

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: December 31, 2012

TO: Supervisor Marina Dimitrijevic, Chairwoman – Milwaukee Co. Board of Supervisors

FROM: Héctor Colón, Director, Department of Health and Human Services
Prepared by: Tom Wanta, Administrator - Delinquency & Court Services Division

SUBJECT: Report from the Director, Department of Health and Human Services, requesting authorization to enter into a State/County contract for Community Youth and Family Aids for 2013 and to accept \$34,976,408 for State Corrections Charges and Community Based Services

ISSUE

Section 301.031 of the Wisconsin Statutes requires counties to execute an annual contract with the state Department of Corrections (DOC) for the “Community Youth and Family Aids Program.” This program provides State funding for County services to juvenile offenders as mandated by State and/or Federal law.

County ordinances require that departments obtain authorization from the County Board in order to execute contracts. The Director, Department of Health and Human Services (DHHS), is therefore requesting authorization to sign the 2013 contract with the state DOC for the provision of juvenile justice services mandated by State law. The County cannot receive 2013 revenue from the State until this contract is signed.

BACKGROUND

The Community Youth and Family Aids Program, commonly referred to as “Youth Aids,” is the State’s primary means of providing counties with direct assistance to fund the cost of services to juvenile delinquents. This revenue is used exclusively to fund costs in the DHHS Delinquency and Court Services Division (DCSD). Counties supplement their juvenile justice funding needs with Basic Community Aids, property tax levy and various grant revenues to fund the overall costs of the juvenile justice system.

On December 17, 2012, DHHS received the actual 2013 contract from DOC for Youth Aids. The State’s 2013 contract will provide Milwaukee County with \$34,976,408 of Youth Aids funding (excluding the DHHS estimate of Corrective Sanctions funding - see Attachment 1, pg. 1 of 1).

Youth Aids Revenue

The State contract allocation consists of three components: 1) the annual state budget amount allocated by several formulae; 2) any surplus amount from “over-charging” counties during the prior state fiscal year for the cost of state Juvenile Institutions compared to DOC’s actual costs; and 3) an allocation for the Corrective Sanctions program. The actual 2013 State funding for Corrective Sanctions will not be determined until January 2013, based on actual usage of the program by each county during 2012.

The attached exhibit lists the Youth Aids funding from 2010 through 2013. The Base Funding amount is based on the separate allocations contained in s. 301.26, Wis. Stats. Beginning with 2009, DOC no longer provided the same level of detail regarding the allocations and instead provides just the Base Allocation and AODA funding. The Base Allocation now includes the separate allocations mentioned above.

The 2013 allocations are as follows:

- The Original Base Allocation which is based on the initial formula for allocations to counties when Youth Aids was created in 1979; and now includes:
 - a. Prior Year Refund revenue. Statutes require that DOC provide a refund to counties if the amount paid by counties under the statutory daily rates is greater than DOC’s actual costs in the preceding State fiscal year. The refund would be based on each county’s proportionate share of the days of care provided by DOC.
 - b. The 1999 Act 9 supplemental funding is allocated based on three factors: a) a county’s proportion of the statewide juvenile population for the most recent year available; b) a county’s proportion of statewide Part 1 juvenile arrests under the uniform crime reporting system of the Office of Justice Assistance for the most recent three year period available; and c) a county’s proportion of statewide juveniles placed in a juvenile correctional institution, a secure child caring institution or secure group home for the most recent three-year period available;
 - c. The 2001 Act 16 supplemental funding is allocated based on the same three factors above, but with an “override” provision that no county receives less than 93% nor more than 115% of the amount it would have received if the juvenile placement factor (item “c” above) were the sole factor used to determine county allocations;
 - d. The 2007 Act 20 supplemental funding is allocated based on each county’s proportion of the number of juveniles statewide who are placed in a juvenile

correctional facility during the most recent three-year period for which that information is available;

- Alcohol & Other Drug Abuse (AODA) funding is allocated based on each county's Youth Aids spending on community services (defined as the amount of Youth Aids left after state charges); and
- Corrective Sanctions funding is allocated following the close of the calendar year, based on each county's usage of the 136 total slots authorized by statute.

The DOC 2013 allocation for Milwaukee County of \$34,976,408 (excluding Corrective Sanctions) represents a revenue increase for DHHS of \$1,716,332, compared to the 2012 Contract (including the adjustment from the State based on the 2011-2013 State Budget) of \$33,260,076. The 2013 DHHS Budget included an estimate of \$33,359,413 in Youth Aids revenue (excluding Corrective Sanctions), which results in a budgeted revenue surplus of \$1,616,995 for DHHS in 2013.

DHHS will continue to monitor the State budget, which may change significantly for the State budget year beginning July 1, 2013, the Average Daily Population (ADP) and make projections based on historical data to determine if the initial projected surplus will materialize in 2013. If in fact the surplus does materialize, DHHS will return to the Board to report the revenue surplus as required.

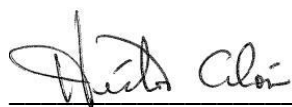
Recommendation

It is recommended that the County Board of Supervisors authorize the Director of DHHS, or his designee, to execute the 2013 State/County contract following Department review for Community Youth and Family Aids, and any addenda to that contract.

Fiscal Impact

The 2013 state contract provides \$1,616,995 more revenue than was anticipated in the 2013 Budget (excluding Corrective Sanctions). A fiscal note form is attached.

Respectfully Submitted,



Héctor Colón, Director
Department of Health and Human Services

cc: County Executive Chris Abele
Raisa Koltun, Legislative Affairs Director – County Executive’s Office
Kelly Bablich, County Board Chief of Staff
Pat Farley, DAS Director
Craig Kammholz, Fiscal and Budget Administrator – DAS
CJ Pahl, Assistant Fiscal and Budget Administrator – DAS
Antoinette Thomas-Bailey, Fiscal and Management Analyst – DAS
Jennifer Collins, County Board Staff
Jodi Mapp, County Board Staff