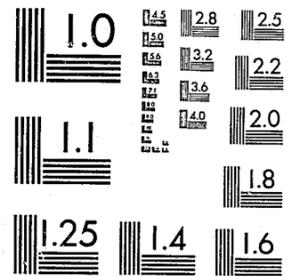


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Washington, D. C. 20531

10/6/83



STATE LEVEL CORRECTIONS STRUCTURE IN WISCONSIN

STAFF BRIEF 82-14

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ACQUISITIONS

Wisconsin Legislative Council Staff

Madison, Wisconsin

Special Committee on Structure of  
Corrections System

July 8, 1982

STAFF BRIEF 82-14\*

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STATE LEVEL CORRECTIONS STRUCTURE IN WISCONSIN

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INTRODUCTION

This Staff Brief was prepared for the Legislative Council Special Committee on Structure of Corrections System. The Special Committee was established by the Legislative Council on May 27, 1982.

The directive to the Special Committee adopted by the Legislative Council states:

The Special Committee is directed to study the present structure and organization of the Wisconsin corrections system, including alternatives thereto, and examine the structural and organizational patterns for corrections services which can best assure: (a) professional direction and leadership, (b) accountability and responsiveness to policymakers and the public, (c) managerial effectiveness, and (d) purposeful planning and program development and implementation. The study would include, without limitation because of enumeration, a review of institutional correctional services, as well as noninstitutional services such as probation and parole, juvenile services, productive work programs such as prison industries, health care services, and other activities related to corrections responsibilities.

Part I of this Staff Brief describes the history of the state level organization structure for the administration of the Wisconsin corrections system. Part II describes the current state level organizational structure for the administration of corrections.

As described in Part I, the state structure for the administration of corrections has been reorganized a number of times since Wisconsin first became a state. The current organizational structure evolved through these reorganizations. As described in Part II, currently, the state's

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\* This Staff Brief was prepared by Jane Henkel, Senior Staff Attorney, Legislative Council Staff.

corrections functions are generally administered by a single division, the Division of Corrections (DOC), within an "umbrella" agency, the Department of Health and Social Services (DHSS). However, other offices and divisions within DHSS also have some responsibilities related to corrections.

Under the current structure, the DOC is generally responsible for both adult and juvenile offenders committed to the state's custody. The DOC is also responsible for the supervision of adults placed on probation by the courts; however, juveniles placed on probation are supervised by county agents, not the DOC. The DOC's responsibilities for adults and its responsibilities for juveniles are generally carried out in separate bureaus within the DOC.

The most notable of the corrections-related functions assigned to other offices and divisions within the DHSS are parole functions. Under the current structure for corrections, parole functions are assigned to two administrative bodies in the Office of the Secretary: the Parole Board, which is assigned adult offender parole functions, and the Juvenile Offender Review Program, which is assigned juvenile offender parole functions. These administrative bodies report directly to the Secretary of the DHSS, not the Administrator of the DOC.

Administrative and support services are provided to the DOC by the Office of the Secretary and three of the six other divisions in the DHSS (the Division of Health, the Division of Policy and Budget and the Division of Management Services). Also, the Division of Community Services carries out programs related to corrections which require cooperation with the DOC.

## PART I

### HISTORY OF CORRECTIONS STRUCTURE IN WISCONSIN

#### A. INTRODUCTION

This Part describes the history of the state level organizational structure for the administration of the Wisconsin corrections system and the history of parole in Wisconsin.

Since 1891, supervision of the state's corrections system (including both adult and juvenile corrections) has been under a single board or agency. When these functions were first unified under the Board of Control in 1891, that Board was also responsible for other institutions including those for the mentally ill, the blind and the deaf. Since that time, the noncorrections functions of the agency responsible for corrections have greatly expanded. This has been the result of a major expansion of the state's role in certain noncorrections areas such as public assistance and public health and reorganizations which have consolidated noncorrections and corrections functions of state government into one agency.

With regard to parole, since it was first authorized, its administration has been assigned to the state board or agency in charge of the corrections system. A requirement that the Governor approve paroles was eliminated in 1947.

#### B. ADMINISTRATION OF CORRECTIONS

For more than two decades after becoming a state, Wisconsin met each of the separate problems relating to the public care, custody and rehabilitation of law violators and delinquents, the mentally ill, and the handicapped, neglected and dependent by special legislative enactment. For example, the housing and care of adult criminals was provided for in 1850 (the state prison at Waupun opened in 1852) and juvenile delinquency was recognized as a separate problem with the establishment of the House of Refuge in 1857. As each new institution was established, a separate board of managers or trustees was created to manage it. Each institution was financed by a separate appropriation and made a separate annual report to the Governor. There was, apparently, no legislative intent or effort to coordinate the work or expenditures of the various institutions.

By 1871, there were six separate institutions each with its own governing authority of from one to 15 members. In that year, a beginning toward the coordination of the supervision of these institutions was made with the creation of the State Board of Charities and Reform [Ch. 136, Laws of 1871]. This Board consisted of five members appointed by the

Governor. The Board exercised powers limited principally to visiting and inspecting the institutions; examining the institutions' methods of treatment, instruction, government and management of inmates; examining the official conduct of trustees, managers, superintendents and other officers; and making annual reports and recommendations to the Governor. Each institution continued to be governed by its own separate board.

In 1881, the Legislature created the State Board of Supervision of Wisconsin Charitable, Reformatory and Penal Institutions, consolidating the several institutional boards but not eliminating the old Board of Charities and Reform [Ch. 298, Laws of 1881]. In creating the Board of Supervision, the Legislature abolished the separate boards of the following six institutions: the Wisconsin State Hospital for the Insane, the Northern Hospital for the Insane, the Wisconsin State Prison, the Wisconsin Industrial School for Boys, the Wisconsin Institution for the Education of the Blind and the Wisconsin Institution for the Education for the Deaf and Dumb. Members of the new State Board of Supervision were appointed by the Governor, with the advice and consent of the Senate.

The State Board of Charities and Reform and the State Board of Supervision both functioned until 1891 when the Legislature created the State Board of Control of Wisconsin Reformatory, Charitable and Penal Institutions and assigned it the functions of the two prior Boards [Ch. 221, Laws of 1891]. Members of the new Board were appointed by the Governor, with the advice and consent of the Senate. [Ch. 350, Laws of 1911 changed the name of the new Board to the State Board of Control of Wisconsin because three of the institutions then under its authority, the School for the Deaf, the School for the Blind and the Industrial School for Boys, did not come within the classifications of reformatory, charitable or penal institutions.] The new Board of Control was expected to dissipate the lack of harmony which had existed when the two prior Boards had been trying to perform duties not clearly divided between them.

Further reorganization relating to corrections took place in 1939. This reorganization reflected the establishment of various welfare and assistance programs during the 1930's and the fact that there had been an increase in the number of state agencies to deal with the programs. During the 1930's, when federal and state relief funds were made available, the Public Welfare Department was established by Executive Order, first within the Industrial Commission in 1935 and then as an independent agency in 1936. When the federal Social Security Board was established and various programs (Old-Age Assistance, Aid to Dependent Children and Blind Pensions) went into effect, the State Pension Department was created within the Industrial Commission [Ch. 554, Laws of 1935].

The increase in the number of agencies handling welfare services lead to a study by Governor Phillip LaFollette's Citizens Committee on Public Welfare and the subsequent reorganization of such services, including corrections services [Ch. 9, Laws of Special Session 1937 and the Governor's Reorganization Orders of 1938]. These laws and orders resulted in the creation of three departments, each with its own policymaking board: the Department of Mental Hygiene (which included the previous duties of the Board of Control relating to the Mendota and Winnebago State Hospitals and the Northern and Southern Colonies and Training Schools), the Department of Social Adjustment and the Department of Corrections. However, the Department of Corrections was never organized, because the 1939 Legislature nullified this reorganization and reestablished the previous agencies (i.e., the Board of Control and the Pension and Public Welfare Departments).

Further studies in 1939, aimed at unifying all welfare functions, eventually resulted in the enactment of Ch. 435, Laws of 1939, which created the Department of Public Welfare. All of the duties of the Board of Control, the Pension Department and the Public Welfare Department were transferred to the new Department of Public Welfare. The Department was headed by the State Board of Public Welfare, which had regulatory, advisory and policy-making powers and duties. The Board was appointed by the Governor; and the administrative powers and duties of the Department were vested in the Director of the Department who was appointed by the Board. The Act provided for the creation in the new Department of separate Divisions of Public Assistance, Child Welfare, Mental Hygiene, Corrections, Administration and Research and such other divisions as found necessary by the Board.

Finally, as a result of a number of enactments by the 1967 Legislature, most notably the "Kellett" Reorganization Act [Ch. 75, Laws of 1967], the DHSS was created and almost all of the functions of the Department of Public Welfare, including corrections, were transferred to the DHSS. In addition, under the Kellett reorganization, functions previously assigned to a number of other agencies were transferred to the DHSS, including the public health functions of the State Board of Health.

Under Ch. 75, Laws of 1967, the DHSS was under the jurisdiction of a Board of Health and Social Services. Members of the Board were appointed by the Governor, with the advice and consent of the Senate. Administrative responsibility for the Department was vested in the Secretary of DHSS, who was appointed by the Board. However, Ch. 39, Laws of 1975, abolished the Board and the DHSS is now headed by a Secretary, who is appointed by the Governor, with the advice and consent of the Senate. [Sources: A History of the State Board of Control of Wisconsin and the State Institutions, 1849-1939, Burnett O. Odegard and George M.

Keith, State Board of Control, Madison, Wisconsin, undated; and the 1968 and 1981-82 Blue Books.]

### C. PAROLE FUNCTIONS

In Wisconsin's early years of statehood, all criminal sentences were for definite periods of time and were to be fully served. Early discharge for rehabilitation or for good behavior was unknown. In fact, the only reward for good behavior was a lack of disciplinary punishment. There existed, however, one method of early release and that was through the use of executive pardon power by the Governor.

Within the first eight months of the state's organization, three persons were pardoned by the Governor. Basically, these pardons were due to the lack of suitable places for confinement. The State Prison at Waupun opened in 1852, but the use of executive clemency increased nonetheless since no other means were available to release prisoners before their sentences expired. From 1852 to 1859, more than one-third of the discharges from prisons were the result of executive clemency.

The emphasis on gubernatorial release from prison changed dramatically with the initiation, in 1860, of release for good time served [Ch. 324, Laws of 1860]. Of the 57 discharges from prison between 1861 and 1862, 51 were good time releases and only five were by pardon. [Source: Release Procedures in the State of Wisconsin, Gausewitz and Lowitsch, Part I, pages 2-8; and Part II, pages 1-10, undated.]

A system of parole for inmates of the State Reformatory was established in 1898 [Ch. 346, Laws of 1897]. That Act authorized the Governor to grant parole to inmates of the State Reformatory upon receipt of a favorable report of the Board of Control and the superintendent of the institution. However, Wisconsin's existing parole process can be said to have started in 1907. A 1907 Act granted the Board of Control authority to issue a parole to any prisoner in the State Prison with the approval of the Governor [Ch. 346, Laws of 1897; Ch. 28, Laws of 1899; and Ch. 110, Laws of 1907].

Parole mechanisms for inmates of the State Reformatory and inmates of the State Prison were contained in separate statutes. Consequently, when the Board of Control was authorized to grant paroles to inmates of the Wisconsin Industrial Home for Women and the Milwaukee House of Corrections, separate parole procedures were also created for these institutions [Ch. 723, Laws of 1913 and Ch. 335, Laws of 1915].

The statutes governing the power of parole have been consolidated over the years into one provision. Presently, s. 57.06 (1) (a), Stats., provides, in part, that the DHSS "...may parole an inmate of the Wisconsin

state prisons or any felon or any person serving at least one year or more in the Milwaukee county house of correction or a county reforestation camp....". The functions of the Board of Control relating to parole were placed in the Department of Welfare and, subsequently, in the DHSS by the reorganizations described above. The requirement that the Governor approve paroles was removed in 1947 [Ch. 477, Laws of 1947].

The current duties of the Parole Board and its relationship to the DHSS are described in Part II C.

PART II

CURRENT CORRECTIONS STRUCTURE IN WISCONSIN

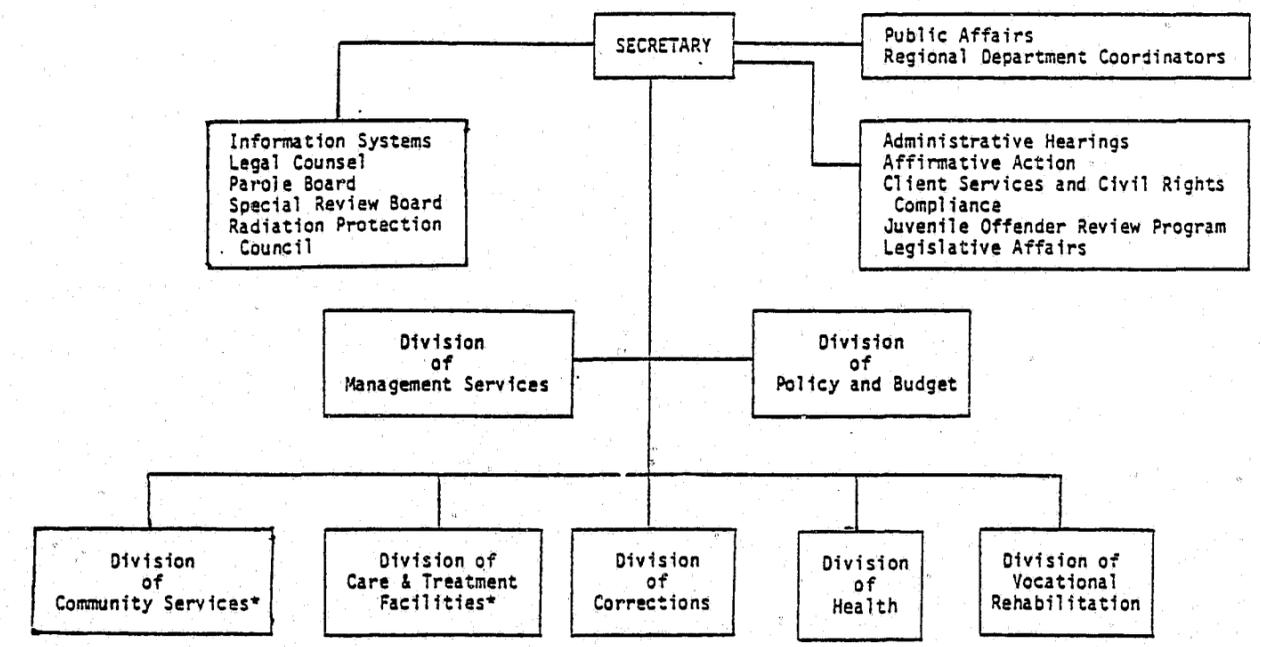
A. INTRODUCTION

Under current state law, state level responsibilities for corrections are statutorily assigned to the DHSS (Donald Percy, Secretary) and carried out primarily in the Division of Corrections (DOC) of the DHSS. Currently, other divisions of the DHSS are responsible for various other noncorrections programs, including numerous economic assistance and public health programs.

Chart 1, below, shows the organizational structure of the DHSS.

Chart 1

DEPARTMENT OF HEALTH AND SOCIAL SERVICES



\*Reflects the proposed consolidation of the current Division of Community Services and current Division of Economic Assistance into the Division of Community Services and Division of Care and Treatment Facilities. This reorganization has not yet taken place but is in progress.

The Secretary of the DHSS is appointed by the Governor, with the advice and consent of the Senate, and serves at the pleasure of the Governor. The internal structure of the DHSS is established by the Secretary, subject to the approval of the Governor [s. 15.02 (4), Stats.]. Under the current organizational structure of the DHSS, the corrections system is administered by one division of the DHSS (the DOC). However, the Secretary could, with the approval of the Governor, change the present internal organizational arrangement of DHSS so that corrections functions are organized differently.

The Administrator of the DOC (Elmer O. Cady) is appointed in the unclassified service by, and serves at the pleasure of, the Secretary of DHSS. Bureau directors within the DOC are appointed in the classified service (the Secretary is the formal appointing authority).

Although Wisconsin's corrections system is administered by the DOC, other units within the DHSS are assigned duties related to corrections and provide support services to the DOC. This Part of the Staff Brief describes the functions of the DOC, the Parole Board, the Juvenile Offender Review Program and other units of DHSS which have duties related to corrections or provide support services to the DOC.

**3. DIVISION OF CORRECTIONS**

Chart 2, below, shows the organizational structure of the DOC.

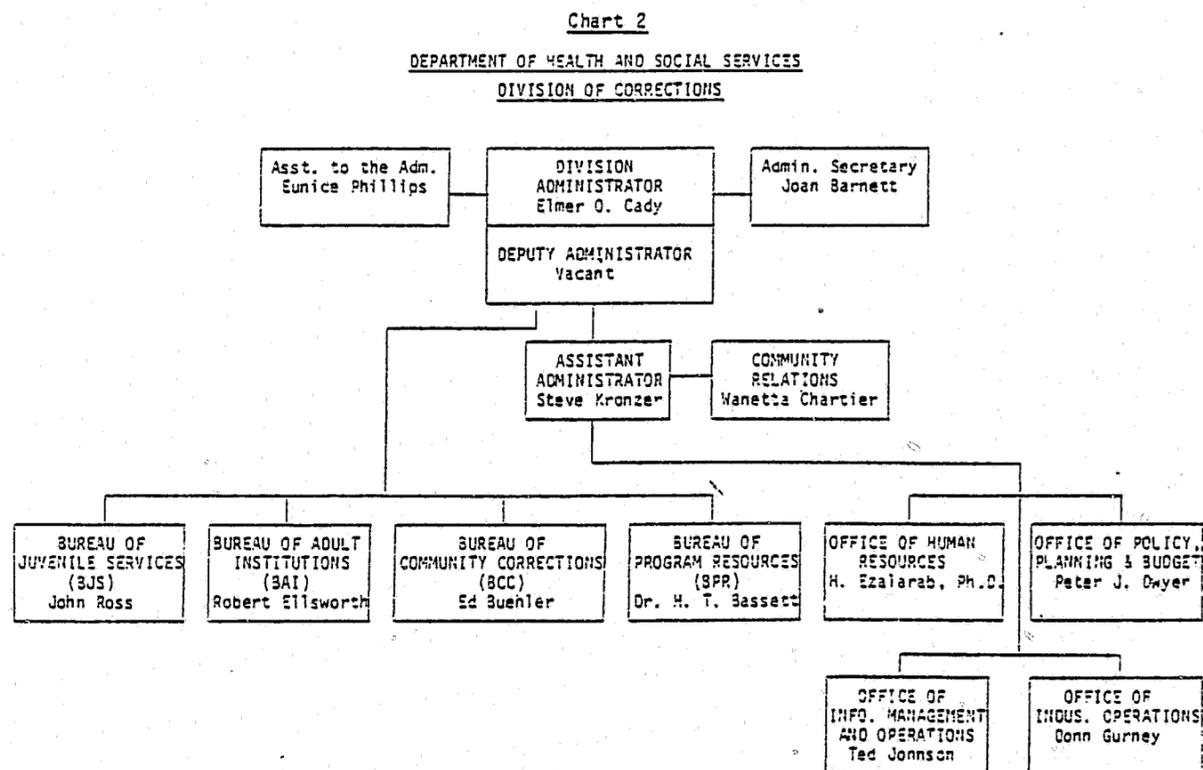


Table 1 indicates the funds from all sources (general purpose revenue, program revenue and federal) and positions currently authorized for the DOC.

TABLE 1  
DIVISION OF CORRECTIONS FUNDING AND POSITION AUTHORIZATIONS\*

Funding Source	1982-83 Funds	1982-83 Positions
General Purpose Revenue	\$104,856,000	2,822.9
Program Revenue	15,376,500	504.5
Federal	2,627,700	80.75
<b>TOTALS</b>	<b>\$122,860,200</b>	<b>3,408.15</b>

\*Chapter 20, Laws of 1981, as affected by Chs. 93 and 319, Laws of 1981.

The total funds from all sources authorized for the DOC are approximately five percent of the total funds authorized for the DHSS (\$2,350,051,300). However, the total funds from all sources allocated to DOC for state operations (\$116,146,500) are approximately 29% of the total funds from all sources allocated to the DHSS for state operations (\$405,604,100). [Funds for state operations are total funds minus local assistance and aids to individuals and organizations.]

The functions of each of the bureaus and offices within the DOC are briefly described below.

**1. Bureau of Juvenile Services**

Generally, the responsibilities for supervision of adult and juvenile corrections are assigned to different bureaus within the DOC with the Bureau of Juvenile Services assigned the responsibility for juveniles. However, as described below, staff from the Bureau of Community Corrections are also involved with juveniles.

Juveniles whose custody has been transferred to the DHSS are placed in either of two juvenile reception centers administered by the Bureau of Juvenile Services: the Ethan Allen School at Wales or the Lincoln Hills School near Merrill. Generally, the geographic location of the county of commitment determines to which of the facilities boys are assigned by the

courts. All girls are sent to the Lincoln Hills School. Table 2, below, gives the rated bed capacity and population of these facilities on June 11, 1982.

TABLE 2  
JUVENILE INSTITUTIONS

Name	Location	Rated Bed Capacity	Population on June 11, 1982
Ethan Allen School	Wales	313*	282*
Lincoln Hills School	Merrill	265*	143 boys* 32 girls*
TOTALS		<u>578</u>	<u>457</u>

\* Includes reception beds.

SOURCE: DHSS Statistical Bulletin C-302, Offenders Under Institutional Supervision, As of Friday, June 11, 1982.

The Bureau of Juvenile Services is responsible for the evaluation, education and professional treatment of juveniles in the institutions. The Bureau also provides aftercare supervision to certain juveniles who are released from the institutions prior to the completion of their court ordered commitments. Counties may either provide aftercare services themselves or purchase the services from the state. If aftercare services are purchased from the state, agents from the DHSS assigned to six regions of the state (Southern, Southeastern, Milwaukee, Eastern, Western and Northern) supervise aftercare for the juveniles. In the Milwaukee Region, these agents are DOC employees in the Bureau of Juvenile Services. However, in the other Regions, these agents are DOC employees in the Bureau of Community Corrections, described below, which also supervises adult parolees and probationers. [Agents of the DHSS are not involved in supervising juveniles placed on probation by the courts; such juveniles are supervised by county agents.]

While the Director of the Bureau of Juvenile Services is ultimately responsible for program placement decisions regarding juveniles in the state's custody, a Joint Planning Review Committee is responsible for making recommendations regarding program placement of the juveniles. The Committee is made up of representatives from the juvenile correction institution, the county, DOC's field offices (if DOC provides aftercare services) and the Juvenile Offender Review Program (see C, below). The Committee meets at the end of the juvenile's reception evaluation, every

six months thereafter that the juvenile remains in the institution or by special request.

2. Bureau of Adult Institutions

The Bureau of Adult Institutions is responsible for the supervision and operation of the state's adult correctional institutions and correctional camps. The adult correctional institutions and camps serve only men, except Taycheedah which serves only women.

Tables 3 and 4 give the location, security level, rated bed capacity and population on June 11, 1982, for each institution (Table 3) and camp (Table 4). [The population figures do not include 150 adult offenders housed in the Minnesota correctional system.]

TABLE 3  
CORRECTIONAL INSTITUTIONS FOR ADULTS

Name	Location	Security Level	Rated Bed Capacity	Population on June 11, 1982
Waupun Correctional Institution (WCI)	Waupun	Maximum	840*	1,132*
Waupun Correctional Institution (Bunkhouse)	Waupun	Minimum	82	92
Dodge Correctional Institution (DCI)	Waupun	Maximum	147	128
Green Bay Correctional Institution (GBCI)	Green Bay	Maximum	608*	777*
Green Bay Correctional Institution (Oneida Farm)	Green Bay	Minimum	30	39
Fox Lake Correctional Institution (FLCI)	Fox Lake	Medium	576	647
Kettle Moraine Correctional Institution (KMCI)	Plymouth	Medium	375	447
Oakhill Correctional Institution (OCI)	Oregon	Minimum	321	319
Taycheedah Correctional Institution (TCI)	Taycheedah	Maximum	126	159
TOTALS			<u>3,105</u>	<u>3,740</u>

\* Includes reception beds.

SOURCE: DHSS Statistical Bulletin C-302, Offenders Under Institutional Supervision, As of Friday, June 11, 1982.

TABLE 4  
CORRECTIONAL CAMPS FOR ADULTS\*

Name	Location	Rated Bed Capacity	Population on June 11, 1982
Black River Camp	Black River Falls	50	53
Camp Gordon	Gordon	52	70
Camp McNaughton	Tomahawk	55	69
Oregon Camp	Oregon	48	53
Thompson Camp	Deerfield	32	30
Winnebago Camp	Winnebago	60	60
Camp Flambeau	Hawkins	50	50
TOTALS		<u>347</u>	<u>385</u>

\* All of the correctional camps are minimum security.

SOURCE: DHSS Statistical Bulletin C-302, Offenders Under Institutional Supervision, As of Friday, June 11, 1982.

Adult males are received at the Dodge Correctional Institution (prior to June 14, 1982, adult males were received at the Waupun and Green Bay Correctional Institutions, depending on their age). Adult females are sent to the Taycheedah Correctional Institution. During the first 30 days of incarceration, each resident participates in academic and psychological testing and is oriented to the institutions' requirements and available programs. At the end of that time, a decision is made regarding classification, program involvement and institutional assignment. This is reviewed at periods not to exceed six months by the institution's Program Review Committee.

As they are eligible, residents may be transferred to medium security and finally minimum security facilities prior to parole. A minimum security classification is required for work or study release program participation.

### 3. Bureau of Community Corrections

The Bureau of Community Corrections is responsible for the supervision and operation of the state's seven Community Residential Centers for adults. The Centers serve adult offenders who have minimum security status and are generally within one year of being paroled. The emphasis of the Centers is on work or study release and successful reintegration of residents into the community. All of the Centers serve only men, except the Women's Community Correctional Center in Milwaukee serves only women.

Table 5 gives the location, rated bed capacity and population on June 11, 1982, for each of the Centers.

TABLE 5  
COMMUNITY CORRECTIONAL RESIDENTIAL CENTERS FOR ADULTS\*

Name	Location	Rated Bed Capacity	Population on July 31, 1981
Community Correctional Center (also known as Men's Metro Center)	Milwaukee	32	32
Abode Community Correctional Center	Milwaukee	30	28
St. Croix Center	New Richmond	12	12
Baker House**	Milwaukee	24	24
St. John's Correctional Center	Milwaukee	30	31
Shalom Center**	Green Bay	8	8
Women's Community Correctional Center	Milwaukee	25	19
TOTALS		<u>161</u>	<u>154</u>

\* All of the Centers are minimum security.

\*\* These Centers are operated by private agencies under contract with the Bureau.

SOURCE: DHSS Statistical Bulletin C-302, Offenders Under Institutional Supervision, As of Friday, June 11, 1982.

The Bureau of Community Corrections is also responsible for the supervision of adults placed on probation by the courts or paroled from the state's correctional institutions. Staff assigned to six regions of the state (Southern, Southeastern, Milwaukee, Eastern, Western and Northern) are the parole and probation agents for offenders. Parolees and probationers are classified according to their risk to the community and treatment needs; an individual plan is prepared describing the amount and type of supervision required. [As described above, the Bureau also supervises certain juveniles released from the state's juvenile correctional institutions prior to the completion of their court ordered commitments.]

The Regional staff also conduct presentence investigations for courts and develop and coordinate various community resources for the successful community adjustment of the offenders under their supervision. In addition, an agent is assigned to each inmate in the correctional institutions for the purposes of aiding the inmate in maintaining community ties, providing social history information to the institution and parole planning.

The Bureau may contract with community-based agencies for services to parolees and probationers. For example, it currently contracts with 12 halfway houses for adult offenders.

#### 4. Bureau of Program Resources

The Bureau of Program Resources provides clinical psychological assessment, consultation and intervention for residents of the state's correctional institutions and administers the Corrections Drug Abuse Treatment Center on the grounds of the Winnebago Mental Health Institute. It provides primarily clinical consultation services to Community Residential Centers, although some direct services are also provided to residents of the Centers. The Bureau also provides training in drug and alcohol abuse and behavioral sciences to the DOC staff and operates the Psychological Intern Program. The Psychological Intern Program is a one-year program providing training and institution and field experience for Ph.D. psychologist interns. Persons trained under the Program are a major source of psychologists for the state's corrections system.

The Bureau also provides support, assistance and central direction to all the correctional institutions with regard to career services for inmates, including academic, vocational and exceptional education, work and study release, and job development, training and placement. It develops curriculum for the programs and, in conjunction with the Department of Public Instruction and the State Vocational, Technical and Adult Education System, it establishes certification standards for staff

of the programs. [The programs are actually run by staff from the individual institutions.]

#### 5. Office of Human Resources and Operations

The Office of Human Resources and Operations is responsible for training and staff development for employes of the DOC including correctional officers, social workers, psychologists and administrators. All such personnel must attend pretraining at the Corrections Training Center in Oshkosh for a minimum of three days of orientation. Correctional officers receive seven weeks of pretraining at the Center. The Center is administered by the Office.

With regard to employes of the DOC, the Office of Human Resources and Operations also develops and implements affirmative action compliance plans and administers equal opportunity laws. With regard to inmates, the Office develops and implements plans to assure that the civil rights of inmates not to be discriminated against on the basis of race, color, creed, etc., are upheld. In addition, the Office handles grievances, contract interpretation and layoffs for the DOC and provides personnel assistance for the DOC's central staff, the Oshkosh Training Center and the Corrections Drug Abuse Treatment Center at the Winnebago Mental Health Institute.

#### 6. Office of Policy, Planning and Budget

The Office of Policy, Planning and Budget develops and implements budget and facility planning operations for the DOC and does grants planning and coordination. It also does planning, research, evaluation and statistical analyses for policy and program development, develops administrative rules and acts as the legislative liaison for the DOC.

#### 7. Office of Information Management

The Office of Information Management develops and maintains information systems on the DOC's corrections population and prepares statistical bulletins and reports. For example, information systems are maintained regarding (a) whether offenders are institutionalized, on parole, on probation or have escaped and (b) inmates' security classifications. In addition, the Office is in the initial steps of developing a staff information system.

#### 8. Office of Industrial Operations

The Office of Industrial Operations administers the Corrections Industries Program. The DHSS is authorized, under s. 56.01, Stats., to establish prison industries for the employment of inmates. The articles

manufactured may be sold only to the state and its political subdivisions or to nonprofit agencies. The Corrections Industries Program does not presently receive general purpose revenue funding. Under ss. 20.435 (3) (kk) and 20.903 (2), Stats., the operations of the Program are required to be supported entirely by its program revenues. [However, under s. 20.903 (2), Stats., the program may have a continuing negative cash balance on June 30 of any fiscal year if this negative balance can be offset by uncollected accounts receivable and the value of inventory and work in progress.]

The Corrections Industries Program currently maintains prison industries at Waupun (license plates, metal furniture, sign shop, print shop, photography shop, design group (advertising) and computers); Green Bay (laundry); Fox Lake (wood furniture); Kettle Moraine (graphics and upholstery); Oak Hill (printing); and Taycheedah (book and other materials binding). It also employs inmates in sales at the DOC's Madison offices.

C. OFFICE OF THE SECRETARY; PAROLE BOARD AND JUVENILE OFFENDER REVIEW PROGRAM

Functions relating to parole are administratively separated, in the DHSS, from the DOC. Parole functions are assigned to two administrative bodies in the Office of the Secretary: The Parole Board, which is assigned parole functions for adult offenders, and the Juvenile Offender Review Program, which is assigned parole functions for juveniles.

1. Parole Board

The Parole Board is established by an Administrative Directive of the Secretary of DHSS pursuant to s. 46.03 (6) (c), Stats. That statute provides that the DHSS shall "...administer parole and probation matters and establish a parole board, which shall be headed by a chairperson." In general, responsibilities relating to parole are assigned, under the statutes, to the DHSS. The duties and the functions of the Parole Board are not set forth in the statutes, but are contained in an Administrative Directive.

Administrative Directive, AD-3, issued by Secretary Percy, dated December 1, 1981, describes the present structure and duties of the Parole Board. Under the directive, the Parole Board makes recommendations for granting parole to the Secretary or his or her designee. The Chairperson of the Board (Fred Hinickle), appointed by the Secretary from the unclassified service, is delegated parole-granting authority by the Secretary. In addition to the Chairperson, the Parole Board consists of full-time civil service members. The number of members on the Parole

Board is not specified in the Directive; currently there are six members on the Board, excluding the Chairperson.

Among the general duties and responsibilities assigned to the Parole Board is an obligation to conduct regularly scheduled interviews to consider the parole of eligible residents at all adult correctional institutions operating under the direction and control of the DHSS. The Board must also conduct similar interviews at the Milwaukee House of Corrections. The Directive requires that established parole criteria be equitably applied to parole applicants.

Parole consideration for individual inmates is by two or more members of the Board, as determined by the Chairperson. The reviewing members may recommend parole of the inmate to the Chairperson or deny parole and defer further consideration for a period of up to 12 months. Deferrals for longer than 12 months must be by written authority of the Secretary, his or her designee, or the Chairperson of the Parole Board [AD-3 and ch. HSS 30, Wis. Adm. Code].

2. Juvenile Offender Review Program

The Juvenile Offender Review Program has been established in the Office of the Secretary pursuant to an Administrative Directive [AD-22, dated December 1, 1981]. The Program consists of a Director (Donald Schmitt), and three field staff assigned to each of the two juvenile institutions, all of whom are in the classified service. Staff from the Program participate in the Joint Program Review Committee (described under B 1, above). Although the Bureau of Juvenile Services is responsible for program decisions regarding juveniles in the state's custody, the Juvenile Offender Review Program staff is responsible for decisions regarding the release (parole) of juveniles from the state's custody. Appeals from decisions of the Review Program staff assigned to the institutions may be made to the Director of the Program (the Secretary has delegated this review function to the Director).

D. OTHER DEPARTMENT OF HEALTH AND SOCIAL SERVICES' SUPPORT SERVICES

Administrative and other support services are provided to the DOC by the Office of the Secretary and three other divisions in the DHSS (the Divisions of Health, Policy and Budget and Management Services). In addition, the Division of Community Services carries out programs which require cooperation with the DOC. A brief description of these corrections-related functions is provided below.

### 1. Office of the Secretary

The DHSS is responsible for conducting impartial hearings involving disputes over probation or parole revocations [s. 57.06 (3), Stats.]. Staff from the Office of Administrative Hearings in the Office of the Secretary, are assigned to act as the presiding authority over these hearings. The Secretary of the DHSS is the final administrative hearing decision-making authority.

The Office of Information Systems, in the Office of the Secretary, provides information systems and data processing services to the DHSS. The DOC uses computer systems and operations within this Office to monitor institutional and probation and parole populations and for billing and accounting purposes.

The Office of Legal Counsel, in the Office of the Secretary, provides legal services to the Secretary's Office and division administrators. The DOC uses the Office of Legal Counsel to obtain legal opinions regarding disciplinary actions, administrative hearings involving parole or probation revocations and transfers of correctional residents to other state facilities.

### 2. Division of Health

The Bureau of Correctional Health Services in the Division of Health is solely responsible for providing medical and dental care to all inmates in the state's correctional institutions, including those residing in Community Correctional Centers.

### 3. Division of Policy and Budget

The Bureau of Budget in the Division of Policy and Budget reviews divisional programs and policies for the DHSS's biennial budget, allocates budget resources to the divisions and monitors legislative mandates.

The Bureau of Planning in the Division of Policy and Budget reviews legislation, federal grants and administrative rules, and develops major policy directives for the DOC.

The Bureau of Evaluation in the Division of Policy and Budget develops biennial evaluation plans and coordinates the DHSS's performance assessment process.

### 4. Division of Management Services

Parents with children placed in state-operated juvenile detention facilities are required to reimburse the state up to \$5 per day for their

care. The Bureau of Collections in the Division of Management Services is responsible for collecting and accounting for all state reimbursements.

Staff from the Bureau of Personnel and Employment Relations in the Division of Management Services are assigned duties relating to the DOC. These duties include payroll services, development of management training programs, monitoring compliance with provisions of collective bargaining agreements and processing personnel transactions.

The Engineering Section of the Division of Management Services provides the DOC with technical expertise and consultation relating to the planning, construction and renovation of facilities.

The Purchasing Section of the Division of Management Services operates as a centralized purchasing office for the DHSS.

The Bureau of Fiscal Services in the Division of Management Services provides accounting, auditing, fiscal reporting and other related services to all divisions of the DHSS.

The Bureau of Management Support and Analysis in the Division of Management Services provides assistance to all divisions in the DHSS in the areas of food management, telecommunications, office space management and paperwork and records management.

### 5. Division of Community Services

The Division of Community Services carries out programs related to corrections which require cooperation with the DOC. For instance, under s. 46.26, Stats., the Community Youth and Family Aids Program, aids are paid by the state to counties to improve the quality, diversity, planning and monitoring of county juvenile delinquency-related services. These aids are administered by the Division of Community Services and may be used by counties to develop their own services for youth or to purchase services provided by the Bureau of Juvenile Services in the DOC (e.g., these aids may be used to pay for juveniles placed in the Ethan Allen or Lincoln Hills Schools or for aftercare services purchased from the state).

In addition, the Division of Community Services and the DOC work together to determine the appropriate placement of certain mental health patients and correctional residents. The Division of Community Services periodically transfers certain sex offenders committed to its mental health institutes to the correctional system. [Only sex offenders committed to the mental health institutes prior to July 1, 1980, the effective date of Ch. 117, Laws of 1979, which revised the Sex Crimes Act, are so transferred. The legality of these transfers is currently being litigated.] In addition, the DOC transfers correctional residents who have been evaluated as being mentally ill to the Division for Community Services' mental health institutes.

JRH:kjh

**END**