



# Wisconsin Department of Corrections

Governor Tony Evers | Secretary Kevin A. Carr

June 30, 2023

Senator Eric Wimberger and  
Representative Robert Wittke, Co-chairpersons  
Joint Legislative Audit Committee  
State Capital  
Madison, Wisconsin 53702

Dear Senator Wimberger and Representative Wittke:

On April 7, 2023 the Legislative Audit Bureau (LAB) submitted an evaluation of the community corrections program administered by the Department of Corrections (DOC). DOC is statutorily responsible for supervising individuals who were convicted of crimes and reside in Wisconsin.

The Division of Community Corrections (DCC) operates as one of three program divisions under the DOC. The most significant responsibility of the DCC is to supervise adults placed on probation by the courts or released from confinement to extended supervision or parole. DCC staff have a multitude of responsibilities, which include providing opportunities for clients to make changes in their lives while holding them accountable when they fail to comply with their conditions of supervision.

The LAB provided several areas in which DOC could improve program administration. As recommended, we have provided responses to each of the recommendations as well as the status of our efforts to implement recommendations.

We would like to thank LAB for its recommendations. The DOC is committed to our mission of public safety. We will continue to strive to improve practices and policies in a transparent, evidence-based and data-driven manner, while providing opportunities for positive change and success for the individuals under our supervision.

Sincerely,

Kevin A. Carr  
Secretary, DOC

# DOC Response and Status Updates to LAB Recommendations

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## Risk Needs and Assessment ([p. 23](#))

**#1. RECOMMENDATION** Ensure initial risk and needs assessments are completed in a timely manner; ([p. 27](#))

**RESPONSE** The Wisconsin Department of Corrections (DOC) will ensure risk and needs assessments for clients beginning terms of supervision or who are being released after incarceration are completed in a timely manner through policy updates to the Supervisory Audit policy and procedure. ([Appendix 1](#)). In addition, the department will create enhanced reports generated on a quarterly basis. These will be provided to division administration and distributed to regional and unit managers to monitor progress and take corrective action.

**#2. RECOMMENDATION** Consider modifying its policies to specify situations when parole and probation agents are permitted additional time to complete initial risk and needs assessments; ([p. 27](#))

**RESPONSE** The department has modified policies and procedures in the Electronic Case Reference Manual (ECRM) to specify situations when agents are permitted additional time to complete initial risk and needs assessments. Specifically, *“if the agent is unable to complete any of the intake requirements by the due date for good cause, the agent needs to obtain supervisory approval for the extension. Examples of situations which may warrant a supervisor extension include but are not limited to, agent workload and client availability”*. Policy updates will be communicated to all staff when completed.

**#3. RECOMMENDATION** Ensure supervision levels of individuals under community supervision are consistently reviewed in a timely manner; ([p. 32](#))

**RESPONSE** Levels of supervision will be reviewed in a timely manner. This will be monitored through updates to the Supervisory Audit policy and through reports generated on a quarterly basis to be provided to division administration and distributed to regional and unit managers to monitor progress and take corrective action.

**#4. RECOMMENDATION** Consider modifying its policies to specify additional situations when agents are permitted additional time to review supervision levels; ([p. 32](#))

**RESPONSE** The department has modified policies and procedures in the ECRM to specify situations when agents are permitted additional time to review supervision levels. *Specifically, “if the agent is unable to complete any of the supervision level review by the due date for good cause, the agent needs to obtain supervisory approval for the extension. Examples of situations which may warrant a supervisor extension include but are not limited to, agent workload and*

*client availability*” ([Appendix 2](#)) Policy updates will be communicated to all staff when completed.

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## **Program Services** ([p. 33](#))

**#5. RECOMMENDATION** Comply with statutes by providing day reporting center services throughout the state; ([p. 38](#))

**RESPONSE** In order to comply with statutes to provide day report centers, the DOC will strive to contract for services or utilize existing county services of day report centers in all regions throughout the state. DOC will analyze the need for additional centers based on client population and program service gaps, qualified provider availability and accessibility options to optimize expenditures.

**#6. RECOMMENDATION** Develop a plan to regularly review contract logs maintained by each region in order to ensure interactions with providers of services are consistently documented; ([p. 42](#))

**RESPONSE** DOC has developed a plan to regularly review provider contract logs maintained in each region to ensure interactions with providers of services are consistently documented. The ECRM ([Appendix 11](#)) and the Purchase of Offender Goods and Services (POGS) guide will be updated to include policy language to require the regional program and policy analyst to have monthly review meetings with contract specialists. The form DOC-4057, “*Contract Log*” ([Appendix 3](#)) will be forwarded to central office administrative staff for quarterly audits to ensure compliance and corrective action is taken. Policy updates will be communicated to all staff when completed.

**#7. RECOMMENDATION** Centrally collect non-confidential data on all court-ordered program services provided to individuals under community supervision; ([p. 49](#))

**RESPONSE** DOC will develop a system to centrally track all court-ordered program services provided to individuals on community supervision. The department has initiated the process to modify the Program Data Collection System (PDCS) to collect this data centrally. The department will establish policies and procedures for agents to report the information which is currently tracked at the case level so it can be uploaded in the database.

**#8. RECOMMENDATION** Develop a multi-year plan for complying with statutes by evaluating the effectiveness of program services, including all court-ordered program services, at decreasing the rates of arrest, conviction, and imprisonment; ([p. 49](#))

**RESPONSE** DOC has initiated the development of a multi-year plan for complying with statutes by evaluating the effectiveness of program services, including all court-ordered services, at decreasing the rates of arrest, conviction and imprisonment ([Appendix 4](#)). Completion and termination rates will be analyzed to determine impact on rate of arrest, conviction and imprisonment at one, three and five-year intervals after the client’s program

completion. DOC will work with contracted providers to ensure evidence-based program standards are utilized.

**#9. RECOMMENDATION** Use the evaluation results to improve program services; ([p. 49](#))

**RESPONSE** Evaluation results will be used with contracted program providers to improve program services through continuous quality improvement efforts. These will include utilizing evaluations tools such as the University of Cincinnati's *Corrections Program Checklist* ([Appendix 5](#)) and other nationally recognized tools. Corrective action planning sessions will be held with vendors that are not reaching proficiency on those evaluation tools. Outcomes will be displayed on the DOC public website interactive dashboards to provide transparency.

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### **Violations** ([p. 51](#))

**#10. RECOMMENDATION** Ensure alleged violations are consistently investigated; ([p. 58](#))

**RESPONSE** The Department of Corrections will ensure all violations are consistently investigated. DOC has updated sections in the Electronic Case Reference Manual (ECRM) ([Appendix 6](#)) to provide clarification and consistency in regards to expectations for agent timelines when completing a violation investigation and documenting the outcome of the violation investigation in the Evidence Based Response to Violation (EBRV) COMPAS case management system. Policy updates will be communicated to all staff and training is being developed. It is anticipated the training will occur during the fall of 2023.

**#11. RECOMMENDATION** Ensure investigation reports are consistently completed within 10 days; ([p. 59](#))

**RESPONSE** DOC is updating sections in the Electronic Case Reference Manual (ECRM) ([Appendix 6](#)) to provide clarification and consistency in regards to expectations for agent timelines when completing a violation investigation and documenting the outcome of the violation investigation in the Evidence Based Response to Violation (EBRV) COMPAS case management system. Policy updates will be communicated to all staff and training is being developed. It is anticipated the training will occur during the fall of 2023. After all staff are trained on the expectations and policy revisions, DOC will ensure violation response is consistently completed within the established timelines. This will be completed through the creation of a report containing information regarding overdue work generated on a quarterly basis. This will be provided to division administration and distributed to regional and unit managers to monitor progress and take corrective action when appropriate.

**#12. RECOMMENDATION** Consider modifying its policies to specify additional situations when parole and probation agents are permitted additional time to complete investigation reports; ([p. 59](#))

**RESPONSE** DOC will revise ECRM policies and procedures to identify situations when agents are permitted additional time to complete investigations and document outcomes ([Appendix 6](#)). Communication regarding policy changes will be provided to all staff, and training is being developed. It is anticipated training will occur fall 2023.

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### **Violation Consequences** ([p. 61](#))

**#13. RECOMMENDATION** Ensure parole and probation agents consistently identify aggravating or mitigating factors when requesting to override a recommended consequence level; ([p. 66](#))

**RESPONSE** The Department of Corrections (DOC) will ensure agents consistently identify aggravating or mitigating factors when requesting to override a recommended consequence level by providing additional training to all staff. Staff training is tentatively scheduled for fall of 2023. In addition, DOC is exploring system upgrades to the EBRV module in the COMPAS case management system. Proposed system enhancements would require an aggravating factor to be identified prior to allowing an override to be requested. In the interim, DOC will explore the development of reports to be generated quarterly and provided to division administration, and shared with regional and unit management. The reports will contain data on violation override cases in which aggravating factors were not indicated.

**#14. RECOMMENDATION** Ensure its electronic monitoring center consistently issues holds or apprehension requests when individuals under community supervision exhibit assaultive or threatening behavior or law enforcement indicates it intends to file felony charges against individuals; ([p. 69](#))

**RESPONSE** DOC will ensure the electronic monitoring center consistently issues holds or apprehension requests when individuals under community supervision exhibit assaultive or threatening behavior or law enforcement indicates it intends to file felony charges against individuals. DOC will provide additional training to staff who receive after-hours calls from law enforcement regarding holds or issuance of an apprehension request for reported assaultive or felony charges to ensure the information is documented per policy. In addition, modifications to the tracking system will provide additional documentation and data collection to enhance consistency. Furthermore, DOC is reviewing current policies regarding issuance of apprehension requests and holds. We anticipate several updates to the ECRM to provide clarification for all staff to ensure apprehension requests and holds are issued when needed. We will provide training to all staff. Training is tentatively scheduled for fall 2023.

**#15. RECOMMENDATION** Consistently identify in its data all community-based alternatives to revocation; ([p. 73](#))

**RESPONSE** DOC will consistently identify all community-based alternative to revocations (ATR) by developing a policy and procedure to collect ATR data centrally. The data will include the program or activity the client will engage in as an alternative and will provide information regarding utilization and outcomes. DOC is exploring options in regards to the best data system

to report, collect and store this information with considerations towards agent workload. We anticipate recommendations and implementation in 2024.

**#16. RECOMMENDATION** Develop a multi-year plan for complying with statutes by reviewing consequences it imposed in order to assess differences among consequences, evaluate the effectiveness of consequences, and monitor the effect of consequences on the number of revocations; [\(p. 74\)](#)

**RESPONSE** DOC has developed a Multi-Year Plan to review consequences imposed to assess differences in consequences, evaluate the effectiveness of consequences and monitor the effect of consequences on the number of revocations. [\(Appendix 7\)](#) Metrics for analysis will include ensuring violation investigations are completed in a thorough and timely manner, violation outcomes are documented in Evidence Based Response to Violation Compas Case Management System following established policy, procedure and guidelines, including the appropriate identification of aggravating or mitigating factors when overrides are authorized. Data regarding after hour holds and the utilization of Alternative to Revocations (ATR) will also be analyzed.

**#17. RECOMMENDATION** Use the results of these reviews to improve its use of consequences; [\(p. 75\)](#)

**RESPONSE** DOC will use the results of the multi-year plan to improve use of consequences by analyzing outcomes including differences or variances in violation type and consequences imposed, and effect on the number of revocations for high-risk individuals who engage in high-level violations. If necessary, DOC will develop corrective plans, policy updates and staff training.

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### **Improving Program Administration [\(p. 91\)](#)**

**#18. RECOMMENDATION** Report to the Joint Legislative Audit Committee by June 30, 2023, on the status of its efforts to promulgate statutorily required administrative rules for defining and evaluating violation consequences, as required by s. 301.03 (3), Wis. Stats.; [\(p. 93\)](#)

**RESPONSE** The Department of Corrections has drafted a scope statement [\(Appendix 8\)](#) to initiate the process to promulgate administrative rules for defining and evaluating violation consequences, as required by s. 301.03 (3), Wis. Stats.; [\(p. 93\)](#)

**#19. RECOMMENDATION** Report to the Joint Legislative Audit Committee by June 30, 2023, on the status of its efforts to promulgate statutorily required administrative rules for contracting with vendors to supervise certain individuals, as required by s. 301.08 (1) (c) 5., Wis. Stats.; [\(p. 93\)](#)

**RESPONSE** The Department of Corrections has drafted a scope statement [\(Appendix 8\)](#) to initiate the process to promulgate administrative rules for contracting with vendors to supervise certain individuals, as required by s. 301.08 (1) (c) 5., Wis. Stats.; [\(p. 93\)](#)

**#20. RECOMMENDATION** Report to the Joint Legislative Audit Committee by June 30, 2023, on the status of its efforts to promulgate statutorily required administrative rules for allowing entities that provide services to charge a percentage add-on profit and including certain information in rate-based service contracts, as required by s. 301.08 (2) (em) 6., Wis. Stats.; [\(p. 93\)](#)

**RESPONSE** The Department of Corrections has drafted a scope statement ([Appendix 8](#)) to initiate the process to promulgate administrative rules for allowing entities that provide services to charge a percentage add-on profit and including certain information in rate-based service contracts, as required by s. 301.08 (2) (em) 6., Wis. Stats.; [\(p. 93\)](#)

**#21. RECOMMENDATION** Report to the Joint Legislative Audit Committee by June 30, 2023, on the status of its efforts to promulgate statutorily required administrative rules for specifying requirements for providing parole and probation agents with training and skill development, as required by s. 301.068 (5), Wis. Stats.; [\(p. 93\)](#)

**RESPONSE** The Department of Corrections has drafted a scope statement ([Appendix 8](#)) to initiate the process to promulgate administrative rules for specifying requirements for providing parole and probation agents with training and skill development, as required by s. 301.068 (5), Wis. Stats.; [\(p. 93\)](#)

**#22. RECOMMENDATION** Examine programmatic differences among the regions, as well as among the races and ages of individuals under community supervision; [\(p. 96\)](#)

**RESPONSE** DOC will examine programmatic differences amongst regions, as well as the races and ages of individuals under community supervision by developing a series of quarterly reports which will be provided to division administration and distributed to regional and unit management. Reports will be compiled by agent, unit and region. Reports will include information regarding completion of initial risk and needs assessments and overrides to higher levels of supervision, program services received, and completion rates. Other reports will include number of violation responses completed, amount of time to complete a violation response, number of overrides approved in a violation response, violation responses that resulted in a jail hold, violation responses that resulted in a sanction, and number of violation responses that resulted in an alternative to revocation. These reports will include age and race demographics.

**#23. RECOMMENDATION** Assess whether such differences indicate that individuals may not have been supervised appropriately; [\(p. 96\)](#)

**RESPONSE** DOC will assess whether differences indicate individuals have been supervised appropriately by utilizing the reports described above to track the various aspects of community supervision assessments, supervision levels, program participation by gender, age and race to compare trends amongst the eight regions by central office administration.

**#24. RECOMMENDATION** Develop and implement a plan, if necessary, to address the differences and ensure that individuals are supervised appropriately; [\(p. 96\)](#)

**RESPONSE** DOC has developed a multi-year plan to address differences based on data and outcomes to ensure individuals are supervised appropriately ([Appendix 9](#)). Highlights of this plan is the development of interactive dashboards which can be utilized to monitor, track and compare regional trends. Administration will be able to utilize the information to develop or allocate program resources, identify staff training deficits and take corrective action when necessary.

**#25. RECOMMENDATION** Develop a written plan for comprehensively evaluating whether its evidence-based response to violations project has been successful; ([p. 97](#))

**RESPONSE** DOC has developed a multi-year plan to comprehensively evaluate the success of evidence-based responses to violations. ([Appendix 10](#)). Benchmarks to be reviewed to measure success will consider risk and needs assessment processes and require modification to reflect the risks posed by those convicted of sex offenses, domestic violence offenses or other offenses. Other benchmarks will include the availability and effectiveness of program services throughout the state, evaluation of severity levels of violations and the consequence levels, recidivism rates, effectiveness of community based and institution alternative to revocations, client employment percentages, and agent caseloads and job duties. Criminal justice stakeholder surveys and feedback will also be utilized and monitored.

**#26. RECOMMENDATION** Provide community corrections program staff with additional IT security training; ([p. 98](#))

**RESPONSE** DOC will provide all staff with annual IT security training. This training will reiterate the importance of handling confidential data and records. It is anticipated this training will take place in the fall of 2023 with the continued requirement of annual training thereafter.