



CRIMINAL JUSTICE REFORM

INTRODUCTION

Wisconsin has two opportunities in 2015-16 to significantly reduce recidivism and to improve the re-entry prospects of offenders: 1) by expanding the existing Treatment Alternatives and Diversions (TAD) program, and 2) by returning first-time, nonviolent 17-year-old offenders to the juvenile justice system.

WCC CRIMINAL JUSTICE PRINCIPLES

In 1999, Wisconsin's Catholic bishops issued *Public Safety, the Common Good, and the Church: A Statement on Crime and Punishment in Wisconsin*. The statement set forth five guiding principles for corrections policies:

1. Convey respect for the human person.
2. Serve the common good.
3. Exercise an option for the poor and marginalized.
4. Serve the end of restoration, even when enforcing strict punishment.
5. Foster the principle of solidarity among all in the community.

The following two policy changes are in keeping with the Church's teaching.

WCC POSITIONS

Treatment Alternatives and Diversions (TAD) Program. Begun in 2007, the Wisconsin Department of Justice's TAD Program now funds around 34 county and tribal projects around the state that divert first-time, nonviolent offenders who have underlying substance abuse problems from going to jail or prison. The Office of Justice Assistance lists the following accomplishments of these diversion programs:

- TAD graduates were significantly less likely to be convicted of a new offense within one year, two years, and three years after completing a TAD program.
- 81% of TAD graduates did not have any new convictions after three years.
- TAD graduates are nine times less likely than non-graduates to be admitted to state prison after program completion.
- 97% of TAD graduates stayed out of state prison after completing their TAD program.
- Overall, for every \$1 invested in TAD, it yields benefits of \$1.93 to the criminal justice system through averted incarceration and reduced crime.
- To date, the original seven TAD projects have averted a total of 231,533 incarceration days (141,215 jail days and 90,318 prison days).
- Based on calculations from the 2011 report to the Legislature, those 231,533 averted incarcerations days translate into \$15,140,015 in avoided jail (\$7,201,965) and prison (\$7,938,050) costs.

Despite the measurable success of the TAD Program, the need for greater funding is urgent. Current state funding is \$4 million annually. The WCC joins the faith-based organizing network, WISDOM, and others in asking for a significant increase in TAD funding so that more counties can establish their own projects. In addition, the WCC urges the Legislature to ensure that sufficient high-quality treatment programs are available statewide, so that every offender who qualifies for treatment can receive timely and effective services.

Juvenile Justice. For the past 20 years, Wisconsin has mandated that all 17-year-old offenders be adjudicated in the adult system. Today, however, there is near universal agreement among medical professionals, corrections officials, social scientists, and legislators across the political spectrum that 17-year-olds belong in the juvenile justice system, particularly those who are first-time, nonviolent offenders. Because the adolescent brain is still being formed, the age appropriate programming found in the juvenile system is the best means to rehabilitate a young offender and to reduce recidivism. Furthermore, adolescents in the juvenile system continue their high school education, whether in their own communities or in a detention center. This leaves them far better equipped to re-enter society than those who languish in adult institutions. Finally, adolescents are far more likely to reoffend, be victimized, or attempt suicide when they are housed in adult institutions.

Last session, a bill to return first-time, nonviolent 17-year-old offenders to the juvenile justice system received broad bi-partisan support, but ultimately failed to pass due to fiscal constraints. Because of all the programming and educational instruction needed to keep adolescents on track, it simply costs more per capita to run the juvenile system than it does the adult system. Moreover, while the costs of caring for prison inmates falls on the state, the cost of caring for juveniles falls on the counties. Therefore, returning 17-year-olds to the juvenile system will put an immediate fiscal burden on the counties.

Recognizing these fiscal challenges, the WCC joins other advocates in urging the Legislature to work closely with the counties and find the necessary funding to return first-time, nonviolent 17-year-old offenders to where they belong.

ACTION REQUESTED

Please contact your legislators and urge them to:

1. Increase funding for the TAD Program and ensure that sufficient high-quality treatment programs are available statewide.
2. Find the funds necessary to return first-time, nonviolent 17-year-old offenders to the juvenile justice system.

For more information, please contact Barbara Sella at 608/257-0004.

To contact your State Senator or Representative, visit the Wisconsin State Legislature website at <http://legis.wisconsin.gov> and click on "Find My Legislators," or call the State Legislative Hotline, 1-800-362-9472.