



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #422

### **Female Offender Reintegration Program (DHFS -- Community, Disability, and Elder Services)**

[LFB 2005-07 Budget Summary: Page 283, #5]

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#### **CURRENT LAW**

*WISER Choice.* In August, 2004, the U.S. Department of Health and Human Services (DHHS) awarded Wisconsin a three-year federal access to recovery grant of \$22.8 million, or \$7.6 million annually. The Department of Health and Family Services (DHFS) is using the grant to support the Wisconsin Supports Everyone's Recovery Choice (WISER Choice) program, which serves individuals in Milwaukee County with substance abuse treatment and services needs, while focusing on individuals involved with the criminal justice system. Under the grant, DHFS expects to serve 7,600 individuals over the three-year period by providing substance abuse treatment and/or recovery support services, which may include care coordination and flexible funds to address clients' needs.

Using the voucher-based substance abuse services delivery system in Milwaukee County, the program goals include: (a) providing client choice, through a voucher system, for substance abuse treatment and recovery support services; (b) increasing substance abuse treatment and recovery services capacity; (c) reducing the waiting list for substance abuse treatment for individuals in Milwaukee County and reducing the relapse rates by providing recovery support services; (d) breaking the intergenerational cycle of substance abuse and incarceration by targeting families with parents with substance abuse problems; and (e) reducing the number of people entering jail and prison. As of March, 2005, 150 adults were enrolled in the WISER Choice program.

*Female Offender Reintegration Program.* Beginning in July, 2004, DHFS began a pilot program to provide enhanced reach-in and release services to seven women with dependent children under 18 years old who were scheduled to be released from the Taycheedah Correctional Institution and John Burke Correctional Center into the Milwaukee community.

The women all participated voluntarily in the program, were scheduled for release between October and December, 2004, and were non-violent offenders with an identified substance abuse or substance abuse and mental health treatment need. Five of the women have children under the care of the Bureau of Milwaukee Child Welfare (BMCW), with a permanency goal of reunification. DHFS requested that the organizations that were involved in the pilot program, many of them current DHFS grant recipients, to give first priority to serving the women in the pilot program, and thus, an estimated \$51,200 was reallocated from existing grants to support 2004-05 program costs.

*Bureau of Milwaukee Child Welfare.* BMCW administers the child welfare system in Milwaukee County. A child placed in out-of-home care could be placed with a relative under the kinship care program or placed in foster care. Children in out-of-home care and their families receive services, as identified in these children's permanency plans, which include family assessments, visitations, and mental health treatment services, if applicable.

*Title IV-B, Part II.* Funding available under Title IV-B, part II, is intended to promote safe and stable families through family preservation, family support services, family reunification, and adoption promotion and support services. In federal fiscal year 2004-05, Wisconsin received \$5,386,800 in Title IV-B, part II, funding. States are required to allocate at least 20% of its Title IV-B, part II, allocation to each of the four categories of activities: family preservation, family support, family reunification, and adoption promotion and support.

*Group Home Revolving Loan Fund.* Current law requires DHFS to establish a group home revolving loan fund, using federal substance abuse prevention and treatment (SAPT) funds budgeted in a federal project aids appropriation in the Division of Disability and Elder Services (DDES) and transferred to the PR appropriation for this fund, to continue a revolving fund to make two-year loans up to \$4,000 each to applying non-profit organizations to provide housing for groups of no fewer than six individuals who are recovering from alcohol or other drug abuse. Currently, the unencumbered balance in this fund is \$100,000.

## **GOVERNOR**

Provide \$139,100 GPR in 2005-06 and \$140,000 GPR in 2006-07 to support certain assessment and treatment services, under an expanded female offender reintegration program, that cannot be funded under the federal access to recovery grant or for which other funding sources are not available.

Require DHFS to award not more than \$139,100 in 2005-06 and not more than \$140,000 in 2006-07 as a grant to an organization or a group of organizations to provide services for female prisoners and offenders from Milwaukee County and their children, if the prisoners or offenders have been convicted of non-violent crimes. Require each grantee to provide at least all of the following for up to six months before a prisoner's release from prison and up to two years after release: (a) screening, assessment, and treatment, including mental health and permanency

services, for the prisoners or offenders to assist in their reintegration into the community; and (b) at-risk assessments for all dependent children of female prisoners or offenders who receive services under the program and comprehensive support services.

As it relates to this program, define "offender," through a cross-reference to a current definition in Chapter 304 ("Paroles and Pardons") and define "prisoner," through a cross-reference to the current definition under Chapter 301 ("Corrections").

*Transfer Group Home Revolving Loan Fund Balance.* Transfer the unencumbered balance in a PR appropriation for the group home revolving loan fund to a federal project aids appropriation. These funds would partially support the costs of the female offender reintegration program.

## **DISCUSSION POINTS**

1. One component of WISER Choice is an expansion of the female offender reintegration program in Milwaukee County to serve approximately 72 women and their children over the biennium. The female offender reintegration program would serve female offenders from Milwaukee County and their children, if the offenders: (a) have been convicted of non-violent crimes; (b) have multiple needs, which could include substance abuse or dependence, mental health, employment, housing, and basic daily living skills; and (c) have a dependent child or children who are eligible for reunification with their mother because a termination of parental rights (TPR) is not pending.

2. As of March 18, 2005, there were 1,334 women incarcerated in Wisconsin's prisons. Approximately 46% of these women were in minimum security institutions. It is not known how many of these women have children, but national estimates suggest that 75% to 80% of imprisoned women are mothers, and on average, these women have two children. Most of these women are single parents who have sole responsibility for their children. Consequently, a mother's incarceration can significantly affect her children -- while their mothers are incarcerated, the children often experience disrupted and multiple placements and increased financial hardship.

3. Research indicates that children whose parents are incarcerated experience a variety of negative consequences, particularly with respect to their emotional health and well-being, contact with their parents, and physical care and custody. These children have a higher risk of developmental difficulties, academic failure, and behavioral problems, which can include disobedience or defiance at home or school, poor academic performance, or engaging in delinquent behaviors, such as stealing or drug abuse. The times that are most stressful for children are when the parent is arrested, the trial, sentencing, during the initial incarceration, and just before and after the parent's release. Children who experience continuing trauma and repeated disruption as a result of their parents criminal activities and incarcerations are at risk themselves for delinquency and incarceration -- approximately 10% of these children will be incarcerated as juveniles or adults.

4. One goal of the female offender reintegration program is to break the cycle of

intergenerational criminal behavior. Many of these mothers and families have low income, lack education, job skills, and adequate housing, have substance abuser treatment needs, and are victims of domestic violence. Family reunification is made more difficult due to these family circumstances, as well as the children's limited contact with their imprisoned parents due to the geographical distance between parents and children or the inability or reluctance of the caregiver to facilitate the visits.

5. The female offender reintegration program would provide services under a wraparound, multidisciplinary approach to provide a continuity of services for the offender, her children, and her family, beginning while she is incarcerated and continuing through to release and integration into the community. The program has four components. Three of the components focus on each woman's needs, by providing: (a) intensive preparation, or "reach-in" services, for each woman to reenter the community, beginning six months before the woman's expected release date, which includes assessing the woman's needs (educational, vocational, parenting, medical, and clinical) and creating a coordinated care plan to address those needs, both before and after her release back in to the community; (b) transition activities provided in the correctional institution, such as substance abuse and mental health treatment services, job-readiness, parenting activities, visitation with their children, plans for comprehensive community supervision, secure housing, and formation of wraparound teams; and (c) community-based support activities, based on the coordinated care plan developed before the woman is released into the community, including case management, intensive supervision, and integrated/wraparound support and community-based treatment and recovery services.

6. The fourth component focuses on the children of these women and includes a risk assessment and support services for the children and their caretakers during the mother's incarceration. The support services may include parenting and nurturing classes, special parent-child visits, child-oriented visiting activities, caretaker and child support groups, and custody and reunification services.

7. The program is funded, and would continue to be funded, from several sources, which reflect the availability and permissible uses of federal funding. After AB 100 was introduced, this office and DHFS concluded that some adjustments should be made in estimating the costs of the program. If these adjustments were made, funding in the bill could be reduced by \$32,800 GPR in 2005-06 and \$5,200 GPR in 2006-07 and still meet the Governor's intent. The following table shows total funding that would be budgeted for the program, as modified by these adjustments, by fund source.

	<u>2005-06</u>		<u>2006-07</u>	
	<u>Funding</u>	<u>% of Total</u>	<u>Funding</u>	<u>% of Total</u>
GPR	\$106,300	16.0%	\$134,800	12.2%
Federal funds				
Access to Recovery Grant	\$276,000	41.5%	\$532,700	48.2%
SAPT	50,000	7.5	50,000	4.5
BMCW funding	142,600	21.4	210,500	19.0
Title IV-B, Part I	<u>90,700</u>	<u>13.6</u>	<u>178,200</u>	<u>16.1</u>
Subtotal - Federal	\$559,300	84.0%	\$971,400	87.8%
Total	\$665,600	100.0%	\$1,106,200	100.0%

8. States may use funding from the federal access to recovery grant to support treatment and recovery services for adults, but not to support services for children and not to provide more than one visit while the participant is incarcerated. The GPR funding under this item would support: (a) additional reach-in visits for eligible women in the six months prior to their release into the community, since the initial reach-in visit would be funded with the federal access to recovery grant; (b) visitation by the women's children, who are not involved with BMCW; and (c) a portion of the mental health treatment services for the women's children who are not involved with BMCW.

9. Under the program, women would receive reach-in visits for six months prior to their release into the community. The reach-in services would include, for each woman, an initial eligibility screening, an assessment of the woman and her family's needs, and 55 hours of service over the six month period. Assuming that three women enroll each month during the biennium, with a maximum of 18 women served a month, the annual cost of reach-in services would be \$59,100 in 2005-06 and \$73,300 in 2006-07, of which \$9,900 annually would be supported with the federal access to recovery grant and the remaining (\$49,200 in 2005-06 and \$63,400 in 2006-07) would be supported with GPR.

10. Children whose mothers are participating in the female offender reintegration program would, under the program, visit their mothers in prison, beginning six months before their mothers' release. If a child is involved with BMCW and visitations are included in the child's permanency plan, these visitations would be provided regardless of the mother's involvement in the female offender reintegration program. If the child is not involved with BMCW, these visitation services would be provided through the reintegration program. Assuming again that three women enroll in the program each month, and that each woman has an average of 2.7 children, the visitation program would serve a maximum of 18 women and 49 children a month. The estimated average cost for a child's visit is \$181, and when multiplied by 49 children a month (when fully enrolled), visitation service costs would total \$83,600 in 2005-06 and \$105,600 in 2006-07. An estimated 40% of these children receive visitation services through BMCW, and the remaining costs (\$50,200 in 2005-06 and \$63,400 in 2006-07) would be supported, under the bill, by GPR funding.

11. Under this program, the women's children would receive one year of mental health treatment services. If the child is involved with BMCW, these services would be provided by BMCW if specified in the permanency plan for the child. If the child is not involved with BMCW, the treatment services would be provided under the female offender reintegration program. The program assumes treatment costs of \$450 per month for the first six months of treatment, and \$225 per month for the last six months of treatment. The lower amount in the second part of the year reflects the administration's expectation that the child will need more intensive treatment initially, and the intensity of services will decrease over the year.

Assuming that three women with an average of 2.7 children each enter the program each month, and that the children will receive treatment services for one year, the total cost of treatment services is estimated to be \$246,000 in 2005-06 and \$393,400 in 2006-07. The treatment costs for children not involved with BMCW would be supported with Title IV-B, SAPT, and GPR funding (\$6,900 GPR in 2005-06 and \$8,000 in 2006-07).

12. The SAPT funds would be available on a one-time basis from the current balance of the revolving group home loan fund and would support treatment costs for children for children not involved with BMCW. Federal law no longer requires states to support a revolving group home loan fund. The fund currently has a \$100,000 balance. These funds can be used for any SAPT-eligible purpose, including substance abuse prevention and treatment services. Because these funds would only be available on a one-time basis, funding from another source would be needed to continue to support these services in the 2007-09 biennium.

13. The Committee could decide to adopt the Governor's provision, as modified to reflect funding adjustments, to support components of the female offender reintegration program that are not funded with other resources to provide a comprehensive program to serve female offenders and their children, and to promote family reunification.

14. Alternatively, since the federal access to recovery grant is limited to serving adults, it could be argued that the female offender reintegration program, which also services children, is an extension and enhancement of the services available under the grant. If the Committee decides that the programs should focus exclusively on adult, female offenders, it could delete the provision from the bill.

**ALTERNATIVES**

1. Approve the Governor's recommendation, but reduce funding by \$32,800 GPR in 2005-06 and by \$5,200 GPR in 2006-07 to reflect reestimates of the costs of the program. In addition, modify statutory provisions to reflect this funding change.

<b>Alternative 1</b>	<b>GPR</b>
<b>2005-07 FUNDING</b> (Change to Bill)	- \$38,000

2. Delete provision.

<b><u>Alternative 2</u></b>	<b><u>GPR</u></b>
<b>2005-07 FUNDING</b> (Change to Bill)	- \$279,100

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