

**PPAC Effective Justice Strategies Subcommittee
Summary of 2018 Activities
Prepared for the February 13, 2019 PPAC Meeting**

Summary

In 2018, the Effective Justice Strategies (EJS) Subcommittee focused on efforts to support the implementation and expansion of effective treatment court programs. In particular, the Subcommittee focused on examining diversion efforts related to individuals with substance or mental health issues and the effectiveness of mental health courts, exploring standards for treatment providers and strategies to address the lack of treatment services, and creating a peer review system for Wisconsin treatment courts. During the past year, the EJS Subcommittee has continued to build on past efforts to leverage the experience and knowledge of local, state and national experts in reducing recidivism and in addressing the needs of those impacted by the substance abuse and other challenges.

Evidence-Based Decision Making

In 2018, the National Institute of Corrections (NIC) Evidence-Based Decision Making (EBDM) Initiative experienced an extended period of suspended technical assistance, due to federal budget uncertainty and organizational challenges. Despite this setback, the state-level EBDM team continued to work on implementing pre-trial and diversion programs across Wisconsin. This included developing program standards, training county-level teams on implementation, supporting bail reform, and providing evidence-based recommendations for criminal justice system stakeholders at all levels of the criminal justice system. In addition to this state-level work, local EBDM teams continued to implement change targets, such as mental health flags in law enforcement data systems, case processing improvements, and stakeholder outreach. State EBDM members and EJS members are also on the 2018 Legislative Council Study Committee on Bail and Conditions of Pretrial Release. NIC support will resume in 2019, which will allow for the expansion of EBDM practices to additional counties and on the sustainability of the existing state and local teams. Members and staff of EJS are embedded in all of the EBDM Subcommittees, and Office of Court Operations staff, in particular, will be engaged in supporting EBDM expansion to new counties.

Treatment Alternatives and Diversions (TAD) Grant Program

The TAD grant program was created by 2005 Wisconsin Act 25 in order to augment county efforts to provide treatment and diversion for non-violent adult offenders for whom substance abuse was a contributing factor in their criminal activity. In 2018, TAD-supported programs were active in 50 counties and two tribal communities. During the past year, the EJS Subcommittee focused its efforts on finalizing revised standards for treatment court programs, as well as on providing technical assistance to problem-solving court programs and their local CJCC oversight committees. Members of the EJS Subcommittee have worked in close cooperation with the TAD program since its inception, and have provided support through numerous channels, including serving on the statewide TAD Advisory Committee, assisting with grant application review and selection, and providing technical assistance to TAD program grantees. Because the TAD program is not expected to award new grants during the coming year, EJS will continue to focus on tasks such as providing technical assistance to existing TAD programs, developing performance measures for a range of problem-solving court types, including Operating While Intoxicated (OWI) programs, veterans

courts, family treatment courts, and mental health courts, and developing materials to assist with the implementation of the newly-revised Wisconsin Treatment Court Standards.

Results First Initiative

Also of concern to the EJS Subcommittee is re-engagement with the Results First Initiative, which is focused on assessing the impact of adult criminal justice programs using cost-benefit analysis that factors in programs and interventions available across a number of state-level agencies and justice partners. This effort, which was initially supported by the Pew Charitable Trusts and the John D. and Catherine T. MacArthur Foundation, is on stand-by pending a renewed Memorandum of Understanding that establishes an entity responsible for the administrative management of the initiative. As a result of this uncertainty, plans to expand the scope of the initiative have been forced to pause until a formal oversight structure can be established. EJS will continue to work with the State CJCC and other entities to renew this effort in 2019 so that it may move forward.

Treatment Courts

The Wisconsin Association of Treatment Court Professionals (WATCP) held its most recent statewide conference in April 2018. This gathering brought together 500 participants, including 50 judges, to learn about what elements are required to establish a problem-solving court, and about how to support the ongoing operational needs of such programs. The WATCP Coordinators Conference was held in September 2018, and featured specific content designed to support both new and existing treatment court coordinators. Both conferences offered a variety of sessions to support a range of different participant types, and to provide topics relevant to various types of treatment courts. The conference also provided a number of more general training topics related to mental health and substance abuse treatment.

The National Drug Court Institute (NDCI), through its Justice for Vets program, conducted a Veterans Treatment Court Operational Tune-Up training session in May 2018 for four local veteran courts. Teams from the 2nd Judicial Administrative District, Milwaukee County, Northeast Wisconsin Veterans Treatment Court, and the Sheboygan Area Veterans Court teams attended. In addition, NDCI, in partnership with the Bureau of Justice Assistance, offered an Adult Drug Court Operational Tune-Up training session for programs operating in Fond du Lac, Marquette, Kenosha, and Pierce Counties.

During 2018, the Center for Court Innovation provided technical assistance to enable development of a statewide strategic plan to address the expansion and ongoing support of treatment court programs in the state. The strategic plan will harness the collaborative efforts of local and state-level stakeholders and establish long-term training and technical assistance goals. The EJS Treatment Court Work Group will begin the initial planning process for the strategic plan in 2019.

Wisconsin also received a technical assistance support grant through NDCI and NPC Research, Inc. to develop and implement a peer review process. Using this approach, treatment court professionals from across the state will review other counties' programs to ensure that they are following research-based best practices and to identify areas that are in need of improvement. In addition to identifying challenges and barriers, the peer review process will also highlight program achievements and share examples of successful program practices. This process will support development of a sustainable learning community and enable treatment courts throughout the state to access ongoing peer support and build relationships between programs. It will also provide

critical program information that will help guide the most effective use of training and technical assistance resources. Development of the peer review process will begin in spring 2019.

In response to requests for more in-depth judicial training on problem-solving courts, the Office of Judicial Education has scheduled a treatment court seminar for judges from February 7-8, 2019 in Wisconsin Dells. This session will focus on the role of the judge in treatment court proceedings, as well as on judicial interaction with treatment court program participants and staff. Topics will include motivational interviewing, due process considerations, leadership, and the application of trauma-informed practices. The training will be facilitated by the National Drug Court Institute, in collaboration with the Wisconsin Association of Treatment Court Professionals, and registration is at capacity, with 55 participants expected to attend.

Looking Ahead

In 2019, Court Operations staff will work in partnership with national experts from NADCP to offer additional training to Wisconsin's problem-solving courts. This will include an OWI Court Tune-Up training session for La Crosse, Rock, Sauk, Walworth, and Waukesha Counties in March as well as a Veteran Treatment Court Tune-Up session in June for La Crosse, Outagamie and Eau Claire Counties. NADCP is also providing Adult Drug Court Planning Trainings to Juneau and Door Counties. In addition, EJS is mindful of efforts across the state that focus on issues of race in the judicial system, and what role judges and others at the state level may play in addressing this topic. Finally, EJS Subcommittee members will continue to focus on the 2018-2020 Critical Issues related to substance abuse and mental health, including exploration of mental health treatment courts, and development of a peer review system for treatment courts in Wisconsin.