



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #252

Juvenile Population Estimates (Corrections -- Juvenile Corrections)

[LFB 2019-21 Budget Summary: Page 104, #1, and Page 105, #5]

CURRENT LAW

The juvenile population estimate is used for the calculation of the statutory daily rates at juvenile correctional facilities. Daily rates for juvenile care in a given biennium are specified in statute by fiscal year. Once the daily rate is calculated, it is used to determine: (a) what Corrections charges counties to house delinquent juveniles; (b) GPR funding required for the serious juvenile offenders; and (c) GPR funding required for the contract beds appropriation for qualified youth with adult sentences.

Under current law, the Department of Corrections may place persons who have not attained the age of 18 years but who are sentenced to the Wisconsin State Prisons at a juvenile correctional facility.

GOVERNOR

Juvenile Population Estimates

Under the bill, the juvenile correctional facility average daily population (ADP) is estimated to be 181 annually as shown in the table below. The juvenile facilities include Lincoln Hills School (LHS) (males), Copper Lake School (CLS) (females), the Mendota Juvenile Treatment Center (MJTC), and the Grow Academy, an agriculture science-based experiential education program held at a facility in Oregon, Wisconsin.

<u>Facilities</u>	May 5, 2019	<u>Average Daily Population</u>	
	<u>Actual Population</u>	<u>2019-20</u>	<u>2020-21</u>
Lincoln Hills School	129	131	131
Copper Lake School	12	15	15
Mendota Juvenile Treatment Center	21	29	29
Grow Academy	<u>5</u>	<u>6</u>	<u>6</u>
Total Juvenile Correctional Facility	167	181	181

Population and Inflationary Costs

Modify population-related funding for juvenile corrections by \$54,300 PR in 2019-20 and \$196,300 PR in 2020-21, as follows: (a) -\$113,400 PR in 2019-20 and -\$107,000 PR in 2020-21 for food costs at juvenile correctional facilities; (b) -\$52,000 PR annually for variable non-food costs (such as clothing, laundry, and personal items); and (c) \$219,700 PR in 2019-20 and \$355,300 PR in 2020-21 for juvenile health costs.

DISCUSSION POINTS

1. As indicated above, the estimated population projections for juveniles under the bill in the 2019-21 biennium would include 181 juveniles annually in the juvenile facilities. The population projections include juveniles in the SJO program. Estimated populations factor into population and inflationary costs for the juvenile correctional facilities, as well as statutory daily rate calculations.

2. The above estimates are based on population data through June, 2018. While the overall average daily population for the juvenile correctional facilities during the summer of 2018 has been approximately 181 juveniles, populations during the past six months have generally been lower, as indicated by the actual populations also identified in the above table. Taking into account recent population trends, as well as historic population patterns, for the juvenile correctional schools, corrective sanctions, and aftercare, the estimated average daily population for juvenile placements may be adjusted as follows:

	<u>Updated ADPs</u>	
	<u>2019-20</u>	<u>2020-21*</u>
Lincoln Hills School	122	122
Copper Lake School	17	17
Grow Academy	5	5
Mendota Juvenile Treatment Center	<u>25</u>	<u>25</u>
Total	169	169

*The population projections for 2020-21 do not reflect any of the modifications made by 2017 Act 185 or proposed in subsequent legislation.

The reestimated populations assume a decrease in the number of juveniles placed in the schools. As a result of a lower estimated population in the juvenile correctional facilities, population-related funding in the bill would be decreased to the base by a net \$900 PR in 2019-20 and an increase by a net \$133,400 PR in 2020-21, associated with: (a) food costs (-\$130,800 PR in 2019-20 and -\$124,900 PR in 2020-21); (b) variable non-food costs (-\$58,700 PR annually); and (c) juvenile health costs (\$188,600 PR in 2019-20 and \$317,000 PR in 2020-21). Compared to the Governor's budget recommendation, the reestimated population would reduce funding by \$55,200 in 2019-20 and \$62,900 in 2020-21.

3. In order to illustrate why the population in 2020-21 can currently only be estimated not reflecting the modifications of Act 185 or proposed subsequent legislation, the attached population information is provided. Attachment 1 provides information regarding the type of commitment orders of youth in a Type 1 facility from 2014 to 2018 on a calendar year (CY) basis. Using the information in Attachment 1 for CY 2018, the Department of Corrections provided the information in Attachment 2, which estimates that after implementation of Act 185 the average ADP of all new state run Type 1 facilities would be approximately 70.5. The decrease in 2020-21 in population from 169 to around 70.5 would significantly change population and inflationary calculations and costs. This and other components of the daily rate may be affected, which would result in a daily rate that is too low for the population.

MODIFICATION

Juvenile Population Estimates

Reestimate the juvenile correctional facility average daily population (ADP) to be 169.

	Updated ADPs	
	<u>2019-20</u>	<u>2020-21*</u>
Lincoln Hills School	122	122
Copper Lake School	17	17
Grow Academy	5	5
Mendota Juvenile Treatment Center	<u>25</u>	<u>25</u>
Subtotal	169	169

* The population projections for 2020-21 do not reflect any of the modifications made by 2017 Act 185 or proposed in subsequent legislation will not be implemented until the 2021-23 biennium.

Population and Inflationary Costs

Decrease funding in the bill by \$55,200 PR in 2019-20 and \$62,900 PR in 2020-21, associated with: (a) food costs (-\$17,400 PR in 2019-20 and -\$17,900 PR in 2020-21); (b) variable non-food costs (-\$6,700 PR annually); and (c) juvenile health costs (-\$31,100 PR in 2019-20 and -\$38,300 PR in 2020-21).

As a result, total population-related funding provided for the juvenile correctional facilities

would be \$991,100 in 2019-20 and \$1,125,400 in 2020-21, as follows: (a) \$320,100 in 2019-20 and \$326,000 in 2020-21 for food costs at juvenile correctional facilities; (b) \$110,300 annually for variable non-food costs (such as clothing, laundry, and personal items); and (c) juvenile health costs (\$560,700 in 2019-20 and \$689,100 in 2020-21).

	Change to	
	Base	Bill
PR	\$132,500	- \$118,100

Prepared by: Sarah Wynn
Attachments

ATTACHMENT 1

Youth ADP by Commitment and Facility (CY 2014 - 2018)

<u>Commitment Type/Facility</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>Average (2014-18)</u>	<u>Dec-18</u>
Juvenile							
Lincoln Hills School	166.81	146.92	93.69	69.90	70.46	109.55	72.10
Copper Lake School	31.77	23.84	15.53	16.55	13.47	20.23	12.65
Mendota Juvenile Treatment Center	23.47	24.61	22.20	16.85	14.24	20.27	10.77
Serious Juvenile Offender (SJO)							
Lincoln Hills School	66.95	71.45	54.76	53.09	35.78	56.41	30.10
Copper Lake School	1.60	3.00	3.57	3.37	2.49	2.81	2.00
Mendota Juvenile Treatment Center	5.23	3.46	5.73	9.58	9.47	6.69	11.16
Adult							
Lincoln Hills School	6.10	10.13	17.81	23.33	19.44	15.36	17.42
Copper Lake School	0.48	1.59	1.86	1.93	0.55	1.28	1.00
Mendota Juvenile Treatment Center	<u>0.00</u>	<u>0.12</u>	<u>0.55</u>	<u>1.97</u>	<u>2.81</u>	<u>1.09</u>	<u>3.00</u>
Total	302.41	285.12	215.69	196.58	168.71	233.69	160.19

ATTACHMENT 2

Page 12 "Estimated Capacity Need by Initial Placement"

Estimated Capacity Need by Commitment Type

As noted earlier, post-Act 185 implementation, DJC's *primary* population will include youth with SJO commitments and youth with adult convictions; county/tribal-run SRCCCY's *primary* populations will include youth on juvenile commitments. This categorization reflects initial placement and does not include change of placement across facilities, including change of placement to MJTC.

Estimated Capacity Need by Initial Placement^{1,2}

Potential Population	Estimated SRCCCY ADP	Estimated Type 1 ADP
CY 2018 JCF ADP ³	98.2	70.5
Long-Term Post-Dispositional Detention Converting to SRCCCY ⁴	42.6	N/A
Additional Need from WCA Survey Data	15.0	N/A
Potential increase from increased availability of secure placement options	Unknown	Unknown
Potential decrease from systems improvement in community-based youth justice	Unknown	Unknown
Total	155.8	70.5
Capacity Need Operating at 85%	183.3	82.9

1. Based on current law; does not include impact of returning 17-year-olds to juvenile court jurisdiction
2. Does not include the impact of changes in placement between facilities or to MJTC.
3. Assumes SJO and adult commitments are placed at DOC Type 1; juvenile commitments placed at SRCCCYs.
4. Based on assumptions of which long-term post-dispositional detention programs remain post Act 185 implementation. If no long-term post-dispositional detention programs remain, this number could increase to an estimated total of 61.2 ADP.