

LR:ty

10/22/2014

1 **AN ACT to amend** 165.95 (10) and 165.955 (2) of the statutes; **relating to:** designating
2 funds for evaluation of treatment court programs.

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 Study Committee on Problem–Solving Courts, Alternatives, and Diversions.

The National Association of Drug Court Professionals’ ten key components for operating treatment courts require monitoring and evaluation of treatment courts to measure the achievement of program goals and gauge effectiveness. Similarly, the Wisconsin Association of Treatment Court Professionals’ treatment court standards require treatment courts to engage in ongoing data collection and evaluation to assess whether the treatment court is adhering to the 10 key components, evidence–based practices, and specific program goals and objectives.

The original legislation that created the Treatment Alternatives and Diversion (TAD) program in Wisconsin required an evaluation of the program and provided a five–year timeframe for the assessment of participant outcomes. The Wisconsin Departments of Justice and Corrections jointly contracted with the University of Wisconsin Population Health Institute to conduct the five–year evaluation. The final evaluation was released in July 2014 and the evaluation contract has ended.

2013 Wisconsin Act 20 (the 2013–15 Biennial Budget Act) provides \$2,500,000 general purpose revenue (GPR) in each year of the 2013–15 biennium for TAD grants. Act 20 also requires an evaluation of TAD every two years. Prior to Act 20, evaluations were funded from TAD revenue other than the justice information surcharge. Although Act 20 continues to require an evaluation, it eliminated the restriction on the funding source for the evaluation without specifying what funding, if any, should be used for treatment court evaluation.

Act 20 also provides \$500,000 GPR in each year of the biennium for grants for drug courts in counties that have not yet established drug courts. Under this provision, an evaluation is not required or funded.

This draft requires that a portion of funding for TAD programs within the current appropriation under s. 20.455 (2) (em), stats., be allocated to evaluating the programs. The draft also requires that a portion of the funding for other drug court programs be allocated to evaluating the programs. In both cases, the contract may be for an independent evaluation conducted by an entity not affiliated with the grant program.

1 **SECTION 1.** 165.95 (10) of the statutes is amended to read:

2 165.95 (10) The department of justice shall evaluate every 2 years, the grant program
3 established under this section. The evaluation shall be funded from the appropriations under
4 s. 20.455 (2) (em). The department of justice may enter into a contract with an entity not
5 affiliated with the grant program to conduct the evaluation of the grant program.

6 **SECTION 2.** 165.955 (2) of the statutes is amended to read:

7 165.955 (2) From the appropriation under s. 20.455 (2) (eg), the department of justice
8 shall provide, to counties that have not established a drug court, grants to establish and operate
9 drug courts. The department of justice shall evaluate, every 2 years, the grant program
10 established under this section. The evaluation shall be funded from the appropriations under
11 s. 20.455 (2) (eg). The department of justice may enter into a contract with an entity not
12 affiliated with the grant program to conduct an independent evaluation of the grant program
13 every 2 years.

NOTE: Requires the TAD evaluation be funded from the appropriation under s. 20.455 (2) (em), stats. Permits the Department of Justice (DOJ) to enter into a contract for the required evaluation of TAD with an entity not affiliated with the TAD grant program.

Further, requires an evaluation of the drug court grant program, to be funded from the drug court appropriation. Permits DOJ to contract with an independent entity to conduct an evaluation of the drug court grant program.