

Fiscal Estimate - 2023 Session

Original Updated Corrected Supplemental

LRB Number 23-1505/1		Introduction Number SB-0170		
Description earned release for inmates upon the completion of an employment readiness training program and granting rule-making authority				
Fiscal Effect				
State:				
<input type="checkbox"/> No State Fiscal Effect				
<input checked="" 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 type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget		
		<input type="checkbox"/> Yes <input type="checkbox"/> No		
		<input type="checkbox"/> Decrease Costs		
Local:				
<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		
<input type="checkbox"/> School Districts		<input type="checkbox"/> WTCS Districts		
Fund Sources Affected		Affected Ch. 20 Appropriations		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		20.410(1)a, 20.410(1)b		
Agency/Prepared By		Authorized Signature		Date
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Fiscal Estimate Narratives

DOC 5/2/2023

LRB Number	23-1505/1	Introduction Number	SB-0170	Estimate Type	Original
Description earned release for inmates upon the completion of an employment readiness training program and granting rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

Current law allows eligible persons in our care (PIOCs) to earn early release to extended supervision (ES) or parole if they complete a substance abuse program. PIOCs are generally eligible for early release to supervision under the program if they meet the following conditions: (1) the individual is serving time for a crime other than a specified violent crime; (2) the sentencing court deems the individual eligible; and (3) the individual successfully completes a Department of Corrections (DOC) substance abuse treatment program. As of 12/31/22 the DOC had 2,441 PIOCs eligible for earned release.

This bill would expand the Earned Release Program (ERP) to also apply to eligible PIOCs who complete an employment readiness training program (ERTP) pursuant to DOC administrative rules. An ERTTP being defined as any education, job training, employment, or other equivalent evidence-based program intended to lead to employment and reduce recidivism.

DOC currently offers 24 career and technical education (CTE) programs for PIOCs in Division of Adult Institution (DAI) facilities. The bill directs DOC to promulgate administrative rules for implementation of the earned release program expansion, but delays the statutory changes to the program for one year. This will allow the Department time to define which of their CTE programs will qualify PIOCs for earned release. If all vocational training programs are defined as eligible ERTTP, DOC would have had an additional 1,030 PIOCs eligible for earned release on 12/31/22. Until the Department creates the ERTTP administrative rules and determines which of its CTE programs would qualify PIOCs for ERP, the DOC can only project the additional number of PIOCs that would become eligible for earned release.

Cost savings associated with ERP come from two sources: 1) a reduction in the number of contract jail beds – for which the Department currently pays \$51.46/day or 2) a reduction in costs from fewer PIOCs in DAI facilities. As the Governor's proposed 2023-25 biennial budget projects a minimal need for contract beds, the Department assumes any cost savings from expansion of ERP in FY25 would be from a reduced number of PIOCs in DAI facilities, not from using fewer contract jail beds.

Any cost savings from a reduced number of PIOCs in DAI facilities would be generated through a decreased need for "variable" funding for healthcare, food, and variable non-food (such as clothing, toiletries, linens) approximately \$9,400 per PIOC based on FY22 costs. If expanding earned release to include ERTTP results in a substantial reduction to the PIOC population, then the cost savings generated may be closer \$44,400 per PIOC (the total average cost to house a PIOC in a DOC institution in FY22).

If ERP capacity is expanded, more adults in custody may be released early from incarceration. The length of an individual's bifurcated sentence does not change, but the length of the ES portion of their sentence is increased, resulting in increasing Division of Community Corrections (DCC) populations. Increasing DCC's population will increase overall workloads (and could potentially result in a need for additional position authority) within DCC.

Without knowing how many additional PIOCs will be completing ERP as a result of expanding the program to include completion of vocational programming, it is not possible to calculate the fiscal impact of this proposed legislation.

Long-Range Fiscal Implications