



## Fiscal Estimate Narratives

DOC 2/20/2024

LRB Number	23-4433/1	Introduction Number	AB-0939	Estimate Type	Original
<b>Description</b> reporting of and notifications about restricted movement and solitary confinement in state correctional institutions and county jails and making an appropriation					

### Assumptions Used in Arriving at Fiscal Estimate

**\*\*STATE\*\***

This bill requires the Department of Corrections (DOC) to establish and maintain on its website an interactive reporting system that reports all of the following for each state correctional institution or county jail: 1) whether any type of restriction upon a person in our care (PIOC) or group of PIOC's that impacts availability for visitation periods or communication is in effect at that state correctional institution, and if a restriction is in effect, a statement identifying the reason that the restriction is in effect and how long the restriction has been in effect; 2) the number of PIOC's who are currently being held in solitary confinement; and 3) the total number of PIOC's being held.

The bill requires sheriffs to report to DOC the information about PIOC movement restrictions, solitary confinement, and PIOC total in the county jail that is required to be reported in the DOC reporting system on a weekly basis, and requires DOC furnish sheriffs with instructions, a format, and the process for sending the information.

Under the bill, the reporting system must be active six months after the bill's passage, and until the reporting system is active, DOC must report to the appropriate standing committees of the legislature twice per week on any partial or full prison lockdowns that are currently in effect and once every three months on the total number of individuals who have been placed in solitary confinement during that three-month period.

The bill also requires DOC and sheriffs to establish and maintain a notification system that allows up to three individuals designated by a PIOC of a state correctional institution or county jail the ability to elect to be automatically notified via email, text message, or other electronic message within 24 hours of that PIOC being placed under any type of individual or group restriction that impacts availability for visitation periods or other communication.

Establishing the public data reporting platform under this bill would have both one-time and ongoing fiscal impacts on DOC. For state correctional institution data, the Department's Bureau of Technology Management (BTM) would need to add features to WICS (Wisconsin Integrated Corrections System, a DOC internal database system that tracks PIOC information) to capture the needed information and develop an automated process to extract and upload the data onto a public-facing reporting platform. BTM estimates the state portion of the public dashboard could be completed within the six-month requirement at a one-time cost of \$80,000. However, as many county jails do not have access to WICS, BTM will have to develop a new database system for counties to input the required population information from their facilities. BTM would then have to develop an automated process to extract the data and load it onto the public-facing reporting platform. BTM estimates it would require at least 12 months to build the software and automation processes and provide technical guidance to the counties. There would be a \$700,000 one-time cost for building and implementing the county jail portion of this data platform. Additionally, there is an annual \$210,000 cost for ongoing support and maintenance (\$45,000 for the state portion, \$165,000 for the county portion). Until the public data reporting system is populated with both state institution and county jail data, the Department would likely require an LTE Office Operations Associate, at a one-time cost of \$47,100, to collect the data, prepare and send the bi-weekly lockdown report and quarterly solitary confinement reports to the appropriate standing committees in the Legislature. The Department understands the importance of transparency, however there are internal security and safety concerns about the reporting platform having to be too specific with a statement as to why an institution may have an ongoing restriction of outside visitation and/or communication.

Establishing and maintaining the notification system for PIOC-designated contacts would have both one-time and ongoing fiscal impacts on DOC. BTM would incur a \$45,000 one-time expense to subscribe to messaging services (automated calls, texts, and emails). Additionally, there is an annual \$65,000 cost for ongoing maintenance and support of the notification system. The Department assumes that for this system, PIOC's will select their contact(s), the contact information will be loaded into a database, with notifications sent out as

appropriate. To compile the PIOC contact's information, receive their consent, and input into the notification system database, the Department would likely require an LTE Office Operations Associate, at a one-time cost of \$47,100.

**\*\*LOCAL\*\***

The bill requires sheriffs to report to DOC the information about PIOC movement restrictions, solitary confinement, and PIOC totals in their county jails. This information is required to be reported in the DOC reporting system on a weekly basis, and requires DOC furnish sheriffs with instructions, a format, and the process for sending the information.

Currently, DOC requests various data from the counties such as the monthly average daily population (ADP) of their jails. Current law only requires that certain mental health data for PIOC's is sent by the counties to DOC. This bill's requirement that the counties report additional data to DOC, on a more frequent schedule than the current monthly ADP data that is provided voluntarily, would necessitate the counties setting up a process to transmit this data to DOC, and could lead to additional costs if, for example, an information technology (IT) system is needed to automate this process and/or if additional staff were required.

Note that while this bill requires that the previously-discussed interactive reporting system's public website be updated at least every 48 hours, the bill only requires county jails to send information to DOC on a weekly basis. Given this difference, DOC's reporting system would need to indicate the date data from the counties was received, since unlike DOC's data on its own facilities, the latest county jail data received by DOC would not necessarily be new each time DOC publishes an update to its public website.

The bill also requires sheriffs to establish and maintain a notification system that allows up to three individuals designated by an PIOC of a county jail the ability to elect to be automatically notified via email, text message, or other electronic message within 24 hours of that PIOC being placed under any type of individual or group restriction that impacts availability for visitation periods or other communication.

Presently, if a county jail PIOC's visitation privileges are temporarily restricted, they could call or write their loved ones to let them know. The counties do not currently have any automatic notification system in place for PIOC's contacts. Given the potential volume of notifications that would need to be sent out in the event group restrictions were imposed at a county jail, the counties may need to contract with an outside provider to institute a notification system compliant with this bill's requirements, for an indeterminate one-time and ongoing cost. Complying with this requirement would also require staff resources, and could necessitate hiring additional staff, for further costs. The counties would also have security concerns about the reporting platform having to be too specific with a statement as to why a county jail may have an ongoing restriction of outside visitation and/or communication.

### **Long-Range Fiscal Implications**