



WISCONSIN LEGISLATIVE COUNCIL

JUSTICE REINVESTMENT INITIATIVE OVERSIGHT

Room 411 South, State Capitol
Madison, Wisconsin

April 7, 2009
10:00 a.m. – 1:50 p.m.

[The following is a summary of the April 7, 2009 meeting of the Special Committee on Justice Reinvestment Initiative Oversight. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

Call to Order and Roll Call

Chair Taylor called the meeting to order. The roll was called and it was determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Sen. Lena Taylor, Chair; Sen. Dan Kapanke; Reps. Tamara Grigsby and Joel Kleefisch; and Public Members Nicholas Chiarkas, John Chisholm, Richard Dufour, James Dwyer, Frank Humphrey, Kit McNally, Lisa Stark, Tony Streveler, A. John Voelker, and Noble Wray.

COMMITTEE MEMBERS EXCUSED: Reps. Robert Turner and Scott Suder; and Public Members Dave Graves and Maxine White.

COUNCIL STAFF PRESENT: Anne Sappenfield and Ronald Sklansky, Senior Staff Attorneys; and Melissa Schmidt, Staff Attorney.

APPEARANCES: Tony Fabelo, Director of Research, Justice Reinvestment Initiative, Council of State Governments (CSG) Justice Center; Marshall Clement, Project Director, Justice Reinvestment Initiative, CSG Justice Center; Fred Osher, Director of Health Systems and Services Policy, Justice Reinvestment Initiative, CSG Justice Center; and Marc Pelka, Policy Analyst, Justice Reinvestment Initiative, CSG Justice Center.

Approval of the Minutes of the Committee's March 11, 2009 Meeting

Mr. Dwyer moved, seconded by Mr. Dufour, to approve the minutes from the March 11, 2009 meeting. The motion was approved by unanimous consent.

Description of Materials Distributed

- Report, *Setting the Framework for a Wisconsin Community Justice Act*, Committee on Effective Strategies for Community Justice (June 2008), distributed at the request of Public Member Tony Streveler, Policy Initiatives Advisor, Department of Corrections.
- Initiatives Summary, *Summary of Initiatives Referenced at Committee Meeting on 03/11/2009*, distributed at the request of Public Member Tony Streveler, Policy Initiatives Advisor, Department of Corrections.

Ms. Sappenfield noted that the report and initiatives summary were mailed to committee members prior to the meeting.

Presentations by Invited Speakers

- *The Big Picture and Wisconsin's Prison Population Projection, Dr. Tony Fabelo, Director of Research, Justice Reinvestment Initiative, Council of State Governments (CSG)*

Dr. Fabelo briefly reviewed data relating to changes in the prison population and reported crimes, arrests, and sentences from 2000 to 2007. He then discussed the results of the prison population projection completed by the JFA Institute and compared the JFA simulation model to the projection completed by the Applied Population Lab (APL) in 2008, which was presented to the committee at its first meeting. Dr. Fabelo said that the JFA simulation will be used to project cost savings of the committee's policy recommendations.

The JFA model projects that Wisconsin's prison population will increase by 25% with a capacity shortfall of 6,935 beds by 2019. Dr. Fabelo said that the 10-year cumulative cost estimate of this increased population would be \$1.4 billion in construction and \$1 billion in operating costs.

- *Analysis of Wisconsin's Crime, Arrests, and Convictions, Marshall Clement, Project Director, Justice Reinvestment Initiative, CSG Justice Center*

Mr. Clement presented various maps showing violent crime rates by county and prison admissions and rates of re-entry and supervision by aldermanic districts in Milwaukee County. He said that Wisconsin's violent crime rate is rising but is still very low compared to neighboring states. Mr. Chisholm said that the information presented mirrors information gathered by other entities such as the Milwaukee Homicide Review Commission. He said that a majority of homicides in Milwaukee occur in one zip code. He noted that a majority of crime victims in Milwaukee come from the same areas that have high incidents of crime. He said that high crime rates affect the people who live in those

neighborhoods and that people who live in those areas typically overestimate the number of violent crimes by 10 to 20 times.

Mr. Humphrey asked what the policy is for placement of offenders after they are released from prison. Chair Taylor said that people are often returned to the area where they have family or from where they came. She said the challenge is to prepare offenders to be returned to the community and to succeed in the community.

Mr. Chiarkas said that an offender who returns to his or her community with middle-class values cannot use those values to survive in that neighborhood. He said that there needs to be a commitment to change the neighborhood as well.

- ***Analysis of Wisconsin's Substance Abuse and Mental Health Analyses, Dr. Fred Osher, Director of Health Systems and Services Policy, Justice Reinvestment Initiative, CSG Justice Center***

Dr. Osher reviewed national data on the overrepresentation of persons with substance use disorders and serious mental disorders among jailed males and females. Of the jail detainees with a serious mental illness, national data indicates that 72% have a co-occurring substance use disorder.

Dr. Osher had several observations and recommendations based upon information obtained during focus groups with Wisconsin law enforcement, analysis of 2005 and 2007 data from the Department of Corrections (DOC), and assessing current court and corrections practices in Wisconsin.

Based upon his analysis, Dr. Osher recommended standardized screening and assessment for behavioral disorders and substance abuse using a valid instrument, information sharing across systems that provide services to an individual, increased community-based service capacity using evidence-based practices, and better coordination of correctional supervision and mental health or substance abuse treatment.

To finance these recommendations, Dr. Osher suggested targeting resources toward individuals who are medium to high risk and high need; investigating alternative uses for jail assessment funds; and considering use of DOC purchase of services dollars as the county match to leverage federal funding for Medicaid-eligible services.

Mr. Wray said that there needs to be sharing of information relating to best practices. Mr. Dufour said that Marquette County has created a coordinating committee and that he believes that the collaboration has helped to lower juvenile delinquency rates in the county.

Mr. Dwyer raised concerns about the cost of the recommendations to counties and said that any increase in services in one area will take funding away from other services. Chair Taylor said that the county and the state are going to pay a cost whether the recommendations are adopted, or not. Mr. Dwyer said that he views the issues raised as statewide issues, and that the state should pay the costs.

- ***Wisconsin's Community Corrections and Employment, Marshall Clement, Project Director, Justice Reinvestment Initiative, CSG Justice Center***

Mr. Clement reviewed information relating to data that indicates that community supervision revocations are driving Wisconsin prison admissions. He also discussed information relating to high unemployment rates in the post-release supervision population and employment strategies that are employed while an offender is still in prison and after release to the community.

Ms. McNelly said that studies in Milwaukee show that employers are more likely to hire a white person with a felony conviction than an African American person. She suggested putting money into small business entrepreneurship and cited a successful program in a Texas prison.

Mr. Dufour said that, in his area, some employers like employees who are on work release from incarceration because they come to work on time and are sober at work. He said that it makes sense to begin employment before an offender is released so that the employer is given some assurances and the offender is able to develop job skills.

- ***Framework for Justice Reinvestment in Wisconsin, Dr. Tony Fabelo, Director of Research, Justice Reinvestment Initiative, CSG Justice Center***

Dr. Fabelo discussed the next step for the committee. He said that the committee would develop recommendations for coordination and evaluation; targeting supervision; and changing behavior, of offenders and at an organizational level, at the points of sentencing and once an offender is on community supervision.

Discussion of Committee Assignment

There was no further discussion of the committee assignment.

Other Business

There was no other business before the committee.

Plans for Future Meetings

The next meeting of the Special Committee will be on ***Wednesday April 22, 2009, in Room 412 East, State Capitol, Madison.***

Adjournment

The meeting was adjourned at 1:50 p.m.

AS:jal