

Fiscal Estimate - 2003 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 03-4371/1	Introduction Number AB-923
------------------------------------	--

Subject
 Drug/alcohol treatment as an alternative to prosecution or incarceration

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
--	--	---

Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
--	--	--

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DOC/ Lucie Widzinski-Pollock (608) 240-5416	Authorized Signature Robert Margolies (608) 240-5056	Date 3/3/2004
--	--	-------------------------

Fiscal Estimate Narratives

DOC 3/3/2004

LRB Number	03-4371/1	Introduction Number	AB-923	Estimate Type	Original
Subject					
Drug/alcohol treatment as an alternative to prosecution or incarceration					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the Department of Health and Family Services (DHFS) funds and oversees the Treatment Alternative Program (TAP). This program provides grant funds to county, tribal or nonprofit agencies to provide assessments and/or treatment for alcohol and other drug abuse (AODA) as an alternative to incarceration. Program participants must be involved with the criminal justice system either as a defendant or as a party to a diversion agreement and are currently or have previously been determined to be drug dependent. Current law also imposes requirements regarding communication between grantees and members of the criminal justice system; early identification of eligible participants; assessment, referral, treatment and monitoring procedures; and data collection for program management and evaluation. The TAP program is federally funded through a Substance Abuse block grant for counties.

This bill creates a new grant program administered by the Office of Justice Assistance (OJA) in collaboration with DHFS and the Department of Corrections (DOC). Funding is provided through the transfer of funds from DHFS and DOC to a new OJA appropriation created for this grant program. There is no language regarding funding transfer requirements for either DHFS or DOC.

The grants must be used to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. The bill provides program eligibility requirements, exclusionary language regarding program participants, and authorizes the use of electronic monitoring and/or day reporting as a condition of program participation.

Any county receiving one of these grants must create an oversight committee that advises the county department in administering and evaluating the AODA program. The composition of the oversight committee is outlined in this legislation. Representatives of DHFS and DOC shall be included in this oversight committee. Compliance with state audits as well as submittal of an annual report to OJA regarding the impact of the program on jail and prison populations is also required of any county awarded one of these grants.

All counties with populations of 500,000 (currently only Milwaukee County) or more are required to apply for a grant and OJA is required to award a grant to the county if the program is in compliance with the criteria outlined in this legislation. In selecting other grantees, OJA is directed to give priority to counties that have the largest number of residents in state prisons for crimes or violations of extended supervision, parole or probation relating to the abuse of alcohol or other drugs. DOC currently maintains data on county of conviction and identified AODA needs for its state prison population. DOC's data systems do not collect data on inmate county of residence or the AODA relationship with current committing offenses or violations. Inmate county of residence data is collected at the time of an inmate's release.

It is unknown how many counties will apply for or receive grant funding, what the size of the population will be that is served and which populations (DOC admissions versus county jail admissions) will be targeted. It is also not possible to predict how effective these programs will be and how many actual offenders will be diverted from DOC or county jail admissions.

While these programs could potentially reduce prison or jail populations in the future, it is not possible to predict how much of a population reduction will occur and what the resultant cost savings will be.

Long-Range Fiscal Implications