



WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

Division of Community Corrections | Administrator's Office

8/20/20

To: All DCC Staff

From: Lance Wiersma, Division Administrator

Date: August 19, 2020

Re: Violation Response Project Workgroup Results

Colleagues:

Last year, Secretary Carr asked us to evaluate our policies and procedures related to violation response and revocations with the intent to create an effective and efficient process, while ultimately reducing revocations, enhancing success while maintaining community safety. After completing a significant mapping exercise, we identified five areas to focus our efforts towards system changes. As a result, oversight committees and workgroups were formed in October 2019. The focus areas were:

1. Rules of Supervision and After Hours holds
2. Evidence Based Response to Violations (EBRV)
3. Short-Term Sanctions
4. Alternative to Revocation (ATR), Programming and Specialty Courts
5. Revocation Process, Sentencing after Revocation and Reconfinement Reincarceration Good Time Forfeiture Recommendations.

After an extensive review each workgroup developed recommendations. I cannot express how much I appreciate the various committee's work and recommendations. Many recommendations were approved and some other recommendations were modified. Recommendations that were modified were not a reflection of the work put forward. The following are highlights from each of the focus areas:

1a. Rules of Supervision

We have initiated the process to review and make recommendations to the administrative code, with a workgroup recommendation to reduce the number of standard rules of supervision to nine rules. In an attempt to target special rules to the risk of the individual, and also streamline the wording of the rule, we have developed standard special rules which can be used based on the individual's crime typology. Standardizing the special rules and aligning them with crime typology (a nexus) will limit the overall total number of rules and eliminate unnecessary rules.

In addition, rules of supervision are to be reviewed every six months by the agent to ensure the rules continue to be pertinent to the case. This new review process requires rules be re-signed by the agent and individual on supervision annually which will also help to ensure clients are fully aware of their expectations.

1b. After-Hours Supervision Holds

We have created a process to inform the call takers in the monitoring center which special rules constitute a direct risk to public safety and warrant a hold, and which can be referred to the agent of record for their review.

Curfew violations for people on electronic monitoring would no longer result in an immediate warrant and custody. Rather, a violation report will be sent to the agent of record for follow-up the following business day. In situations where the person has police contact for another reason, a hold would still be considered.

2. Evidence Based Response to Violation (EBRV):

Changes to the EBRV will target response options for low-risk individuals and low-severity violations, including violations that do result in a criminal charge, to short-term sanctions and community-based interventions, like treatment referrals, and remove revocation as a response option. Also, updated violation types and severity levels would incorporate violations related to specific typologies and dynamic risk factors, like specific responses or sex offenders.

3. Short-Term Sanctions

Policy changes will allow Corrections Field Supervisors to approve sanctions for 30 days or less and include requiring sanctions for reconfinement periods that will be for less than one year, and options to provide programming while an individual is serving a sanction.

4. Alternatives to Revocation (ATR)

Discontinue Alternative to Revocation Programming at Milwaukee Secure Detention Facility and utilize community programming for ATRs including the expansion of Telehealth. Increasing capacity by expanding community-based residential programming statewide.

5. Prison Time Forfeiture Recommendations Felony Probation, Extended Supervision (ES) and Parole Revocations

Policy changes include modifications to the penalty schedule severity levels and over-ride criteria. Also requiring a short-term sanction for persons with less than one year of recommended reconfinement time and low level, non-criminal violations.

The changes that are being implemented provide an opportunity to provide an accountability response while meeting intervention needs through community-based options. I realize this will require us to look at how we respond to violations differently, but I am confident we can maintain community safety while providing opportunities for success.

Within the next few weeks we will be issuing the actual policy, procedure and ECRM language for you to review. You will also notice you have been invited to a town hall meeting in September when we will review the changes during a virtual meeting. Questions before, during and after the town hall meetings can be emailed to DOCDCCViolation-RevocationQuestions@wisconsin.gov. Our goal is to implement the policy changes on October 1, 2020.

I am looking forward to meeting with you in September. Thanks for all that you do and please stay safe.

Cc:

Secretary Kevin Carr

Deputy Secretary Amy Pechacek

Assistant Deputy Secretary Jared Hoy

Division Administrators