



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #260

### Juvenile Population Estimates (Corrections -- Juvenile Corrections)

[LFB 2021-23 Budget Summary: Page 149, #4 and #5]

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#### CURRENT LAW

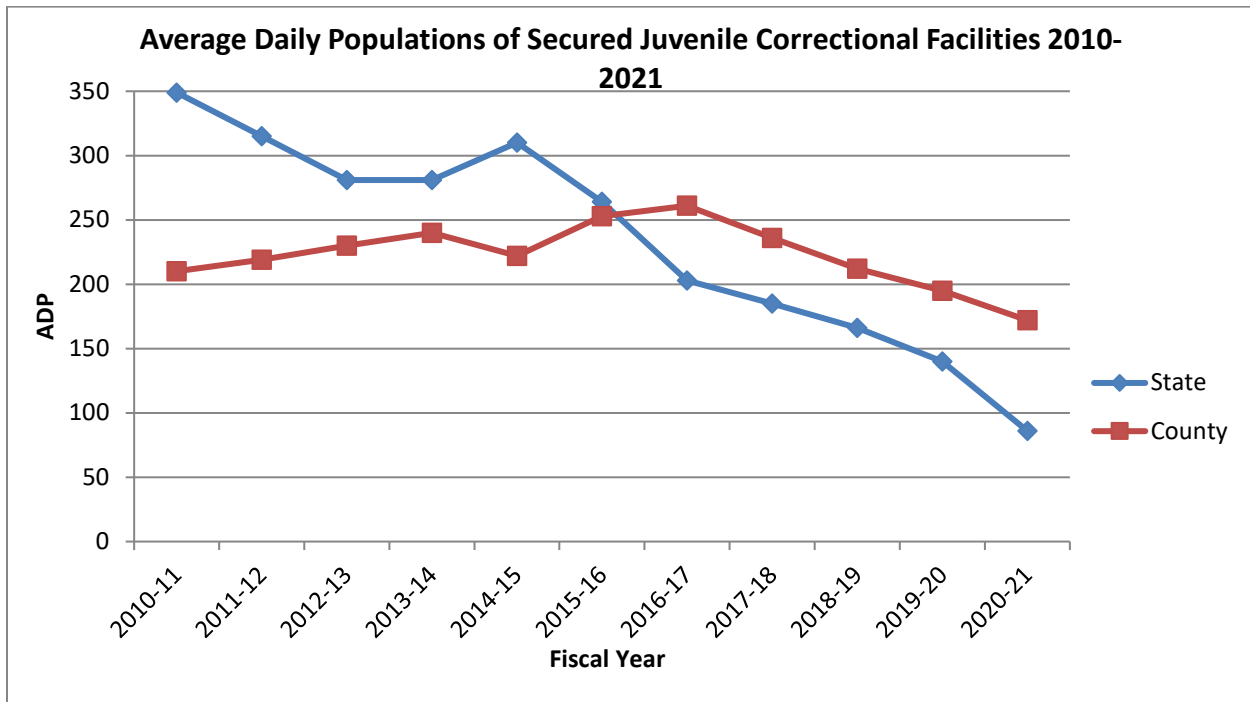
The juvenile population estimate is used for the calculation of the statutory daily rates at juvenile correctional facilities. Daily rates for juvenile care in a given biennium are specified in statute by fiscal year. Once the daily rate is calculated, it is used to determine: (a) what Corrections charges counties to house delinquent juveniles; (b) GPR funding required for the serious juvenile offenders; and (c) GPR funding required for the contract beds appropriation for qualified youth with adult sentences. This paper assumes that the Lincoln Hill/ Copper Lake schools remain open for the 2021-23 biennium.

Population-related base funding for juveniles are 1,125,400 PR, as follows: (a) \$326,000 for food costs at juvenile correctional facilities; (b) \$110,300 for variable non-food costs (such as clothing, laundry, and personal items); and (c) \$689,100 for juvenile health costs.

Under current law, the Department of Corrections may place persons who have not attained the age of 18 years but who are sentenced to the Wisconsin State Prisons at a juvenile correctional facility.

#### DISCUSSION POINTS

1. Legislation passed in 2013-15 and 2015-17 biennia has allowed counties to keep juveniles at county facilities for longer periods of time. Statutes currently allow counties to hold adjudicated juveniles up to 365 days. Prior to 2013, placements of more than 30 days were required to be at a state facility. The average ADP of county and state facilities from 2010-11 through 2020-April of 2021 is shown in the chart below. Note that the county ADPs include both pre-and post-dispositional placements.



2. Under Assembly Bill 68/Senate Bill 111, the juvenile correctional facility average daily population (ADP) is estimated as shown in the table below. The juvenile facilities include Lincoln Hills School (LHS) (males), Copper Lake School (CLS) (females), the Mendota Juvenile Treatment Center (MJTC), and the Grow Academy, an agriculture science-based experiential education program held at a facility in Oregon, Wisconsin. The population projections below assumed that the current statutory closing date of LHS/CLS (July 1, 2021) would be modified as recommended in AB 68/SB 111 to an unspecified future date when substitute placements that meet the needs of juveniles are ready.

<u>Facilities</u>	<u>May 14, 2021 Actual Population</u>	<u>Average Daily Population</u>	
		<u>2021-22</u>	<u>2022-23</u>
Lincoln Hills School	46	72	73
Copper Lake School	10	9	10
Mendota Juvenile Treatment Center	24	16	16
Grow Academy	<u>3</u>	<u>2</u>	<u>2</u>
Total Juvenile Correctional Facility	79	99	101

3. Based on the above population projections, AB 68/SB 111 modified population-related funding for juvenile corrections by -\$384,900 PR in 2021-22 and -\$311,700 PR in 2022-23, as follows: (a) -\$37,600 in 2021-22 and -\$26,200 in 2022-23 for food costs at juvenile correctional facilities; (b) -\$21,800 in 2021-22 and -\$20,000 in 2022-23 for variable non-food costs (such as clothing, laundry, and personal items); and (c) -\$325,500 in 2021-22 and -\$265,500 in 2022-23 for juvenile health costs.

4. The population projections include juveniles in the Serious Juvenile Offender (SJO) program. Estimated populations factor into population and inflationary costs for the juvenile correctional facilities, as well as statutory daily rate calculations. Further, juvenile populations are not expected to increase significantly due to recovery from COVID as demonstrated by declining Department of Corrections juvenile population predictions between the agency request and introduction of the budget bill. In addition, in 2020 the number of delinquency cases disposed by the counties was 4,803 as compared to 5,629 in 2019. This difference of 800 cases disposed appears to indicate that there are not as many juveniles waiting to be sent to Lincoln Hills/Copper Lakes especially as county detention facilities have seen declining populations as well.

5. While Corrections placed a hold on admissions to state facilities during the COVID pandemic, a similar hold was not placed on the juvenile facility.

6. The estimates used for AB 68/SB 111 were based on population data through June, 2020. While the overall average daily population for the juvenile correctional facilities during the summer of 2020 had been approximately 100 juveniles, populations during the past six months have generally been lower, as indicated by the actual populations also identified in the above table. Taking into account recent population trends, as well as historic population patterns, for the juvenile correctional schools, and aftercare, the estimated average daily population for juvenile placements may be adjusted as follows:

	<u>Updated ADPs</u>	
	<u>2021-22</u>	<u>2022-23</u>
Lincoln Hills School	59	59
Copper Lake School	6	6
Mendota Juvenile Treatment Center	19	19
Grow Academy	<u>2</u>	<u>2</u>
Total	86	86

7. The reestimated populations assume a decrease in the number of juveniles placed in the schools than was estimated in AB 68/SB 111. As a result of a lower estimated population in the juvenile correctional facilities, population-related funding would decreased to the base by \$525,800 PR in 2021-22 and \$481,900 PR in 2022-23, associated with: (a) food costs (-\$91,800 PR in 2021-22 and -\$88,100 PR in 2022-23); (b) variable non-food costs (-\$38,500 PR in 2021-22 and -\$38,700 PR in 2022-23); and (c) juvenile health costs (-\$395,500 PR in 2021-22 and -\$355,100 PR in 2022-23).

8. On May 6, 2021, the Joint Committee on Finance removed a number of items from AB 68/SB 111 for further consideration. Among these items were proposed modifications to the juvenile correctional system. Therefore, for purposes of budgeting, the population estimate and other juvenile correctional papers for the 2021-23 biennium assume that the juvenile correctional schools will remain open and that any necessary modifications to current law will be occur in subsequent legislation.

## MODIFICATION

### Juvenile Population Estimates

Reestimate the juvenile correctional facility average daily population (ADP) to be 86.

	Updated ADPs	
	<u>2021-22</u>	<u>2022-23*</u>
Lincoln Hills School	59	59
Copper Lake School	6	6
Mendota Juvenile Treatment Center	19	19
Grow Academy	<u>2</u>	<u>2</u>
Total	86	86

### Population and Inflationary Costs

Decrease funding by \$525,800 PR in 2021-22 and \$481,900 PR in 2022-23, associated with: (a) food costs (-\$91,800 PR in 2021-22 and -\$88,100 PR in 2022-23); (b) variable non-food costs (-\$38,500 PR in 2021-22 and -\$38,700 PR in 2022-23); and (c) juvenile health costs (-\$395,500 PR in 2021-22 and -\$355,100 PR in 2022-23).

As a result, total population-related funding provided for the juvenile correctional facilities would be \$599,600 in 2021-22 and \$643,500 in 2022-23, as follows: (a) \$234,200 in 2021-22 and \$237,900 in 2022-23 for food costs at juvenile correctional facilities; (b) \$71,800 in 2021-22 and \$71,600 in 2022-23 for variable non-food costs (such as clothing, laundry, and personal items); and (c) juvenile health costs (\$293,600 in 2021-22 and \$334,000 in 2022-23).

Change to Base	
PR	- \$1,007,700

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