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# Corrections

## Adult Correctional Facilities

### *Bill Agency*

(LFB Budget Summary Document: Page 206)

### LFB Summary Items for Which Issue Papers Have Been Prepared

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3	Prison Contract Bed Funding (Paper #326)
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12	Milwaukee Secure Detention Facility Full Funding of Non-Salary Costs (Paper #329)
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21	Oakhill Correctional Institution Treatment Plant (Paper #332)
24	Prairie du Chien Kitchen Operation (Paper #333)



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 31, 2001

Joint Committee on Finance

Paper #325

### Inmate Population Adjustments (DOC -- Adult Correctional Facilities)

[LFB 2001-03 Budget Summary: Page 206, #2]

#### CURRENT LAW

Base funding for inmate population-related costs in the adult correctional facilities are: (a) \$20,701,500 GPR for food; (b) \$15,767,900 GPR for variable non-food costs, such as clothing, laundry, inmate wages and other supplies; and (c) \$17,580,700 GPR for inmate variable health costs.

#### GOVERNOR

Based on population estimates, provide \$6,631,900 GPR in 2001-02 and \$11,511,200 GPR in 2002-03 to reflect population-related cost adjustments for prisoners in facilities operated by the Divisions of Adult Institutions and Community Corrections as follows: (a) -\$465,300 GPR in 2001-02 and \$1,621,900 GPR in 2002-03 for food costs; (b) -\$370,300 GPR in 2001-02 and \$1,140,200 GPR in 2002-03 for variable non-food costs; and (c) \$7,467,500 GPR in 2001-02 and \$8,749,100 GPR in 2002-03 for inmate health care.

#### MODIFICATION

Reduce the bill by \$234,700 in 2002-03 associated with variable non-food costs.

**Explanation:** In its 2001-03 budget request, Corrections requested funding and positions to staff two 100-cell housing units at the Fox Lake Correctional Institution. As part of that request, the Department estimated that these units would house an average of 254 inmates in 2002-03 and therefore requested inmate-related variable costs. The request for funding and positions was not approved by the Governor. However, funding for variable non-food costs in 2002-03 associated with the Fox Lake request (\$234,700 GPR) was inadvertently not removed.

<u>Modification</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$234,700

Prepared by: Jere Bauer

MO#			
1	BURKE	Y	N A
	DECKER	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	WIRCH	Y	N A
	DARLING	Y	N A
	WELCH	Y	N A
2	GARD	Y	N A
	KAUFERT	Y	N A
	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUEBSCH	Y	N A
	HUBER	Y	N A
	COGGS	Y	N A

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## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 31, 2001

Joint Committee on Finance

Paper #326

### Prison Contract Bed Funding (DOC -- Adult Correctional Facilities)

[LFB 2001-03 Budget Summary: Page 206, #3]

#### CURRENT LAW

The Department of Corrections may contract for prison beds with Wisconsin state and local governmental units, private companies and governments in other states for placement of Wisconsin inmates in out-of-state facilities and the federal government. Base funding for contract beds is \$111,805,600 GPR.

#### GOVERNOR

Delete \$32,232,800 GPR in 2001-02 and \$69,472,400 GPR in 2002-03 related to in-state and out-of-state prison contract beds. Total funding would be \$79,422,800 in 2001-02 and \$42,183,200 in 2002-03. Funding would support 4,411 contract beds in 2001-02 and 2,180 contract beds in 2002-03, and would also fund the costs of temporary lockup of intensive sanctions and correctional center system inmates, detention of probation and parole violators in county jails and two county jail programs.

#### MODIFICATION

Reduce the bill by \$3,961,200 GPR in 2001-02 and \$9,963,600 GPR in 2002-03 related to in-state and out-of-state prison contract beds.

**Explanation:** The budget estimates an average daily population in adult correctional facilities (correctional institutions and centers) of 20,835 in 2001-02 and 20,699 in 2002-03. Of that total, it is assumed that: (a) an average of 4,150 offenders in 2001-02 and an average of 1,567 offenders in 2002-03 will be placed in contract beds; and (b) an average of 25 offenders annually will be placed in federal beds under



**AGENCY:** DOC (Adult Facilities and Building Program)

**Paper #:** 327

**ISSUE:** Stanley Prison

*B2a, b, c, d, e (modified)*

**ALTERNATIVE:** A1 (approve enumeration) and B2b as amended by Gard's motion.

**SUMMARY:** A1 is important to AFSCME Council 24.

B2b deletes the \$11.5 for lease costs. Gard's amendment to the motion will specify that starting July 1, 2001 the state will pay \$650,000/month for lease costs not to exceed 4 months (\$2.6 million), about the time it will take to close the sale.

**BY:** Tanya



## Legislative Fiscal Bureau

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May 31, 2001

Joint Committee on Finance

Paper #327

### Stanley Correctional Institution (DOC -- Adult Correctional Facilities and Building Program)

[LFB 2001-03 Budget Summary: Page 158-1, #1, Page 158-13, #15, and Page 207, #5]

#### CURRENT LAW

No provision.

#### GOVERNOR

Provide \$20,593,700 GPR and 337.21 GPR positions and \$21,300 PR and 3.0 PR positions in 2001-02 and \$22,875,200 GPR and 397.0 GPR positions and \$155,500 PR and 3.0 PR positions in 2002-03 to operate the 1,500-bed Stanley Correctional Institution.

Modify current law to name any correctional institution that has been constructed by a private person and leased or purchased by the state for use by Corrections as a state prison.

#### BUILDING COMMISSION

Enumerate a \$79,917,000 project (\$74,915,600 in general fund supported borrowing and \$5,001,400 in federal funds) entitled "Correctional facility purchase-Stanley" in the 2001-03 state building program under the Department of Corrections.

Modify current law to specify that the correctional institution at Stanley enumerated in the 2001-03 state building program be listed as a state prison and named the "correctional institution at Stanley".

## DISCUSSION POINTS

1. The facility has been privately constructed in Stanley, Wisconsin, by Dominion Venture Group, LLC, of Edmund, Oklahoma. On September 1, 2000, the Department of Administration (DOA) entered into an agreement with Stanley Correctional Properties, LLC (SCP) to lease, with an option to purchase, the Stanley Correctional Facility. As part of the agreement, DOA agreed to include a request for authorization of the lease and funds for operation of the facility in the 2001-03 biennial budget.

2. At the December, 1999, s. 13.10 meeting, \$103,500 GPR in 1999-00 and \$447,100 GPR in 2000-01 and 9.0 GPR positions annually were provided to: (a) address issues of correctional institution crowding and long-range planning; and (b) staff correctional facilities. Of the 9.0 GPR positions, Corrections allocated 2.0 positions to enhanced staff recruitment efforts. The remaining 7.0 GPR positions were allocated to the Stanley Correctional Facility as follows: 1.0 warden, 1.0 secretary for the warden, 1.0 human resources director, 1.0 business director, 1.0 buildings and grounds superintendent, 1.0 electronics technician and 1.0 security director. In 2000-01, \$367,200 GPR is budgeted for these positions.

3. The 2001-03 operating biennial budget and the capital budget assume that the facility will be purchased by the State by December, 2001, and open in July, 2002. The following table summarizes total funding (all funds) recommended by the Governor associated with the operation of the Stanley Correctional Facility.

<u>Item</u>	<u>2001-02</u>	<u>2002-03</u>
Personnel Costs	\$2,572,700	\$15,686,400
Supplies	1,213,100	2,434,100
Lease Payments	11,457,500	0
Property Taxes	1,562,000	0
Sewer and Water Payments to City	272,000	272,000
Inmate Food, Health and Supplies	0	4,249,400
Correctional Officer Training	1,362,300	388,800
Startup Costs	1,685,100	0
Vehicle Purchases	490,300	0
Total	\$20,615,000	\$23,030,700

4. In examining the proposal concerning the Stanley Correctional Facility, the following three issues should be considered: (a) the proposed operating expenses for 2001-03; (b) the enumerated project in the state building program and the proposed lease, property tax and sewer and water costs; and (c) the naming of the Stanley Correctional Facility as a state prison and the naming of any correctional institution that has been constructed by a private person and leased or purchased by the state for use by Corrections as a state prison.

## Operating Costs

5. In August, 1998, Dominion began construction of a medium-security correctional facility in Stanley (approximately 25 miles east of Chippewa Falls). The facility, which was completed in the Fall of 2000, has 750 cells for housing 1,500 inmates in double-occupied cells with toilets ("wet cells"). In addition, the facility has 120 single-occupancy segregation cells and six infirmary cells. According to Dominion material from 1999, "[t]he goal of the project is to build a modern prison with Wisconsin labor that will be operated by the State of Wisconsin in order to house Wisconsin inmates."

6. Currently, the state does not operate any medium-security prisons that contain all wet cells. While each of the state's seven medium security prisons do have wet cells, these cells are generally used for segregation or specific program purposes such as mental health treatment and not for general population medium-security housing. Further, current state operating capacity standards assume that 50% of cells in medium-security institutions will be double celled, unlike the Dominion assumption of 100% of cells doubled. Also, operating capacity standards exclude segregation and infirmary housing from capacity because these types of inmate status are not considered permanent. If the state's operational capacity figures are applied to the Stanley Facility, the capacity would be 1,125 rather than 1,500. It should be noted, however, that all current state prisons operate above the identified operating capacity.

7. Under the bill, total operating costs of the Stanley Correctional facility, exclusive of lease costs and property tax payments but including one-time costs, are \$7,323,500 and 340.21 positions in 2001-02 (\$7,302,200 GPR and 337.21 GPR positions and \$21,300 PR and 3.0 PR positions) and \$22,758,700 (\$22,603,200 GPR and 397.0 GPR positions and \$155,500 PR and 3.0 PR positions) in 2002-03. The estimated annualized operating costs for the Facility are \$24,176,400 (\$24,020,900 GPR and \$155,500 PR).

8. In addition to staff already allocated by Corrections to the facility, the bill includes the following positions beginning in 2001-02: 1.0 GPR deputy warden, 1.0 GPR program assistant in the warden's office, 4.0 GPR personnel positions, 3.0 GPR positions associated with inmate complaints, 10.5 GPR financial services positions, 11.5 GPR food service positions, 16.0 GPR maintenance positions, 5.0 GPR institutional stores and canteen positions, 1.0 GPR institutional programs director, 1.0 GPR program assistant for the institutional programs director, 6.0 GPR records office positions, 2.0 GPR chaplains, 33.0 GPR education/recreation positions (1.0 GPR education director, 15.0 GPR teachers, 7.0 GPR teacher assistants, 1.0 GPR librarian, 1.0 GPR librarian assistant, 1.0 GPR client services assistant, 4.0 GPR recreation leaders and 3.0 GPR program assistants), 5.0 GPR psychological services positions (1.0 GPR psychologist supervisor, 3.0 GPR psychologists and 1.0 GPR program assistant), 26.25 GPR health service unit positions (1.0 GPR physician, 1.0 GPR dentist, 2.0 GPR dental assistants, 0.5 GPR dental hygienist, 1.0 GPR nursing supervisor, 1.0 GPR nurse practitioner, 10.75 GPR nurse clinicians, 6.5 GPR licensed practical nurses, 0.5 GPR diagnostic radiological technician and 2.0 GPR program assistants) 13.67 GPR positions for institutional security supervision for administration, security and training, 49.86 GPR housing unit positions generally associated with the first two of five housing units to open (5.0 GPR unit supervisors, 35.86 GPR correctional officers, 8.0 social workers and 1.0 GPR program

assistant), a segregation unit with 17.04 GPR positions (1.0 unit supervisor, 2.0 crisis intervention workers, 1.0 social worker and 13.04 correctional officers), 127.39 GPR correctional officers for institutional security, 3.0 GPR program review committee staff and 3.0 PR prison industry staff. In 2002-03, the bill would provide an additional 59.79 GPR positions to open the remaining three housing units (53.79 GPR officers and 6.0 GPR social workers).

9. The bill assumes that the facility will open in July, 2002, with one housing unit opening every five weeks. As a result, approximately 300 inmates would be placed at the Facility every five weeks, for a total of 1,500 inmates by the end of December, 2002. In order to achieve this schedule, the majority of correctional officer positions are created beginning June, 2002 (for one month in 2001-02) and training costs for these positions are funded in that year. Further, senior administrative and certain support positions are generally funded beginning between November, 2001, and February, 2002. The remainder of the positions hired in 2001-02 are funded for one or two months.

10. One-time costs at the Stanley Facility include \$1,685,100 GPR for startup costs in 2001-02 (building signage, linens, kitchen utensils, cleaning supplies, canteen inventory and miscellaneous supplies), \$340,500 GPR in 2001-02 and \$42,800 GPR in 2002-03 for one-time employee costs (vaccines and supplies) and \$490,300 for vehicles in 2001-02. These costs are comparable to funding provided for the startup of recent correctional institutions (Redgranite and New Lisbon). In addition, the bill provides \$1,362,300 GPR in 2001-02 and \$388,800 GPR in 2002-03 for correctional officer training.

11. While a specific program statement for the Stanley Correctional Facility has not yet been prepared, Corrections indicates that educational programs, alcohol and other drug abuse treatment and vocational training would be the institution's focus. This is supported by the staffing for the Facility provided in the bill. The education program, staffed with 10.0 education teachers, 4.0 vocational teachers and 1.0 teacher for guidance services, would provide adult basic education, high school equivalency diploma preparation, high school and vocational training on two shifts, five days per week. Likewise, library services would be available during these same periods. Further, one of the 300-bed housing units is staffed with 6.0 social worker positions (rather than 2.0 social workers in the other housing units) to provide short-term (three- to four-month) AODA treatment services. In addition, Corrections indicates that it intends to place an existing Badger State Industry program at the facility and may seek approval in the future for a private industry/prison employment project. The private industry project has not yet been determined and would require the approval of the Joint Committee on Finance before beginning.

12. The bill creates a 24-hour, seven-day per week health services unit for the facility. The unit would have the following nursing coverage: (a) Monday through Friday during the day, 4.0 nurse clinicians and 2.0 licensed practical nurses; (b) Saturday and Sunday during the day, 2.0 nurse clinicians and 1.0 licensed practical nurse; (c) weekly in the evening, 2.0 nurse clinicians and 1.0 licensed practical nurse; and (d) weekly at night, 1.0 nurse clinician and 1.0 licensed practical nurse.

13. In reviewing the staffing of the Stanley Correctional Facility, based on the facility's design and layout, in comparison to staffing at other correctional facilities and based on the 2001-03

state budget instructions, the following modifications could be made: (a) 1.0 storekeeper position associated with inmate canteen could be partially supported by PR, consistent with storekeeper positions in other correctional institutions; (b) 0.5 GPR program assistant for security administration could be removed; (c) 1.0 PR industries specialist associated with a potential private industry project which has not yet been approved could be removed; (d) adjustments associated with reduced correctional officer preservice training costs; and (e) turnover reduction and overtime calculation modifications. Operational costs under the bill could, therefore, be modified by -\$34,500 GPR and -1.3 GPR positions and \$2,800 PR and -0.2 PR position in 2001-02 and -\$138,300 GPR and -1.3 GPR positions and -\$27,600 PR and -0.2 PR position in 2002-03.

### **State Building Program and Lease**

14. Under the agreement to lease, SCP agreed to: (a) provide state access to the facility beginning on September 1, 2000, to prepare the facility for prison use; and (b) make certain changes to the facility. In exchange, DOA agreed to: (a) include a request for authorization of the lease and funds for operation of the Facility in the 2001-03 biennial budget; and (b) pay operating expenses at the facility after entering into the agreement. If a lease is entered into for the facility, and as consideration for the right to occupy the facility, the agreement to lease states that DOA is required to pay SCP \$7,370,545.50 for rent of the facility from September 1, 2000, to June 30, 2001 (plus interest if the payment is made after September 1, 2001), on or before 30 days after the effective date of the budget bill.

15. The agreement to lease specifies that "In anticipation of obtaining Building Commission Approval and Legislative Approval, DOA desires to begin immediate occupancy of the Prison and SCP is willing to grant DOA such immediate occupancy of the Prison for readying it for prison use" under the following terms:

a. DOA is obligated to pay all operating expenses beginning September 1, 2000, with payment contingent upon the lease being entered into. Operating expenses are defined as "the aggregate annual sum of all actual, usual, and customary expenses which Lessor might incur pertaining to the Premises, including without limitation real estate taxes, special assessments (or payment in lieu of taxes if the Premises are exempt from real estate taxes or assessments) and costs of all property damage, public liability, rental interruption and fire and extended coverage insurance." DOA is required to pay these costs within thirty days after the effective date of the 2001-03 biennial budget plus interest if the amount is paid after September 1, 2001.

b. SCP will maintain property damage, public liability, rental interruption and fire and extended coverage insurance. These costs are a portion of operating expenses to be paid by DOA.

c. Beginning September 1, 2000, DOA was required to reimburse SCP for municipal sewer and water service. These costs ("in the minimum amount of" \$272,000 annually) are a portion of operating expenses.

d. On October 1, 2000, DOA was required to open an account with Northern States Power for electricity service and Wisconsin Gas Company for natural gas services at the prison.

DOA is solely responsible for the demand and payment of these costs.

e. Upon occupancy, DOA is required to contract and pay for its telephone service.

f. If the lease is not entered into, DOA is required to return the prison to SCP in as good a condition as at the time of occupancy.

g. DOA will not allow alterations to the facility without approval of SCP.

h. DOA requested additional items be added to the facility at SCP's expense, including an integrated voice and data system, two-way radio system, extension to an officers' sallyport (a secured entrance) and an emergency fuel backup system.

i. The lease payment for the period of September 1, 2000, to June 30, 2001, is specified at \$7,370,545.50. "DOA's obligation to pay Operating Expenses and the amount owing pursuant to this subparagraph [lease costs] is subject to appropriation, provided that, so long as funds are appropriated for the Stanley Correctional Facility, they shall be deemed appropriated for the foregoing amounts."

j. SCP will have full access to the facility until the lease is entered into as long as the access is coordinated with Corrections.

16. Under the option to purchase agreement, the purchase price of the facility, subject to adjustments described below, is \$76,916,000, unless purchased before February 28, 2002. In that case, the purchase price would be reduced by \$2 million, to \$74,916,000. The purchase price would be adjusted at the time of purchase by the following: (a) the state would be responsible for all real estate taxes under the lease; (b) the state would pay all special assessments levied or assessed after May 31, 2000; (c) the state would pay the recording fee for the deed; and (d) the state would pay any amounts due under the lease through the date of purchase.

17. The lease agreement specifies that the lease is subject to the availability of funds for payment of rent costs. "The continuation of this Lease beyond the limits of the funds already available is contingent upon the future availability of funds to support the payment of rent for Corrections. So long as funds are appropriated for the Stanley Correctional facility which is located on the Premises, Lessee [DOA] shall be deemed to be appropriating funds for the payment of rentals under this Lease. Lessee agrees throughout the Lease term to include a request for such funding for the Stanley Correctional facility in each of the Governor's Executive Budget Bills for the Department of Corrections pursuant to Wis. Stat. § 16.47. If such funds are not appropriated, Lessor [SPC] may terminate this Lease and Lessee shall promptly vacate the Premises leaving them in the condition required by this Lease." Under the lease agreement, payment of the lease costs are the first draw on any appropriated funding. Further, the lease specifically requires DOA to make budget requests for Stanley during the lifetime of the lease (ten years).

18. The 2001-03 capital budget enumerates a \$79,917,000 project (\$74,915,600 in general fund supported borrowing and \$5,001,400 in federal funds) entitled "Correctional facility purchase-Stanley" in the 2001-03 state building program under the Department of Corrections. The

• federal funds, provided for prison construction costs under the Violent Offender Incarceration and Truth-in-Sentencing grant program, would be used to support moveable equipment costs at the Facility. The 2001-03 biennial budget provides \$11,457,500 GPR in 2001-02 for lease payments in accordance with the pre-lease and lease agreements with Stanley Correctional Properties (\$7,370,500 GPR for rent from September 1, 2000, to June 30, 2001, and \$4,087,000 GPR for rent from July 1, 2001 to December 31, 2001). In addition, the bill provides \$1,562,000 GPR in 2001-02 to pay property taxes on the Facility for 2000 and 2001 and \$272,000 GPR annually for sewer and water costs.

19. Estimated debt service costs associated with the Facility are \$3,006,000 GPR in 2001-02 and \$7,325,000 GPR in 2002-03. The bill includes debt service costs for the Facility in Corrections' sum sufficient debt service appropriation.

20. On May 28, 1999, the Attorney General issued an opinion regarding the construction and operation of private prisons in Wisconsin. According to the opinion: "While a private company may conceivably build an incarceration facility in Wisconsin, without enabling legislation it cannot be operated by a private company. The purchase or lease of a privately built incarceration facility by the state must be within the state's long range building program as expressed in Wis. Stat. § 13.48. A purchase must also be approved by the Joint Finance Committee. Out of state prisoners may be housed in Wisconsin by the state, a county or a municipality, only as expressly authorized by state statute. Currently that authorization is limited to the Interstate Corrections Compact (Wis. Stat. § 302.25)." In a footnote to the opinion it is noted that the "federal government, by virtue of the supremacy clause, is sovereign over Wisconsin" and, as a result, "the federal government may house federal prisoners in Wisconsin, subject to federal law."

21. According to DOA, the components of a construction project include construction, site development, utilities, fixed, special and movable equipment, design fees, supervision fees, a construction contingency, artwork (if applicable) and land. SCP has indicated that its total cost to construct the Stanley Correctional Facility, including land, architectural and engineering fees, loan commitment fees, legal and professional fees, easements and site access, construction, interest costs, administrative costs, development fees and real estate taxes, was \$83,512,482.

22. A direct comparison of the construction costs of the Stanley Facility and state facilities at similar security levels (medium-security) are difficult given that the Stanley facility was privately built, while other state prisons have been built under state auspices. A more direct comparison may, however, be to compare the purchase price of the 1,500 bed (750 cell) Stanley Facility, excluding movable equipment (\$74,915,600), with the 750 bed (500 cell) New Lisbon Correctional Institution, excluding moveable equipment, currently under construction (\$46,750,000). On a per bed basis, the Stanley Facility costs \$49,900 per bed, compared to \$62,300 per bed for New Lisbon. On a per cell basis, however, Stanley costs \$99,900 and New Lisbon cost \$93,500.

23. If the lease costs budgeted for Stanley in 2001-02 are included with the purchase cost of Stanley, the total cost to purchase the Facility is \$86,373,100. At this cost, the cost per bed at Stanley would be \$57,600, with a cost per cell of \$115,200.

24. The Committee should note that comparable adult, male, medium-security correctional institutions are currently operating at approximately 132% of operating capacity. These facilities accommodate additional inmates because the operating capacity assumes that only 50% of the cells will have two inmates. To the extent that more than 50% of the cells are doubled, additional inmates may be accommodated. At the Stanley Facility, given that 100% of the cells are already double occupied, it would be difficult to accommodate additional inmates.

25. As indicated previously, the pre-lease agreement specifies that DOA will pay for utility costs at the Facility beginning in October, 2000. As of April 1, 2001, energy costs already incurred are \$308,000, with Corrections estimating that total costs will be \$431,000 for 2000-01. These bills have not yet been paid by the state, but costs have been incurred.

26. On March 21, 2001, the Building Commission authorized the inclusion of the Stanley Correctional Facility in the 2001-03 state building program on a 7 to 1 vote. According to the Building Commission, the purpose of buying the Stanley Facility is to allow the state to return additional inmates currently placed in out-of-state contract beds to Wisconsin. Currently, there are approximately 4,500 inmates placed out-of-state. The Building Commission also indicates that Corrections needs additional prison space at state institutions to reduce crowding.

27. The 1999 Attorney General's opinion indicated that only the State of Wisconsin or the federal government could purchase and operate the Stanley Correctional Facility. The U.S. Department of Justice's Bureau of Prisons (BOP) is responsible for administering the federal prison system. According to BOP officials, when planning for capacity needs, the Bureau bases its decisions primarily on geographic need and the states of residence of its offenders. As a result, BOP's capacity needs are currently concentrated on the northeast, southeast and southwest United States. Federal officials indicate that the federal facility in Oxford, Wisconsin, addresses the Bureau's need for prison space in Wisconsin and that additional Wisconsin or Upper Midwest federal prison space is currently not necessary nor anticipated in the future.

28. The payment of lease, property tax and sewer and water costs by the state at the Stanley Correctional Facility prior to occupancy could be questioned. While DOA signed a pre-lease agreement on September 1, 2000, it can be argued that until the 2001-03 biennial budget is approved and Stanley is authorized in the 2001-03 state building program by the Legislature, it is not appropriate to commit the State to specific expenditures. Under the pre-lease and lease agreements, if the state leases or purchases the Facility it owes a specific amount (\$7,370,500 GPR provided in the bill) for rent from September 1, 2000, to June 30, 2001, and any additional amount for months in the 2001-03 biennium (the bill provides \$4,087,000 GPR for rent from July 1, 2001 to December 31, 2001). It can be argued that during the 1999-01 legislative session, the Legislature addressed the issue of whether to utilize the Stanley Facility and determined that the facility would not be used. No subsequent legislative action authorized use of the Stanley Facility. Likewise, payment of property taxes, sewer and water costs and utility costs at a facility that the state neither leases or owns may be viewed as inappropriate until the facility is leased or purchased.

29. DOA has indicated that if funding for the lease is not provided, DOA would be required to renegotiate the lease if the state wishes to use the facility.

30. The Stanley Correctional Facility is an existing structure that DOA and Corrections indicate could be utilized to house up to 1,500 medium-security inmates beginning in July, 2002. To the extent that the Committee agrees that inmates in out-of-state contract facilities should be returned to Wisconsin, the Committee may wish to approve the Building Commission's recommendation to enumerate a \$79,917,000 project (\$74,915,600 in general fund supported borrowing and \$5,001,400 in federal funds) entitled "Correctional facility purchase-Stanley" in the 2001-03 state building program under the Department of Corrections. However, given concerns that could be raised regarding lease costs, the Committee may wish to delete funding for lease (\$11,457,500), property tax (\$1,562,000) and sewer and water (\$136,000) costs prior to lease or purchase of the facility. The Committee could require that DOA renegotiate the lease agreement and submit a report to the Joint Committee on Finance for its approval specifying the final lease payment and the source of that funding.

31. If the Committee wishes to remove the Building Commission's recommendation and funding and positions provided in bill related to the Stanley Correctional Facility, housing will need to be provided in out-of-state contract beds. The bill assumes that the Stanley Correctional Facility will house an average daily population of 1,110 inmates in 2002-03. Under this alternative, costs and positions associated with the facility (\$20,593,700 GPR and 337.21 GPR positions and \$21,300 PR and 3.0 PR positions in 2001-02 and \$22,875,200 GPR and 397.0 GPR positions and \$155,500 PR and 3.0 PR positions in 2002-03), current base funding (\$367,200 GPR and 7.0 GPR positions) and estimated debt service costs (\$3,006,000 GPR in 2001-02 and \$7,325,000 GPR in 2002-03) would be removed, and an additional \$18,530,200 GPR in 2002-03 provided for contract beds. The net reduction over the biennium would be \$36,004,100 GPR.

32. The Committee should note that on an annualized basis, 1,500 contract beds would cost approximately \$25.0 million GPR compared to an estimated annualized cost of \$24.1 million GPR for the currently authorized and recommended positions at the Stanley Facility. Further, the need for additional contract beds may require Corrections to seek an increase in the current number of authorized out-of-state contract beds (5,157).

#### **Naming of the Stanley Correctional Institution**

33. Under current law, the Department of Corrections has the authority to "maintain and govern the state correctional institutions." The statutes identify specific state correctional institutions.

34. The Building Commission amendment would modify current law to name the correctional institution at Stanley as a state prison. In addition, the bill would modify the same section of the statutes to allow Corrections to maintain and govern "any correctional institution that has been constructed by a private person and leased or purchased by the state for use by the department".

35. While the Building Commission amendment would apply only to the Stanley Correctional Facility, the provision in the bill would apply prospectively to any privately constructed correctional facility. If a private company built a prison facility, Corrections would be

statutorily authorized to maintain and govern that facility.

36. If the Committee enumerates Stanley as a part of the 2001-03 state building program, the facility should be specifically named in order to allow Corrections to administer the facility. However, concerns could be raised regarding the provision allowing Corrections to operate any privately built prison. To the extent that the statutes allow Corrections to operate privately built facilities under lease or through purchase, the state may be viewed as encouraging the development of privately built prisons. These prisons, while eventually needing to be enumerated in the state building program in order for the state to be authorized to lease or purchase the facility, would not require state approval in advance of construction. As a result, the Committee may wish to retain the specific naming of Stanley and delete the more general naming of any privately built prison.

## ALTERNATIVES TO BASE AND BILL

### A. Stanley Correctional Facility Enumeration

*[Note: The Building Program is a base agency. An affirmative vote is necessary for inclusion in the 2001-03 biennial budget bill.]*

1. Approve the Building Commission's recommendation to enumerate a \$79,917,000 project (\$74,915,600 in general fund supported borrowing and \$5,001,400 in federal funds) entitled "Correctional facility purchase-Stanley" in the 2001-03 state building program under the Department of Corrections. Approve the Building Commission's recommendation to modify current law to specify that the correctional institution at Stanley enumerated in the 2001-03 state building program be listed as a state prison and named "the correctional institution at Stanley."

<u>Alternative A1</u>	<u>FED</u>	<u>BR</u>	<u>TOTAL</u>
2001-03 BUILDING PROGRAM (Change to Base)	\$5,001,400	\$74,915,600	\$79,917,000
[Change to Bill]	\$5,001,400	\$74,915,600	\$79,917,000

2. Do not enumerate the Stanley Correctional Facility. Reduce Corrections' sum sufficient debt service appropriation by \$3,006,000 in 2001-02 and \$7,325,000 in 2002-03.

<u>Alternative A2</u>	<u>GPR</u>
2001-03 FUNDING (Change to Base)	\$0
[Change to Bill]	-\$10,331,000

**B. Stanley Correctional Facility Operating Costs**

[Note: Corrections is a bill agency. An affirmative vote is necessary to remove Stanley operating costs from the bill. Alternatives B1 and B2 should be considered only in conjunction with Alternative A1.]

1. Approve the Governor's recommendation to provide \$20,593,700 GPR and 337.21 GPR positions and \$21,300 PR and 3.0 PR positions in 2001-02 and \$22,875,200 GPR and 397.0 GPR positions and \$155,500 PR and 3.0 PR positions in 2002-03 to operate the 1,500-bed Stanley Correctional Institution. Further, modify current law to name any correctional institution that has been constructed by a private person and leased or purchased by the state for use by Corrections as a state prison.

2. Modify the Governor's recommendation related to operating costs at the Stanley Correctional Facility by adopting any of the following:

a. Adjusting funding by -\$34,500 GPR and -1.3 GPR positions and \$2,800 PR and -0.2 PR position in 2001-02 and -\$138,300 GPR and -1.3 GPR positions and -\$27,600 PR and -0.2 PR position in 2002-03 to reflect the partial PR support of 1.0 storekeeper position, the deletion of 0.5 GPR program assistant for security administration, the deletion of 1.0 PR industries specialist associated with a potential private industry project, adjustments associated with reduced correctional officer preservice training costs, and turnover reduction and overtime calculation modifications.

<b>Alternative B2a</b>	<b>GPR</b>	<b>PR</b>	<b>TOTAL</b>
<b>2001-03 FUNDING</b> (Change to Bill)	- \$172,800	- \$24,800	- \$197,600
<b>2002-03 POSITIONS</b> (Change to Bill)	- 1.30	- 0.20	- 1.50

b. Deleting \$11,457,500 GPR in 2001-02 for lease costs. Require DOA to renegotiate the Stanley Correctional Facility lease agreement and submit a report to the Joint Committee on Finance for its approval specifying the final lease payment and the source of that funding.

<b>Alternative B2b</b>	<b>GPR</b>
<b>2001-03 FUNDING</b> (Change to Bill)	- \$11,457,500

c. Deleting \$1,562,000 GPR in 2001-02 for property taxes on the Stanley Correctional Facility.

<b>Alternative B2c</b>	<b>GPR</b>
<b>2001-03 FUNDING</b> (Change to Bill)	- \$1,562,000

d. Deleting \$136,000 GPR in 2001-02 for sewer and water costs at the Stanley Correctional Facility prior to lease or purchase.

<b>Alternative B2d</b>	<b>GPR</b>
<b>2001-03 FUNDING (Change to Bill)</b>	<b>- \$136,000</b>

e. Removing the provision that would allow Corrections to maintain and govern any correctional institution that has been constructed by a private person and leased or purchased by the state for use by the Department.

3. Delete funding and staffing for the Stanley Correctional Facility (\$20,593,700 GPR and 337.21 GPR positions and \$21,300 PR and 3.0 PR positions in 2001-02 and \$22,875,200 GPR and 397.0 GPR positions and \$155,500 PR and 3.0 PR positions in 2002-03), and base funding and positions (\$367,200 GPR and 7.0 GPR positions annually). Further, delete the provision allowing the use of privately constructed correctional facilities. Provide \$18,530,200 GPR in 2002-03 for additional out-of-state contract beds.

<b>Alternative B3</b>	<b>GPR</b>	<b>PR</b>	<b>TOTAL</b>
<b>2001-03 FUNDING (Change to Bill)</b>	<b>- \$25,673,100</b>	<b>- \$176,800</b>	<b>- \$25,849,900</b>
<b>2002-03 POSITIONS (Change to Bill)</b>	<b>- 404.00</b>	<b>- 3.00</b>	<b>- 407.00</b>

Prepared by: Jere Bauer

CORRECTIONS -- ADULT CORRECTIONAL FACILITIES

Stanley Correctional Institution

[LFB Paper #327]

Motion:

1. Move to modify the Governor's recommendations as follows:

*Stanley Correctional Facility Enumeration* -- Approve the Building Commission's recommendation to enumerate a \$79,917,000 project (\$74,915,600 in general fund supported borrowing and \$5,001,400 in federal funds) entitled "Correctional facility purchase-Stanley" in the 2001-03 state building program under the Department of Corrections. Approve the Building Commission's recommendation to modify current law to specify that the correctional institution at Stanley enumerated in the 2001-03 state building program be listed as a state prison and named "the correctional institution at Stanley."

*Stanley Correctional Facility Operating Costs*

- a. Adjust funding by -\$34,500 GPR and -1.3 GPR positions and \$2,800 PR and -0.2 PR position in 2001-02 and -\$138,300 GPR and -1.3 GPR positions and -\$27,600 PR and -0.2 PR position in 2002-03 to reflect the partial PR support of 1.0 storekeeper position, the deletion of 0.5 GPR program assistant for security administration, the deletion of 1.0 PR industries specialist associated with a potential private industry project, adjustments associated with reduced correctional officer preservice training costs, and turnover reduction and overtime calculation modifications.

- b. Delete \$11,457,500 GPR in 2001-02 for lease costs. Require DOA to renegotiate the Stanley Correctional Facility lease agreement and submit a report to the Joint Committee on Finance for its approval specifying the final lease payment and the source of that funding.

- c. Provide \$2,600,000 GPR in 2001-02 for carrying costs associated with the Facility of \$650,000 per month for up to four months.

- d. Remove the provision that would allow Corrections to maintain and govern any correctional institution that has been constructed by a private person and leased or purchased by the state for use by the Department.

- e. Specify that the Building Commission may not lease or acquire or authorize the leasing or acquisition of any building, structure, or facility or portion thereof for initial occupancy



*Decker*  
*Shubert*

CORRECTIONS -- ADULT CORRECTIONAL FACILITIES

Stanley Correctional Institution

[LFB Paper #327]

Motion:

1. Move to modify the Governor's recommendations as follows:

*Stanley Correctional Facility Enumeration* -- Approve the Building Commission's recommendation to enumerate a \$79,917,000 project (\$74,915,600 in general fund supported borrowing and \$5,001,400 in federal funds) entitled "Correctional facility purchase-Stanley" in the 2001-03 state building program under the Department of Corrections. Approve the Building Commission's recommendation to modify current law to specify that the correctional institution at Stanley enumerated in the 2001-03 state building program be listed as a state prison and named "the correctional institution at Stanley."

*Stanley Correctional Facility Operating Costs*

- a. Adjust funding by -\$34,500 GPR and -1.3 GPR positions and \$2,800 PR and -0.2 PR position in 2001-02 and -\$138,300 GPR and -1.3 GPR positions and -\$27,600 PR and -0.2 PR position in 2002-03 to reflect the partial PR support of 1.0 storekeeper position, the deletion of 0.5 GPR program assistant for security administration, the deletion of 1.0 PR industries specialist associated with a potential private industry project, adjustments associated with reduced correctional officer preservice training costs, and turnover reduction and overtime calculation modifications.
- b. Delete \$11,457,500 GPR in 2001-02 for lease costs. Require DOA to renegotiate the Stanley Correctional Facility lease agreement and submit a report to the Joint Committee on Finance for its approval specifying the final lease payment and the source of that funding.
- c. Provide \$2,600,000 GPR in 2001-02 for carrying costs associated with the Facility of \$650,000 per month for up to four months.
- d. Remove the provision that would allow Corrections to maintain and govern any correctional institution that has been constructed by a private person and leased or purchased by the state for use by the Department.
- e. Specify that the Building Commission may not lease or acquire or authorize the leasing or acquisition of any building, structure, or facility or portion thereof for initial occupancy

by the Department of Corrections for the purpose of confining persons serving a sentence of imprisonment to the Wisconsin state prisons or for the purpose of confining juveniles alleged or found to be delinquent unless the construction of the building, structure, or facility or the conversion of the building, structure, or facility into a correctional facility either was completed before January 1, 2001, or began after the building, structure, or facility was enumerated in the authorized state building program.

f. Define the following terms:

1. "Authorized jurisdiction" means a county, two counties, jointly establishing a jail, the United States, or a federally recognized American Indian tribe or band in this state.

2. "Correctional facility" means a building, structure, or facility or portion thereof to be used to confine persons serving a sentence of imprisonment to the Wisconsin state prisons or to confine juveniles alleged or found to be delinquent.

g. Specify that no person may commence construction of a correctional facility or commence the conversion of an existing building, structure, or facility into a correctional facility unless the building, structure, or facility is enumerated in the authorized state building program. This provision does not apply to any of the following:

1. A building, structure, or facility that is constructed or converted under a contract with and for use by an authorized jurisdiction.

2. A building, structure or facility the construction of which commenced before January 1, 2001, if the building, structure, or facility was designed to confine persons convicted of criminal offenses."

MO# Kaufert/Kard

GARD	<input checked="" type="checkbox"/>	N	A
KAUFERT	<input checked="" type="checkbox"/>	N	A
ALBERS	<input checked="" type="checkbox"/>	N	A
DUFF	<input checked="" type="checkbox"/>	N	A
WARD <u>Hundert</u>	<input checked="" type="checkbox"/>	N	A
HUEBSCH	<input checked="" type="checkbox"/>	N	A
HUBER	<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
MOORE	<input checked="" type="checkbox"/>	N	<input checked="" type="checkbox"/>
SHIBILSKI	<input checked="" type="checkbox"/>	N	A
PLAGHE <u>Quinn</u>	<input checked="" type="checkbox"/>	N	A
WIRCH	<input checked="" type="checkbox"/>	N	A
DARLING	<input checked="" type="checkbox"/>	N	A
WELCH	<input checked="" type="checkbox"/>	N	A

bill: -\$9,030,300 GPR, -1.30 GPR positions, -\$24,800 PR and \$79,917,000 BR]

AYE 15 NO 0 ABS \_\_\_\_\_

**AGENCY:** DOC (Adult Facilities)

**Paper #:** 328

**ISSUE:** Prison Staffing for new facilities

**ALTERNATIVES:**

A2 (New Lisbon w/ correct calculations). Bauer says this is really the only option.

*delay - 1/03*  
B1 (Highview) B3 is no funding for this biennium, B4 is halting construction.

**This is important to AFSCME Council 24.** There is a "ready-made" AFSCME employee pool due to the impending closure of the Northern WI Center.

*1/03*  
C2 (Taycheedah mental health unit w/ modifications). Females NEED mental health treatment. Saves \$32,000 GPR

*1/03*  
D3 (Oshkosh w/ delayed opening date). D4 is no funding for this biennium. D4 is halting construction.

E2 (Workhouses w/ construction delayed). E4 is no funding for this biennium. E5 is halting construction.

*1/03*  
F3 (Sturdevant w/ correct numbers and delayed opening). F4 is no funding for this biennium. F5 is halting construction.

**SUMMARY:** See paper for list of new facilities and opening dates highlighted.

**BY:** Tanya

CORRECTIONS -- ADULT CORRECTIONAL FACILITIES

Prison Staffing

[Paper #328]

Motion:

Move to modify the Governor's recommendations concerning staffing at new and expanded correctional facilities as follows:

a. *New Lisbon Correctional Institution.* Delete \$2,660,700 GPR and 237.14 GPR positions and \$27,400 PR and 3.0 PR positions in 2001-02 and provide \$3,151,800 GPR and -0.4 GPR position and -\$35,800 PR and 0.4 PR position in 2002-03 to operate the New Lisbon Correctional Institution. This alternative makes the following modifications: (a) partially supports 1.0 storekeeper position associated with the inmate canteen with PR; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) reduces funding associated with inmate-related costs; (e) increases funding for prison contract beds associated with adjusted average daily populations at New Lisbon; and (f) delays the opening of the institution from July, 2002, to January, 2003.

b. *Highview Geriatric Facility.* Delete \$4,419,200 GPR and 212.0 GPR positions in 2001-02 and provide \$877,700 GPR and -1.57 GPR positions and \$13,300 PR and 0.4 PR position in 2002-03 to operate the Highview Geriatric Facility. This alternative makes the following modifications: (a) delays the opening of the facility from July, 2002, to January, 2003; (b) partially supports 1.0 storekeeper position associated with the inmate canteen with PR; (c) modifies turnover reduction and overtime calculations; (d) makes adjustments associated with reduced correctional officer preservice training costs; (e) appropriately staffs nursing positions; (f) reduces funding associated with inmate-related costs; and (g) increases funding for prison contract beds associated with adjusted average daily populations at the Highview Facility.

c. *Taycheedah Correctional Institution.* Delete \$14,900 GPR in 2001-02 and \$17,300 GPR in 2002-03. This makes modifications related to turnover reduction and overtime calculation adjustments, and adjustments associated with reduced correctional officer preservice training costs.

d. *Oshkosh Correctional Institution.* Delete \$260,400 GPR and 10.0 GPR positions in 2001-02 and \$47,900 GPR in 2002-03 associated with the Oshkosh Correctional Institution segregation unit. This makes the following modifications: (a) delays all funding and positions to reflect the open of the facility in January, 2003, rather than March, 2002; (b) modifies turnover reduction and overtime calculations; and (c) reduces correctional officer preservice training costs.

e. *Inmate Workhouses.* Delete \$807,400 GPR and 25.0 GPR positions in 2001-02 and provide \$1,762,900 GPR in 2002-03 for the inmate workhouses. This makes the following modifications: (a) delays the opening of the Winnebago facility from February, 2002, to May, 2002 and the Sturtevant facility from June, 2002, to January, 2003; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) increases funding for health care costs; (e) reduces funding associated with inmate-related costs; and (f) increases funding for prison contract beds associated with adjusted average daily populations at the inmate workhouses.

f. *Sturtevant Probation and Parole Hold Facility.* Delete \$1,756,500 GPR and 50.0 GPR positions in 2001-02 and \$90,900 GPR in 2002-03. This makes the following modifications: (a) delays the opening of the facility from June, 2002, to January, 2003; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) increases funding for health care costs in 2002-03; and (e) reduces inmate-related costs.

Note:

[Change to Bill: -\$4,282,800 GPR, -1.97 GPR positions, -\$44,900 PR and 0.8 PR positions]

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
2 GARD	Y	N	A
1 KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

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



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 31, 2001

Joint Committee on Finance

Paper #328

### **Prison Staffing -- New Lisbon, Highview, Taycheedah, Oshkosh, Inmate Workhouses and Sturtevant Probation and Parole Hold Facility (DOC -- Adult Correctional Facilities)**

[LFB 2001-03 Budget Summary: Page 207, #4, Page 209, #6, Page 210, #7, Page 211, #8 thru 10 and Page 212, #11]

#### **CURRENT LAW**

The following new correctional facilities are scheduled to open during the 2001-03 biennium: (a) New Lisbon Correctional Institution in July, 2002; (b) Highview Geriatric Correctional Facility in July, 2002; (c) Taycheedah Correctional Institution segregation, mental health and housing unit in January, 2002; (d) Oshkosh Correctional Institution segregation unit in March, 2002; (e) Sturtevant Inmate Workhouse in June, 2002; (f) Winnebago Inmate Workhouse in February, 2002; and (g) Sturtevant Probation and Parole Hold Facility.

#### **GOVERNOR**

Provide \$15,642,400 (\$15,615,000 GPR and \$27,400 PR) and 625.14 positions (622.14 GPR and 3.0 PR positions) in 2001-02 and \$35,701,100 (\$35,556,100 GPR and \$145,000 PR) and 668.0 positions (665.0 GPR and 3.0 PR positions) in 2002-03 as follows:

<u>Institution</u>	<u>2001-02 (All Funds)</u>		<u>2002-03 (All Funds)</u>	
	<u>Amount</u>	<u>Positions</u>	<u>Amount</u>	<u>Positions</u>
New Lisbon	\$3,635,700	237.14	\$14,910,000	280.00
Highview Geriatric	5,028,200	217.00	11,053,300	217.00
Taycheedah	2,364,800	61.00	2,995,700	61.00
Oshkosh	260,400	10.00	440,500	10.00
Inmate Workhouses	2,596,800	50.00	3,238,300	50.00
Sturtevant P&P Hold	<u>1,756,500</u>	<u>50.00</u>	<u>3,063,300</u>	<u>50.00</u>
Total	\$15,642,400	625.14	\$35,701,100	668.00

Identify the New Lisbon Correctional Institution as a medium-security correctional institution that Corrections is required to establish and name the facility as a state prison.

## DISCUSSION POINTS

### New Lisbon Correctional Institution

1. On September 17, 1998, the Building Commission approved \$27,946,400 in general fund-supported borrowing for the construction of a 375-bed medium-security correctional institution in New Lisbon. The facility will also contain a 50-bed segregation unit. Costs of the project were increased on November 17, 1998, by \$303,600 for an environmental impact statement, by \$20.0 million (\$15.0 million in general fund-supported borrowing and \$5.0 million in federal funds) on November 11, 1999, for an additional 375-bed expansion and by \$3,000,000 FED for increased moveable equipment costs on April 18, 2001. Total project costs for the 750-bed institution are \$51.25 million.

2. In 1999 Act 9, \$9,400 GPR and 2.0 GPR positions in 1999-00 and \$728,700 GPR and 9.0 GPR positions in 2000-01 was provided for initial staffing at the New Lisbon Correctional Institution. The initial positions included 1.0 warden, 1.0 secretary, 1.0 human resources specialist, 1.0 institutional business director, 2.0 building and maintenance positions, 1.0 institutional security director, 1.0 corrections program supervisor and 1.0 program assistant.

3. In SB 55, the Governor would provide \$3,608,300 GPR and 234.14 GPR positions and \$27,400 PR and 3.0 PR positions in 2001-02 and \$14,765,000 GPR and 277.0 GPR positions and \$145,000 PR and 3.0 PR positions in 2002-03 to operate the 750-bed New Lisbon Correctional Institution.

4. The recommended institutional staffing for New Lisbon includes the following positions in 2001-02: 1.0 GPR deputy warden, 2.0 GPR personnel positions, 2.0 GPR inmate complaint examiners, 6.0 GPR financial services positions, 10.0 GPR food service positions, 14.0 GPR maintenance positions, 4.0 GPR institutional stores positions, 1.0 GPR program assistant for the institutional programs director, 4.0 GPR records office positions, 1.0 GPR chaplain, 19.0 GPR education/recreation positions (1.0 education director, 13.0 teachers, 1.0 librarian, 3.0 recreation leaders and 1.0 program assistant), 5.0 GPR psychological services positions (1.0 psychologist

supervisor, 3.0 psychologists and 1.0 program assistant), 11.0 GPR security supervisors for administration, security and training, one housing unit with 21.93 positions for alcohol and other drug abuse treatment (1.0 unit supervisor, 17.93 correctional officers and 3.0 social workers), one housing unit for inmates with special needs with 18.93 GPR positions (1.0 unit supervisor and 17.93 correctional officers), two housing units each with 1.0 unit supervisor, a segregation unit with 15.04 GPR positions (1.0 crisis intervention worker, 1.0 social worker and 13.04 correctional officers), 92.74 GPR correctional officers for institutional security, 0.5 GPR nursing consultant, 3.0 GPR program review committee staff and 3.0 PR prison industry staff. In 2002-03, an additional 42.86 GPR positions are created to staff a special management unit for mentally ill inmates (2.0 social workers and 1.0 psychologist) and the two housing units (4.0 social workers and 35.86 correctional officers). The bill includes \$1,103,400 GPR in 2001-02 and \$259,200 GPR in 2002-03 for correctional officer training, \$2,095,800 GPR in 2002-03 for contracted health services, \$410,000 GPR in 2001-02 for institutional start-up costs and \$47,900 GPR in 2001-02 for vehicle purchases. The facility is scheduled to open in July, 2002.

5. The New Lisbon Correctional Institution is designed in a similar manner to the newly-opened Redgranite Correctional Institution. Staffing for New Lisbon appears to be comparable to that of Redgranite. The following modifications could, however, be made: (a) partially support 1.0 storekeeper position associated with the inmate canteen with PR, consistent with storekeeper positions in other correctional institutions; (b) make turnover reduction and overtime calculations adjustments; and (c) make adjustments associated with reduced correctional officer preservice training costs.

6. It should be noted that as initially proposed by Corrections, New Lisbon would have opened in 2001-02 rather than at the beginning of 2002-03. When the opening date was modified by the Governor to July, 2002, no adjustment was made to the estimated average daily population associated with the facility. As a result, funding under the bill assumes that more inmates will be in state correctional facilities (an average of 67 in 2001-02 and 118 in 2002-03) and a corresponding fewer average number of inmates in contracted prison beds. The bill could, therefore, be adjusted to reduce funding associated with inmate costs in the state facilities (-\$128,500 GPR in 2001-02 and -\$229,300 GPR in 2002-03) and increase funding provided for contract beds (\$1,076,100 GPR in 2001-02 and \$1,952,000 GPR in 2002-03).

7. In total, the modifications to staffing (-\$51,200 in 2001-02 and -\$95,800 in 2002-03 and -0.4 position annually) and the adjustments associated with average daily population identified above would result in a change to the bill of \$896,400 GPR and -0.4 GPR position and \$5,000 PR and 0.4 PR position in 2001-02 and \$1,626,900 GPR and -0.4 GPR position and \$11,100 PR and 0.4 PR position in 2002-03.

### **Highview Geriatric**

8. Remodeling of the Highview facility on the grounds of the Northern Wisconsin Center for the Developmentally Disabled into a geriatric facility for male inmates was approved in 1999 Act 9, the 1999-01 biennial budget. On August 8, 2000, the Building Commission approved the transfer of Highview Hall at the Department of Health and Family Service's Northern Center to

the Department of Corrections. The Commission also approved \$7,294,000 in general fund-supported borrowing for the remodeling and conversion of Highview to a 300-bed medium-security geriatric prison. The project will include security enhancements, a control center, indoor and outdoor recreation areas, remodeling of living spaces, a health services unit, a visiting room and upgrades to plumbing, sprinkler and electrical systems.

9. Estimated debt service costs associated with Highview are \$713,000 GPR annually. The bill includes debt service costs for the facility in Corrections' sum sufficient debt service appropriation.

10. In SB 55, the Governor would provide \$5,028,200 GPR in 2001-02 and \$11,053,300 GPR in 2002-03 and 217.0 GPR positions annually to operate the 300-bed Highview Geriatric Correctional Facility. The facility is scheduled to open in July, 2002.

11. The bill provides the following positions: 1.0 warden, 1.0 deputy warden, 1.0 secretary for the warden, 3.0 personnel positions, 1.0 inmate complaint examiner, 2.0 financial services positions, 4.0 business office positions, 1.0 institutional stores position, 4.5 food service positions, 2.0 records office positions, 1.0 chaplain, 1.0 librarian, 2.0 positions for institutional security (1.0 security director and 1.0 program assistant), 11.78 security supervisors for administration, security and training, one housing unit with 43.29 positions (1.0 unit supervisor, 13.04 correctional officers, 1.0 social worker, 1.0 chief psychologist, 1.0 program assistant, 1.0 nursing supervisor, 5.0 nurse clinicians, 8.5 licensed practical nurses and 11.75 nursing assistants), two housing units with 41.79 positions (1.0 unit supervisor, 13.04 correctional officers, 1.0 social worker, 0.5 psychologist, 1.0 nursing supervisor, 5.0 nurse clinicians, 8.5 licensed practical nurses and 11.75 nursing assistants), 43.35 correctional officers for institutional security, 8.5 institutional health care staff (1.0 physician, 0.5 psychiatrist, 1.0 nursing supervisor, 1.0 nurse practitioner, 0.5 dentist, 0.5 dental assistant, 0.5 dental hygienist, 0.5 phlebotomist, 1.0 occupational therapist, 1.0 physical therapist and 1.0 medical records technician) and 2.0 program review committee staff. The bill also includes \$1,089,800 GPR in 2001-02 for institutional start-up costs (inmate clothing, cleaning supplies, linens and supplies for the facility canteen, food service, health services unit and the facility generally) and \$218,500 GPR in 2001-02 for vehicle purchases. The bill assumes that maintenance services, food service, laundry and other miscellaneous services will be provided through contracts with Northern Center.

12. According to Corrections' program statement associated with Highview: "A 1992 report by the National Institute of Corrections (NIC) recommends that correctional systems prepare for and recognize the normal aging process that takes place among elderly inmates. In addition to health care, the report concludes that consideration should be given to how elderly inmates are placed, fed and protected within a correctional facility. While some elderly inmates function normally within the general inmate population, others may be too feeble to obtain services or to protect themselves adequately from more aggressive inmates. Some may have trouble walking to a central dining hall or to the health services units. In addition to typical symptoms of aging, such as dulled senses, decreased lung capacity, poor circulation and changing nutritional needs, the study cites research indicating that from 15 to 25 percent of elderly inmates suffer from mental illness, and people over age 65 are likely to spend twice as much time in health care facilities."

13. A 1996 Corrections report related to older inmates recommended that: (a) healthy and active older inmates continue to be placed in the general inmate population; (b) flexible guidelines be established to classify older inmates; (c) special staff training be provided surrounding the issues of aging inmates; (d) modified work activities and assistance with daily living needs be provided as needed; (e) modifications be made to the physical plant to address the physical limitations and changes in elderly inmates; and (f) a facility be designated to house inmates who have ongoing medical and custodial care needs.

14. Corrections indicates that because inmates prior to incarceration generally had limited access to health care and poor health habits, it considers inmates who are 50 years old or older as elderly. The Department indicates that as of March 31, 2001, there were 1,272 male inmates over the age of 50 sentenced to prison, including 156 individuals serving life sentences. Based on an evaluation conducted by the Department in June, 2000, Corrections estimates that 63% of inmates over 50 years of age have some kind of chronic illness. These medical conditions include: (a) orthopedic (18.0%); (b) coronary (13.0%); (c) neurological, including Parkinson's disease, Lou Gehrig's disease and multiple sclerosis (5.0%); (d) endocrine, including diabetes (3.8%); (e) respiratory (3.7%); (f) ear, nose and throat (3.2%); (g) mental, including Alzheimer's and senility (3.1%); (h) gastrointestinal (1.7%); (i) visual, including glaucoma (1.3%); and (j) other conditions, including cancerous tumors, kidney failure, bladder disease and blood disease (4.0%). In addition, Corrections identifies an additional 6.5% of these inmates as being over 60 years of age without reference to specific medical conditions.

15. The following table identifies the general types of offenses for which offenders 50 years of age or older in the prison system on March 31, 2001, were convicted, the number of inmates and the average sentence length of those offenders. The table excludes the 156 offenders 50 years of age or older with a life sentence.

<u>Offense Type</u>	<u>Number</u>	<u>Average Sentence Length (Years)</u>	<u>Percent of Total</u>
Assault and Sexual	514	27.83	46.1%
Assault	288	22.92	25.8
Not Assault, Sexual or Drug	172	8.25	15.4
Drug	103	9.50	9.2
Assault and Drug	28	15.75	2.5
Assault, Sexual and Drug	7	32.83	0.6
Sexual	4	17.42	0.4
Total	1,116	21.58	100.0%

16. The Highview Facility is a four-story structure and will have three floors of inmate housing (100 beds per floor). The inmate population at the Facility would be divided into three categories:

- Able bodied (75 inmates), are inmates who are ambulatory and independent in

matters regarding daily living, possibly on some medications and who require health care services on an as-needed basis or several times yearly for a well controlled chronic medical condition such as hypertension or arthritis, and will seek dental care as problems arise. According to Corrections, although these inmates may have several age-related health issues, essentially they are capable of working various inmate jobs to provide institutional support, such as food service, custodial, activity aides, maintenance and personal care workers.

- Partially dependent (150 inmates), are inmates who require assistance and supervision from nursing assistants and licensed practical nurses on a daily basis to meet their feeding, toileting, bathing, dressing, personal care and mobility needs. These inmates require some medical treatments and need to be observed.

- Frail or infirmed (75 inmates), are inmates who require more nursing care than partially dependent inmates, as well as assessment and evaluation of the nurse clinicians.

17. Staffing at Highview would provide security and nursing staffing on each of the three housing floors such that there would be six nursing staff (nurse clinician, LPNs and nursing assistants) and three correctional officers in the morning, five nursing staff and three correctional officers in the evening, and four nursing staff and two correctional officers at night seven days per week. Corrections recently developed a post shift for nursing staff. In order to staff one nurse position 24 hours per day seven days per week, more than three positions are necessary to account for vacation, sick leave and weekends. In creating nursing positions at Highview, however, whole and half positions amounts were generally used. If positions are adjusted to properly reflect nursing staffing, reductions in funding and positions can be made.

18. In reviewing the staffing for Highview, it appears that the following modifications could be made: (a) delay all funding and positions by one month; (b) 1.0 storekeeper position associated with the inmate canteen could be partially supported by PR, consistent with storekeeper positions in other correctional institutions; (c) turnover reduction and overtime calculation adjustments; (d) adjustments associated with reduced correctional officer preservice training costs; and (e) nursing positions could be reduced to appropriately staff the positions provided in the bill.

19. In addition, as initially proposed by Corrections, Highview would have opened in 2001-02 rather than at the beginning of 2002-03. When the opening date was modified by the Governor to July, 2002, no adjustment was made to the estimated average daily population associated with the facility. On April 26, 2001, DOA indicated that the project opening date for Highview would be August, 2002, rather than July, 2002. As a result, funding under the bill assumes that more inmates will be in state correctional facilities and fewer in contracted prison beds. The bill could, therefore, be adjusted to reduce funding associated with inmate costs in the state facilities and to increase funding provided for contract beds.

20. In total, the modifications to staffing and the adjustments associated with average daily population would result in a change to the bill of -\$1,176,100 GPR and -103.15 GPR positions and \$7,200 PR and 0.4 PR position in 2001-02 and \$785,300 GPR and -1.57 GPR position and \$13,300 PR and 0.4 PR position in 2002-03.

21. On April 4, 2001, the Co-chairs of the Joint Committee on Finance sent a letter to the Governor requesting that construction and remodeling contracts associated with five correctional facilities, including Highview, not proceed until after the Legislature had determined the facilities' appropriate staffing and funding levels. In response, on May 18, 2001, the Secretary of the Department of Administration indicated in a letter to the Co-chairs that the Highview project has temporarily been placed on hold. The project has been bid and all but one contractor has agreed to hold the bids until June 1, 2001. The Secretary further stated that "[i]f these projects [Highview and Oshkosh] are delayed beyond June 1<sup>st</sup>, they may have to be re-bid and costs are likely to increase... Delaying renovation of the Highview facility places greater demands on health care and security staff at other institutions as older inmates with more significant health care needs remain in the general population."

22. Given that Corrections has identified a large potential population of offenders age 50 and older who may need medical services, and given that the Legislature authorized the construction project in conjunction with the 1999-01 state building program, the opening of the Highview Facility may be appropriate. Given current projections of the state's general fund for the 2001-03 biennium, however, opening of the facility could be delayed for two years. This would result in deleting funding and positions for Highview (-\$5,028,200 GPR in 2001-02 and -\$11,053,300 GPR in 2002-03 and -217.0 GPR positions annually) and the associated inmate-related population costs (-\$53,400 GPR in 2001-02 and -\$682,500 GPR in 2002-03), and instead funding the placement of an additional 24 inmates in 2001-02 and 300 inmates in 2002-03 in contract beds (\$385,500 GPR in 2001-02 and \$4,962,600 GPR in 2002-03). Under this alternative, remodeling of the facility could continue but operating costs for the facility would need to be addressed in the 2003-05 biennium. During 2001-03, inmates age 50 and older with medical conditions in the prison system would continue to receive care at the institutions at which they are placed, rather than a centralized prison for older inmates with medical needs.

23. If the Committee wishes, the 1999-01 state building program could be amended and the enumeration of the Highview Facility removed. Further, authorized bonding for Corrections associated with Highview could be reduced by \$7,294,000 in general fund supported borrowing and debt service costs reduced by \$713,000 GPR annually. The Department of Administration has indicated that \$150,000 has been advanced from the building trust fund associated with architectural and engineering (A&E) costs for Highview. Once construction of the project starts, the trust fund is reimbursed from bond proceeds. If the project enumeration is removed, the Committee could provide \$150,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds. Under this alternative, funding and positions provided under the bill for Highview could be deleted. As with the alternative to delay the opening of the facility, inmates age 50 and older with medical conditions would continue to receive care at the institutions at which they are currently placed.

#### **Taycheedah Correctional Institution**

24. On November 11, 1999, the Building Commission approved \$17,285,000 (\$14,585,000 in general fund-supported borrowing and \$2,700,000 in federal funds) for the construction of a 125-bed maximum-security housing unit and a 64-bed segregation/64-bed special

management unit at the Taycheedah Correctional Institution for female offenders. The special management unit is designed for female inmates with mental illness. On August 8, 2000, the cost of the project was increased by \$1,041,300 in general fund supported borrowing to allow for design changes to the special management unit. Total project costs for the two units is \$18,326,300. The new units are estimated to be complete by January, 2002.

25. Senate Bill 55 provides \$2,364,800 GPR in 2001-02 and \$2,995,700 GPR in 2002-03 and 61.0 GPR positions annually for staffing of the new 125-bed housing unit, 64-bed segregation unit and 64-bed mental health unit at the Taycheedah Correctional Institution. The recommended staffing for the new units includes: 18.3 positions for the 125-bed housing unit (1.0 unit supervisor, 1.0 social worker and 16.3 correctional officers), 9.15 positions for the 64-bed segregation unit (1.0 crisis intervention worker and 8.15 correctional officers), 30.55 positions for the 64-bed mental health unit (3.0 psychologists, 1.0 crisis intervention worker, 1.0 nurse practitioner, 1.0 nursing supervisor, 4.0 psychiatric nurses, 1.75 social workers, 1.0 treatment specialist and 17.8 correctional officers). In addition, the bill provides the following positions at Taycheedah to provide support associated with the new units: 1.0 security supervision position, 1.0 purchasing agent and 1.0 food service position. The bill includes \$349,500 GPR in 2001-02 for correctional officer training, \$26,500 GPR in 2001-02 and \$53,000 GPR in 2002-03 for a contracted psychiatrist and \$166,200 GPR in 2001-02 for institutional start-up costs.

26. Currently, there is no Wisconsin correctional facility specifically designated to serve female offenders with mental health needs. Male offenders with mental health needs may be placed at the Wisconsin Resource Center. Female offenders placed in the 64-bed mental health unit would be those with mental illness, those who are emotionally disturbed, suicidal, cognitively- or developmentally-disabled or those under civil commitments. Treatment programming may include individual and group psychotherapy and counseling sessions, activity therapy, recreational therapy, crisis intervention, basic hygiene and living skills, computer-assisted learning, basic education classes, cognitive intervention (teaching offenders specific skills to identify, control and change their personal thinking processes and beliefs that lead to criminal behavior), classes to mitigate criminal thinking, alcohol and other drug abuse, anger management and other programming as is appropriate.

27. Corrections indicates that according to American Correctional Association standards, a correctional facility should have the equivalent of at least 10% of its capacity designated for segregation purposes. Capacity at Taycheedah will increase from 464 beds currently, to 653 with the completion of the 125-bed additional housing unit and the 64-bed special management unit. Taycheedah currently has 20 cells in which to place inmates for punitive and non-punitive segregation purposes.

28. The Taycheedah expansion projects are currently in process and are estimated to open in January, 2002, as recommended in the bill. Based on the purpose and design of the three new Taycheedah housing units, staffing of the facilities appears to be consistent with the staffing of other housing, special management and segregation units. However, modifications related to turnover reduction and overtime calculation adjustments, and adjustments associated with reduced correctional officer preservice training costs. As a result, costs of the Taycheedah staffing could be

reduced by \$14,900 GPR in 2001-02 and \$17,300 GPR in 2002-03.

### **Oshkosh Correctional Institution**

29. The expansion of the Oshkosh Correctional Institution's segregation housing unit was authorized in the 1999-01 state building program at \$4,189,500 in general fund supported borrowing. On November 22, 2000, the Building Commission approved construction of a 52-bed segregation unit.

30. Estimated debt service costs associated with the Oshkosh segregation unit are \$168,000 GPR in 2001-02 and \$410,000 GPR in 2002-03. The bill includes debt service costs for the unit in Corrections' sum sufficient debt service appropriation.

31. Currently, Oshkosh has a 50-bed segregation unit for the facility. As indicated previously, American Correctional Association standards specify that a correctional facility should have the equivalent of at least 10% of its capacity designated for segregation purposes. The current operating capacity for Oshkosh is 1,494; at the end of April, 2001, the facility had 1,891 inmates.

32. In SB 55, the Governor provides \$260,400 GPR in 2001-02 and \$440,500 GPR in 2002-03 and 10.0 GPR positions annually for staffing of a new segregation unit at Oshkosh. The recommended staffing for the new unit includes 0.5 crisis intervention worker and 9.5 correctional officers. The bill includes \$68,700 GPR in 2001-02 for correctional officer training and \$31,300 GPR in 2001-02 for start-up costs. The bill assumes that the facility will open in March, 2002.

33. On April 26, 2001, the Department of Administration indicated that the opening date for the Oshkosh segregation facility would be September, 2002, rather than March, 2002.

34. Security staffing in the current 50-bed segregation unit consists of three officers on duty in the morning and evening and two officers at night. The design of the new unit is basically a mirror image to the current segregation unit. Based on the design of the unit, it appears that staffing under the bill is not sufficient to fully staff the proposed segregation facility on a 24 hour per day, seven day per week basis. In order to properly staff the new unit, an additional 3.54 correctional officer positions would be necessary.

35. The following modifications could be made to staffing at the Oshkosh segregation unit as proposed in the bill: (a) delay all funding and positions to reflect the open of the facility in September, 2002, rather than March, 2002; (b) make turnover reduction and overtime calculation adjustments; and (c) make adjustments associated with reduced correctional officer preservice training costs. Under this alternative, costs would be reduced by \$260,400 GPR and 10.0 GPR positions in 2001-02 and increased by \$100,300 GPR in 2002-03.

36. If the Committee wishes, the same modifications identified above could be made, but the additional 3.54 GPR correctional officer positions provided. This would result in a change to the bill of -\$260,400 GPR and -10.0 GPR positions in 2001-02 and \$261,600 GPR and 3.54 GPR positions in 2002-03.

37. The Co-chairs' letter of April 4, 2001, to the Governor requested that construction contracts associated with the Oshkosh segregation unit not proceed until after the Legislature had determined the facility's appropriate staffing and funding levels. In response, on May 18, 2001, the Secretary of the Department of Administration indicated that the Oshkosh (OSCI) project has been temporarily placed on hold. The project has been bid and all contractors have agreed to hold the bids until June 1, 2001. The Secretary further stated that "[d]elaying the segregation unit at OSCI will result in continued security risks for inmates and staff."

38. Given current projections of the state's general fund for the 2001-03 biennium, opening of the facility could be delayed for two years. This would result in deleting funding and positions for the Oshkosh segregation unit (-\$260,400 GPR in 2001-02 and -\$440,500 GPR in 2002-03 and -10.0 GPR positions annually). Under this alternative, construction of the unit could continue but operating costs for the facility would need to be addressed in the 2003-05 biennium. During 2001-03, inmates requiring segregation at the Oshkosh Correctional Institution would continue to be housed as they are now in the current 50-bed unit.

39. If the Committee wishes, the 1999-01 state building program could be amended and the enumeration of the Oshkosh segregation removed. Further, authorized bonding for Corrections could be reduced by \$4,189,500 in general fund supported borrowing and debt service costs reduced by \$168,000 GPR in 2001-02 and \$410,000 GPR in 2002-03. The Department of Administration has indicated that \$94,000 has been advanced from the building trust fund associated with A&E costs for Oshkosh. Once construction of the project starts, the trust fund is reimbursed from bond proceeds. If the project enumeration is removed, the Committee could provide \$94,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds. Under this alternative, funding and positions provided under the bill for the Oshkosh segregation unit could be deleted. As with the alternative to delay the opening of the facility, inmates requiring segregation at the Oshkosh Correctional Institution would continue to be housed as they are now in the current 50-bed unit.

### **Inmate Workhouses**

40. On September 13, 2000, the Building Commission approved \$5,036,600 in general fund-supported borrowing for the construction of a 150-bed inmate workhouse and an expansion of the kitchen and dining space at the Winnebago Correctional Center. On December 20, 2000, the Building Commission approved \$3,199,000 in general fund-supported borrowing for the construction of a 150-bed inmate workhouse in Sturtevant. The workhouses will consist of 38 four-bed sleeping rooms, with a central toilet/shower facility. The workhouses will also have recreation areas, classrooms, laundry, office space, maintenance, electrical and mechanical area, canteen and storage. The bill assumes that the Winnebago facility will open in February, 2002, and the Sturtevant facility in June, 2002.

41. Estimated debt service costs associated with the inmate workhouses are \$403,000 GPR in 2001-02 and \$805,000 GPR in 2002-03. The bill includes debt service costs for the workhouses in Corrections' sum sufficient debt service appropriation.

42. The bill provides \$2,596,800 GPR in 2001-02 and \$3,238,300 GPR in 2002-03 and 50.0 GPR positions annually to staff and operate the two 150-bed inmate workhouses, as follows:

• Sturtevant. Staffing at the Sturtevant facility would provide administrative and support services for the inmate workhouse and for the Sturtevant probation and parole hold facility (discussed below). The recommended staffing for the Sturtevant facility would include the following: 1.0 correctional center superintendent, 2.0 program assistants for administration, 12.0 correctional officers for housing unit security, 1.0 correctional officer for mailroom, property and transportation, 2.0 supervising officers, 2.0 correctional officers for work release coordination, 2.0 correctional officers for work crew supervision, 1.0 social worker, 1.0 maintenance position and 1.0 food service position.

• Winnebago. Administrative supervision at the Winnebago workhouse will be provided by the Winnebago Correctional Center. The recommended staffing for the Winnebago facility includes the following: 13.0 correctional officers for housing unit security, 1.0 correctional officer for mailroom, property and transportation, 2.0 supervising officers, 2.0 correctional officers for work release coordination, 2.0 correctional officers for work crew supervision, 1.0 social worker, 1.0 maintenance position, 1.0 food service position and 2.0 program assistants for administration.

• The bill includes the following amount for the workhouses: (a) \$281,900 in 2001-02 for correctional officer training; (b) \$474,600 in 2001-02 for startup costs; (c) \$493,700 in 2001-02 for vehicles; (d) \$58,000 in 2001-02 and \$297,400 in 2002-03 for contracted health services; and (e) \$103,000 in 2001-02 and \$247,200 in 2002-03 for purchase of services for inmates.

43. Under current law and administrative rules, work and study release are designed to:

a. Provide an opportunity for inmates to assume responsibility in employment or educational settings to prepare them for a productive life in free society after release.

b. Complement institution education, training, and work programs with community resources not available in an institution.

c. Provide inmates with a program activity in which they may demonstrate, through responsible behavior, their readiness for parole.

d. Provide an opportunity for inmates to accumulate funds to meet financial obligations that might otherwise inhibit adjustment following release or parole.

e. Fulfill the correctional goals of public protection and reintegration of the inmate into society.

44. Inmates placed at the workhouses will be screened for community-based assignments, given pre-employment counseling and placed on a work release job in the community or on an inmate work crews to perform community service work. Work crews will work both on

and off the facility grounds under the supervision of a correctional officer. Corrections indicates that work crew projects could include work for other state agencies or providing services such as maintenance of roadside parks or refinishing picnic tables. Inmates would also be placed at work sites in the area of the facility. The Department states: "Work experience may include production and service jobs at private industry sites in the surrounding areas." While awaiting program assignment, inmates will work at jobs at the centers.

45. In the 1999-01 biennial budget, the Governor originally proposed that \$1,304,000 GPR in 1999-00 and \$3,085,800 GPR in 2000-01 and 40.0 GPR positions annually be provided to establish and staff two 150-bed inmate work houses for male inmates. In 1999 Act 9, construction of inmate workhouses at two sites was enumerated in connection with the 1999-01 capital budget and \$5,120,000 in general supported borrowing to construct the two work centers was provided. However, because specific sites were not identified, the design of the facilities had not been determined and because of programmatic and operational concerns, the operational funding for the workhouses (\$1,299,600 GPR in 1999-00 and \$3,067,000 GPR in 2000-01) was placed in the Joint Committee on Finance's supplemental appropriation for release if the inmate workhouses were constructed during the 1999-01 biennium. Since the facilities have not yet been constructed, Corrections has not requested release of these funds.

46. When staffing was proposed for the workhouses in the 1999-01 biennial budget, the design and operation of the facilities had not yet been determined. As currently designed, the Sturtevant and Winnebago workhouses will be freestanding facilities, each with three wings holding approximately 50 inmates. The Sturtevant facility will be attached to the Sturtevant Probation and Parole Hold Facility, on land adjacent to the Racine Correctional Institution. The Winnebago workhouse will be built adjacent to the minimum-security Winnebago Center.

47. In the housing units of each of the facilities, it is intended that there be three officers on duty in the morning and evening seven days per week, and two officers at night. To properly staff a facility in this manner requires 13.04 correctional officer positions. Under the bill, 12.0 officers are provided at Sturtevant and 13.0 at Winnebago. As a result, an additional 1.08 correctional officer positions could be provided.

48. On April 26, 2001, the Department of Administration indicated that the opening date for the Winnebago facility would be May, 2002, rather than February, 2002, and that the opening date for the Sturtevant facility would be December, 2002, rather than June, 2002.

49. In the bill, \$58,000 GPR in 2001-02 and \$297,400 GPR in 2002-03 is provided for health care services provided using contracted staff. In determining these costs, calculation errors were made related to staffing and the projected cost per inmate which result in increased costs. Based on the revised opening date and accounting for the calculation errors, an additional \$4,900 GPR in 2001-02 and \$501,700 GPR in 2002-03 would be necessary for health care services.

50. Given the design and the programmatic aspects of the facilities, staffing generally seems appropriate. If the Committee wishes, however, the following modifications could be made: (a) opening of the facilities delayed as indicated by DOA; (b) turnover reduction and overtime

calculation adjustments; (c) adjustments associated with reduced correctional officer preservice training costs; and (d) increased funding for health care costs. It should be noted that because the bill assumes that the average daily population of the inmate workhouses will be 61 inmates in 2001-02 and 300 in 2002-03, delaying the opening of the facilities will result in lower inmate variable costs, but increased contract bed costs to place the additional inmates. In total, these modifications would result in an adjustment to the bill of -\$807,400 GPR and -25.0 GPR positions in 2001-02 and \$1,747,300 GPR in 2002-03.

51. On an annualized basis, operational costs of the two minimum-security inmate workhouses housing 300 inmates is estimated to be \$4.6 million. By comparison, housing 300 inmates in medium-security contract beds would cost \$4.9 million annually, assuming the budgeted contract rate in 2002-03.

52. If the Committee wishes, the modifications identified above could be made, along with the additional 1.08 GPR correctional officer positions. This would result in a change to the bill of -\$806,400 GPR and -24.96 GPR positions in 2001-02 and \$1,788,200 GPR and 1.08 GPR positions in 2002-03.

53. The Co-chairs' letter of April 4, 2001, to the Governor requested that construction contracts associated with the inmate workhouses not proceed until after the Legislature had determined the facilities' appropriate staffing and funding levels. In response on May 18, 2001, the Secretary of the Department of Administration indicated that bidding for the projects has been temporarily placed on hold. The Secretary further stated that "[d]elaying the workhouses will impede the transition from prison to the community for eligible inmates and diminish opportunities for inmates to gain work experience before their release."

54. Given current projections of the state's general fund for the 2001-03 biennium, opening of the inmate workhouses could be delayed for two years. This would result in deleting funding and positions for the facilities (-\$2,596,800 GPR in 2001-02 and -\$3,238,300 GPR in 2002-03 and -50.0 GPR positions annually) and the associated inmate-related population costs (-\$127,700 GPR in 2001-02 and -\$367,100 GPR in 2002-03), and instead funding the placement of an additional 61 inmates in 2001-02 and 300 inmates in 2002-03 in contract beds (\$979,700 GPR in 2001-02 and \$4,962,600 GPR in 2002-03). Under this alternative, the facilities could be built but operating costs would need to be addressed in the 2003-05 biennium.

55. If the Committee wishes, the 1999-01 state building program could be amended and the enumeration of the inmate workhouses could be removed. Further, authorized bonding for Corrections could be reduced by \$8,235,600 in general fund supported borrowing and debt service costs reduced by \$403,000 GPR in 2001-02 and \$805,000 GPR in 2002-03. The Department of Administration has indicated that \$115,000 has been advanced from the building trust fund associated with A&E costs for inmate workhouses. Once construction of the projects starts, the trust fund is reimbursed from bond proceeds. If the project enumeration is removed, the Committee could provide \$115,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds. Under this alternative, funding and positions provided under the bill for the inmate workhouses could be deleted. As a result, the facilities would not be available

for future use.

### **Sturtevant Probation and Parole Hold Facility**

56. On December 20, 2000, the Building Commission approved \$12,345,500 in general fund-supported borrowing for the construction of a 150-bed probation and parole hold (P&P) facility in Sturtevant, adjacent to the Racine Correctional Institution. The project was funded as part of a \$58 million enumeration for correctional facilities expansion in the 1999-01 state building program. The project would be built concurrently with and attached to the Sturtevant inmate workhouse, and would share food service, maintenance and support areas. The P&P hold facility would contain two 75-bed housing units. Each of the units would have televisiting, attorney interview rooms and common areas. Food service would be provided from a kitchen at the facility, staffed by inmates from the workhouse and placed on trays for offenders in the P&P facility. The facility would also have administrative and support areas, and the central control center.

57. Estimated debt service costs associated with the probation and parole hold facility are \$604,000 GPR in 2001-02 and \$1,207,000 GPR in 2002-03. The bill includes debt service costs for the facility in Corrections' sum sufficient debt service appropriation.

58. The bill provides \$1,756,500 GPR in 2001-02 and \$3,063,300 GPR in 2002-03 and 50.0 GPR positions annually to staff the Sturtevant Probation and Parole Hold Facility. Under the bill, the 150-bed regional hold facility is scheduled to open in June, 2002.

59. The requested staffing includes the following positions: 13.04 correctional officers for the housing unit, 9.57 correctional officers for inmate intake, 9.5 correctional officers for inmate transportation, 11.64 correctional officers for other institutional security duties, 1.75 positions for psychological services, 1.0 electronics technician position, 1.5 food service positions, 1.0 records assistant and 1.0 program assistant for administration. The bill includes \$316,300 in 2001-02 for correctional officer training, \$5,500 in 2001-02 and \$148,700 in 2002-03 for contracted health services, \$405,700 in 2001-02 for institutional start-up costs, \$233,700 in 2001-02 for vehicle purchases and \$4,200 in 2001-02 and \$50,000 in 2002-03 to purchase interpretive and religious services.

60. The P&P Hold Facility would be used to detain individuals who have violated conditions of their probation, parole or extended supervision. The facility would be designed and function in a manner similar to a local jail. According to Corrections, this population may include offenders with mental health problems, a history of absconding from supervision and/or a history of violent and assaultive behavior. Offenders placed at the facility would either be returned to their home community upon release or transferred to another facility subsequent to revocation proceedings. Corrections indicates that "average length of stay in secured detention is estimated to be approximately 30 days but individual stays can be much shorter or longer depending on the reason for the stay and the investigative process."

61. On April 26, 2001, the Department of Administration indicated that the opening date for the Sturtevant facility would be December, 2002, rather than June, 2002.

62. In the bill, \$5,500 GPR in 2001-02 and \$148,700 GPR in 2002-03 is provided for health care services using contracted staff. As with the workhouses, in determining health care costs, calculation errors were made related to staffing and the projected cost per inmate. Based on the revised opening date and accounting for the calculation errors, funding in 2001-02 can be deleted and an additional \$82,400 GPR in 2002-03 would be necessary for health care services.

63. If the Committee wishes, the following modifications could be made: (a) opening of the facilities delayed as indicated by DOA; (b) turnover reduction and overtime calculation adjustments; (c) adjustments associated with reduced correctional officer preservice training costs; and (d) increased funding for health care costs in 2002-03. Delaying the opening of the facility will result in lower inmate variable costs. In total, these modifications would result in an adjustment to the bill of -\$1,756,500 GPR and -50.0 GPR positions in 2001-02 and \$231,800 GPR in 2002-03.

64. In providing staff for the facility, the number of positions provided for correctional officer supervision, transportation of offenders between correctional and detention facilities, and inmate intake are not staffed to provide 24 hour per day, seven day per week coverage. In order to fully staff these posts, an additional 1.88 GPR positions would be necessary. If the Committee wishes, the modifications identified above could be made along with the additional 1.88 GPR correctional officer positions. This would result in a change to the bill of -\$1,756,500 GPR and -50.0 GPR positions in 2001-02 and \$324,000 GPR and 1.88 GPR positions in 2002-03.

65. The Co-chairs' letter of April 4, 2001, to the Governor requested that construction contract associated with the probation and parole hold facility not proceed until after the Legislature had determined the facility's appropriate staffing and funding levels. In response, on May 18, 2001, the Secretary of the Department of Administration indicated that the bidding for the project has been temporarily placed on hold. The Secretary further stated that "[d]elaying the probation and parole holding facility will result in increased overcrowding in county jails."

66. Given current projections of the state's general fund for the 2001-03 biennium, opening of the P&P Hold Facility could be delayed for two years. This would result in deleting funding and positions for the facility (-\$1,756,500 GPR in 2001-02 and -\$3,063,300 GPR in 2002-03 and -50.0 GPR positions annually) and the associated inmate-related population costs (-\$92,100 in 2002-03). Under this alternative, the facility could be built but operating costs would need to be addressed in the 2003-05 biennium.

67. If the Committee wishes, the 1999-01 state building program could be amended and the enumeration of the correctional facilities expansion reduced by \$12,345,500 in general fund supported borrowing and debt service costs reduced by \$604,000 GPR in 2001-02 and \$1,207,000 GPR in 2002-03. The Department of Administration has indicated that \$425,000 has been advanced from the building trust fund associated with A&E costs for the probation and parole hold facility. Once construction of the project starts, the trust fund is reimbursed from bond proceeds. If the project enumeration is modified to delete the P&P Hold Facility, the Committee could provide \$425,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds. Under this alternative, funding and positions provided under the bill for the probation and parole hold facility could be deleted. As a result, the facility would not be available

for future use.

## ALTERNATIVES TO BILL

### A. New Lisbon Correctional Institution

1. Approve the Governor's recommendation to provide \$3,608,300 GPR and 234.14 GPR and \$27,400 PR and 3.0 PR positions in 2001-02 and \$14,765,000 GPR and 277.0 GPR positions and \$145,000 PR and 3.0 PR positions in 2002-03 to operate the 750-bed New Lisbon Correctional Institution.

2. Modify the Governor's recommendation as follows: provide \$896,400 GPR and -0.4 GPR and \$5,000 PR and 0.4 PR position in 2001-02 and \$1,626,900 GPR and -0.4 GPR positions and \$11,100 PR and 0.4 PR position in 2002-03 to operate the New Lisbon Correctional Institution. This alternative makes the following modifications: (a) partially supports 1.0 storekeeper position associated with the inmate canteen with PR; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) reduces funding associated with inmate-related costs; and (e) increases funding for prison contract beds associated with adjusted average daily populations at New Lisbon.

<u>Alternative A2</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
2001-03 FUNDING (Change to Bill)	\$2,523,300	\$16,100	\$2,539,400
2002-03 POSITIONS (Change to Bill)	- 0.40	0.40	0.00

### B. Highview Geriatric Facility

1. Approve the Governor's recommendation to provide \$5,028,200 GPR in 2001-02 and \$11,053,300 GPR in 2002-03 and 217.0 GPR positions annually to operate the Highview Geriatric Facility.

2. Modify the Governor's recommendation by deleting \$1,176,100 GPR and 103.15 GPR positions and providing \$7,200 PR and 0.4 PR position in 2001-02 and \$785,300 GPR and -1.57 GPR positions and \$13,300 PR and 0.4 PR position in 2002-03 to operate the Highview Geriatric Facility. This alternative makes the following modifications: (a) delays all funding and positions by one month; (b) partially supports 1.0 storekeeper position associated with the inmate canteen with PR; (c) modifies turnover reduction and overtime calculations; (d) makes adjustments associated with reduced correctional officer preservice training costs; (e) appropriately staffs nursing positions; (f) reduces funding associated with inmate-related costs; and (g) increases funding for prison contract beds associated with adjusted average daily populations at the Highview Facility.

<b>Alternative B2</b>	<b>GPR</b>	<b>PR</b>	<b>TOTAL</b>
2001-03 FUNDING (Change to Bill)	- \$390,800	\$20,500	- \$370,300
2002-03 POSITIONS (Change to Bill)	- 1.57	0.40	- 1.17

3. Delete funding and positions for Highview (-\$5,028,200 GPR in 2001-02 and -\$11,053,300 GPR in 2002-03 and -217.0 GPR positions annually) and the associated inmate-related population costs (-\$53,400 GPR in 2001-02 and -\$682,500 GPR in 2002-03). Provide funding for the placement of an additional 24 inmates in 2001-02 and 300 inmates in 2002-03 in contract beds (\$385,500 GPR in 2001-02 and \$4,962,600 GPR in 2002-03). This alternative would delay the opening of Highview to the 2003-05 biennium.

<b>Alternative B3</b>	<b>GPR</b>
2001-03 FUNDING (Change to Bill)	- \$11,469,300
2002-03 POSITIONS (Change to Bill)	- 217.00

4. Approve the funding and position deletions under Alternative B3. In addition, remove enumeration of the Highview Facility from the 1999-01 state building program. Reduce authorized bonding for Corrections by \$7,294,000 in general fund supported borrowing and reduce debt service by \$713,000 GPR annually. Provide \$150,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds.

<b>Alternative B4</b>	<b>GPR</b>	<b>BR</b>
2001-03 FUNDING (Change to Bill)	- \$1,276,000	- \$7,294,000

### C. Taycheedah Correctional Institution

1. Approve the Governor's recommendation to provide \$2,364,800 GPR in 2001-02 and \$2,995,700 GPR in 2002-03 and 61.0 GPR positions annually for staffing of the new 125-bed housing unit, 64-bed segregation unit and 64-bed mental health unit at the Taycheedah Correctional Institution.

2. Modify the Governor's recommendation as follows: delete \$14,900 GPR in 2001-02 and \$17,300 GPR in 2002-03. This alternative would make modifications related to turnover reduction and overtime calculation adjustments, and adjustments associated with reduced correctional officer preservice training costs.

<b>Alternative C2</b>	<b>GPR</b>
2001-03 FUNDING (Change to Bill)	- \$32,200

**D. Oshkosh Correctional Institution**

1. Approve the Governor's recommendation to provide \$260,400 GPR in 2001-02 and \$440,500 GPR in 2002-03 and 10.0 GPR positions annually for staffing of a new segregation unit at Oshkosh.

2. Modify the Governor's recommendation as follows: delete \$260,400 GPR and 10.0 GPR positions in 2001-02 and provide \$100,300 GPR in 2002-03 associated with the Oshkosh Correctional Institution segregation unit. This alternative makes the following modifications: (a) delays all funding and positions to reflect the open of the facility in September, 2002, rather than March, 2002; (b) modifies turnover reduction and overtime calculations; and (c) reduces correctional officer preservice training costs.

<b>Alternative D2</b>	<b>GPR</b>
2001-03 FUNDING (Change to Bill)	- \$160,100

3. Modify the Governor's recommendation as follows: delete \$260,400 GPR and 10.0 GPR positions in 2001-02 and provide \$261,600 GPR and 3.54 GPR positions in 2002-03 associated with the Oshkosh Correctional Institution segregation unit. This alternative makes the following modifications: (a) provides an additional 3.54 correctional officer positions to staff the segregation unit; (b) delays all funding and positions to reflect the open of the facility in September, 2002, rather than March, 2002; (c) modifies turnover reduction and overtime calculations; and (d) reduces correctional officer preservice training costs.

<b>Alternative D3</b>	<b>GPR</b>
2001-03 FUNDING (Change to Bill)	\$1,200
2002-03 POSITIONS (Change to Bill)	3.54

4. Delete funding and positions for the Oshkosh segregation unit (-\$260,400 GPR in 2001-02 and -\$440,500 GPR in 2002-03 and -10.0 GPR positions annually). This alternative would delay the opening of the Oshkosh segregation unit to the 2003-05 biennium.

<b>Alternative D4</b>	<b>GPR</b>
2001-03 FUNDING (Change to Bill)	- \$700,900
2002-03 POSITIONS (Change to Bill)	- 10.00

5. Approve the funding and position deletions under Alternative D4. In addition, remove the enumeration of the Oshkosh segregation unit from the 1999-01 state building program, reduce the authorized bonding for Corrections by \$4,189,500 in general fund supported borrowing and reduce debt service by \$168,000 GPR in 2001-02 and \$410,000 GPR in 2002-03. Provide

\$94,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds.

<u>Alternative D5</u>	<u>GPR</u>	<u>BR</u>
2001-03 FUNDING (Change to Bill)	- \$484,000	- \$4,189,500

**E. Inmate Workhouses**

1. Approve the Governor's recommendation to provide \$2,596,800 GPR in 2001-02 and \$3,238,300 GPR in 2002-03 and 50.0 positions annually to staff and operate the two 150-bed inmate workhouses (one at the Winnebago Correctional Center and one at Sturtevant).

2. Modify the Governor's recommendation as follows: delete \$807,400 GPR and 25.0 GPR positions in 2001-02 and provide \$1,747,300 GPR in 2002-03 for the inmate workhouses. This alternative makes the following modifications: (a) delays the opening of the facilities; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) increases funding for health care costs; (e) reduces funding associated with inmate-related costs; and (f) increases funding for prison contract beds associated with adjusted average daily populations at the inmate workhouses.

<u>Alternative E2</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	\$939,900

3. Modify the Governor's recommendation as follows: delete \$806,400 GPR and 24.96 GPR positions in 2001-02 and provide \$1,788,200 GPR and 1.08 GPR positions in 2002-03 for the inmate workhouses. This alternative makes the following modifications: (a) delays the opening of the facilities; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) increases funding for health care costs; (e) reduces funding associated with inmate-related costs; (f) increases funding for prison contract beds associated with adjusted average daily populations at the inmate workhouses; and (g) provides an additional 1.08 officer positions to staff the inmate workhouse housing units.

<u>Alternative E3</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	\$981,800
2002-03 POSITIONS (Change to Bill)	1.08

4. Delete funding and positions for the inmate workhouses (-\$2,596,800 GPR in 2001-02 and -\$3,238,300 GPR in 2002-03 and 50.0 GPR positions annually) and funding associated with inmate-related population costs (-\$127,700 GPR in 2001-02 and -\$637,100 GPR in 2002-03).

Provide funding for the placement of an additional 61 inmates in 2001-02 and 300 inmates in 2002-03 in contract beds (\$979,700 GPR in 2001-02 and \$4,962,600 GPR in 2002-03). This alternative would delay the opening of the inmate workhouses to the 2003-05 biennium.

<u>Alternative E4</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$657,600
2002-03 POSITIONS (Change to Bill)	- 50.00

5. Approve the funding and position deletions under Alternative E4. In addition, remove the enumeration of the inmate workhouses from the 1999-01 state building program, reduce the authorized bonding for Corrections by \$8,235,600 in general fund supported borrowing and reduce debt service by \$403,000 GPR in 2001-02 and \$805,000 GPR in 2002-03. Provide \$115,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds.

<u>Alternative E5</u>	<u>GPR</u>	<u>BR</u>
2001-03 FUNDING (Change to Bill)	- \$1,093,000	- \$8,235,600

#### **F. Sturtevant Probation and Parole Hold Facility**

1. Approve the Governor's recommendation to provide \$1,756,500 GPR in 2001-02 and \$3,063,300 GPR in 2002-03 and 50.0 GPR positions annually to staff the Sturtevant Probation and Parole Hold Facility.

2. Modify the Governor's recommendation as follows: delete \$1,756,500 GPR and 50.0 GPR positions in 2001-02 and provide \$231,800 GPR in 2002-03. This alternative makes the following modifications: (a) delays the opening of the facility from June, 2002, to December, 2002; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) increases funding for health care costs in 2002-03; and (e) reduces inmate-related costs.

<u>Alternative F2</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$1,524,700

3. Modify the Governor's recommendations as follows: delete \$1,756,500 GPR and 50.0 GPR positions in 2001-02 and provide \$324,000 GPR and 1.88 GPR positions in 2002-03. This alternative makes the following modifications: (a) delays the opening of the facility from June, 2002, to December, 2002; (b) modifies turnover reduction and overtime calculations; (c) reduces correctional officer preservice training costs; (d) increases funding for health care costs in 2002-03; (e) reduces inmate-related costs; and (f) provides an additional 1.88 GPR

correctional officers for correctional officer supervision, transportation of offenders and inmate intake.

<u>Alternative F3</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$1,432,500
2002-03 POSITIONS (Change to Bill)	1.88

4. Delete funding and positions for the facility (-\$1,756,500 GPR in 2001-02 and -\$3,063,300 GPR in 2002-03 and -50.0 GPR positions annually) and the associated inmate-related population costs (-\$92,100 in 2002-03). This alternative would delay the opening of the Sturtevant P&P hold facility to the 2003-05 biennium.

<u>Alternative F4</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$4,911,900
2002-03 POSITIONS (Change to Bill)	- 50.00

5. Approve the funding and position deletions under Alternative F4. In addition, reduce the enumeration of the correctional facilities expansion project in the 1999-01 state building program by \$12,345,500 in general fund supported borrowing for costs associated with the Sturtevant Probation and Parole Hold Facility and reduce debt service by \$604,000 GPR in 2001-02 and \$1,207,000 GPR in 2002-03. Provide \$425,000 GPR in 2001-02 to the building trust fund to cover A&E fees that will not be reimbursed from bond proceeds.

<u>Alternative F5</u>	<u>GPR</u>	<u>BR</u>
2001-03 FUNDING (Change to Bill)	- \$1,386,000	- \$12,345,500

Prepared by: Jere Bauer



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 31, 2001

Joint Committee on Finance

Paper #329

### **Milwaukee Secure Detention Facility Full Funding Of Non-Salary Costs (DOC -- Adult Correctional Facilities)**

[LFB 2001-03 Budget Summary: Page 213, #12]

#### **CURRENT LAW**

The 1,048-bed Milwaukee Secure Detention Facility, a correctional facility serving probation and parole violators (838 beds) and as an alcohol and other drug abuse facility (210 beds) for state inmates, is currently scheduled to open in October, 2001. Base funding for the Facility is \$10,048,100 GPR and 266.36 GPR positions.

#### **GOVERNOR**

Provide \$8,623,700 GPR in 2001-02 and \$8,742,300 GPR in 2002-03 to fully fund non-salary costs at the Milwaukee Secure Detention Facility (MSDF) as follows: (a) inmate-related food and supplies costs, \$4,174,800 GPR annually; (b) inmate contracted health services, \$2,667,100 GPR in 2001-02 and \$2,779,100 GPR in 2002-03; (c) supplies and services, \$1,331,600 GPR in 2001-02 and \$1,338,200 GPR in 2002-03; (d) fuel and utilities, \$281,700 GPR annually; (e) educational services, \$120,000 GPR annually; and (f) permanent property, \$48,500 GPR annually.

#### **MODIFICATION**

Reduce funding by \$3,630,000 GPR in 2001-02 associated with inmate-related costs. Provide \$1,701,700 GPR in 2001-02 to support additional contract prison space.

**Explanation:** The bill assumes that the average daily population at MSDF would be 1,048 inmates annually. The facility is not scheduled to begin accepting inmates until October, 2001. Given that the facility will not be open for a full year in

2001-02, the average daily population of the facility will not be 1,048 in 2001-02 and, therefore, inmate-related costs can be reduced. Modifying the ADP to 525 in 2001-02 would reduce facility costs by \$3,630,000 in 2001-02. However, since the average number of beds to house to inmates in the AODA portion of the facility will be reduced in 2001-02 by 105, increased funding of \$1,701,700 GPR in 2001-02 would be necessary for 105 additional contract beds.

<u>Modification</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$1,928,300

Prepared by: Jere Bauer

**AGENCY:** DOC (Adult Facilities)

**Paper #:** 330

**ISSUE:** Prison Staffing—Increased Staffing for Population Mgt. associated with the return of inmates from out-of-state contract prison facilities.

**ALTERNATIVE:** 2 (approve w/ accurate calculations) Saves \$29,600 GPR

**SUMMARY:** Approve 56.08 positions annually with modified calculations identified by LFB.

*Please note 2a, 2b, 2c and 2d if previous action does not open Stanley, Highview or the workhouses.*

**BY:** Tanya



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 31, 2001

Joint Committee on Finance

Paper #330

### **Adult Correctional Facilities Increased Staffing for Population Management (DOC -- Adult Correctional Facilities)**

[LFB 2001-03 Budget Summary: Page 213, #14]

#### **CURRENT LAW**

No provision.

#### **GOVERNOR**

Provide \$2,295,100 GPR in 2001-02 and \$2,504,700 GPR in 2002-03 and 56.08 GPR positions annually in the adult correctional system to provide staff and funding associated with the return of inmates from out-of-state contract prison facilities.

#### **DISCUSSION POINTS**

1. The executive budget book indicates the funding and staffing at the Dodge and Racine Correctional Institutions is provided to "facilitate the return of inmates from out-of-state contract beds..." Specifically, the bill provides the following positions: (a) Dodge Correctional Institution, 27.17 positions annually (18.17 correctional officers for property/mail, internal escort and transportation, 2.0 offender records positions, 1.0 financial specialist, 1.0 social worker, 3.0 nurse clinicians, 1.0 dental hygienist and 1.0 health information technician); (b) Racine Correctional Institution, 23.91 positions annually (14.91 correctional officers for property/mail, internal escort and transportation, 2.0 offender records positions, 1.0 financial specialist, 1.0 social worker, 3.0 nurse clinicians, 1.0 dental hygienist and 1.0 health information technician); (c) medical services at the Dodge and Racine Correctional Institutions, 1.0 physician annually; and (d) offender classification, 4.0 positions annually (2.0 offender classification specialists and 2.0 program assistants). Under the bill, the 18.17 officer positions at the Dodge Correctional Institution and the

14.91 officer positions at the Racine Correctional Institution are created as two-year project positions. The bill includes \$239,100 in 2001-02 for correctional officer training and \$22,800 in 2001-02 for a 12-passenger van for Racine Correctional Institution.

2. According to DOA, Dodge and Racine were chosen for the reception sites for returning inmates because of their current experience as intake centers: Dodge is the state's assessment and evaluation center for all inmates admitted to the correctional system and deals with approximately 2,300 inmates coming to and leaving the facility on a monthly basis; Racine has been used to hold probation and parole violators on a short-term basis and currently deals with approximately 500 inmates coming to and leaving the facility on a monthly basis. By using the two correctional institutions, Corrections would be able to regionalize the return of inmates and limit the amount of necessary transportation.

3. Under the budget assumptions, approximately 3,800 inmates would be returned to Wisconsin over the 2001-03 biennium. Assuming that inmates are returned beginning in October, 2001, an average of approximately 180 offenders would be returned per month. Since the housing capacities of Dodge and Racine are not being increased to accommodate the return of inmates from out of state, an equivalent number of inmates will need to be placed at other facilities in the system. As a result, at least 360 inmates a month would be moved within the correctional system due to the return of inmates from out-of-state facilities.

4. In order to process returning inmates, the bill provides positions for the following purposes:

- *Property and Mail Processing.* At each of the facilities, 3.5 correctional officer positions would be utilized for increased inmate property and mail processing. These positions would be used to handle check-in, storage and issuance of property for returning inmates. The officer positions would also assist with the packing up and preparing of property for inmates being sent to other state facilities.

- *Internal Escort.* During the intake process inmates at these facilities are not allowed to move freely throughout the institution and, therefore, require escort. The additional 4.89 positions at each of the facilities would assist with escorting prisoners during the intake and exiting processes.

- *Transportation.* The bill would provide 9.78 correctional officer positions at the Dodge Correctional Institution and 6.52 correctional officer positions at the Racine Correctional Institution to assist with inmate transportation. Staffing would allow for three officers on the morning and evening shifts at Dodge and two officers on the morning and evening shifts at Racine to transport inmates to other correctional institutions. Dodge is provided with additional positions because it is assumed that some transportation routes from Racine will require that inmates be sent to Dodge for further transportation to other facilities.

- *Health Services.* Both Dodge and Racine are provided with 5.0 additional health

services staff (3.0 nurse clinicians, 1.0 dental hygienist and 1.0 health information technician) to process returning inmates. Corrections indicates that all returning inmates will have a full medical file review and a face-to-face medical evaluation. In addition, 1.0 physician position is provided associated with the return of the inmates from out-of-state.

• *Other Institutional Staff.* The bill provides 1.0 social worker, 1.0 financial specialist and 2.0 offender records assistants at both Dodge and Racine to provide assistance with inmate processing. The social worker position would conduct an intake assessment on each inmate to assist in determining the appropriate institutional placement for the inmate and would review the inmate's classification and programming needs. The financial specialist would establish inmate accounts for each returning inmate and distribute funds appropriately. Finally, the offender records assistants would process all records related to the inmates entering and leaving the institutions.

• *Offender Classification.* The bill provides 4.0 GPR positions annually for offender classification and program review for inmates returned from out-of-state.

5. Calculation modifications associated with the computation of overtime costs, turnover reductions and preservice training costs can be made to the staffing at the Dodge and Racine Correctional Institutions in a manner consistent with staffing calculations in other correctional institution funding proposals in SB 55. As a result, funding could be reduced by \$16,500 GPR in 2001-02 and \$13,100 GPR in 2002-03.

6. The correctional officer positions provided in the bill are two-year project positions. It is indicated that project correctional officer positions are being requested to address only the return of inmates from out-of-state contract beds. The health and other institutional staff are provided on a permanent basis. After 2002-03, DOA indicates these positions would be reallocated to other correctional institutions "where needs exist." Given that increased staff are being provided to address the return of inmates to Wisconsin, it can be argued that all recommended staff, not just the correctional officers, should be created on a project basis. Any future need for correctional health and other institution staff could be addressed in the 2003-05 biennium.

7. The number of inmates returned to Wisconsin is dependent on the new correctional facilities opened. In SB 55, the proposed opening of the following correctional institutions will provide increased in-state prison bed space for male offenders: (a) Stanley, 1,500 beds; (b) New Lisbon, 750 beds; (c) Highview Geriatric, 300 beds; (d) the Winnebago inmate workhouse, 150 beds; and (e) the Sturtevant inmate workhouse, 150 beds. The construction of the New Lisbon Correctional Institution is substantially underway, and anticipated to open as scheduled. Staffing is also provided for the Oshkosh segregation facility and the Sturtevant Probation and Parole Hold Facility; however, these beds do not add to the operating capacity of the prison system.

8. If the Committee chooses not to open the Stanley Correctional Institution, the number of inmates returned to Wisconsin would be reduced to 2,300 during the 2001-03 biennium, or approximately 110 per month. Not opening the Highview Facility and the inmate workhouses, by contrast, would reduce the number of returning inmates to approximately 150 per month.

9. The Department indicates that the contractor transporting inmates from out-of-state facilities generally does not provide transportation until a full motor coach (approximately 40 inmates) can be used. As a result, if fewer inmates are returned to Wisconsin, fewer trips would be made but with the same number of inmates at any one time. Processing, evaluation and classification time would, therefore, be the same for each motor coach but would occur less often. When not processing returning inmates, the additional staff would be available to assist Dodge or Racine with other duties. The Department believes that staffing the positions, even with fewer returns, would be less expensive than funding the positions using overtime.

10. Neither DOA or Corrections is able to indicate at what point staffing could be reduced if certain correctional facilities were not opened. While increased staffing may be necessary to process returning inmates, it would seem that if fewer inmates are returned, fewer staff would be necessary. Under this assumption, the following table indicates reductions which could be made if Stanley, Highview, the inmate workhouses or all of these facilities are not opened. While delaying the opening date of an institution will affect that institution's cost in the 2001-03 biennium, only not opening an institution will lessen then total number of inmates eventually returned to Wisconsin. It should be noted that the reduction related to all of the institutions not being opened is less than the sum of the institutions combined because position amounts were rounded to whole or half positions. As indicated earlier, use of two correctional facilities to process returning inmates would allow Corrections to regionalize returns. Under any of the reduced funding and position alternatives, Corrections could utilize two institutions, but with reduced staffing.

<u>Institution</u>	<u>2001-02</u>		<u>2002-03</u>	
	<u>Amount</u>	<u>Positions</u>	<u>Amount</u>	<u>Positions</u>
Stanley	-\$892,400	-22.00	-\$982,800	-22.00
Highview	-210,700	-5.25	-227,600	-5.25
Inmate Workhouses	-210,700	-5.25	-227,600	-5.25
All Institutions	-1,231,800	-30.50	-1,350,900	-30.50

## ALTERNATIVES TO BILL

1. Approve the Governor's recommendation to provide \$2,295,100 GPR in 2001-02 and \$2,504,700 GPR in 2002-03 and 56.08 GPR positions annually in the adult correctional system to provide staff and funding associated with the return of inmates from out-of-state contract prison facilities.

2. Modify the Governor's recommendation related to calculation modifications associated with the computation of overtime costs, turnover reductions and preservice training costs. Reduce funding by \$16,500 GPR in 2001-02 and \$13,100 GPR in 2002-03.

<b>Alternative 2</b>	<b>GPR</b>
2001-03 FUNDING (Change to Bill)	- \$29,600

3. Adopt one or more of the following alternatives based on the Committee's decision related to the opening of the Stanley Correctional Facility, the Highview Geriatric Facility and the inmate workhouses. [Note that Alternative 3d may not be selected with any of the other alternatives.]

a. If the Committee does not open the Stanley Correctional Facility, reduce staff and funding associated with the return of inmates from out-of-state contract prison facilities by \$892,400 GPR in 2001-02 and \$982,800 GPR in 2002-03 and 22.00 GPR positions annually.

<u>Alternative 4a</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$1,875,200
2002-03 POSITIONS (Change to Bill)	- 22.00

b. If the Committee does not open the Highview Geriatric Facility, reduce staff and funding associated with the return of inmates from out-of-state contract prison facilities by \$210,700 GPR in 2001-02 and \$227,600 GPR in 2002-03 and 5.25 GPR positions annually.

<u>Alternative 4b</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$438,300
2002-03 POSITIONS (Change to Bill)	- 5.25

c. If the Committee does not open the inmate workhouses, reduce staff and funding associated with the return of inmates from out-of-state contract prison facilities by \$210,700 GPR in 2001-02 and \$227,600 GPR in 2002-03 and 5.25 GPR positions annually.

<u>Alternative 4c</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$438,300
2002-03 POSITIONS (Change to Bill)	- 5.25

d. If the Committee does not open the Stanley Correctional Facility, the Highview Geriatric Facility and the inmate workhouses, reduce staff and funding associated with the return of inmates from out-of-state contract prison facilities by \$1,231,800 GPR in 2001-02 and \$1,350,900 GPR in 2002-03 and 30.50 GPR positions annually.

<u>Alternative 4d</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$2,582,700
2002-03 POSITIONS (Change to Bill)	- 30.50

4. In addition to any of the above alternatives, create all positions, not just correctional

officer positions, as two-year project positions.

5. **Maintain current law.**

<u>Alternative 5</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$4,799,800
2002-03 POSITIONS (Change to Bill)	- 56.08

Prepared by: Jere Bauer