



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #250

### **Juvenile Population Estimates, Population and Inflationary Costs, Statutory Daily Rates, Serious Juvenile Offenders (Corrections -- Juvenile Corrections)**

[LFB 2015-17 Budget Summary: Pages 127 and 128, #1 thru #4]

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#### **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. The current daily rates are \$301 for juvenile correctional facilities, \$128 for corrective sanctions, and \$41 for aftercare supervision. The daily rates for juvenile correctional facilities currently include a \$17 add-on to address the juvenile operations appropriation deficit.

##### **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 \$14,526,800 GPR.

## GOVERNOR

### Juvenile Population Estimates

Estimate the juvenile correctional facility average daily population (ADP) to be 315 annually as shown in the table below. The juvenile facilities include Lincoln Hills School (males), Copper Lake School (females), the Mendota Juvenile Treatment Center, and the Grow Academy, an agriculture science-based experiential education program held at a facility in Oregon, Wisconsin. In addition, estimate the corrective sanctions program to be 99 juveniles annually and the aftercare supervision program to be 62 juveniles annually.

	April 17, 2015 <u>Actual Population</u>	<u>Average Daily Population</u>	
		<u>2015-16</u>	<u>2016-17</u>
Lincoln Hills School	226	243	243
Copper Lake School	28	33	33
Grow Academy	6	10	10
Mendota Juvenile Treatment Center	<u>29</u>	<u>29</u>	<u>29</u>
Total Juvenile Correctional Facility	289	315	315
Corrective Sanctions	75	99	99
Aftercare Supervision	68	62	62

### Population and Inflationary Costs

Modify population-related funding for the juvenile correctional facilities by \$170,000 PR in 2015-16 and \$227,900 PR in 2016-17, as follows: (a) \$103,900 in 2015-16 and \$112,000 in 2016-17 for food costs at juvenile correctional facilities; (b) \$88,900 annually for variable non-food costs (such as clothing, laundry, and personal items); and (c) -\$22,800 in 2015-16 and \$27,000 in 2016-17 for juvenile health costs.

### Statutory Daily Rates

Specify the following statutory daily rates 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. The \$17 add-on to the daily rates for juvenile correctional facilities would be reduced to a \$6 add-on to address the juvenile operations appropriation deficit.

	Statutory Rates	Governor	
	7-1-14 thru 6-30-15	7-1-15 thru 6-30-16	7-1-16 thru 6-30-17
Juvenile Correctional Facilities*	\$301	\$279	\$287
Corrective Sanctions	128	132	127
Aftercare Supervision	41	48	49

\*Includes transfers from a juvenile correctional facilities to the Mendota Juvenile Treatment Center.

### **Serious Juvenile Offender Program**

Increase funding by \$163,200 GPR in 2015-16 and \$8,100 GPR in 2016-17 to reflect costs associated with state-funded serious juvenile offenders. Increased costs are associated with the increase in statutory daily rates. The estimated ADP for the SJO population would be 163 in 2015-16 and 158 in 2016-17. Base funding for the program is \$14,526,000 GPR annually.

### **DISCUSSION POINTS**

This is a modification paper that reestimates the average daily populations for juvenile placements, and adjusts funding for population-related costs. As a result of the reestimated populations and adjusted costs, the statutory daily rates and funding for the Serious Juvenile Offender program would also be modified.

#### **Juvenile Population Estimates, Population and Inflationary Costs**

1. As indicated above, the estimated population projections for juveniles in the 2015-17 biennium would include: (a) 315 juveniles annually in the juvenile facilities; (b) 99 juveniles annually in the corrective sanctions program; and (c) 62 juveniles annually in aftercare supervision. The population projections include juveniles in the SJO program. Estimated populations factor into populations and inflationary costs for the juvenile correctional facilities, as well as statutory daily rate calculations.

2. The above estimates are based on population data through June of 2014. While the overall average daily population for the juvenile correctional facilities since the summer of 2014 has been approximately 315 juveniles, populations during the past three months have generally been much lower, as indicated by the actual populations identified in the table on page 2. Taking into account recent population trends, as well as historic population patterns, for the juvenile correctional schools, corrective sanctions, and aftercare, the estimated average daily population for juvenile placements may be adjusted as follows:

	<u>Updated ADPs</u>	
	<u>2015-16</u>	<u>2016-17</u>
Lincoln Hills School	236	236
Copper Lake School	33	33
Grow Academy	10	10
Mendota Juvenile Treatment Center	<u>29</u>	<u>29</u>
Total Juvenile Correctional Facility	308	308
Corrective Sanctions	88	88
Aftercare Supervision	64	64

3. The reestimated populations assume a slight increase in the number of juveniles in aftercare supervision, with a decrease in the number of juveniles placed in the schools and corrective sanctions. With a lower estimated population in the juvenile correctional facilities, population-related funding in the bill would be decreased by -\$36,300 PR in 2015-16 and -\$37,700 PR in 2016-17, including: (a) food costs (-\$13,400 in 2015-16 and -\$13,600 in 2016-17); (b) variable non-food costs (-\$9,400 annually); and (c) -\$13,500 in 2015-16 and -\$14,700 in 2016-17 for juvenile health costs.

### **Statutory Daily Rates**

4. As indicated previously, 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. Additionally, a \$17 add-on is applied to the statutory daily rates for juvenile correctional facilities to address the juvenile operations appropriation deficit. The bill would reduce the \$17 add-on to a \$6 add-on.

5. The daily rates are calculated utilizing the population projections and estimated costs of each program. Total costs, as modified for population and cost adjustments are as follows: (a) \$32,051,600 in 2015-16 and \$32,881,500 in 2016-17 for juvenile correctional facilities; (b) \$4,768,500 in 2015-16 and \$4,585,000 in 2016-17 for corrective sanctions; and (c) \$1,085,700 in 2015-16 and \$1,110,100 in 2016-17 for aftercare supervision. Based on the reestimated populations and population-related cost adjustments, the statutory daily rates would be modified as follows:

	<u>Governor</u>		<u>Modification</u>		<u>Difference</u>	
	<u>2015-16</u>	<u>2016-17</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2015-16</u>	<u>2016-17</u>
Juvenile Correctional Facilities	\$279	\$287	\$284	\$292	\$5	\$5
Corrective Sanctions	132	127	148	143	16	16
Aftercare Supervision	48	49	46	48	-2	-1

6. The reestimated daily rates represent a change to the 2014-15 rates as follows: (a) juvenile correctional facilities, -\$17 in 2015-16 and -\$9 in 2016-17; (b) corrective sanctions; \$20 in 2016-17 and \$15 in 2016-17; and (c) aftercare supervision \$5 in 2015-16 and \$7 in 2016-17.

7. It should be noted that the \$6 add-on is included in the juvenile correctional facility rates under both the Governor's recommendation and the modification above. This issue is addressed in a separate budget paper.

### **Serious Juvenile Offender Program**

8. The SJO appropriation supports costs associated with juvenile correctional facilities, corrective sanctions providers, aftercare providers, and alternate care providers for services for juveniles who receive a SJO disposition. All components of the SJO disposition are state-funded, based on the projected ADP and daily rate for each type of care. Base funding for the SJO appropriation is \$14,526,800 GPR. The SJO program ADP through March, 2015, was 168.

9. As a result of modifying the daily rates, funding for the SJO program would be modified by \$391,800 GPR in 2015-16 and \$398,500 GPR in 2016-17, as follows: (a) \$148,200 GPR in 2015-16 and \$133,200 GPR in 2016-17 for juvenile correctional facilities; (b) \$269,800 GPR in 2015-16 and \$278,900 GPR in 2016-17 for corrective sanctions; and (c) -\$26,200 GPR in 2015-16 and -\$13,600 GPR in 2016-17 for aftercare supervision.

## **MODIFICATION**

### **Juvenile Population Estimates**

Reestimate the juvenile correctional facility average daily population (ADP) to be 308 annually as shown in the table below. In addition, reestimate the corrective sanctions population to be 88 juveniles annually and after care supervision to be 64 juveniles annually.

	<u>Updated ADPs</u>	
	<u>2015-16</u>	<u>2016-17</u>
Lincoln Hills School	236	236
Copper Lake School	33	33
Grow Academy	10	10
Mendota Juvenile Treatment Center	<u>29</u>	<u>29</u>
Total Juvenile Correctional Facility	308	308
Corrective Sanctions	88	88
Aftercare Supervision	64	64

### **Population and Inflationary Costs**

Decrease funding in the bill by -\$36,300 PR in 2015-16 and -\$37,700 PR in 2016-17, associated with: (a) food costs (-\$13,400 in 2015-16 and -\$13,600 in 2016-17); (b) variable non-food costs (-\$9,400 annually); and (c) -\$13,500 in 2015-16 and -\$14,700 in 2016-17 for juvenile health costs.

As a result, total population-related funding provided for the juvenile correctional

facilities would be \$133,700 in 2015-16 and \$190,200 in 2016-17, as follows: (a) \$90,500 in 2015-16 and \$98,400 in 2016-17 for food costs at juvenile correctional facilities; (b) \$79,500 annually for variable non-food costs (such as clothing, laundry, and personal items); and (c) -\$36,300 in 2015-16 and \$12,300 in 2016-17 for juvenile health costs.

Change to Bill	
PR	- \$74,000

### Statutory Daily Rates

Modify statutory daily rates by: (a) \$5 in each year for juvenile correctional facilities; (b) \$16 in each year for corrective sanctions; and (c) -\$2 in 2015-16 and -\$1 in 2016-17 for aftercare supervision. As a result, the statutory daily rates would be:

	7-1-15 thru <u>6-30-16</u>	7-1-16 thru <u>6-30-17</u>
Juvenile Correctional Facilities	\$284	\$292
Corrective Sanctions	148	143
Aftercare Supervision	46	48

### Serious Juvenile Offender Program

Provide funding of \$391,800 GPR in 2015-16 and \$398,500 GPR in 2016-17 to reflect costs associated with state-funded serious juvenile offenders.

Change to Bill	
GPR	\$790,300

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