



Wisconsin Court System

Effective Justice Strategies in the Wisconsin Court System

In 2004, the Wisconsin Supreme Court's Planning and Policy Advisory Committee (PPAC) identified alternatives to incarceration as a critical issue to be addressed. In response, the Effective Justice Strategies (EJS) subcommittee (formerly known as "alternatives to incarceration") was formed. Chaired by Milwaukee County Circuit Court Judge Carl Ashley, this subcommittee consists of justice system professionals both in and outside of the court system. To date, the EJS subcommittee has focused its efforts on studying, developing resources, and making recommendations in regard to collaborative problem solving approaches to criminal justice.

What are Effective Justice Strategies?

Justice system strategies that...

1. Promote public safety
2. Reduce recidivism rates and costs
3. Have been empirically researched and proven to have measurable positive outcomes

Public safety, offender accountability and appropriate responses to criminal behaviors are all factors that judges must weigh when sentencing. On a regular basis, judges face defendants with issues of substance abuse, addiction, mental health issues, domestic violence, sexual assault, child neglect, truancy, and more. The tangible costs of ineffective responses to these problems is difficult to measure, but are certainly compounded if underlying issues are not effectively addressed.

Effective Justice Strategies: The Report

In 2012, the EJS subcommittee released *Effective Justice Strategies in Wisconsin: A Report of Findings and Recommendations*. The report, commissioned by EJS and written by the National Center for State Courts, identifies court-related evidence-based strategies and makes recommendations related to the court system's role in fostering statewide support and replication of these strategies. The report focuses on three primary areas: the use of risk and needs assessments in judicial decision making; problem-solving courts as a treatment and supervision response to certain groups of offenders; and collaborative justice system planning.

EJS continues their work to implement the recommendations from this report and to move the Wisconsin court system forward with evidence-based decision-making and practices.

Criminal Justice Coordinating Councils

Each year more Wisconsin counties are developing collaborative teams to problem solve around justice system and public safety issues in their communities. An effective collaborative team can bring about improvements and new initiatives (i.e. problem solving courts, utilization of risk assessment tools, community service programs, restorative justice, etc.) that cannot be achieved by a single agency or organization. Coordinating councils provide the necessary foundation for communities to fully assess the needs of the

local criminal justice system and develop programming and practices in response to these needs. Judges play a critical role in these teams by convening the appropriate justice system leaders and offering a unique perspective of the system and its impacts from an objective and neutral vantage point.

More than 50 formal and informal councils exist in Wisconsin to date. For a directory and informational resources go to: <https://cjcc.doj.wi.gov/>.

Gov. Scott Walker created a state criminal justice coordinating council (CJCC) in April 2012. With 20 appointed representatives from across the criminal justice system, the group developed four subcommittees: evidence based decision making; data and benchmarks; problem solving courts; and public outreach. The state CJCC is chaired by the attorney general and the secretary of corrections, a representative of the committee of chief judges sits on the council, and the director of state courts sits on both the full council and the executive committee. Members of the EJS subcommittee sit on each of the four subcommittees.

Problem-solving Courts:

The problem-solving court approach is one that has been rapidly growing nationwide throughout the justice system over the last few decades. The most commonly known problem-solving court program is the drug court but a wide range of specialized court programs, including mental health, veteran's, domestic violence, reentry, etc., are being developed to address the underlying issues related to criminal behavior. These courts work across disciplines and with other institutions to deploy interventions that treat the offender while also holding them accountable for criminal actions. About 70 problem-solving court programs currently exist in Wisconsin. For a directory of Wisconsin problem-solving court programs and other informational resources go to: www.wicourts.gov/courts/programs/altproblemsolving.htm.

Measuring Performance

The National Center for State Courts (NCSC) has developed a comprehensive report establishing 17 areas of measurement that will help ensure drug treatment courts in Wisconsin are performing effectively and efficiently. The

report, entitled “Wisconsin Statewide Drug and Hybrid Court Performance Measures: A Foundation for Performance Management,” is the result of a collaboration between NCSC, the Director of State Courts Office, and an advisory group consisting of members of EJS, judges, county drug treatment program coordinators, and staff from the state court system, the state Department of Justice (DOJ), and the state Department of Corrections. Wisconsin counties that run treatment court programs will use the report as a guideline for collecting relevant data to evaluate performance in a variety of areas, including, among other things: sobriety; recidivism; restitution; drug-testing, screening, and assessment; supervision; and employment and education. The state DOJ is establishing the database for use by counties to gather information. The NCSC report sets targets to provide a point of comparison to help drug court managers assess areas of a program performing well and areas that may be in need of improvement. The performance measures are intended to help provide feedback for making continuous improvement in a treatment court program. NCSC notes in the introduction to the report that measuring the performance of drug courts is compelling because they must compete with other priorities of the criminal justice system for a finite amount of resources. The development of the report was funded under a grant to the Director of State Courts from the U.S. Bureau of Justice Assistance. The training sessions were funded under a grant to DOJ from the U.S Bureau of Justice Assistance.

Training

More than 500 people from 58 Wisconsin treatment court programs received training in treatment court standards and performance measures during sessions held at six locations across the state in the fall of 2015. The training sessions were developed, organized, and led by DOJ with the support of the Director of State Courts Office under a grant from the U.S. Bureau of Justice Assistance. Collaborative teaching teams consisted of members of EJS, judges, treatment court program coordinators, and state Department of Corrections (DOC) staff. Participants in the training sessions included judges, public defenders, district attorneys, DOC staff, treatment court coordinators, law enforcement, treatment staff, and social workers from Wisconsin treatment court programs. Training covered the 17 Wisconsin Treatment Court Standards and the National Center for State Courts’ (NCSC) Performance Measures, all of which help ensure that treatment courts effectively improve performance of the criminal justice system. Participants in the training sessions will use what they have learned to develop or refine specific plans for operating effective treatment courts in their jurisdictions. The 17 standards support the continuing implementation of evidence-based practice approaches to the criminal justice system. The core of these standards is based on The Key Components published by the US Department of Justice. Each standard encompasses a set of practice points and identify specific steps to achieve these standards and activities unique to treatment courts in Wisconsin. Performance measures provide timely information about key aspects of the performance of the drug court to program managers and staff, enabling them to identify effective practices and, if warranted, to take corrective

actions. NCSC worked closely with the advisory group to help structure the training and provide resources. Additional support was provided by the Wisconsin Association of Treatment Court Professionals and more than 30 people from counties, state agencies and the court system. Members of EJS also provided guidance for the training. To view training materials go to:
www.watcp.org/2015-wi-treatment-court-standards-training-materials/.

Other EJS programs and practices

Many innovative justice system programs and practices are occurring throughout Wisconsin in addition to problem-solving courts. In many cases, the court system plays an integral role in this programming. Promising practices include: use of validated risk assessments, diversion and pre-trial programs, alternatives to incarceration, and cost-benefits analysis.

In 2010, Eau Claire and Milwaukee counties were selected to participate in a National Institute of Corrections (NIC) Evidence-Based Decision Making (EBDM) Initiative, intended to equip criminal justice policymakers in local communities with the information, processes, and tools to result in measurable reductions of pretrial misconduct and post-conviction reoffending.

In 2015 Wisconsin was selected as one of three states to advance to the State Level Phase V of EBDM, joining Indiana and Virginia. Work on the State Level Policy Team (The State CJCC EBDM Subcommittee) and on the six local teams (Chippewa, Marathon, Outagamie, La Crosse, Rock and Waukesha counties) is wrapping up in the summer of 2016. Work accomplished includes building collaborative policy teams, system mapping, baseline data collection, change target selection, and planning for implementation in Phase VI. NIC will make their selections by September 2016. Members of EJS are represented on the State Policy Team and various change target workgroups. Additional information is available at: <https://cjcc.doj.wi.gov/subcommittee/ebdms-0>

EJS subcommittee recommendations to date

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1. Support the development of a criminal justice council for every county.
2. Educate the legislature and public about effective justice strategies.
3. Support a comprehensive assessment of Wisconsin justice system programming to determine best practices and build state level support for these initiatives.
4. Support the development of permanent state level funding mechanisms for effective justice strategies.

To view a directory of information about EJS go to any of the direct links provided above in this handout or navigate the following steps from the main court system web page:

1. Go to www.wicourts.gov
2. Select “About the Courts”
3. Select “Programs”
4. Select “Effective Justice Strategies”

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