



Wisconsin Counties Association  
**ANNUAL CONFERENCE**  
*& Exhibit Hall* **2023**

**1:00 – 2:00 PM**

**Alternative Courts: A County's Perspective of How They Can Be Useful**

Speakers: Troy Streckenbach, County Executive, Brown County;  
Mark Vanden Hoogan, Criminal Justice Service Manager, Brown County  
Moderator: Penny Carter, Clerk of Circuit Court, Forest County



# Brown County Alternative Courts

Criminal Justice Reform at a Local Level

# Agenda

History

Day Report Center Takeover

Criminal Justice Division Creation

Funding

Reports


Additional Diversion Methods

Final Lessons

# History

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## **March 19, 2008**

- Brown County Board of Supervisors approves resolution creating a Drug Court Study Subcommittee under the Criminal Justice Coordinating Board, which was first established in 1992.
- Judge Donald Zuidmulder says based on talking with colleagues statewide and other research that creating a Drug and/or Alcohol Specialty Court would address underlying issues with repeat offenders, thus reducing recidivism and improving public safety.
- At this time, Brown County Supervisors were discussing building another jail pod, and some were looking for alternatives.





**July 31, 2009**

- The Brown County Drug Court held its first session targeting residents that have had significant prior involvement with the criminal justice system related to drug offenses, specifically 3<sup>rd</sup> or 4<sup>th</sup> felony, non-violent offenders.
- The Drug Court Team are individuals from a variety of disciplines that come together to handle cases involving dependent offenders through an intensive, judicially-monitored program of drug and alcohol treatment, rehabilitation services, and strict community supervision.
- Costs for the first two years were:
  - 1<sup>st</sup> Year = \$66,436.59
  - 2<sup>nd</sup> Year = \$104,875.26

# **March 20, 2012**

- The first court session of the Northeast Wisconsin Veterans Treatment Court under Judge Kendall Kelley took place.
- Target population is individuals whose involvement in the criminal justice system is related to their military experience.
- Participant is paired with a Veteran mentor and progresses through 5 stages that usually take about 18 months to complete.
- This Veterans Treatment Court was financed utilizing existing funds without needed new money and a coordination intern.







## March 20, 2015

- Mental Health Court held its first session.
- The target population is individuals within the community who have a diagnosed serious/persistent mental health need.
- Additionally, that unmet need is evidenced to be the primary factor behind their ongoing involvement in the criminal justice system.
- Brown County is 1 of 3 active Mental Health Court programs in the state.



April 2, 2015

- Brown County's Heroin/Opioid Court program held its first session.
- The target population is individuals that are addicted to heroin/opioids.
- Brown County implemented the 1<sup>st</sup> program in the nation that was devoted to addressing the heroin/opioid epidemic.
- It's the 5<sup>th</sup> Treatment Court created by Brown County in the past 7 years.



# Day Report Center

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The background of the slide is a photograph of a modern, multi-story building. The building features a prominent tiled roof with a gabled design. The facade is composed of light-colored stone or concrete panels, with large glass windows and doors. Several thick, cylindrical stone pillars support a covered walkway or entrance area. The sky is blue with some light clouds. The overall style is contemporary and institutional.

## **April 14, 2016**

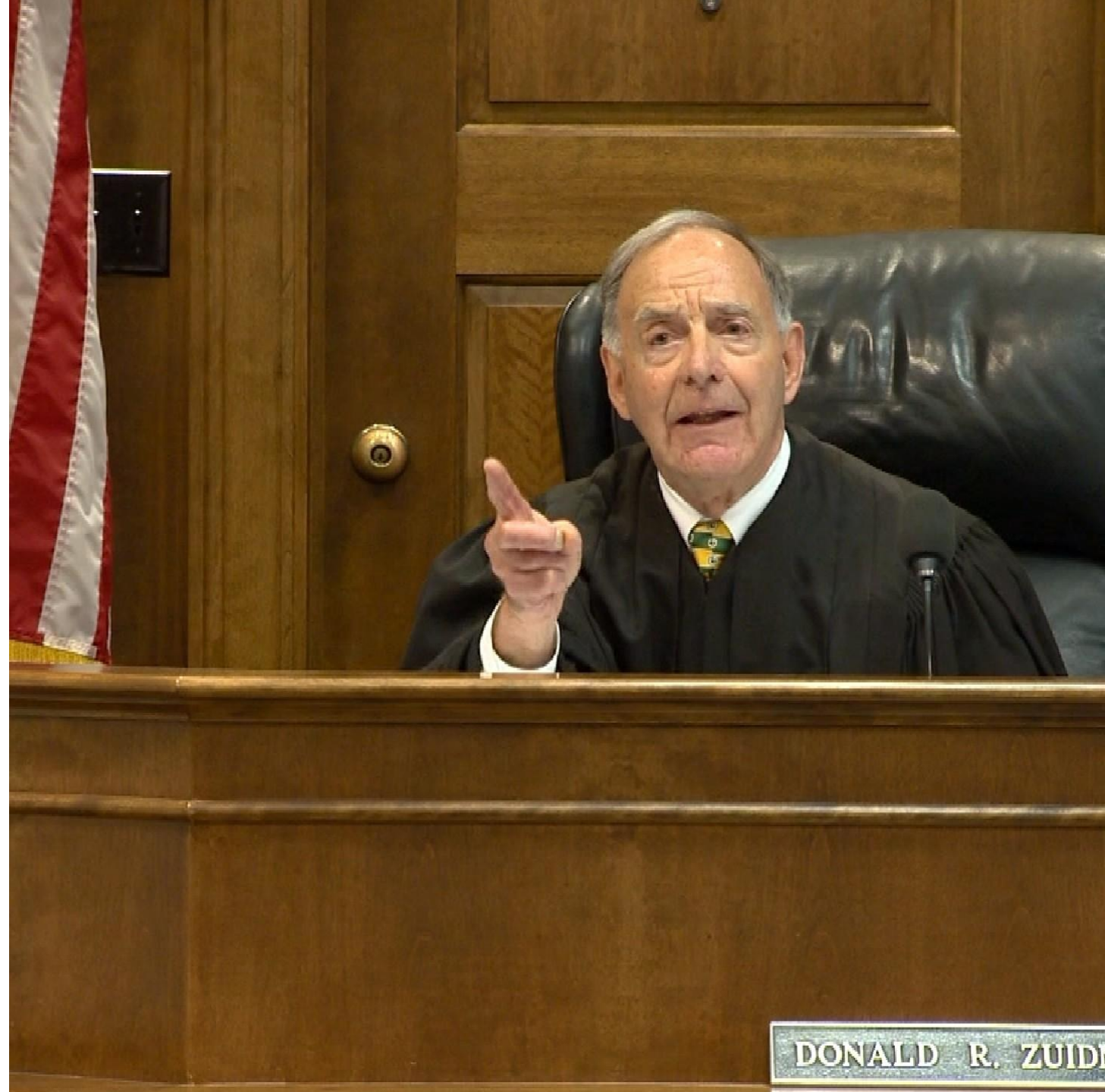
- Announcing the creation of the Day Report Center as part of a \$1.15 million Mental Health Initiative in the 2016 Budget.
- The Day Report Center would offer another option to allow people in the criminal justice system identified for pre-trial release and Treatment Court participation to get services and daily monitoring.
- Day-to-day accountability and intensive case management would provide the most effective services while reducing jail population growth, recidivism, and taxpayer costs.
- Costs approximately \$350,000 annually to operate with helping 75 to 125 offenders each year by providing AODA testing, treatment.
- At a cost of approximately \$45/day to sit in jail, 75-125 offenders would cost Brown County between \$1.231 million and \$2.053 million.



# Judge Donald Zuidmulder Quotes from that day

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- “It’s another example of the evolution of the criminal justice system.”
- “We’ve arrived at a point where I think we’ve become enlightened enough to understand that there’s also a group of citizens who are in the criminal justice system who have needs that can be best addresses not with incarceration, but within treatment and strict supervision.”







## May 2, 2016

- Green Bay Press-Gazette article explains that “despite efforts by judges, sheriff’s officials, and county leaders to reduce the number of inmates in the jail, which has a capacity of about 800,” a Jail Expansion project then estimated at \$22 million could be needed as early as 2017.
- Factors cited as driving the increased inmate population were:
  - Changing nature of crime in Wisconsin
  - Population growth
  - Growing court system case backlog
  - Length of time before out-of-state inmates are transferred by DOC



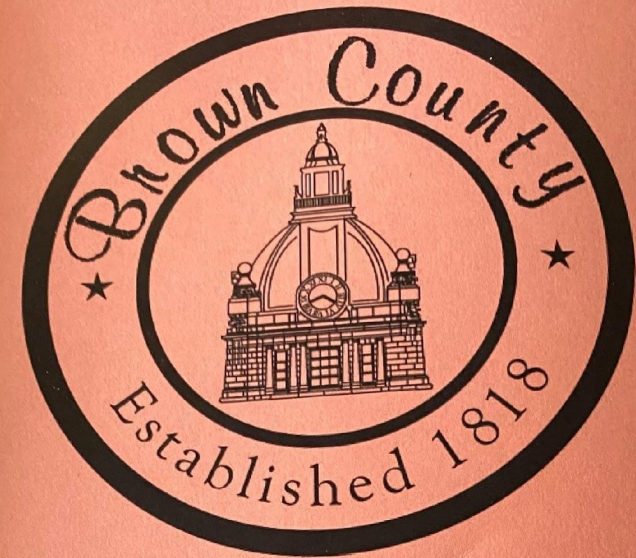




## Division of Criminal Justice within the Health & Human Services Department

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- Based upon recommendations made by the Criminal Justice Coordinating Board, along with evidence-based decision-making pilot programs in 8 other counties.
  - Our goal was to better coordinate resources and find better long-term alternatives to reduce crime, address mental health and substance abuse issues, and develop a successful path to reentry to reduce recidivism.
  - Includes judges utilizing the Public Safety Assessment (PSA) tool.
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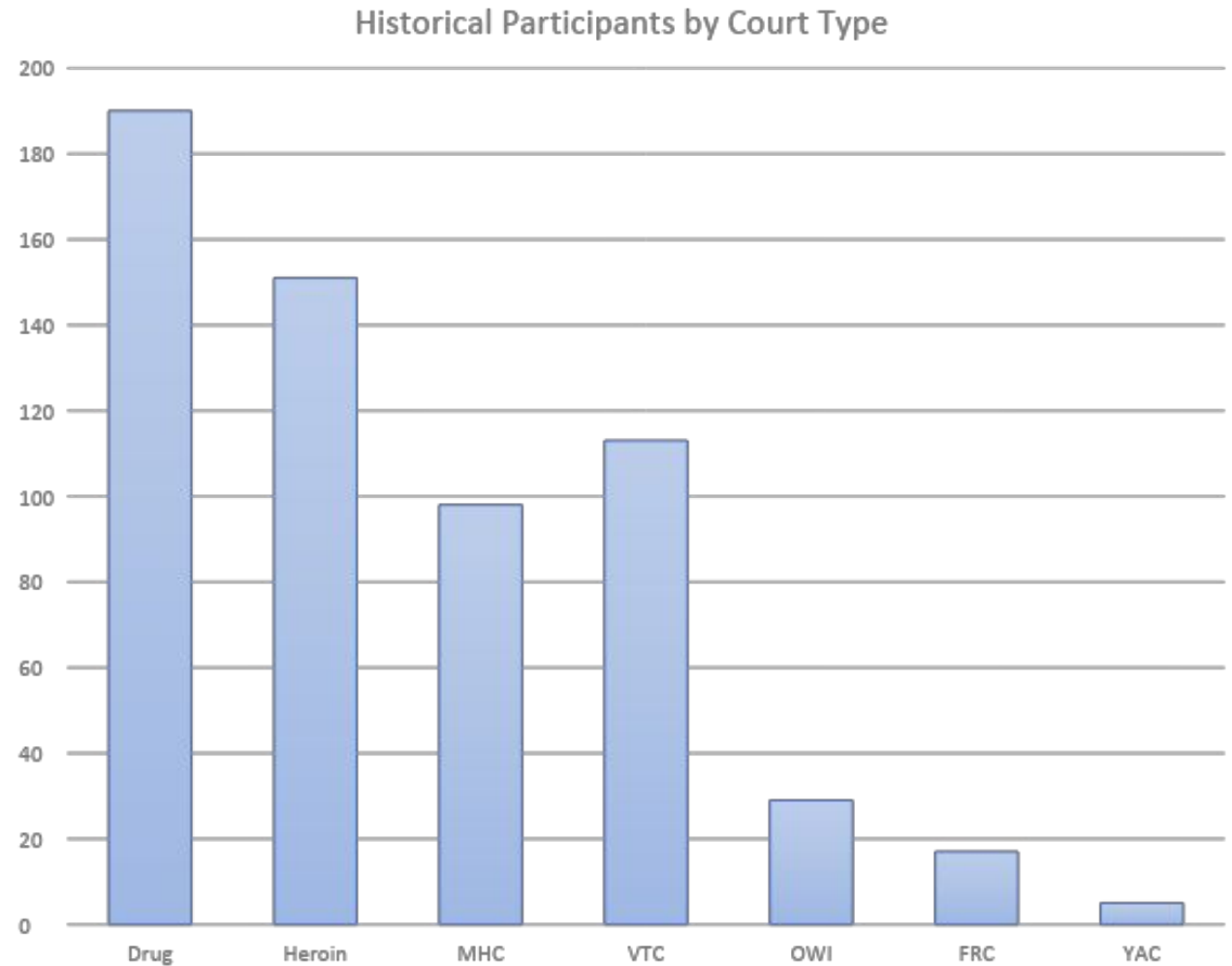
### 2019 ANNUAL BUDGET

*Adopted*

*Brown County, WI*

# Additional Alternative Courts Created

- 2018 – OWI Court – Target population is individuals that have a 4<sup>th</sup> offense OWI and a BAC of .15 or above.
- 2020 – Family Recovery Court – Target population are families that are involved with Child Protective Services.
- 2021 – Young Adult Court – Target population are “young adults” between the ages of 17-21.
- **Brown County has the MOST Alternative Courts in the U.S.**





# Funding

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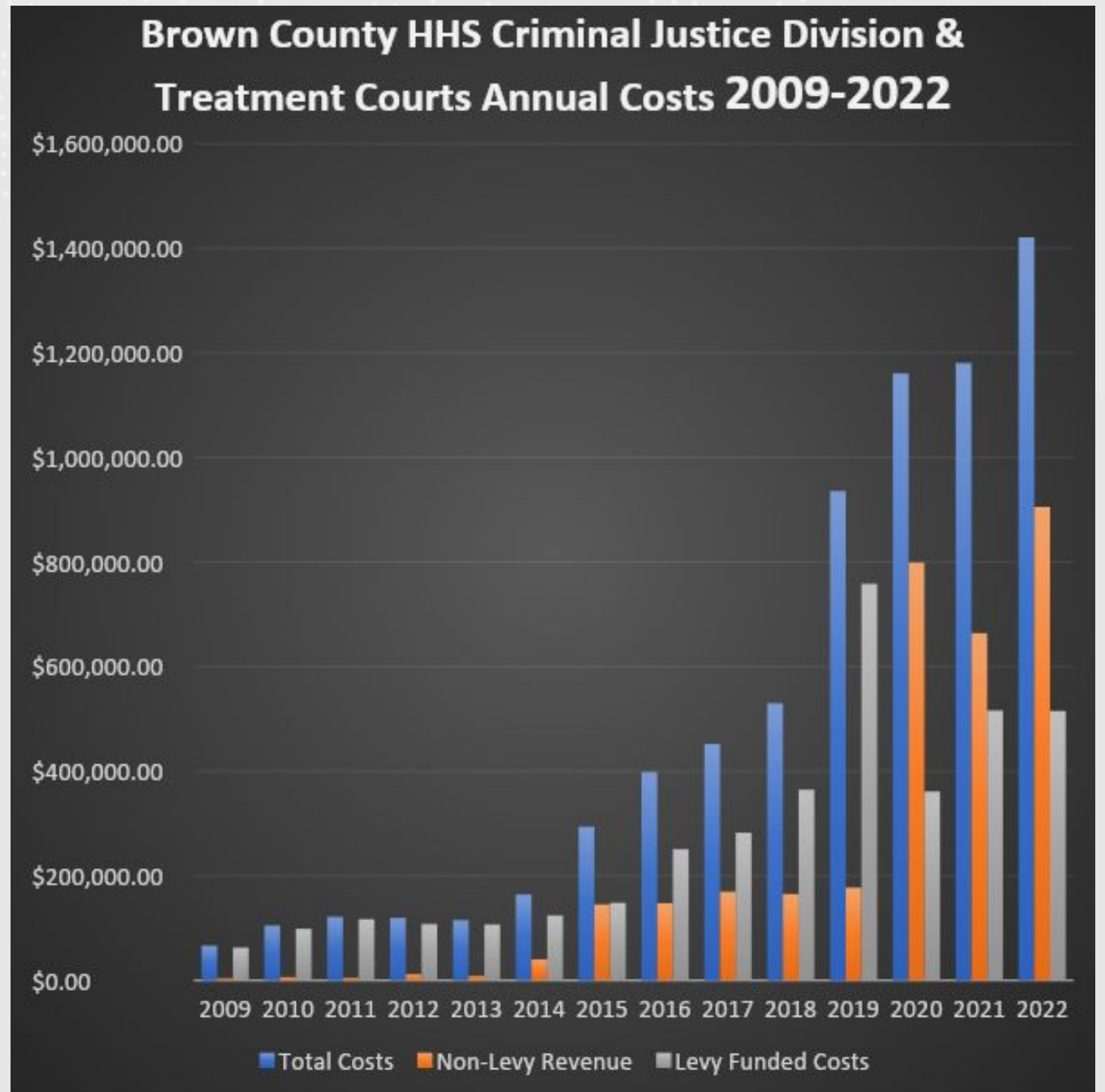


Total Costs from  
2009-2022 = \$7.063  
million

Total Non-Levy  
Revenue 2009-2022 =  
\$3.248 million

Total Levy Funded  
Costs 2009-2022 =  
\$3.815 million

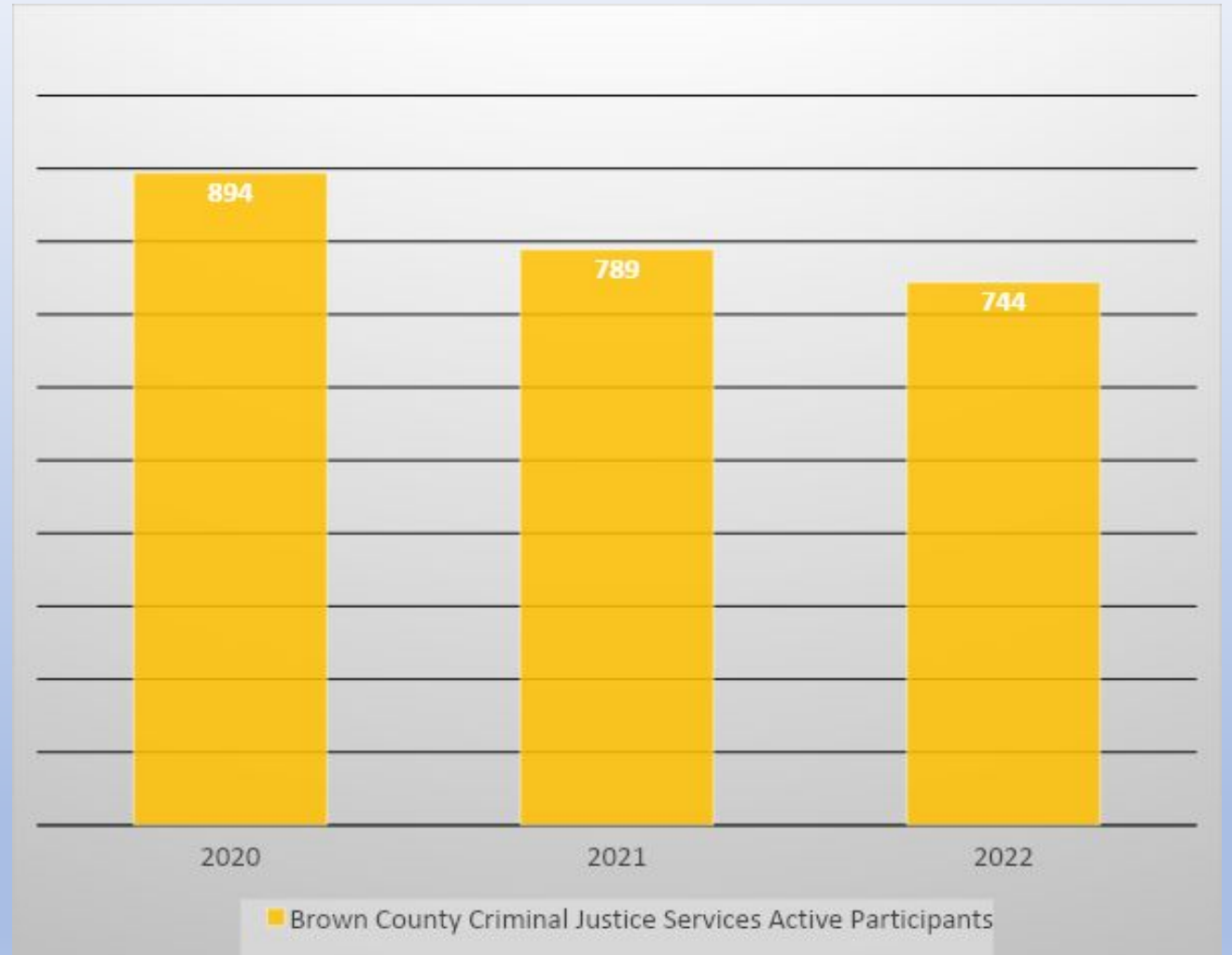
*\*\*Other costs not included are Judges  
Time, Courts Time, & Volunteers Time*





# Total Participation

- Criminal Justice Services (CJS) utilizes evidence-based practices to provide support and coordinate necessary services.
- CJS operates the following programs:
  - Drug Court
  - Mental Health Court
  - Young Adult Court
  - Re-Entry Services
  - Veterans Treatment Court
  - OWI Court
  - Pre/Post Charge Diversion
  - Heroin Court
  - Family Recovery Court
  - Day Report Center



# Fiscal Context

- At \$76/day, a single day of jail for these individuals would cost taxpayers \$583,984.
- For the total levy funded cost over the 13-year period (\$3.815M), that would equal the Total Number of Individuals Served spending an extra 6.5 days in jail.
- For every jail pod = \$12M-\$16M for construction and an additional \$600,000 in levy for staff. These figures DON'T include transports, medical, food, etc.

YEAR	ACTIVE CJS PARTICIPANTS AS OF 12-31-22	* TOTAL NUMBER SERVED BY CJS (HISTORICAL)
2020	894	7,684
2021	789	
2022	744	

*\*This number includes Treatment Court and Diversion number prior to implementation of Criminal Justice Services Division.*





# Reports

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# Brown County Report Center

- The Public Safety Assessment (PSA) was selected by the criminal justice stakeholders for use in pretrial risk assessment. It utilizes 9 risk factors to assess the risk of failure to appear (FTA) pending case disposition, as well as new criminal arrest (NCA), including new violent criminal arrest (NVCA).
- The PSA also considers factors related to a person's age at arrest, current offense, pending charges at time of arrest, prior misdemeanor or felony convictions, prior violent convictions, prior pretrial failure to appear and prior sentence to incarceration.

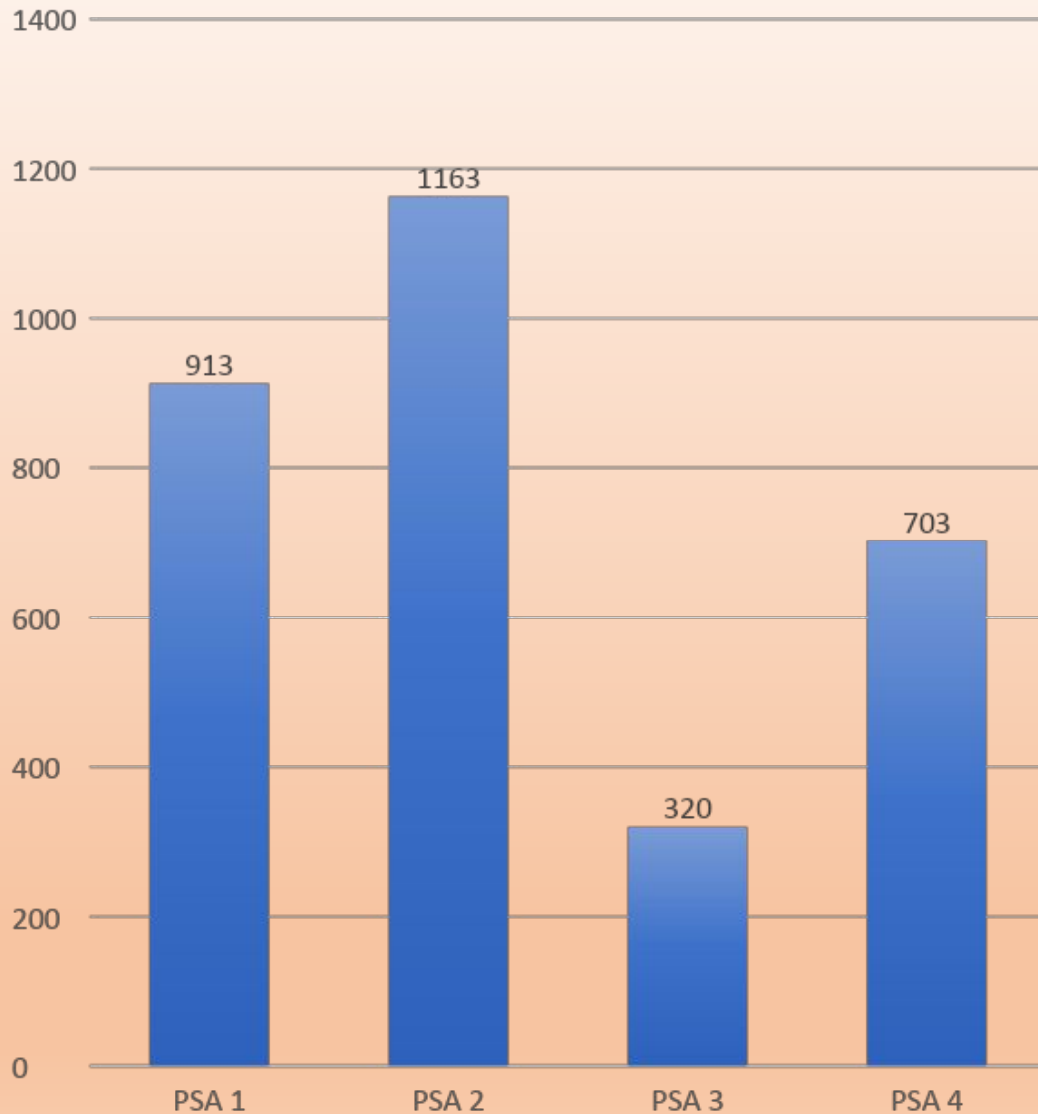
YEAR	PSA's GENERATED	ACTIVE PARTICIPANTS	PARTICIPANTS SERVED
June 2019-2020	3,682	751	
2021	3,245	642	1,240
2022	3,103	580	941

## Two risk scores are produced using the PSA:

1. Predicts risk of failure to appear (FTA) for ongoing require court appearances.
2. Predicts risk of being arrested for a new crime (NCA) if released to the community pending trial.

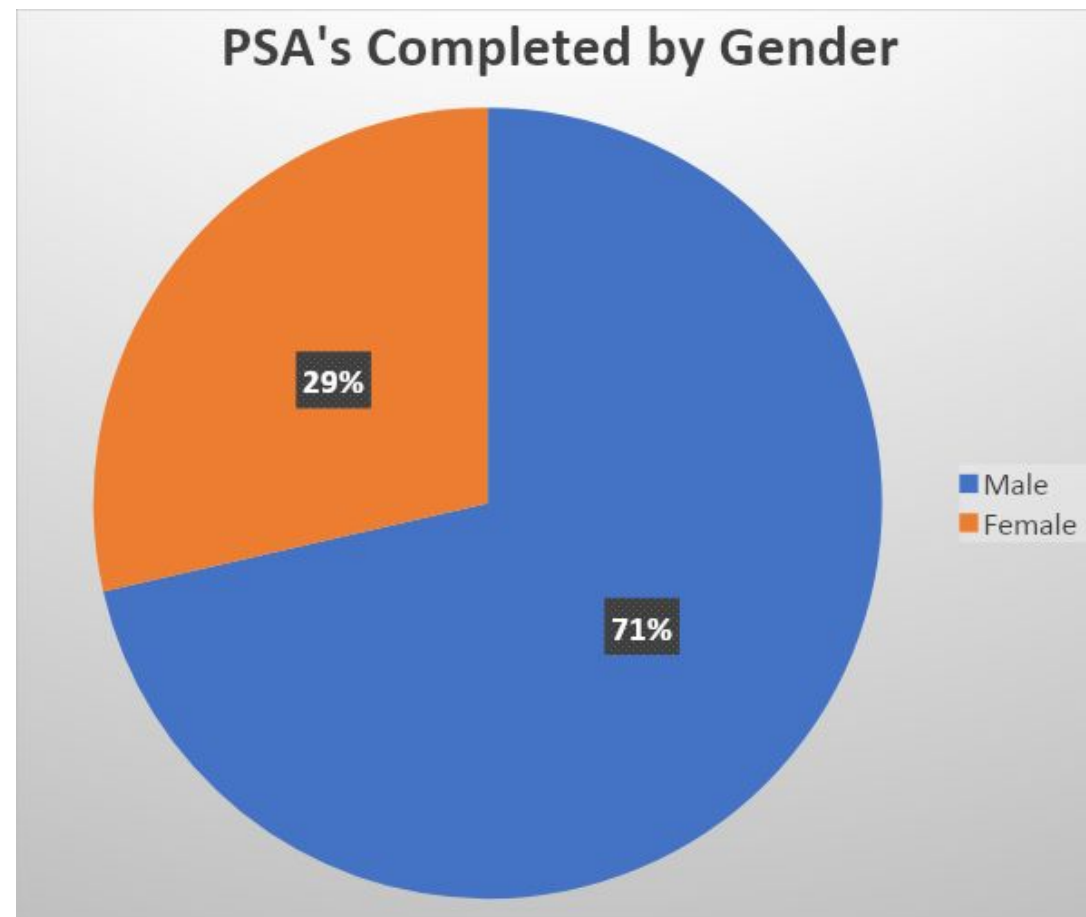
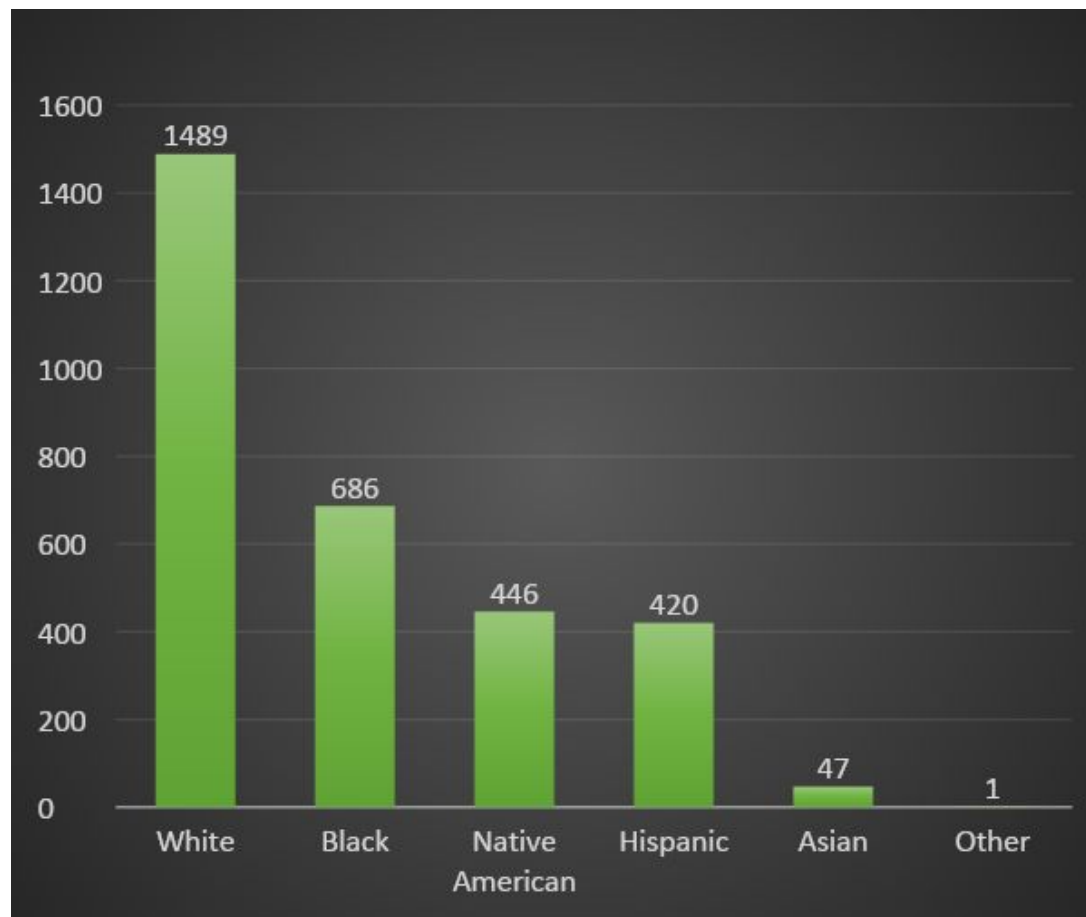
*Scores are based on scale of 1-6, with higher scores suggesting a higher likelihood of pretrial failure.*





- When a PSA Report is generated, it provides two scores (NCA and FTA) that when used in conjunction with a release matrix generate a supervision level.
- From May 2019 – October 2020, the PSA Report utilized 5 levels.
- In November 2020, the Brown County Report Center adapted recommended changes to the PSA and moved to a 4-level model.
- Each level has an associated reporting structure for defendants unless altered by Court Officials.

# 2022 PSA's Completed by Race/Gender

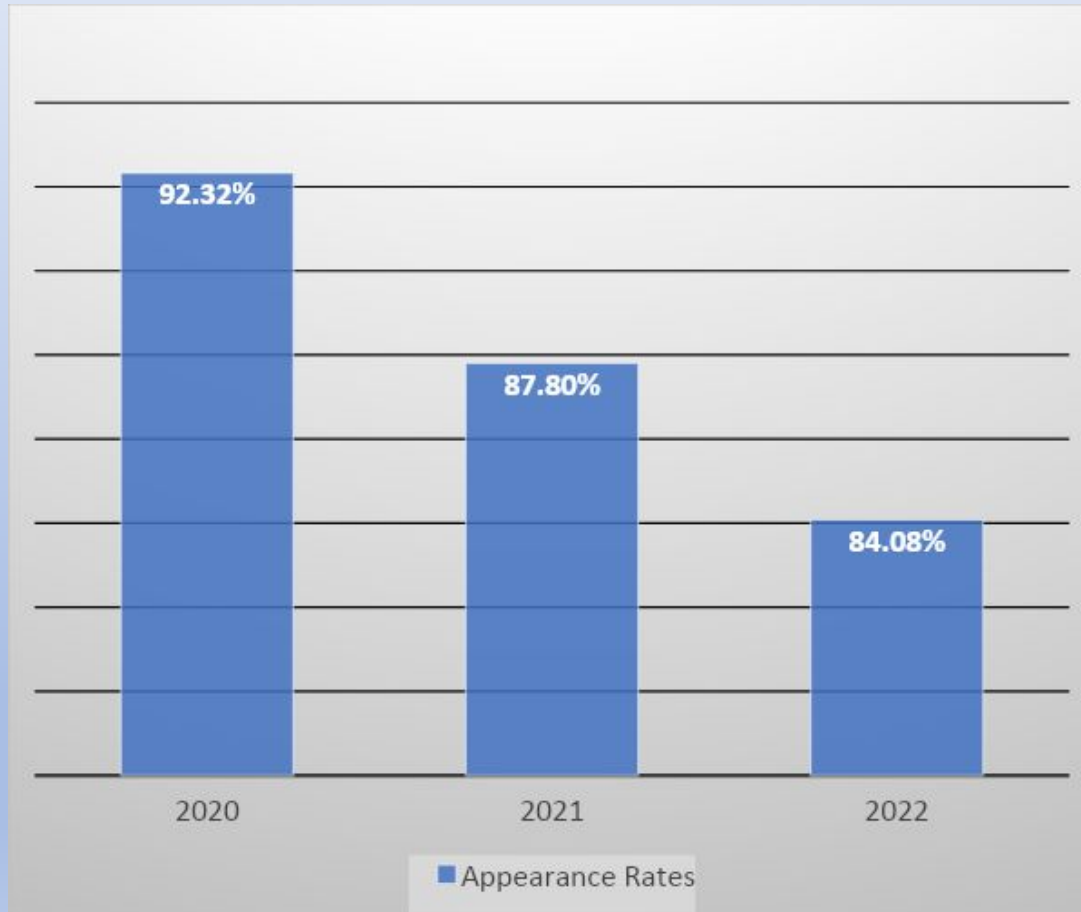




# Appearance/Safety Rates

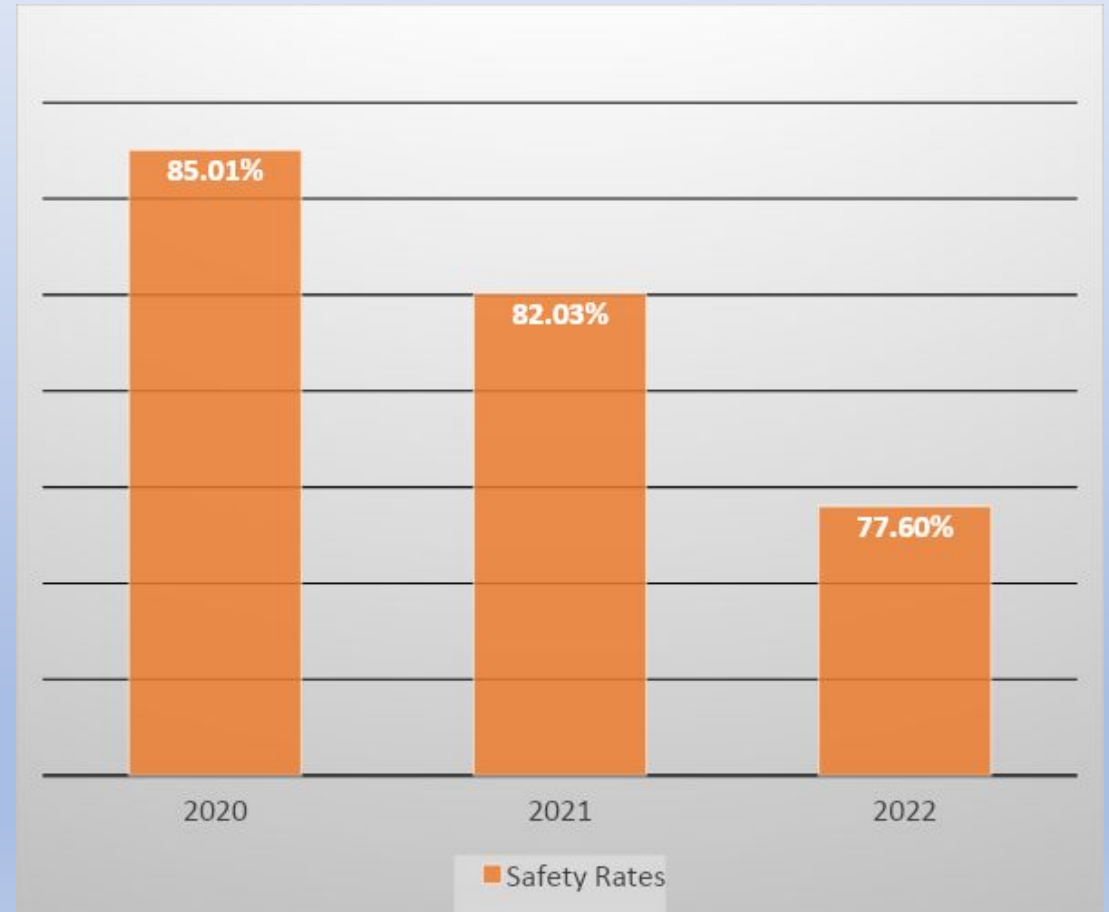
## Appearance Rate –

Percentage of defendants who successfully attend all pretrial court appearances while out of custody.

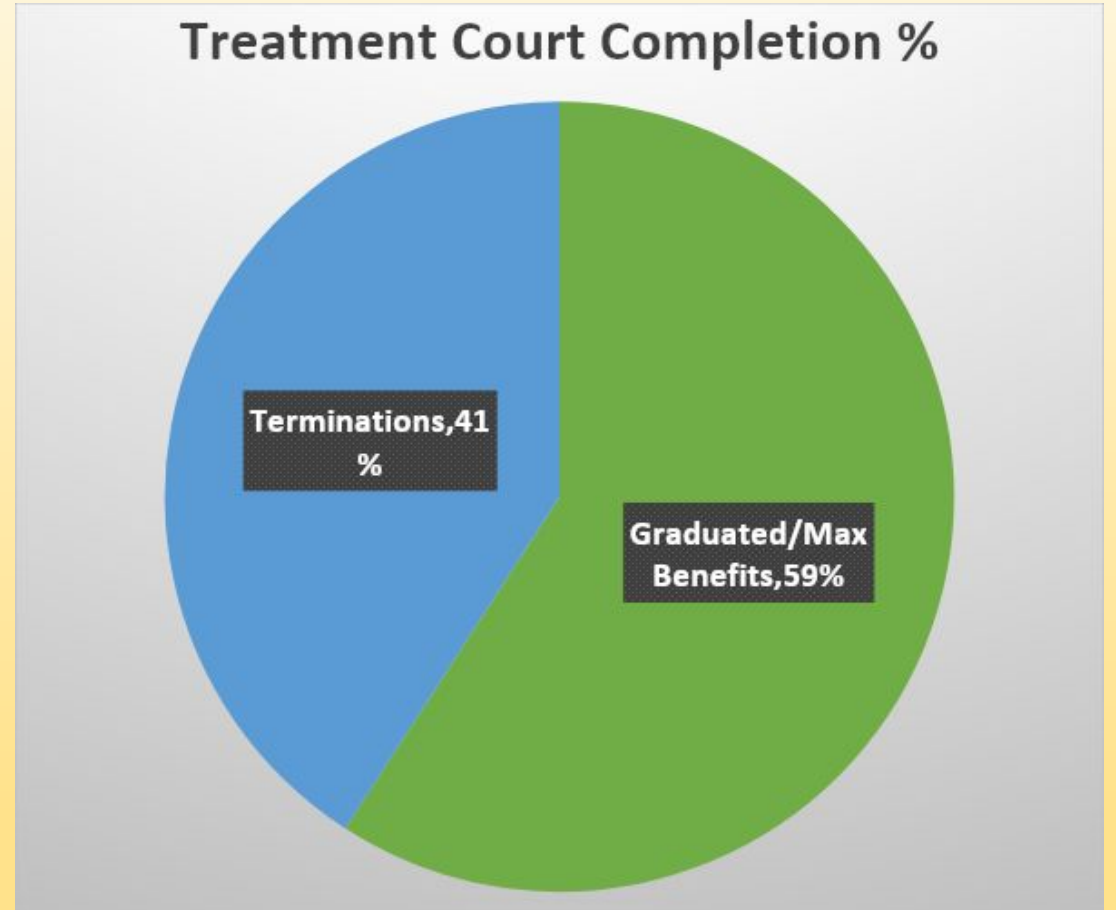
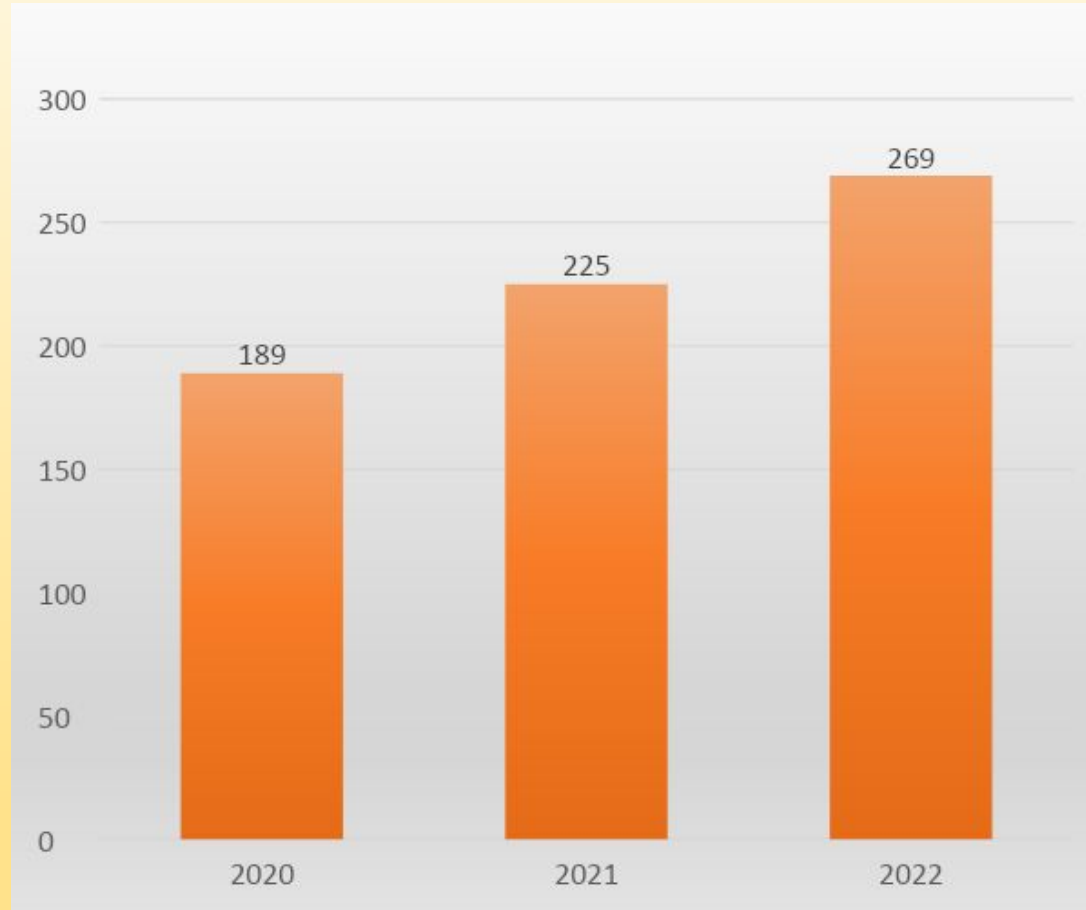


## Safety Rate –

Percentage of defendants who are not charged with a new criminal offense while on pretrial release.



# Treatment Court Referrals/Completion

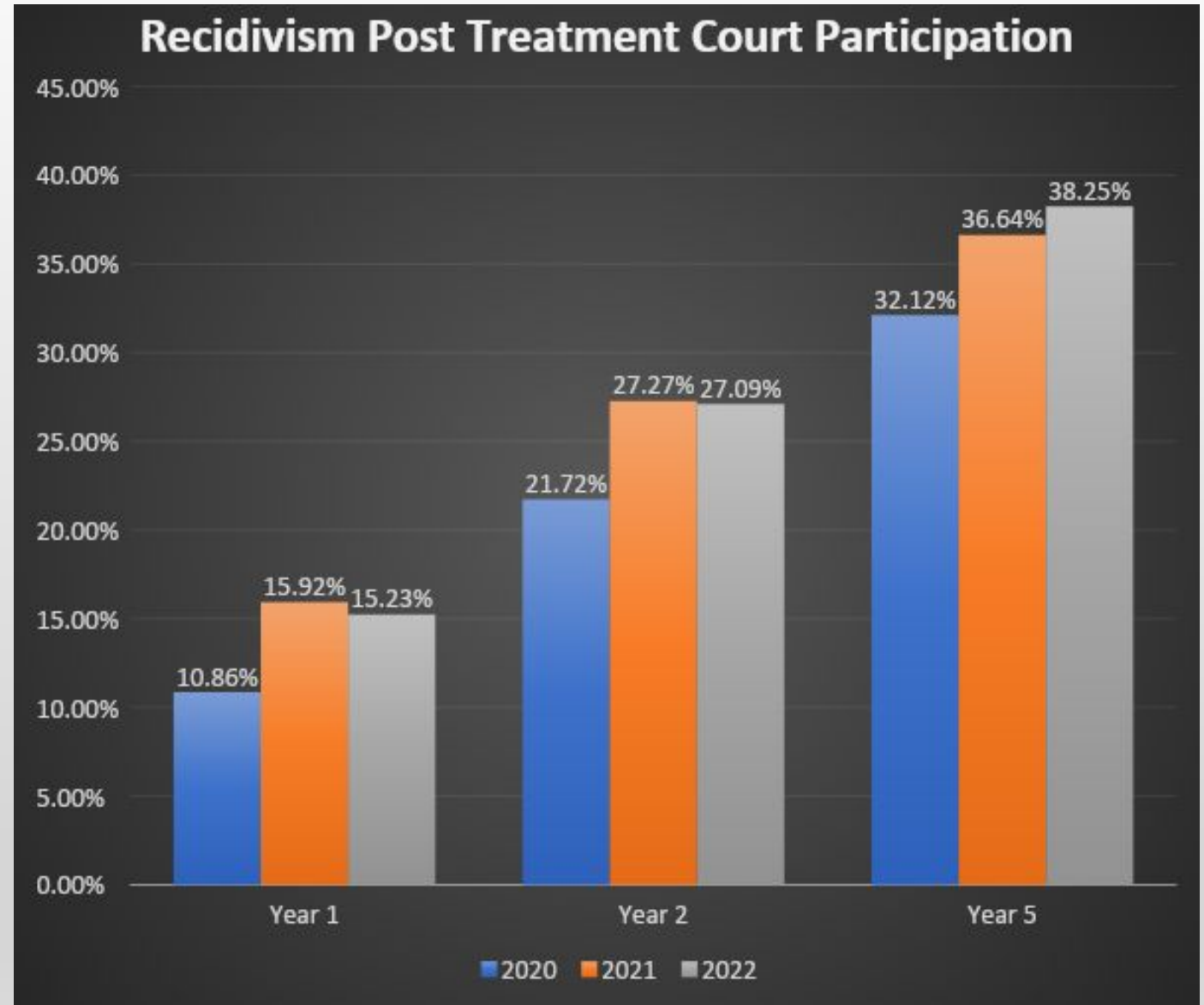


Overall, the Brown County Treatment Court programs successfully graduate approximately 59% of the individuals that come into the program. The Brown County Treatment Court exceeds the national average for completion percentage.



# Recidivism Across the Treatment Courts

- A Recidivist Event is when any former participating (completed or discharged) is convicted of a new criminal charge.
- Each recidivist event carries on through the duration of the tracking period. For example, if a recidivist event occurs in Year 1 it will show for each of the remaining reporting periods.
- *The average recidivism rates are between 35%-68% within the first 3 years for traditional methods.*
- **Based on traditional methods, the Brown County Treatment Courts are exceeding the national average and making an impact within the community.**

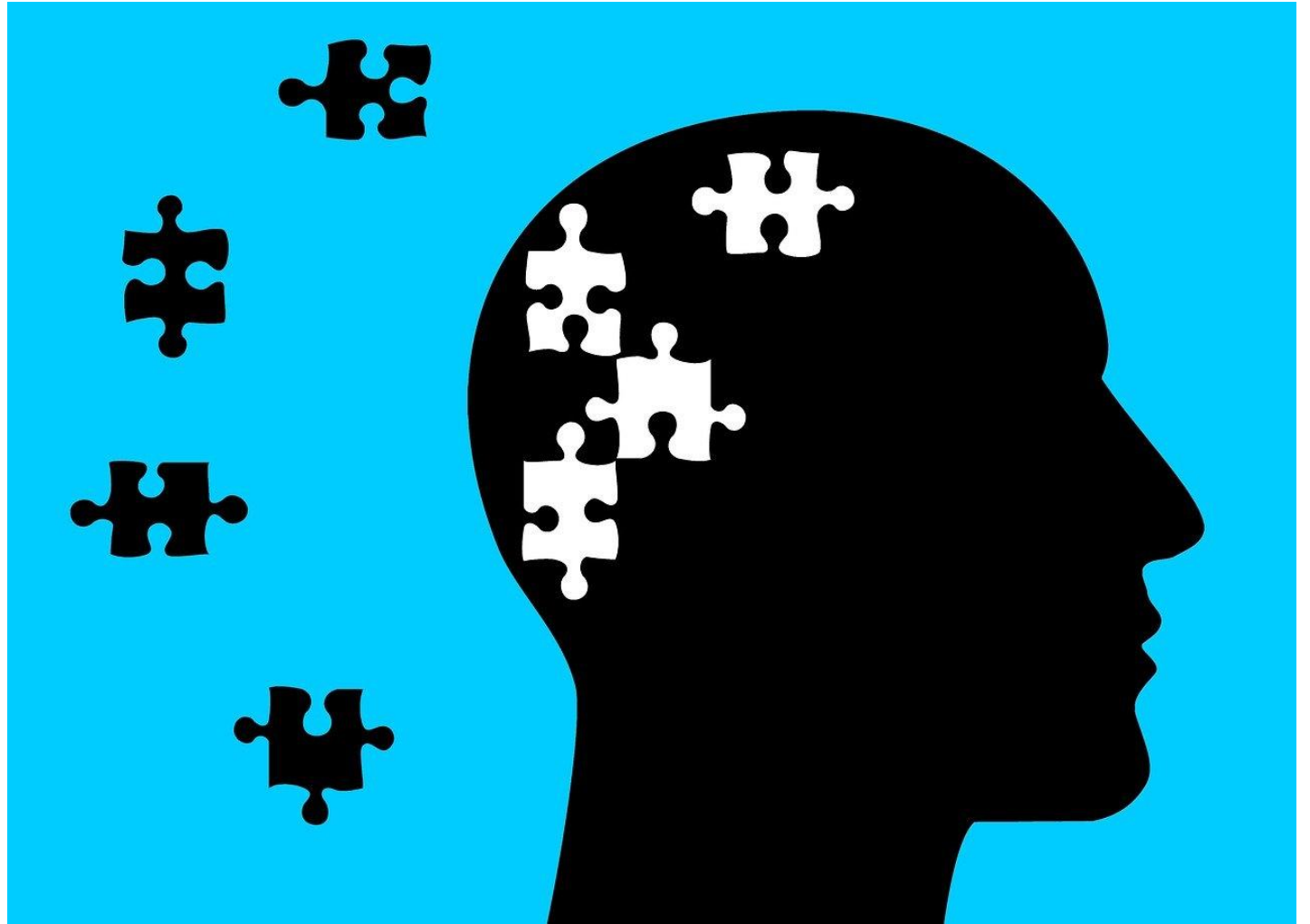


# Hear from a Graduate





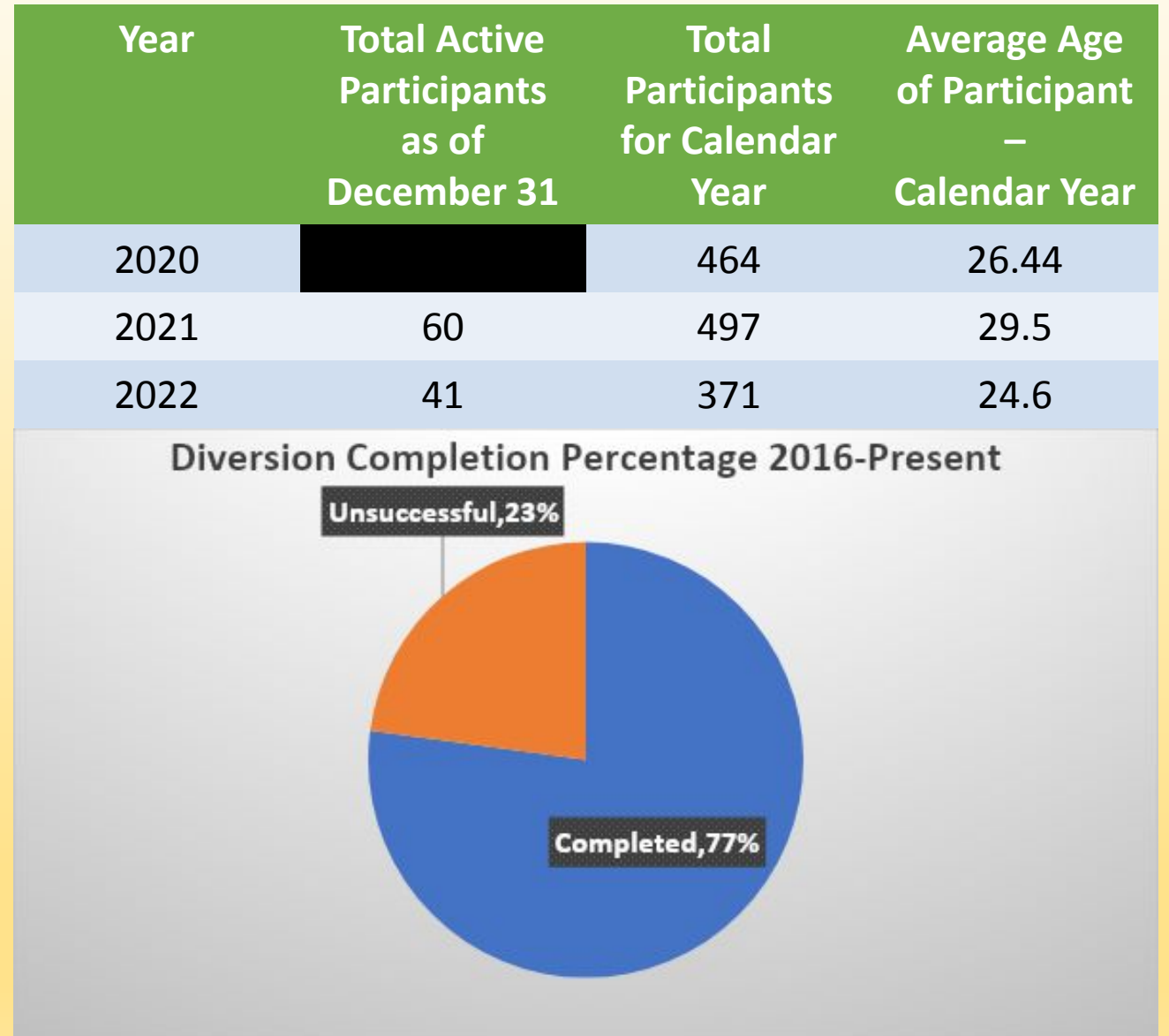
## Additional Diversion Methods



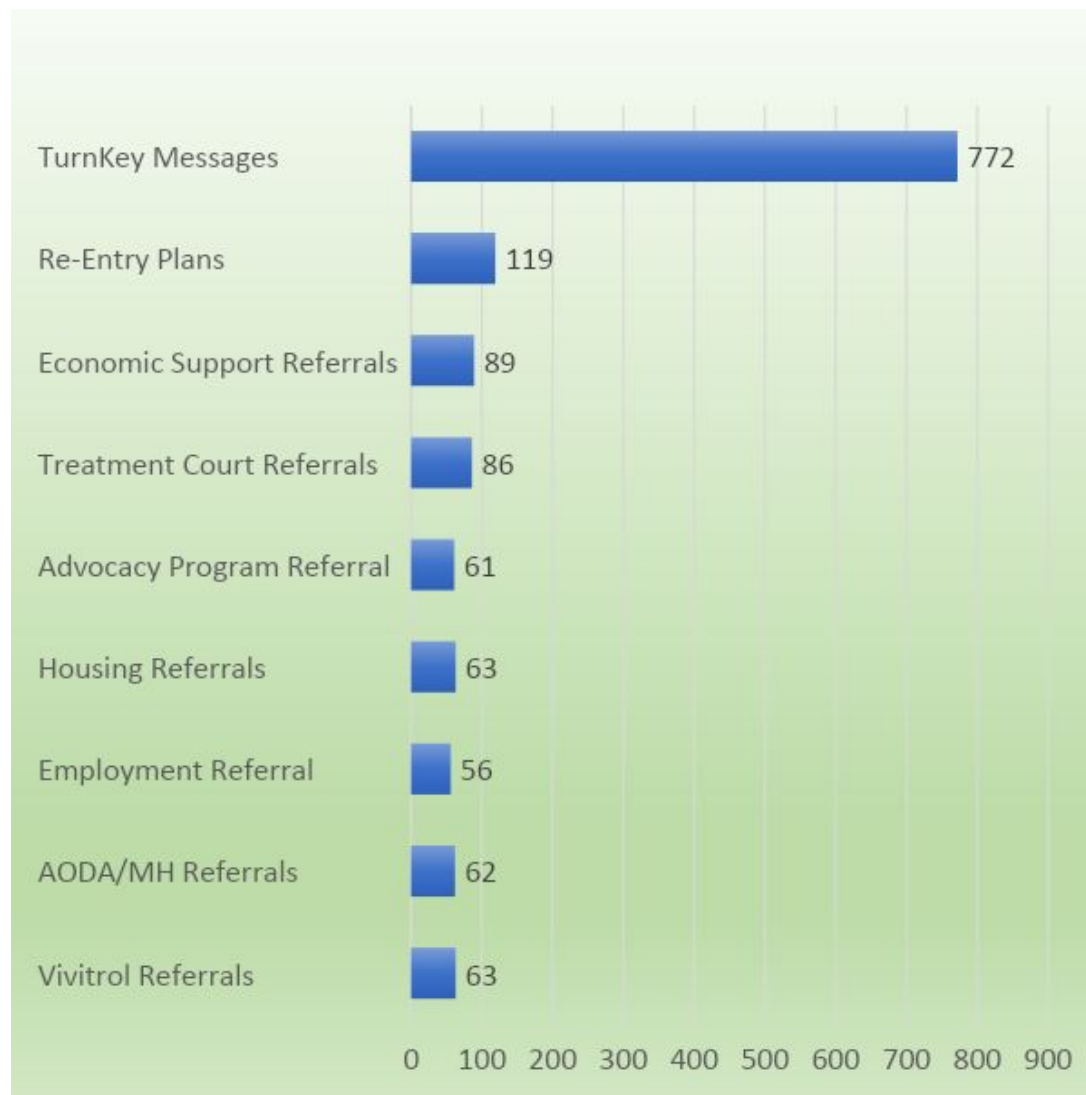
# Diversion Program

- The Brown County Pre-Charge Diversion Program is designed to divert first time or low-risk offenders who receive “low level” criminal charges or ordinance violations from the traditional criminal justice system by giving offenders the opportunity to self-correct.
- The program emphasizes counseling, treatment, and behavior modification over punitive measures.
- Often, participants must agree to:
  - Attend Classes & Vocational Training
  - Participate in Individual/Group Therapy or Counseling
  - Perform Community Service Work
  - Make Restitution Payments to Any Victim
  - Pay any Relevant Fines

Community Service Hours since 2021	Community Services Investment back into the Community since 2021
4,563.25	\$45,632.5



# Re-Entry Services



- The Brown County Re-Entry Services Program is designed to help jail inmates successfully return to society following their incarceration, thereby reducing recidivism, improving public safety, and saving money.
- This is done by working with justice involved individuals while they're incarcerated to address specific needs such as housing, substance/mental health treatment, employment, and other stability factors to prepare them for a smooth transition back into the community.

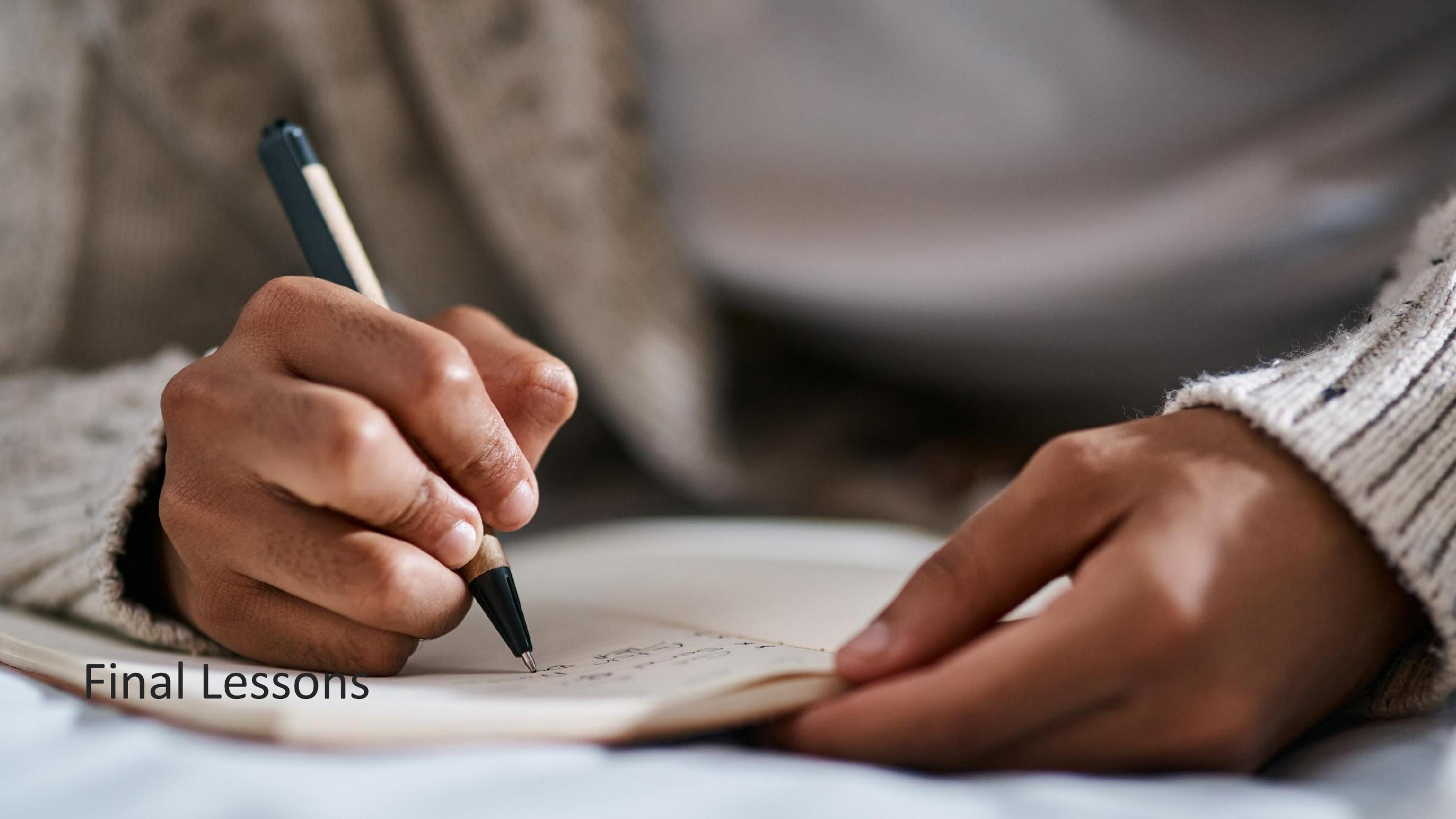


## Social Clinicians Paired with Police Officers

- 2019 Budget Initiative added a Clinical Social Worker Position in HHS to pair with a Green Bay Police Mental Health Officer.
- “People don’t want to be in police custody for eight hours at a time, and when we first started this program, that’s what the average was. That has come down now to three hours...” – GB Police Officer Erin Bloch.<sup>1</sup>

<sup>1</sup><https://www.wbay.com/2020/10/27/some-days-theres-not-enough-of-me-2nd-mental-health-clinician-proposed-in-brown-county-2021-budget/>





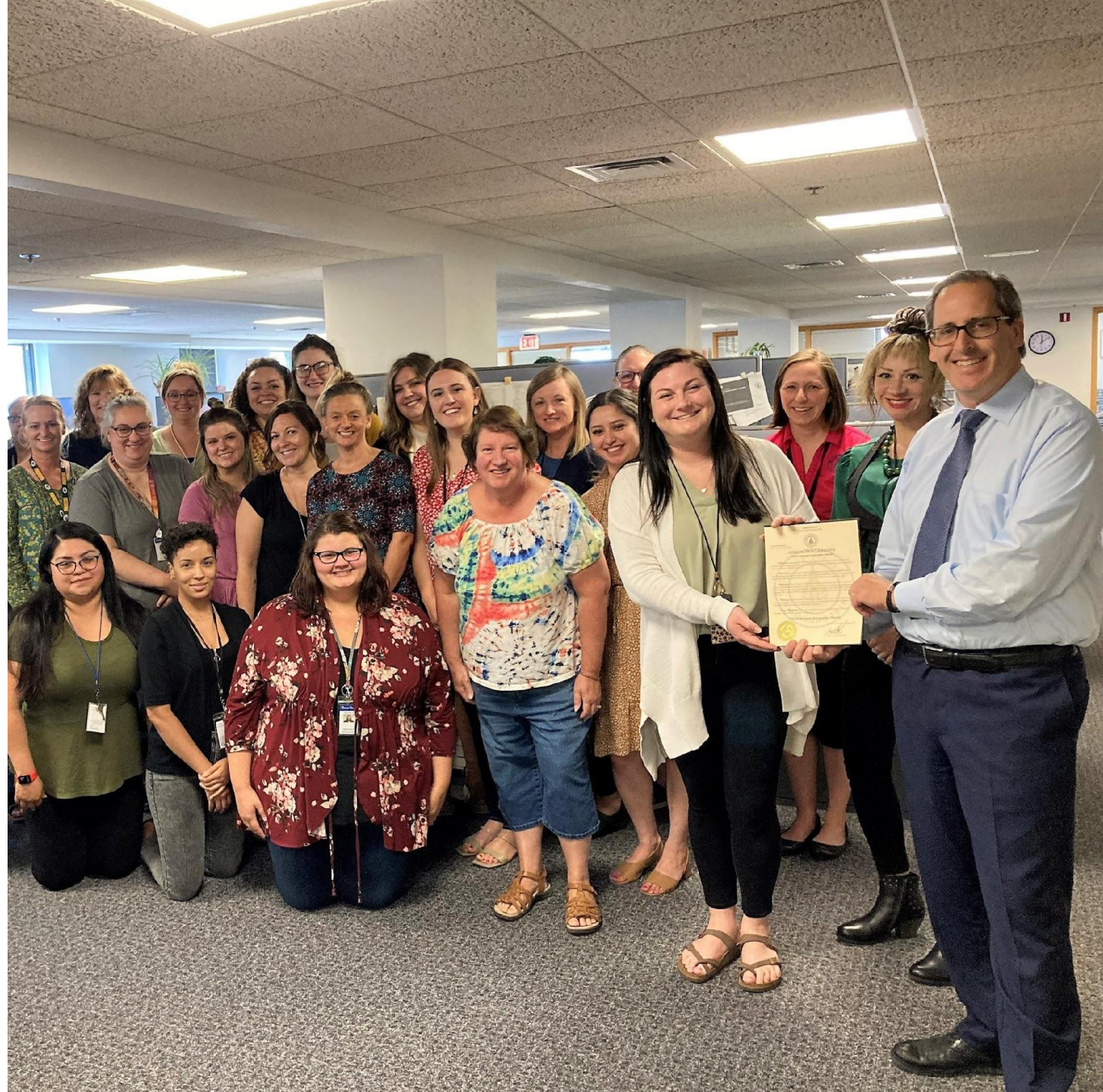
Final Lessons



# Brown County Lessons

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- Without Judges in your corner, these diversion programs don't happen.
- Additionally, the District Attorney's Office play a key role in the success of these diversion programs because they make joint recommendations to the Judges.
- Other areas not highlighted that assist in finding alternatives to incarceration are:
  - Child Support Programs
  - Focusing on Youth Diversion via Mentorship, Education
  - Strong Workforce Education and Programs to avoid Recidivism
  - Providing Mental Health Supports for Adults and Children





Thank You