



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #245

Serious Juvenile Offender Funding (DOC -- Juvenile Corrections)

[LFB 2005-07 Budget Summary: Page 138, #9]

CURRENT LAW

The serious juvenile offender (SJO) appropriation reimburses juvenile correctional institutions, secured child caring institutions, alternate care providers, aftercare supervision providers and corrective sanctions supervision providers for costs incurred for juveniles who receive an SJO disposition. All components of the SJO disposition are state funded. Counties have no financial responsibility for a juvenile placed in the SJO program.

A juvenile is subject to a SJO placement as follows: (a) if the juvenile is 14 years of age or more and has been adjudicated delinquent for committing a delinquent act that is equivalent to certain Class A, Class B, or Class C felony offenses; or (b) the juvenile is 10 years of age or more and has been adjudicated delinquent for attempting or committing first-degree intentional homicide or for committing first-degree reckless homicide or second-degree intentional homicide. An SJO disposition may only be made for these juveniles if the judge finds that the only other disposition that would be appropriate is placement in a secured correctional facility.

For a juvenile receiving a disposition as a Serious Juvenile Offender, the court is required to make the order apply for a period of five years if the adjudicated act was a Class B or Class C felony offense, or until the juvenile reaches 25 years of age if the adjudicated act was a Class A felony offense. The disposition includes the concept of Type 2 status, which allows the Department to administratively transfer a juvenile through an array of component phases, including both secured correctional facility and community placements.

The adjusted base funding for the SJO appropriation is \$15,300,800 GPR annually.

GOVERNOR

Reduce funding by \$183,300 GPR in 2005-06 and \$25,400 GPR in 2006-07 to reflect decreased population estimates and cost changes associated with state-funded serious juvenile offenders.

DISCUSSION POINTS

1. Under the bill, the following average daily populations (ADP) for the SJO appropriation, including both SJO juveniles and extended jurisdiction juveniles, are projected for the 2005-07 biennium:

TABLE 1

SJO Average Daily Population

<u>Type of Care</u>	<u>Serious Juvenile Offenders</u>		<u>Extended Jurisdiction Juveniles*</u>	
	<u>2005-06</u>	<u>2006-07</u>	<u>2005-06</u>	<u>2006-07</u>
Secured Correctional Facilities	143	141	0	0
Corrective Sanctions Program	36	34	1	1
Aftercare Supervision	<u>54</u>	<u>51</u>	<u>1</u>	<u>1</u>
Total ADP	233	226	2	2
Alternate Care**	34	32	0	0

*These are juveniles who committed certain violent felony offenses prior to July 1, 1996, and who remain under the jurisdiction of the juvenile court. The costs for these juveniles are paid from the SJO appropriation.

**A subset of aftercare supervision that includes residential care centers, group homes, treatment foster homes, and certain supplemental living arrangements.

2. The SJO appropriation expenditure authority is calculated on the basis of the projected ADP for each type of care and the average cost, or daily rate, for each type of care. The 2004-05 daily rates under current law, and the daily rates under the bill for 2005-06 and 2006-07 are shown in Table 2.

TABLE 2

Daily Rates for Juvenile Care

	Statutory Rates	Governor	
	7-1-04 thru 6-30-05	7-1-05 thru 6-30-06	7-1-06 thru 6-30-07
Secured Correctional Facilities*	\$187	\$218	\$224
Corrective Sanctions	87	89	91
Aftercare Supervision	26	27	27
Residential Care Centers	239	227	235
Group Homes	149	170	179
Treatment Foster Homes	92	85	89
Regular Foster Homes	49	51	54

*Including transfers from a secured correctional facility to the Mendota Juvenile Treatment Center.

3. The bill's calculations of SJO funding include minor errors in the daily rates for secured juvenile correctional facility care, aftercare services, and the corrective sanctions program in 2006-07. The correction of these daily rates would allow a total reduction of \$134,500 GPR to the SJO appropriation in 2006-07, representing an additional reduction compared to the bill of \$109,100 GPR.

4. The Governor's ADP projections for SJO placements is based on a model that projects these populations through the 2005-07 biennium. The model uses 2003-04 admission and placement data. The bill assumes that following a 24-month period of institutional care, certain percentages of juveniles would be placed in the corrective sanctions program and in aftercare services respectively. Further, certain percentages of juveniles in aftercare services are also budgeted in alternate care settings. These types of settings include group homes, residential care centers, treatment foster homes, and certain supplemental care placements (monitored living situations in dorm-style settings or small apartments that the Department utilizes for serious juvenile offenders who are 18 to 21 years of age and still subject to a juvenile disposition, but who are too old to be placed in a juvenile facility). The bill also assumes no placements in regular foster home settings.

5. By updating this model to reflect actual placement data through March 31, 2005, the SJO projections under the bill can be reestimated. Based on this updated placement data, the estimate for placements at secured correctional facilities continues to be accurate and remains unchanged for 2005-06 and 2006-07. However, the field placements following institutional care in the corrective sanctions program and in aftercare services need to be increased. In addition, the extended jurisdiction juvenile ADP would be reduced from two to one in both 2005-06 and 2006-07. The APD for SJO placements, as a result of updating the year-to-date 2004-05 population data, are summarized in Table 3.

TABLE 3

SJO Average Daily Population Reestimated

<u>Type of Care</u>	<u>Serious Juvenile Offenders</u>		<u>Extended Jurisdiction Juveniles</u>	
	<u>2005-06</u>	<u>2006-07</u>	<u>2005-06</u>	<u>2006-07</u>
Secured Correctional Facilities	143	141	0.0	0.0
Corrective Sanctions Program	44	42	0.5	0.5
Aftercare Supervision	<u>60</u>	<u>57</u>	<u>0.5</u>	<u>0.5</u>
Total ADP	247	240	1.0	1.0
Alternate Care*	33	32	0.0	0.0

*A subset of aftercare supervision that includes residential care centers, group homes, foster homes, and monitored living situations.

6. While the alternate care ADP under this reestimate (33 in 2005-06 and 32 in 2006-07) are almost identical to the alternate care ADP estimate under the bill (34 in 2005-06 and 32 in 2006-07), the placements in the respective alternate care settings have changed under the reestimate. The 2004-05 data indicates that the assumptions employed by the model relating to the relative number of placements in group homes and residential care centers under the bill could be modified to reflect current placement patterns. Further, alternate care budgeting should include a small number of placements in regular foster home settings, rather than in treatment foster care settings to reflect current placements. Juveniles in monitored living situations would remain the same as under the bill.

7. In summary, a reestimate of the SJO appropriation would appear warranted based on: (a) corrected daily rates for secured correctional facilities, aftercare services, and the corrective sanctions program in 2006-07; (b) reestimated SJO and extended jurisdiction juvenile ADP for corrective sanctions and aftercare in the 2005-07 biennium; and (c) reestimated SJO placements in alternate care settings, based on the current placement data for 2004-05.

8. These recalculations result in revised total funding needs of \$15,341,300 GPR in 2005-06 and \$15,409,700 GPR in 2006-07, representing an increase of \$223,800 GPR in 2005-06 and \$134,300 GPR in 2006-07 compared to the bill. Based on the reestimates, the Committee may want to provide these increases.

9. However, the proposed increases over the 2005-07 biennium constitute only about 1.2% of the projected SJO appropriation needs. In addition, the reestimates are based on a model that, while helpful in projecting future SJO populations, does not yield entirely reliable estimates for certain types of placements. Thus, the Committee could approve the Governor's recommendation (as modified to correct for minor errors in daily rates for secured juvenile correctional facility care, aftercare services, and the corrective sanctions program in 2006-07), rather than adopting the additional reestimates described above. This approach would require the Department to manage

costs more closely, but could increase the likelihood that the Department might require a supplementation for the SJO appropriation under s. 13.10 of the statutes late in 2006-07.

ALTERNATIVES

1. Modify the Governor's recommendation and reduce funding by \$183,300 GPR in 2005-06 and \$134,500 GPR in 2006-07 (rather than by \$183,300 GPR in 2005-06 and by \$25,400 GPR in 2006-07 under the bill) to reflect decreased population estimates and cost changes associated with state-funded serious juvenile offenders and to correct the daily rates for secured juvenile correctional facility care, aftercare services, and the corrective sanctions program in 2006-07 used to calculate the SJO funding levels.

<u>Alternative 1</u>	<u>GPR</u>
2005-07 FUNDING (Change to Bill)	- \$109,100

2. Provide \$223,800 GPR in 2005-06 and \$134,300 GPR in 2006-07 to reflect reestimated SJO populations for corrective sanctions, aftercare services, and alternate care placements in the 2005-07 biennium. Correct the daily rates for secured juvenile correctional facility care, aftercare services, and the corrective sanctions program in 2006-07 used to calculate the SJO funding levels.

<u>Alternative 2</u>	<u>GPR</u>
2005-07 FUNDING (Change to Bill)	\$358,100

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