

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-4355/1	Introduction Number AB-0830
Description earned release upon the completion of a training program, reporting on the aging and elderly prison population, and making an appropriation	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> 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:	
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> 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	
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 410	
Affected Ch. 20 Appropriations	
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Date 2/11/2020	

Fiscal Estimate Narratives

DOC 2/11/2020

LRB Number	19-4355/1	Introduction Number	AB-0830	Estimate Type	Original
Description earned release upon the completion of a training program, reporting on the aging and elderly prison population, and making an appropriation					

Assumptions Used in Arriving at Fiscal Estimate

This bill adds inmates who complete a vocational readiness training program while incarcerated to the Earned Release Program (ERP). Under current law, if an eligible inmate successfully completes a substance abuse treatment program, the inmate becomes eligible for parole or release to extended supervision regardless of the time the inmate has served. Under the bill, an inmate may become eligible for parole or release to extended supervision regardless of the time the inmate has served if, while incarcerated, he or she successfully completes an educational, vocational, treatment, or other qualifying training program that is evidence-based to reduce recidivism. Under the bill, an inmate may qualify to participate in ERP if he or she is incarcerated for a crime other than a violent crime and if the Department of Corrections or the sentencing court determines that the inmate is eligible.

This bill requires DOC to prepare an annual report on the program, including data on participation and rates of recidivism of participants and the cost savings that resulted from the program. Under the bill, DOC is required to use the cost savings to fund educational, vocational, treatment, or other qualifying programs.

This bill also requires DOC to prepare a report on the aging and elderly population in Wisconsin's prisons and to evaluate possible options for alternatives to prison for that population.

The Department is unable to determine the fiscal impact of this bill due to a lack of data on how many individuals would: be deemed eligible by sentencing judges, how many individuals would enroll and complete eligible training programs, and the number of bed days that would be saved. Savings generated and placed into the newly-created appropriation would be invested as the bill directs. Utilizing these savings, the Department could increase capacity (by hiring additional permanent or contract staff) in existing programs to serve more individuals.

Even though the fiscal impact is indeterminate, the DOC is providing the following information regarding the current ERP population. In 2019, ERP had 2,213 inmates enroll in the program with 1,934 inmates completing the program. The following paragraphs describe ERP eligible inmates and some non-ERP eligible inmates who would be impacted by the bill. A point in time population is being used as an example. It should be noted that the inmates who are already ERP-eligible may already be generating savings for the Department when they complete current ERP programs. Those individuals would have their release through the current program rather than through the new training program that is described in the bill.

- As of 6/30/19, the DOC had 5,790 inmates who only had cases that were ERP-eligible. Inmates with this type of sentence would only be impacted by the bill if generated savings resulted in additional ERP being provided at correctional facilities, which may allow more inmates to enroll in ERP and/or enroll earlier in their period of confinement.
- As of 6/30/19, the DOC had 5,021 inmates who had at least one ERP-eligible case, along with one or more other cases that were not eligible. Depending on which of these cases carry a longer sentence and if a judge deemed them eligible for ERP, the inmate may or may not be eligible to reduce their sentence with ERP. The inmates with this type of sentence that are eligible for ERP to reduce their sentence would only be impacted by the bill if generated savings resulted in additional funds being available for ERP. Additionally, the inmates with this type of sentence who were not deemed eligible for ERP by the judge, but were statutorily eligible, may be determined eligible under the expanded ERP in this bill.
- As of 6/30/19, the DOC had 2,991 inmates who were deemed not eligible for ERP by the judge, but who did not

have any of the excluded offenses per the ERP statute. Inmates with this type of sentence may be determined eligible under the expanded ERP in this bill.

Finally, DOC is required to use the cost savings to fund educational, vocational, treatment, or other qualifying programs. To determine savings, the Department will utilize the release date adjusted after individuals complete eligible programming. If there is a reduction in contract county jail beds, the cost reduction is approximately \$18,800 per inmate per year based on FY19 costs. If there is a small reduction in population at DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$6,300 per inmate per year based on FY19 costs. If there is a larger reduction in population at DOC facilities that results in shutting down a correctional facility, the cost reduction is approximately \$33,100 per inmate per year based on FY19 costs.

Long-Range Fiscal Implications