

2013 DRAFTING REQUEST

Bill

Received: 9/20/2013 Received By: emueller
Wanted: As time permits Same as LRB:
For: Gary Hebl (608) 266-7678 By/Representing: Mike Murray
May Contact: Drafter: emueller
Subject: Criminal Law - law enforcement Addl. Drafters:
Criminal Law - miscellaneous
Drunk Driving - other Extra Copies: PJH
Drunk Driving - penalties

Submit via email: YES
Requester's email: Rep.Hebl@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Codify Criminal Justice Coordinating Council; add study of OWI related statutes

Instructions:

Codify executive order #65; add OWI materials. See attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 11/14/2013			_____			
/P1	emueller 12/5/2013	kfollett 11/25/2013	jmurphy 11/25/2013	_____	mbarman 11/25/2013		State
/1	emueller 1/7/2014	kfollett 12/7/2013	jmurphy 12/9/2013	_____	mbarman 12/9/2013		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2		kfollett 1/10/2014	jmurphy 1/13/2014	_____	lparisi 1/13/2014	srose 2/7/2014	State

FE Sent For:

*at intro
2/20*

<END>

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/1		kfollett 12/7/2013	jmurphy 12/9/2013	_____	mbarman 12/9/2013		State
12	EMM 11/2/14	12/5f 1/10	12/5f 1/10				

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/P1		kfollett 11/25/2013	jmurphy 11/25/2013	_____	mbarman 11/25/2013		State
11	<i>EJM</i> 12/5/13	<i>11/5f</i> 12/7	<i>11/5f</i> 12/7	<i>Proofed</i> 12/7			
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1/2	emueller	1/11/13					
1/1	EVM	11/25	Jim	self			
	11/14/13		11/25				

FE Sent For:

<END>

Mueller, Eric

From: Hurley, Peggy
Sent: Thursday, September 19, 2013 2:40 PM
To: Mueller, Eric
Subject: FW: OWI Drafting Request

Do you want to take this request? If not, I will call Mike.

Peggy

From: Murray, Mike
Sent: Thursday, September 19, 2013 1:50 PM
To: Hurley, Peggy
Subject: OWI Drafting Request

Hi Peggy,

Gary would like to draft the following legislation regarding OWI policy. I assume that you would be the appropriate drafter for this, but if not, please let me know to whom I should send this.

Thanks for your help and please let me know if you have any questions.

Mike

CJCC CODIFICATION AND OWI POLICY REVIEW

1. Codify the WI Criminal Justice Coordinating Council (CJCC) as created by Executive Order 65. A copy of the order is here: https://docs.legis.wisconsin.gov/code/executive_orders/2011_scott_walker/2012-65.pdf
2. In addition to codifying the CJCC, require that the CJCC conduct a comprehensive study of all OWI-related statutes and statutory programs in Wisconsin. The report should contain information regarding:
 - a. A summary of existing Wisconsin OWI-related criminal/civil statutes, diversionary programs, treatment programs, or any other OWI-related policies in statute or administrative rules.
 - b. The costs and savings associated with these existing OWI-related policies.
 - c. Whether existing criminal/civil OWI penalties are logically consistent.
 - d. Whether existing criminal/civil OWI penalties are duplicative.
 - e. A comprehensive analysis of existing OWI policies from other states and nations that provides a summary of research regarding the success or failure of existing policies in reducing OWI recidivism and reducing long-term criminal justice OWI-related costs.
 - f. Specific policy recommendations to the Wisconsin Legislature regarding the elimination of existing statutes, increase/decrease funding for specific programs, new statutory criminal/civil policy options, new treatment/diversionary programs to implement or pilot, and potential funding sources for any additional spending associated with the policy recommendations.
 - g. The report shall be due 18 months after the effective date of the bill.
3. Provide funding for 1 FTE research position for the CJCC that will be filled by a candidate with relevant and necessary background in criminal justice public policy. I defer to you regarding the funding source.

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District



EXECUTIVE ORDER # 65

Relating to the Creation of the Criminal Justice Coordinating Council

WHEREAS, protecting the lives and property of the citizens of this State is the highest priority of state government; and

WHEREAS, this administration is committed to building and maintaining a strong adult and juvenile criminal justice system that employs scarce state and local resources in an efficient manner to most effectively ensure public safety; and

WHEREAS, multiple agencies of the state, county and local governments share responsibilities for Wisconsin's criminal justice system, including state and local elected officials and agency heads, judges, prosecutors, public defenders, and state and local law enforcement officials; and

WHEREAS, other non-government members of our state also play critical roles in the State's criminal justice system, including but not limited to victim advocacy and service groups, community treatment providers, and members of the State's higher education community; and

WHEREAS, understanding that meeting the goal of best protecting the safety of the citizens of this State requires that these various entities coordinate their efforts and work together to maintain and improve our criminal justice system.

NOW THEREFORE, I, SCOTT WALKER, Governor of the State of Wisconsin, by the authority vested in me by federal and state law, and specifically by section 14.019 of the Wisconsin Statutes, do hereby order the following:

1. There is created a Criminal Justice Coordinating Council attached to the Office of Justice Assistance. The Council is charged with assisting the Governor in directing, collaborating, and coordinating the services of state and local governmental agencies and non-governmental entities in the criminal justice system to increase efficiencies, effectiveness, and public safety. In the performance of these duties, the Council shall conduct planning, research, and evaluation activities and make recommendations to improve the criminal justice system policy, operation, and outcomes.
2. The Council shall consist of 20 members; the appointed members shall serve at the pleasure of the Governor. The Council shall be co-chaired by the Secretary of the Department of Corrections and the Attorney General. The Council shall meet no less than 4 times per year at a date and location to be determined by the co-chairs. Members of the executive committee of the Council, who are charged with providing overall leadership for the planning and implementation of the Council's goals and objectives, shall include the co-chairs and the Executive Director of the Office of Justice Assistance, the State Public Defender, a county sheriff, a chief of police, a district attorney as appointed by the Governor, and the Director of State Courts.
3. Members of the Council shall include the Secretary of the Department of Workforce Development; the Secretary of the Department of Children and Families; the Secretary

of the Department of Health Services; the chair of the Chief Judges of the Circuit Courts; and the following members, as appointed by the Governor:

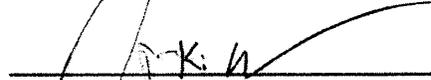
- (a) A county sheriff;
 - (b) A chief of police;
 - (c) A county executive or county administrator;
 - (d) A county criminal justice coordinator or a member serving on a county criminal justice coordinating council;
 - (e) A representative of a crime victim rights or crime victim services organization;
 - (h) Two members representing the public at large;
 - (i) A representative with experience on mental health issues and the criminal justice system;
 - (f) A representative of a federally recognized American Indian tribe or band in this state.
4. The Council shall do all of the following:
- (a) Develop statewide criminal justice policy recommendations designed to strengthen public safety, reduce recidivism, and improve offender and system accountability by strengthening the criminal justice system through the promotion of evidence-based practices, risk reduction programming, and implementation of effective and sound strategies for crime prevention, diversion and community-based alternatives to confinement.
 - (b) Investigate and disseminate information about effective and innovative criminal justice related programs employed at the county level, including treatment alternatives, diversion initiatives, and specialty courts.
 - (c) Encourage and facilitate the development of effective county or multi-county criminal justice coordinating councils to foster innovations based on local criminal justice environments.
 - (d) Provide recommendations to the Governor regarding the collection and synthesis of real-time criminal justice data and the tracking of system indicators, such as crime and arrest rates, conviction rates, pretrial and re-entry services, and probation, parole, prison and jail population trends, in order to proactively identify what factors are driving criminal justice costs and to determine more effective strategies to deploy criminal justice resources.
 - (e) Provide recommendations to the Governor regarding stable and adequate funding sources for the criminal justice system and identify programs or areas where greater cost-effectiveness could be achieved.
 - (f) Promote the evaluation of new and current criminal justice policies after implementation. Considerations include impact of current law on public safety, policies or programs' effect on crime reduction, recidivism, prison and jail populations, and overall criminal justice costs.
 - (g) Engage in other activities consistent with the responsibilities of the Council.
 - (h) Identify areas in which improved collaboration and coordination of activities and programs would increase the effectiveness and/or efficiency of services by eliminating duplication, filling service gaps, and improving the quality of services provided across the criminal justice system.
 - (i) Provide continuity while distinguishing responsibility for program provision and results.

- (j) Provide strategic planning and guidance for the management of federal block grant or federal formula grant funds.
 - (k) Annually submit a report to the Governor, the Chief Justice of the Supreme Court for dissemination to the judicial branch, any relevant state agencies, as identified by the council, and to the Chief Clerk of each house of the Legislature for distribution to the Legislature that provides information on the progress of the Council's work.
 - (l) The co-chairs may create subcommittees as they deem necessary and engage other stakeholders and public members to participate in subcommittee activities. Each Executive branch agency with membership on the Council shall, upon the request of the council, designate agency staff to provide assistance to the Council.
5. All Executive branch agencies are directed to aid the Council to the greatest extent possible. At the request of the Council, the Department of Corrections, the Parole Commission, the Department of Health Services, the Department of Children and Families, the Department of Workforce Development, the Department of Justice, the Department of Transportation, the State Prosecutors Office, the Office of Justice Assistance, and the Department of Administration shall provide the Council with information and data needed by the Council to perform its duties under this Executive Order.
6. Through the cooperation and collaboration of agencies enumerated in Section 5, the Council shall develop, analyze, and make recommendations to implement a reporting system to track key criminal justice indicators, trends, and outcomes related to policies designed to do the following:
- (a) Reduce prison, jail, and detention populations;
 - (b) Improve rehabilitative efforts;
 - (c) Reduce recidivism; and
 - (d) Enhance re-entry strategies for offenders released from prison or jail, while acting consistent with public safety and holding offenders accountable.
7. The reporting system shall, to the extent practicable, track and report on a monthly basis:
- (a) The rate of violent crime as reported by law enforcement in either Uniform Crime reports or incident based reporting;
 - (b) The aggregate average daily populations of county jails and prisons;
 - (c) The aggregate number of felony criminal cases filed in circuit courts;
 - (d) The number of offenders sentenced to prison by the circuit courts;
 - (e) The number of prison admissions on account of revocation of parole and extended supervision;
 - (f) The number of prison admissions on account of probation revocation;
 - (g) The number of releases on parole or extended supervision;
 - (h) The number of offenders placed on probation by the courts; and
 - (i) The number of offenders discharged from probation, parole, and extended supervision.
8. The Council shall cooperate and collaborate with the Judicial branch. At the request of the Council, the Director of State Courts Office shall provide, to the extent the Director determines practicable, information and data that is needed by the Council to perform its duties under this Executive Order.

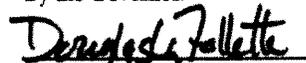
9. The Office of Justice Assistance shall provide staff support for the Council. The expenses of the members of the Council shall be paid by the Office of Justice Assistance.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done in the City of Eau Claire this ninth day of April, in the year two thousand twelve.


SCOTT WALKER
Governor

By the Governor:


DOUGLAS LA FOLLETTE
Secretary of State



Man
(crk)



Handwritten initials

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

RMR

11/14/13

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Soon

1 **AN ACT ...; relating to:** the criminal justice coordinating council.

Analysis by the Legislative Reference Bureau

Under current law, the governor has created by executive order a criminal justice coordinating council. This bill creates a criminal justice coordinating council in the Department of Justice, consisting of eight ~~office~~ members and eleven members appointed by the governor for three-year terms.

Under this bill, the criminal justice coordinating council must study, and provide advice and make recommendations to the governor on, a variety of matters relating to the criminal justice system. This bill also specifically requires the council to prepare a report and make recommendations regarding the state's laws and programs related to operating a motor vehicle while intoxicated.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 15.257 (3) of the statutes is created to read:

3 15.257 (3) CRIMINAL JUSTICE COORDINATING COUNCIL. (a) There is created in the
4 department of justice a criminal justice coordinating council consisting of the
5 following members:

- 1 1. The secretary of corrections, or his or her designee, who shall serve as
2 co-chairperson.
- 3 2. The attorney general, or his or her designee, who shall serve as
4 co-chairperson.
- 5 3. The state public defender, or his or her designee.
- 6 4. A sheriff.
- 7 5. A chief of police.
- 8 6. A district attorney.
- 9 7. The director of state courts, or his or her designee.
- 10 8. The secretary of workforce development, or his or her designee.
- 11 9. The secretary of children and families, or his or her designee.
- 12 10. The secretary of health services, or his or her designee.
- 13 11. The chairperson of the committee of chief judges of the circuit courts, or his
14 or her designee.
- 15 12. A county executive or county administrator.
- 16 13. A county criminal justice coordinator or a member serving on a county
17 criminal justice coordinating council.
- 18 14. A representative of a crime victim rights or crime victim services
19 organization.
- 20 15. A person with experience in mental health issues and the criminal justice
21 system.
- 22 16. A representative of a federally recognized American Indian tribe or band
23 in this state.
- 24 17. Three other members.

1

(b) Each member specified in par. (a) 4. to 6. and 12. to 17 shall be appointed by the governor for a 3-year term.

2

3

(c) The members specified in par. (a) 1. to 7. shall constitute an executive committee.

4

5

(d) The criminal justice coordinating council shall meet not less than 4 times each year.

6

7

SECTION 2. 165.847 of the statutes is created to read:

8

165.847 Criminal justice coordinating council. The criminal justice coordinating council shall do all of the following:

9

10

(1) Study and provide recommendations to the governor on matters related to coordinating the services of state and local government agencies and non-governmental entities in the criminal justice system to increase efficiency, effectiveness, and public safety.

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14

(2) Provide recommendations to the governor regarding the use of evidence-based practices, risk reduction programming, crime prevention, diversion, and community-based alternatives to confinement to increase public safety, reduce recidivism and improve offender and system accountability.

17

18

(3) Study county-level programs related to criminal justice, including treatment alternatives, diversion initiatives, and specialty courts, and disseminate information about programs the council determines are effective and innovative.

20

21

(4) Facilitate the development of county or multi-county criminal justice coordinating councils.

22

23

(5) Provide recommendations to the governor regarding the collection and synthesis of real-time criminal justice data and the tracking of system indicators.

24

1 **(6)** Assist the governor in identifying stable and adequate funding sources for
2 the criminal justice system and identifying areas where greater cost-effectiveness
3 could be achieved.

4 **(7)** Assist the governor in evaluating criminal justice policies.

5 **(8)** Study, and make recommendations to the governor regarding, areas in the
6 criminal justice system in which improved collaboration and coordination would
7 increase the effectiveness or efficiency of services by eliminating duplication, filling
8 service gaps, or improving the quality of services provided.

9 **(9)** Assist the governor with strategic planning for, and management of, federal
10 block grant or federal formula grant funds.

11 **(10)** Annually, submit a report on the progress of the council's work to the chief
12 clerk of each house of the legislature, for distribution to the appropriate standing
13 committees under s. 13.172 (3), the governor, and the chief justice of the supreme
14 court.

15 **(11)** Develop a system that tracks and reports, on a monthly basis, state
16 criminal justice data, including all of the following:

17 (a) The rate of violent crime, as reported by law enforcement agencies in
18 uniform crime reports or incident-based reports.

19 (b) The average daily population of prisons and county jails.

20 (c) The number of felony criminal cases filed in circuit courts.

21 (d) The number of persons sentenced to prison by the circuit courts.

22 (e) The number of persons imprisoned due to revocation of parole or extended
23 supervision.

24 (f) The number of persons imprisoned due to probation revocation.

25 (g) The number of persons released to parole or extended supervision.

1 (h) The number of persons placed on probation by the courts.

2 (i) The number of persons discharged from probation, parole, or extended
3 supervision.

4 (12) Not later than the first day of the 18th month beginning after the effective
5 date of this subsection [LRB inserts date], submit to the chief clerk of each house
6 of the legislature, for distribution to the appropriate standing committees under s.
7 13.172 (3), the governor, and the chief justice of the supreme court, a report regarding
8 the state's laws and programs related to operating a motor vehicle while intoxicated.
9 The report shall contain all of the following:

10 (a) A summary of existing state law, including administrative rules, related to
11 operating a motor vehicle while intoxicated, including diversionary programs and
12 treatment programs.

13 (b) The costs and savings associated with the law identified under par. (a). ✓

14 (c) An assessment of whether existing penalties for operating a motor vehicle
15 while intoxicated are consistent.

16 (d) An assessment of whether existing criminal and civil penalties for operating
17 a motor vehicle while ⁱⁿ intoxicated are duplicative. *

18 (e) An analysis of existing comprehensive policies related to operating a motor
19 vehicle while intoxicated from other states and nations, including a summary of
20 research regarding the success or failure of these policies in reducing recidivism and
21 long-term criminal justice costs.

22 (f) Specific policy recommendations, including statutory changes, changes to
23 funding for specific programs, new treatment or diversionary programs, and
24 identification of potential funding sources for any additional cost associated with the
25 recommendations.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3206/P1dn

EVM:...

sf

Date

ATTN: Mike Murray

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. According to the executive order, this council was located in the no-longer-extant Office of Justice Assistance. I placed the council in the Department of Justice. Please let me know if this does not meet your intent.

2. I added "or his or her designee" to each of the ex officio members of the council. Please let me know if this does not meet your intent.

3. The council does not include the executive director of the Office of Justice Assistance since that position has been eliminated. Instead, I have added one to the number of "other" members to be appointed by the governor. Also, though the order says there are 20 members, the list appears to cover only 19. This draft uses the 19 specified members. Please let me know if you want changes related to the composition of the council.

f
+ 4. I provided a ~~3~~^{three}-year term for appointed members. No term appears in the executive order, but ~~3~~³ years appears pretty common for executive branch councils in ch. 15. Please let me know if you want any changes.

5. The language in this bill describing the powers of the council varies somewhat from the language in the executive order. I have, generally, attempted to be more concise than the executive order. Please let me know if you believe I have omitted anything of import. Do you want any changes to the powers described in s. 165.847? ✓

6. In conformity with the executive order, the council generally (other than s. 165.847 (10) and (12)) provides recommendations to the governor. Do you want the council to also provide recommendations or other service to the legislature?

7. This draft requires that the OWI report be provided to the same group that receives an annual report from the council, i.e., the governor, the legislature, and the chief justice. Please let me know if this does not meet your intent.

8. Do you want to provide additional appropriations to DOJ to cover the cost of the new position?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3206/P1dn
EVM:kjf:jm

November 25, 2013

ATTN: Mike Murray

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. According to the executive order, this council was located in the no-longer-extant Office of Justice Assistance. I placed the council in the Department of Justice. Please let me know if this does not meet your intent.
2. I added "or his or her designee" to each of the ex officio members of the council. Please let me know if this does not meet your intent.
3. The council does not include the executive director of the Office of Justice Assistance since that position has been eliminated. Instead, I have added one to the number of "other" members to be appointed by the governor. Also, though the order says there are 20 members, the list appears to cover only 19. This draft uses the 19 specified members. Please let me know if you want changes related to the composition of the council.
4. I provided a three-year term for appointed members. No term appears in the executive order, but three years appears pretty common for executive branch councils in ch. 15. Please let me know if you want any changes.
5. The language in this bill describing the powers of the council varies somewhat from the language in the executive order. I have, generally, attempted to be more concise than the executive order. Please let me know if you believe I have omitted anything of import. Do you want any changes to the powers described in s. 165.847?
6. In conformity with the executive order, the council generally (other than s. 165.847 (10) and (12)) provides recommendations to the governor. Do you want the council to also provide recommendations or other service to the legislature?
7. This draft requires that the OWI report be provided to the same group that receives an annual report from the council, i.e., the governor, the legislature, and the chief justice. Please let me know if this does not meet your intent.
8. Do you want to provide additional appropriations to DOJ to cover the cost of the new position?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

Mueller, Eric

From: Rep.Hebl
Sent: Tuesday, November 26, 2013 10:35 AM
To: Mueller, Eric
Subject: RE: Draft review: LRB -3206/P1 Topic: Codify Criminal Justice Coordinating Council; add study of OWI related statutes

Hi Eric, thanks so much for your work on this draft. It looks great. I went over you drafter's note and just wanted to provide answers to your questions:

- In point 6 you ask what other bodies should receive copies of the council's recommendations. We would like to include the legislature, Dept of Corrections, Dept of Health Services and DWD.
- In point 8 you asked if we wanted to provide an additional appropriation for the new position. I don't think we need to include that now.

I think that answers any questions you had. We are good with everything else. Thanks again,

Mike

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District

From: LRB.Legal
Sent: Monday, November 25, 2013 4:33 PM
To: Rep.Hebl
Subject: Draft review: LRB -3206/P1 Topic: Codify Criminal Justice Coordinating Council; add study of OWI related statutes

Following is the PDF version of draft LRB -3206/P1 and drafter's note.



RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

12/5/13

Regent

Soon

1 AN ACT to create 15.257 (3) and 165.847 of the statutes; relating to: the criminal
2 justice coordinating council.

Analysis by the Legislative Reference Bureau

Under current law, the governor has created by executive order a criminal justice coordinating council. This bill creates a criminal justice coordinating council in the Department of Justice, consisting of eight members who are members by virtue of the office they hold and 11 members appointed by the governor for three-year terms.

* Under this bill, the criminal justice coordinating council must study, and provide advice and make recommendations ~~to the governor~~ on, a variety of matters relating to the criminal justice system. This bill also specifically requires the council to prepare a report and make recommendations regarding the state's laws and programs related to operating a motor vehicle while intoxicated.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 15.257 (3) of the statutes is created to read:

1 15.257 (3) CRIMINAL JUSTICE COORDINATING COUNCIL. (a) There is created in the
2 department of justice a criminal justice coordinating council consisting of the
3 following members:

4 1. The secretary of corrections, or his or her designee, who shall serve as
5 cochairperson.

6 2. The attorney general, or his or her designee, who shall serve as
7 cochairperson.

8 3. The state public defender, or his or her designee.

9 4. A sheriff.

10 5. A chief of police.

11 6. A district attorney.

12 7. The director of state courts, or his or her designee.

13 8. The secretary of workforce development, or his or her designee.

14 9. The secretary of children and families, or his or her designee.

15 10. The secretary of health services, or his or her designee.

16 11. The chairperson of the committee of chief judges of the circuit courts, or his
17 or her designee.

18 12. A county executive or county administrator.

19 13. A county criminal justice coordinator or a member serving on a county
20 criminal justice coordinating council.

21 14. A representative of a crime victim rights or crime victim services
22 organization.

23 15. A person with experience in mental health issues and the criminal justice
24 system.

1 16. A representative of a federally recognized American Indian tribe or band
2 in this state.

3 17. Three other members.

4 (b) Each member specified in par. (a) 4. to 6. and 12. to 17. shall be appointed
5 by the governor for a 3-year term.

6 (c) The members specified in par. (a) 1. to 7. shall constitute an executive
7 committee.

8 (d) The criminal justice coordinating council shall meet not less than 4 times
9 each year.

10 SECTION 2. 165.847 of the statutes is created to read:

11 **165.847 Criminal justice coordinating council.** The criminal justice
12 coordinating council shall do all of the following:

13 (1) Study and provide recommendations to the governor on matters related to
14 coordinating the services of state and local government agencies and
15 nongovernmental entities in the criminal justice system to increase efficiency,
16 effectiveness, and public safety.

17 (2) Provide recommendations to the governor regarding the use of
18 evidence-based practices, risk reduction programming, crime prevention, diversion,
19 and community-based alternatives to confinement to increase public safety, reduce
20 recidivism, and improve offender and system accountability.

21 (3) Study county-level programs related to criminal justice, including
22 treatment alternatives, diversion initiatives, and specialty courts, and disseminate
23 information about programs the council determines are effective and innovative.

24 (4) Facilitate the development of county or multicounty criminal justice
25 coordinating councils.

, the legislature, the department of corrections, the department of
health services, and the department of work force development

the legislature, the department of corrections, the department of health services, and the department of workforce development

① (5) Provide recommendations to the governor regarding the collection and synthesis of real-time criminal justice data and the tracking of system indicators.

3 (6) Assist the governor in identifying stable and adequate funding sources for the criminal justice system and identifying areas where greater cost-effectiveness could be achieved.

6 (7) Assist the governor in evaluating criminal justice policies.

⑦ (8) Study, and make recommendations to the governor regarding, areas in the criminal justice system in which improved collaboration and coordination would increase the effectiveness or efficiency of services by eliminating duplication, filling service gaps, or improving the quality of services provided.

11 (9) Assist the governor with strategic planning for, and management of, federal block grant or federal formula grant funds.

13 (10) Annually, submit a report on the progress of the council's work to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), the governor, and the chief justice of the supreme

16 court. *the department of corrections, the department of health services, and the department of workforce development*

17 (11) Develop a system that tracks and reports, on a monthly basis, state criminal justice data, including all of the following:

19 (a) The rate of violent crime, as reported by law enforcement agencies in uniform crime reports or incident-based reports.

21 (b) The average daily population of prisons and county jails.

22 (c) The number of felony criminal cases filed in circuit courts.

23 (d) The number of persons sentenced to prison by the circuit courts.

24 (e) The number of persons imprisoned due to revocation of parole or extended supervision.

1 (f) The number of persons imprisoned due to probation revocation.

2 (g) The number of persons released to parole or extended supervision.

3 (h) The number of persons placed on probation by the courts.

4 (i) The number of persons discharged from probation, parole, or extended
5 supervision.

6 (12) Not later than the first day of the 18th month beginning after the effective
7 date of this subsection [LRB inserts date], submit to the chief clerk of each house
8 of the legislature, for distribution to the appropriate standing committees under s.
9 13.172 (3), the governor, ~~and~~ the chief justice of the supreme court, a report regarding
10 the state's laws and programs related to operating a motor vehicle while intoxicated.

11 The report shall contain all of the following:

12 (a) A summary of existing state law, including administrative rules, related to
13 operating a motor vehicle while intoxicated, including diversionary programs and
14 treatment programs.

15 (b) The costs and savings associated with the law identified under par. (a).

16 (c) An assessment of whether existing penalties for operating a motor vehicle
17 while intoxicated are consistent.

18 (d) An assessment of whether existing criminal and civil penalties for operating
19 a motor vehicle while intoxicated are duplicative.

20 (e) An analysis of existing comprehensive policies related to operating a motor
21 vehicle while intoxicated from other states and nations, including a summary of
22 research regarding the success or failure of these policies in reducing recidivism and
23 long-term criminal justice costs.

24 (f) Specific policy recommendations, including statutory changes, changes to
25 funding for specific programs, new treatment or diversionary programs, and

, the department of corrections, the department of health services, and
the department of workforce development

1 identification of potential funding sources for any additional cost associated with the
2 recommendations.

3 **SECTION 3. Nonstatutory provisions.**

4 (1) CRIMINAL JUSTICE COORDINATING COUNCIL. The authorized FTE positions for
5 the department of justice are increased by 1.0 GPR position on the effective date of
6 this subsection, to be funded from the appropriation under section 20.455 (3) (a) of
7 the statutes, for the purpose of performing services for the criminal justice
8 coordinating council.

9 (END)

Mueller, Eric

From: Murray, Mike
Sent: Wednesday, December 11, 2013 9:57 AM
To: Mueller, Eric
Cc: Roberts, Melissa B - DOC; Streveler, Anthony J - DOC
Subject: a few more changes on LRB 3206/1

Hi Eric,

Thanks for your work on this bill. I met with DOC and they had a few more suggestions that they would like incorporated before we introduce the bill. Here they are:

1. Eliminate the option for agency heads to have their designees serve on the CJCC. Apparently under the EO version all agency heads actually serve on the council and that has worked very well.
2. Line 16-17 on p. 2, change the description to any chief judge of the ten administrative court districts (apparently the chairperson of the committee of chief judges changes every 2 years, which does not provide enough continuity)
3. For the submission of any reports or recommendations required under the bill, use the language from sub (4)(k) of the Exec Order about to whom the reports must be submitted. Here is the language:
... to the Governor, the Chief Justice of the Supreme Court for dissemination to the judicial branch, any relevant state agencies, as identified by the council, and to the Chief Clerk of each house of the Legislature for distribution to the Legislature ...
4. Include language from sub (4)(l) of the EO to allow for the creation of subcommittees by the co-chairs:
The co-chairs may create subcommittees as they deem necessary and engage other stakeholders and public members to participate in subcommittee activities. Each Executive branch agency with membership on the Council shall, upon the request of the council, designate agency staff to provide assistance to the Council.
5. For the section requiring the study and report on OWI policies (starting on p. 5, line 17) please include a reference that the CJCC can include the aforementioned subcommittees and subcommittee members in the commission of the studies and development of any recommendations
6. Include the data sharing provisions from sub (5) of the EO:
All Executive branch agencies are directed to aid the Council to the greatest extent possible. At the request of the Council, the Department of Corrections, the Parole Commission, the Department of Health Services, the Department of Children and Families, the Department of Workforce Development, the Department of Justice, the Department of Transportation, the State Prosecutors Office, the Office of Justice Assistance, and the Department of Administration shall provide the Council with information and data needed by the Council to perform its duties.

Thanks again for all of your help. Please let me know if you have any questions or if anything is unclear.

Mike

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District



RMR

2013 BILL

1/7/14

Regen

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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3 SECTION 1. 15.257 (3) of the statutes is created to read:

BILL

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7 cochairperson.

8 3. The state public defender, or his or her designee.

9 4. A sheriff.

10 5. A chief of police.

11 6. A district attorney.

12 7. The director of state courts, or his or her designee.

13 8. The secretary of workforce development, or his or her designee.

14 9. The secretary of children and families, or his or her designee.

15 10. The secretary of health services, or his or her designee.

16 11. The chairperson of the committee of chief judges of the circuit courts, or his
17 or her designee ^A a judicial administrative district

18 12. A county executive or county administrator.

19 13. A county criminal justice coordinator or a member serving on a county
20 criminal justice coordinating council.

21 14. A representative of a crime victim rights or crime victim services
22 organization.

23 15. A person with experience in mental health issues and the criminal justice
24 system.

BILL

1 16. A representative of a federally recognized American Indian tribe or band
2 in this state.

3 17. Three other members.

4 (b) Each member specified in par. (a) 4. to 6. and ~~12~~^{11.} to 17. shall be appointed
5 by the governor for a 3-year term.

6 (c) The members specified in par. (a) 1. to 7. shall constitute an executive
7 committee.

8 (d) The criminal justice coordinating council shall meet not less than 4 times
9 each year.

10 SECTION 2. 165.847 of the statutes is created[✓] to read:

11 **165.847 Criminal justice coordinating council.** ⁽¹⁾ ^(B) The criminal justice
12 coordinating council shall do all of the following:

13 ^a ~~(1)~~ Study and provide recommendations to the governor, the legislature, the
14 department of corrections, the department of health services, and the department of
15 workforce development on matters related to coordinating the services of state and
16 local government agencies and nongovernmental entities in the criminal justice
17 system to increase efficiency, effectiveness, and public safety.

18 ^b ~~(2)~~ Provide recommendations to the governor, the legislature, the department
19 of corrections, the department of health services, and the department of workforce
20 development regarding the use of evidence-based practices, risk reduction
21 programming, crime prevention, diversion, and community-based alternatives to
22 confinement to increase public safety, reduce recidivism, and improve offender and
23 system accountability.

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1 ^c (3) Study county-level programs related to criminal justice, including
2 treatment alternatives, diversion initiatives, and specialty courts, and disseminate
3 information about programs the council determines are effective and innovative.

4 ^d (4) Facilitate the development of county or multicounty criminal justice
5 coordinating councils.

6 ^e (5) Provide recommendations to the governor, the legislature, the department
7 of corrections, the department of health services, and the department of workforce
8 development regarding the collection and synthesis of real-time criminal justice
9 data and the tracking of system indicators.

10 ^f (6) Assist the governor in identifying stable and adequate funding sources for
11 the criminal justice system and identifying areas where greater cost-effectiveness
12 could be achieved.

13 ^g (7) Assist the governor in evaluating criminal justice policies.

14 ^h (8) Study, and make recommendations to the governor, the legislature, the
15 department of corrections, the department of health services, and the department of
16 workforce development regarding areas in the criminal justice system in which
17 improved collaboration and coordination would increase the effectiveness or
18 efficiency of services by eliminating duplication, filling service gaps, or improving the
19 quality of services provided.

20 ⁱ (9) Assist the governor with strategic planning for, and management of, federal
21 block grant or federal formula grant funds.

22 (10) Annually, submit a report on the progress of the council's work to the chief
23 clerk of each house of the legislature, for distribution to the appropriate standing
24 committees under s. 13.172 (3), the governor, the chief justice of the supreme court,

BILL

1 the department of corrections, the department of health services, and the
2 department of workforce development.

3 ~~1~~ (1) Develop a system that tracks and reports, on a monthly basis, state
4 criminal justice data, including all of the following:

5 1. ~~(a)~~ The rate of violent crime, as reported by law enforcement agencies in
6 uniform crime reports or incident-based reports.

7 2. ~~(b)~~ The average daily population of prisons and county jails.

8 3. ~~(c)~~ The number of felony criminal cases filed in circuit courts.

9 4. ~~(d)~~ The number of persons sentenced to prison by the circuit courts.

10 5. ~~(e)~~ The number of persons imprisoned due to revocation of parole or extended
11 supervision.

12 6. ~~(f)~~ The number of persons imprisoned due to probation revocation.

13 7. ~~(g)~~ The number of persons released to parole or extended supervision.

14 8. ~~(h)~~ The number of persons placed on probation by the courts.

15 9. ~~(i)~~ The number of persons discharged from probation, parole, or extended
16 supervision.

17 ~~12~~ Not later than the first day of the 18th month beginning after the effective
18 date of this subsection ... [LRB inserts date], submit to the chief clerk of each house

19 of the legislature, for distribution to the appropriate standing committees under s.

20 13.172 (3), the governor, the chief justice of the supreme court, the department of

21 corrections, the department of health services, and the department of workforce

22 development a report regarding the state's laws and programs related to operating

23 a motor vehicle while intoxicated. The report shall contain all of the following:

use twice
the governor, the chief justice of the supreme court for dissemination to the judicial branch, any relevant state agencies, as identified by the council, and to the chief clerk of each house of the legislature for distribution to the legislature.

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2. The council may permit the participation of any subcommittee, including the members of a subcommittee, created under sub. (2) in the preparation of the report under this paragraph.

SECTION 2

1 a. (a) A summary of existing state law, including administrative rules, related to
2 operating a motor vehicle while intoxicated, including diversionary programs and
3 treatment programs.

4 (b) ^{b.} The costs and savings associated with the law identified under par. (a). *subd. 1.c*

5 (c) ^{c.} An assessment of whether existing penalties for operating a motor vehicle
6 while intoxicated are consistent.

7 (d) ^{d.} An assessment of whether existing criminal and civil penalties for operating
8 a motor vehicle while intoxicated are duplicative.

9 (e) ^{e.} An analysis of existing comprehensive policies related to operating a motor
10 vehicle while intoxicated from other states and nations, including a summary of
11 research regarding the success or failure of these policies in reducing recidivism and
12 long-term criminal justice costs.

13 (f) ^{f.} Specific policy recommendations, including statutory changes, changes to
14 funding for specific programs, new treatment or diversionary programs, and
15 identification of potential funding sources for any additional cost associated with the
16 recommendations.

SECTION 3. Nonstatutory provisions.

17 (1) CRIMINAL JUSTICE COORDINATING COUNCIL. The authorized FTE positions for
18 the department of justice are increased by 1.0 GPR position on the effective date of
19 this subsection, to be funded from the appropriation under section 20.455 (3) (a) of
20 the statutes, for the purpose of performing services for the criminal justice
21 coordinating council.
22

(END)

(2) The ^{cochairpersons of the} criminal justice coordinating council may create subcommittees as they deem necessary and engage other stakeholders and public members to participate in subcommittee activities. Each executive branch agency with membership on the council shall, upon the request of the council, designate agency staff to provide assistance to the council.

→ Ctd. next page

(3) All executive agencies are directed to aid the criminal justice coordinating council to the greatest extent possible. At the request of the council, the department of corrections, the parole commission, the department of health services, the department of children and families, the department of workforce development, the department of justice, the department of transportation, the state prosecutor's office, and the department of administration shall provide the council with information and data needed by the council to perform its duties.

Rose, Stefanie

From: Murray, Mike
Sent: Friday, February 07, 2014 10:48 AM
To: LRB.Legal
Subject: Draft Review: LRB -3206/2 Topic: Codify Criminal Justice Coordinating Council; add study of OWI related statutes

Please Jacket LRB -3206/2 for the ASSEMBLY.