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MEMORANDUM

DATE: September 10, 2008

TO: Anne Sappenfield, Senior Staff Attorney
Wisconsin Legislative Council

FROM: Silvia Jackson, Assistant Administrator *SJ*
Division of Juvenile Corrections, WI-DOC

SUBJECT: Comparison of Missouri and Wisconsin Juvenile Corrections Systems

Attached please find a brief side-by-side comparison of selected aspects of the Missouri and Wisconsin juvenile corrections systems, prepared by staff of the Wisconsin Division of Juvenile Corrections (WI-DJC). The Missouri information is based on secondary sources including reports and data posted on the web site of the Missouri Division of Youth Services (MO-DYS), a presentation given by the MO-DYS director Tim Decker in Madison in July of this year, and a report prepared by the Ohio Department of Youth Services. You will note that many aspects of the two systems are quite different. Important variations include the following:

Agency mission. MO-DYS serves a wider range of youth than does WI-DJC, including first-time offenders and status offenders. Accordingly, MO-DYS offers a much broader continuum of services such as community-based probation supervision and interventions, unlocked residential facilities and group homes, which in Wisconsin are provided by counties and the private sector.

Daily rates. WI-DJC must recover all of its operational costs by including them in the daily rate. In Missouri, numerous operational costs are paid outside of the MO-DYS daily rate; for example, education, health care, specialized mental health treatment, staff fringe benefits, and the agency's business and personnel offices.

Recidivism. The recidivism rate cited by MO-DYS, 7.3%, does not include youth sentenced to adult prison after release from MO-DYS supervision. The attached document adds together the MO-DYS recidivism to DYS and to adult prison, which approximates the way that WI-DJC defines recidivism, to provide a more valid comparison.

Attachment

Cc: Ismael Ozanne, Executive Assistant, WI-DOC

Comparison of Missouri and Wisconsin Juvenile Corrections Systems

Factor	Missouri	Wisconsin
Juvenile corrections agency	Division of Youth Services, Department of Social Services (AR)*	Division of Juvenile Corrections, Department of Corrections
Organization	Predominantly state-administered delinquency system (AR)	Delinquency system is county-administered with state oversight
Scope of responsibility	Serve all youth found delinquent and committed to DYS, plus dual jurisdiction youth (adult conviction placed in juvenile system) (AR)	Serve all youth committed for secure correctional placement, some sentenced persons under age 17, and majority of post-release juveniles
Institutions	Five regional offices operate 30 residential programs with varying degrees of security: <u>Secure care</u> (locked units, fenced perimeter); <u>Moderate care</u> (locked units, no fence); <u>Group homes</u> (unlocked, neighborhood-based) (AR)	DJC operates four juvenile correctional facilities, and a secure mental health facility is operated by DHS. All facilities except SPRITE have locked units and fenced perimeter.
Community supervision	Five regional offices provide range of services including prevention, early intervention, treatment, employment, day treatment, and probation and parole supervision. (AR)	Two regional offices and six field offices provide post-release supervision including case management, employment, independent living and electronic monitoring
Case management	One assigned case manager follows youth from time of initial placement until discharge from DYS supervision. (AR)	State field agent or county liaison follows youth from initial commitment until expiration of court order.
Delinquency ages in state law	No minimum age of delinquency; adult prosecution begins at age 17 (AR, OH)	Minimum age of delinquency is 10; adult prosecution begins at age 17

Factor	Missouri	Wisconsin
Youth under supervision	Had 1,555 youth in custody, including all levels of placement, February 2008 (DYS)	Had 609 youth in institutions and 225 in field supervision, July 1, 2008
Annual commitments	In FY 2007, received 1,179 new commitments, 92 re-commitments and 127 non-custody referrals. (Note: does not include dual jurisdiction cases from adult court.) (AR)	In CY 2007, DJC facilities received 558 commitments for secure placement, including those in Serious Juvenile Offender Program.
Committing offenses	Of 1,271 youth committed to DYS in FY 2007, 12.4% were committed for serious felonies, 38.5% for misdemeanors and other non-felonies, and 11.3% for status offenses. (AR)	Of 558 commitments to DJC facilities in 2007, 17.7% were committed for serious felonies, and 29.2% were committed for Class A misdemeanors. There were no commitments for lesser misdemeanors or status offenses.
Release from institution	Case manager makes release decisions, with prior notice to court. (AEC)	Office of Juvenile Offender Review releases youth per s. 301.03(10(d), Stats.
Recidivism definition	Percentage of youth re-entering DYS custody during the fiscal year who had been discharged from DYS custody (residential or non-residential program) during the current or previous fiscal years; AND percentage of youth receiving prison sentence within three years of release from DYS. (TD)	Percentage of youth committed on a new offense by juvenile court to DJC custody or by criminal court to WI prison within 2 years of release from a JCI. ¹

¹ Wisconsin recidivism analysis will be modified to cover a three-year post-release period, in order to be comparable to the state's adult recidivism data.

Factor	Missouri	Wisconsin
Recidivism statistics	In FY 2007, rate was 7.3% for youth re-entering DYS custody and 6.8% for youth sentenced to prison (total 14.1% re-incarceration). Rate does not include dual jurisdiction youth. (TD)	For releases from JCI's in CY 2004, rate was 16.4%.
Rate of pay for experienced institution housing unit staff	The minimum and maximum salary for Youth Specialist II is \$13.75 to \$19.33 hourly, or \$28,560 to \$40,212 annually. (DYS)	Minimum and maximum salary for Youth Counselor-Advanced is \$15.33 to \$25.08 hourly, or \$31,888 to \$52,160 annually.
Staffing of secure institutions: living units and security	Most living units have average of 1.5 to 2 staff assigned on day and evening shifts, and 1 overnight. (TD)	Most living units have 2 staff on duty during the day, 2 in evening and 1 overnight.
Staffing of secure institutions: treatment	Most treatment services provided by trained Youth Specialists. (OH)	Most treatment services provided by licensed social workers and psychologists.
Staffing of secure institutions: education	Teacher-student ratio average is 1:15. Most teachers are certified at elementary education level. (OH)	Teacher-student ratio average is 1:12. Most teachers are certified at high school level in designated subject areas.
Daily operating cost per youth in residential placement	In FY 07: Secure care \$161.83; moderate care \$122.29; group homes \$115.13. (AR)	In FY 07, blended daily rate for secure care was \$209.00, which includes education, treatment, health care, staff salaries and fringe benefits among other operating costs.

Factor	Missouri	Wisconsin
Residential costs paid outside of daily rate: Education and treatment	<p>Education costs are paid via state school aids. Annual cost is unknown. (AR)</p> <p>Health care costs such as physician, dental, AODA and mental health treatment, including placement in specialized mental health facilities, are paid by Medicaid. Medicaid costs for youth in secure facilities are paid by state-only Medicaid; that is, without Federal financial participation. Annual cost is unknown. (OH)</p>	<p>Aside from \$1.7 million in federal funding from other state agencies, primarily for Title I education and AODA treatment, all costs are paid through daily rate. Health care and education account for about 11% of the institution GPR budget, or approximately \$5.8 million (\$27 to \$28 of the daily rate charged to counties). The cost of mental health services at MJTC represents another \$1.3 million annually that is paid through the daily rate.</p>
Residential costs paid outside of daily rate: Staff and administrative	<p>Staff fringe benefit costs and some administrative services including business and personnel offices are paid outside of DYS budget. Fringe benefits are about 47% of salary costs. The MO- DYS FY 2005 daily rate for secure care would have been \$211.90 (instead of \$154.00) had fringe benefits been included in the facility cost figures. (OH)</p>	<p>Fringe benefits are included in the daily rate charged to counties and other payers, as are all administrative functions required to operate the institutions.</p>

*Sources of MO-DYS information:

- o Division of Youth Services Annual Report, SFY 2007 (noted as AR) [http://www.dss.mo.gov/re/pdf/dys/dysfy07.pdf]
- o Division of Youth Services web site (noted as DYS) [http://www.dss.mo.gov/dys/index.htm]
- o "Turning Young Lives Around" presentation by MO-DYS Director Tim Decker, Madison WI, July 2008 (noted as TD)
- o "Small is Beautiful" *Advocasey* newsletter, Annie E. Casey Foundation, Spring 2003 (noted as AEC) [www.caseyfoundation.org]
- o "A Closer Look at the Missouri Model", Ohio Department of Youth Services, November 2006 (noted as OH)