



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #249

Position Reductions and Transfers in Juvenile Corrections Institutions and Corrective Sanctions (Corrections -- Juvenile Corrections)

Bill Agency

[LFB 2007-09 Budget Summary: Page 120, #7]

CURRENT LAW

Base funding for: (a) operations of juvenile correctional facilities is \$51,088,100 PR and 589.55 PR positions annually; (b) aftercare services of \$1,054,400 PR and 12.0 PR positions annually; and (c) corrective sanctions is \$4,455,700 PR and 46.55 PR positions annually.

GOVERNOR

Delete \$1,558,700 PR and 29.92 PR positions annually associated with long-term vacancies in juvenile correctional institutions and corrective sanctions. The position reductions include: (a) 1.0 position in the Division of Juvenile Corrections central office; (b) 12.0 positions at Ethan Allen School; (c) 3.5 positions at the Lincoln Hills School; (d) 6.42 positions at the Southern Oaks Girls School; and (e) 7.0 positions for the corrective sanctions program. The 7.0 positions deleted from the corrective sanctions program would be transferred from the juvenile aftercare program.

DISCUSSION POINTS

1. The eliminated positions under the bill have been identified by the Department as long-term vacancies. Generally, these positions were unfilled for periods ranging from June, 2004, through August, 2006. Table 1 lists the position classifications and the associated position authorizations that would be deleted:

TABLE 1

Vacant Positions Deleted under SB 40

<u>Position Classification</u>	<u>FTE</u>
Assistant Unit Supervisor	1.00
Corrections Field Supervisor	1.00
Corrections Food Service Leader	2.00
Court Liaison	0.50
Nurse Clinician	0.17
Office Operations Associate	2.50
Payroll and Benefits Specialist	0.50
Probation and Parole Agent	1.50
Psychologist	0.50
Social Worker	3.25
Teacher	4.00
Youth Counselor	<u>13.00</u>
Total Deletions	29.92

2. The 29.92 deleted positions under the bill include: (a) 22.92 positions for juvenile facility operations; and (b) 7.0 positions for the corrective sanctions program, which would be transferred from aftercare services. Currently there are a total of that a total of 58.17 PR positions are vacant for these programs (44.17 for juvenile facilities, 12.0 for corrective sanctions, and 2.0 for aftercare services). With the positions eliminated under the bill, remaining vacancies would be at 14.25 positions for juvenile facilities, 5.0 positions for corrective sanctions, and 2.0 positions for aftercare services.

3. Generally, the elimination of positions and their budgeted costs in the appropriations for each type of state-provided juvenile care (juvenile facilities, corrective sanctions, and aftercare services) has the effect of lowering the daily rates for juvenile care in each of the program areas. This is because the calculation of daily rates is based on the anticipated average daily population and budgeted cost for each type of care. Consequently, reducing budgeted costs will lower the projected daily rates.

4. The decline in the number of adjudicated juveniles being placed in state care has had the effect of increasing daily rates for the past several biennia. In an effort to moderate the increase of the daily rates, the Department has eliminated vacant positions and associated funding. Under the 2003-05 budget act, \$7,182,400 PR and 46.04 PR positions were eliminated. Under the 2005-07 budget act, \$17,929,800 and 169.24 PR positions were deleted. The current budget bill would delete \$3,117,400 PR and 29.92 PR positions.

5. Reducing costs for the juvenile correctional facilities can be difficult because a large proportion of total expenditures are attributable to fixed operational costs, such as necessary

minimum staffing requirements and ongoing infrastructure costs. These types of fixed costs do not vary substantially due to a moderate increase or decrease of juvenile populations, and costs can only be reduced to a certain point.

6. For the 2006-07 fiscal year, the daily rate for facility care is \$209. Under the bill, these daily rates would increase to \$269 in 2007-08 and \$279 in 2008-09. These daily rates have increased primarily by the declining number of juvenile placements in state care. Further, these daily rate increases are a major budget concern for counties, since these jurisdictions are responsible for paying such rates for the juveniles placed in state facility care. The state must also pay these rates for serious juvenile offenders.

7. As addressed in a separate budget paper, however, recent populations have been increasing for the past several months, and juvenile populations for the 2007-09 biennium may be higher than estimated under the bill.

8. Based on these population trends, while the 29.92 vacant positions identified above could be eliminated to further reduce costs and daily rates, an argument can be advanced that these positions should be retained. The Department indicates that the number of vacant positions normally varies depending on juvenile populations, the particular needs of juveniles under the state's care, and the timing of employee retirements, turnover, and rehiring. Consequently, the Department requires a pool of vacant positions in order to address changing conditions and potential increases in juvenile populations. Without such a pool of positions, the Department would be restricted in its ability to respond to changing conditions for juvenile care.

9. Given the limited number of remaining vacancies for juvenile facility operations and corrective sanctions, and considering the possible higher juvenile populations for the 2007-09 biennium, the Committee may wish to restore a portion of or all the deleted positions.

10. Even if half or all of the 29.92 positions are restored, the salary and fringe benefit costs associated with these vacant positions could still be deleted. While retaining vacant positions may be viewed as necessary to provide the Department with sufficient flexibility to accommodate changing conditions, restoring the salary and fringe benefit amounts would have the effect of further increasing the daily rates. If the 29.92 positions are retained, but the salary and fringe benefit amounts are deleted, the Department would have a total of 58.17 vacant positions, 29.92 of which would be unfunded, the remaining 28.25 funded. Similarly, if half of the 29.92 positions are retained (15.0), the Department would have a total of 43.25 vacant positions, 15.0 of which would be unfunded.

11. Under the above alternatives, the Department would have 28.25 vacant positions with funding to respond to any changing conditions for juvenile care. To the extent that the Department would further need to rely on the remaining vacant positions, the Department could submit a request under s. 16.515 for funding to support these positions. Further, if the Department determines it needs additional position authority, Corrections could submit a request under s. 16.505 of the statutes.

ALTERNATIVES TO BILL

1. Approve the Governor's recommendation to delete \$1,558,700 PR and 29.92 PR positions annually associated with vacancies in juvenile correctional facilities and corrective sanctions.

ALT 1	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
PR	\$0	0.00	-\$3,117,400	- 29.92

2. Modify the Governor's recommendation by restoring the 29.92 PR positions.

ALT 2	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
PR	\$0	29.92	-\$3,117,400	0.00

3. Modify the Governor's recommendation by restoring 15.0 PR positions.

ALT 3	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
PR	\$0	15.00	-\$3,117,400	0.00

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