



## Legislative Fiscal Bureau

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TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Senate Bill 507 and Assembly Bill 668: Treatment Alternatives and Diversion Program

Senate Bill 507 (SB 507) was introduced on January 22, 2014, and referred to the Joint Committee on Finance. Assembly Bill 668 (AB 668) was introduced on January 24, 2014, and likewise referred to the Joint Committee on Finance. These bills are companion bills that would create additional data collection and reporting requirements for the Treatment Alternatives and Diversion (TAD) program at the Department of Justice (DOJ). The bills would also provide an additional \$1,500,000 GPR annually in grant funding to the TAD program during 2013-15.

### **BACKGROUND**

The TAD program provides grants to counties to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, which provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. In 2012-13, base funding for the program in the Department of Administration's Office of Justice Assistance (OJA) included: (a) \$1,038,900 PR in annual grant funding supported by the justice information system surcharge; and (b) \$112,000 PR and 0.6 PR positions (\$65,000 in penalty surcharge funding, \$39,500 in justice information system surcharge funding and \$7,500 in drug abuse program improvement surcharge and drug offender diversion surcharge funding). The annual base grant funding of \$1,038,900 PR has been utilized to support seven county-based TAD projects.

Under 2013 Act 20 (the 2013-15 biennial budget act), OJA was eliminated and many of its functions (including TAD) transferred to DOJ. Act 20 also provided an additional \$1,000,000 GPR annually in grant funding for the TAD program under DOJ.

## **SUMMARY OF BILL**

Under SB 507/AB 668, any county receiving a TAD grant would be required to submit data requested by DOJ to the Department each month. The Department of Justice could request any data regarding a county TAD project that was necessary to evaluate the project and prepare its required reports. Further, DOJ would be required to annually analyze the data submitted by county TAD programs and prepare a progress report evaluating the effectiveness of the TAD program. The Department would be required to make the report available to the public.

Under the bills, every five years DOJ would be required to prepare a comprehensive report analyzing the data submitted by county TAD programs and analyzing its annual TAD reports. The Department would be required to include in this comprehensive report a cost benefit analysis of the grant program and would be required to submit this comprehensive report to the Chief Clerk of each house of the Legislature for distribution to the Legislature.

Finally, the bills would provide an additional \$1,500,000 GPR annually in the TAD appropriation during 2013-15, to provide grants for counties that establish alternatives to prosecution and incarceration for criminal offenders. As a result, the bills would increase base funding for the TAD program by \$1,500,000 annually.

## **FISCAL EFFECT**

The provisions of SB 507/AB 668 would provide an additional \$1,500,000 GPR annually during 2013-15, to provide grants for counties that establish alternatives to prosecution and incarceration for criminal offenders.

The provisions of SB 507/AB 668 do not provide additional administrative resources to DOJ. As of this writing, DOJ has not produced a fiscal estimate for these companion bills.

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