



**WISCONSIN LEGISLATIVE COUNCIL
STAFF MEMORANDUM**

Memo No. 4

TO: MEMBERS OF THE STUDY COMMITTEE ON REDUCING RECIDIVISM AND REMOVING IMPEDIMENTS TO EX-OFFENDER EMPLOYMENT

FROM: Michael Queensland, Staff Attorney

RE: Information in Response to Requests at the July 13, 2016 Meeting

DATE: August 25, 2016

At the Study Committee's July 13 meeting, several members made requests for information to be shared with the full Study Committee. Specifically, members of the Study Committee have requested the following information be distributed:

1. **Letter from the Department of Workforce Development (DWD).** A letter from DWD in response to questions asked at the July 13 meeting is included as **Attachment 1**.
2. **Letter from Representative Goyke.** A letter from Representative Goyke that summarizes select bills introduced during the 2015-16 Legislative Session that relate to earned time credit, imprisonment following revocation of extended supervision or probation, and expungement is included as **Attachment 2**.
3. **Letter from State Public Defender Kelli Thompson.** A letter from Public Member Kelli Thompson is included as **Attachment 3**.
4. **Legislative Fiscal Bureau memorandum to Senator Taylor.** A memorandum to Senator Taylor from the Legislative Fiscal Bureau on state financial incentives for employers to hire ex-offenders is included as **Attachment 4**.
5. **Information about the 2009 Special Committee on Justice Reinvestment Initiative Oversight.** The Council of State Governments Justice Center (Justice Center) made policy recommendations to the Special Committee that would "reduce spending on corrections and reinvest in strategies to increase public safety in Wisconsin." The following policy brief summarizes the Justice Center's recommendations: <https://csgjusticecenter.org/wp->

[content/uploads/2012/12/Wisconsin_Analyses_and_Policy_Options.pdf](#). The Special Committee's recommendations are included as **Attachment 5**.

6. **Information about earned time credits.** The National Conference of State Legislatures has prepared the following documents about earned time credits:

- A report on state earned time policies:
http://www.ncsl.org/Portals/1/Documents/cj/Earned_time_report.pdf.
- A current chart on good time and earned time policies for state prison inmates in all 50 states, included as **Attachment 6**.

7. **Reports on sentencing trends.** The Vera Institute of Justice and NCSL have prepared the following reports on trends in state sentencing and corrections:

- https://storage.googleapis.com/vera-web-assets/downloads/Publications/justice-in-review-new-trends-in-state-sentencing-and-corrections-2014-2015/legacy_downloads/state-sentencing-and-corrections-trends-2014-2015.pdf.
- <http://www.ncsl.org/Documents/CJ/TrendsInSentencingAndCorrections.pdf>.

8. **Report about collateral consequences.** A Vera Institute of Justice report on state approaches to dealing with collateral consequences of a criminal conviction, available here: <http://archive.vera.org/sites/default/files/resources/downloads/states-rethink-collateral-consequences-report-v4.pdf>.¹

9. **Information about the Justice Center's Integrated Reentry and Employment Strategies (IRES) program.** The Justice Center has produced the following reports about the IRES pilot program in Milwaukee, available here:

- <https://csgjusticecenter.org/reentry/the-reentry-and-employment-project/integrated-reentry-and-employment/>.
- <https://csgjusticecenter.org/reentry/publications/findings-and-recommendations-from-the-milwaukee-county-wi-integrated-reentry-and-employment-strategies-pilot-project/>.

10. **Report on recidivism.** The following report, prepared by the U.S. Department of Justice, provides data on the recidivism rate over a five-year period: <http://www.bjs.gov/content/pub/pdf/rprts05p0510.pdf>. [*Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010*, prepared by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, April 2014.]

¹ For more information about collateral consequences, see Memo No. 3, Collateral Consequences of Conviction, available at: www.legis.wisconsin.gov/lc.

11. **Information about Moral Reconciliation Therapy (MRT).** Public Member Eric Johnson requested that the following links to information about MRT be shared with the committee:

- <https://www.mrtcenters.com/>.
- <http://www.moral-reconciliation-therapy.com/>.
- <https://www.ccimrt.com/>.
- <http://www.moral-reconciliation-therapy.com/Resources/metaMRTprob.pdf>.
- http://www.moral-reconciliation-therapy.com/Resources/2010-Journal_of_Community_Corrections.pdf.
- <http://www.co.solano.ca.us/civicax/filebank/blobdload.aspx?blobid=14484>.

12. **Information about defining the term “recidivism.”** Public Member Lisa Stark requested that the following publication, which contains a discussion about defining recidivism on page 14, be shared with the committee:

http://www.courtinnovation.org/sites/default/files/Recidivism_101%5B2%5D.pdf.

Recidivism can be defined many different ways. The following are example definitions:

- “Recidivism is measured by criminal acts that resulted in rearrest, reconviction or return to prison with or without a new sentence during a three-year period following the prisoner’s release.” [National Institute of Justice, available at: <http://www.nij.gov/topics/corrections/recidivism/pages/welcome.aspx>.]
- “Following an episode of incarceration with the WI DOC, to commit a criminal offense that results in a new conviction and sentence to WI DOC custody or supervision.” [Wisconsin Department of Corrections, available at: http://doc.wi.gov/Documents/WEB/ABOUT/DATARESEARCH/Recidivism%20After%20Release%20from%20Prison%202_FINAL.pdf.]
- “Recidivism refers broadly to re-offending, with the most common measurements including re-arrest, re-conviction, and/or re-incarceration. Recidivism rates measure the frequency with which individuals re-engage with the criminal justice system within a defined time period.” [Wisconsin Criminal Justice Coordinating Council, available at: https://cjcc.doj.wi.gov/sites/default/files/article_files/Framework%20for%20Defining%20and%20Measuring%20Recidivism%20September%202015.pdf.]

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Attachments