



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #235

### **Adult Correctional Facility Populations -- Male Population and Inflationary Costs, and Prison Contract Bed Funding (Corrections -- Adult Corrections)**

[LFB 2015-17 Budget Summary: Page 121 to 123, #1, #2, and #4]

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#### **CURRENT LAW**

The Department operates 36 adult correctional facilities, including 20 correctional institutions and 16 correctional centers. In addition, Corrections utilizes prison contract beds, which includes state inmates held in Wisconsin county jails and federal facilities, and state inmates in temporary lockups, and contracts with the Department of Health Services for placements at the Wisconsin Resource Center for inmates in need of mental health treatment.

#### **GOVERNOR**

Estimate a total average daily population in adult correctional institutions, centers, and contract beds of 22,325 in 2015-16 and 22,452 in 2016-17. The estimated population includes offenders placed at the Wisconsin Resource Center (386 inmates annually), in facilities as temporary lockups (25 offenders annually), and inmates placed in federal or Division of Juvenile Corrections beds (12 annually).

#### **DISCUSSION POINTS**

1. For each budget cycle, the Department of Corrections projects the total prison populations for the upcoming biennium. Generally, population-related costs are budgeted based on the total operating capacity of the prison system, including food, variable non-food costs (such as clothing, laundry, inmate wages, and other supplies), and inmates health care. To the extent that prison population projections exceed the total operating capacity, contract bed funding is provided

for placements in certain county jails.

2. The following table identifies the Department's current total operating capacity, the estimated prison populations under the bill, and the remaining difference.

**Total Correctional Facility Populations (Male and Female)**  
**AB 21/SB 21**

	<u>Male and Female</u>
2015-16 Estimated Prison Populations	22,325
2016-17 Estimated Prison Populations	22,452
Current Operating Capacity	22,194
2015-16 Number of Inmates Exceeding Capacity	131
2016-17 Number of Inmates Exceeding Capacity	258

3. To manage populations estimated to exceed the Department's operating capacity, the bill includes two provisions: (a) contract bed funding for 71 contract beds in 2015-16 and 198 contract beds in 2016-17 (excluding 500 contract beds utilized by the Department for extended supervision sanctions); and (b) providing funding to open a female housing unit at Taycheedah Correctional Institution for 60 female inmates.

4. Male and female inmate populations have historically been estimated and addressed together during prior biennial budget deliberations, with female populations generally remaining within the Department's operating capacities. However, since female inmates are estimated to exceed Corrections' operating capacity in 2015-17, estimates and provisions related to the female inmate population are addressed under a separate budget paper.

5. Regarding the male inmate population for 2015-17, the Department projected an average monthly growth rate of .027%, and utilized population data through July, 2014, to forecast an average daily population of 20,930 males in 2015-16 and 20,998 in 2016-17. These population estimates were used by the administration when the bill was introduced in February, 2015. The following table shows the Department's estimated populations under the bill compared to operating capacity for male inmates:

**AB 21/SB 21 - Males Only**

	<u>Males</u>
2015-16 Estimated Prison Populations	20,930
2016-17 Estimated Prison Populations	20,998
Current Operating Capacity	20,916
2015-16 Number of Inmates Exceeding Capacity	14
2016-17 Number of Inmates Exceeding Capacity	82

6. Under the bill, additional contract bed funding would be needed for 14 males in 2015-16 and 82 males in 2016-17. However, eight more months of population data, August, 2014, through April, 2015, is now available to evaluate the forecast. Based on a review of more recent data and longer-term population trends, the prison population projections should be reestimated. Utilizing this data, a higher growth rate for the male population (0.13%), results in an average daily population for males of 21,151 in 2015-16 and 21,151 in 2016-17. As such, the population table would be revised as follows:

### **Revised Male Inmate Population**

	<u>Males</u>
2015-16 Revised Estimated Population	21,151
2016-17 Revised Estimated Population	21,484
Current Operating Capacity	20,916
2015-16 Number of Inmates Exceeding Capacity	235
2016-17 Number of Inmates Exceeding Capacity	568

7. Since the bill would provide contract bed funding for 71 beds in 2015-16 and 198 beds in 2016-17, additional funding for 164 beds in 2015-16 and 370 beds in 2016-17 would be needed. However, the Department indicates that it is in the process of transitioning 150 probation and parole hold beds at the Sturtevant Transitional Facility (STF) to inmate beds. Corrections is able to make this transition as a result of having sufficient probation and parole holds available at the Milwaukee Secure Detention Facility. The transition would allow the Department to increase its operating capacity by 150 beds annually. It should be noted that while funding is budgeted for food and health costs for probation and parole hold offenders at STF, the Department would need an additional \$148,600 GPR annually associated with inmate variable non-food costs which is not currently budgeted for these offenders.

8. As a result of converting 150 beds at Sturtevant Transitional Facility to inmates beds, additional contract bed funding would be need for 14 inmates in 2015-16 and 220 inmates in 2016-17, at a cost of \$412,300 GPR in 2015-16 and \$4,280,800 GPR in 2016-17.

9. The following table summarizes the population reestimates and indicates the increased funding necessary to address these populations. [Alternative 1]

	<u>Male Inmates</u>		<u>Funding Changes to Bill</u>		<u>Total</u>
	<u>2015-16</u>	<u>2016-17</u>	<u>2015-16</u>	<u>2016-17</u>	
Revised Estimated Populations	21,151	21,484			
AB 21/SB 21 Contract Beds	71	198			
Additional Inmate Beds at STF	150	150	\$148,600	\$148,600	\$297,200
Additional Contract Beds Needed	14	220	<u>412,300</u>	<u>4,280,800</u>	<u>4,693,100</u>
			\$560,900	\$4,429,400	\$4,990,300

10. The funding amounts identified above are the result of male inmate populations that are estimated to be higher than projected by the Department in July, 2014. Given the population trends observed in the intervening time, it is likely that if increased funding is not provided, Corrections would be required to seek supplemental funding either under s. 13.10 of the statutes or through budget adjustment legislation.

## **ALTERNATIVES**

1. Reestimate average daily population in adult correctional facilities for male inmates to be 21,151 in 2015-16 and 21,484 in 2016-17. Provide additional funding associated with: (a) variable non-food costs for 150 inmates at the Sturtevant Transitional Facility (\$148,600 GPR annually); and (b) contract bed funding for an additional 14 beds in 2015-16 and an additional 220 beds in 2016-17 (\$412,300 GPR in 2015-16 and \$4,280,800 GPR in 2016-17).

<b>ALT 1</b>	<b>Change to Bill</b>
GPR	\$4,990,300

2. Take no action.

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