

- 1 **AN ACT** *to create* 20.410 (1) (de), (dm), and (ds) and 301.068 of the statutes; **relating**
2 **to:** community supervision services.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Special Committee on Justice Reinvestment Initiative Oversight.

This draft creates general purpose revenue (GPR) appropriations for the Department of Corrections to provide or purchase the following:

1. Services for severely mentally ill persons who are on parole or extended supervision and are at high risk of re-offending.
2. A transitional employment program for persons who are on parole or extended supervision, are unemployed, and are at high risk of re-offending.
3. Community alternatives to revocation for persons who are on probation, parole, or extended supervision for a felony.

The draft requires the Department of Corrections to establish community alternatives to revocation with the goal of increasing public safety, reducing the risk of offenders on community supervision, and reducing the community supervision recidivism rate for persons convicted of a felony by 25% between fiscal year 2008 and fiscal year 2011. The community alternatives must include alcohol and other drug treatment, including residential treatment, outpatient treatment, and aftercare; cognitive group intervention; and day reporting centers.

The draft provides that the Department of Corrections must ensure that the services target offenders who are at medium or high risk for revocation of supervision; provide offenders with needed supervision to improve the offender’s opportunity to successfully complete his or her term of probation, parole, or extended supervision; use a system of intermediate sanctions for violations; and be based upon an assessment and evaluation of the offender using valid, reliable, and objective instruments approved by the Department of Corrections.

The draft requires the Department of Corrections to develop an accountability system for monitoring and tracking offenders receiving

services under this provision in order to evaluate the effectiveness of services provided under this provision. The Department of Corrections is required, under the draft, to report annually to the governor and the legislature on the scope of services provided, the number of arrests, re-convictions, and returns to prison, progress toward the goal of reducing recidivism, and adjustments to services that will be made to reach the goal of reducing revocations by 25% by fiscal year 2011.

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the
2 following amounts for the purposes indicated:

				2009-10	2010-11
3					
4	20.410	Corrections, department of			
5	(1)	ADULT CORRECTIONAL SERVICES			
6	(de)	Community-based mental health			
7		services	GPR A	-0-	-0-
8	(dm)	Transitional employment program	GPR A	-0-	-0-
9	(ds)	Community services for persons on			
10		probation, parole, or extended			
11		supervision	GPR A	-0-	-0-

12 **SECTION 2.** 20.410 (1) (de), (dm), and (ds) of the statutes are created to read:

13 20.410 (1) (de) The amounts in the schedule to provide or purchase services for severely
14 mentally ill persons who are on parole or extended supervision who are at high risk of
15 re-offending.

16 (dm) The amounts in the schedule to provide or purchase a transitional employment
17 program for persons who are on parole or extended supervision, are unemployed, and are at
18 high risk of re-offending.

1 (ds) The amounts in the schedule to provide or purchase community alternatives to
2 revocation under s. 301.068 for persons on probation, parole, or extended supervision.

NOTE: Creates GPR appropriations for the Department of Corrections to provide mental health services, transitional employment programs, and community alternatives to revocation for persons on community supervision.

COMMENT: The Council of State Governments' Justice Center in its draft paper, *Analyses and Policy Options to Reduce Spending on Corrections and Increase Public Safety*, dated April 2009, proposes creating biennial appropriations of \$8 million for mental health services, \$12 million for a transitional employment program, and \$10 million for community services that have the goal of reducing recidivism.

3 **SECTION 3.** 301.068 of the statutes is created to read:

4 **301.068 Community alternatives to revocation. (1)** The department shall establish
5 community alternatives to revocation with the goal of increasing public safety, reducing the
6 risk of offenders on community supervision, and reducing the recidivism rate of persons on
7 probation, parole, or extended supervision for a felony conviction by 25% between fiscal year
8 2008 and fiscal year 2011.

9 **(2)** The community alternatives to revocation shall include all of the following:

10 (a) Alcohol and other drug treatment, including residential treatment, outpatient
11 treatment, and aftercare.

12 (b) Cognitive group intervention.

13 (c) Day reporting centers.

14 **(3)** The department shall ensure that services provided under this section meet all of the
15 following conditions:

16 (a) Target offenders at medium or high risk for revocation as determined by valid,
17 reliable, and objective risk assessment instruments approved by the department.

1 (b) Provide offenders with needed supervision and services to improve the offender's
2 opportunity to successfully complete his or her term of probation, parole, or extended
3 supervision. These services may include employment training and placement, educational
4 assistance, transportation, and housing. The services shall address the offender's
5 criminogenic risks, needs, and responsivity characteristics.

6 (c) Use a system of intermediate sanctions for violations.

7 (d) Be based upon an assessment and evaluation of the offender using valid, reliable,
8 and objective instruments approved by the department.

9 (4) The department shall develop an accountability system for monitoring and tracking
10 offenders receiving services under this section in order to evaluate the effectiveness of
11 services provided under this section in decreasing arrests, re-convictions, and returns to
12 prison among the persons participating in community alternatives to revocation.

13 (5) The department shall report annually to the governor and the chief clerk of each
14 house of the legislature for distribution to the appropriate standing committees under s. 13.172
15 (3). The report shall set forth the scope of the services provided under this section; the number
16 of arrests, re-convictions, and returns to prison of persons on probation, parole, or extended
17 supervision among offenders receiving services under this section; progress toward the goal
18 under sub. (1) of reducing recidivism by 25% by fiscal year 2011; and adjustments to services
19 that will be made to reach the goal of reducing recidivism by 25% by fiscal year 2011.

NOTE: Requires the Department of Corrections to establish community alternatives to revocation with the goal of increasing public safety, reducing the risk of offenders on community supervision, and reducing the rate of recidivism by 25% between fiscal year 2008 and fiscal year 2011 and sets forth the requirements for these alternatives.

COMMENT: Should the department report to a different entity? Should the department report more frequently?

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(END)