

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 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.
3. \$10 million for community services to reduce recidivism for persons who are on probation, parole, or extended supervision for a felony.

The draft requires the DOC to establish community services to reduce recidivism 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 25% between fiscal year 2008 and fiscal year 2011. Under the draft, the services must target the criminogenic needs of medium- and high-risk offenders and the DOC, in establishing services, must consider the capacity of existing services and any gaps in services for medium- and high-risk offenders placed in the community. The community services 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 evidenced based and have been shown to reduce recidivism as promulgated by the DOC by rule.

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 recidivism 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:

				<b>2009-10</b>	<b>2010-11</b>
3					
4	<b>20.410</b>	<b>Corrections, department of</b>			
5	(1)	ADULT CORRECTIONAL SERVICES			
6	(de)	Community-based mental health			
7		services	GPR	A	\$4,000,000      \$4,000,000

					<b>2009-10</b>	<b>2010-11</b>
1	(dm)	Transitional employment program	GPR	A	\$6,000,000	\$6,000,000
2	(ds)	Community services for persons on				
3		probation, parole, or extended				
4		supervision	GPR	A	\$5,000,000	\$5,000,000

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

6       20.410 (1) (de) The amounts in the schedule to provide or purchase mental health  
7 services for severely mentally ill persons who are transitioning to or who are on parole or  
8 extended supervision who are at high risk of re-offending.

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

12       (ds) The amounts in the schedule to provide or purchase community services to reduce  
13 recidivism under s. 301.068 for persons on probation or who are transitioning to or are on  
14 parole or extended supervision for a felony conviction.

**NOTE:** Creates GPR appropriations for the DOC to provide mental health services, transitional employment programs, and community services to reduce recidivism for persons who are on community supervision or are transitioning to supervision.

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

16       **301.068 Community services to reduce recidivism.** (1) The department shall  
17 establish community services that have the goal of increasing public safety, reducing the risk  
18 of offenders on community supervision, and reducing the recidivism rate of persons on  
19 probation, parole, or extended supervision for a felony conviction by 25% between fiscal year  
20 2008 and fiscal year 2011. The services to reduce recidivism shall target the criminogenic

1 needs of medium- and high-risk offenders and, in establishing services under this section, the  
2 department shall consider the capacity of existing services and any gaps in services for  
3 medium- and high-risk offenders placed in the community.

4 (2) The community services to reduce recidivism shall include all of the following:

5 (a) Alcohol and other drug treatment, including residential treatment, outpatient  
6 treatment, and aftercare.

7 (b) Cognitive group intervention.

8 (c) Day reporting centers.

9 (d) Other treatment and services that are evidence based and have been shown to reduce  
10 recidivism as promulgated by the department by rule.

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

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

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

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

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

23 (4) The department shall develop an accountability system for monitoring and tracking  
24 offenders receiving services under this section in order to evaluate the effectiveness of

1 services provided under this section in decreasing arrests, re-convictions, and returns to  
2 prison among the persons participating in services provided under this section.

3 (5) The department shall provide training and skill development for probation,  
4 extended supervision, and parole agents in risk reduction and intervention and shall develop  
5 policies to guide probation, extended supervision, and parole agents in the supervision and  
6 revocation of offenders on probation, extended supervision, and parole and best practices  
7 relating to the use of alternatives to revocation of supervision. The department shall  
8 promulgate rules setting forth the requirements for staff training and skill development under  
9 this subsection.

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

**NOTE:** Requires the DOC to establish community services to reduce  
recidivism that have 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 services.