

## State of Wisconsin 2023 Annual Report

### 1. Discuss changing circumstances in the state, if any, since the strategic plan was adopted.

Several key initiatives have been initiated or expanded that tie into Wisconsin's JAG Strategic Plan

- *Treatment Alternatives and Diversion (TAD) Program (\$9,688,900 annually)*  
TAD programs provide local jurisdictions with options to offer offenders the opportunity to enter diversion programs or treatment court programs, which typically involve drug and/or alcohol abuse treatment, case management, and other risk reduction services as a safe alternative to jail or prison confinement. Diverting non-violent offenders into substance abuse treatment keeps them out of jail and correctional facilities – thereby saving bed space and taxpayer dollars – as well as treating the underlying addiction that may have influenced the commission of a crime or may contribute to future criminal behavior.

For calendar year 2024, the amount of TAD program funds will remain the same at \$9,688,900, with that amount to increase by \$1 million for calendar year 2025. Consequently, evidence-based alternatives to incarceration programming for individuals entering the justice system with substance use disorder issues will continue to gradually expand. In 2023, state funding supports programs in 56 counties and 3 tribes across Wisconsin. The TAD program currently funds 90 treatment court and diversion programs. The increase for calendar year 2025 is evidence for continued support in the state legislature and Governor's Office for this initiative.

- *Body Worn Camera and COP House Programs*  
The state legislature included funding for two new programs in the 2021-2023 state budget. \$1.5 million was allocated for the Community Oriented Policing (COP) House program and \$2 million was allocated for the Body Worn Camera program. The availability of state funding to support new programs for local law enforcement agencies reduces pressure to include new initiatives in the JAG funding plan at a time when there is a significant conversation about both community policing and body-worn cameras. Though no additional funds were added in the 2023-2025 state budget, WI DOJ is still awarding grants to spend down the previous budget allocation.
- Several discretionary grants that were delayed due to COVID-19 or staffing challenges at various agencies continued planning and implementation efforts in 2023:
  - *FY19 BJA Justice Reinvestment Initiative*
  - *FY18 Comprehensive Opioid Abuse Program Category 4 and Category 6*
  - *FY19 Comprehensive Opioid Abuse Site-based Program Category 2*
  - *FY18 Adult Drug Court Discretionary Grant*

Wisconsin DOJ and partner agencies are also encountering significant challenges in recruiting and retaining staff and that impacts the ability to plan and implement programming. DOJ staff are working with subgrantees to adjust projects to take into account staffing levels and also ensure that program goals and deliverables are met as best as possible. Many federal grants have been extended to accommodate the challenges related to COVID-19 and the impact it has had on staffing.

## **2. Describe how the state plans to adjust funding within and among each of the JAG Program areas.**

Wisconsin DOJ, as the SAA, uses JAG funding as the core federal formula grant funding for criminal justice initiatives. As part of this strategy, JAG funds and the resulting priorities are both focused on initiatives that do not have other funding sources available, as well as to provide a base funding source to build and leverage other discretionary funding sources to maximize the statewide impact.

The 2021-2025 priorities areas are largely carried forward from the 2016-2020 strategy, so there are no major adjustments to the FY23 funding plan. There are a few changes to projects within the program areas but the four core program areas that receive most of the funding are the same.

- Added a new project in Program Area 6: State Criminal Justice Coordinating Council (CJCC) Support
  - Funding will be awarded to support a position at Wisconsin DOJ to expand on coordination and strategic planning efforts as well as overseeing the various CJCC sub-committees as the number of subcommittees grows. The subcommittees are setting annual goals that have increased demand on WI DOJ staff work time; this position will help meet that demand.
  - Funding that had previously been included in FY22 JAG to support DOJ staff to coordinate the State CJCC will be included in this new project
  - Implements JAG Strategic Plan Priority 4
  - Aligns with Program Areas 6: Planning, evaluation, and technology improvement programs
  
- Added a new project in Program Area 6: Training Outreach Program for Criminal Justice Coordinating Councils
  - Funding will be used to support training and outreach for the development and implementation of new local Criminal Justice Coordinating Councils, to support technical assistance needed by existing local CJCCs, to host an annual

conference, and to support the cost of trainings on specific topics related to various initiatives. WI DOJ staff will work with the CJCC subcommittees and other partners to create a training plan for this funding.

- Implements JAG Strategic Plan Priority 4
- Aligns with Program Areas 6: Planning, evaluation, and technology improvement programs
- Added a new project in Program Area 6: Wisconsin Jail Needs Assessment
  - Funding will be awarded to support Wisconsin DOJ staff in BJA to develop an online survey which will be utilized to identify existing disparities in program and service offerings in jails. The goal of this project is to conduct a comprehensive inventory of programs and services offered in the state of Wisconsin and compile a working database of these services and programs. This will allow for future research to determine which programs and services are evidence-based and align with current best practices within Wisconsin jails.
  - Implements JAG Strategic Plan Priority 7
  - Aligns with Program Areas 6: Planning, evaluation, and technology improvement programs
- Increased funding in Program Area 2: Pretrial Pilot Projects
  - Funding will be awarded to seven sites that have been previously funded by JAG. Increased funding will allow sites to expand services and keep pace with rising costs.
  - Implements JAG Strategic Plan Priority 5
  - Aligns with Program Area 2: Prosecution and Court Programs
- Eliminated funding in Program Area 6: Statistical Analysis Center- UCR/IBR Program
  - Each year of recent JAG funding plans, until FY22, included an allocation for the Statistical Analysis Center - UCR/IBR program. This program will no longer be funded through the JAG grant.
- Reduced funding in Program Area 3: Drug Take Back events & Drug Disposal Pouches for OFR sites

- Funding will continue to support costs associated with hosting twice a year Drug Take Back events, however, drug disposal pouches will not be funded through JAG in FY23. WI DOJ staff are consulting with partner agencies about how best to fund and implement the drug disposal pouches program.
- Implements JAG Strategic Plan Priorities 1 & 4
- Aligns with Program Area 3: Prevention and education programs

### **3. Provide an ongoing assessment of need.**

As noted in the Strategic Plan and Program Narrative, the State Criminal Justice Coordinating Council is continuously studying ways to improve the functioning of the criminal justice system, through planning and coordination among criminal justice agencies, both on the state and local levels. One of the top priorities for the council is to reduce future growth in Wisconsin's correctional institutions by reducing criminal recidivism.

In this role, and through the State of Wisconsin's participation in the EBDM Initiative, the state has been able to identify priority areas to address in the criminal justice system, while aligning local, state, and federal resources in the most efficient manner. This process has greatly enhanced the collaborative efforts between state and local agencies to address criminal justice system priorities and will be leveraged further as the State of Wisconsin continues to implement the goals developed through the EBDM Initiative.

The EBDM Subcommittee continues to assess areas of need throughout the criminal justice system, at both the state and local levels. Needs are discussed at the CJCC's sub-committee meetings and ad hoc work groups designed to address specific topics. This leads to policy and program recommendations to the full State CJCC at its quarterly meetings and has directly led to the development of new initiatives through federal discretionary opportunities designed to leverage existing JAG funds and priorities.

### **4. Discuss the accomplishment of goals identified in the strategic plan.**

Since the last JAG application was submitted, WI DOJ staff, in coordination with the CJCC and partner agencies, worked to steadily use federal grant funding to implement projects applied for under discretionary grants and to design new subgrant programs for new state funded projects. Projects that were delayed due to COVID-19 or staffing challenges were able to start undertaking significant work in implementing projects, and BJA's approval of one-year no-cost extensions allowed WI DOJ and locals to focus on completing those projects from FY18, FY19, and FY20. JAG is the base funding used to execute goals identified in the strategic plan, but discretionary grants allow the state to make progress in specific and significant ways. The focus on completing projects funded under COAP, ADC, COSSAP, and JRI sets the state up for significant accomplishments in future years.

**5. Reflect how the plan influenced funding decisions in the previous year.**

As noted previously, the JAG Strategic Plan provides the basis for DOJ's criminal justice programming efforts. The plan allows DOJ to leverage additional resources and maximize the impact of federal and state funding statewide. The priorities laid out in the plan reflect a comprehensive funding strategy designed to include various funding sources and support both pilot projects and allow for a sufficient funding timeline so agencies can build toward sustainment from a source other than federal grants. Priorities are consistent from the previous strategy to the new strategy which has led to few changes in annual funding plans.

As noted above, the 2023 funding plan includes a few changes to react to changes in non-JAG funding sources. Due to additional state funding for the TAD program, the continued spend down of state funding for new Body Worn Camera program and COPS House program, and the slower than anticipated implementation of discretionary grants from FY18-20, this year's funding plan is consistent with previous funding plans. The changes made in 2023 are relatively small and are reactions to align with demand on specific projects. The Wisconsin Deflection Initiative (formerly called Law Enforcement Assisted Diversion), currently funded under COAP and COSSAP, is experiencing demand beyond what exists in discretionary grants and funding is added to JAG to provide a stable source for that initiative.

**2023 Byrne Memorial Justice Assistance Grant Budget**

Funds will be allocated in the following manner:

<b>Program Area</b>	<b>Program</b>	<b>Total Allocation</b>	<b>Less Than 10,000 Allocations</b>	<b>Required VPT Amounts</b>
Law Enforcement	Local MEG's and Drug Task Forces	\$1,037,500		\$1,037,500
	Wisconsin Deflection Initiative	\$826,867	\$553,707	
Prosecution and Court Programs	Local Pretrial Services Programming	\$800,000		\$748,124
Planning, Evaluation & Technology Improvement Programs	State CJCC Support	\$150,000		
	Training Program and Outreach Campaign for CJCCs	\$125,000		
	WI Jail Needs Assessment	\$109,068		
Prevention and Education	Drug Take Back events	\$9,000		
Administration 10%		\$339,715		
<b>Total</b>		<b>\$3,397,150</b>	<b>\$553,707</b>	<b>\$1,785,624</b>

## **Program Narrative for 2023 Byrne Memorial Justice Assistance Program (JAG)**

### **Description of the Issue**

The Wisconsin Department of Justice (Wisconsin DOJ) serves as the State Administering Agency (SAA) for justice assistance programs under several federal funding initiatives including the Justice Assistance Grant (JAG) Program. Additionally, Wisconsin DOJ operates the Statistical Analysis Center which performs a variety of data analysis on crime and arrests and research on criminal justice system issues. The Statistical Analysis Center also administers the State's Uniform Crime Reporting (UCR) Program, which includes the Wisconsin Incident-Based Reporting (WIBRS) system. Finally, Wisconsin DOJ has primary responsibility for carrying out the state coordination of automated justice information systems among state and local criminal justice agencies.

As SAA, the Department's mission is to increase public safety by providing support for state and local government agencies, non-profit programs and communities, conducting meaningful justice system planning, sharing data and information, and developing appropriate linkages to justice system programming in order to have a positive, long-term impact on improving Wisconsin's justice system while promoting the safety of its citizens.

Wisconsin DOJ encourages applicants for funding made available through the JAG Program to work closely with other agencies within, and serving, the criminal justice system to promote collaborative, comprehensive and evidence-based strategies designed to address community and statewide substance abuse and violent crime problems.

Wisconsin has received funding from the Bureau of Justice Assistance under the Byrne Program since 1988. Funding made available under this federal initiative provides monetary assistance to local units of government and state agencies for programs designed to develop

resources to reduce drug trafficking organizations, address substance abuse disorders, reduce violent crime, and enhance evidence-based decision making.

Many local and state criminal justice programs and basic law enforcement capabilities have been significantly, and positively, affected by the availability of funding made available through the Byrne JAG Program. Efforts in Wisconsin continue to emphasize integration and coordination by all facets of the criminal justice system.

In line with the Bureau of Justice Assistance's priorities for evidence-based programming and strategic planning, the State of Wisconsin continually evaluates its planning process as it relates to the allocation of Justice Assistance Grant (JAG) funding. Wisconsin DOJ believes in the importance of strategic planning and the replication of evidence-based decision making and associated programs. In a difficult time for local, state, and federal budgets, planning is especially critical to maximize the impact of grant funding and focus on programs that are evidence-based and have been proven effective.

The FY2021-2025 JAG Strategic Plan is based on Wisconsin's approach to the development of a comprehensive process that includes local community involvement, input from a planning committee of criminal justice professionals, and the use of data and research to enhance program design and implementation, and to assess and evaluate JAG investments. This strategy continues to evolve based on the results of input from local CJCCs as well as an assessment of state data/trends and state and federal resources. The overall funding priority areas were established and finalized at the March and June 2021 meetings of the State Criminal Justice Coordinating Council.



*Statewide JAG Priorities for FY2021-2025:*

1. Initiatives to reduce drug crime by allocating resources to multi-jurisdictional drug enforcement task forces that actively enforce illegal drug manufacturing and distribution; support crime prevention programs; initiate and implement information sharing; and allow for effective communication and collaboration among outside law enforcement jurisdictions.
2. Initiatives to provide specialized training for professionals throughout the criminal justice system on risk reduction principles and practices (i.e., empirically-demonstrated strategies for increasing community safety).
3. Programming designed to develop model policy resources that articulate evidence-based principles for law enforcement, prosecutors, defense counsel, and judges. Focus areas will include addressing racial disparities, responses to victims, and trauma-informed care.
4. Efforts to improve collaboration among criminal justice system partners, including increased communication and coordination between the State CJCC and local CJCCs, encouraging the establishment of local CJCCs where not already in place, enhancing the participation of key stakeholders including but not limited to local law enforcement, and building stronger relationships between state and local criminal justice policymakers and professionals and the broader Wisconsin community through public outreach efforts.
5. Promoting the use of empirically-based assessment tools across the criminal justice system decision points, with an emphasis on the use of risk assessment tools at the pre-arrest stage and to inform pretrial release and supervision determinations.
6. Establishing a model continuum of evidence-based diversion and behavioral change interventions across the justice system decision points and increasing the capacity for implementation of these evidence-based interventions throughout Wisconsin's local communities.
7. Establishing data collection and assessment methods that can be replicated in an effort to provide standardized data to improve outcomes on both a local and statewide basis.

Many partners including the State Criminal Justice Coordinating Council, local criminal justice coordinating councils, the state courts, the State Public Defenders' office, the Department of Corrections, local law enforcement, and prosecutors will also collaborate to improve data collection and research on the priority areas of the JAG plan.

Wisconsin DOJ will work with partners to make funding decisions that further Wisconsin's efforts to address these seven priority areas by leveraging existing resources and through the piloting of new programming in Wisconsin's local communities. Competitively funded programs will be evidence-based, collaborative, community-based, and include evaluation components.

The FY23 JAG Funding Plan enacts the third year of the 2021-2025 JAG Strategic Plan. Projects funded in FY22, the second year of the strategic plan, will be assessed so that their value can be demonstrated, and improvements can be made to ensure optimal performance. In year three of the strategy, Wisconsin will continue to fund nearly all of these priorities but will adjust as necessary for program expansion or improvement. There are also new projects being funded.

All funded projects will be aligned with a JAG Program Area. The JAG Program Areas are:

1. Law enforcement programs
2. Prosecution and court programs
3. Prevention and education programs
4. Corrections and community corrections programs
5. Drug treatment and enforcement programs
6. Planning, evaluation, and technology improvement programs
7. Crime victim and witness programs (other than compensation)
8. Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams

***FY23 JAG Funding Plan:***

- Multi-jurisdictional drug enforcement task forces that cover drug enforcement in the majority of Wisconsin's counties and tribes
  - Funding will be awarded to the 18 subgrants to task forces that have been funded since 1988. The JAG funding is awarded annually in combination with \$717,900 in state funding. The 18 JAG-funded multi-jurisdictional drug task forces cover 56 of Wisconsin's 72 counties and 11 Native American Reservations
  - The subgrant opportunity will be posted by October 2024 and the anticipated performance period is January 1, 2025, to December 31, 2025.
  - Implements JAG Strategic Plan Priority 1

- Aligns with Program Area 1: Law enforcement programs
- Wisconsin Deflection Initiative
  - Funding will be awarded to at least five existing programs that are currently funded under the federal discretionary COSSAP grant and other program enhancements will be made
  - The subgrant opportunity will be posted by May 2024, and the anticipated performance period is August 1, 2024, to July 31, 2025
  - Implements JAG Strategic Plan Priorities 3 & 5
  - Aligns with Program Areas 1: Law enforcement programs and 8: Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams
- Pretrial Pilot Programs
  - Funding will be awarded to seven sites that have been previously funded by JAG
  - The subgrant opportunity will be posted by October 2025 and the anticipated performance period is January 1, 2026, to December 31, 2026
  - Implements JAG Strategic Plan Priorities 4 & 5
  - Aligns with Program Area 2: Prosecution and Court Programs
- State Criminal Justice Coordinating Council Support
  - Funding will support Wisconsin DOJ staff to continue coordination and strategic planning efforts, as well as overseeing the various CJCC sub-committees. The amount of funding allocated for this function is increased in FY23 due to increased demand for DOJ resources for staff to support the CJCC and its subcommittees, given the recent growth of subcommittees and work necessary to make improvements to better align with the national standards for CJCCs released by NIC in spring 2023
  - Implements JAG Strategic Plan Priority 4
  - Aligns with Program Area 6: Planning, Evaluation & Technology Improvement Programs

- Training and Outreach Program, Criminal Justice Coordinating Councils
  - Funding will support training and outreach for the development and implementation of local Criminal Justice Coordinating Councils. Funding will also support training on program specific topics identified through the CJCC subcommittees and partner agencies
  - Implements JAG Strategic Plan Priorities 2 and 4
  - Aligns with several Program Areas based on a variety of training to be offered
  
- Wisconsin Jail Needs Assessment
  - Funding will support Wisconsin DOJ staff in the Bureau of Justice Information and Analysis (BJIA) to develop an online survey which will be utilized to identify existing disparities in program and service offerings in jails
  - Common and unique barriers encountered by jails as they implement programs will be assessed through qualitative analyses of open-ended survey responses
  - Survey questions will address barriers to implementing evidence-based vs. non-evidence-based programs; challenges encountered regarding program fidelity, quality assurance, and evaluation; and issues surrounding funding, facility conditions/amenities, and staffing for introducing new programs, sustainability of existing programs, and capacity and eligibility limitations
  - Implements JAG Strategic Plan Priority 4
  - Aligns with Program Area 6: Planning, Evaluation & Technology Improvement Programs
  
- Drug Take Back Initiative
  - Funding will support costs associated with hosting twice a year drug take back events during the 2025 calendar year
  - Implements JAG Strategic Plan Priorities 1 & 4
  - Aligns with Program Area 3: Prevention and education programs

### ***Subgrant Award Process***

Subgrant opportunities are scheduled, upon receipt of the federal grant award. Grant opportunities are made available on a calendar year basis to match the local fiscal cycle, as much as practicable. As the SAA, Wisconsin DOJ staff provide program oversight and technical assistance throughout the life cycle of the subgrants.

Stakeholder groups such as the CJCC and its subcommittees, partner state agencies, and existing subgrantees are notified when grant opportunities are available. They are also posted publicly on the Wisconsin DOJ website.

Wisconsin DOJ administers subgrants using an electronic web-based system called Egrants. Subgrantees are required to complete quarterly programmatic and financial reports in the Egrants system and to complete PMT reports for JAG and other federal grants.

Wisconsin DOJ staff update appropriate stakeholder groups on the progress of initiatives and subgrant recipients occasionally attend subcommittee meetings and work group meetings to report out and discuss their projects. Staff ensure alignment between projects and strive to provide transparency for how grant funds are spent.

In order to reinforce the importance of collaboration across the criminal justice system, Wisconsin DOJ gives priority to counties that demonstrate in subgrant applications that they have a CJCC or similar oversight body.

Using information from reporting and discussion about grants in subcommittee meetings, DOJ staff oversee a continual feedback loop that is used to inform the next year's JAG funding plan, decisions about which federal discretionary grants to apply for, and ultimately the JAG strategic plan.

## ***Progress and Challenges***

Several of the funded projects have demonstrated progress and challenges. Nearly all projects have experienced delays in program implementation due to the impacts of Covid-19, especially in 2020 when all partners in the criminal justice system were figuring out how to adjust. Backlogs from 2020 still affect many aspects of the system in 2023 and it is likely that all partners will be grappling with a “return to normal” for a significant period of time. One of the most impactful challenges from the pandemic is the inability for agencies to hire and retain staff. Agencies statewide are experiencing turnover and high vacancy rates for positions. This leads to delays in implementing programs. As a result, Wisconsin DOJ is extending the subgrant performance period for many agencies, which delays awarding out the next year of funding that is allocated in the JAG funding plans.

## **Project Design and Implementation Strategy (Strategic Planning Process)**

### ***Stakeholder Engagement***

The State of Wisconsin’s 2021-2025 strategic planning process included substantial coordination and collaboration among state and local partners. The relationships built through the State Criminal Justice Coordinating Council aided in seeking feedback during the planning process.

### ***Statewide Criminal Justice Coordinating Council***

In April 2012, the Statewide Criminal Justice Coordinating Council (SCJCC) was established through Executive Order 65, and recreated by Governor Tony Evers through [2019 Executive Order #41](#). The mission statement of the State CJCC is to promote and facilitate the implementation of effective criminal justice policies and practices that maximize justice and the

safety of the public. As part of this mission, section 4(j) of the Executive Order states that the Wisconsin Criminal Justice Coordinating Council shall “Provide strategic planning and guidance for the management of federal block grant or federal formula grant funds.”

This council studies ways to improve planning and coordination among criminal justice agencies, both on the state and local level. One of the top priorities for the council is to reduce future growth in Wisconsin’s correctional institutions by reducing criminal recidivism. The council is co-chaired by Wisconsin Attorney General Josh Kaul and Department of Corrections Secretary Kevin Carr. The council is coordinated and staffed by Wisconsin DOJ and is the strategic planning and governing body for the JAG program.

The CJCC has four subcommittees that meet at least quarterly to engage in coordination, conduct research on evidence-based approaches to identified problems, set standards for program operations, make policy and funding recommendations, and assess progress of grant funded programs and the progress of the JAG strategy. Each subcommittee has a particular focus but each has cross-representation and their work is coordinated by DOJ staff who ensure close alignment of areas of effort. The subcommittees each report on their annual goals and progress toward meeting the stated goals at the quarterly CJCC meetings.

1. Treatment Alternatives and Diversion (TAD) Subcommittee
2. Evidence -Based Decision-Making (EBDM) Subcommittee
3. Data Sharing Subcommittee
4. Race, Equity, Inclusion, and Access (REIA) Subcommittee

The subcommittee structure may change at time of a new Executive Order that re-establishes the CJCC or when a new need arises. For example, the REIA subcommittee which was formed in 2021 and an Executive Subcommittee was created in 2023 to better coordinate the

efforts of across the CJCC and all subcommittees and to engage in high-level planning with the co-chairs of the CJCC and subcommittees.

The TAD subcommittee, EBDM subcommittee, and Data Sharing subcommittee were important partners in building the JAG strategic plan.

### ***Local Criminal Justice Coordinating Councils***

Each year more Wisconsin counties are developing collaborative teams to problem solve around justice system and public safety issues in their communities. An effective collaborative team can bring about improvements and new initiatives that cannot be achieved by a single agency or organization (i.e., problem solving courts, utilization of risk assessment tools, community service programs, restorative justice, etc.). Coordinating councils provide the necessary foundation for communities to fully assess the needs of the local criminal justice system and develop programming and practices in response to these needs. Judges play a critical role in these collaborative teams by convening the appropriate justice system leaders and offering a unique perspective of the system and its impacts from an objective and neutral vantage point. Out of 72 total counties in the state, there are at least 50 CJCCs operating in Wisconsin. Wisconsin DOJ staff also occasionally attend statewide Criminal Justice Coordinating Councils' Local Coordinator meetings. Coordination between the State CJCC and local CJCCs continues to provide a basis for local and state coordination in strategic planning for JAG and other federal and state programs in Wisconsin.



### ***NIC Evidence-Based Decision-Making Initiative***

The State of Wisconsin's participation in the EBDM Initiative was crucial to strategic planning efforts for the State CJCC. Through this comprehensive planning process, the state was able to identify priority areas to address in the criminal justice system, while aligning local, state, and federal resources in the most efficient manner. This process greatly enhanced the collaborative efforts between state and local CJCCs to address criminal justice system priorities and will be leveraged further as the State of Wisconsin continues to implement the goals developed through the EBDM Initiative.

In spring 2021, the SAA worked with a research partner, and one of the co-chairs of the Data Sharing subcommittee, to conduct a survey of counties and tribes. The survey was designed to gauge the current status of local programming and the readiness of these local jurisdictions to further implement evidence-based programming. Those involved in the JAG strategic planning effort wanted the survey to do the following:

- ✓ Identifying current local programs and programming needs, in an effort to inform the next Treatment Alternatives and Diversion (TAD) funding process for 2022 and the Justice Assistance Grant (JAG) strategic funding plan;
- ✓ Seeking information on local needs as well as promising initiatives that could be replicated to address the issue of racial disparities in the criminal justice system, in an effort to inform future planning and our work;
- ✓ Identifying local crime/substance abuse issues/trends to inform the implementation of both grant programs and the work of the CJCC and its subcommittees;
- ✓ Providing information on the current use of risk assessment tools at various decision points and particularly the current status of jurisdictions' implementation or interest in implementing evidence-based pretrial programming;
- ✓ Collecting updated information on local CJCC efforts and work/interest in Evidence-Based Decision Making and partnership with the CJCC and subcommittees in advancing EBDM; and

- ✓ Understanding impacts (positive and negative) of changes made to local systems due to COVID-19.

Qualitative survey answers and discussion in the TAD subcommittee, EBDM subcommittee, and the CJCC indicate that the priorities of the previous strategic plan should be carried forward into the 2021-2025 strategic plan. Making improvements to the criminal justice system takes time and significant resources and coordination among all stakeholders and continuing the work of the previous strategy, with small changes, will allow state and local agencies to make progress.

Two new topics included in the survey were racial and ethnic disparities and Covid-19. While all partners acknowledge the importance of addressing racial or ethnic disparities in the criminal justice system, less than a quarter of respondents indicated that they are focusing funding or programming on identifying or addressing such disparities. At the state level, the CJCC created a new subcommittee to address this issue. The Race, Equity, Inclusion, and Access (REIA) subcommittee began meeting in 2021. There is substantial room for improvement in addressing racial or ethnic disparities and the REIA subcommittee will bring state and local partners together to ensure that the CJCC continues to work on this issue.

Covid-19 delayed the implementation and progress of previously funded projects and continues to have an impact at the time this strategy is being written. All partners in the criminal justice system report challenges with hiring and retaining staff and dealing with a backlog of work. Many partners report challenges with implementing new programs due to staffing challenges. The pandemic will have an impact for years on the JAG strategy and annual funding plan.

### ***Coordinating JAG Funds***

Wisconsin DOJ staff include grant updates on agendas for the CJCC and subcommittee meetings. Staff provides an overview of state and federally funded grant programs, including JAG. The membership of these committees has the opportunity to ask questions and provide input on how to allocate funding among priorities, how to improve subgrantee processes, and how to set and track expectations about what programs achieve.

In the last two years, DOJ staff have made an effort to increase collaboration with other state agencies that are administering federal funds that impact the criminal justice system. For example, the June 2022 CJCC meeting included a presentation about grant programs administered by Wisconsin DOJ, Wisconsin DHS, and Wisconsin DOC; previously, grant updates included only programs administered by Wisconsin DOJ. Staff at all agencies that have representation on the CJCC are making additional efforts to collaborate on grant programs beginning in the planning stages when staff are considering applying for federal discretionary grants. This has been a positive development over the last two years. It will benefit the entire state for state agencies to have increased awareness of what each agency is doing and for them to support each other in their outreach to locals when grant opportunities are available.

The state's strategic planning process and the FY23 funding plan are centered on three main areas of effort that the SAA and the CJCC and its subcommittees have been working on for years. While working on these long-term initiatives, the SAA and its partners have built out a structure for how to engage in stakeholder involved collaborative planning and program implementation.

The first significant area of effort was focused on addressing the current epidemic of illegal drug abuse in Wisconsin by collaborating to build out drug task forces to support

enforcement of laws and to work with multiple disciplines including public health, to educate citizens.

The second area of focus was the design and implementation of the State-funded Treatment Alternatives and Diversion (TAD) Program, which has grown from 9 local programs and an annual budget of \$1 million to a budget of \$9.7 million annually to support 90 programs in 56 counties and 3 tribes.

The third area of effort was Wisconsin's participation in Phase V of the National Institute of Corrections' Evidence-Based Decision-Making Initiative. This initiative led to a multi-year planning process and the creation of a new subcommittee under the CJCC to provide guidance to the SAA and local sites implementing projects, including assessing progress, addressing challenges, and setting priorities.

The work that all stakeholders put into these three initiatives set Wisconsin up to be able to assess needs on a regular basis to inform funding decisions and strategic planning.

## **Capabilities and Competencies/Additional Strategic Planning/Coordination Efforts**

### ***Additional Strategic Planning Efforts***

#### ***State Participation in the EBDM Initiative***

In June 2008, the National Institute of Corrections (NIC) partnered with the Center for Effective Public Policy to build a system-wide framework (arrest through final disposition and discharge) that when implemented results in more collaborative, evidence-based decision making and practices in local criminal justice systems. The purpose of the Evidence-Based Decision Making Initiative is to equip criminal justice policymakers in local communities with the information, processes, and tools that will result in measurable reductions of pretrial misconduct

and post-conviction reoffending. The initiative is grounded in two decades of research on the factors that contribute to criminal reoffending and the methods the justice system can employ to interrupt the cycle of re-offense. In 2010, Eau Claire and Milwaukee counties were awarded inclusion in Phases II and III of this initiative, which involved a planning phase and then an implementation phase.

Building on the success of the original local EBDM sites, including Eau Claire and Milwaukee, the National Institute of Corrections held a national EBDM Summit in Madison, Wisconsin in January 2014. This Summit signified the beginning of the next phase of the Initiative, which was envisioned to link county level efforts to state level protocols and initiatives. The purpose of the Summit was to share information with a broad group of state and local officials about the EBDM Framework. The Summit addressed the importance of statewide evidence-based decision making to achieving improved criminal justice outcomes and reducing the harm that crime causes Wisconsin's communities. The Summit provided state and local officials with the foundational information needed to consider engaging in a statewide EBDM effort.

Following the Summit, in February 2014, Wisconsin's State CJCC formally applied for Phase IV of the initiative, which was focused on preparation work to gauge capacity and readiness to expand EBDM to additional local jurisdictions and on a statewide level. Wisconsin was one of five states awarded inclusion in Phase IV (along with Virginia, Indiana, Colorado, and Oregon).

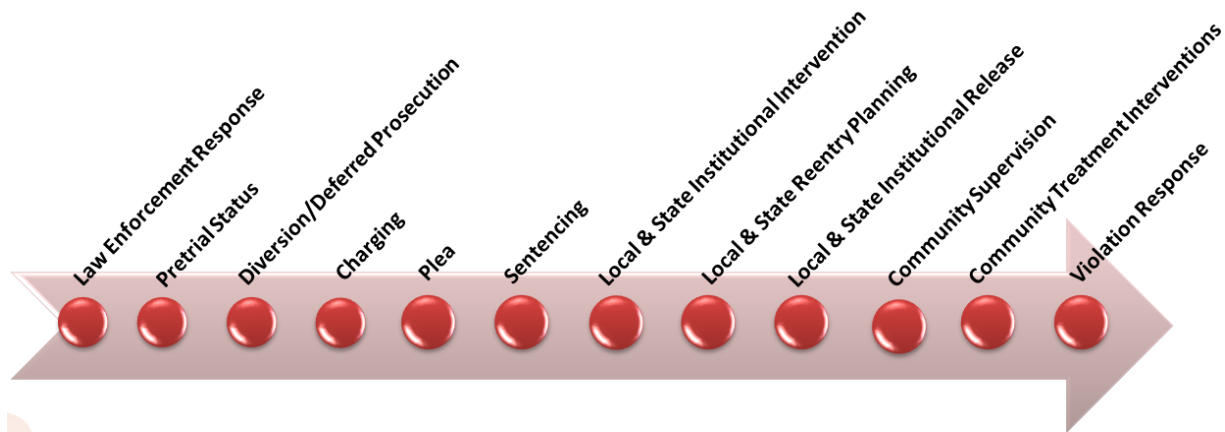
In May 2014, work began in Phase IV. This phase included a series of activities designed to help Wisconsin prepare itself to competitively apply for Phase V. To complete these activities, a planning team was assembled, which included more than a dozen state and local leaders from a

broad spectrum of criminal justice system agencies. At the close of Phase IV, the state of Wisconsin formally applied for inclusion in Phase V of the EBDM Initiative. This phase was a year-long planning phase to expand EBDM to six additional counties in tandem with a state-level team. On February 25, 2015, the state of Wisconsin was officially selected as one of three states, including Indiana and Virginia, to advance to Phase V of the EBDM Initiative. A total of 21 Wisconsin counties applied for inclusion in Phase V. Through a competitive process, Chippewa, Marathon, Outagamie, La Crosse, Rock, and Waukesha counties were selected as the local jurisdictions for Wisconsin.

As part of this statewide planning effort, the State CJCC created an Evidence-Based Decision Making (EBDM) Subcommittee to serve as the Phase V State-Level EBDM Policy Team. This Subcommittee includes stakeholders from throughout the criminal justice system in Wisconsin, including law enforcement, prosecutors, defense counsel, judges, corrections officials, county representatives, advocacy groups, members of the public, and the state legislature. In this role, the EBDM Subcommittee has worked in parallel with the six local teams in conducting Phase V Roadmap planning activities, while providing a constant feedback loop to the CJCC and its Executive Committee.

To begin Phase V of EBDM Initiative, the EBDM Subcommittee engaged in mapping the criminal justice system, reviewed data, and discussed a number of topics at each of the 12 EBDM decision points.

## EBDM Decision Points



The goal of these discussions was to analyze opportunities for improvement and ultimately identify priority areas to be addressed for the state’s criminal justice system. This process is similar to that of Eau Claire and Milwaukee’s earlier EBDM work, in which each team developed selection criteria, reviewed its list of potential opportunities, and ultimately selected priority areas to be the focus of their EBDM work.

As a result, the State CJCC focused on seven priority areas that were included in the state’s FY16-20 JAG Strategic Plan and created multidisciplinary workgroups dedicated to each priority area. These workgroups included approximately 100 state and local criminal justice stakeholders from across the State of Wisconsin. The goal of each of these workgroups was to further develop strategies to address the selected priority areas. Each workgroup’s strategic planning activities included:

- ✓ Analysis of current policies and practices;
- ✓ Collection of quantitative and qualitative information;
- ✓ Review of relevant research;
- ✓ Determining if improvement is desirable and possible;
- ✓ Seeking consensus from the full EBDM Subcommittee and State CJCC; and
- ✓ Developing a logic model and action plan;
- ✓ Multijurisdictional drug task forces

In addition, during this process, the state created and disseminated a survey to each county and tribe in Wisconsin to gauge the current status of local programming and the readiness of these local jurisdictions to further implement evidence-based programming at the local level. The State of Wisconsin's state and local teams formally submitted an application to the National Institute of Corrections for inclusion in Phase VI of the EBDM Initiative on July 29, 2016.

As a result of these activities, the State CJCC developed a preliminary plan to leverage existing efforts to both address the state's illegal drug epidemic and incorporate the priorities defined through the CJCC's intensive strategic planning efforts as a result of its participation in the EBDM Initiative. Wisconsin DOJ used these seven priorities for the overall FY2016-2020 JAG Strategy. The priorities were carried forward into the current strategy, and the funding plan for FY23 invests in expanding the pre-trial diversion programs and using JAG funds for law enforcement assisted deflection programs, which aligns with the goals of the EBDM initiative.

### ***Overview of Implemented Evidence-Based Programs***

The SAA administers many federal and discretionary grant programs for US DOJ and state funded programs. The staff collaborates with many partners to ensure that lessons learned from subgrants are used to inform future program design and subgrant requirements and are used to inform future federal grant applications. There are many current initiatives that are implementing evidence-based programs and helped inform the FY23 JAG funding plan.

#### Existing Initiatives:

- *Treatment Alternatives and Diversion Program (\$9,688,900)*

TAD programs provide local jurisdictions with options to offer offenders the opportunity to enter diversion programs or treatment court programs, which typically involve drug and/or alcohol abuse treatment, case management, and other risk reduction services as a safe alternative to jail



or prison confinement. Diverting non-violent offenders into substance abuse treatment keeps them out of jail and correctional facilities as well as treating the underlying addiction that may have influenced the commission of a crime or may contribute to future criminal behavior.

- *Wisconsin Deflection Initiative*

Through [2017 WI Act 32](#), DOJ was allocated funds for a Pre-Booking Diversion Pilot Program, which allowed local law enforcement to divert non-violent offenders to a treatment option. The projects were funded with state funds until July 2021 and they are now funded and enhanced under the COSSAP initiative. They are mentoring sites that started in 2022 under the FY19 BJA Comprehensive Opioid Abuse Site-Based Program Grant. The projects funded under this grant are ending in September 2023 but will be continued to some degree under subsequent years of COSSAP or integrated into JAG under the Wisconsin Deflection Initiative project.

- *Overdose Fatality Review Project*

In April 2021, DOJ began participation in the Overdose Fatality Review State Advisory Group (OFR SAG) which meets quarterly to receive and assess state-level recommendations to prevent overdose deaths generated by the local teams in the OFR project. WI DOJ participates across multiple divisions with the Drug Initiatives Advisor to the Attorney General serving as the vice-chair of the OFR SAG. WI DOJ works closely with WI DHS to collaborate on grant funding for the OFR initiative. WI DHS provides funding for local OFR sites and WI DOJ provides supplemental funds for specific OFR projects, when applicable, using discretionary sources such as COSSAP.

- *COPS Anti-Heroin and Anti-Methamphetamine Grants*

Since 2015, Wisconsin DOJ has applied for and received grants for the US COPS Office for Anti-Heroin and Anti-Methamphetamine programs. Wisconsin DOJ is currently administering millions of dollars to increase opiate enforcement efforts across the state. Efforts are organized by multi-jurisdictional enforcement practices and multi-disciplinary partnerships statewide and are expanding to include community awareness, education, treatment, and a statewide enforcement response.

- *FY18 BJA Comprehensive Opioid Abuse Site-Based Program Grant (\$1,300,000)*

The DOJ in partnership with the Wisconsin Department of Safety and Professional Services (DSPS), Department of Health Services (DHS) and Medical College of Wisconsin (MCW), received grant funding to support enhanced opioid overdose information sharing at the local and state level. The projects funded under this grant are ending in September 2023 but will be continued to some degree under subsequent years of COSSAP or integrated into JAG under the Wisconsin Deflection Initiative project.

- *FY18 BJA Comprehensive Opioid Abuse Site-Based Program Grant (\$1,000,000)*

The Wisconsin DOJ received grant funding for a project to support the development and implementation of a coordinated strategy to enhance existing efforts to addressing opioid abuse in Wisconsin. This grant will end in September 2023.

- *FY19 BJA Comprehensive Opioid Abuse Site-Based Program Grant (\$5,000,000)*

The Wisconsin DOJ received funding for a project to support the implementation of local Law Enforcement Assisted Diversion (LEAD) programs, as well as local Medication-Assisted Treatment (MAT) programs in jails. To date, seven subgrants have been awarded to counties for Jail-Based MAT programs. Five agencies are funded by the Wisconsin Deflection Initiative.

WI DOJ submitted an FY23 COSSUP application in order to enhance existing projects and expand the initiative in Wisconsin. The projects funded under this grant are ending in September 2024 but will be continued to some degree under subsequent years of COSSAP or integrated into JAG under the Wisconsin Deflection Initiative project.

- *FY19 Justice Reinvestment Initiative Grant (\$1,250,000)*

The main objective for this project is to automate the exchange of criminal justice data between the Wisconsin Department of Justice, the Wisconsin State Courts, and the Wisconsin Department of Corrections. Developing an automated data exchange between these disparate data systems will provide opportunities to connect and measure a variety of data points across Wisconsin's criminal justice system. In addition to developing an automated process to exchange data, this project will identify linkages between these data systems and develop a series of datasets for the purpose of research, analysis, and evaluation. This will establish the creation of a data-sharing platform that can be utilized to develop evidence-based policies and practices, improve data quality and consistency, and improve information sharing efficiencies between state criminal justice agencies. Access to rich, timely, accurate, and linked data, can transform the way Wisconsin identifies and evaluates innovative responses to the criminal justice challenges faced at the state and local levels. The deliverables under this grant are the basis for many future projects in Wisconsin and WI DOJ will pursue future discretionary grants once this project is completed.

- *FY20 Justice Reinvestment Initiative Grant (\$1,000,000)*

This project will build on collaborative efforts to date and develop a foundation to maximize the state's current pretrial release system improvement investments by further developing state resources to support our local sites participating in a Pretrial Pilot program, with an overall goal

of future statewide expansion. Through this initiative, state partner agencies will use the Justice Reinvestment approach to work in collaboration with our local sites to target changes to pretrial release and supervision decisions and processes to address this driver of the corrections population, while continuing to emphasize the importance of public safety. Funding under this proposal will allow the State of Wisconsin to further enhance its state and local capacity to make evidence-based pretrial release decisions and improve performance through targeted and effective strategies.

Collectively, these programs are implemented in a way that involves collaboration via task forces, work groups, oversight committees, and partnerships by state, local, and non-profit agencies. They involve the use of assessment tools, when appropriate, and collect and analyze data to improve program operations and inform future policy. Staff at all agencies receiving funding work together to align efforts and build upon successes.

### **Plan for Collecting the Data Required for this Solicitation's Performance Measures**

DOJ sub-grantees are required to submit narrative performance measurement data quarterly in Egrants (DOJ's online grants management system), as well as submitting quarterly statistical data through BJA's Performance Measurement Tool (PMT).

As part of the strategic plan, DOJ is collaborating with the Director of State Courts' Office and other state and local partners to enhance evaluation components for funded programs to better gauge program success. To assist in this effort, the Department of Justice developed a web-based reporting system to aid with evaluation of JAG funded programs. The Comprehensive Outcomes, Research, and Evaluation (CORE) reporting System collects participant level information from community-based treatment courts and diversion programs, in order to evaluate

program outcomes. In order to enhance data collection and evaluation efforts, Wisconsin DOJ will continue to look for opportunities to upgrade the CORE system and use it for additional programs, such as pre-trial diversion and the Wisconsin Deflection Initiative, both of which are included in the JAG FY22 and FY23 budgets.

The Wisconsin Department of Justice is responsible for the DCRA data collection within the state of Wisconsin. The Bureau of Justice Information & Analysis (BJIA) works with justice system stakeholders through constant communication and statutory requirements that require Wisconsin law enforcement agencies to provide information regarding death-in-custody cases. These stakeholders include but are not limited to the Wisconsin Department of Corrections (for state prison data) and all Wisconsin law enforcement agencies. BJIA retrieves information from these partners on deaths in custody and arrest-related deaths from an electronic form provided to all reporting entities. BJIA also allows the DCRA data to be reported quarterly in a spreadsheet format from the Wisconsin Department of Correction. The DCRA information collected via the electronic form and spreadsheet is entered into a secure database. Using the information from the database and DOC's provided spreadsheets, BJIA uploads the appropriate information to the BJA PMT website as required. The required DCRA report is attached in Just Grants.