

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 17-4783/1	<b>Introduction Number</b> AB-0791
<b>Description</b> establishing regional Type 1 juvenile correctional facilities and converting Lincoln Hills to an adult correctional facility	
<b>Fiscal Effect</b>	
<b>State:</b> <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriations <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
<b>Local:</b> <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <u>0</u> <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
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<b>Date</b> 1/29/2018	

## Fiscal Estimate Narratives

DOC 1/29/2018

LRB Number	17-4783/1	Introduction Number	AB-0791	Estimate Type	Original
<b>Description</b> establishing regional Type 1 juvenile correctional facilities and converting Lincoln Hills to an adult correctional facility					

### Assumptions Used in Arriving at Fiscal Estimate

This bill requires the Department of Corrections (DOC) to close the Type 1 Juvenile Correction Facilities (JCF) at Lincoln Hills School (LHS) and Copper Lake School (CLS). To replace these facilities, this bill directs DOC to establish six to ten, regionally based, Type 1 JCFs. Under this bill, these facilities would be based on juvenile risk and hold no more than 36 juveniles and not more than 24 high-risk juveniles. Additionally, this bill requires that each facility maintain a staff-to-youth ratio of 1:8 during waking hours and 1:16 during resident sleeping hours.

This bill requires the DOC to study the feasibility of converting the facilities currently housing LHS/CLS into an adult correctional treatment facility. Under this bill, the DOC must submit a report on the feasibility of establishing a treatment facility for adults at the current LHS/CLS site and submit the plan to the Joint Committee on Finance. If the plan is approved, this bill directs the DOC to submit the plan to the building commission for approval.

This bill also prohibits DOC from placing of minors subject to an adult criminal penalty in the Type 1 regional JCFs established in this bill. The DOC currently places all minors subject to an adult criminal penalty in Type 1 JCFs in order to comply with the federal Prison Rape Elimination Act (PREA), since DOC's adult facilities are not currently designed to separate adult prisoners from minors in compliance with PREA requirements. To comply with both this bill and PREA requirements, the DOC would need to build and staff separate space to house both male and female minors with adult penalties at adult facilities. DOC would need to move displaced adults to contract bed facilities, which cost \$51.46 per day per person. The number of displaced adults would not be exactly equal to the ADP of minors subject to a criminal penalty because the DOC would likely need to identify a space to place minors that is slightly greater than the ADP in order to accommodate fluctuations in population and custody level. In FY17, the DOC maintained an average daily population of 24 male and 2 female minors with adult penalties placed in JCFs.

DOC estimates that it would need an additional \$1,161,300 GPR and 15.00 GPR FTE in the first year and \$1,351,400 and 15.00 GPR FTE in the second year in order to create a PREA compliant unit to house males that are minors subject to a criminal penalty. In addition to this increase in staff costs, an estimated 100 general population adult inmates would be displaced to contract housing, at a total cost of \$5,146 per day, or \$1,878,290 GPR per year once fully annualized. The DOC anticipates placing female minors subject to a criminal penalty in contract bed facilities, which costs \$51.46/day, due to the relatively small number of individuals.

This bill does not change the current funding structure of JCFs; they are funded through a daily rate charged to counties and the state for placement of juveniles in Type 1 JCFs.

The DOC estimates that six new regional facilities are needed. Construction costs to build six regional Type 1 JCFs and establish a medium security adult facility on the grounds of LHS are estimated to be approximately \$80 million. The DOC estimates that it would cost \$28.8 million or more to operate six regional facilities. If more facilities are needed because of the risk composition of the juveniles placed in JCFs, the total cost will likely be higher. In FY17, the cost to operate LHS/CLS was approximately \$26.5 million. The daily rate charged to counties and the state to place a youth in the regional facilities may be similar to the current daily rate, however, until the plan is finalized, any change is unknown at this time.

The DOC does not anticipate a fiscal impact to create a plan to establish a treatment facility for adults on the grounds of CLS/LHS to submit to the Joint Committee on Finance.

**Long-Range Fiscal Implications**