



# MICHAEL SCHRAA

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## Testimony on Assembly Bill 181

Vice-Chair Bodden and members of the Committee, I appreciate the opportunity to testify also on Assembly Bill 181 which expand the opportunities for earned early release for incarcerated persons.

As you are well aware, our prisons are overcrowded and understaffed. This will help to relieve overcrowding, put less stress on staffing, while increasing public safety by promoting success for returning citizens.

Currently, earned release is only available to inmates with a non-violent offence who completes treatment for Alcohol and Other Drug Abuse (AODA), also called Substance Use Disorder. The Challenge Incarceration Program at St. Croix Correctional Center also operates an early release program which includes AODA treatment.

I am including several pages from the 2022 Primary Programs Report from DOC. The first three charts show the decreased recidivism rate for AODA treatment, and the fourth shows the decrease in recidivism from vocational education. Clearly, marketable job skills have a positive outcome for reentry success.

This will expand the criteria to include the possibility of early release for successfully completing certain vocational training programs. The program will not be open to everyone. The inmate must petition the sentencing court and will only be included in the program if the court grants the petition. The inmate must serve at least two-thirds of the time he or she is sentenced to be in prison, and the time of extended supervision will be extended so that the overall sentence remains the same. The specifics of the program will be promulgated as a rule by the Department of Corrections.

The question sometimes arises as to providing early release credit for earning the High School Equivalency Diploma (HSED). While earning the HSED does decrease recidivism, it is just the starting point. HSED completion is necessary for institutional employment and for participation in vocational education. All inmates are encouraged and incentivized to earn their HSED, yet further vocational education is necessary to compete for good, family-supporting jobs.

Early release for vocational education achievement is not a new concept. It has been discussed for as long as I have served in the Legislature. I truly believe the time has come to make it a reality. Of all the bills we are hearing today, this one has the greatest effect in terms of cost and benefit. The vocational education programs are already in place. Presumably, many will be eligible for early release which will greatly reduce the cost to the department. Qualified workers enter the workforce, and individuals return to families and communities ready to contribute financially.

I urge you to pass this bill to move forward to downsize prison population, expand the workforce, and allow a fresh start for individuals.

# CHALLENGE INCARCERATION PROGRAM

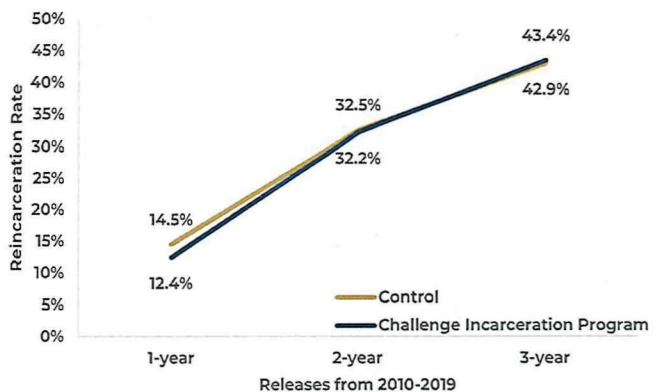
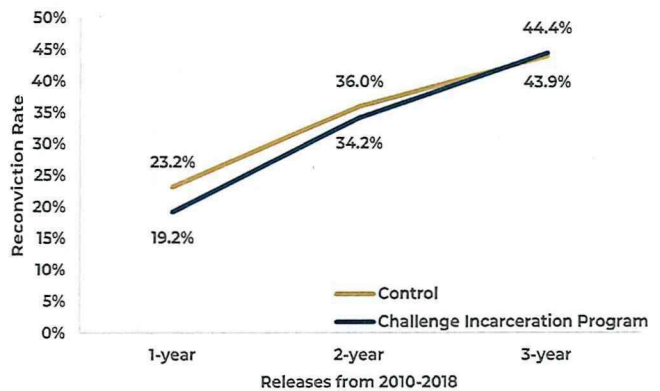
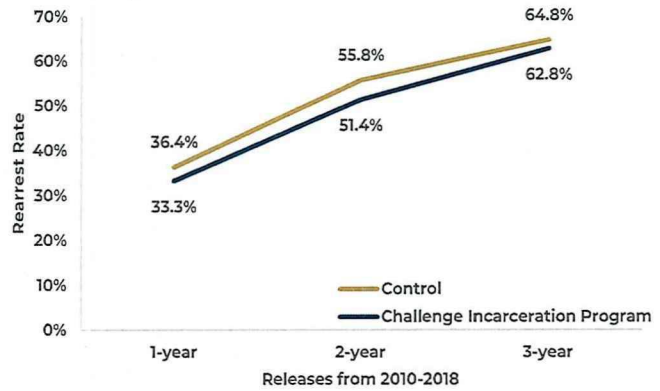
## CHALLENGE INCARCERATION PROGRAM

The Challenge Incarceration Program (CIP) is a statutorily established program that allows judges to sentence non-violent, non-assaultive individuals with substance use needs to this full-time intensive program that combines physical fitness and well-being with substance use disorder treatment. The program was designed to focus on the whole person and encourage mental, emotional, and physical well-being for program participants. Program components are structured around treatment, health, and well-being. CIP is offered to both male and female persons in our care.

CIP for male participants began the program redesign process in 2016, and the redesign was completed in 2018. The program redesign included several steps taken to ensure adherence to evidence-based programming practices, including the incorporation of quality assurance measures, evidence-based program curricula, Core Correctional Practices training for all CIP staff, and updates to the CIP policy and handbook. Components of CIP include physical fitness, work assignments designed to give back to the community, individualized educational programming, individualized and group substance use disorder treatment, cognitive-based programming, and military activities to promote self-discipline and self-efficacy.

CIP for female persons in our care was redesigned in 2019, and changes were made to the program to ensure the program is gender responsive. Female persons in our care who participate in CIP are provided substance use disorder treatment, trauma treatment, and cognitive behavioral treatment, as well as participate in physical activity and drill and ceremony on a daily basis. CIP provides trauma-informed treatment that responds to the unique strengths, needs, and challenges faced by women.

Persons in our care who completed CIP had lower rearrest rates after one, two, and three years; and lower reconviction and reincarceration rates after one and two years compared to their peers who met the CIP eligibility criteria, but who did not receive programming. See Appendix B, Tables 10-12 for tables displaying the number of releases, recidivists, and recidivism rates by release year.

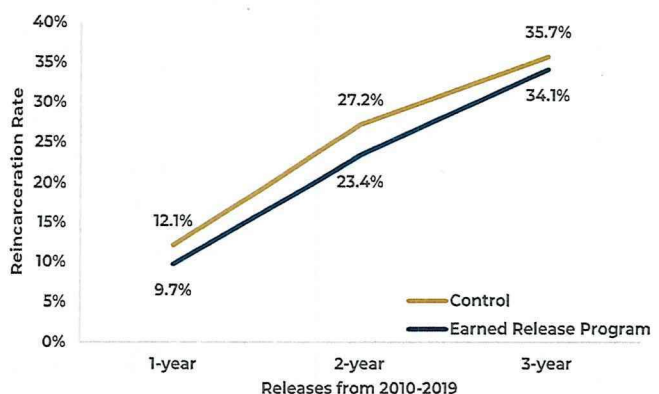
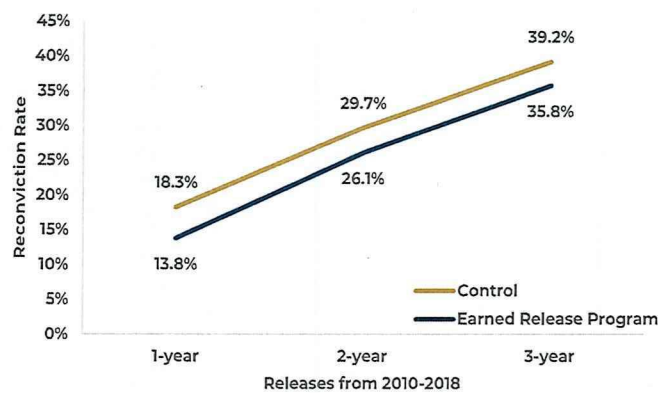
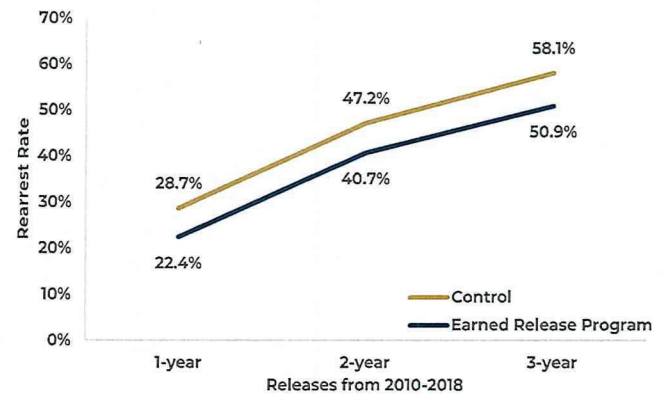


# EARNED RELEASE PROGRAM

## EARNED RELEASE PROGRAM

The Earned Release Program (ERP) addresses criminal thinking and substance use disorders. Driven by statute similar to CIP, ERP allows judges to sentence non-violent, non-assaultive individuals with substance use needs to this full-time, intensive program designed to reduce the incidence of future criminal behaviors. The program's mission is to enhance safety in the community by providing a continuum of substance use disorder services. At its core, ERP treatment modules include cognitive-based substance use programming, and cognitive behavioral-based curricula (such as the National Institute of Corrections' Thinking for a Change curriculum for the male population, or the Moving On curriculum for the female population), which address cognitive restructuring, social skill building, and problem solving. ERP consists of both core and ancillary/supplemental programming. Ancillary programming may consist of other primary treatment programs such as Anger Management, Employability, and Domestic Violence, as well as additional cognitive-based/cognitive-informed groups to meet dosage recommendations. All participants entering ERP are assigned core programming that addresses their criminogenic needs, identified by the COMPAS assessment tool. Community reintegration is a primary focus throughout the program, connecting persons in our care with their respective Probation and Parole agents during each program phase. ERP is facilitated by certified substance use counselors and overseen by a clinical supervisor. ERP is offered to both male and female persons in our care.

Persons in our care who completed ERP had lower rearrest, reconviction, and reincarceration rates after one, two, and three years compared to their peers who met the ERP eligibility criteria, but who did not receive programming. See Appendix B, Tables 13-15 for tables displaying the number of releases, recidivists, and recidivism rates by release year.

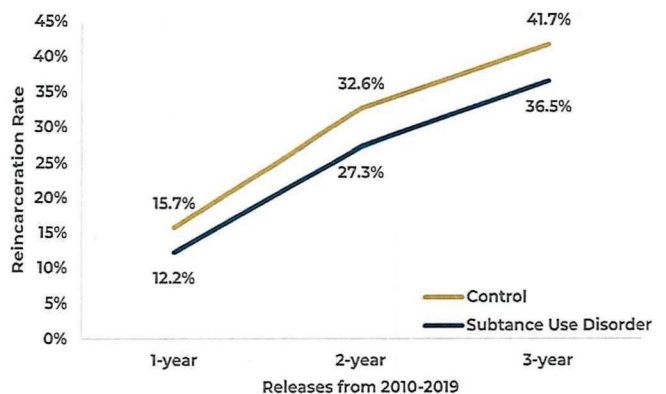
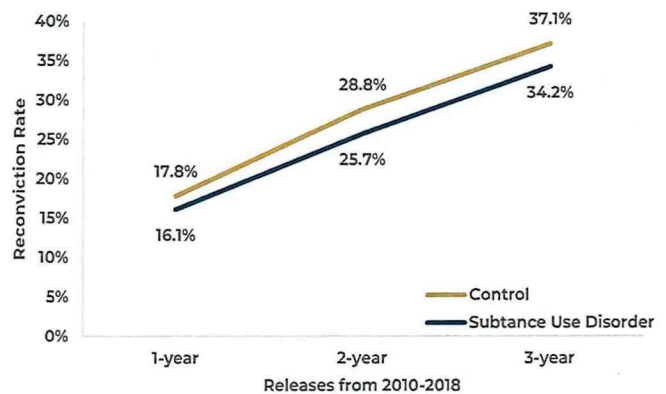
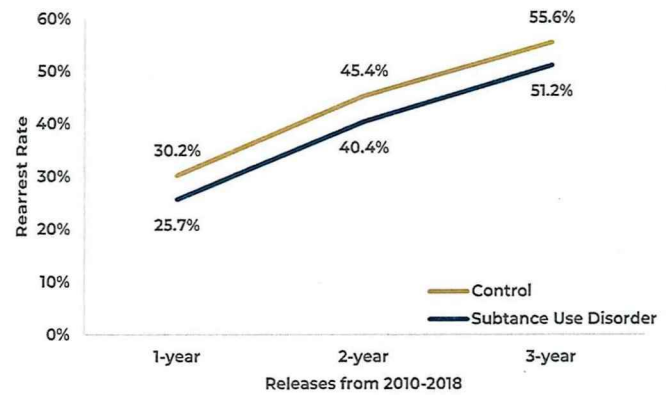


# SUBSTANCE USE DISORDER

## SUBSTANCE USE DISORDER

Substance Use Disorder programming addresses risky thinking and substance use that could lead to criminal behavior. The program's mission is to enhance safety in the community by providing a continuum of substance use treatment services. Substance Use Disorder programming is offered in both the male and female systems. This program consists of core components and may include additional (ancillary) groups for moderate to high risk offenders. Core components currently include Cognitive-Based Program (CBP) and Substance Use Disorder components. Ancillary groups may consist of other primary programs such as Anger Management, Employability, and Domestic Violence, as well as additional cognitive-based/cognitive-informed groups to meet dosage recommendations. Substance Use Disorder programs are facilitated by certified substance use counselors and overseen by a clinical supervisor with groups of 8 to 14 participants. This program is offered to both male and female persons in our care.

Persons in our care who completed Substance Use Disorder programming had lower rearrest, reconviction, and reincarceration rates after one, two, and three years compared to their peers who were identified as having a substance use disorder need, but who did not receive programming. The Substance Use Disorder program group excludes those who completed ERP or CIP (described earlier in the report). See Appendix B, Tables 16-18 for tables displaying the number of releases, recidivists, and recidivism rates by release year.

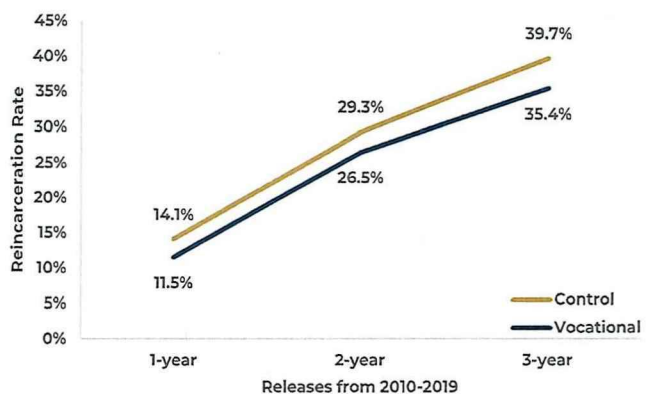
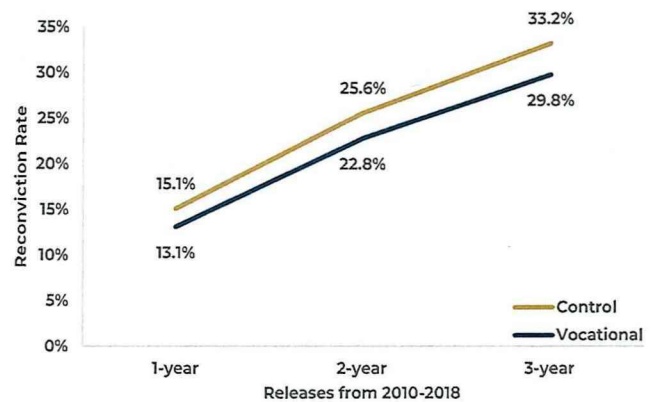
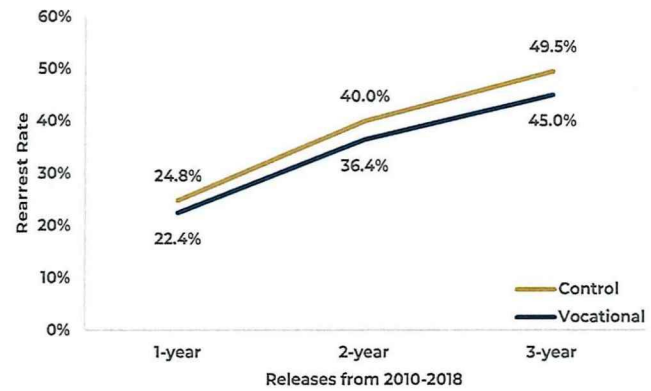


# CAREER TECHNICAL EDUCATION

## CAREER TECHNICAL EDUCATION (VOCATIONAL)

In collaboration with the Wisconsin Technical College System, persons in our care are provided with credit bearing Career Technical Educational training opportunities for both men and women in several DAI facilities. New program opportunities vary and are based on local job markets, area technical college program offerings, and available resources at each DAI center or institution. Programs offered include: Baking, Building Maintenance and Construction, Barbering/Cosmetology, Business Operations Certificate, Cabinetry, Masonry, Auto Maintenance, Computer Assisted Drafting, Computer Numerical Control, Construction Essentials, Customer Service, Food Service/Culinary Arts, Horticulture, Machine Tool Operations, Marine, Motorcycle and Outdoor Power Products Small Engine Repair, Welding, Dog Training/Grooming, Electromechanical Technology, Braille Transcription, Office Software Applications, Multi-Occupational Aide, Industrial Maintenance Mechanics, Practical Computer Skills, Electrical (Pre-Apprenticeship), and Custodial Service.

Persons in our care who completed vocational programming had lower rearrest, reconviction, and reincarceration rates after one, two, and three years compared to their peers who were identified as having a vocational programming need, but who did not receive programming. See Appendix B, Tables 25-27 for tables displaying the number of releases, recidivists, and recidivism rates by release year.





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# MARY FELZKOWSKI

STATE SENATOR • 12<sup>TH</sup> SENATE DISTRICT

## Testimony on AB 181

Assembly Committee on Corrections

Senator Mary Felzkowski

12<sup>th</sup> Senate District

October 3<sup>rd</sup>, 2023

Good morning Chairman Schraa and Committee Members,

Thank you for taking the time to hear testimony on Assembly Bill 181, which expands the earned release program to apply to inmates who complete an employment readiness training program.

Currently, the earned release program is available only to inmates who struggle with substance abuse issues and complete a substance abuse program. An inmate who completes the earned release program will have his or her sentence modified by a court to convert remaining confinement time in prison to supervised time in the community.

This bill, crafted by the Legislative Council Study Committee on Increasing Offender Employment Opportunities, expands the earned release program to eligible inmates who choose to complete an employment readiness training program. This programming may include job training, educational courses, employment, or other evidence-based programming that is shown to reduce recidivism.

This a common sense approach towards getting incarcerated individuals who are motivated and ready to gain employment skills or better themselves through education, the opportunity to prepare for a more successful transition back into society.

This bill also requires the Department of Corrections to prepare biennial reports, sharing the number of individuals eligible for earned release who have not yet begun programming, program enrollment and completion statistics, recidivism rates for those granted early release to supervision, as well as the cost savings to the state from the reduced confinement time. All of this information will help future legislators and decision makers as they assess the value of investing in earned release programming.

I want to thank my committee Vice-Chair, Representative Schraa, for his hard work on this issue, as well as all our committee members. Thank you for your time and consideration.



October 2, 2023  
Assembly Bill 181  
Assembly Committee on Corrections

Chairman Representative Michael Schraa and Assembly Committee on  
Corrections Members,

Thank you for the opportunity to testify in support of AB 181: relating to: earned release for inmates upon the completion of an employment readiness training program and granting rule-making authority.

Today, I would like to express my support for AB 181 because I am determined it will improve the lives of not only Persons in Our Care (PIOC) after their release, but also the lives of civilians those individuals have contact with in the community. This bill would expand the earned early release program operating under current law to also include PIOC who have completed an employment readiness program.

Currently under state law, PIOC can be deemed eligible for earned early release if they complete substance abuse counseling. This is because we have collectively determined that incarcerated people are less likely to re-offend and more likely to become productive members of society when they successfully take part in rehabilitative and preparative programming.

I have seen firsthand the difficulties that face PIOC as they begin reintegrating into the general population. With an absence of structure, resources, and support, many people who are released from prison become stuck in a revolving door that continually returns them to incarceration. The way we stop this revolving door is by helping these individuals build up the education and skills necessary to obtain stable employment and foster positive interactions with the community after their release from prison.

Under current law, individuals must meet multiple criteria before being considered eligible for an earned early release into community supervision. First, the individual must be serving time for a crime other than a specified violent crime. Second, the sentencing court must determine the individual eligible for the program. Third and

finally, the individual must successfully complete their appointed programming. All these measures are in place to ensure that programming meets the needs of not only the offender, but community safety as well.

At this time, individuals are deemed eligible or ineligible for earned early release at the time of their sentencing. This bill would expand the earned early release program to also apply to those who complete an employment readiness training program (ERTP) pursuant to DOC administrative rules.

Under this bill, DOC would be required to prepare biennial reports providing data on the number of individuals deemed eligible for the earned release program but who have not yet begun programming, program enrollments and completions, recidivism rates for those granted early release to supervision, and cost savings resulting from reduced confinement time. The bill directs DOC to promulgate administrative rules for implementation of the earned release program, but delays the statutory changes to the program for one year.

I appreciate your time and thank you for taking the time to listen to this testimony to the importance of expanding the earned early release program to include individuals who have successfully completed an employment readiness training program. In order to effectively incorporate former offenders back into society, we need to provide them with the tools to maintain gainful employment and build career skills that allow them to reinvest in our community. With that in mind, I implore you to vote yes for AB 181. In the words of Congressman Danny Davis, "The best protection against recidivism is a job."

Thank you to my colleagues in the Joint Legislative Council for introducing this bill as well as my fellow members on the Committee on Corrections including Chairman Representative Michael Schraa.





October 3, 2023

Chairman Schraa and members of the Assembly Committee on Corrections,

I had the honor to serve on the 2022 Joint Legislative Council Study Committee on Increasing Offender Employment Opportunities. Thank you to Chair Felzkowski, Vice-Chair Schraa, as well as fellow legislative members Senator Taylor and Representatives Stubbs and Petryk. As always, the Committee also benefited from the experiences, perspectives, and service of the non-legislative members.

The Committee took on an ambitious task. The re-entry landscape is complicated and the needs of the individuals returning from our care are diverse and many. We learned about a huge variety of policy solutions, their efficacy, and how Wisconsinites would benefit from them. One of the hardest tasks was to focus on just a few ideas. At times I worried the effort would not result in draft legislation simply because there's so much to do its difficult to know where to start.

The four bills in Committee today, Assembly Bills 180-183, represent just that – a strong start in improving opportunity and employability for individuals returning from our care.

Assembly Bill 180 is the most straight forward. We heard from employers on the Committee how beneficial it would be to create a place to seek information and guidance on hiring returning individuals. Under the bill, the Department of Workforce Development must create a hotline for employers to find information regarding the hiring of individuals with a criminal conviction.

Assembly Bill 181 expands an existing program called the Earned Release Program (ERP). ERP has existed for decades, but is limited by state law to individuals determined to have a substance use disorder. Only individuals with non-violent convictions are eligible and the ERP program requires the sentencing court to determine that the individual has a substance use need. The court may, after completion of the substance use treatment, reduce the in-custody portion of the individual's sentence. The amount of confinement time reduced is then added to the individual's community supervision.

The bill would retain all of current law's procedure and eligibility, but add the completion of an "employment readiness training program" for the court's consideration to reduce the individual's confinement time. An additional provision was added that would require individuals in custody to serve no less than two-thirds of their confinement time prior to being released. Like ERP, any reduction in confinement time would be added to community supervision.



At least 19 states have similar laws expressly allowing a reduction of confinement time for successful completion of education/vocation training. To ensure the new law is implemented and works as intended, the bill also requires public reports, filed with the Legislature, documenting the recidivism rates of participants.

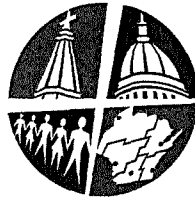
Assembly Bill 182 needs the greatest amount of work of the four being heard today. Presentations to the Study Committee routinely pointed to the need for additional housing options for individuals as they return. Housing is obviously a top priority for returning individuals and unstable housing often leads to reduced success in all of the other areas needed to be successful, stable, sober, etc. While Assembly Bill 182 will need changes, it begins an important conversation about housing for this specific population and their specific needs and challenges.

Assembly Bill 183 would begin to rethink the service delivery model in re-entry. By helping create a single place for individuals to turn to for re-entry services and support, program enrollment and delivery will be more efficient and effective. The bill requires partnerships with nonprofits working with the re-entry population and lists the areas of treatment or services imagined all under one roof.

One major, positive impact not found within the four corners of the bill is the collaboration that will naturally occur by breaking down silos within the re-entry service landscape. First, organizations will hone best practices and working in proximity will lead to better collaboration and a holistic approach to addressing individuals presenting with multiple re-entry needs. Second, by assuming a support role rather than the project lead, the facility will be less government-building and more community space, offering a more therapeutic and recovery focused environment. Last, the new space will likely foster stronger peer to peer mentorship opportunities. Returning individuals often best relate to people that understand the unique experiences of serving time in prison.

Assembly Bill 183 also includes a strong data collection and reporting requirement to ensure the model works and serves as proof of concept should the outcomes warrant expansion beyond the one initial site.

Thank you for the opportunity to testify in favor of these bills and support the hard work of the 2022 Joint Legislative Council Study Committee on Increasing Offender Employment Opportunities.



## WISCONSIN CATHOLIC CONFERENCE

TO: Representative Michael Schraa, Chair  
Members, Assembly Committee on Corrections

FROM: Tia Izzia, Associate Director for Human Life & Social Concerns

DATE: October 3, 2023

RE: Support for Assembly Bills 180, 181, 182, and 183

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The Wisconsin Catholic Conference (WCC), the public policy voice of the Catholic bishops of Wisconsin, urges you to support Assembly Bills 180, 181, 182, and 183, which offer needed opportunities to individuals who are exiting incarceration. We thank all the members of the Study Committee on Increasing Offender Employment Opportunities for helping to bring these bills forward.

Others here before the committee today will speak eloquently to how each of these bills individually will help build employment, housing, and other supports for people who were formerly incarcerated. What the WCC would like to speak to is the paramount importance of reintegrating those involved with the criminal justice system back into our communities.

In 1998, Wisconsin's Catholic bishops convened a 15-member Task Force on Corrections to review the state's criminal justice system. The Task Force included a formerly incarcerated person, several crime victims, a former Supreme Court Justice, the director of a community program that helps place offenders in jobs and housing, an assistant district attorney for Milwaukee County, a prison chaplain, a retired county sheriff, a former probation officer, and priests who ministered to both the incarcerated and to victims. The Task Force heard testimony from Department of Corrections officials, prison inmates, victims of crime, theologians, and advocates for judicial and prison reform.

With the findings of the Task Force, the bishops then published *Public Safety, the Common Good, and the Church: A Statement on Crime and Punishment in Wisconsin*. Their statement called for a statewide evaluation of criminal justice policies to determine how they convey respect for the human person, serve the common good, exercise an option for the poor and marginalized, serve the end of restoration, and foster the principle of solidarity among all in the community. As they stated: "Policies must be assessed in terms of their capacity to assure that offenders will live a productive and peaceful life in the community to which they return."<sup>1</sup> Nearly 25 years after this report was published, and after countless secular efforts to improve our criminal justice system, much remains to be done. All too often, men and women are released from jails and prisons with little, if anything, to their name, and without a healthy community to call home.

Those who are re-entering our communities after incarceration deserve the opportunity to rebuild their lives. Many are eager to work, but face substantial barriers. In the words of Pope Francis: "Many times, once released from prison, the person has to deal with a world that is foreign to him, and which also

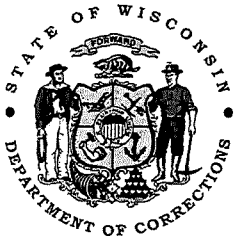
does not recognize him as worthy of trust, even going so far as to exclude him from the possibility of working to obtain a decent livelihood. Preventing people from recovering the full exercise of their dignity, these people remain once again exposed to the dangers that accompany a lack of opportunities for development, amidst violence and insecurity.”<sup>2</sup> We can and must choose a better path.

While more must be done, these four bills will make reentry in Wisconsin more humane and individuals more successful. The bills demonstrate what can be accomplished through careful deliberation, stakeholder involvement, and bipartisan cooperation. We thank you for hearing these bills today and respectfully urge you to pass them.

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<sup>1</sup> *Public Safety, the Common Good, and the Church: A Statement on Crime and Punishment in Wisconsin by Wisconsin's Roman Catholic Bishops*. Wisconsin Catholic Conference, 1999.

<sup>2</sup> *Pope Francis Speech to the International Meeting for Regional and National Managers of Prison Pastoral Care*. November 8, 2019. [https://www.vatican.va/content/francesco/it/speeches/2019/november/documents/papa-francesco\\_20191108\\_pastorale-carceraria.html](https://www.vatican.va/content/francesco/it/speeches/2019/november/documents/papa-francesco_20191108_pastorale-carceraria.html).



# WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

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**To: Chairman Schraa, Assembly Committee on Corrections**

**From: Anna Neal, Legislative Advisor, Wisconsin Department of Corrections**

**Date: October 3, 2023**

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**RE: Information Only**

- *Assembly Bill 180 Relating to: establishing a hotline for employers interested in hiring individuals with a conviction record.*
  - *Assembly Bill 181 Relating to: earned release for inmates upon the completion of an employment readiness training program and granting rule-making authority.*
  - *Assembly Bill 182 Relating to: a certification of rental readiness and funding to cover damages caused by certification of rental readiness holders.*
  - *Assembly Bill 183 Relating to: establishing and operating community reentry centers and making an appropriation*
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The Department of Corrections (DOC) has been a vocal advocate for increasing resources and programs to assist the Persons in our Care with finding and maintaining meaningful employment. The Legislative Council Study Committee on Increasing Offender Employment Opportunities sought out creative solutions to assist the agency in meeting their goals. DOC believes the committee's thoughtful attention and recognition of the barriers in place for justice involved individuals, have assisted in drafting a series of thoughtful bills for consideration.

As our agency continues to use evidenced-based decision making to implement programs and practices, we appreciate the committees such as these, who work alongside us to find bipartisan solutions. DOC supports the overall goals within these bills, and is grateful to the study committee for seeking out information from our agency to identify the needs of the population, and learn more about our business process.

We look forward to working with members of the legislature on any revisions that may be needed, and with our partner agencies anywhere our work may intersect.