

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 the following biennial general purpose revenue (GPR) appropriations for the Department of Corrections (DOC) to provide or purchase the following:

1. \$8 million for 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.
3. \$10 million for community alternatives to revocation for persons who are on probation, parole, or extended supervision for a felony.

The draft requires the DOC 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. Under the draft, the alternatives must target the criminogenic needs of medium- and high-risk offenders and the DOC, in establishing alternatives, must consider the capacity of existing services and any gaps in services for medium- and high-risk offenders placed in the community. 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 DOC 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 DOC.

The draft requires the DOC 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.

Under the draft, the 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.

The DOC is required, under the draft, to report annually to the governor, the legislature, and the director of the 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 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	\$4,000,000	\$4,000,000
8	(dm)	Transitional employment program	GPR	A	\$6,000,000	\$6,000,000
9	(ds)	Community services for persons on				
10		probation, parole, or extended				
11		supervision	GPR	A	\$5,000,000	\$5,000,000

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

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

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

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

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

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

10 **301.068 Community alternatives to revocation. (1)** The department shall establish
11 community alternatives to revocation with the goal of increasing public safety, reducing the
12 risk of offenders on community supervision, and reducing the recidivism rate of persons on
13 probation, parole, or extended supervision for a felony conviction by 25% between fiscal year
14 2008 and fiscal year 2011. The alternatives shall target the criminogenic needs of medium-
15 and high-risk offenders and, in establishing alternatives, the department shall consider the
16 capacity of existing services and any gaps in services for medium- and high-risk offenders
17 placed in the community.

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

19 (a) Alcohol and other drug treatment, including residential treatment, outpatient
20 treatment, and aftercare.

21 (b) Cognitive group intervention.

22 (c) Day reporting centers.

1 (d) Other alternatives promulgated by the department by rule.

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

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

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

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

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

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

18 (5) The department shall provide training and skill development for probation,
19 extended supervision, and parole agents in risk reduction and intervention and shall develop
20 policies to guide probation, extended supervision, and parole agents in the supervision and
21 revocation of offenders on probation, extended supervision, and parole and best practices
22 relating to the use of alternatives to revocation of supervision. [The department shall
23 promulgate rules setting forth the requirements for staff training and skill development under
24 this subsection.]

1 **(6)** The department shall report annually to the governor, the chief clerk of each house
2 of the legislature for distribution to the appropriate standing committees under s. 13.172 (3),
3 and the director of state courts. The report shall set forth the scope of the services provided
4 under this section; the number of arrests, re-convictions, and returns to prison of persons on
5 probation, parole, or extended supervision among offenders receiving services under this
6 section; progress toward the goal under sub. (1) of reducing recidivism by 25% by fiscal year
7 2011; and adjustments to services that will be made to reach the goal of reducing recidivism
8 by 25% by fiscal year 2011.

NOTE: Requires the DOC 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.

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(END)