



Milwaukee County

Legislation Text

File #: 11-25, **Version:** 1

From the Interim Director, Department of Health and Human Services (DHHS), requesting authorization to enter into a State/County Contract for Community Youth and Family Aids for 2011 and to accept \$38,003,499 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 Interim Director, Department of Health and Human Services (DHHS), is therefore requesting authorization to sign the 2011 contract with the state DOC for the provision of juvenile justice services mandated by state law. The county cannot receive 2011 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. 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 27, 2010, DHHS received the actual 2011 contract from DOC for Youth Aids. The state's 2011 contract will provide Milwaukee County with \$38,003,499 of Youth Aids funding (excluding our 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 formula; 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 2011 state funding for Corrective Sanctions will not be determined until January 2011, based on actual usage of the program by each county during 2010.

The attached exhibit lists the Youth Aids funding based on the seven (7) separate allocations contained in s. 301.26, Wis. Stats.

However, DOC has not provided the same level of funding detail for 2011 as was available through 2008. This department's fiscal staff has requested that detail from DOC so it can be determined if Youth Aids have been allocated appropriately.

The separate allocations are as follows:

- 1) The Original Base Allocation which is based on the initial formula for allocations to counties when Youth Aids was created in 1979;
- 2) 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.
- 3) 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;
- 4) 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;
- 5) 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;
- 6) 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
- 7) 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 2011 allocation for Milwaukee County of \$38,003,499 (excluding Corrective Sanctions) represents a revenue increase for DHHS of \$373,884, compared to the 2011 Budget of \$37,629,615.

Recommendation

It is recommended that the County Board of Supervisors authorize the Interim Director of DHHS, or her designee, to execute the 2011 State/County contract following Department review for Community Youth and Family Aids, and any addenda to that contract.

Fiscal Impact

The 2011 state contract provides \$373,884 more revenue than was anticipated in the in the 2011 Budget (excluding Corrective Sanctions). A fiscal note form is attached and a fund transfer will be completed later in 2011 if necessary.

Respectfully Submitted,

Geri A. Lyday

Geri Lyday, Interim Director
Department of Health and Human Services

Attachments

Cc: County Executive Lee Holloway
Renee Booker, DAS Director
Allison Rozek, Analyst - DAS
Jennifer Collins, Analyst - County Board
Jodi Mapp, Committee Clerk - County Board