

# Children and Families

## Children and Families

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### LFB Summary Items for Which an Issue Paper Has Been Prepared

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1	Bureau of Milwaukee Child Welfare - Restructuring (Paper #200)
1	Bureau of Milwaukee Child Welfare - Staffing (Paper #201)
1	Milwaukee Child Welfare Aids (Paper #202)
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7	Services for Victims of Sex Trafficking (Paper #205)





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May 14, 2015

Joint Committee on Finance

Paper #200

### **Bureau of Milwaukee Child Welfare - Restructuring (Children and Families -- Children and Families)**

[LFB 2015-17 Budget Summary: Page 89, #1]

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#### **CURRENT LAW**

Child welfare services in Milwaukee County are provided by the Department of Children and Families (DCF) through the Bureau of Milwaukee Child Welfare (BMCW) under the supervision of the Division of Safety and Permanence. Services are provided from a central administrative site located in the City of Milwaukee.

#### **GOVERNOR**

Increase funding by \$102,200 GPR and \$8,800 FED in 2015-16 and \$136,300 GPR and \$11,900 FED in 2016-17 to create a Division of Milwaukee Child Welfare in DCF and provide a 0.92 GPR and 0.08 FED administrator position beginning in 2015-16. The bill would modify the organizational structure of DCF and increase the number of division administrator positions authorized to be employed outside the classified service in DCF from eight to nine.

#### **DISCUSSION POINTS**

1. In addition to overseeing the operations of BMCW, the Division of Safety and Permanence oversees child welfare programs, out-of-home care, and domestic abuse prevention in all 72 Wisconsin counties. BMCW has 175.7 FTE positions and provided more than \$107.3 million of aid and child welfare services in 2014-15.

2. Management staff in BMCW consists of a bureau director, a deputy director, three section chiefs (administrative section chief; access and initial assessment section chief; and training

and quality improvement section chief), a training and technical assistance manager, medical director, nurse administrator, and three managers, each managing four or five supervisory teams.

3. As discussed in LFB Issue Paper #201, a large backlog of untimely initial assessments of reports of child abuse and neglect began to accumulate at BMCW from 149 in February, 2013, up to 2,918 in June, 2014. The bureau director resigned, citing concerns about the unmet safety needs and excessive workloads. The bureau director position remains unfilled. A subordinate, classified division manager within BMCW is currently fulfilling the duties of the director.

4. Restructuring BMCW as a division within DCF and adding a new administrator may provide more direct oversight of BMCW's activities and enhance administrative planning. Establishing BMCW as a division would also serve to recognize its administrative importance and priority within DCF. For example, reorganization would clarify that the operation of Milwaukee Child Welfare has a resource priority equal to the other divisions within DCF. Reorganization as a division may also generate a broader amount of national interest from potential applicants for upper management positions.

5. DCF would be able to offer a higher starting salary based upon the classification for a division administrator than under the current structure, which has a bureau director in the top leadership position. The bureau director position is a classified position having a starting salary of approximately \$101,500. The minimum salary is approximately \$60,400 and the overall maximum salary is \$141,900. The Governor's proposal would create a new unclassified administrative position, with the salary ranging from \$82,100 to \$127,802. Similarly, DCF would also be able to recruit at a higher classification level for the other management positions by reclassifying the existing management positions.

6. The Committee could choose to restructure BMCW and provide a division administrator as recommended by the Governor (Alternative 1). It must be noted that the bill mistakenly reflects that the 0.08 FTE FED portion of the administrator position is classified. The position would be unclassified.

7. On the other hand, it is not necessary to restructure BMCW as a division in order to provide additional managerial compensation or increase oversight of BMCW. Such goals potentially could be achieved under the current organizational structure by providing for a new assistant administrator position (Alternative 3). Further, improving oversight of BMCW would not necessarily require changing the top leadership position from a classified position into an unclassified position (Alternative 2).

## **ALTERNATIVES**

1. Approve the Governor's proposal to restructure BMCW as the Division of Milwaukee Child Welfare and provide an unclassified administrator position beginning in 2015-16, with a correction to clarify that the 0.08 FTE FED portion of the new position is unclassified.

2. Modify the Governor's proposal such that the administrator position for the new

Division of Milwaukee Child Welfare is classified.

3. Modify the Governor's proposal to deny restructuring BMCW as a division within DCF, and instead add a classified assistant administrator position for BMCW with the same amount of funding.

4. Delete provision.

ALT 5	Change to Bill	
	Funding	Positions
GPR	- \$238,500	- 0.92
FED	<u>- 20,700</u>	<u>- 0.08</u>
Total	- \$259,200	- 1.00

Prepared by: John D. Gentry





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May 14, 2015

Joint Committee on Finance

Paper #201

### **Bureau of Milwaukee Child Welfare - Staffing (Children and Families -- Children and Families)**

[LFB 2015-17 Budget Summary: Page 89, #1]

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#### **CURRENT LAW**

Child welfare services in Milwaukee County are provided by the Department of Children and Families (DCF) through the Bureau of Milwaukee Child Welfare (BMCW) under the Division of Safety and Permanence. Services are provided from a central administrative site located in the City of Milwaukee.

The BMCW access unit receives all incoming reports of possible child abuse or neglect and gathers information from the referral source. If there is reason to suspect possible child maltreatment, the access unit will screen in the referral for further review. BMCW employs initial assessment specialists, who receive referrals from the access unit, to determine: (a) if child abuse or neglect has already occurred, who did it, and the extent and the severity of the abuse or neglect if it has occurred; (b) the level of impending danger to a child in the family of future abuse or neglect; and (c) the types of services to be included in a safety plan for a child in order to prevent abuse or neglect from occurring in the future. These determinations are based on interviews with family members, home visits, and other contacts. State law requires the initial assessment investigations to be completed within 60 days of receiving the referral.

Case management services and ongoing services are provided for ongoing cases of children in out-of-home care and their families. DCF contracts with two outside vendors to provide these services: Children's Hospital of Wisconsin-Community Services and SaintA. The contract agencies are required to provide enough case managers such that there is one staff member for every 15 children. In addition, the agencies must ensure that there is one supervisor for every six staff members.

## GOVERNOR

Provide \$826,000 (\$759,900 GPR and \$66,100 FED) in 2015-16 and \$1,101,200 (\$1,013,100 GPR and \$88,100 FED) in 2016-17 to fund additional staffing at BMCW. The federal funding is received under Title IV-E of the Social Security Act. These federal funds are partial reimbursements for certain administrative expenses for children in the out-of-home care system. As a result, the level of federal funding is directly related to the level of state spending.

Funding of \$13,400 in 2015-16 and \$17,800 in 2016-17 would support a security contract for the BMCW offices. The remainder would support the creation of 11.0 FTE positions (10.12 GPR and 0.88 FED) in BMCW beginning in 2015-16. The increased staffing levels are provided to improve the review of cases of potential or reported child abuse and neglect.

## DISCUSSION POINTS

### Turnover and Assessment at BMCW

1. The following percentages of cases assessed by the BMCW initial assessments (IA) unit have been completed within the statutory 60-day timeline:

<u>Time Period</u>	<u>Timely Assessment</u>
January, 2012, through June, 2012	52.1%
July, 2012, through December, 2012	56.5
January, 2013, through June, 2013	49.7
July, 2013, through December, 2013	37.4
January, 2014, through June, 2014	34.1

2. A large backlog of untimely initial assessments began to accumulate from 149 in February, 2013, up to 2,918 in June, 2014. Of these cases, 2,400 were pending for more than 90 days as of the end of June, 2014.

3. Delays in assessing reports of child abuse may result in children remaining in unsafe or abusive conditions for prolonged periods of time.

4. DCF indicates that the backlog that developed over 2013 and 2014 was due to a higher than expected caseload of screened-in referrals and an unusually high amount of employee turnover in BMCW. The following table shows how many IA specialists left BMCW in 2011 through 2014.

## BMCW IA Specialist Turnover Rate

	<u>IA Specialists Leaving BMCW</u>	<u>IA Turnover Rate</u>
2011	35 out of 101.7	34.4%
2012	40 out of 101.7	39.3
2013	36 out of 101.7	35.5
2014	31 out of 101.7	30.5

5. The average caseload in BMCW was 29.6 IA cases per worker from January through June, 2013, 41.3 IA cases per worker from July through December, 2013, and 59.7 IA cases per worker from January through June, 2014. These caseload numbers reflect full-time caseworkers, and do not reflect trainees and other staff who do not work full-time caseloads.

6. The Child Welfare League of America recommends that an IA specialist have an average caseload of 12 cases. The BMCW vendor contracts for ongoing services require the vendors to maintain no more than 15 cases per worker.

7. To reduce the IA backlog in BMCW, DCF continued to recruit additional IA specialists to address the turnover issue and executed a \$550,000 contract with ACTION for Child Protection, an independent consultant, through the end of 2014. The funding for the contract came from a reallocation of funding under a different contract between DCF and the University of Wisconsin-Milwaukee, which had an existing subcontract with ACTION for Child Protection.

8. BMCW substantially increased the completion of assessments through the end of 2014. As of the end of January, 2015, there were 960 pending IA cases in BMCW which had not been timely assessed. Of these cases, 629 had been pending for more than 90 days. As of the end of March, 2015, there were 482 pending IA cases which had not been timely assessed.

9. Despite improvements in the overall number of assessments completed, statistics collected by DCF indicate that only 21.3% of reports of child abuse and neglect were timely assessed by BMCW between August, 2014, and January, 2015.

### Staffing Proposal

10. As of May 5, 2015, there were a total of 97.7 FTE positions allocated to BMCW for the IA function. This amount is lower than indicated in the table above because four positions were recently transferred from the IA unit to the access unit.

11. Of the 97.7 positions, 10 are pool code positions (such as trainees who do not work full time caseloads) and 87.7 are permanent positions. As of May 5, 2015, of the total 97.7 FTE positions, 9.0 FTE were in training and therefore not carrying caseloads and an additional 18.0 FTE positions were vacant. Recruitment is currently underway to fill the vacant positions.

12. The bill would provide funding for an additional 11.0 FTE positions. Nine of these positions would be "initial assessment specialists." The positions would have a pay schedule level

ranging from a minimum of \$41,600 to a maximum of \$72,550.

13. The remaining two positions would be "initial assessment supervisors." The positions would have a salary ranging from a minimum of \$46,700 to a maximum of \$107,500. The highest allowable salary at appointment would be \$77,100.

14. Three of the positions would work in the BMCW access unit responding to incoming reports of child abuse and neglect while the remaining eight (including the supervisors) would work in the BMCW initial assessment unit investigating reports of child abuse which have been screened in by the access unit.

15. Increased staffing levels would reduce caseloads, thereby improving the review of cases and helping to address BMCW turnover rates. Increased staffing authority would also enable BMCW to maintain a staffing level that accounts for high turnover rates. Because DCF could hire and train a larger number of IA specialists, there would be a larger pool of remaining staff and trainees to take over for each IA specialist that leaves. Therefore, the Joint Committee on Finance may wish to approve the Governor's recommendation without modification (Alternative A.1).

16. On the other hand, it must be noted that BMCW currently has 14.0 vacant IA specialist positions. The Committee could therefore find that additional staffing levels are not needed (Alternative A.2).

17. Further, although the increased staffing levels may reduce IA caseloads, additional staff would not address other underlying problems that contribute to the high turnover rates at BMCW. Other issues which may affect turnover include compensation, competing offers from private employers, after-hours and on-call workloads, and work related stress. Therefore, if other causes of the high turnover rates are not addressed, increased staffing levels may result in increased vacancies without measurable improvements to BMCW performance.

18. It may, therefore, be possible to address staffing deficiencies through policies aimed at retention and recruitment. Such policies may retain experienced caseworkers who would be more proficient than hiring replacement trainees each month.

### **Employee Retention Policies and After-hours Compensation**

19. IA and access workers use on-call or "after-hours" workers to staff BMCW during non-business hours. During weekdays, the after-hours shift is from 5:00 pm to 8:00 am. Weekends and holidays are staffed in two shifts from 8:00 am to 8:00 pm and from 8:00 pm to 8:00 am.

20. After-hours IA workers receive urgent referrals and perform initial face-to-face visits as needed. All IA cases are transferred to first-shift workers.

21. Both access and IA staff are required to sign up for a designated number of shifts. Workers have expressed difficulties in working a consecutive shift with an after-hours shift, as it leads to fatigue, a disruption in work-life balance, and an inability to work effectively.

22. The access unit has found the after-hours shift difficult to staff and difficult to work

due in part because access workers are interrupted many times during an after-hours shift.

23. BMCW IA staff receives the following under the current after-hours pay structure:

- Weeknight: one hour of salary for the on-call shift plus the worker's hourly rate when called.
- Weekends and Holidays: \$1.00 per hour for the on-call shift plus the worker's hourly rate when called.
- Supervisors and program managers receive one hour of salary on weekdays and receive \$1 per hour for the on-call shift on weekends and holidays. They receive no additional compensation when called.

24. For comparison, Fond Du Lac County IA staff are paid \$1.50 per hour on call, and then paid time and a half for work completed. Racine County IA staff receive a flat \$75 per 24 hour shift on-call, and then receive time and a half for hours worked.

25. Dane County IA staff receive one hour of their hourly rate multiplied by five for an after-hours shift on Monday through Thursday. They also get a flat payout of \$75 for any call needing field response, plus compensatory time if the field work is more than two hours in duration. For an after-hours shift on Friday through Sunday, staff receive one hour of their hourly rate multiplied by seven. On holidays, staff receives one hour of their hourly rate multiplied by nine.

26. Based on a BMCW-wide staff survey, a contributing factor to the low job satisfaction rate at BMCW is the relatively low after-hours compensation. Increased compensation could improve morale and reduce staff turnover.

27. In its agency budget request, DCF requested \$406,400 GPR and \$35,300 FED annually to fund additional after-hours compensation. The additional funding would enable the following pay structure:

- Initial Assessment Specialists and supervisors: \$125 per on-call shift for weeknights and \$150 per weekend shift and holiday, including the staff hourly rate if called.
- Program Managers: one hour of pay per shift of on-call

28. In order to allow DCF to provide for additional after-hours compensation or other enhanced employee retention policies at BMCW, the Committee could set aside funding of \$500,000 annually in its general purpose revenue funds general program supplementation appropriation (Alternative B.1). Under this alternative, DCF would be required to submit a retention plan for approval by the Joint Committee on Employment Relations (JOCER). Upon approval by JOCER, all funds would be released to DCF.

29. Alternatively, the Committee may find that it is unnecessary to provide for enhanced employee retention policies, especially if an additional 11.0 FTE positions are provided for IA specialists in BMCW. The Committee could therefore deny additional funding for retention

policies (Alternative B.2).

### **LTE Case Aides**

30. In its agency budget request, DCF requested \$345,100 PR to fund LTE case aides to improve access and IA functions. BMCW currently uses case aides to relieve IA specialists of routine tasks. The program revenue is from child support collections for children in out-of-home care that are retained by the state to offset the costs of providing out-of-home care to those children. Due to a carryover of a preexisting balance of collections funding for 2014-15, expenditure of program revenue for case aides would not decrease funding available for Milwaukee child welfare services.

31. The Committee may wish to provide \$345,100 GPR annually to support the use of case aides while BMCW hires and trains new employees and while these new employees transition to a full-time caseload (Alternative C.1). DCF indicates that the requested funding would contribute positively to the morale and retention of BMCW staff, and allow staff to focus on critical responsibilities (such as case documentation and safety determinations). If BMCW becomes fully staffed, BMCW would reevaluate the need for case aides, which may or may not be needed depending on caseloads.

32. On the other hand, BMCW currently uses case aides as program revenue becomes available due to underspending in other areas. As a result, BMCW may be able to provide for case aides without additional funding. Further, if the Committee approves additional full-time positions, BMCW may not need the additional case aides once BMCW becomes fully staffed. Therefore, the Committee could find that it is unnecessary to provide additional funding for case aides (Alternative C.2).

## **ALTERNATIVES**

### **A. Additional BMCW Staffing**

1. Approve the Governor's recommendation and provide an increase of 11.0 full time staffing in BMCW.
2. Delete provision.

ALT A2	Change to Bill	
	Funding	Positions
GPR	-\$1,773,000	- 10.12
FED	<u>- 154,200</u>	<u>- 0.88</u>
Total	-\$1,927,200	- 11.00

### **B. Enhanced Employee Retention Policies**

1. Modify the Governor's recommendation to provide \$500,000 GPR annually to the

Committee's general purpose revenue funds general program supplementation appropriation for enhanced employee retention policies at BMCW consistent with the 2015-17 compensation plan adopted by JOCER. Such funding would be released to DCF upon approval by JOCER of DCF's BMCW retention plan.

<b>ALT B1</b>	<b>Change to Bill</b>
GPR	\$1,000,000

2. Deny additional funding for enhanced employee retention policies at BMCW.

**C. LTE Case Aides**

1. Modify the Governor's recommendation to provide \$345,100 GPR annually to fund LTE case aides to assist BMCW staff.

<b>ALT C1</b>	<b>Change to Bill</b>
GPR	\$690,200

2. Deny additional funding for LTE case aides.

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May 14, 2015

Joint Committee on Finance

Paper #202

### **Milwaukee Child Welfare Aids (Children and Families -- Children and Families)**

[LFB 2015-17 Budget Summary: Page 89, #1]

#### **CURRENT LAW**

Child welfare services are intended to ensure the safety, well-being, and stability of children and their families. Child welfare services are provided in Milwaukee County by the Bureau of Milwaukee Child Welfare (BMCW) in the Department of Children and Families (DCF). Services are provided from a central administrative site located in the City of Milwaukee. DCF also contracts with private vendors to provide services to families in the child welfare system.

BMCW aids funding supports three categories of expenditures: (a) contracts; (b) other services; and (c) out-of-home care costs. Base funding for BMCW aids is \$107,303,700 (\$58,691,000 GPR, \$23,454,300 FED, and \$25,158,400 PR). The federal funding is available under Title IV-E of the federal Social Security Act and from the temporary assistance for needy families (TANF) block grant. The program revenue includes child support and supplemental security income (SSI) benefits for children in out-of-home care that are retained by the state in a continuing appropriation to offset the costs of providing out-of-home care to those children.

#### **GOVERNOR**

Reduce funding by \$1,302,200 (-\$1,229,300 GPR and -\$72,900 FED) in 2015-16 and increase funding by \$387,400 (\$117,800 GPR and \$269,600 FED) in 2016-17 to reflect the projected costs of BMCW aids expenditures. The bill would:

- a. Increase funding for aids contracts by \$302,000 (\$145,900 GPR and \$156,100 FED Title IV-E) annually;
- b. Substitute federal funding for GPR to reflect federal Title IV-E claiming rates

(-\$971,000 GPR and \$971,000 FED in 2015-16 and -\$969,600 GPR and \$969,600 FED in 2016-17); and

c. Reduce funding by -\$1,604,200 (-\$404,200 GPR and -\$1,200,000 FED) in 2015-16 and increase funding by \$85,400 (\$941,500 GPR and -\$856,100 FED) in 2016-17 to reflect projected changes in caseload and service expenditures.

## **DISCUSSION POINTS**

### **BMCW Out-of-Home Care Costs**

1. The costs of out of-home care account for almost 40% of BMCW's annual aids expenditures. These costs are difficult to predict and include costs for foster care (levels one through four), group homes, residential care centers (RCCs), and assessment centers. The bill would provide \$35,529,200 (\$28,364,900 GPR and \$7,164,300 FED) in 2015-16 and \$37,218,800 (\$29,712,000 GPR and \$7,506,800 FED) in 2016-17 for these expenses. The federal funds are reimbursements received under Title IV-E.

2. DCF indicates that, compared to the bill, additional funding in the amounts of \$7,330,400 in 2015-16 and \$5,640,800 in 2016-17 will be needed to support BMCW out-of-home costs. This is mainly because costs of the following items were mistakenly omitted from estimates used to determine the level of funding provided under the bill: (a) placements in out-of-state RCCs; (b) child placing agency administrative costs; and (c) supervised independent living placements.

3. Out-of-state RCCs are not subject to DCF rate regulation and therefore are much more expensive than in-state RCCs. Generally, a juvenile court will order a child placed into an out-of-state RCC because in-state RCCs cannot accommodate the special needs of the child or because in-state RCCs lack the necessary capacity for the placement. DCF projects that there will be seven out-of-state placements in 2015-16 and 2016-17 at a cost of \$1,469,100 annually. Such costs were not included in the budget bill.

4. Child placing agencies are licensed by DCF to place children in licensed family foster homes, treatment foster homes, and licensed group homes. The regulated rate for child-placing agencies is a per-client administrative rate that each agency may charge for the administrative portion of its services for foster homes with a Level 3 or Level 4 certification under the foster care levels of care system. The regulated rates for 2015 range from \$55 up to \$65. The administrative costs of child placing agencies were not included into the cost calculations used to determine the level of funding needed for Level 3 and Level 4 foster homes under the bill. As a result, the reestimated costs for Level 3 and Level 4 foster homes, which are based upon expenditure data through March, 2015, are larger than projected under the bill by \$5,223,300 2015-16 and by \$4,722,300 in 2016-17.

5. Supervised independent living placements are available, if appropriate, for youth over the age of 17 to teach independent living skills. It is estimated that these placements will cost \$900,000 annually. Supervised independent living placements were not part of the caseload/cost

projections used to generate DCF's agency request or the Governor's recommendations.

6. These additional costs are partially offset by reestimates based on more recent caseload information through March, 2015, for Level 1 and Level 2 foster homes, group homes, assessment centers, and RCCs. Compared to the bill, the new estimate for these items is lower by \$262,000 (-\$117,400 GPR and -\$144,600 FED) in 2015-16 and by \$1,450,600 (-\$1,108,300 GPR and -\$343,300 FED) in 2016-17.

7. The Committee could provide additional funding in the amount of \$7,330,400 (\$5,875,300 GPR and \$1,455,100 FED) in 2015-16 and \$5,640,800 (\$4,529,500 GPR and \$1,111,300 FED) in 2016-17 to support the reestimated costs of BMCW out-of-home care (Alternative A.1). The federal funds would be reimbursements received under Title IV-E.

8. Alternatively, the Committee could provide one-time funding from child support collections program revenue to pay for a portion of the estimated costs of BMCW aids (Alternative A.2). The amount of general purpose revenue needed to support BMCW out-of-home costs would be offset by the amount of program revenue provided by the Committee. It must be noted that federal reimbursement under Title IV-E would not be available for child support collections program revenue expenditures and as a result there would be a decrease in federal funding compared to Alternative A.1. However, DCF would have the flexibility to utilize the program revenue in such a way that it could maximize federal funding under Title IV-E (and therefore minimize any loss of federal revenue).

9. DCF indicates that the projected ending balance of child support collections in 2016-17 is \$6.2 million. Therefore, a maximum of \$6.0 million PR could be provided under this alternative.

10. DCF indicates that the use of additional PR funds for BMCW aids may restrict the funding available to support the Title IV-E waiver program (under which savings generated by the trial reunification program in Milwaukee County could be spent for child welfare programs in the balance of the state and generate federal reimbursement under Title IV-E). As a result, the Committee may wish to provide child support collections in an amount less than \$6 million.

11. The Committee could choose from the following options to provide program revenue for BMCW aids to support the projected increase in BMCW out-of-home care costs. The options assume that DCF would apply the program revenue to expenditures which minimize the loss of federal reimbursements under Title IV-E.

- (a) \$4,875,300 GPR, \$1,455,100 FED, and \$1,000,000 PR in 2015-16  
\$4,529,500 GPR and \$1,111,300 FED in 2016-17
- (b) \$3,875,300 GPR, \$1,455,100 FED, and \$2,000,000 PR in 2015-16  
\$4,529,500 GPR and \$1,111,300 FED in 2016-17
- (c) \$2,927,800 GPR, \$1,402,600 FED, and \$3,000,000 PR in 2015-16  
\$4,529,500 GPR and \$1,111,300 FED in 2016-17

- (d) \$1,980,400 GPR, \$1,350,000 FED, and \$4,000,000 PR in 2015-16  
\$4,529,500 GPR and \$1,111,300 FED in 2016-17
- (e) \$1,032,900 GPR, \$1,297,400 FED, and \$5,000,000 PR in 2015-16  
\$4,529,500 GPR and \$1,111,300 FED in 2016-17
- (f) \$85,500 GPR, \$1,244,900 FED, and \$6,000,000 PR in 2015-16  
\$4,529,500 GPR and \$1,111,300 FED in 2016-17

12. Finally, the Committee could approve the Governor's recommended level of funding for BMCW out-of-home care (Alternative A.3). Under this alternative, DCF would need to prioritize program expenditures and greatly reduce aids spending for child abuse and neglect programs, out-of-home care for children who have been removed from their home due to child abuse and neglect, family strengthening and reunification programs, adoptions, and other child welfare programs in Milwaukee County.

### **BMCW Aids Contracts**

13. BMCW currently contracts with vendors to conduct a variety of activities, including (but not limited to) case management services, ongoing services (services provided to children in out-of-home care that are intended to assist children and their families in achieving goals identified in permanency plans), out-of-home placement services (recruitment and licensing of foster families), adoption placement services, independent investigations, permanency planning reviews, and court services. The base funding for these contracts is approximately \$48.4 million (all funds) annually.

14. The bill would increase funding for these contracts by \$302,000 (\$145,900 GPR and \$156,100) annually. The changes are due to estimates of contract costs and Title IV-E funds available to support contract costs. The increase includes the following: (a) Milwaukee County Clerk of Courts (\$64,000 GPR annually); (b) court initiative permanency counselor (-\$4,500 GPR and \$4,500 FED annually); (c) guardian ad litem services by the Legal Aid Society (-\$4,100 GPR and \$4,100 FED annually); (d) family drug treatment court and evaluation (\$95,000 GPR annually); (e) security guard services (\$95,000 GPR annually); (f) out-of-home placement contracts (-\$147,600 GPR and \$112,600 FED); and (g) annual contract costs related to termination of parental rights (\$48,100 GPR and \$34,900).

15. DCF indicates that, compared to the bill, estimates based upon expenditure information through March, 2015, show that additional funding in the amount of \$997,400 will be needed for BMCW aids contracts. First, ongoing case management contracts are projected to cost \$945,200 more than anticipated due to an increase in the projected caseloads through the last six months of 2015. Second, the Milwaukee County Clerk of Courts contract is anticipated to increase by 2.5% (\$17,900). Third, the Milwaukee County district attorney contract is anticipated to increase by \$26,300. Finally, a request for bids for the court initiative permanency counselor resulted in a sole response at \$8,000 higher than projected.

16. The Committee could provide annual funding in the amount of \$997,400 (\$882,900 GPR and \$114,500 FED) to support the estimated BMCW contract spending (Alternative B.1).

17. Alternatively, the Committee could decide to approve the Governor's recommended level of funding for BMCW contracts (Alternative B.2). Under this alternative, DCF would likely need to reduce contract spending by prioritizing program expenditures.

### **BMCW Wraparound Program**

18. Part of the BMCW budget includes funding for other services, which includes the wraparound program and in-home services (formerly known as safety services). The "wraparound" program provides comprehensive services for families and children with significant and complex mental health needs. Children are served by the program if they have been referred to child welfare services and are at immediate risk of placement in a residential treatment center, a juvenile justice facility, or a psychiatric hospital. The bill would annually provide \$11,934,700 (all funds), which is an increase of \$2,412,600 (\$2,258,500 GPR and \$154,100 FED). The bill reflects an estimated 4.9% increase in the program over 2013-14 caseloads. The federal funds are reimbursements received under Title IV-E.

19. The Committee could adopt the Governor's recommended level of funding for the wraparound program (Alternative C.1).

20. On the other hand, DCF indicates that based upon expenditures through March, 2015, wraparound spending is now projected to be \$1,433,600 (\$1,342,100 GPR and \$91,500 FED) lower than anticipated under the bill in each year. The projected total is \$10,501,100 (\$9,830,100 GPR and \$671,000 FED) annually.

21. The Committee could therefore choose to decrease funding for the Wraparound program by \$1,433,600 (\$1,342,100 GPR and \$91,500 FED) annually to reflect wraparound caseload data through March, 2015 (Alternative C.2).

## **ALTERNATIVES**

### **A. BMCW Out-of-Home Care**

1. Modify the Governor's recommendation to provide additional funding in the amount of \$7,330,400 (\$5,875,300 GPR and \$1,455,100 FED) in 2015-16 and \$5,640,800 (\$4,529,500 GPR and \$1,111,300 FED) in 2016-17 for BMCW aids to support reestimated out-of-home care costs. The federal funds are reimbursements received under Title IV-E.

<b>ALT A1</b>	<b>Change to Bill</b>
GPR	\$10,404,800
FED	<u>2,566,400</u>
Total	\$12,971,200

2. Modify the Governor's recommendation to provide additional funding of \$7,330,400 in

2015-16 and \$5,640,800 in 2016-17 for BMCW aids to support reestimated BMCW out-of-home care expenditures, including program revenue in an amount determined by the Committee. The program revenue would consist of child support and SSI benefits for children in out-of-home care that are retained by the state to offset the costs of providing out-of-home care to those children.

ALT A2	Change to Bill			
	GPR	FED	PR	Total
a.	\$9,404,800	\$2,566,400	\$1,000,000	\$12,971,200
b.	\$8,404,800	\$2,566,400	\$2,000,000	\$12,971,200
c.	\$7,457,300	\$2,513,900	\$3,000,000	\$12,971,200
d.	\$6,509,900	\$2,461,300	\$4,000,000	\$12,971,200
e.	\$5,562,400	\$2,408,700	\$5,000,000	\$12,971,200
f.	\$4,615,000	\$2,356,200	\$6,000,000	\$12,971,200

3. Approve the Governor's recommended level of funding for BMCW out-of-home care expenditures.

**B. BMCW Contracts**

1. Modify the Governor's recommendation to provide annual funding in the amount of \$997,400 (\$882,900 GPR and \$114,500 FED) for BMCW aids to support reestimated BMCW contract expenditures. The federal funds are reimbursements received under Title IV-E.

ALT B1	Change to Bill
GPR	\$1,765,800
FED	<u>229,000</u>
Total	\$1,994,800

2. Approve the Governor's recommended level of funding for BMCW contracts.

**C. BMCW Wraparound Program**

1. Adopt the Governor's recommended level of funding for the wraparound program.

2. Modify the Governor's recommendation to decrease funding for BMCW aids by \$1,433,600 (\$1,342,100 GPR and \$91,500 FED) annually to reflect more recent estimates of wraparound caseloads through March, 2015. The federal funds are reimbursements received under Title IV-E.

ALT C2	Change to Bill
GPR	- \$2,684,200
FED	<u>- 183,000</u>
Total	- \$2,867,200

Prepared by: John D. Gentry



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May 14, 2015

Joint Committee on Finance

Paper #203

### **Out-of-Home Care Extension (Children and Families -- Children and Families)**

[LFB 2015-17 Budget Summary: Page 90, #3]

#### **CURRENT LAW**

*Extension of Out-of Home Care.* Under current law, children may be placed in out-of-home care by an order of the juvenile court or a voluntary placement agreement between a parent and a caregiver and involving a child welfare agency. Dispositional court orders that place a child in out-of-home care generally terminate on when the child reaches 18 years of age.

2013 Act 334 permits a child who is in out-of-home care and who has an individualized education program (IEP) to continue in such care until the child is granted a high school diploma or its equivalent or until he or she reaches 21 years of age, whichever occurs first, if: (a) the child is a full-time student at a high school or its vocational or technical equivalent (full-time student); and (b) the child is 17 years of age or older when the dispositional order is entered and the child (or the child's guardian) agrees to the order. An IEP is a written statement for a child with a disability that is developed to provide the child with an appropriate education.

For those in out-of-home care whose dispositional order would terminate after attaining the age of 18, not less than 120 days before the dispositional order terminates, the agency primarily responsible for providing services under the order must request that the youth indicate whether he or she wishes to be discharged from out-of-home care or wishes to continue in out-of-home care under a voluntary transition-to-independent-living agreement. If the child wishes to continue in out-of-home care, the agency will enter into such an agreement. Otherwise, the agency must request a transition-to-discharge hearing (and provide services to assist the youth's transition out of the out-of-home care system into independent living).

## GOVERNOR

The bill would provide for a number of statutory changes, including: (a) providing that if the Department of Children and Families (DCF), the Department of Corrections (DOC), or a county (the agency) enters into such an agreement with a child, the agreement must specifically state that DCF, DOC, or the county has placement and care responsibility for the child and has primary responsibility for providing services to the child; (b) requiring the agency that executes the transition-to-independent-living agreement to petition the juvenile court for a hearing; and (c) requiring the juvenile court to determine whether placement of the child in out-of-home care under the agreement is in the best interests of the child (best interest hearing).

A community-based residential facility (CBRF) may admit and provide services for adults, such as those with advanced age, mental health problems, or physical disabilities. Under current law, subject to certain exceptions, a facility where five or more adults (who do not require care above intermediate level nursing care) reside and receive care, treatment, or services that are above the level of room and board must be licensed as a community-based residential facility. The bill would provide an exception to CBRF licensure requirements for foster homes, group homes, and residential care centers. This would enable the extension of out-of-home care to full-time students with an IEP over the age of 18 without necessitating CBRF licensing. Foster homes, group homes, and residential care centers would continue to be licensed as such by DCF.

## MODIFICATION

First, modify the CBRF licensure exception for group homes and residential care centers. No general exception to CBRF licensure would be provided to group homes and residential care centers. Instead, modify the language of the bill such that DCF licensed group homes and residential care centers would not have to be licensed through DHS as a CBRF in order to provide care pursuant to s. 48.366 or 938.366.

Second, modify the bill to require in s. 48.366 that: (a) the agency must petition the juvenile court for a best interest hearing within 150 days of executing a voluntary transition-to-independent living agreement; (b) any such determination by the court must be on a case-by-case basis based on circumstances specific to the child and must document or reference the specific information on which the findings are based; (c) the agency must provide the specific information regarding why the placement is in the child's best interest; (d) the court must make the determination no later than 180 days into the voluntary placement; and (e) that no continuance may be granted for a best interest hearing if the continuance would extend the hearing beyond 180 days of the child's voluntary placement.

Third, amend section 48.185 to clarify that venue for a hearing under s. 48.366 (permanency hearing and review) must be in the county in which the most recent dispositional order was issued.

**Explanation:** The administration indicates that the bill language providing for the CBRF licensure exception is overly broad. The intent of the bill was to provide for a limited CBRF licensure exception for youth extended in out-of-home care and not to provide a more general exemption for

foster homes, group homes, and residential care centers that serve them. The current language would effectively provide group homes and residential care centers an exception to serve other persons without CBRF licensure simply because they happen to serve youth extended in out-of-home care. The modification would limit the exception to youth extended in out-of-home care under an IEP. The remaining modifications to the bill are intended to conform with federal law.

Prepared by: John D. Gentry





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May 14, 2015

Joint Committee on Finance

Paper #204

### **Domestic Abuse Services (Children and Families -- Children and Families)**

[LFB 2015-17 Budget Summary: Page 95, #6]

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#### **CURRENT LAW**

Under Wisconsin law, domestic abuse is the intentional infliction of physical pain, injury or illness; intentional impairment of physical condition; sexual assault; or a physical act that causes reasonable fear that any of these actions will occur. Domestic abuse applies to acts engaged in by an adult person against his or her spouse, former spouse, an adult with whom the person resides or formerly resided, or an adult with whom the person has a child in common.

The Department of Children and Families (DCF) is budgeted \$9,557,600 annually to provide domestic violence services grants to nonprofit corporations, public agencies, and federally recognized American Indian tribes or bands. Services funded include: (a) shelter facilities or private home shelter care; (b) advocacy and counseling for victims; (c) a 24-hour telephone service; and (d) community education shelters. Funding includes: \$7,434,600 GPR; \$1,549,800 FED the state receives from the U.S. Department of Health and Human Services (DHHS) under the federal Violence Against Women Act; and \$573,200 PR from the \$100 domestic abuse surcharge, which is attached to certain domestic abuse related criminal sentences.

#### **GOVERNOR**

Increase funding for domestic abuse grants by \$5,000,000 GPR in 2016-17 to enhance services to victims of domestic abuse and their families. The additional funding would be used to help maintain, strengthen, and expand core services for domestic violence victims and their children. Total funding under the bill would be \$9,557,600 (\$7,434,600 GPR, \$1,549,800 FED, and \$573,200 PR) in 2015-16 and \$14,557,600 (\$12,434,600 GPR, \$1,549,800 FED, and \$573,200 PR) in 2016-17.

## DISCUSSION POINTS

1. The Wisconsin Department of Justice prepares an annual report that provides information on domestic abuse incidents in Wisconsin. According to the most recent report, in 2012:

- There were 28,729 domestic abuse incidents reported to law enforcement and referred to Wisconsin district attorneys' offices. This is a small increase from the 28,539 incidents reported in 2011 and a decrease from the 29,941 incidents reported in 2010.

- Incidents in Milwaukee County comprised more than a quarter of all reported incidents.

2. End Domestic Abuse Wisconsin issues an annual report that provides information on homicides resulting from domestic violence. The most recent report, published in September, 2014, provides information on the 38 domestic violence homicide incidents that occurred in 2013. According to End Domestic Abuse Wisconsin, 550 Wisconsinites have lost their lives in domestic violence homicides since 2000.

3. A survey study conducted by the federal Centers for Disease Control in 2011 estimates that approximately one in four Wisconsin women have been beaten, sexually assaulted, or stalked by a current or former intimate partner at some point in her life.

4. To address the need for domestic violence services, DCF distributes grants to agencies. Attachment 1 to this paper discusses the services funded under such grants and Attachments 2 and 3 show the domestic abuse funds that DCF provided to 63 nonprofit agencies, 11 tribes, and two counties in 2014.

5. In addition to funding received from DCF, agencies may also receive federal funding from the Office of Justice Assistance (OJA) under the STOP Violence Against Women Act (VAWA) and the Victims of Crime Act (VOCA). In federal fiscal year 2014, OJA awarded \$3.3 million in VOCA grants to 64 public and private nonprofit agencies for domestic abuse services, such as counseling, shelter, crisis intervention, and legal advocacy. OJA awarded VAWA grants in federal fiscal year 2014 to seven agencies for domestic abuse victim services in the amount of \$316,900.

6. Counties are also able to utilize a portion of their community aids funding for domestic violence services. DCF does not currently maintain information on county expenditures for this purpose.

7. Additional funding for domestic abuse services was recommended in the 2014-2020 Long Range Plan for a Safe Wisconsin (Long Range Plan), created by the Governor's Council on Domestic Abuse and End Domestic Abuse Wisconsin.

8. The Long Range Plan found that core services to victims of domestic violence are underfunded in the state of Wisconsin. The Long Range Plan noted that 45% of requests for shelter care were found to go unfilled due to capacity constraints. In the 2013 reporting period, 3,736 adult victims were sheltered, but almost 3,000 requests were not able to be fulfilled.

9. Based on survey results of September 17, 2013, the National Domestic Violence Census

found that 2,072 domestic violence victims and their children received assistance, but 247 victims and children who sought help did not receive assistance because the programs lacked funding and capacity.

10. Taking the Census as representative of a single day in Wisconsin, the Long Range Plan estimates that close to 100,000 requests for help from victims are not met on an annual basis in Wisconsin because services are not adequately funded. The Long Range Plan recommended additional funding for core services for domestic violence victims in the amount of \$19.7 million annually in state, local, and private funding. Under the bill, \$9.6 million would be provided in 2015-16 and \$14.6 million in 2016-17.

## ALTERNATIVES

1. Approve the Governor's recommendation and increase funding for domestic abuse grants by \$5,000,000 GPR in 2016-17.

2. Modify the Governor's recommendation to provide GPR funding in 2016-17 for domestic abuse grants as follows: (a) \$2 million; (b) \$3 million; (c) \$4 million; (d) \$6 million; or (e) \$7 million.

ALT 2	Change to Bill
	GPR
a	- \$3,000,000
b	- 2,000,000
c	- 1,000,000
d	1,000,000
e	2,000,000

3. Delete provision.

ALT 3	Change to Bill
GPR	- \$5,000,000

Prepared by: John D. Gentry  
Attachments



## ATTACHMENT 1

### Description of Domestic Abuse Service Grants

Basic Services Grants fund a range of core services for victims of domestic abuse and their children. Services may be provided in a shelter or nonresidential setting. By statute, shelter programs that receive funding must provide the following services:

- 24-hour crisis line;
- temporary housing and food;
- counseling and advocacy;
- information and referral;
- arrangements for the education of school age children;
- emergency transportation, and community education.

Non-residential programs must provide a 24-hour crisis line, counseling and advocacy, information and referral, and community education.

Children's Services fund services targeted to the needs of children who witness or experience domestic violence in their homes. Services include intake and assessment activities, support and skill-building groups, counseling and advocacy, and community education. Services are meant to be coordinated with services provided to the adult victim receiving services.

Outreach Services fund nonresidential outreach offices in rural counties. Typically, outreach offices are administratively tied to a nearby shelter program, thereby expanding the program's reach into the surrounding area and counties.

Support Services fund additional services to assist victims of domestic violence and their children achieve safety, empowerment, and self-sufficiency. Services may include self-sufficiency services/economic advocacy, legal advocacy, expanded services to children, and services to under-represented populations.

Tribal Services funds are provided as part of the Tribal Family Services program, under which all eleven Wisconsin tribes receive funding to provide core domestic abuse services. In addition, funds are provided to the statewide Native American shelter in Lac du Flambeau that serves all eleven tribes. Services provided include a 24-hour crisis line, individual counseling, support groups, legal and other advocacy, transportation to the shelter, community education, and transitional living.

Services to Under-represented Populations fund domestic abuse services that are targeted to traditionally under-represented populations.

Refugee Family Strengthening Program (RFSP) funds education, prevention and intervention services targeted to the Southeast Asian and other refugee populations.

Training and technical assistance funds the Wisconsin Coalition Against Domestic Violence for training and technical assistance initiatives.

## ATTACHMENT 2

### Domestic Abuse Program 2014 Grants

Agency	Service Area	Basic Services*	Children's Services	Outreach Services	Support Services	Refugee Family Strength*	Under-represented Populations	Training and Technical Assistance	Total
Advocates	Ozaukee	\$92,307	\$20,000	\$0	\$25,000	\$0	\$0	\$0	\$137,307
Asha Family Svcs	Milwaukee	47,200	20,000	0	25,000	0	72,330	0	164,530
APFV	Walworth	58,687	20,000	0	0	0	0	0	78,687
AVAIL	Langlade	95,652	20,000	0	25,000	0	0	0	140,652
Bolton Refugee House	Eau Claire, Buffalo, Jackson	111,361	20,000	84,000	0	0	0	0	215,361
Bridge to Hope	Dunn, Pepin	78,282	20,000	42,000	25,000	0	0	0	165,282
CAP Services Family	Portage, Waushara, Waupaca	120,382	20,000	84,000	0	40,820	0	0	265,202
Crisis Center	Florence	42,000	0	0	0	0	0	0	42,000
Caring House	Douglas, Bayfield	84,655	20,000	42,000	25,000	0	0	0	171,655
CASDA	Crawford	42,000	0	0	0	0	0	0	42,000
Catholic Charities - La Crosse	Brown, Outagamie,								
Catholic Charities - Green Bay	Manitowoc, Winnebago	0	20,000	0	0	187,973	0	0	207,973
Christine Ann DA Services	Winnebago, Green Lake	106,854	20,000	42,000	0	0	0	0	168,854
Community Referral Agency	Polk, Burnett	98,008	20,000	42,000	0	0	0	0	160,008
Deaf Unity	Statewide	0	0	0	25,000	0	70,371	0	95,371
Domestic Abuse Intervention Services	Dane	128,499	20,000	0	25,000	0	0	0	173,499
Safe Haven	Shawano	62,798	20,000	0	25,000	0	0	0	107,798
Diverse and Resilient	Statewide	0	0	0	25,000	0	0	0	25,000
DOVE	Iron	42,000	0	0	0	0	0	0	42,000
Family Advocates	Grant, Iowa, Lafayette	99,267	20,000	84,000	0	0	0	0	203,267
Family Center	Wood	102,114	20,000	0	25,000	29,540	0	0	176,654
Family Support Center	Chippewa	57,795	20,000	0	25,000	0	0	0	102,795
Golden House	Brown,	102,148	20,000	0	0	0	0	0	122,148
Solutions Center	Fond du Lac	83,056	20,000	0	0	0	0	0	103,056
Friends of Abused Families	Washington	93,114	20,000	0	25,000	0	0	0	138,114
Greenhaven Family Advocates	Green	56,866	20,000	0	0	0	0	0	76,866
Harbor House	Outagamie, Calumet	94,678	20,000	42,000	25,000	0	0	0	181,678
Haven	Lincoln	100,621	20,000	0	25,000	0	0	0	145,621
Help of Door County	Door	69,752	20,000	0	25,000	0	0	0	114,752
Hmong American Women's Assoc.	Milwaukee	0	0	0	0	159,182	54,511	0	213,693

Agency	Service Area	Basic Services*	Children's Services	Outreach Services	Support Services	Refugee Family Strength*	Under-represented Populations	Training and Technical Assistance	Total
Freedom, Inc.	Dane	\$0	\$20,000	\$0	\$25,000	\$70,428	\$0	\$0	\$115,428
Hope House	Sauk, Columbia, Adams, Marquette, Juneau	87,890	20,000	168,000	25,000	0	0	0	300,890
YWCA of Rock Co.	Rock	93,528	20,000	0	25,000	0	0	0	138,528
La Crosse Area Hmong MAA	La Crosse, Eau Claire	0	20,000	0	25,000	130,525	0	0	175,525
Latina Resource Center/UMOS	Milwaukee	0	20,000	0	0	0	35,000	0	55,000
Legal Action	Nine Counties in SW WI	0	0	0	0	0	75,000	0	75,000
Manitowoc Co. Domestic Violence Ctr	Manitowoc	96,754	20,000	0	25,000	0	0	0	141,754
Milw. Ctr for Children and Youth	Milwaukee	0	20,000	0	25,000	0	0	0	45,000
Milw. LGBT Center	Milwaukee	0	0	0	25,000	0	0	0	25,000
Milwaukee Women's Center/CA	Milwaukee	123,333	20,000	0	25,000	0	48,720	0	217,053
Monroe County Shelter Care	Monroe	47,338	20,000	0	0	0	0	0	67,338
New Horizons	La Crosse, Trempeleau	94,869	20,000	42,000	25,000	0	19,068	0	200,937
New Day Shelter	Ashland	95,745	20,000	0	25,000	0	0	0	140,745
People Against Domestic Abuse	Jefferson	47,774	20,000	0	25,000	0	0	0	92,774
Passages	Richland	95,835	20,000	0	25,000	0	0	0	140,835
PAVE	Dodge	82,865	20,000	0	0	0	0	0	102,865
Personal Development Center	Wood, Clark	59,509	20,000	42,000	25,000	0	0	0	146,509
Rainbow House	Marquette, Oconto	104,154	20,000	42,000	0	0	0	0	166,154
Safe Harbor	Sheboygan	92,217	20,000	0	25,000	32,422	0	0	169,639
Family Services	Rock	62,694	20,000	0	0	0	0	0	82,694
Sojourner Family Peace Center	Milwaukee	197,965	20,000	0	25,000	63,757	0	0	306,722
Stepping Stones	Taylor	81,768	20,000	0	25,000	0	0	0	126,768
Timeout Family Abuse Shelter	Rusk, Washburn, Price	102,180	20,000	84,000	0	0	0	0	206,180
Tri-County Council on DA and SA	Oneida, Vilas, Forest	103,019	0	84,000	25,000	0	0	0	212,019
Turningpoint	Pierce, St. Croix	109,037	20,000	42,000	0	0	0	0	171,037
UNIDOS Against Domestic Violence	Dane, Rock	0	0	0	0	0	0	0	0
Vernon Co. DV Prog.	Vernon	48,557	20,000	0	0	0	0	0	68,557
Violence Intervention Project Inc.	Kewaunee	56,051	20,000	0	0	0	0	0	76,051
WCADV	Statewide	0	0	0	0	0	0	518,076	518,076
Wise Women Gathering	Oneida Res.	0	0	0	25,000	0	0	0	25,000
Women and Children's Horizons	Kenosha	95,082	20,000	0	25,000	0	0	0	140,082
Women's Center	Waukesha	123,262	20,000	0	25,000	0	0	0	168,262
Women's Community	Marathon	105,459	20,000	0	25,000	59,078	0	0	209,537
Women's Resource Ctr	Racine	107,793	20,000	0	25,000	0	0	0	152,793
<b>Total</b>		<b>\$4,384,774</b>	<b>\$1,020,000</b>	<b>\$966,000</b>	<b>\$925,000</b>	<b>\$773,725</b>	<b>\$375,000</b>	<b>\$518,076</b>	<b>\$8,962,575</b>

\*2014 grant amounts for Basic Services and the Refugee Family Strengthening Program also contained a carryover amount that is not reflected in this chart.

### ATTACHMENT 3

#### Domestic Abuse Services Grants Allocations to Tribes and Counties 2014

	<u>Basic Services</u>	<u>Children's Program</u>	<u>Support Services</u>	<u>Statewide Shelter</u>
<u>Tribal Programs</u>				
Bad River	\$0	\$0	\$0	\$0
Ho Chunk	0	0	0	0
Lac Du Flambeau	0	20,000	25,000	117,534
Lac Courte Oreilles	0	20,000	25,000	0
Menominee	56,687	20,000	25,000	0
Oneida	0	20,000	25,000	0
Potawotomi	0	0	0	0
Red Cliff	0	0	25,000	0
Sokaogon	0	0	0	0
St. Croix	0	0	0	0
Stockbridge-Munsee	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
 Total	 \$56,687	 \$80,000	 \$125,000	 \$117,534
 <u>County Programs</u>				
Barron County	\$42,000			
Sawyer County	<u>42,000</u>			
 Total	 \$84,000			



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May 14, 2015

Joint Committee on Finance

Paper #205

### **Services for Victims of Sex Trafficking (Children and Families - Children and Families)**

[LFB 2015-17 Budget Summary: Page 95, #7]

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#### **CURRENT LAW**

Under Wisconsin law, human trafficking includes recruiting, enticing, harboring, transporting, providing or obtaining an individual (or attempting to do any of the same). Human trafficking of a child is a class C felony if done for the purposes of commercial sex acts or sexually explicit performance. Human trafficking for the purposes of commercial sex acts is a class D felony if accomplished by certain means, including bodily harm, restraints, extortion, debt bondage, and financial harm.

In 2014-15, the Department of Children and Families (DCF) and Lad Lake, a nonprofit organization serving at-risk youth, are conducting an out-of-home residential treatment pilot program to serve the needs of victims of sex trafficking. The Lad Lake program offers a safe, therapeutic, and trauma-sensitive environment that removes victimized young girls from human trafficking, while helping to build self-esteem. The program utilizes trauma focused cognitive behavioral therapy designed to treat posttraumatic stress and related emotional and behavioral problems.

#### **GOVERNOR**

Provide \$2,000,000 GPR in 2016-17 to purchase or provide both residential and community-based services for children who are victims of sex trafficking. Require DCF to ensure that treatment and services are available to children in all geographic areas of the state, including both urban and rural communities.

## DISCUSSION POINTS

1. A survey of more than 1,300 sexual assault service providers, domestic violence providers, law enforcement officers, and district attorneys conducted by the Wisconsin Office of Justice Assistance between 2000 and 2007 identified more than 200 individuals as potential victims of trafficking. Approximately 15% of encountered victims were child victims of commercial sexual exploitation. Victims were identified in more than half of Wisconsin counties in both rural and urban counties.

2. A study conducted by the Milwaukee Homicide Review Commission examined Milwaukee police incident reports from August 1, 2010, to August 1, 2012, in order to estimate the number of youth trafficked. During the two-year period, 77 youth were identified as having been sex trafficked. Of these youth, 25 were between the ages of twelve and 15 and the remaining 52 were either 16 or 17 years old. More than 92% were female.

3. In July, 2013, a nationwide investigation by the Federal Bureau of Investigation rescued 10 children in Wisconsin and arrested 100 suspects for child trafficking. The investigation targeted Madison, Wisconsin Dells, and the Fox Valley. During a similar investigation in 2012, six children were recovered and 60 suspects were arrested in Wisconsin.

4. As noted in the Office of Justice Assistance's Wisconsin Human Trafficking and Resource Manual, victims of human trafficking need a complex and comprehensive set of services that require sensitivity and specialized training. However, the state lacks a sustainable network of service providers specifically trained in the dynamics of human trafficking and funded to provide services to trafficking victims.

5. Under the current pilot program, the Bureau of Milwaukee Child Welfare (BMCW) contracts with Lad Lake to provide treatment for those in out-of-home care in Milwaukee who are identified as victims of sex trafficking. The treatment center is located 35 miles from Milwaukee in Dousman, Wisconsin. Each participant is placed with Lad Lake and receives treatment for an average of seven months. The program ends with reintegration into the home.

6. The BMCW contract reserves care capacity for seven individuals at Lad Lake for the entire year at a cost of \$125,000 per bed (\$875,000 overall). If calculated on an individual basis, treatment would cost approximately \$345 per day per individual.

7. The need for treatment services for victims of sex trafficking far exceeds the capacity of the Lad Lake program. The Lad Lake program has capacity for only seven individuals. On average, the program treats five individuals per day.

8. Additional funding for treatment and services for victims of sex trafficking would allow the pilot program to expand and provide services in areas throughout the state. The proposed \$2,000,000 GPR could potentially fund services similar to those offered by Lad Lake in other areas as well as provide other residential and community-based services.

9. Assuming that a cost structure equal to that used at Lad Lake could be applied at

similar programs at other locations throughout 2016-17, the proposed funding could support the reservation of treatment capacity for up to 16 additional beds or, if provided on an individual basis, support up to 5,800 additional days of treatment for individuals.

10. Alternatively, the Committee could provide funding for fewer or more beds than recommended by the Governor: (a) eight beds, \$1,000,000; (b) 12 beds, \$1,500,000; (c) 20 beds, \$2,500,000; or (d) 24 beds, \$3,000,000.

**ALTERNATIVES**

1. Approve the Governor's recommendation to increase funding for services for victims of sex trafficking by \$2,000,000 GPR in 2016-17.

2. Modify the Governor's recommendation to increase funding in 2016-17 for services for victims of sex trafficking:

<b>ALT 2</b>	<b>Change to Bill</b>
	GPR
a. 8 beds	- \$1,000,000
b. 12 beds	- 500,000
c. 20 beds	500,000
d. 24 beds	1,000,000

3. Delete provision.

<b>ALT 3</b>	<b>Change to Bill</b>
GPR	- \$2,000,000

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## **CHILDREN AND FAMILIES**

### **Children and Families**

#### **LFB Summary Items for Which No Issue Paper Has Been Prepared**

<u>Item #</u>	<u>Title</u>
2	Foster Care, Adoption Assistance and Subsidized Guardianship
4	Children and Families Allocation (CFA)
5	Child Protective Services Appeals
10	Eliminate Statutory Limits on Child Welfare Expenditures

#### **LFB Summary Item Addressed in a Previous Paper**

<u>Item #</u>	<u>Title</u>
9	Read to Lead Transfer (Paper #340)

#### **LFB Summary Item to be Addressed in a Subsequent Paper**

<u>Item #</u>	<u>Title</u>
8	Youth Aids Transfer

