



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #255

Expansion of Opening Avenues to Reentry Success (Corrections -- Community Corrections)

[LFB 2021-23 Budget Summary: Page 130, #1]

CURRENT LAW

The Department of Corrections operates the Opening Avenues to Reentry Success (OARS) program. The program is funded through the Becky Young community corrections appropriation. Current funding for the program is \$4,128,400 GPR annually.

DISCUSSION POINTS

OARS Programming

1. The OARS program began in 2011 to provide intensive case management and mental health services to offenders with serious and persistent mental health needs released to the community on parole or extended supervision subsequent to serving time in prison.
2. Under the 2019-21 biennial budget, \$1,198,000 GPR annually was provided to expand the program from 44 counties to 51 counties (Barron, Chippewa, Douglas, Polk, St. Croix, Sawyer, and Washburn Counties) and to expand the average daily participants in the program by 50 individuals.
3. To qualify for participation, an offender must: (a) volunteer for participation and have a general motivation and willingness to engage in treatment programming; (b) be referred to the program by correctional staff; (c) be assessed at medium- or high-risk to reoffend; (d) have serious and persistent mental health needs; (e) have at least six months of post-release supervision remaining on their sentence; and (f) be in a county where OARS programming is provided. The counties in which the OARS program currently operates include:

Adams	Eau Claire	Langlade	Outagamie	Sheboygan
Barron	Fond du Lac	Lincoln	Ozaukee	Trempealeau
Brown	Green	Manitowoc	Polk	Vernon
Calumet	Green Lake	Marathon	Portage	Walworth
Chippewa	Iowa	Marinette	Racine	Washburn
Columbia	Jackson	Marquette	Rock	Washington
Dane	Jefferson	Menominee	St. Croix	Waukesha
Dodge	Kenosha	Milwaukee	Sauk	Waupaca
Door	Kewaunee	Monroe	Sawyer	Waushara
Douglas	La Crosse	Oconto	Shawano	Winnebago
				Wood

4. Services are provided based on each offender's individual needs and may include: (a) intensive case management and supervision; (b) assistance with obtaining and maintaining safe and affordable housing; (c) resources for medication and access to psychiatric care; (d) treatment addressing criminogenic needs; (e) access to local transportation, budgeting, and financial resources; and (f) access to structured activities including employment and education. Since services are tailored to each individual's needs, costs vary from participant to participant.

5. Corrections works with the Department of Health Services (DHS) to administer the program. Using funds transferred from Corrections, DHS contracts with a social service agency for the provision of OARS services. DHS has 2.0 PR positions, the OARS program specialists, to administer the contract and monitor program participants. These positions are also funded with the transfer from Corrections.

6. The OARS contractor employs case managers to coordinate services for the participant, working with the correctional institution social worker, probation and parole agent, the DHS OARS program specialists, and mental health treatment providers in the community. Facility social workers refer potential participants to the DHS program specialists approximately six to eight months prior to release from prison. Participants receive services, depending on their individual case plan, for six months to two years in the community.

7. According to DHS, OARS program goals include "promoting offender self-sufficiency, decreasing long-term costs associated with this population, encouraging offender involvement in meaningful, healthy structured activities, improving continuity of care of offenders with mental health needs as they release from prison to the community, [and] enhancing public safety by reducing recidivism and revocation rates."

8. Tracking by Corrections of the recidivism rates of OARS participants compared to a control group of non-OARS participants with similar characteristics from 2016-2018 (the most recent data for which recidivism tracking data is available) resulted in the following findings:

<u>One-Year Recidivism</u>		<u>Two-Year Recidivism</u>		<u>Three-Year Recidivism</u>	
<u>OARS</u>	<u>Control Group</u>	<u>OARS</u>	<u>Control Group</u>	<u>OARS</u>	<u>Control Group</u>
16.0%	18.0%	25.1%	30.2%	32.4%	40.5%

9. The Department also newly began tracking recidivism rates of individuals successfully discharged from the OARS program (and not just current participants) compared to a control group of non-OARS participants with similar characteristics. Data from 2016-2018 resulted in the following findings:

<u>One-Year Recidivism</u>		<u>Two-Year Recidivism</u>		<u>Three-Year Recidivism</u>	
<u>OARS</u>	<u>Non-OARS</u>	<u>OARS</u>	<u>Non-OARS</u>	<u>OARS</u>	<u>Non-OARS</u>
9.6%	11.6%	15.2%	18.8%	18.2%	31.8%

10. In 2019-20, the program had 396 participants, with an average daily population (ADP) of 216 participants. For the first eight months of 2020-21, the program had an ADP of 258 (through February, 2021). Program participation in 2019-20 and 2020-21 was negatively impacted by the public health emergency as referral numbers and housing options decreased during outbreaks. In addition, the public health emergency decreased the regular face-to-face case manager contact, which typically provides needed structure to ensure that participants stay on track (this led to a decline in retention). However, the Department expects OARS participation to continue to increase before the start of the 2021-23 biennium. As of March 28, 2021, the ADP increased to 280.

11. Between 2015-16 and 2018-19 (the most recent data available), the average number of medium- and high-risk inmates with a serious mental illness who met the criteria for the OARS program was 583 individuals annually. While the program does not maintain a waitlist, the Department estimates that approximately 25% of eligible individuals do not participate in the program by choice, or due to transfers out of state, detainers, or pending charges. Excluding this estimated population, 437 individuals are eligible and likely willing to participate in OARS annually (including 20 individuals releasing to unserved counties, who cannot participate). The current OARS budget serves an ADP of 250 participants.

12. As a result, there are approximately 187 individuals not able to receive services each year, with 167 of these individuals residing in counties with OARS programming. The Department indicates that OARS programming costs approximately \$17,400 per year, per participant (based on average costs over four years from 2015-16 through 2018-19). The Committee could provide \$2,179,400 GPR in 2021-22 and \$2,905,800 GPR in 2022-23 to expand the OARS program to allow for an ADP increase of approximately 167 participants in currently-served counties (for a total ADP of 417). [Alternative A1] Funding is provided under this alternative for nine months in 2021-22 and annualized thereafter.

13. The Committee could also expand the program statewide, as was requested in the 2019-21 budget. The Department estimates the average annual release of likely participants in the unserved counties is 20 individuals (on average, about one individual per unserved county). The currently 21 unserved counties include:

Ashland	Crawford	Forest	Lafayette	Pierce
Bayfield	Clark	Grant	Oneida	Polk
Buffalo	Dunn	Iron	Pepin	Richland
Burnett	Florence	Juneau	Price	Taylor
				Vilas

14. While there are not many OARS-eligible inmates releasing to the unserved communities, the Department indicates "a statewide approach would gain some efficiencies for the OARS program." For example, participants may need housing placements not available in their county of residence, but available in a neighboring county. If the neighboring county is not an OARS county, participants are moved further from their support systems and require more administrative and travel costs. In addition, expanding statewide would eliminate the current disadvantages to residents of the largely rural, unserved counties.

15. However, individuals who cannot be enrolled (either due to no available slots or no program in a county of residence) have some recourse. For example, OARS specialists frequently suggest other county or other community programs that may be able to provide similar services. According to Corrections, "DOC and DHS OARS staff generally assist and advocate for the appropriate mental health treatment services in the community, whether someone qualifies for the OARS program or not." In addition, where available, the Division of Community Corrections (DCC) utilizes specialty mental health agents, who work with DCC physiologists, to address the needs of individuals on supervision with mental health treatment needs. Specifically, the 13 DCC psychologists provide assessment and, in some cases, individual and group therapy.

16. On the other hand, DCC supervises more than 66,000 offenders in the community, so it is often necessary to rely on available community resources and counties to provide additional mental health services, beyond the DCC mental health agents and psychologists. However, resources (such as housing, transportation, and employment opportunities) and services (such as community substance abuse recovery programs and treatment providers) are limited in rural areas, which further highlights the benefit of OARS programming, statewide.

17. While costs vary between participants depending on individual needs, the Department estimates the cost-per-participant is approximately \$17,400 per year. Based on the average cost, it would cost \$348,000 GPR annually to serve 20 additional individuals. In total (including Alternative A1), expanding OARS statewide and increasing the ADP by 187 (167 in currently-served counties and 20 in unserved counties) would require \$2,527,400 GPR in 2021-22 and \$3,253,800 GPR in 2022-23. [Alternative A2] It is important to note that this alternative provides a full year of funding for the ADP expansion portion (\$348,000) as opposed to nine months of funding in the first year (\$261,000) like the other alternatives and like the position cost estimate, because as noted above, the \$17,400 per year figure is based on average per-participant costs over four years, and not based on higher-cost needs of rural counties. Participants in unserved counties likely require increased transportation and use of private providers through telehealth services due to geographic isolation and lack of resources. While it is difficult to estimate the exact cost of providing increased resources to these areas, the difference of \$87,000 in nine-months versus one year of funding may be used to help offset some of the higher-costs under Alternative A2. In addition, it is important to note that Corrections indicated that this type of expansion may require 2.0 additional DHS positions (discussed

later in this paper).

18. Alternatives A1 and A2 both seek to increase the current ADP (250 participants) by more than 50% (Alternative 1 expands program ADP by 67% (167 additional participants), and Alternative 2 expands program ADP by 75% (187 additional participants)). If the Committee wishes to expand the program, but at a lower rate, providing \$1,305,000 GPR in 2021-22 and \$1,740,000 GPR in 2022-23 would allow the ADP to increase by 100 participants in currently served counties. [Alternative A3] Funding is provided under this alternative for nine months in 2021-22 and annualized thereafter.

19. Alternatively, the Committee may wish to maintain the current level of funding for the program. The program and corresponding funding increases were not identified in the Department's 2021-23 biennial budget request. Further, the OARS program was significantly expanded by \$1,198,000 annually in the most recent biennial budget (2019 Act 9). Under this alternative, funding would remain at \$4,128,400. [Alternative A4]

OARS Positions

20. Positions for the OARS program are provided by the Department of Health Services, while funding for the positions is provided by Corrections (DHS bills Corrections for the cost). As noted above, DHS currently has 2.0 PR positions to administer OARS. The duties of the positions include monitoring the progress of clients through the program, procurement of contracted case management services, and monitoring the contract work.

21. DHS has had 2.0 positions to administer OARS since it was established in 37 counties in 2011, and no additional positions have been provided with subsequent expansions of the program to service additional clients and to operate in additional counties. In addition to expanding OARS programming, AB 68/SB 111 would provide funding in Corrections (\$75,000 GPR in 2021-22 and \$100,000 GPR in 2022-23) for an additional 1.0 PR position in DHS to support the anticipated additional workload associated with the expansion. While the bill did not provide additional position authority in DHS for the 1.0 OARS position, the program may benefit from an additional DHS OARS position, if expanded under Alternatives A1 or A3. The Committee could provide: (a) \$75,000 GPR in 2021-22 and \$100,000 GPR in 2022-23 to the Department of Corrections to fund an additional OARS position; and (b) position authority for 1.0 PR OARS position annually in DHS to oversee the expansion. [Alternative B1] Funding is provided under this alternative for nine months in 2021-22 and annualized thereafter.

22. If the Committee expands OARS statewide (Alternative A2), the Department of Corrections indicates that an additional 2.0 DHS OARS positions would be beneficial. The Committee could instead provide: (a) \$150,000 GPR in 2021-22 and \$200,000 GPR in 2022-23 to the Department of Corrections to fund 2.0 additional OARS positions; and (b) position authority for 2.0 PR OARS positions annually in DHS to oversee the expansion. [Alternative B2]

23. However, if the Committee decides to not expand the program, or provides a lower level of funding for a smaller expansion, the Committee could decide that additional DHS positions are not warranted. [Alternative B3]

ALTERNATIVES

A. OARS Program Expansion

1. Provide \$2,179,400 GPR in 2021-22 and \$2,905,800 GPR in 2022-23 to expand participation in the OARS program by 167 ADP in counties with existing OARS programs.

ALT A1	Change to Base
GPR	\$5,085,200

2. Provide \$2,527,400 GPR in 2021-22 and \$3,253,800 GPR in 2022-23 to expand participation in the OARS program by 187 ADP statewide.

ALT A2	Change to Base
GPR	\$5,781,200

3. Provide \$1,305,000 GPR in 2021-22 and \$1,740,000 GPR in 2022-23 to expand participation in the OARS program by 100 ADP in counties with existing OARS programs.

ALT A3	Change to Base
GPR	\$3,045,000

4. Take no action.

B. OARS Position Expansion

1. Provide \$75,000 GPR in 2021-22 and \$100,000 GPR in 2022-23 to the Department of Corrections to support an additional OARS position and provide position authority in the Department of Health Services for 1.0 PR position annually to administer OARS. Provide \$75,000 PR in 2021-22 and \$100,000 PR in 2022-23 in DHS to reflect the fund transfer.

ALT B1	Change to Base	
	Funding	Positions
Corrections		
GPR	\$175,000	0.00
Health Services		
PR	\$175,000	1.00

2. Provide \$150,000 GPR in 2021-22 and \$200,000 GPR in 2022-23 to the Department of Corrections to support an additional OARS positions and provide position authority in the Department of Health Services for 2.0 PR positions annually to administer OARS. Provide \$150,000 PR in 2021-

22 and \$200,000 PR in 2022-23 in DHS to reflect the fund transfer.

ALT B2	Change to Base	
	Funding	Positions
Corrections		
GPR	\$350,000	0.00
Health Services		
PR	\$350,000	2.00

3. Take no action.

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