



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #350

Community Corrections Increased Staffing (DOC -- Community Corrections)

[LFB 2001-03 Budget Summary: Page 222, #1 and #3 and Page 223, #5]

CURRENT LAW

Base GPR funding for probation, extended supervision and parole supervision is \$86,093,000 and 1,786.3 positions. Of the base positions, 1,239 are probation and parole agents.

GOVERNOR

Provide \$1,068,800 GPR and 21.5 GPR positions in 2001-02 and \$5,870,700 GPR and 97.0 GPR positions in 2002-03 to provide additional community corrections supervision. Transfer \$1,587,800 GPR in 2001-02 and \$1,589,900 GPR in 2002-03 and 24.0 GPR positions annually from the intensive sanctions program to probation and parole. Estimate an end-point population (June 30) of 56,840 in 2001-02 and 57,741 in 2002-03.

DISCUSSION POINTS

1. The probation, parole and extended supervision program supervises offenders in the community who are completing a sentence of imprisonment by being placed on parole, who have been placed on probation by the Court or those serving the extended supervision portion of a bifurcated sentence. After being placed on probation, released on parole or while serving an extended supervision sentence, the person is placed under the supervision of a community corrections agent.

2. There are currently a total of 1,239 agent positions in the Department of Corrections. Of that total, 47 agents are assigned to two enhanced probation and parole projects and 20 are assigned to an absconders unit. The remaining agents (1,172) are assigned regular probation,

extended supervision and parole caseloads.

3. In 1999 Act 9, it was estimated that the end-point population for probation and parole would be 64,010 in 2000-01. Resources were provided to support that population, excluding the enhanced probation and parole unit positions, with an agent to offender ratio of one agent per 54 offenders. As of February 28, 2001 (the last date for which information is available), the probation and parole population was 55,525.

4. Under the bill, the following positions would be provided: (a) probation and parole agents, 17.0 positions in 2001-02 and 75.0 positions in 2002-03; (b) probation and parole supervisors, 1.0 position in 2001-02 and 6.0 positions in 2002-03; (c) program assistant supervisors, 2.0 positions in 2002-03; (d) program assistants, 3.0 positions in 2001-02 and 13.0 positions in 2002-03; and (e) program assistant for the monitoring center, 0.5 position in 2001-02 and 1.0 position in 2002-03. The bill provides \$1,068,800 GPR and 21.5 GPR positions in 2001-02 and \$5,870,700 GPR and 97.0 GPR positions in 2002-03 to provide additional community corrections supervision. Adjustments to reflect cost reestimates associated with agent and monitoring center overtime could reduce the bill by \$300 GPR in 2001-02 and \$3,700 GPR in 2002-03. According to DOA, the increased funding and positions were intended to reduce the overall agent to offender ratio to one agent to every 44 offenders. However, the calculation included both the absconder unit, whose cases are not reflected in the population estimates, and the enhanced supervision units, which have an offender to agent ratio of one to 17.

5. The Criminal Penalties Study Committee (CPSC), created in 1997 Act 283 (the "truth-in-sentencing" act), was charged with making recommendations concerning a uniform classification system for all felonies and Class A misdemeanors for use under the bifurcated sentencing (truth-in-sentencing) structure that became effective December 31, 1999. Although not a part of its charge, in its August 31, 1999, final report the Committee identified probation supervision as an issue that needed further study. The report states that "[t]he issue of prison overcrowding is intertwined with ... lack of confidence in probation supervision, especially in Milwaukee." The Committee concluded that "Wisconsin must strengthen its probation system and develop credible alternatives to prison. The strength of probation supervision affects whether a judge will sentence an offender to prison or place that offender on probation."

6. As a result of the CPSC's recommendation, the Governor created a Task Force to Enhance Probation to study the effectiveness of probation supervision and to recommend improvements. As part of its charge, the Task Force surveyed judges to determine the judiciary's attitudes towards probation. In the survey judges expressed the need to: (a) increase the intensity of supervision; (b) ensure prompt sanctions for violations; (c) decrease agents' caseloads; and (d) enhance substance abuse treatment and other program options. While the Task Force final report has not been published, the Task Force indicated that the caseloads of probation and parole agents, as measured by the ratio of agent-to-offender, should be reduced. DOA officials indicate that the draft report was considered in preparing the Governor's budget recommendations concerning increased community corrections staffing and purchase of services funding.

7. The Committee should note that, based on the number of agents currently assigned to regular caseloads (1,172) and using the Governor's estimated community corrections populations, the agent to offender ratio provided under the bill (including the additional positions) would be one to 47.1 in 2001-02 and one to 45.7 in 2002-03. If the Committee wishes to provide community corrections staff at a one agent to 44 offender ratio for all offenders, excluding the enhanced supervision programs, an additional \$4,256,600 GPR and 122.0 GPR positions in 2001-02 and \$3,224,400 GPR and 76.5 GPR positions in 2002-03 would be required.

8. Corrections is currently revising its 1989 time study associated with agent workloads. Since the last study was completed 11 years ago, a number of changes have occurred regarding agent workload including duties related to sex offender registration and notification, electronic monitoring, Fair Labor Standards Act rulings related to hours of employment for agents, the addition of 17-year old offenders as adults to be supervised by agents and agent basic training requirements. Each of these changes has affected the number of hours an agent can allocate to his or her caseload. The Department indicates that the new study will be completed by October, 2001.

9. If current law is maintained, agent to offender ratios would be one agent per 48 offenders in 2001-02 and one agent to 49 offenders in 2002-03. However, the Committee may wish to consider providing probation and parole staffing at a modified level. The following table identifies the staffing and funding modifications to the bill under alternative agent to offender ratios.

<u>Agent to Offender Ratio</u>	<u>2001-02</u>		<u>2002-03</u>	
	<u>Amount</u>	<u>Positions</u>	<u>Amount</u>	<u>Positions</u>
1 to 45	\$2,806,900	82.25	\$1,132,600	36.00
1 to 46	1,396,800	44.25	-873,000	-3.00
1 to 47	54,200	7.50	-2,809,900	-40.50
1 to 48	-1,068,800	-21.50	-4,647,800	-76.00

ALTERNATIVES TO BILL

1. Approve the Governor's recommendation to provide \$1,068,800 GPR and 21.5 GPR positions in 2001-02 and \$5,870,700 GPR and 97.0 GPR positions in 2002-03 and transfer \$1,587,800 GPR in 2001-02 and \$1,589,900 GPR in 2002-03 and 24.0 GPR positions annually from the intensive sanctions program to probation and parole to provide additional community corrections supervision.

2. Modify the Governor's recommendation by deleting \$300 in 2001-02 and \$3,700 in 2002-03 to reflect cost adjustments associated with agent and monitoring center overtime.

Alternative 2	GPR
2001-03 FUNDING (Change to Bill)	- \$4,000

3. Modify the Governor's recommendation by providing an additional \$4,256,600 and 122.0 positions in 2001-02 and \$3,224,400 and 76.5 positions in 2002-03 to provide an estimated agent to offender ratio for all offenders, excluding the enhanced supervision programs, of one agent to 44 offenders. This alternative would provide a total number of additional positions as follows: (a) 101.0 agents in 2001-02 and 122.0 in 2002-03; (b) 8.5 probation and parole supervisors in 2001-02 and 10.0 in 2002-03; (c) 4.5 program assistant supervisors in 2001-02 and 5.5 in 2002-03; and (d) 29.5 program assistants in 2001-02 and 36.0 in 2002-03. Total increased funding would be \$5,325,400 and 143.5 positions in 2001-02 and \$9,095,100 and 173.5 positions in 2002-03.

Alternative 3	GPR
2001-03 FUNDING (Change to Bill)	\$7,481,000
2002-03 POSITIONS (Change to Bill)	76.50

4. Modify the Governor's recommendation by providing an additional \$2,806,900 and 82.25 positions in 2001-02 and \$1,132,600 and 36.0 positions in 2002-03 to provide an estimated agent to offender ratio for all offenders, excluding the enhanced supervision programs, of one agent to 45 offenders. This alternative would provide a total number of additional positions as follows: (a) 73.0 agents in 2001-02 and 93.0 in 2002-03; (b) 6.0 probation and parole supervisors in 2001-02 and 7.75 in 2002-03; (c) 3.25 program assistant supervisors in 2001-02 and 4.25 in 2002-03; and (d) 21.5 program assistants in 2001-02 and 28.0 in 2002-03. Total increased funding would be \$3,875,700 and 103.75 positions in 2001-02 and \$7,003,300 and 133.0 positions in 2002-03.

Alternative 4	GPR
2001-03 FUNDING (Change to Bill)	\$3,939,500
2002-03 POSITIONS (Change to Bill)	36.00

5. Modify the Governor's recommendation by providing an additional \$1,396,800 and 44.25 positions in 2001-02 and deleting \$873,000 and 3.0 positions in 2002-03 to provide an estimated agent to offender ratio for all offenders, excluding the enhanced supervision programs, of one agent to 46 offenders. This alternative would provide a total number of additional positions as follows: (a) 46.0 agents in 2001-02 and 65.5 in 2002-03; (b) 4.0 probation and parole supervisors in 2001-02 and 5.5 in 2002-03; (c) 2.0 program assistant supervisors in 2001-02 and 3.0 in 2002-03; and (d) 13.75 program assistants in 2001-02 and 20.0 in 2002-03. Total increased funding would be \$2,465,600 and 65.75 positions in 2001-02 and \$4,997,700 and 94.0 positions in 2002-03.

Alternative 5	GPR
2001-03 FUNDING (Change to Bill)	\$523,800
2002-03 POSITIONS (Change to Bill)	- 3.00

6. Modify the Governor's recommendation by providing an additional \$54,200 and 7.5 positions in 2001-02 and deleting \$2,809,900 and 40.5 positions in 2002-03 to provide an estimated agent to offender ratio for all offenders, excluding the enhanced supervision programs, of one agent to 47 offenders. This alternative would provide a total number of additional positions as follows: (a) 20.0 agents in 2001-02 and 39.25 in 2002-03; (b) 1.75 probation and parole supervisors in 2001-02 and 3.25 in 2002-03; (c) 1.0 program assistant supervisor in 2001-02 and 1.75 in 2002-03; and (d) 6.25 program assistants in 2001-02 and 12.25 in 2002-03. Total increased funding would be \$1,123,000 and 29.0 positions in 2001-02 and \$3,060,800 and 56.5 positions in 2002-03.

Alternative 6	GPR
2001-03 FUNDING (Change to Bill)	- \$2,755,700
2002-03 POSITIONS (Change to Bill)	- 40.50

7. Modify the Governor's recommendation by deleting \$1,068,800 and 21.5 positions in 2001-02 and \$4,647,800 and 76.0 positions in 2002-03 to provide an estimated agent to offender ratio for all offenders, excluding the enhanced supervision programs, of one agent to 48 offenders. This alternative would provide a total number of additional positions as follows: (a) 14.0 agents in 2002-03; (b) 1.25 probation and parole supervisor in 2002-03; (c) 0.75 program assistant supervisor in 2002-03; and (d) 5.0 program assistants in 2002-03. Total increased funding would be \$1,222,900 and 21.0 positions in 2002-03.

Alternative 7	GPR
2001-03 FUNDING (Change to Bill)	- \$5,716,600
2002-03 POSITIONS (Change to Bill)	- 76.00

8. Delete the Governor's recommendation to provide \$1,068,800 and 21.5 positions in 2001-02 and \$5,870,700 and 97.0 positions in 2002-03 for community corrections. Under this alternative, funding and positions would provide an estimated agent to offender ratio for all offenders, excluding the enhanced supervision programs, of one agent to 48 offenders in 2001-02 and one agent to 49 offenders in 2002-03.

Alternative 8	GPR
2001-03 FUNDING (Change to Bill)	- \$6,939,500
2002-03 POSITIONS (Change to Bill)	- 97.00

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