

# Corrections

## Adult Correctional Institutions

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### LFB Summary Items for Which an Issue Paper Has Been Prepared

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May, 2019

Joint Committee on Finance

Paper #235

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

[LFB 2019-21 Budget Summary: Page 98, #1 and #2; and Page 99, #3]

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#### **CURRENT LAW**

The Department of Corrections operates 36 adult correctional facilities, including 20 correctional institutions and 16 correctional centers. In addition, Corrections utilizes prison contract beds to place state inmates in county jails and federal facilities. The Department also places individuals at the Department of Health Services' 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 24,187 inmates in 2019-20 and 24,659 inmates in 2020-21. Provide funding of \$8,425,300 GPR in 2019-20 and \$16,403,100 GPR 2020-21 for 1,367 prison contract beds in 2019-20 and 1,790 prison contract beds in 2020-21. Provide \$32,073,700 GPR in 2019-20 and \$42,379,600 GPR in 2020-21 for population-related costs adjustments for inmates in facilities, including food costs, variable non-food costs, and inmate health care.

#### **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 inmate 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.

### Population Projections

2. For the 2019-21 biennium, as with prior budgets, the Department of Corrections reviewed its monthly growth rates to determine the appropriate rate to estimate projections. Regarding the inmate population for 2019-21, the Department projected a median monthly growth rate of 0.15% for males and 0.33% for females, based on population data through July, 2018, to forecast an average daily population of 24,187 inmates in 2019-20 and 24,659 inmates in 2020-21. These population estimates were used by the administration when the bill was introduced in March, 2019.

3. 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)

	<u>Total</u>
2019-20 Estimated Populations	24,187
2019-20 Budgeted DAI Capacity*	<u>23,325</u>
2019-20 Number of Inmates Exceeding Capacity	862
2020-21 Estimated Populations	24,659
2020-21 Budgeted DAI Capacity*	<u>23,374</u>
2020-21 Number of Inmates Exceeding Capacity	1,285

\*Includes Institutions and Centers (including inmates placed at the Wisconsin Resource Center).

4. However, eight more months of population data, August, 2018 through March, 2018, is now available to reevaluate the Department's population forecast. Based on a review of more recent population data and longer-term population trends, the prison population projections should be reestimated. Utilizing this data, a lower monthly growth rate for males (.12%) and for females (.26%) results in an average daily population of 23,964 in 2019-20 and 24,326 in 2020-21. The revised estimates project 223 less individuals in 2019-20 and 333 less individuals in 2020-21 when compared to the bill. As such, the population table would be revised as follows:

## Total Correctional Facility Populations (Male and Female)

	<u>Total</u>
2019-20 Revised Estimated Populations	23,964
2019-20 Budgeted DAI Capacity*	<u>23,325</u>
2019-20 Number of Inmates Exceeding Capacity	639
2020-21 Revised Estimated Populations	24,326
2020-21 Budgeted DAI Capacity*	<u>23,374</u>
2020-21 Number of Inmates Exceeding Capacity	952

\*Includes Institutions and Centers (including inmates placed at the Wisconsin Resource Center).

5. Incorporating the revised monthly growth rate projections for male and female inmates, the estimated average daily population in 2019-20 is 23,964 total inmates, including: (a) 22,378 males; and (b) 1,586 females. The reestimated average daily population in 2020-21 is 24,326 total inmates, including: (a) 22,689 males; and (b) 1,637 females.

### Contract Beds and Variable Costs

6. Based on the Department's population projections, the Department requested contract bed funding for 1,367 inmate beds in 2019-20 and 1,790 inmate beds in 2020-21. These contract bed figures include temporary placement beds for offenders, such as community corrections extended supervision sanctions or temporary lockups, as well as federal contract beds and juvenile facility placements of youthful adult offenders, which are also funded from the contract bed appropriation.

7. The Department currently contracts with counties to house state inmates at a per diem rate of \$51.46 for all county facilities, except for Milwaukee House of Corrections (HOC). The Department currently contracts with Milwaukee HOC at a lower, per diem rate of \$40.45 because the Department provides security staff for the facility's Department of Corrections, Division of Adult Institutions housing units. In 2019-20, the Department has contracted for adults in the Division of Juvenile Corrections at a statutory daily rate of \$502. The Department also currently contracts for temporarily lock-up and federal beds at a per diem rate of \$60.

8. Typically, when the Governor introduces budget recommendations, the Department's projections may be further adjusted, depending on any new initiatives included in the bill and/or revised population data. No such initiatives are specifically budgeted in the 2019-21 biennial budget. However, there is one construction project that the bill assumes will impact inflationary costs and contract bed usage: the Oakhill Correctional Institution's assisted needs facility.

Under 2017 Act 59, Corrections was approved for \$7,000,000 in general fund-supported borrowing for the construction of a geriatric correctional facility. As initially envisioned by Corrections, the facility would be a 65-bed barracks bunk-style housing unit providing limited medical services to assist male inmates with daily living activities. The project would be built on the

Oakhill Correctional Institution grounds in Oregon, Wisconsin. As such, the 65 additional beds were factored into the Department's budgeted capacity and projected contract bed needs, as the Department assumed an April, 2020, opening for the facility. The Department of Administration, Division of Facilities Development and Management (DFDM), however, indicates that the opening time for the facility is currently unknown, but the facility could potentially open in the Spring of 2021. The delay is attributed to changes in the details surrounding the unit (for example, the precise location and the name of the facility). Construction has not started on this project and no funding for staffing or operation was requested by the agency or recommended by the Governor in the bill.

9. Given that the opening of the assisted needs facility is uncertain, additional contract bed funding would be needed for 16 beds in 2019-20 (since it was to be operating for 25% of the fiscal year) and for 65 beds in 2020-21. However, given the reestimated populations, contract bed funding may be reduced by 179 beds in 2019-20 and 240 beds in 2020-21. Population projection reestimates and facility delays will result in the following contract bed adjustments:

#### **Inmates and Contract Beds**

	<u>2019-20</u>	<u>2020-21</u>
Bill Estimated Populations	24,187	24,659
Revised Estimated Populations	<u>23,964</u>	<u>24,326</u>
Total Change	-223	-333
Budgeted DAI Capacity	23,325	23,374
Facility Bed Adjustment	<u>16</u>	<u>65</u>
Revised Total DAI Capacity	23,309	23,309
Number Exceeding Capacity+	655	1,017
Bill Contract Beds*	<u>834</u>	<u>1,257</u>
Additional Contract Beds Needed	-179	-240

+Revised Estimated Populations, less the Revised Total DAI Capacity.

\*Includes: (a) 180 beds at the Milwaukee House of Corrections annually; and (b) 654 beds in 2019-20 and 1,077 beds in 2020-21 at other state contracted facilities.

10. In total, the bill projects a need of 1,367 contract beds in 2019-20 and 1,790 contract beds in 2020-21. These beds include: (a) 180 beds at the Milwaukee House of Corrections annually; (b) 654 beds in 2019-20 and 1,077 beds in 2020-21 at other state contracted facilities; (c) 500 beds used by the Division of Community Corrections (DCC) for extended supervision sanctions; and (d) the 33 beds used by the Department for inmates in federal facilities, adult inmates in Division of Juvenile Corrections (DJC) facilities, and temporary lock-ups of inmates from correctional centers. For the purposes of assessing contract beds for adult institutional inmates, the chart above excludes DCC beds and beds for inmates in federal facilities, adults in DJC facilities, and temporary lock-ups. The -179 beds in 2019-20 and the -240 beds in 2020-21 identified above result in a funding decrease of \$3,362,100 in 2019-20 and \$4,507,900 in 2020-21.

11. Also as a result of the delayed facility opening, variable costs associated with 16 beds in 2019-20 and 65 beds in 2020-21 could be reduced since an equivalent number of inmates would be placed in contract beds rather than a state facility. Inmate variable costs include food, non-food (including clothing, laundry, and inmate wages, among other items), and health costs. Adjusting for these variables, the reduction of the facility beds from the population projections decreases the recommended funding amount for variable costs by \$111,700 in 2019-20 and \$481,400 in 2020-21.

12. The funding adjustments identified above are the result of: (a) estimating average daily inmate populations to be lower than projected by the Department in September, 2018; and (b) the delayed opening of the assisted needs facility. Utilizing these modifications, the Committee may wish to: (a) modify the recommended funding for contract beds by -\$3,362,100 in 2019-20 (-179 beds) and -\$4,507,900 in 2020-21 (-240 beds) [the total contract bed funding increase would be \$5,063,200 in 2019-20 and \$11,895,200 in 2020-21]; and (b) modify the recommended funding for inflationary cost increases by -\$111,700 in 2019-20 and -\$481,400 in 2020-21 [the total inflationary variable cost increases would be \$31,962,000 in 2019-20 and \$41,898,200 in 2020-21]. [Alternative 2]

13. Given the current uncertainty of the opening of an assisted needs facility, it is possible that additional prison bed capacity may become available in the 2019-21 biennium. However, neither the Department nor the Governor requested or recommended additional funding or staffing for the facility. If the assisted needs facility can be opened at the end of the 2019-21 biennium, the Department could pursue a 13.10 request to convert the contract bed funding provided as a result of the delay to staffing authority and associated funding to operate the facility.

14. As indicated previously, under the bill, the Governor estimated an average daily population of 24,187 in 2019-20 and 24,659 in 2020-21. Contract bed funding for this population totals \$24,828,400 GPR (\$8,425,300 GPR in 2019-20 and \$16,403,100 GPR in 2020-21) and inflationary variable costs for this population totals \$74,453,300 GPR (\$32,073,700 GPR in 2019-20 and \$42,379,600 GPR in 2020-21). [Alternative 1]

15. If the Committee takes no action, the Department's ability to provide for population-related variable costs (food, health services, clothing, laundry, inmate wages, and other supplies), and to fulfil contracts with county jails to house state inmates would be significantly restricted. [Alternative 3]

**ALTERNATIVES**

1. Approve the Governor's recommendation to estimate an average daily population in adult correctional facilities to be 24,187 in 2019-20 and 24,659 in 2020-21 and provide associated funding as follows: (a) \$8,425,300 GPR in 2019-20 and \$16,403,100 GPR in 2020-21 for contract beds; and (b) \$32,073,700 GPR in 2019-20 and \$42,379,600 GPR in 2020-21 for inflationary costs.

ALT 1	Change to	
	Base	Bill
GPR	\$99,281,700	\$0

2. Reestimate average daily populations in adult correctional facilities to be 23,964 in 2019-20 and 24,326 in 2020-21 and add the number of beds projected at the Oakhill Correctional Institution assisted needs facility to the contract bed calculation (while removing the same beds from the Department's capacity calculations). These modifications result in funding decreases associated with: (a) contract beds (-\$3,362,100 GPR in 2019-20 and -\$4,507,900 GPR in 2020-21); and (b) inflationary costs (-\$111,700 GPR in 2019-20 and -\$481,400 GPR in 2020-21).

<b>ALT 2</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$90,818,600	-\$8,463,100

3. Take no action.

<b>ALT 3</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$0	-\$99,281,700

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May, 2019

Joint Committee on Finance

Paper #236

### Fuel and Utilities (Corrections -- Adult Correctional Institutions)

[LFB 2019-21 Budget Summary: Page 99, #4]

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#### CURRENT LAW

The Department of Corrections has two GPR appropriations for energy costs associated with adult correctional facilities -- one for energy costs and energy-related assessments and one for renewable sources. Current base funding is \$25,438,700 GPR for non-renewable energy ("energy costs and energy-related assessments" appropriation) and \$560,800 GPR for renewable energy ("electric energy" appropriation).

#### GOVERNOR

Provide \$1,226,400 GPR in 2019-20 and \$1,752,700 GPR in 2020-21 associated with estimated funding for fuel and utilities in adult correctional institutions.

#### MODIFICATION

Reduce the Governor's recommendation by \$502,500 GPR annually to reflect a correction to the fuel and utility cost estimate for Corrections' adult institutions. [In total, the bill, as corrected, provides \$723,900 GPR in 2019-20 and \$1,250,200 GPR in 2020-21 for fuel and utilities.]

**Explanation:** The Department of Administration's reestimate of fuel and utility costs was based on total costs, including both renewable and non-renewable energy. The funding in the bill was based on the difference between the estimated total and the non-renewable energy appropriation base, rather than the combined base. As a result, the bill would effectively provide funding for the renewable energy in both appropriations. On May 1, 2019, DOA submitted a technical erratum on this item, indicating that the funding for the renewable energy component should have been excluded from the non-renewable energy appropriation.

	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$1,974,100	- \$1,005,000

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May, 2019

Joint Committee on Finance

Paper #237

### **Barracks Units (Corrections -- Adult Correctional Institutions)**

[LFB 2019-21 Budget Summary: Page 99, #5]

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#### **CURRENT LAW**

The Department currently operates barracks units at Columbia Correctional Institution, Dodge Correctional Institution, Fox Lake Correctional Institution (two units), Jackson Correctional Institution, Taycheedah Correctional Institution, Racine Correctional Institution, and Oshkosh Correctional Institution. Each of the existing barracks units have 144 beds. All units were constructed in 1996 by Venture Architects under one construction contract. The construction cost for the eight barracks units was \$6,455,000 (in 1996). The Department intended these barracks to be for temporary housing, but all eight are still in operation.

#### **GOVERNOR**

*Construction of New Barracks Units.* Provide \$15,000,000 in general fund supported borrowing to construct three 144-bed barracks units, including two at Jackson Correctional Institution (JCI) for male inmates and one at Taycheedah Correctional Institution (TCI) for female inmates.

*Operation of New Barracks Units.* Provide \$6,056,400 GPR and 72.0 GPR positions in 2020-21 for the operation of the three 144-bed barracks units. On an annualized basis, the barracks, as recommended by the Governor, will cost \$9,387,800 (\$6,031,500 at JCI and \$3,356,300 at TCI).

#### **DISCUSSION POINTS**

1. The Governor's capital and biennial budgets include items to construct and operate barracks units for male inmates at Jackson Correctional Institution (in Jackson County) and for female

inmates at Taycheedah Correctional Institution (in Fond du Lac County). According to the Department of Corrections, the barracks are intended to provide temporary housing until legislation is passed that can help reduce the inmate population.

**A. Construction of New Barracks Units**

2. Under the capital budget, the Governor recommended enumeration of \$5,000,000 in general fund supported borrowing to build one 144-bed barracks unit at TCI and \$10,000,000 in general fund supported borrowing to build two 144-bed barracks units at JCI. Time schedules in the Building Commission's materials indicate that units at JCI could be constructed by January, 2022, and at TCI by February, 2023. The Building Commission did not approve this, or any capital budget projects for enumeration.

3. The locations of the new barracks units were largely determined based on which medium-security institutions had sufficient space for construction and existing services for the associated increased inmate populations. Additionally, JCI typically has an employee vacancy rate below the institutional average (in the first half of 2018-19, JCI has a vacancy rate of 10.2%; the institutional average is 13.4%). As a result, the use of overtime to staff the barracks could potentially be limited at this location. When looking at locations for a female barracks unit, TCI was the only existing facility available for females classified as medium-security, which is the classification experiencing the most overcrowding.

4. The barracks unit at TCI would provide living quarters, a food serving area, bathrooms, showers, laundry areas, telephones, indoor dayrooms, a security station, staff restroom and two substance use disorder (SUD) group treatment rooms. Food would be served to inmates in one central food services area. The barracks units at JCI would provide access to existing utility infrastructure, including food and health services. Food would be prepared in the food services area of the institution, then transported to the inmates in their barracks units. At both locations, inmates would have all of the same programming and health services opportunities as the other inmates at the institution.

5. A barracks housing unit can be built within a shorter timeframe, compared to a typical housing unit construction project. A prototypical barracks housing unit design may include an officer station and food server station in the middle of a rectangular unit, with four pods of 36 beds, each with its own sleeping area and dayroom. Despite the capital budget construction time schedules, the bill assumes all three barracks would open January 1, 2021. The construction design and timeline was determined based on the Department's experience with building barracks units in 1996. According to Corrections, the new units would incorporate design changes based on the Department's prior operations of such units and have improved mechanical equipment and windows, among other improvements. Despite operating funding being provided in the bill, on May 1, 2019, the Department of Administration submitted an erratum on the barracks indicating that "if the barracks are approved, they would not be completed within the 2019-21 biennium."

6. The barracks units are intended to alleviate population capacity issues. In April, 2019, the correctional facility population (including institutions, centers, and contract beds) was at 23,722 inmates (1,545 females and 22,177 males). The Department's population growth rate anticipates that this number will climb to average daily populations of 24,187 in 2019-20 and 24,659 in 2020-21. As

of April, 2019, all correctional institutions, excluding the Wisconsin Secure Program Facility and the Sturtevant Transitional Facility, were already housing a prison population greater than the intended design capacity. During that same time, the Department was utilizing 538 contract beds in Wisconsin counties at a per diem rate of \$51.46.

7. The barracks units would serve medium-security general population inmates and SUD inmates. The Department places inmates in barracks units at their discretion. The Department may use the units to: (a) alleviate overcrowding at TCI and JCI; (b) alleviate overcrowding at a number of institutions by transferring inmates from their current institution to one of the barracks units; and/or (c) decrease the Department's need for contract beds. Due to the various options available, it is unknown if the barracks units will impact contract bed costs. However, a reduction in contract beds seems unlikely, as the inmate population is anticipated to increase, funding for the barracks did not account for any anticipated reduction in contract bed costs, and the barracks units may not open in the 2019-21 biennium. Further, according to the Department of Corrections:

"It is anticipated that the construction of barracks will help the Department reduce some of the overcrowding in the prisons by better aligning inmates with their intake security assessment. This will allow the Department to shift inmates within the system. There could be a reduction of contract beds seen, but it is difficult to estimate at the moment because of the crowding of current institutions."

8. Given the demonstrated overcrowding issues at existing adult correctional facilities, the Committee may wish to enumerate \$15,000,000 in general fund supported borrowing for two new barracks units at JCI and one new barracks unit at TCI, as recommended in the capital budget. Barracks units can be constructed at a faster rate than traditional construction projects, allowing the Department to alleviate some of the overcrowding more quickly. The Department anticipates that there are savings associated with building two barracks in one location (JCI) at the same time. However, the Department indicates that it cannot predict what the savings would be until a construction bid is accepted. There are no other building projects under the bill intended to alleviate general population overcrowding in the 2019-21 biennium. [Alternative A1]

9. As an alternative to constructing two barracks units at JCI, the Committee could instead recommend construction of one unit. This alternative would decrease construction costs by approximately \$5,000,000 in general fund supported borrowing. Under 2017 Act 185, the Department is required to close the Lincoln Hills and Copper Lake Schools for juveniles and convert the space into a fenced-minimum security adult male correctional facility called Lincoln County Correctional Institution. The facility would have an estimated capacity of 575 male inmates. While the Governor recommended removing the date of closure of the current Lincoln Hills/Copper Lake Schools (the current closure date is January 1, 2021), the process of removing juveniles from the facility in preparation for the conversion is underway, and will open up additional space for adult males, once the juvenile facility has been fully converted. As a result, increased capacity for male inmates will occur at some time in the future. Therefore, in order to mitigate creation of more capacity than may be needed in the future, one unit at JCI could be authorized. [The corresponding operation and staffing alternative is Alternative B2, identified below.] [Alternative A2]

10. On the other hand, the Committee may wish to forgo barracks construction and pursue

a more permanent housing option to address overcrowding in institutions. A comprehensive long range "Master Facilities Plan Study" is currently being compiled by the Mead & Hunt consulting firm and the BWBR architectural firm. These entities were hired in April, 2018, by the Division of Facilities and Management to provide master planning services in support of the Correctional Facilities Planning Committee. A final draft is expected to be completed sometime in 2019. While the Master Facilities Plan Study will focus on long-term solutions only, the Committee may wish to wait until the report recommendations can be fully evaluated or until the Lincoln County Correctional Institution opens. [Alternative A3]

***B. Operation of New Barracks Units***

11. Under the bill, Jackson Correctional Institution would receive \$3,936,900 GPR and 46.0 GPR positions for the new barracks units, including: 30.0 correctional officers (17.50 officers, 10.50 sergeants, and 2.0 supervising officers), 9.0 nurses, 2.0 social workers, 2.0 teachers, 1.0 psychologist, 1.0 food service leader, and 1.0 sentencing associate. Taycheedah Correctional Institution would receive \$2,119,500 GPR and 26.0 GPR positions, including: 15.0 correctional officers (8.75 officers, 5.25 sergeants, and 1.0 supervising officer), 6.0 nurses, 1.0 psychologist, 1.0 social worker, 1.0 teacher, 1.0 food service leader, and 1.0 sentencing associate. The funding for the positions covers a six-month period (January, 2021, through June, 2021).

12. The 45.0 total correctional officers and sergeants are recommended to staff the barracks units 24 hours per day, seven days per week. Specifically, there would be 4.0 officer posts and 2.0 sergeant posts for first and second shift, seven days per week at the JCI barracks and 2.0 officer posts and 2.0 sergeant posts for third shift, seven days per week at the JCI barracks. At the TCI barracks, there would be 2.0 officer posts and 1.0 sergeant post for first and second shift, seven days per week and 1.0 officer post and 1.0 sergeant post for third shift, seven days per week. Finally, the bill provides 2.0 supervising officer posts on first shift at JCI and 1.0 supervising officer post on first shift at TCI. The additional psychologists, nurses, teachers, social workers, correctional sentencing associates, and food service leaders are needed to provide programming, food services, and health services to the additional populations associated with the barracks (144 inmates at TCI and 288 inmates at JCI).

13. In total, the bill provides \$6,056,400 and 72.0 positions in 2020-21 for operation and staffing of the three new barracks units. On an annualized basis, operating two barracks units at JCI would cost approximately \$6,031,500 annually and operating a barracks unit at TCI would cost approximately \$3,356,300 annually. If the Committee recommends construction of three barracks units, the staffing patterns appear to be consistent with the current design and operation of other such units. Therefore, recommended funding and position authority could be provided. [Alternative B1]

14. If the Committee approves the construction of one barracks unit at TCI and one barracks unit at JCI (Alternative A2), staffing and operation costs at JCI would be reduced by -\$1,878,900 GPR and -21.50 positions. The modified staffing would include 24.50 positions, including: 15 correctional officers (including 8.75 officers, 5.25 sergeants, and 1.0 supervising officer), 1.0 psychologist, 4.50 nurses, 1.0 teacher, 1.0 correctional food service leader, 1.0 correctional sentencing associate, and 1.0 social worker. It is important to note that there is an operating budget benefit to building two barracks at the same time and location, as certain positions (including 1.0 psychologist, 1.0 food service leader, and 1.0 corrections sentencing associate) would remain at the same staffing

level, regardless of if there are one or two barracks at JCI. [Alternative B2]

15. It should be noted, Alternatives B1 and B2 assume the barracks can be constructed and opened by January 1, 2021. However, as stated previously, on May 1, 2019, the Department of Administration submitted an erratum on this item, indicating that the \$6,056,400 GPR and 72.0 GPR positions associated with staffing and operating the barracks in 2020-21 should be removed. Based on the erratum (indicating that the barracks "would not be completed within the 2019-21 biennium") and the proposed construction schedule in the capital budget (indicating "final completion" would occur in January, 2022, for JCI and in February, 2023, for TCD), a January 1, 2021 opening may not be possible. If the Committee incorporates the technical erratum or takes no action on the construction of the barracks (Alternative A3), all funding and staffing for operation of the barracks could be deleted. [Alternative B3]

## ALTERNATIVES

### A. *Construction of New Barracks Units*

1. Enumerate \$5,000,000 in general fund supported borrowing to construct a 144-bed barracks unit at Taycheedah Correctional Institution and \$10,000,000 in general fund supported borrowing to construct two 144-bed barracks units at Jackson Correctional Institution.

ALT A1	Change to	
	Base	Bill
BR	\$15,000,000	\$15,000,000

2. Enumerate \$10,000,000 in general fund supported borrowing associated with one barracks unit at Taycheedah Correctional Institution and one at Jackson Correctional Institution.

ALT A2	Change to	
	Base	Bill
BR	\$10,000,000	\$10,000,000

3. Take no action. This alternative may not be selected in conjunction with Alternatives B1 or B2, below, which provide funding for operation of the barracks units.

### B. *Operation of New Barracks Units*

1. Provide \$6,056,400 GPR and 72.0 GPR positions in 2020-21 for the operation and staffing of three 144-bed barracks units. This alternative assumes an opening date of January 1, 2021.

ALT B1	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$6,056,400	72.00	\$0	0.00

2. Modify the Governor's recommendation by -\$1,878,900 GPR and -21.50 GPR positions associated with removing one of two barracks unit from Jackson Correctional Institution. Provided funding would include \$4,177,500 GPR and 50.50 GPR positions in 2020-21. This alternative would support one barracks unit at JCI and one barracks unit at TCI and assumes an opening date of January, 1, 2021.

ALT B2	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$4,177,500	50.50	- \$1,878,900	- 21.50

3. Take no action.

ALT B3	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$0	0.00	- \$6,056,400	- 72.00

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May, 2019

Joint Committee on Finance

Paper #238

## Staffing and Operation of New Institutional Buildings (Corrections -- Adult Correctional Institutions)

[LFB 2019-21 Budget Summary: Page 99, #6; Page 100, #7; and Page 100, #9]

### GOVERNOR

**Staffing for Columbia Correctional Institution Health Services Unit and Restrictive Housing Program Building.** Provide \$489,800 GPR in 2019-20 and \$600,300 GPR in 2020-21 and 11.75 GPR positions annually for additional staff for the new restrictive housing program building and health services unit.

**Wisconsin Secure Program Facility Programming Expansion.** Provide \$420,900 GPR and 11.25 GPR positions in 2020-21 to staff and operate a new inmate programs building.

**Racine Correctional Institution Health Services Unit Expansion.** Provide \$1,045,300 GPR in 2019-20 and \$2,824,400 GPR in 2020-21 and 26.95 GPR positions annually to staff and operate a new health services unit.

### Staffing and Operation for New Institutional Buildings Summary

<u>Institution</u>	<u>2019-20</u>		<u>2020-21</u>		<u>Biennial Total</u> <u>GPR</u>
	<u>GPR</u>	<u>FTE</u>	<u>GPR</u>	<u>FTE</u>	
Columbia Correctional Institution	\$489,800	11.75	\$600,300	11.75	\$1,090,100
Wisconsin Secure Program Facility	0	0.00	420,900	11.25	420,900
Racine Correctional Institution	<u>1,045,300</u>	<u>26.95</u>	<u>2,824,400</u>	<u>26.95</u>	<u>3,869,700</u>
Total	\$1,535,100	38.70	\$3,845,600	49.95	\$5,380,700

### DISCUSSION POINTS

1. The bill would provide funding and staffing for two new health services units (HSU), a

new restrictive housing program building, and a new inmate programs building at Corrections' Racine (RCI) and Columbia (CCI) correctional institutions and at the Wisconsin Secure Program Facility (WSPF).

### ***Columbia Correctional Institution***

2. Funding for construction of a new health services unit (\$6,472,000) and restrictive housing unit expansion (\$6,000,000) at Columbia Correctional Institution was enumerated in the 2013-15 biennial budget. The new HSU is more than triple the size of the old HSU. The expansion includes a secure waiting area, medical and clinical rooms, supply rooms, a dental suite, multi-purpose therapy rooms, a radiology room, laboratory space, and an officer station. Under the 2017-19 biennial budget, medical staffing was provided to operate the CCI HSU 24 hours per day, seven days per week (24/7). The CCI HSU also has 1.50 position authority (reallocated from the old HSU) to staff the front desk five days a week on first shift, and received funding under the 2017-19 biennial budget to staff 1.0 security post on overtime, 24/7 (equivalent to 5.25 FTE) starting in fiscal year 2018-19.

3. Under the bill, funding for 9.0 correctional officers to staff the expanded health services unit includes: (a) one additional 24/7 patrol post (equivalent to 5.25 FTE); (b) the conversion of the one existing patrol post (equivalent to 5.25 FTE) from an overtime-funded position to a FTE position; and (c) the use of the 1.50 positions reallocated from the old HSU. Patrol staff handle the inmate movement and unit flow; verify the location of inmates; monitor appropriate inmate conduct during sick calls and appointments; and conduct pat searches, as warranted. Front desk security staff monitor entry and exit of the HSU. Security staffing, as recommended by the Governor, would reduce the use of overtime spending by \$301,100 annually. The new health services unit opened in September, 2018.

4. The new restrictive housing program building at Columbia Correctional Institution includes construction of a new 7,100 square foot building and secure outdoor recreation area that is connected to the restrictive housing unit.

5. Under the bill, funding to staff the restrictive housing program building includes \$115,200 in 2019-20 and \$131,600 in 2020-21 to fund 1.75 correctional officer positions and \$60,600 in 2019-20 and \$71,600 in 2020-21 to fund 1.0 social worker position. The security position is intended to staff a post on second shift, seven days per week. Specifically, the officer would escort inmates from their restrictive housing cells to their out-of-cell activities, which includes transport to the new programs building. Currently, CCI only has program escorts during first shift. The social work position is intended to provide structured services to inmates in the new programming space. Together, the security position and the social work position would help CCI work towards the "10/10" treatment model for restrictive housing inmates, which provides 10 hours per week of structured and therapeutic out-of-cell programming and an additional 10 hours per week out-of-cell of out-of-cell unstructured time (including day room time, meals, and recreation). The restrictive housing facility opened in April, 2019.

6. Under the bill, funding also includes \$26,600 in 2019-20 and \$24,900 in 2020-21 associated with supplies and services, including one-time radio purchases for security posts, ongoing costs for radios, and night and weekend differential salary and fringe. Additionally, the bill takes into account the reduction of -\$301,100 GPR annually, associated with a reduction in the use of overtime.

7. Funding and position authority provided under the bill for Columbia Correctional Institution's new HSU and restrictive housing program building (\$489,800 GPR in 2019-20 and \$600,300 GPR in 2020-21 with 11.75 GPR positions annually) would allow the Department to staff and operate the previously authorized building projects. As such, the Committee may wish to provide funding, as identified under the bill. [Alternative A1]

8. While it is likely that a 24/7, larger, more efficient, and teleconferencing-capable health services facility will decrease offsite medical visits, the Department indicates that the associated cost savings are unknown. According to the Department, "an individual visit to a hospital [or] clinic can vary substantially and the number of trips that will be avoided as a result of these HSU expansions is also going to fluctuate depending on what medical conditions the residents have, and whether or not those conditions can be treated in-facility."

9. However, one of the largest costs associated with offsite medical visits is security position overtime. The Department is statutorily required to submit a report to the Joint Committee on Finance and the Chief Clerk of each house on the use of overtime in state correctional institutions, identifying the institution, the costs of overtime, and the reason for the overtime at that institution. Medical vigils, defined as "inmate hospitalization involving an admission to the hospital which caused overtime," is identified in the report. In the 2018 overtime report, medical vigils accounted for 6.7% of all overtime hours. The medical vigils category includes overtime accumulated by correctional officers and correctional sergeants. In the 2017-19 biennial budget, Oshkosh Correctional Institution (OSCI) received funding to staff and operate a new HSU. Between the 2016 overtime report and the 2018 overtime report, OSCI's overtime hours for medical vigils decreased from 15,550 hours in 2016 to 12,577 hours in 2018 (a 19.1% decrease). Applying the same percentage decrease to the 2018 overtime report, CCI's annual overtime hours for medical vigils would be reduced from 2,963 to 2,397 hours per year. When applying the average salary and variable fringe rate for correctional officers and sergeants, inflated for overtime salary costs, the cost reduction associated with decreased medical vigils is \$21,200 annually.

10. The Committee may wish to incorporate these estimated medical vigil overtime savings into the bill. The Committee could reduce the recommended funding by half of the expected overtime savings (\$10,600) in 2019-20 as the Department works to hire staff and fully operate the HSU, and reduce the recommended funding by the full estimated overtime savings (\$21,200) in 2020-21. It is important to note that no HSU can eliminate all offsite medical visits, as certain procedures will always need to be done in a hospital setting. However, this alternative attempts to reduce offsite medical visit overtime consistent with the reductions other similarly-situated HSUs have seen in the past. [Alternative A2]

### ***Wisconsin Secure Program Facility***

11. The Wisconsin Secure Program Facility opened in 1999 as a site specifically for inmates in restrictive housing units. In 2007, WSPF began housing general population inmates, in addition to restrictive housing inmates. The facility now has majority of general population inmates. However, since the original design excluded general population inmates, it also excluded dayroom areas in housing units and provided minimal space for programming and outdoor recreation. Funding for construction of a new inmates program building at WSPF was enumerated in the 2017-19 biennial

budget (\$8,870,000) to add space for a gymnasium (with an adjacent weight room), programming, education, and religious services. The building will add approximately 19,650 square feet to WSPF. The new programs building will be open for approximately sixteen hours per day, seven days per week. The gymnasium will be open for most of this time, due to the minimal outdoor recreation space. The additional programming spaces will be open for approximately eight hours per day, five days per week.

12. Under the bill, funding for staffing and operational costs include: (a) \$259,100 for 8.25 correctional officers (including 3.50 correctional sergeants); (b) \$22,900 for 1.0 teacher; (c) \$37,800 for 2.0 recreation leaders; and (d) \$101,100 for institutional supplies and services. On an annualized basis, expansion of WSPF programming, as recommended under the bill, is estimated to be \$948,000. The building is expected to open in April, 2021.

13. The additional security staff are intended to patrol both the gymnasium and the program areas of the new programs building. Specifically, 3.50 correctional sergeants are recommended to staff the building for approximately sixteen hours per day, seven days per week, 3.50 correctional officers are needed to staff the gymnasium for sixteen hours per day, seven days per week, and 1.25 correctional officers are recommended to staff the program area for approximately eight hours per day, Monday through Friday. The Department indicates that if additional security positions are not provided, the programs building would operate using overtime.

14. The additional teacher position is intended to instruct vocational education classes for inmates. The institution is working with the Technical College System to identify possible programs to implement, based on the expertise of the applicants and the in-demand skills within the state. Due to limited space, WSPF's current 3.0 teachers can only teach very small groups of students in existing day rooms or at cell front. There is currently a waiting list for education. The new space is much larger and can accommodate larger class sizes. As a result, an additional teacher is needed. As of April, 2019, WSPF had the highest inmate-to-teacher ratio when compared to all other maximum security institutions for males (WSPF has 160 inmates to one teacher; Waupun has 126:1; Columbia has 81:1; and Green Bay has 55:1). If the additional teacher is provided, WSPF's ratio would decrease to 120 inmates to 1 teacher.

15. The additional recreation leaders are intended to staff the new programs building, which includes space for a gymnasium. The facility currently has 1.0 recreation leader. As of April, 2019, WSPF had the highest inmate-to-recreation leader ratio when compared to all other maximum security institutions for males (WSPF has 481 inmates to one recreation leader; WCI has 420:1; CCI has 270:1; and GBCI has 366:1). By adding the two additional positions, WSPF would have the same number of recreation leaders as other male maximum security institutions.

16. It could be argued that the additional 2.0 recreation leaders, as recommended in the bill, are appropriate, despite the lower inmate population, because WSPF has less outdoor space for inmates to use for recreation when compared to other male maximum security institutions. Consequently, most recreation time would be spent in the gymnasium at WSPF, which requires more structured activities to ensure safety and security in a confined space than would be required outdoors. [Alternative B1]

17. However, since the Wisconsin Secure Program Facility has a significantly lower inmate population than any other male maximum security institution, the inmate-to-recreation leader ratio would still be the lowest when compared to all other maximum security male institutions if the Committee chose to provide 1.0 additional recreation leader, instead of 2.0 (the ratio would, therefore, be 241:1). [Alternative B2] Under this alternative, funding (for three months) would be reduced by \$18,800 GPR and 1.0 GPR position in 2020-21. On an annualized basis, this alternative would reduce funding by \$60,700.

### ***Racine Correctional Institution***

18. The 2015-17 biennial budget enumerated funding (\$7,922,000) for construction of a new health services unit at Racine Correctional Institution. The project includes construction of a new 19,282 square foot HSU to provide medical, dental, therapeutic, and mental health services for the current population. The old HSU space will be used for additional programming space.

19. Under the bill, funding to staff the health services unit includes \$1,045,300 in 2019-20 and \$2,824,400 in 2020-21 and 26.95 positions annually, including: 5.25 correctional officers, 9.90 nurse clinicians, 6.60 licensed practical nurses (LPN), 2.80 medical program assistants, 1.0 physical therapy assistant, 0.60 dentist, 0.20 dental hygienist, and 0.60 dental assistant. Funding for a limited term employment (LTE) physical therapist position(s) (\$20,100 salary and fringe in 2019-20 and \$80,600 salary and fringe in 2020-21) is also included in the Governor's recommendation. The new health services unit is expected to open in April, 2020.

20. The additional security positions are intended to staff the new HSU, which is approximately triple the size of the old HSU. The 5.25 correctional officer positions are needed to staff one post, 24 hours per day, seven days per week. Given the increased size of the new HSU, if RCI does not receive additional security positions to staff the increased space, the HSU security would operate using overtime.

21. The additional medical staff are intended to provide increased health treatment, physical therapy, dental services, and administrative support for medical professionals to inmates in the HSU. According to the Department of Corrections, RCI medical staff "provide back-up support for Sturtevant Transitional Facility (STF) inmate medical care when needed," in addition to the RCI population. As of April, 2019, STF had a population of 143 inmates and RCI had a population of 1,701 inmates. Services are currently provided by RCI for STF's HSU from approximately 5:00 PM until 8:30 AM Monday through Friday and for 24 hours per day on Saturday, Sunday, and holidays. Racine additionally covers for staffing shortages at STF when STF staff are unavailable.

22. Racine Correctional Institution is currently authorized 16.90 FTE medical staff and also utilizes limited-term-employees (LTE) and contracted employees (including 2.0 full-time LPNs and 1.0 part-time LPN, 6.0 full-time RNs and 1.0 part-time (LTE) RN, 1.0 part-time phlebotomist, and 3.0 part-time file clerks). As of June, 2018, RCI had 17 contracted staff that worked an average of 312 hours per week (equivalent to 8.45 FTE). In calendar year 2017, RCI used 1,547 hours of LTE work in medical positions (equivalent to 0.7 FTE). The increased medical staff would allow RCI to better monitor chronic conditions and decrease daily offsite medical visits and associated funding and staff time. Racine currently has approximately seven to 10 offsite medical visits daily, with

approximately one of these visits being to the Emergency Room. The additional medical staff would also allow the HSU to operate 24/7, as opposed to the current HSU, which is only open for first and second shift. This round-the-clock service would additionally decrease offsite medical visits and associated funding and staff time. The Department currently has 24/7 health services coverage at Taycheedah Correctional Institution, Dodge Correctional Institution Infirmery, the Milwaukee Secure Detention Facility, Oshkosh Correctional Facility, and Columbia Correctional Facility. [Alternative C1]

23. Similar to the CCI HSU, while it is likely that a 24/7, larger, more efficient, and teleconferencing-capable health services facility will decrease offsite medical visits, the Department indicates that the associated cost savings are unknown. However, the medical vigils category of the overtime reports can be used to estimate potential cost savings at the RCI HSU. As indicated previously, between the 2016 overtime report and the 2018 overtime report, OSCI's overtime hours for medical vigils decreased from 15,550 hours in 2016 to 12,577 hours in 2018 (a 19.1% decrease) when the OSCI HSU was opened. Applying the same percentage decrease to the 2018 overtime report, RCI's annual overtime hours for medical vigils would be reduced from 16,111 to 13,031 hours per year. When applying the average salary and variable fringe rate for correctional officers and sergeants, inflated for overtime salary costs, the cost reduction associated with decreased medical vigils is \$115,100 annually.

24. The Committee may wish to incorporate these estimated medical vigil overtime savings into the bill. The Committee could reduce the recommended funding by half of the expected overtime savings (\$57,600) in 2019-20 as the Department works to hire staff and fully operate the HSU, and reduce the recommended funding by the full expected overtime savings (\$115,100) in 2020-21. As noted with the CCI HSU, no HSU can eliminate all offsite medical visits, as certain procedures will always need to be done in a hospital setting. [Alternative C2]

**ALTERNATIVES**

**A. Staffing for Columbia Correctional Institution Health Services Unit and Restrictive Housing Program Building**

1. Provide \$489,800 GPR in 2019-20 and \$600,300 GPR in 2020-21 and 11.75 GPR positions annually to staff and operate the new restrictive housing program building and the health services unit at Columbia Correctional Institution.

ALT A1	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$1,090,100	11.75	\$0	0.00

2. Provide \$479,200 GPR in 2019-20 and \$579,100 GPR in 2020-21 and 11.75 GPR positions annually to staff and operate the new health services unit at Columbia Correctional Institution and to account for expected overtime savings associated with reduced offsite medical visits. This alternative reduces the funding amounts provided in the bill by \$10,600 in 2019-20 and \$21,200 in 2020-21.

ALT A2	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$1,058,300	11.75	-\$31,800	0.00

3. Take no action.

ALT A3	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$0	0.00	-\$1,090,100	- 11.75

**B. Wisconsin Secure Program Facility Programming Expansion**

1. Provide \$420,900 GPR and 11.25 GPR positions in 2020-21 to staff and operate the new inmate programs building at the Wisconsin Secure Program Facility.

ALT B1	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$420,900	11.25	\$0	0.00

2. Provide funding and positions as in the bill, modified to remove \$18,800 GPR and 1.0 GPR position in 2020-21 associated with the removal of 1.0 recreation leader position [\$402,100 GPR and 10.25 GPR positions in 2020-21].

ALT B2	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$402,100	10.25	-\$18,800	- 1.00

3. Take no action.

ALT B3	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$0	0.00	-\$420,900	- 11.25

**C. Racine Correctional Institution Health Services Unit Expansion**

1. Provide \$1,045,300 GPR in 2019-20 and \$2,824,400 GPR in 2020-21 and 26.95 GPR positions annually to staff and operate the new health services unit at Racine Correctional Institution.

ALT C1	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$3,869,700	26.95	\$0	0.00

2. Provide \$987,700 GPR in 2019-20 and \$2,709,300 GPR in 2020-2021 and 26.95 GPR positions annually to staff and operate the new health services unit at Racine Correctional Institution and to account for expected overtime savings associated with reduced offsite medical visits. This alternative reduces the funding amounts provided in the bill by \$57,600 in 2019-20 and \$115,100 in 2020-21.

ALT C2	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$3,697,000	26.95	-\$172,700	0.00

3. Take no action.

ALT C3	Change to Base		Change to Bill	
	Funding	Positions	Funding	Positions
GPR	\$0	0.00	-\$3,869,700	- 26.95

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May, 2019

Joint Committee on Finance

Paper #239

### **Stanley Correctional Institution Health Services Unit Expansion (Corrections -- Adult Correctional Institutions)**

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#### **CURRENT LAW**

The Department of Corrections operates health services units at all 20 adult institutions and two of the correctional centers.

#### **GOVERNOR**

Enumerate the construction of a new health services unit (HSU) at Stanley Correctional Institution (SCI) in Chippewa County for an estimated cost of \$10,633,000 in general fund supported borrowing.

#### **DISCUSSION POINTS**

1. Stanley Correctional Institution (including the current health services unit) was built in 1998 by a private construction company (Venture Group, LLC), without prior authorization from the State of Wisconsin. Venture Group, LLC, did not collaborate with the State of Wisconsin for any design plans related to the institution. In the 2001-03 biennial budget, the state purchased SCI to operate as a state prison. In the same biennial budget, several statutory provisions were created to prohibit the state from acquiring or leasing any building, structure, or facility, or portion thereof, for occupancy by the Department of Corrections for the purpose of confining inmates, unless the facility was enumerated in the state building program or the building, structure, or facility was converted or constructed prior to January 1, 2001.

2. In the 2019-21 capital budget, the Department of Corrections requested replacement of the SCI HSU due to concerns about the current HSU's size, efficiency, and continuity of care for inmates. The current HSU is approximately 6,000 square feet (more than three times smaller than the proposed HSU). According to Corrections, "[the] amount of space is undersized for the population it serves." For example, Racine Correctional Institution (RCI) has a comparable inmate population to Stanley Correctional Institution (both have approximately 1,600 inmates). Funding for a new HSU at

RCI was enumerated in the 2015-17 biennial budget; the building is expected to open in April, 2020. The new HSU at RCI will be 19,282 square feet. Similarly, while Columbia Correctional Institution (CCI) serves a smaller inmate population (approximately 830 inmates), the new HSU at CCI is approximately 14,000 square feet. The CCI HSU opened in September, 2018. The current HSU at SCI is significantly smaller than both of the comparably-sized RCI and CCI HSUs.

3. The space limitations at the current SCI HSU have impacted continuity of care for inmates. For example, the current HSU does not have space for psychological services, which are currently located in a different building. Additionally, the layout makes compliance with the Health Insurance Portability and Accountability Act (HIPPA) and the Americans with Disabilities Act (ADA) difficult as wheelchairs do not fit through the exam room doors or into the restrooms and patients sometimes receive care services outside of exam rooms, in part due to the small size and number of exam rooms available (the rooms used as exam rooms were initially designed to be smaller, observation rooms). Further, the facility does not have any 24 hour negative pressure isolation rooms, so inmates with communicable diseases are sent to hospitals at least 25 miles away. In addition, since SCI does not have physical therapy (PT) rooms, the HSU hallway is used for PT appointments. Finally, a number of spaces are shared spaces, including a triage space that also serves as a laboratory, a waiting room that also serves as a diabetic injection site, and a room for both medication pass and property.

4. The Governor's capital budget recommended \$10,633,000 in general fund supported borrowing for a new HSU at SCI. This project and associated funding was also requested by the Department of Corrections. The Building Commission did not make a recommendation for this, or any other capital budget projects.

5. The proposed health services unit would provide space for health, dental, psychological, therapeutic, and laboratory services, as well as space for ancillary services associated with operation of a health services unit, including medical pass and programming space. The Department anticipates that the new 19,282 square foot facility would operate 24 hours per day, seven days per week. The new facility would be located between the food service building and the restrictive housing unit at SCI. The mental health services portion of the new HSU would be connected to the restrictive housing unit. The current HSU would be fully converted into the property, intake, and mail building (a part of the current HSU space is reserved for these purposes).

6. According to the Department of Corrections, a new, larger HSU would decrease trips to off-site hospitals. Less hospital trips result in reduced hospitalization costs and overtime costs associated with security staff transporting and providing security for inmates at the hospital. While the Department does not have a cost-savings estimate at this time, any potential cost-savings would be offset in a future operating and staffing budget request for the new HSU. The Department estimates that the annualized cost for operating and staffing a new HSU at SCI is \$2,680,900 and 29.35 positions. The Department estimates that the start-up cost for operating a new HSU at SCI is \$65,000.

7. The capital budget anticipates that construction would begin in March, 2021, with substantial completion of the facility in June, 2022. The project must be enumerated before any architecture and engineering selection can occur. If the Committee includes this item, the timeline would be subject to change based on when the budget bill is signed into law.

8. Funding for the project can be broken down into construction costs and "soft costs" (which include design fees, construction administration fees, commissioning and other testing fees, and project contingency fees (4%), among other items). The Department of Administration, Division of Facilities Development and Management (DFDM) indicates that construction costs account for approximately 77% of the total cost of any building project; the other 23% is for soft costs.

9. Corrections anticipates the total construction cost to amount to approximately \$8,213,000 (when rounded). This cost includes: (a) \$7,312,000 for renovation and remodeling costs; (b) \$50,000 for utilities (including water, sewer, gas, electric, and steamed/chilled water); (c) \$28,000 for site development; and (d) \$823,000 for location and site condition factors (including securing the site).

10. In addition, the Department of Corrections anticipates the total "soft costs" to amount to approximately \$2,420,000 (when rounded). This cost includes: (a) \$723,000 for architecture and engineering design; (b) \$22,000 for other design fees (including a survey/soil engineer, miscellaneous fees, an asbestos/environmental consultant, and commissioning fees); (c) \$821,000 for project contingency fees; (d) \$361,000 for the DFDM fee; and (e) \$493,000 as a movable equipment allowance.

11. Under the bill, a total cost of \$10,633,000 in general fund supported borrowing is recommended for this project. The construction costs account for approximately 77% of the total project costs and the soft costs are approximately 23% of the total project costs. This percentage breakdown is consistent with typical building project costs. [Alternative 1]

12. A comprehensive long range "Master Facilities Plan Study" is currently being compiled by the Mead & Hunt consulting firm and the BWBR architectural firm. These entities were hired in April, 2018, by DFDM to provide master planning services in support of the Correctional Facilities Planning Committee. The report is anticipated to be completed sometime in 2019. Stanley Correctional Institution will be evaluated in connection with this study. Therefore, the Committee may wish to wait for the final Master Plan to be published. In this case, the Committee could take no action. [Alternative 2]

**ALTERNATIVES**

1. Enumerate \$10,633,000 in general fund supported borrowing to construct a new health services unit at Stanley Correctional Institution.

ALT 1	Change to	
	Base	Bill
BR	\$10,633,000	\$10,633,000

2. Take no action.

Prepared by: Shannon E. Huberty





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May, 2019

Joint Committee on Finance

Paper #240

### Technical Mobile Labs and Vocational Training Equipment (Corrections -- Adult Correctional Institutions)

[LFB 2019-21 Budget Summary: Page 101, #12]

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#### CURRENT LAW

The Department of Corrections currently operates one technical mobile lab at Racine Correctional Institution. Base funding for the technical mobile lab is \$120,000 annually for the cost of the instructor and supplies and materials.

#### GOVERNOR

Provide \$440,000 GPR annually to support technical mobile labs and vocational training equipment, including: \$200,000 GPR annually for updating and replacing program equipment and \$240,000 GPR annually for instructional costs at two technical mobile labs. Instruction for the welding lab began in March, 2019. Instruction for the electrical/mechanical lab is anticipated to begin in June, 2019.

#### DISCUSSION POINTS

1. Technical mobile labs are self-contained classrooms inside a trailer located on institutional grounds. The Department currently operates one computer numerical control (CNC) mobile lab located at Racine Correctional Institution. Instruction in the CNC mobile lab began in January, 2015. The CNC program began operating eight hours per day, four days per week, for 19 weeks. In 2017-18, 23 students earned a 16-credit CNC Operator Certification from Gateway Technical College in the CNC mobile lab. The current CNC cohort is operating under an expanded, 19-credit program, which operates seven hours per day, four days per week, for approximately 25 to 30 weeks.

2. Given the number of inmates successfully completing the CNC mobile lab program, the Department of Workforce Development (DWD) funded the costs to purchase two additional mobile labs (approximately \$1 million). The Department of Workforce Development also provided additional instructional start-up funding that will expire at the end of the current fiscal year (\$140,000). Finally, after submitting the 2019-21 agency budget request in September, 2018, the Department also received a DWD Fast Forward grant for the mobile labs totaling \$400,000 (\$15,000 for supplies and operating expenses and \$385,000 for instructional and training costs).

3. Under the bill, funding is provided to operate the two new technical mobile lab sites, including one welding mobile lab to share between Taycheedah Correctional Institution and Kettle Moraine Correctional Institution (KMCI) and one electrical/mechanical mobile lab to share between Jackson Correctional Institution and New Lisbon Correctional Institution (NLCI).

4. The welding mobile lab is intended to train eight students in each cohort, with a total of three cohorts per year. The Department anticipates 24 students will successfully complete the welding certificate program annually. [The Department indicates that a small percentage of participants may not complete the program due to withdrawal or termination, but the Department "will make every effort to ensure [students] successfully complete the program"]. The first welding cohort began in March, 2019, with classroom instruction inside the institution. This instruction is being funded by the DWD grant, set to expire at the end of the 2018-19 fiscal year. The welding program will likely occur for six hours per day, five days per week, for 14 weeks (worth 11 credits). The welding lab is currently on-site at TCI, but electrical work and testing of the lab and equipment is still being done to ensure the lab is fully operational.

5. The electrical/mechanical mobile lab is intended to train 12 students in each cohort, with a total of three cohorts per year. The Department anticipates 36 students will successfully complete the electrical mechanical industrial maintenance certificate program annually. [As with the welding lab, the Department indicates that a small percentage of participants may not complete the program due to withdrawal or termination, but the Department "will make every effort to ensure [students] successfully complete the program"]. The electrical/mechanical program will likely occur for six hours per day, five days per week, for approximately 12 to 15 weeks (worth 12 credits). The electrical/mechanical lab is on-site at JCI, but the equipment is still being delivered and set up. The Department anticipates instruction will begin in June, 2019. It is important to note that operational dates for labs are flexible, given the complex nature of the equipment and the testing that needs to be completed before programming within the lab can begin. As a result, the June, 2019 date for JCI serves as the Department's estimate at this time.

6. To be eligible for these programs, inmates must have adequate reading and math scores. The welding lab requires high school level reading and math capabilities and the electro-mechanical lab recommends a Test of Adult Basic Education (TABE) reading score of 597 to 616 (equivalent to a 10th grade reading level) or a National Reporting System (NRS) reading score of Level 5 (Level 6 is the highest), along with high school level math capabilities. In addition to the educational requirements, participants are screened and selected based on release dates (priority is given to those closer to their release date upon completion of the program). The recruitment and screening of eligible inmates is done by the institutions, in collaboration with the technical college staff.

7. Both of the new labs are mobile, and can be driven from TCI and JCI to their partner institutions (KMCI and NLCI). Taycheedah is approximately 20 miles from KMCI and JCI is approximately 50 miles from NLCI. The current agreement is for the mobile labs to transition to the partner location after one year (three cohorts of classes). This rotation schedule may continue yearly, or the labs may be moved to another institution, if placement at another institution is deemed more suitable. The Department anticipates it will be able to cover fuel costs for transporting the mobile labs with existing funds.

8. Under the bill, funding includes \$240,000 GPR annually for instructional costs at the two new sites (\$120,000 GPR for each teacher, including salary and fringe benefits). The instructors have both been contracted for from the local technical college programs (Moraine Park Technical College for TCI/KMCI and Western Technical College for JCI/NLCI). Funding also includes \$200,000 annually for vocational training program realignment, which involves updating and replacing program equipment. These funds may be used for mobile lab equipment replacements or updates, but may also be used for any other vocational program that the Department operates (for example, it could include industrial ovens for the food services program). Funding would be allocated as supplies and services under the Becky Young community corrections appropriation.

9. Given the number of participants successfully completing the RCI mobile lab program, the Committee may wish to provide staff and realignment funding to operate the two new mobile labs and maintain equipment in other vocational programs, as recommended under the bill. [Alternative 1]

10. However, as mentioned previously, the Department received DWD grant money to cover some of the mobile lab start-up and instructional expenses. While some of this funding has already been used in 2018-19 to equip the labs and begin instruction, the Department anticipates that the \$385,000 Fast Forward grant money for instructional costs will not be fully depleted until late in calendar year 2020. As a result, the Committee may wish to provide \$200,000 GPR annually for updating and replacing program equipment and \$120,000 GPR in 2020-21 for instructional costs. [In total, this would reduce funding in the bill by \$240,000 GPR in 2019-20 and \$120,000 GPR in 2020-21.] [Alternative 2]

11. The Committee could also take no action. Under this alternative, the mobile labs could potentially be used until Fast Forward funding is gone. After grant funding expires, the Department may choose to reallocate funds from other programs by eliminating or downsizing those programs or end the mobile lab program. In the latter case, the mobile labs would remain on-site, unused. [Alternative 3]

## **ALTERNATIVES**

1. Provide \$440,000 GPR annually to support technical mobile labs and vocational program equipment.

<b>ALT 1</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$880,000	\$0

2. Provide \$200,000 GPR in 2019-20 and \$320,000 GPR in 2020-21 to support technical mobile labs. Funding includes: (a) \$200,000 GPR annually for vocational program equipment; and (b) \$120,000 in 2020-21 for mobile lab instructional costs.

<b>ALT 2</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$520,000	- \$360,000

3. Take no action.

<b>ALT 3</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$0	- \$880,000

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May, 2019

Joint Committee on Finance

Paper #241

### **Windows to Work Expansion (Corrections -- Adult Correctional Institutions)**

[LFB 2019-21 Budget Summary: Page 101, #13]

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#### **CURRENT LAW**

The Department of Corrections currently operates a "Windows to Work" job services program for inmates, pre- and post-release from prison. Current funding for the program is \$1,492,200 GPR annually.

#### **GOVERNOR**

Provide \$250,000 GPR annually to expand the Department of Corrections' Windows to Work program to include the Racine Youthful Offender Correctional Facility (RYOCF), increase programming at Kettle Moraine Correctional Facility (KMCI) and the Milwaukee Secure Detention Facility (MSDF), and increase services to individuals returning to Milwaukee County and other Workforce Development Board areas.

#### **DISCUSSION POINTS**

1. Windows to Work (WTW) is a job services pre- and post-prison release program administered in partnership with the Department of Workforce Development's Workforce Development Boards (WDB). The program is designed to address criminogenic needs of medium- to high-risk offenders that may lead to recidivism, such as employment, education, anti-social cognition, anti-social personality, and anti-social companions. Workforce Development has 11 regional Workforce Development Boards responsible for labor training and development activities in specific geographical areas of the state. Corrections contracts with each of these boards to provide a WTW program at correctional institutions or county jail facilities in the particular workforce development area. Corrections describes the WTW program as follows:

"Individual and group participation begins 3 to 9 months prior to release from incarceration. The

WTW Coach provides participants with classroom training in core curriculum content areas, such as Cognitive Intervention, General Work Skills and Expectations, Financial Literacy, Community Resources, Job Seeking, Applications and Resumes. In coordination with the institution social worker and/or community corrections agent, individual release/case planning takes place. Coaches use a variety of assessment tools to assist in determining skill level and career path choices.

During the pre-release phase, county jail programs may function in a different manner due to the transient nature of the population. Many jail programs offer support to participants on an individual basis. This process still requires the utilization of curriculum as defined above, but in a more individualized manner.

In coordination with the Division of Community Corrections (DCC) Probation and Parole Agents, coaches assist participants with job search and job retention activities for approximately 12 months after release from incarceration. Participants receive assistance in accessing available community resources to address needs for food, shelter, clothing, transportation, and other services. WTW programs sometimes have limited funds to assist participants in addressing barriers to employment, such as transportation, education, personal identification (such as a driver's license) and work supplies."

2. Facilities where WTW programs operate and the WDB with which Corrections contracts include the following:

<u>Facility/Jail</u>	<u>Workforce Development Board Area(s)</u>
Chippewa Valley Correctional Treatment Facility	Northwest, West Central
Fox Lake Correctional Institution	South Central
Jackson Correctional Institution	Western
Milwaukee Secure Detention Facility	Milwaukee
New Lisbon Correctional Institution	Western
Oakhill Correctional Institution	South Central
Oshkosh Correctional Institution	Bay Area, Fox Valley
Prairie du Chien Correctional Institution	Southwest
Racine Correctional Institution	Milwaukee, Southeast
Redgranite Correctional Institution	Fox Valley
Kettle Moraine Correctional Institution	Bay Area
Sturtevant Transitional Facility	Milwaukee, Southeast
Stanley Correctional Institution	Northwest, West Central
Taycheedah Correctional Institution	Bay Area
Adams County Jail	North Central
Douglas County Jail	Northwest
Rock County Jail	Southwest
Waukesha County Huber Facility (Jail)	Waukesha-Ozaukee-Washington
Wood County Jail	North Central

3. According to the Department of Corrections, prior to a program redesign, WDB program employees could only enroll participants that were being released back to the WDB area that the employees worked in. Beginning on May 30, 2017, WTW started a process redesign that was intended to allow WDBs to transfer participants from one WDB area to another. Institutionalized participants can now enroll in the program while incarcerated and then transfer to the program in the WDB area

where they will be residing upon release. For example, the Bay Area WDB at Oshkosh Correctional Institution previously only enrolled inmates releasing back to the Bay Area; subsequent to the redesign, the Bay Area WDB can enroll an inmate releasing to Dane County, and then transfer that person to the program coach in the South Central WDB area upon release. Employ Milwaukee is the only WDB that does not currently accept transfers due to the high demand for programming and the current program population numbers in that WDB area. The redesign (along with the expansion of the program to new institutions) has directly impacted new enrollments in 2016-17 and 2017-18 as coaches are no longer limited to recruiting and enrolling individuals releasing to their WDB area.

4. Funding in 2018-19 for the WTW program is approximately \$1.5 million GPR. Funding is allocated as supplies and services under the Becky Young community corrections appropriation and supports costs such as coach positions, offender services, administrative costs, and training materials and supplies. During the 2017-19 biennial budget, the Committee increased WTW funding by \$250,000 GPR annually.

5. According to the Department, WTW had 507 newly enrolled participants in 2017-18, with an average daily population of 450 participants. During the 2017-18 fiscal year, 325 offenders were released from incarceration or began a jail-based WTW program. Of these participants, 255 obtained employment (78.5%). Of all of the active participants in 2017-18, 403 participants found 563 episodes of employment. An episode of employment includes temporary placements, on-site job training, work experience, seasonal employment, and full- and part-time employment. The average wage of a WTW participant was \$11.99 per hour in 2017-18.

6. While WTW does not maintain a waiting list, 2,300 individuals were identified as program-eligible as of April, 2019. As a result of program demand, WTW programs sometimes have limited funding to assist participants with transportation, education, and work supplies. This has especially been the case since the redesign of WTW. Funding in the bill is intended to allow the Department to more adequately support these costs as well as to expand WTW program services.

7. Under current program operations, funding is provided to local WDBs by contract to support released participants in the area and inmate participants in areas with prison facilities. It is up to WDBs to determine how the funding they receive should be allocated. Many WDBs supplement the program utilizing additional federal and/or state funding (the exact amounts are not tracked by Corrections and may vary from year to year).

8. Corrections will need to negotiate contracts with each of the WDBs to determine the exact allocation of funds provided under the bill. According to the Department, increased funding is intended to: (a) support enrollment of and provide case management services to offenders who will transfer back to Milwaukee after release from non-Milwaukee area institutions, since these releases are not currently allowed by the Employ Milwaukee WDB; (b) allow additional support for offenders released from the Milwaukee Secure Detention Facility (Employ Milwaukee WDB) and KMCI (Bay Area WDB); (c) expand WTW to the Racine Youthful Offender Correctional Facility (the only minimum- or medium-security facility at which WTW does not operate) through contracts with the Southeast WDB and/or the Employ Milwaukee WDB; and (d) provide for increased WTW participation through other WDBs. The bill does not specify to which WDBs monies would be allocated. Rather, as under the current program, Corrections would negotiate contracts with the WDBs

to provide the services Corrections determines may be appropriate for WTW participants in a particular WDB area.

9. While not specified in the bill, the Department indicates it anticipates allocating an additional \$76,000 to the Milwaukee WDB area, \$84,000 annually to the Southeast WDB area, \$5,500 to the Waukesha-Ozaukee-Washington (W-O-W) WDB area, \$27,000 to the Fox Valley WDB area, \$25,000 to the Bay Area WDB area, \$7,500 to the Northwest WDB area, \$10,000 to the West Central WDB area, \$10,000 to the Western WDB area, and \$5,000 to the Southwest WDB area. No additional funding is projected for the South Central or North Central WDB areas. However, as mentioned previously, funding allocated to each area represents the Department's estimate, and would be subject to change based on contracts entered into with each board.

10. Given the program's successful post-release job placements and recent redesign, the Committee may wish to provide increased funding, as recommended under the bill (\$250,000 GPR annually). Under this alternative, WTW would be operating in every minimum- and medium-security institution in the state. The Department, through contracts with the WDB areas, would have discretion to allocate funding to WDBs based on estimated offender need in the WDB area served. This would be similar to the manner in which the Committee provided additional funding to WTW in the 2017-19 biennial budget. The Department has indicated their estimated allocation of funding, above, based on area capacity, geographic footprint, and institutions served. [Alternative 1]

11. As noted previously, the 2017 redesign increased new enrollments and transfers across the state. In part due to the redesign, transfers increased by 400% from 2016-17 to 2017-18 and new enrollments increased by 74% during that same time. By way of example, the average annual new enrollments between 2014-15 and 2016-17 was 274 participants. In 2017-18, that number increased to 507. Given this increase in number of participants, the Committee could provide additional funding, beyond that recommended under the bill. If an additional \$50,000 GPR annually (\$300,000 annual change to base) was provided, the Department could provide increased monies to all WDBs to assist with increased populations and expand programming. [Alternative 2]

12. On the other hand, the Committee could reduce funding provided in the bill by \$50,000 GPR annually (\$200,000 annual change to base). Under this alternative, the Department would have to negotiate contract agreements with the 11 WDBs with a smaller budget increase available for distribution. [Alternative 3]

13. The Department currently has approximately \$1.5 million GPR in base resources budgeted for WTW. If the Governor's recommendation was removed, base resources would be available to continue the existing program. Funding for the program was increased in the last biennial budget, and the Department did not request additional funding for WTW in the agency's 2019-21 budget request. [Alternative 4]

## **ALTERNATIVES**

1. Provide \$250,000 GPR annually to expand the Department's Windows to Work program largely in the Milwaukee and Southeast WDB areas, with remaining funding to other WDB areas.

<b>ALT 1</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$500,000	\$0

2. Provide \$300,000 GPR annually to expand the Department's Windows to Work program.

<b>ALT 2</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$600,000	\$100,000

3. Provide \$200,000 GPR annually to expand the Department's Windows to Work program.

<b>ALT 3</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$400,000	- \$100,000

4. Take no action.

<b>ALT 4</b>	<b>Change to</b>	
	<b>Base</b>	<b>Bill</b>
GPR	\$0	- \$500,000

Prepared by: Shannon E. Huberty



# **CORRECTIONS**

## **Adult Correctional Institutions**

### **LFB Summary Items for Which No Issue Paper Has Been Prepared**

<u>Item #</u>	<u>Title</u>
8	Full Funding of Columbia Correctional Institution Health Services Unit
10	Full Funding of Oshkosh Correctional Institution Health Services Unit
11	Institutional Repair and Maintenance -- Adults
14	Institutional Jobs Centers
15	Vehicle Replacement