



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873
Email: fiscal.bureau@legis.wisconsin.gov • Website: <http://legis.wisconsin.gov/lfb>

May 19, 2015

Joint Committee on Finance

Paper #247

New Interstate Compact Applications Appropriation (Corrections -- Community Corrections)

[LFB 2015-17 Budget Summary: Page 126, #3]

CURRENT LAW

Under current law, offenders may submit an interstate compact application to transfer supervision to another state. The Department's policy manual specifies the procedures for an offender to submit a request and the required documentation.

GOVERNOR

Create a new continuing program revenue appropriation for monies received from a new \$150 application fee. Corrections would assess offenders applying to transfer supervision to another state under interstate compacts. Expenditure authority for the new appropriation would be \$375,900 annually.

DISCUSSION POINTS

1. The Interstate Compact for Adult Offender Supervision provides uniform procedures to manage the interstate movement of offenders authorized to travel or relocate to other states. Generally, the application process includes: (a) an agent assessing an offender's request to transfer to another state, evaluating whether or not the proposed plan meets the criteria of the Compact; (b) the agent and other community corrections' staff assist the offender to create a packet of information and an application for transfer to the receiving state; (c) the receiving state reviews and approves or denies the request; and (d) if approved, the agent provides the travel permit and reporting instructions of the receiving state to the offender.

2. The Department received 2,781 interstate compact applications in 2012, 2,869 in 2013, and 1,781 in 2014. Of the totals, 1,577 were approved for transfer in 2012, 1,598 were approved in

2013, and 1,565 were approved in 2014. In 2014, the top three states offenders requested transfer to were Illinois (474), Minnesota (316), and Michigan (91).

3. Costs associated with processing applications include utilizing limited-term employee (LTE) financial specialists, interstate compact membership fees, and extradition costs. Currently, Corrections does not charge an application fee, and costs are supported from the Department's PR probation, parole, and extended supervision appropriation.

4. The bill would create a new continuing program revenue appropriation for monies received from an offender submitting an interstate compact application to transfer supervision to another state. Expenditure authority for the new appropriation would be \$375,900 PR annually associated with LTE costs, interstate compact membership dues, and departmental extradition costs. The bill would provide a related reduction of expenditure authority under the Department's probation, parole, and extended supervision appropriation of \$346,800 PR. Funding assumes a new \$150 application fee for approximately 2,500 applications annually.

5. The Department requested this provision because, while authorized to charge fees for interstate compact applications, the probation, parole, and extended supervision appropriation is specifically authorized only to receive monies from supervision fees that the Department charges on offenders under community supervision, not other types of fees.

6. According to the Interstate Commission for Adult Offender Supervision website, 26 states currently charge application fees under the interstate compact for parole and/or probation transfers. Rates charged range between \$50 and \$250 per application.

7. The Committee may wish to approve the Governor's recommendation, as requested by the Department, to create a continuing appropriation that could receive application fee revenue. The additional revenue would support the Department's costs for processing the interstate compact applications. [Alternative 1]

8. The \$150 per application fee identified by the Department is not statutorily established but rather may be established by the Department. As a result, the fee could vary based on an administrative determination of Corrections. If the Committee wished, statutory language could be adopted that would specify the fee at \$150. As a result, the fee could not vary without statutory modification. [Alternative 2]

9. If the Committee wished to have more oversight of the appropriation, the bill could be modified to provide an annual appropriation, rather than a continuing appropriation. Under an annual PR appropriation, an agency may only expend amounts up to the identified expenditure authority (\$375,900 PR annually), whereas under a continuing appropriation, an agency may generate and expend all revenue received until amounts are fully depleted. Thus, under the bill, the Department would be authorized to generate any amount of revenue and expend any revenue received. [Alternative 3]

10. Alternatively, the Department has historically been able to support expenditures for interstate compact applications from their probation, parole, and extended supervision

appropriation, even without being able charge and collect an application fee. As such, the Committee may wish to delete the provision and maintain current law. [Alternative 4]

ALTERNATIVES

1. Approve the Governor's recommendation to create a new continuing program revenue appropriation for monies received from a new \$150 application fee. Corrections would assess offenders applying to transfer supervision to another state under interstate compacts. Expenditure authority for the new appropriation would be \$375,900 annually.

2. Approve the Governor's recommendation with the modification that the interstate compact application fee be established by statute at \$150.

3. Approve the Governor's recommendation, with the modification that the new program revenue appropriation is an annual, rather than continuing, appropriation.

4. Delete provision.

ALT 4	Change to Bill
PR-REV	- \$751,800
PR	58,200

Prepared by: Chris Carmichael