

NEEDS TO LEAVE
BY 3:00 PM

Assembly Hearing Slip

(Please print plainly)

Date: 10/27/99

Bill No. AB 533

Or Subject

Robert Doon
(Name)

Street Address or Route Number

Milwaukee

(City & Zip Code)

Urban Social Services of W.I.S.
(Representing) + type AI

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: David Lerman

Bill No. 533

Or Subject

DA's office
(Name)

Street Address or Route Number

(City & Zip Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-27-99

Bill No. 533

Or Subject

PAUL GORDON
(Name)

Street Address or Route Number

(City & Zip Code)

Milwaukee, WI 53201
(Representing) Faith-Based Agencies
W. Union Brothers Program

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-27-99

Bill No. AB 533

Subject

JOHN EMBERSON

(Name)

S-7120 OLSON ROAD

(Street Address or Route Number)

EAU CLAIRE 54701

(City & Zip Code)

SELF

(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Oct. 27, 1999

Bill No. AB 533

Subject

BOB P. JENSEN

(Name)

750 S. SPRINGDALE BL

(Street Address or Route Number)

WAUKESHA, WI 53186

(City & Zip Code)

32nd Assembly District

(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: October 27th

Bill No. AB 533

Subject

KEVIN LEWIS

(Name)

LEGISLATIVE LIAISON

(Street Address or Route Number)

(City & Zip Code)

DHES

(Representing)

Speaking in favor: w/Amendment

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Can you please call up Bob Wagner simultaneously? Thank you.

Assembly Hearing Slip

(Please print plainly)

Date: October 27th

Bill No. AB 583

Or Subject: _____

BOB WAGNER

(Name) _____

DIRECTOR OF EVALUATION STUDIES

(Street Address or Route Number) _____

OFFICE OF STRATEGIC FINANCE

(City & Zip Code) _____

DHFS

(Representing) _____

Speaking In favor: Amendment

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-27-99

Bill No. 533

Or Subject: _____

Mary Beale

(Name) _____

1821 N 16th St

(Street Address or Route Number) _____

Madison WI 53205

(City & Zip Code) _____

Project Return

(Representing) _____

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-27-99

Bill No. 533

Or Subject: _____

Cathleen Shapiro

(Name) _____

1821 N 16th St

(Street Address or Route Number) _____

Madison WI 53205

(City & Zip Code) _____

Project Return

(Representing) _____

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Oct 27, 1999

Bill No. AB-533

Or Subject

(Name) LABBI SIDNEY A. VINEBURG

(Street Address or Route Number) 814 BROADVIEW DRIVE

(City & Zip Code) GREEN BAY, WI 54301

(Representing) Self

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 10/27/99

Bill No. AB-533

Or Subject

(Name) WAYNE D. WILKINS

(Street Address or Route Number) 1239 S. IRVING AVE

(City & Zip Code) GREEN BAY WI

(Representing) Self

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 10/27/99

Bill No. AB-533

Or Subject

(Name) BOB C. WILKS

(Street Address or Route Number) 1239 S. IRVING AVE

(City & Zip Code) GREEN BAY WI 54301

(Representing) Self

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

(B)

Assembly Hearing Slip

(Please print plainly)

Date: 10-27-99

Bill No. AB 533

Or Subject

(Name) Rep Bob Goetsch

(Street Address or Route Number) Member of Faith Based Approval Committee

(City & Zip Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-27-99

Bill No. AB 533

Or Subject Faith Based

(Name) Paul Overend

(Street Address or Route Number) 1440 E. E. E. Oakwood 54904

(City & Zip Code)

(Representing) self

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-27-99

Bill No. AB 533

Or Subject Faith-based Services

(Name) John Huebscher

(Street Address or Route Number) 30 W. Wiffin # 302
Madison WI 53703

(City & Zip Code)

(Representing) WI Catholic Conference

Speaking In favor:

Speaking against:

Registering In favor: with written testimony

Registering against:

Speaking for Information only:
Neither for nor against:

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Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-26-99

Bill No. AR 533

OR
Subject: FAITH-based subsidies

(Name) ANNE LAURIE GAYLOR

(Street Address or Route Number) 2400 FOX AVE.

(City & ZIP Code) Madison WI 53711

(Representing) MYSELF

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 27 October 1999

Bill No. 533

OR
Subject: Reproductive Justice

(Name) Brian Isoply

(Street Address or Route Number)

(City & ZIP Code)

(Representing) Dane Co. District Attorney

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

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Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Should be willing to answer any questions.

Assembly Hearing Slip

(Please print plainly)

Date: 10/27/99

Bill No. # 533

OR
Subject: religious support for prisoners

(Name) Elizabeth Uhr

(Street Address or Route Number) 211 Lathrop St

(City & ZIP Code) Madison, WI 53705

(Representing) self

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

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Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702



WISCONSIN CATHOLIC CONFERENCE

**Testimony in Support of Assembly Bill 533
October 27, 1999**

Presented by John Huebscher, Executive Director

On behalf of the Wisconsin Catholic Conference I want to express our support for Assembly Bill 533.

In general terms, we commend the committee for thinking "outside the box" and for offering focused, achievable suggestions. We also applaud the community-based approach over an institutional one. This is certainly more reflective of where faith-based groups operate and where they are effective. It reflects the reality that potential offenders are best assisted within the communities in which they live.

In their 1995 statement on welfare reform, Wisconsin's bishops affirmed that government has basic obligations to all its citizens that cannot be ignored or set aside.

The bishops also said that welfare reform must include a reassessment of current relationships between the religious and the secular in American society and called for openness to new structures and arrangements to respond to the needs of families. The bishops went on to say:

"....government should not insist on being the provider of every service or program for needy families. Rather through direct cash assistance to individuals and grants to organizations, government can encourage and enable families to find help from local organizations and institutions of their choice. This would include religious and nonprofit organizations. Welfare reform should facilitate such choices, not obstruct them."

Generally AB 533 represents a reasonable strategy to facilitate such relationships in the area of corrections policy.

The idea of facilitating contracts between the Department of Corrections and faith based or religiously affiliated groups is consistent with legislation we supported when it was applied to the Department of Workforce Development and the Department of Health and Family Services. To a great extent it merely reflects the way in which our Catholic Charities agencies have long operated with contracts in the human services area. When we discussed the language for DWD and DHFS two years ago with our diocesan Catholic Charities directors, they advised us that such language would be helpful in educating government officials who don't always know what current law and constitutional interpretation already permit.

To this end, the language addressing nondiscrimination against religious organizations and that pertaining to religious character and freedom will be beneficial. It allows us to work with government agencies in a way that does not compromise our religious identity and permits us to be of help to people who might not otherwise be served.

The provision which creates an office of government-sectarian facilitation can also be helpful, for the facilitation of relationships almost always breeds understanding. Such understanding between government and "mediating structures" should be encouraged.

We do not agree with those who say this bill implies a state endorsement of religion over other groups. We note that the Department of Commerce maintains offices of Minority Business Development and Small Business Development. In the past, Governor's have devoted special "desks" to address concerns of women, minorities, and Native Americans.

These structures are not and were not statements that such firms or groups deserve special treatment but as a recognition that these businesses or groups add something of value to society. Reaching out to them means that their involvement with public policies or programs should be facilitated not that acceptance of their views be guaranteed.

Similarly, these bills suggest nothing more than the fact that faith-based groups can be of help in solving problems facing the community and that a properly constructed partnership between such groups and government may be in the public interest.

Government does not establish a state religion merely by inviting religious groups to enter the public square.

We also support funding of assistant district attorney positions to engage in restorative justice although we are not equipped to endorse the selection of any specific county for them. Restoration is a key theme of our recent WCC statement on criminal justice and this initiative is consistent with that theme.

As you assess these proposals, I urge you to keep them in perspective.

One of former President Carter's advisors lived by the axiom that few things were as good or as bad as they first appeared. That is true of partnerships between government and faith-based groups.

Such partnerships will not solve all of society's problems though they can help us do better.

But neither will they destroy our liberties or betray our traditions, as some opponents suggest.

Faith-based groups generally don't provide these services to win converts. We don't do this work to save the souls of the clients; we do it for the sake of our own souls. As the study *Faith-Based Outreach to at Risk Youth in Washington D.C* by White and Marcellus states, "evangelization was more motive than method." The secular purposes of fighting hunger, poverty, restoring relationships, teaching the ignorant, helping people battle alcohol and drug dependencies have

sacred results -- for the act of doing these things ennobles both the helper and the person who is helped.

No Constitutional amendment prohibits that.

If such groups do operate with the goal of proselytizing, we believe this law is drafted to prevent them from doing so with public funds.

Some may suggest that entering into such partnerships will jeopardize the identity of religious organizations. We don't think so. We can walk away.

As some of you may know, Catholic Charities of the Superior diocese entered into a contract with Douglas County to provide services to W-2 transitional placements. By mutual agreement the contract was not renewed and the contractual relationship came to an end in March of this year.

There was more than one reason for this but, in all candor, a difference in philosophy was one of the major ones. Catholic Charities staff believed that on a number of occasions poor families who were eligible for services were told by the county W-2 agency that they did not need the services. Over time, the staff at Catholic Charities became more uncomfortable with its inability to serve people who were in need of help at a time when there were ample funds to do so.

We believe this experience offers two lessons about relationships between government and faith-based organizations.

The first is that there may be times when the policies of the state and the mission of the faith-based group will not be a good fit. Secondly, that when this is the case it is possible for the faith-based organization to walk away without burning bridges or compromising its religious identity.

In conclusion, let me suggest that institutions are like the people who create them. And relationships between institutions undergo change as the different parties learn from experience and the wisdom that accompanies it. These bills recognize that new possibilities exist for one such relationship. We should not be afraid to explore them.

Your support for AB 533 will be appreciated.



State of Wisconsin
Department of Health and Family Services

Tommy G. Thompson, Governor
Joe Leean, Secretary

TESTIMONY ON AB 533
BEFORE THE
ASSEMBLY COMMITTEE ON CORRECTIONS AND THE COURTS
OCTOBER 27, 1999

The Department of Health and Family Services is pleased to see that the Special Committee on Faith-Based Approaches to Crime Prevention and Justice has addressed issues that have been cornerstones of efforts within the Department of Health and Family Services: raising the bar of accountability and initiating a system of performance based contracting that rewards achievement by paying for outcomes.

That the Faith-Based Approaches to Crime Prevention and Justice introduced these requirements specifically for AODA programs is not only appropriate, but provides a significant tool to all of us as we seek to mitigate the devastating effect that alcohol and other drug abuse has on our society.

Consider data from the US Department of Justice's *Survey of State Prison Inmates* (1991): 32% of inmates committed their offense under the influence of alcohol. Another 17% of inmates committed their offense under the influence of drugs only. This picture was updated just last year when it was found that:

“Among the 5.3 million convicted offenders under the jurisdiction of corrections agencies in 1996, nearly 2 million or about 36% were estimated to have been drinking at the time of the offense.”

(USDOJ, Bureau of Justice Statistics, Criminal Offenders Statistics, 1998).

AB 533 rightly seeks to tie public financing of community programs, specifically AODA programs, with the ability of these programs to achieve measurable gains in the community. I support two of the requirements as written that direct the Department to:

- Develop one or more methods to evaluate the effectiveness of alcohol and other drug abuse intervention and treatment services.
- Require every application for funding for alcohol and other drug abuse intervention or treatment services to include a plan for the evaluation of the effectiveness of the organization in reducing alcohol and other drug abuse by recipients of services.

However, the Department has serious concerns about the unintended consequences that aspects of AB 533 will have on DHFS and our capacity to conduct the required evaluations, even as we work to improve program integrity and accountability.

Before DHFS will fully support AB 533, a simple amendment should be made to the bill that accomplishes the following:

1. Provides Flexibility to Accommodate Hard to Serve Areas

As it currently reads, sub. (b) requires that all funding for AODA intervention and treatment services administered by DHFS will be distributed based on the effectiveness of the services in reducing AODA among recipients.

In some geographic areas there may not exist any alternative provider. If DHFS is barred from further funding the entity, this could result in greater harm to the community. The most beneficial action in such a situation may well be to modify the project based on the results of the evaluation and make it more effective.

DHFS recommends that the proposal be changed to instead require that DHFS review the evaluations conducted by individual projects and consider these findings in approving future applications.

2. Shifts Responsibility for Evaluation

Under sub. (d) DHFS must currently require every recipient of funding for AODA intervention and treatment services to provide information to aid in evaluating the effectiveness of the program. Under the bill, DHFS is directly responsible for evaluating each individual project, resulting in scarce evaluation resources being directed away from high priority evaluations (e.g., Family Care, BadgerCare, Pathways to Independence).

DHFS recommends that the proposal be revised to require that each individual agency evaluate its program and submit these evaluations to DHFS. This would be more consistent with the requirement that each agency include a plan for evaluation in its application for funding. The proposal should also reflect that many programs are directly funded by counties and that each county would be responsible for forwarding the results of its individual project evaluations to DHFS.

In closing, I would like to point out to the Committee that substance abuse outcomes were included in the Governor's budget proposal as part of outcome-based performance expectations for state/county contracts. This language on performance contracting was deleted by the Joint Finance Committee ostensibly because of the lack of additional funding necessary to hold poor-performing counties harmless. The Governor's original proposal however, provided DHFS with sufficient flexibility to delay implementing the performance standards and distributing the incentive payments until additional funding becomes available. *I encourage you to consider adopting this as part of your proposal.* I have attached the language for your convenience.

Thank you for the opportunity to comment.

ASSEMBLY BILL 133

PERFORMANCE STANDARDS

Governor: Delete the requirement that DHFS implement performance standards for community aids, after consultation with DOA and counties, by July 1, 1996. Instead, require DHFS, after consultation with DOA and county departments, to develop performance standards for services funded by community aids and require that the performance standards be incorporated into county contracts beginning on or after January 1, 2000. Require DHFS to distribute not more than \$4,500,000 in each fiscal year from the community aids basic county allocation based on the standards developed by DHFS and incorporated into county contracts and to pay the distribution to a county by December 31 of the year after the year in which the performance-based distribution was earned by the county. Specify that the county may expend this distribution for any purpose that can be funded under community aids.

Under current law, DHFS was required to develop community aids performance standards after consulting with DOA and counties and to implement these standards by July 1, 1996. While a DHFS workgroup did develop performance indicators in response to the requirement, these indicators were never incorporated into county contracts and were therefore never implemented.

[Bill Sections: 1086, 1092, 1104 and 1569]

SECTION 1086. 46.40 (2) of the statutes is amended to read:

46.40 (2) BASIC COUNTY ALLOCATION. ~~For~~ Subject to sub. (9), for social services under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not more than \$285,081,000 \$277,177,800 for fiscal year 1997-98 1999-2000 and \$284,948,500 \$279,462,400 for fiscal year 1998-99 2000-01. Of those amounts, the department shall distribute not more than \$4,500,000 in each fiscal year, as provided in s. 46.495 (3), based on performance standards developed under s. 46.47 and incorporated into the contracts under s. 46.031 (2g).

SECTION 1092. 46.47 of the statutes is amended to read:

46.47 Community aids performance standards. The department, after consultation with the department of administration and with county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance standards for services funded by community aids funds allocated under s. 46.40. The

July 1, 1996 into all contracts under s. 46.031 (2g) that cover contract periods beginning on or after January 1, 2000.

SECTION 1104. 46.495 (3) of the statutes is created to read:

46.495 (3) The department shall pay any performance-based distribution under s. 46.40 (2) earned by a county department under s. 46.215, 46.22 or 46.23 by December 31 of the year after the year in which the performance-based distribution was earned. The county department may expend that distribution for any purpose specified in s. 20.435 (7) (b).

SECTION 1569. 51.423 (2m) of the statutes is created to read:

51.423 (2m) The department shall pay any performance-based distribution under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by December 31 of the year after the year in which the performance-based distribution was earned. The county department may expend that distribution for any purpose specified in s. 20.435 (7) (b).



Jane R. Henkel
Acting Director

Suite 401
One East Main Street
P.O. Box 2536
Madison, WI 53701-2536
(608) 266-1304
FAX (608) 266-3830
leg.council@legis.state.wi.us

October 22, 1999

TO: MEMBERS OF THE ASSEMBLY COMMITTEE ON CORRECTIONS AND
THE COURTS

FROM: Jane R. Henkel, Acting Director

A handwritten signature in cursive script that reads "Jane R. Henkel".

Enclosed, for your information, is a copy of Joint Legislative Council Report No. 10 to the 1999 Legislature, *Legislation on Faith-Based Approaches to Crime Prevention and Justice*, dated October 21, 1999.

1999 Assembly Bill 533, relating to authorizing the appointment of assistant district attorneys to provide restorative justice services; authorizing counties and the department of corrections to contract with religious organizations for the provision of services relating to delinquency and crime prevention and the rehabilitation of offenders; inmate rehabilitation; creating the office of government-sectarian facilitation; establishing a grant program for a neighborhood organization incubator; distributing funding for alcohol and other drug abuse services; and making appropriations, is scheduled to be considered by your Committee on **Wednesday, October 27, 1999, beginning at 2:00 p.m., in Room 415 Northwest, State Capitol.**

If you have any questions, please feel free to contact Legislative Council Senior Staff Attorneys Shaun Haas at (608) 267-9025 or Mary Matthias at (608) 266-0932.

JRH:wu;ksm

Enclosure



**STATE OF WISCONSIN
JOINT LEGISLATIVE COUNCIL**

REPORT NO. 10 TO THE 1999 LEGISLATURE

**LEGISLATION ON FAITH-BASED APPROACHES TO CRIME
PREVENTION AND JUSTICE**

1999 ASSEMBLY BILL 533, Relating to Authorizing the Appointment of Assistant District Attorneys to Provide Restorative Justice Services; Authorizing Counties and the Department of Corrections to Contract With Religious Organizations for the Provision of Services Relating to Delinquency and Crime Prevention and the Rehabilitation of Offenders; Inmate Rehabilitation; Creating the Office of Government-Sectarian Facilitation; Establishing a Grant Program for a Neighborhood Organization Incubator; Distributing Funding for Alcohol and Other Drug Abuse Services; and Making Appropriations

Legislative Council Staff
October 21, 1999

One East Main Street, Suite 401
Madison, Wisconsin

RL 99-10

JOINT LEGISLATIVE COUNCIL
REPORT NO. 10 TO THE 1999 LEGISLATURE*

LEGISLATION ON FAITH-BASED APPROACHES TO
CRIME PREVENTION AND JUSTICE

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* This Report was prepared by Mary Matthias and Shaun Haas, Senior Staff Attorneys, Legislative Council Staff.

- **Inmate Rehabilitation**

The bill authorizes the DOC to permit one or more nonprofit community-based organizations to operate, without compensation from the state, an inmate rehabilitation program in the Milwaukee alcohol and other drug abuse (AODA) treatment facility which is scheduled to commence operations in January 2001, if certain requirements set forth in the bill are met. The bill further provides that this newly created authority "sunssets" two years after an inmate rehabilitation program begins operation.

- **Establishment of the Office of Government-Sectarian Facilitation**

The bill establishes a temporary office of government-sectarian facilitation in the Department of Administration (DOA), headed by an official titled "the facilitator." The office is to operate for three years and is required to: (1) assist in the implementation of state and federal laws regarding nondiscrimination against religious organizations, commonly referred to as "Charitable Choice"; and (2) facilitate interaction between faith-based organizations and state and local government. The bill appropriates \$57,600 GPR in 1999-2000 and \$67,400 GPR in 2000-01 for the office of government-sectarian facilitation.

- **Establishment of a Neighborhood Organization Incubator Grant Program**

The bill authorizes the DHFS to award an "incubator grant" to an agency to enable the agency to assist neighborhood organizations to obtain funding and expand their services and appropriates \$100,000 GPR in each year of the 1999-2001 biennium for these grants. An agency receiving a grant is required to do all of the following: (1) provide information to neighborhood organizations about sources of public and private funding; (2) assist neighborhood organizations in obtaining funding and other assistance from public and private entities; (3) act as a liaison between neighborhood organizations and public and private funding sources; (4) provide appropriate training and professional development services to members of neighborhood organizations; (5) engage in outreach efforts to inform neighborhood organizations of the services available from the agency; and (6) undertake other activities to facilitate the effectiveness and development of neighborhood organizations.

- **Distribution of AODA Funding**

The bill requires DHFS and DOC to: (1) develop performance standards for AODA intervention and treatment services; (2) develop one or more methods to evaluate the effectiveness of AODA intervention and treatment services; and (3) adopt policies to ensure that to the extent possible under state and federal law, all funding for AODA intervention and treatment services which they administer is distributed based on the effectiveness of the services in meeting department performance standards for AODA services. The bill further provides that DHFS and DOC must require every application for AODA funding to include a plan for the evaluation of the effectiveness of the AODA services provided by the applicant.

PART I

KEY PROVISIONS OF LEGISLATION; COMMITTEE
AND JOINT LEGISLATIVE COUNCIL VOTES

A. 1999 ASSEMBLY BILL 533, RELATING TO AUTHORIZING THE APPOINTMENT OF ASSISTANT DISTRICT ATTORNEYS TO PROVIDE RESTORATIVE JUSTICE SERVICES; AUTHORIZING COUNTIES AND THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH RELIGIOUS ORGANIZATIONS FOR THE PROVISION OF SERVICES RELATING TO DELINQUENCY AND CRIME PREVENTION AND THE REHABILITATION OF OFFENDERS; INMATE REHABILITATION; CREATING THE OFFICE OF GOVERNMENT-SECTARIAN FACILITATION; ESTABLISHING A GRANT PROGRAM FOR A NEIGHBORHOOD ORGANIZATION INCUBATOR; DISTRIBUTING FUNDING FOR ALCOHOL AND OTHER DRUG ABUSE SERVICES; AND MAKING APPROPRIATIONS

The key provisions of 1999 Assembly Bill 533, introduced by the Joint Legislative Council, are:

- Establishment of Three Assistant District Attorney Project Positions to Engage in Restorative Justice Activities

The bill authorizes one assistant district attorney project position each for Dane County, Milwaukee County and a county other than Milwaukee or Dane, to be selected by the Attorney General in consultation with the Department of Corrections (DOC). The three assistant district attorneys are to develop and operate restorative justice programming in these counties and assist district attorneys in other counties in the development and operation of restorative justice programming in those counties. Restorative justice involves the victim, offender and community in determining how to address the harm caused by the commission of a crime. The bill appropriates \$108,300 general purpose revenue (GPR) in fiscal year 1999-2000 and \$144,300 GPR in fiscal year 2000-01 for these purposes.

- Nondiscrimination Against Religious Organizations

The bill authorizes the DOC and counties to contract with, or award grants to, religious organizations for use in the prevention of delinquency and crime and the rehabilitation of offenders on the same basis as any other nongovernmental provider without impairing the religious character of such organizations and without diminishing the religious freedom of beneficiaries of services funded under these programs. These provisions, derived from the federal "Charitable Choice" law, are comparable to provisions of current law that address the issue of discrimination against religious organizations that apply to the Department of Health and Family Services (DHFS) and Department of Workforce (DWD) for certain funding.

B. COMMITTEE AND JOINT LEGISLATIVE COUNCIL VOTES

1. Special Committee Votes

The provisions which make up 1999 Assembly Bill 533 were presented to the Special Committee on Faith-Based Approaches to Crime Prevention and Justice as separate drafts pertaining to each major topic set forth below. The Special Committee voted on each draft separately. The Special Committee vote on each of these drafts is set forth below. The individual drafts were combined into an omnibus draft, LRB-3404/1, for recommendation to the Joint Legislative Council.

- **Establishment of two assistant district attorney positions to engage in restorative justice.** At its May 24, 1999 meeting, the Special Committee unanimously approved WLCS: 0125/1, relating to authorizing the appointment of an assistant district attorney to perform restorative justice services and making an appropriation, as amended (to add an additional assistant district attorney).
- **Nondiscrimination against religious organizations.** At its May 24, 1999 meeting, the Special Committee approved WLCS: 0132/1, relating to authorizing counties and the DOC to contract with religious organizations for the provision of services relating to delinquency and crime prevention and the rehabilitation of offenders, as amended, on a vote of Ayes, 13 (Reps. Jensen, Carpenter, Black, Hahn, Owens and Travis; Sen. Darling; and Public Members Dobbe, Emberson, Hill, Muhammad, Steppe and Vergeront); Noes, 3 (Rep. Goetsch; and Public Members Lerman and Vineburg); and Absent, 1 (Public Member Utnehmer).
- **Inmate rehabilitation.** At its May 24, 1999 meeting, the Special Committee approved WLCS: 0133/1, relating to inmate rehabilitation, as amended, on a vote of Ayes, 10 (Reps. Jensen, Goetsch, Hahn and Owens; Sen. Darling; and Public Members Dobbe, Emberson, Hill, Steppe and Vergeront); Noes, 6 (Reps. Carpenter, Black and Travis; and Public Members Lerman, Muhammad and Vineburg); and Absent, 1 (Public Member Utnehmer).
- **Establishment of the office of government-sectarian facilitation.** By a mail ballot dated June 3, 1999, the Special Committee approved WLCS: 0136/2, relating to creating the office of government-sectarian facilitation and making an appropriation, as amended, on a vote of Ayes, 11 (Reps. Jensen, Goetsch and Hahn; Sen. Darling; and Public Members Dobbe, Lerman, Muhammad, Steppe, Utnehmer, Vergeront and Vineburg); Noes, 5 (Reps. Carpenter, Black, Owens and Travis; and Public Member Emberson); and Not Voting, 1 (Public Member Hill).

- **Establishment of a neighborhood organization incubator grant program.** By a mail ballot dated June 3, 1999, the Special Committee approved WLCS: 0139/2, relating to establishing a grant program for a neighborhood organization incubator and creating an appropriation, on a vote of Ayes, 12 (Reps. Jensen, Carpenter, Black and Owens; Sen. Darling; and Public Members Dobbe, Emberson, Lerman, Muhammad, Steppe, Utnehmer and Vergeront); Noes, 4 (Reps. Goetsch, Hahn and Travis; and Public Member Vineburg); and Not Voting, 1 (Public Member Hill).
- **AODA performance evaluations.** By a mail ballot dated June 3, 1999, the Special Committee approved WLCS: 0161/1, relating to performance evaluations of AODA services, on a vote of Ayes, 15 (Reps. Jensen, Carpenter, Black, Goetsch, Hahn and Owens; Sen. Darling; and Public Members Dobbe, Emberson, Lerman, Muhammad, Steppe, Utnehmer, Vergeront and Vineburg); Noes, 1 (Rep. Travis); and Not Voting, 1 (Public Member Hill).

2. Joint Legislative Council Votes

At its September 23, 1999 meeting, the Joint Legislative Council adopted three amendments to LRB-3404/1.

First, the Joint Legislative Council adopted WLCS: 0197/1, to require DHFS and DOC to: (a) develop performance standards for AODA services; and (b) adopt policies to ensure that funding for AODA services which they administer is distributed based on the effectiveness of providers in meeting the performance standards. The amendment was adopted by a vote of Ayes, 21 (Reps. Kelso, Bock, Foti, Freese, Gard, Huber, Jensen, Krug, Schneider, Seratti and Stone; and Sens. Risser, Burke, Chvala, Cowles, Erpenbach, George, Grobschmidt, Robson, Rosenzweig and Zien); Noes, 0; and Absent, 1 (Sen. Ellis).

Second, the Joint Legislative Council adopted an amendment to authorize, rather than require, the DOC to permit one or more nonprofit community-based organizations to operate an inmate rehabilitation program in the Milwaukee AODA treatment facility. The amendment was adopted by a unanimous voice vote.

Third, the Joint Legislative Council adopted an amendment to: (a) increase from two to three the number of assistant attorney general project positions established to engage in restorative justice; and (b) specify that the county to which the additional assistant attorney general will be appointed is to be determined by the Attorney General in consultation with the DOC. The amendment was adopted by a unanimous voice vote.

The Joint Legislative Council then voted to introduce LRB-3404/1, as amended, by a vote of Ayes, 16 (Reps. Kelso, Foti, Freese, Gard, Huber, Jensen, Schneider, Seratti and Stone; and Sens. Risser, Burke, Cowles, George, Grobschmidt, Robson and Zien); Noes, 5 (Reps. Bock and Krug; and Sens. Chvala, Erpenbach and Rosenzweig); and Absent, 1 (Sen. Ellis).

PART II

COMMITTEE ACTIVITY

A. ASSIGNMENT

The Joint Legislative Council established the Special Committee on Faith-Based Approaches to Crime Prevention and Justice by a June 24, 1998 mail ballot. The Special Committee was directed to study means by which faith-based approaches to lessening crime rates, lowering recidivism and achieving restorative justice in the aftermath of criminal acts may be encouraged.

The membership of the Special Committee, appointed by a September 4, 1998 mail ballot, consisted of one Senator, seven Representatives, nine public members and one nonvoting public member.

A membership list of the Joint Legislative Council is included as **Appendix 1**. A list of the Committee membership is included as **Appendix 2**.

B. SUMMARY OF MEETINGS

The Special Committee held six meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

December 2, 1998	March 11, 1999
January 20, 1999 (Milwaukee)	April 21, 1999
February 23, 1999	May 24, 1999

At the December 2, 1998 meeting, the Special Committee reviewed a staff brief containing information on state-funded faith-based crime prevention programs in Wisconsin and other states, restorative justice and constitutional constraints on the provision of public funds to religious organizations for use in crime prevention and intervention. The Committee also heard testimony from a number of invited speakers. Walt Thieszen, Chief of Program Services, Division of Adult Institutions, DOC, described the DOC's policies with regard to practice of religion by inmates at Wisconsin prisons. Mr. Thieszen also described the functions of the state-funded chaplains who work in Wisconsin prisons. Joe Leean, Secretary, DHFS, expressed his support for the utilization of faith-based programs and discussed the work of several organizations with religious ties that have been successful in working with troubled youth. Bruce Kittle, Restorative Justice Project, University of Wisconsin (UW) Law School, discussed the principles of restorative justice and described his experiences working with crime victims. Richard Ward and Jackie Millar described their experiences as crime victims who participated in the restorative justice process. Lisa Whitney, Area Director, Prison Fellowship Ministries, described the prison ministry activities of Prison Fellowship. Following the presentations, Committee members identified various other people who they wanted to address the Committee.

At the January 20, 1999 meeting, the Committee received testimony from a number of invited speakers. Robert J. Polito, President, Faith Works International, New York, New York, discussed the Faith Works Program in New York City. Reverend Susan Vergeront discussed plans to establish a faith works program in Milwaukee. Nicky Cruz, Nicky Cruz Outreach, Colorado Springs, Colorado, described his transformation from gang leader to director of a Christian outreach program and described the activities of his program. Andrew Peyton Thomas discussed various issues and provided data related to the use of religion in fighting anti-social behavior. Paul Gordon, Union of Brothers, Inc., Milwaukee, and Terrance Ray, Milwaukee, discussed the work of the Union of Brothers, a religious-based organization which provides services to inmates and ex-prisoners. Mary Steppe, Executive Director, and Kathleen Shapiro, Project RETURN, Milwaukee, discussed the activities of Project RETURN, which assists ex-offenders in returning to the community. Deacon Bill Locke, Executive Director, Community Enterprises, Milwaukee, described the economic development and training services provided by Community Enterprises. Tom McMahan, Brickyard Ministries, Milwaukee, described the faith-based aftercare which Brickyard provides for men coming out of incarceration.

At the February 23, 1999 meeting, the Committee again heard presentations from invited speakers. Robert Woodson, Sr., President, National Center for Neighborhood Enterprises, Washington, D.C., discussed the activities of his organization and explained how faith-based anti-crime efforts have been successful throughout the United States. Carl Hardrick, Hartford, Connecticut, described his work with anti-gang initiatives in Washington, D.C., Milwaukee and elsewhere. Reverend Eugene Rivers, National TenPoint Leadership Foundation, Boston, Massachusetts, described the efforts of his organization to mobilize black churches to become involved in crime prevention efforts and discussed the reasons that faith-based approaches are successful in crime prevention. Reverend Charles Harrison, Barnes United Methodist Church, Indianapolis, Indiana, described the success of the TenPoint Coalition in preventing crime in Indianapolis. Isaac Randolph, Director, Front Porch Alliance Program, Indianapolis, Indiana, described how cooperation between the City of Indianapolis and churches in the city, which was facilitated by the alliance, has benefitted the community.

At the March 11, 1999 meeting, the Special Committee heard presentations from invited speakers regarding constitutional issues surrounding the Charitable Choice law and state interaction with religious organizations in general. Mike Dean, Attorney, Dean and McCoy, S.C., Waukesha, discussed the policies of nondiscrimination and noncoercion in government utilization of faith-based organizations. Carl Esbeck, Professor of Law, University of Missouri, discussed his involvement in the creation of the federal Charitable Choice law and discussed the neutrality principle which that law reflects. William Mellor, President and General Counsel, Institute for Justice, Washington, D.C., discussed the requirement to provide nonreligious alternatives to state-funded services provided by a religious organization, and various other church-state constitutional issues. Wayne and Sue Willis, Green Bay, who are Jewish, described the anti-semitic hostility and discrimination directed at their children in the community in the South, where they lived previously and discussed their concern that approval of a state-sanctioned religion may breed intolerance to other religious beliefs. Steven K. Green, Legal Director, Americans United for Separation of Church and State, discussed constitutional limitations on government sponsorship of faith-based programs and described specific requirements to

which such programs must adhere. Jeffrey Kassel, Attorney, Freedom From Religion Foundation, Madison, explained why he believes that the use of religious organizations to provide faith-based corrections and crime prevention services is unconstitutional.

At the April 21, 1999 meeting, the Committee heard from several invited speakers. Walter Thieszen and Marianne Cook, Division of Adult Institutions, DOC, provided detailed information on DOC policies regarding the practice of religion by inmates in Wisconsin prisons. Minister William Muhammad, Prison Reform Minister, Nation of Islam, and Mr. Ronald Beyah, Islamic Council for Wisconsin Prisons, Milwaukee, discussed their involvement in the Wisconsin prison system as religious volunteers, explained the prison reform program developed by Minister Louis Farrakhan and described difficulties they have had gaining access to inmates. Reverend Marie Yohann, Temple of the 4 Winds, Milwaukee, and Reverend Dr. Richard Cadwell, Sanctuary of the Healers' Heart, Kenosha, described their religious volunteer activities at Wisconsin prisons, provided background on the Wiccan religion and discussed problems they have had gaining access to inmates at Wisconsin prisons. Mr. Bobby Bullet St. Germaine and Mr. Sam Musquo, Madison, discussed various obstacles to the practice of Native American religions by inmates at Wisconsin prisons and discussed the importance of religion to Native American prisoners.

The Committee also discussed the proposals set forth in Committee Staff Memo No. 2, *Description of Several Possible Recommendations for Legislation* (April 20, 1999), and directed staff to prepare drafts on various topics for its review at the next meeting.

At the May 24, 1999 meeting, the Committee held a public hearing at which the following people provided testimony regarding the various proposals under consideration by the Committee: Annie Laurie Gaylor, Freedom From Religion Foundation, Madison; Leona Balek, Americans United for Separation of Church and State, Madison; Bernice Popelka, United for Diversity, Inc., Glendale; John Huebscher, Executive Director, Wisconsin Catholic Conference; Kit Murphy McNally, Executive Director, Benedict Center, Milwaukee; Adam Korbitz, Director of Governmental Relations, Lutheran Social Services, Madison; Gerald Post, Jr., New Life Prison Ministries, Whitewater; Tom O'Day, Madison; Sue Moline Larson, Lutheran Office for Public Policy in Wisconsin, Madison; and Chuck Franks, TAP Ministries, Beloit.

The Committee next reviewed and amended the following drafts, which it then approved, as amended, for recommendation to the Joint Legislative Council for introduction in the 1999-2000 Legislative Session: WLCS: 0125/1, relating to authorizing the appointment of an assistant district attorney to perform restorative justice services and making an appropriation; WLCS: 0132/1, relating to authorizing counties and the DOC to contract with religious organizations for the provision of services relating to delinquency and crime prevention and the rehabilitation of offenders; and WLCS: 0133/1, relating to inmate rehabilitation. The Committee reviewed and discussed WLCS: 0131/1, relating to community youth grants and decided not to proceed with the draft. The Committee discussed WLCS: 0136/1, relating to creating the office of government-sectarian facilitation and making an appropriation. However, the Committee did not have time to vote on the question of approval of that draft. Chairperson Jensen directed staff to prepare a mail ballot on the issue of Committee approval of WLCS: 0136/2, WLCS: 0139/2, relating to establishing a grant program for a neighborhood organization incubator and creating

an appropriation and a draft which he directed staff to prepare (WLCS: 0161/1), relating to performance evaluations of AODA services, based on a letter to Chairperson Jensen from Committee Member Senator Alberta Darling.

C. STAFF MATERIALS AND OTHER MATERIALS

Appendix 3 lists all of the materials received by the Special Committee on Faith-Based Approaches to Crime Prevention and Justice. The following document, prepared by the Legislative Council Staff, may be of particular interest to persons interested in the work of the Committee:

- Staff Brief 98-11, *Background Information on Faith-Based Approaches to Crime Prevention and Justice* (November 25, 1998; corrected December 4, 1998).

PART III

BACKGROUND; DESCRIPTION OF BILL

This Part of the Report provides background information on, and a description of, 1999 Assembly Bill 533, introduced by the Joint Legislative Council.

1999 ASSEMBLY BILL 533, RELATING TO AUTHORIZING THE APPOINTMENT OF ASSISTANT DISTRICT ATTORNEYS TO PROVIDE RESTORATIVE JUSTICE SERVICES; AUTHORIZING COUNTIES AND THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH RELIGIOUS ORGANIZATIONS FOR THE PROVISION OF SERVICES RELATING TO DELINQUENCY AND CRIME PREVENTION AND THE REHABILITATION OF OFFENDERS; INMATE REHABILITATION; CREATING THE OFFICE OF GOVERNMENT-SECTARIAN FACILITATION; ESTABLISHING A GRANT PROGRAM FOR A NEIGHBORHOOD ORGANIZATION INCUBATOR; DISTRIBUTING FUNDING FOR ALCOHOL AND OTHER DRUG ABUSE SERVICES; AND MAKING APPROPRIATIONS

A. ESTABLISHMENT OF THREE ASSISTANT DISTRICT ATTORNEY POSITIONS TO ENGAGE IN RESTORATIVE JUSTICE

1. Background

During its deliberations, the Special Committee heard testimony in support of a "restorative justice" alternative to the traditional criminal justice system. Restorative justice is a practice that rejects the notion that crime, including delinquent acts, should be viewed simply as a violation against the state. Crime is seen instead as an act carried out against the victim and the local community. Thus, rather than the government alone determining the response to a crime, as in the traditional criminal justice system, restorative justice involves the victim, offender and community in determining how to address the harm caused by the commission of a crime. One common restorative justice practice involves the establishment of a panel of neighborhood residents who meet to discuss the impact of a crime and collaboratively, with all stakeholders, work to develop a plan to repair the harm caused by the criminal or delinquent act. Another common restorative justice practice is victim-offender conferencing, where an offender meets with the victim or a member of the victim's family and other appropriate persons in order to: (a) discuss the impact of the offense on the victim and the community; (b) provide support to the victim and facilitate the reintegration of the victim into community life; (c) explore appropriate restorative responses by the offender; and (d) facilitate the reintegration of the offender into community life.

2. Description of Bill

The bill authorizes the appointment of one assistant district attorney project position each for Dane County, Milwaukee County and an additional county to be determined by the Attorney General in consultation with the DOC. The assistant district attorneys are to develop and operate

restorative justice programming in these counties and assist district attorneys in other counties in the development and operation of restorative justice programming in those counties. The bill appropriates \$108,300 GPR in fiscal year 1999-2000 and \$144,300 GPR in fiscal year 2000-01 for these purposes.

The bill requires the assistant district attorneys funded under the bill to establish restorative justice programming that provides a forum where an offender meets with his or her victim or engages in other activities to:

- a. Discuss the impact of the crime on the victim or on the community;
- b. Provide support to the victim and methods for reintegrating the victim into community life;
- c. Explore potential restorative responses by the offender; and
- d. Provide methods for reintegrating the offender into community life.

The bill requires the assistant district attorneys funded under the bill to maintain records regarding restorative justice activities and to submit to the DOA annual reports describing the restorative justice activities undertaken, including the number of victims and offenders served, the types of crimes or juvenile offenses involved and the rates of recidivism among offenders served by restorative justice programming.

The restorative justice assistant district attorney project positions created under the bill expire after June 30, 2003. In order to aid the Legislature in determining whether to continue these positions by making them permanent, the Legislative Audit Bureau is required by October 1, 2002 to conduct a quantitative and qualitative evaluation of the success of restorative justice programming in serving victims, offenders and communities affected by crime and to report these findings to the appropriate committees of the Legislature, as determined by the Speaker of the Assembly and the President of the Senate, under s. 13.172 (3), Stats.

B. NONDISCRIMINATION AGAINST RELIGIOUS ORGANIZATIONS

1. Background

The Federal Personal Responsibility and Work Opportunity Act of 1996 contains a provision known as the "Charitable Choice" law [403 U.S.C. s. 604]. During its deliberations, the Special Committee heard testimony regarding the history, purpose and constitutionality of this law.

Under the Charitable Choice law, a state is authorized to administer and provide social services through contracts with charitable, religious or private organizations and provide beneficiaries of state assistance with certificates, vouchers or other forms of disbursement which are redeemable with such organizations. Specifically, the law applies to services funded by Temporary Assistance for Needy Families (TANF) block grants. (TANF replaces the Aid to Families

with Dependent Children Program on the federal level.) It also applies to food stamp, Medicaid and Supplemental Security Income Programs.

The stated purpose of the Charitable Choice law is to allow states to contract with religious organizations, or to allow religious organizations to accept certifications, vouchers or other forms of disbursement on the same basis as any other nongovernmental provider without impairing the religious character of such organizations and without diminishing the religious freedom of beneficiaries of assistance funded under such program. In particular, the law provides that, in the event that a state exercises its authority to contract with private, charitable or religious organizations, religious organizations are eligible on the same basis as any other private organizations to contract to provide assistance or accept various forms of disbursement as long as their programs are implemented consistent with the Establishment Clause of the First Amendment to the U.S. Constitution. The Establishment Clause provides, in part, that: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof" Consistent with the Establishment Clause constraints, the Charitable Choice law specifies that no funds provided directly to institutions or organizations to provide services and administer programs may be expended for sectarian worship, instruction or proselytization.

State versions of the federal Charitable Choice law were enacted as part of the 1997-98 Biennial Budget Act (1997 Wisconsin Act 27). These provisions address the issue of discrimination against religious organizations that apply for DHFS or DWD contracts or grants.

Under the state nondiscrimination provisions, which are virtually identical to provisions of the federal Charitable Choice law, DHFS and DWD are authorized to contract with, or award grants to, religious organizations on the same basis as any other nongovernmental provider without impairing the religious character of such organizations and without diminishing the religious freedom of beneficiaries of services funded under these programs. The programs must be implemented consistent with both the Establishment Clause of the U.S. Constitution, which is applicable to state governments by operation of the Fourteenth Amendment to the U.S. Constitution, and a similar, but somewhat broader, provision of the Wisconsin Constitution that requires, in part, that: "nor shall any money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries" [art. I, s. 18, Wis. Const.].

2. Description of Bill

The bill creates nondiscrimination provisions comparable to the provisions that currently apply to the DHFS and DWD and the federal Charitable Choice law, as described in Section 1., above. Under these provisions, the DOC and counties are authorized to contract with, or award grants to, religious organizations for use in the prevention of delinquency and crime and the rehabilitation of offenders on the same basis as any other nongovernmental provider without impairing the religious character of such organizations and without diminishing the religious freedom of beneficiaries of services funded under these programs.

In particular, the nondiscrimination statutory provisions created under this bill include the following requirements:

- *Nondiscrimination against religious organizations.* The bill specifies that if the DOC or a county is authorized to distribute any grant to, or contract with, a nongovernmental entity, that nongovernmental entity can be a religious organization as long as the programs are implemented consistent with the U.S. and Wisconsin Constitutions. The bill prohibits the DOC or a county from discriminating against an organization on the basis that the organization does or does not have a religious character or because of the specific religious nature of the organization.
- *Religious character and freedom.* The bill specifies that a religious organization that receives a grant from, or contracts with, the DOC or a county retains its independence from federal, state and local governments, including the organization's control over the definition, development, practice and expression of its religious beliefs. The bill prohibits the DOC or a county from requiring a religious organization to alter its form of internal governance or remove religious art, icons, scripture or other symbols as a condition of contracting with, or receiving a grant from, the DOC or a county.
- *Rights of beneficiaries of assistance.* The bill specifies that if an individual has an objection to the religious character of the organization or institution from which the individual receives, or would receive, assistance funded from a program supported with funding administered by the DOC or a county, the DOC or the county must provide the individual assistance of equal value from a nonreligious provider that is accessible to the individual if the individual so requests. Both the DOC and counties are required to provide written information to individuals who are eligible for assistance regarding the availability of assistance from a nonreligious provider.
- *Employment practices.* The bill specifies that a religious organization's exemption recognized under federal law regarding employment practices [42 U.S.C. s. 2000e-1a] is not affected by its participation in programs administered by the DOC or a county.
- *Nondiscrimination against beneficiaries.* The bill prohibits a religious organization from discriminating against an individual in regard to rendering services funded under any DOC or county program on the basis of religion, a religious belief or refusal to actively participate in a religious practice.
- *Fiscal accountability.* The bill specifies that any religious organization that receives grant funding from, or contracts with, the DOC or a county is subject to the same requirements as other contractors and grantees regarding accounting in accord with generally accepted auditing principles for the use of these funds. If the religious organization segregates funding

from the DOC or the county into separate accounts, only the financial assistance provided with these funds is subject to an audit.

- *Limitations on the use of funds for certain purposes.* The bill prohibits any religious organization that receives funding from the DOC or a county from expending any of those funds for sectarian worship, instruction or proselytization.
- *Certification of compliance.* The bill requires every religious organization that contracts with, or receives a grant from, the DOC or a county for crime prevention or rehabilitation assistance to certify in writing that it has complied with the proscription against discrimination based on religion, religious belief or refusal to actively participate in a religious practice and the proscription against the expenditure of public funds for sectarian worship, instruction or proselytization. Each organization is also required to furnish the department or county board with a copy of this certification and a written description of the policies which the organization has adopted to ensure compliance with these proscriptions.
- *Remedy for violation.* The bill specifies that any party that seeks to enforce its rights under this law may assert a civil action for injunctive relief in an appropriate court against the entity or agency that allegedly commits such violation.
- *Preemption.* The bill specifies that nothing in the provisions described above should be construed to preempt any other provision of state law, federal law or the U.S. or Wisconsin Constitutions that prohibits or restricts the expenditure of state funds in or by religious organizations.

C. INMATE REHABILITATION

1. Background

The DOC provides various services to inmates of Wisconsin prisons. Currently, inmate rehabilitation programs operated within prisons either are operated by DOC staff or provided by purchase from other providers.

At several of its meetings, the Special Committee heard testimony regarding the effectiveness of inmate rehabilitation programs operated by religious organizations. It was stated that there is a lower rate of recidivism among inmates who participate in such programs than among the general prison population. These programs do not require participating inmates to make statements of faith nor is a religious affiliation required to participate. The programs which have achieved the greatest success provide services to inmates after they have been released into the community, such as mentoring, help in finding housing and employment and a support network.

2. Description of Bill

The bill authorizes the DOC to permit one or more nonprofit community-based organizations to operate an inmate rehabilitation program in the Milwaukee AODA treatment facility (the facility) which is scheduled to commence operations in January 2001, if:

- a. The organization meets all the requirements set forth in the bill;
- b. The operation of the program does not constitute a threat to the security of the facility or to the safety of inmates or the public; and
- c. The DOC determines that operation of the program is in the best interests of the inmates.

An organization that wants to operate an inmate rehabilitation program in the facility must submit to the DOC a detailed proposal for the operation of a program which includes all of the following:

- a. A description of the services to be provided, including aftercare services and a description of the geographic area in which aftercare services will be provided.
- b. A description of the activities to be undertaken and the approximate daily schedule of programming for inmates participating in the program.
- c. A description of the qualifications of the persons providing services.
- d. A statement of the organization's policies regarding eligibility of inmates to participate in the program.
- e. A statement of the goals of the program.
- f. A description of the methods by which the organization will evaluate the effectiveness of the program in attaining the goals under item e.
- g. Any other information specified by the DOC.

To be eligible to operate an inmate rehabilitation program in the facility, an organization must agree in writing to all of the following:

- a. The organization may not receive compensation from the DOC for services provided in the rehabilitation program.
- b. The organization may not deny an inmate the opportunity to participate in the program for any reason related to the inmate's religious beliefs or nonbelief. The organization may suspend or terminate an inmate's participation in a program for reasons unrelated to religious beliefs, including the inmate's failure to participate meaningfully in the program.

c. An inmate may withdraw from the participation in the program at any time.

d. Upon the inmate's release, the organization must provide community-based aftercare services for each inmate who completes the program and who resides within the geographic area in which the organization is providing such services.

The bill provides that DOC must establish policies which provide reasonable access to inmates by an organization operating an inmate rehabilitation program established under the bill.

The bill requires the DOC to designate a specific portion of the facility for operation of the program. To the extent possible, inmates participating in the program must be housed in the portion of the facility in which the program is operated.

The bill provides that the DOC may not require an inmate to participate in an inmate rehabilitation program created under this bill. The bill further provides that the DOC may not base any decision regarding an inmate's conditions of confinement, including discipline or an inmate's eligibility for release, on an inmate's decision to participate or not participate in an inmate rehabilitation program established under the bill. In addition, the treatment of inmates, including the provision of housing, activities in which an inmate may participate, freedom of movement and work assignments must be substantially the same for inmates who participate in a program and for those who do not.

The bill provides that DOC may restrict an inmate's participation in an inmate rehabilitation program established under the bill only if such restriction is necessary for the security of the facility or the safety of the inmates or the public.

The bill authorizes the DOC to suspend or terminate operation of an inmate rehabilitation program established under the bill if the organization operating the program fails to comply with any of the requirements set forth in the bill and requires DOC to suspend or terminate the program if the DOC determines that suspension or termination of the program is necessary for the security of the facility or the safety of the inmates or the public or that suspension or termination is in the best interests of the inmates.

The bill requires the DOC to evaluate or contract with a private or public agency for an evaluation of the effectiveness of the program in reducing recidivism and AODA. The bill requires DOC to collect the data and information necessary to evaluate the program and to submit a report of the evaluation to the Governor and the appropriate standing committees of the Legislature.

Under current law, the Parole Commission may deny presumptive mandatory release to an inmate on the grounds that the inmate has refused to participate in counseling or treatment that the social service and clinical staff of the institution determines is necessary for the inmate, including pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious child sex offender. The bill specifies that the Parole Commission may not deny presumptive mandatory release to an inmate because of the inmate's refusal to participate in an inmate rehabilitation program established under the bill.

The bill provides that the provisions described above expire two years after an inmate rehabilitation program established under the bill begins operation.

D. ESTABLISHMENT OF THE OFFICE OF GOVERNMENT-SECTARIAN FACILITATION

1. Background

Throughout the course of its deliberations, the Special Committee heard testimony that both faith-based organizations and government agencies are sometimes unsure of their rights and responsibilities under the new federal Charitable Choice Law and its Wisconsin counterpart. For this reason, it has been said, the Charitable Choice provisions are not being implemented as effectively as possible.

2. Description of Bill

The bill creates a temporary office of government-sectarian facilitation in the DOA. The office is headed by an official titled "the facilitator" and is to operate for three years (from November 1, 1999 to November 1, 2002).

The facilitator is nominated by the Governor, and with the advice and consent of the Senate appointed, to serve at the pleasure of the Governor. The facilitator may not be a member of the board of directors, be otherwise involved in the governance or control of, or be employed by, any faith-based organization eligible for funding to provide government services under the bill. In addition, the facilitator must have experience relevant to the operation of nonprofit organizations or state or local government and must have a demonstrated understanding of state and federal laws regarding nondiscrimination against religious organizations.

The bill appropriates \$57,600 GPR in 1999-2000 and \$67,400 GPR in 2000-01 for the office of government sectarian-facilitation, and increases by one full-time equivalent (FTE) the authorized project positions for the DOA.

The office of government-sectarian facilitation is required to: (a) assist in the implementation of state and federal laws regarding nondiscrimination against religious organizations, commonly referred to as "Charitable Choice"; and (b) facilitate interaction between faith-based organizations and state and local government. Specifically, the office must do all of the following:

- a. Provide information about laws regarding nondiscrimination against faith-based organizations.
- b. Assist government agencies in utilizing the services of faith-based organizations in the provision of governmental services.

c. Assist faith-based organizations in their efforts to participate in the provision of governmental services.

d. Compile and provide to the public information on governmental services available through faith-based organizations.

e. Monitor compliance by faith-based organizations that it assists with laws which provide that: (1) a religious organization may not discriminate against an individual in regard to rendering assistance funded under any program administered by a state agency or a county on the basis of religion, a religious belief or refusal to actively participate in a religious practice; and (2) no funds provided directly to religious organizations by the state or a county may be expended for sectarian worship, instruction or proselytization.

f. Conduct an evaluation of the extent to which state and local governments are utilizing the services of faith-based organizations in the provision of authorized governmental services, and the extent to which faith-based organizations comply with the laws discussed above. The office must also develop recommendations to increase government utilization of the services of faith-based organizations.

The bill requires the office to submit a report of the evaluation and recommendations to the appropriate standing committees of the Legislature, as determined by the Speaker of the Assembly and President of the Senate under s. 13.72 (3), and the Governor no later than October 1, 2002.

E. ESTABLISHMENT OF A NEIGHBORHOOD ORGANIZATION INCUBATOR GRANT PROGRAM

1. Background

Throughout the course of its deliberations, the Special Committee heard testimony that some neighborhood organizations are motivated to provide services to neighborhood residents directed at community concerns such as the need for after-school recreation for children; prevention and counseling services relating to child abuse, domestic abuse and alcohol and other drug problems; diversion of youth from gang activities, crime prevention, and inmate and ex-offender rehabilitation or aftercare. Many people who testified to the Special Committee stated their belief that small neighborhood organizations are often more effective at addressing social problems than are organizations that do not have their "roots" in the neighborhood. However, many neighborhood organizations do not have the time, resources or technical expertise to gain access to sources of funding that may enable them to address social concerns.

2. Description of Bill

The bill authorizes the DHFS to award an "incubator grant" to an agency to enable the agency to assist neighborhood organizations to obtain funding and expand their services.

Under the bill, a "neighborhood organization" means a community-based private, non-profit organization that provides any of the following services primarily to residents of the area in which the organization is located:

- a. Crime prevention.
- b. After-school and recreational programs for youth.
- c. Child and domestic abuse prevention services.
- d. AODA counseling and prevention.
- e. Diversion of youth from gang activities.
- f. Inmate and ex-offender rehabilitation or aftercare.

Specifically, the bill authorizes the DHFS to award a grant to a community-based public or private, nonprofit organization ("an agency") upon submission of an application containing a plan detailing the proposed use of the grant. The bill appropriates \$100,000 GPR in each year of the 1999-2001 biennium for these grants. The bill does not specify the amount or duration of grants awarded under the program.

A grant recipient is required to do all of the following:

- a. Provide information to neighborhood organizations about sources of public and private funding.
- b. Assist neighborhood organizations in obtaining funding and other assistance from public and private entities.
- c. Act as a liaison between the neighborhood organizations and the public and private funding sources.
- d. Provide appropriate training and professional development services to members of neighborhood organizations.
- e. Engage in outreach efforts to inform neighborhood organizations of the services available from the agency.
- f. Undertake other activities to facilitate the effectiveness and development of neighborhood organizations.

The agency receiving a grant is required to submit to the DHFS, within 90 days after spending the entire grant, a report detailing the use of the grant proceeds.

F. AODA PERFORMANCE EVALUATIONS

1. Background

The DHFS and the DOC administer various programs which provide funding for AODA intervention and treatment services. The Special Committee heard testimony that some AODA programs that receive funding administered by DHFS and DOC are not as effective as other programs that are available but do not receive such funding.

2. Description of Bill

The bill requires DHFS and DOC to do all of the following:

- a. Develop one or more methods to evaluate the effectiveness of AODA intervention and treatment services and develop performance standards for those services.
- b. Adopt policies to ensure that to the extent possible under state and federal law, all funding for AODA intervention and treatment services which they administer is distributed based on the effectiveness of the services in meeting the department performance standards.
- c. Require every application for funding for AODA intervention or treatment services to include a plan for the evaluation of the effectiveness of the services in reducing alcohol and other drug abuse by recipients of the services.
- d. Require every recipient of DOC or DHFS funding for AODA services to provide to DHFS or DOC information necessary to evaluate the effectiveness of the services funded.

MM:SPH:tlu:rv:ksm;wu;jal

APPENDIX I

JOINT LEGISLATIVE COUNCIL

s. 13.81, Stats.

OFFICERS

Cochairperson

FRED A. RISSER
Senate President
5008 Risser Road
Madison 53705-1365

Cochairperson

CAROL KELSO
Assembly Representative
416 East Le Capitaine Circle
Green Bay 54302-5153

SENATORS

BRIAN BURKE
2029 North 51st Street
Milwaukee 53208-1747

GARY R. GEORGE
1100 West Wells St., #1711
Milwaukee 53233-2326

CHARLES J. CHVALA
1 Coach House Drive
Madison 53714-2718

RICHARD GROBSCHMIDT
912 Lake Drive
South Milwaukee 53172-1736

ROBERT L. COWLES
300 W. Saint Joseph St., #23
Green Bay 54301-2048

JUDITH ROBSON
2411 East Ridge Road
Beloit 53511-3922

MICHAEL G. ELLIS
1752 County Road GG
Neenah 54956-9730

PEGGY ROSENZWEIG
6236 Upper Parkway North
Wauwatosa 53213-2430

JON ERPENBACH
2385 Branch Street
Middleton 53562-2808

DAVID ZIEN
1716 63rd Street
Eau Claire 54703-6857

REPRESENTATIVES

PETER BOCK
4710 West Bluemound Road
Milwaukee 53208-3648

SCOTT R. JENSEN
850 South Springdale Road
Waukesha 53186-1402

STEVEN FOTI
1117 Dickens Drive
Oconomowoc 53066-4316

SHIRLEY KRUG
6105 West Hope Avenue
Milwaukee 53216-1226

STEPHEN J. FREESE
310 East North Street
Dodgeville 53533-1200

MARLIN D. SCHNEIDER
3820 Southbrook Lane
Wisconsin Rapids 54494-7548

JOHN GARD
481 Aubin St., PO Box 119
Peshtigo 54157-0119

LORRAINE M. SERATTI
HC-2, Box 558
Florence 54121-9620

GREGORY HUBER
406 South 9th Avenue
Wausau 54401-4541

JEFF STONE
7424 West Forest Home Ave.
Greenfield 53220-3358

David J. Stute, Director, Legislative Council Staff
1 East Main Street, Suite 401, P.O. Box 2536, Madison, Wisconsin 53701-2536

**FAITH-BASED APPROACHES TO CRIME PREVENTION AND JUSTICE,
SPECIAL COMMITTEE ON**

OFFICERS

Chairperson

SCOTT R. JENSEN
Representative
850 South Springdale Road
Waukesha 53186-1402

Secretary

TIMOTHY W. CARPENTER
Representative
2957 South 38th Street
Milwaukee 53215-3519

Vice Chairperson

ALBERTA DARLING
Senator
1325 West Dean Road
Milwaukee 53217-2537

SPENCER BLACK
5742 Elder Place
Madison 53705-2516

ROBERT G. GOETSCH
N6485 High Point Road
Juneau 53039-9750

EUGENE HAHN
W3198 Old County B Road
Cambria 53923-9757

CAROL OWENS
144 County Road C
Oshkosh 54904-9065

DAVID TRAVIS
4229 Mandrake Road
Madison 53704-1653

PUBLIC MEMBERS

REV. KEITH DOBBE
Senior Pastor
Common Ground Church
4513 Village Lane
Madison 53704-2743

JOHN EMBERSON
Volunteer
Lock and Key Program
S-7120 Olson Road
Eau Claire 54701-8613

DAVID LERMAN
Assistant District Attorney
Milwaukee County
821 West State St., Rm. 412
Milwaukee 53233-1485

WILLIAM MUHAMMAD⁽¹⁾
Minister
Muhammad Mosque #3
4202 N. Teutonia Avenue
Milwaukee 53209-5529

ROGER UTNEHMER
President
Nicolet Broadcasting
4400 Hilltop Avenue
Wausau 54401-3920

REV. SUSAN VERGERONT⁽¹⁾
President
Faith Works, Milwaukee, Inc.
1409 North Prospect Ave., #401
Milwaukee 53202-3035

CLARENCE HILL
Pastor
Amazing Ministries
P.O. Box 10080
Milwaukee 53210

MARY STEPPE
Executive Director
Project RETURN
1821 North 16th Street
Milwaukee 53205-1626

RABBI SIDNEY VINEBURG, PH.D.
Congregation Cnesses Israel
Adjunct Asst. Prof. of Religious
Studies, St. Norbert's College
814 Broadview Drive
Green Bay 54301-2844

NONVOTING PUBLIC MEMBER

VASO BJEGOVICH
National Director
Nicky Cruz Outreach/TRUCE
3321 South 53rd Street
Milwaukee 53219-4554

STUDY ASSIGNMENT: The Committee is directed to study means by which faith-based approaches to lessening crime rates, lowering recidivism and achieving restorative justice in the aftermath of criminal acts may be encouraged. The Special Committee shall report its recommendations to the Joint Legislative Council by May 1, 1999. [Based on a May 28, 1998 memorandum from Rep. Scott Jensen.]

Established and Chairperson appointed by a June 24, 1998 mail ballot; members appointed by a September 4, 1998 mail ballot.

18 MEMBERS: 1 Senator; 7 Representatives; 9 Public Members; and 1 Nonvoting Public Member.

LEGISLATIVE COUNCIL STAFF: Shaun Haas, Senior Staff Attorney; Mary Matthias, Senior Staff Attorney; and Kelly Mautz, Administrative Staff.

⁽¹⁾ Appointed by a March 4, 1999 mail ballot.

COMMITTEE MATERIALS

Staff Materials

1. Staff Brief 98-11, *Background Information on Faith-Based Approaches to Crime Prevention and Justice* (November 25, 1998; corrected December 4, 1998).
2. Memo No. 1, *Description of the Decision of the U.S. Court of Appeals (Seventh Circuit) in Kerr v. Farrey, 95 F. 3rd 472 (1996)* (January 12, 1999).
3. Memo No. 2, *Description of Several Possible Recommendations for Legislation* (April 20, 1999).
4. Memo No. 3, *Modifications to Drafts Under Consideration by the Special Committee Proposed by Representative Spencer Black* (May 13, 1999).
5. Memo No. 4, *Responses to Prison Chaplain Survey* (May 17, 1999).
6. Memo No. 5, *Proposals From Committee Member Reverend Keith Dobbe* (May 17, 1999).
7. Provisions of the Department of Corrections (DOC) administrative rules relevant to the practice of religion by inmates (undated).

Other Materials

1. *Report: Crime, Drugs and Religion*, submitted by Vaso Bjegovich, Jr., Nicky Cruz Outreach (undated).
2. Testimony submitted by DOC (December 2, 1998).
3. Article, "Houses of Worship," *From Gangs to God*, submitted by Committee Member Vaso Bjegovich (undated).
4. Article, "Let state use caution with faith groups," *Milwaukee Journal Sentinel*, submitted by Chairperson Jensen (November 29, 1998).
5. Franklin, Dick, *Religious Programs in Prison: Are They Effective?*, submitted by Lisa Whitney, Area Director, Prison Fellowship Ministries.
6. *FY99 Budgeted Chaplaincy Costs at Department of Corrections Facilities*, distributed by DOC (revised November 30, 1998).
7. Letter, from Chuck Franks, *Turning Around Prisoners* (December 1, 1998).
8. Pamphlet, *Victim Offender Conferencing*, Restorative Justice Project, Frank J. Remington Center, University of Wisconsin (UW) Law School (undated).

9. Article, "A Healing Approach to Crime," *The Progressive*, submitted by Bruce Kittle, Restorative Justice Project, UW Law School (September 1998).
10. Pamphlet, *Top Ten Questions About Prison Fellowship*, Prison Fellowship Ministries, submitted by Lisa Whitney, Area Director, Prison Fellowship Ministries (undated).
11. Testimony submitted by Thom McMahan, Assistant Correctional Services Director, Salvation Army, Wisconsin and Upper Michigan Division (undated).
12. Document, *The Criminal Justice Missions Connection*, Restorative Justice Ministries Network of Texas, submitted by Thom McMahan, Assistant Correctional Services Director, Salvation Army, Wisconsin and Upper Michigan Division (October 1, 1998).
13. Conferencing newsletter, *Real Justice Forum*, submitted by Thom McMahan, Assistant Correctional Services Director, Salvation Army, Wisconsin and Upper Michigan Division (undated).
14. Document, *1998 Criminal Justice Ministry Conference*, submitted by Thom McMahan, Assistant Correctional Services Director, Salvation Army, Wisconsin and Upper Michigan Division (undated).
15. Document, *The Restorative Justice Ministry Network*, submitted by Thom McMahan, Assistant Correctional Services Director, Salvation Army, Wisconsin and Upper Michigan Division (undated).
16. Report, *Faith in Action . . . A New Vision for Church-State Cooperation in Texas*, Governor's Advisory Task Force on Faith-Based Community Service Groups, submitted by Thom McMahan, Assistant Correctional Services Director, Salvation Army, Wisconsin and Upper Michigan Division (December 1996).
17. Report, *Religion Behind Bars: A report on the extent to which prisoners exercise their First Amendment right to freedom of religion*, First Amendment Center Religion Behind Bars, submitted by Thom McMahan, Assistant Correctional Services Director, Salvation Army, Wisconsin and Upper Michigan Division (undated).
18. Memorandum from Walt Thieszen, Division of Adult Institutions, DOC, regarding religious practice requests (February 15, 1999).
19. *A Guide to Charitable Choice*, The Center for Public Justice, Washington, DC, and the Christian Legal Society's Center for Law and Religious Freedom, Annandale, Virginia (January 1997), submitted by Committee Member Reverend Susan Vergeront. (Distributed to Committee members only.)
20. *The Twenty-First Century City, Resurrecting Urban America*, Stephen Goldsmith, Mayor, Indianapolis, Indiana, submitted by Chairperson Jensen (undated).
21. "Jeremiah's Call," *PRISM*, submitted by Chairperson Jensen (March/April 1998).

22. Testimony submitted by Andrew Peyton Thomas (January 20, 1999).
23. Handout, *A TenPoint Plan for a National Church Mobilization to Combat Black on Black Violence*, National TenPoint Leadership Foundation (undated).
24. Press Release, *National Youth Violence and Self-Help Leaders Woodson and Rivers Call for Matching "Zero Tolerance for Violence With Investment in Grassroots Solutions,"* submitted by Robert Woodson, Sr., President, National Center for Neighborhood Enterprise, and Reverend Eugene Rivers (February 23, 1999).
25. "God vs. Gangs," *Newsweek* (June 1, 1998).
26. Book, *Violence-Free Zone Initiatives*, submitted by Robert Woodson, Sr., President, National Center for Neighborhood Enterprise (undated).
27. Esbeck, Carl H., *The Neutral Treatment of Religion and Faith-Based Social Service Providers: Charitable Choice and Its Critics*, Chapter 7 in *Welfare Reform and the Role of Faith-Based Organizations*, Derek H. Davis ed., J.M. Dawson Institute of Church-State Studies, Waco, TX (1999).
28. Pranis, Kay, "From Vision to Action, Some Principles of Restorative Justice," *Church & Society* (March/April 1997), submitted at the request of Committee Member David Lerman.
29. DePaulo, Lisa, "What Would Jesus Do?," *George* (November 1998), distributed at the request of Committee Member Rabbi Sidney Vineburg.
30. Letter, from Nicholas L. Chiarkas, State Public Defender, regarding an upcoming forum on the topic of "Crime and Punishment: Reality vs. Myth," sponsored by the Office of the State Public Defender (March 1, 1999). (Distributed to Committee members only.)
31. Article, "Is the Wisconsin Department of Corrections' "Criminal Thinking" Course Really "Brainwashing?,"" *Wisconsin Defender* (December 1998).
32. Testimony submitted by Carl H. Esbeck, University of Missouri, Columbia School of Law (March 11, 1999).
33. Handout, *Constitutional Limitations on State Funding of Social Services Provided by Religious Organizations: Why Public Funding of "Faith-Based" Services is Unconstitutional*, submitted by Jeffrey J. Kassel, Attorney, LaFollette Sinykin, LLP (March 10, 1999).
34. Statement of Steven K. Green, Legal Director for Americans United for Separation of Church and State (March 11, 1999).
35. Report 98-1, *Faith-Based Outreach to At-Risk Youth in Washington, D.C.*, The Jeremiah Project, An Initiative of the Center for Civic Innovation (undated).
36. Report 98-2, *Religion: The Forgotten Factor In Cutting Youth Crime and Saving At-Risk Urban Youth*, The Jeremiah Project, An Initiative of the Center for Civic Innovation (undated).

37. Report 98-3, *Living Faith: The Black Church Outreach Tradition*, The Jeremiah Project, An Initiative of the Center for Civic Innovation (undated).
38. Information relating to *Youth Gang Diversion Grant Projects* and the *Office of Gang Intervention & Prevention*, Department of Corrections (February 23, 1999).
39. Legislative Fiscal Bureau Informational Paper #52, *Substance Abuse Programs* (January 1999). (Distributed to Committee members only.)
40. Information on the Milwaukee Safe & Sound program (undated).
41. Packet of materials relating to Wiccan practices and beliefs, distributed at the request of Reverend Marie Yohann (undated).
42. Article, "Support the Nation of Islam's Prison Reform Ministry," *Torchlight for America*, submitted by Mr. Ronald Beyah, Wisconsin Council of Muslim Prisons (undated).
43. Article, "Should All Be Forgiven?", *Time*, submitted by Chairperson Jensen (April 5, 1999).
44. Letter, to R.J. Pirlot, from Mark Welch, 1st Nation Spiritual Advisor at Columbia Correctional Institution, submitted by Bobby Bullet St. Germaine (April 16, 1999).
45. Testimony submitted by Reverend Brenda A. Stein, Sanctuary of the Healers' Heart, submitted by Reverend Doctor Richard Cadwell, Sanctuary of the Healers' Heart (April 21, 1999).
46. Testimony submitted by Reverend Dr. Richard M. Cadwell, Sanctuary of the Healers' Heart (April 21, 1999).
47. Report, *The Role of Faith-Based Organizations in Crime Prevention and Justice*, Edmund McGarrell, Director, and Greg Brinker, Research Fellow, Hudson Institute Crime Control Policy Center, and Diana Etindi, Research Fellow, Hudson Institute Welfare Policy Center, submitted by Chairperson Jensen (April 1999).
48. Excerpt from *A Torchlight for America*, by the Honorable Minister Louis Farrakhan, submitted by Mr. Ronald Beyah, Wisconsin Council of Muslim Prisons (undated).
49. Handout, *Aboriginal Programming for Correctional Service*, submitted by Mr. Bobby Bullet St. Germaine (undated).
50. Handout, *Process for Review of Inmate Religious Practice Requests*, submitted by Mr. Walt Thieszen, DOC (undated).
51. Letter, from Jon Litscher, Secretary, DOC (May 17, 1999).
52. Memorandum, *Religious Practice Questions and Issues*, from Walter D. Thieszen, Chief, Program Services, Division of Adult Institutions, DOC (May 14, 1999).

53. Article, "Have faith, get funding," *Isthmus*, distributed at the request of Representative Spencer Black (March 19, 1999).
54. Letter, from Chuck Franks, Turning Around Prisoners (May 15, 1999).
55. Testimony submitted by Kit Murphy McNally, Executive Director, The Benedict Center (May 24, 1999).
56. E-mail, *WITS religious preference data*, submitted by Walter Thieszen, DOC (April 27, 1999).
57. Memorandum, *Committee Recommendations*, from Senator Alberta Darling (May 17, 1999).
58. Pamphlet, *United for Diversity*, submitted by Bernice B. Popelka (undated).
59. Amendments to proposals of the Special Committee submitted by Committee Member David Lerman (undated).
60. Testimony submitted by Bernice Popelka (May 24, 1999).
61. Testimony submitted by Paula Simon, Executive Director, Milwaukee Jewish Council for Community Relations (May 24, 1999).
62. Testimony submitted by John Huebscher, Executive Director, Wisconsin Catholic Conference (undated).
63. Article, "Gore Backs Federal Money for Church Social Service Programs," *The New York Times*, submitted by Chairperson Jensen (May 25, 1999).
64. Testimony submitted by Leona E. Balek, President, South-Central WISCONSIN Chapter, Americans United for Separation of Church and State (May 24, 1999).
65. Table, *Adults Under Institution Supervision; All Adults on December 31, 1998; Table of Supvinst by Raceth*, submitted by Walt Thieszen, DOC (undated).
66. Letter, from Joe Leraan, Secretary, Department of Health and Family Services, and Jon Litscher, Secretary, DOC (August 3, 1999).