

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

Date: May 31, 2012

To: Supervisor Mark Borkowski-Chair, Judiciary, Safety and General Services Committee
Supervisor Willie Johnson, Jr.-Chair, Finance & Audit Committee

From : Jeffrey A. Kremers, Chief Judge
Holly Szablewski, Judicial Review Coordinator

Subject: **Informational Report: Status of Universal Screening Program Implementation**

BACKGROUND

The 2012 budget included a \$1,024,423 appropriation for full implementation of Universal Screening. The 2012 approved budget granted the Chief Judge permission to execute a professional services contract with Justice 2000, Inc. to provide universal screening services.

IMPACT OF NATIONAL INSTITUTE OF CORRECTIONS EVIDENCE-BASED
DECISION MAKING INITIATIVE (EBDMI) ON UNIVERSAL SCREENING

In 2010, the Milwaukee County Community Justice Council (MCCJC) submitted a successful application to participate in the National Institute of Corrections Evidence-Based Decision Making Initiative. Phase II of this initiative involved intensive efforts to map Milwaukee County's criminal justice system and to identify key decision points where the introduction of evidence-based practices and tools would result in the shared initiative goals of:

- Enhancing public safety
- Being good stewards of public funds
- Better utilization of limited and precious system resources

Evidence-based decision making means that programs and initiatives are:

- Driven by research defined best practices
- Sustainable
- Can be measured, justified and replicated

During Milwaukee County's participation in Phase II of the EBDMI, an intensive review of the County's criminal justice system front-end decision making process was completed. During the course of this review and ongoing work with Milwaukee's technical assistance provider, the original Universal Screening Pilot program implementation plan was reviewed by all stakeholders, Milwaukee's EBDMI technical assistance provider and the EBDMI Booking to Initial Appearance Work Group. Resulting from this work were several recommendations intended to enhance the implementation plan, align the program more closely with evidence based practices, increase the likelihood of long term program success, improve the potential fiscal impact, and reduce the possibility of implementation failure.

To address recommendations stemming from the EBDMI as expeditiously as possible, the Chief Judge created the Universal Screening Work Group. This group is lead by the Chief Judge and Judicial Review Coordinator and includes the presiding judges of the felony and misdemeanor divisions, judicial court commissioner, deputy district attorney, public defender, MCSO, Justice 2000, WCS and Victim Witness Unit staff. The following recommendations were addressed:

- *Validate the Milwaukee County Pretrial Risk Assessment Instrument (MCPRAI).* One of the principles of the EBDMI that is supported by extensive research is that actuarial based risk assessment instruments consistently perform better than professional judgment alone in predicting the risk for pretrial failure. While the MCPRAI was developed by Justice 2000 in neighboring Racine County and was in use in Milwaukee County's pretrial services programs for a number of years, it had not been validated locally. Despite research that supports the "portability" of the risk tool across jurisdictions, best practice is to insure the tools are as predictive as possible for the intended population in the intended jurisdiction of use.

In order to address this, in June, 2011 the Office of the Chief Judge engaged Dr. Marie VanNostrand along with Dr. Christopher Lowenkamp, nationally recognized pretrial risk assessment instrument experts, in a validation study of the Milwaukee County Pretrial Risk Assessment Instrument (MCPRAI). That study determined that the MCPRAI was not actually predicting pretrial success or failure as well as expected. Additional data analysis and resulting instrument modifications have resulted in significant improvements in its predictive ability. The tool (MCPRAI-Revised) has been finalized and is now in use. Re-validation of the tool will occur within 12-18 months of full program implementation.

- *Develop a Praxis to guide front-end release decisions and determination of bail conditions.* (**Praxis** is the process by which a theory, lesson, or skill is enacted, practiced, embodied, or realized. "Praxis" may also refer to the act of engaging, applying, exercising, realizing, or practicing ideas.)

The original Universal Screening proposal envisioned pretrial staff completing the MCPRAI and intake interview with an arrestee. They would then summarize the information and provide the risk score and other bail-related information to the key decision-makers but without an accompanying recommendation or guideline for release or detention or recommendation related to release conditions.

Research on the "risk principle" has shown that higher risk defendants are more likely to fail (rearrest or fail to appear in court) during the pretrial period. In order to address this risk, more intensive pretrial conditions are necessary whether it be high cash bond, more intensive supervision or pretrial detention. Conversely, low risk defendants are more likely to fail when over conditioned through unnecessary pretrial supervision or imposition of cash bond.

To provide additional guidance to stakeholders in the release decision, enhance public safety and to ensure that valuable pretrial supervision resources are directed to the appropriate and most cost-effective target populations, Dr. Marie VanNostrand worked with the Universal Screening Work Group to develop the Milwaukee County Pretrial Praxis. The Praxis incorporates the defendant's risk for pretrial misconduct and the nature of the charge into a resulting guideline for the setting of bail and determination of release conditions.

- *Conduct stakeholder training on evidence-based decision making and use of pretrial risk assessment instruments.* Critical to the successful implementation of any program is obtaining stakeholder understanding and buy-in. This is attained by insuring that the broad research supporting evidence-based decision making, pretrial risk assessment and Universal Screening is presented to key stakeholders who will use the resulting information to inform their decisions. In addition, more specific training on the screening tools (MCPRAI-R, Praxis, Intake Interview, etc.) is critical to stakeholders gaining an understanding of how pretrial staff apply the screening tools and arrive at resulting recommendations. It is also essential to train personnel in proper interpretation and application of risk assessment/praxis information in their bail recommendations and decisions.

In October of 2010, the Judicial Review Coordinator submitted an application to the Pretrial Justice Institute (PJI) for technical assistance and training on front-end decision making. The application was accepted and in December, PJI provided free training for approximately 175 Milwaukee County criminal justice system stakeholders including judges, judicial commissioners, district attorneys, public defenders, private bar and pretrial services staff.

Building on this effort, in May of 2011 the National Institute of Corrections provided additional no-cost training more specific to the EBDMI, risk assessment and release decision-making through Milwaukee's participation in the EBDMI. Almost 200 system stakeholders were in attendance.

Dr. Marie VanNostrand returned to Milwaukee in September, 2011 to conduct stakeholder training specific to the use and application of these tools. Over 300 stakeholders received training during six training sessions held over the course of two days.

- *Develop and implement a strong data collection plan.* In order to measure program activity, outcomes and impact of the program, the Judicial Review Coordinator is working with Milwaukee's EBDMI and Justice Reinvestment Initiative (JRI) technical assistance providers, the MCCJC Data Committee, IMSD and Universal Screening Work Group to ensure essential program activities, data and outcomes are properly collected and stored for analysis and evaluation. Part of this work involves modifying the Milwaukee County Pretrial Services Information System (MCPSIS) to collect the necessary information. Work currently is focused on establishing a sustainable reporting and evaluation

model that will analyze Milwaukee County's pretrial detention population and Universal Screening data/outcomes to measure the impact and cost-savings of Universal Screening. Attachment E is a draft of this report showing the proposed content. In addition, significant data is being collected in MCPSIS relative to Universal Screening activity and pretrial supervision outcomes and will be included in this report. Examples of data to be included are contained in the next section of this report.

CURRENT PROGRAM STATUS

Full implementation of Universal Screening was achieved on January 17, 2012. Justice 2000 (J2K) provides 21.15 FTE positions for the Universal Screening operation. The program is staffed 24-hours per day, 7 days per week, and 365 days per year. Staff is stationed in the booking area of the County Correctional Facility-Central (CCF-C) and the Central Intake Unit (CIU) of the CCF-C.

J2K staff conducts pretrial investigations on the following arrestees who have charges in any one or more of the following categories:

- Summary criminal traffic offense
- Summary misdemeanor offense
- Summary felony offense
- Criminal traffic warrant return
- Misdemeanor warrant return
- Felony warrant return
- Criminal traffic bench warrant return
- Misdemeanor bench warrant return

The pretrial investigation process consists of the use/application of the following evidence-based instruments (See copies of all tools attached to this report):

- Milwaukee County Pretrial Risk Assessment Instrument-Revised (MCPRAI-R) (Attachment A)
- Milwaukee County Pretrial Investigation Interview (Attachment B)
- Milwaukee County Pretrial Praxis (Attachment C)

(NOTE: The Praxis does not currently apply to domestic violence and non-OWI related homicide cases.)

Results of the pretrial investigation are summarized in the Milwaukee County Pretrial Risk Assessment Report (Attachment D) and the report is then published to a web-enabled database that is accessible by key stakeholders for use in their respective decision-making processes. The assistant district attorney assigned to review the case may use the report to determine whether to offer a diversion or deferred prosecution agreement to the person and to aid in making recommendations as to bail and bail conditions should the decision be to charge the individual with a crime. The ADA assigned to In-Custody Intake Court also has access to the report for use at the

defendant's initial appearance. The defense attorney has access to the report prior to the initial appearance and can review the report with the defendant and pursue other appropriate pretrial alternatives to incarceration. The commissioner assigned to In-Custody Intake Court also has access to the report and utilizes it to assist in the initial release/bail decision. Judges also have access to the report for use at later bail hearings.

PROGRAM GOALS/OBJECTIVES/MEASURES

Goals:

1. \$1,000,000 in jail cost savings resulting from reduced pretrial jail population.
2. 40% reduction in the rate of pretrial misconduct (defined as failure to appear for a scheduled court hearing or rearrest for new criminal charge.)

Objectives:

- 100% percent of eligible defendants will be screened.
- The bail and release conditions decision will match the Praxis recommendation in 85% of cases.
- The average length of stay (ALOS) for pretrial defendants will be reduced by 10%. 2011-2012 jail population data are currently being analyzed to establish the baseline ALOS.
- The average daily pretrial population (ADP) will be reduced by 15%. 2011-2012 jail population data are currently being analyzed to establish the baseline ADP.
- 50% decrease in the pretrial failure to appear (FTA) rate. Milwaukee County needs to establish a baseline FTA rate for all defendants, including those released without pretrial supervision. Baseline data should include the FTA rate by release type (posted cash bail or personal recognizance) as well as by case type (felony, misdemeanor, criminal traffic).
- 10% reduction in pretrial rearrest rate. The jurisdiction needs to establish a baseline rearrest rate for all defendants, including those released without pretrial supervision. Baseline data should include the rearrest rate by release type (posted cash bail or personal recognizance) as well as by case type (felony, misdemeanor, criminal traffic).

Program Activity and Outcomes-January 17, 2012-May 24, 2012

Screening Metrics

Booked Subject to Screening	7,095
Subject to Screening-Screened	6,367
Declined Screening	718
<u>Missed</u>	<u>10</u>
% Screened	89.7

Accounting for those who decline to be interviewed, the percent screened 99.8%.

Most Serious Charge Status at Booking

Arrest Warrant	10.4%
Bench Warrant	6.5%
Summary Arrest	83.1%

Most Serious Charge Class at Booking

Felony	42.3%
Misdemeanor	57.5%

Praxis Overrides

2,886 persons appeared in Intake Court on cases in which the Praxis applied. There were 291 overrides, for an adherence rate of 89.1%.

The following tables represent data analysis of 3,331 screens completed from January 17, 2012-March 24, 2012.

SCREENINGS BY MCPRAI-R SCORE & PRAXIS CATEGORY

Risk Score	Category I	Category II	Category III	Category IV	Total
0	101	0	0	0	101
1	372	0	0	0	372
2	554	0	0	0	554
3	0	532	0	0	532
4	0	493	0	0	493
5	0	387	0	0	387
6	0	0	358	0	358
7	0	0	319	0	319
8	0	0	0	171	171
9	0	0	0	44	44
Total	1,027	1,412	677	215	3,331

SCREENINGS BY MCPRAI-R RISK CATEGORY

Risk Group	Frequency	Percent	Cumulative Percent
Category I	1027	30.8	30.8
Category II	1412	42.4	73.2
Category III	677	20.3	93.5
Category IV	215	6.5	100.0
Total	3,331	100.0	

SCREENINGS BY BOND TYPE

Month	Missing	Cash	PR	Total
Jan	4	166	561	731
Feb	2	271	1,067	1,340
Mar	46	265	949	1,260
Total	52	702	2,577	3,331

SCREENINGS BY RECOMMENDED SUPERVISION LEVEL

Month	None	Standard	Enhanced	Intensive	Total
Jan	244	206	185	96	731
Feb	441	411	313	175	1,340
Mar	389	426	306	139	1,260
Total	1,074	1,043	804	410	3,331

Pretrial Jail Population

At the time Universal Screening became fully operational, the pretrial jail population was 862. Since full implementation of screening and utilization of the Praxis, the pretrial jail population has hovered around 750. That is a 13% reduction in the pretrial population. Further analysis needs to focus on confirming the causal relationship between full program implementation and this population reduction.

Other Positive Impact Indicators

1. An analysis of the weekly "Inmates With Cash Bail of \$250 or Less-Each Case" list shows the following:
 - Prior to implementation of Universal Screening, this list averaged 38 inmates with 82% of the list comprised of misdemeanants. Since implementation, the list averages 12 inmates and 65% are misdemeanants.

2. Analysis of bail setting pre and post Universal Screening implementation shows the following:
 - 2009 Bail Setting Study (830 defendants)
 - 50% of criminal misdemeanor/criminal traffic cases had cash bail set.
 - 81.5% of felony cases had cash bail set.
 - Just 8% of the 830 defendants had supervision ordered as a condition of release.

2012 Post Universal Screening Implementation

	Bond Type		Conditions Ordered	
	Cash	PR	Yes	No
Misdemeanor	4.5%	95.5%	32.6%	67.4%
Felony	41.0%	59.0%	43.8%	56.2%

3. Admissions to Pretrial Supervision

In the last quarter of 2011, the pretrial supervision program averaged 98 new admissions per month. Since implementation of Universal Screening the average number of new admissions to supervision is 234 per month, an increase of 139%. During the fourth quarter of 2011, prior to implementation of Universal Screening, the average daily supervision census was approximately 350.

As part of the EBDMI review and Praxis development, the pretrial supervision program has undergone significant re-design in order to align supervision services with the evidence-based risk principle. The re-design resulted in an increase in supervision capacity from 275 to 575. As of May 31, 2012 there were 889 defendants under pretrial supervision. Additional pretrial supervision capacity will be needed in 2013 to accommodate the increase in number of persons being released from custody to pretrial supervision. The Judicial Review Coordinator is currently working with Justice 2000 and the State Office of Justice Assistance to utilize surplus 2011 OJA grant funds to create additional screening/supervision capacity.

ADDITIONAL INFORMATION/NEXT STEPS

- In an effort to analyze stakeholder utilization and perception of the effectiveness, usefulness and quality of risk assessment and Praxis information gathered and presented through Universal Screening, approximately 300 system stakeholders were surveyed between 5/7/12-5/18/12. Results of the survey will be used to inform the next round of technical assistance and training for all system stakeholders. Results of this survey will be presented in the next Universal Screening informational report to the County Board.
- Considerable effort will be focused on finalizing development of program evaluation and impact reports. Progress reports will be included in future informational reports.

RECOMMENDATION

The Chief Judge and Judicial Review Coordinator respectfully request this report to be received and placed on file.

ATTACHMENT A

MILWAUKEE COUNTY PRETRIAL

RISK ASSESSMENT-REVISED

(MCPRAI-R)

MILWAUKEE COUNTY PRETRIAL RISK ASSESSMENT INSTRUMENT-REVISED (MCPRAI-R)

Name: _____ Case Number: _____

Charge(s): _____ Assessment Date: _____

Verified	Risk Factor	Score
<input type="checkbox"/>	Cases Filed – How many criminal case filings has the defendant had? 0 = 1 case 2 = 4+ cases 1 = 2-3 cases	<input type="text"/>
<input type="checkbox"/>	Prior Failure to Appear in Court – Has the defendant failed to appear in court? 0 = None 2 = 2 prior FTAs 1 = 1 prior FTA 3 = 3 or more prior FTAs	<input type="text"/>
<input type="checkbox"/>	Arrested While Out on Bond – Was the defendant on any form of pretrial release at the time of the alleged offense? 0 = No 1 = Yes	<input type="text"/>
<input type="checkbox"/>	Employment/Primary Caregiver – At the time of arrest, was the defendant either a primary caregiver or employed full time? 0 = Yes 1 = No	<input type="text"/>
<input type="checkbox"/>	Residence – Has the defendant lived at current residence 1 year or more? 0 = Yes 1 = No	<input type="text"/>
<input type="checkbox"/>	UNCOPE Score –Total UNCOPE Score (Substance abuse measure) 0 = UNCOPE Score < 3 1 = UNCOPE Score of 3 or greater	<input type="text"/>
	Total Points-add all points together	<input type="text"/>

Risk Category	Score Range
I	0-2
II	3-5
III	6-7
IV	8-9

ADDITIONAL CONSIDERATIONS:

- Active Criminal Justice Supervision
- Self Surrendered
- Student, Disabled, Retired
- VA Benefit Eligible

See PRAXIS for recommended bond type and release conditions

ATTACHMENT B

MILWAUKEE COUNTY PRETRIAL
INVESTIGATION INTERVIEW

DEMOGRAPHICS

Name		DOB	Age
Alias(s)	Race	Ethnicity	
Marital Status/Maiden Name	# Dependents	# Living w/	SS#

RESIDENCE

Address at Time of Arrest								
City	State	Zip						
Lives with:								
Time at Current Address	yr.	mo.	Time in Milwaukee Area	yr.	mo.	Time in Wisconsin	yr.	mo.
Address upon Release						Willing to stay at shelter		
Phone Number(s):	Residence Info Verified?			Verified By				
Notes:								

FAMILY/REFERENCES

							Contacted
Name	Relationship	Phone					<input type="checkbox"/>
Address							
Name	Relationship	Phone					<input type="checkbox"/>
Address							
Name	Relationship	Phone					<input type="checkbox"/>
Address							
Notes:							

EMPLOYMENT

Employment Status	Hours/Week						
Employer	Phone	Last Date Worked					
Length of Employment	yr.	mo.	Permission to Contact?				
Primary Caregiver?	For Whom?						
Retired?	Prior Business/Occupation						

Primary Source Income	Currently Receiving Disability Benefits?
Employment/Primary Caregiver Verified?	Verified By
Notes	

MILITARY SERVICE

Branch	Discharge Date	Grade/Rank at Discharge
Discharge Type	Highest Rank	Eligible for VA Benefits?
Years in service?	Notes	

EDUCATION

Currently a Student?	Institution Name
Full/Part Time	Last Grade Completed
Notes	

SUBSTANCE USE

DRUG	1ST USE/LAST USE	FREQUENCY/METHOD	PRIMARY SUBSTANCE
THC			
Cocaine			
Opiates			
Alcohol			
Other			
Other			

Currently Receiving Substance Abuse TX? If so, where?	Ever Receive Substance Abuse TX?	Interested in Substance Abuse TX?
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U	In the past year, have you ever drank or used drugs more than you meant to? OR Have you spent more time drinking or using than you intended to?	Y/N
N	Have you ever neglected some of your usual responsibilities because of using alcohol or drugs?	Y/N
C	Have you felt you wanted or needed to cut down on your drinking or drug use in the last year?	Y/N
O	Has anyone objected to your drinking or drug use? OR Has your family, a friend, or anyone else ever told you they objected to your alcohol or drug use?	Y/N
P	Have you ever found yourself preoccupied with wanting to use alcohol or drugs? OR Have you found yourself thinking a lot about drinking or using?	Y/N
E	Have you ever used alcohol or drugs to relieve emotional discomfort, such as sadness, anger, or boredom?	Y/N

UNCOPE Score

Notes

Do you think that your current legal situation is in any way linked to alcohol or drug use? Y/N

MENTAL HEALTH ISSUES

MH Diagnosis	Diagnosis Date	MH Provider
Current Medications		
Case Manager/Payee?		

PHYSICAL HEALTH ISSUES

Issue	TX Provider	Medications
Issue	TX Provider	Medications
Issue	TX Provider	Medications

Insurance

Notes

CRIMINAL HISTORY RELATED INFORMATION

Self-surrender?	Age at 1st Arrest	Total # Arrests
Pending Charges in WI?		Pending Charges Out of State?
Prior FTAs in WI?		Prior FTAs Out of State
Currently on DOC Supervision? (Probation, Extended Supervision, Parole)		
Currently on Pretrial Supervision? (WCS, J2K, DPA/DIV)		
Currently Serving a Jail or Prison sentence?		MR/GTR date

Prior Criminal Convictions in WI?

Prior Criminal Convictions Out of State?

RISK ASSESSMENT WORKSHEET

RISK FACTORS

# of Cases Filed	# of FTAs	Was the defendant on any form of pretrial release at the time of the alleged offense?		
At the time of arrest, was the defendant either a primary caregiver or employed full time?		Time at Current Residence	yr.	mo.
UNCOPE Score				

ADDITIONAL CONSIDERATIONS

# of Violent Case Filings	Active DOC/Pretrial Supervision	Full-Time Student, Retired or Disabled	
VA Eligibility	Self-surrender	BAC	# of Prior OWI Case Filings

LSI-R: SV

1. Two or more adult convictions?	NO	YES	OMIT
2. Arrested under age 16?	NO	YES	OMIT
3. Currently unemployed?	NO	YES	OMIT
4. Some criminal friends	NO	YES	OMIT
5. Alcohol/Drug problem: School/work	NO	YES	OMIT
6. Psychological assessment indicated	NO	YES	OMIT
7. Non-rewarding, parental	3	2	1 0 OMIT
8. Attitudes/orientation: Supportive of crime	3	2	1 0 OMIT

Notes

ATTACHMENT C

MILWAUKEE COUNTY PRETRIAL
PRAXIS

Milwaukee County, Wisconsin Pretrial Praxis

Grid 1 - Misdemeanor and Criminal Traffic (Excluding OWI & Risk of Injury)

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
II	Personal Recognizance [Low]	None	None
III	Personal Recognizance [Low]	Standard	As Authorized
IV	Personal Recognizance [High]	Intensive	As Authorized

Grid 2 - Misdemeanor-Risk of Injury (Excluding Domestic Violence)

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
II	Personal Recognizance [Moderate]	Standard	As Authorized
III	Personal Recognizance [High]	Enhanced	As Authorized
IV	Cash [Moderate or statutory limit]	Intensive	As Authorized

Grid 3 - Felony (Excluding OWI & Risk of Injury)

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
II	Personal Recognizance [Moderate]	Standard	As Authorized
III	Cash [Low]	Enhanced	As Authorized
IV	Cash [Moderate]	Intensive	As Authorized

Grid 4 - Felony-Risk of Injury (Excluding DV & non-OWI Homicides)

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [High]	Enhanced	As Authorized
II	Cash [Moderate]	Enhanced	As Authorized
III	Cash [High]	Intensive	As Authorized
IV	Cash [High]	Intensive	As Authorized

Grid 5 - Misdemeanor Operating While Intoxicated

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
II	Personal Recognizance [Moderate]	Intensive	Random PBTs
III	Cash [Low]	Intensive	Random PBTs SCRAM Eligible
IV	Cash [Low/Moderate]	Intensive	Random PBTs SCRAM Eligible

Grid 6 - Felony Operating While Intoxicated

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Cash [Low]	Intensive	Random PBTs SCRAM Eligible
II	Cash [Low/Moderate]	Intensive	Random PBTs SCRAM Eligible
III	Cash [Moderate]	Intensive	SCRAM Mandatory
IV	Cash [High]	Intensive	SCRAM Mandatory

Grid 7 - Felony Risk of Injury AND Felony Operating While Intoxicated

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Cash [Low]	Intensive	Random PBTs SCRAM Eligible + As Authorized
II	Cash [Moderate]	Intensive	Random PBTs SCRAM Eligible + As Authorized
III	Cash [High]	Intensive	SCRAM Mandatory + As Authorized
IV	Cash [High]	Intensive	SCRAM Mandatory + As Authorized

NOTE: The Praxis does NOT apply to the following: 1) Non-OWI related homicides, 2) DV cases and 3) Fugitive from Justice Cases. (Persons with these charges will continue to be screened and reports will be published).

Bond Type [Ranges]

Personal Recognizance [Low] = \$0 to \$250

Personal Recognizance [Moderate] = \$250 to \$750

Personal Recognizance [High] = \$750 to \$2,500

Cash [Low] = \$1 to \$500

Cash [Low/Moderate] = \$500 to \$2,500

Cash [Moderate] = \$2,500 to \$10,000

Cash [High] = Minimum of \$10,000

Supervision Levels

	STANDARD	ENHANCED	INTENSIVE
Face-to-Face Contact	Monthly	Every other week	Weekly
Alternative Contact (phone, text, e-mail)	1 x/month	Every other week	NA
Supervised Conditions Compliance Verification	As authorized	As authorized	As authorized
Court Date Reminder	X	X	X
Criminal History/CJIS Check	X	X	X

Supervised Conditions

CONDITION	Authorized when:	CONDITION	Authorized when:
DRUG TESTING	-Defendant is eligible for supervision according to the Praxis. AND -Scores 3 or greater on UNCOPE. AND -Has a history of illegal drug use/abuse.	GPS MONITORING	-Defendant qualifies for Intensive Supervision on Grids 2-4. OR -Concern exists for victim safety/no contact monitoring.
PORTABLE BREATHALYZER Testing	-Defendant is eligible for supervision according to Grids 1-4 of the Praxis. AND -Scores 3 or greater on UNCOPE. AND -The defendant has a history of problematic alcohol use/abuse. OR -Is eligible for supervision on OWI Grids 5-6. OR -The defendant qualifies for supervision and the court is ordering absolute sobriety due to allegations of intoxication at time of alleged offense.	SCRAM Eligible	-Qualifies for supervision on Grid 5, Risk Level III or IV, Grid 6, Risk Level I or II or Grid 7 Risk Level I or II. AND ONE OF THE FOLLOWING IS TRUE -Scores 3 or greater on UNCOPE. -Already on pretrial release for an OWI at time of alleged new OWI. -Is charged with 4 th or greater OWI offense.
Absolute Sobriety	-Defendant has an UNCOPE Score of 3 or greater and alcohol is the primary substance used. OR -The police report and/or criminal complaint indicate the defendant was intoxicated at the time of arrest. OR -The defendant is charged with an OWI case and qualifies for supervision.		

Felony Crimes-Risk of Injury (List applies to and includes all subsections of the listed statutes)

346.04(3)	Felony Fleeing
940.11	Mutilating or hiding a corpse
940.19-940.20	All forms of Felony Battery
940.21	Mayhem
940.22	Sexual exploitation by a therapist
940.225	All forms of Felony Sexual Assault
940.23	Reckless injury
940.235	Strangulation and suffocation
940.24	Injury by negligent handling of dangerous weapon, explosives or fire
940.25	Injury by intoxicated use of a vehicle
940.285	Abuse of individuals at risk
940.29	Abuse of residents of penal facilities
940.295	Abuse and neglect of patients and residents – all but sub (5)

940.30	False imprisonment
940.305	Taking hostages
940.31	Kidnapping
940.32	Stalking
940.43	Intimidation of witnesses; felony
940.45	Intimidation of victims; felony
941.01(1)	Negligent Operation of a Vehicle
941.11	Unsafe burning of buildings
941.12	Interfering with firefighting – <u>all but sub (3)</u>
941.20(1m)	Endangering safety by use of a dangerous weapon
941.21	Disarming a police officer
941.24	Possession of switchblade knife
941.26 / 941.27	Machine Guns/Other Weapons
941.28	Possession of short-barreled shotgun or short-barreled rifle
941.29	Possession of a firearm
941.291	Possession of Body Armor
941.295(1)	Possession of Electric Weapon
941.296	Use or possession of a handgun and an armor-piercing bullet during crime
941.298(2)	Firearm silencers
941.30	Recklessly endangering safety
941.31	Possession of explosives
941.31(2)(B)	Possession of Improvised Explosives
941.32	Administering dangerous or stupefying drug
941.325	Placing foreign objects in edibles
941.327	Tampering with household products
941.37	Obstructing emergency or rescue personnel - <u>all but sub (2)</u>
941.375	Throwing or discharging bodily fluids at public safety workers
941.38(2)	Criminal gang member solicitation of a child
943.02	Arson of buildings
943.06	Molotov cocktails
943.07	Criminal damage to railroads – <u>all but sub (4)</u>
943.20(1)a & (3)d(5)	Theft of Firearm
943.20(1)a & (3)e	Theft From Person
943.20(1)(c)	Theft of Firearm
943.32	Robbery and armed robbery
943.76	Infecting animals with contagious disease
943.87	Robbery of a financial institution
943.10	Burglary (residential - victim present at any point during burglary)
943.10(2)(a), 943.10(2)(b), 943.10(2)(c), 943.10(2)(d), 943.10(2)(e)	Burglary, aggravated
943.23(1)(g)	OMVWOOC - Carjacking
946.01	Treason
946.02	Sabotage
946.03	Sedition
946.415	Failure to comply
946.42(4)	Aggravated Felony Escape (resulting in injury)
946.43	Assault by prisoners
947.015	Bomb Scares
948.02	Sexual assault of a child
948.03	Physical abuse of a child
948.05	Sexual Exploitation of a Child
948.051	Trafficking of a Child
948.06	Incest with a child
948.07	Child enticement
948.075	Use of a computer to facilitate a child sex crime
948.08	Soliciting a child for prostitution
948.20	Abandonment of a child
948.21	Neglecting a child - <u>all but sub (a)</u>

948.30	Abduction of another's child
948.51	Hazing
948.605(2)(A)	Possess Firearm in School Zone (both misdemeanor and felony)
951.02	Mistreating animals
951.06	Use of poisonous and controlled substances
951.08	Instigating fights between animals
951.09	Shooting at caged or staked animals
951.095	Harassment of police and fire animals
951.097	Harassment of service dogs
961.41(1)	Distribution of a controlled substance – "while armed";
961.41(1m)	Possession of a controlled substance with intent to distribute – "while armed"

Misdemeanor Crimes –Risk of Injury

940.19(1)	Misdemeanor Battery
940.225	4th Degree Sexual Assault
941.23 etc.	Carrying a Concealed Weapon
940.42	Intimidation of witnesses; misdemeanor
940.44	Intimidation of victims; misdemeanor
941.20(1)	Endangering safety by use of a dangerous weapon
943.50 (1M)(D)	Retail Theft (modifier/enhancer--While Armed)
946.41	Resisting an officer
947.01	Disorderly conduct while armed
939.63	While Armed
948.55	Leaving/Storing a Loaded Firearm with the Reach of a Child
948.60	Possession of Dangerous Weapon by a Child
948.605	Gun Free School Zones
948.605(2)(A)	Possess Firearm in School Zone (both misdemeanor and felony)
948.61	Dangerous Weapons other than Firearms on School Premises
951.02	Mistreating animals
951.08	Instigating fights between animals
951.09	Shooting at caged or staked animals
951.095	Harassment of police and fire animals
951.097	Harassment of service dogs

ATTACHMENT D

MILWAUKEE COUNTY PRETRIAL
RISK ASSESSMENT REPORT

Milwaukee County Pretrial Risk Assessment Report

Date Prepared: Mon May 14 2012

Screened By: Teisha Sanders

Identifying Information

DOB 06/13/1989 Address
Gender M Telephone Verified

Risk Category

I II **III** IV

Summary Arrest/Issued Charges

961.41(3G)(AM POSSESSION OF NARCOTIC DRUGS Felony I Summary Case Filed 2012CF002456

Recommendation

Grid 3 - Felony (Excluding OWI & Risk of Injury) Bond Type Cash [Low] Range \$1 to \$500 Supervision Level Enhanced

Authorized Condition(s) Drug Testing Portable Breathalyzer GPS Monitoring SCRAM
 Absolute Sobriety

Risk Factors

Cases Filed - How many criminal case filings has the defendant had? 1 2 or 3 4 or more
 Prior Failure to Appear in Court - How many times has the defendant failed to appear in court? 0 1 2 3 or more
 Arrested While Out on Bond - Was the defendant on any form of pretrial release at the time of the alleged offense? No Yes
 Employment/Primary Caregiver - At the time of arrest, was the defendant either a primary caregiver or employed full time? Employed Full Time Verified
 Primary Caregiver
 Residence - Has the defendant lived at current residence 1 year or more? No Yes Verified
 UNCOPE Score - Total UNCOPE Score (Substance abuse measure). Score less than 3 Score 3 or greater

Additional Considerations

Active in Criminal Justice Supervision? DOC Pretrial
 Self - Surrender? No Yes
 Student, Retired, or Disabled? Student Disabled Retired
 Eligible for Veteran's Benefits? No Yes

Comments

Mr. [redacted] currently has an active VOP hold.
 Mr. [redacted] reported residing at the above address with a friend, Andy [redacted], but was not sure of the exact address and could not recall Mr. [redacted] phone number to verify the residence.

Milwaukee County Pretrial Risk Assessment Report

Date Prepared: Mon May 14 2012

Screened By: Teisha Sanders

Identifying

Information

DOB 06/13/1989

Address

Gender M

Telephone :

Verified

Risk Category

I

II

III

IV

Verification Sources

Date	Source-Name and Telephone	Relationship	Outcome	Verified:
05/10/2012		Other Relative	No Answer	Residence: No Employment: No School: No

ATTACHMENT E

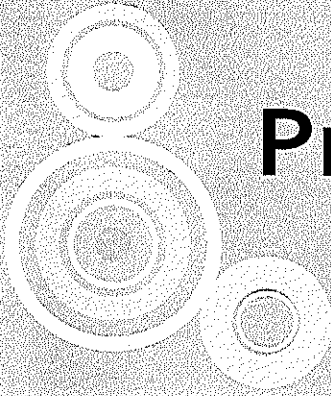
DRAFT JAIL POPULATION

UNIVERSAL SCREENING DATA REPORT

Justice Reinvestment at the Local Level: Site Data Report

Milwaukee County

February 15, 2012



Project Staff



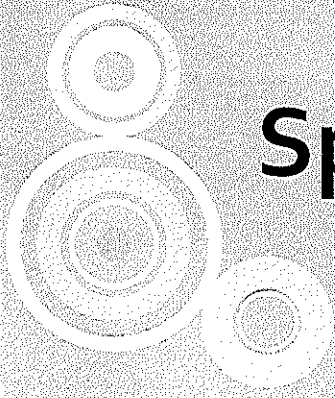
Tammy Meredith, Ph.D.
John Speir, Ph.D.
Kevin Baldwin, Ph.D.
Sharon Johnson, M.S.
Deena Isom, M.S.



Mimi Carter, Site Coordinator

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www.ars-corp.com



Special Recognition

Text to thank local staff (data providers, reviewers, etc.) . . .

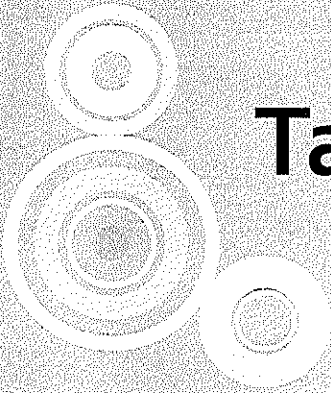
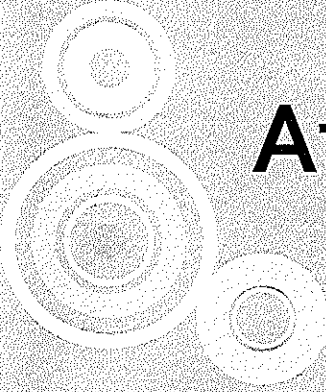


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Section 3. Policy Initiative: Diversion/Deferred Prosecution	
Section 4. Estimating the Impact of Policy Initiatives on Jail Population & Costs	



At-A-Glance

5,134

Average monthly adult arrests
2009-2010

3,439

Average monthly jail bookings
2009-2011

Jail bookings by offense severity
2009-2011

Felony	41%
Misdemeanor	51%
Other	8%

Jail bookings by status
2009-2011

Pre-Trial	47%
Sentenced	53%

Average daily jail intake
2009-2011

January	106
February	113
March	119
April	117
May	112
June	117
July	119
August	115
September	114
October	108
November	109
December	99

34,135

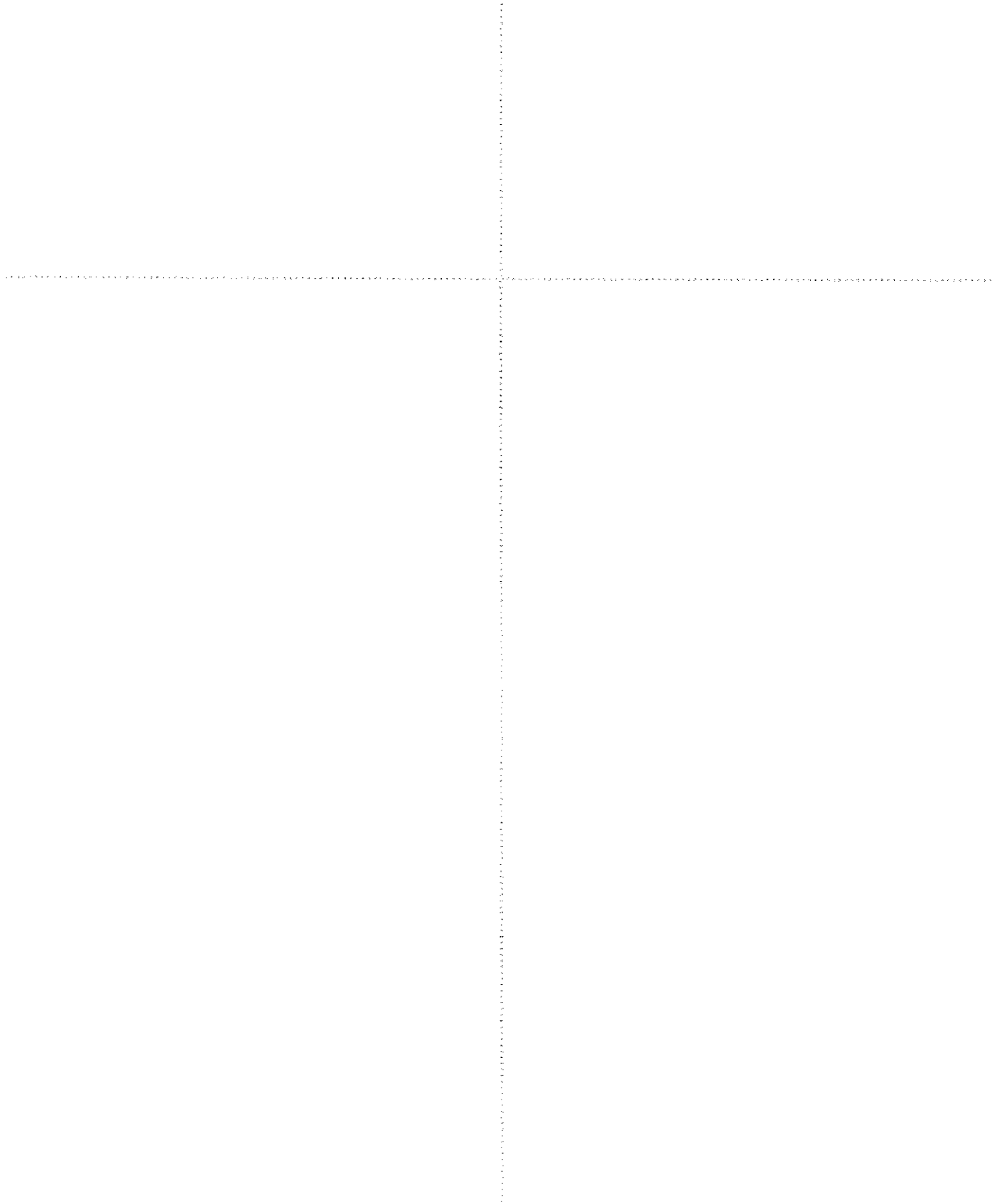
Average annual jail bookings
2009-2011

2,943

Average daily jail population
2009-2011

21.4 days total 8.1 days pretrial

Average length of stay for jail releases
2009-2011

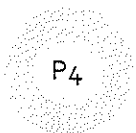




Executive Summary

Executive summary text

Text cont.





Section 1. Arrest & Jail Data

Applied Research Services, Inc., conducted analyses on a number of institutionally reported drivers of the local criminal justice system and on a series of raw data extracts from the Milwaukee Jail from 2009 through 2011. This report provides summary tables of all data including crimes, arrests, court filing, jail bookings and releases, the average daily county jail population, and length-of-stay (LOS) and jail bed days consumed by inmates (with special attention to the pre-trial jail population).

Table 1 below shows all crimes, arrests and criminal filings in Milwaukee County from 2003 to 2010. Like most of the nation, Milwaukee County is experiencing a decrease in report crimes. However, the volume of adult arrests processed by the local justice system has increased 8% in the past five years. The total number of criminal court case filings has shown a steady decline, with the total filings dropping in half between 2003 and 2010. While felony and misdemeanor case filings have fluctuated over the time period, the most dramatic changes have occurred in the number of criminal traffic case filings, which decreased 82% since 2003.

Table 1. Crimes, Arrests and Criminal Court Case Filings in Milwaukee County (2003-2010)

	2003	2004	2005	2006	2007	2008	2009	2010
Reported Index Crimes	56,352	50,059	56,312	60,050	60,787	58,587	55,424	51,512
Adult Arrests	67,309	79,599	57,842	59,051	60,516	61,114	60,990	62,237
Felony Criminal Case Filings	7,281	6,976	7,057	6,807	6,280	6,462	5,958	6,293
Misdemeanor Criminal Case Filings	10,312	10,115	10,310	9,526	8,782	7,617	6,382	7,546
Criminal Traffic Case Filings	16,556	13,988	12,127	8,103	5,652	6,577	5,055	2,937
Total Criminal Case Filings	34,149	31,079	29,494	24,436	20,714	20,656	17,395	16,776

Source: Wisconsin Office of Justice Assistance

Between 2009 and 2011 the Milwaukee County Sheriff's Office booked a total of 102,404 inmates into to the county jail. Table 2 below provides a month-by-month breakdown of bookings as well as the average monthly bookings over the three year time period.

Table 2. Total Jail Bookings by Month (2009-2011)

	2009	2010	2011*	Total	Monthly Average
January	3,558	3,447	3,261	10,266	3,422
February	3,341	3,177	2,954	9,472	3,157
March	3,521	4,044	3,532	11,097	3,699
April	3,341	3,685	3,533	10,559	3,520
May	3,337	3,504	3,521	10,362	3,454
June	3,356	3,672	3,058	10,086	3,362
July	3,525	3,803		7,328	3,664
August	3,436	3,669		7,105	3,553
September	3,416	3,400		6,816	3,408
October	3,330	3,347		6,677	3,339
November	3,280	3,249		6,529	3,265
December	3,113	2,994		6,107	3,054
Total	40,554	41,991	39,054*	102,404	

**Estimated 2011 total bookings based on January – June 2011*

Table 3 shows annual bookings by the most serious charge. The “other” category is consistently the highest over each of the three years [define here – which encompasses...], followed by misdemeanor summary arrests and felony summary arrests.

Table 3. Most Serious Charge at Jail Booking (2009-2011)

	2009	2010	2011*	Total
Felony Summary Arrest	14%	14%	14%	14%
Misdemeanor Summary Arrest	25%	24%	25%	24%
Criminal Traffic Summary Arrest	3%	3%	3%	3%
Felony Warrant Return	9%	9%	10%	9%
Misdemeanor Warrant Return	6%	7%	8%	7%
Felony Bench Warrant Return	4%	3%	2%	3%
Misdemeanor Bench Warrant Return	5%	4%	4%	4%
Other	34%	36%	34%	35%
Total	100%	100%	100%	100%

**Estimated 2011 total bookings based on January – June 2011*

The percentage of felony offenders and misdemeanants entering the jail has remained relatively constant between 2009 and 2011 (see Table 4). Also consistent has been the percentage of jail bookings for pre-trial and sentenced inmates (see Table 5).

Table 4. Most Serious Offense Among Jail Bookings by Year (2009-2011)

	2009	2010	2011*	Total	
Felony	44%	44%	46%	41%	
Misdemeanor	56%	56%	54%	51%	NOTE: check "other"
Other				8%	
Total	100%	100%	100%	100%	

* Data runs through June 2011

Table 5. Jail Bookings for Pre-Trial and Sentenced Inmates (2009-2011)

	2009	2010	2011	Total
Pre-Trial	46%	47%	48%	47%
Sentenced	54%	53%	52%	53%
Total	100%	100%	100%	100%

* Data runs through June 2011

The percentage of bookings by crime severity class has also remained steady between 2009 and 2011. The most common severity class was "Other" accounting for 25% of bookings. Misdemeanor A came in second with 23%, followed by Felony I with 12%. See Table 6 on the next page.

Table 6. Most Serious Offense Class by Year (2009-2011)

	2009	2010	2011*	Total
Felony A	1%	1%	1%	1%
Felony B	1%	1%	1%	1%
Felony C	5%	4%	4%	4%
Felony D	1%	1%	1%	1%
Felony E	3%	3%	3%	3%
Felony F	7%	7%	7%	7%
Felony G	6%	5%	4%	5%
Felony H	7%	7%	7%	7%
Felony I	11%	12%	12%	12%
Misdemeanor A	23%	22%	24%	23%
Misdemeanor B	5%	5%	5%	5%
Misdemeanor C	0%	0%	0%	0%
Criminal Traffic	8%	6%	5%	6%
Other	22%	26%	26%	25%
Total	100%	100%	100%	100%

* Data runs through June 2011

The average monthly population of the jail has decreased since 2009. The total monthly average during the three year time period was 2,943. The month with the highest average population is August. See Table 7.

Table 7. Monthly Average Jail Population by Year (2009-2011)

	2009	2010	2011	Monthly Average
January	3,248	2,900	2,693	2,947
February	3,290	2,967	2,656	2,971
March	3,207	2,983	2,642	2,944
April	3,189	2,930	2,635	2,918
May	3,297	2,825	2,644	2,922
June	3,154	2,824	2,655	2,878
July	3,130	2,822		2,976
August	3,205	2,849		3,027
September	3,091	2,842		2,967
October	3,054	2,844		2,949
November	3,024	2,915		2,970
December	2,929	2,764		2,847
Total	3,152	2,872	2,654	2,943

As shown on Table 8, the most frequent legal status at booking is misdemeanor pre-trial, accounting for 27% of all jail bookings, followed by felony pretrial (19%) and “other” at 14%. Municipal commitments are the lowest status at only 1%.

Table 8. Most Frequent Legal Status at Booking (2009-2011)

Misdemeanor Pre-Trial	27%
Felony Pre-Trial	19%
Felony VOP	11%
Misdemeanor Sentenced	8%
Municipal Warrant	7%
Felony OTP&R	7%
Felony Sentenced	4%
Misdemeanor VOP	2%
Municipal Commitment	1%
Other	14%
Total	100%

* Data runs through June 2011

Over a quarter (29%) of released inmates exited the jail by posting bail/bond (See Table 9). For the majority (86%) their bond amount was \$500 or less. In terms of demographics, the bonded population is 89% male, three-fourths non-white, and 9% Hispanic. More than two-thirds are age 35 or under. This group has an average of 11 prior bookings.

Table 9. Most Frequent Release Reason (2009-2011)

Bail/Bond	29%
Correctional Facility	27%
Time Served	20%
Released with Conditions	18%
Probation/Parole	4%
Other	2%
Total	100%

* Data runs through June 2011

Table 10 shows the average length of stay (LOS) and jail bed days consumed for both the total released population and the pre-trial released population alone. The pre-trial population spends an average of 8.1 days in jail compared to 21.4 for the total released population. On average, felony offenders spend more days in jail than misdemeanants in both groups or releases. The largest consumer of overall jail beds are felons. Among the pre-trial population, the largest jail bed day consumers are misdemeanants.

Table 10. Released Inmates and Pre-Trial Population by Severity Class (2009-2011)

	Total Released Population		Pre-Trial Released Population	
	Avg. LOS	Jail Bed Days	Avg. LOS	Jail Bed Days
Felony A	55.0	17,941.4	23.6	2,098.9
Felony B	55.0	32,776.8	29.9	6,318.8
Felony C	50.1	109,546.7	20.6	19,094.6
Felony D	40.8	17,902.1	19.8	3,291.7
Felony E	42.3	72,417.4	16.7	12,716.1
Felony F	36.6	141,185.2	13.9	28,384.4
Felony G	36.5	99,393.5	14.3	16,296.0
Felony H	30.0	108,372.9	10.3	20,281.4
Felony I	25.6	194,595.7	8.2	36,519.4
Total Felony	28.5	998,940.4	13.3	168,711.8
Misdemeanor A	21.5	514,151.3	7.6	124,796.4
Misdemeanor B	13.2	87,455.2	5.1	24,803.5
Misdemeanor C	2.6	50.0	1.9	18.6
Total Misdemeanor	19.3	833,266.1	6.8	185,799.4
Criminal Traffic	28.4	228,171.5	4.3	16,773.6
Other	5.0	65,433.7	2.4	6,628.6
Total	21.4	2,125,811.7	8.1	377,913.4

* Data runs through June 2011

As shown in Table 11 on the next page, the average length of stay for both the total released population and the pre-trial population has increased for most severity classes since 2009. However, for many severity classes, LOS actually spiked in 2010, and while the 2011 numbers are still higher than 2009, they actually reflect a decrease from the year prior.

Table 11. Released Inmates and Pre-Trial Population by Severity Class by Year (2009-2011)

	Total Released Population Avg. LOS				Pre-Trial Released Population Avg. LOS			
	2009	2010	2011*	2009-2011 Increase	2009	2010	2011*	2009-2011 Increase
Felony A	27.1	45.8	95.7	↑	22.5	23.0	25.1	↑
Felony B	17.9	73.6	68.4	↑	19.8	33.8	35.8	↑
Felony C	26.4	61.0	70.2	↑	17.3	22.1	23.8	↑
Felony D	20.1	66.5	38.1	↑	8.3	36.7	14.3	↑
Felony E	27.4	51.4	53.0	↑	13.4	17.5	20.0	↑
Felony F	22.9	43.0	46.1	↑	12.0	15.4	14.0	↑
Felony G	26.3	48.4	43.4	↑	11.8	17.5	13.2	↑
Felony H	22.0	40.2	34.1	↑	9.6	11.2	9.7	↑
Felony I	20.7	32.3	27.7	↑	7.2	9.0	8.3	↑
Total Felony	20.5	35.2	34.0	↑	10.9	14.9	14.7	↑
Misdemeanor A	16.0	29.1	25.0	↑	6.6	8.6	7.7	↑
Misdemeanor B	11.5	18.2	14.0	↑	5.5	4.6	5.1	
Misdemeanor C	2.9	2.2	2.4		1.2	2.4	2.6	↑
Total Misdemeanor	15.1	21.9	22.0	↑	6.2	7.2	6.8	↑
Criminal Traffic	22.9	32.9	30.2	↑	4.0	4.8	4.0	
Other	5.2	5.2	4.3		2.7	2.3	1.6	
Total	16.4	24.4	24.7		7.0	8.8	8.5	

* Data runs through June 2011.

Tables 12 and 13 on the next page examine LOS for released jail inmates by their most serious charge. The pre-trial population spends approximately one-third to one-half the number of days in jail compared to their sentenced counterparts. Those with a felony warrant return have the highest LOS with 53 days for the full released population and 15 days for the pre-trial releases. The LOS for nearly all charge types shows an increase between 2009 and 2011. However, as was shown earlier, LOS spiked in 2010 for some offenses. For these offenses, the 2011 LOS data are still higher than 2009, but they reflect a decrease between 2010 and 2011..

Table 12. Released Jail Inmates by Most Serious Charge at Booking (2009-2011)

	Total Released Population		Pre-Trial Released Population	
	Avg. LOS	Jail Bed Days	Avg. LOS	Jail Bed Days
Felony Summary Arrest	29.1	395,969.8	10.3	101,057.3
Misdemeanor Summary Arrest	16.7	404,624.2	5.9	114,993.1
Criminal Traffic Summary Arrest	16.6	42,980.2	4.8	11,279.1
Felony Warrant Return	53.3	457,594.3	15.0	52,105.7
Misdemeanor Warrant Return	24.9	172,209.4	7.4	20,330.5
Felony Bench Warrant Return	24.8	74,317.1	10.8	23,414.3
Misdemeanor Bench Warrant Return	23.8	100,424.8	12.3	42,980.2

* Data runs through June 2011

Table 13. Released Jail Inmates by Most Serious Charge at Booking by Year (2009-2011)

	Total Released Population Avg. LOS				Pre-Trial Released Population Avg. LOS			
	2009	2010	2011*	2009-2011 Increase	2009	2010	2011*	2009-2011 Increase
Felony Summary Arrest	18.8	34.1	37.1	↑	8.5	11.7	10.8	↑
Misdemeanor Summary Arrest	12.0	19.4	20.1	↑	5.0	6.5	6.2	↑
Criminal Traffic Summary Arrest	13.3	20.0	15.8	↑	4.4	5.4	4.5	↑
Felony Warrant Return	43.9	57.9	58.3	↑	12.4	15.4	18.2	↑
Misdemeanor Warrant Return	21.8	26.8	25.9	↑	8.0	6.8	7.6	
Felony Bench Warrant Return	18.2	28.3	35.7	↑	9.0	11.7	14.1	↑
Misdemeanor Bench Warrant Return	18.9	27.0	28.4	↑	11.7	13.6	11.2	
Total	16.4	24.4	24.7	↑	7.0	8.8	8.5	↑

* Data runs through June 2011

Table 14. Milwaukee County Jail Monthly Bookings and Releases (2007-2011)

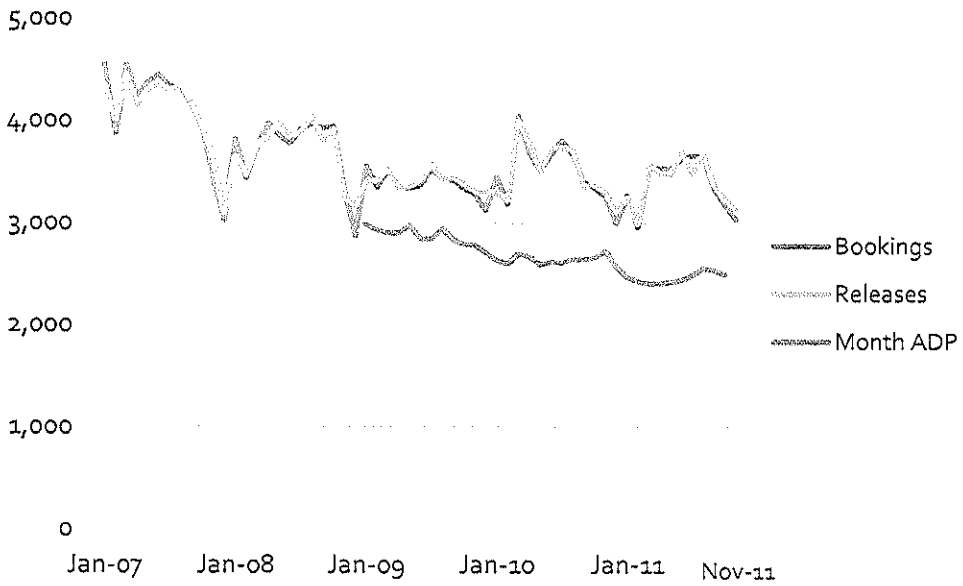


Table 15. Milwaukee County Jail Average Daily Population (2009-2011)

