

Justice Reinvestment Initiative at the Local Level

Getting to Know Milwaukee County, Wisconsin

Milwaukee County, Wisconsin has a population of 955,205. Its county seat is the city of Milwaukee. The racial makeup of the county is 54% White, 27% Black or African American, 14% Hispanic or Latino of any race, and 5% Other races. In 2009-2010, the county had a monthly average of 5,134 arrests and 3,401 jail bookings.

Milwaukee County applied to participate in the JRI initiative and was selected in May, 2011. The county is also currently participating in the Evidence-Based Decisionmaking Initiative (EBDM) led by the National Institute of Corrections.

Key to Success

Milwaukee's success is attributable to the true collaborative partnership and its agreement on and commitment to a shared vision and mission. The Milwaukee County team developed the operational policies and practices – and tested some of their assumptions through pilot efforts – to ensure the feasibility of many of their anticipated changes. Throughout the course of this work, the team has continued to meet with local funding representatives and community stakeholders to share and seek direction on their efforts and to gain long-term support for proposed changes.

JRI Phase I in Milwaukee County

During Phase I of JRI, the County actively engaged in a comprehensive process to understand their cost drivers. During Phase I, the team:

- Identified and brought together key stakeholders and together, developed a joint vision and mission statement;

- Developed a system map and conducted a policy and practice analysis;
- Convened a series of “what works” evidence-based practice seminars for policymakers and staff;
- Provided access to local data and examined raw data and simulation modeling results;
- Analyzed local costs, particularly those associated with the operation of local correctional facilities; and
- Convened leadership meetings to consider the feasibility of strategies and reach consensus on proposed change targets.

These activities led County leaders to develop the “Milwaukee County Early Intervention Strategy.” This strategy entailed:

1. Through local funding, an expansion of universal screening options to improve pretrial release decisions/reduce pretrial detention;
2. Redesigning and expanding pre-charge diversion to divert low risk offenders from the justice system, thereby reducing justice system interventions and costs and increasing defendant outcomes while maintaining public safety; and
3. Redesigning and expanding post-charge deferred prosecution to appropriately identify moderate risk offenders, expedite delivery of risk reduction services, and decrease system processing costs.

While any one of these strategies would improve justice system processing and outcomes, as well as reduce substantially the costs associated with processing these cases, data and cost analysis demonstrated that collectively, these strategies would have enormous potential fiscal and outcome impact.

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JRI Phase II in Milwaukee County

Through Phase II of JRI, Milwaukee County secured support from BJA for the establishment of a “Central Liaison Unit (CLU)” to provide low intervention case management for individuals assessed as low risk and needs-based services for deferred prosecution individuals assessed as moderate risk to reoffend. Use of the strategy resulted in the following system changes:

- Individuals assessed as low risk who also meet revised criteria for pre-charge diversion are reviewed by the District Attorney’s Office for inclusion in the diversion program.
- Individuals assessed as moderate risk on the LSI-R:SV who also meet the revised criteria for post-charge deferred prosecution agreement (DPA) are also assessed on the LSI-R. Moderate risk individuals are reviewed by the District Attorney’s Office for inclusion in the deferred prosecution program. Individuals who successfully complete are discharged 6-12 months after entry into the DPA program.
- Deferred prosecution cases are provided intervention services that match their level of risk and criminogenic needs.

The aforementioned programs and services are administered by the Office of the Chief Judge of Milwaukee County with the assistance of the Milwaukee Community Justice Council Programs & Early Interventions Committee, whose responsibilities include oversight of risk/needs assessments and other eligibility screening for diversion/deferred prosecution cases; system coordination; liaison with community work service and treatment service providers; and performance measurement and outcome reporting. BJA funding supported the diversion and deferred prosecution aspects of the strategy. Funding from other sources supports

other aspects of the strategy, including risk screenings and assessments and pre-trial supervision services.

Milwaukee County’s Reinvestment Plan

Milwaukee County determined that their proposed strategies would have a significant fiscal impact by reducing the volume of offenders housed in the local jail. A discrete-event computer simulation model of the Milwaukee County jail estimated a 9% decline in the jail population over five years if conditions present at the beginning of the effort remained constant. Data analysis suggested that if the proposed JRI Early Intervention package was implemented as planned (including universal screening and pre-trial supervision, as well as diversion and deferred prosecution as described herein), the jail population would decline between 23% and 29% over five years (depending upon the proportion of eligible offenders diverted). Assuming the most conservative estimate (10% of diversion and deferred prosecution eligible inmates are actually diverted), it was estimated that Milwaukee would experience a reduction of 364 inmates in the average daily jail population. The daily marginal cost of housing those 364 inmates was estimated to be \$50/day, translating into a minimum cost avoidance of \$6.6 million annually (364 inmates for 365 days at \$50/day). County leaders committed themselves to reinvesting any cost avoidance savings generated by these changes back into the justice system.

Note: JRI funding would ultimately support the Central Liaison Unit, with universal screening and pretrial supervision being funded by Milwaukee County.

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JRI Site Updates

Recent analyses (2016) suggest that while the average daily jail population decreased by 24% between 2007 and 2012, it has since remained stable at around 2,500 inmates. The 2012 JRI projected 23% reduction in the jail population was predicated on trends remaining stable. Even though the number of bookings declined substantially over time, the steady jail population since 2012 is driven by increases in lengths of stay, especially among sentenced and municipal warrant inmates, along with recent increases for felony pretrial inmates. The County should more closely examine its sentenced and municipal warrant population by risk and need. In addition, the County's reliance on universal screening makes it timely to re-examine their pretrial population by risk and compliance with the pretrial release praxis to fine-tune their data driven policies. Milwaukee County provides a clear example of the need for continual and on-going analysis in order to monitor implementation and fine tune data-driven policies.