corrective sanction slots may increase (to more than 106 in 1997-98 and 136 in 1998-99), if funding and positions to serve additional juveniles are otherwise available. Under this alternative, current law provisions concerning caseload ratios would be retained.

<u>Alternative 3</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$270,100
[Change to Bill	- \$324,100]

4. Maintain current law.

<u>Alternative 4</u>	<u>PR</u>
1997-99 FUNDING (Change to Base)	\$0
[Change to Bill	- \$594,200]

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MO# Alt #

1 JENSEN	<del>Y</del>	N	A
OURADA	<del>Y</del>	N	A
HARSDORF	<del>Y</del>	N	A
ALBERS	<del>Y</del>	N	A
GARD	<del>Y</del>	N	A
KAUFERT	<del>Y</del>	N	A
LINTON	<del>Y</del>	N	A
COGGS	<del>Y</del>	N	A

2 BURKE	<del>Y</del>	N	A
DECKER	<del>Y</del>	N	A
GEORGE	<del>Y</del>	N	A
JAUCH	<del>Y</del>	N	A
WINEKE	<del>Y</del>	N	A
SHIBILSKI	<del>Y</del>	N	A
COWLES	<del>Y</del>	N	A
PANZER	<del>Y</del>	N	A

AYE 15 NO 0 ABS 1