

About Violation Response + Revocations

OVERVIEW

In the beginning of 2019, the Division of Community Corrections (DCC) was tasked to review ways to safely reduce the number of persons who are revoked from community supervision by Secretary Kevin Carr. Specifically, DCC was asked us to evaluate 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, five focus areas were identified to address system changes. 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**

REFORM + DESIRED CHANGES

The following are policy change highlights from each of the focus areas:

1a. Rules of Supervision

The Department has initiated the process to review and make recommendations to the administrative code, with a recommendation to reduce the number of standard rules of supervision to nine rules. Agents can add additional rules if there is a nexus to the underlying offense. In an attempt to target additional special rules to the risk of the individual, and also streamline the wording of the rule, standard special rules were developed 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

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. Examples include 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 for 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. Sanctions for up to 90 days will need to be approved by the Regional Chief.

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.