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Joint Committee on Finance

Paper #296

Wisconsin Resource Center Security Operations Transfer (Corrections -- Adult Institutions, and Health Services -- Care and Treatment Facilities)

[LFB 2023-25 Budget Summary: Page 135, #4, and Page 293, #7]

CURRENT LAW

The Wisconsin Resource Center (WRC), in Oshkosh, is a Department of Health Services (DHS) facility for male and female Department of Corrections (DOC) inmates with severe and persistent mental health and/or programming needs. As of May, 2023, WRC housed 389 individuals, including 355 males and 34 females.

Under s. 46.056(1), DHS has the responsibility for administering the center as a correctional institution that provides psychological evaluations, specialized learning programs, and training and supervision for inmates whose behavior presents a serious problem to themselves or others in state prisons and whose mental health needs can be met at the center. The secure mental health units or facilities appropriation [s. 20.435(2)(bm)] in DHS funds the operation of the Wisconsin Resource Center, but is prohibited by statute from being used to fund security operations at WRC. Under s. 46.056(2), correctional officers providing security at the Wisconsin Resource Center are employees of the Department of Corrections.

DISCUSSION POINTS

1. Prior to 1990, the Department of Corrections was a division within the Department of Health and Social Services (the Division of Corrections). According to DHS, after splitting into two independent agencies, DOC officers remained at the WRC facility "because of issues in the labor contract and other labor relations-related issues which are no longer relevant (such as transfers

between Departments)."

2. Since that time, DHS indicates that the split staffing between the agencies "is inefficient and introduces needless complexity and challenges to human resources administration." For example, DOC staff and DHS staff are subject to different timekeeping policies, discipline procedures, and are receiving benefits and pay from different organizations. The Department of Corrections agrees that challenges exist and indicates that transferring the WRC DOC security staff to DHS would streamline the operations of WRC and is in the best interest of the agencies and the employees.

3. Corrections currently has 110 full-time security personnel at WRC, including 71 correctional officers, 31 correctional sergeants, and eight supervising officers. As of April 1, 2023, 14 of the 110 security positions were vacant. Under the bill, if the positions were transferred to DHS, the incumbent employees would be transferred into the same roles, at the same seniority level, and would maintain their current wage and accumulated benefits. According to Corrections, any impact on the employees themselves would be "very minor."

4. Under the budget bill, DHS would receive \$9,320,600 GPR and 110.0 GPR positions annually. These costs include: (a) \$5,965,600 GPR annually for salaries; (b) \$2,882,000 GPR annually for fringe benefits (at the protective service fringe benefit rate); and (c) \$473,000 GPR annually for supplies and services (including information technology charges and office and administrative expenses).

5. Conversely, DOC's budget would be reduced by \$8,906,900 and 110.0 GPR positions annually. The difference of \$413,700 annually between the DOC reduction and the DHS increase is related to supplies and services. DHS budgets for certain facility expenses on a per employee basis, through intra-agency charges for services. Thus, the bill would provide \$4,300 per security staff member to cover: (a) monthly network IT charges (\$234 per month, or \$2,800 annually (rounded)); (b) monthly phone charges (\$40 per month, or \$500 annually (rounded)); and (c) supplies and services (\$1,000 annually).

6. In addition to funding and positions, statutory language modifications would be necessary to facilitate the transfer. Under the bill, the secure mental health units or facilities appropriation would be amended to allow DHS to fund security services at WRC. Further, under s. 46.056(2), the specification that correctional officers at WRC are Corrections employees would be eliminated.

7. Finally, non-statutory language would specify that the incumbent employees would be transferred with existing seniority and accrued benefits, tangible personal property (including records), assets and liabilities primarily related to security operations at WRC, and any matter pending with the Department of Corrections related to security operations at WRC would also be transferred. All contracts entered into by DOC primarily related to security operations at WRC in effect on the effective date of the bill would remain in effect and transferred to DHS.

8. Given that both DHS and DOC support transferring WRC security staff from DOC to DHS, and that it would streamline operations while minimally impacting incumbent employees, Committee may wish to approve the transfer and associated statutory changes, as outlined under the

bill (-\$8,906,900 GPR and -110 GPR positions annually in the Department of Corrections and \$9,320,600 GPR and 110 GPR positions annually in the Department of Health Services). [Alternative 1]

9. Alternatively, the Committee could take no action, which would continue the operational agreement that has existed at the Wisconsin Resource Center between DHS and DOC since 1990. [Alternative 2]

ALTERNATIVES

1. Reduce the Department of Corrections' budget and position authority by -\$8,906,900 GPR and -110 GPR positions annually, and provide \$9,320,600 GPR and 110 GPR positions annually to the Department of Health Services to facilitate the transfer of security positions at the Wisconsin Resource Center between the agencies. This alternative requires statutory language changes associated with the transfer, as identified under the budget bill.

ALT 1	Change to Base	
	Funding	Positions
Corrections		
GPR	- \$17,813,800	-110.00
Health Services		
GPR	<u>18,641,200</u>	<u>110.00</u>
Total	\$827,400	0.00

2. Take no action.

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