

# Brown County's Criminal Justice System

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# New Information

- Since the date of this presentation to the Green Bay Area Retired Mens' Club, the following new information became available:
- 2018 Jail Admissions declined to the lowest level in fourteen years. Down 22% from 2009 and 14.5% from 2015.
- Despite the steep decline in Jail Admissions, the 2018 population of jail inmates was the second highest on record – second only to the 2017 all time high.

# Brown County Criminal Justice Coordinating Board

- “. . . A forum for justice review, analysis, policy development, and reform.”
- Has no funding and meets bi-monthly.

# Brown County 2018 Public Safety Budget

## PUBLIC SAFETY

### DIVISIONAL SUMMARY

	<b>Revenues</b>	<b>Expenses</b>	<b>Net Total Activity</b>	<b>Property Taxes</b>
Court System	2,814,123	5,578,553	(600)	2,763,830
District Attorney	263,450	1,669,782	-	1,406,332
Medical Examiner	726,377	1,274,068	-	547,691
Public Safety Communications	266,807	7,004,697	(2,256)	6,735,634
Sheriff	9,706,995	39,849,283	-	30,142,288
<b>Total</b>	<b>13,777,752</b>	<b>55,376,383</b>	<b>(2,856)</b>	<b>41,595,775</b>

# System Structure

## Brown County Sheriff's Department

### County Funded – Elected Office

Allouez

- Bellevue
- Howard
- Suamico
- Denmark

# System Structure

## Brown County Jail & Juvenile Detention Center

### County Funded

- Ashwaubenon PD
- Brown County Sheriff's Department
- DePere PD
- Green Bay PD
- Howard-Lawrence PD
- Pulaski PD
- UWGB PD

# System Structure

## Brown County District Attorney

### Elected Office

- DA – State funded (most understaffed in the state)
- 15 Assistant District Attorneys (ADA's)
- 12 ADA's State funded
- 2 ADA's County funded
- 1 Special Prosecutor – Grant funded – Operates independently for several counties
- 6 Administrative support staff – county funded

# System Structure

## Court System – Elected Judges

- 8 District Judges – elected 6 yr terms – State funded
- One is “Presiding Judge”
- 4 Court Commissioners appointed by the judges – county funded
- Courts Support staff – county funded – 32 staff support
- Clerk of Court – elected – county funded – 25 staff support



# Brown County Public Defenders Office

- Provides legal representation of indigent persons
- Staff of attorneys inadequate for caseload
- Great difficulty getting private attorneys to take cases
- Private attorneys replaced in too many cases
- Inadequate staffing can delay justice process

# Wisconsin Department of Corrections Division of Community Corrections

- Administers probations and paroles
- Large organization – state funded – understaffed - underfunded

# U.S. District Court Eastern District of Wisconsin

Located in Green Bay, Federal Government funded

One Judge: William C. Griesbach

This is a “System?” Really?

# The Canary in the Coal Mine

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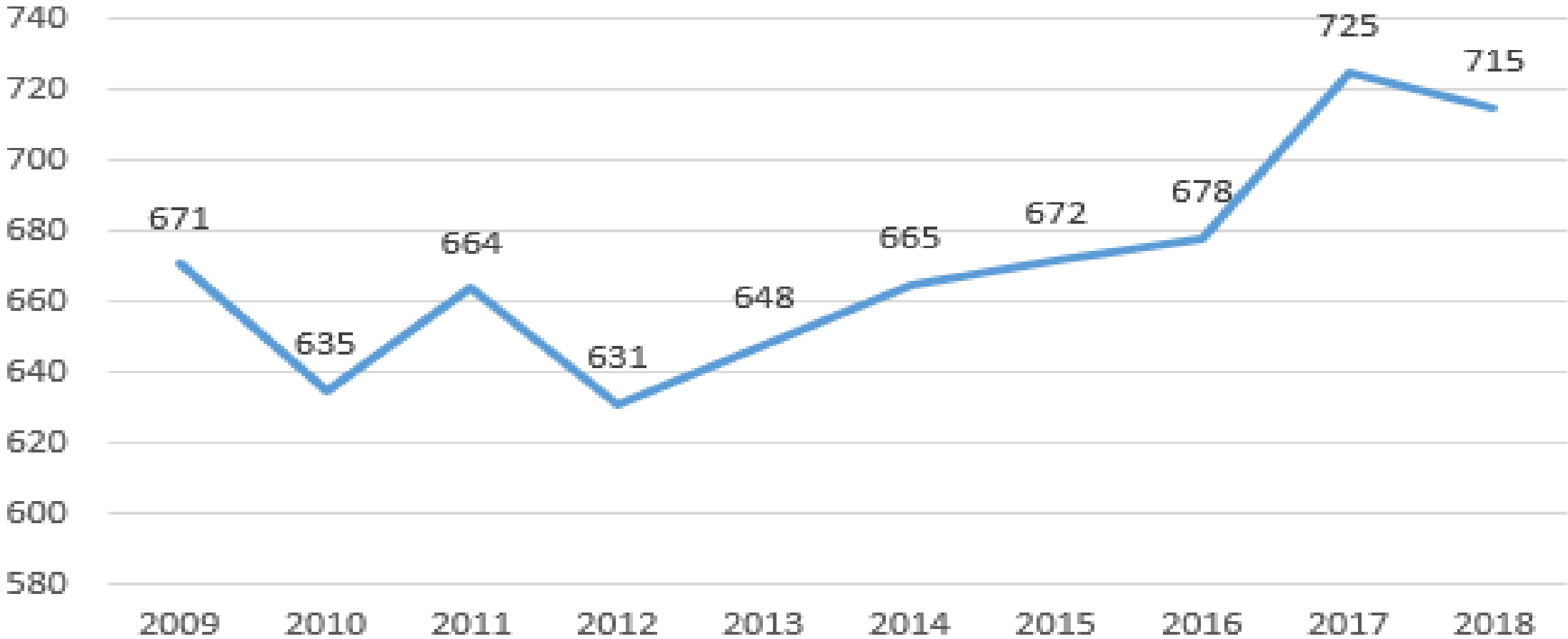
# Brown County Sheriff's Office

## Jail Division



# Jail ADP Increases 6.9% in 2017 vs. 2016

Average Daily Adult Inmate Jail Population



# Outboarding

- Inmate Population exceeds Jail Capacity
- Board BC Prisoners in Other County's Jails
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- 2017 Prisoner Outboarding Costs @ \$50/day = \$668,576 (2017)



# Contract Inmates

- Federal Safe keepers – 2016 YTD
  - Average Daily– 15.1 inmates
- State Safe keepers – 2016 YTD
  - Average Daily – 1.7 inmates
- Green Bay has a Federal Courthouse that serves Northeast Wisconsin
- Citizens from Northeast WI (including Brown County) are charged in Federal court
- It is in the best interest of Brown County to work with the federal government to house these individuals to keep our community safe
  - Brown County receives funding from the Federal Government to house these inmates

# The Money Pit

- 2016 Total Prisoner Outboarding Costs: \$29,500
- 2017 Prisoner Outboarding Costs @ \$50/day: \$668,576
- 2017 Prisoner Transport Costs (contracted) \$670,715
- Total Outboarding Costs \$1,339,291
- 2017 “Safekeepers” Revenue @\$70/day (\$424,679)
  - Net “Boarding” Costs \$914,612
- Jail Personnel Overtime – High Turnover \$1,258,581

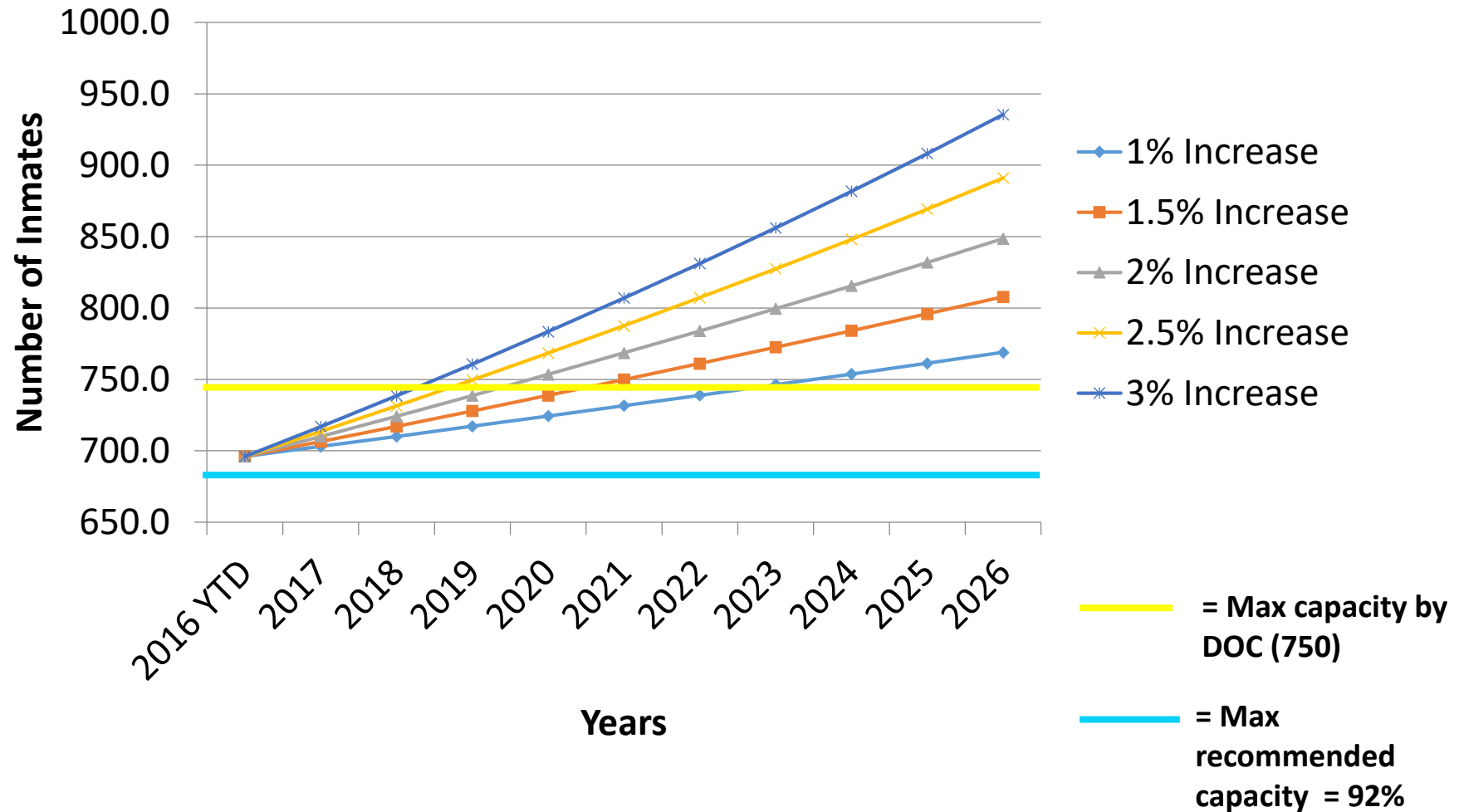
# Expand the Jail – Add 124 Beds

- Estimated Capital Cost: \$14-15 Million
- Total Annual Operating Expense: \$470,000 - \$570,000

Additional Personnel Cost: \$435,000-525,000 Annual

Additional Operating Cost: \$35,000-45,000 Annual

# Projection of ADP Increase (without EMP)



# Jail Expansion Rationale

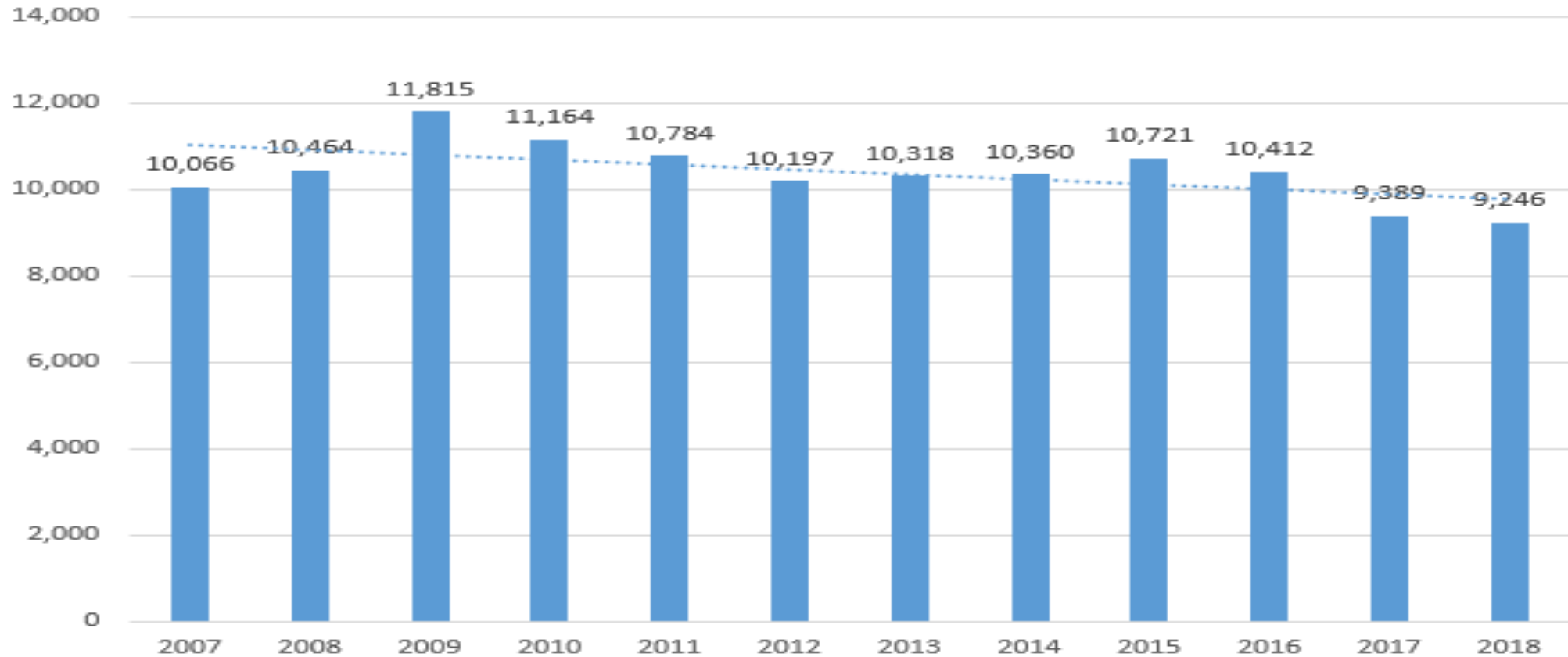
- Continually Increasing Jail Population – Up 66% 2001 – 2016
- Population Growth will continue Jail Population Growth
- Inmate Population Exceeds Jail Capacity
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- Outboarding Costs Unacceptable

# County Population Growth does NOT support Jail expansion!

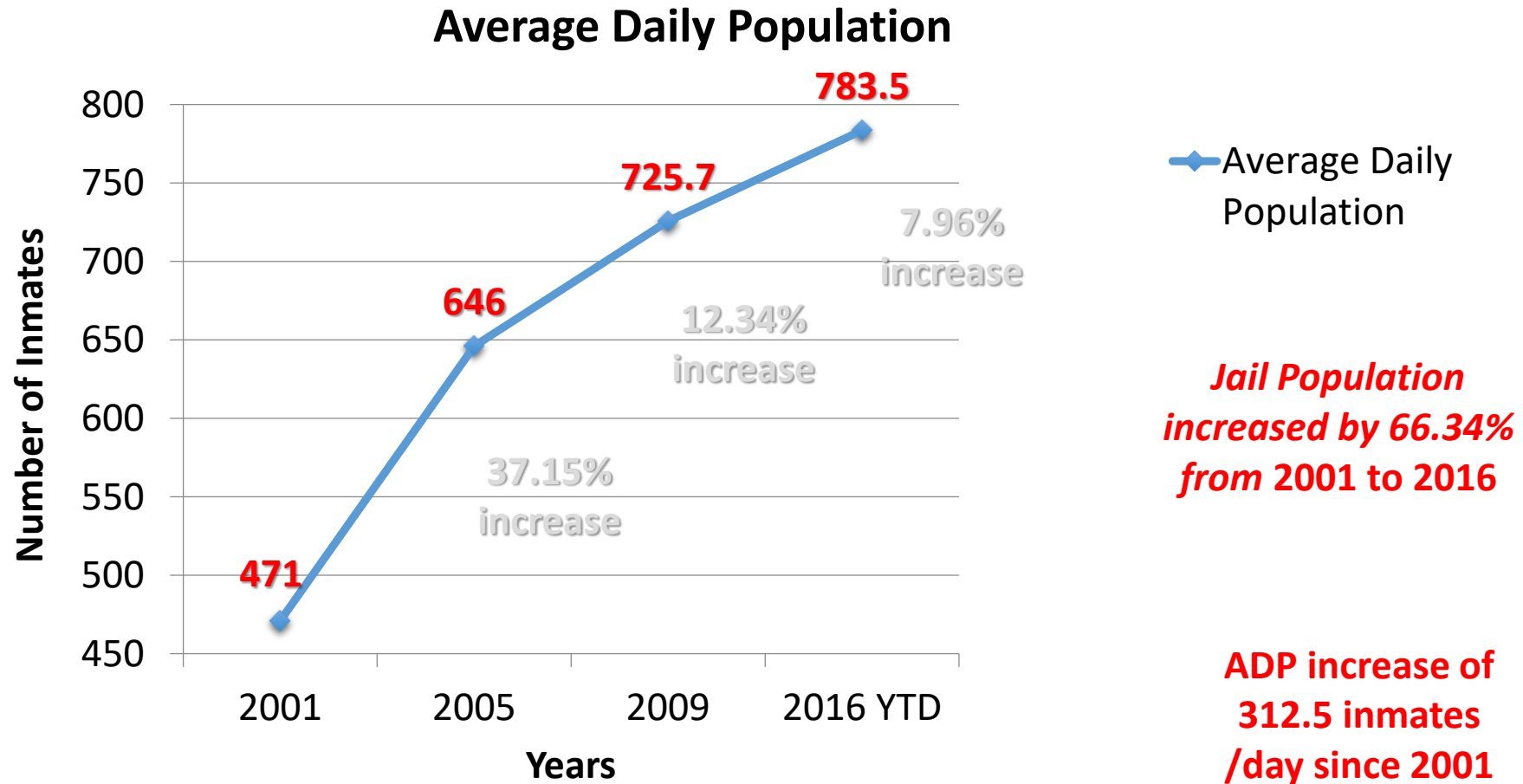
Increase	2015/2035	Percent	
Total Population	54,180	100	
			Note: Groups 0-14 years and 55+ years account for 70% of total growth from 2015 thru 2035. They account for 8.6% of total arrests nationwide.
0-14 Years	8,700	16	
15-19 Years	3,850	7	
20-24 Years	1,630	3	
25-29 Years	-690	-1	
			The age group most likely to be arrested and incarcerated, 15-29 year olds, account for 48% of all arrests, and account for 9% of total population growth from 2015 to 2035. That is a total of 4,790 persons over 20 years of which more than half are females, or approximately 2,350 (118/yr) young men each of which has less than 4% probability of going to prison anytime in their lives.
30-54 Yrs	11,340	21	
55 Plus Yrs	29,350	54	
2035	308,730		
2015	<u>-254,550</u>		
	54,180		

# Jail Admittances Declining

Brown County Jail Admittances 2007 - 2018

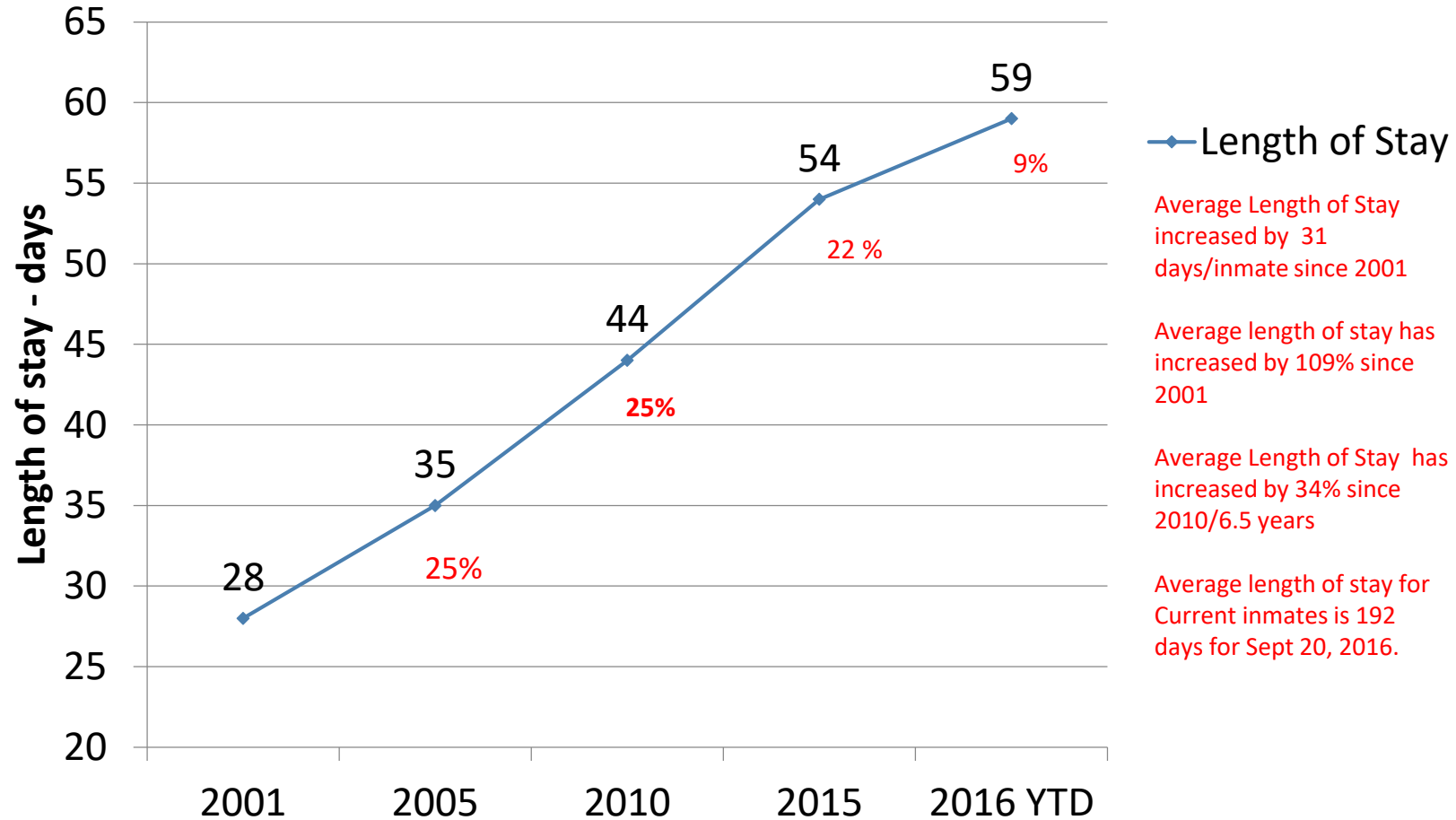


# Population Trends-All Inmates 2001 – 2016 YTD (including EMP)



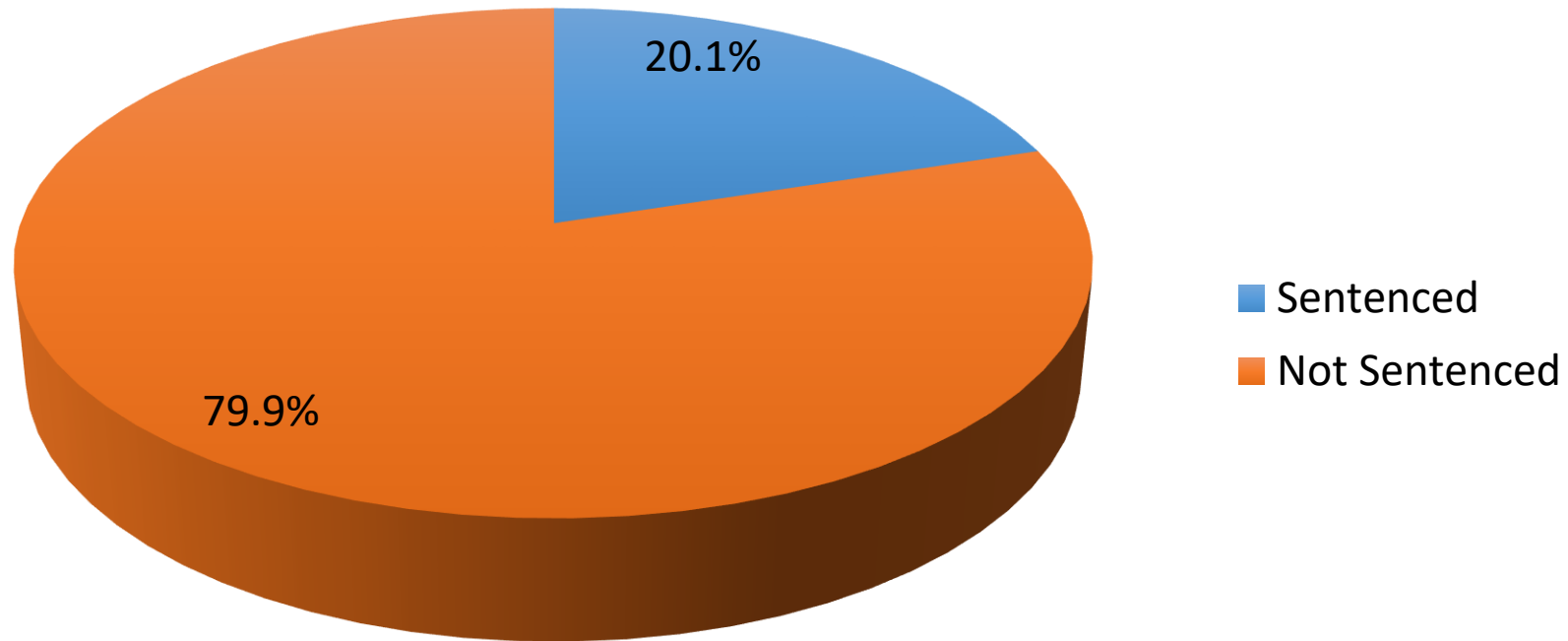


# Average Length of Stay



# Sentenced vs. Not Sentenced

July 14, 2016 – Snapshot



# Addressing the Problem

- Brown County's Current Criminal Justice "System" of Autonomous "silo-like") Compartments is Extremely Inefficient and Unaffordable
- In spite of significant declines in annual admissions, the jail population has continued to increase due to increasing "system inefficiencies."
- Two independent studies strongly recommended that Brown County Government develop a comprehensive criminal justice efficiency improvement plan – nothing has been done.
- The Jail Expansion Project is moving forward – it will be expanded!

# Addressing the Problems The Symptoms

Too Many People staying in the Jail too Long

Too many people in jail on cash bonds

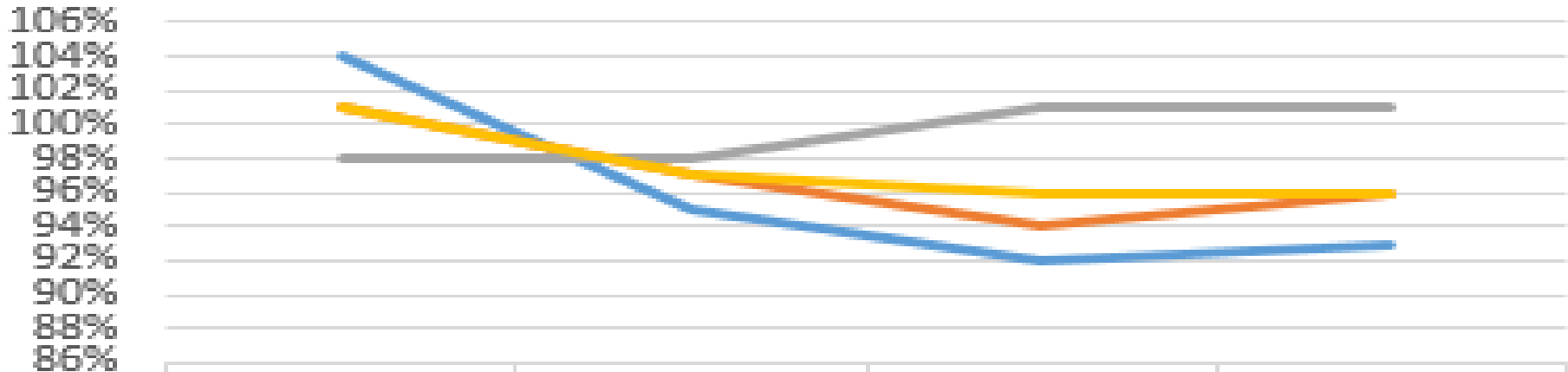
Too many people in jail too long on Parole Revocations

Declining Courts Caseload Clearance Rates

Unlimited Housing of Federal Prisoners

# The Courts' Caseload Challenge

## Court Caseload Clearance Rates



	2014	2015	2016	2017
Felony	104%	95%	92%	93%
Misdemeanor	101%	97%	94%	96%
Criminal Traffic	98%	98%	101%	101%
Total	101%	97%	96%	96%

Felony    Misdemeanor    Criminal Traffic    Total

# The Courts' Caseload Challenge

<b>Felony</b>	<b>Cases</b>	<b>0-90 Days</b>	<b>91-120 Days</b>	<b>121-180 Days</b>	<b>181-360 Days</b>	<b>361-420 Days</b>	<b>421-540 Days</b>	<b>541-720 Days</b>	<b>721 + Days</b>	<b>Pending</b>	<b>0-120 Days</b>	<b>Over 120 Days</b>	<b>of Total</b>
2013	981	413	140	153	213	16	21	17	8	110	56%	44%	52%
2014	891	370	94	170	181	18	28	22	8	112	52%	48%	49%
2015	1005	379	123	149	267	20	29	19	19	122	50%	50%	48%
2016	1170	416	84	174	325	40	60	47	24	145	43%	57%	49%
2017	1375	423	117	215	374	49	76	88	33	161	39%	61%	51%
<b>Misdemeanor</b>													<b>Mis % Tot</b>
2013	543	344	51	82	59	3	2	0	2	64	73%	27%	29%
2014	522	333	61	62	53	8	2	2	1	62	75%	25%	28%
2015	614	357	66	91	83	3	9	4	1	77	75%	25%	29%
2016	741	381	77	124	113	14	14	11	7	87	62%	38%	31%
2017	855	344	103	176	171	17	23	10	11	115	52%	48%	32%
<b>Criminal Traffic</b>													<b>Crim T% tot</b>
2013	378	256	39	50	28	1	1	2	1	62	78%	22%	20%
2014	420	287	46	47	36	0	1	3	0	56	79%	21%	23%
2015	495	253	63	95	72	3	3	2	4	86	64%	36%	23%
2016	486	238	66	101	51	9	6	9	6	94	63%	37%	20%
2017	475	237	56	109	60	4	3	1	5	91	62%	38%	18%
<b>Total Criminal</b>													
2013	1902	1013	230	285	300	20	24	19	11	84	65%	35%	
2014	1833	990	201	279	270	26	31	27	9	80	65%	35%	
2015	2114	989	252	335	422	26	41	25	24	95	59%	41%	
2016	2397	1035	227	399	489	63	80	67	37	111	53%	47%	
2017	2705	1004	276	500	605	70	102	99	49	129	47%	53%	

# Prisoners – Boarded In & Boarded Out

			<b>Out</b>	<b>Total</b>
	<b>Ave Daily</b>	<b>Ave Daily</b>	<b>minus In</b>	<b>Adult</b>
<b><u>Year</u></b>	<b><u>Boarded In</u></b>	<b><u>Boarded Out</u></b>	<b><u>Difference</u></b>	<b><u>Prisoners</u></b>
2015	21.2	0	0	672
2016	13.6	1.7	1.7	678
2017	17.4	45.5	28.1	725
2018	23.9	30.8	6.9	715

# Prisoners – Bond Holds

<b>"Cash Bond Only" Holds</b>			
<b>One Day in 2017</b>			
	<b>Number</b>	<b>Cummulative</b>	<b>Cum %</b>
<b><u>Bond Amount</u></b>	<b><u>of Holds</u></b>	<b><u>Number</u></b>	<b><u>of Total</u></b>
\$0 - \$2,000	30	30	15.7%
\$2001 - \$5,000	42	72	37.7%
\$5,001 - \$10,000	38	110	57.6%
\$10,001 - \$20,000	25	135	70.7%
\$20,001 - \$50,000	36	171	89.5%
\$50,001 - \$100,000	10	181	94.8%
\$100,001 - \$10 Million	10	191	100.0%



# Prisoners - Revocations

- **Parole** – conditional release to supervision after a term of incarceration
- **Probation** – Supervision imposed by court in lieu of incarceration
- 1 in 55 U.S. adults was on parole or probation in 2016
- Nationwide 4.5 million – twice the incarcerated population
- 75% on parole or probation convicted of Non-Violent Crimes
- **Revocations** = failure to comply with imposed conditions resulting in either incarceration and/or completion of original sentence
- **Brown County:** Unknown but significant number of inmates on revocations waiting for court appearances – supposed to be within 10 days, most at least one month or more.

# The Fixes -TAD

- Treatment Alternatives and Diversion Programs

- State Funded Grant

- Options for judges and DA's to offer offenders the opportunity to enter into voluntary substance 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 incarceration facilities – thereby saving bed space and taxpayer dollars – as well as treating the underlying addiction that got them into trouble and helping them get their lives back on a productive positive track.

# The Fixes – New Court Services Division

- Objective – reduce jail population
- Under one roof: Treatment Courts, Pretrial Services, Re-entry Services
- Bring the \$356,000/yr outsourced Day Report Center in-house
- Add three additional staff And bring 8 existing employees into it.
- Implement “Pre-trial risk Assessment” proven programs to reduce “Bond Holds” and divert low-risk persons into non-incarceration treatment programs. Study and implement causes for high levels of probation and parole revocations.

# TAD Treatment Alternatives and Diversion Programs

Part of County Health & Human Services

- **Treatment Courts:** Drug, Heroin, Mental Health, and Veteran's Treatment Courts support staff in Human Services Dept: (1) TAD Coordinator, (3) Specialty Case Managers, (1) Administrative Assistant
- **Day report Center:** Operated by Family Services, Inc. on contract (\$356,000/yr.) (1) Program Manager, (2) Case Managers, (1) Vice President.
- **Diversion Program:** Under TAD Coordinator to get services for low-risk persons identified by DA's office.
- **Jail Liaison:** (1) Clinical Social Worker at the Brown County Community Treatment Center
- State of Wisconsin Grant Funded

# The Fixes – Pre-trial Risk Assessment Programs

- Adoption of Public Safety Assessment (PSA) or similar program
- Uses proven data-based risk assessment analysis to evaluate the risks to society of arrested individuals, the probability of those individuals complying with justice system requirements, and to assist judges in possible alternative case resolutions.
- PSA programs very successful in reducing prison and jail populations.
- States: Arizona, Kentucky, New Jersey, Rhode Island, Utah, +
- Counties & Cities: San Francisco, Phoenix, Chicago, Houston, Philadelphia, Cleveland, Milwaukee and Dane Counties, + numerous others.

# The Fixes – CJCJB Efficiency Improvement Work Group

- The mission of this work group will be to collect and analyze data from the various component divisions of the Brown County criminal justice system, its vendors, State of Wisconsin criminal justice data bases, and U.S. government applicable sources and to supply the data and analysis to appropriate Brown County government entities.
- Utilizing data analysis and statistical tools, the multi-function, multi-discipline work group will identify evidence based opportunities to contain the growth and/or reduce the justice system's operating costs and will recommend quantified objectives for achieving measurable results within specific time frames.
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# The Cost of Incarceration

- “The cost of incarceration in the U.S. exceeds \$1 trillion, or six percent of GDP, and dwarfs the amount spent on education.” Washington University
- “We knew going in that the problem of jail overuse and misuse has been a long time in the making and that no quick fix is likely . . . More than 70 million American adults have a criminal record.” John D. & Catherine T. Mac Arthur foundation
- “While the United States represents about 4.4% of the world’s population, it houses around 22% of the world’s prisoners.” U.S. Bureau of Justice Statistics
- “Our system is miserable and it has failed us. There are more people with criminal records than college degrees. Three million children have a parent or parents in prison, making them more likely to end up there. . . . and we spend more on locking people up than we do on K-12 education. Everything is completely out of whack.” Mark Holden, General Counsel, Koch Industries

Questions?