

Representative Goyke
Representative Neubauer
Senator Erpenbach
Senator Johnson

CORRECTIONS & CHILDREN AND FAMILIES -- JUVENILE JUSTICE

Omnibus Motion

[LFB Papers #220, 235, 240, 241, 242, 243, 244, 245, 246, 255, 256, 260, 261, and 262]

Motion:

Move to adopt the following items related to the Department of Corrections -- Departmentwide, Adult Institutions, Community Corrections, and Juvenile Corrections, and the Department of Children and Families -- Juvenile Justice, as follows:

Departmentwide

1. *Overtime Funding (Paper #235)*. Adopt Alternative 1 to provide \$26,663,500 GPR and \$690,100 PR annually as an overtime supplement.
2. *Night and Weekend Differential Pay Supplement (LFB Summary Page 120, #3)*. Provide \$118,400 GPR and \$55,000 PR annually for a night and weekend differential pay supplement. In total, with the standard budgeted amount, \$8,738,500 GPR and \$331,000 PR annually would be provided for night and weekend differential.
3. *Risk Management Premium Estimate (LFB Summary Page 121, #5)*. Provide \$2,779,800 GPR and \$265,000 PR annually for increased premium costs associated with liability, property, and workers compensation insurance coverage.
4. *Rent (LFB Summary Page 121, #6)*. Provide an adjustment of -\$2,945,600 GPR and -\$794,700 PR in 2021-22 and an adjustment of -\$1,883,500 GPR and -\$784,900 PR in 2022-23 for rental costs on a departmentwide basis.
5. *Realignment of Funding and Positions -- Adults (LFB Summary Page 121, #7)*. Remove \$102,700 PR and 1.0 PR position annually and provide \$102,700 GPR and 1.0 GPR position annually, and transfer funding and positions between appropriations related to realignment of departmental activities.
6. *Program Revenue Reestimates (LFB Summary Page 122, #8)*. Provide \$1,344,000 PR in 2021-22 and \$1,459,500 PR in 2022-23 associated with funding adjustments Badger State Logistics, Prison Industries, Sex Offender Management, Telephone Company Commissions, Probation, Parole, and Extended Supervision, Global Positioning System Devices - Sex Offenders, Juvenile Alternate Care Services, and Juvenile Utilities and Heating. Revenue from these programs are generated from sales, institutional canteen services, or fees assessed to offenders in adult

correctional institutions, on community supervision, or on the sex offender registry.

7. *Adult Correctional System Modifications*. Adopt the provisions of the following:

a. *2019 Assembly Bill (AB) 830*, which would allow inmates who successfully complete an educational, vocational, treatment, or other qualifying training program that is evidence-based to reduce recidivism while incarcerated, to become eligible for parole or release to extended supervision under the earned release program. Under current law, the earned release program is limited to inmates who successfully complete a substance abuse treatment program. Additionally, the provisions would allow the Department of Corrections, in addition to the sentencing court, to determine if an inmate is eligible for the earned release program. The Department would be required to submit annual reports to the chief clerk of each house of the legislature (and additionally, to the executive and judicial branches for item (b)) on: (a) the aging and elderly population in Wisconsin's prisons and evaluate possible alternative options; and (b) the earned release program, including data on participation and recidivism rates, and the cost-savings associated with the program. The cost-savings of the earned release program report would be used to fund educational, vocational, treatment, or other qualifying programs.

b. *2019 AB 831*, which would allow the use of short-term sanctions as an alternative to revocation. Specifically, the provisions would allow the Division of Hearings and Appeals to impose a short-term sanction of up to 30 days imprisonment for a person admitting to an alleged rule or condition of community supervision violation that is not grounds for revocation, and up to 90 days imprisonment if the violation meets the grounds for revocation. The Department would be required to submit an annual report containing data related to the revocation of extended supervision and probation, and recidivism to the executive, legislative, and judicial branches.

c. *2019 AB 832*, which would: (a) create an earned compliance credit for time spent on extended supervision or parole; (b) allow a sentencing court to discharge a person early from extended supervision; (c) limit the amount of time for which a sentencing court may sentence a person to extended supervision for a Class D felony (from 10 years to 5 years); and (d) require the Department to submit an annual report on early discharges from extended supervision and the reduced days spent in incarceration due to the earned compliance credit to the executive, legislative, and judicial branches. The amount of money saved, as identified in the report, would be used to reduce caseloads for community supervision officers.

Adult Institutions

8. *Inmate Populations, Prison Contract Bed Funding, and Population and Inflationary Costs (Paper #240)*. Adopt Alternative 1a. to reestimate the average daily populations in adult correctional facilities to be 20,300 in 2021-22 and 22,431 in 2022-23. Provide -\$16,437,100 GPR in 2021-22 and \$11,552,400 GPR in 2022-23 for associated inflationary costs and -\$13,514,500 GPR in 2021-22 and -\$13,390,400 GPR in 2022-23 for 728 contract beds annually (including 200 annual contract beds for state inmates in Wisconsin County jails).

9. *Educational Initiatives (Paper #241)*. Adopt Alternative A1 to provide \$513,300 GPR in 2021-22, \$662,500 GPR in 2022-23, and 9.0 GPR positions annually to expand the Adult Basic

Education program. Require Corrections to reallocate an additional 5.0 vacant GPR positions (for a total of 14.0 positions) and associated funding to staff the expansion. In addition, adopt Alternative B1 to provide \$1,500,000 GPR annually to expand funding available for career and technical education equipment maintenance and replacement.

10. *Medication-Assisted Treatment (Paper #242)*. Adopt Alternative 1 to provide \$800,000 GPR annually for supplies and services to expand access to medication-assisted treatment, which uses medication in combination with counseling and behavioral therapies to treat individuals with substance use disorders.

11. *Oakhill Correctional Institution Assisted Needs Facility (Paper #243)*. Adopt Alternative 1 to provide \$3,136,100 GPR in 2021-22, \$3,345,000 GPR in 2022-23, and 35.60 GPR positions annually to staff and operate the assisted needs facility at Oakhill Correctional Institution. Require Corrections to identify and reallocate an additional 22.75 vacant GPR positions (for a total of 58.35 positions) and associated funding to staff the expansion.

12. *Racine Youthful Offender Correctional Facility Behavior Modification Unit (Paper #244)*. Adopt Alternative 1 to provide \$399,000 GPR in 2021-22, \$520,500 GPR in 2022-23, and 4.0 GPR positions annually operate and establish a behavior modification unit at Racine Youthful Offender Correctional Facility. Require Corrections to identify and reallocate an additional 5.6 vacant GPR positions (for a total of 9.6 positions) and associated funding to staff the unit.

13. *Windows to Work Expansion (Paper #245)*. Adopt Alternative 1 to provide \$250,000 GPR annually to expand the Windows to Work program.

14. *Law Enforcement Investigation Services (Paper #246)*. Adopt Alternative 1 to modify current sum sufficient appropriations and other statutes related to reimbursement claims of counties containing state correctional facilities to allow the Department to reimburse all jurisdictions for local law enforcement investigative services rendered to state correctional facilities from the appropriations. Reallocate \$142,000 GPR within the Department for reimbursement purposes from general program operations to reimbursement of claims of counties or municipalities containing state prisons appropriation.

15. *Fuel and Utilities (LFB Summary Page 123, #4)*. Provide adjustments of -\$629,600 GPR in 2021-22 and -\$560,300 GPR in 2022-23 associated with expected changes in prices for fuel and utilities in adult correctional institutions.

16. *Full Funding of the Wisconsin Secure Program Facility Programs Building (LFB Summary Page 127, #10)*. Provide \$141,800 GPR annually to fund non-salary costs funded for a partial year in 2020-21 associated with the expansion of the programs building at the Wisconsin Secure Program Facility (Boscobel).

17. *Central Generating Plant Position (LFB Summary Page 127, #11)*. Provide \$19,500 PR in 2022-23 to fund 1.0 utility plant operator position beginning May, 2023, at the Waupun area central generating plant.

18. *Institutional Repair and Maintenance -- Adults (LFB Summary Page 127, #12)*. Provide

\$198,600 GPR in 2021-22 and \$405,200 GPR in 2022-23 for repair and maintenance costs associated with services and materials for adult institutions (based on an estimated construction cost index of approximately 4% annually).

Community Corrections

19. *Opening Avenues to Reentry Success Expansion (Paper #255)*. Adopt Alternative A1 to 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 average daily participants in counties with existing OARS programs. Additionally, adopt Alternative B1 to 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.

20. *Division of Community Corrections Staffing (Paper #256)*. Adopt Alternative A1 to provide \$2,099,500 GPR, \$23,300 PR, and 28.0 GPR positions in 2021-22 and \$4,124,000 GPR, \$44,000 PR, and 43.0 GPR positions in 2022-23 to supervise increased sex offender populations. Additionally, adopt Alternative B1 to provide adjustments of -\$33,600 GPR in 2021-22 and \$119,900 GPR in 2022-23 to improve the corrections field supervisor staffing ratios. Require Corrections to reallocate 12.0 vacant GPR positions and associated funding for this purpose.

21. *Global Positioning System (GPS) Tracking Reestimate (LFB Summary Page 131, #3)*. Provide \$231,100 GPR and \$7,900 PR annually to fund non-salary costs funded for a partial year in 2020-21 associated with global positioning system tracking.

Juvenile Corrections

22. *Juvenile Population Estimates (Paper #260)*. Accept the modification that would adjust the juvenile population estimate to 86 and 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).

23. *Juvenile Appropriation Deficit (Paper #261)*. Adopt Alternative 1 to provide \$11,341,600 GPR in 2021-22 in a new appropriation to address an existing deficit in the juvenile correctional services program revenue appropriation.

24. *Juvenile Statutory Daily Rates, Serious Juvenile Offenders, and Contract Beds (Paper #262)*. Adopt Alternative 1 to provide \$9,179,800 GPR in 2021-22 and \$9,344,400 GPR in 2022-23 to supplement juvenile PR expenditures. Reestimate the daily rate to be \$862 in 2021-22 and \$880 in 2022-23. Due to the daily rate modification, decrease SJO funding by \$2,263,600 GPR in 2021-22 and \$1,741,800 GPR in 2022-23 and increase contract bed funding by \$1,194,300 GPR in 2021-22 and \$1,325,700 GPR in 2022-23.

25. *Mendota Juvenile Treatment Center Reestimate (LFB Summary Page 149, #6)*. Adjust funding by -\$1,445,000 in 2021-22 and -\$1,360,400 in 2021-23 related to payments to the Department of Health Services (DHS) for juveniles placed at the Mendota Juvenile Treatment Center. The

Department currently contracts with DHS for 29 mental health beds for juveniles. Replace the statutorily specified amounts for transfer (\$1,365,500 GPR annually, \$3,224,100 PR in 2019-20 and \$5,429,000 PR in 2020-21) with a requirement that Corrections reimburse DHS for the cost of providing those services at a per person daily cost (daily rate) specified by DHS. The provision would first be effective for acts committed on or after the day after publication.

Children and Families -- Juvenile Justice

26. *Youth Aids and Other Youth Aids Allocations (Paper #220)*. Adopt Alternative 1 to maintain the current the youth aids formula and component programs, but provide \$9,428,600 GPR annually to increase youth aids base allocations. Modify statutory language to specify youth aids amounts may not to exceed \$50,097,900 for the last six months of 2021, \$100,195,800 for 2022, and \$50,097,900 for the first six months of 2023.

Note:

	Funding			Positions	
	2021-22	2022-23	Biennium	2021-22	2022-23
Corrections					
GPR	\$27,079,900	\$49,416,700	\$76,496,600	77.60	92.60
PR	-482,900	-188,900	-671,800	-1.00	0.00
Total	\$26,597,000	\$49,227,800	\$75,824,800	76.60	92.60
Health Services					
PR	\$75,000	\$100,000	\$175,000	1.00	1.00
Children and Families					
GPR	\$9,428,600	\$9,428,600	\$18,857,200	0.00	0.00

M# 92-out of order

BORN	Y	N	A
LOUDENBECK	Y	N	A
KATZMA	Y	N	A
ZIMMERMAN	Y	N	A
RODRIGUEZ	Y	N	A
KURTZ	Y	N	A
GOYKE	Y	N	A
NEUBAUER	Y	N	A
MARKLEIN	Y	N	A
STROEBEL	Y	N	A
KOOYENGA	Y	N	A
FELZKOWSKI	Y	N	A
BERNIER	Y	N	A
BALLWEG	Y	N	A
ERPENBACH	Y	N	A
JOHNSON	Y	N	A

AYE ___ NO ___ ABS ___

