



# Milwaukee County Early Intervention Program

National Symposium on Pretrial Diversion

*Strengthening the Evidence-Based Framework*

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# 2007 Milwaukee Program

- Small group of Assistant District Attorneys, Public Defenders, Defense Attorneys and case workers met and identified a group of clients who did not need punishment as much as help to live a pro-social life.
- A small pilot program started in March of 2007 with no outside technical assistance.
- Developed a protocol outlining who would be offered a Diversion (pre-charge agreement) or a Deferred Prosecution Agreement (“DPA”)(post-charge agreement) and developed standard Diversion/DPA agreements which would be later tailored to the individual client’s needs.

# Funding

- One small funding source which is called Treatment Alternative to Diversion Program (“TAD”).
- TAD provides an initial screen which is conducted by Justice 2000 (J2K), a pretrial service organization, to assist in understanding the needs and the risks of clients.
- Limited remaining money for case management

# Process

- J2K agreed to monitor clients who were higher risk and had AODA problems or would monitor clients with significant mental health issues.
- District Attorneys Office and the Public Defenders Office went into the community and spoke to non-profit agencies that were already serving the same clientele to see if they would agree to monitor clients without receiving any money
- Each agreement includes non-mandatory \$50 participant fee to offset costs
- If participant had only restitution, community service, and/or letter of apology as component of Diversion or DPA, than the Public Defender would monitor the agreements and provide proof of compliance.

# Statistics

- From January 1, 2007 through December 31, 2010, J2K conducted TAD risk and needs assessment on 9,686 individuals and provided intensive case management services to 1,382 individuals.
- Of this group, 66.2% of the program participants successfully completed their DPA or diversion agreements and either had their charges dismissed, reduced or not filed at all. This group represents a savings of more than \$72,000 jail and prison bed days.
- Within 3 Years, 2% who successfully complete TAD Diversion/DPA, reenter prison
- Within 3 Years, 8% who DO NOT successfully complete TAD Diversion/DPA, reenter prison



# Non-J2K Monitored Agreements

- The information gathered during the 9,686 TAD assessment led to an additional 1,027 individuals receiving a DPA/Diversion, but the agreements were monitored by other agencies.
- Within this group, 77% of individuals successfully completed their DPA/Diversion agreements.

# EBDMI Grant

- Community Justice Council, which consists of the major stakeholders in the criminal justice system, applied for the EBDMI grant in 2010.
- As part of the grant, received a great deal of technical assistance to help with the Early Intervention program.
- Quickly learned that the program was not evidence-based.

# Challenges

- No clearly defined goal of the program
- Unclear if limited to clients with AODA/mental health issues
- Lack of consistency in obtaining an offer for diversion or DPA. The protocol was more specific on who did not qualify for DPA/Diversion then who did qualify.
- Diversion/DPA program was generally an offense based program as opposed to a long-term risk and needs program.
- Using the wrong tools - Using pretrial risk tool rather than long-term risk-need tool like LSI-R or Compass.
- Agreements did not address top criminogenic needs.
- Over-conditioning clients who were low-risk and sometimes under-conditioning high-risk clients.



# Changes

- Through the EBDMI grant, are making changes to program.
- Currently working on a new Early Intervention programming document which outlines the eligibility criteria.
- Still prohibitions to the program—predominately violent offenses, but eligibility focuses more on the results of a long-term risk/need assessment.
- Added the LSI-R short (8 questions) to a Universal Screen that everyone receives within 24 hours of entering jail.
- Low-risk individual presumptively eligible for Diversion, assuming no prohibitions.

# Changes Continued

- Moderate to high risk individuals presumptively eligible for DPA/Drug Treatment Court, assuming no prohibitions.
- Using only accountability strategies on diversions, not risk-reduction strategies, because we are dealing with low-risk offenders.
- For all clients who are not low-risk on the LSI-R short, they will be scheduled for a full LSI-R.
- Attempting to create a Central Liaison Office (CLO) that will look at the results of the LSI-R and determine the top 1-3 criminogenic needs which should be addressed in the agreement.
- The CLO will make referrals for treatment and will expect the treatment providers to play an active role in the agreement. The CLO will house the data on the program.

# Changes Continued

- In the process of surveying treatment community to determine if they are providing evidence-based treatment and are trying to create a Preferred Provider Network of agencies that are evidence-based. Provide assistance to those agencies that want to be evidence-based so they can join the Preferred Provider Network.
- Currently attempting to clearly define violations, sanctions and incentives.

# The GOAL

- The goal of Milwaukee County's Early Intervention programs is to reduce long-term recidivism risk of individuals involved in the criminal justice system while at the same time ensuring public safety and the efficient allocation of limited criminal justice resources.