



WISCONSIN LEGISLATIVE COUNCIL
REPORT TO THE LEGISLATURE

SPECIAL COMMITTEE ON
JUSTICE REINVESTMENT
INITIATIVE OVERSIGHT

[2009 SENATE BILL 315 AND 2009 ASSEMBLY BILL 497;
2009 SENATE BILL 316 AND 2009 ASSEMBLY BILL 498;
2009 SENATE BILL 317 AND 2009 ASSEMBLY BILL 499; AND
2009 SENATE BILL 318 AND 2009 ASSEMBLY BILL 500]

November 23, 2010

RL 2009-12

Special Committee on Justice Reinvestment Initiative Oversight

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November 23, 2010

CONTENTS

PART I - KEY PROVISIONS OF COMMITTEE RECOMMENDATIONS	3
2009 Senate Bill 315 and 2009 Assembly Bill 497, Relating to the Maximum Term of Extended Supervision	3
2009 Senate Bill 316 and 2009 Assembly Bill 498, Relating to Time Spent in Prison After Revocation of Parole or Extended Supervision.....	3
2009 Senate Bill 317 and 2009 Assembly Bill 499, Relating to Community Supervision Services in the Department of Corrections	3
2009 Senate Bill 318 and 2009 Assembly Bill 500, Relating to Risk Reduction Programming	3
Additional Recommendation.....	3
PART II - COMMITTEE ACTIVITY.....	5
Assignment.....	5
Summary of Meetings.....	5
PART III - RECOMMENDATIONS INTRODUCED BY THE JOINT LEGISLATIVE COUNCIL	9
2009 Senate Bill 315 and 2009 Assembly Bill 497, Relating to the Maximum Term of Extended Supervision	9
2009 Senate Bill 316 and 2009 Assembly Bill 498, Relating to Time Spent in Prison After Revocation of Parole or Extended Supervision.....	10
2009 Senate Bill 317 and 2009 Assembly Bill 499, Relating to Community Supervision Services in the Department of Corrections	11
2009 Senate Bill 318 and 2009 Assembly Bill 500, Relating to Risk Reduction Programming	12
Appendix 1 - Committee and Joint Legislative Council Votes	15
Appendix 2 - Lists of Joint Legislative Council Members	17
Appendix 3 - List of Committee Members.....	19
Appendix 4 - Committee Materials List.....	21

PART I

KEY PROVISIONS OF COMMITTEE RECOMMENDATIONS

The Joint Legislative Council recommends the following for introduction in the 2009-10 Session of the Legislature.

2009 Senate Bill 315 and 2009 Assembly Bill 497, Relating to the Maximum Term of Extended Supervision

Senate Bill 315 provides that a court may not order a term of extended supervision that exceeds 75% of the term of confinement in prison ordered for a person. This limitation does not apply to a person who has been convicted of a Class A, B, or C felony or a sex offense.

2009 Senate Bill 316 and 2009 Assembly Bill 498, Relating to Time Spent in Prison After Revocation of Parole or Extended Supervision

Senate Bill 316 provides that when a person's extended supervision or parole is revoked, the person must be ordered to be confined in prison for six months. The Department of Corrections (DOC) may extend the confinement time of a person placed in prison for six months but not more than 90 days for rule violations or failure to participate in programming or treatment.

2009 Senate Bill 317 and 2009 Assembly Bill 499, Relating to Community Supervision Services in the Department of Corrections

Senate Bill 317 makes appropriations for community-based mental health services and a transitional employment program. In addition, the bill sets a goal of reducing recidivism by 25% by 2011. The bill requires DOC to report annually to the Governor, the Legislature, and the Director of State Courts on the progress towards reducing recidivism.

2009 Senate Bill 318 and 2009 Assembly Bill 500, Relating to Risk Reduction Programming

Senate Bill 318 modifies current law relating to risk reduction sentences for a person who agrees to participate in an assessment of the person's criminogenic needs and risk of re-offending and any programming or treatment required by DOC to address the person's risk and needs. The bill repeals a requirement that the person maintain good conduct during confinement to qualify for a reduced sentence and repeals the offenses for which a person is ineligible for a risk-reduction sentence.

Additional Recommendations

The committee recommends that legislation be enacted that does the following:

- Creates a mechanism for tracking restitution orders and enforcing the payment of restitution by persons on correctional supervision or against whom a civil judgment for restitution has been entered.
- Provides notification to victims when an offender's supervision is subject to revocation.
- Provides information to victims relating to programming DOC provides to offenders in institutions and in the community.

PART II

COMMITTEE ACTIVITY

Assignment

The Joint Legislative Council established the Special Committee on Justice Reinvestment Initiative Oversight and appointed the chairperson by an April 9, 2008 mail ballot. The committee was directed to serve as the entity to which the Council of State Governments (CSG) Justice Center reports. The study committee process creates a unique forum in which legislators receive data from the Justice Center along with public members who work directly in different aspects of the corrections and criminal justice systems. The CSG Justice Center will provide technical assistance relating to corrections costs. Specifically, the technical assistance will include: (1) mapping of specific neighborhoods where large numbers of offenders are released from prison to identify how to improve coordination of services, correctional supervision, and law enforcement; (2) analyzing the prison population to determine what is driving its growth and to identify which categories of offenders are at high risk of re-offending; (3) developing policy options, based upon the data collected, to increase public safety and decrease corrections spending; and (4) projecting the fiscal impact of any policy options identified.

Membership of the Special Committee, appointed by a December 3, 2008 mail ballot, consisted of two Senators, four Representatives, and 10 Public Members. Modifications were made by a January 8, 2009 mail ballot appointing Representative Robert Turner as Vice-Chair and Senator Luther Olsen as a member to the committee. Public Member Frank Humphrey also was added to the committee by the January 8, 2009 mail ballot. A list of committee members is included as **Appendix 3** to this report.

Summary of Meetings

The Special Committee held six meetings on the following dates:

January 12, 2009
March 11, 2009
April 7, 2009
April 22, 2009
May 6, 2009
May 15, 2009

At the January 12, 2009 meeting, the Special Committee heard invited testimony from the CSG Justice Center and DOC. **Marshall Clement**, Project Director, Justice Reinvestment Initiative, CSG Justice Center, provided a background of justice reinvestment projects. He described some of the work the CSG Justice Center has done in nine other states, including Michigan, Kansas, and Texas. He explained that Governor James Doyle, Chief Justice Shirley Abrahamson, Senate President Fred Risser, and Assembly Speaker Michael Huebsch requested technical assistance to help Wisconsin increase public safety, manage the increase in the state's prison population, and reinvest in strategies to reduce recidivism.

Tony Streveler, Executive Policy Initiatives Advisor, DOC, reported the department's prison population projections for 2009 to 2019. He reported a projected 16% increase in the prison population over the next 10 years. He also described several efforts addressing mental health issues within the corrections population, as well as treatment and diversion programs and re-entry programs.

Dr. Tony Fabelo, Director of Research, Justice Reinvestment Initiative, CSG Justice Center, presented preliminary analyses of Wisconsin's crime and prison population. He described the increase in the number of persons whose supervision is revoked and who are subsequently placed in prison.

At the March 11, 2009 meeting, the Special Committee heard invited testimony from the CSG Justice Center. **Marshall Clement**, Project Director, Justice Reinvestment Initiative, CSG Justice Center, listed the six areas of analyses CSG conducted: (1) prison population projections; (2) law enforcement and public safety; (3) community corrections system; (4) substance abuse and mental health; (5) re-entry and employment strategies; and (6) mapping analysis.

Mr. Clement also described the justice reinvestment framework: strengthening and improving the effectiveness of community supervision and services; reducing the number of revocations and the cost to taxpayers; and reinvesting in strategies to increase public safety by reducing recidivism and rising rates of violent crime.

Dr. Tony Fabelo, Director of Research, Justice Reinvestment Initiative, CSG Justice Center, presented the findings on Wisconsin's community corrections system. He reported that revocations without a new sentence accounted for 50% of prison admissions in 2000 and 61% of admissions in 2007. Dr. Fabelo recommended best practices for effective supervision, including effective assessment of risk and needs; supervision strategies; incentives and sanctions; and reduction in the number returned to prison.

At the April 7, 2009 meeting, the Special Committee heard invited testimony from the CSG Justice Center. **Dr. Tony Fabelo**, Director of Research, Justice Reinvestment Initiative, CSG Justice Center, reported that DOC will have a shortfall of 6,935 beds by 2019 and that CSG's policies will save Wisconsin \$1.4 billion in construction and \$1 billion in operating costs over the next 10 years.

Marshall Clement, Project Director, Justice Reinvestment Initiative, CSG Justice Center, presented an analysis of Wisconsin's rates in crime, arrests, and convictions.

Dr. Fred Osher, Director of Health Systems and Services Policy, Justice Reinvestment Initiative, CSG Justice Center, presented information on the overrepresentation of persons with substance use disorders and serious mental disorders among Wisconsin's incarcerated population. He presented policy recommendations regarding screening and assessments, the use of Medicaid for severely mentally ill offenders on supervision, and targeting financial resources to medium- to high-risk and high-need individuals.

At the April 22, 2009 meeting, the Special Committee heard invited testimony from the CSG Justice Center. **Dr. Tony Fabelo**, Director of Research, Justice Reinvestment Initiative, CSG Justice Center, presented the Justice Center's draft of its final report entitled *Justice Reinvestment in Wisconsin: Analyses & Policy Options to Reduce Spending on Corrections and Increase Public Safety*.

Marshall Clement, Project Director, Justice Reinvestment Initiative, CSG Justice Center, reviewed four policy options proposed by the CSG Justice Center justice reinvestment team. The four policy options included: (1) focusing supervision resources; (2) reallocating revocation expenditures to community-based strategies; (3) creating a sentencing option to reduce risk prior to release; and (4) setting a recidivism reduction goal. Dr. Fabelo said that if Wisconsin implemented the four policy options, the state could cumulatively avert \$2.5 billion in construction and operating costs over the next 10 years, with a net savings of \$2.3 billion.

After the testimony, the committee discussed the policy options. There was consensus to prepare initial drafts of the four policy options.

At the May 6, 2009 meeting, the Special Committee heard invited testimony from **Marshall Clement**, Project Director, Justice Reinvestment Initiative, CSG Justice Center. Mr. Clement presented the final version of the report entitled *Justice Reinvestment in Wisconsin: Analyses & Policy Options to Reduce Spending on Corrections and Increase Public Safety*.

After the testimony, the committee discussed four initial bill drafts which incorporated the policy options recommended by the CSG Justice Center. There was consensus to continue to pursue:

(1) allocating resources for community supervision services related to mental health, unemployment, and community alternatives; (2) changing the maximum term of extended supervision for felonies other than a Class B or C felony or a sex offense; (3) modifying the parole and extended supervision revocation process and time spent in prison after revocation; and (4) creating a risk reduction sentence.

At the May 15, 2009 meeting, the Special Committee discussed and voted on the four bill drafts with modifications made in response to the previous meeting.

Public Member **Richard Dufour** reported on a meeting with victims' rights advocacy groups. He recommended amending current restitution procedures so that collection would be comparable with child support collection instead of using extended supervision resources to help victims obtain restitution. According to Mr. Dufour, the victims' groups also stated they would like more information when an offender's supervision is revoked and programming recommended and provided by DOC. Because the committee had been focused on reinvestment and these ideas had not been raised at earlier committee meetings, Chair Taylor requested that legislation be pursued separately from the committee's report. The committee also requested that the committee report include a statement reflecting that it supports the revisions to current law suggested by the victims' groups.

PART III

RECOMMENDATIONS INTRODUCED BY THE JOINT LEGISLATIVE COUNCIL

This part of the report provides background information on, and a description of, the bills as recommended by the Special Committee on Justice Reinvestment Initiative Oversight and introduced by the Joint Legislative Council.

Because the final versions of the bill drafts recommended by the Special Committee were not drafted as bills until after the enactment of 2009 Wisconsin Act 28, the Biennial Budget Act, they modify the statutes as affected by Act 28. As discussed below, in some cases, portions of what was recommended by the Special Committee were partially included in Act 28.

2009 Senate Bill 315 and 2009 Assembly Bill 497, Relating to the Maximum Term of Extended Supervision

Background

Under current law, a court must impose a bifurcated sentence for a person sentenced to imprisonment for a felony, other than a Class A felony, committed after December 31, 1999, or a misdemeanor committed on or after February 1, 2003. A bifurcated sentence includes a period of confinement and a period of extended supervision.

The statutes define the maximum term of imprisonment for each sentence. The term of imprisonment for a bifurcated sentence is broken into two phases: confinement and extended supervision.

The statutes also define the maximum term a court may sentence a person to spend in confinement as well as both the minimum and maximum term of extended supervision for classified felonies. The minimum term of extended supervision may not be less than 25% of the time one is sentenced to confinement. The maximum terms of confinement and extended supervision for felonies other than a Class A felony are as follows:

- Class B felony: 40 years of confinement; 20 years of extended supervision.
- Class C felony: 25 years of confinement; 15 years of extended supervision.
- Class D felony: 15 years of confinement; 10 years of extended supervision.
- Class E felony: 10 years of confinement; 5 years of extended supervision.
- Class F felony: 7.5 years of confinement; 5 years of extended supervision.
- Class G felony: 5 years of confinement; 5 years of extended supervision.
- Class H felony: 3 years of confinement; 3 years of extended supervision.
- Class I felony: 1.5 years of confinement; 2 years of extended supervision.

The Justice Center recommended that Wisconsin amend its statutes to provide that a court may not order a term of extended supervision that exceeds 75% of the term of confinement in prison ordered. The Justice Center proposed this option as a way of targeting resources and ensuring that community supervision resources are focused on the initial months of supervision when the risk of recidivism is the highest and the potential to increase public safety is the greatest.

The Justice Center recommended excluding persons convicted of a Class A, B, or C felony or a sex offense from this requirement. Committee members raised concerns about limiting the term of extended supervision in cases where a victim is owed restitution that cannot be paid during a limited term of extended supervision or when there is a no-contact order (e.g., in a domestic violence case) that is enforced under the extended supervision.

Description

The bill provides that the maximum term of extended supervision may not exceed 75% of the term of confinement for all crimes other than Class B felonies, Class C felonies, and the crimes defined as “sex offenses” under s. 301.45 (1d) (b), Stats. For Class B and C felonies and sex offenses, the maximum terms of extended supervision set forth in current law apply.

This provision would first apply to persons who commit an offense on the effective date of the legislation.

2009 Senate Bill 316 and 2009 Assembly Bill 498, Relating to Time Spent in Prison After Revocation of Parole or Extended Supervision

Background

Under current law, a person who is sentenced to prison may be released to parole or extended supervision, depending on the date the offense was committed. Extended supervision applies to a bifurcated sentence for a felony committed on or after December 31, 1999, or a misdemeanor committed on or after February 1, 2003. For all other offenses, a person under the department’s community supervision following a prison term is on parole.

To revoke a person’s extended supervision, the statutes require two hearings. The first hearing determines whether a person’s extended supervision is revoked. The second hearing determines the length of the term of reconfinement.

Unless the first hearing is waived, the determination of whether to revoke extended supervision is made by a hearing examiner in the Department of Administration (DOA), Division of Hearings and Appeals. If the hearing is waived, DOC makes the revocation determination. If the hearing examiner or DOC decides to revoke a person’s extended supervision status, the hearing examiner or DOC must make a recommendation to the circuit court as to the length of time the person should spend in confinement in prison. The circuit court reviews the hearing examiner’s recommendations and determines the appropriate period of time that the person should spend in confinement. The initial term of confinement and additional terms of confinement following revocations may not exceed the total length of the bifurcated sentence.

To revoke a person’s parole status, the statutes require one hearing before a hearing examiner. The time period a person spends in prison following parole revocation is determined by the hearing examiner.

Current law also provides a framework for how time spent in prison after revocation may be extended for both extended supervision and parole. For both extended supervision and parole, the

superintendent or warden may extend the time spent in prison by the following number of days for each offense, not to exceed the total length of the sentence (for parole) or bifurcated sentence (for extended supervision): (1) 10 days for the first offense; (2) 20 days for the second offense; and (3) 40 days for the third and subsequent offenses.

Also, under current law, a person whose parole was revoked may be released from prison earlier than the release date determined by the hearing examiner through a special action release program. The DOC may use a special action release program to place someone on parole if there is prison overcrowding. Current law also allows a person who has served 25% of the sentence or six months, whichever is greater, to apply to the parole commission to be released earlier than the release date determined at the revocation hearing.

The Justice Center recommended that Wisconsin amend its statutes so that a person whose extended supervision or parole is revoked would serve a six-month period of reconfinement. The Justice Center recommended allowing DOC to hold an offender for up to an additional 90 days, in addition to the six months, for rule violations and failure to participate in programming. The Justice Center suggested this alternative as a means of targeting resources because revocation expenditures will be reduced and may be reallocated to community-based strategies. In addition, the Justice Center notes that a set reconfinement period eliminates the need for reconfinement hearings and, therefore, could reduce jail, prosecutor, public defender, and court time currently expended on the reconfinement hearing process.

Description

The bill requires the reviewing authority to order an offender whose parole or extended supervision is revoked to be confined in prison for six months or the total length of the remaining sentence (for parole) or bifurcated sentence (for extended supervision), whichever is less. The reviewing authority is the hearing examiner in DOA, Division of Hearings and Appeals or DOC, if the hearing is waived.

This bill also gives DOC the authority to extend the period of time a person spends in confinement after revocation up to 90 days for any of the following violations:

1. Violating any regulation of the prison.
2. Refusing or neglecting to perform required or assigned duties.
3. Refusing or neglecting to participate in programming or treatment as required by DOC.

2009 Senate Bill 317 and 2009 Assembly Bill 499, Relating to Community Supervision Services in the Department of Corrections

Background

The Justice Center recommended that Wisconsin reinvest corrections spending in community-based mental health care for high-risk offenders on extended supervision or parole, targeted efforts to reduce unemployment among high-risk offenders on extended supervision or parole, and community-based services to reduce recidivism for persons on probation, extended supervision, or parole.

The Justice Center also recommended that Wisconsin set a goal to reduce recidivism by 25% from the 2008 levels by 2011. According to the Justice Center, this goal will help Wisconsin improve assessment processes, allocate supervision resources according to risks and needs, connect offenders with the right services to reduce violations, and tailor responses to violations to improve compliance.

2009 Wisconsin Act 28 created an appropriation entitled “Becky Young Community Corrections” in the amount of \$10 million general purpose revenue (GPR) annually. As recommended by the Special Committee, Act 28 requires DOC to establish community services that have 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 fiscal year 2011. Under the Act, the services must target offenders at medium or high risk and DOC, in establishing alternatives, must consider the capacity of existing services and any needs not met by existing services. The community services to reduce recidivism must include alcohol and other drug treatment, including residential treatment, outpatient treatment, and aftercare; cognitive group intervention; day reporting centers; and other services that are evidence-based and have been shown to reduce recidivism.

The Act provides that DOC must ensure that the services target offenders who are at medium or high risk for revocation of supervision; provide an offender 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 DOC.

The Act requires DOC to develop an accountability system for monitoring offenders receiving services under this provision in order to evaluate the effectiveness of services provided under this provision.

Under the Act, DOC must provide training and skill development for probation, extended supervision, and parole agents in risk reduction and intervention and must develop policies to guide agents in the supervision and revocation of offenders on community supervision and best practices relating to the use of alternatives to revocation of supervision.

DOC is required, under the Act, to report annually to the Governor, the Legislature, and the Director of State Courts 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 recidivism.

Description

The bill creates the following biennial GPR appropriations for DOC to provide or purchase the following:

1. \$8 million for mental health services for severely mentally ill persons who are on parole or extended supervision and are at high risk of re-offending.
2. \$12 million for a transitional employment program for persons who are on parole or extended supervision, are unemployed, and are at high risk of re-offending.

The bill also provides that community services funded by the Becky Young funds have a goal of reducing the recidivism rate of persons on correctional supervision following a felony conviction by 25% between fiscal year 2007 and fiscal year 2010. The bill requires the annual report to include information on progress towards that goal.

2009 Senate Bill 318 and 2009 Assembly Bill 500, Relating to Risk Reduction Programming

Background

The Justice Center recommended creating a sentencing option that provides offenders with an incentive to complete programs and treatment prior to release from prison while adhering to the principles of Wisconsin’s truth-in-sentencing system. The Justice Center proposed providing the court

with the ability to impose a risk reduction term of confinement that equals 75% of the confinement time of the person's total sentence so that there is an incentive to complete programming and treatment along with certainty as to the term of confinement.

Wisconsin Act 28 created risk reduction sentences, as recommended by the Special Committee. Act 28 permits a court to order a risk reduction sentence for a person who has been convicted of a felony if the court determines that a risk reduction sentence is appropriate and if the person agrees to all of the following:

1. To cooperate in an assessment of the person's criminogenic factors and risk of re-offending.
2. To participate in any programming or treatment ordered by the DOC to address issues raised in any needs or risk assessment conducted by the department.

The bill requires DOC to conduct a validated and objective assessment of the criminogenic needs and risk of re-offending of any person under a risk reduction sentence and requires DOC to provide programming and treatment to address the risks and needs identified in the DOC assessment.

If DOC determines that a person has successfully completed the programming or treatment under his or her plan and that the inmate maintained a good conduct record during his or her term of confinement, DOC must release the person to extended supervision after the person has served at least 75% of the person's term of confinement and must notify the court that the person, to that point, has successfully completed the risk reduction sentence.

Under Act 28, a person sentenced for specified offenses is not eligible to receive a risk reduction sentence.

Description

The bill repeals the provisions relating to risk reduction sentences that were not part of the Special Committee's recommendation. Specifically, the bill does not require DOC to determine that an inmate maintained a good conduct record to be eligible for release. The bill also requires an inmate who successfully completes the sentence to be released after serving 75% of his or her term of confinement, instead of at least 75%. Finally, the bill repeals the offenses that disqualify a person from being eligible to receive a risk reduction sentence.

Appendix 1

Committee and Joint Legislative Council Votes

The following drafts were recommended by the Special Committee on Justice Reinvestment Initiative Oversight to the Joint Legislative Council for introduction in the 2009-10 Session of the Legislature.

Special Committee Vote

The Special Committee voted to recommend WLC: 0425/3, excluding the bracketed language in SECTIONS 1 and 2 of the bill draft, to the Joint Legislative Council for introduction in the 2009-10 Session of the Legislature. The vote on the draft was as follows:

- WLC: 0425/3, relating to maximum term of extended supervision: Ayes, 6 (Sen. Taylor; Rep. Turner; and Public Members Chiarkas, Stark, Voelker, and White); Noes, 4 (Reps. Kleefisch and Suder; and Public Members Dufour and Dwyer); Absent, 8 (Sens. Kapanke and Olsen; Rep. Grigsby; and Public Members Chisholm, Graves, Humphrey, McNally, and Wray); and Not Voting, 1 (Public Member Streveler).

The Special Committee voted to recommend WLC: 0426/3, excluding the bracketed language in SECTION 6 of the bill draft, to the Joint Legislative Council for introduction in the 2009-10 Session of the Legislature. The vote on the draft was as follows:

- WLC: 0426/3, relating to the parole and extended supervision revocation process and time spent in prison after revocation: Ayes, 8 (Sen. Taylor; Rep. Turner; and Public Members Chiarkas, Dufour, Dwyer, Stark, Voelker, and White); Noes, 2 (Reps. Kleefisch and Suder); Absent, 8 (Sens. Kapanke and Olsen; Rep. Grigsby; and Public Members Chisholm, Graves, Humphrey, McNally, and Wray); and Not Voting, 1 (Public Member Streveler).

The Special Committee voted to recommend WLC: 0427/3, including the bracketed language in proposed s. 301.068 (5), Stats., to the Joint Legislative Council for introduction in the 2009-10 Session of the Legislature. The vote on the draft was as follows:

- WLC: 0427/3, relating to community supervision services: Ayes, 8 (Sen. Taylor; Rep. Turner; and Public Members Chiarkas, Dufour, Dwyer, Stark, Voelker, and White); Noes, 2 (Reps. Kleefisch and Suder); Absent, 8 (Sens. Kapanke and Olsen; Rep. Grigsby; and Public Members Chisholm, Graves, Humphrey, McNally, and Wray); and Not Voting, 1 (Public Member Streveler).

The Special Committee voted to amend WLC: 0428/3 by (1) providing that proposed s. 304.042 (1) (b), Stats., read: "Provide programming and treatment to the person to address risks and needs identified in the assessment under par. (a)." and (2) excluding the bracketed language in proposed s. 304.042 (3), Stats., to the Joint Legislative Council for introduction in the 2009-10 Session of the Legislature. The vote on the amendment to the draft was as follows:

- WLC: 0428/3, relating to risk reduction sentence: Ayes, 10 (Sen. Taylor; Reps. Turner, Kleefisch, and Suder; and Public Members Chiarkas, Dufour, Dwyer, Stark, Voelker, and White); Noes, 0; Absent, 8 (Sens. Kapanke and Olsen; Rep. Grigsby; and Public Members Chisholm, Graves, Humphrey, McNally, and Wray); and Not Voting, 1 (Public Member Streveler).

The Special Committee voted to recommend WLC: 0428/3, as amended, to the Joint Legislative Council for introduction in the 2009-10 Session of the Legislature. The vote on the draft was as follows:

- WLC: 0428/3, relating to risk reduction sentence: Ayes, 8 (Sen. Taylor; Rep. Turner; and Public Members Chiarkas, Dufour, Dwyer, Stark, Voelker, and White); Noes, 2 (Reps. Kleefisch and Suder); Absent, 8 (Sens. Kapanke and Olsen; Rep. Grigsby; and Public Members Chisholm, Graves, Humphrey, McNally, and Wray); and Not Voting, 1 (Public Member Streveler).

Joint Legislative Council Votes

At its May 20, 2009 meeting, the Joint Legislative Council voted as follows on the recommendations of the Special Committee:

Co-Chair Risser asked to make a motion for introduction *en masse*. There was no objection.

Co-Chair Risser moved, seconded by Sen. Coggs, that the following four drafts recommended by the Special Committee on Justice Reinvestment Initiative Oversight, be introduced by the Joint Legislative Council:

1. **WLC: 0425/3**, relating to maximum term of extended supervision.
2. **WLC: 0426/3**, relating to the parole and extended supervision revocation process and time spent in prison after revocation.
3. **WLC: 0427/3**, relating to community supervision services.
4. **WLC: 0428/3**, relating to risk reduction sentence.

The motion passed on a roll call vote as follows: Ayes, 13 (Reps. Schneider, Black, Berceau, Nelson, Pocan, Sheridan, and Staskunas; and Sens. Risser, Coggs, Harsdorf, Miller, Robson, and Wirch); Noes, 3 (Reps. Ballweg, Fitzgerald, and Kaufert); and Absent, 6 (Rep. Vos; and Sens. Darling, Decker, Fitzgerald, Kreitlow, and Schultz).

[Sen. Schultz would have voted "Aye" had he been present; and Rep. Vos and Sen. Fitzgerald would have voted "No" had they been present.]

Representative Kaufert stated that had the bills been voted on separately, he would have voted "Aye" on some of the bills.

Appendix 2

Joint Legislative Council

[Joint Legislative Council Members Who Selected and Appointed Committee and Its Membership]

Co-Chair

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This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Joint Legislative Council

[Current Joint Legislative Council Members Receiving Committee Report]

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SPENCER BLACK

5742 Elder Place
Madison, WI 53705

JEFF FITZGERALD

Minority Leader
910 Sunset
Horicon, WI 53032

DEAN KAUFERT

1360 Alpine Lane
Neenah, WI 54956

THOMAS NELSON

Majority Leader
1510 Orchard Drive
Kaukauna, WI 54130

MARK POCAN

309 N. Baldwin Street
Madison, WI 53703

MICHAEL SHERIDAN

Speaker
1032 Nantucket Drive
Janesville, WI 53546

TONY STASKUNAS

Speaker Pro Tempore
2010 South 103rd Court
West Allis, WI 53227

ROBIN VOS

4710 Eastwood Ridge
Racine, WI 53406

This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Appendix 3

JUSTICE REINVESTMENT INITIATIVE OVERSIGHT

Senator Lena Taylor, Chair
1518 West Capitol Drive
Milwaukee, WI 53206

Senator Dan Kapanke
1610 Lakeshore Drive
La Crosse, WI 54603

Representative Tamara Grigsby
2354 North 41st Street
Milwaukee, WI 53210

Representative Joel Kleefisch
W357 N6189 Spinnaker Drive
Oconomowoc, WI 53066

John Chisholm, District Attorney
Milwaukee County Safety Building
821 West State Street, Room 405
Milwaukee, WI 53233

Dave Graves, Sheriff
Waukesha County Courthouse
515 West Moreland Boulevard
Waukesha, WI 53188

Frank Humphrey
NAACP--Madison Branch
P.O. Box 45
Madison, WI 53701

Judge Lisa Stark, Branch 1
Eau Claire County Circuit Courts
Eau Claire County Courthouse
721 Oxford Avenue
Eau Claire, WI 54703

A. John Voelker, Director
Director of State Courts
16E Capitol Building
P.O. Box 1688
Madison, WI 53701-1688

Noble Wray, Chief of Police
City of Madison Police Department
211 South Carroll Street
Madison, WI 53703

Representative Robert Turner, Vice-Chair
36 McKinley Avenue
Racine, WI 53404

Senator Luther Olsen
1023 Thomas Street
Ripon, WI 54971

Representative Scott Suder
102 South 4th Avenue
Abbotsford, WI 54405

Nicholas Chiarkas
State Public Defender
315 North Henry Street, 2nd Floor
Madison, WI 53703-3233

Richard Dufour, District Attorney
Marquette County
P.O. Box 396
Montello, WI 53949

James Dwyer, County Board Chair
1170 County Road NN
P.O. Box 1004
Elkhorn, WI 53121

Kit McNally, Executive Director
The Benedict Center
135 West Wells Street, Suite 700
Milwaukee, WI 53203

Tony Streveler
Department of Corrections
3099 East Washington Avenue
Madison, WI 53704

Maxine White, Deputy Chief Judge
1st Judicial District, Courthouse
901 North 9th Street, Room 500
Milwaukee, WI 53233-1425

STUDY ASSIGNMENT: The committee is directed to serve as the entity to which the Council of State Governments (CSG) Justice Center reports. The study committee process creates a unique forum in which legislators will receive data from the Justice Center along with public members who work directly in different aspects of the corrections and criminal justice systems. The CSG Justice Center will provide technical assistance relating to corrections costs. Specifically, the technical assistance will include: (1) mapping of specific neighborhoods where large numbers of offenders are released from prison to identify how to improve coordination of services, correctional supervision, and law enforcement; (2) analyzing the prison population to determine what is driving its growth and to identify which categories of offenders are at high risk of re-offending; (3) developing policy options, based upon the data collected, to increase public safety and decrease corrections spending; and (4) projecting the fiscal impact of any policy options identified.

19 MEMBERS: 3 Senators, 4 Representatives, and 12 Public Members.

LEGISLATIVE COUNCIL STAFF: Anne Sappenfield and Ronald Sklansky, Senior Staff Attorneys, and Melissa Schmidt, Staff Attorney; and Julie Learned, Support Staff.

Committee Materials List
(Copies of documents are available at www.legis.state.wi.us/lc)

Recommendations to the Joint Legislative Council (May 20, 2009)				
<ul style="list-style-type: none"> • Results of the May 20 meeting. • Proposed Report to the Legislature 2009-12, <i>Special Committee on Justice Reinvestment Initiative Oversight</i> (May 18, 2009). • WLC: 0425/3, relating to maximum term of extended supervision. • WLC: 0426/3, relating to the parole and extended supervision revocation process and time spent in prison after revocation. • WLC: 0427/3, relating to community supervision services. • WLC: 0428/3, relating to risk reduction sentence. 				
May 15, 2009 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Editorial, <i>Shrinking the Prison Population</i>, submitted by Chair Taylor (May 11, 2009). • Editorial, <i>Time to break prison-spending cycle</i>, submitted by Chair Taylor (May 13, 2009). • WLC: 0425/3, relating to maximum term of extended supervision. • WLC: 0426/3, relating to the parole and extended supervision revocation process and time spent in prison after revocation. • WLC: 0427/3, relating to community supervision services. • WLC: 0428/3, relating to risk reduction sentence. • WLC: 0425/2, relating to maximum term of extended supervision. • WLC: 0426/2, relating to the parole and extended supervision revocation process and time spent in prison after revocation. • WLC: 0427/2, relating to community supervision services. • WLC: 0428/2, relating to risk reduction sentence. 				
May 6, 2009 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • WLC: 0425/1, relating to maximum term of extended supervision. • WLC: 0426/1, relating to the parole and extended supervision revocation process and time spent in prison after revocation. • WLC: 0427/1, relating to community supervision services. • WLC: 0428/1, relating to risk reduction sentence. • Letter to Senator Lena Taylor from Richard Dufour, Marquette County District Attorney (April 30, 2009). • Report, <i>Analyses & Policy Options to Reduce spending on Corrections and Increase Public Safety</i>, submitted by the Council of state Governments, Justice Center (May 2009). • Milwaukee Journal Sentinel Article, requested by Chair Taylor. • Milwaukee Journal Sentinel Article, requested by Chair Taylor. • Handout, Kansas/Texas outcomes, submitted by Marc Pelka, Policy Analyst, Justice Reinvestment Initiative, Council of State Governments Justice Center. 				

April 22, 2009 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Draft document, <i>Analyses & Policy Options to Reduce Spending on Corrections and Increase Public Safety</i>, submitted by the Council of State Governments Justice Center (April 2009). • PowerPoint presentation, <i>Justice Reinvestment Policy Framework for Wisconsin</i>, submitted by Dr. Tony Fabelo, Director of Research, Marshall Clement, Justice Reinvestment Project Director, Mike Eisenberg, Research Manager, and Marc Pelka, Policy Analyst, Council of State Governments Justice Center. 				
April 7, 2009 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Legislative Audit Bureau's evaluation of mental health care in the Department of Corrections, Department of Health Services: <i>Inmate Mental Health Care</i>: http://www.legis.state.wi.us/lab/reports/09-4full.pdf. • PowerPoint presentation, <i>Final Analysis and Framework for Justice Reinvestment in Wisconsin</i>, submitted by Dr. Tony Fabelo, Director of Research, Dr. Fred Osher, Director of Health Systems and Services Policy, Marshall Clement, Justice Reinvestment Project Director, Hope Glassberg and Marc Pelka, Policy Analysts, Justice Center, Council of State Governments. • Report, <i>Setting the Framework for a Wisconsin Community Justice Act</i>, Committee on Effective Strategies for Community Justice (June 2008), submitted by Tony Steveler, Policy Initiatives Advisor, Department of Corrections. • Initiatives Summary, Summary of Initiatives Referenced at Committee Meeting on 03/11/2009, submitted by Tony Steveler, Policy Initiatives Advisor, Department of Corrections. 				
March 11, 2009 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Report, Governor's Commission on Reducing Racial Disparities, submitted by Public Member Maxine White. • Letter from Senator Lena Taylor, Chair, dated March 3, 2009. • Presentation, <i>Interim Analyses on Community Corrections</i>, submitted by the Council of state Governments Justice Center (March 11, 2009). 				
January 12, 2009 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Document, submitted by the Council of State Governments Justice Center, <i>Justice Reinvestment: Overview</i>. • Report, submitted by the Council of State Governments Justice Center, <i>Justice Reinvestment State Brief: Kansas</i> (October 2007). • Report, submitted by the Council of State Governments Justice Center, <i>Justice Reinvestment State Brief: Texas</i> (October 2007). • Report, submitted by the Council of State Governments Justice Center, <i>Reducing Crime & Generating Savings: Options for Arizona Policymakers</i> (February 2008). • Council of State Governments Justice Center website: www.justicecenter.csg.org. • Justice Reinvestment: A Project of the Council of State Governments Justice Center website: www.justicereinvestment.org. • Presentation, <i>Challenges and Strategies to Develop a Policy Framework for Wisconsin</i>, submitted by Dr. Tony Fabelo, Director of Research, Marshall Clement, Justice Reinvestment Project Director, Mike Eisenberg, Research Manager, and Marc Pelka, Policy Analyst, Council of State Governments Justice Center. • Presentation, <i>Justice Reinvestment</i>, submitted by Dr. Tony Fabelo, Director of Research, Marshall Clement, Justice Reinvestment Project Director, Mike Eisenberg, Research Manager, and Marc Pelka, Policy Analyst, Council of State Governments Justice Center. • Ten-Year Facility Development Plan, Wisconsin Department of Corrections (January 8, 2009). 				