



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #412

Female Offender Reintegration Program (DHS -- Quality Assurance, Disabilities, and Substance Abuse)

[LFB 2009-11 Budget Summary: Page 396, #11]

CURRENT LAW

In July, 2004, the Department of Health and Family Services [now, the Department of Health Services (DHS)] began a pilot program to provide certain services to several women, each of whom had substance abuse needs or substance abuse and mental health needs and had dependent children, who were scheduled to be released from the Taycheedah Correctional Institution and the John Burke Correctional Center in Waupun. 2005 Wisconsin Act 25 provided \$83,800 GPR in 2005-06 and \$106,400 in each subsequent fiscal year to expand the pilot program, and to provide services to non-violent female offenders that could not be funded from non-state sources. The program is referred to as the female offender re-entry enhanced program (FOREP).

DHS is directed to provide this funding annually to an agency that provides the following services for up to six months before a prisoner's release from prison, and up to two years after release: (a) screening, assessment, and treatment, including mental health and permanency services, for the prisoners or offenders to assist in reintegration into the community; and (b) at-risk assessments for all dependent children of female prisoners or offenders who receive the services under (a) and comprehensive support services.

GOVERNOR

Delete all statutory references to the FOREP. However, the bill would retain base funding for the program (\$106,400 GPR) in an appropriation that funds grants distributed by the Division of Mental Health and Substance Abuse Services.

In addition, the Governor's recommended funding level for contracted services provided to individuals served by DHS facilities, including services provided to individuals on conditional

release and individuals on supervised release, is \$106,400 GPR annually greater than the estimated costs of providing these services. The administration's intent was to transfer base funding budgeted for FOREP to support a new community reintegration program that would serve individuals released from the Wisconsin Resource Center. However, the bill contains no statutory references to the new program, nor is the new program referenced in the Executive Budget Summary.

Following the introduction of AB 75, the Department of Administration (DOA) requested that \$72,100 GPR in 2010-11 be provided to fund the equivalent of 2.0 positions as part of the proposal to create the community reintegration program. In addition, DOA requested statutory changes authorizing the new program.

DISCUSSION POINTS

1. FOREP was designed to provide services to aid successful reentry into the community for women who were released from prison. The services offered through this program include services for women who are in the final six months of incarceration ("reach-in" services), and services for women who have been released from prison. During incarceration, FOREP participants may receive recovery support coordination services, state-funded visits from minor children, and other services intended to prepare the participant for reentry into the community.

2. In 2008, DHS began evaluating the program and prepared a preliminary executive summary of its evaluation. As of December 31, 2007, 88 individuals had participated and received FOREP services. Of these participants, 21.6% received children's visits while incarcerated, and all participants received reach-in visits from the recovery support coordinator. DHS was able to follow and evaluate 40 of these participants upon release from prison, but did not find any statistically significant differences in outcomes between these individuals and a comparison group who declined to participate in the program. Of the 58 participants who were discharged from FOREP before December 31, 2007, 10 individuals completed the full range of services.

3. This summary included the following information that compared differences in outcomes between women who participated in the program and the comparison group.

**FOREP
Outcomes for Participants and Comparison Group
Percentage of Total**

<u>Outcomes</u>	<u>Program Participants</u>	<u>Comparison Group</u>
Recidivism	13.3%	12.0%
Alcohol and Other Drug User	22.9	4.9
Independently Living in the Community	42.9	54.4
Employed or in School	47.3	36.4
Reunified with Some or All Minor Children	35.2	45.0
Open Child Welfare Case	25.0	31.8
Substantiated Child Abuse or Neglect Report	2.5	5.0
Lost Custody of Any Children	2.5	15.0

Based on its review of the program, DHS determined that the program should be discontinued. Consequently, if the Governor's recommendation is approved, DHS plans to discontinue services provided under the program as of December 31, 2009.

4. The Governor's intent was to eliminate the annual funding as well as the statutory references for this program (Alternative A1). If this change is made, the amount of funding in the bill should be reduced by \$106,400 GPR annually.

5. 2005 Wisconsin Act 25 authorized the Department of Corrections (DOC) and DHS to create the inmate mental health services pilot program to provide intensive case management, treatment, and support services for 12 DOC inmates with severe and persistent mental illness scheduled for release from the Wisconsin Resource Center (WRC) during state fiscal year 2006-07. The pilot program was closely modeled after the conditional release program, and was intended to improve post-release assistance and outcomes for inmates with mental illness released into the community. However, DOC and DHS did not implement the program because no additional staff resources were provided to DOC or DHS in Act 25.

6. On April 3, 2009, the Department of Administration submitted a request to this office requesting a modification to the Governor's bill to increase funding to support a new community reintegration program. DOA indicates that this proposal was inadvertently omitted prior to submission of the bill to the Legislature. The modification requested by the administration would increase funding in the bill by \$72,100 GPR in 2010-11 and would authorize DHS to create and fund the community reintegration program.

7. The Wisconsin Resource Center (WRC) is administered by DHS and operates as a specialized mental health facility that provides mental health services to male inmates transferred from the state corrections system. These individuals generally have severe mental health needs and are transferred to WRC because they are having difficulty adapting to a correctional environment. As of March, 2009, 309 DOC inmates were receiving mental health services at WRC.

8. Under the Governor's proposal, the community reintegration program would target DOC inmates who are approaching their mandatory release date and who are eventually discharged from WRC. On average, approximately 110 inmates are released each year from WRC. DHS estimates that approximately four individuals per month would be eligible for the community reintegration program.

9. Currently, DHS is required to begin discharge planning six months prior to release for all inmates released from WRC. Upon release, all individuals with mental illness are supervised by a DOC probation and parole officer. A WRC social worker is responsible for ensuring that all appropriate contacts have been made to facilitate release into the community.

10. The community reintegration program is intended to reduce recidivism among mentally ill inmates once they are released back into the community. Similar to the conditional release program, the community reintegration program would be designed to create programmatic continuity between the institution, community corrections and community-based providers to

enhance communication, coordination and planning for offenders with severe and persistent mental illness scheduled for release from prison.

11. The administration points to the lower recidivism rate among individuals who participate in the conditional release program compared to other DOC inmates. For example, a recent Legislative Audit Bureau report noted that 38.2% of released inmates with mental illnesses return to DOC custody within three years of release because of new offenses. Comparatively, DOC indicates that approximately five percent of conditional release program participants commit a new offense within the same period.

12. DHS acknowledges that individuals eligible for the community reintegration program would likely have higher needs and have received less intensive mental health treatment services than individuals participating in the conditional release program. As a result, it is possible that the costs of providing services to individuals participating in the community reintegration program may be higher than those incurred in serving the conditional release population.

13. The modification requested by the administration would provide additional funding of \$72,100 GPR in 2010-11, which would fund the cost of 2.0 FTE positions, starting in January, 2011 (six months). DHS indicates these positions would be unfunded, vacant federal positions reallocated from elsewhere in the Department's budget. As a result, the administration is not requesting additional position authority to implement this program. If unfunded positions are unavailable, DHS has indicated that it would use these funds to support contracted staff. The annualized cost to support these positions is \$142,200 per year.

14. In addition to staff costs, additional funding would be needed to support the costs of services provided through the community reintegration program. AB 75 includes funding of \$106,400 GPR annually (reallocated from FOREP) to support these costs, which include case management, medications, psychiatric oversight, medication management and monitoring, vocational rehabilitation services, housing, therapy, all appropriate mental health or substance abuse treatment services, and community support program (CSP) services if available and appropriate. Funding included in the Governor's bill comes from reallocation of GPR funding previously used to support the FOREP program, which the Governor has recommended eliminating. The annualized program cost of the community reintegration program is projected to be \$715,200 per year.

15. The administration has indicated that the community integration program would not be implemented until state fiscal year 2010-11. As a result, if the Committee chooses to approve funding for the community integration program, it may want to reduce funding by \$106,400 in 2009-10. If the Committee chooses this option (Alternative B1) the net change to the Governor's bill would be to reduce GPR funding by \$34,300 (\$72,100 - \$106,400) in the biennium.

ALTERNATIVES

A. Female Offender Re-Entry Program

1. Approve the Governor's recommendation to repeal statutory language referring to

the female offender re-entry program, and reduce GPR funding by \$212,800 (\$106,400 annually).

ALT A1	Change to Bill Funding
GPR	- \$212,800

2. Delete provision.

B. Community Reintegration Program

1. Reduce funding in the bill by \$106,400 GPR in 2009-10 and increase funding in the bill by \$71,200 GPR to reflect the following: (a) providing funding for staff costs to implement the program, as of January 1, 2011 (\$71,200 GPR in 2010-11); and (b) deleting funding to support community reintegration services in 2009-10 to reflect the January 1, 2011, start date for the program (-\$106,400 GPR in 2009-10). Modify the current appropriation that supports contracted services for DHS facilities to reference services for Department of Corrections inmates on community supervision.

ALT B1	Change to Bill Funding
GPR	- \$34,300

2. Maintain current law. In addition, delete \$106,400 GPR annually that would be provided in AB 75 to support services under the program.

ALT B2	Change to Bill Funding
GPR	- \$212,800

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