

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-5480/1	Introduction Number SB-753
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Description
 acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
- Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs
 - 2. Decrease Costs
 - 3. Increase Revenue
 - 4. Decrease Revenue
- Permissive Mandatory
 - Permissive Mandatory
 - Permissive Mandatory
 - Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns
 - Counties
 - School Districts
 - Village
 - Others
 - WTCS Districts
 - Cities

Fund Sources Affected

Affected Ch. 20 Appropriations

GPR
 FED
 PRO
 PRS
 SEG
 SEGS

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Fiscal Estimate Narratives
DOC 2/3/2020

LRB Number	19-5480/1	Introduction Number	SB-753	Estimate Type	Original
Description acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a court may enter a dispositional order that requires a juvenile to participate in the Serious Juvenile Offender Program (SJOP) if the juvenile has committed certain felony offenses. This bill expands the list of felony offenses eligible for placement in the SJOP to include all offenses that would be a felony if committed by an adult in this state.

Typical SJO commitments last five years and include time spent in a Type 1 juvenile correctional facility (JCF) as well as time spent in the community under DJC supervision. Costs for care under the program are provided through State general purpose revenue and the Department budgets for a participant to be placed in a JCF for 30 months and under community supervision for approximately 30 months. The FY20 cost of a placement in a JCF is \$532/day (\$194,700 annually) and in community supervision: \$97/day (\$35,500 annually) if a youth is placed in an alternate care setting and \$225/day (\$82,400 annually) if a youth is on supervision and lives in their home. In the FY21, the JCF daily rate will increase to \$550/day in the first half of the fiscal year and \$615/day in the second half (\$212,500 annually).

In CY2019, 138 juveniles received new commitments for placement at a JCF under a juvenile or SJO commitment, including 25 SJO commitments. Under this bill, the juveniles who could have been eligible for placement in the SJOP would increase from 33 to 102.

The DOC is unable to estimate the number of juveniles that the courts would place in the SJOP under this bill and therefore is unable to estimate the state or local fiscal impact. While Assembly Bill 806 would increase the number of juveniles that would meet the criteria to be placed into the program, juvenile courts have discretion over adjudication and not all juveniles who commit eligible SJOP offenses are placed in the program. If courts adjudicate more juveniles under an SJO disposition in lieu of juvenile commitments, state costs would increase while local costs would decrease.

This bill also expands the list of acts constituting prima facie evidence that a juvenile is a danger to the public and in need of restrictive placement when placement in the SJOP is not appropriate and the juvenile has committed certain law violations that would be a felony if committed by an adult.

Under current law, the court may order a delinquent juvenile to a correctional placement when the juvenile is adjudicated for an offense that would be a felony or an A-level misdemeanor if committed by an adult. In this context, changing the prima facie criteria from specified felony offenses to all felonies is not anticipated to significantly increase juveniles adjudicated under this provision.

The DOC is unable to estimate the number of juveniles who would be adjudicated delinquent of an offense for which correctional placement is an eligible disposition based on prima facie evidence. Thus the DOC cannot estimate the fiscal impact of including additional offenses that meet the prima facie criteria. Local costs would increase if counties place more juveniles in a JCF or secure residential care center for children and youth under a correctional placement disposition.

Long-Range Fiscal Implications