



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #235

Juvenile Population Estimates, Statutory Daily Rates, and Serious Juvenile Offenders (Corrections - Juvenile Corrections)

[LFB 2013-15 Budget Summary: Page 133 #1, Page 134 #2 and #3]

CURRENT LAW

Statutory Daily Rates. Daily rates for juvenile care in a given biennium are specified in statute by fiscal year for juvenile correctional facilities, the corrective sanctions program, and aftercare supervision. These daily rates are calculated based on the projected annual cost and the estimated average daily population for each type of care.

Serious Juvenile Offender (SJO) Program. Corrections administers the SJO program for juveniles adjudicated delinquent and ordered to participate in the program. Under the program, a juvenile is subject to supervision, care and rehabilitation that is more restrictive than ordinary supervision in the community. The program provides for component phases (various sanctions) that are intensive, highly structured, and based on both public safety considerations and the juvenile's needs. 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. A 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 juvenile correctional facility.

The SJO appropriation reimburses juvenile correctional facilities, corrective sanctions providers, aftercare providers, and alternate care providers for costs incurred for juveniles who receive a SJO disposition. All components of the SJO disposition are state-funded. Base funding for the SJO appropriation is \$14,284,700 GPR.

GOVERNOR

Statutory Daily Rates. Provide the following statutory daily rates to be established for juvenile correctional services provided or purchased by the Department that would be charged to counties and paid through counties' youth aids allocations, or paid by the state through the serious juvenile offender appropriation.

	Statutory Rates	Governor	
	7-1-12 thru 6-30-13	7-1-13 thru 6-30-14	7-1-14 thru 6-30-15
Juvenile Correctional Facilities*	\$289	\$297	\$304
Corrective Sanctions	100	125	128
Aftercare Supervision	40	41	41

*Includes transfers from a juvenile detention facility to the Mendota Juvenile Treatment Center.

SJO Program. Increase funding by \$362,900 GPR in 2013-14 and \$270,500 GPR in 2014-15 to reflect costs associated with state-funded serious juvenile offenders. Increased costs are associated with the increase in statutory daily rates. The estimated average daily population for the SJO population would be 160 in 2013-14 and 149 in 2014-15. The SJO program average daily population through February, 2013 was 188.

Average Daily Population

<u>Type of Care</u>	As of <u>March, 2013</u>	<u>Serious Juvenile Offenders</u>	
		<u>2013-14</u>	<u>2014-15</u>
Juvenile Detention Facilities	68	74	78
Corrective Sanctions Program	71	55	46
Aftercare Supervision	<u>48</u>	<u>31</u>	<u>25</u>
Total ADP	187	160	149
Alternate Care*	50	43	38

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

DISCUSSION POINTS

1. Under current law, daily rates for juvenile care in a given biennium are specified by statute by fiscal year for juvenile correctional facilities, corrective sanctions, and aftercare supervision. Under the 2011-13 biennial budget act, 2011 Act 32, specific rates for residential care centers, group homes, treatment foster homes, and regular foster homes were deleted. Instead, the daily cost assessment for these placements is an amount equal to the amount the provider charges the Department. Further, Act 32 specified that a \$17 add-on be applied to the statutory daily rates for juvenile correctional facilities to address the juvenile operations appropriation deficit.

2. The daily rates for the juvenile correctional facilities, corrective sanctions, and the

aftercare program are set based on the population projections and estimated costs of each program. The population projections include juveniles in the SJO program.

	<u>Average Daily Population</u>	
	<u>2013-14</u>	<u>2014-15</u>
Lincoln Hills School	248	248
Copper Lake School	23	23
Mendota Juvenile Treatment Center	<u>29</u>	<u>29</u>
Total Juvenile Correctional Facility	300	300

3. A review of more recent juvenile population trends indicates that the estimated ADP for the juvenile placements as provided in the bill is appropriate. Based on the estimated ADPs and projected program expenditures, the corrective sanctions daily rates would be \$125 in 2013-14 and \$128 in 2014-15, and the aftercare daily rates would be \$41 annually.

4. As indicated above, the daily rates are calculated based on the estimated costs for the program. Further, the rates for juvenile correctional facilities include a \$17 add-on to address the juvenile operations appropriation deficit. As a result of an error in calculating the \$17 add-on, the daily rates could be reduced by -\$1 in each year to \$296 in 2013-14 and \$303 in 2014-15. Since the SJO program is funded each biennium on the basis of the statutory daily rates, SJO funding could be modified by -\$27,000 GPR in 2013-14 and -\$28,400 GPR in 2014-15.

MODIFICATION

Statutory Daily Rates. Modify the statutory daily rates for juvenile correctional facilities -\$1 in each year. As a result, the statutory daily rates would be:

	<u>7-1-13 thru 6-30-14</u>	<u>7-1-14 thru 6-30-15</u>
Juvenile Correctional Facilities	\$296	\$303
Corrective Sanctions	125	128
Aftercare Supervision	41	41

SJO Program. As a result of modifying the daily rates, decrease funding provided in the bill for the SJO program by -\$27,000 GPR in 2013-14 and -\$28,400 GPR in 2014-15.

Change to Bill Funding	
GPR	- \$55,400

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