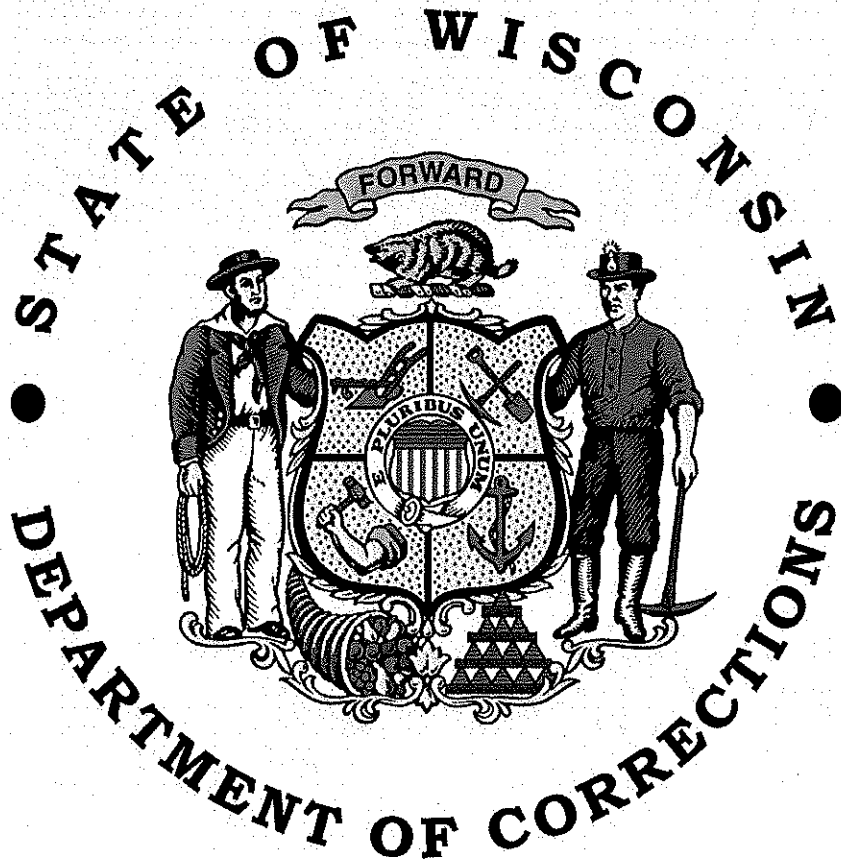


STATE OF WISCONSIN  
DEPARTMENT OF CORRECTIONS



2011-13 Biennial Report  
October 2013

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## Introduction

This report is submitted as required under Wisconsin State Statute s. 15.04(1)(d) to report on the performance and operations of the Department of Corrections during the preceding biennium and projecting goals and objectives of the department as developed in the current biennial budget.

## Agency Mission

The Department of Corrections will protect the public through the constructive management of offenders placed in its charge. This mission will be accomplished in the following ways:

- Providing levels of supervision and control consistent with the risk posed by the offender.
- Ensuring that staff and offenders are safe.
- Ensuring that staff function professionally, honestly and with integrity.
- Being responsive and sensitive to victims, victims' families and a diverse community.
- Providing for the humane and respectful treatment of offenders.
- Providing opportunities for the development of constructive offender skills and the modification of thought processes related to criminal behavior and victimization.
- Treating a diverse workforce as valued partners by fostering staff development and effectiveness.
- Providing and managing resources to promote successful offender integration within the community.
- Holding offenders accountable for their actions through sanctions, restitution, and restoration.
- Developing individualized correctional strategies based on the uniqueness of each offender.
- Being accountable to taxpayers through efficient, effective and innovative management of resources.
- Actively responding to staff victimization and promoting wellness.
- Educating the public on what we do and how we do it.

## Agency Vision

The Department of Corrections will reduce criminal behavior and restore a sense of safety to victims and the community. To achieve this vision we will build on our Mission Statement in the following ways:

- Share ownership for justice through partnerships with the criminal justice system and the community.
- Learn from the community and promote opportunities for the community to learn from us.
- Hold offenders accountable by requiring them to contribute to the recovery of victims and the community.
- Work with the community to engage offenders and prevent them from becoming anonymous.

- Promote the integration of offenders into the community so that they become valued and contributing members.
- Create a sense of community and mutual responsibility in the workplace.

### **DOC Performance and Operations (2011-13)**

#### A. Highlights of improvements in the mental health care of female inmates at Taycheedah (TCI) include:

- Completion of a 45-bed mental health facility for female inmates at the Wisconsin Resource Center (Wisconsin Women's Resource Center) in August 2011. To date, this facility has served 101 female inmates. Services include: acute psychiatric care, psychological assessment, individual therapy and group therapy. Mental health care is based upon trauma-informed and gender-specific principles.
- Completion of two annex buildings at TCI in April 2012 that provide necessary space to conduct mental health treatment and programming. All seriously mentally ill inmates in segregation and the special management unit now receive a minimum of 10 hours of mental health treatment per week.
- Addition of 51.00 FTE at TCI in order to increase female mental health services. Coinciding with the opening of new programming space, newly allocated TCI mental health positions were filled, improving access to care for female inmates on the mental health caseload. Additional staff, including 10.5 FTE Nurse Clinician 2's, increased the breadth of treatment services available. TCI psychology staff began a 2-year training program in Dialectical Behavior Therapy (DBT) in March 2012. DBT treatment is an evidence-based treatment used to effect positive behavioral change by decreasing cognitive/emotional dysregulation, impulsivity, and emotional lability.
- Implementation of a comprehensive Continuous Quality Improvement program at TCI to ensure that improvements are maintained.

#### B. Criminal Justice Reform Initiative

2009 Wisconsin Act 28 (the biennial budget for 2009-11) created new early release tracks for non-violent inmates incarcerated in the adult prison system. The intent was to provide an array of release mechanisms to reinforce positive institution adjustment, increase involvement in treatment/programming to reduce risk, and curb growing corrections population. Subsequently, 2011 Wisconsin Act 32 repealed and modified these, thereby restoring truth in sentencing. Specifically the changes included in Act 32 were:

- Repeal of 2009 Wisconsin Act 28 changes to:
  - Certain Earned Release,
  - Positive Adjustment Time,
  - Risk Reduction Sentence,
  - Early Discharge, and

- Probation Early Discharge.
- Modified:
  - Sentence Adjustment 75%/85% Certain Earned Release: reverted back to pre-Act 28 language by requiring the inmate to petition the sentencing court which then makes the sentence modification decision.
  - Extraordinary Health Conditions/Aged: reverted back to pre-Act 28 language with the exception of retaining the broader criteria defined under “Extraordinary Health Condition” versus the prior law which limited consideration to “Terminal Illness”. The sentence modification decision from the Parole Commission to the sentencing court.
  - Earn Release Program and Challenge Incarcerated Program: reverted back to pre-Act 28 language which encompasses Alcohol & Drug Abuse treatment.

As a result of these changes the DOC revised its administrative rules, policies and procedures and notified inmates and offenders of this legislative change.

### C. Better Community Outcomes

The 2011-13 biennial budget provided continued funding to support initiatives introduced in March 2010 in the Becky Young Community Corrections Recidivism Reduction Plan. Through planning, implementation and continuous quality improvement of initiatives supported by these funds, DOC continues to provide approaches that support reducing recidivism and increasing public safety and economic stability. This is consistent with our mission to protect the public through constructive management of offenders. During 2011-13, DOC accomplished the following:

- DOC fully implemented the COMPAS Risk/Needs and Case Planning system which measures each offender’s propensity to re-offend, as well as influences or drives needs and factors that assist staff in providing the appropriate level of supervision and treatment services. In FY13, more than 41,000 assessments were completed on offenders under community supervision.
- DOC implemented a pre-treatment curriculum to assist offenders in becoming motivated to change their behavior and prepare them to be more successful in completing their primary treatment program. This began in FY13 and served 132 participants.
- DOC increased cognitive intervention programming to address the top criminogenic needs of offenders that, if left unaddressed, may lead to recidivism. Over 1,500 offenders participated in this program in FY13. A cognitively based residential program was established in Portage County and expansion of this model is ongoing. Other new program options being offered include transitional outreach, family connections, AODA relapse and community support. Through these new programs, more than 916 participants were served in FY13.

- More than 500 offenders in each year of the 2011-13 biennium were provided employment services which included paid work experience opportunities, on the job training placements and training and certification opportunities in high-demand occupations such as computer numeric control (CNC) systems, welding, painting and carpentry.
- DOC has contracted with the Department of Health Services (DHS) to provide enhanced services for participants that have significant mental health issues beginning prior to their release from incarceration and continuing in the community after release through Opening Avenues to Reentry Success. Services include assistance in obtaining housing, treatment, medication, education, employment and other community structured activities. In FY12, 142 participants were served and 176 in FY13.
- DOC is now able to better extract data from COMPAS regarding offender risk levels and needs. These data will be analyzed to project future treatment needs. Evaluation of effectiveness of initiatives can only be accomplished after the initiatives are operational for a period of time appropriate for sufficient data collection. Accurate and measurable recidivism data will only be available when three or more years of program data has been collected and analyzed.

#### D. 2011 Wisconsin Act 266 Implementation

2013 Wisconsin Act 266 allows courts to order Global Positioning Satellite (GPS) tracking as a condition of supervision for those convicted of violating a harassment or domestic violence restraining order. Act 266 increases the available probationary term to four years, allows the court to order validated risk assessments from DOC prior to sentencing, and created a mandatory surcharge of \$200 for those convicted of the offense.

Shortly following passage of Act 266, DOC created a committee to oversee implementation. The committee is a representative group of DOC staff including probation and parole staff, monitoring center staff, policy analysts, and victim services staff tasked with development, training, and the implementation of rules. Additionally, DOC consulted with other agencies and organizations to promulgate rules and implement Act 266 including law enforcement, district attorneys, domestic abuse services providers, the State Public Defender's Office, and judicial representation.

The Act 266 surcharge is mandatory for those convicted of violating a harassment or domestic violence restraining order on or after July 1, 2013. Funds collected from the surcharge will be placed into a DOC appropriation created by the Legislature designed to offset the costs of GPS tracking. DOC developed internal collection protocols and provided information and notification to all counties in preparation of the surcharge.

The forthcoming implementation date for the remainder of the legislation is January 1, 2014. Individuals who violate a qualifying restraining order on or after this date will be subject to Act 266 requirements. DOC has new policies and procedures to complete evidence based risk assessments, classify and supervise Act 266 offenders, while establishing and maintaining victim

contact. DOC has also acquired additional GPS tracking equipment to set up a system to collect GPS tracking costs from the offender and arranged a system to install the equipment.

All field staff will be trained in the components of Act 266 prior to 2014, with specialized training for agents who will supervise Act 266 offenders scheduled for December, 2013. DOC's Monitoring Center has drafted protocols for notifying victims and law enforcement of GPS violations, which will utilize a system called VINE (Victim Information and Notification Every day) Protective Orders for victim notification. In addition to internal training, DOC representatives have reached out and provided information to numerous community stakeholders regarding Act 266 and its implementation. In August of 2013 information was presented at the Serving Victims of Crime Conference, and DOC will present or provide information at the Fall 2013 Public Defenders and District Attorney conferences.

The 2013-15 biennial budget includes resources for implementation of Act 266. Endpoint populations of 21 offenders for FY14 and 62 offenders for FY15 are projected for the biennium. The Governor's budget, as approved, provided 5.50 Full Time Equivalent (FTE) for field supervision and .50 FTE for the Monitoring Center in FY14 and 7.50 FTE for field supervision and 1.25 FTE for the Monitoring Center in FY15 for these offenders.

#### E. Update on Improved Sex Offender Management

The Sex Offender Apprehension and Felony Enforcement (SAFE) Task Force continues to locate and obtain DNA samples from ex-offenders who are required to provide a DNA sample, but are no longer under the direct custody or supervision of the DOC. To date, the SAFE Task Force has confirmed obtaining DNA samples from over 9,800 ex-offenders.

The Sex Offender Apprehension and Felony Enforcement Initiative (SAFE) is a program which was administered during the period of this report by the Wisconsin Office of Justice Assistance. SAFE has accounted for more than 8,000 noncompliant sex offender registrants since the inception of the program. During this period, of the 8,000+ sex offenders accounted for, approximately 2,600 have been arrested by law enforcement for Sex Offender Registration violations. Approximately 60% of those arrested are on the registry for convictions involving juvenile victims. In 2005, the overall compliance rate for 17,302 sex offender registrants was 82%. Registry compliance rate in 2013 for the 22,922 registrants is approximately 88%.

Title I of the Adam Walsh Child Protection and Safety Act of 2006 is known as the Sex Offender and Registration Act (SORNA). It required all sex offender registry jurisdictions to comply with substantial implementation of the federal guidelines set forth by the U.S. Department of Justice initially by July 27, 2009. DOC continues to work toward compliance. Through federal reallocated funds and a grant, DOC has been working to replace the database and web sites to be in line with SORNA requirements. The database replacement project is projected for completion by end of 2013.

There continue to be two issue items in the federal guidelines which must be resolved if Wisconsin is to implement SORNA in a fiscally responsible manner that maintains the community safety intent of the legislation. These include:

- 1) In-person reporting
- 2) Retroactivity

During 2010, DOC proposed modified reporting requirements and retroactivity applicability to the US DOJ SMART Office.

#### F. Drug Abuse Correctional Center (DACC) Operations

The new DACC building construction was approved for \$13,900,000.00 by the Building Commission in FY10. The ribbon cutting ceremony was held on May 1, 2012 and inmate occupancy began on May 8, 2012. This new facility provided 300 inmate beds an increase from the old DACC building design capacity of 125 beds. This increase allows for the average daily population (ADP) of 290 inmates in the new DACC.

The new facility provided the ability to identify specific housing areas for low risk inmates separate from moderate and high risk inmate populations. It also provides increased security by visibility of inmate activities throughout the center and specifically in the following areas; inmate housing units, food service and health services. The program spaces were created to facilitate group programs and individual interview spaces and allowed for the addition of two treatment staff to provide treatment groups. The new DACC began a Model Initiative Training (MIT) on May 15, 2013 involving the DOC Reentry Team in partnership with University of Cincinnati Correctional Institute staff and DACC staff. Multidisciplinary teams at DACC were created to review program enhancements to align with the Evidence-Based Programs (EBP) model. The urinalysis (U/A) lab closed August 2013 and the space has been repurposed within the facility.

#### G. 2009 Wisconsin Act 100 Implementation (OWI)

The 2011-13 Biennial Budget projected 2,015 persons would be convicted of a 2nd or 3rd OWI and placed on probation each year and provided budget authority in appropriation 103 (s. 20.410 (1) (bd) Services for Drunken Driving Offenders). Effective July 1, 2010, those convicted of OWI 2nd and 3rd offenses could be placed on probation supervision with the expectation that supervision, assessment and other community treatment options would be provided. As of June 2013, the Division of Community Corrections (DCC) reports 649 offenders on supervision convicted of a 2nd OWI offense and 1,097 offenders under supervision with a 3rd OWI offense for a total of 1,746 offenders. DCC regions report many potential OWI offenders choose to be jailed or pay forfeitures rather than being placed on supervision.

DOC continues to gain expertise and knowledge of supervising this unique population. Expanded staff training and a standardization of research-based supervision strategies have been implemented. During the 2011-13 biennium, a growing number of counties established OWI courts as a means of handling persons with repeat OWI offenses. Human service departments in more counties throughout the state are accepting DOC's payment for the Intoxicated Driver Program when necessary, which includes an assessment. This expedites the offender assessment and treatment needed to address the offender's OWI behaviors. DOC holds the offender



accountable for re-payment of the assessment cost. 2009 Act 100 funds also support the use of electronic monitoring equipment on OWI 2-3 offenders including radio frequency units, transdermal alcohol detection devices, and sobriety devices.

#### H. Coordination on Purchase of Services in the Community

Eight Program and Policy Analysts were hired to ensure that treatment and services provided are shown to be successful in reducing recidivism, that services are targeted to offenders at a medium or high risk for recidivism, and that the capacity and content of the services meet the needs of the target population. Through close monitoring, contracts with providers who failed to meet requirements were terminated and DOC recuperated costs through liquidated damages.

In addition, staff have recently been trained by the University of Cincinnati Corrections Institute (UCCI) to use the Corrections Program Checklist to evaluate DOC funded programs. This will allow DOC to work with contracted program providers to improve service delivery and ensure that programs adhere to evidence based principles of effective interventions.

#### I. Consolidation of Juvenile Secure Correctional Facilities

After years of decreasing populations at the state's three juvenile correctional institutions and increasing deficits in their operating budgets, Ethan Allen School and Southern Oaks Girls School were closed in June 2011. Male youth from Ethan Allen were transferred to Lincoln Hills School (LHS) in Irma. Female youth were transferred to Copper Lake School (CLS), which opened at the LHS site. CLS is a separate facility with sight and sound separation from LHS.

The consolidation has saved approximately \$23 million per year in juvenile correctional institution operating costs. The deficit in the juvenile correctional services appropriation, which reached a high of \$19.5 million at the end of FY11, fell to \$8.9 million at the end of FY13.

LHS and CLS have undertaken a number of efforts to improve operations while continuing to provide effective supervision, treatment and education to youth placed in both schools. Evidence-based practices and principles are being used in program modification and throughout the service delivery system to enhance treatment outcomes. Additionally, Trauma Informed Care is being integrated throughout both schools to shift the paradigm of a typical juvenile correctional institution.

Division of Juvenile Corrections (DJC) has continued its efforts in the repurposing and selling of closed juvenile facilities. SOGS and SPRITE facilities are currently undergoing repurposing efforts, whereas EAS has been identified as an ideal location to sell. In addition, DJC will realize cost savings from decommissioning the EAS power plant for winter of 2013.

Some major accomplishments and initiatives include:

- Enhanced career and technical education offerings for both male and female students
- Implementation of Positive Behavioral Interventions and Supports
- Revamped staffing schedule to reduce overtime

- Decrease use of isolation and restraints
- Expanded involvement of families by offering transportation and use of technology
- Compliance with Prison Rape Elimination Act standards

DJC 2012 Annual Report includes additional data and information about DJC’s activities and accomplishments during 2012:

<http://doc.wi.gov/documents/web/familiesvisitors/juvenileservices/annualreports/DJC%202012%20Annual%20Report.pdf>,

DJC’s Overview of Services booklet provides additional information about the programs and services offered throughout DJC:

<http://doc.wi.gov/documents/web/familiesvisitors/juvenileservices/DJC%20Overview%20of%20Services.pdf>

#### J. Addressing Budget Lapses for the 2011-13 Biennium

2011 Wisconsin Act 32 (the 2011-13 Biennial Budget) had three decision items that required DOC to lapse funding from its General Purpose Revenue (GPR) appropriations and revenue from its Program Revenue (PR) appropriations. They included:

- Elimination of funding for the June 2009 2% general wage adjustment for non-represented staff. (\$8.7 million each year [\$8.57 million GPR and \$133,400 PR.])
- PR revenue lapsed due to the increased employee contributions towards health insurance and pension costs. (\$765,800 PR each year.)
- A portion of the \$174.3 million statewide lapse required for the biennium. DOC’s share in FY12 was \$9,461,595 (\$8.1 million GPR and \$1.3 million PR.) DOC’s share in FY13 was \$1,817,600 (\$1,567,600 GPR and \$250,000 PR)

Total amount lapsed by DOC in FY12 was \$18.9 million (\$16.7 million GPR and \$2.2 million PR.) In FY13 the amounts totaled \$11.3 million (\$10.2 million GPR and \$1.1 million PR.

Lapses were not taken from DOC’s 20.410(1) (km) and 20.410(3) (hm) PR appropriations because they were both in a deficit situation. DOC achieved the required lapses through a combination of: restraining spending and delaying filling vacant positions a certain number of days, thereby generating salary and fringe benefit savings.

#### K. Inmate Population Management and Addressing Budget Shortfall

2011 Wisconsin Act 32 anticipated that the overall population would be declining at a greater rate than what materialized. The table below contrasts the forecasted ADP versus the actual ADP as of the end of June 2013.

	Act 32 Forecast	Actual Count	Difference
Females ADP	1,198	1,223	25
Males ADP	19,841	20,860	1,019

Driven by anticipated declining populations, the budget adopted for this biennium included net cuts to the Division of Adult Institutions' budgets of \$14.9 million in FY12 and \$19.5 million in FY13 for inmate food, contract county jail bed costs, and other non-food supplies. Those calculated reductions were based upon the contracted county jail daily bed rate of \$51.46.

Based upon the projected ADP decline, DOC established a Bed Management Workgroup in early 2011 to provide recommendations on changes to DAI facilities and contracted jail bed contracts to deal with the changes in population.

Several recommendations suggested by this workgroup were implemented to help generate sufficient space to handle the population within DOC's budgeted capacities:

1. Constraining expenditures as much as possible.
2. Managing bed capacity to the best efficiency possible, which involved:
  - o Converting John Burke Correctional Facility (250 beds) from a female to male facility. This was completed ahead of schedule on November 18, 2011.
  - o Converting minimum security beds (288) at the Fox Lake Correctional Institution to medium security beds December 23, 2011.
  - o As of January 27, 2012, DAI reduced its use of contracted, Wisconsin County jail beds to the Inmate Retention Program (inmates with <12 months confinement time retained in the county jail following revocation). This program averaged 10 beds per month through May 2013.
3. Transferring, with legislative approval, unused funding in other appropriations (corrections contracts and agreements; services for drunken driving offenders; and energy costs) to cover the shortfalls in the appropriation which supported DAI institutional costs.

Due to the actual FY13 ADP and prior reduction of contract jail bed use, by the end of FY13 the DOC had to utilize a portion of DAI "surge" bed capacity. Surge beds are usually reserved for responding to emergencies (e.g., facility evacuation due to prison disturbances or natural disasters). There is a cost associated with use of surge beds; and the DOC's ability to respond to an emergency is eroded. This was especially the case for male bed needs. Due to fluctuating female population and the conversion of John Burke Correctional Facility to male beds, DOC has recently used DAI "surge" beds at the Robert E. Ellsworth Correctional Center; and as needed staffing and activation of beds at the TCI.

#### L. Construction Project at the Central Generating Plant

DOC requested an enumerated project in the 2011-13 capital budget to eliminate coal as a fuel and to replace aging boilers at the Central Generating Plant in Waupun. Requested project amount was \$24,592,000. This plant provides steam and electricity to the Dodge Correctional Institution, Waupun Correction Institution, John C. Burke Correctional Center, and the Bureau of Correctional Enterprises creamery.

2011 Wisconsin Act 32 approved this enumerated project at a project level of \$7,000,000. This funding level was based upon replacing only one of the four boilers during the 2011-13 biennium and then replacing the three remaining boilers at some point in the future.

Upon further examination, this phased approach proved to be problematic because of:

- the extent of repairs that would be required to keep at least two 60 year-old coal-fired boilers operational for an extended period of time;
- the high cost of plant infrastructure upgrade needed to install the first of the new gas boilers that would be both energy efficient and compliant with air standards; and
- changes in federal mandated air standards for chloride emissions would have effectively made it impossible to run more than one coal boiler at this location.

A minor change in scope to eliminate replacement of the existing diesel emergency electrical generators as part of the project and to install three appropriately sized gas boilers in place of the existing one gas and three coal boilers made it possible to reduce the budget for the overall project to \$15,597,100. Funding was provided with the \$7,000,000 DOC 2011-13 enumeration plus \$8,597,100 of DOA residual capital funds identified by the Department of Administration, Division of Facilities Development.

The project was approved for construction by the State Building Commission on January 23, 2013. The project will be bid and constructed in five phases beginning in September 2013 with completion expected in early 2015.

#### M. 2013 Wisconsin Act 10 Implementation Plan

Wisconsin Act 10 brought about many changes for the State including limiting the scope of bargaining for certified bargaining units (excluding public safety employees in the Department of Transportation) to base pay only up to the Consumer Price Index (CPI). With the expiration of most collective bargaining agreements, the Office of State Employment Relations (OSER) updated the State Compensation Plan to include the formerly represented employees who previously were covered by the provisions of a collective bargaining agreement.

The 2011-13 Compensation Plan was effective January 1, 2012. Section A, 4.00 of the Compensation Plan defined overtime hours as "...work hours in excess of 40 in a standard workweek." This language differed from language in many collective bargaining unit agreements which allowed for overtime to be paid "for all hours in pay status which are in excess of forty (40) hours per work week." The difference in the work status versus pay status equated to huge savings for DOC. In the first few pay periods of 2012 alone, DOC saved \$500,000 in overtime costs compared to the same timeframe in the previous year.

Additionally, DOC issued several policies effective between January 29, 2012 and March 11, 2012, to cover topics previously covered either by master collective bargaining agreements or by local agreements which were specific to individual employing units. Through the Additional Hours of Work Policy, DOC made changes to the way overtime was distributed. Previously, overtime was offered/assigned by straight seniority order meaning the most senior officers, who

are also the highest paid, had more overtime opportunities than staff with lower seniority. Overtime is now distributed based on a rotation meaning it is more evenly distributed across all employees. This change made a significant difference in our overtime costs as well.

Finally, through policy changes, DOC was able to maintain better control over the schedule through policy changes related to addressing unanticipated variance such as limiting an employee's ability to call-in unexpectedly related to sick leave. Specifically, DOC now permits 5 free "occurrences" before an employee is required to produce medical verification for the absence and an employee's ability to convert sick leave to another form of leave on an unanticipated sick call is substantially limited. Both of these changes have created a disincentive for employees to call-in unanticipated, in turn improving the use of scheduled absences, and thereby giving employing units more control over the schedule, reducing the amount of overtime needed to effectively run our operations.

Overall, the Compensation Plan and implementation of DOC policies has created a considerable savings in overtime costs for DOC. From January 1, 2012, to the end of the fiscal year, DOC saved approximately \$5,357,000 compared to FY11, and saved \$1,610,100 in FY13 compared to FY12. In terms of calendar year, the DOC saved approximately \$8.4 million from calendar year 2012 compared to calendar year 2011. Calendar year 2012 captures ten months of Act 10 implementation plan, whereas fiscal year 2012 captures four months. We anticipate this trend will continue into the future if the Compensation Plan language remains the same.

#### N. Implementation of Increased Employee contribution for Pension and Health Insurance

In addition to changes with collective bargaining, Wisconsin Act 10 also required changes to employee contributions for both the Wisconsin Retirement System (WRS) and Health Insurance premiums for those who carry the State Health Insurance.

Prior to Act 10, the State paid almost the full share of the employee and employer WRS contributions depending on status type with executive status employees paying nothing, general status employees paying 0.2% of their earnings and protective status employees paying 0.8% of their earnings. With the exception of employees in public safety classifications (i.e. State Patrol Troopers, Inspectors and related classifications), Act 10 prohibited the employer from paying the employee portion of WRS contributions.

Accordingly, effective with Act 10, employees were required to pay the full employee contributions for their status type (i.e. executive, general, protective) which was roughly half of the overall contribution. For 2011, this equated to 6.65% of earnings for executive status employees and 5.8% of earnings for general and protective status employees. The rates were increased in 2012 and again in 2013 based on the Group Insurance Board recommendations.

The employee premiums for State Health Insurance also increased considerably with the implementation of Act 10. For example, prior to Act 10, employees with Tier 1 health insurance paid \$31 for single and \$78 for family coverage. Post Act 10, the rates for employees with Tier 1 health insurance were increased to \$84 for single and \$208 for family coverage.

## **DOC Goals and Objectives Developed in the 2013-15 Biennial Budget**

### O. Implementation of Medicaid

Implementing Medicaid billing and payment for the majority of all inpatient hospital admissions starting January 1, 2014 is going smoothly. Work groups are meeting regularly between DHS and DOC. They have assigned goals to accomplish in specific timeframes. Work processes for submitting applications to DHS are in development and should be in place at the end of October.

All billing will be sent to Medicaid by the hospitals and physicians, and will be paid at the set Medicaid rate. From our assessment, the hospital payment will be acceptable for all the hospitals. The physician billing will cause a significant decrease in reimbursement such that DOC will have to increase our payments to the two large medical groups at UW Medical Foundation and Fond du Lac Clinic. We are in contract discussions currently with both groups.

Bureau of Health Services (BHS) will be contracting with our Third Party Administrator (TPA) to provide two Medicaid Assistance employees to fill out the 24 page Medicaid application for our 850 hospital admissions. The two employees will be based in Central Office in the BHS area. DAI also is entering all the missing social security numbers that were missing into the WICS system. The goal is to have all 8,000 plus missing numbers in by mid to late October.

### P. Permanent GPR Reductions and Lapses

2013 Wisconsin Act 20 (the 2013-15 Biennial Budget) included a decision item that required the DOC's General Revenue Purpose budget be reduced by \$14.38 million annually. In addition, DOC will be required to lapse \$1.86 million annually in revenue from its PR) appropriations. The reductions and required lapses accounted for:

- Elimination of funding for the June 2009 2% general wage adjustment for represented staff. (\$8.7 million each year [\$8.57 GPR and \$133,400 PR.]
- PR revenue lapsed due to the increased employee contributions towards health insurance and pension costs. (\$765,800 PR each year)
- DOC's share of a statewide allocated reduction/lapse. (\$5.8 million GPR and \$964,900 PR each year.)

Total amount reduced or lapsed by DOC each year was \$16.24 million (\$14.38 million GPR and \$1.86 million PR.) Lapses were not taken from DOC's 20.410(1)(km) and 20.410(3)(hm) PR appropriations because they were both in a deficit situation.

DOC will achieve the required reductions/lapses through a combination of:

- Reduced salary and fringe benefit costs supported by GPR, this item resulted in the elimination of 72.00 GPR FTE.
- Anticipated drop in overtime costs as a result of the collective bargaining changes adopted in 2011 Wisconsin Act 10.
- Adjustments downward to base funding for corrections contracts and agreements and services for drunken driving offenders appropriations.

#### Q. Inmate Population Management

2013-15 State Biennial Budget (2013 Wisconsin Act 20) - Incarcerated Adults:

	<b>Average Daily Population (ADP) - Incarcerated Adults</b>		
	<b>Projected</b>	<b>Actual</b>	<b>Difference</b>
<b>FY13 end</b>	21,993	22,396	+403
<b>FY14 end</b>	22,118	Not Available	
<b>FY15 end</b>	22,311	Not Available	

Projections were based upon a monthly percentage growth rate of 0.05% for males and 0.435% for females. Utilizing this projection the biennial budget funded 0 beds for FY14 and 134 beds for FY15 for placing DAI inmates in contracted Wisconsin County jails. It had been anticipated that DOC would be able to handle its population for FY14 within its budgeted capacities.

Due to the actual FY13 ADP, DOC has had to continue the use of a portion of DAI “surge” bed capacity. Surge beds are usually reserved for responding to emergencies (e.g., facility evacuation due to prison disturbances or natural disasters). There is a cost associated with use of surge beds; and the DOC’s ability to respond to an emergency is eroded

Given the uncertainty of actual versus the estimated population DOC continues to examine options for adjustments to the correctional system to maximize the use of its existing budgeted capacities in order to meet population needs. DAI has also established an Assisted Living workgroup to explore options for the state to utilize in managing that portion of its inmate population that is aging and/or has corresponding needs requiring accommodation or additional resources.

#### R. GPS Tracking

2005 Wisconsin Act 431 created and 2007 Wisconsin Act 20 amended s. 301.48 Wis. Stat. The statute requires DOC to place certain sex offenders on lifetime GPS tracking.

The program continues to increase due to the growing number of offenders subject to lifetime GPS monitoring. Only 541 offenders were on lifetime GPS monitoring as of July 2012.

The Legislative Fiscal Bureau (LFB) estimated the population will reach 810 by the end of FY14 and 939 by the end of FY15, excluding offenders estimated to be tracked for violation of a temporary restraining order or injunction. A portion of funds related to this projection is held by the Joint Committee on Finance under a supplemental appropriation in the event populations rise to this level.

#### S. Creation of Office of Special Operations

The creation of this office was requested in response to the identification of a need to develop a systemic structure for department wide emergency preparedness and management, in addition to

creating an separate entity to handle allegations of staff misconduct and Prison Rape elimination Act (PREA) violations. OSO's mission will also include upholding the agency's standards for integrity and professionalism and in the future DOC will look to expand the office to help DOC identify areas where waste fraud or abuse has occurred and take steps to eliminate these activities.

2013 Wisconsin Act 20 placed \$935,900 GPR in FY14 and FY15 of DOC's base salary and fringe budget in the Joint Committee on Finance's GPR funds general program supplementation appropriation. DOC submitted a §13.10 requesting these funds be reallocated to appropriation §20.410(1)(a) General program operations, for the purposes of creating OSO which was approved at the 2013 September §13.10.

#### T. Added Funding and FTE for IT Operations

In 2011 DOC commissioned a study of its Bureau of Technology Management with Gartner Incorporated to perform an analysis of DOC's IT support functions. The results of the study showed that DOC is below the national averages and averages for peer government groups in both staff and operating budget. Proceeding with the recommendations from a cross-divisional steering workgroup formed after the results of the Gartner report; DOC submitted its 2013-15 Biennial budget request divided in to four priority groups in an effort to focus on only the most urgent FTE and supplies and services to prevent further decline in IT services.

As decided by the Joint Committee on Finance, 2013 Wisconsin Act 20 placed \$1,871,500 GPR in FY14 and \$2,456,100 GPR in FY15 in the Joint Committee on Finance's GPR funds general program supplementation appropriation. In September of 2013, DOC submitted a §13.10 and requested these funds and FTE be transferred to appropriation §20.410(1)(a) General program operations which was approved.

#### U. Male Mental Health Treatment

The 2013-15 Executive Budget created 5.50 FTE to improve mental health treatment at three maximum security segregation units (Waupun Correctional Institution, Columbia Correctional Institution, and Green Bay Correctional Institution). The additional staff positions include 2.5 FTE Psychological Associates and 3.00 FTE Clinical Social Workers.

These positions will increase the number of out-of-cell contact hours for inmates who would benefit from individual and/or group mental health treatment. Inmates in segregated housing are known to have increased service needs due to higher rates of mental illness, behavioral disturbance, self-harm behavior and completed suicide. DOC is obtaining position numbers for these 5.5 FTE and will start the recruitment and hiring process as soon as it is possible.

#### V. Capital Budget \$250 million Bonding Restriction

2013 Wisconsin Act 20 (the 2013-15 Biennial Budget) -- as signed into law by the Governor -- directed that the Department of Administration (DOA) secretary to reduce the amount of general



obligation bonds issued in the 2013-15 biennium -- for newly enumerated construction projects in Act 20 -- by \$250 million. This bonding restriction had been added by the Legislature during their review of the proposed budget, but was vetoed by the Governor at signing.

The veto was done to maintain the reduction in overall bonding while providing DOA with flexibility in its implementation. All of the projects which were enumerated in the budget by the Building Commission remain enumerated. DOC had seven projects enumerated in Act 20 for a total funding of \$34.4 million:

- Columbia Correctional Institution – Health Services Unit (\$6.5 million)
- Oshkosh Correctional Institution – Health Services Unit (\$7.7 million)
- Copper Lake School – Segregation Expansion (\$2.0 million)
- Columbia Correctional Institution – Expand & Update DS1 [segregation] (\$6.0 million)
- Green Bay Correctional Institution – Cell Hall Upgrades (\$3.8 million)
- Taycheedah Correctional Institution – Infirmary (\$4.5 million)
- Marshall Sherrer Correctional Center – Housing/food Service Expansion (\$4.0 million)

One additional project was requested for enumeration, Green Bay Correctional Institution – New Treatment Center, in the amount of \$16,479,000 that was deferred to the next biennium with the understanding that pre-planning using Building Trust Funds would begin during 2013-15.

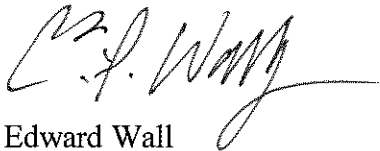
Given the bonding restriction, DOC will work very closely with DOA, Division of Facilities Development, to phase in the implementation of our enumerated projects in a way that will enable the state to work within the restricted resources.

### Statement on Flexible Work Schedules

DOC recognizes the value and benefits of providing a flexible environment to our employees. A traditional full-time work pattern does not always meet the needs of our employees for various reasons. DOC is committed to providing flexibilities whenever possible and promotes the philosophy in DOC. All Divisions are directed to employ alternative work scheduling when operationally feasible and to create permanent part-time positions where possible.

While the nature of DOC's mission and work spaces limits the use of alternative work patterns for some employee groups, the strategies are widely used in other, more appropriate, parts of our organization. For these employee groups DOC utilizes a variety of strategies, including staggered normal working hours, flextime, deviated work weeks and extensive use of job sharing. In addition to permanent alternative schedules, the DOC also encourages the use and promotion of short term alternate schedules or work patterns to meet an employee's unique needs/situation when recovering from an illness, family medical leave, etc.

Respectfully submitted October of 2013



Edward Wall  
Secretary  
Department of Corrections