



Legislative Fiscal Bureau

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November 12, 2014

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Justice: Section 13.10 Request to Provide GPR Funding for the Administration of the Treatment Alternatives and Diversion Program -- Agenda Item III

REQUEST

On September 24, 2014, the Department of Justice (DOJ) requested the transfer of \$256,300 GPR in 2014-15 from the Joint Committee on Finance's GPR supplemental appropriation to the Department to fund its administration of the treatment, alternatives and diversion (TAD) program, and the county drug court grant program. Additionally, the DOJ request includes the creation of 5.0 GPR positions in 2014-15 (2.0 research analysts, 2.0 program and policy analysts, and 1.0 grants specialist).

BACKGROUND

Treatment, Alternatives and Diversion Program at the Office of Justice Assistance. The TAD program provides grants to counties to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, which provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. In 2012-13, base funding for the program in the Department of Administration's Office of Justice Assistance (OJA) included: (a) \$1,038,900 PR in annual grant funding supported by the justice information system surcharge; and (b) \$112,000 PR and 0.6 PR position (\$65,000 in penalty surcharge funding, \$39,500 in justice information system surcharge funding, and \$7,500 in drug abuse program improvement and drug offender diversion surcharge funding). The annual base grant funding of \$1,038,900 PR has been utilized to support seven county-based TAD projects.

2013 Act 20. Under 2013 Act 20 (the 2013-15 biennial budget act), OJA was eliminated and many of its functions (including TAD) were transferred to DOJ. Act 20 also provided an additional \$1,000,000 GPR annually in grant funding for the TAD program under DOJ.

In addition to expanding the TAD program, Act 20 created the county drug court grant program under DOJ and provided \$500,000 GPR annually to the program. The county drug court grant program provides funding to counties to establish and operate drug courts. The Department of Justice may only provide this funding to counties that have not established drug courts.

Act 20 created new reporting rules for DOJ for these programs, as well as for three other programs that it administers. Under these new reporting rules, beginning January 15, 2015, and annually thereafter, DOJ must provide the following information to the Legislature: (a) the amount of each grant awarded by DOJ for the prior fiscal year; (b) the grantee to whom each grant was awarded; (c) the agency's methodology for awarding grants and determining the level of grant funding; (d) performance measures created by DOJ for each grant program; and (e) reported results of each grant recipient in each fiscal year as to the attainment of performance measures developed for it under the relevant grant program. Act 20 also established that every two years, the Department must evaluate the TAD program.

2013 Act 197. Under the companion bills of 2013 Senate Bill 507 and 2013 Assembly Bill 668, any county receiving a TAD grant would be required to submit data requested by DOJ to the Department each month. The Department of Justice could request any data regarding a county TAD project that was necessary to evaluate the project and prepare its required reports. Further, DOJ would be required to annually analyze the data submitted by county TAD programs and prepare a progress report evaluating the effectiveness of the TAD program.

Under the companion bills, every five years DOJ would be required to prepare a comprehensive report analyzing the data submitted by county TAD programs and analyzing its annual TAD reports. The Department would also be required to include in this comprehensive report a cost benefit analysis of the grant program and submit the report to the Chief Clerk of each house for distribution to the Legislature.

Finally, the companion bills would provide an additional \$1,500,000 GPR annually in the TAD appropriation during 2013-15 to provide grants to counties that establish alternatives to prosecution and incarceration for criminal offenders.

In its fiscal estimate for these companion bills, DOJ estimated that it would need \$366,000 and 5.0 positions annually to carry out its expanded responsibilities under: (a) Act 20, including the expanded TAD program and the new county drug court grant program; and (b) SB 507/AB 668.

On February 19, 2014, the Joint Committee on Finance acted on these companion bills. On a vote of 4-11-1, the Committee rejected Assembly Amendment 1 to AB 668 and Senate Amendment 1 to SB 507. Both amendments would have provided \$366,000 GPR and 5.0 GPR positions in 2014-15 to DOJ, to provide administrative resources as requested by the Department. The Committee subsequently recommended the companion bills for passage, without administrative funding or positions for DOJ, on a vote of 15-0. Assembly Bill 668 was subsequently passed by the Assembly on a vote of 95-0, and by the Senate on a vote of 32-0. Assembly Bill 668 was not amended by the Legislature and was published as Act 197 on April 8, 2014.

Prior to Acts 20 and 197, TAD grants were awarded to nine counties and one tribe operating

seven programs (there were two joint programs). The Department has announced that the additional grant funding provided under 2013 Acts 20 and 197 will be awarded to 23 counties and two tribes establishing 23 new TAD programs, as well as four counties and one tribe establishing four new drug courts. The nine TAD projects and four drug courts approved after the expansion under Act 20 began operation January 1, 2014. The 14 TAD projects approved after the expansion under Act 197 began operation June 1, 2014.

2015-17 Biennial Budget Request. On September 15, 2014, DOJ submitted its 2015-17 biennial budget request, which includes an item similar to DOJ's current s. 13.10 request. In the biennial budget request, the Department seeks an additional \$308,900 GPR in 2015-16 and \$363,900 GPR in 2016-17 and 5.0 GPR positions (2.0 research analysts, 2.0 program analysts, and 1.0 grants specialist) for the administration of the TAD and county drug court grant program. The request indicates that these positions would perform the increased administration, reporting, evaluation, and monitoring required by 2013 Acts 20 and 197.

According to the biennial budget request, the positions would allow DOJ to assume all evaluation responsibilities of the TAD program. Since 2006, the University of Wisconsin Population Health Institute (UWPHI) has been under contract to provide the evaluation of the TAD program that is required under statute. The Health Institute prepares an annual progress report on the TAD program and detailed cost-benefit analyses of the program.

Under s. 165.95(2) of the statutes, DOJ is required to collaborate with the Departments of Corrections and Health Services in establishing the TAD program. The current contract with UWPHI ends on December 31, 2014, and costs \$90,900 per year. The contract is paid for by DOJ (\$60,300 PR), Corrections (\$15,300 GPR), and DHS (\$15,300 FED). In 2013-14, the Department of Justice paid for its portion of the contract from the following program revenue appropriations: \$39,500 PR from alternatives to prosecution and incarceration for persons who use alcohol or other drugs; \$7,500 PR from grants for substance abuse treatment programs for criminal offenders; and \$13,300 PR from law enforcement training fund.

The Department of Justice has indicated in both the biennial budget request and the s. 13.10 request that the Health Institute has estimated that its evaluation services under the expanded TAD program would cost up to \$320,000 annually.

ANALYSIS

On September 24, 2014, DOJ submitted its s. 13.10 request to the Committee seeking the transfer of \$256,300 GPR in 2014-15 from the Committee's GPR supplemental appropriation to the Department to fund its administration of the TAD program and the county drug court grant program. Additionally, DOJ requests the creation of 5.0 GPR positions in 2014-15. Table 1 details the costs associated with DOJ's request in 2014-15. Table 2 details the costs associated with DOJ's request on an annualized basis during the 2015-17 biennium.

TABLE 1

Costs Associated with DOJ's s. 13.10 Request in 2014-15

<u>Position Classification</u>	<u>Salary</u>	<u>Fringe</u>	<u>One Time Costs</u>	<u>Supplies and Services</u>	<u>Total</u>
2.0 Research Analysts	\$54,500	\$21,000	\$9,100	\$18,400	\$103,000
2.0 Program and Policy Analysts	54,500	21,000	9,100	26,000	110,600
1.0 Grants Specialist	<u>20,900</u>	<u>8,100</u>	<u>4,500</u>	<u>9,200</u>	<u>42,700</u>
Total	\$129,900	\$50,100	\$22,700	\$53,600	\$256,300

TABLE 2

Annualized Costs Associated with DOJ's s. 13.10 Request During the 2015-17 Biennium

<u>Position Classification</u>	<u>Amount</u>
2.0 Research Analysts	\$148,600
2.0 Program and Policy Analysts	156,200
1.0 Grants Specialist	<u>59,100</u>
Total	\$363,900

Under s. 13.101 of the statutes, the Committee may approve a request for supplemental funding if the Committee finds that: (a) an emergency exists; (b) no funds are available for such purposes; and (c) the purposes for which a supplemental appropriation is requested have been authorized or directed by the Legislature.

Given that the Finance Committee rejected amendments to provide resources to DOJ for program administration, and that resources were not provided by the Legislature, one could argue that approval of a supplemental request is counter to the criteria under s. 13.101.

Furthermore, the Department's 2015-17 biennial budget request includes a request for \$308,900 GPR in 2015-16 and \$363,900 GPR in 2016-17 to fund the same 5.0 GPR positions being requested under the s. 13.10 request. [The different levels in funding between the s. 13.10 request and the biennial budget request are due to the fact that the s. 13.10 request assumes the positions will be funded for seven months (starting December 1, 2014), while the biennial budget request assumes the positions will be funded for nine months in 2015-16 and a full year in 2016-17.] Since funding and positions are requested in the Department's 2015-17 biennial budget, the Committee could address the issue of TAD administrative funding when addressing the upcoming biennial budget.

With regards to current staffing levels of the TAD and drug court program, \$70,000 GPR and portions of positions totaling 0.55 position were transferred from OJA to administer TAD

under 2013 Act 20. In conjunction with a previously authorized departmental reorganization, Justice indicates that it has utilized current position vacancies to hire the following two positions, which will begin in mid-November: one program and policy analyst-advanced and one program and policy analyst. The program and policy analyst-advanced (PPA-Advanced) will travel to TAD sites, as well as other diversion courts funded from non-TAD sources, to provide the projects with technical assistance and program reporting. However, the Department indicates it will be difficult for the PPA-Advanced to provide adequate assistance to both the TAD projects and other diversion courts across the state. Should the Committee approve the s. 13.10 request, the PPA-Advanced would be able to focus on providing assistance to non-TAD diversion courts. The program and policy analyst will provide administrative support for several justice programs, including TAD.

Additionally, the Department is utilizing two other position vacancies to hire two research analysts for the Division of Law Enforcement Service's Bureau of Justice Information and Analysis. The Department indicates that, if the request is not approved, the primary responsibilities of the two research analysts will relate to evaluating the TAD program. However, it is the Department's intention to have these two positions perform other responsibilities, such as conducting research on the state's criminal justice system. According to the Department, it will be difficult for the two research analysts to perform both the required evaluation of TAD and criminal justice research.

The University of Wisconsin Population Health Institute is currently under contract to evaluate the TAD program. Further, UWPHI has indicated that the Health Institute also, "met with TAD project staff at the annual TAD all-site meeting, conducted teleconference meetings with local teams to address issues of particular interest such as risk assessment, project flow, admission criteria, and urinalysis protocols, and were in telephone and email contact with [local teams] at least monthly (some of them weekly)."

The state's current contract with UWPHI ends on December 31, 2014. In preparing a work plan for future TAD program services, the Health Institute has indicated that it would like to continue its work on the program. In its proposed five-year work plan, the Health Institute estimated that it would charge the following to provide its services under the expanded TAD program: \$305,700 during a year it would not have to produce a cost-benefit analysis of the TAD program; and \$319,200 during a year it would produce a cost-benefit analysis. The Health Institute most recently produced a cost-benefit analysis in July, 2014. Although s. 165.95(5p)(b) of the statutes directs that a comprehensive report and cost-benefit analysis is to be prepared every five years, the Health Institute has indicated that, "it has always made the most sense to time the cost-benefit analyses with the development of the state biennial budget to facilitate evidence-based decision-making among legislators and other key stakeholders. With this in mind...the next cost-benefit results [will] be [made] available in July, 2018."

The Health Institute has indicated that the proposed plan is an estimate, which the Health Institute believes, "should be considered a starting point for negotiation and modification at this time." Furthermore, the Health Institute's proposed work plan, dated January 17, 2014, was prepared prior to the passage of Act 197. The proposed work plan assumes that there would be 35 program sites, however, with the expansion of the TAD and drug court program under Acts 20 and 197, there are currently 36 counties and four tribes participating in 34 TAD and drug court programs. The terms and cost of the proposed work plan could also change based on negotiations

and modifications. The Health Institute has indicated that, if requested, it could provide a revised, and more accurate, proposal. If the Committee were to deny the request, at this time, the Health Institute could be afforded the time to prepare a revised work plan. Therefore, DOJ, Corrections, and DHS could meet with the Health Institute and work out any issues with due consideration.

In summary, the Committee could deny the s. 13.10 request in light of the following: (a) the Committee and Legislature previously chose not to provide DOJ resources for the administration of the TAD and drug court program; (b) the Department has submitted a similar item in its biennial budget request; and (c) UWPHI could provide a revised work plan for its services if provided more time [Alternative 4]. Should the Committee deny the request, the Department would continue to administer the TAD and drug court grant programs by utilizing existing resources.

The Department has indicated that, instead of renewing the contract with the Health Institute, DOJ could conduct all of the evaluation services for the TAD and drug court program required under statute should the Committee approve its request for \$103,000 GPR in 2014-15 to fund an additional 2.0 research analysts-advanced. Additionally, the Department could provide all of the necessary assistance to the TAD and drug court program participants for \$110,600 GPR in 2014-15 to fund an additional 2.0 program and policy analysts. The Department has also requested \$42,700 GPR and 1.0 grants specialist in 2014-15. This position would be responsible for fiscal oversight of the TAD program and auditing the grantees.

With regards to current staffing levels of the TAD and drug court program, DOJ has indicated that, "Administration of the program expanded in scope and administration expectations have been undertaken, in an effort to fulfill the Legislature's intent to immediately process grant funding and the expansion, through the fractional utilization of GPR funded positions within the department to accomplish immediate needs. This fractional approach is not sustainable in the long term and will not provide for the robust technical assistance, audit, and evaluation components of the program as it was established."

In further support of its request, DOJ states:

"In order for DOJ and the Legislature to properly evaluate future TAD programs, the establishment of valid and reliable program metrics for the new programs is critically important. That requires [program and policy analysts] PPA's and Research Analysts (RA) to be actively involved as new programs are developed. Each agency has idiosyncrasies in the way that it calculates, reports, or identifies recidivism, potential program participants, and other programmatic metrics. Many of the challenges involve agency technology issues that require PPA's and researchers working with the agencies to ensure proper and consistent reporting, while other issues involve participant opinion as to how to characterize certain activities. A scientific, evidence-based program must be devoid of these issues or risk faulty evaluation and the potential to waste taxpayer dollars. These conflicts must be mitigated before the program becomes operational in order to ensure reliable and valid evaluation. Failure to have operational personnel involved with each agency at the onset puts the efficacy of the evaluations in question, as well as puts into question whether taxpayer dollars are being spent prudently. For these reasons, DOJ believes that it is essential these resources be funded and staffed without delay."

In April, 2015, the Department expects to finish developing a new database which would house all of the data related to the TAD program. Currently, individual TAD sites report their data

to separate databases.

The Department argues that there would be advantages to having DOJ collect and control the data provided by the counties and tribes. While under the contract, data was collected by UWPHI for the Health Institute to use in preparing reports. [In the recent weeks, data has been collected by DOJ in anticipation of the Department assuming evaluation responsibilities.]. If the Department continued to collect the data, the data could be used in conjunction with other justice data to provide the Department and the Criminal Justice Coordinating Council more detailed information on the state's criminal justice system. The Department also believes that agency leadership could supervise the employees evaluating the program and providing technical assistance to create more accountability within the program.

The Department's request for \$256,300 GPR and 5.0 GPR positions to administer the expanded TAD and drug court program is based on the positions being funded for seven months (beginning December 1, 2014) in 2014-15. As indicated in Table 2, it would cost \$363,900 GPR annually to fund these 5.0 positions during the 2015-17 biennium. However, annual funding currently used for the UWPHI contract (\$60,300 PR by DOJ, \$15,300 FED by DHS, and \$15,300 GPR by Corrections) could be redirected by the agencies to other purposes during the 2015-17 biennium.

Justice's s. 13.10 request does not identify an available fund source for the Committee to utilize to support the Department's request. However, in response to an outbreak of tuberculosis in Sheboygan County in calendar year 2013, the Committee reserved \$4,667,900 GPR for the 2013-15 biennium to fund costs associated with the outbreak. To date, \$2,276,500 GPR of these reserved funds have not been released. The Department of Health Services has indicated that it does not anticipate additional funding requests in 2014-15 related to the Sheboygan County tuberculosis incident.

Given that additional grant funding and responsibilities have been assigned to DOJ with regards to the TAD and county drug court grant program under Acts 20 and 197, the Committee could approve the Department's s. 13.10 request [Alternative 1]. If the Committee approves the request, funds could be transferred from amounts not expected to be needed for the tuberculosis outbreak in Sheboygan County.

If DOJ's request for additional funding is supported, the Committee could consider providing reduced funding alternatives. The Department's request for \$256,300 GPR and 5.0 GPR positions to administer the expanded TAD and drug court program is based on funding the positions for seven months (beginning December 1, 2014) in 2014-15. Due to issues related to the recruitment and selection, newly-created positions are generally budgeted to start three months after creation. To this point, DOJ sought nine months of funding when requesting the same 5.0 GPR positions in 2015-16 in its agency budget request (thus, DOJ assumed a three month hiring period).

Based on these considerations, the Committee could modify the Department's request to provide funding for the requested 5.0 GPR positions for five months (beginning February 1, 2014), rather than the requested seven months [Alternative 2a]. Five-month funding for the requested 5.0 GPR positions would total \$204,900 GPR in 2014-15 and, similar to Alternative 1, could be

provided from amounts originally reserved in the Committee's supplemental appropriation for responding to a tuberculosis outbreak in Sheboygan County.

In 2013-14, the Department of Justice paid for its share of the contract with the UW Population Health Institute from the following program revenue sources: (a) \$39,500 PR from justice information surcharge revenue appropriated for the TAD program; (b) \$7,500 PR from drug offender diversion and drug abuse program improvement surcharge revenue appropriated for the TAD program; and (c) \$13,300 PR from penalty surcharge revenue that was appropriated to finance state operations associated with the administration of the law enforcement training fund and training for state law enforcement personnel. The Department used \$13,300 penalty surcharge program revenue appropriated for law enforcement training to support its share of the Health Institute contract because insufficient funds existed in its TAD program revenue appropriations.

Justice is expecting to pay an additional \$30,200 in 2014-15 for services provided by the Health Institute from July 1, 2014, to December 31, 2014 (the second half of the calendar year 2014 contract). The Department utilized \$47,000 PR from TAD appropriations to pay for its share of the contract with UWPHI in 2013-14. Therefore, in 2014-15, the Department would have \$16,800 PR available from TAD program revenue appropriations to support the administration of the TAD and drug court program. Consequently, if the Committee approves the Department's request (and therefore negates any need for a 2015 contract with UWPHI), the Committee could modify the request by providing GPR funding, less \$16,800. The Department could then utilize \$16,800 PR from its TAD program revenue appropriations to partially fund the request [Alternative 2b].

The Department has indicated that it could provide the required evaluation of the TAD and drug court program with 2.0 GPR research analysts, and assist the participating counties and tribes in implementing and operating the programs with 2.0 GPR program and policy analysts. As indicated in Table 2, these 4.0 GPR positions would cost \$304,800 GPR on an annualized basis during the 2015-17 biennium.

Currently, the Health Institute provides the evaluation of the TAD and drug court program and assists the participating counties and tribes in implementing and operating the programs. The Committee could consider the fact that the Health Institute has experience in providing the required evaluation of the TAD program and in providing the participating counties and tribes assistance in implementing and operating the programs. This experience could be of assistance, especially for the counties and tribes commencing new TAD and drug court programs. In addition, UWPHI would like to enter into a new contract and continue its work on the program

As s. 165.75(2) of the statutes requires DOJ to collaborate with Corrections and Health Services in establishing the TAD program, the three agencies could collectively fund a new contract with UWPHI. Collective funding of a new contract would allow program and federal revenue to partially fund the contract.

While the 4.0 GPR positions requested by DOJ would cost \$304,800 GPR annually during the 2015-17 biennium, the work plan proposed by the Health Institute would cost an estimated \$305,700 annually during the 2015-17 biennium. Partial funding for the proposed work plan could be provided by program revenue and federal funds being utilized to fund the current contract. [As

indicated above, in 2013-14, DOJ utilized \$47,000 PR from TAD program revenue appropriations to fund its share of the contract and DHS utilized \$15,300 FED to fund its share of the contract.] Therefore, the proposed contract with the Health Institute would cost an estimated \$243,400 GPR, \$47,000 PR, and \$15,300 FED annually during the 2015-17 biennium.

The Departments of Justice, Corrections, and Health Services are expending \$90,900 annually to support the current UWPHI contract (\$60,300 PR annually from DOJ, \$15,300 GPR annually from Corrections, and \$15,300 FED annually from DHS). However, in 2013-14, DOJ utilized \$13,300 PR funding which was appropriated for the law enforcement training fund to support DOJ's share of the contract. Therefore, DOJ, Corrections, and DHS could utilize a combined \$77,600 of existing annual funding to support the proposed work plan. Consequently, if the Committee chooses to direct DOJ to renew the contract with UWPHI, which is estimated to cost \$305,700 annually, it would result in an additional cost of \$228,100 annually.

The Department of Justice pays approximately 66% of the current contract with UWPHI, while DHS and Corrections each pay approximately 17% of the contract. Assuming that DOJ, Corrections, and DHS would continue to pay the same share under the proposed work plan estimated to cost \$305,700 annually, each Department would pay the following annual amounts under the proposed work plan: (a) DOJ, \$203,700; (b) Corrections, \$51,000; and (c) DHS, \$51,000.

In 2014-15, it is expected that DOJ, Corrections, and DHS will each pay half of its share of the current UWPHI contract for services rendered by the Health Institute from July 1, 2014 to December 31, 2014.

Based on these considerations, Table 3 indicates the amount of additional funding DOJ, Corrections, and DHS would require in 2014-15 to fund the proposed UWPHI work plan, which would begin on January 1, 2015. As indicated in Table 3, to fund the proposed work plan in 2014-15, DOJ would require an additional \$85,100 in 2014-15, Corrections would require an additional \$17,900 in 2014-15, and DHS would require an additional \$17,900 in 2014-15.

TABLE 3

Additional Annual Funding Required in 2014-15 for Proposed UWPHI Work Plan

	<u>Justice</u>	<u>Corrections</u>	<u>Health Services</u>	<u>Total</u>
Payment share of proposed work plan for full calendar year	\$203,700	\$51,000	\$51,000	\$305,700
Payment share of proposed work plan for half of a calendar year (January 1, 2015 - June 30, 2015)	\$101,900	\$25,500	\$25,500	\$152,900
Payment share of current contract (calendar year 2014)	\$60,300	\$15,300	\$15,300	\$90,900
Less amounts spent by DOJ from law enforcement training fund	-13,300			-13,300
Less amounts owed to UWPHI for services rendered from July 1, 2014 to December 31, 2014	<u>-30,200</u>	<u>-7,700</u>	<u>-7,700</u>	<u>-45,600</u>
Total amounts available for proposed work plan in 2014-15	\$16,800	\$7,600	\$7,600	\$ 32,000
Additional funds required in 2014-15 to support proposed work plan for half of calendar year 2015	\$85,100	\$17,900	\$17,900	\$120,900

Given that UWPPI has experience in evaluating the TAD program and providing assistance to the participating counties and tribes, and has indicated its desire to continue with this work, the Committee could consider denying DOJ's request, and instead direct DOJ to renew the contract with UWPPI. [Alternative 3a] If this alternative were selected, the Committee could transfer the following funding to DOJ, Corrections, and DHS to support the proposed work plan for the first half of calendar year 2015 (the second half of fiscal year 2014-15): (a) \$85,100 GPR to DOJ; (b) \$17,900 GPR to Corrections; and (c) \$17,900 GPR to DHS. As with Alternatives 1 and 2, funding would be provided from amounts originally reserved in the Committee's supplemental appropriation for responding to a tuberculosis outbreak in Sheboygan County.

Finally, the Department has requested \$42,700 GPR in 2014-15 to fund 1.0 grants specialist to provide fiscal oversight of the TAD program. On an annual basis, it would cost \$59,100 GPR to fund the position during the 2015-17 biennium. The 1.0 grants specialist would have the following primary duties: (a) reviewing grant applications for compliance with financial requirements; (b) creating contracts for subgrantees; (c) providing technical assistance to customers relating to the financial processes throughout the grant program; (d) making payments to subrecipients; (e) coordinating between program and fiscal staff; (f) handling logistics for the TAD Advisory Group; and (g) conducting financial review and preparing reports to reflect the subgrant and TAD program balances.

The request would provide funding for the grants specialist for seven months in 2014-15 (beginning December 1, 2014). Given that newly-created positions are generally budgeted to start three months after creation, the position could be funded for five months (beginning February 1, 2014) at a cost of \$34,400 GPR.

If the Committee denies DOJ's request, but decides to direct DOJ to renew the contract with UWPPI (as discussed in Alternative 3a), administering the TAD and drug court grant program would still remain the responsibility of the Department. While UWPPI would provide evaluation services for the TAD program and assist the participating counties and tribes implement and operate the programs, the 1.0 grants specialist would provide fiscal oversight for the TAD and drug court program. Given that Acts 20 and 197 increased the number of grants the Department must administer, the Committee could consider, in addition to transferring funding to renew the contract with UWPPI, providing \$34,400 GPR in 2014-15 and 1.0 grants specialist to the Department [Alternative 3b].

ALTERNATIVES

1. Approve the request of the Department of Justice (DOJ) to transfer \$256,300 GPR in 2014-15 from the Joint Committee on Finance's GPR supplemental appropriation to the Department's law enforcement services general program operations appropriation to fund its administration of the treatment, alternatives and diversion (TAD) program, and the county drug court grant program. Further, approve the DOJ request to create 5.0 GPR positions in 2014-15 (2.0 research analysts, 1.0 grants specialist, and 2.0 program and policy analysts). [Funding for the request would be transferred from amounts originally reserved for responding to a tuberculosis outbreak in Sheboygan County.]

2. Modify Alternative 1, by either or both of the following:

a. Transfer \$204,900 GPR to provide five months of funding for the requested 5.0 GPR permanent positions in 2014-15 instead of transferring \$256,300 GPR for seven months of position funding.

b. Reduce the Department's request by \$16,800 GPR. [Under this alternative, the Department would utilize \$16,800 PR from its TAD program revenue appropriations for program administration. This would allow the Department to reallocate funding that is currently being utilized to fund its share of the contract with the University of Wisconsin's Population Health Institute to fund the requested positions which will perform similar functions.]

3. Deny the Department's request and instead adopt either of the following:

a. Transfer funds for the Department of Justice, Department of Corrections, and Department of Health Services to renew the contract with the University of Wisconsin's Population Health Institute. Transfer the following amounts in 2014-15: (a) \$85,100 GPR to DOJ's Law Enforcement Services general program operations appropriation; (b) \$17,900 GPR to Corrections' Adult Correctional Services general program operations appropriation; and (c) \$17,900 GPR to DHS' Mental Health and Substance Abuse Services general program operations appropriation.

b. Transfer funds for the Department of Justice, Department of Corrections, and Department of Health Services to renew the contract with the University of Wisconsin's Population Health Institute, as described in Alternative 3a. Additionally, transfer \$34,400 GPR and authorize 1.0 grants specialist to the Department of Justice's law enforcement services annual GPR general program operations appropriation.

4. Deny the request.

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